

Fiscal Estimate Narratives
DOC 2/27/2003

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| LRB Number 03-1578/1 | Introduction Number SB-35 | Estimate Type Original |
| Subject Sex offender registration | | |

Assumptions Used in Arriving at Fiscal Estimate

Under current law, a sex offender failing to register with the Department of Corrections may be imprisoned for up to nine months and fined up to \$10,000 for the first failure to comply. If the offender fails to comply a second time, the offender may be imprisoned for up to five years if the offense is committed before February 1, 2003 and up to six years if the offense is committed thereafter, as well as fined up to \$10,000. This bill revises the penalty for failure to register to up to six years and \$10,000 regardless of the number of prior offenses.

There are many interventions that can be used with probationers/parolees to obtain compliance with the sex offender registry. For cases that are no longer being supervised by DOC, the main enforcement mechanism for someone refusing to comply is certification of the case to the district attorney's office for possible prosecution. Approximately 10 cases a month are certified to the D.A.'s office for non-compliance with the sex offender registry.

It is difficult to estimate the number of convictions that will occur under this legislation or the eventual court disposition. The average FY02 cost to incarcerate a person in a state prison is approximately \$26,000 and \$1900 to place an offender on probation.

If some offenders are sentenced to a state prison instead of a county jail costs will decrease for the counties.

Long-Range Fiscal Implications