

Fiscal Estimate - 2013 Session

Original Updated Corrected Supplemental

LRB Number 13-2120/1	Introduction Number SB-160
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Description
 Training standards for law enforcement officers regarding domestic abuse incidents and complaints, and law enforcement reports following a domestic abuse incident

Fiscal Effect

State:

- No State Fiscal Effect
- Indeterminate
 - Increase Existing Appropriations
 - Decrease Existing Appropriations
 - Create New Appropriations
 - Increase Existing Revenues
 - Decrease Existing Revenues
 - Increase Costs - May be possible to absorb within agency's budget
 - Yes No
 - Decrease Costs

Local:

- No Local Government Costs
 - Indeterminate
 - 1. Increase Costs
 - Permissive Mandatory
 - 2. Decrease Costs
 - Permissive Mandatory
 - 3. Increase Revenue
 - Permissive Mandatory
 - 4. Decrease Revenue
 - Permissive Mandatory
5. Types of Local Government Units Affected
- Towns Village Cities
 - Counties Others
 - School Districts WTCS Districts

Fund Sources Affected **Affected Ch. 20 Appropriations**

GPR FED PRO PRS SEG SEGS 20.550(1)

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Fiscal Estimate Narratives

SPD 5/6/2013

LRB Number	13-2120/1	Introduction Number	SB-160	Estimate Type	Original
Description Training standards for law enforcement officers regarding domestic abuse incidents and complaints, and law enforcement reports following a domestic abuse incident					

Assumptions Used in Arriving at Fiscal Estimate

The State Public Defender (SPD) is statutorily authorized and required to appoint attorneys to represent indigent defendants in criminal and certain commitment proceedings. The SPD plays a critical role in ensuring that the Wisconsin justice system complies with the right to counsel provided by both the state and federal constitutions. Any legislation has the potential to increase SPD costs if it creates a new criminal offense, expands the definition of an existing criminal offense, or increases the penalties for an existing offense.

The bill allows a law enforcement officer (LEO) whenever the officer determines that reasonable grounds do not exist for an arrest under current law regulating arrests for suspected crimes of domestic abuse. The LEO must prepare a report that states why they lacked reasonable grounds. This report must include information regarding the number of responses by LEOs to an incident involving domestic abuse that did not result in arrest and the number of prosecutions and convictions of persons on those reports for a crime involving domestic abuse. The report is then submitted to the local District Attorney and then to the Department of Justice.

This bill could have a fiscal impact for the SPD, but that cannot be quantified. It will largely be driven by how individual law enforcement agencies opt to utilize the discretion provided in the bill. It is likely to vary between different jurisdictions. The SPD's average cost to provide representation with a private bar attorney in a misdemeanor case was \$237.02 in fiscal year 2012, compared to an average cost of \$407.16 for a felony during the same period.

Long-Range Fiscal Implications