

### Fiscal Estimate - 2007 Session

Original     
  Updated     
  Corrected     
  Supplemental

|                                    |   |
|------------------------------------|---|
| <b>LRB Number</b> <b>07-0363/1</b> | <b>Introduction Number</b> <b>AB-0144</b> |
|------------------------------------|---|

**Description**  
 Relating to: escapes by persons on probation, parole, and extended supervision and providing penalties

**Fiscal Effect**

**State:**

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

**Local:**

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

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

|   |  |                          |
|---|--|--------------------------|
| <b>Agency/Prepared By</b><br>DOC/ Sue Loniello (608) 240-5524 | <b>Authorized Signature</b><br>Robert Nikolay (608) 240-5405 | <b>Date</b><br>4/16/2007 |
|---|--|--------------------------|

## Fiscal Estimate Narratives

DOC 4/16/2007

|  |           |                     |         |               |          |
|--|-----------|---------------------|---------|---------------|----------|
| LRB Number   | 07-0363/1 | Introduction Number | AB-0144 | Estimate Type | Original |
| <b>Description</b><br>Relating to: escapes by persons on probation, parole, and extended supervision and providing penalties |           |                     |         |               |          |

### Assumptions Used in Arriving at Fiscal Estimate

Under current law there are several prohibitions and penalties regarding a person who intentionally escapes from the custody of a law enforcement officer after being arrested.

This bill prohibits a person who is on probation, parole or extended supervision from intentionally escaping from his or her probation/parole/ES officer while being detained on a probation, parole or extended supervision violation. The bill also prohibits a person subject to proceedings under the juvenile justice code from intentionally escaping from his or her caseworker or an intake or dispositional services worker if the person has been detained for a violation of a dispositional order or a condition of aftercare supervision. A person who violates this new prohibition is guilty of a Class G felony (maximum 5 years of confinement and 5 years of extended supervision). If the person who has custody of the person who has escaped is injured during the escape, the sentence may be increased by up to five years.

The Department of Corrections is unable to estimate the number of offenders who will be subject to the criminal penalty provisions of this bill and therefore is unable to estimate the state fiscal impact.

The FY06 annual cost for an inmate in a DOC institution is approximately \$27,600 and \$2,000 for community supervision. However, when there is excess capacity in DOC facilities, the incremental costs (i.e. food, health care and clothing) of housing a small number of inmates is approximately \$4,500, based on FY06 per capita rates. When there is no excess capacity in DOC facilities, as is currently the case, the Department uses contract beds at a rate of \$18,800 annually per person.

Placement of juvenile offenders in juvenile institutions is funded on a program revenue basis through daily rates charged to counties. These rates are specified in statutes and adjusted as part of the biennial budget process. The FY07 rate for placement in a juvenile correctional institution (JCI) is \$209 per day, or \$76,300 annually. The FY07 statutory rate for aftercare supervision is \$33 per day, or \$12,045 annually. Therefore, any increase in juvenile placements as a result of this bill would increase the local cost to counties by the amount of the statutory daily rate for JCI and aftercare services.

A local impact will also occur if an adult offender is sentenced to a jail term under the provisions of this bill or placed on county juvenile supervision. The local fiscal impact cannot be estimated.

### Long-Range Fiscal Implications