## Fiscal Estimate - 2005 Session

Original Updated	Corrected		Supplemental	
LRB Number <b>05-3057/1</b>	Introduction I	Number Al	B-459	
Subject				
Graffiti	·			
Fiscal Effect				
Appropriations R Decrease Existing D	ncrease Existing Levenues Lecrease Existing Levenues		- May be possible agency's budget ⊠No	
Permissive Mandatory P  2. Decrease Costs 4. D			ts Affected Village Cities Others WTCS Districts	
Fund Sources Affected  GPR FED PRO PRS	Affect SEG SEGS	ed Ch. 20 Appr	opriations	
Agency/Prepared By	Authorized Signature		Date	
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## Fiscal Estimate Narratives SPD 6/8/2005

LRB Number	05-3057/1	Introduction Number	AB-459	Estimate Type	Original
Subject					
Graffiti					

## **Assumptions Used in Arriving at Fiscal Estimate**

The State Public Defender (SPD) provides legal representation in criminal cases and other specified proceedings in which the loss of personal liberty or parental rights may occur. For adult clients, the SPD must complete a financial eligibility evaluation before appointing an attorney. SPD services are constitutionally required because in the case types handled by SPD, a defendant without the financial means to hire an attorney has the right to have an attorney appointed. Therefore, any bill that would increase the number of cases handled by SPD would increase SPD costs.

This bill does not create new criminal offenses; however, it lowers the dollar threshold of property damage that defines a felony offense from 2,500 to 1,000. Felony offenses carry potential prison sentences and on average entail significantly more attorney time and expense than misdemeanor cases. For this reason (and in an effort to decrease SPD costs), SPD has in the past submitted budget requests to increase the dollar threshold for property offenses.

SPD cannot estimate the number of cases that would be charged under the new felony-level offense, but we could track the cases after the bill takes effect.

Counties could incur additional jail costs related to both pretrial incarceration and sentences in felony cases.

**Long-Range Fiscal Implications**