

U.S. Department of Justice

FY 2023 Performance Budget

United States Parole Commission



March 2022

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I. Overview for U.S. Parole Commission

The mission of the U.S. Parole Commission is to promote public safety and strive for justice and fairness in the exercise of its authority to release, revoke, and supervise offenders under its jurisdiction.

Organizational Structure

- **The Chairman and Commissioners** render decisions in National Appeals Board cases; create and maintain a national parole policy; grant or deny parole to all eligible federal and District of Columbia prisoners; establish conditions of release; modify parole conditions, and/or revoke the parole or mandatory/supervised release of offenders who have violated the conditions of supervision; and administer the USPC crime victim notification program.
- **The Office of Budget and Management** provides management and advisory services to the Chairman, Commissioners, management officials, and staff in the areas of human resources management; workforce development and training; budget and financial management; contracts and procurement; facilities and property management; telecommunications; security; and all matters pertaining to organization, management, and administration.
- **The Office of Case Operations** conducts parole/release hearings with federal and D.C. prisoners as well as revocation hearings with parole and supervised release violators; the Office also plans and schedules parole hearing dockets.
- **The Office of Case Services** monitors the progress of prisoners and parolees through pre-release and post-release; recommends release dates and release conditions; prepares release paperwork; reviews violation reports and issues sanctions (e.g., warrants, warrant supplements, letters of reprimand); makes probable cause recommendations; and responds to public inquiries.
- **The Office of the General Counsel** advises the Commissioners and staff on interpretation of the agency's enabling statutes; drafts implementing rules and regulations; and assists U.S. Attorney's Offices in defending the Commission against lawsuits brought by prisoners and parolees. The office also oversees responses to requests submitted under the Freedom of Information Act and Privacy Act.

Jurisdiction

The U.S. Parole Commission has jurisdiction over the following types of cases:

- *All Federal Offenders who committed an offense before November 1, 1987;*
- *All District of Columbia Code Offenders;*
- *Uniform Code of Military Justice Offenders who are confined in a Bureau of Prisons' institution;*
- *Transfer Treaty cases (U.S. citizens convicted in foreign countries, who have elected to serve their sentence in this country); and,*
- *State Probationers and Parolees in the Federal Witness Protection Program.*

In all these cases, the Parole Commission has the responsibility of:

- Making determinations regarding the initial conditions of supervision;
- Managing the offender's risk in the community;
- Modification of the conditions of supervision for changed circumstances;
- Early discharge from supervision,
- Issuance of a warrant or summons for violation of the conditions of supervision;
- Revocation of release for such offenders released on parole or mandatory release supervision; and,
- Building a collaborative community approach to assisting victims and witnesses. Enhance decision-making through cooperation with external partners in criminal justice to ensure that the victim's input is considered prior to a decision. Develop policies and procedures to incorporate video conferencing for victim and witness input.

Federal Offenders (offenses committed before November 1, 1987): The Parole Commission has the responsibility of granting or denying parole to federal offenders who committed their offenses before November 1, 1987, and who are not otherwise ineligible for parole. U.S. Probation Officers provide supervision in the community.

District of Columbia Code Offenders: The Parole Commission has the responsibility of granting or denying parole to D.C. Code offenders who committed their offenses before August 5, 2000, and who are not otherwise ineligible for parole. Supervision Officers of the Court Services and Offender Supervision Agency (CSOSA) of the District of Columbia and U.S. Probation Officers provide supervision in the community.

Uniform Code of Military Justice Offenders: The Parole Commission has the responsibility of granting or denying parole to parole-eligible Uniform Code of Military Justice offenders who are serving a sentence in a Bureau of Prisons institution. U.S. Probation Officers provide supervision in the community for military parolees.

Transfer-Treaty Cases: The Parole Commission has the responsibility of conducting hearings and setting release dates for U.S. citizens who are serving prison terms imposed by foreign countries and who, pursuant to treaty, have elected to be transferred to the United States for service of that sentence. The Parole Commission applies the federal sentencing guidelines promulgated by the U.S. Sentencing Commission in determining the time to be served in prison before release for offenders who committed their offenses after October 31, 1987. For those offenders who committed their offenses before November 1, 1987, the U.S. Parole Commission applies the parole guidelines that are used for parole-eligible federal and military offenders.

State Probationers and Parolees in Federal Witness Protection Program: In addition to its general responsibilities, the Parole Commission is also responsible for the revocation of release for certain state probationers and parolees who have been placed in the federal witness protection program. United States Probation Officers provide supervision in the community.

The Parole Commission (1) provides services and programs to facilitate inmates' successful reintegration into society, consistent with community expectations and standards; (2) supervises, revokes, and releases federal and District of Columbia offenders; (3) establishes and applies sanctions that are consistent with public safety and the appropriate punishment for crimes

involving sex offenders, gangs, crimes of violence with firearms, and domestic violence; (4) establishes and implements guidelines to reduce recidivism; and (5) works collaboratively with the Court Services and Offender Supervision Agency (CSOSA), Federal Prison System, U.S. Marshals Service, U.S. Attorneys (USA), U.S. Probation Office (USPO), Public Defender Services (PDS), D.C. Metropolitan Police Department, D.C. Superior Court, and others to facilitate strategies that support anti-recidivism programs.

Below are comparison illustrations between Federal Offenders and DC offenders showing the distribution of offenses including violent offenses for 2021.

Distribution of Initial Offenses FY 2021

Jurisdiction	Violent/Weapons Offenses	Sex Offenses	Drug Offenses	Property Offenses	Other
Federal	286	130	22	7	37
DC Code (Parole)	389	65	2	12	7
DC Code (SRAA)	1216	146	12	97	20

Source: Bureau of Prisons data

DC Code (Parole): Refers to persons who committed DC Code crimes prior to 08/05/2000.

DC Code (SRAA): Refers to persons who committed DC Code crimes on or after 08/05/2000 and were sentenced under the Sentencing Reform Amendment Act of 2000 (SRAA), who are not eligible for parole, but who come under USPC's jurisdiction when they begin serving court ordered terms of supervised release.

Distribution of Subsequent Offenses FY2021

Jurisdiction	Violent/Weapons Offenses	Sex Offenses	Drug Offenses	Property Offenses	Other
Federal	22	3	0	1	2
DC Code (Parole)	44	6	5	3	0
DC Code (SRAA)	52	0	14	10	4

Source: Bureau of Prisons data

Federal includes military, transfer treaty. Data is unavailable for released individuals. The figures above reflect only those individuals held in Bureau of Prisons custody.

Some tactics the Parole Commission has employed to keep communities safer include:

- Developed and implemented enhanced strategies to evaluate reentry and supervision that will ensure community safety, reduce serious violent crime, and reduce recidivism.
- Established short-term intervention sanctions for administrative violators.
- Established and implemented guidelines to reduce recidivism.
- Enhanced current sanctions and developed new alternatives to incarceration to reduce recidivism for low-risk, non-violent offenders.
- Established conditions of release: developed risk assessment instruments and guidelines to identify high-risk offenders to require intense supervision sanctions to reduce the chances of recidivism. The Parole Commission targets those offenders involved in gang activity, sex offenses, gun-related offenses, and domestic violence.
- Issue warrants in a timely fashion to remove violent offenders from the community.
- D.C. Jail and Corrections: developed new procedures for conducting probable cause and revocation hearings for Technical Parole Violators.

Full Program Costs

The FY 2023 budget request for the Parole Commission is \$14,591,000, 56 full time permanent positions (including 7 attorneys). The Parole Commission's budget is integrated with its own priorities as well as the Department's Strategic Goals and Objectives, and therefore each performance objective is linked with the costs of critical strategic actions.

The total costs include the following:

- The direct costs of all outputs
- Indirect costs
- Common administrative systems

The various resource and performance charts incorporate the costs of lower-level strategies which also contribute to achievement of objectives, but which may not be highlighted in detail to provide a concise narrative. Also included are the indirect costs of continuing activities, which are central to the Parole Commission's operations.

Strengthening Intern Hiring

To support and strengthen talent pipelines, the Parole Commission intends to increase hiring of interns both paid and unpaid. Each year, the Parole Commission hires two (2) Summer Law Interns. These interns work directly with the USPC General Counsel and Attorneys and engage in reviewing administrative appeals to determine whether the Commission needs to take remedial action for procedural deficiencies, conduct legal research for pending litigation where the Commission is a named respondent and assist with drafting of litigation reports for use by Assistant U.S. Attorneys. The Parole Commission has sufficient funding to hire six (6) additional interns in FY2023 using all available hiring programs. The Parole Commission is committed to aligning these hiring strategies with the agencies upcoming Diversity, Equity, Inclusion, and Accessibility strategic plan. These interns will be placed in each of the Parole Commission's divisions as aligned with their area of study.

Environmental Accountability

The Parole Commission continues to be proactive in its environmental accountability and working towards that goal is consistently taking measures such as purchasing recycled paper and products, as well as recycling all used toner cartridges and participating with the building's green program. The Parole Commission is also actively pursuing technologies and systems to reduce the use of paper in our processes.

Challenges

The Parole Commission acknowledges the challenges that can impede the agency's mission. The challenges that hinder progress towards achievement of agency goals are complex and ever changing. While the Parole Commission's workload depends heavily on the activities of its criminal justice partners, challenges are faced when addressing the need to reduce recidivism. The Parole Commission collaborates with other criminal justice partners to determine diversions and sanctions that will aid the offender population, under its jurisdiction, before imposing revocation actions that include a term of incarceration. Furthermore, as public safety is

paramount, it is necessary to create programming that addresses the need to reduce violent crime, increase access to care for people with mental health conditions, and establish evidence-based programs designed to address the needs of all persons impacted by crime. There continues to be greater emphasis across the criminal justice continuum relating to addressing the need for expansion of mental health services for persons that are involved in the system.

To meet the growing needs in post-conviction matters that are under the jurisdiction of the Parole Commission, internal adjustments are required. This pose a challenge, as the agency will be required to depend upon our community-based partners to identify how taking into account co-occurring disorders such as substance dependence and other mental health conditions, the lack of treatment while incarcerated, and criminogenic risk factors impact involvement in the criminal justice system. An increasing concern is the increase in gun violence especially in the District of Columbia. The Parole Commission will need to work closely with its criminal justice partners to establish conditions of supervision that help prevent/deter gun violence and appropriate penalties for persons who possess or use firearms. At the same time, the Commission must also assist the offenders in employment/educational endeavors to establish pro-social opportunities in the community. The agency will need to define a scope of reference or baseline framework, specialized skills, program design, and implementation that accounts for treatment over incarceration while accounting for public safety. The Parole Commission staff must have the expertise to evaluate the nature of these specialized areas, including the need to expand the understanding of the causes of gun violence, as well as a greater understanding of mental health and substance abuse disorders. The Parole Commission also faces the challenge in the aging parolee population. The Parole Commission will need to assess limitations that impede the ability of the aging parolee(s). Such actions will be that of looking at if and how the aged parolee can meet some conditions of supervision versus others, if granted parole (e.g. traveling to complete a urine specimen sample when wheelchair-bound). The Parole Commission has the challenge of setting conditions appropriate for supervised release. Appropriate conditions of supervision, that adequately address close monitoring of offenders, require implementation of comprehensive risk tools.

Lastly, victim notification in post-conviction matters has long posed a challenge because cases that pre-date victim registration laws do not have victim or victim representative information available. A great deal of research is required to locate victims or their representatives, and many of the cases considered by the Parole Commission, for parole, are from over 25 years ago. However, the Parole Commission has made positive strides in bridging the gap for locating victims and or witnesses. The Parole Commission's enhanced case management system includes a component for storing victim information. This enhancement and its continued refinement ensures that agency records and notification systems remain compliant with the Attorney General's guidelines for victim/witness assistance.

The Victim Witness Unit staff continue to utilize all available resources including contacting U.S. Attorney Offices, who originally prosecuted the cases, to obtain any records that may reflect victim or witness information. A method of cross-referencing information received with other person locator databases further assisted the Parole Commission in locating victims and ensure their proper notification for future parole hearings. The Parole Commission also work closely with military officials to improve notification processes for victims of military crimes which occur on military bases. The system enhancement also largely help reach unserved or underserved victims of crime. The ability to reach victims in these populations, in a timely

manner, allowed the Parole Commission to make ample alternate arrangements for persons with disabilities.

As a small agency, all the above will be challenging, as much change will be required to ensure success of addressing the growing needs. Innovation, creative and more flexible recruitment options, and restructuring of business operations will have to be employed to meet this challenge.

II. Summary of Program Changes

No Program Changes

III. Appropriations Language and Analysis of Appropriations Language

United States Parole Commission Salaries and Expenses

For necessary expenses of the United States Parole Commission as authorized, \$14,591,000: Provided, that, notwithstanding any other provision of law, upon the expiration of a term of office of a Commissioner, the Commissioner may continue to act until a successor has been appointed.

IV. Program Activity Justification

A. U.S. Parole Commission

<i>U.S. Parole Commission</i>	Direct Pos.	Estimate FTE	Amount
2021 Enacted	56	41	13,539
2022 Annualized CR	56	47	14,238
Adjustments to Base and Technical Adjustments	0	0	353
2023 Current Services	56	47	14,591
2023 Program Increases	0	0	0
2023 Program Offsets	0	0	0
2023 Request	56	47	14,591
Total Change 2022-2023	0	0	353

One major goal of the Parole Commission is to issue warrants for those that willfully violate the conditions of their release and for those with the most egregious behavior, typically tied to violence, child abuse, sex offenses, etc. This approach will keep our communities safe while also returning the more productive, low-risk offenders back to the community in a timely and cost-efficient manner. The long-term goals and outcomes the Parole Commission plans to track include:

- The percentage of low-risk, non-violent cases that are provided drug treatment, quick hits, and warnings instead of incarceration.
- The percentage of offenders with low-level violations offered reduced sentences without a hearing; and,

- The percentage of warrants approved and issued for offenders violating their conditions of release while under the Parole Commission’s supervision in the community.

The Parole Commission emphasizes decreasing prison overcrowding through reducing the number of low-level, non-violent offenders revoked to re-incarceration. The agency’s efforts parallel the Attorney General’s initiative by incorporating a fundamental principle founded in “not locking our way out of addressing low-level, non-violent offenders.” Currently, there are two strategic processes occurring throughout the Parole Commission to aide in our recidivism reduction efforts: Residential Substance Abuse Treatment Program and Short-Term Intervention of Success/PAVER.

Residential Substance Abuse Treatment Program (RSAT): RSAT was implemented in 2009 to deliver substance abuse treatment in a correctional facility setting as an alternative for offenders who would otherwise face revocation for low-level violations related to drug addiction and community reintegration failures. This program is operating out of the D.C. Department of Corrections, the RSAT program has a capacity of 75 beds for males, 25 beds for women, and a program length of up to 120 days, with 30 days of community-based inpatient or outpatient treatment.

Short-Term Intervention of Success (SIS)/Pilot Project for Administrative Violators Expedited Resolution (PAVER): The Parole Commission implemented SIS to reduce recidivism by applying immediate short-term incarceration sanctions to administrative violators of supervision who demonstrate a commitment to modify their non-compliant behavior. Records indicate 1,592 offenders had been approved to enter the SIS program. However, the program had a limitation that an offender could only be sanctioned through SIS one time. The Parole Commission found that over time, this requirement became overly restrictive for low-level offenders who continued to violate the conditions of supervision but did not pose a high risk for violent crime. Thus, during FY 2019, the USPC implemented a pilot project to expand the short-term incarceration sanctions to all administrative violators.

In previous years, the Parole Commission used the Notice to Appear (NTA) process to allow some offenders to remain in the community while their revocation hearings were pending. However, the Parole Commission found that persons participating in the NTA process were similarly situated to those participating in the other programs (RSAT and SIS) and that, with expanded use of intermediate sanctions to address violations in the community prior to issuing a warrant, the NTA process was not an efficient way of reducing overall time in custody on warrants. The Parole Commission’s emphasis on intermediate community-based sanctions and increased use of short terms of incarceration through the PAVER project has kept the inmate population in the District of Columbia lower than in previous fiscal years.

Performance and Resource Tables

PERFORMANCE AND RESOURCES TABLE												
Decision Unit: U.S. Parole Commission												
RESOURCES (\$ in thousands)			Target		Actual		Target		Changes		Requested (Total)	
			FY 2021		FY 2021		FY 2022		Current Services Adjustments and FY 2023 Program Changes		FY 2023 Request	
Total Costs and FTE (Reimbursable: FTE are included, but costs are bracketed and not included in totals)			FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
			47	13,539	41	13,539	47	14,238	0	353	47	14,591
TYPE	STRATEGIC OBJECTIVE	PERFORMANCE	FY 2021		FY 2021		FY 2022		Current Services Adjustments and FY 2023 Program Changes		FY 2023 Request	
Program Activity	5.2		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
			47	13,539	41	13,539	47	14,238	0	353	47	14,591
APG Measure:												
KPI:												
Performance Measure:	Appeals			160		50		160		0		160
Performance Measure:	Parole Hearings			1,400		1,010		1,400		0		1,400
Performance Measure:	Warrants			1,500		766		1,500		0		1,500
Performance Measure:	Revocation Determination			1,330		445		1,330		0		1,330

*Denotes inclusion in the DOJ Quarterly Status Report and DOJ Annual Performance Plan.

*This table is required.

Strategic Objective	PERFORMANCE MEASURE TABLE				
	Decision Unit: U.S. Parole Commission				
	Performance Measures		FY 2021	FY 2022	FY 2023
			Actual	Target	Target
5.2	Agency Priority Goals				
	Key Performance Indicator				
5.2	Performance Measure	Appeals	50	160	160
5.2	Performance Measure	Parole Hearings	1,010	1,400	1,400
5.2	Performance Measure	Warrants	766	1,500	1,500
5.2	Performance Measure	Revocation Determinations	445	1,330	1,330

2. Performance, Resources, and StrategiesThe Parole Commission is committed to providing alternatives to incarceration to make low level, non-violent offenders, including drug offenders, more productive in their communities. Programs that are effective at reducing recidivism have 3 core elements; they target the people who are most likely to reoffend, the practice is rooted in what works to reduce recidivism and regularly review program quality¹. With these core elements as a tool, the Parole Commission continues to improve and operate as prudently as possible.

The Parole Commission has expanded its Short-Term Intervention for Success (SIS). This expansion is designed to provide for shorter periods of imprisonment for technical violators in exchange for potentially longer periods of incarceration. The success of this program suggests a decrease in the re-arrest rates for those participating and has ultimately reduced overall prison costs. The Parole Commission approves approximately 228 offenders per year to participate in the SIS program. As noted previously, the program has limitations, which the Commission found overly restrictive for low-level offenders who continued to violate their conditions of supervision but did not pose a threat to society. The Parole Commission implemented a pilot project to expand the short-term incarceration sanctions and during a 12-month period, since the project was implemented, 618 persons have received a short-term sanction.

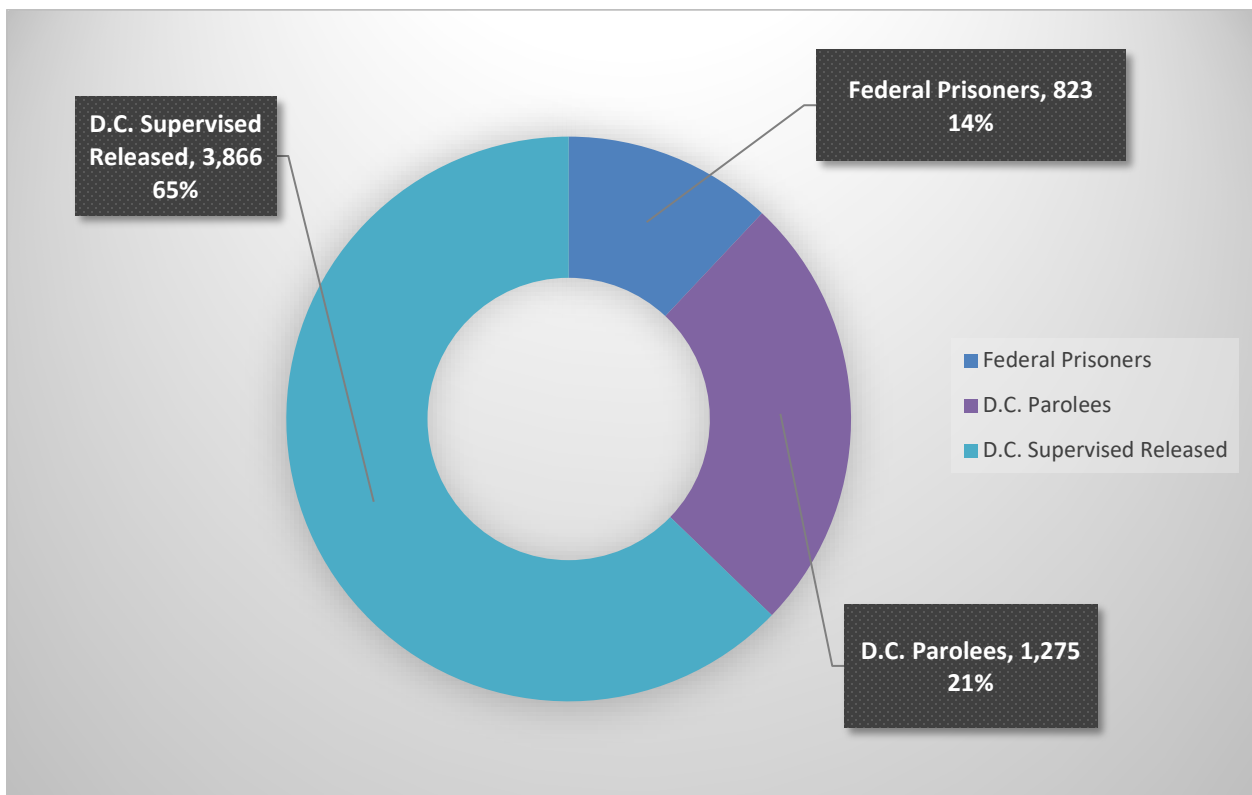
As noted above, the Parole Commission has developed programs to promote public safety, reduce violent crime and reduce unnecessary incarceration costs by lowering recidivism to reduce prison overcrowding. The agency is reducing violent crimes by considering violent offenders a top priority to expeditiously apprehend offenders. The Parole Commission accomplishes this by issuing warrants and sharing information with other law enforcement partners. There is a greater emphasis on reentry strategies, addressing substance abuse and mental health by identifying the needs of the offender and offering housing services, employment opportunities, and implementing other conditions to assist the offender with success while under supervision. The Parole Commission is both reducing prison overcrowding and the costs to house administrative offenders who are considered low-level offenders. These low-level offenders could potentially have the opportunity to remain in the community while awaiting a hearing.

The Parole Commission is in the process of enhancing its comprehensive electronic Case Management System (CMS), which requires existing active files to be prioritized for eventual scanning for conversion from paper to electronic. This system provides efficiencies in data exchange with CSOSA and electronic warrant issuance, which improves the management of the hearing process. Efficient data warehousing is also a priority for the Parole Commission as reporting and the sharing of information with its criminal justice partners is vital.

¹ <https://csgjusticecenter.org/2018/06/04/three-core-elements-of-programs-that-reduce-recidivism-who-what-and-how-well/>

Changes in Population and Workload

In FY 2021, the Parole Commission estimates the total prisoner and parolee population, federal and D.C., including D.C. supervised releases, to be approximately 5,964 a decrease of 1,016 from the previous year. The D.C. population under the Parole Commission's jurisdiction is 5,141, including 1,275 DC parolees and 3,866 supervised releases. The remaining 823 individuals consist of federal offenders (including federal prisoners, parolees, transfer treaty, and military justice offenders) and state probationers and parolees in the Federal Witness Protection Program². These numbers are an estimate based on the data provided by the U.S. Probation Office and the Bureau of Prisons. Data for Federal and Military releasees were aggregated together, and an extrapolated statistical estimate produced the above-listed breakdown.



Much of the D.C. caseload is driven by the management and evaluation of the progress of offenders in the community; the tracking of those at risk; the imposition of additional sanctions or conditions to ensure public safety; and finally, requests for warrants as a result of violations of the terms and conditions of parole. When a warrant is issued, a request for a preliminary interview follows, along with a hearing afterwards. The decrease in the population may be attributed to the overall decrease in criminal activity in DC. However, due to the number of offenses still being generated by the remaining offenders it is possible to not realize a decrease in workload.

² The data contained in this report reflects the compilation of data submissions from the U.S. Parole Commission (USPC), Administrative Office of the U.S. Courts, Court Services and Offender Supervision Agency (CSOSA), and the Bureau of Prisons (BOP). Its reliability and validity are best summarized by the submitting agencies and their data collection

Local revocation hearings are held at facilities in the locality where a parolee has been arrested, and these require more attention because the hearings are adversarial. An offender may contest the charges and is entitled to representation by an attorney, along with the ability to call witnesses. Additionally, these hearings are more expensive to the Parole Commission because they often involve travel to a remote location, where the examiner is only able to handle a particular case. In an institutional hearing, the parolee has admitted to the charges or been convicted of new criminal activity, and the issues to be heard involve the degree of responsibility and the length of additional incarceration. Institutional hearings are less costly because the examiner can handle several cases during one docket. Local revocations are 2-3 times as labor intensive as institutional hearings.

The Parole Commission also imposes conditions of release for D.C. new law prisoners, state probationers and parolees transferred to federal jurisdiction under the witness protection program. While the offenders are under supervision in the community, the agency continues to evaluate their progress and impose additional conditions or sanctions, as warranted.

To further reentry efforts, the Parole Commission develops and implements alternatives to incarceration programs to provide another avenue of correction for low-risk, non-violent offenders who commit administrative violations. For high-risk offenders who have violated the conditions of release, the Parole Commission conducts revocation hearings for federal old law, D.C. old law, D.C. new law, military, and state probationers and parolees transferred under the witness protection program.

Exhibits