



## Fiscal Estimate Narratives

DOJ 5/22/2009

LRB Number	09-1284/2	Introduction Number	AB-0263	Estimate Type	Original
<b>Description</b> Requiring persons who violate certain restraining orders or injunctions to be monitored by a global positioning system, making an appropriation, and providing a penalty					

### Assumptions Used in Arriving at Fiscal Estimate

Under 2009 Assembly Bill 263, a court may order a person who is convicted of violating a restraining order or injunction to submit to GPS tracking by the Department of Corrections. The bill also allows a court to order, as a condition of release, a person who is charged with violating a restraining order or an injunction to submit to GPS tracking. Under AB 263, it is a Class I felony for anyone to tamper with such a GPS tracking device.

While most felony prosecutions are handled by 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. 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.

Since AB 263 broadens the types of activities that can be prosecuted as felonies, it is possible that the enactment of the bill 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