152nd GENERAL ASSEMBLY
FISCAL NOTE

BILL:	**SENATE SUBSTITUTE NO. 2 FOR SENATE BILL NO. 4**
SPONSOR:	**Senator Pinkney**
DESCRIPTION:	**AN ACT TO AMEND TITLE 11, TITLE 13, AND TITLE 29 OF THE DELAWARE CODE RELATING TO THE CRIMINAL JUSTICE SYSTEM, INCLUDING PROBATION.**

Assumptions:

1. This Act becomes effective upon signature by the Governor.
2. This Act makes various changes to Delaware's probation system. Other provisions of this Act relevant to this fiscal projection include:
   a. authorizes the Department of Correction (DOC) to use alternate methods of reporting to a probation and parole officer, such as audiovisual communications.
   b. repeals the fee for a person applying for an interstate transfer of probation under the Interstate Compact for Adult Offender Supervision and provides that outstanding balances of this fee are discharged.
   c. requires the DOC to provide multiple types of supervision reports.
3. This Act would require the DOC to make significant programming changes to its Delaware Automated Correction System (DACS) for enhancements and modifications to sentencing calculation modules, the addition of special condition functions, enhancements to earned credit compliance, various reports and queries identified in the Act, and integration of changes to the Criminal Justice Information System (CJIS) interface. DOC estimates that these changes with its contracted system vendor for the DACS would be a one-time cost of $525,000.
4. This Act authorizes but does not require, the DOC to use alternative methods of reporting for a probation and parole officer. The DOC advises that if it were to provide alternative methods so that field officers could visit probationers at their residence or work area so that a probationer would not have to visit a probation office, it would need to establish a mobile case management application. This would allow field officers to access essential health and security information on the probationer and allow probationers to use the application with appropriate authentication to complete tasks assigned by their probation officer. The DOC estimates that implementing this application would be a one-time cost of $431,200 initially and then $367,200 in subsequent fiscal years.
   a. If a mobile case management application is procured, Probation and Parole Officers would need access to cell phones to conduct official business in the field or virtually. An estimated $132,000 would be necessary annually to deploy approximately 275 cell phones.
   b. Since this provision is not required, for purposes of this fiscal projection, these costs have not been reflected in the cost calculations.

5. This Act repeals the Interstate Compact for Adult Offender Supervision (Interstate Compact fee) $50 application fee paid by probationers to request that their probation's direct reporting be transferred to another state. The Act also discharges any outstanding balances owed by an individual relating to the Interstate Compact fee.

    a. Over the past five years, this fee has generated between $11,675 and $25,533 in annual General Fund (GF) revenue, an average of $17,907. As of March 31, 2024, $14,420 has been collected for Fiscal Year 2024. For this fiscal projection, the average of $17,907 is assumed to be a GF revenue loss annually by eliminating the Interstate Compact fee.

    b. As of January 31, 2023, approximately $33,700 is owed and would be discharged upon passage of this Act.

6. The Governor's Recommended Fiscal Year 2025 One-Time Supplemental Appropriations Act includes an appropriation of $505,100 to support the one-time implementation costs associated with this Act. The expenditure of these funds shall be contingent upon the passage of this legislation.

Cost:

	One-Time	**General Fund Revenue Loss**
Fiscal Year 2025:	$525,000	$17,907
Fiscal Year 2026:		$17,907
Fiscal Year 2027:		$17,907

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