

Fiscal Estimate - 2005 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 05-0446/6	Introduction Number AB-988
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Description
 Seizure of a computer used in committing a child sex offense, the disposition of certain forfeited property, the use of a computer by a person convicted of a child sex offense, and providing a penalty

Fiscal Effect

State:

<input type="checkbox"/> No State Fiscal Effect	<input type="checkbox"/> Increase Existing Revenues	<input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget
<input checked="" type="checkbox"/> Indeterminate	<input type="checkbox"/> Increase Existing Appropriations	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Decrease Existing Appropriations	<input type="checkbox"/> Decrease Existing Revenues	<input type="checkbox"/> Decrease Costs
<input type="checkbox"/> Create New Appropriations		

Local:

<input checked="" type="checkbox"/> No Local Government Costs	5. Types of Local Government Units Affected	
<input type="checkbox"/> Indeterminate	<input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts	
1. <input type="checkbox"/> Increase Costs	3. <input type="checkbox"/> Increase Revenue	
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	
2. <input type="checkbox"/> Decrease Costs	4. <input type="checkbox"/> Decrease Revenue	
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	

Fund Sources Affected	Affected Ch. 20 Appropriations
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	

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Fiscal Estimate Narratives
DOC 2/28/2006

LRB Number 05-0446/6	Introduction Number AB-988	Estimate Type Original
Description Seizure of a computer used in committing a child sex offense, the disposition of certain forfeited property, the use of a computer by a person convicted of a child sex offense, and providing a penalty		

Assumptions Used in Arriving at Fiscal Estimate

Under current law, a person released from prison is, in most circumstances, under the supervision of the Department through either parole or extended supervision. Offenders placed on probation are also under the Department's supervision. The Department may, as a condition of probation, parole, or extended supervision, impose certain restrictions on the offender, including forbidding an offender from using a computer.

The bill also prohibits a child sex offender, as a condition of this probation, parole or extended supervision, from using a computer unless it is running software that prevents access to computerized child pornography or that records any such access for review by the offender's probation and parole agent. The bill also requires each child sex offender who is placed on probation, parole or extended supervision to allow the Department of Corrections (DOC): 1) to search his or her computer at any time; 2) to monitor and review his or her use of any computer to communicate with others; and 3) to install and use software on every computer the offender uses to help prevent the computer from being used to entice a child. The bill requires the Department to monitor the use of computers by child sex offenders who are placed on probation, parole or extended supervision.

During CY 2005, 811 child sex offenders were released from prison on parole or extended supervision or placed on probation. The average length of field supervision for these offenders is 5½ years [66 months]. Assuming CY05 data is representative of future statistics, 811 offenders per year could be subject to the requirements under this bill, for a period of 66 months; however, it is unknown how many of these offenders will be prohibited from using computers and how many have access to computers in their home, places of employment, or elsewhere.

Monitoring software is currently available for \$40 per computer for the 1st year of operation and annual costs of \$12 in subsequent years that can be set to block prohibited contacts or websites, as well as save all communications on the vendor's site. Agents would be able to access the vendor site from any location and be able to monitor an offender's on-line actions. Agents could also receive e-mail from the vendor immediately upon an offender's violation of prohibited contacts. Assuming 100% of offenders (811 per year for 5 1/2 years) have access to one computer and the Department were to install this software on 811 computers, software costs in the first year would be \$32,400, rising to \$76,200 in the sixth and subsequent years. There will be some increased staff time to install the software on an offender's computer. If offenders have access to more than one computer and the Department installed the software on additional computers, the costs would increase. More extensive forensic searches by DOC staff would also increase the costs of this bill. If a percentage of the offenders either do not have access to computers or the Department prohibits some of the offenders from using a computer, software costs could be less.

Long-Range Fiscal Implications

It is assumed each offender, once placed on field supervision, will continue to be monitored until they have reached their release date [average 5 ½ years]. It is also assumed 100% of offenders will agree to have their computer usage monitored. Thus, the number of offenders will continue to grow until the 6th year, at which time 4,460 offenders will have their computer usage monitored annually.