

U.S. Department of Justice
FY 2024 Performance Budget
President’s Budget Submission

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I. Overview for U.S. Parole Commission

The mission of the U.S. Parole Commission (USPC) 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 DC 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 inquires.
- **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 USPC 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;*
- *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 USPC 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 USPC has the responsibility for 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 USPC has the responsibility for granting or denying parole to DC 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.

Transfer-Treaty Cases: The USPC has the responsibility for 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 USPC 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 USPC applies the parole guidelines that are used for parole-eligible Federal offenders.

State Probationers and Parolees in Federal Witness Protection Program: In addition to its general responsibilities, the USPC 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 USPC (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 CSOSA, the Federal Prison System, the U.S. Marshals Service, the U.S. Attorneys, U.S. Probation Office, the Public Defender Services, the DC Metropolitan Police Department, the DC 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 2022.

Distribution of Initial Offenses FY 2022						
Jurisdiction	Violent/Weapons Offenses	Sex Offenses	Drug Offenses	Property Offenses	Firearms	Other
Federal	120	26	8	2	0	6
DC Code (Parole)	374	82	7	16	17	9
DC Code (SRAA)	1253	179	31	142	353	21
Transfer Treaty	9	2	3	0	0	0

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 FY2022					
Jurisdiction	Violent/Weapons Offenses	Sex Offenses	Drug Offenses	Property Offenses	Other
Federal	13	4	1	1	2
DC Code (Parole)	16	0	4	0	3
DC Code (SRAA)	125	5	6	0	41

Source: Bureau of Prisons data

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

Some tactics the USPC 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 USPC 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.
- DC Jail and Corrections: Developed new procedures for conducting probable cause and revocation hearings for Technical Parole Violators.

Full Program Costs

The FY 2024 budget request for the USPC is \$15,104,000, with 56 full time permanent positions (including seven attorneys). The USPC's budget is integrated with its own priorities as well as the Department's Strategic Goal, to Administer Just Court and Correctional Systems, with the objective of Maintaining a Safe and Humane Prison System. Therefore, each performance measure 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 USPC's operations.

Environmental Accountability

The USPC 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 USPC is committed to digitizing all active offender case files within FY 2023.

Challenges

The USPC 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 USPC's workload depends heavily on the activities of its criminal justice partners, challenges are faced when addressing the need to reduce recidivism. The USPC 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 USPC, internal adjustments are required. This poses a challenge, as the agency will be required to depend upon our community-based partners to identify how 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 USPC 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 USPC 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 use disorders.

The USPC also faces the challenge in the aging parolee population. The USPC 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 USPC 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. A great deal of research is required to locate victims or their representatives, and many of the cases considered by the USPC, for parole, are from over 25 years ago. However, the USPC has made positive strides in bridging the gap for locating victims and or witnesses. The agency'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 USPC in locating victims and ensured their proper notification for future parole hearings. The system enhancement also largely helped reach unserved or underserved victims of crime. The ability to reach victims in these populations, in a timely manner, allowed the USPC 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, \$15,104,000: 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

U.S. Parole Commission

U.S. Parole Commission	Direct Pos.	Estimate FTE	Amount
2022 Enacted	56	43	14,238
2023 President's Budget	56	47	14,591
Adjustments to Base and Technical Adjustments	0	0	513
2024 Current Services	56	47	15,104
2024 Program Increases	0	0	0
2024 Program Offsets	0	0	0
2024 Request	56	47	15,104
Total Change 2023-2024	0	0	513

One major goal of the USPC 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 USPC 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 USPC's supervision in the community.

The USPC 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 strategic processes occurring throughout the Commission to aide in our recidivism reduction efforts: Residential Substance Abuse Treatment Program, the Pilot Project for Administrative Violators Expedited Resolution (PAVER) Program and Review of USPC Detainers.

Residential Substance Abuse Treatment Program (RSAT)

The RSAT program was implemented in 2009 to deliver substance use disorder treatment in a correctional facility setting as an alternative for offenders who would otherwise face revocation for low-level violations related to drug use and community reintegration failures. Operating out of the DC 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.

PAVER Program

The PAVER program was designed to respond to offenders with administrative violations by imposing an immediate short-term sanction. For example, an absconder from supervision can consent to the PAVER program and waive the cumbersome and traditional revocation process in order to receive a reduced term of incarceration. This program provided the Commission with flexibility in decision-making, particularly in less serious cases, and as a result, it has yielded considerable cost savings to the Commission and partner agencies. A 2013 study indicated that 357 participants in the SIS program (a precursor to PAVER) saved the federal government \$7,546,226 by reducing the costs of revocation and incarceration for the Commission, the Bureau of Prisons, the Public Defender Service, and CSOSA. The PAVER program has been so successful that it has been expanded from a Washington, DC pilot program to nationwide coverage. Participation in the PAVER program was robust in FY 2022 with 74 participants and the program will be continued in FY 2023. While the long-term dividends from this program are yet to be revealed, the number of appeals for DC Code cases (the primary population for the PAVER program) have declined by over 58%, which is seen as a direct result of this program.

Review USPC Detainers

The USPC is working through a new rule that will allow for a more efficient disposition of detainer warrants. The rule change will allow prisoners convicted of new crimes to request disposition of the warrant lodged against them. The typical process is to wait until the prisoner finishes their new sentence before we resolve the violation. This process can, sometimes, negatively impact an offender's access to programs. The USPC has tasked their Hearing Examiners with the added responsibility of working through these cases right after the offender is sentenced on new crimes.

Performance and Resources Tables

PERFORMANCE AND RESOURCES TABLE												
Decision Unit: U.S. Parole Commission												
RESOURCES (\$ in thousands)			Target		Actual		Target		Changes		Requested (Total)	
			FY 2022		FY 2022		FY 2023		Current Services Adjustments and FY 2024 Program Changes		FY 2024 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	14,238	43	11,493	47	14,591	0	513	0	15,104
TYPE	STRATEGIC OBJECTIVE	PERFORMANCE	FY 2022		FY 2022		FY 2023		Current Services Adjustments and FY 2024 Program Changes		FY 2024 Request	
Program Activity	5.2		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
			47	14,238	43	11,493	47	14,591	0	513	0	15,104
Performance Measure:	Appeals		48		40		40				32	
Performance Measure:	Parole Hearings		260		215		260				260	
Performance Measure:	Revocation Determinations		400		378		400				400	
Performance Measure:	Warrants Issued		400		673		400				400	

*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 2022	FY 2022	FY 2023	FY 2024
			Target	Actual	Target	Target
5.2	Agency Priority Goals					
5.2	Performance Measure	Appeals	48	40	40	32
5.2	Performance Measure	Parole Hearings	260	215	260	260
5.2	Performance Measure	Revocation Determinations	400	378	400	400
5.2	Performance Measure	Warrants Issued	400	673	400	400

[N/A= Data Unavailable]

1. Performance, Resources, and Strategies

The USPC 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 three core elements; they target the people who are most likely to reoffend, the practice is rooted in what works to reduce recidivism and they regularly review program quality¹. With these core elements as a tool, the USPC continues to improve and operate as prudently as possible.

As noted previously, the USPC has emphasized decreasing the local jail population by restricting the number of warrants issued for administrative violations which decreases the time offenders spend in jail for these types of violations. The USPC has expanded its short-term sanctions for administrative violations. The expanded program, PAVER is designed to provide for shorter periods of imprisonment for technical violators in exchange for potentially longer periods of incarceration. Early results of this program suggests a decrease in the re-arrest rates for those participating and has ultimately reduced overall prison costs.

As noted above, the USPC 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 USPC 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 USPC 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 USPC continues the process of enhancing its comprehensive electronic Case Management System, 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 USPC as reporting and the sharing of information with its criminal justice partners is vital.

Changes in Population and Workload

In FY 2022, the USPC estimates the total prisoner and parolee population, Federal and DC, including DC supervised releases, to be approximately 4,957, a decrease of 964 from the previous year. The DC population under the USPC's jurisdiction is 4,728, including 1,054 DC parolees and 3,674 supervised releases. The remaining 229 individuals consist of Federal offenders (including Federal prisoners, parolees, transfer treaty) 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.

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

² The data contained in this report reflects the compilation of data submissions from the USPC, Administrative Office of the U.S. Courts, CSOSA, and the Federal Prison System. Its reliability and validity are best summarized by the submitting agencies and their data collection

On May 30, 2022, the USPC concluded the process of transferring jurisdiction over military offenders serving their sentences in the Federal Bureau of Prisons to the Department of Defense and its respective military parole boards. The USPC completed the digitization of all offender files and notified all victims and witnesses registered in the military cases. In all, approximately 400 offenders were transferred back to the Defense Department.

Much of the DC 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.

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 costlier to the USPC 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 two to three times as labor intensive as institutional hearings.

The USPC also imposes conditions of release for DC 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 USPC 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 USPC conducts revocation hearings for Federal old law, DC old law, DC new law, and State probationers and parolees transferred under the witness protection program.

Exhibits