

### Fiscal Estimate - 2017 Session

Original     
  Updated     
  Corrected     
  Supplemental

<b>LRB Number</b> <b>17-4661/1</b>	<b>Introduction Number</b> <b>SB-550</b>
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**Description**  
 the age at which a person is subject to juvenile court jurisdiction and making appropriations

**Fiscal Effect**

**State:**

<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 type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Decrease Costs
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**Local:**

<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	<b>5. Types of Local Government Units Affected</b> <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
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<b>Fund Sources Affected</b>	<b>Affected Ch. 20 Appropriations</b>
<input checked="" type="checkbox"/> GPR <input type="checkbox"/> FED <input checked="" type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS 20.410(1)(a), (1)(b), (3)(hm), and (3)(hr)	

<b>Agency/Prepared By</b>	<b>Authorized Signature</b>	<b>Date</b>
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## Fiscal Estimate Narratives

DOC 12/6/2017

LRB Number	17-4661/1	Introduction Number	SB-550	Estimate Type	Original
<b>Description</b> the age at which a person is subject to juvenile court jurisdiction and making appropriations					

### Assumptions Used in Arriving at Fiscal Estimate

This bill increases from 17 to 18 the age at which a person would be subject to procedures and sentencing outlined in the adult criminal code, but only if the person has not previously been convicted of a crime or adjudicated delinquent, or is not alleged to have committed certain violent offenses. If the person is 17 years-old and has previously been convicted of a crime, adjudicated delinquent, or alleged to have committed a violent offense, they would still be subject to procedures and sentencing outlined in the adult criminal code.

This bill appropriates \$5,000,000 GPR in FY19 to the Department of Children and Families (DCF) to reimburse counties for the cost of providing juvenile delinquency-related services to 17 year-olds, including the costs of secure detention, county jails, municipal lockup facilities, or temporary shelter care facilities. DCF would be responsible for distributing these funds to the counties.

This change would mean that some 17 year-olds currently admitted to county jails, Department of Corrections (DOC) correctional institutions, probation, or parole would instead be admitted to county secure detention facilities, state juvenile correctional institutions (JCI), or juvenile supervision provided by either the county or state. There is no way to estimate how future admission trends to the DOC or Wisconsin counties will be impacted by this bill.

It is likely that the bill will result in an increase in the number of individuals who would be housed in county secure detention facilities, and a reduction in the number of individuals who would be housed in county jails. If 17 year-olds were considered juveniles in criminal proceedings, an unknown number would be placed in secure detention facilities (e.g. for predisposition custody or short-term sanctions) instead of in jails. County jails and secure detention facilities are funded with county dollars. Only 13 counties operate secure detention facilities, while 71 counties operate jails. Therefore, this bill will require many counties to transport 17 year-olds to other counties in order to find available beds, resulting in increases to their transportation costs.

While this bill would likely also cause a shift of population from adult institutions to JCIs, it is not possible to determine the size of the population that would be affected by this bill. Most juveniles currently in JCIs either have prior adjudications and/or were adjudicated for violent offenses.

In addition to a change in where incarcerated 17 year-olds would be housed, there would be a change in how 17 year-olds would be supervised while on probation, parole, and extended supervision. Currently, all adults under community supervision are supervised with state GPR funds and state employees. The only state supervision of people under 17 is for a very small number of juveniles placed on state juvenile community supervision once they have completed a stay in a JCI. Counties do all the supervision for juveniles who would be considered to be on probation in the adult correctional system, and only 19 counties contract for state community supervision of the juveniles once they have completed a stay in a JCI. As with state prison populations, it is not possible to determine the number of people on community supervision that would be affected by this bill.

It is not possible to determine how many 17 year-olds alleged to have violated a criminal law would have prior adjudications or how courts would decide to sentence individuals under the bill. 17 year-olds would only be sent to juvenile corrections if they had no prior convictions, were not previously adjudicated delinquent, or if they had not committed certain violent offenses. It is very likely there would be a reduction in county jail, state prison, and state adult community supervision populations as a result of the bill.

However, an increase in the populations of county secure detention facilities, state juvenile correctional institutions, and state and county juvenile community supervision populations would result in increases to state PR costs, state PR FTE, and county costs to pay for the higher costs associated with housing and

supervising more juveniles.

### **Long-Range Fiscal Implications**