

### Fiscal Estimate - 2017 Session

Original     
  Updated     
  Corrected     
  Supplemental

<b>LRB Number</b> 17-4095/1	<b>Introduction Number</b> SB-522
<b>Description</b> pretrial detention and denial and revocation of release	
<b>Fiscal Effect</b>	
<b>State:</b> <input checked="" type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Create New Appropriations <input type="checkbox"/> Decrease Costs	
<b>Local:</b> <input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate 1. <input checked="" type="checkbox"/> Increase Costs      3. <input type="checkbox"/> Increase Revenue      5. Types of Local Government Units Affected <input type="checkbox"/> Permissive <input checked="" type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities 2. <input type="checkbox"/> Decrease Costs      4. <input type="checkbox"/> Decrease Revenue <input checked="" type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts	
<b>Fund Sources Affected</b> <b>Affected Ch. 20 Appropriations</b> <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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<b>Date</b> 11/22/2017	

## Fiscal Estimate Narratives

DOC 11/22/2017

LRB Number	<b>17-4095/1</b>	Introduction Number	<b>SB-522</b>	Estimate Type	<b>Original</b>
<b>Description</b> pretrial detention and denial and revocation of release					

### Assumptions Used in Arriving at Fiscal Estimate

Under current law, a court may deny pretrial release from custody to persons accused of first-degree intentional homicide, first-degree sexual assault, and sexual assault of a child or to persons accused of committing or attempting to commit a violent crime if the person had been previously convicted of committing or attempting to commit a violent crime. "Violent crime" is defined to include first-degree and second-degree intentional and reckless homicide, felony murder, aggravated battery, mayhem, first-degree sexual assault, and child abuse. Under this bill, the definition of "violent crime" for this purpose would be expanded to include taking hostages, kidnapping, arson, second-degree sexual assault, carjacking, robbery, abuse of individuals at risk under circumstances that cause death, child abduction, homicide by intoxicated use of a firearm or vehicle, strangulation and suffocation, and aggravated burglary.

Under current law, a court may revoke the release of a person who has been charged with a serious crime and released on bail if the person violates the conditions of the release and the alleged violation is also a serious crime. Under this bill, the court may revoke the release of the person if the alleged violation is any crime.

The DOC is not responsible for the pre-trial custody, nor its costs, of people charged with crimes. Nor does DOC provide equipment to counties for pre-trial "bail monitoring". Thus, this bill has no impact on the DOC.

Local jails are responsible for the pre-trial custody, and costs, of people charged with crimes. This bill gives judges more authority to deny pretrial release from custody for people who are charged with a violent crime and have previously been convicted of a violent crime, due to the bill's proposed expansion of the definition of "violent crime" for this purpose. This bill also expands judges' ability to revoke bail for people charged with serious crimes if they are alleged to have committed any new crime (as opposed to only if they are alleged to have committed a new serious crime) while released on bail. As a result, this bill will likely result in an indeterminate increase in the jail population, and thus costs for local jails are likely to increase an indeterminate amount. Because Wisconsin does not have a central data repository for collecting and analyzing data regarding the jail population, DOC is not able to more precisely estimate the local fiscal effect of this bill.

### Long-Range Fiscal Implications