

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 8050

BILL NUMBER: HB 1815

DATE PREPARED: Jan 19, 1999

BILL AMENDED:

SUBJECT: Community corrections placements by sheriffs.

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**FUNDS AFFECTED: GENERAL
 DEDICATED
 FEDERAL**

IMPACT: State & Local

Summary of Legislation: This bill allows a county sheriff to place a person who has been confined to the county jail into a community corrections program. It prohibits the community corrections placement if: (1) the sentencing court disapproves of the placement; or (2) the placement is prohibited by statute. The bill requires, however, that before the county sheriff may place the person on work release, the appropriate prosecuting attorney and the sentencing court must approve the work release.

This bill requires that before a person who is confined to the county jail may be transferred to a community correction program's facility under certain circumstances, the county sheriff who is supervising the person must approve the transfer. It requires that whenever the county sheriff places the person in a community corrections program, all laws governing the placement apply in the same manner as if the placement had been made by the sentencing court.

Effective Date: July 1, 1999.

Explanation of State Expenditures: This bill would allow placement of county jail prisoners in available community corrections programs, subject to court approval and availability. Community corrections programs entail a variety of services operated in the 60 counties that receive some of the state General Fund appropriation for community corrections grants (\$12.6 M in FY 1999). Programs include work release/residential confinement, home detention/electronic monitoring, restitution programming and victim offender mediation. These services are also supported by user fees (ranging on average from less than one dollar (mediation) to \$13.80 a day (electronic monitoring)). Capacity varies from county to county. A statewide average for residential confinement shows it at 91% of capacity, while home detention is estimated to be about 10% over capacity.

Explanation of State Revenues:

Explanation of Local Expenditures: County entities that run community corrections programs pay certain overhead costs (often office space and materials) for these programs. Community corrections programs operating at capacity may experience problems related to placement priority for offenders to be placed by sheriffs and courts.

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected: County entities with community corrections programs; sheriffs.

Information Sources: Mike Brown, Department of Correction.