

FISCAL ESTIMATE FORM

1999 Session

ORIGINAL

UPDATED

LRB # -1717/1

CORRECTED

SUPPLEMENTAL

INTRODUCTION # AB 516

Admin. Rule #

Subject

Creating a Plea of Guilty But Mentally Ill in Certain Criminal Cases

Fiscal Effect

State: No State Fiscal Effect See Narrative

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

Increase Costs - May be possible to Absorb Within Agency's Budget Yes No

Increase Existing Appropriation

Increase Existing Revenues

Decrease Existing Appropriation

Decrease Existing Revenues

Decrease Costs

Create New Appropriation

Local: No local government costs

1. Increase Costs

Permissive Mandatory

3. Increase Revenues

Permissive Mandatory

2. Decrease Costs

Permissive Mandatory

4. Decrease Revenues

Permissive Mandatory

5. Types of Local Governmental Units Affected:

Towns Villages Cities

Counties Others _____

School Districts WTCS Districts

Fund Sources Affected

GPR FED PRO PRS SEG SEG-S

Affected Ch. 20 Appropriations

Assumptions Used in Arriving at Fiscal Estimate

This bill provides for a plea and verdict of guilty but mentally ill for persons charged with a homicide offense. If a judge sentences a person who has been found guilty but mentally ill to the custody of the Department of Corrections (DOC) by sentencing the person to prison or by placing the person on probation, the court must also order DOC to evaluate the person for treatment and provide or arrange for the provision of any necessary treatment. A person found guilty but mentally ill and imprisoned may also be committed to a state facility for treatment in the same manner as provided under current law for a person who has been convicted and sentenced to imprisonment.

Based on the provisions of this legislation and the experiences of other states, DOC estimates that nine inmates will be incarcerated as guilty but mentally ill. DOC has indicated that they will continue to provide mental health services within the correctional system.


If DOC decides to transfer inmates to a state treatment facility, they could be sent either to the Wisconsin Resource Center (WRC) or to a state Mental Health Institute (MHI). WRC provides treatment to mentally ill inmates and sexually violent persons (SVPs). When the SVPS have been transferred to their own facility in FY 01, there will be 460 beds available for DOC transfers. If inmates are transferred to WRC as a result of this bill, they might displace other WRC clients who also need treatment, but they should not increase the total number of individuals being committed to the WRC. Inmates could also be transferred to a state Mental Health Institute under this bill. Since it is not possible to estimate how many inmates might be transferred either to an MHI or to WRC, it is not possible to estimate the fiscal effect of this bill on the Department.

Long-Range Fiscal Implications:

Prepared By: / Phone # / Agency Name

Ellen Hadidian/266-8155
DHFS/OSF

Authorized Signature / Telephone No.


John Kiesow, 266-9622

Date

October 29, 1999