

Increasing Efficiencies in Idaho's Parole Process

Second Follow-up Report
November 2012

Office of Performance Evaluations
Idaho Legislature



Report 12-10F

Created in 1994, the legislative Office of Performance Evaluations operates under the authority of Idaho Code §§ 67-457 through 67-464. Its mission is to promote confidence and accountability in state government through professional and independent assessment of state agencies and activities, consistent with legislative intent.

The eight-member, bipartisan Joint Legislative Oversight Committee approves evaluation topics and receives completed reports. Evaluations are conducted by Office of Performance Evaluations staff. The findings, conclusions, and recommendations in the reports do not necessarily reflect the views of the committee or its individual members.

2011–2012 Joint Legislative Oversight Committee

Senate

Elliot Werk, Co-chair
James C. Hammond
Dean M. Mortimer
Michelle Stennett

House of Representatives

Clifford R. Bayer, Co-chair
Maxine T. Bell
Elaine Smith
Shirley G. Ringo

Rakesh Mohan, Director
Office of Performance Evaluations

Acknowledgements

We appreciate the cooperation and assistance of the Idaho Department of Correction and the Commission of Pardons and Parole. Maureen Brewer of the Office of Performance Evaluations conducted this follow-up review, and Margaret Campbell was the copyeditor.

Dr. Kathleen Sullivan, professor and former director of the Center for Education, Research, and Evaluation at the University of Mississippi, conducted the quality control review.

Increasing Efficiencies in Idaho's Parole Process

Second Follow-up Report

Overview of Past Reports

On September 29, 2000, the Joint Legislative Oversight Committee assigned our office to conduct an evaluation of barriers that may keep inmates in prison beyond the point that they have been determined eligible for release. However, before such an evaluation could occur, preliminary research indicated that problems existed with how the Commission of Pardons and Parole managed offender data and how those practices related to the Department of Correction's (IDOC) efforts to manage offender data. Rather than proceed with an evaluation that would have analyzed parole release practices, the Oversight Committee instead asked our office to specifically study data management issues.

The commission determines whether offenders can be released on parole, and IDOC prepares offenders for release from prison.

In May 2001 we released a report that called for improvement in data management at the commission and increased collaboration between the commission and IDOC. At the time, we found that the commission's nearly exclusive paper system of recording, storing, and summarizing data increased the risk for errors throughout the parole process.

Two follow-up reviews in 2003 and 2005 supplemented the 2001 report. The follow-up reviews documented several improvements made by the commission to increase the automation of its data system. We also noted that IDOC staff were working with commission staff to plan and build a parole component into the IDOC data system.

In spring 2009 the Joint Legislative Oversight Committee again directed our office to study the parole process—this time to examine the efficiency of parole releases. In February 2010 we released the report *Increasing Efficiencies in Idaho's Parole Process*. The report focused on the roles and responsibilities of the commission and IDOC to release eligible offenders from prison on time. After the report release, we sent management letters to the commission and IDOC.¹ The letters identified data issues and proposed solutions to help the commission and IDOC better manage offender information.

¹ The *Government Auditing Standards* by the US Comptroller General require auditors to communicate in writing deficiencies found within the context of the audit objectives that, although not significant to the objectives, warrant the attention of audited entity officials (GAO 2011 Revision, 7.19).

Tentative parole date (TPD) is the release date given to an offender if parole is granted at the offender's parole hearing.

A key piece of our 2010 report methodology was to analyze release delays for a sample of offenders paroled from January 2007 to September 2009. The analysis revealed that, for the analyzed sample, delays in parole release were increasing and that many offenders were released from prison after their tentative parole date.

Our 2010 report made 26 recommendations to increase the efficiency of Idaho's parole process. We directed the recommendations to the commission, IDOC, the Legislature, and the Governor. In February 2011 we conducted a follow-up review to assess the degree to which the recommendations were implemented. At that time we determined that 7 recommendations were implemented, 12 recommendations were in process, and 7 recommendations were not implemented.

Past Reports in the Parole Process

May 2001	Report Release: <i>Improvements in Data Management Needed at the Commission of Pardons and Parole: Collaboration with the Department of Correction Could Significantly Advance Efforts</i>
February 2003	Follow-up Review
March 2005	Follow-up Review
February 2010	Report Release: <i>Increasing Efficiencies in Idaho's Parole Process</i>
April 2010	Management letters to the commission and IDOC: <i>Data Issues Relating to the Parole Process</i>
February 2011	Follow-up Review
January 2012	Interim update provided by the commission and IDOC to the Oversight Committee

Current Status

The recommendations made in our 2010 report fell into four general areas: communication, training, policy, and data management. In April 2012 we requested an update from IDOC and the commission for this second follow-up review. IDOC provided an update in July on its efforts to make improvements within these four areas, which is in appendix A. The commission's update on the status of our recommendations was submitted in mid-September and is in appendix B.

The update submitted by IDOC clearly articulates its progress in communication, training, policy, and data management. The commission's update, however, does not demonstrate that significant progress has taken place within the commission—perhaps because the update does not include a description of efforts made to improve in each of the four areas. Rather, the details included in the commission's update generally fall into one of three categories: (1) reiterate previously provided information or stances on certain recommendations; (2) describe the commission's work on its zero-based budgeting project; or (3) illustrate the disconnect between the commission's effort to implement the recommendation and the recommendation's intent.

Despite our concerns about the degree to which the commission has taken meaningful steps toward substantive change and improvement in communication, training, policy, and data management, our updated analysis of delays in parole release indicates some potential improvement. We reported in 2010 that 69 percent of the offenders in our sample were released from prison *after* their tentative parole date. This year, we found that 57 percent of the offenders in our sample were released after their tentative parole date.

Although it is tempting to call the difference between 69 percent and 57 percent a 12 percentage point improvement in avoiding overall parole release delays, we must caution against drawing that conclusion for several reasons:

1. We have outlined data management issues in our previous reports to the Joint Legislative Oversight Committee (2001, 2003, 2005, 2010, and 2011) and in a 2010 management letter to the commission. As was the case in 2010, the commission's most comprehensive data set (which includes critical information about offender hearings and releases) is maintained in Microsoft Word. Word is a program designed for word processing, not for accurate analysis of thousands of quantitative data points, a high level of quality control, or production of timely reports. Consequently, Word tables are not an efficient or effective way to manage offender data, and they increase the risk of data entry errors. We found a wide range of inconsistencies in the 2010 data and again in 2012.² By the very nature of these inconsistencies, fair comparisons between the two analyses (2010 and 2012) are neither feasible nor appropriate.³

² Examples of inconsistencies include incorrect offender gender or parole district, offenders listed in the tables more than once, offender release dates that predate other dates (such as their hearing date), missing data, or comments in the miscellaneous section that say "release delay" when the data showed an on-time release.

³ Following the release of our 2010 report, we provided the commission with an Excel spreadsheet (and training) to use as a template for entering offender data. The commission told us the spreadsheet was too difficult to use and continued to rely on word processing software for data processing.

2. In order to complete our 2010 analysis, we conducted a massive data cleanup that included the following processes: (1) cleaning and transferring the commission's Word tables to Excel, (2) cleaning and formatting the Excel files, and (3) merging and reconciling the commission's data with data received from IDOC to create a new dataset from which to answer policymakers' questions. We underwent this effort with the expectation that the commission would improve its data management practices, which would make future analyses more efficient and effective. Because no substantive changes were made to data management, we underwent the same cleanup process in 2012. We found that the way in which offender data is managed prevents us from fully capturing potential reductions in release delays for the sample of offenders in our analysis.
3. We used the same criteria to analyze release delays in 2012 as we did in 2010.⁴ However, given the significant inconsistencies in how the commission maintains offender information, neither the 2010 nor the 2012 analysis is generalizable to the entire population of paroled offenders. The rationale for the criteria we used in both analyses was two-fold: (1) to overcome inconsistencies in the data, and (2) to exclude from the analysis those offenders with characteristics that would have made it unlikely for them to be released on time, such as offenders who entered prison with less than six months before their parole eligibility date.⁵
4. Pathways for Success was not yet entirely implemented in 2010, but in 2012, Pathways had been fully implemented. The implementation of Pathways, which was outside the scope of any of our evaluations, should reduce parole release delays regardless of any effort to increase efficiencies within the commission. IDOC staff said that all offenders in prison (with the exception of sex offenders) are starting programming on time and that sex offender programming is the only Pathway with a wait list. Without additional analysis, there is no way to determine whether the current reduction in delays is simply due to the full implementation of Pathways.

⁴ We used the following logic-based criteria for inclusion of offenders' records in our analysis of release timeliness: (1) the offender was found in the commission's and IDOC's data set; (2) as indicated by the commission's data, the offender did not have an open date; (3) as indicated by the commission's data, the hearing was the offender's first parole hearing; (4) the hearing date preceded the parole eligibility date; and (5) the tentative parole date was not more than two days before or after the release date.

⁵ In general, programming takes a minimum of six months. If offenders come into prison with less than six months before their parole eligibility date, they are much less likely to complete programming on time. IDOC's response in appendix A indicates that the offender population has increased over the past year, causing a backlog of offenders in county jails who have upcoming parole hearings. This backlog will no doubt affect whether offenders will be released on time.

Future Direction

The Commission of Pardons and Parole and IDOC are jointly responsible to meet public safety needs, move offenders through the system, and prepare offenders for eventual release. The commission and IDOC must meet these responsibilities within the constraints of a prison system that has been operating at, near, or above capacity.

Policymakers should keep the following points in mind as they contemplate the future of Idaho's correctional system:

Of the offenders in our sample, over half had a release delay. Assuming that the 12 percentage point decline in delays between our 2010 and 2012 analyses truly represents an improvement, policymakers should note that within our sample, 57 percent (1,176 offenders) still had a release delay (totaling 145,174 days).

Delays cost the state money. The primary function of the commission and IDOC is to ensure public safety; therefore, our analysis included only offenders who were deemed safe to return to the community and granted parole by the commission. Using fiscal year 2012 costs, we estimate that if all 57 percent of the offenders in our sample with a release delay had been released on time, the state would have saved about \$7.2 million.⁶ Not only do delays have a monetary cost to the state, but they also have implications for the efficient administration of justice. The commission and IDOC have a responsibility to release offenders in a timely manner once an offender has met the terms of his or her release.

Inmates are being housed out of state. This summer marked the first time since 2009 that IDOC was forced to house inmates out of state. In July, IDOC signed a contract with Corrections Corporation of America for \$4.8 million to house 450 inmates in Colorado. As of September 21, IDOC had sent the first 250 inmates out of state.

Neither this follow-up review nor previous reports we have completed on the parole process attempted to quantify the link between delays in parole releases and a lack of bed space. However, timely releases to parole from prison would presumably open previously occupied bed spaces and help alleviate the need to house inmates out of state.

⁶ For fiscal year 2012, the cost per day of community supervision was \$3.86 and the cost per day of incarceration was \$53.24.

Conclusion

Our reports on the parole process continue to underscore the same themes. The unresolved issues highlighted in these reports plus our 2010 report on the state's prisons provide policymakers several ways to capture efficiencies in Idaho's correctional system.⁷

Unless the commission makes substantive changes in the way it manages offender data, we believe a third follow-up review will be of little use and suggest that the Oversight Committee close this report. We make this suggestion with a caveat that opportunities exist to become more efficient and significant work remains to capture those efficiencies, especially at the commission. Automation and modernization of how the commission collects, manages, and stores data is the most critical step necessary to realize greater efficiency, better effectiveness, and potential savings to the state.

⁷ Office of Performance Evaluations, *Operational Efficiencies in Idaho's Prison System*, January 2010, and the subsequent follow-up review in February 2012.

Appendix A

**Idaho Department of Correction's
Update of Implementation Efforts**



IDAHO DEPARTMENT OF CORRECTION

*“Protecting Idaho through Safety, Accountability, Partnerships
and Opportunities for Offender Change”*

C. L. “Butch” Otter
Governor

Brent D. Reinke
Director

July 20, 2012

Mr. Rakesh Mohan, Director
Office of Performance Evaluations
P.O. Box 83720
Boise, ID 83720-0055

Dear Director Mohan:

RE: Increasing Efficiencies in Idaho’s Parole Process

Thank you for the opportunity to update members of the Joint Legislative Oversight Committee on Department progress to continually improve processes and increase efficiencies in Idaho’s parole process. The Department is pleased to report significant progress. Based on updates provided previously and current process improvements, the Department respectfully requests closure of this OPE report. Below are some of the latest actions to support this request.

HISTORY AND CURRENT STATUS

Times and challenges have changed significantly in Idaho’s prisons and probation and parole since the Joint Legislative Oversight Committee requested a review of Idaho’s Parole Process. In 2009, at the time the “Increasing Efficiencies Idaho’s Parole Process” report was drafted, Idaho was doing the following:

- Implementing Treatment Pathways for Success to increase treatment capacity and reduce treatment back logs.
- The state was preparing to launch a trio of short-term treatment options.
- “No Growth” efforts honed systems to impact and reduce inmate growth.

As we enter Fiscal Year 2013, Idaho is challenged with increasing prison populations pushing inmates into county jails and out of state. This will have long-term impacts on the system and has immediate impact on our ability to move inmates into the system in a timely manner.

Even with population challenges, the Department retains focus on enhancing data management, establishing systems to use data to drive decisions and assign resources. The Department continuously evolves policy and practices to match best practices. IDOC remains committed to communication, and training to educate internal and external stakeholders.

DATA DRIVEN INITIATIVES

Development of the **Correctional Integrated System (CIS)** continues. The management and tracking tool is an important element for tracking and developing consistency so data and policy drives decisions. Essential to making CIS work most effectively is the work of the MAP group.

A multidisciplinary team is currently doing an in-depth analysis on the process an offender follows from sentencing through release. The **Management of All Populations (MAP)** Gap Analysis includes reviewing how information is gathered and stored in the data system, how that system affects business practices, and seeks to define improvements that could result in efficiencies.

Also in development is a **quality management system (QMS)**. The QMS policy and standard operating procedure are complete and education on the initiative is underway in the Department.

This new Quality Management System has ushered the Department into an era of fact-based process evaluations through a collaborative internal review of key performance indicators. Known internally as the IDOC Quality Council, this group of senior leadership representatives reviews key performance trends and is currently defining measures that best guide decisions based on priority and risk. The long-term goal of QMS is using fact-based information to effect change and improve efficiencies agency-wide.

The Department has also **restructured inmate movement**, placing the function in Education, Treatment and Reentry. Also now in place is a quality control coordinator. The coordinator tracks program exceptions and is involved in developing a data-driven approach that relies on data-tracking to keep inmates moving toward release.

POLICY

The **Treatment Pathways For Success** standard operating procedure represents the largest change in Department processes associated with making certain inmates are ready for release. The impact of creating the pathways was evidenced in the numbers provided to this committee in February. The only inmate group waiting for treatment is sex offenders, a newly developed pathway.

The Department proposed, and lawmakers passed, **Senate Bill 103, Rehabilitation Services**, during the 2011 legislative session. Recommended by the OPE report, the Department championed the change in §20-209, Idaho Code, to include the opportunity for rehabilitative services.

Another process success worthy of note is the parole plan approval process. The average length of parole plan investigations from the time they are assigned to the probation and parole officer to the approval or denial of the plan is 10 days. This approval allows inmates to be released in a timely manner with a safe and appropriate parole plan. The standard operating procedure for the process is currently being redrafted to capture the release process for expanded retained jurisdiction programs.

The next major policy driver is the “**Results First**” pilot project. With support of the Idaho Criminal Justice Commission (ICJC), Idaho became the first state to participate in this three-year pilot sponsored by Pew Center on the States. As you know, the database module was developed by Washington State Institute for Public Policy to develop and test a user-friendly version of their cost-benefit model. States can populate the database model to identify the greatest return on investment by examining the savings associated with reforms in sentencing and corrections policy.

The populated model has been transitioned to the Department and, again, with ICJC support, the Department is in the process of contracting with a part-time economist to manage the ongoing maintenance and enhancement of the model. This is a first step towards creating and implementing cross systems analysis and reporting across criminal justice agencies.

COMMUNICATION and TRAINING

Communication initiatives mentioned in previous updates continue. Joint trainings with the parole commission continue along with continued monthly court meetings and retained jurisdiction meetings.

The Department opens new communication channels based on need. The most recent addition was specific brief sheets, trainings and dialogue on the implementation of the substance use disorder process in the spring and summer of 2012. A similar method of planned and targeted communication with the Parole Commission and other partners will occur this fall as new strategies are introduced for managing probationers and parolees.

The Department’s newly revised **strategic plan** includes a communication plan, and an objective and action specific to communicating, effectively and often, with both internal and external partners. A core tenant of the Department’s philosophy, this remains a strategic initiative because of the changing needs within the agency.

The Department-Commission communication log and hearing logs remain vital communication tools as well. Now in place electronically, the Department provides a status summary to assist with communication to the parole hearing officer. A case supervisor attends all hearings and notes the results in CIS to trigger the pre-release process.

Standard protocol for program trainings includes copying and inviting the Commission to all scheduled program trainings. In addition to normal daily business dialogue, the Education, Treatment and Reentry group continues to meet monthly to review issues and concerns on the prior month’s hearings. The Education, Treatment and Reentry director attends Commission meetings quarterly to discuss any outstanding issues and communicate any changes in programming.

CONCLUSION

More specifics on individual recommendations are attached as Attachment 1, but answering recommendations in a 2010 report don’t tell the larger story of an agency committed to continuous improvement.

Mr. Rakesh Mohan

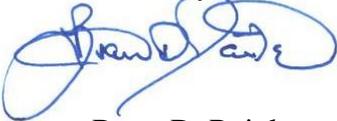
Page 4

July 20, 2012

Thank you, again, for the opportunity to update members of the Joint Legislative Oversight Committee. The Department remains committed to improving processes to support parole processes and all processes within the agency.

Current initiatives to support these efforts will assist Idaho into the future. The Department again respectfully requests JLOC and OPE officially close the "Increasing Efficiencies in Idaho's Parole Process."

Sincerely,



Brent D. Reinke
Director

BDR/tj

Encs: Recommendations (Attachment 1)
Letter from Henry Atencio (Attachment 2)

CC: Olivia Craven, Parole Commission Director
Matt Orem, Division of Financial Management
Board of Correction

By e-mail

Increasing Efficiencies in Idaho's Parole Process
OPE.IDOC Updates
Recommendations Specific Information
Updates July 19, 2012

Recommendations for the Department of Correction

***Recommendation 3.2:** The Department of Correction should develop specific criteria for moving offenders from county jails into the prison system by formalizing its use of parole eligibility dates in determining how offenders are prioritized for movement.*

In August 2011 the Inmate Placement Bureau was placed under the supervision of the Director of Education, Treatment & Reentry. The ET&R Quality Control Coordinator began attending weekly movement meetings to insure that parole eligibility dates and parole hearing dates were considered during the move process. During this same period, the Department experienced a significant population increase that resulted in county jail population doubling, from 419 in June 2011 to 816 in 2012.

This population increase and lack of facility beds has caused a backlog of offenders with upcoming parole hearings in county jails. The Department has signed a contract to move 250 offenders to an out-of-state facility in August 2012 and additional offenders in groups of 100 as beds are needed.

The Department anticipates this move will allow the backlog to be depleted by the end of 2012, but jail housing will remain an essential part of the prison system.

***Recommendation 3.3:** The Department of Correction should monthly track the frequency, reasons, and long-term trends associated with exceptions made to offenders' assigned pathway. The Department of Correction should review these exceptions to identify potential areas that could enhance or modify Pathways for Success.*

ET&R's Quality Control Coordinator (QCC) tracks and processes all program exception requests under the direction of the Chief Psychologist and the Director of ET&R. The tracking system includes the reason for the request and the subsequent action taken. This system allows for trend analysis and quality control at monthly meetings. The QCC is currently working on a long-term analysis for FY12.

***Recommendation 3.7:** As the Department of Correction updates its computer system, it should, at least semi-annually, review how offender information is being entered to determine whether some of this information could be categorized and stored using a more standardized approach.*

The Department is in the final stages of implementing an Offender Management Plan module enhancement that will include Treatment Pathways for Success in communities. The project included enhancements that clarified definitions, auto-populated date fields and enhanced the agency's ability to run reports and gather data on pathways.

A multidisciplinary team is currently doing an in depth analysis on the process an offender follows from sentencing through release. The Mapping All Populations (MAP) Gap Analysis includes reviewing how information is gathered and stored in the data system, how that system affects business practices, and seeks to define improvements that could result in efficiencies.

Recommendation 4.7: *As the Department of Correction implements its new computer system, it should further evaluate the parole plan process by tracking the timeframes surrounding plan development and submissions.*

In November of 2011, Department of Correction and Commission of Pardons & Parole staff worked with the Department's Information Technology group to design a report that would measure the parole plan process through each step and allow for analysis and quality assurance. The report was tested to measure November 2011 releases. In that sample, the probation and parole officer completed parole plan investigations within an average of 10 days after the section supervisor assigned the plans.

The report has been submitted to IT as a project request and will be completed as resources and priorities allow. In the interim, the Education, Treatment & Reentry group will periodically complete the report manually for quality assurance.

Recommendation 5.1: *The Department of Correction should formalize its efforts to regularly review staffing allocations and trends in offender releases, including the districts that offenders parole to and the level of supervision these offenders require. At least annually, the Department of Correction should monitor staffing allocations to identify any trends and consider reallocating staff among its districts to better align with shifts in community supervision demands.*

This is standard practice. An attached memo from Probation and Parole Deputy Chief Atencio details the process and recent results.

The Department is currently developing a Focused Supervision model that will require close attention to staffing allocation and the process developed by probation and parole to monitor caseloads. The Focused Supervision model focuses attention of field officers to actively supervise high- and moderate-risk probationers and parolees. Other offenders will be managed through technology and desk officers who have higher caseloads, but don't work in the field. Based on best practices, this allows the Department to focus community resources where they're needed the most.

Recommendation 4.6: *The Department of Correction should evaluate parole plan investigations by conducting a study over several months and evaluating the options for some standardization of the process. Once complete, the Department of Correction should then develop a policy to guide officers in conducting investigations.*

The policy and standard operating procedure were developed and are in the review process.

Recommendations for the Commission and the Department

Recommendation 4.3: *The Department of Correction and Commission of Pardons and Parole should collaborate to track the frequency, reasons, and outcome associated with the assignment of additional programming at parole hearings. The Department of Correction and the Commission of Pardons and Parole should review this information quarterly to ensure both parties have a clear understanding of the Department of Correction's objectives and Commission of Pardons and Parole's pre-release requirements.*

The Department's Education Treatment & Reentry Bureau (ET&R) staff meets with the Commission of Pardons and Parole monthly to review issues and concerns with the prior month's hearings. Pathways and programs are determined through objective assessments and the Department does not automatically enroll an offender in a program or change an offender's pathway based on a Commission recommendation. There are times when the Commission garners information in the hearing process that was unavailable or unknown to the Department that would legitimately trigger a change in programming. ET&R collaborates with the Commission on these cases through the monthly meetings and through miscellaneous reviews when necessary.

Recommendation 4.4: *The Department of Correction and the Commission of Pardons and Parole should formalize the programming-related training between case managers and hearing officers. This training could include information about Pathways for Success, assessments used to determine programming, and the eligibility criteria for each program.*

ET&R now provides all new education, treatment and clinical staff with a four-week academy that is scheduled throughout the calendar year in 40-hour blocks. The curriculum is broken into modules that include Pathways, case management, structured reentry and assessment tools and practices. These trainings are published well in advance and are available to new hires and are used as a refresher for existing staff as needed. Commission employees have access to the Department's training calendar and are welcome to attend.

Recommendation 4.5: *The Department of Correction and the Commission of Pardons and Parole should develop communication tools that outline the points throughout an offender's incarceration at which case managers, hearing officers, and parole officers should collaborate in determining an offender's readiness for his or her parole hearing and eventual release.*

IDOC Standard Operating Procedure for Offender Program Management requires specific and detailed information to be provided to a Parole Hearing Officer (PHO) in the form of a status summary entered into CIS prior to the PHO hearing. A case supervisor attends all parole hearings and notes the results in CIS to trigger the pre-release process, if applicable. The ET&R parole coordinator communicates with the district office, case manager and Parole Commission prior to an offender's release to insure a solid reentry plan.

Memo

To: Teresa Jones
From: Henry Atencio
Date: 07/20/2012
Re: OPE Response

OPE Recommendation 5.1: The department should formalize its efforts to regularly review staffing allocations and trends in offender releases, including the districts that offenders parole to and the level of supervision these offenders require. At least annually, the Department of Correction should monitor staffing allocations to identify any trends and consider reallocating staff among its district to better align with shifts in community supervision demands. (2011 status: in process)

Prior to filling a vacant PCN, the department analyzes statistical data through COMPSTAT to include presentence investigations, caseload averages, and staffing compliments to determine the necessity of reallocating staff. Historically we have reallocated the following positions:

- DARS from District 2 to District 4.
- AA1 from D4 to Interstate Compact.
- PPO from D4 to Central Officer to serve as fugitive investigator.
- In FY9, the legislature funded 11 FTE. A thorough review of our population and caseload averages it was determined that 7 of these positions would be allocated to District 4.

Resource reallocation has been limited in the past year due to budget shortfalls. Each district is operating with at least one vacant position. When funding is restored a thorough review of population, caseloads and staffing patterns will be completed to determine the appropriate placement of these resources.

Authority to reallocate resources lies with the Division Chief and Deputy Chief. A formal policy is not necessary as this is a standard business process not only within the Bureau of Probation and Parole but the agency as a whole. Resource allocation is an objective in the department's strategic plan in FY12 and 13.

Appendix B

**Commission of Pardon and
Parole's Update of Implementation
Efforts**



STATE OF IDAHO

COMMISSION OF PARDONS AND PAROLE

C.L. "BUTCH" OTTER
Governor

Olivia Craven
Executive Director

September 14, 2012

Mr. Rakesh Mohan, Director
Office of Performance Evaluations
P.O. Box 83720
Boise, ID 83720-0055

RE: Increasing Efficiencies in Idaho's Parole Process

Dear Director Mohan:

Thank you for the opportunity to update members of the Joint Legislative Oversight Committee on the Parole Commissions progress to continually improve processes and increase efficiencies in Idaho's parole process. We will continue with our progress as we move forward. You can see by the attached responses we provided you that the Commission is working to complete several recommendations, as some remain a work in progress.

I indicated in the responses that we are moving forward in data base development. We are currently working in concert with IDOC in the development of data bases, as we have for quite some time. In addition, the Commission has been selected by Hewlett Packard (HP) as a beta project for data storing and development. This was an opportunity provided by the Governor's office to utilize HP and the "Cloud System" for data utilization and storing valuable information. This is a work in progress but we are extremely hopeful that we will be able to consolidate data into a data base system that is usable without having to go to several different areas to get the data we need.

Thank you again, for the opportunity to update members of the Joint Legislative Oversight Committee. The Parole Commission remains committed to improving our processes.

The Parole Commissions commitment to increase efficiencies in Idaho's Parole Process will certainly be advantageous to our operation and assist Idaho in the future.

Sincerely

A handwritten signature in cursive script, appearing to read "Olivia Craven".

Olivia Craven
Executive Director

Encs: Recommendation responses
CC: Brent Reinke, Director IDOC
Matt Orem, Division of Financial Management

Recommendations for the Parole Commission

Recommendation 4.1: The Commission of Pardons and Parole should formally incorporate the use of assessments in both its programming and parole release decisions through the use of an Idaho-specific checklist. In addition to assessments, this checklist could include the consideration of criteria currently listed in Administrative Rule. **(2011 status: not implemented)**

The Commission will not be implementing a checklist, but the criteria established by Rule is incorporated in the standard hearing officer report. Each case is reviewed independently of another and decisions have to be made on the merits of each case, keeping public safety as the number one priority. The Commission is concerned that a checklist would create the propensity for the Commissioners to make decisions based on the elements of a checklist, rather than the merits of the case. The merits of the case include evaluating the assessments provided by IDOC, the hearing officer reports provided by the hearing officers and in dialog with the offender, along with all information obtained through the investigation. While a specific "checklist" does not appear desirable, the Commission has incorporated "criteria", which is basically our "checklist" – this criteria was the basis for the standard Hearing Officer Report.

Recommendation 4.2: The Commission of Pardons and Parole should develop a formal training procedure, including a training manual, to assist commissioners. The manual could include language regarding the Commission of Pardons and Parole's commitment to public safety and offender management, the Department of Correction's approach to programming, the assessments used to help determine programming decisions, and the risk assessment tools commissioners could apply in making parole decisions. **(2011 status: in process)**

The Commission has developed a training manual in draft form at this point. The Commission Manual includes the history and statutes relating to the Commission; includes assessments used by the Idaho Department of Correction in determining programs; includes examples of reports; business meeting minutes; and miscellaneous information pertinent to understanding what the Commission does.

Recommendation 6.1: The Legislature should review the current statutory framework of the commission and evaluate whether the commission should be designated as a fully independent state agency. **(2011 status: in process)**

The Commission was established as its own agency in own agency on July 1, 2010. The Commission is separate from IDOC in terms of a fiscal standpoint; however, the Commission has established an agreement with IDOC HR to utilize their services. The Commission also utilizes the services of the IDOC Deputy Attorney General's office and Information technology.

Recommendation 6.2: The Commission of Pardons and Parole should develop its own policy and procedure manual. The commission should also ensure that all existing and future staff have a clear understanding of the office policies and procedures by providing an orientation of the new material. **(2011 status: not implemented)**

The Commission simply does not have the personnel to write policy and procedures. It should be noted that decision units have been submitted for additional FTE's, to include a Management Assistant to write policy and procedures in the FY 14 budget. This year's Zero Based Budgeting (ZBB) study has provided a clear picture of the Commission's immediate needs. As a consequence, this is one area of priority and why a Management position is requested in the FY 14 budget request. The Commission follows HR policies as we contract with their HR office.

***Recommendation 6.3:** The Commission of Pardons and Parole should develop clearly defined goals. As part of this development process, the commission should review its mission statement and ensure its goals can provide measurable outcomes in a reasonable timeframe. The commission should review its goals annually to ensure they align with the commission's desired outcomes.*

The Commission completed the Mission, Vision and Values statements along with Its Performance measures and Strategic Plan for FY13. This was submitted on September 1, 2011 to DFM. In conjunction with our Zero Based Budgeting project for our FY 14 Budget, the Commission has updated our Performance Measures with additional Performance Measures. Our performance goals provide measurable outcomes with what we determined to be within reasonable timeframes.

***Recommendation 6.4:** The Commission of Pardons and Parole should follow up on the findings of the 2008 consultant study to better understand the length of time associated with various components of the hearing officer investigation process.*

The Commission just completed a comprehensive caseload study of every employee in conjunction with our ZBB plan this year. This study has been broken down into concise categories. It should also be noted that this study was conducted four times during different periods to capture all aspects of peak workloads and slower workload periods. The study shows that a maximum caseload for hearing officers should be 13 per month.

***Recommendation 6.5:** The hearing officer supervisor should evaluate and improve the types of information officers are required to submit to more accurately reflect workload issues, to regularly review the monthly reports that officers submit, to summarize those findings, and to analyze the information to identify trends in caseload or time management.*

The Commission currently has two officers utilizing video cameras at their desk. These are in use by two travel officers that would normally be traveling to the institutions North and East. This has proven to be a significant time savings in both travel time and travel cost. The Commission has additional cameras that we will utilize when technology improves in the outlying county jails. Additionally, the Commission is working in concert with IDOC to implement using video equipment for parole hearings.

Regarding caseloads; the hearing officer manager is constantly evaluating this with the scheduler. Every effort is made to equally distribute monthly caseloads to both the violation officers and regular hearings officers. The Commission keeps data on caseload distribution. Note: This data has previously been submitted to OPE.

Although not summarized, the hearing officer manager frequently reviews reports for standardization and accuracy. Additionally, the Commissioners provide feedback on what their desires are in terms of content in the reports. This feedback and any mistakes or inconsistencies are gone over with each

individual officer for correction. Additionally, issues specific to consistency and changes to the reports are discussed openly at the monthly hearing officer meetings, and required training is conducted with the hearing officers where improvements and important information is needed.

***Recommendation 6.9:** The commissioners should consider options to allow the executive director more time to manage the daily operations of the commission, including developing policies and procedures, creating training guidelines for commissioners, and building on the capacity of existing commission staff.*

The Commission has stated in previous responses that it is imperative that the Director attend parole hearings for the purposes of providing guidance in terms of legal issues and keeping the process intact. Again, it should be noted that the Commission has submitted a decision unit in the y 14 budget asking for a Deputy Director that would run the daily business during the Directors absence.

Recommendations for the Commission and the Department

Recommendation 4.3: The Department of Correction and the Commission of Pardons and Parole should collaborate to track the frequency, reasons, and outcome associated with the assignment of additional programming at parole hearings. The Department of Correction and the Commission of Pardons and Parole should review this information quarterly to ensure both parties have a clear understanding of the Department of Correction's objectives and the Commission of Pardons and Parole's pre-release requirements. **(2011 status: in process)**

The Commission doesn't just add or modify programming to offenders without a solid basis to do so. Offender programming is decided based on what the offender's pathway is. The director meets with education and treatment monthly and the Chief of Education and Treatment attends the Commission quarterly meeting to apprise the Director and the Commissioners of any changes pertinent to treatment. The Hearing Officer and Commission have access to everything about an offender and support the Pathways process to assign programs to each offender based upon assessments. There might be occasions with specific cases where drug and alcohol issues may not be addressed in the Pathway. The Commission has never arbitrarily "added" programs without a sound basis for doing so.

Recommendation 4.4: The Department of Correction and the Commission of Pardons and Parole should formalize programming-related training between case managers and hearing officers. This training could include information about Pathways for Success, assessments used to determine programming, and the eligibility criteria for each program. **(2011 status: in process)**

This is addressed somewhat in Recommendation 4.4. Treatment programs and assessments is very dynamic in IDOC. Therefore, there are constant changes being made. As stated in 4.4, the Director meets with Education and Treatment monthly and is updated quarterly by the Chief of Education and Treatment, whereby changes are stated and discussed. Additionally, the parole Hearing Officer Manager attends the weekly Leadership meeting at IDOC and if any changes are brought up, this information is brought back to the Commission. All changes gleaned from any of these meetings are immediately disseminated to the appropriate staff by virtue of meetings or e-mail. The information is also updated in the Hearing Officer Manual. Note: the hearing officer manual was given to OPE during

the evaluation period. It should also be noted that either the Director or the Hearing Officer Manager attends a yearly case manager academy to provide information and processes for the new case managers so they can understand why we ask for specific information pertinent to each case. One last note on this issue is that the two training officers at the Commission provide comprehensive training to new hearing officers. Therefore, each new officer understands treatment pathways and assessments when they conduct their investigations on each case. As previously advised, we have experimented with training case managers, parole officers and hearing officers. This is a huge group, but the Idaho Department of Correction and the Commission are working on a different format so the discourse between the groups is the most comprehensive.

Recommendation 4.5: The Department of Correction and the Commission of Pardons and Parole should develop communication tools that outline the points throughout an offender's incarceration at which case managers, hearing officers, and parole officers should collaborate in determining an offender's readiness for his or her parole hearing and eventual release. **(2011 status: in process)**

This has been answered several times in these responses. I will add that all information, to include case manager notes, the hearing officer report and information from Education and Treatment are all tools that determine an offender's readiness for release. It should be noted that issues, not limited to volatility of the crime, institutional behavior and willingness to participate in treatment programs are factors that are considered in release decisions. Although not totally implemented, it is IDOC's policy to provide each hearing officer with a summary of an offender's progress, attitudes, and behaviors prior to an interview with the offender. This is extremely helpful to the hearing officers and Commission when available. Hearing Officers always solicit information from IDOC program staff.

Recommendation 5.2: The Department of Correction and the Commission of Pardons and Parole should work with the Office of the Attorney General to review the violation process by evaluating each step of the process and to clarify the role of the Department of Correction staff and the Commission of Pardons and Parole staff in determining how violation decisions are made. If necessary, the Commission of Pardons and Parole should then amend its rules to more accurately reflect the process associated with violations and revocations. **(2011 status: in process)**

The present violation process has been in place for many years now and is working, and is supported by our Deputy Attorney General. The process was designed to follow the processes pertaining to due process for every offender that has violated. The process has been instrumental in the elimination of law suits for the state and the Commission. In the event a situation arises that concerns the Commission, the Attorney General's office is consulted for advice.

In summary: We are currently working in concert with IDOC in the development of data bases. In addition, the Commission has been selected by Hewlett Packard (HP) as a beta project for data storing and development. This was a recommendation from the Governor's office to utilize HP and the "Cloud System" for data utilization and storing valuable information. This is a work in progress.

Office of Performance Evaluations Reports, 2010–Present

Publication numbers ending with “F” are follow-up reports of previous evaluations. Publication numbers ending with three letters are federal mandate reviews—the letters indicate the legislative committee that requested the report.

Pub. #	Report Title	Date Released
10-01	Operational Efficiencies in Idaho’s Prison System	January 2010
10-02	Increasing Efficiencies in Idaho's Parole Process	February 2010
10-03F	Use of Average Daily Attendance in Public Education	March 2010
10-04	Governance of EMS Agencies in Idaho	November 2010
10-05F	Governance of Information Technology and Public Safety Communications	November 2010
11-01	Distribution and Sale of Liquor in Idaho	January 2011
11-02	Coordination and Delivery of Senior Services in Idaho	February 2011
11-03F	Increasing Efficiencies in Idaho’s Parole Process	February 2011
11-04F	Idaho Transportation Department Performance Audit	March 2011
11-05	Delays in Medicaid Claims Processing	March 2011
11-06	Equity in Higher Education Funding	November 2011
11-07	Idaho’s End-Stage Renal Disease Program	November 2011
11-08F	Distribution and Sale of Liquor in Idaho	November 2011
12-01	Reducing Barriers to Postsecondary Education	January 2012
12-02F	Delays in Medicaid Claims Processing	January 2012
12-03	Lottery Operations and Charitable Gaming	February 2012
12-04	Establishing an Efficiency Commission	February 2012
12-05F	Coordination and Delivery of Senior Services in Idaho	February 2012
12-06F	Operational Efficiencies in Idaho’s Prison System	February 2012
12-07F	Idaho’s End-Stage Renal Disease Program	March 2012
12-08F	Idaho Transportation Department Performance Audit	March 2012
12-09F	Delays in Medicaid Claims Processing	November 2012
12-10F	Increasing Efficiencies in Idaho’s Parole Process	November 2012

Reports are available from the OPE website at www.idaho.gov/ope/
Office of Performance Evaluations PO Box 83720 Boise, ID 83720-0055
Phone: (208) 332-1470 Fax: (208) 332-1471