

Fiscal Estimate - 2001 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 01-1398/2	Introduction Number AB-407	
Subject		
Inadmissibility as evidence of a digitally produced photograph, film, or video		
Fiscal Effect		
State: <input type="checkbox"/> No State Fiscal Effect <input checked="" type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Create New Appropriations <input type="checkbox"/> Decrease Costs		
Local: <input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate 1. <input type="checkbox"/> Increase Costs 3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 5. Types of Local Government Units Affected <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts		
Fund Sources Affected Affected Ch. 20 Appropriations <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS		
Agency/Prepared By	Authorized Signature	Date
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Fiscal Estimate Narratives
DOJ 5/30/01

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Assumptions Used in Arriving at Fiscal Estimate

This proposed legislation would effectively prohibit the introduction into any evidence information that was made through digital technology. This proposed legislation will have wide-ranging effects on local and state law enforcement and will effectively eliminate the use of digital technology by prosecutors.

Local: The effect on local law enforcement is immense. For example, undercover officers use digital tape recorders to record undercover buys. These devices are used because they are more efficient and more compact. This bill would prohibit the introduction of the most compelling evidence in these types of cases.

In addition, police agencies use digital tape recording systems to track telephone calls to 911 and other non-emergency numbers. Those calls would be inadmissible in court in the state of Wisconsin as evidence in criminal or civil cases. The cost to local government, to replace equipment and go back to old technology, would be in the tens of millions.

State: Over half of all the technical equipment we now have is digital and it is rapidly increasing. All of the newer video is digital and the new body wires and tape recorders are digital as well. The digital equipment is smaller, better quality and takes less energy to operate (fewer batteries, etc). The replacement of equipment to allow for the evidence our department gathers would be in the millions of dollars range.

Other state fiscal effects would be felt by our litigators in the Department of Justice. The efficiencies gained in our litigation and that of the rest of the world are hugely improved with digital evidence. There is much less equipment needed when everything can be presented with one tool, rather than using video players and TV monitors, etc.

For example, in the Microsoft litigation, the use of digitized video depositions and exhibits, all of which could be displayed on screens in court and copied right to the press, was an enormous timesaver in court. In addition, the ability to instantly disseminate the materials nationwide during the discovery phase were a huge money saver for the litigants. The same cost savings and ease of use can be made for the plaintiff side as well.

Because this proposed legislation involves so many items and different law enforcement agencies are at different stages in their technology use, it is difficult to put a single dollar amount for this bill. However, as stated above, the costs could be in the millions of dollars.

Long-Range Fiscal Implications