

Fiscal Estimate Narratives

DOC 9/6/2011

LRB Number	11-1570/1	Introduction Number	SB-169	Estimate Type	Original
Description Collecting a deoxyribonucleic acid sample and requiring the exercise of rule-making authority.					

Assumptions Used in Arriving at Fiscal Estimate

Under this bill, if a court determines a person is required to submit a DNA sample in relation to an offense committed, the court must place the person in the custody of the sheriff immediately after the sentencing or placement hearing for a time sufficient to provide the sample.

Upon intake to DOC facilities, and prior to release from DOC facilities, staff verify whether a DNA sample is on record in the DOJ database. If a sample is not on record, samples are collected and submitted to DOJ for analysis and databank maintenance. As offenders placed on probation are admitted to community supervision, and before all offenders are discharged from community supervision, staff verify whether collection of a sample is required and collect samples as necessary, or in certain circumstances, refer the offender to the local sheriff's office to collect the sample.

This bill may lead to decreased state costs, as categories of offenders which DOC currently collects samples from may instead be collected by sheriffs at county jails. Such categories of offenders would include:

1. First-time felony or certain misdemeanor offenders placed on probation, but not sentenced to jail in conjunction with their sentence
2. Juveniles and adult inmates admitted to DOC facilities

Decreased costs would be limited to decreased staff time devoted to collecting DNA samples. Staff time would still be required upon intake and before release from custody to verify samples have been submitted by offenders. No DOC supplies and services cost decreases would result, as DNA sample collection kits are provided by the Wisconsin Department of Justice.

The Department of Corrections provides fiscal estimates on behalf of county jails when assigned to complete both a state and local fiscal estimate.

It is anticipated this bill would increase costs to county jails:

1. Counties would conduct more DOJ databank inquiries and collect more DNA samples from a larger offender base than under current practice
2. Additional offenders may be admitted to county jails, as offenders would be ordered to be under sheriff custody for a time sufficient to provide the sample

Increased costs from additional DOJ databank inquiries, sample collections, and additional admissions are difficult to estimate, as staffing and operating costs vary by county. For illustrative purposes, if county jail daily costs of incarcerating an inmate were assumed to be \$50.00/day, and 1% of offenders sentenced to probation for a felony offense within a year (67 out of 6,712 total in FY08) were admitted to a county jail for a single day, local costs resulting from potential increased admissions could be assumed to increase by \$3,400. If 5% of this population were admitted to a county jail for a single day, increased costs would be \$16,800.

Long-Range Fiscal Implications

The act would take effect the first day of the 13th month beginning after publication. Cost changes would be limited to planning and training costs in the first year, if necessary, and implementation costs would be incurred in the second year after passage of the act.