

Fiscal Estimate - 2015 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 15-2015/1	Introduction Number SB-326				
Description Referral of cases of suspected or threatened child abuse or neglect to the sheriff or police department, coordination of the investigation of those cases, and referral of those cases to the district attorney for criminal prosecution					
Fiscal Effect State: <input type="checkbox"/> No State Fiscal Effect <input checked="" type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Create New Appropriations <input type="checkbox"/> Decrease Costs					
Local: <input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate 1. <input type="checkbox"/> Increase Costs 3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <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 checked="" type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts					
<table style="width: 100%;"> <tr> <td style="width: 50%;">Fund Sources Affected</td> <td style="width: 50%;">Affected Ch. 20 Appropriations</td> </tr> <tr> <td> <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS </td> <td></td> </tr> </table>		Fund Sources Affected	Affected Ch. 20 Appropriations	<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	
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Agency/Prepared By	Authorized Signature	Date			
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Fiscal Estimate Narratives

DCF 12/17/2015

LRB Number	15-2015/1	Introduction Number	SB-326	Estimate Type	Original
Description Referral of cases of suspected or threatened child abuse or neglect to the sheriff or police department, coordination of the investigation of those cases, and referral of those cases to the district attorney for criminal prosecution					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, reports of suspected or threatened child abuse involving sexual offenses must be referred to the sheriff or police department within 12 hours, excluding Saturdays, Sundays and legal holidays. For cases of suspected or threatened abuse involving physical injury, controlled substances, or emotional damage and for cases involving neglect, DCF, the county, or a child welfare agency must adopt a written policy specifying the kinds of reports it will routinely report to local law enforcement authorities. The sheriff or police and DCF, county, or child welfare agency must coordinate in the planning and execution of the investigation of these reports. If the sheriff or police determine that a criminal action is necessary, the case is referred to the District Attorney's Office. The sheriff and police must adopt a written policy specifying the kinds of reports of suspected or threatened abuse involving physical injury, controlled substances, or emotional damage that will be routinely referred to the District Attorney's Office for criminal prosecution.

The bill expands these referral and coordination requirements to include reports of all suspected or threatened abuse of a child and all reports of neglect of a child. The bill requires an agency that receives a report of any suspected abuse or threatened child abuse or neglect to refer that report to the sheriff or police department as soon as practicable, but no later than 12 hours after receiving the report. There is no longer an exception from this time limit for Saturdays, Sundays and legal holidays.

In 2014, the Division of Milwaukee Child Protective Services (DMCPS) received approximately 16,000 reports of abuse or neglect. Of this amount, 7,800 were screened out. Of the 8,200 that were screened-in, approximately 2,000 (24%) were referred to law enforcement. Therefore, the number of referrals to law enforcement in Milwaukee will increase from 2,000 to 16,000 annually, for an increase of 14,000.

Staff costs will increase due to the increase in workload to document the referral within the new timeframe and to get the referral to the law enforcement agency. In addition, costs to child welfare agencies could also be incurred if law enforcement pursues cases that were not previously referred and requests assistance from the child welfare worker on the case to interview the child, provide reports or testify at a hearing. The extent of the additional costs to child welfare agencies depends on how many additional cases law enforcement would pursue.

In the balance of state, CPS reports totaled 58,000. Of these, 37,800 were screened out and 20,200 were screened in. It is unknown how many of the screened in reports were referred to law enforcement; however, if assuming the same percentage of balance of state cases are referred to law enforcement as DMCPS cases, 4,900 cases are already referred. Under the bill, the number of referrals will increase to 58,000 annually, for a projected increase of 53,100 cases.

Under this law change, law enforcement referrals statewide are projected to increase from the current 6,900 to 74,000, an increase of 67,100 cases.

This significant increase in volume of referrals and possible coordination for investigations will have a fiscal effect on counties and on the Department in Milwaukee County. The extent of the increase in funding and/or staff needs depends on the actions taken by law enforcement with this information.

Long-Range Fiscal Implications