

# Commission on Local Government

## Estimate of Local Fiscal Impact

2018 General Assembly Session

**Bill:** HB997

**Patron:** Gilbert

**Date:** 1/22/2018

In accordance with the provisions of §30-19.03 of the Code of Virginia, the staff of the Commission on Local Government offers the following analysis of the above-referenced legislation:

### Bill Summary:

Repeals the Pretrial Services Act (§ 19.2-152.2 et seq.). The Act authorized the establishment of local pretrial services agencies that were intended to assist judicial officers in making bail determinations. The bill has a delayed effective date of July 1, 2019.

### Executive Summary:

Localities have evaluated a negative fiscal impact ranging from \$0.00 - \$7,000,000.00, however most localities noted that there is no fiscal impact because they are unable to quantify the impact. The two that responded indicating a fiscal impact, noted that they would need to account for the loss of the grant revenue that supports the program. It was also noted that the elimination of Pretrial Services would increase the jail population significantly, which would have a significant negative fiscal impact.

### Local Analysis:

**Locality:** Botetourt County

**Estimated Fiscal Impact:** \$0.00

Botetourt County

There are no figures available to quantify the impact of this proposed bill.

**Locality:** City of Martinsville

**Estimated Fiscal Impact:** \$1.00

I'm unsure of any impact to our locality. No opinion offered.

**Locality:** City of Roanoke

**Estimated Fiscal Impact:** \$1.00

No impact

**Locality:** County of Henrico

**Estimated Fiscal Impact:**  
\$7,000,000.00

The County supervises an average of 700 active Pretrial clients on any given day. With the elimination of Pretrial Services, we can estimate 1/3 of those clients will now be added to the daily jail population because they are either held without bond or are unable to pay. With the jail cost of an individual at about \$84 per day, we can approximate the impact of \$7,000,000.

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**Locality:** Fairfax County

**Estimated Fiscal Impact:** \$800,000.00

The County receives approximately \$800,000 in grant revenue annually in support of the program, which would be lost if the program was repealed. In addition, pretrial services agencies provide a useful service in helping judges to determine the proper bond in bond hearings. Repealing the act would increase the jail population because many offenders could not make bond and require the County to absorb the cost of housing defendants who would otherwise be in less costly pretrial supervision. In general, the Pretrial Program significantly reduces the cost of jail operations and repeal would have a significantly negative fiscal impact for the County.

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**Locality:** Spotsylvania County

**Estimated Fiscal Impact:** \$0.00

Financial impact is unknown.

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**Locality:** Town of Christiansburg

**Estimated Fiscal Impact:** \$0.00

The Town of Christiansburg relies on Montgomery County Courts.

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**Locality:** Town of Marion

**Estimated Fiscal Impact:** \$0.00

The Town of Marion neither opposes nor supports this bill.

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**Professional Organization Analysis:**

**Organization:** Accomack-Northampton Planning District  
Commission

According to the Virginia Department of Criminal Justice Services (January 2018), Accomack and Northampton County are community based probation only. There appears to be no local impact.

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**Organization:** Commissioners of Revenue Association of VA

No position

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