

Department of Legislative Services  
Maryland General Assembly

FISCAL NOTE

House Bill 408 (Delegates Faulkner and Mandel)

Judiciary

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**Threats Against Parole and Probation Officers**

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This bill makes it a crime to knowingly and willfully make a threat to take the life of, kidnap, or inflict bodily harm upon a parole officer. Under current law, it is a crime to make such threats against State or local officials. Violators are guilty of a misdemeanor and subject to current law maximum penalties of a fine of \$2,500 and/or imprisonment for three years.

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**Fiscal Summary**

**State Effect:** Potential minimal increase in general fund revenues and expenditures due to the bill's penalty provisions.

**Local Effect:** Potential minimal increase in revenues and expenditures due to the bill's penalty provisions.

**Small Business Effect:** None.

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**Fiscal Analysis**

**State Revenues:** General fund revenues could increase under the bill's monetary penalty provision for those cases heard in the District Court, depending upon the number of convictions and fines imposed.

**State Expenditures:** In 1997, for similar crimes, the Division of Correction (DOC) received four persons convicted of assault by threat, three convicted of assault of a police officer, and four convicted of assault on a DOC employee. General fund expenditures could increase as a result of the bill's incarceration penalty due to more people being committed to a 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 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 1999. [The Baltimore City Detention Center (BCDC), a State operated facility, is used primarily for pretrial detentions. The per diem cost for BCDC in fiscal 1999 is estimated at \$43 per inmate.]

**Local Revenues:** Revenues could increase under the bill's monetary penalty provision for those cases heard in the circuit courts, depending upon the number of convictions and fines imposed.

**Local Expenditures:** Expenditures could increase as a result of the bill's incarceration penalty 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 \$84 per inmate in fiscal 1999.

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

**Fiscal Note History:** First Reader - March 17, 1998

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