

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 7502

BILL NUMBER: SB 287

NOTE PREPARED: Jan 3, 2005

BILL AMENDED:

SUBJECT: GPS Monitoring While on Probation.

FIRST AUTHOR: Sen. Bray

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Local

Summary of Legislation: This bill has the following provisions:

- A. It changes the definition of "monitoring device" to include a device that can: (1) record information 24 hours a day regarding an offender's location; (2) track where an offender has been; and (3) notify the appropriate agency if an offender violates a home detention order.
- B. It makes a technical change correcting the definition of "violent offender" for purposes of home detention.

Effective Date: July 1, 2005.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: Under current law, an offender sentenced to home detention can be either with or without electronic monitoring. Electronic monitoring, as defined in current statute, is limited to transmitting a radio frequency from the offender's home. The following changes are proposed in this bill and would affect the way that home detention programs are operated.

<u>Provision</u>	<u>Current Law</u>	<u>Proposed</u>
Contract Agency	Not Defined	Agency or company that contracts with community corrections agency or probation department to supervise offenders with monitoring device
Monitoring Device	Limited to determining whether offender is present or absent from home	Can track offenders in locations outside of home; can be a global positioning system satellite service

Currently, several probation departments and community corrections agencies use global positioning satellite services to monitor offenders on home detention. These programs are technically out of compliance with current law, and this bill would allow these programs to continue legally.

Between CY 2000 and 2003, the trend in the number of offenders on home detention has shown no clear pattern.

Offenders on Home Detention by Calendar Year			
	<u>2000</u>	<u>2001</u>	<u>2002</u>
Adult felons	4,701	2,274	2,655
Adult misdemeanants	1,198	735	1,019
Juvenile felons (if offense committed by an adult)	178	204	261
Juvenile misdemeanants (if offense committed by adult)	146	190	210
Total number of offenders	6,223	3,403	4,145

As an example of the difference in cost, the daily cost of a radio frequency device that monitors offenders in their homes is \$1.30 in Marion County, while the cost of a global positioning satellite system is \$5.00 per day. These additional costs can be offset by fees charged by either a probation department or a community corrections agency.

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected: Courts, Probation Departments, Community Corrections Agencies.

Information Sources: *Indiana Home Detention Reports, 2000 - 2001*, Brian Barton, President, Indiana Association of Community Corrections Act Counties.

Fiscal Analyst: Mark Goodpaster, 317-232-9852.