

Office of the Auditor General
Performance Audit Report

Parole Eligibility Consideration Process
Department of Corrections

November 2016



The auditor general shall conduct post audits of financial transactions and accounts of the state and of all branches, departments, offices, boards, commissions, agencies, authorities and institutions of the state established by this constitution or by law, and performance post audits thereof.

Article IV, Section 53 of the Michigan Constitution



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Office of the Auditor General

Report Summary

Performance Audit

Report Number:
471-0121-16

Parole Eligibility Consideration Process

Department of Corrections (DOC)

Released:
November 2016

DOC's Office of the Parole Board compiles information related to prisoners who have been identified as being eligible for parole and provides the information to the Parole Board for its decision making. Typically, the information-gathering process begins eight months prior to a prisoner's earliest release date. The Parole Board made 57,383 decisions from October 1, 2013 through March 31, 2016 and paroled 27,584 prisoners. The Office of the Parole Board expended \$4.7 million during fiscal year 2015 and had 42 full-time equated employees as of September 23, 2016.

Audit Objective			Conclusion
Objective #1: To assess the effectiveness of DOC's process to identify prisoners eligible for parole.			Effective
Findings Related to This Audit Objective	Material Condition	Reportable Condition	Agency Preliminary Response
None reported.	Not applicable	Not applicable	Not applicable

Audit Objective			Conclusion
Objective #2: To assess the accuracy and completeness of prisoner information provided to the Parole Board.			Accurate and complete
Findings Related to This Audit Objective	Material Condition	Reportable Condition	Agency Preliminary Response
None reported.	Not applicable	Not applicable	Not applicable

A copy of the full report can be obtained by calling 517.334.8050 or by visiting our Web site at: www.audgen.michigan.gov

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Doug A. Ringler, CPA, CIA
Auditor General

November 3, 2016

Ms. Heidi E. Washington, Director
Department of Corrections
Grandview Plaza Building
Lansing, Michigan

Dear Ms. Washington:

I am pleased to provide this performance audit report on the Parole Eligibility Consideration Process, Department of Corrections.

We appreciate the courtesy and cooperation extended to us during this audit.

Sincerely,

Doug Ringler
Auditor General

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AUDIT OBJECTIVES, CONCLUSIONS, FINDINGS, AND OBSERVATIONS

IDENTIFICATION OF PRISONERS ELIGIBLE FOR PAROLE

BACKGROUND

The Department of Corrections' (DOC's) process to identify prisoners eligible for parole* starts when DOC's 33 correctional facilities identify the prisoners, housed in their respective facilities, who are approximately eight months from their earliest release date* (ERD) or reconsideration date*. The facilities prepare the parole eligibility report* (PER) and identify any programming that the prisoner still needs.

At various intervals, beginning 45 days before a prisoner is scheduled to meet with a Parole Board* member, the Office of the Parole Board communicates to the correctional facilities the prisoners who have been identified as being eligible for parole and the respective meeting dates. Correctional facilities notify the prisoners at least 30 days prior to the scheduled meeting date.

AUDIT OBJECTIVE

To assess the effectiveness* of DOC's process to identify prisoners eligible for parole.

CONCLUSION

Effective.

FACTORS IMPACTING CONCLUSION

For six correctional facilities visited:

- Each had an effective system for tracking prisoners who were eligible for parole.
- DOC identified all prisoners who were eligible for parole.
- DOC scheduled all prisoners who were identified as being eligible for parole for interviews with Parole Board members.

* See glossary at end of report for definition.

ACCURACY AND COMPLETENESS OF PRISONER INFORMATION

BACKGROUND

The Office of the Parole Board uses the PER to calculate a parole guideline score* (the prisoner's probability of being paroled) and summarizes key information contained in the PER and the prisoner's file into the case summary report.

The PER includes the prisoner's:

- Active offenses.
- Prior criminal record.
- Overall adjustment while incarcerated.
- Current status toward completion of recommended programs.
- Cooperation in providing information regarding his/her financial assets.

The case summary report is a narrative summary that includes the prisoner's:

- Criminal history and nature of the current offense.
- Victim information.
- Prison behavior, including programming information.
- Mental health information.
- Drug usage.
- Family history.
- Future plans.

The Parole Board members utilize the PER, the parole guideline score, and the case summary report to assist them in making a parole decision.

AUDIT OBJECTIVE

To assess the accuracy and completeness of prisoner information provided to the Parole Board.

CONCLUSION

Accurate and complete.

** See glossary at end of report for definition.*

**FACTORS
IMPACTING
CONCLUSION**

- Each of the 98 PERs reviewed contained all required information.
- Each of the 98 parole guideline scores reviewed were accurately calculated.
- All 103 prisoners' ERDs or reconsideration dates reviewed were accurately calculated.
- All 93 case summary reports reviewed were representative of information within the prisoners' files.

SUPPLEMENTAL INFORMATION

UNAUDITED

PAROLE ELIGIBILITY CONSIDERATION PROCESS

Department of Corrections

Parole Board Activity

For Calendar Years 1992 Through 2013

Calendar Year	Number of Prisoners Interviewed*	Number of Paroles Granted Without Interviews	Percentage of Paroles Granted Without Interviews	Number of Paroles Granted	Number of Paroles Denied	Continuances	Actual Movement to Parole	Percentage Moved to Parole Where Parole Ordered	Number of Prisoners Considered for Parole	Percentage of Prisoners Paroled
1992	9,624	3,360	34.91%	11,854	7,553	1,602	9,240	77.95%	19,407	61.08%
1993	9,974	2,133	21.39%	11,177	6,486	1,908	9,881	88.40%	17,663	63.28%
1994	10,884	1,879	17.26%	9,795	7,262	1,952	8,370	85.45%	17,057	57.43%
1995	13,119	1,988	15.15%	9,678	7,923	2,050	9,078	93.80%	17,601	54.99%
1996	15,288	2,235	14.62%	10,306	7,480	2,228	9,465	91.84%	17,786	57.94%
1997	14,011	2,554	18.23%	9,751	7,898	2,480	8,758	89.82%	17,649	55.25%
1998	13,814	2,837	20.54%	10,366	9,845	2,675	10,506	101.35%	20,211	51.29%
1999	13,665	2,578	18.87%	10,775	10,151	3,173	9,682	89.86%	20,926	51.49%
2000	19,445	2,116	10.88%	10,479	11,664	2,942	9,133	87.16%	22,143	47.32%
2001	19,958	2,428	12.17%	10,874	11,936	2,807	10,001	91.97%	22,810	47.67%
2002	21,106	1,766	8.37%	11,736	12,533	2,921	10,697	91.15%	24,269	48.36%
2003	22,280	1,539	6.91%	12,902	11,892	1,436	11,752	91.09%	24,794	52.04%
2004	22,131	1,412	6.38%	12,391	11,669	1,891	11,344	91.55%	24,060	51.50%
2005	21,038	1,180	5.61%	12,104	10,023	1,864	10,284	84.96%	22,127	54.70%
2006	22,784	858	3.77%	11,807	10,983	1,913	10,240	86.73%	22,790	51.81%
2007	24,896	941	3.78%	12,930	11,690	1,444	12,429	96.13%	24,620	52.52%
2008	22,244	596	2.68%	13,373	9,645	1,155	11,556	86.41%	23,018	58.10%
2009	26,514	571	2.15%	16,695	10,044	1,224	13,541	81.11%	26,739	62.44%
2010	22,064	455	2.06%	12,178	9,620	1,425	12,139	99.68%	21,798	55.87%
2011	16,541	468	2.83%	11,265	5,907	1,434	11,162	99.09%	17,172	65.60%
2012	16,016	484	3.02%	10,299	5,545	1,413	9,361	90.89%	15,844	65.00%
2013	15,850	367	2.32%	10,835	5,188	1,301	10,540	97.28%	16,023	67.62%

* Includes parole, parole suspension, programming, and lifer interviews.

Source: Prepared by the Office of the Auditor General from DOC's 2012 and 2014 statistical reports.

PROCESS DESCRIPTION

The Michigan Parole Board, the sole authority for paroling prisoners sentenced to DOC's jurisdiction, may not grant parole until the Parole Board has reasonable assurance, after consideration of all the facts and circumstances, that the prisoner will not become a menace to society or a risk to public safety.

Sections 791.231a and 791.235 of the *Michigan Compiled Laws* and *Michigan Administrative Code* R 791.7715 and R 791.7716 provide the basis by which the Parole Board is authorized to grant paroles. The Parole Board consists of 10 members who are appointed by the DOC director to four-year terms. Parole Board members may be reappointed.

DOC's Office of the Parole Board compiles the facts and circumstances related to prisoners who have been identified as being eligible for parole and provides the information to the Parole Board in the form of the PERs, parole guideline scores, and case summary reports.

From October 1, 2013 through March 31, 2016, the Parole Board made 57,383 parole decisions and paroled 27,584 prisoners. The Parole Board's activity for calendar years 1992 through 2013 is presented as supplemental information. The Office of the Parole Board expended \$4.7 million during fiscal year 2015 and had 42 full-time equated employees as of September 23, 2016.

AUDIT SCOPE, METHODOLOGY, AND OTHER INFORMATION

AUDIT SCOPE

To examine the records and processes related to DOC's efforts to identify prisoners eligible for parole and to provide accurate and complete information to Parole Board members during the parole eligibility consideration process. We conducted this performance audit* in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our conclusions based on our audit objectives.

PERIOD

Our audit procedures, which included a preliminary survey, audit fieldwork, report preparation, and quality assurance, generally covered October 1, 2013 through July 31, 2016.

METHODOLOGY

We conducted a preliminary survey of the parole eligibility consideration process to formulate a basis for establishing our audit objectives and defining our audit scope and methodology. During our preliminary survey, we:

- Interviewed DOC staff and reviewed prisoner file documentation to obtain an understanding of how information was accumulated for the Parole Board.
- Reviewed applicable laws, rules, DOC policies, and other pertinent information.
- Visited two correctional facilities to obtain an understanding of their process to identify the prisoners who are potentially eligible for parole and to complete the PER.
- Completed limited testing of prisoner files to determine if ERDs were calculated correctly and to verify the accuracy of information presented to the Parole Board.

OBJECTIVE #1

To assess the effectiveness of DOC's process to identify prisoners eligible for parole.

To accomplish our first objective, we:

- Visited six correctional facilities to review their methods of identifying prisoners who are within eight months of their ERDs. We judgmentally selected the six

* See glossary at end of report for definition.

correctional facilities based on various criteria, including the facilities' security level, size, geographic location, and prisoner cost per day. Therefore, we could not project the results to the entire population.

- Obtained, from the six correctional facilities, a list of prisoners housed at the facilities during mid-July 2016.
- Obtained, from the DOC central office, a list of prisoners housed at all correctional facilities as of July 12, 2016.
- Compared the lists obtained from the six correctional facilities with the list obtained from the DOC central office to verify that the correctional facilities had correctly identified all prisoners potentially eligible for parole and to verify the accuracy of the DOC central office list.
- Obtained the lists, prepared by the Office of the Parole Board, of the prisoners whom the Parole Board will consider for parole for each of the six correctional facilities visited.
- Compared the Office of the Parole Board lists with the DOC central office list to ensure that all prisoners eligible for parole were identified.

OBJECTIVE #2

To assess the accuracy and completeness of prisoner information provided to the Parole Board.

To accomplish our second objective, we selected a statistical sample of 100 prisoners and completed the following:

- Verified that prisoner ERDs were accurately calculated.
- Ensured that the PERs contained all of the required information according to Section 791.235 of the *Michigan Compiled Laws*.
- Verified that the information used by the Office of the Parole Board in preparing the parole guideline score sheets was representative of the prisoners' files.
- Recalculated the parole guideline scores to ensure that there were no errors that may impact the prisoners' probability of parole.
- Ensured that registered victims or concerned citizens were given the opportunity to provide input into pending parole decisions.
- Reviewed the case summary reports to ensure that they were representative of information in the prisoners' files.

We selected the statistical sample to eliminate bias and enable us to project the results to the entire population.

CONCLUSIONS

We base our conclusions on our audit efforts and any resulting material conditions* or reportable conditions*.

When selecting activities or programs for audit, we direct our efforts based on risk and opportunities to improve State government operations. Consequently, we prepare our performance audit reports on an exception basis.

AGENCY RESPONSES

Not applicable.

PRIOR AUDIT FOLLOW-UP

Following is the status of the findings reported in our September 1998 performance audit of the Intake to Parole Process, Department of Corrections (47-121-98):

Prior Audit Finding Number	Topic Area	Current Status	Current Finding Number
1	Minimum Sentence Calculation	Complied	Not applicable
2	Parole Board Data	Complied	Not applicable
3	Parole Eligibility Reports	Complied	Not applicable

SUPPLEMENTAL INFORMATION

Our audit report includes supplemental information that relates to our audit objectives. Our audit was not directed toward expressing an opinion on this information.

* See glossary at end of report for definition.

GLOSSARY OF ABBREVIATIONS AND TERMS

DOC	Department of Corrections.
earliest release date (ERD)	The minimum amount of time a prisoner has to serve of his or her court-ordered prison sentence.
effectiveness	Success in achieving mission and goals.
material condition	A matter that, in the auditor's judgment, is more severe than a reportable condition and could impair the ability of management to operate a program in an effective and efficient manner and/or could adversely affect the judgment of an interested person concerning the effectiveness and efficiency of the program.
parole	A term of community supervision afforded by the Parole Board to a prisoner who has served the minimum portion of his or her sentence, less good time or disciplinary credits if applicable.
Parole Board	A board made up of 10 members who are authorized to grant paroles.
parole eligibility report (PER)	A report that summarizes prisoner information to be considered by the Parole Board.
parole guideline score	A numerical scoring system designed to assist in applying objective criteria to any decision made by the Parole Board.
performance audit	An audit that provides findings or conclusions based on an evaluation of sufficient, appropriate evidence against criteria. Performance audits provide objective analysis to assist management and those charged with governance and oversight in using the information to improve program performance and operations, reduce costs, facilitate decision making by parties with responsibility to oversee or initiate corrective action, and contribute to public accountability.
reconsideration date	The date that a prisoner, who was denied parole, may be reconsidered for parole.
reportable condition	A matter that, in the auditor's judgment, is less severe than a material condition and falls within any of the following categories: an opportunity for improvement within the context of the audit objectives; a deficiency in internal control that is significant within the context of the audit objectives; all instances of fraud; illegal acts unless they are inconsequential within the context of the audit objectives; significant violations of provisions of contracts or grant agreements; and significant abuse that has occurred or is likely to have occurred.

