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Gov Agency: Administration (Information Technology) – Bureau of Justice Information Systems – District Attorney and Integrated Justice Information System Projects.

Recommendations:

Paper No. 190 Alternative:

- 2a,b,c,d
- 3b
- 5

Comments:

Approves the Governor’s recommendation with some modifications. The Governor’s recommendation provides funding to complete the installation of the statewide district attorney computer network (DANET) in all 71 DA offices. Once complete, district attorneys will have access to research tools, critical charging information from DOJ’s criminal history records, the TIME system and local law enforcement. Completion of the system will improve the efficiency of DA offices.

While this is an important project, LFB points out places where cuts could be made. It is advisable to make some these cuts to address the deficit in the penalty assessment surcharge fund. LFB indicates if budgeted expenditures for BJIS are reduced by more than \$1.6 million annually, the new appropriation for penalty assessment revenues could be deleted.

- 2a.** Reduces funding to reflect lower operating costs.
- 2b.** Provides funding to correct an error made in calculating costs of equipment.
- 2c.** Converts contracted DA LAN and case management contracted staff support to state employees. Given the long-term state commitment to DA LANs, state staff may be more appropriate than contracted staff.
- 2d.** Reduces funding to account for a delayed implementation schedule. Given the difficulties identified by BJIS with regard to installing DA LANs and the voluntary nature of the program, the committee should adopt the standard 4-year schedule for computer equipment replacement, rather than the 2-year cycle proposed.
- 3b.** Reduces funding based on using a state support staff and a delayed implementation schedule.
- 5.** If cuts are made to the governor’s recommendation, this specifies the order for reduction in the various sources of funding with penalty assessment funding being 2nd from the top. This will help address the deficit.

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Joint Committee on Finance

Paper #190

Penalty Assessment Revenue Allocations

Bureau of Justice Information Systems -- District Attorney and Integrated Justice Information System Projects (Administration -- Information Technology)

[LFB 1999-01 Budget Summary: Page 58, #1]

CURRENT LAW

Base funding for the Bureau of Justice Information Systems (BJIS) is \$5,090,700 PR and 10.0 PR positions (\$3,595,400 and 10.0 positions funded from the justice information system fee and \$1,495,300 funded from federal anti-drug funding and state penalty assessment match monies received by the Office of Justice Assistance).

GOVERNOR

Provide \$4,894,600 PR annually for BJIS to complete information technology automation in all district attorneys' (DA) offices statewide and for other integrated justice information system projects. Create a separate, annual appropriation for justice information systems development, operation and maintenance funded from penalty assessment revenues, with the amounts appropriated transferred from the Office of Justice Assistance (OJA) to BJIS.

As a nonstatutory provision, direct the Secretary of DOA to allocate \$363,900 in 1999-00 and \$1,782,000 in 2000-01 from OJA's federal anti-drug enforcement and matching state penalty assessment appropriations to fund the installation of equipment for automated justice information systems. Direct the Secretary of DOA to allocate \$446,500 annually from OJA federal anti-drug enforcement monies to fund the general operations of BJIS related to automated justice information systems.

DISCUSSION POINTS

1. BJIS was created under the Department of Administration in the 1995-97 biennial budget act to maintain, coordinate and promote automated information sharing among justice agencies at the state and local level. The 1997-99 biennial budget act provided funding for BJIS to continue computer automation in district attorney offices statewide, including the development of a case management system, and to begin computer automation in the State Public Defender's Office (SPD).

2. For 1998-99, BJIS has a total of \$5,057,400 budgeted for the following: (a) general administration, \$995,000 (\$843,000 from the justice information system fee and \$152,000 from the federal Byrne grant); (b) district attorney projects, \$1,910,800 (\$1,467,500 from the justice information fee and \$443,300 from the federal Byrne grant); and (c) SPD projects, \$2,151,600 (\$1,251,600 from the justice system information fee and \$900,000 from the federal Byrne grant). Of the total, \$3,451,500 is one-time costs for both district attorney projects (\$1,399,200) and SPD projects (\$2,052,300). These one-time costs are removed as a standard budget adjustment in AB 133. The Committee should note that AB 133 also transfers responsibility for Public Defender information technology from BJIS to the SPD, but does not transfer funding.

3. Table 1 identifies total funding recommended by the Governor for BJIS in the 1999-01 biennium, including base funding. In the table, the following funding sources are identified: (a) the justice information system fee (currently \$4 of the \$7 fee on forfeitures and certain civil court filings is provided to BJIS, \$2 is provided for the Circuit Court Automation Project (CCAP) and \$1 is placed in the general fund); (b) federal Byrne anti-drug funding and penalty assessment matching monies provided through the Office of Justice Assistance (OJA); and (c) penalty assessment revenues appropriated directly to BJIS (a new source of funding created under the bill).

TABLE 1

Total Funding Under AB 133

<u>Item</u>	1999-00	2000-01	<u>Funding Source</u>
	<u>Recommended Funding</u>	<u>Recommended Funding</u>	
Base funding*	\$1,435,400	\$1,435,400	PR-justice information system fee
Base funding*	<u>152,000</u>	<u>152,000</u>	PR-Byrne anti-drug grant
Subtotal	\$1,587,400	\$1,587,400	
DA automation and integrated justice information	2,484,300	1,064,600	PR-justice information system fee
DA automation and integrated justice information	810,300	2,230,000	PR-Byrne anti-drug grant
DA automation and integrated justice information	<u>1,600,000</u>	<u>1,600,000</u>	PR-penalty assessment surcharge
Subtotal	\$4,894,600	\$4,894,600	
Total	\$6,482,000	\$6,482,000	

*Base funding includes standard budget adjustments.

4. In the bill, the Governor provides an increase of \$4,894,600 PR annually for BJIS to complete information technology automation in all DA offices statewide and for other integrated justice information system projects. The budget does not specifically identify the expenditure items associated with the various components of DA automation (for example, technical support, hardware, software, training, software development or equipment replacement) or the other activities of BJIS. The Governor's Budget in Brief does, however, indicate the following with regard to BJIS:

a. "Provide \$6.3 million in each year to complete the installation of the statewide district attorney computer network (DANET) in all 71 DA offices. The recommended funds will cover installation and equipment costs, ongoing support and maintenance and continued development of the unified case management system. Once complete, DAs will have access to legal research tools, critical charging information from DOJ's criminal history records, the TIME system [telecommunications services and access to criminal history data] and local law enforcement. Completion of the system will also improve the efficiency of DA offices by providing electronic access to court calendars, allowing the electronic filing of cases and providing timely notification of court dates."

b. "Provide \$300,000 in each year to the DOA Bureau of Justice Information Systems (BJIS) to enable BJIS to meet its statutory mission of promoting, maintaining and coordinating automated information systems among Wisconsin's justice-related agencies. The additional funding will enable BJIS to complete the *Integrated Justice System Data Dictionary* that will provide standard data definitions for use by all criminal justice agencies. In addition, BJIS will develop a secure law enforcement website consisting of real-time information on offender status such as pending charges, active restraining orders and bail conditions."

5. According to the Department, BJIS's operating budget for 1999-01 is divided as identified in Table 2. The following items have been identified: (a) DA local area network (LAN) installation and support (initial hardware and software installation and training, initial hardware and software upgrades and initial hardware replacement); (b) technical support center (consultant-staffed center providing such services as training and network documentation, troubleshooting, help desk support, pre-installation work, on-site support at county installations and computer server operations); (c) DA case management system (CMS) development (extended development of the existing CMS, training materials and maintenance of the CMS); (d) integrated justice information systems (development of a data dictionary, system operational planning, development of an electronic criminal rap sheet and a justice system computer applications survey); and (e) general bureau operations.

TABLE 2**BJIS Operating Budget
1999-01**

<u>Item</u>	1999-00 <u>Operational</u> <u>Funding</u>	2000-01 <u>Operational</u> <u>Funding</u>
DA LAN installation and support	\$2,059,700	\$2,198,100
Support center	1,853,000	2,216,200
DA case management system development	1,334,800	836,300
Integrated justice information systems	250,000	250,000
Bureau operations	<u>800,000</u>	<u>800,000</u>
Total	\$6,297,500	\$6,300,600

6. As a technical adjustment, the Committee could reduce the Governor's recommendation (\$6,482,000 annually) by \$184,500 in 1999-00 and \$181,400 in 2000-01 to reflect the lower operating costs identified by DOA (\$6,297,500 PR in 1999-01 and \$6,300,600 PR in 2000-01). Of this amount, DOA indicates that \$151,900 in 1999-00 and \$153,500 in 2000-01 is attributed to a discrepancy between the amount of anti-drug monies appropriated to BJIS and the amounts indicated in the nonstatutory provisions of the bill. The Committee should also note that not all necessary equipment was included in calculating costs for network infrastructure. As a result, costs could be increased by \$35,800 PR in 1999-00 and \$10,500 in 2000-01.

7. DOA indicates that using base resources and the increased funding provided by the Governor, it will be able to: (a) install LANs in all 71 counties by the end of 2000-01; (b) connect all LANs to the state telecommunications network; (c) add the case management system to the DA LANs; (d) begin a standard four-year replacement cycle for hardware and software; (e) provide training, help desk service and technical support; (f) install the first version of CMS in all 71 counties to allow interfaces with the court system and the Department of Justice's criminal history information; (g) train users of the CMS; (h) begin the development of the second version of the CMS that will allow access to law enforcement, DOJ's Crime Information Bureau and legal services and the Department of Transportation; (i) begin installation of the second version of the CMS; (j) create a data storage system for the CMS; (k) provide technical assistance and support for all 71 counties; and (l) begin to develop an integrated justice information system by developing a data dictionary, system operational plan, an electronic criminal rap sheet and a justice system computer applications survey.

8. DOA has installed DA LANs in 18 counties as of April 1, 1999. BJIS estimates that it will install LANs in another seven counties (including the Milwaukee Children's Court Center) by the end of 1998-99. The bill is intended to allow BJIS to complete the installation of LANs in the remaining 46 counties and two additional Milwaukee County sites by the end of 2000-01. BJIS

argues that, while installing LANs in the remaining counties by the end of 2000-01 may be challenging, it is possible. BJIS bases its timetable on recent experience, its ability to install uniform hardware and software statewide and general county acceptance of state-provided IT support.

9. However, the BJIS Annual Report for 1998 indicates that there are three factors making the installation of DA LANs difficult:

a. Each county has its own information technology network to which a DA LAN must connect. County IT networks are not standardized, therefore making each county installation different.

b. Not all IT users in DA offices receive computer equipment from BJIS, because only state DA attorney staff receive state assistance. Support staff for DA offices are funded by the counties. BJIS requires that in order for implementation to proceed any county receiving a DA LAN must: (1) purchase the same equipment for DA support staff that BJIS provides for DA attorney staff; (2) designate a network administrator in the DA office; and (3) have a formal memorandum of understanding (MOU) signed between DOA and four county officials: the DA, the County IT director, the County executive or administrator and the appropriate County Board representative.

c. Various organizations (BJIS, CCAP, DOJ and contractors) are involved in supporting DA office automation. These groups must work with DA and county staff on each DA LAN installation.

10. Participation by counties is voluntary; county DA offices can elect to participate in the state system or remain with their county system.

11. Given the difficulties identified by BJIS with regard to installing DA LANs and the voluntary nature of the program, it could be argued that the schedule to install LANs in 46 counties in a two-year period may not be possible. Current state IT standards for computer equipment replacement is a four-year cycle. If this same cycle is applied to the installation schedule for DA LANs and the schedule lengthened to four years, costs could be reduced by \$483,100 PR in 1999-00 and \$375,100 PR in 2000-01.

12. Staff support for both the DA LAN support center and case management system development is provided exclusively through contracted staff. An argument can be made that with the development of statewide DA LAN system, the state will need to provide continued support and technical assistance to DA offices for certain aspects of the system. These areas include help desk services, training, technical writing for system upgrades and CMS support. Given the long-term state commitment to DA LANs, state staff may be more appropriate than contracted staff. If these functions of BJIS are converted to state employees, an additional 9.0 PR positions in 1999-00 and 12.0 PR positions in 2000-01 would be necessary and the recommendation could be reduced by \$577,400 PR in 1999-00 and \$662,400 PR in 2000-01.

13. DOA standards for user to support staff ratios indicate that the optimal level is one support staff for every 55 users. Under the Governor's recommendation, these standards are generally adhered to with ratios of 58 to 1 in 1999-00 and 61 to 1 in 2000-01. If the Committee provides state staff to replace contracted staff and no other adjustments are made, the support ratios drop below 50 to 1. In order to maintain the Governor's recommended ratios, and depending on the implementation schedule that is selected, the recommendation could be reduced as follows: (a) assuming that DA LANs are all installed during the 1999-01 biennium (the Governor's recommendation), \$423,400 PR in 1999-00 and \$499,900 in 2000-01; or (b) assuming that the installation is phased in over a four-year period, \$623,300 PR in 1999-00 and \$749,500 in 2000-01. Alternatively, if the Committee does not provide state staff and delays implementation of DA LANs, costs could be reduced by \$375,900 in 1999-00 and \$526,200 in 2000-01 to provide support at the Governor's recommended ratios.

14. Under current law, BJIS receives PR funding from the justice information system fee and the Byrne anti-drug grant program provided through OJA. The justice information system fee generates approximately \$2.5 million annually. Under the Governor's recommendation, this revenue, plus an estimated \$1.5 million in carryover from 1998-99, is used to support expenditures of \$3.9 million in 1999-00 and \$2.5 million in 2000-01. The Governor would provide Byrne grant funding for BJIS of \$962,300 PR in 1999-00 and \$2,382,000 PR in 2000-01.

15. The Byrne program requires a 25% match of state funds. Generally, this match is provided from penalty assessment revenues in OJA. Currently, however, BJIS provides the required match from the justice information fee. In order to provide increased funding for BJIS, the Governor has recommended that a portion of the Byrne grant be matched from penalty assessment revenues. As a technical correction, however, BJIS's current appropriation for receipt of Byrne grant funds needs to be modified to specify that it can receive penalty assessment revenues to match Byrne funds.

16. In addition to the current revenue sources identified above, the Governor also recommends that \$1,600,000 PR annually from penalty assessment revenues be provided to BJIS in addition to the penalty assessment revenues used to match Byrne funding. A separate annual PR appropriation is created for this funding. Given that the straight penalty assessment funding is new for BJIS, it can be argued that any reduction in total funding to the BJIS recommendation should be made to this funding source. Since the funding sources for BJIS are not connected to any specific expenditure items, the Committee may wish to adopt an alternative that would specify that any reduction made to the Governor's recommendation first be made to correct the Governor's OJA funding, second to the penalty assessment appropriation, third to the penalty assessment match portion of the Byrne grant appropriation, fourth to the justice information system fee appropriation and lastly to the federal Byrne grant appropriation. Since the bill also creates nonstatutory language directing the Secretary of DOA to allot specific amounts of Byrne grant funding to BJIS, the alternative should also indicate that, if necessary, the amounts specified be reduced accordingly. Under this alternative, if budgeted expenditures for BJIS are reduced by more than \$1,600,000 annually, the new appropriation for penalty assessment revenues could be deleted.

ALTERNATIVES

1. Approve the Governor's recommendation to: (a) provide \$4,894,600 annually for BJIS to complete information technology automation in all district attorneys' (DA) offices statewide and for other integrated justice information system projects; (b) create a separate, annual appropriation for justice information systems development, operation and maintenance funded from penalty assessment revenues, with the amounts appropriated transferred from the Office of Justice Assistance (OJA) to BJIS; and (c) create nonstatutory provisions, directing the Secretary of DOA to allocate \$363,900 in 1999-00 and \$1,782,000 in 2000-01 from OJA federal anti-drug enforcement and matching state penalty assessment appropriations to fund the installation of equipment for automated justice information systems) and directing the Secretary of DOA to allocate \$446,500 annually from OJA federal anti-drug enforcement monies to fund the general operations of BJIS related to automated justice information systems. In addition: (a) modify the BJIS interagency assistance appropriation to allow the transfer of OJA penalty assessment match monies; and (b) correct the nonstatutory language to reflect appropriated amounts.

2. Modify the Governor's recommendation by adopting any of the following alternatives:

a. Reduce funding by \$184,500 in 1999-00 and \$181,400 in 2000-01 to reflect the lower operating costs for BJIS as identified by DOA. Of this amount, \$151,900 in 1999-00 and \$153,500 in 2000-01 are attributable to anti-drug funding.

Alternative 2a	PR
1999-01 FUNDING (Change to Bill)	- \$365,900

b. Provide \$35,800 in 1999-00 and \$10,500 in 2000-01 to correct an error made in calculating costs of equipment necessary for DA LAN network infrastructure.

Alternative 2b	PR
1999-01 FUNDING (Change to Bill)	\$46,300

c. Convert contracted DA LAN and case management contracted staff support to state employees. Provide an additional 9.0 positions in 1999-00 and 12.0 positions in 2000-01 in BJIS and reduced funding provided in the bill by \$577,400 in 1999-00 and \$662,400 in 2000-01.

Alternative 2c	PR
1999-01 FUNDING (Change to Bill)	- \$1,239,800
2000-01 POSITIONS (Change to Bill)	12.00

d. Reduce funding by \$483,100 in 1999-00 and \$375,100 in 2000-01 to account for a delayed installation schedule for the DA LAN system.

Alternative 2d	PR
1999-01 FUNDING (Change to Bill)	- \$858,200

3. If state staff are provided (Alternative 2c) and based on the installation schedule adopted by the Committee, one of the following reductions to the Governor's recommendation could be selected to provide a user to staff support ratio of approximately 61 to 1 in 2000-01:

a. Assuming that DA LANs are all installed during the 1999-01 biennium (the Governor's recommendation), -\$423,400 PR in 1999-00 and -\$499,900 in 2000-01.

Alternative 3a	PR
1999-01 FUNDING (Change to Bill)	- \$923,300

b. Assuming that DA LANs are phased in over a four-year period (Alternative 2d), -\$623,300 in 1999-00 and -\$749,500 in 2000-01.

Alternative 3b	PR
1999-01 FUNDING (Change to Bill)	- \$1,372,800

4. If the Committee does not provide state staff (does not adopt Alternative 2c) and delays the installation schedule (Alternative 2d), the Governor's recommendation could be reduced by \$375,900 in 1999-00 and \$526,200 in 2000-01 to provide a user to staff support ratio of approximately 61 to 1 in 2000-01.

Alternative 4	PR
1999-01 FUNDING (Change to Bill)	- \$902,100

5. In addition to any alternatives adopted under 2, 3 or 4, specify that any reduction made to the Governor's recommendation first be made to correct the Governor's OJA funding, second to the penalty assessment appropriation, third to the penalty assessment match portion of the Byrne grant appropriation, fourth to the justice information system fee appropriation and lastly to the federal Byrne grant appropriation. Specify that, if necessary, the amounts specified in nonstatutory language directing the Secretary of DOA to allot specific amounts of Byrne grant funding to BJIS be reduced accordingly. Specify that if budgeted expenditures for BJIS are reduced by more than \$1,600,000 annually, the appropriation for penalty assessment revenues created in the

bill be deleted. Specify that if penalty assessment match money is provided, the BJIS interagency assistance appropriation be modified to allow the transfer of OJA penalty assessment match monies.

6. Maintain current law.

Alternative 6	PR
1999-01 FUNDING (Change to Bill)	- \$9,789,200

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