

LRB
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Fiscal Estimate - 2005 Session

Original Updated Corrected Supplemental

LRB Number 05s0505/1	Introduction Number SSA1-AB591	
Description Global positioning system tracking and a residency requirement for certain sex offenders, changes to the sex offender registry Web site, and providing a penalty		
Fiscal Effect		
State:		
<input type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input checked="" 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 checked="" type="checkbox"/> No <input type="checkbox"/> Create New Appropriations <input type="checkbox"/> Decrease Costs		
Local:		
<input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate 1. <input type="checkbox"/> Increase Costs 3. <input type="checkbox"/> Increase Revenue 5. Types of Local Government Units Affected <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input checked="" type="checkbox"/> Towns <input checked="" type="checkbox"/> Village <input checked="" type="checkbox"/> Cities 2. <input type="checkbox"/> Decrease Costs 4. <input type="checkbox"/> Decrease Revenue <input checked="" type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts		
Fund Sources Affected Affected Ch. 20 Appropriations		
<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 s. 20.435(2)(b)		
Agency/Prepared By DHFS/ Donna Moore (608) 266-8156	Authorized Signature Andy Forsaith (608) 266-7684	Date 3/1/2006

Fiscal Estimate Narratives

DHFS 3/1/2006

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Assumptions Used in Arriving at Fiscal Estimate

Under current law, DHFS has the responsibility for the treatment of individuals in an institution or the community who have been considered to be Sexually Violent Persons (SVPs) as defined under ch. 980. The Supervised Release program provides treatment to SVPs who have been released by the court under the supervision of the Department. If the court orders an SVP placed on supervised release, DHFS is required to find a placement in the community, usually in the county in which the person lived at the time of the sexually violent offense. DHFS and the county in which the person is to be placed must then prepare a plan for treatment and supervision of the person upon release. In developing the plan, DHFS considers the proximity of the proposed residence to the homes of certain other sex offenders and entities such as schools, parks, and licensed child care facilities. More importantly, DHFS considers the person's offense pattern and victim profile when considering a residential placement in the community. Within 60 days after the court's determination that supervised release is appropriate, DHFS and the county must submit the plan to the court for its approval. The program is a state-funded community-based program administered by private and public agencies under the supervision of DHFS.

DHFS also operates the conditional release program for individuals found not guilty of a crime by reason of a mental disease or defect.

Under this bill, DHFS would be required to track individuals on supervised release whom a court places on supervised release under s. 980.08(6m) or whom a court discharges under s. 980.09 or 980.10 by using a global positioning system (GPS) tracking device. The bill would also require DHFS to track individuals on conditional release who have been found not guilty of a serious child sex offense by reason of mental disease or defect and to continue to track them after their discharge from the program. These provisions apply to individuals who enter the programs after the effective date of the bill.

Currently, there are 18 SVPs on supervised release, and all placements are under active GPS monitoring. DHFS has been able to fund the cost for these 18 clients within the current appropriation of s. 20.435(2)(bj). However, to the extent that SR caseloads increase, additional funding will need to be appropriated under s. 20.435(2)(bj) in future years to fund GPS monitoring costs. The cost of providing the equipment and staff monitoring for DHFS is approximately \$7,710 GPR per person annually. It is estimated that an additional 10 clients will be placed on supervised release annually for an annual increased costs of approximately \$77,100 GPR. In addition, the bill would require DHFS to continue GPS monitoring of individuals after they are discharged from supervised release. Over time, this requirement could significantly increase DHFS monitoring costs above the cost of monitoring current SR clients. See the Department of Corrections' fiscal estimate for the total cost of equipment and monitoring as it relates to this provision.

DHFS does not currently conduct GPS monitoring for conditional release placements. Currently 24 of the 265 individuals (or 9%) in the program have committed serious child sex offenses. A total of 114 individuals entered the program in FY05. It is estimated that the provision would apply to 10 individuals per year (114 x 9%) in the conditional release program at an annual cost of approximately \$77,100 GPR in the initial year of applicability. The costs would increase by approximately \$77,100 GPR annually in subsequent years. See the Department of Corrections' fiscal estimate for the total cost of equipment and monitoring as it relates to this provision.

Under this bill, s. 980.08(7) specified that as a condition of SR granted under this chapter, for the first year of SR, the court shall restrict the person on supervised release to the person's home except for outings that are under the direct supervision of a DOC escort and that are for employment purposes, or religious purposes, or for caring for the person's basic living needs. This bill provision could have a significant impact on the program because a constant escort during the first year of a placement would be required even if the individual got a job. DHFS estimates that this provision would require 11,000 hours of additional escorting.

This cost would remain constant since the requirement would last for the first year only. The total cost of the provision would be approximately \$459,000 GPR annually. See the Department of Corrections' fiscal estimate for the total cost of client escorting as it relates to this provision.

Under this bill, s. 980.08(5m) would prohibit any SR placement in a "facility" that did not exist before January 1, 2006. Based on available information, it is difficult to determine a fiscal effect related to this provision. However, by prohibiting placements in any new facility, the bill may increase costs associated with the few existing facilities that are available because supply would be further restricted and the demand for facility space would rise.

Under this bill, s. 980.105 would require that in counties with a first class city that SR placements need to be made in the person's municipality of residence. Under current law, if a court determines that SR is appropriate, DHFS must make its best effort to place the person in the county in which the person lived at the time of the sexually violent offense (county of residence). If the proposed change was approved, the process DHFS uses for placements in Milwaukee County would need to be revised. The proposed change would reduce potential options that may exist for such placements and may make it more difficult to develop and make placements. It is possible that individuals from Milwaukee County who are granted SR may spend longer periods of time in the institution while the residence search proceeds. As a result, the bill may increase populations, and therefore costs, at DHFS institutions. However, it is not possible to project these costs based on the information available.

Long-Range Fiscal Implications

Fiscal Estimate Worksheet - 2005 Session

Detailed Estimate of Annual Fiscal Effect

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Description Global positioning system tracking and a residency requirement for certain sex offenders, changes to the sex offender registry Web site, and providing a penalty			
I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):			
II. Annualized Costs:		Annualized Fiscal Impact on funds from:	
		Increased Costs	Decreased Costs
A. State Costs by Category			
State Operations - Salaries and Fringes		\$	
(FTE Position Changes)			
State Operations - Other Costs	613,200		
Local Assistance			
Aids to Individuals or Organizations			
TOTAL State Costs by Category	\$613,200		\$
B. State Costs by Source of Funds			
GPR	613,200		
FED			
PRO/PRS			
SEG/SEG-S			
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)			
	Increased Rev	Decreased Rev	
GPR Taxes	\$	\$	
GPR Earned			
FED			
PRO/PRS			
SEG/SEG-S			
TOTAL State Revenues	\$	\$	
NET ANNUALIZED FISCAL IMPACT			
	State	Local	
NET CHANGE IN COSTS	\$613,200	\$	
NET CHANGE IN REVENUE	\$	\$	
Agency/Prepared By		Authorized Signature	Date
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