

Fiscal Estimate Narratives

DOC 1/7/2014

LRB Number	13-2995/1	Introduction Number	SB-471	Estimate Type	Original
Description Neglect of a child and providing penalties					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, a person who contributes to the neglect of a child is guilty of a misdemeanor. If the child suffers bodily harm or death, the person is guilty of a felony. Neglect is defined as failing to provide the child with necessary care, such as appropriate food, clothing, medical and dental care, the opportunity for education, the protection from controlled substances, or as failing to provide the child with appropriate supervision due to the sustained consumption of alcohol or controlled substances. Also, the penalties for the crime of neglect, or for contributing to neglect whether or not actual neglect occurs, vary from a Class D felony to a Class A misdemeanor.

The bill also creates a crime of repeated acts of neglect of the same child. If a jury agrees that a person committed at least three acts of neglect against the same child, even if they are not the same act, the person is convicted of committing this crime. The penalties vary from a Class C felony to a Class H felony depending on the extent of the crime.

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

The average FY13 annual cost for an inmate in a DOC institution is approximately \$32,100. 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 \$5,400 based on FY13 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