

Fiscal Estimate Narratives

DOJ 10/6/2011

LRB Number	11-2647/2	Introduction Number	AB-0269	Estimate Type	Original
Description prohibitions against contacting certain persons and providing penalties.					

Assumptions Used in Arriving at Fiscal Estimate

Currently, a court may prohibit an individual convicted of a crime from contacting the victim for a certain period of time. A violation of this prohibition is a Class A misdemeanor. Among other things, 2011 AB 269 allows a court to make a similar order regarding contacting the witness of the crime. The bill also increases the penalty for violating such an order relating to a victim or a witness to a Class H felony if the underlying crime was a felony.

While most felony prosecutions are handled by district attorneys, assistant attorneys general in the Department of Justice's Criminal Litigation Unit on occasion act as special prosecutors throughout Wisconsin at the request of district attorneys. 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.

Since AB 269 broadens the types of activities that can be prosecuted as felonies, it is possible that the enactment of the bill could result in an increased caseload for the department's Criminal Litigation and Criminal Appeals units. The department anticipates that any increased caseload would be relatively small and could most likely be absorbed with existing resources. However, if the increased caseload is significant, DOJ will need additional resources.

Long-Range Fiscal Implications