

<p style="text-align: center;">2009 Session</p> <p>FISCAL ESTIMATE DOA-2048 N(R06/99)</p> <p> <input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> UPDATED <input type="checkbox"/> CORRECTED <input type="checkbox"/> SUPPLEMENTAL </p>	<p>Administrative Rule Number DOC 302</p>
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Subject
Probation, Parole or Extended Supervision Revocation Procedures

Fiscal Effect
 State: No State Fiscal Effect
 Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

<input type="checkbox"/> Increase Existing Appropriation	<input type="checkbox"/> Increase 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
<input type="checkbox"/> Decrease Existing Appropriation	<input type="checkbox"/> Decrease Existing Revenues	
<input type="checkbox"/> Create New Appropriation		

Local: No local government costs

1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenues <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	5. Types of Local Governmental Units Affected: <input type="checkbox"/> Towns <input type="checkbox"/> Villages <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others _____ <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts
2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	4. <input type="checkbox"/> Decrease Revenues <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	

Fund Sources Affected <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S	Affected Chapter 20 Appropriations
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Assumptions Used in Arriving at Fiscal Estimate

This rule creates provisions in DOC 302 (ss. DOC 302.33 through 302.41), relating to procedures for determining eligibility for sentence modification and the resulting computations to incorporate changes required by 2009 Wisconsin Act 28.

The Department has authority to promulgate rules governing its procedures concerning positive adjustment time: including earning positive adjustment time at rates of either 1 for 2; or 1 for 3; or 1 for 5.7 depending upon the offense which the inmate was convicted for. The inmate may be eligible for Positive Adjustment Time at the different rates depending upon the offense of which the inmate was convicted.

The Department is promulgating rules on: following the inmate's having served at least 75% or 85% of the confinement time of a bifurcated sentence, depending on the classification of the crime, they may petition the earned release review commission for release to extended supervision.

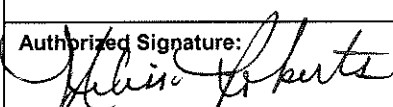
The Department is creating rules related to the challenge incarceration program and the earned release program related to the implementation of those programs and also updates the provisions to reflect the legislative change to allow inmates who do not have alcohol and/or drug abuse treatment needs to participate.

The rule establishes procedures for implementing risk reduction sentences through the development of program plans, monitoring the inmate's progress and participation in the plan, and if plan completion is accomplished, notification of the sentencing court and the office of victim services before the offender is released to extended supervision. The rule sets in place procedures relating to the release of certain inmates to extended supervision within 12 months of their mandatory release date.

Repeals and recreates the process related to inmate requests for review of department decisions concerning custody, institution placement, program needs, or treatment needs.

Although the Department can not project the full impact of the changes at this time, it is assumed that in the short term the currently authorized positions at the Department will be able to absorb the increased workload.

Long-Range Fiscal Implications

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