

Department of Legislative Services
Maryland General Assembly
1999 Session

FISCAL NOTE

House Bill 715 (Delegate Hecht)

Judiciary

Inmates - Eligibility for Diminution Credits - Child Abuse

This bill prohibits an inmate convicted of child abuse from being awarded any category of diminution credits. Under current law, child abuse is a felony and subjects violators to a maximum incarceration of 15 years.

Fiscal Summary

State Effect: Significant general fund expenditure increases beginning in FY 2003. Revenues would not be affected.

Local Effect: None.

Small Business Effect: None.

Fiscal Analysis

State Expenditures: In fiscal 1998, the Division of Correction (DOC) received 76 offenders convicted of child abuse and nine convicted of conspiracy to commit child abuse. Their average sentence was 60 months. Under this bill, persons convicted of child abuse, unless released on parole, would have to serve 100% of their sentence. Accordingly, general fund expenditures could increase significantly due to persons convicted of child abuse offenses being incarcerated in Division of Correction (DOC) facilities for longer periods of time.

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. For illustrative purposes, under the bill's provisions the average time served for each offender would be the full 60 months. It is estimated that this bill would increase the actual time served by each child abuser by 24 months. Assuming the variable inmate costs of \$275 per month, State costs could increase by \$6,600 for each person imprisoned for child abuse.

Assuming that the 1998 intake is typical, and assuming that 25% of each year's intakes may receive parole within five years, 65 offenders per year would be subject to additional incarceration time under the provisions of this bill. However, the population of child abusers would not begin to grow until fiscal 2003, and would level off within 24 months. Additional annual variable costs for such inmates would increase by \$420,000 in fiscal 2003, and by \$858,000 in fiscal 2004 and beyond.

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

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ncs/jr

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