



## Fiscal Estimate Narratives

DOJ 5/26/2011

LRB Number	11-0415/1	Introduction Number	AB-0118	Estimate Type	Original
<b>Description</b> Aiding a felon and providing penalties					

### Assumptions Used in Arriving at Fiscal Estimate

Under current law, whoever with intent to prevent the apprehension, prosecution, or conviction of a felon, destroys, alters, hides, or disguises physical evidence or places false evidence, is guilty of a felony. There is an exception for the felon, the felon's spouse, or the parent, grandparent, child, grandchild, brother, or sister of the felon.

Under 2011 Assembly Bill 118, the exception above is eliminated for all individuals unless the felon has been charged with an act of domestic abuse against the individual and the individual has been called, or is likely to be called, to testify as a witness against the felon in any criminal action or proceeding.

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 118 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