

Fiscal Estimate - 2015 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 15-2172/1	Introduction Number AB-0309
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Description
 Limiting the number of annual revocations of extended supervision and parole for violations that are not a crime

Fiscal Effect

State:

No State Fiscal Effect
 Indeterminate

<input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations	<input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues	<input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Decrease Costs
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Local:

No Local Government Costs
 Indeterminate

1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	5. Types of Local Government Units Affected <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts
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Fund Sources Affected	Affected Ch. 20 Appropriations
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input checked="" type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS 20.505(4)(kp)	

Agency/Prepared By DOA/ Kris Frederick (608) 261-2292	Authorized Signature Colleen Holtan (608) 266-1359	Date 8/21/2015
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Fiscal Estimate Narratives

DOA 8/21/2015

LRB Number	15-2172/1	Introduction Number	AB-0309	Estimate Type	Original
Description Limiting the number of annual revocations of extended supervision and parole for violations that are not a crime					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, a person may be released from confinement in prison to the community on parole or under extended supervision. A person who is released to the community must comply with certain conditions relating to his or her behavior while in the community (conditions of parole or extended supervision). If a person who is released violates a condition of parole or extended supervision, the person's release may be revoked and the person must return to prison for a period of time, depending on the nature of the violation. In this instance, unless waived by the person, a final administrative hearing must be held before a hearing examiner from the Division of Hearings and Appeals (Department of Administration), who enters an order either revoking or not revoking parole/extended supervision (section 304.06(3), Wis. Stats.).

Under this bill, no more than 3,000 revocations and returns to prison may be ordered annually for violations of conditions of parole or extended supervision that are not crimes. The Division of Hearings and Appeals estimates that it currently conducts approximately 3,000 such hearings annually, with approximately 90% of these hearings resulting in a revocation. Therefore, under this bill, the number of revocations could increase from present levels.

It is reasonable to project that under current law, the Department of Corrections seeks revocations in all cases for which it believes such action is appropriate. Therefore, it can reasonably be assumed that under present conditions, this legislation will not result in an increase in the number of hearings conducted by the Division of Hearings and Appeals (DHA). The number of revocation hearings referred to DHA annually cannot be estimated, as this figure is dependent on actions by persons on parole or under extended supervision and whether individuals subject to revocation decline a hearing. Similarly, the impact of a cap on the number of revocations sought by the Department of Corrections for violations that are not crimes cannot be estimated. Given the current level of revocations for these types of violation, while the impact of this legislation may not have a significant fiscal impact on the Division of Hearings and Appeals, the fiscal effect cannot be estimated (indeterminate).

Long-Range Fiscal Implications