

BILL SUMMARY
2nd Session of the 59th Legislature

Bill No.: HB3784
Version: INT
Request Number: 8467
Author: George
Date: 3/11/2024
Impact: Cost Increase per:
OS 21-644(D)(1) Conviction - \$37,752.12
OS 21-644(D)(2) Conviction – Unknown
Minimum Aggregate Cost Increase: \$4,265,989.18

Research Analysis

HB 3784 adds assault, battery, or assault and battery upon an intimate partner or a family or household member with a sharp, dangerous, or deadly weapon to the list of crimes for which a person is required to serve 85% of the sentence imposed.

Prepared By: Brad Wolgamott

Fiscal Analysis

This measure adds assault, battery, or assault and battery upon an intimate partner or a family or household member with a sharp, dangerous, or deadly weapon to the list of crimes for which a person is required to serve 85% of the sentence imposed. In consultation with officials from the Department of Corrections (DOC), cost analysis for this measure is as follows:

Receptions for O.S. 21-644(D)(1) have increased over a 10 year span. Receptions for O.S. 21-644(D)(2) have only occurred since 2022 and there are no releases as of yet.

Statute	Sentence	Number of Reception by FY							
		2016	2017	2018	2019	2020	2021	2022	2023
21-644(D)(1)	Domestic Assault & Battery With A Dangerous Weapon	2	2	4	5	5	12	38	36
21-644(D)(2)	Domestic Assault & Battery With A Deadly Weapon							1	2

Incarceration and sentencing data for crime sentences modified by HB3784 can be found in the following table:

Statute	Sentence	Num of Inmates	Avg Sent Length (Years)	Average Time Served (Years)	85% of Avg Sentence Length (Years)	Increase in Sentence Length (Average Time Served to 85% in years)	Total cost increase per inmate over life of sentence (\$6,811.85 * increase in time served)	Total cost increase over life of all sentences for this crime (\$6,811.85 * increase in time served * # inmates)
21-644(D)(1)	Domestic Assault & Battery With A Dangerous Weapon	113	7.85	1.13	6.67	5.54	\$37,752.12	\$4,265,989.18
21-644(D)(2)	Domestic Assault & Battery With A Deadly Weapon	5	13.60	Unknown	11.56	Unknown	Unknown	Unknown

*Individuals sentenced to Domestic violence crimes are entered into an overall Domestic Violence category in sentencing. Determining the type of domestic violence is a free text field that can't be easily quarried, therefore Num of Inmates provided is conservative.

Based on available sentencing data for O.S. 21-644(D)(1), multiplying the 5.54 year increase in time served for this crime by the \$6,811.85 FY23 Annual Cost of Incarceration results in a \$37,752.12 projected cost increase for one inmate serving the increased sentence length. For the 113 inmates currently incarcerated for this crime, there would be a projected aggregate cost increase of \$4,265,989.18. Because the average time served for O.S. 21-644(D)(2) is unknown, if an inmate must serve at least 85% of the average sentence then a conservative total cost estimate for one inmate is \$78,744.90.

Given increasing reception for these crimes, unavailable data for O.S. 21-644(D)(2), and limitations on current sentencing data, there is a minimum aggregate cost increase to the DOC of \$4,265,989.18 for the increased sentence lengths pursuant to HB3784.

Prepared By: Robert Flipping House Fiscal Staff

Other Considerations

None.