

Department of Legislative Services
Maryland General Assembly

FISCAL NOTE

House Bill 81 (Delegates Arnick and Montague)

Judiciary

Criminal Sentences - Review

This bill adds persons with mandatory sentences of at least two years when no different sentence could have been imposed to those individuals who may have a panel of circuit court judges review the sentence. The bill also provides that a review panel may change an existing sentence to a minimum mandatory sentence.

Fiscal Summary

State Effect: Potential indeterminate effect on general fund expenditures. Revenues would not be affected.

Local Effect: Potential minimal expenditure increase. Revenues would not be affected.

Small Business Effect: None.

Fiscal Analysis

State Expenditures: General fund expenditures could increase or decrease from those individuals currently serving a mandatory minimum sentence who have the sentence changed by a panel review. Persons serving a sentence longer than one year are incarcerated in a Division of Correction facility. In fiscal 1999 the average monthly cost per inmate is estimated at \$1,500. Any change in expenditures is dependent on the number of individuals who apply for a panel review and the actual change in sentences ordered by the panel. The Administrative Office of the Courts advises that there were 190 panel reviews in fiscal 1997, of which four resulted in a change in the offender's sentence.

Expenditures could increase as the panels have the authority to order the Division of Parole and Probation to perform investigations and report to the panel. Any increase depends on the number of additional reviews requested by panels; but any costs should be able to be

absorbed within the existing resources of the division.

Local Expenditures: Expenditures could increase due to the additional panel reviews, since staff for circuit court judges are provided by the local subdivisions. Any increase in costs cannot be estimated at this time, but is assumed to be minimal.

Information Source(s): Department of Public Safety and Correctional Services (Division of Correction and Parole and Probation), Judiciary (Administrative Office of the Courts), Department of Legislative Services

Fiscal Note History: First Reader - January 16, 1998

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Analysis by: Guy G. Cherry

Reviewed by: John Rixey

Direct Inquiries to:

John Rixey, Coordinating Analyst

(410) 841-3710

(301) 858-3710