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👉 Details: Audit requests, 2005

(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2005-06

(session year)

Joint

(Assembly, Senate or Joint)

Committee on Audit...

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**



Wisconsin State Legislature

August 8, 2005

Senator Carol Roessler, Co-Chair
Joint Committee on Audit
State Capitol, 8 South

Representative Suzanne Jeskewitz, Co-Chair
Joint Committee on Audit
State Capitol, 314 North

Dear Senator Roessler and Representative Jeskewitz:

We write to express our concern over the Gateway Technical College's potential use of generous retainer agreements, back-up positions, and exceptionally lucrative retirement plans for the current Chief Operations and Academic Officer Bryan Albrecht, retiring Gateway Board President Sam Borden, former President John Bucholz, and other Gateway executive officers.

In light of the recent Legislative Audit Bureau audit that specifically criticized Gateway Technical College and based on information that we have received informally regarding generous retirement plans for executive staff, we respectfully request that you instruct the Legislative Audit Bureau to audit the Wisconsin Technical College system's use of retainer agreements, paid leave of any type for administrators, and executive retirement benefits and plans.

Thank you for your attention to this request.

Sincerely,

Judith B. Robson
State Senator
15th Senate District

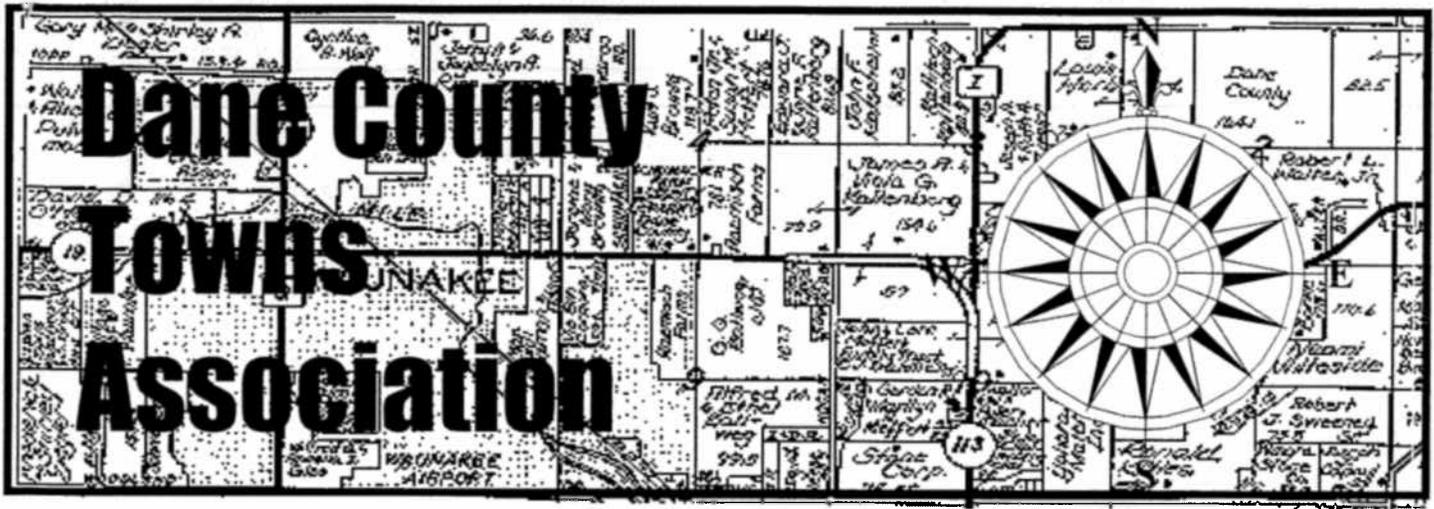
Glenn Grothman
State Senator
20th Senate District

Bob Wirth
State Senator
22nd Senate District

John Lehman
State Representative
62nd Assm. District

JBR:jss





Plat map used by permission of Rockford Map Company

AUG 24 2005

August 18, 2005

Senator Carol Roessler
Chairperson, Joint Committee on Audit
Room 8 South, State Capitol
P.O. Box 7882
Madison 53707-7882

Representative Suzanne Jeskewitz
Chairperson, Joint Committee on Audit
P.O. Box 8952
Madison 53708

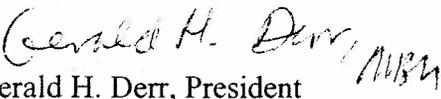
RE: Audit of Dane County Smart Growth Grant and Program

Dear Co-Chairpersons:

This is in response to your letter of July 20, 2005. I can readily understand that the requests for legislative review of state agencies are overwhelming. This is indeed a good reason why the committee needs to be judicious in the exercise of its power under the statutes to audit local programs. However, I respectfully suggest that our request really amounts to a request to audit an important and somewhat controversial state program, namely, the grant program for Smart Growth.

The materials that we furnished to you raise a valid question that goes as much to the way the Department of Administration has failed to exercise its responsibility to oversee the grant program as to Dane County's mismanagement of the funds. The Legislature recently voted to eliminate the Smart Growth law and its funding out of concerns for the propriety and rationality of the program. As you know, the Governor vetoed that, contending that this is a valuable program. While we agree that it was good to retain the law, at least until further experience can be had with it, we nonetheless have grave concerns about the law's impact. Accordingly, we ask you to reconsider our request. Particularly, we would appreciate it if you would at least be willing to meet with me and our attorney, Mark Hazelbaker, to discuss the matter before declining to undertake an audit.

Sincerely,


Gerald H. Derr, President
Dane County Towns Association

cc: Dane County Legislator David Ward
Dane County Legislator Eugene H. Hahn

Dane County Legislator Brett Davis
Senator Dale Schultz





WISCONSIN LEGISLATURE

P.O. Box 7882 • Madison, WI 53707-7882

August 19, 2005

The Honorable Carol Roessler, State Senator
Co-Chair Joint Legislative Audit Committee
Room 8 South, State Capitol
Madison, WI

The Honorable Susan Jeskewitz, State Representative
Co-Chair Joint Legislative Audit Committee
Room 314 North, State Capitol
Madison, WI

Dear Senator Roessler and Representative Jeskewitz:

We are writing this letter to respectfully request that the Joint Legislative Audit Committee, under your leadership as Co-Chairwomen, consider performing a comprehensive audit and review of the UW-System employment policies to determine exactly how many convicted felons are still employed by the UW despite their criminal convictions. Many taxpayers, students, and parents are deeply concerned about the UW's policy of allowing convicted felons to maintain their employment within the UW despite their criminal backgrounds and they also deserve to know exactly how many serious felons are being employed by the UW.

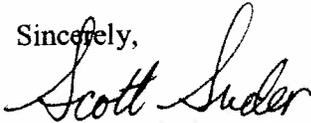
As we're certain you are aware, the UW has a policy in place that allows tenured professors and other members of their faculty to continue collecting their taxpayer funded salary and benefits despite their serious felony convictions. In some cases these criminals have been allowed to collect these benefits from behind bars. In fact, a tenured professor from UW-Madison who was recently convicted of molesting three young girls ages five, six, and nine is being allowed to appeal his dismissal from the UW and to collect his vacation and sick time while serving his sentence in jail. It's hard to imagine the anguish this is causing the families of these innocent children, who as taxpayers are not only being forced to pay this monster for the heinous crimes he committed against their daughters, but also have to bear the cost of his dismissal appeal.

When these outrageous employment policies were first uncovered, we made a reasonable request to UW-System President Kevin Reilly to provide us an accounting of serious felons employed within the UW. Shockingly, he refused our request saying that such a review would be too costly for the UW to initiate. We find his unwillingness to complete such a review extremely unfortunate and irresponsible due to the fact that with the proper lists and software in place, the UW could have compiled the felon list rather easily and at very little cost to taxpayers.

In the interests of the protection of these victims and their families, we are respectfully urging you to hold a Joint Audit hearing on our request for a review of the UW's employment policies. Since the UW has refused to cooperate in a reasonable manner with our offices, an audit is necessary in order to uncover exactly how many of their employees have been convicted of felonies and the policy justifications the System uses to continue to pay them a taxpayer-funded salary and benefits.

Thank you in advance for considering our request and we remain hopeful that with your assistance we will be able to reform the UW's employment policies. Please feel free to contact us should you have any questions or need any additional information. We look forward to working with you on this important matter.

Sincerely,



Scott Suder
State Representative
Wisconsin's 69th Assembly District



Jeff Wood
State Representative
Wisconsin's 67th Assembly District



Robin Vos
State Representative
Wisconsin's 63rd Assembly District



Samantha Kerkman
State Representative
Wisconsin's 66th Assembly District



Terry Musser
State Representative
Wisconsin's 92nd Assembly District



Joel Kleefisch
State Representative
Wisconsin's 38th Assembly District



Mark Pettis
State Representative
Wisconsin's 28th Assembly District



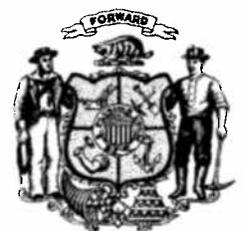
Steve Kestell
State Representative
Wisconsin's 27th Assembly District



Rob Kreibich
State Representative
Wisconsin's 93rd Assembly District



WISCONSIN STATE LEGISLATURE





WISCONSIN LEGISLATURE

P.O. Box 7882 • Madison, WI 53707-7882

September 13, 2005

Rep. Suzanne Jeskewitz, Co-Chair
Joint Legislative Audit Committee
Room 314 North
State Capitol

Sen. Carol Roessler, Co-Chair
Joint Legislative Audit Committee
Room 8 South
State Capitol

Dear Co-Chairs Jeskewitz and Roessler:

We are writing to you about the pending legislative audit of the UW you are considering after a summer of embarrassing examples where tax dollars have been wasted on convicted felons, AWOL administrators, and indefensible employment practices that have angered our constituents. We applaud your interest in reforming these abuses, and not accepting the UW's defense that "we need to do this to stay competitive" or "we didn't know about this."

While your Committee contemplates the scope of the audit, we hope you will specifically focus on two areas, rather than do a broad-based look at all aspects of the UW's employment procedures. It is our belief that you should authorize an audit that examines two underreported areas we believe have been exploited by the UW over the years. The first deals with the so-called consulting positions that could potentially be costing taxpayers millions of dollars for little or no work in return.

Consider this – an August 13th Milwaukee Journal Sentinel column reported that there are at least 160 people employed by the UW who claim consultant as their job title. A retiring UW-Madison Provost moving to Arizona was poised to earn a six figure salary as a "consultant" before the UW pulled the plug on his golden parachute. In addition, remember that upon embattled UW-Madison administrator Paul Barrows' return after a seven-month hiatus, he was awarded the title "consultant" to the Chancellor, with no clear job description. That, in a nutshell, is the problem with these consulting positions. There is no scrutiny or accountability. Another example is the UW's use of consultants to attempt to salvage the APBS payroll software program that has already cost taxpayers \$25 million. Taxpayers deserve better.

- How many consulting positions are there in the UW system?
- The growth in the number of consultants in the past decade?
- How many of the consulting positions are held by former UW employees?
- Who authorizes the hiring of the consultants?
- Can the UW produce documentation to show what taxpayers receive for the consulting services?

The second issue that we would like your Committee to address is the issue of the workload of those UW employees who are in back-up jobs. The UW recently reported that there are 1,092 employees who have been afforded back-up positions. It is unclear how many of those 1,092 are actually in their back-up positions, and how many simply have them at their disposal when needed. For those in back-up jobs, since in most cases they are receiving 82% of their administrative salaries, it is important to make sure that they're earning those hefty salaries in their non-administrative positions. We have concerns that there is a lack of accountability (that they're actually reporting to work, have regular work schedules, have assigned duties, etc.) Our fear is that they're earning administrative salaries for doing little or no work in the back-up jobs.

Among the questions a legislative audit should shed light upon are:

- How many UW employees have actually utilized their back-up positions?
- What is the workload of those that have taken their back-up positions?
- Does activating the back-up positions lead to other layoffs, or does it simply add to the bureaucracy and the overall number of UW employees?

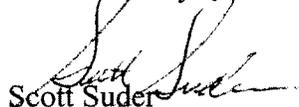
We welcome the UW's call for an audit and hope the agency is serious about better managing tax and tuition dollars after some of the negative national attention these abuses have brought. But it's important that your audit focus on these areas that will shed new light on UW employment practices, and not simply reaffirm what we already know.

Thank you for your consideration.

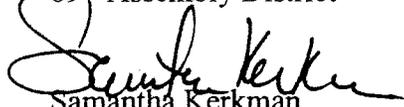
Sincerely,



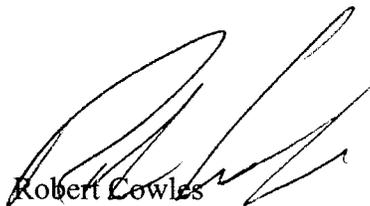
Rob Kreibich
State Representative
93rd Assembly District



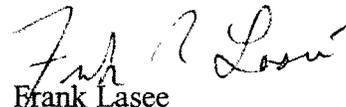
Scott Suder
State Representative
69th Assembly District



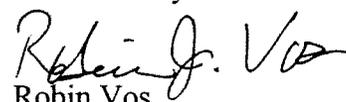
Samantha Kerkman
State Representative
66th Assembly District



Robert Cowles
State Senator
2nd Senate District



Frank Lasee
State Representative
2nd Assembly District



Robin Vos
State Representative
63rd Assembly District





OFFICE OF JUSTICE ASSISTANCE

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Fax: (608) 266-6676
<http://oja.state.wi.us>

September 26, 2005

Senator Carol Roessler, Co-Chair
Joint Legislative Audit Committee
Room 8, South
State Capitol
P.O. Box 7882
Madison, Wisconsin 53707

Representative Suzanne Jeskewitz, Co-Chair
Joint Legislative Audit Committee
Room 314, North
State Capitol
P.O. Box 8952
Madison, Wisconsin 53707

Dear Senator Roessler and Representative Jeskewitz:

The Governor's Juvenile Justice Commission (GJJC) is dedicated to working collaboratively with state and local partners in order to support effective, research-based delinquency prevention and intervention services.

Legislation has been introduced in the State Assembly (AB 82) proposing that current law, in which a person 17 years of age or older who is alleged to have violated a criminal law is subject to criminal court jurisdiction, be changed by raising the minimum age for criminal court jurisdiction from age 17 to 18 years of age. State law changed in 1996 to age 17 after decades during which the 18 was the age for automatic assignment of offenders to criminal court (younger offenders could be waived to criminal court at the discretion of the judge).

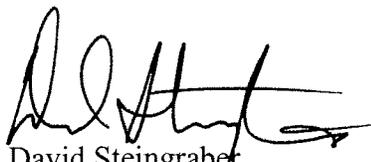
Ch. 938.02 (1) defines "adult" for purposes of investigating or prosecuting a person who is alleged to have violated a state or federal criminal law, as a person who has attained the age of 17. The impact of this current law since it was enacted in 1996 is only anecdotally understood. The Governor's Juvenile Justice Commission (GJJC) agrees with the Wisconsin County Human Service Association (WCHSA) Executive Board that this request for a Legislative Audit Bureau study of the impact of 17 year old criminal court jurisdiction is needed in order to obtain information with which to form an opinion about the effectiveness of the current law. A study will also help the GJJC to make an informed recommendation on the proposed policy change that would return the age of criminal court jurisdiction to 18 years.

In particular, it would be valuable to know such information as: how many 17 year olds have entered the criminal justice system under this law; how many jail and prison admissions have there been for these offenders; for what types of offenses have 17 year olds been confined, and what are related costs of confinement; how do these numbers compare with 17 year olds placed in juvenile correctional facilities prior to 1996; how many 16 year olds have been waived into adult court following the 1996 law change in comparison to the number waived prior to the change; what is the recidivism rate of offenders entering the criminal justice system at age 17 as compared to 17 year olds prior to 1996; and what are the current high school graduation rates for offenders that entered the criminal justice system at age 17 before and after 1996. Counties are also concerned about the potential costs that would be attached to resumption of service responsibility to this population, and would want this aspect to be included in a study.

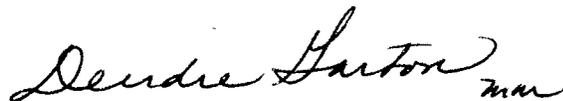
In addition to the 1996 change in the age of majority for offenders, other changes to the juvenile code lowered the age at which children could have delinquency petitions brought and the age at which juveniles could be waived by juvenile judge's decision to criminal court. The GJJC is also interested in learning the impact of those changes.

The Governor's Juvenile Justice Commission believes that this is a critical issue affecting youth, families and communities and one that warrants study by the Legislative Audit Bureau. We appreciate your attention to this matter. Please let us know if there is a need for further information about our concerns.

Sincerely yours,



David Steingraber,
Executive Director



Deirdre Garton, Chairperson
Commission on Juvenile Justice

TIPPING POINT
 BREAK ECONOMICS

AB: 82

Relating to: the age at which a person who is alleged to have violated a criminal law, a civil law, or a municipal ordinance is subject to circuit court or municipal court rather than juvenile court jurisdiction. This bill raises from 17 to 18 the age at which a person who is alleged to have violated a criminal law is subject to the procedures specified in the Criminal Procedure Code and, on conviction, to sentencing under the Criminal Code.

ASSEMBLY BILL 82

2-03-05.A. Introduced by Representatives Grigsby and Kessler; cosponsored by Senator Taylor.

- 02-03-05. A. Read first time and referred to committee on Criminal Justice and Homeland Security 60
- 02-08-05. A. Fiscal estimate received.
- 02-15-05. A. Fiscal estimate received.
- 03-10-05. A. Fiscal estimate received.
- 09-07-05. A. Assembly amendment 1 offered by Representatives Kessler and Grigsby 450
- 09-07-05. A. Public hearing held.
- 09-28-05. A. Fiscal estimate received.

RACINE ACS PROGRAM WAIVERS
 LACROSS ACE

Letter from David Steingraber:

Would like Audit Committee to study the impact of 17 year old criminal court jurisdiction in order to obtain information with which to form an opinion about the effectiveness of the current law. The study will also help the Governor's Juvenile Justice Commission to make an informed recommendation on the proposed policy change that would return the age of criminal court jurisdiction to 18 years. Wants to know such information as:

1. How many 17 year olds have entered the justice system under this law.
2. How many jail and prison admissions have there been for these offenders.
3. What types of offenses have been confined and what the costs of these confinements are.
4. How do these numbers compare with 17 year olds place in juvenile correctional facilities prior to 1996.
5. How many 16 year olds have been waived into adult court since 1996.
6. What is the recidivism rate of offenders entering the criminal justice system at age 17 as compared to 17 years old prior to 1996.
7. What is the current high school graduation rates for offenders that entered the criminal justice systems at age 17 before and after 1996.
8. Potential costs that would be attached to resumption of service responsibility to this population (counties in particular).

Dad Interview + Prevention - are effective
 Fiscal Impact
 9 mos - Behavior

Probl. mental health
 MSTC - only boys
 Socially - exp - cost effective
 Cost/Benefit
 Therapeutic model - 6-7 yr.
 PO.

Steve Small - what works WI
 Reynolds Compelling
 ARTHUR
 1) Components effective
 2) Brain dev. address
 age 18 death penalty
 brain dev: chemistry
 3) Recidivism rates
 serious violent better as juveniles
 in adult vs juvenile - \$ spent

2005 ASSEMBLY BILL 82

February 3, 2005 – Introduced by Representatives GRIGSBY and KESSLER, cosponsored by Senator TAYLOR. Referred to Committee on Criminal Justice and Homeland Security.

1 **AN ACT** *to repeal* 938.357 (4) (d); and *to amend* 48.02 (1d), 48.02 (2), 48.366 (8),
2 subchapter IX (title) of chapter 48 [precedes 48.44], 48.44 (title), 48.44 (1), 48.45
3 (1) (a), 48.45 (1) (am), 48.45 (3), 118.163 (4), 125.07 (4) (d), 125.07 (4) (e) 1.,
4 125.085 (3) (bt), 165.83 (1) (c) 1., 165.83 (1) (c) 2., 301.03 (10) (d), 301.12 (2m),
5 301.12 (14) (a), 302.11 (10), 302.255, 302.31 (7), 302.386 (5) (d), 938.02 (1),
6 938.02 (10m), 938.12 (2), 938.18 (2), 938.183 (3), 938.255 (1) (intro.), 938.344 (3),
7 938.35 (1m), 938.355 (4) (b), 938.355 (4m) (a), 938.39, subchapter IX (title) of
8 chapter 938 [precedes 938.44], 938.44, 938.45 (1) (a), 938.45 (3), 938.48 (4m) (a),
9 938.48 (4m) (b), 938.48 (14), 938.538 (3) (a) 1., 938.538 (3) (a) 1m., 938.538 (3)
10 (a) 2., 938.538 (4) (a), 938.538 (5) (c), 938.538 (6), 938.57 (3) (a) 1., 938.57 (3) (a)
11 3., 938.57 (3) (b), 938.992 (3), 946.50 (intro.), 948.01 (1), 948.11 (2) (am) (intro.),
12 948.45 (1), 948.60 (2) (d), 948.61 (4), 961.455 (1), 961.46, 961.573 (2), 961.574
13 (2), 961.575 (1), 961.575 (2), 961.575 (3), 976.08, 990.01 (3) and 990.01 (20) of
14 the statutes; **relating to:** the age at which a person who is alleged to have

ASSEMBLY BILL 82

1 violated a criminal law, a civil law, or a municipal ordinance is subject to circuit
2 court or municipal court rather than juvenile court jurisdiction.

Analysis by the Legislative Reference Bureau

Under current law, a person 17 years of age or older who is alleged to have violated a criminal law is subject to the procedures specified in the Criminal Procedure Code and, on conviction, is subject to sentencing under the Criminal Code, which may include a sentence of imprisonment in the Wisconsin state prisons. Currently, subject to certain exceptions, a person under 17 years of age who is alleged to have violated a criminal law is subject to the procedures specified in the Juvenile Justice Code and, on being adjudicated delinquent, is subject to an array of dispositions under that code including placement in a juvenile secured correctional facility. This bill raises from 17 to 18 the age at which a person who is alleged to have violated a criminal law is subject to the procedures specified in the Criminal Procedure Code and, on conviction, to sentencing under the Criminal Code.

Similarly, under current law, a person 17 years of age or older who is alleged to have violated a civil law or municipal ordinance is subject to the jurisdiction and procedures of the circuit court or, if applicable, the municipal court, while a person under 17 years of age who is alleged to have violated a civil law or municipal ordinance, subject to certain exceptions, is subject to the jurisdiction and procedures of the court assigned to exercise jurisdiction under the Juvenile Justice Code. This bill raises from 17 to 18 the age at which a person who is alleged to have violated a civil law or municipal ordinance is subject to the jurisdiction and procedures of the circuit court or, if applicable, the municipal court.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 48.02 (1d) of the statutes is amended to read:

4 48.02 (1d) "Adult" means a person who is 18 years of age or older, ~~except that~~
5 ~~for purposes of investigating or prosecuting a person who is alleged to have violated~~
6 ~~any state or federal criminal law or any civil law or municipal ordinance, "adult"~~
7 ~~means a person who has attained 17 years of age.~~

8 **SECTION 2.** 48.02 (2) of the statutes is amended to read:

OJA Letter -

- 10 yrs. into it

- 3 bodies of research:

1. Juv Programs - interw. & prevention

- are effective - some not all
- what works in JI

- hardcopy

Reynolds & Small
 ↓ draws research from around the country
 ↓ components of effective program.

2. brain development -

crime prior to age 18 b/c of kids ability to moderate actions

3. recidivism rate

- juveniles vs. adults
- kids handled as juveniles is better than recidivism in adult crim. cs.

CR bill juv. offenders keep in county juvenile

- fiscal change of org

Treatment Center

(MSTC) mandata Juvenile ~~Facility~~ (males)

• Ethan Allen clinical - special health treatment

• are 9 mos. there

Southern Oaks: girl juveniles

\$4,000 more than traditional instit.

CR asked for presentations (MSTC)

6-7 yr. period recidivism rate

control - 18 homicides

treatment - 0

reducing cortisol level in brain

3-legged stool

- educ.
- treatment
- accountability

↳ juvenile vs. adult
age 17 start treat as adult
17 b-day + one day
• jail - misdemeanors
• prison - felony
17 corrections is only

examine on a cost benefit study

Pam Shannon

1. LFB

2.

3. leg council oregon

Deardra

Racine - ACE prog
alt. to treatment

1 1/2 yrs.

La Crosse - looking to do something

→ presentations of 2 people

→ what works report

→ state of wash. study

→ Dennis Maloney - Oregon -

→ Pam - leg history on who pushing 17 yr olds

"Freakonomics"

"The Tipping Point"

Arthur Reynolds - cost/benefit analyst

Sara - Dennis Embry - juv. stuff treatment

Tamara Grigsby should be informed

* CR go to tab now

Sage - \$ go into a diff acct. - introduce legit?

Tony Evers info

→ Sue will send

instead of
audit

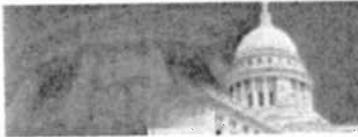
Juveniles in Adult Criminal Justice System*

- **American Correctional Association votes against sending juveniles to prison.**

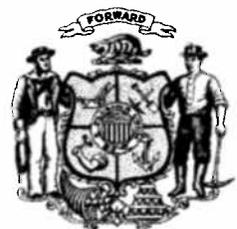
The nation's largest national organization (representing prison staff) issued a resolution to limit transfer of juveniles to adult courts. They cited the volatility of youth, lack of training for staff, and the high rates of assaults and suicide as their reasons. [www.aca.org/ACA]
- **Communities are not safer when kids go to adult court and jails/prisons.**
 - Studies of matched pairs of offenders, one going to juvenile court and the other to adult court found that the adult system kids were more likely to commit a more serious crime. [*Lanza-Kaduce, Lonni; Frazier, Charles E.; Lane, Jodi and Bishop, Donna: Juvenile Transfer to Criminal Court Study: Final Report, Florida Department of Juvenile Justice, Office of Juvenile Justice and Delinquency Prevention, January 2002.*]
 - Comparison groups of 15 and 16 year olds found that serious offenders sent to juvenile court were far less likely to re-commit a new crime (New York and New Jersey, 2000) [*Fagan, Jeffrey, "The Comparative Advantage of Juvenile Versus Criminal Sanctions on Recidivism Among Adolescent Felony Offenders," Law and Policy, Vol. 18, 1996, cited in the Changing Borders of Juvenile Justice: Transfer of Adolescents to Criminal Court, edited by Jeffrey Fagan and Franklin E. Zimring, University of Chicago Press, 2000.*]
 - Recidivism of 557 Pennsylvania teens matched with others who were tried in adult court found those in the adult system had higher re-offense rates and more likely to be charged with violent felonies.(Pennsylvania, 2001) [*Mayers, David, Adult Crime, Adult Time: Punishing Violent Youth in the Adult Criminal Justice System, Sage Publications (2003), www.sagepub.com*]
 - Study found that 24 months after being released, youth transferred to adult Court were more likely to re-offend (Minnesota) [*Podkapacz, Marcy and Feld, Barry C., "The End of the Line: An Empirical Study of Judicial Waiver," Journal of Criminal Law and Criminology, 86 cited in "Brick by Brick: Dismantling the border between juvenile and adult justice." Criminal Justice 2000, Volume 2, Washington, DC: National Institute of Justice, U.S. Department of Justice, 2000.*]
- **Kids sent to adult court are not the most serious offenders.**
 - 32% had no prior convictions (Florida). [*Stahl, Anne et al., Juvenile Court Statistics, 1996, Pittsburgh, PA: National Center for Juvenile Justice: July, 1999.*]
 - Majority of juveniles convicted in adult courts committed non-violent crimes (Florida). [*National Center for Juvenile Justice (NCJJ), State Juvenile Justice Profiles, Pittsburgh, PA: NCJJ, 2004. www.cjj.org/stateprofiles/overviews/transfer8.asp*]
- **Not cost- effective to send youth to adult criminal justice system.**
 - California's Legislative Analyst Office estimated that a proposal to require that 14 + year old kids be tried as adults for some crimes could cost the state \$100 million per year in added operating costs and \$200-300 million for new jail and prison construction. [*Mendel, Richard, Less Hype, More Help: Reducing Juvenile Crime, What Works and What Doesn't Work, Washington, DC: American Youth Policy Forum, 2000.*]
 - Over a 10 year period, they estimated a total new cost of \$5 billion with no evidence that it would enhance public safety. (2000) [*"No Youth Crime Remedy." Los Angeles Times, 22 February 2000.*]
- **Minority youth are more likely to be sent to adult court.**
 - 99% of youth prosecuted as adults for drug offenses in Cook County, Illinois were minority youth despite studies showing minority youth are less likely to have sold drugs than white youth and far less likely to use cocaine or heroin than white youth. [*Ziedenberg, Jason, Drugs and Disparity: The Racial Impact of Illinois' Practice of Transferring Young Adult Offenders to Adult Court Washington, DC: Building Blocks for Youth, 2002. www.buildingblocksforyouth.org/Illinois/Illinois.html*]

- A study of 10 court jurisdictions found that minority youth were disproportionately charged in adult court [*Poe-Yamagata, E., et al. And Justice for Some Washington, DC, National Council on Crime and Delinquency, 2000*]
 - White youth are twice as likely to be represented by private counsel as African American youth. Youth represented by private counsel are less likely to be convicted and more likely to be transferred back to juvenile court. [*Juszkiewicz, Jolanta, "Youth Crime/Adult Time: Is Justice Served?" Washington, DC: Building Blocks for Youth, 2002. www.buildingblocksforyouth.org/ycat/ycat.html*]
- **What is the biggest factor in a juvenile being sent to adult court and jail?**
Where they live. 13 states, including Wisconsin, set the age of adulthood for justice at 17 or less (16 in Connecticut, New York and South Carolina). [*Childhood on Trial: The Failure of Trying and Sentencing Youth in Adult Criminal Court, 2005. Coalition for Juvenile Justice, Washington, DC*]

*These are selected notes from Childhood on Trial: The Failure of Trying and Sentencing Youth in Adult Criminal Court, 2005. Coalition for Juvenile Justice, Washington, DC]



WISCONSIN STATE LEGISLATURE



NOV 07 2005



Luther S. Olsen

State Senator
14th District

November 3, 2005

Senator Carol Roessler, Co-chair
Joint Committee on Audit
8 South, State Capitol
Madison, WI 53702

Representative Sue Jeskewitz, Co-chair
Joint Committee on Audit
314 North, Capitol
Madison, WI 53702

Dear Senator Roessler and Representative Jeskewitz;

I am contacting you to request an audit of the State Vital Records Office. I believe there are a number of significant concerns with the condition of vital records across the state that an audit will bring to light.

I would hope the Committee would seek answers to the following questions:

- ◆ The Federal Intelligence Reform Act will require that vital records meet certain standards. Do Wisconsin's vital records currently meet this standard, and if not, is there a plan in place to bring these records into a compliant format?
- ◆ If the state's vital records are not brought up to standards specified in the Federal Intelligence Reform Act, what consequences will the state face?
- ◆ Are users (including hospitals, funeral directors, government and others) able to easily process vital record information, or do they face barriers because of an outdated computer system?
- ◆ Are the state's non-computerized vital records stored safely? How many records are not computerized?
- ◆ What is the status of the project of computerizing older vital records currently on paper only?
- ◆ What updates are needed to the computer system(s) for vital records?
- ◆ What can be done to make the vital records system efficient and cost-effective for state and local vital record offices?
- ◆ What is the disaster recovery plan for all the records in their current forms? Are the records backed-up?

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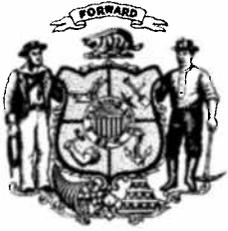
I hope that the Committee will act favorably on this request. I believe there are important questions to be answered about our vital record system. I look forward to your response.

Sincerely,

Luther Olsen
State Senator



WISCONSIN STATE LEGISLATURE





State Representative
John Lehman

NOV 07 2005

November 4, 2005

Senator Carol Roessler	Representative Sue Jeskewitz
Co-Chair	Co-Chair
Joint Committee on Audit	Joint Committee on Audit
8 South – State Capitol	314 North – State Capitol

Dear Senator Roessler & Representative Jeskewitz:

A recent *Milwaukee Journal Sentinel* article (a copy is enclosed) reported that a number of Wisconsin counties feel the Department of Revenue (DOR) has been distributing sales tax collections far below county projections. Milwaukee County in particular, reports their sales tax revenue nearly \$1 million under budget. Miller Park stadium district executive director, Mike Duckett, stated that the 2014 sunset date for ending the taxing district could be extended if earnings continue to fall behind. As one of the five counties comprising this taxing district, Racine County has been burdened with this extra tax since 1995.

I am writing to request that an audit be immediately performed on the state's Department of Revenue. Whether this shortfall is due to a "computer glitch" (as Department representatives claimed in 2003) or simply sloppy bookkeeping, it is imperative that the problem be resolved as quickly as possible. My constituents have been paying for the Miller Park stadium for the past ten years and it is unconscionable to force them to continue to pay beyond the proposed 2014 sunset date.

Thank you for your consideration of my request.

Sincerely,

State Representative John Lehman
62nd Assembly District

State Capitol:
P.O. Box 8952
Madison, WI 53708
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(608) 266-0634
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Sales tax drop shocks counties

Shortfall in revenue has officials calling for audit of state figures

By DAN BENSON
dbenson@journalsentinel.com

Posted: Nov. 2, 2005

Several Wisconsin counties are demanding an audit of how the state Department of Revenue has been distributing sales tax collections, saying their revenues from the tax have been so far behind projections that they can't possibly be right.

The concerns are echoed by officials at the Miller Park stadium district, who have become so alarmed by the district's shortfall that the executive director says the sales tax used to pay for the stadium might have to be extended past a 2014 sunset.

In Washington County, the amount of sales tax revenue received in October was down 11% from the same month last year. In Ozaukee County, the amount for October was down almost 4% and in September it was down almost 10% compared with a year ago.

"It defies explanation," Milwaukee County Budget Director Stephen Agostini said. Milwaukee County sales tax revenue this year is almost \$1 million behind budget projections, Agostini said.

"The trend shows minimal if any growth" in sales tax revenue. "It just doesn't make sense with what's been happening in our economy," he said.

Other counties also suspect the numbers don't add up.

"It's a perplexing problem for us with low unemployment, strong housing growth and a growing commercial sector. We question the accuracy of the information when many other signs point the other direction," Ozaukee County Administrator Tom Meaux said.

Collections of Ozaukee County's half-cent sales tax through the first seven months this year are about \$80,000 behind last year's pace.

"That's hard to accept when I just finished mailing out 300 new property tax credit notices" to owners of newly built homes, Ozaukee County Treasurer Karen Makoutz said.

In Washington County, officials were taken aback when August sales tax revenue fell \$90,000 below August 2004, to \$734,000.

"I expected August to be higher (than August 2004) because of car sales" when many dealers were aggressively promoting themselves, said Washington County Finance Director Susan Haag. "I was surprised to see it go down."

Walworth County supervisors last month passed a resolution calling on Gov. Jim Doyle to authorize an audit.

"The county's issue is whether we can rely on the figures that the state has put forth," said Nicole Andersen, Walworth County's deputy county administrator and finance director.

Milwaukee, Walworth and other counties have either passed resolutions or asked for more information to satisfy their concerns.

"Can you trust the numbers to begin with?" said Craig Thompson, legislative director for the Wisconsin Counties Association. "We're not sure. That's why an audit may be necessary."

Issue isn't new

The issue dates to 2003, when a computer glitch in newly installed software forced 57 counties to repay the state \$24.5 million because they had been overpaid. A computer error discovered this summer showed that 23 counties were shorted \$1.3 million while another 35 counties were overpaid about \$2 million.

Laura Engan, deputy secretary of the Department of Revenue, said any problems will be fixed by December.

"The Department of Revenue will resolve all sorts of issues and make any additional payments necessary or will work with the counties if we have over-distributed," Engan said. "Obviously, we were not pleased when we detected these errors, and we want to help them wrap this up for their fiscal year's books."

"My guess is that no county will be in a position of owing the state any money by end of the year. At the end of the day, people will be satisfied that we've done everything we can to make sure the system is working correctly."

"That's all well and good," Agostini said. "But we haven't agreed that we need to pay them back anything. They are going to have to demonstrate that their numbers are accurate and that there are no failures in their system. I don't believe we're just going to sit down and agree to a payment plan."

Counties use their sales tax revenue for various purposes. Ozaukee and Walworth counties use it to keep property taxes down; Washington County uses it for capital improvements; Milwaukee County uses it to supplement the general fund.

The stadium district is another matter.

As recently as June, Miller Park stadium district officials said they were on target to retire the one-tenth of a cent sales tax in the five-county metro area in 2014.

But that could change, said Mike Duckett, the district's executive director.

In 2002, the district collected \$25.3 million in sales taxes. That fell to \$23.4 million in 2003, and then rose to \$24.8 million last year.

In 2005, earnings are \$2 million behind projections. At the present rate, Duckett said the district will likely collect \$24 million to \$24.5 million.

"In 2005 we are falling short of 2002?" Duckett said. "This just isn't making sense to us."

Failing to meet this year's projected sales tax revenue goal would make 2005 the third straight year where projections fall short, Duckett said.

"These last few years have really alarmed us," Duckett said. "Every step we take really pales in comparison to the sales tax situation. If they don't come in as projected, that will affect our sunset date more than anything."

Staying on course for the 2014 sunset date requires a 5.5% annual increase in sales tax revenue, which was considered a conservative projection in the mid-1990s, Duckett said. From 1997, the first full year the district collected the sales tax, through 2002, the district averaged a 5.4% increase each year.

Pat Webb, the executive director of the Green Bay/Brown County Professional Football Stadium District, said he also thinks sales tax collection numbers for this year are too low.

The district receives the proceeds of a 0.5% Brown County-only sales tax. Those tax collections are used to help pay for \$160 million bonding in connection with the renovation of Lambeau Field.

Webb said that since the tax began, the average annual growth has been 5%. This year, Webb said, collections have been flat.

Don Walker and Dave Umhoefer of the Journal Sentinel staff contributed to this story.

From the Nov. 3, 2005, editions of the Milwaukee Journal Sentinel
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WISCONSIN STATE LEGISLATURE

Joint Audit Committee

Committee Co-Chairs:
State Senator Carol Roessler
State Representative Suzanne Jeskewitz

November 7, 2005

Representative John Lehman
State Capitol, 303 West
HAND DELIVERED

Dear Representative Lehman:

We received the requests that you recently submitted to the Joint Audit Committee. This letter serves as confirmation of those requests.

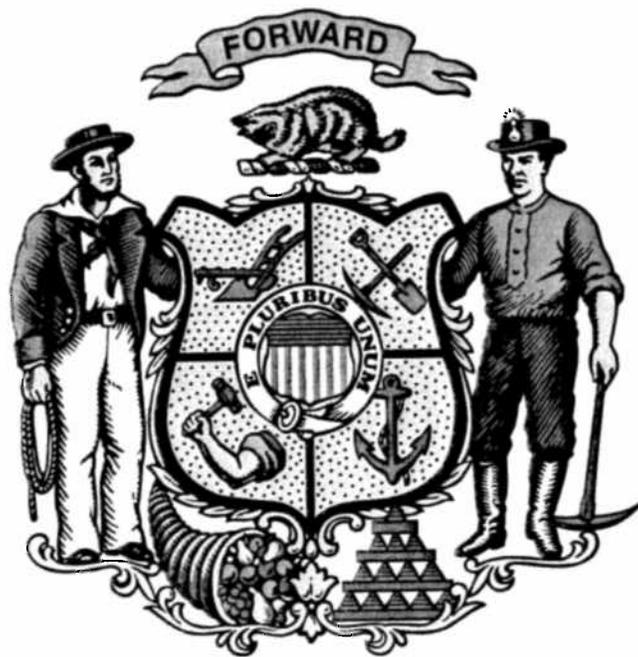
Each request submitted receives serious consideration. As conscientious legislators, we all welcome new ways to do things less expensively or more efficiently. We, as co-chairs of the committee, aim to meet once a month to discuss all requests. Shortly after the meeting, one of us will follow-up with you directly to let you know the status of your request.

Thank you again for your request and we will be in touch soon.

Sincerely,

Senator Carol Roessler
Co-chairperson
Joint Legislative Audit Committee

Representative Suzanne Jeskewitz
Co-chairperson
Joint Legislative Audit Committee



NOV 08 2005



WISCONSIN LEGISLATURE

P.O. BOX 8952 · MADISON, WI 53708

November 8, 2005

Rep. Sue Jeskewitz, Co-Chair
Joint Committee on Audit
State Capitol
Room 314 North
Madison, WI 53708-8952

Sen. Carol Roessler, Co-Chair
Joint Committee on Audit
State Capitol
Room 8 South
Madison, WI 53707-7882

Dear Co-Chair Jeskewitz and Co-Chair Roessler:

The escalating price of natural gas is predicted to drive home heating costs to an all-time high in Wisconsin this winter. Given this situation, we request that the Legislative Audit Bureau conduct an audit of the state's low income weatherization assistance program to assure that the program is being operated in the most cost-effective manner possible.

The rising cost of home heating is not the sole reason for our request. The weatherization program has been growing rapidly, particularly over the past five years. According to the Legislative Fiscal Bureau, in fiscal year 2005-06 approximately \$65 million was budgeted for weatherization programs. That amount represents a significant increase over the \$11 million spent on this program in 2000.

As you know, the Division of Energy in the Department of Administration enters into contracts with various agencies throughout the state to provide weatherization services. Those agencies include community action agencies, housing authorities, tribes, local governments and other non-profit organizations. We believe the audit should focus on whether there are enough qualified agencies in the program and whether the weatherization improvements are being performed cost-effectively.

The state has an obligation to assure that these funds are being spent on programs that meet the intent of the funding and that provide services in a cost effective manner. It is our understanding that an audit has never been conducted of this program.

We respectfully request your approval for an audit of the weatherization program. Thank you for your consideration of our request.

Sincerely,

Rep. Phil Montgomery, Chair
Assembly Energy & Utilities Committee

Rep. Mark Gottlieb
60th Assembly District