



problematic circumstances are relatively infrequent in most jurisdictions, and it is not unusual for an arson investigation to be closed for reasons of insolvability.

### **Local fiscal effects**

To the degree that the bill has a local fiscal effect, it will be on county criminal justice systems, as additional felony arson charges may be filed and more convictions secured. From the perspective of a county criminal justice system, the disposition of these charges will presumably require some time and effort for prosecution, defense if the offender is indigent, and the court of common pleas to adjudicate the cases. If a conviction is secured, then there will also be costs to sanction the offender, including a possible jail stay. The average daily cost of a jail stay in Ohio is in the range of \$70 to \$80. The net of these increased costs for any given county will be minimal at most annually, as the number of additional felony cases will be relatively small, especially in the context of the criminal justice system's overall caseload.

Additional felony convictions mean that a county may realize a gain in court costs, fees, and fines imposed by the court and collected from offenders. The fine for a fourth degree offense is up to \$5,000. The court, however, rarely imposes the maximum permissible fine. It is also the case that collecting court costs, fees, and fines from offenders can be problematic, as many are financially unable or unwilling to pay. This suggests generally that the amount of additional annual revenue collected by any given county will be negligible.

### **State fiscal effects**

The number of felony offenders sentenced to prison for arson currently runs between 20 and 40 per year, not including those sentenced for the offense of aggravated arson. The averaged prison time served for a fourth degree arson conviction is approximately one year. The bill may result in a relatively small increase in the number of fourth degree felony offenders sentenced to prison, the annual costs of which are likely to be no more than minimal for the Department of Rehabilitation and Correction (DRC). This is because a relatively small increase in an existing prison population of 50,000-plus does not generate a significant increase in DRC's annual incarceration expenditures. Although DRC's annual cost per inmate currently averages around \$23,485, the marginal cost of adding a relatively small number of additional offenders to that population is lower, between \$3,000 and \$4,000 per offender per year.

As a result of a relatively small statewide increase in felony arson convictions, additional revenue in the form of state court costs may be collected from offenders and forwarded for deposit in the state treasury to the credit of the Indigent Defense Support Fund (Fund 5DY0) and the Victims of Crime/Reparations Fund (Fund 4020). The state court costs for a felony offense total \$60, of which Fund 5DY0 receives \$30 and Fund 4020 receives \$30.