

## DEPARTMENT OF JUSTICE

### GOVERNOR'S BUDGET RECOMMENDATIONS

Source of Funds	FY05 Adjusted Base	FY06 Recommended	% Change Over FY05	FY07 Recommended	% Change Over FY06
GPR	33,962,000	34,573,800	1.8	34,899,200	0.9
PR-F	7,715,700	7,948,300	3.0	7,948,300	0.0
PR-O	21,845,300	22,435,500	2.7	23,464,100	4.6
PR-S	13,311,300	12,601,700	-5.3	12,448,700	-1.2
SEG-O	316,400	1,334,400	321.7	1,335,100	0.1
<b>TOTAL</b>	<b>77,150,700</b>	<b>78,893,700</b>	<b>2.3</b>	<b>80,095,400</b>	<b>1.5</b>

### FULL-TIME EQUIVALENT POSITION SUMMARY

Source of Funds	FY05 Adjusted Base	FY06 Recommended	FTE Change From FY05	FY07 Recommended	FTE Change From FY06
GPR	341.53	348.96	7.43	339.71	-9.25
PR-F	27.25	26.65	-0.60	26.65	0.00
PR-O	80.75	84.92	4.17	84.92	0.00
PR-S	97.90	100.90	3.00	100.90	0.00
SEG-O	2.75	5.75	3.00	5.75	0.00
<b>TOTAL</b>	<b>550.18</b>	<b>567.18</b>	<b>17.00</b>	<b>557.93</b>	<b>-9.25</b>

### AGENCY DESCRIPTION

The department is headed by the Attorney General, an elected constitutional officer. The department provides legal, criminal investigatory and other law enforcement services for the state, as well as services to the victims of crimes.

The Division of Legal Services represents the interests of the state in court, advises state officers and agencies regarding their legal rights and responsibilities, and represents them in court. The division advises county district attorneys and corporation counsel on matters within the jurisdiction of their offices. The division also participates in the preparation of legal opinions requested of the Attorney General.

The Division of Law Enforcement Services analyzes forensic physical evidence for state and local law enforcement agencies. The division includes the state repository for fingerprint identification and criminal history record information and operates a 24-hours-a-day, seven-days-a-week statewide computerized telecommunications system linking law enforcement agencies. The division also administers recruitment and training standards, which apply to all Wisconsin law enforcement officers, and provides training at advanced levels.

The Division of Criminal Investigation investigates crime that is statewide in nature or importance. The division enforces laws pertaining to gambling, prostitution, narcotics violations and white collar crime; investigates fires of unknown or suspect incendiary origin; and assists local law enforcement in the investigation of crimes against persons and property. The division includes the Public Integrity Bureau, which investigates alleged violations of state statutes when committed by public employees acting in their official capacity, and the Investigative Services Bureau, which provides assistance to local law enforcement

investigating Internet crimes against children and maintains the Wisconsin Clearinghouse for Missing and Exploited Children.

The Division of Management Services is responsible for operational support, which includes policy analysis, budget, information technology, and fiscal and human resource services.

The Office of Crime Victim Services helps victims exercise their rights and access services and provides financial assistance to victims and to the programs that serve them. In addition, the office advocates for public policy and resources to enhance and expand victims' rights and services; informs the public, professionals and policymakers about crime victim issues; and educates, trains and provides technical assistance to professionals assisting victims of crime.

**DEPARTMENT OF JUSTICE****GOVERNOR'S BUDGET RECOMMENDATIONS****RECOMMENDATIONS**

1. DNA Analyst Positions
2. Illegal Drug Laboratory Response
3. Administrative Support of the District Attorney Program
4. Consumer Protection Transfer
5. Civil Rights
6. TIME System Upgrades
7. Tribal Law Enforcement Grant Programs
8. Automated Fingerprint Identification System Maintenance
9. Handgun Hotline Deficit Reduction
10. Budget Efficiency Measures
11. Streamlining Administrative Services
12. Attorney Consolidation
13. Program and Segregated Revenue Transfers
14. Penalty Surcharge Reestimate
15. Expert Witness Funding
16. Reimbursements to Counties for Victim-Witness Services
17. Standard Budget Adjustments

**ITEMS NOT APPROVED**

18. Gaming Enforcement Positions
19. LTE Funding for Cold Case Investigations
20. Consumer Protection Positions and Appropriation
21. Information Systems Development Position

**Table 1**  
**Department Budget Summary by Funding Source (in thousands of dollars)**

	ACTUAL FY04	ADJUSTED	AGENCY REQUEST		GOVERNOR'S RECOMMENDATION	
		BASE FY05	FY06	FY07	FY06	FY07
<b>GENERAL PURPOSE REVENUE</b>	\$34,414.8	\$33,962.0	\$36,102.8	\$35,942.2	\$34,573.8	\$34,899.2
State Operations	31,734.6	31,281.8	33,422.6	33,262.0	31,893.6	32,219.0
Local Assistance	1,422.2	1,422.2	1,422.2	1,422.2	1,422.2	1,422.2
Aids to Ind. & Org.	1,258.0	1,258.0	1,258.0	1,258.0	1,258.0	1,258.0
<b>FEDERAL REVENUE (1)</b>	12,392.4	7,715.7	7,980.4	7,980.4	7,948.3	7,948.3
State Operations	4,802.8	2,938.2	3,197.5	3,197.5	3,165.4	3,165.4
Local Assistance	6,681.2	4,133.6	4,139.0	4,139.0	4,139.0	4,139.0
Aids to Ind. & Org.	908.4	643.9	643.9	643.9	643.9	643.9
<b>PROGRAM REVENUE (2)</b>	34,623.3	35,156.6	38,003.4	37,561.2	35,037.2	35,912.8
State Operations	24,026.9	23,281.3	25,017.0	24,174.8	24,076.4	24,312.0
Local Assistance	10,107.6	11,386.5	12,497.6	12,897.6	10,472.0	11,112.0
Aids to Ind. & Org.	488.8	488.8	488.8	488.8	488.8	488.8
<b>SEGREGATED REVENUE (3)</b>	298.8	316.4	324.5	325.2	1,334.4	1,335.1
State Operations	298.8	316.4	324.5	325.2	1,334.4	1,335.1
<b>TOTALS-ANNUAL</b>	81,729.3	77,150.7	82,411.1	81,809.0	78,893.7	80,095.4
State Operations	60,863.1	57,817.7	61,961.6	60,959.5	60,469.8	61,031.5
Local Assistance	18,211.0	16,942.3	18,058.8	18,458.8	16,033.2	16,673.2
Aids to Ind. & Org.	2,655.2	2,390.7	2,390.7	2,390.7	2,390.7	2,390.7

(1) Includes Program Revenue-Federal and Segregated Revenue-Federal

(2) Includes Program Revenue-Service and Program Revenue-Other

(3) Includes Segregated Revenue-Service, Segregated Revenue-Other and Segregated Revenue-Local

**Table 2**  
**Department Position Summary by Funding Source (in FTE positions) (4)**

	ADJUSTED	AGENCY REQUEST		GOVERNOR'S RECOMMENDATION	
	BASE FY05	FY06	FY07	FY06	FY07
<b>GENERAL PURPOSE REVENUE</b>	341.53	355.53	355.53	348.96	339.71
<b>FEDERAL REVENUE (1)</b>	27.25	27.25	27.25	26.65	26.65
State Operations	22.75	22.75	22.75	22.15	22.15
Local Assistance	4.50	4.50	4.50	4.50	4.50
<b>PROGRAM REVENUE (2)</b>	178.65	184.65	184.65	185.82	185.82
State Operations	178.15	184.15	184.15	185.32	185.32
Local Assistance	0.50	0.50	0.50	0.50	0.50
<b>SEGREGATED REVENUE (3)</b>	2.75	2.75	2.75	5.75	5.75
<b>TOTALS-ANNUAL</b>	550.18	570.18	570.18	567.18	557.93
State Operations	545.18	565.18	565.18	562.18	552.93
Local Assistance	5.00	5.00	5.00	5.00	5.00

(1) Includes Program Revenue-Federal and Segregated Revenue-Federal

(2) Includes Program Revenue-Service and Program Revenue-Other

(3) Includes Segregated Revenue-Service, Segregated Revenue-Other and Segregated Revenue-Local

(4) All positions are State Operations unless otherwise specified

**Table 3**  
**Department Budget Summary by Program (in thousands of dollars)**

	ACTUAL FY04	ADJUSTED BASE FY05	AGENCY REQUEST		GOVERNOR'S RECOMMENDATION	
			FY06	FY07	FY06	FY07
1. Legal and regulatory services	\$17,984.3	\$16,180.1	\$17,092.7	\$17,246.5	\$18,311.4	\$18,803.5
2. Law enforcement services	41,112.5	41,061.8	44,261.6	43,105.7	41,143.6	41,213.2
3. Administrative services	5,027.6	4,543.2	4,864.6	4,864.6	4,476.9	4,476.9
5. Victims and witnesses	17,604.9	15,365.6	16,192.2	16,592.2	14,961.8	15,601.8
TOTALS	81,729.3	77,150.7	82,411.1	81,809.0	78,893.7	80,095.4

**Table 4**  
**Department Position Summary by Program (in FTE positions)**

	ADJUSTED BASE FY05	AGENCY REQUEST		GOVERNOR'S RECOMMENDATION	
		FY06	FY07	FY06	FY07
1. Legal and regulatory services	157.85	168.85	168.85	187.35	187.35
2. Law enforcement services	320.33	329.33	329.33	315.33	315.33
3. Administrative services	49.00	49.00	49.00	42.00	32.75
5. Victims and witnesses	23.00	23.00	23.00	22.50	22.50
TOTALS	550.18	570.18	570.18	567.18	557.93

**1. DNA Analyst Positions**

Source of Funds	Agency Request				Governor's Recommendation			
	FY06		FY07		FY06		FY07	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	188,100	4.00	205,500	4.00	0	0.00	0	0.00
PR-S	0	0.00	0	0.00	188,100	4.00	205,500	4.00
<b>TOTAL</b>	<b>188,100</b>	<b>4.00</b>	<b>205,500</b>	<b>4.00</b>	<b>188,100</b>	<b>4.00</b>	<b>205,500</b>	<b>4.00</b>

The Governor recommends providing 2.0 FTE DNA analyst positions for the Milwaukee state crime laboratory and 2.0 FTE DNA analyst positions for the Madison state crime laboratory. The Governor further recommends increasing the crime laboratories and drug law enforcement surcharge from \$7 to \$8 and transferring any unencumbered balances at the end of each fiscal year from the appropriations under s. 20.455(2)(Lm) and (kd) to the general fund. See Item #2.

**2. Illegal Drug Laboratory Response**

Source of Funds	Agency Request				Governor's Recommendation			
	FY06		FY07		FY06		FY07	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	303,700	0.00	0	0.00	0	0.00	0	0.00
PR-S	0	0.00	0	0.00	196,300	0.00	20,600	0.00
<b>TOTAL</b>	<b>303,700</b>	<b>0.00</b>	<b>0</b>	<b>0.00</b>	<b>196,300</b>	<b>0.00</b>	<b>20,600</b>	<b>0.00</b>

The Governor recommends providing \$97,300 in FY06 and \$20,600 in FY07 to train and equip City of Milwaukee police officers and Division of Criminal Investigation agents to process illegal drug laboratories and acquire six sets of air monitoring equipment through master lease financing. The Governor further recommends providing \$99,000 in FY06 for the Drug Endangered Children program. These recommendations would be funded with the crime laboratories and drug law enforcement surcharge. See Item #1.

**3. Administrative Support of the District Attorney Program**

The Governor recommends attaching the District Attorney program to the department for administrative purposes. See District Attorneys, Item #1.

**4. Consumer Protection Transfer**

Source of Funds	Agency Request				Governor's Recommendation			
	FY06		FY07		FY06		FY07	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	0	0.00	0	0.00	1,354,600	28.00	1,806,200	28.00
PR-O	0	0.00	0	0.00	675,200	6.50	841,900	6.50
TOTAL	0	0.00	0	0.00	2,029,800	34.50	2,648,100	34.50

The Governor recommends consolidating consumer protection regulation in the department to enhance coordination and efficiency. The Governor further recommends increasing position and expenditure authority in the department to reflect the transfer. The department would be given regulatory authority over consumer issues including fraudulent representations, product safety and the telemarketing do-no-call list. The authority to bring court actions involving the transferred issues would be given to the department and, in some cases, district attorneys. See Department of Agriculture, Trade and Consumer Protection, Item #4.

**5. Civil Rights**

Source of Funds	Agency Request				Governor's Recommendation			
	FY06		FY07		FY06		FY07	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	249,500	6.00	332,600	6.00	0	0.00	0	0.00
TOTAL	249,500	6.00	332,600	6.00	0	0.00	0	0.00

The Governor recommends authorizing the Attorney General to bring an action against any person who interferes with the civil rights of any individual.

**6. TIME System Upgrades**

Source of Funds	Agency Request				Governor's Recommendation			
	FY06		FY07		FY06		FY07	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	0	0.00	0	0.00	-1,009,900	-3.00	-1,009,900	-3.00
PR-O	985,000	0.00	0	0.00	112,500	0.00	225,100	0.00
SEG-O	0	0.00	0	0.00	1,009,900	3.00	1,009,900	3.00
TOTAL	985,000	0.00	0	0.00	112,500	0.00	225,100	0.00

The Governor recommends providing funding for upgrades to the TIME system acquired with master lease financing. The Governor also recommends converting funding for the TIME system from GPR to transportation fund SEG.

### 7. Tribal Law Enforcement Grant Programs

Source of Funds	Agency Request				Governor's Recommendation			
	FY06		FY07		FY06		FY07	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
PR-S	350,000	0.00	350,000	0.00	-787,600	-1.00	-787,600	-1.00
TOTAL	350,000	0.00	350,000	0.00	-787,600	-1.00	-787,600	-1.00

The Governor recommends consolidating the department's cooperative county-tribal law enforcement grant program for counties bordering Indian reservations into the Office of Justice Assistance. See Department of Administration, Item #9 and Item #17.

### 8. Automated Fingerprint Identification System Maintenance

Source of Funds	Agency Request				Governor's Recommendation			
	FY06		FY07		FY06		FY07	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
PR-O	0	0.00	100,000	0.00	0	0.00	100,000	0.00
TOTAL	0	0.00	100,000	0.00	0	0.00	100,000	0.00

The Governor recommends providing funding to support expected maintenance costs of the Automated Fingerprint Identification System.

### 9. Handgun Hotline Deficit Reduction

The Governor recommends transferring \$647,400 from the TIME system terminal charges appropriation to the handgun hotline appropriation to address a deficit in that account.

### 10. Budget Efficiency Measures

Source of Funds	Agency Request				Governor's Recommendation			
	FY06		FY07		FY06		FY07	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	0	0.00	0	0.00	-779,900	-15.57	-779,900	-15.57
PR-F	0	0.00	0	0.00	-32,100	-0.60	-32,100	-0.60
PR-O	0	0.00	0	0.00	-88,200	-2.33	-88,200	-2.33
TOTAL	0	0.00	0	0.00	-900,200	-18.50	-900,200	-18.50

The Governor recommends reducing expenditure and position authority in the department's state operations appropriations in the amounts shown to create additional operational efficiencies and balance the budget by: (a) eliminating 3.0 FTE administrative positions in the Division of Legal Services; (b) eliminating 2.0 FTE administrative positions in the Division of Law Enforcement Services; (c) eliminating 3.0 FTE administrative positions in the Division of Administrative Services; and (d) eliminating 10.5 FTE vacant administrative positions throughout the department.

**11. Streamlining Administrative Services**

Source of Funds	Agency Request				Governor's Recommendation			
	FY06		FY07		FY06		FY07	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	0	0.00	0	0.00	0	0.00	0	-9.25
TOTAL	0	0.00	0	0.00	0	0.00	0	-9.25

The Governor recommends consolidating server and network support, certain procurement and purchasing functions, and human resources and payroll benefit services in the Department of Administration beginning in FY07 to create administrative efficiencies. To achieve this, the Governor recommends reducing the department's position authority by: (a) 9.25 FTE positions related to server and network consolidation. The Governor further recommends retaining the funding associated with these positions in the department to cover chargebacks for these services from the Department of Administration. See Department of Administration, Item #1.

**12. Attorney Consolidation**

Source of Funds	Agency Request				Governor's Recommendation			
	FY06		FY07		FY06		FY07	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	0	0.00	0	0.00	-126,200	-2.00	-252,400	-2.00
TOTAL	0	0.00	0	0.00	-126,200	-2.00	-252,400	-2.00

The Governor recommends improving the provision of state legal services by consolidating attorneys under the secretary of the Department of Administration on January 1, 2006. The Department of Administration secretary will determine the assignment of attorneys to individual agencies. To achieve this, the Governor recommends transferring 2.0 FTE positions related to tax litigation to the Department of Administration. The Governor further recommends transferring GPR expenditure authority associated with these positions to the Department of Revenue to purchase legal services from the Department of Administration. See Department of Administration, Item #3, and Department of Revenue, Item #12.

**13. Program and Segregated Revenue Transfers**

The Governor recommends transferring balances to the general fund from the following appropriations: (a) \$32,800 PR in each year from s. 20.455(2)(gm); (b) \$35,400 PR in each year from s. 20.455(2)(h); and (c) \$20,000 PR in each year from s. 20.455(2)(ja).

**14. Penalty Surcharge Reestimate**

Source of Funds	Agency Request				Governor's Recommendation			
	FY06		FY07		FY06		FY07	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
PR-O	0	0.00	0	0.00	-277,000	0.00	-277,000	0.00
PR-S	0	0.00	0	0.00	-48,300	0.00	-48,500	0.00
TOTAL	0	0.00	0	0.00	-325,300	0.00	-325,500	0.00

The Governor recommends adjusting the distribution of revenue from the penalty surcharge to reflect current projections. The adjustments include: (a) increasing the penalty surcharge from 24 percent of fines and forfeitures to 25 percent; (b) increasing the department's share of total penalty surcharge revenue from 48 percent to 49.5 percent; and (c) implementing across-the-board reductions. See Department of Administration, Item #8.

**15. Expert Witness Funding**

Source of Funds	Agency Request				Governor's Recommendation			
	FY06		FY07		FY06		FY07	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	0	0.00	0	0.00	-46,500	0.00	-46,500	0.00
TOTAL	0	0.00	0	0.00	-46,500	0.00	-46,500	0.00

The Governor recommends transferring funding for expert witness services related to tax litigation from the department to the Department of Revenue. See Department of Revenue, Item #5.

**16. Reimbursements to Counties for Victim-Witness Services**

Source of Funds	Agency Request				Governor's Recommendation			
	FY06		FY07		FY06		FY07	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
PR-O	400,000	0.00	800,000	0.00	0	0.00	640,000	0.00
PR-S	384,500	0.00	384,500	0.00	-429,500	0.00	-429,500	0.00
TOTAL	784,500	0.00	1,184,500	0.00	-429,500	0.00	210,500	0.00

The Governor recommends adjusting the distribution of federal Byrne antidrug funds and matching monies administered by the Office of Justice Assistance to reflect a 48 percent cut in that program at the federal level (see Department of Administration, Item #7). The Governor further recommends increasing the Part A victim-witness surcharge of \$30 per misdemeanor and \$50 per felony to \$40 and \$65, respectively, to help maintain reimbursements to counties for providing services to witnesses and victims of crime.

## 17. Standard Budget Adjustments

Source of Funds	Agency Request				Governor's Recommendation			
	FY06		FY07		FY06		FY07	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	1,219,700	0.00	1,219,700	0.00	1,219,700	0.00	1,219,700	0.00
PR-F	264,700	0.00	264,700	0.00	264,700	0.00	264,700	0.00
PR-O	167,700	0.00	177,000	0.00	167,700	0.00	177,000	0.00
PR-S	171,400	0.00	176,900	0.00	171,400	0.00	176,900	0.00
SEG-O	8,100	0.00	8,800	0.00	8,100	0.00	8,800	0.00
TOTAL	1,831,600	0.00	1,847,100	0.00	1,831,600	0.00	1,847,100	0.00

The Governor recommends adjusting the department's base budget for: (a) turnover reduction (-\$561,000 in each year); (b) full funding of continuing position salaries and fringe benefits (\$1,260,600 in each year); (c) reclassifications and semiautomatic pay progression (\$35,700 in FY06 and \$51,200 in FY07); (d) overtime (\$731,200 in each year); (e) night and weekend differential pay (\$12,500 in each year); (f) full funding of lease and directed moves costs (\$352,600 in each year); and (g) minor transfers within the same alpha appropriation.

## ITEMS NOT APPROVED

The following requests are not included in the Governor's budget recommendations for the Department of Justice.

Decision Item	Source of Funds	FY06		FY07	
		Dollars	Positions	Dollars	Positions
18. Gaming Enforcement Positions	PR-O	303,700	4.00	303,600	4.00
19. LTE Funding for Cold Case Investigations	GPR	52,100	0.00	52,100	0.00
20. Consumer Protection Positions and Appropriation	GPR	127,700	3.00	170,300	3.00
	PR-O	84,500	2.00	112,600	2.00
21. Information Systems Development Position	GPR	0	1.00	0	1.00
TOTAL OF ITEMS NOT APPROVED	GPR	179,800	4.00	222,400	4.00
	PR-O	388,200	6.00	416,200	6.00