

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6066
BILL NUMBER: SB 262

NOTE PREPARED: Jan 20, 2011
BILL AMENDED:

SUBJECT: Insanity Defense.

FIRST AUTHOR: Sen. Steele
FIRST SPONSOR:

BILL STATUS: CR Adopted - 1st House

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Local

Summary of Legislation: This bill removes the requirement that at least one of the persons appointed by a court to examine a defendant who raises an insanity defense must be a psychiatrist.

Effective Date: July 1, 2011.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: This bill only applies to cases where a defendant wishes to plead not guilty due to insanity.

Courts report that they are experiencing trouble securing psychiatrists to evaluate criminal defendants who wish to plead insanity. As a result, criminal trials are delayed as courts must wait to be able to schedule a psychiatrist to examine the defendant. Consequently, criminal defendants are often detained in local jails until a psychiatrist is available. Depending on how often criminal defendants wish to plead not guilty for reason of insanity, this bill could reduce the waiting time to secure a psychiatrist to evaluate a defendant. More timely evaluations and trials could help to reduce the jail population awaiting trial.

Generally, forensic psychologists are paid between \$150 and \$200 per hour, while psychiatrists charge between \$250 and \$400 per hour.

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected: Trial courts.

Information Sources: Thomas Felts, Allen Circuit Court; Steven Ross, PsyD, HSPP.

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