

Fiscal Estimate Narratives

SPD 2/23/2012

LRB Number	11-4136/1	Introduction Number	AB-0584	Estimate Type	Original
Description Requiring a person arrested for or charged with certain offenses, or a juvenile taken into custody for certain offenses, to provide a biological specimen for deoxyribonucleic acid analysis; inclusion of the analysis results in the deoxyribonucleic acid data bank; requiring the exercise of rule-making authority; and providing a penalty					

Assumptions Used in Arriving at Fiscal Estimate

The State Public Defender (SPD) is statutorily authorized and required to appoint attorneys to represent indigent defendants in criminal and certain commitment proceedings. The SPD plays a critical role in ensuring that the Wisconsin justice system complies with the right to counsel provided by both the state and federal constitutions. Any legislation has the potential to increase SPD costs if it creates a new criminal offense, expands the definition of an existing criminal offense, or increases the penalties for an existing offense.

This bill requires law enforcement to collect a deoxyribonucleic acid (DNA) sample upon arrest for certain crimes. The bill also provides a method to expunge the information collected if the arrest does not result in a criminal charge within one year.

Although many clients of the State Public Defender may be affected by the bill, it would have no effect on the SPD agency itself.

Long-Range Fiscal Implications