

Department of Planning and Budget

2009 Fiscal Impact Statement

1. Bill Number HB 2567

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

2. Patron Sherwood

3. Committee House Courts of Justice

4. Title Reduction of supervised probation

5. Summary/Purpose:

The proposed legislation provides a process whereby an offender on probation supervision can earn credits toward reduction of the period for which he is under supervision. It requires the Department of Corrections to develop a supervision plan for each individual offender. The plan is to include goals for the offender to achieve. Upon achieving each goal, the offender is to receive credit toward reduction of the supervision period. An offender could reduce his period of supervision by 50 percent under the provisions of the bill. Sex offenders would not be eligible for the supervision reduction.

6. Fiscal Impact: Tentative. See Item 8.

7. Budget amendment necessary: None.

8. Fiscal implications:

The Department of Corrections (DOC) should be able to implement the proposed legislation with little or no additional cost. Moreover, the proposed legislation could have two indirect positive fiscal effects. First, reducing the periods of supervision for many offenders would result in lower caseloads for probation and parole officers, thereby reducing the need for additional officers. It would also enable the officers to spend more time supervising offenders who need supervision.

The second effect could be a reduction in the number of technical violators who ultimately get re-committed to prison, not due to a conviction for a new offense but because of the violation of their conditions of supervision. Each year, approximately 1,100 technical violators are returned to DOC, with an average sentence of 23 months. Standard conditions of probation that do not take into account individual circumstances and needs, which DOC uses primarily now, along with long periods of supervision, increase the chances that offenders will violate those conditions. By addressing these problems, the proposed legislation could reduce the number of technical violators being returned to prison and therefore reduce the need to build additional prisons in the future.

9. Specific agency or political subdivisions affected:

Department of Corrections

10. Technical amendment necessary: None.

11. Other comments: None.

Date: {2/3/2009} rwh

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