

STATEMENT OF PURPOSE

RS19696

The purpose of the legislation is to give Idaho judges and the Department of Correction the ability to ensure that certain persons convicted of crimes receive substance abuse treatment and/or programming as an alternative to long-term incarceration. As part of the current retained jurisdiction program, judges only have the ability to order criminal defendants into the Department of Correction's custody for 180 days to receive enhanced evaluations, substance abuse treatment and/or programming. The proposed legislation would expand the length of time up to 365 days. The legislation is not intended to extend the period of incarceration for a traditional retained jurisdiction program. The proposed statutory change makes clear that during the retained jurisdiction period, the Department of Correction is responsible for determining the defendant's placement and treatment/programming needs.

FISCAL NOTE

The Department of Correction anticipates substantial cost avoidance from the proposed legislation based upon a reduction in the forecast number of incarcerated offenders. A reduction in the forecast bed requirement of 66 offenders in FY11 will result in a cost avoidance of approximately \$641,000 when implemented in combination with the Correctional Alternative Placement Program. By the second year after implementation, the reduction in forecast bed requirements of 291 offenders will result in a \$3,466,000 cost avoidance with 458 offender bed requirement reduction by FY14 and an \$8,321,000 reduction in anticipated increased incarceration costs.

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