

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE

House Bill 529 (Delegate Bissett)
Judiciary

Juvenile Court - Jurisdiction - Robbery

This bill narrows the jurisdiction of the juvenile courts by making robbery and attempted robbery criminal (adult) offenses for children at least 16 years old.

Fiscal Summary

State Effect: Indeterminate effect on general fund expenditures and potential decrease in federal fund revenues, as discussed below.

Local Effect: Potential increase in expenditures. No effect on revenues.

Small Business Effect: None. The bill would not directly affect small businesses.

Fiscal Analysis

State Effect: In 1996 there were 90 juveniles age 16 or older adjudicated delinquent for robbery or attempted robbery. Of these, 66 were given probation and 24 were committed to residential placement. The average annual cost of a probation case is \$2,000 and the average annual cost of a secure committed residential placement is \$51,000 or \$4,250 per month. The Department of Juvenile Justice is reimbursed an average of 7% of residential commitment costs by the federal government. Reducing the number of juveniles in probation and residential commitments and accounting for the bill's October 1 effective date, general fund expenditures could be reduced by \$558,000 in fiscal 1998. This estimate reflects an average stay of six months in residential placement. Federal fund revenue would decrease by \$32,130 in fiscal 1998. Future revenue and expenditure decreases would depend upon the number of juvenile cases being transferred from the juvenile court. Since juvenile justice intake has been increasing at a rate of approximately 7% annually, the savings to the State may actually be in the form of reducing the continued growth in the cost of juvenile residential placement.

Conversely, the Division of Correction could receive up to 90 additional incarcerations annually due to the transfer of the cases from the juvenile court depending upon the conviction rate and sentences imposed. Persons serving a sentence longer than one year are incarcerated in a Division of Correction (DOC) facility. In fiscal 1998 the average monthly cost per inmate is estimated at \$1,500.

Persons serving a sentence of one year or less are sentenced to a local detention facility. The State reimburses counties for part of their per diem rate after a person has served 90 days. State per diem reimbursements for fiscal 1998 are estimated to range from \$12 to \$42 per inmate depending upon the jurisdiction. Persons sentenced to such a term in Baltimore City are generally incarcerated in a DOC facility, with an average monthly cost estimated at \$1,500 for fiscal 1998. [The Baltimore City Detention Center (BCDC), a State operated facility, is used primarily for pretrial detentions. The per diem cost for BCDC in fiscal 1998 is estimated at \$43 per inmate.]

The net effect on expenditures would depend upon the actual case dispositions. At this time, the actual impact on the Division of Correction cannot be reliably estimated.

While this bill would increase the workload of the Public Defender, it is not expected to be at a level sufficient to require additional personnel. The Public Defender has a targeted caseload average of 250 cases per felony attorney per year. The additional cases are not expected to significantly impact the Division of Parole and Probation's existing workload. The workload shift from the juvenile justice system to the criminal justice system is not expected to materially affect the Judiciary's finances.

Local Expenditures: Expenditures could increase depending upon the number of juveniles convicted and sentenced to local detention facilities. Counties pay the full cost of incarceration for people in their facilities for the first 90 days of the sentence, plus part of the per diem cost after 90 days. Per diem operating costs of local detention facilities are expected to range from \$23 to \$83 per inmate in fiscal 1998.

Information Source(s): Judiciary (Administrative Office of the Courts), Department of Juvenile Justice, Department of Public Safety and Correctional Services (Division of Correction), Department of Fiscal Services

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Analysis by: Thomas Himler

Reviewed by: John Rixey

Direct Inquiries to:

John Rixey, Coordinating Analyst

(410) 841-3710

(301) 858-3710