

### Fiscal Estimate - 2013 Session

Original       Updated       Corrected       Supplemental

**LRB Number** 13-2448/1      **Introduction Number** AB-0441

**Description**

Information on a person who is required to register as a sex offender and notification of law enforcement when certain sex offenders change residential addresses

**Fiscal Effect**

**State:**

- No State Fiscal Effect
- Indeterminate
  - Increase Existing Appropriations
  - Decrease Existing Appropriations
  - Create New Appropriations
  - Increase Existing Revenues
  - Decrease Existing Revenues
  - Increase Costs - May be possible to absorb within agency's budget
    - Yes
    - No
  - Decrease Costs

**Local:**

- No Local Government Costs
- Indeterminate
- 1.  Increase Costs       Permissive       Mandatory
- 2.  Decrease Costs       Permissive       Mandatory
- 3.  Increase Revenue       Permissive       Mandatory
- 4.  Decrease Revenue       Permissive       Mandatory
- 5. Types of Local Government Units Affected
  - Towns       Village       Cities
  - Counties       Others
  - School Districts       WTCS Districts

**Fund Sources Affected**

GPR     FED     PRO     PRS     SEG     SEGS

**Affected Ch. 20 Appropriations**

**Agency/Prepared By**

DOC/ Dustin Trickle (608) 240-5413

**Authorized Signature**

Melissa Roberts (608) 240-5055

**Date**

11/11/2013

## Fiscal Estimate Narratives

DOC 11/11/2013

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<b>Description</b> Information on a person who is required to register as a sex offender and notification of law enforcement when certain sex offenders change residential addresses					

### Assumptions Used in Arriving at Fiscal Estimate

#### Registry of Aliases and Multiple Residences

Current law requires a person to be registered with the Department of Corrections (DOC) as a sex offender if the person has been convicted of certain sex offenses, found not guilty of certain sex offenses by reason of mental disease or defect, or adjudicated delinquent on the basis of certain sex offenses. DOC provides the general public with access to certain information from the registry such as the person's name, address and crime. This bill requires the person to report and the DOC to make available to the public all aliases of the person and addresses at which the person is or will be residing rather than a single current address.

Initially, the DOC would be required to modify the registry to include multiple residential addresses (parent, partner/friends(s), shelters, etc.) including all addresses at which the offender does or may reside. Total costs for modification of the registry are summarized at the end of this estimate. The DOC currently provides aliases on the registry website, as well as addresses for places of work and study for offenders.

As of June 30th, 2013, there were 22,803 sex offender registrants, 5,852 of whom are incarcerated. The remaining 16,951 offenders verify their current address annually and again when their current address changes. In CY2012, approximately 42,200 verifications were processed (21,200 changes + 21,000 annual verifications). Thus, on average, offenders on community supervision or no longer on any supervision change addresses approximately 1.25 times per year.

It could be assumed that 'potential' residential address changes would increase if multiple residential addresses are tracked, necessitating increased supply and service costs (postage, paper) in addition to the increased workload (data entry and registration tracking). During CY2012 there were 6.00 FTE and two 0.50 LTE Office Operations Associates (OOA) processing changes to the registry, as well as 1.00 FTE Operations Program Associate (OPA). On average, this would amount to 5,275 address changes per OOA or OPA annually).

The Department can-not estimate the number of offenders who will have multiple addresses but for illustrative purposes, if 25% of non-incarcerated offenders report a 2nd address which changes 1.25 times per year, an additional 5,300 changes will be processed, and an additional 1.00 OOA would be required at an approximate cost of \$54,300 annually. Backlogs in processing addresses would likely occur, affecting the accuracy of information available to the public, if the Department were to absorb this workload without additional resources.

After processing the change, a verification letter is sent to the offender's address and the offender has 10 days to provide written confirmation of the address. It is unclear how many offenders would respond within required timeframes if permitted to register multiple residential addresses. Additional staff time would be required to ensure offenders have provided all necessary confirmations from all residential addresses they submit. It is assumed postage costs would increase \$2,400, and an additional .50 OOA at a cost of \$28,700 would be required to send address confirmation requests and track addresses which have been confirmed.

#### Sex Offenses Dismissed as Part of a Plea Agreement

This bill would also expand the registry and make available to the public information on sex offenses dismissed as part of a plea agreement leading to the requirement for registration, if registration is ordered by the court.

The Department receives a judgment of conviction (JOC) from courts for each offender, however, dismissed sexual crime charges associated with a plea agreement may or may not be included with the JOC. Between June 30th 2012 and June 30th, 2013, the registry grew by 422 offenders (22,803 compared to 22,381). It is

not known how many of these convicted offenders participated in a plea agreement or how many dismissed charges would be entered into the registry.

It is assumed, if this legislation was enacted, that the court system would provide dismissed charges associated with a plea agreement with the JOC if the offender was ordered to register. SOR employs 20.00 GPR FTE Corrections Program Specialists (Sex Offender Registry Specialists). For illustrative purposes, if 25% of offenders added between June of 2012 and June of 2013 were convicted in association with a plea agreement and each offender had two charges dismissed associated with that plea agreement, it is assumed each Specialist's workload would increase by less than one entry per month. With these assumptions, this level of workload could be absorbable using base resources.

The DOC's SOR would be modified to retain and display data on uncharged or dismissed crimes. Total costs for programming necessary to modify the registry are summarized at the end of this estimate.

#### Notifications Due to Change of Address

Currently, when a sex offender who is required to register with the Department of Corrections' (DOC) sex offender registry (SOR) is released from prison, the DOC may in the case of a single sex crime conviction, or must in second or subsequent convictions, notify the police chief of the community, and the sheriff of the county, in which the registrant will be residing, employed, or attending school (special bulletin notifications) (SBNs).

This bill requires the DOC to send written notification to the same law enforcement agencies if the sex offender who was the subject of an earlier SBN changes their residential address. The DOC has issued approximately 3,201 SBNs total at a rate of approximately 20 offenders per month (or nearly 250 per year). The DOC dedicates 1.00 Office Operations Associate (OOA) FTE to SBN notifications, notification tracking and data entry.

While the DOC can not predict the number of SBNs changing residences annually, for illustrative purposes, if 10% of SBNs on average change addresses 1.25 times every year and 25% of those offenders report a second address which changes at the same rate, it is assumed an additional 500 follow-up notifications will be provided to law enforcement. If the remaining 90% were assumed to move on average once every three years, and 25% of those offenders report a second address which changes at the same rate, an additional 1,333 follow up notifications will be provided to law enforcement.

Combined, the workload for the OOA would increase from approximately 250 SBN notifications per year to approximately 2,083 per year (250 per year for releases, 1,833 for address changes). This assumed level of workload would require an additional 8.00 GPR FTE at an approximate cost of \$33,500 one time and \$433,800 GPR annually.

#### Summary of State Costs

The precise cost impact of this legislation can not be quantified. Based upon the assumptions above, the Department estimates an additional 9.50 GPR FTE, costing an additional \$39,800 GPR in one-time funding and an additional \$516,800 annually would be required for staffing purposes associated with the above changes. Additional annual Supplies and Services funding of \$2,400 is estimated for additional postage costs. To modify the registry to allow entry, storage, and display of additional places of residence, as well as dismissed charges associated with plea agreements, the Department estimates a one-time cost of \$128,700 GPR and \$28,400 annually thereafter for system maintenance.

#### Long-Range Fiscal Implications