

**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 6631

BILL NUMBER: SB 160

NOTE PREPARED: Mar 24, 2006

BILL AMENDED: Feb 13, 2006

SUBJECT: Witnesses at an Execution.

FIRST AUTHOR: Sen. Wyss

FIRST SPONSOR: Rep. Ulmer

BILL STATUS: Enrolled

FUNDS AFFECTED: **GENERAL**
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: This bill has the following provisions:

- A. It reduces to five the number of friends and relatives of a convicted person who may be present at an execution, and permits up to eight adult members of the immediate family of the victim to be present at an execution.
- B. It requires the Department of Correction (DOC) to establish a procedure to select the family members who may be present at an execution if more than eight family members of a victim wish to attend or if there is more than one victim, and to establish a support room for the use of family members of a victim and support persons who will not be present at the execution.

Effective Date: Upon Passage

Explanation of State Expenditures: Indiana's execution chamber is located in the Indiana State Prison. DOC staff indicate that additional witnesses can be accommodated at minimal cost. While the physical layout of the visitation room in the State Prison can accommodate more people, a temporary partition may need to be installed. In addition, procedures would likely be changed so that witnesses representing the offender and the victim would be escorted separately to the viewing room. The existing staff should be sufficient to control the situation should someone need to be removed.

Currently, 29 offenders are on death row and 17 offenders are in the federal appeals stage. Federal appeals is generally the final stage of review before an execution date is scheduled.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Department of Correction.

Local Agencies Affected:

Information Sources: Randy Koester, Department of Correction; Indiana Supreme Court Summary of Indiana Capital Cases.

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