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FISCAL IMPACT REPORT

ORIGINAL DATE
LAST UPDATED _____

SPONSOR Barela HB 750

SHORT TITLE 13th Judicial District Pretrial Services SB _____

ANALYST C.Sanchez

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY07	FY08		
None	\$197.8	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts (AOC)

SUMMARY

Synopsis of Bill

This bill appropriates \$197,800 from the general fund to the Thirteenth Judicial District. The money will add three full-time employees to the court to establish a pretrial services program. Any unused funds will revert at the end of the fiscal year.

FISCAL IMPLICATIONS

Additional funds for operating costs or expansion could be requested in the future.

SIGNIFICANT ISSUES

The primary mission of pretrial services is to reduce risk to the community by:

- Screening the background of the adult pretrial felony arrestee population for release suitability,
- Providing the court with factually accurate information via a written report with release recommendation, and
- Supervising defendants who the court considers to be at “high” risk of failure, especially for illicit drug use.

The goal is to maximize defendant release rates at the earliest possible time after arrest while minimizing failure to appear and danger to the community. The Thirteenth Judicial District has no pretrial services staff. The appropriation is not part of the judiciary’s unified budget.

Pretrial services provides to the court:

1. Verified, objective information on the defendant
2. An assessment of whether the defendant, if released, will appear in court as required, or pose a danger to the safety of any other person or the community;
3. A recommendation as to whether the defendant should be released or detained, and if released, what, if any, conditions are needed to reasonably assure appearance and community safety.
4. Pretrial Services does not consider the weight of the evidence against a defendant in determining release or detention; this is the role of the court.

PERFORMANCE IMPLICATIONS

The courts are participating in performance-based budgeting. It is unknown if enactment of this bill would impact performance measures as they relate to judicial budgeting.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo

POSSIBLE QUESTIONS

Could similar results be achieved with a smaller appropriation?

CS/nt