

Fiscal Estimate - 2015 Session

Original Updated Corrected Supplemental

LRB Number **15-3479/1** Introduction Number **AB-0430**

Description
Granting victims of certain crimes the right to be accompanied by a victim advocate

Fiscal Effect

State:

- No State Fiscal Effect
- Indeterminate
 - Increase Existing Appropriations
 - Decrease Existing Appropriations
 - Create New Appropriations
 - Increase Existing Revenues
 - Decrease Existing Revenues
 - Increase Costs - May be possible to absorb within agency's budget
 - Yes
 - No
 - Decrease Costs

Local:

- No Local Government Costs
- Indeterminate
 - 1. Increase Costs
 - 2. Decrease Costs
 - Permissive Mandatory
 - Permissive Mandatory
 - 3. Increase Revenue
 - 4. Decrease Revenue
 - Permissive Mandatory
 - Permissive Mandatory
 - 5. Types of Local Government Units Affected
 - Towns
 - Counties
 - School Districts
 - Village
 - Others
 - WTCS Districts
 - Cities

Fund Sources Affected **Affected Ch. 20 Appropriations**
 GPR FED PRO PRS SEG SEGS

Agency/Prepared By	Authorized Signature	Date
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Fiscal Estimate Narratives

SPD 11/5/2015

LRB Number	15-3479/1	Introduction Number	AB-0430	Estimate Type	Original
Description Granting victims of certain crimes the right to be accompanied by a victim advocate					

Assumptions Used in Arriving at Fiscal Estimate

The State Public Defender (SPD) is statutorily authorized and required to appoint attorneys to represent indigent defendants in criminal and certain commitment proceedings. The SPD plays a major role in ensuring that the Wisconsin justice system complies with the right to counsel provided by both the state and federal constitutions. Any legislation has the potential to increase SPD costs if it creates a new criminal offense, expands the definition of an existing criminal offense, or increases the penalties for an existing offense.

This bill gives a victim of sexual assault, human trafficking, or child abuse the right to request accompaniment by a victim advocate to an examination or consultation. The bill also gives a victim of certain crimes the right to be accompanied by an advocate to certain interviews or proceedings relating to the crime.

It is possible that the bill could increase the complexity of cases in which the SPD provides representation. We are unable, however, to quantify if a fiscal impact might occur due to the provisions in the bill.

This bill could also have a fiscal impact on counties. There are some defendants who, despite exceeding the SPD's statutory financial guidelines, are constitutionally eligible for appointment of counsel because it would be a substantial hardship for them to retain an attorney. The court is required to appoint counsel at county expense for these defendants. The counties could also incur additional costs associated with incarceration of defendants, both pending trial and after sentencing.

Long-Range Fiscal Implications