

Fiscal Estimate - 2017 Session

Original
 Updated
 Corrected
 Supplemental

| | |
|---|---|
| LRB Number 17-0550/1 | Introduction Number AB-0155 |
| Description prosecution decisions following deaths involving law enforcement officers | |
| Fiscal Effect | |
| State: | |
| <input type="checkbox"/> No State Fiscal Effect <input checked="" type="checkbox"/> Indeterminate <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations </div> <div style="width: 30%;"> <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues </div> <div style="width: 30%;"> <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <div style="display: flex; justify-content: space-around; font-size: small;"> <input type="checkbox"/> Yes <input type="checkbox"/> No </div> <input type="checkbox"/> Decrease Costs </div> </div> | |
| Local: | |
| <input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate | |
| <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <p>1. <input type="checkbox"/> Increase Costs</p> <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory </div> <div style="width: 30%;"> <p>3. <input type="checkbox"/> Increase Revenue</p> <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory </div> <div style="width: 30%;"> <p>5. Types of Local Government Units Affected</p> <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts </div> </div> <div style="width: 30%;"> <p>2. <input type="checkbox"/> Decrease Costs</p> <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory </div> <div style="width: 30%;"> <p>4. <input type="checkbox"/> Decrease Revenue</p> <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory </div> | |

Fiscal Estimate Narratives

DOC 3/23/2017

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|---|------------------|---------------------|----------------|---------------|-----------------|
| LRB Number | 17-0550/1 | Introduction Number | AB-0155 | Estimate Type | Original |
| Description prosecution decisions following deaths involving law enforcement officers | | | | | |

Assumptions Used in Arriving at Fiscal Estimate

Current law requires an investigation following a death that involves a law enforcement officer and outlines specific requirements of the investigation. One requirement is that the investigators provide a report of the investigation to the district attorney of the county in which the death occurred, and that district attorney must determine whether to prosecute the officer. This bill requires instead that the investigators provide the report to the chief judge of the judicial administrative district, and that judge must appoint a special prosecutor who then must determine whether to prosecute the officer.

The DOC cannot predict the state or local fiscal impact of this bill as it is unknown how appointing a special prosecutor to investigate deaths involving a law enforcement officer will affect the number and severity of convictions compared to the current practice of a district attorney investigating a death involving a law enforcement officer.

State costs could change if an increased or decreased number of offenders are convicted and receive a prison sentence. The average FY16 annual cost for an inmate in a DOC institution is approximately \$32,300. 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 is approximately \$5,700 based on FY16 costs. Should the Department use contract beds, the rate would be approximately \$18,800 annually per person.

State costs could also change if an increased or decreased number of offenders are convicted and receive probation. The average FY16 annual cost to supervise one offender is approximately \$3,000.

County jails could experience increased or decreased costs if more or less offenders receive a jail sentence. The average FY16 annual cost to jail inmates is \$18,800.

Long-Range Fiscal Implications