

Department of Planning and Budget 2010 Fiscal Impact Statement

1. Bill Number: HB207

House of Origin Introduced ___ Substitute ___ Engrossed
Second House ___ In Committee ___ Substitute ___ Enrolled

2. Patron: Alexander

3. Committee: Courts of Justice

4. Title: Conduct of police lineups.

5. Summary: Establishes a uniform procedure to be used in all lineups by all law-enforcement agencies intended to ensure maximum accuracy of the procedure. The bill requires that the person who administers the lineup be a person who is not involved in the investigation of the criminal incident at issue and who does not know the identity of the suspect, that only one photograph or person is displayed to the eyewitness at a time, that all information about the suspect is kept from the eyewitness, that the lineup be recorded by videotape, audiotape or in writing by the administrator, and that the quality of the procedures used is subject to review in court by the finder of fact.

6. Fiscal Impact Estimates: Preliminary; See Item 8 below.

7. Budget Amendment Necessary: No.

8. Fiscal Implications: According to the Departments of State Police and Criminal Justice Services, the propose legislation is not expected to have a fiscal impact. However, the Compensation Board states that since many sheriff offices that have law enforcement responsibilities are small, meeting the requirements of the bill would probably be quite difficult. For instance, it would be very difficult for sheriff offices with only five law enforcement deputies to have one of those deputies not know the suspect among the individuals in the lineup. The potential fiscal impact due to such limitations of local law enforcement offices is not known at this time.

9. Specific Agency or Political Subdivisions Affected: State and local law enforcement agencies, Department of Criminal Justice Services.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 1/25/2010 dpb/John Crooks

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