

# BDR 14-1062

## AB 470

### EXECUTIVE AGENCY FISCAL NOTE

#### AGENCY'S ESTIMATES

Date Prepared: April 10, 2017

Agency Submitting: Department of Public Safety, Parole and Probation

Items of Revenue or Expense, or Both	Fiscal Year 2016-17	Fiscal Year 2017-18	Fiscal Year 2018-19	Effect on Future Biennia
Total	0	0	0	0

#### Explanation

(Use Additional Sheets of Attachments, if required)

BDR 14-1062 (AB 470) proposes a new diversionary program for certain misdemeanor, gross misdemeanor and felony crimes that are not sex offenses, violent, DUI, burglary, etc. It would require the Parole and Probation (P&P) Officer to appear for a hearing, after arraignment but prior to sentencing, to determine what the special conditions of probation should be. This would require the P&P Officer to interview the defendant and victim (if applicable).

Upon successful completion of the new diversionary program, the complaint against the defendant must be dismissed, court records sealed, and their DNA samples destroyed. If not successful, the defendant must enter a plea under the original charging information.

The impact to the Division both operationally and fiscally would be significant given additional officers would be needed. It would require officers be present in court and participate in interviewing defendants and victims, and helping to determine supervision conditions, prior to the defendant being sentenced to supervision and under the Division's jurisdiction. It should be noted the Division currently does not supervise offenders with misdemeanors so this BDR would increase the scope of supervision as well. An estimate to the fiscal impact of this change cannot be determined due to the significant uncertainty of the various parameters.

Name Robin Hager

Title ASO 3

#### GOVERNOR'S OFFICE OF FINANCE COMMENTS

Date Tuesday, April 04, 2017

The agency's response appears reasonable.

Name Paul Nicks

Title Budget Officer