

LFC PRESENTATION

OCTOBER 28, 2021

Board Members

The Board handles parole hearings for those leave prison, hearings for termination of parole for those already on parole and makes recommendations to the Governor as to pardons.

The board by statute is designed to have 15 members. We currently have 11. During the last year we obtained a new member Robert Kinney of Las Cruces. Two members retired.

Actions

This year the board amended its rules and procedures to align Board policies with Decisions of the United States Supreme Court. The Court ruled in a series of decisions that persons convicted of crimes committed while they were minors can not be detained in prison indefinitely without a meaningful possibility of parole. The Board adopted a policy and procedure that closely aligns with the supreme court ruling and current rules and regulations from other states. 25 other states have aligned their statutes or parole rules to comply with the supreme court decisions. This is the biggest change to Adult Parole Board Policies and procedures in over 30 years.

For the last two fiscal years the APB has fulfilled its statutory requirement of conducting board meetings every quarter. Previously it had been years since a board meeting had been held.

The APB is aware of changes being made by DOC as to its new digital program OMNI. This program will impact the APB in that practically all information used by the Board members to conduct hearings will now be virtual. This will require more training on the program and some investment in laptops or computers to handle the new transfer of information.

In the past few months, the APB eliminated virtually all of the backlog of its files dating back to 2012. These documents have now been properly labeled and were sent to Records to be achieved. Because the APB has not had the appropriate staffing levels the agency has been storing these documents for years going back to 2012. It was one of our highest priorities to get all past year's documents to the Records and Archives Division. This is finally happening because we were able to hire the appropriate FTE to get this job accomplished. We have now sent almost 300 boxes representing thousands of Parole Cases to the Records and Achieves Division. We only have 2019 and 2018 left to prepare and send.

Due to the pandemic virtually all of the hearings of the APB have been conducted through video conferencing using secure lines owned and maintained by the DOC with access limited to DOC and APB facilities.

Staff

The adult parole board under the General Appropriations act is allowed 6 FTEs. Additionally, the agency has had in past years a parttime intern. However, for most of FY 21 year the agency operated with 4 employees and no intern. This is the reason that the agency reverted approximately \$103,000.00 back to the general funds. For FY 21 the Agency budget was approximately \$624,000.00.

The staff has struggled to maintain the requirements placed upon it.

Within the last few months, the agency has been able to hire another FTE. However soon thereafter a long-time employee resigned to work for another state agency for a \$2.00 an hour raise. I am in the process of shoring up the workload placed upon the remaining employees while shifting duties and tasks to fit the current situation and initiating the process of hiring another employee although there is a backlog of work.

Audit

The FY 21 Audit is complete with two findings. The first finding is due to the lateness in which the reversion to the General Fund was completed. The second is the ongoing problem that the APB does not have a CPO. I have corrected the problem of lack of CPO by completing classes for that certification and will receive confirmation in the next few weeks which will eliminate that finding in next years audits.