

Fiscal Estimate Narratives

DHFS 5/12/2005

LRB Number	05-2862/1	Introduction Number	AB-394	Estimate Type	Original
Subject					
Placement of persons in county of residence under ch. 980					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, DHFS has responsibility for the treatment of individuals who have been considered to be Sexually Violent Persons (SVPs) 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 a SVP placed on supervised release, DHFS is required to find a placement in the community. Current law requires DHFS to make its best effort to place the person 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 treating and monitoring the person upon release. In developing the plan, DHFS must consider the proximity of the proposed residence to the homes of certain other sex offenders. Within 60 days after the court's determination that supervised release is appropriate, DHFS and the county must submit the supervised release plan to the court for its approval.

Under this bill, when selecting a residence for a person who will be placed on supervised release, DHFS would not be required to make its best effort to place the person in his county of residence. This bill would require DHFS to designate the county of placement based on the type of treatment and services the person may need and the ability of the county, or the Department's ability to contract with a public or private agency in the county, to provide the needed treatment and services.

There are approximately 12 supervised releases per year. The number of supervised releases per year will not change due to the bill's removal of the requirement to make best efforts to place the person in his county of residence. Under current law, DHFS is required, if ordered by the court, to find a place in the community for the individual whether the placement occurs in the county of residence or in a different county. Therefore, this bill will have no fiscal effect on the Department.

Long-Range Fiscal Implications