

Fiscal Estimate - 2003 Session

☒ Original ☐ Updated ☐ Corrected ☐ Supplemental

LRB Number 03-1795/1		Introduction Number AB-367	
Subject Escapes during conditional release			
Fiscal Effect			
State:			
<input type="checkbox"/> No State Fiscal Effect			
<input checked="" type="checkbox"/> Indeterminate			
<input type="checkbox"/> Increase Existing Appropriations		<input type="checkbox"/> Increase Existing Revenues	
<input type="checkbox"/> Decrease Existing Appropriations		<input type="checkbox"/> Decrease Existing Revenues	
<input type="checkbox"/> Create New Appropriations		<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		3. <input type="checkbox"/> Increase Revenue	
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory		<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	
2. <input type="checkbox"/> Decrease Costs		4. <input type="checkbox"/> Decrease Revenue	
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory		<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	
5. Types of Local Government Units Affected			
<input type="checkbox"/> Towns		<input type="checkbox"/> Village	
<input checked="" type="checkbox"/> Counties		<input type="checkbox"/> Others	
<input type="checkbox"/> School Districts		<input type="checkbox"/> WTCS Districts	
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			
Agency/Prepared By		Authorized Signature	
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		Date	
		6/9/2003	

Fiscal Estimate Narratives

DOC 6/9/2003

LRB Number	03-1795/1	Introduction Number	AB-367	Estimate Type	Original
Subject					
Escapes during conditional release					

Assumptions Used in Arriving at Fiscal Estimate

Currently, the costs of housing and treating individuals who have committed a crime and have been found not guilty because of a mental illness (NGI) are borne by the Department of Health and Family Services (DHFS). The Department of Corrections currently has a Memorandum of Understanding with DHFS to supervise individuals who are NGIs under a conditional release to the community or housed in a community-based residential facility (CBRF).

Under current law, NGI offenders who are placed in a CBRF and escape would be returned to their placement in a DHFS institution. Under this bill, these individuals will now be charged with the criminal offense of escape and may be fined up to \$10,000, sentenced to a term of imprisonment of up to six years (confinement time followed by extended supervision), or both.

This bill also authorizes the temporary suspension of the DHFS commitment until the person is no longer confined (in jail or prison) for the escape conviction. The term of extended supervision (if the escape charge results in a prison term) or probation would take place after the expiration or termination of the DHFS commitment order.

DHFS staff report there have been four escapes of NGI individuals during the last five years. It is impossible to predict what sentence the judge may have imposed for these crimes, or what sentence will be imposed in the future. It should be noted that the average cost to house an offender in a Department of Corrections institution during FY02 was approximately \$26,000. The cost for community supervision in FY02 was approximately \$2,000 per offender.

If the NGI escapee should be sentenced to less than 1 year confinement, the offender would serve time in a jail rather than a prison. This could increase county costs to house the offender.

Long-Range Fiscal Implications