

Department of Legislative Services
Maryland General Assembly
1999 Session

FISCAL NOTE

House Bill 471 (Delegate Menes)

Judiciary

Crimes - Escape - Weekend and Periodic Sentences

This bill provides that a person who fails to report to a State or local correctional facility place of confinement for service of a sentence, including a weekend sentence or other intermittent sentence, is guilty of felony escape. Under current law, felony escape violations must be tried in the circuit court for the county in which the escape occurred; violators are subject to a maximum penalty of ten years imprisonment, which may not be suspended.

Fiscal Summary

State Effect: Potential minimal increase in general fund expenditures. Revenues would not be affected.

Local Effect: Potential minimal increase in revenues and expenditures due to current law penalty provisions applicable to escape.

Small Business Effect: None.

Fiscal Analysis

State Expenditures: General fund expenditures could increase minimally as a result of the applicable incarceration penalty due to more people being committed to Division of Correction (DOC) facilities and increased payments to counties for reimbursement of inmate costs. The number of people convicted of this proposed crime is expected to be minimal.

Persons serving a sentence longer than one year are incarcerated in DOC facilities. Currently, the average total cost per inmate, including overhead, is estimated at \$1,600 per month. This bill alone, however, should not create the need for additional beds, personnel, or

facilities. The average variable cost of housing a new DOC inmate (food, medical care, etc.), excluding overhead, is \$275 per month.

Persons serving a sentence of one year or less in a jurisdiction other than Baltimore City are sentenced to local detention facilities. The State reimburses counties for part of their incarceration costs, on a per diem basis, after a person has served 90 days. State per diem reimbursements for fiscal 2000 are estimated to range from \$8 to \$48 per inmate depending upon the jurisdiction. Persons sentenced to such a term in Baltimore City are generally incarcerated in DOC facilities. The Baltimore City Detention Center (BCDC), a State operated facility, is used primarily for pretrial detentions.

Local Expenditures: Expenditures could increase minimally as a result of the applicable incarceration penalty. 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 \$15 to \$80 per inmate in fiscal 2000.

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

Fiscal Note History: First Reader - March 3, 1999
ncs/jr

Analysis by: Guy G. Cherry

Direct Inquiries to:
John Rixey, Coordinating Analyst
(410) 946-5510
(301) 970-5510