

Fiscal Estimate Narratives

DA 3/3/2009

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|--|-----------|---------------------|---------|---------------|----------|
| LRB Number | 09-1427/1 | Introduction Number | AB-0079 | Estimate Type | Original |
| Description | | | | | |
| Release of persons who commit operating-while-intoxicated offenses and providing penalties | | | | | |

Assumptions Used in Arriving at Fiscal Estimate

Prosecutors believe that the fiscal estimate for this bill should be the same, if not somewhat greater due to higher penalties recommended by this law, as the estimate for SB-066.

Based on 2007 data from DOT, the number of 3rd offense OWI cases that occurred within five years of a first offense OWI was approximately 1,300. The number of 4th offense OWI cases was 1,902 annually. To calculate additional prosecutors needed if these stricter penalties are enacted:

$1,300 + 1,902 = 3,202$ cases

$3,202 \text{ cases} \times 6.32 \text{ hours (dif. between felony and misdemeanor)} = 20,236.64 \text{ hours}$

$20,237 \text{ hours divided by } 1,227 \text{ (hours annually available to ADAs for casework)} = 16.493 \text{ ADAs needed.}$

Annual salary = \$47,036

Annual fringe = \$18,433

TOTAL = $\$65,469 \times 16.5 \text{ ADAs} = \$1,080,239.$

Though an annual count of 1,300 3rd offense OWI cases was identified above and used in the estimation of additional ADAs needed, prosecutors believe that even more ADAs will be needed for work on 3rd, 4th, 5th, and 6th OWIs due to the dramatic increase in litigation time. Prosecutors estimate that an additional 21 ADAs would be needed:

$\$65,469 \times 21 \text{ ADAs} = \$1,374,849.$

Prosecutors are emphatic about the need to be at full staffing levels before they can take on significant law changes such as this bill proposes. The most recent DA Workload Study indicated a need of approximately 120 ADAs throughout Wisconsin. The estimated cost of these additional ADAs is:

$\$65,469 \times 120 = \$7,856,280.$

The total estimate as indicated above is \$10,311,368 (which is comprised of $\$1,080,239 + \$1,374,849 + \$7,856,280$).

Counties would face increases in jail costs.

Long-Range Fiscal Implications

There is expected to be a significant long-range fiscal impact. Please see the figures presented above.