



## Fiscal Estimate Narratives

DOC 6/19/2013

LRB Number	13-1659/1	Introduction Number	AB-0250	Estimate Type	Original
<b>Description</b> Creating an enhanced penalty for harassing, intimidating, or recklessly endangering a law enforcement officer, a fire fighter, an emergency medical technician, a first responder, or an ambulance driver, and providing a penalty					

### Assumptions Used in Arriving at Fiscal Estimate

Under current law, a person who recklessly endangers the safety of another person is guilty of a Class G felony, except that if the person recklessly endangers the safety of another person under circumstances that show utter disregard for human life, he or she is guilty of a Class F felony. A Class G felony is punishable by a fine up to \$25,000, imprisonment for up to ten years, or both. A Class F felony is punishable by the same fine, imprisonment for up to 12 years and six months, or both.

Under this bill, a person who recklessly endangers certain public employees, including a law enforcement officer; a firefighter; an emergency medical technician; a first responder; an ambulance driver; a commission warden; a probation, extended supervision, or parole agent; a school district officer or employee; an operator or driver of a public transit vehicle; a public or emergency health care provider; a judge; or an official, employee, or agent of the departments of revenue, safety and professional services, or workforce development is guilty of a Class F felony, except that if the circumstances demonstrate an utter disregard for human life, the person is guilty of a Class E felony and may be fined up to \$50,000, imprisoned for up to 15 years, or both.

Under the bill, the greater penalties apply if the public employee was acting in his or her official capacity when the crime occurred and the person knew or should have known that the victim was a public employee.

While it is not possible to estimate the number of individuals that would be convicted of these crimes, any increase in population either through new admissions or longer sentences, will have a financial impact on the Department of Corrections.

The average FY12 annual cost for an inmate in a DOC institution is approximately \$33,200. 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 \$5,000 based on FY12 costs. Should the Department use contract beds, the rate would be approximately \$18,800 annually per person.

Local county jails could see an increase in costs if offenders are sentenced to a county jail or if the number of days the offender would be placed in the jail is increased as a condition of probation for these offenses.

### Long-Range Fiscal Implications