

MILWAUKEE COUNTY FISCAL NOTE FORM

DATE: February 16, 2022

Original Fiscal Note

Substitute Fiscal Note

SUBJECT: A resolution mourning the tragedy of the Waukesha Christmas Parade Massacre and calling upon the State of Wisconsin to adopt criminal justice bail reform legislation premised on the bipartisan model developed in the State of New Jersey which denies pre-trial release to people who pose a significant danger to the community while releasing defendants charged with less serious and non-violent offenses

FISCAL EFFECT:

- | | |
|--|--|
| <input checked="" type="checkbox"/> No Direct County Fiscal Impact
<input checked="" type="checkbox"/> Existing Staff Time Required
<input type="checkbox"/> Increase Operating Expenditures
(If checked, check one of two boxes below)
<input type="checkbox"/> Absorbed Within Agency's Budget
<input type="checkbox"/> Not Absorbed Within Agency's Budget
<input type="checkbox"/> Decrease Operating Expenditures
<input type="checkbox"/> Increase Operating Revenues
<input type="checkbox"/> Decrease Operating Revenues | <input type="checkbox"/> Increase Capital Expenditures
<input type="checkbox"/> Decrease Capital Expenditures
<input type="checkbox"/> Increase Capital Revenues
<input type="checkbox"/> Decrease Capital Revenues
<input type="checkbox"/> Use of contingent funds |
|--|--|

Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	\$0	\$0
	Revenue	\$0	\$0
	Net Cost	\$0	\$0
Capital Improvement Budget	Expenditure	\$0	\$0
	Revenue	\$0	\$0
	Net Cost	\$0	\$0

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated. ¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.
- A. Approval of this resolution will memorialize the human suffering caused by an individual who drove through a Christmas parade in the City of Waukesha on November 5, 2021. This resolution would further call on the Wisconsin Governor and Legislature to enact legislation moving away from a cash bail system based on a model implemented in the State of New Jersey. The New Jersey judicial system releases alleged criminals pre-trial based on a risk assessment of fleeing judicial proceedings and the level of potential hazard to public safety. State of New Jersey reports indicate trial appearance rates are comparable to the bail regime in their system and pretrial defendants who commit crimes are few.
- B. There are no direct costs associated with this resolution. Existing staff time would be needed to communicate the contents of the resolution to State policymakers. A New Jersey-style system in Wisconsin may require more funding for pretrial monitoring and speedy judicial proceedings but may reduce incarceration costs. However, this fiscal note does not attempt to calculate those costs as it ultimately requires legislative action from the State of Wisconsin.
- C. No budgetary impacts are expected in this or subsequent years. The resolution would not authorize the expenditure of any additional funds.
- D. No assumptions were made.

Department/Prepared By Ken Smith, Research Services Division, Office of the Comptroller

Authorized Signature

Ken Smith

Did DAS-Fiscal Staff Review?

Yes

No

Did CDBP Review?²

Yes

No

Not Required

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

² Community Business Development Partners' review is required on all professional service and public work construction contracts.