

Agency: **Supreme Court of Appeals**  
 Date Requested: 06/12/2006 CBD Number: Version: Bill Number: Resolution Number:  
 Time Requested: 12:08 PM **Introduced**  
 CBD Subject: **Child Protection Act of 2006**

**FUND(S)**

**Sources of Revenue**

**You must select Revenue Source(s)!**

General Fund

**Does the proposed legislation create:**

**You must make a selection(s)!**

A New Program

## Fiscal Note Summary

**Explain in a clear and concise manner what effect this measure will have on costs and revenues of state government.**

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It is difficult to arrive at an accurate estimate of costs to the Judiciary for the implementation of the proposed Sex Offender Act in light of the fact that the Judiciary does not maintain all of the data necessary for the calculation of such an estimate. However, by obtaining relevant information from a variety of sources in an attempt to provide the Executive with some idea of the anticipated financial impact upon the Judiciary of this proposed legislation, we are able to provide the following analysis of the estimated financial impact.

COST EQUATION: 151 sexual offenders @ \$900 per year = \$135,900 11 Sexually Violent Predators (SVPs) @ \$600 per year = \$6,600 11 Sexually Violent Predators (SVPs) @ \$4,580 per year = \$50,380 TOTAL = \$192,880 for the first year

REASONING: 151 sexual offenders @ \$900 per year = \$135,900 According to the Division of Corrections, 151 sexual offenders were released from prison last year. It currently costs approximately \$900 per year to supervise a single probationer.

11 Sexually Violent Predators @ \$600 Of the 151 sexual offenders released from prison last year, 47 were convicted of either 1st Degree Sexual Assault or 1st Degree Sexual Abuse. We sought to estimate how many of those offenders, while over the age of 18, assaulted or abused a child under the age of 12. Since we know that 45% of the registered sexual offenders in this state committed acts against children under the age of 12, we estimated that 45% of the 47 1st Degree Sexual Assault/1st Degree Sexual Abuse offenders, that is, 22 individuals, convicted and released last year would have committed their offenses against a child under the age of 12. We then estimated that approximately 50% of those 22 offenders, or 11 individuals, will qualify as Sexually Violent Predators. These SVPs will be required to take at least one polygraph examination per year. Currently, each such polygraph examination costs approximately \$600 to administer.

11 Sexually Violent Predators @ \$4,580 In light of the fact that the specific type of surveillance method that will be used to monitor a given Sexually Violent Predator will be selected by the sentencing court from a number of different surveillance method options, it is difficult to provide an accurate estimated total cost of said surveillance. However, using as a basis the cost of the monitoring system currently being utilized by the 1st Judicial Circuit, that is, ankle bracelets, we estimate that surveillance of each Sexually Violent Predator will cost approximately \$12 per day. The estimated "hook up" cost is expected to be \$200 per offender. Therefore, we conclude that the cost of monitoring each Sexually Violent Predator will be approximately \$4,580 per year.

ADDITIONAL COMMENTS: Since the mandates of this proposed legislation will not be retroactive, we estimate that the Probation Division will not see an increase in the number of individuals requiring supervision pursuant to this proposed legislation until approximately 2008.

Sexually Violent Predators, all of whom will be required to undergo polygraph examinations, will not be eligible for supervision by the Probation Division until approximately 20 years from now. As a result, it is not likely that the Judiciary will experience the increased costs associated with the supervision of Sexually Violent Predators prior to, approximately, the year 2026. As noted above, the current cost of administering a single polygraph examination is approximately \$600; the cost of a polygraph examination in the year 2026 is all but impossible to predict.

## Fiscal Note Detail

Show over-all effect in Item 1 and 2 and, in Item 3, give an explanation of Breakdown by fiscal year, including long-range effect.

Effect of Proposal	Fiscal Year		
	2006 Increase/Decrease (use "-" )	2007 Increase/Decrease (use "-" )	Fiscal Year (Upon Full Implementation)
<b>1. Estimated Total Cost</b>	0	192880	
Personal Services			
Current Expenses			
Repairs and Alterations			
Assets			
Other			
<b>2. Estimated Total Revenues</b>	0	0	

### 3. Explanation of above estimates (including long-range effect):

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We do not believe that the Court system will see any increase until FY2008. Further, it is impossible to determine the cost of this legislation in subsequent fiscal years.

## Memorandum

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