

Fiscal Estimate Narratives

DOC 10/26/2015

LRB Number	15-1327/2	Introduction Number	SB-323	Estimate Type	Original
Description Granting victims of certain crimes the right to be accompanied by a victim advocate					

Assumptions Used in Arriving at Fiscal Estimate

This bill gives a victim of sexual assault, human trafficking, or child abuse the right to request accompaniment by a victim advocate to any examination or consultation performed at a hospital as a result of the crime. This bill also gives a victim of sexual assault, human trafficking, or child abuse the right, generally, to be accompanied by a victim advocate at interviews and proceedings related to the crime committed against him or her, including Department of Corrections (DOC) proceedings.

This bill's changes with respect to hospitals do not affect DOC facilities, because under current law DOC facilities would be exempt from such requirements.

The DOC holds two types of proceedings related to crimes committed against victims that victims may attend: parole hearings and revocation hearings.

Parole hearings are held by the Parole Commission, which is attached to the DOC for administrative purposes, but implements its statutory responsibilities independently. Current law allows crime victims to provide input into the parole decision-making process. The Parole Commission and the DOC afford the victim with the opportunity to attend parole hearings in his or her case. If requested, a victim advocate from the DOC's Office of Victim Services and Programs will accompany a victim during a parole hearing.

Revocation hearings are initiated by the DOC when an offender is alleged to have violated the conditions of his or her supervision. The DOC often requires that victims testify during revocation hearings. Generally, if a victim requests that an advocate be present during his or her testimony, the DOC approves the request and submits it to the presiding Administrative Law Judge, who makes the final decision. The DOC does not anticipate that any additional costs would be incurred by allowing victim advocates to accompany victims at revocation hearings.

Therefore, because the DOC already allows victims to be accompanied by victim advocates at parole hearings, and because the DOC does not anticipate that any additional costs would be incurred by allowing victims to be accompanied by victim advocates at all revocation hearings, this bill's changes with respect to DOC proceedings would have no state fiscal effect on the DOC.

Long-Range Fiscal Implications