

# OFFICE OF FISCAL ANALYSIS

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sHB-7389

AN ACT CONCERNING CONFIDENTIALITY IN THE CASE OF A DISCRETIONARY TRANSFER OF A JUVENILE'S CASE TO THE REGULAR CRIMINAL DOCKET AND IMPLEMENTING THE RECOMMENDATIONS OF THE JUVENILE JUSTICE POLICY AND OVERSIGHT COMMITTEE.

## **OFA Fiscal Note**

### **State Impact:**

Agency Affected	Fund-Effect	FY 20 \$	FY 21 \$	FY 22 \$
Judicial Dept.	GF - Cost	None	None	18 million
Correction, Dept.	GF - Cost	None	77,172	None
State Comptroller - Fringe Benefits <sup>1</sup>	GF - Cost	None	31,787	None
Correction, Dept.	GF - Savings	None	None	103,000

Note: GF=General Fund

**Municipal Impact:** None

### **Explanation**

#### **Judicial Department**

The bill prohibits the Department of Correction (DOC) from holding anyone under 18 in its custody, starting July 1, 2021. There are currently 57 inmates under the age of 18 in DOC custody.

While the bill does not specify that the Judicial Department (JUD) must take custody of the inmates under 18 currently housed in DOC, it is assumed that JUD will now have responsibility for approximately 60

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<sup>1</sup>The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 41.19% of payroll in FY 20 and FY 21.

additional juveniles annually. JUD will have to contract with six additional community based locked facilities at a cost of approximately \$3 million each annually for a total of \$18 million each fiscal year beginning in FY 22.

### **Department of Correction**

The bill requires the DOC to provide ombudsman services to inmates aged 17 and under and results in a cost (\$77,172 salary and \$31,787 fringe benefits) to hire one 12-month durational Ombudsman. The position is only needed for FY 21 because all inmates under 18 will be transferred out of DOC facilities in FY 22.

The bill also requires the department to develop best practices in juvenile detention centers resulting in no fiscal impact because the DOC has the expertise to meet this requirement of the bill.

The bill prohibits the DOC from holding anyone under 18 in its custody, starting July 1, 2021 resulting in a savings of approximately \$103,000 in FY 22 due to these inmates no longer being housed in DOC.

### ***The Out Years***

The FY 22 impact described above will continue into the future, subject to inflation and the number of juvenile offenders.