

Fiscal Estimate Narratives

DOJ 5/31/2011

LRB Number	11-1532/2	Introduction Number	SB-104	Estimate Type	Original
Description Requiring persons who violate certain restraining orders or injunctions to be monitored by a global positioning system, granting rule-making authority, making an appropriation, and providing a penalty					

Assumptions Used in Arriving at Fiscal Estimate

Under 2011 Senate Bill 104, a court may order certain individuals to be subjected to global positioning system (GPS) tracking. SB 104 creates a Class I felony for tampering with a GPS monitoring device.

While most felony prosecutions are handled by district attorneys, assistant attorneys general in the Department of Justice's Criminal Litigation Unit on occasion act as special prosecutors throughout Wisconsin at the request of district attorneys. In addition, the Department of Justice's Criminal Appeals Unit represents the State of Wisconsin in defending felony convictions when those convictions are challenged in state or federal court. Under Wisconsin law, this unit is charged with preparing briefs and presenting arguments in front of any state appellate or federal court hearing a challenge to a felony conviction.

Since SB 104 broadens the types of activities that can be prosecuted as felonies, it is possible that the enactment of the bill could result in an increased caseload for the department's Criminal Litigation and Criminal Appeals units. The department anticipates that any increased caseload would be relatively small and could most likely be absorbed with existing resources. However, if the increased caseload is significant, DOJ will need additional resources.

Long-Range Fiscal Implications