

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6575
BILL NUMBER: SB 364

NOTE PREPARED: Dec 30, 2009
BILL AMENDED:

SUBJECT: Crime Stoppers Programs.

FIRST AUTHOR: Sen. Broden
FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 X DEDICATED
 FEDERAL

IMPACT: State

Summary of Legislation: This bill has the following provisions:

- A. It establishes a Crime Stoppers Program Fund administered by the Indiana Criminal Justice Institute.
- B. It requires money in the fund to be used to award grants to persons who wish to establish or operate a program that: (1) provides information concerning unsolved crimes to news media to be published, broadcast, or otherwise disseminated to the public; and (2) allows persons to anonymously submit information concerning the commission of crimes to law enforcement agencies .
- C. It establishes a Crime Stoppers Program Fee of \$20 to be: (1) collected from defendants convicted of a felony or misdemeanor in a criminal action; and (2) deposited in the Crime Stoppers Program Fund.

Effective Date: July 1, 2010.

Explanation of State Expenditures: The bill's requirements represent an additional workload on the Criminal Justice Institute (CJI) outside of its routine administrative functions. CJI indicates that it might need to use about 15% of the revenue generated (roughly \$112,500) for planning and administration with the authority to hire necessary staff. However, this bill does not make an appropriation for these expenses, nor does it allow use of the fund to cover administrative costs.

Explanation of State Revenues: The provisions are estimated to add nonrevertible revenue of between \$790,000 and \$1.59 M, annually.

The ability of criminal defendants to pay court fees after being convicted is generally limited. LSA found that 48% of all criminal defendants in CY 2008 were represented by pauper attorneys. Defendants who are

represented by pauper attorneys are presumably unable to pay this new fee.

The new revenue from this fee could be between \$498,000 and \$970,000 depending on the ability of the other defendants to pay.

The following table shows the estimated fee if all or a portion of these nonpauper defendants are able to pay. LSA has no statewide information on the number of defendants who are found not guilty and would not be required to pay the fee. To adjust for this, LSA assumes as a high range that all defendants whose cases were not dismissed and were not paupers were found guilty and were required to pay. For a lower range, the Bureau of Justice Statistics reports that in a survey of the 75 largest counties in the United States, two-thirds of all felony defendants were eventually convicted. LSA all assumes that half of all misdemeanants would be required to pay.

Estimated Revenue Generated from \$20 Crime Stoppers Fee			
	Potential Cases*	If All Nonpaupers Are Guilty	If a Portion of Nonpaupers Are Guilty
Felonies	3,351	\$67,020	\$44,680
Misdemeanors	45,333	\$906,660	\$453,330
Total	48,684	\$973,680	\$498,010

* Potential cases are all disposed cases that were not dismissed and the defendant was not represented by a pauper attorney

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Criminal Justice Institute.

Local Agencies Affected: Clerks of the circuit court

Information Sources: David Stewart, General Counsel, CJI. *2008 Indiana Judicial Report*; Bureau of Justice Statistics Bulletin, *Felony Defendants in Large Urban Counties*, 2004, April, 2008

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