

March 21, 2014

The Honorable John Rubin, Chairperson
House Committee on Corrections and Juvenile Justice
Statehouse, Room 151-S
Topeka, Kansas 66612

Dear Representative Rubin:

SUBJECT: Fiscal Note for HB 2700 by House Committee on Corrections and Juvenile Justice

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2700 is respectfully submitted to your committee.

HB 2700 would require courts to order offenders who are convicted of domestic violence to be electronically monitored upon release from prison for the duration of the offender's post-release supervision period. Offenders must reimburse the state for all or part of the monitoring costs. The Prisoner Review Board must also impose electronic monitoring as a condition of post-release supervision for domestic violence offenders.

The bill would require courts to order electronic monitoring of domestic violence offenders who are assigned to probation. The Prisoner Review Board and courts must prohibit offenders from coming into contact with the victims within certain restricted geographic areas and order offenders to wear global positioning tracking devices that provide immediate notification to victims and law enforcement if an offender enters a restricted geographic area.

According to the Department of Corrections, HB 2700 would increase the costs related to monitoring offenders with global positioning system (GPS) devices. The current costs for GPS monitoring range from \$4.79 to \$5.18 per offender per day, or \$1,748 to \$1,891 per offender per year. A higher cost is assessed if an offender must have additional equipment installed to address poor signal or equipment issues. GPS monitoring with immediate notification services would increase these expenses to \$7.50 to \$11.50 per offender per day or annual costs of \$2,738 to \$4,198 per offender. Based on payment history, offenders pay an average of 40.0 percent of the monthly costs. A specific fiscal effect for the bill is difficult to estimate because sufficient data are not available to project the number of offenders who would require monitoring under post-release supervision as a result of HB 2700.

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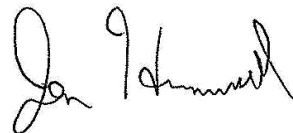
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The Department of Corrections indicates that GPS monitoring is a time consuming case management tool. An offender on GPS monitoring requires an average of 1.5 hours per week of a parole officer's time to respond to alerts. Offenders who have been determined to be high risk and who have victim safety plans in place require the most time to manage because of the intensity of the responses required in order to insure victim safety. Many of those high risk cases involve victims of domestic violence. Currently, the Department averages 88 offenders per month on GPS. Parole services responds to over 2,000 alerts per month of which 75.0 percent take little time to resolve, however, the other 25.0 percent of the responses can take up to one hour to resolve. For each additional 20 offenders placed on GPS, the Department of Corrections states it would need at least 1.00 additional Parole Officer FTE position to manage the additional work. The annual salary and wages expenditures for each officer would be approximately \$50,000. According to the Department, nearly all of the offenders placed on GPS under this legislation could be considered high risk and would have victim safety plans in place.

The bill would have an effect on community corrections. The average length of probation sentence for community corrections is 22 months. If this sentence duration is used, the Department of Corrections estimates that the costs for community corrections agencies could be approximately \$5,000 to \$8,000 per offender per sentence.

The Kansas Association of Counties indicates that HB 2700 would increase costs for local governments from any additional electronic monitoring or notification services that would be required. Notifications of violations that are sent to local law enforcement agencies would create a fiscal effect in the form of additional staff time needed to investigate those violations. However, the precise fiscal effect is difficult to estimate because the electronic monitoring enhancements and the number of notifications that would need to be investigated are unknown. Any fiscal effect associated with HB 2700 is not reflected in *The FY 2015 Governor's Budget Report*.

Sincerely,



Jon Hummell,
Interim Director of the Budget

cc: Jeremy Barclay, Corrections
Mary Rinehart, Judiciary
Melissa Wangemann, Association of Counties
Pat Scalia, Indigents Defense Services