



## Fiscal Estimate Narratives

DOC 4/3/2009

LRB Number	<b>09-1560/2</b>	Introduction Number	<b>AB-0269</b>	Estimate Type	<b>Original</b>
<b>Description</b> causing injury to a law enforcement officer while resisting or obstructing an officer or while attempting to flee and providing a penalty					

### Assumptions Used in Arriving at Fiscal Estimate

This bill creates a new Class H felony (maximum confinement time 3 years and maximum supervision 3 years) when a person obstructs, resists or flees from a law enforcement officer and causes bodily harm.

Although the Department cannot predict the number of offenders who may be subject to this new criminal penalty or what the sentencing practices of the court will be, enactment of this legislation could result in increased costs to the Department.

In FY08 the annual cost of housing an inmate in a DOC institution was approximately \$30,300. 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 was approximately \$4,600. 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. The annual cost for community supervision was \$2,400 in FY08.

Local county jails could see an increase in costs if offenders are sentenced to a county jail as a condition of probation for this new felony offense.

### Long-Range Fiscal Implications