

## DEPARTMENT OF JUSTICE

### GOVERNOR'S BUDGET RECOMMENDATIONS

Source of Funds	FY19 Adjusted Base	FY20 Recommended	% Change Over FY19	FY21 Recommended	% Change Over FY20
GPR	59,585,200	66,280,300	11.2	66,473,300	0.3
PR-F	23,288,500	24,250,800	4.1	23,601,200	-2.7
PR-O	17,563,000	17,718,000	0.9	17,467,600	-1.4
PR-S	37,493,400	38,956,500	3.9	39,247,900	0.7
SEG-O	361,900	433,600	19.8	434,100	0.1
TOTAL	138,292,000	147,639,200	6.8	147,224,100	-0.3

### FULL-TIME EQUIVALENT POSITION SUMMARY

Source of Funds	FY19 Adjusted Base	FY20 Recommended	FTE Change Over FY19	FY21 Recommended	FTE Change Over FY20
GPR	401.18	417.18	16.00	413.38	-3.80
PR-F	58.73	47.73	-11.00	42.73	-5.00
PR-O	80.01	73.01	-7.00	73.01	0.00
PR-S	179.47	184.47	5.00	184.47	0.00
SEG-O	2.75	2.75	0.00	2.75	0.00
TOTAL	722.14	725.14	3.00	716.34	-8.80

### AGENCY DESCRIPTION

The department is headed by the Attorney General, an elected constitutional officer. The department provides legal advice and representation for the state, investigative services for crimes that are statewide in nature or importance, and technical assistance and training to law enforcement officers and prosecutors across Wisconsin.

The Division of Legal Services prosecutes major crimes, handles felony appeals, represents the interests of the state in court, advises state officers and agencies regarding their legal rights and responsibilities, and represents those officers and agencies in court. The division advises county district attorneys on matters within the jurisdiction of their offices. The division also participates in the preparation of legal opinions requested of the Attorney General.

## **Justice**

The Division of Law Enforcement Services analyzes forensic physical evidence at the three state crime laboratories 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, 7-days-a-week statewide computerized telecommunications system linking law enforcement agencies. The division also provides training at advanced levels, and administers recruitment and training standards, which apply to all Wisconsin law enforcement officers.

The Division of Criminal Investigation investigates crime that is statewide in nature or importance. The division enforces laws pertaining to gambling, prostitution, illegal narcotics, white collar crime, computer crimes, government corruption, elder abuse and crimes against children; and fire investigations of unknown or suspected incendiary origin. Upon request, the division assists local law enforcement agencies in cases involving homicides and multijurisdictional theft, fraud and crimes against persons or property. The division also performs special investigations requested by the Governor. In addition, the division provides extensive training to local, state and federal officers on current and emerging issues in law enforcement.

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

The Office of Crime Victim Services helps victims exercise their rights and access services. The office 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.

The Office of Open Government is responsible for interpreting and applying open meetings law, public records law and other statutes and rules related to open government; developing open government policies and protocols; ensuring the effective and efficient response to requests for department records; and providing expert legal counsel to executive leaders and department clients on open government issues.

The Office of School Safety promotes safe school environments across the State of Wisconsin. The office works closely with numerous stakeholders, including educators, law enforcement and mental health specialists, to develop the School Safety Grant Initiative. The office oversees a grant program that provides K-12 schools the resources to improve security measures and train staff on handling traumatic events.

## **MISSION**

The department's mission is to provide legal advice and representation to the State of Wisconsin, combat and prevent crime, and ensure public safety by enforcing state laws and providing resources to front-line law enforcement officers and prosecutors, including training, funding and direct, expert assistance.

**DEPARTMENT OF JUSTICE**

**GOVERNOR'S BUDGET RECOMMENDATIONS**

**RECOMMENDATIONS**

1. Powers of the Attorney General
2. Settlement and Relator Appropriations
3. Continuing Program Revenue Appropriations
4. Transfer Office of School Safety
5. Crime Laboratory and Digital Forensic Examiners and Analysts
6. Crime Laboratory Pay Progression
7. Internet Crimes Against Children Resources
8. Criminal Prosecutorial and Investigative Resources
9. Pay Progression for Assistant Attorneys General
10. False Claims and Qui Tam Actions
11. Treatment Alternatives and Diversion Program Expansion
12. Nonviolent Offender Treatment Diversion Pilot Program Expansion
13. Beat Patrol and Community Policing Officer Overtime Grant Program
14. Criminal Investigation Cost-to-Continue
15. Revenue Reestimates and Position Realignment
16. Standard Budget Adjustments

**ITEMS NOT APPROVED**

17. Information Technology Savings

**Justice**

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

	ACTUAL FY18	ADJUSTED BASE FY19	AGENCY REQUEST FY20	AGENCY REQUEST FY21	GOVERNOR'S RECOMMENDATION FY20	GOVERNOR'S RECOMMENDATION FY21
<b>GENERAL PURPOSE REVENUE</b>	\$56,508.0	\$59,585.2	\$64,549.1	\$65,415.2	\$66,280.3	\$66,473.3
State Operations	46,530.2	48,482.1	53,453.1	54,319.2	53,173.3	53,366.3
Local Assistance	7,164.7	8,290.0	8,282.9	8,282.9	10,293.9	10,293.9
Aids to Ind. & Org.	2,813.1	2,813.1	2,813.1	2,813.1	2,813.1	2,813.1
<b>FEDERAL REVENUE (1)</b>	\$41,876.5	\$23,288.5	\$24,279.8	\$23,613.5	\$24,250.8	\$23,601.2
State Operations	8,203.5	6,281.4	7,013.8	6,368.4	6,984.8	6,358.7
Local Assistance	32,194.5	15,183.2	15,442.1	15,421.2	15,442.1	15,418.6
Aids to Ind. & Org.	1,478.5	1,823.9	1,823.9	1,823.9	1,823.9	1,823.9
<b>PROGRAM REVENUE (2)</b>	\$66,383.8	\$55,056.4	\$56,024.4	\$54,578.4	\$56,674.5	\$56,715.5
State Operations	48,924.4	37,164.0	39,384.8	37,938.8	40,034.9	40,075.9
Local Assistance	16,501.7	16,714.7	15,461.9	15,461.9	15,461.9	15,461.9
Aids to Ind. & Org.	957.7	1,177.7	1,177.7	1,177.7	1,177.7	1,177.7
<b>SEGREGATED REVENUE (3)</b>	\$356.7	\$361.9	\$433.6	\$434.1	\$433.6	\$434.1
State Operations	356.7	361.9	433.6	434.1	433.6	434.1
<b>TOTALS - ANNUAL</b>	\$165,125.0	\$138,292.0	\$145,286.9	\$144,041.2	\$147,639.2	\$147,224.1
State Operations	104,014.8	92,289.4	100,285.3	99,060.5	100,626.6	100,235.0
Local Assistance	55,860.9	40,187.9	39,186.9	39,166.0	41,197.9	41,174.4
Aids to Ind. & Org.	5,249.3	5,814.7	5,814.7	5,814.7	5,814.7	5,814.7

(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

**Justice**

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

	ADJUSTED BASE FY19	AGENCY REQUEST FY20	FY21	GOVERNOR'S RECOMMENDATION FY20	FY21
GENERAL PURPOSE REVENUE	401.18	423.18	426.18	417.18	413.38
State Operations	400.78	422.78	425.78	416.78	412.98
Local Assistance	0.40	0.40	0.40	0.40	0.40
FEDERAL REVENUE (1)	58.73	47.73	42.73	47.73	42.73
State Operations	49.13	38.13	34.13	38.13	34.13
Local Assistance	9.60	9.60	8.60	9.60	8.60
PROGRAM REVENUE (2)	259.48	250.49	250.49	257.48	257.48
SEGREGATED REVENUE (3)	2.75	2.75	2.75	2.75	2.75
TOTALS - ANNUAL	722.14	724.15	722.15	725.14	716.34
State Operations	712.14	714.15	713.15	715.14	707.34
Local Assistance	10.00	10.00	9.00	10.00	9.00

(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

**Justice**

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

	ACTUAL FY18	ADJUSTED BASE FY19	AGENCY REQUEST		GOVERNOR'S RECOMMENDATION	
			FY20	FY21	FY20	FY21
1. Legal services	\$22,468.9	\$19,975.8	\$19,680.1	\$19,613.5	\$19,898.3	\$20,020.6
2. Law enforcement services	\$89,681.4	\$82,808.0	\$90,388.8	\$88,818.8	\$92,725.8	\$92,086.1
3. Administrative services	\$7,411.4	\$7,198.2	\$7,696.3	\$8,107.1	\$7,407.4	\$7,502.6
5. Victims and witnesses	\$45,563.4	\$28,310.0	\$27,521.7	\$27,501.8	\$27,607.7	\$27,614.8
<b>TOTALS</b>	<b>\$165,125.0</b>	<b>\$138,292.0</b>	<b>\$145,286.9</b>	<b>\$144,041.2</b>	<b>\$147,639.2</b>	<b>\$147,224.1</b>

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

	ADJUSTED BASE FY19	AGENCY REQUEST		GOVERNOR'S RECOMMENDATION	
		FY20	FY21	FY20	FY21
1. Legal services	161.40	162.40	162.40	164.40	164.40
2. Law enforcement services	473.44	470.45	467.95	471.44	463.64
3. Administrative services	54.20	58.20	59.70	54.20	54.20
5. Victims and witnesses	33.10	33.10	32.10	35.10	34.10
<b>TOTALS</b>	<b>722.14</b>	<b>724.15</b>	<b>722.15</b>	<b>725.14</b>	<b>716.34</b>

(4) All positions are State Operations unless otherwise specified

**Justice**

**1. Powers of the Attorney General**

The Governor recommends repealing statutory language changes made in 2017 Wisconsin Act 369, including provisions related to the Attorney General's authority to compromise, settle or discontinue civil actions and actions when defending the state. The Governor also recommends repealing statutory language changes made in Act 369, including provisions related to the power of the Legislature to intervene in litigation.

**2. Settlement and Relator Appropriations**

The Governor recommends repealing statutory language changes made in 2017 Wisconsin Act 369 requiring the Attorney General to deposit all settlement funds into the general fund. The Governor also recommends creating a new appropriation to administer and remit payments received by the department that are owed to relators. The Governor further recommends creating a new appropriation to administer funds received by the department from settlements where the terms specify the purpose for which they are to be used. In addition, the Governor recommends creating a new appropriation to administer funds received by the department from settlements, where the terms do not specify the purpose for which they are to be used, which may be used by the department at the discretion of the Attorney General. Finally, the Governor recommends requiring the department to submit reports semiannually to the Joint Committee on Finance and the Department of Administration detailing how settlement funds are spent.

**3. Continuing Program Revenue Appropriations**

The Governor recommends converting the appropriation for gifts and grants from an annual appropriation to a continuing appropriation. The Governor also recommends converting the appropriation for gifts, grants and proceeds from an annual appropriation to a continuing appropriation.

**4. Transfer Office of School Safety**

Source of Funds	Agency Request				Governor's Recommendations			
	FY20		FY21		FY20		FY21	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	0	0.00	0	0.00	-226,900	0.00	-453,900	-3.80
TOTAL	0	0.00	0	0.00	-226,900	0.00	-453,900	-3.80

The Governor recommends transferring the Office of School Safety created by 2017 Wisconsin Act 143 from the department to the Department of Public Instruction effective January 1, 2020. The Governor also recommends reducing position authority and associated costs for the unclassified school safety director position and positions the department repurposed to staff the office. See Department of Public Instruction, Item #35.

## Justice

### 5. Crime Laboratory and Digital Forensic Examiners and Analysts

Source of Funds	Agency Request				Governor's Recommendations			
	FY20		FY21		FY20		FY21	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	735,800	14.00	931,200	14.00	529,800	12.00	706,400	12.00
PR-S	0	0.00	0	0.00	207,800	5.00	477,100	5.00
TOTAL	735,800	14.00	931,200	14.00	737,600	17.00	1,183,500	17.00

The Governor recommends increasing expenditure and position authority in each year for additional analysts and digital forensic examiners in the state crime laboratories.

### 6. Crime Laboratory Pay Progression

The Governor recommends establishing a pay progression plan, effective July 1, 2020, for science staff at the state crime laboratories. The Governor also recommends that the Department of Administration include such a pay progression plan in the state compensation plan for submittal to the Joint Committee on Employment Relations for approval. The Governor further recommends including \$48,100 GPR, \$96,000 PR-S and \$19,000 PR-O in the compensation reserve in FY21 for the pay progression plan for science staff at the state crime laboratories.

### 7. Internet Crimes Against Children Resources

Source of Funds	Agency Request				Governor's Recommendations			
	FY20		FY21		FY20		FY21	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
PR-O	0	0.00	0	0.00	84,600	2.00	112,800	2.00
TOTAL	0	0.00	0	0.00	84,600	2.00	112,800	2.00

The Governor recommends increasing expenditure and position authority for the Internet Crimes Against Children Task Force.

**Justice**

**8. Criminal Prosecutorial and Investigative Resources**

Source of Funds	Agency Request				Governor's Recommendations			
	FY20		FY21		FY20		FY21	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	0	0.00	0	0.00	231,900	4.00	309,200	4.00
TOTAL	0	0.00	0	0.00	231,900	4.00	309,200	4.00

The Governor recommends increasing expenditure and position authority (3.0 FTE GPR permanent positions and 1.0 FTE GPR project position) for additional criminal prosecutorial and investigative resources.

**9. Pay Progression for Assistant Attorneys General**

Source of Funds	Agency Request				Governor's Recommendations			
	FY20		FY21		FY20		FY21	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	0	0.00	0	0.00	70,100	0.00	141,500	0.00
PR-F	0	0.00	0	0.00	3,500	0.00	6,200	0.00
PR-O	0	0.00	0	0.00	600	0.00	1,300	0.00
PR-S	0	0.00	0	0.00	15,000	0.00	30,300	0.00
TOTAL	0	0.00	0	0.00	89,200	0.00	179,300	0.00

The Governor recommends providing one-time funding for pay progression for assistant attorneys general to increase retention of experienced attorneys.

**10. False Claims and Qui Tam Actions**

The Governor recommends creating a false claims with qui tam provision for private parties to bring an action on behalf of the state where fraud against state-funded programs is alleged, including Medical Assistance claims for which the federal Deficit Reduction Act of 2005 authorizes the state to receive an additional 10 percent increase in the state's share of Medical Assistance funds recovered.

**Justice**

**11. Treatment Alternatives and Diversion Program Expansion**

Source of Funds	Agency Request				Governor's Recommendations			
	FY20		FY21		FY20		FY21	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	0	0.00	0	0.00	1,000,000	0.00	1,000,000	0.00
TOTAL	0	0.00	0	0.00	1,000,000	0.00	1,000,000	0.00

The Governor recommends providing a one-time increase in each year of the biennium for the treatment alternatives and diversion program consisting of \$500,000 GPR in each year of the biennium to expand existing programs and \$500,000 GPR in each year for new programs.

**12. Nonviolent Offender Treatment Diversion Pilot Program Expansion**

Source of Funds	Agency Request				Governor's Recommendations			
	FY20		FY21		FY20		FY21	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	0	0.00	0	0.00	511,000	0.00	511,000	0.00
TOTAL	0	0.00	0	0.00	511,000	0.00	511,000	0.00

The Governor recommends providing one-time funding in each year of the biennium to continue and expand the Nonviolent Offender Treatment Diversion Pilot Program consisting of \$261,000 GPR in each year to provide one-time funding for existing programs and \$250,000 GPR in each year to expand the program to first-class cities.

**13. Beat Patrol and Community Policing Officer Overtime Grant Program**

Source of Funds	Agency Request				Governor's Recommendations			
	FY20		FY21		FY20		FY21	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	0	0.00	0	0.00	1,000,000	0.00	1,000,000	0.00
TOTAL	0	0.00	0	0.00	1,000,000	0.00	1,000,000	0.00

The Governor recommends providing one-time funding in each year of the biennium for overtime costs for local beat patrol and community policing officers. The Governor also recommends expanding the Beat Patrol Officer Grant Program to include community policing.

**Justice**

**14. Criminal Investigation Cost-to-Continue**

Source of Funds	Agency Request				Governor's Recommendations			
	FY20		FY21		FY20		FY21	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	1,144,400	0.00	1,144,400	0.00	1,058,900	0.00	1,058,900	0.00
PR-O	750,000	0.00	750,000	0.00	750,000	0.00	750,000	0.00
TOTAL	1,894,400	0.00	1,894,400	0.00	1,808,900	0.00	1,808,900	0.00

The Governor recommends increasing expenditure authority by \$750,000 PR in each year to fund one-time supplies and services costs related to the Internet Crimes Against Children Task Force. The Governor also recommends providing an increase of \$558,900 GPR in each year of the biennium to support overtime costs related to criminal investigations. The Governor further recommends \$500,000 GPR in each year to fund one-time supplies and services costs related to narcotics enforcement.

**15. Revenue Reestimates and Position Realignment**

Source of Funds	Agency Request				Governor's Recommendations			
	FY20		FY21		FY20		FY21	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
PR-F	-52,000	0.00	-52,000	0.00	-52,000	0.00	-52,000	0.00
PR-O	-583,300	-1.00	-583,300	-1.00	-583,300	-1.00	-583,300	-1.00
PR-S	630,300	1.01	630,300	1.01	629,500	1.00	629,500	1.00
TOTAL	-5,000	0.01	-5,000	0.01	-5,800	0.00	-5,800	0.00

The Governor recommends adjusting the department's expenditure authority based on reestimates of funding and expenditures. The Governor also recommends transferring funding and positions between appropriations to better align position duties and funding sources.

**Justice**

**16. Standard Budget Adjustments**

Source of Funds	Agency Request				Governor's Recommendations			
	FY20		FY21		FY20		FY21	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	2,520,300	0.00	2,615,000	0.00	2,520,300	0.00	2,615,000	0.00
PR-F	1,043,300	-11.00	377,000	-16.00	1,010,800	-11.00	358,500	-16.00
PR-O	-82,600	-8.00	-376,200	-8.00	-96,900	-8.00	-376,200	-8.00
PR-S	614,600	-1.00	618,200	-1.00	610,800	-1.00	617,600	-1.00
SEG-O	71,700	0.00	72,200	0.00	71,700	0.00	72,200	0.00
<b>TOTAL</b>	<b>4,167,300</b>	<b>-20.00</b>	<b>3,306,200</b>	<b>-25.00</b>	<b>4,116,700</b>	<b>-20.00</b>	<b>3,287,100</b>	<b>-25.00</b>

The Governor recommends adjusting the department's base budget for: (a) turnover reduction (-\$860,600 in each year); (b) removal of noncontinuing elements from the base (-\$354,400 and -20.0 FTE positions in FY20 and -\$1,363,800 and -25.0 FTE positions in FY21); (c) full funding of continuing position salaries and fringe benefits (\$4,312,100 in each year); (d) overtime (\$693,400 in each year); (e) night and weekend differential pay (\$11,700 in each year); (f) full funding of lease and directed moves costs (\$314,500 in FY20 and \$494,300 in FY21); 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	FY20		FY21	
		Dollars	Positions	Dollars	Positions
17. Information Technology Savings	GPR	563,400	8.00	1,139,400	11.00
	PR-O	-253,200	0.00	-1,062,000	0.00
	PR-S	-107,800	0.00	-455,000	0.00
<b>TOTAL OF ITEMS NOT APPROVED</b>	GPR	563,400	8.00	1,139,400	11.00
	PR-O	-253,200	0.00	-1,062,000	0.00
	PR-S	-107,800	0.00	-455,000	0.00