

Fiscal Estimate Narratives

DOJ 11/20/2013

LRB Number	13-2647/1	Introduction Number	AB-0274	Estimate Type	Original
Description Aiding a felon and providing penalties					

Assumptions Used in Arriving at Fiscal Estimate

Under s. 946.47(1), whoever with intent to prevent the apprehension, prosecution, or conviction of a felon harbors or aids the felon, destroys, alters, hides, or disguises physical evidence, or places false evidence, is guilty of a felony. Under s. 946.47(3), there is an exception for the felon, the felon's spouse, or the parent, grandparent, child, grandchild, brother, or sister of the felon.

Under 2013 Assembly Bill 274, the exception under s. 947.47(3) is repealed.

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 274 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