



## Fiscal Estimate Narratives

DOC 11/8/2007

LRB Number	07-3010/1	Introduction Number	SB-278	Estimate Type	Original
<b>Description</b> Threatening or committing battery against certain employees of first class cities and providing a penalty					

### Assumptions Used in Arriving at Fiscal Estimate

Under current law, a person who intentionally causes bodily harm to another person is guilty of ordinary battery, with a maximum term of imprisonment of nine months. Current law also provides for more severe penalties for a special circumstances battery to certain government employees such as law enforcement officers and firefighters. Current law also prohibits threatening to cause bodily harm.

This bill would make it a Class H felony (maximum 3 years of confinement and 3 years of extended supervision) to cause or threaten to cause bodily harm to an employee of a first-class city, other than a law enforcement officer or firefighter, under the following circumstances: 1) the offender knows or should have known the victim is employed by a first class city, 2) the victim was enforcing state, county, or city laws, ordinances, or rules, 3) the victim did not consent to harm or threat.

It is unknown how many individuals convicted of battery had victims who were employees of the City of Milwaukee. Therefore the Department of Corrections is unable to estimate the number of offenders who may be subject to the increased criminal penalty provisions of this bill. The FY07 annual cost for an inmate in a DOC institution is approximately \$29,300. However, when there is excess capacity in DOC facilities, the incremental costs (i.e. food, health care and clothing) of housing a small number of inmates is approximately \$4,500, based on FY07 costs. When there is no excess capacity in DOC facilities, as is currently the case, the Department uses contract beds at rate of \$18,800 annually per person. The annual cost for community supervision is \$2,200.

A local impact will also occur if an adult offender is sentenced to a longer jail term under the provisions of this bill. The local fiscal impact cannot be estimated.

### Long-Range Fiscal Implications