

Board of Executive Clemency

| | FY 2015 ACTUAL | FY 2016 ESTIMATE | FY 2017 APPROVED |
|---------------------------------------|-------------------|---------------------|-------------------------------|
| OPERATING BUDGET | | | |
| <i>Full Time Equivalent Positions</i> | 14.0 | 14.0 | 14.0 |
| Personal Services | 430,300 | 518,600 | 518,600 |
| Employee Related Expenditures | 186,200 | 186,200 | 182,600 |
| Professional and Outside Services | 40,400 | 40,800 | 41,000 |
| Travel - In State | 100 | 1,000 | 1,000 |
| Other Operating Expenditures | 174,700 | 170,000 | 170,000 |
| Equipment | 58,100 | 39,400 | 39,400 |
| AGENCY TOTAL | 889,800 | 956,000 | 952,600^{1/2/} |

FUND SOURCES

| | | | |
|--------------------------------------|----------------|----------------|----------------|
| General Fund | 889,800 | 956,000 | 952,600 |
| SUBTOTAL - Appropriated Funds | 889,800 | 956,000 | 952,600 |
| Federal Funds | 21,000 | 41,200 | 41,200 |
| TOTAL - ALL SOURCES | 910,800 | 997,200 | 993,800 |

AGENCY DESCRIPTION — The board consists of 1 full-time chairman and 4 full-time members. The board conducts home arrest, parole, or work furlough release hearings at all adult prison institutions for prisoners convicted prior to January 1, 1994. The board considers executive clemency actions such as pardons, commutations, and absolute discharges for all prisoners convicted on or after January 1, 1994.

Operating Budget

The budget includes \$952,600 and 14 FTE Positions from the General Fund in FY 2017 for the operating budget. These amounts fund the following adjustments:

Statewide Adjustments

The budget includes a decrease of \$(3,400) from the General Fund in FY 2017 for statewide adjustments. (Please see the Agency Detail and Allocations section.)

Other Issues

Caseload Data

A footnote in the FY 2016 General Appropriation Act required the board to report on FY 2015 caseload by November 1, 2015. In FY 2015, the board heard 2,988 cases, as described below:

- **Phases 1 and 2 Commutation (222):** After reviewing an inmate's request to have their sentence commuted, the board can decide to deny the request

or allow the request to move to a Phase 2 Commutation hearing.

- **Pardon (21):** The board may recommend that the Governor pardon an offender.
- **Absolute Discharge (7):** The board can discharge a person from imprisonment or parole supervision prior to the sentence expiration date or prior to the expiration of parole.
- **Modification (0):** The board can recommend to the Governor that an inmate's sentence be modified or commuted.
- **Reprieve (1):** The board can make a recommendation to the Governor to delay or temporarily suspend the carrying out of an inmate's punishment.
- **Parole (390):** These hearings only apply to offenders sentenced prior to 1994. The board may place these offenders on parole or deny their application for parole and return them to the Department of Corrections.
- **Violator (2,347):** These hearings are conducted when an offender has violated the terms of community supervision.

^{1/} The Board of Executive Clemency shall report to the Directors of the Joint Legislative Budget Committee and the Governor's Office of Strategic Planning and Budgeting on or before November 1, 2016 on the total number and types of cases the board reviewed in FY 2016. (General Appropriation Act footnote)

^{2/} General Appropriation Act funds are appropriated as a Lump Sum by Agency.

Additional Legislation

Board Salaries

Board members currently work 40 hours a week to prepare for and conduct hearings. They receive all state employee benefits except for paid leave, and contribute to the Arizona State Retirement System. Laws 2016, Chapter 143 shifts the board members from hourly compensation to full-time employment with full state employee benefits, which includes paid leave. The fiscal impact is expected to be minimal.