

Fiscal Estimate Narratives

DA 11/30/2017

LRB Number	17-4672/1	Introduction Number	AB-0642	Estimate Type	Original
Description pretrial detention and denial and revocation of release					

Assumptions Used in Arriving at Fiscal Estimate

Current law allows a court to deny pretrial release from custody to persons accused of first-degree intentional homicide, first-degree sexual assault, and sexual assault of a child or to persons accused of committing or attempting to commit a violent crime if the person had been previously convicted of committing or attempting to commit a violent crime. "Violent crime" is defined to include first-degree and second-degree intentional and reckless homicide, felony murder, aggravated battery, mayhem, first-degree sexual assault, and child abuse. This bill expands the definition of "violent crime" for this purpose to include taking hostages, kidnapping, arson, second-degree sexual assault, carjacking, robbery, abuse of individuals at risk under circumstances that cause death, child abduction, homicide by intoxicated use of a firearm or vehicle, strangulation and suffocation, and aggravated burglary. Under current law, a court may revoke the release of a person who has been charged with a serious crime and released on bail if the person violates the conditions of the release and the alleged violation is also a serious crime. Under this bill, the court may revoke the release of the person if the alleged violation is any crime.

District attorneys indicated this legislation would have little to no fiscal impact on their counties.

Long-Range Fiscal Implications

The long-range fiscal implications of this legislation on district attorney offices are indeterminate.