

Department of Legislative Services
Maryland General Assembly

FISCAL NOTE

House Bill 456 (Delegates Hecht and Preis)

Judiciary

Crimes of Violence - Child Abuse

This bill adds the crime of “abuse of a child” to the list of crimes of violence for which specified enhanced penalties must be applied for repeat offenders. These enhanced penalties include: (1) a minimum 10-year sentence for a second conviction of a crime of violence; (2) a mandatory minimum 25-year sentence if a person has been imprisoned for at least one of two separate convictions of a crime of violence; and (3) a mandatory life sentence without parole for a fourth conviction of a crime of violence.

Fiscal Summary

State Effect: Potential indeterminate general fund increases. Revenues would not be affected.

Local Effect: None.

Small Business Effect: None.

Fiscal Analysis

State Expenditures: The Division of Correction (DOC) received 83 offenders convicted of child abuse in 1997. In 51 instances, child abuse was their most serious offense, and their average sentence was 59.5 months. Offenders tend to actually serve 50% of their sentence. There is no current data to assess how many of these offenders were repeat offenders; however, it is assumed that some are repeat offenders and would have been subject to enhanced penalties under this bill.

Accordingly, this bill would increase the average sentence for a repeat child abuse by at least 100%. A similar increase would occur in actual time served. For those offenders convicted

of a fourth repeat offense and sentenced to life without parole the average time served would be 540 months. In fiscal 1999 the average monthly cost per inmate is estimated at \$1,500.

Information Source(s): Department of Public Safety and Correctional Services
(Division of Correction), Department of Legislative Services

Fiscal Note History: First Reader - March 5, 1998

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