



determine by monitoring and evaluation of the pilot project how open proceedings impact the child defendant.

### **Part III: Fiscal Explanation, Bill Provisions, and Estimated Cost**

**The fiscal impact of SB 40 SCS would remain the same as the original bill and would have a minimal to moderate fiscal impact on local governments.**

The pilot project proposed by SB 40 SCS would last for 4 years. The fiscal impacts discussed would continue for as long as the pilot project continues and if the changes were made permanent. The Kentucky Sheriff's Association reports that many juvenile cases have multiple defendants and require more deputies than "adult" court. The Association believes that opening juvenile courtrooms to the public would require an additional 1 to 2 deputies for each courtroom to insure adequate security in juvenile as well as other courts. KRS 64.092 (6) provides that the Commonwealth shall compensate sheriffs or other law enforcement personnel at \$8 an hour for providing services to a Circuit or District Court (juvenile court is a division of district court). Sheriff's offices also receive disbursements from the court costs distribution fund provided for in KRS 42.320(2)(i) to help defray the cost of providing security services to the court and related activities. That statute provides that 10.1% of each court cost, up to \$5,050,000, deposited in the court costs distribution fund, shall be paid to the county sheriff in the county where the court cost was paid.

The 2015 Comprehensive Survey Final Report issued by the Kentucky Department of Criminal Justice Training and based on survey responses of Kentucky law enforcement agencies reported that the average Kentucky sheriff's office entry level salary in 2014 was \$28,435.59. The salary ranged from a low of \$17,000 to a high of \$48,000. Seventy-two of 76 sheriff's offices reported they employ certified court security officers (CCSO's) to provide courthouse security, the majority of which are part-time positions. The average salary for CCSO's was reported at \$19,483.20, although it is not known whether that represents the average part-time or full-time salary. Reported salary figures do not include benefits payable to or on behalf of personnel.

If sheriffs must hire additional court security personnel to comply with SB 40 SCS and the \$8 an hour from the Commonwealth plus the court costs distribution fund disbursements do not defray the entire costs of the new personnel, the local fiscal court may vote to cover the excess costs. Whether the fiscal impact is a minimal one or a moderate one would depend on the existing size of the sheriff's office and the size of the tax base in the area served. The financial burden of hiring 1 to 2 additional court security personnel would fall heavier on small sheriffs' offices such as the one in Carlisle County, with 2 full-time sworn officers serving a population of 5,104, as compared to the large sheriff's offices. The Jefferson County Sheriff's Department, for example, employs 247 full-time sworn officers serving a population of 741,096. Local governments also are obligated to pay some related costs. For example, fiscal courts are responsible for providing uniforms, office space, and records maintenance space for the county sheriff's office.

**Data Source(s):** Administrative Office of the Courts; Kentucky Sheriff's Association;  
Department of Criminal Justice Training

**Preparer:** Mary Stephens      **Reviewer:** JWN      **Date:** 2/12/16