

Department of Planning and Budget

2001 Fiscal Impact Statement

1. Bill Number SB694

House of Origin ☐ Introduced ☐ Substitute ☒ Engrossed
Second House ☒ In Committee ☐ Substitute ☐ Enrolled

2. Patron Stolle

3. Committee H. Courts of Justice

4. Title Special grand juries.

5. Summary/Purpose:

This bill authorizes an attorney for the Commonwealth to request a special grand jury to investigate criminal activity within his jurisdiction, in much the same way as may currently be done with regard to criminal activity that crosses jurisdictional lines.

In addition, a witness who refuses to testify or produce evidence after being ordered to do so by the presiding judge may be held in contempt and may be incarcerated until the contempt is purged by compliance with the order.

6. Fiscal Impact: Yes, see #8 below.

7. Budget amendment necessary: Yes, Item 30.

8. Fiscal implications:

This bill could result in an increase in the number of grand juries, but the possible increase in the number of special grand juries cannot be determined. However, during the past fiscal year, there were 39 disbursements totaling \$42,362 from the Criminal Fund for special grand juries, with an average disbursement of \$1,086. Therefore, it is reasonable to expect that future special grand juries may have a similar fiscal impact on the Criminal Fund.

If a person is charged with contempt by the presiding judge before a special grand jury, then the person may be incarcerated until the contempt is purged by compliance with the order. There is not enough information available to reliably estimate how many additional prisoners in jail could result from this proposal. Any increase in jail population will increase costs to the state. The Commonwealth pays the localities \$8.00 a day for each misdemeanor held in a jail and \$14.00 a day for each state responsible inmate. It also funds most of the jails' operating costs, e.g. correctional officers. The state's share of these costs on a per prisoner, per day basis varies from locality to locality. However, according to the Compensation Board, the estimated total state support for local jails averaged \$30.54 per inmate, per day in FY 1999.

9. Specific agency or political subdivisions affected: The court system, and the Compensation Board.

10. Technical amendment necessary: No.

11. Other comments: None.

Date: 01/10/01 / jlm

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cc: Secretary of Administration

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