

Fiscal Estimate Narratives

DOJ 7/24/2007

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| LRB Number | 07-0813/1 | Introduction Number | AB-0135 | Estimate Type | Original |
| Description Relating to: pointing a firearm at or towards a law enforcement officer and providing a penalty | | | | | |

Assumptions Used in Arriving at Fiscal Estimate

Assembly Bill 135 generally provides that whoever points an object at a law enforcement officer that the officer reasonably believes to be a firearm is guilty of a Class H 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 Assembly Bill 135 could result in an increased 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