

Department of Planning and Budget

2010 Fiscal Impact Statement

1. Bill Number SB 615

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

2. Patron Howell

3. Committee Senate 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 and the amount of credit toward reduction of active supervision that could be earned upon achieving each goal. 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: Indeterminate 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. As of September 30, 2009, there were approximately 51,000 offenders under direct probation supervision who would have been eligible to participate in the proposal to earn credits toward reduction of direct supervision. Assuming that one-half of these offenders would have been able to earn enough credits to limit their direct supervision to one year, the probation caseload would be reduced by about 25,500 or 45 percent. In addition to reducing the need for additional probation officers, this proposal could also enable the officers to spend more time supervising offenders who need supervision.

The second effect could be a reduction in the number of offenders on probation 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 (commonly called “technical violators”).

Research has shown that low-risk offenders often do worse under long periods of supervision with additional conditions, thereby increasing the chances that offenders will violate those conditions. Each year, approximately 1,500 technical probation violators are returned to DOC, with an average sentence of more than two years. By providing individually-tailored supervision plans and a chance for offenders to reduce the length of direct supervision, 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: {2/1/2010} rwh

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