

Fiscal Estimate - 2017 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 17-1915/1	Introduction Number AB-0088
Description crimes subject to a mandatory minimum sentence	
Fiscal Effect	
State: <input type="checkbox"/> No State Fiscal Effect <input checked="" type="checkbox"/> Indeterminate <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations </div> <div style="width: 30%;"> <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues </div> <div style="width: 30%;"> <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 </div> </div>	
Local: <input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> 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 </div> <div style="width: 30%;"> 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 </div> <div style="width: 30%;"> 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 </div> </div>	
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	
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Date 5/12/2017	

Fiscal Estimate Narratives

CTS 5/12/2017

LRB Number	17-1915/1	Introduction Number	AB-0088	Estimate Type	Original
Description crimes subject to a mandatory minimum sentence					

Assumptions Used in Arriving at Fiscal Estimate

Current law imposes a mandatory minimum sentence for felony murder or second-degree intentional homicide if the person has been previously convicted of felony murder, second-degree intentional homicide, or a crime punishable by life imprisonment. The court must sentence the person to be confined in prison for at least three years and six months.

This bill increases the mandatory minimum sentence to five years and adds the following crimes to be subject to the mandatory minimum sentence if the person has been previously convicted of one of the crimes or a crime punishable by life imprisonment: first-degree or second-degree reckless homicide, homicide by intoxicated use of a vehicle or firearm, aggravated battery, mayhem, taking hostages, kidnapping, causing death by tampering with household products, arson of buildings or damage by explosives, carjacking, armed robbery, robbery of a financial institution, physical abuse of a child, child abduction and child trafficking.

The requirement for increased mandatory minimum periods of initial confinement in prison may create a greater incentive for defendants to resolve cases by trial rather than by a plea before trial. According to statistics compiled by the court system,* for calendar year 2016 more than 90% of the crimes added by this bill were disposed of by a plea before trial or were dismissed before trial. If the requirement in this bill results in more defendants requesting resolution by trials rather than by pleas, then there could be additional court resources required. It is impossible to predict how frequently that may happen. It is expected that existing court staff would be able to absorb the costs of any additional proceedings.

This bill may result in persons spending less time in county jails because that sentencing option would no longer be available for the crimes added by this bill. An accurate estimate of the change in costs is impossible with the data available.

*Data available at: <https://www.wicourts.gov/publications/statistics/circuit/circuitstats.htm>

Long-Range Fiscal Implications