

## DEPARTMENT OF JUSTICE

### GOVERNOR'S BUDGET RECOMMENDATIONS

Source of Funds	FY07 Adjusted Base	FY08 Recommended	% Change Over FY07	FY09 Recommended	% Change Over FY08
GPR	34,775,000	38,025,700	9.3	39,352,300	3.5
PR-F	7,984,300	8,072,600	1.1	8,252,600	2.2
PR-O	22,057,800	24,457,100	10.9	23,913,600	-2.2
PR-S	16,767,600	17,765,300	6.0	17,988,100	1.3
SEG-O	336,200	348,000	3.5	348,000	0.0
<b>TOTAL</b>	<b>81,920,900</b>	<b>88,668,700</b>	<b>8.2</b>	<b>89,854,600</b>	<b>1.3</b>

### FULL-TIME EQUIVALENT POSITION SUMMARY

Source of Funds	FY07 Adjusted Base	FY08 Recommended	FTE Change From FY07	FY09 Recommended	FTE Change From FY08
GPR	324.08	333.58	9.50	344.58	11.00
PR-F	30.85	30.85	0.00	30.85	0.00
PR-O	80.41	77.91	-2.50	71.91	-6.00
PR-S	102.90	111.90	9.00	111.90	0.00
SEG-O	2.75	2.75	0.00	2.75	0.00
<b>TOTAL</b>	<b>540.99</b>	<b>556.99</b>	<b>16.00</b>	<b>561.99</b>	<b>5.00</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 and Adults.

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 Analysis Resources
2. Internet Crimes Against Children
3. Wisconsin Statewide Intelligence Center
4. Reimbursing Counties for Victim Services
5. Crime Victim Program Funding
6. Sexual Assault Forensic Examination Program
7. Sex Predator Resources
8. Enforcement of Constitutional Rights
9. Criminal Justice Program Support
10. Public Intervenor
11. TIME System Upgrade
12. Information Technology Contractor Reduction
13. Executive Assistant Position
14. Medicaid Fraud False Claims
15. Reallocate 2005 Wisconsin Act 25 Base Cuts
16. Repeal Department Appropriations
17. Standard Budget Adjustments

**ITEMS NOT APPROVED**

18. Public Integrity Unit
19. Clearinghouse for Missing and Exploited Persons
20. Enhance County/Tribal Law Enforcement Program
21. Victim Resource Center Victims of Crime Act Grant
22. Restore Penalty Surcharge Cuts

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

	ACTUAL FY06	ADJUSTED BASE FY07	AGENCY REQUEST		GOVERNOR'S RECOMMENDATION	
			FY08	FY09	FY08	FY09
GENERAL PURPOSE REVENUE	\$34,644.6	\$34,775.0	\$39,255.3	\$40,102.5	\$38,025.7	\$39,352.3
State Operations	31,464.4	32,094.8	35,575.1	36,422.3	35,345.5	36,672.1
Local Assistance	1,922.2	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	2,258.0	2,258.0	1,258.0	1,258.0
FEDERAL REVENUE (1)	13,140.6	7,984.3	8,120.0	8,127.5	8,072.6	8,252.6
State Operations	5,272.5	3,246.9	3,373.3	3,380.8	3,325.9	3,325.9
Local Assistance	6,852.2	4,093.5	4,102.8	4,102.8	4,102.8	4,102.8
Aids to Ind. & Org.	1,015.9	643.9	643.9	643.9	643.9	823.9
PROGRAM REVENUE (2)	39,894.1	38,825.4	43,226.5	42,683.6	42,222.4	41,901.7
State Operations	27,066.6	24,918.3	27,049.8	26,506.9	26,642.0	26,234.6
Local Assistance	12,338.7	13,418.3	15,387.9	15,387.9	14,791.6	14,878.3
Aids to Ind. & Org.	488.8	488.8	788.8	788.8	788.8	788.8
SEGREGATED REVENUE (3)	325.0	336.2	348.2	348.2	348.0	348.0
State Operations	325.0	336.2	348.2	348.2	348.0	348.0
TOTALS-ANNUAL	88,004.3	81,920.9	90,950.0	91,261.8	88,668.7	89,854.6
State Operations	64,128.5	60,596.2	66,346.4	66,658.2	65,661.4	66,580.6
Local Assistance	21,113.1	18,934.0	20,912.9	20,912.9	20,316.6	20,403.3
Aids to Ind. & Org.	2,762.7	2,390.7	3,690.7	3,690.7	2,690.7	2,870.7

(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 BASE FY07	AGENCY REQUEST		GOVERNOR'S RECOMMENDATION	
		FY08	FY09	FY08	FY09
GENERAL PURPOSE REVENUE	324.08	338.83	344.83	333.58	344.58
FEDERAL REVENUE (1)	30.85	31.60	31.60	30.85	30.85
State Operations	26.85	27.60	27.60	26.85	26.85
Local Assistance	4.00	4.00	4.00	4.00	4.00
PROGRAM REVENUE (2)	183.31	189.81	183.81	189.81	183.81
State Operations	182.81	189.81	183.81	189.81	183.81
Local Assistance	0.50				
SEGREGATED REVENUE (3)	2.75	2.75	2.75	2.75	2.75
TOTALS-ANNUAL	540.99	562.99	562.99	556.99	561.99
State Operations	536.49	558.99	558.99	552.99	557.99
Local Assistance	4.50	4.00	4.00	4.00	4.00

(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 FY06	ADJUSTED BASE FY07	AGENCY REQUEST		GOVERNOR'S RECOMMENDATION	
			FY08	FY09	FY08	FY09
1. Legal services	\$16,070.5	\$16,761.1	\$17,728.8	\$17,752.3	\$17,621.3	\$17,631.2
2. Law enforcement services	46,919.1	45,332.9	50,108.8	50,379.1	49,023.9	49,975.6
3. Administrative services	6,952.8	4,800.2	5,122.0	5,122.0	5,122.0	5,122.0
5. Victims and witnesses	18,061.9	15,026.7	17,990.4	18,008.4	16,901.5	17,125.8
<b>TOTALS</b>	<b>88,004.3</b>	<b>81,920.9</b>	<b>90,950.0</b>	<b>91,261.8</b>	<b>88,668.7</b>	<b>89,854.6</b>

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

	ADJUSTED BASE FY07	AGENCY REQUEST		GOVERNOR'S RECOMMENDATION	
		FY08	FY09	FY08	FY09
1. Legal services	148.90	151.90	151.90	149.90	149.90
2. Law enforcement services	323.99	343.49	343.49	338.49	343.49
3. Administrative services	46.10	46.10	46.10	47.10	47.10
5. Victims and witnesses	22.00	21.50	21.50	21.50	21.50
<b>TOTALS</b>	<b>540.99</b>	<b>562.99</b>	<b>562.99</b>	<b>556.99</b>	<b>561.99</b>

(4) All positions are State Operations unless otherwise specified

### 1. DNA Analysis Resources

Source of Funds	Agency Request				Governor's Recommendation			
	FY08		FY09		FY08		FY09	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	533,500	9.00	1,224,000	15.00	1,020,400	9.00	1,884,700	15.00
PR-O	704,900	6.00	140,000	0.00	704,900	6.00	140,000	0.00
TOTAL	1,238,400	15.00	1,364,000	15.00	1,725,300	15.00	2,024,700	15.00

The Governor recommends increasing funding and position authority to address increasing DNA caseloads at the state crime laboratories. As the department continues to see accelerated case growth in DNA analysis requests, additional staff resources are needed to provide local law enforcement with efficient service. The Governor further recommends funding additional instrumentation needs with master lease financing and authorizing the Legislative Audit Bureau to conduct a study on management processes in the crime laboratories related to DNA testing, including testing priorities and screening of samples.

### 2. Internet Crimes Against Children

Source of Funds	Agency Request				Governor's Recommendation			
	FY08		FY09		FY08		FY09	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	0	0.00	0	0.00	350,000	3.00	350,000	3.00
TOTAL	0	0.00	0	0.00	350,000	3.00	350,000	3.00

The Governor recommends increasing funding and position authority for the Internet Crimes Against Children Task Force, which investigates persons who use the Internet to prey on children. Along with new special agent positions, funding is provided to recruit retired law enforcement officers to assist the task force in investigating and finding on-line predators, allowing the agents to spend more time in the field.

### 3. Wisconsin Statewide Intelligence Center

Source of Funds	Agency Request				Governor's Recommendation			
	FY08		FY09		FY08		FY09	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	482,600	7.00	552,900	7.00	0	0.00	452,400	5.00
TOTAL	482,600	7.00	552,900	7.00	0	0.00	452,400	5.00

The Governor recommends increasing funding and position authority to provide state support to the newly created Wisconsin Statewide Intelligence Center. The federal government is requiring all states to establish intelligence centers and Wisconsin's center began in March 2006. Positions and funding for FY08 will be supported by a federal grant through the Office of Justice Assistance.

#### 4. Reimbursing Counties for Victim Services

Source of Funds	Agency Request				Governor's Recommendation			
	FY08		FY09		FY08		FY09	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
PR-O	1,460,000	0.00	1,460,000	0.00	1,460,000	0.00	1,460,000	0.00
TOTAL	1,460,000	0.00	1,460,000	0.00	1,460,000	0.00	1,460,000	0.00

The Governor recommends increasing reimbursements to counties for providing victim and witness services. Revenues increased as a result of a surcharge increase in the prior biennial budget and the department projects additional revenues through an expansion of the surcharge to cover cases that are charged as criminal offenses, but through plea negotiations are pleaded down to civil forfeiture offenses.

#### 5. Crime Victim Program Funding

Source of Funds	Agency Request				Governor's Recommendation			
	FY08		FY09		FY08		FY09	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	1,000,000	0.00	1,000,000	0.00	0	0.00	0	0.00
PR-F	0	0.00	0	0.00	0	0.00	180,000	0.00
PR-O	300,000	0.00	300,000	0.00	300,000	0.00	300,000	0.00
TOTAL	1,300,000	0.00	1,300,000	0.00	300,000	0.00	480,000	0.00

The Governor recommends increasing funding to allow for additional payments made through the victim compensation program. The Governor further recommends that all victim restitution be deposited to the department instead of the general fund, which will also increase the department's reimbursement from the federal government in FY09 and future years.

#### 6. Sexual Assault Forensic Examination Program

Source of Funds	Agency Request				Governor's Recommendation			
	FY08		FY09		FY08		FY09	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	0	0.00	0	0.00	37,500	0.00	37,500	0.00
PR-S	0	0.00	0	0.00	-37,500	0.00	-37,500	0.00
TOTAL	0	0.00	0	0.00	0	0.00	0	0.00

The Governor recommends creating a sexual assault forensic examination program under the department and enumerated in the statutes under Chapter 949. The program reimburses health care providers who provide forensic examinations in sexual assault cases. The Governor further recommends converting existing funding for these activities from program revenue to GPR.

### 7. Sex Predator Resources

Source of Funds	Agency Request				Governor's Recommendation			
	FY08		FY09		FY08		FY09	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	63,200	1.00	73,100	1.00	63,200	1.00	73,100	1.00
TOTAL	63,200	1.00	73,100	1.00	63,200	1.00	73,100	1.00

The Governor recommends increasing funding and position authority to address increasing caseloads related to Chapter 980 proceedings. Work load is increasing both for initial commitments and post-commitment proceedings involving discharge and supervised release.

### 8. Enforcement of Constitutional Rights

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

### 9. Criminal Justice Program Support

Source of Funds	Agency Request				Governor's Recommendation			
	FY08		FY09		FY08		FY09	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
PR-O	0	0.00	0	0.00	-474,600	-8.00	-456,400	-8.00
PR-S	0	0.00	0	0.00	234,400	8.00	456,400	8.00
TOTAL	0	0.00	0	0.00	-240,200	0.00	0	0.00

The Governor recommends creating a criminal justice program support fund to combine revenues from the penalty surcharge and handgun hotline fees. The Governor further recommends adjusting the distribution of revenue from this fund to reflect current projections. The adjustments include: (a) increasing the penalty surcharge from 26 percent of fines and forfeitures to 27 percent; (b) increasing the handgun hotline fee from \$8 to \$30 per record check; (c) implementing one-time across-the-board reductions in FY08 to penalty surcharge recipients, with the exception of the law enforcement training fund; and (d) eliminating the grant program to reimburse equipment purchases used for custodial interrogations.

### 10. Public Intervenor

The Governor recommends restoring the authority of the Attorney General to appoint an assistant attorney general as the public intervenor to formally intervene when necessary for the protection of public rights in natural resource cases.



**11. TIME System Upgrade**

Source of Funds	Agency Request				Governor's Recommendation			
	FY08		FY09		FY08		FY09	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	510,000	0.00	575,000	0.00	0	0.00	0	0.00
TOTAL	510,000	0.00	575,000	0.00	0	0.00	0	0.00

The Governor recommends using existing balances in program revenue appropriations to fund master lease payments for upgrades to the TIME system.

**12. Information Technology Contractor Reduction**

Source of Funds	Agency Request				Governor's Recommendation			
	FY08		FY09		FY08		FY09	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
PR-S	-50,000	1.00	-50,000	1.00	-50,000	1.00	-50,000	1.00
TOTAL	-50,000	1.00	-50,000	1.00	-50,000	1.00	-50,000	1.00

The Governor recommends decreasing funding and increasing position authority to convert contractor work to a state position in order to generate savings for the state.

**13. Executive Assistant Position**

Source of Funds	Agency Request				Governor's Recommendation			
	FY08		FY09		FY08		FY09	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	0	0.00	0	0.00	0	1.00	0	1.00
TOTAL	0	0.00	0	0.00	0	1.00	0	1.00

The Governor recommends increasing position authority to enable the department to restore the executive assistant to the Attorney General position.

**14. Medicaid Fraud False Claims**

Source of Funds	Agency Request				Governor's Recommendation			
	FY08		FY09		FY08		FY09	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	15,800	0.25	18,300	0.25	0	0.00	0	0.00
PR-F	47,400	0.75	54,900	0.75	0	0.00	0	0.00
TOTAL	63,200	1.00	73,200	1.00	0	0.00	0	0.00

The Governor recommends including statutory modifications that will increase the amount of Medicaid fraud recoveries retained by the state as allowed by the federal Deficit Reduction Act of 2005. See Department of Health and Family Services, Item #48.

**15. Reallocate 2005 Wisconsin Act 25 Base Cuts**

The Governor recommends reallocating the base cut to the department's general program operations appropriation included in 2005 Wisconsin Act 25.

**16. Repeal Department Appropriations**

The Governor recommends repealing four appropriations that are no longer utilized.

**17. Standard Budget Adjustments**

Source of Funds	Agency Request				Governor's Recommendation			
	FY08		FY09		FY08		FY09	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	1,781,800	-4.50	1,781,800	-4.50	1,779,600	-4.50	1,779,600	-4.50
PR-F	88,300	0.00	88,300	0.00	88,300	0.00	88,300	0.00
PR-O	409,500	-0.50	412,700	-0.50	409,000	-0.50	412,200	-0.50
PR-S	856,600	0.00	857,400	0.00	850,800	0.00	851,600	0.00
SEG-O	12,000	0.00	12,000	0.00	11,800	0.00	11,800	0.00
TOTAL	3,148,200	-5.00	3,152,200	-5.00	3,139,500	-5.00	3,143,500	-5.00

The Governor recommends adjusting the department's base budget for: (a) turnover reduction (-\$587,200 in each year); (b) removal of noncontinuing elements from the base (-\$20,600 and -5.0 FTE positions in each year); (c) full funding of continuing position salaries and fringe benefits (\$2,961,800 in each year); (d) reclassifications and semiautomatic pay progression (\$42,600 in FY08 and \$46,600 in FY09); (e) overtime (\$722,500 in each year); (f) night and weekend differential pay (\$12,500 in each year); (g) full funding of lease and directed moves costs (\$7,900 in each year); and (j) 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	FY08		FY09	
		Dollars	Positions	Dollars	Positions
18. Public Integrity Unit	GPR	44,300	1.00	47,900	1.00
19. Clearinghouse for Missing and Exploited Persons	GPR	49,100	1.00	54,500	1.00
20. Enhance County/Tribal Law Enforcement Program	PR-S	350,000	0.00	350,000	0.00
21. Victim Resource Center Victims of Crime Act Grant	PR-S	44,600	0.00	62,600	0.00
22. Restore Penalty Surcharge Cuts	PR-O	277,000	0.00	277,000	0.00
	PR-S	48,500	0.00	48,500	0.00
TOTAL OF ITEMS NOT APPROVED	GPR	93,400	2.00	102,400	2.00
	PR-O	277,000	0.00	277,000	0.00
	PR-S	443,100	0.00	461,100	0.00