

### Fiscal Estimate - 2017 Session

Original     
  Updated     
  Corrected     
  Supplemental

<b>LRB Number</b> <b>17-4838/1</b>	<b>Introduction Number</b> <b>AB-0737</b>	
<b>Description</b> increased maximum terms of imprisonment for domestic abuse repeaters and providing a criminal penalty		
<b>Fiscal Effect</b>		
<b>State:</b>		
<input type="checkbox"/> No State Fiscal Effect <input checked="" type="checkbox"/> Indeterminate		
<input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations	<input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues <input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Decrease Costs	
<b>Local:</b>		
<input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate		
1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	
5. Types of Local Government Units Affected <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts		
<b>Fund Sources Affected</b>		
<input checked="" type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS 410		
<b>Affected Ch. 20 Appropriations</b>		
<b>Agency/Prepared By</b>	<b>Authorized Signature</b>	<b>Date</b>
DOC/ Jokisch Jacob (608) 240-5415	Donald Friske (608) 240-5056	12/13/2017

## Fiscal Estimate Narratives

DOC 12/13/2017

LRB Number	17-4838/1	Introduction Number	AB-0737	Estimate Type	Original
<b>Description</b> increased maximum terms of imprisonment for domestic abuse repeaters and providing a criminal penalty					

### Assumptions Used in Arriving at Fiscal Estimate

Current law allows a court to increase by two years the maximum term of imprisonment for a crime if the crime constituted an act of domestic abuse and the defendant was, within the preceding ten years, convicted on at least two separate occasions of a felony or misdemeanor that was subject to a domestic abuse surcharge. A domestic abuse surcharge is a surcharge that a Wisconsin court must impose if the defendant committed one of a list of crimes against his or her current or former spouse, against an adult with whom the defendant currently or formerly resides, or against an adult with whom the defendant has created a child. Under this bill, crimes that would subject a defendant to the increased maximum term of imprisonment include felonies or misdemeanors committed in another state but that, had they been committed in Wisconsin, would have been subject to the domestic abuse surcharge.

The Department of Corrections (DOC) predicts an indeterminate increase in DOC offenders and costs as a result of this bill expanding the domestic abuse repeater sentencing enhancer to include convictions occurring in other states. The DOC cannot predict how many more inmates will be eligible for the domestic abuse repeater sentencing enhancer because it does not have data on offenders' convictions in other states.

The DOC, as of 12/11/17, has 290 offenders on community supervision and 195 inmates in prison with a conviction for domestic abuse repeater under Wis. Stat. 939.621 (1)(b).

The average FY16 annual cost for an inmate in a DOC institution is approximately \$32,300. However, when there is excess capacity in DOC facilities, the incremental costs (i.e. food, health care and clothing) of housing a small number of inmates is approximately \$5,700 based on FY16 costs. Should the Department use contract beds, the rate would be approximately \$18,800 annually per person. If there are additional offenders on community supervision, the average FY16 annual cost to supervise one offender is approximately \$3,000.

The cost to county jails is indeterminate. There may be additional costs as a result of this bill expanding the domestic abuse repeater sentencing enhancer if offenders receive longer sentences at a county jail. There may be fewer costs as a result of this bill expanding the domestic abuse repeater sentencing enhancer if offenders receive longer sentences that result in prison time and thus reduce the county jail population. The average FY16 annual cost to jail inmates is \$18,800.

### Long-Range Fiscal Implications