

**Department of Legislative Services**  
Maryland General Assembly

**FISCAL NOTE**

House Bill 467 (Delegates Benson and Crumlin)

Judiciary

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**Family Law - Child Sexual Abuse - Criminal Proceedings**

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This bill requires the State's Attorney's office to initiate criminal proceedings against any alleged child sexual abuser about whom a report containing a finding of indicated sexual abuse was submitted by Child Protective Services.

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**Fiscal Summary**

**State Effect:** Indeterminate increase in expenditures. No effect on revenues.

**Local Effect:** Indeterminate increase in expenditures. No effect on revenues.

**Small Business Effect:** None.

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**Fiscal Analysis**

**State Effect:** In fiscal 1997, Child Protective Services initiated 4,202 investigations into allegations of child sexual abuse. Of these, 1,202 resulted in a finding of "indicated". Indicated means that the preponderance of the evidence supports the conclusion that the abuse was committed. The standard generally used by State's Attorneys' offices to determine whether to prosecute a case is probable cause. The relationship between indicated and probable cause is unclear, and statistics showing the number of criminal prosecutions brought for child sexual abuse are not readily available. However, it is believed that the number of cases in which there was a finding of indicated child sexual abuse that result in criminal prosecutions is small. Therefore, this bill would result in more prosecutions. The cases would generally be brought in the circuit courts, which are, for the most part, locally funded. State expenditures would increase as a result of an increased number of prosecutions to the extent that State funded personnel or agencies would be involved in or affected by the additional cases (e.g., judges, clerk's offices, Child Protective Services, Office of the Public

Defender, State Police). The precise impact of this bill on State finances cannot be reliably quantified at this time.

**Local Effect:** Local expenditures would increase to the extent that the bill results in additional prosecutions, due to increased operating expenses for the circuit courts and increased expenses for locally-funded personnel and agencies that would be involved in or affected by the additional cases (e.g., State's Attorneys' offices, local law enforcement units). The precise impact of this bill on local finances cannot be reliably quantified at this time.

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**Information Source(s):** Department of Human Resources (Child Protective Services), Office of State's Attorneys' Coordinator, Department of Legislative Services

**Fiscal Note History:** First Reader - February 27, 1998

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