

LEGISLATIVE INCARCERATION FISCAL IMPACT STATEMENT
EIGHTY-NINTH SESSION
LEGISLATIVE ASSEMBLY 2014

AMENDMENT NO. SB6JA

**AN ACT TO ESTABLISH THE CRIME OF COMMITTING CERTAIN ACTS OF
DOMESTIC ABUSE IN THE PRESENCE OF A MINOR CHILD.**

A legislative incarceration fiscal impact statement has been requested on Amendment SB6ja. The amendment seeks to remove the instruction to the court to impose a jail sentence for each conviction, except for good cause shown.

The removal of this "soft" mandatory minimum from SB 6 changes the original sentencing rate of 70% to the average sentencing rate of 41% for those people sentenced to jail after being convicted of a Class 1 misdemeanor.

Based on that change, the new calculations are as follows:

Class 1 Misdemeanor (9 violators convicted):

The average number of people sentenced to jail after being convicted of a Class 1 misdemeanor is **41%**.

As a result, the estimated number sentenced to jail is **3.69**.

The average jail time ordered is 24 days.

The average jail cost per day is \$72.30.

The estimated total annual cost for **3.69** convicted and sentenced violators is **\$6,403**.

The estimated total cost for **3.69** convicted and sentenced violators over a 10 year period is **\$64,029**.

Due to the complexity of the supporting assumptions, we have applied a range of plus or minus twenty percent to the estimated annual and 10 year jail costs. As a result, annual estimated jail costs range from **\$5,122** to **\$7,683** and estimated jail costs over a ten year period range from **\$51,223** to **\$76,834**.

Disclaimers:

Misdemeanor days are based on time ordered and not time served. (Time served data is currently unavailable.)

10 year projections are in today's dollars and are not adjusted for inflation.

Approved: /s/ Fred Schoenfeld Date: 02/07/2014
Interim Director, Legislative Research Council