

Fiscal Estimate - 2013 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 13-0588/1	Introduction Number AB-0175
Description Training standards for law enforcement officers regarding domestic abuse incidents and complaints, and law enforcement reports following a domestic abuse incident	
Fiscal Effect	
State:	
<input type="checkbox"/> No State Fiscal Effect <input checked="" type="checkbox"/> Indeterminate	
<input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations	<input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Decrease Costs
Local:	
<input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate	
1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenue <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 checked="" type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts	
Fund Sources Affected	
<input checked="" type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS 20.550(1)	
Affected Ch. 20 Appropriations	
Agency/Prepared By	Authorized Signature
SPD/ Anna Oehler (608) 267-0311	Adam Plotkin (608) 264-8572
Date	
5/6/2013	

Fiscal Estimate Narratives

SPD 5/6/2013

LRB Number	13-0588/1	Introduction Number	AB-0175	Estimate Type	Original
Description Training standards for law enforcement officers regarding domestic abuse incidents and complaints, and law enforcement reports following a domestic abuse incident					

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.

The bill allows a law enforcement officer (LEO) whenever the officer determines that reasonable grounds do not exist for an arrest under current law regulating arrests for suspected crimes of domestic abuse. The LEO must prepare a report that states why they lacked reasonable grounds. This report must include information regarding the number of responses by LEOs to an incident involving domestic abuse that did not result in arrest and the number of prosecutions and convictions of persons on those reports for a crime involving domestic abuse. The report is then submitted to the local District Attorney and then to the Department of Justice.

This bill could have a fiscal impact for the SPD, but that cannot be quantified. It will largely be driven by how individual law enforcement agencies opt to utilize the discretion provided in the bill. It is likely to vary between different jurisdictions. The SPD's average cost to provide representation with a private bar attorney in a misdemeanor case was \$237.02 in fiscal year 2012, compared to an average cost of \$407.16 for a felony during the same period.

Long-Range Fiscal Implications