

X ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

FISCAL ESTIMATE

DOA-2048 N(R10/98)

Subject

Using delinquency adjudications for purposes of certain penalty enhancers

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

X Increase Costs - May be possible to Absorb Within Agency's Budget Yes X No

- Increase Existing Appropriation Increase Existing Revenues
- Decrease Existing Appropriation Decrease Existing Revenues
- Create New Appropriation

Decrease Costs

Local: No local government costs

- 1. Increase Costs
 - Permissive Mandatory
- 2. Decrease Costs
 - Permissive Mandatory

- 3. Increase Revenues
 - Permissive Mandatory
- 4. Decrease Revenues
 - Permissive Mandatory

5. Types of Local Governmental Units Affected:
- Towns Villages Cities
 - Counties Others _____
 - School Districts WTCS Districts

Fund Sources Affected

X GPR FED PRO PRS SEG SEG-S

Affected Ch. 20 Appropriations

s. 20.550(1)(d)

Assumptions Used in Arriving at Fiscal Estimate

This bill provides that delinquency adjudications may be used like prior convictions for the purpose of determining whether a person is a repeater or persistent repeater and for the purpose of imposing minimum or increased penalties in cases involving serious sex crimes or serious violent crimes. The bill specifies that such adjudications can be used only if the juvenile was 15 years old at the time of the adjudicated offense. Also, such adjudications can be used only until the defendant reaches the age of 25.

Enactment of this bill could result in increased costs to the State Public Defender's Office (SPD) because whenever enhanced penalties or mandatory minimum penalties are involved, a defendant is less likely to resolve his or her case with a guilty plea. Rather, the defendant is more likely to have a jury trial, which is more expensive than a guilty plea. Although enactment of this bill could increase costs to the SPD, the SPD is unable to predict those costs with the data available.

Long-Range Fiscal Implications

Likely increased costs to the SPD.

Agency/Prepared by: (Name & Phone No.)
 SPD/ Gina Pruski/266-6782

Authorized Signature/Telephone No.

Gina Pruski / 6-6782

Date

1/11/99