

Fiscal Estimate - 2007 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 07-3164/1	Introduction Number AB-0544
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Description
 Human trafficking and providing a penalty

Fiscal Effect

State:

No State Fiscal Effect
 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 checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Decrease Costs
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Local:

No Local Government Costs
 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 type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts
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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	Date
DOJ/ Mark Rinehart (608) 264-9463	Mark Rinehart (608) 264-9463	11/16/2007

Fiscal Estimate Narratives

DOJ 11/16/2007

LRB Number	07-3164/1	Introduction Number	AB-0544	Estimate Type	Original
Description Human trafficking and providing a penalty					

Assumptions Used in Arriving at Fiscal Estimate

Assembly Bill 544 creates the crime of human trafficking. Under the bill, whoever knowingly engages in trafficking or knowingly benefits from trafficking is guilty of a Class D felony. Also, whoever knowingly engages in trafficking of a child for the purpose of sex acts or knowingly benefits from such activity is guilty of a Class C felony.

Under Chapter 165.50 of the Wisconsin Statutes, the Department of Justice is required to investigate crime that is statewide in nature, importance, or influence. The department fulfills this requirement through its Division of Criminal Investigation (DCI). Among other duties, DCI special agents assist local authorities with multi-jurisdictional crimes. Since human trafficking often involves moving victims across local, state, and national jurisdictional lines, the enactment of AB 544 could increase the investigative caseload of DCI.

The department is not aware of any data that would accurately predict the number of human trafficking cases it would investigate in any given year. As a result, it is difficult to accurately estimate the amount of additional resources that would be necessary to handle any increase in investigative caseload resulting from the enactment of AB 544.

Felony prosecutions are generally handled by local district attorneys. However, on occasion, district attorneys across Wisconsin request assistant attorneys general in the Department of Justice's Criminal Litigation Unit to act as special prosecutors. In addition, the Department of Justice's Criminal Appeals Unit represents the State of Wisconsin in defending felony convictions when those convictions are challenged in state or federal court. Under Wisconsin law, this unit is charged with preparing briefs and presenting arguments in front of any state appellate or federal court hearing a challenge to a felony conviction.

It is likely that the enactment of Assembly Bill 544 will result in an increased caseload for the department's Criminal Litigation and Criminal Appeals Units. Again, the department is not aware of any data that would accurately predict the number of human trafficking cases it would prosecute or handle on appeal in any given year. If the number of new trafficking cases DOJ is asked to prosecute, or DOJ is required to handle on appeal, is significant, the department will need additional resources to handle its increased caseload.

Long-Range Fiscal Implications