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TO: Members of the Iowa General Assembly
FROM: Holly M. Lyons, Fiscal Services Division Director
SUBJECT: Cost Estimates Used for Correctional Impact Statements
DATE: January 18, 2022

Pursuant to Iowa Code section [2.56](#), the Legislative Services Agency is required to determine the potential correctional impact of proposed legislation that creates a public offense, changes a current offense, or changes existing correctional procedures. The statements below provide background cost estimates to the corrections system (State prison, probation, and parole), the Office of the State Public Defender, and the Judicial Branch. The impact statements can be found in the fiscal note written to the proposed legislation.

Costs incurred by the Judicial Branch and State Public Defender are one-time expenses and costs for prison, parole supervision, and probation are incurred by the Department of Corrections (DOC) across multiple fiscal years. The cost estimates are provided by offense class for nonviolent crimes. Cost estimates for serious and aggravated misdemeanors and all felony convictions will be incurred across multiple fiscal years while the offender is supervised in the correctional system, either in prison or in the community.

These cost estimates do not include prosecution costs to the county or the State. These cost estimates also do not include county jail operating costs, due to a lack of data. This document is for background purposes only. Proposed legislation that impacts the criminal code will be analyzed as appropriate.

Methodology:

- Judicial Branch salary costs are based on the FY 2022 budget. Average minutes per case for judges (for all pretrial, trial, and posttrial work) are based on a weighted case formula study conducted by the National Center for State Courts (NCSC) in Iowa in 2016. Average minutes per case for clerk of court staff are based on a work-time study conducted by the Judicial Branch in 2016.
- Costs for indigent defense are based on Iowa Code sections [13B.4](#) and [815.7](#). While the fees are limited in these sections, these limits are routinely exceeded upon court order.
- Marginal costs for correctional facilities are based on actual FY 2021 expenditures from all funding sources for the DOC and Community-Based Corrections (CBC). Average daily populations were provided by the DOC using data from the Iowa Corrections Offender Network (ICON).
- The FY 2021 average length of stay on probation or parole supervision was provided by the DOC using data from the ICON. Average costs for probation and parole supervision are based on actual FY 2021 expenditures from all funding sources.
- The average length of stay in State prison by offense class was provided by the Division of Criminal and Juvenile Justice Planning (CJJP) of the Department of Human Rights.
- The minimum costs for Class A, B, C, and D felonies assume that 100.0% of individuals charged require indigent defense.

Cost Estimates:

Simple Misdemeanor

The average State cost for one simple misdemeanor conviction ranges from \$40 to \$370. The minimum cost includes court time for a magistrate or district associate judge, court reporter, judicial specialist, and clerk of court staff. The maximum cost includes court time and the costs of indigent defense.

Serious Misdemeanor

The average State cost for one serious misdemeanor conviction ranges from \$410 to \$7,000. The minimum cost includes court time for a district associate judge or district court judge, court reporter, judicial specialist, and clerk of court staff. The maximum cost includes court time plus costs for indigent defense, State prison, and parole supervision.

Aggravated Misdemeanor

The average State cost for one aggravated misdemeanor conviction ranges from \$4,900 to \$9,500. The minimum cost includes court time for a district associate judge or a district court judge, court reporter, judicial specialist, and clerk of court staff, plus the costs of probation supervision. The maximum cost includes court time and the costs of a jury trial, indigent defense, State prison, and parole supervision.

Class D Felony

The average State cost for one Class D felony conviction ranges from \$9,100 to \$16,600. The minimum cost includes court time for a district court judge, court reporter, judicial specialist, and clerk of court staff, plus the costs of indigent defense and probation supervision. The maximum cost includes court time and the costs of a jury trial, indigent defense, State prison, and parole supervision.

Class C Felony

The average State cost for one Class C felony conviction ranges from \$11,100 to \$22,100. The minimum cost includes court time for a district court judge, court reporter, judicial specialist, and clerk of court staff, plus the costs of indigent defense and probation supervision. The maximum cost includes court time and the costs of a jury trial, indigent defense, State prison, and parole supervision.

Class B Felony

The average State cost for one Class B felony conviction ranges from \$12,600 to \$45,700. The minimum cost includes court time for a district court judge, court reporter, court attendant, and clerk of court staff, plus the costs of indigent defense and probation supervision. The maximum cost includes court time and the costs of a jury trial, indigent defense, State prison, and parole supervision.

Note: The State cost of Class A felonies must be calculated on an individual basis to determine prison costs. At a minimum, Class A felonies require two indigent defense attorneys at a cost of approximately \$39,200 and include court time and jury trial costs ranging from \$10,400 to \$14,700.

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