2021 ASSEMBLY BILL 1015


1  **AN ACT to create** 20.455 (5) (dm), 20.455 (5) (dn), 165.925 and 165.935 of the statutes; **relating to:** grant programs for victim protection services and for law enforcement agencies to provide services to crime victims and witnesses before a person is charged; funding for crime victim services; reimbursement to counties for victim-witness services; and making an appropriation.

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**Analysis by the Legislative Reference Bureau**

Current law provides rights to crime victims and witnesses. The rights for victims attach once the crime has been reported to law enforcement. This bill requires the Department of Justice to award grants to law enforcement agencies to provide services to crime victims and witnesses between the time a crime is reported until a person is charged for the crime. Under the bill, a law enforcement agency may apply for such a grant by submitting a plan to DOJ. The plan must provide that the agency will create a position of a victim and witness service coordinator who will ensure that victims and witnesses receive services. The bill requires a law enforcement agency that receives a grant to provide to DOJ data on services it provides to victims and witnesses and requires DOJ to submit a comprehensive report on the grant program after five years. The bill terminates the grant program after five years.

The bill establishes another grant program, administered by DOJ, that provides grants to law enforcement agencies and prosecutorial units to provide protection services to victims of crime, including temporary housing for crime victims. The bill provides $5,000,000 biennially for such grants.
Under current law, DOJ provides reimbursement to counties for costs incurred in providing services to victims and witnesses of crime. The bill increases funding for these reimbursements by $3,250,000 in each fiscal year of the 2021–23 biennium.

The bill provides an additional $10,000,000 in the 2021–23 biennium for crime victim services provided by DOJ across the state.

The bill also provides additional funding for higher education and for special education aid the Department of Public Instruction pays to school districts, independent charter schools, cooperative educational service agencies, and county children with disabilities education boards for purposes of maintaining compliance with maintenance of effort requirements of the federal Consolidated Appropriations Act and the federal American Rescue Plan Act.

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:

SECTION 1. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

<table>
<thead>
<tr>
<th>2021-22</th>
<th>2022-23</th>
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<tbody>
<tr>
<td>GPR</td>
<td>B</td>
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<tr>
<td>2,500,000</td>
<td>2,500,000</td>
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SECTION 2. 20.455 (5) (dm) of the statutes is created to read:

20.455 (5) (dm) Victim and witness services. A sum sufficient to provide grants to law enforcement agencies under s. 165.935.

SECTION 3. 20.455 (5) (dn) of the statutes is created to read:

20.455 (5) (dn) Crime victim protective services grant program. Biennially, the amounts in the schedule to provide grants to law enforcement agencies and prosecutorial units under s. 165.925.
SECTION 4. 165.925 of the statutes is created to read:

165.925 Crime victim protective services grant program. (1) In this section:

(a) “Crime victim” means a person against whom a crime has been committed.

(b) “Law enforcement agency” has the meaning given in s. 165.85 (2) (bv).

(c) “Prosecutorial unit” means a prosecutorial unit described in s. 978.01 (1).

(2) From the appropriation under s. 20.455 (5) (dn), the department of justice shall award grants to law enforcement agencies and prosecutorial units to fund crime victim protection services, including temporary housing for crime victims.

(3) The department of justice shall develop criteria that, notwithstanding s. 227.10 (1), need not be promulgated as rules under ch. 227 for use in awarding grants under sub. (2).

SECTION 5. 165.935 of the statutes is created to read:

165.935 Local law enforcement services to victims and witnesses. (1) From the appropriation under s. 20.455 (5) (dm), the department of justice shall award grants to law enforcement agencies on a competitive basis to provide on-site services to crime victims and witnesses between the time a crime is reported until someone is charged for the crime.

(2) A law enforcement agency may apply for a grant under sub. (1) by submitting a plan to the department of justice for the expenditure of the grant moneys awarded. To be eligible for a grant, the law enforcement agency’s plan must create the position of a victim and witness services coordinator who is available at the law enforcement agency and who will ensure that victims and witnesses receive the rights and services to which they are entitled under ch. 950 between the time a
crime is reported and criminal charges are filed against an alleged perpetrator of the crime.

(3) A law enforcement agency that is awarded a grant under sub. (1) shall provide information to the department of justice regarding the agency's implementation of the plan, including the number of victims and witnesses who are provided services and the types of services they receive. The department may request any data regarding a plan funded under this section that are necessary to evaluate the program and prepare the reports under subs. (4) and (5).

(4) The department of justice shall annually analyze the data submitted under sub. (3) for the previous year and prepare a progress report that evaluates the effectiveness of the program. The department shall make the report available to the public.

(5) Beginning on the date 5 years after the effective date of this subsection ..., [LRB inserts date], the department of justice shall prepare a comprehensive report that analyzes all data submitted under sub. (3) and shall submit the report to the legislature under s. 13.172 (2).

(6) The department of justice may not award any grant under this section after the date that is 5 years after the effective date of this subsection .... [LRB inserts date].


(1) Crime victim services; onetime funding. Notwithstanding s. 16.42 (1) (e), in submitting information under s. 16.42 for the 2023-25 biennial budget bill, the department of justice shall submit information concerning the appropriation under s. 20.455 (5) (a) as though the increase in the dollar amount of that appropriation by Section 7 (2) of this act did not take effect.
SECTION 7. Fiscal changes.

(1) Reimbursement to counties for victim-witness services. In the schedule under s. 20.005 (3) for the appropriation to the department of justice under s. 20.455 (5) (f), the dollar amount for fiscal year 2021-22 is increased by $3,250,000 for the purposes for which the appropriation is made. In the schedule under s. 20.005 (3) for the appropriation to the department of justice under s. 20.455 (5) (f), the dollar amount for fiscal year 2022-23 is increased by $3,250,000 for the purposes for which the appropriation is made.

(2) Crime victim services. In the schedule under s. 20.005 (3) for the appropriation to the department of justice under s. 20.455 (5) (a), the dollar amount for fiscal year 2021-22 is increased by $5,000,000 to fund crime victim service programs. In the schedule under s. 20.005 (3) for the appropriation to the department of justice under s. 20.455 (5) (a), the dollar amount for fiscal year 2022-23 is increased by $5,000,000 to fund crime victim service programs.

(3) Special education aid. In the schedule under s. 20.005 (3) for the appropriation to the department of public instruction under s. 20.255 (2) (b), the dollar amount for fiscal year 2021-22 is increased by $9,922,500 to increase funding for aids for special education under s. 115.88. In the schedule under s. 20.005 (3) for the appropriation to the department of public instruction under s. 20.255 (2) (b), the dollar amount for fiscal year 2022-23 is increased by $9,922,500 to increase funding for aids for special education under s. 115.88.

(4) University of Wisconsin System; general program operations. In the schedule under s. 20.005 (3) for the appropriation to the Board of Regents of the University of Wisconsin System under s. 20.285 (1) (a), the dollar amount for fiscal year 2021-22 is increased by $2,520,000 to increase funding for the purpose for
which the appropriation is made. In the schedule under s. 20.005 (3) for the
appropriation to the Board of Regents of the University of Wisconsin System under
s. 20.285 (1) (a), the dollar amount for fiscal year 2022–23 is increased by $2,520,000
to increase funding for the purpose for which the appropriation is made.

(END)