

### Fiscal Estimate - 2005 Session

Original     
  Updated     
  Corrected     
  Supplemental

|                                    |                                          |
|------------------------------------|------------------------------------------|
| <b>LRB Number</b> <b>05-3492/1</b> | <b>Introduction Number</b> <b>AB-648</b> |
|------------------------------------|------------------------------------------|

**Subject**

Retention and testing of DNA evidence; time limits for prosecution of a crime related to a sexual assault; procedures for using an eyewitness to identify a suspect; recording custodial interrogations

**Fiscal Effect**

**State:**

No State Fiscal Effect  
 Indeterminate

|                                                           |                                                     |                                                                                            |
|-----------------------------------------------------------|-----------------------------------------------------|--------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Increase Existing Appropriations | <input type="checkbox"/> Increase Existing Revenues | <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget |
| <input type="checkbox"/> Decrease Existing Appropriations | <input type="checkbox"/> Decrease Existing Revenues | <input type="checkbox"/> Yes <input type="checkbox"/> No                                   |
| <input type="checkbox"/> Create New Appropriations        |                                                     | <input type="checkbox"/> Decrease Costs                                                    |

**Local:**

No Local Government Costs  
 Indeterminate

|                                                                                                                      |                                                                                                                        |                                                                                                                                                                                                                                                                                                          |
|----------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. <input type="checkbox"/> Increase Costs<br><input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | 3. <input type="checkbox"/> Increase Revenue<br><input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | 5. Types of Local Government Units Affected<br><input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities<br><input type="checkbox"/> Counties <input type="checkbox"/> Others<br><input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts |
| 2. <input type="checkbox"/> Decrease Costs<br><input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | 4. <input type="checkbox"/> Decrease Revenue<br><input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory |                                                                                                                                                                                                                                                                                                          |

|                                                                                                                                                                                |                                       |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|
| <b>Fund Sources Affected</b>                                                                                                                                                   | <b>Affected Ch. 20 Appropriations</b> |
| <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS |                                       |

|                                    |                               |             |
|------------------------------------|-------------------------------|-------------|
| <b>Agency/Prepared By</b>          | <b>Authorized Signature</b>   | <b>Date</b> |
| DOC/ Dawn Woeshnick (608) 240-5417 | Robert Nikolay (608) 240-5405 | 9/2/2005    |

## Fiscal Estimate Narratives

DOC 9/2/2005

|                                                                                                                                                                                                         |           |                     |        |               |          |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|---------------------|--------|---------------|----------|
| LRB Number                                                                                                                                                                                              | 05-3492/1 | Introduction Number | AB-648 | Estimate Type | Original |
| <b>Subject</b>                                                                                                                                                                                          |           |                     |        |               |          |
| Retention and testing of DNA evidence; time limits for prosecution of a crime related to a sexual assault; procedures for using an eyewitness to identify a suspect; recording custodial interrogations |           |                     |        |               |          |

### Assumptions Used in Arriving at Fiscal Estimate

This bill includes a section on changing time limits for prosecuting a crime related to a felony sexual assault. Current law imposes time limits for commencing prosecution of felony sexual assaults and provides an additional amount of time for prosecuting felony sexual assaults if a match in DNA evidence is found at a later date.

This bill would apply the existing time limits and the DNA exception on prosecuting felony sexual assaults to also include crimes that are related to a felony sexual assault. This bill could result in an increase in the number of offenders that would be charged and convicted of a crime, or it could result in an extension to an offender's conviction for felony sexual assault if they are also convicted for related crimes. These increases could result in additional costs to local jails and/or additional costs to the Department of Corrections.

In FY04 the average annual cost to incarcerate a person was approximately \$28,000 and \$2,000 to supervise an offender on probation.

No other section of this bill has a fiscal impact on the Department of Corrections.

### Long-Range Fiscal Implications