

Colorado Legislative Council Staff Fiscal Note

**STATE
FISCAL IMPACT**

Drafting Number: LLS 15-0787	Date: February 17, 2015
Prime Sponsor(s): Rep. Fields	Bill Status: House Judiciary
Sen. Johnston	Fiscal Analyst: Kerry White (303-866-3469)

BILL TOPIC: NO CONTACT WITH DEFENSE-INITIATED VICTIM OUTREACH

Fiscal Impact Summary*	FY 2015-2016	FY 2016-2017
State Revenue		
State Expenditures	Minimal - See State Expenditures section.	
FTE Position Change		
Appropriation Required: None.		

* This summary shows changes from current law under the bill for each fiscal year.

Summary of Legislation

This bill specifies parameters for defense-initiated contact with the family members of a victim or witnesses in any case involving a class 1 felony. Under the bill, a court must mail a written explanation if it has authorized expenditures for a defense-initiated victim outreach (DIVO) specialist. An immediate family member or witness also has the right to not be contacted by the specialist unless he or she has provided consent.

State Expenditures

This bill is anticipated to increase workload for the district trial courts within the Judicial Department by a minimal amount to provide notices to victim family members and witnesses in cases where the court has authorized a DIVO specialist. On average there are about 120 cases each year that involve a class 1 felony. In cases where the defendant is represented by the Office of the State Public Defender or Office of the Alternate Defense Counsel, the bill may also reduce state expenditures by limiting the number of persons the DIVO specialist has contact with. As of this writing, it is not known how many cases per year include a DIVO specialist. However, the fiscal note assumes that due to the low number of total cases involving a class 1 felony, these impacts are minimal and do not require an adjustment in appropriations.

Effective Date

The bill takes effect August 5, 2015, if the General Assembly adjourns on May 6, 2015, as scheduled, and no referendum petition is filed.

State and Local Government Contacts

Corrections District Attorneys Judicial