



## Fiscal Estimate Narratives

SPD 5/23/2005

|   |                            |                        |
|---|----------------------------|------------------------|
| LRB Number 05-2181/1  | Introduction Number AB-359 | Estimate Type Original |
| <b>Subject</b><br>Investigating deaths caused by law enforcement officers |                            |                        |

### Assumptions Used in Arriving at Fiscal Estimate

The State Public Defender (SPD) provides legal representation in criminal cases and other specified proceedings in which the loss of personal liberty or parental rights may occur. For adult clients, the SPD must complete a financial eligibility evaluation before appointing an attorney. SPD services are constitutionally required because in the case types handled by SPD, a defendant without the financial means to hire an attorney has the right to have an attorney appointed. Therefore, any bill that would increase the number of cases handled by SPD would increase SPD costs.

This bill relates to procedures for inquest proceedings when law enforcement officers cause death of a person. Since SPD has strict eligibility guidelines, it would be extremely rare for SPD to represent law enforcement officers charged with criminal offenses. Thus, SPD is unlikely to see many additional cases as a result of the proposed procedures.

Other state or county agencies might see increased costs as a result of the proposed changes (for example, more court time might be required as a result of allowing private parties to question witnesses at the inquest).

### Long-Range Fiscal Implications