

Department of Legislative Services
Maryland General Assembly

FISCAL NOTE

Senate Bill 66 (Chairman, Judicial Proceedings Committee)
(Departmental - Public Safety and Correctional Services)

Judicial Proceedings

Arrests - Interference With Home Detention Employees

This departmental bill makes it a misdemeanor to: (1) interfere with or impede a home detention employee's efforts to monitor, supervise, or apprehend home detention participants; or (2) have, use, wear, or display the articles that comprise the required attire of home detention employees. Violators are subject to a maximum incarceration penalty of three years.

The bill also grants specified arrest powers to home detention employees designated by the Commissioner of Correction to monitor and provide security for inmates in the home detention program. The arrest powers of employees of the Division of Parole and Probation are modified to conform with these provisions.

Fiscal Summary

State Effect: Potential minimal increase in general fund expenditures due to the bill's incarceration penalty provisions. Revenues would not be affected.

Local Effect: Potential minimal increase in expenditures due to the bill's incarceration penalty provisions. Revenues would not be affected.

Small Business Effect: The Department of Public Safety and Correctional Services has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

Fiscal Analysis

State Expenditures: The requirements of this bill, other than provisions relating to incarceration penalties, can be handled with the existing budgeted resources of the Department of Public Safety and Correctional Services. However, general fund expenditures could increase as a result of the bill's incarceration penalties due to more people being committed to a Division of Correction (DOC) facility and increased payments to counties for reimbursement of inmate costs, depending upon the number of convictions and sentences imposed.

Persons serving a sentence longer than one year are incarcerated in a DOC facility. In fiscal 1999 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 1999 are estimated to range from \$12 to \$42 per inmate depending upon the jurisdiction. Persons sentenced in Baltimore City are incarcerated in the Baltimore City Detention Center (BCDC), a State operated facility. The per diem cost for fiscal 1999 is estimated at \$43 per inmate.

Local Expenditures: Expenditures could increase as a result of the bill's incarceration penalties depending upon the number of convictions and sentences imposed. 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 1999.

The bill is not expected to affect the operation or funding of local home detention programs.

Information Source(s): Department of Public Safety and Correctional Services, Prince George's County, Department of Legislative Services

Fiscal Note History: First Reader - January 14, 1998

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Analysis by: Guv G. Cherrv

Reviewed by: John Rixev

Direct Inquiries to:

John Rixev, Coordinating Analyst

(410) 841-3710

(301) 858-3710