

PRISON/JAIL POPULATION COST ESTIMATE STATEMENT

Ninety-Fifth SESSION
2020 South Dakota Legislature

Senate Bill 138

An Act to amend parole provisions regarding life sentences.

A prison/jail population cost estimate statement is required for SB138 because the bill would allow an inmate sentenced to life imprisonment for a Class B felony to be eligible for parole after forty years and an inmate sentenced to life imprisonment for a Class C felony to be eligible for parole after thirty years. Under current law an inmate sentenced to life imprisonment would not be eligible for parole, no matter the felony Class of the conviction.

Due to the nature of parole, it is impossible for the Legislative Research Council to know when parole may be granted. Therefore, we will be working under the assumption that those convicted will be released at first eligibility to establish the maximum cost savings that could result from the bill. In practice, many prisoners falling under this bill might not receive parole at first opportunity, or at all.

There are nine inmates serving life sentences for Class B felonies that would be eligible for parole under this law over the next ten years, or fewer than one inmate per year.

The average age of release of these prisoners would be 58.78. A person of this age could be expected to live, on average, an additional 23.15 years from this time. Therefore, these inmates would no longer spend these additional years in prison, at a rate of \$82.61 per day for a high medium to maximum security inmate. For purposes of this statement the LRC will assume that one of these nine prisoners will be released at the end of each year over the next ten years, excluding the first year, resulting in a total of forty-five years that these prisoners would have otherwise spent in prison. Therefore, the LRC estimates the maximum savings for Class B felons eligible for parole under SB 138 will be zero over the next year and \$1,357,034 over the next ten years.

There are no inmates serving life sentences for Class C felonies that would be eligible for parole under this law over the next ten years.

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