Fiscal Estimate - 2007 Session

	Original		Updated	C	orrected		Supplemental	
LRB	Number	07-3135/1		Introdu	ction Numbe	r S	B-261	
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DOJ/ Mark Rinehart (608) 264-9463 Ma				/lark Rinehart (6	Rinehart (608) 264-9463			

Fiscal Estimate Narratives DOJ 10/19/2007

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Assumptions Used in Arriving at Fiscal Estimate

Currently, persons committing graffiti face misdemeanor charges unless the value of the defaced property is reduced by more than \$2,500 because of the graffiti. In cases where the value of the property is reduced more than \$2,500 the perpetrator may be charged with a felony. Senate Bill 261 provides that persons committing graffiti resulting in property devaluation of more than \$1,000 are can be charged with a felony.

While most initial felony prosecutions are handled by local district attorneys, assistant attorneys general in the Department of Justice's Criminal Litigation Unit on occasion act as special prosecutors throughout Wisconsin at the request of district attorneys under certain circumstances. In addition, the Department of Justice's Criminal Appeals Unit represents the State of Wisconsin in defending felony convictions when those convictions are challenged in state or federal court. Under Wisconsin law, this unit is charged with preparing briefs and presenting arguments in front of any state appellate or federal court hearing a challenge to a felony conviction.

It is possible that the enactment of Senate Bill 261 could result in an increases caseload for the department's Criminal Litigation and Criminal Appeals Units. However, the department anticipates that any increased caseload would be relatively small and could most likely be absorbed with existing resources.

Long-Range Fiscal Implications