

Department of Legislative Services
Maryland General Assembly
2000 Session

FISCAL NOTE

House Bill 359 (Delegate Dewberry)

Judiciary

Crimes - Impersonating a Federal Police Officer

This bill expands provisions prohibiting impersonation of a police officer to make the prohibition applicable to impersonating a member of a "police force of the United States." Violators of this provision are guilty of a misdemeanor and subject to maximum penalties of a fine of \$100 and/or imprisonment for six months.

Fiscal Summary

State Effect: Potential minimal increase in general fund revenues and expenditures due to applicable penalty provisions.

Local Effect: Potential minimal increase in expenditures due to the applicable incarceration penalty provision. Revenues would not be affected.

Small Business Effect: None.

Analysis

Current Law: A person is prohibited from impersonating a police officer of a police force of the State, another state, Baltimore City, or any county or municipality. The prohibition also includes impersonations of special policemen, sheriffs, deputy sheriffs, or constables. Violators are guilty of a misdemeanor and subject to maximum penalties of a fine of \$100 and/or imprisonment for six months.

State Revenues: General fund revenues could increase minimally as a result of the applicable monetary penalty provisions from cases heard in the District Court.

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

Persons serving a sentence of one year or less in a jurisdiction other than Baltimore City are sentenced to a local detention facility. 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 2001 are estimated to range from \$11 to \$54 per inmate depending upon the jurisdiction. Persons sentenced to such a term in Baltimore City are generally incarcerated in a DOC facility. Currently, the DOC average total cost per inmate, including overhead, is estimated at \$1,700 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 \$260 per month.

Local Revenues: Revenues could increase minimally as a result of the applicable monetary penalty provision from cases heard in the circuit courts.

Local Expenditures: Expenditures could increase as a result of the applicable incarceration penalty. Counties pay the full cost of incarceration 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 \$22 to \$83 per inmate in fiscal 2001.

Additional Information

Prior Introductions: A similar bill (HB 543) was introduced in 1998 and received an unfavorable report from the Judiciary Committee.

Cross File: None.

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

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cm/jr

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