



Legislative Fiscal Bureau

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Joint Committee on Finance

Paper #123

Justice Information System Surcharge -- Criminal Justice-Related Data Collection and Analysis (DOA -- Office of Justice Assistance and Justice)

[LFB 2009-11 Budget Summary: Page 32, #3, Page 52, #3,
Page 53, #5, Page 54, #6, and Page 434, #13]

CURRENT LAW

The \$12 justice information system surcharge is generally assessed with a court fee for the commencement or filing of certain civil court proceedings, including large claims, small claims, forfeiture, wage earner, or garnishment actions, an appeal from municipal court, third party complaint in a civil action, or for filing a counterclaim or cross complaint in a small claims action. Of the \$12 surcharge, \$5 is allocated to the Department of Administration (DOA) for justice information systems, \$6 is allocated to the court system for the circuit court automation program (CCAP), and \$1 is credited to the general fund.

GOVERNOR

Justice Information System Surcharge. Increase the justice information system surcharge by \$6 to \$18. Provide that \$1.50 from each assessed surcharge be allocated to the Department of Administration's Office of Justice Assistance (OJA) to fund the analysis of statistics on the justice system, including racial disparity, and crime and arrest trends. The increased fee is estimated to generate additional program revenue of \$3,060,000 PR in 2009-10, and \$4,080,000 PR in 2010-11.

Create a new PR annual, data gathering and analysis appropriation under OJA. The appropriation would authorize OJA to expend appropriated amounts to gather and analyze statistics on the justice system, including racial disparity, and crime and arrest trends.

Crime Data Collection and Analysis at the Department of Administration's Office of Justice Assistance. Provide \$550,000 PR and 4.0 PR positions annually for the following three crime data and analysis efforts: (a) \$250,000 PR and 2.0 PR positions annually to analyze data on racial disparity in the criminal justice system; (b) \$150,000 PR and 1.0 PR position annually to the Statistical Analysis Center; and (c) \$150,000 PR and 1.0 PR position annually for crime and arrest data collection. Funding would be authorized in the newly created PR annual, data gathering and analysis appropriation under OJA.

Wisconsin Justice Information Sharing at the Department of Administration's Office of Justice Assistance. Provide \$150,000 PR and 1.0 PR position annually to OJA for its Wisconsin Justice Information Sharing program. Funding would be authorized in the newly created PR annual, data gathering and analysis appropriation under OJA.

1% Across-the-Board Funding Reduction. Reduce funding to the new PR data gathering and analysis appropriation by \$7,000 PR annually.

Collection and Analysis of Traffic Stop Data -- Department of Justice. Require all persons in charge of a law enforcement agency to obtain or cause to be obtained all of the following information with respect to each motor vehicle stop made on or after January 1, 2011, by law enforcement officers: (a) the name, address, gender, and race of the operator of the motor vehicle; (b) the reason that the officer stopped or detained the motor vehicle; (c) the make and year of the motor vehicle; (d) the date, time, and location of the motor vehicle stop; (e) whether or not a law enforcement officer conducted a search of the motor vehicle, the operator, or any passenger, and, if so, whether the search was by consent or by other means; (f) the name, address, gender, and race of any person searched; and (g) the name and badge number of the officer making the motor vehicle stop. Specify that if the race of the motor vehicle operator or any person searched is not available from any accessible electronic database or other similar source, the officer must subjectively select the person's race from the following list: (a) Caucasian; (b) African American; (c) Hispanic; (d) American Indian or Alaska Native; or (e) Asian or Pacific Islander. Specify that the traffic stop data is not subject to inspection or copying under the state's open records law.

Define the following terms: (a) "motor vehicle stop," a stop or detention of a motor vehicle that is traveling in, or the detention of an occupied motor vehicle that is already stopped in, any public or private place in a county having a population of 125,000 or more, for the purpose of investigating any alleged or suspected violation of a state or federal law or city, village, town, or county ordinance; (b) "law enforcement agency," a governmental unit of one or more persons employed full-time by the federal government, a state or local unit of government for the purpose of preventing and detecting crime and enforcing federal or state laws or local ordinances, employees of which unit are authorized to make arrests for crimes while acting within the scope of their authority; and (c) "law enforcement officer," a person who is employed by a law enforcement agency for the purpose of detecting and preventing crime and enforcing laws or ordinances and who is authorized to make arrests for violations of the law or ordinances that the person is employed to enforce, whether that enforcement authority extends to all laws or ordinances or is limited to specific laws or ordinances.

Currently the following counties have a population of 125,000 or more: Brown, Dane, Kenosha, Marathon, Milwaukee, Outagamie, Racine, Rock, Washington, Waukesha, and Winnebago.

Require the person in charge of a law enforcement agency to submit the information obtained for motor vehicle stops to the Department of Justice (DOJ) using the form and schedule prescribed by DOJ in administrative rule. Require DOJ to compile the motor vehicle stop information submitted by law enforcement agencies and analyze the information, along with any other relevant information, to determine, both for the individual law enforcement agency submitting information and as an aggregated total for all law enforcement agencies submitting information, all of the following: (a) whether the number of motor vehicle stops and searches involving racial minorities was disproportionate to the number of motor vehicle stops and searches involving non-racial minorities, based on either: (1) an estimate of the population and characteristics of persons traveling on highways in the counties for which information is submitted; (2) on an estimate of the populations and characteristics of persons traveling on highways in the counties for which information is submitted who are violating a law or ordinance; or (3) on some other relevant population estimate; and (b) a determination as to whether any disproportion determined in the motor vehicle stop data is the result of racial profiling, racial stereotyping, or other race-based discrimination or selective enforcement.

Direct DOJ, on or before March 31, 2012, and on or before each March 31 thereafter, to prepare an annual report that summarizes the motor vehicle stop data for the year and describes the methods and conclusions of its analysis of the information. Require DOJ to submit the annual report to the Legislature, the Governor, and to the Director of State Courts.

Direct DOJ to promulgate rules to implement the requirements of the provision, including rules: (a) prescribing a form to use in obtaining motor vehicle stop data; and (b) establishing a schedule for submitting the information to DOJ. Require DOJ to make the form prescribed by its rules available to law enforcement agencies. Specify that DOJ may, by rule, require the collection of information in addition to the information required to be collected under this provision, if the Department determines that the information will help it to make the required determinations identified above.

Require the training program developed by the Law Enforcement Standards Board to include training concerning cultural diversity, including sensitivity toward racial and ethnic differences. Require that the training be designed to prevent the use of race, racial profiling, racial stereotyping, or other race-based discrimination or selection as a basis for detaining, searching, or arresting a person or for otherwise treating a person differently from persons of other races, and emphasizing the fact that the primary purposes of enforcement of traffic regulations are safety and equal and uniform enforcement under the law.

DISCUSSION POINTS

Collection and Analysis of Traffic Stop Data

1. Beginning January 1, 2011, law enforcement agencies in any Wisconsin county having a population of 125,000 or more (currently Brown, Dane, Kenosha, Marathon, Milwaukee, Outagamie, Racine, Rock, Washington, Waukesha, and Winnebago) would be required to collect the following information with regard to each motor vehicle stop made by its law enforcement officers: (a) the name, address, gender, and race of the operator of the motor vehicle; (b) the reason that the officer stopped or detained the motor vehicle; (c) the make and year of the motor vehicle; (d) the date, time, and location of the motor vehicle stop; (e) whether or not a law enforcement officer conducted a search of the motor vehicle, the operator, or any passenger, and, if so, whether the search was by consent or by other means; (f) the name, address, gender, and race of any person searched; and (g) the name and badge number of the officer making the motor vehicle stop. Required information from each vehicle stop would have to be submitted by the collecting law enforcement agency to DOJ using the form and schedule prescribed by DOJ in administrative rule.

2. The Department of Justice would be required to compile the submitted motor vehicle stop information and analyze the information, along with any other relevant information, to determine, both for the individual submitting law enforcement agency, and for all submitting law enforcement agencies in aggregate, all of the following: (a) whether the number of motor vehicle stops and searches involving racial minorities was disproportionate to the number of motor vehicle stops and searches involving non-racial minorities, based on either: (1) an estimate of the population and characteristics of persons traveling on highways in the counties for which information is submitted; (2) on an estimate of the populations and characteristics of persons traveling on highways in the counties for which information is submitted who are violating a law or ordinance; or (3) on some other relevant population estimate; and (b) a determination as to whether any disproportion determined in the motor vehicle stop data is the result of racial profiling, racial stereotyping, or other race-based discrimination or selective enforcement. In administering the program, DOJ would be authorized, through the rulemaking process, to require the collection of additional information by local law enforcement agencies if the Department concluded that the information would help the agency to make its required determinations.

3. On or before March 31, 2012, and on or before each March 31 thereafter, DOJ would be required to prepare an annual report that summarizes the motor vehicle stop data for the year and describes the methods and conclusions of its analysis of the information. The annual report would have to be submitted to the Legislature, the Governor, and to the Director of State Courts.

4. The Training and Standards Bureau at DOJ staffs the Law Enforcement Standards Board. Under the bill, the Board would be required to modify its training program for law enforcement officers to include training concerning cultural diversity, including sensitivity toward racial and ethnic differences. The training would be designed to prevent the use of race, racial profiling, racial stereotyping, or other race-based discrimination or selection as a basis for detaining, searching, or arresting a person or for otherwise treating a person differently from persons of other

rates. The training would also emphasize that the primary purposes of enforcement of traffic regulations are safety and equal and uniform enforcement of the law.

5. In calendar year 2007 (the last year for which data is available), there were 301,355 civil traffic judgments in municipal court. In calendar year 2008, there were 418,914 civil traffic judgments and 44,458 criminal traffic convictions in circuit court. While a single traffic stop may generate multiple citations and subsequent convictions, other citations are dropped before trial or the defendant is found not guilty. In addition, many traffic stops conclude with a warning and no citation.

6. The state of Wisconsin had a population of 5,675,156 as of January 1, 2008. Of the total, the eleven counties affected by the provisions of AB 75 had a cumulative population of 3,162,625 (55.7% of the total population). If it is assumed that there is a relationship between population and the distribution of traffic stops across the state, it may be anticipated that the provisions of the bill would generate a substantial data collection and analysis workload for local law enforcement agencies in the affected counties and DOJ, potentially involving hundreds of thousands of traffic stops every year.

7. The Department of Justice indicates that hundreds of local law enforcement agencies would be affected by the traffic data collection provision. The administration does not have information regarding either one-time or ongoing costs that would be incurred by these agencies, including information technology costs, data processing, and any other associated costs. The provisions of AB 75 do not provide funding for local law enforcement agencies to address these costs.

8. The administration also does not have information regarding either one-time or ongoing costs that would be incurred under the initiative by DOJ. Under AB 75, DOJ would be required to utilize existing resources to carry out these additional responsibilities. The administration indicates that no additional resources were provided to DOJ "due to the tight economic conditions."

The Department of Justice has expressed the concern that it "cannot absorb the additional work and IT requirements necessary to implement the racial profiling provisions in the budget bill without discontinuing or substantially delaying current work and IT functions." The Department estimates that it may incur approximately \$1 million in costs in the first two years under a traffic data collection and analysis initiative. If the Legislature approves the initiative, costs may vary from what is identified based on the specifics of any implementation.

9. In order to minimize data entry errors for potentially hundreds of thousands of reports every year, it could be argued that an information technology system should be developed for this initiative. Requiring DOJ to double enter hundreds of thousands of paper reports every year would arguably be inefficient and increase the likelihood for avoidable data entry errors. In addition, a paper reporting system would not decrease the data collection workload for local law enforcement agencies. For such an information technology system, the administration would need to determine: (a) software programming requirements; (b) software programming costs; (c) required

hardware; (d) hardware costs; (e) whether the system should have remote access capability from all local police vehicles in the affected counties to streamline data entry; (f) data storage requirements; (g) number of users; and (h) system development timelines. The bill does not provide funding to either study the development of such a system or implement it. Concerns could be raised that AB 75 neither provides an implementation plan nor funding for this initiative.

10. Under the federal American Recovery and Reinvestment Act (ARRA), Wisconsin will be provided a one-time Byrne Justice Assistance Grant award of \$18,843,600 FED. The administration has expressed an intent to utilize \$300,000 FED from this award to provide a source of funding for software purchases by local law enforcement agencies required to collect traffic data under the provisions of AB 75. Under the bill, however, the administration has not recommended an information technology solution for this initiative. As a result, it is unknown what hardware or software each local law enforcement agency may require, and how much it will cost on a one-time or ongoing basis. As of this writing, it is not known what process would be utilized to determine which local law enforcement agencies receive the funding and in what amount.

11. It may also be worth noting that the federal government has provided to Wisconsin's Department of Transportation a grant totaling \$454,170 FED in 2008 relating to: (a) prohibiting the use of racial profiling in the enforcement of state laws regulating the use of Federal-aid highways; and (b) maintaining and allowing public inspection of statistical information for each motor vehicle stop made by a law enforcement officer on a Federal-aid highway in the state regarding the race and ethnicity of the driver and any passengers. Grant funding may be used for the costs of: (a) collecting and maintaining of data on traffic stops; (b) evaluating the results of the data; and (c) developing and implementing programs to reduce the occurrence of racial profiling, including programs to train law enforcement officers. Of this initial funding, an \$88,000 grant has already been awarded to the University of Wisconsin-Madison Transportation Information Center to assess data collection capabilities. In addition, the Wisconsin Department of Transportation believes that it may receive one more award under this program comparable in value to its 2008 award.

12. It is unclear, however, to what extent these funds may ultimately be made available for this initiative. In addition, estimated state and local costs to implement this initiative are unknown at this time.

13. In order to address any implementation concerns the Committee may have, the Committee could consider directing the Secretary of the Department of Administration to report to the Committee under 14-day passive review as to: (a) the feasibility of developing an information technology system to implement the traffic stop data collection initiative; (b) estimated initial development costs for the system and how these cost estimates were determined; (c) estimated ongoing system costs and how these costs were determined; (d) system development timelines; (e) the estimated costs to each participating local law enforcement agency on a one-time and ongoing basis to acquire any necessary hardware and software, costs for necessary communication lines, as well as other associated initiative costs; (f) the estimated costs to DOJ on a one-time and ongoing basis to acquire any necessary hardware and software, costs for necessary communication lines, staffing costs to compile and analyze the data and produce the required annual reports, staffing costs to administer the program, costs to maintain the information technology system, as well as other

associated initiative costs; and (g) identified funding sources for the initiative sufficient to cover the estimated cost of the initiative. The Committee could further direct the Secretary of the Department of Administration to not begin any system development work without the approval of the Joint Committee on Finance. [Alternative A2]

14. Finally, AB 75 specifies that traffic stop data is not subject to inspection or copying under the state's open records law. In a memorandum to the Committee dated March 19, 2009, the Secretary of the Department of Administration indicated that it was not the Governor's intent to exempt these records from the state's open records law. If the Committee wishes, it could modify the bill to make information from every recorded traffic stop subject to public inspection and copying as suggested by DOA. [Alternative A3]

Justice Information System Surcharge

15. The justice information system surcharge, which would fund the AB 75 criminal justice data collection and analysis initiatives under OJA, is generally assessed with a court fee for the commencement or filing of certain civil court proceedings, including large claims, small claims, forfeiture, wage earner, or garnishment actions, an appeal from municipal court, third party complaint in a civil action, or for filing a counterclaim or cross complaint in a small claims action. Some could question requiring individuals commencing or filing such civil actions to pay an increased justice information system surcharge to support criminal justice-related activities at OJA.

16. First, increasing this surcharge would further increase the cost for citizens to access their civil court system and resolve their grievances. In her testimony before the Committee, the Chief Justice of the Supreme Court expressed her concerns about further increases in the costs to citizens to access their courts. Second, some could question whether individuals commencing or filing civil actions have a special responsibility to fund criminal justice-related activities at OJA. If the Committee has concerns about increasing the justice information system surcharge, it could delete the \$1.50 increase associated with these various OJA initiatives (discussed below) and delete the initiatives. [Alternative B4]

17. On the other hand, under current law justice information system surcharge revenues are utilized by the state to support district attorney information technology, CCAP (the information technology system used by the circuit courts to track its caseload), and the general fund. It could be argued that the state utilizes these surcharge revenues directly and indirectly to improve the justice system. It could be further argued that the recommended uses of the revenue under AB 75 would also contribute to improving the justice system. As a result, the Committee could approve the surcharge increase. [Alternative B1]

Racial Disparity Data Analysis

18. While AB 75 does not create any statutory responsibilities for OJA relative to the collection and analysis of data on racial disparity in the justice system, the administration indicates that in order to meet the Office's obligations under Executive Order #251 and support the Racial Disparities Oversight Commission, the bill provides a net \$247,500 PR annually and 2.0 PR

positions annually to OJA to analyze data on racial disparity in the criminal justice system. The funding would derive from justice information system surcharge revenues. [Alternative C1]

19. On May 13, 2008, in response to the final report of the Commission on Reducing Racial Disparities in the Wisconsin Justice System, the Governor issued Executive Order #251. In this executive order the Governor directed "all state agencies with relevant information and capability (such as the Office of Justice Assistance, Department of Transportation, and Department of Corrections) to develop reporting mechanisms to track traffic citation, arrest, charging, sentencing and revocation patterns by jurisdiction and race using processes such as those developed through the Wisconsin Justice Information Sharing Program (WIJIS) and the District Attorney IT PROTECT system."

20. In addition, the executive order created the Racial Disparities Oversight Commission, which is comprised of no more than four members who are appointed by and serve at the pleasure of the Governor. The Commission is responsible for exercising "oversight and advocacy concerning programs and policies to reduce disparate treatment of people of color across the spectrum of the criminal justice system." The Commission meets as necessary, but not less than twice a year.

21. In order to provide additional resources for racial disparity analysis and in order to provide staffing for the Racial Disparities Oversight Commission, the Committee could consider providing a net \$247,500 PR annually and 2.0 PR positions annually to OJA. If the Committee is concerned about raising justice information system surcharge fees on civil court actions to support criminal justice-related activities at OJA, it could delete the initiative. [Alternative C2]

22. Alternatively, in order to provide additional resources for the traffic data collection initiative, the Committee could consider: (a) deleting the OJA position and funding; (b) creating PR annual appropriations under DOJ to receive justice information system surcharge revenues to fund state and local information technology and administrative costs associated with the initiative; and (c) providing no expenditure authority to these DOJ appropriations. Depending on information subsequently provided to the Committee by the Secretary of the Department of Administration under 14-day passive review, the Committee could subsequently provide expenditure authority based on the Secretary's report. [Alternatives B3 and C2]

Statistical Analysis Center

23. Under s. 16.964(1)(f) and (g) of the statutes, OJA's Statistical Analysis Center (SAC) is responsible for: (a) serving as a clearinghouse of justice system data and information; (b) conducting justice system research and data analysis; (c) collecting and publishing statewide crime and arrest data from all participating law enforcement agencies (primarily local law enforcement agencies); and (d) forwarding statewide crime and arrest data to the FBI and participating in the FBI's Uniform Crime Reporting Program.

24. No state funding is budgeted to specifically carry out these functions. As a result, the work of the SAC is completed under the restrictions of utilized federal funding. For 2008-09,

the SAC has a budget of \$414,500 (primarily federal funding) and 4.0 FED positions. Office staff indicate that state justice system research has been limited due to the lack of specific state funding.

25. Under AB 75, the SAC would be provided a net \$297,000 PR annually and 2.0 PR positions annually, funded from justice information system surcharge revenues. The first position would be utilized by OJA to provide state funding for the SAC director. The administration indicates that the second position would be utilized by OJA to carry out its uniform crime reporting responsibilities of: (a) collecting crime and arrest data from local law enforcement agencies; (b) forwarding this data to the FBI; and (c) producing required crime and arrest data reports.

26. In order to provide state funding for these activities, the Committee could consider approving a net \$297,000 PR annually and 2.0 PR positions annually for the SAC. In addition, providing state funding would allow OJA more flexibility to pursue state priorities for justice system research, as opposed to being constrained by federal grant fund limitations for work that is completed by federally-funded positions. [Alternative D1] If the Committee is concerned about raising justice information system surcharge fees on civil court actions to support criminal justice-related activities at OJA, however, the Committee could consider deleting the initiative. [Alternative D2]

27. Alternatively, as with the racial disparities data analysis provision, in order to provide additional resources for the traffic data collection initiative, the Committee could consider deleting the SAC position and funding but provide no expenditure authority to the justice information system surcharge-funded DOJ appropriations. Depending on information subsequently provided to the Committee by the Secretary of the Department of Administration under 14-day passive review, the Committee could subsequently provide expenditure authority based on the Secretary's report. [Alternatives B3 and D2]

Wisconsin Justice Information Sharing

28. Under s. 16.971(9) of the statutes, DOA may maintain, promote and coordinate automated justice information systems between counties and state criminal justice agencies. The first major initiative to develop from this authorization was the statewide prosecutor computer system, which has evolved into the district attorney information technology (DA IT) program.

29. While DA IT remains statutorily under DOA, the Department of Administration's Division of Enterprise Technology has entered into an agreement with OJA to have OJA further the automation of justice information systems. This OJA initiative is known as the Wisconsin Justice Information Sharing (WIJIS) program. For 2008-09, the WIJIS program budget is \$1,851,400, including \$1,152,100 FED and \$699,300 PR (additional federal funding received from other state agencies and local units of government to reimburse OJA for WIJIS expenses), and 3.0 FED funded positions. The two primary IT initiatives of WIJIS are the Justice Gateway and the WIJIS Workflow Engine.

30. The Justice Gateway is a web-based tool which provides law enforcement personnel with a single, secure point of read-only access to information stored in separate justice-related state,

local, and tribal databases from communities across Wisconsin. The objective of the Justice Gateway is to improve public safety and domestic preparedness through the sharing of justice information across geographic and organizational boundaries. Only authorized law enforcement and prosecutor personnel are authorized to use the Gateway in the conduct of their official duties. Participating law enforcement agencies decide which records they will make available on the Gateway. The Gateway permits authorized users to do a name search of law enforcement contact, arrest, and investigation records.

31. The Workflow Engine is designed to support many different types of information exchange securely over authenticated Internet connections. The intent of the Workflow Engine is to streamline the processing of criminal justice records across multiple agencies. For example, the Workflow Engine supports the secure exchange of electronic citations originated by DOT. The Workflow Engine routes citations to the courts, prosecutors, local municipal court systems, and two tracking/reporting databases at DOT, based on business routing rules established by the users of the system.

32. Under AB 75, WIJIS would be provided a net \$148,500 PR annually and 1.0 PR position annually, funded from justice information system surcharge revenues. The position would be utilized by OJA to provide state funding for the WIJIS director. The administration indicates that, "the Governor's budget provides funding and authority for the WIJIS Director to ensure consistent leadership for WIJIS, while other positions may be filled with federal and other grants when available."

33. In order to provide state funding for the WIJIS director, the Committee could consider approving a net \$148,500 PR annually and 1.0 PR position annually. [Alternative E1] If the Committee is concerned about raising justice information system surcharge fees on civil court actions to support criminal justice-related activities at OJA, however, the Committee could consider deleting the initiative. [Alternative E2]

34. Under the federal American Recovery and Reinvestment Act (ARRA), however, the state of Wisconsin will be provided a one-time Byrne Justice Assistance Grant award of \$18,843,600 FED. It may be worth noting that the administration has expressed its intent to utilize \$450,000 FED in ARRA funding for WIJIS expansion.

35. Alternatively, as with the previous two OJA funding and position recommendations, in order to provide additional resources for the traffic data collection initiative, the Committee could consider deleting the WIJIS funding and positions but provide no expenditure authority to the justice information system surcharge-funded DOJ appropriations. Depending on information subsequently provided to the Committee by the Secretary of the Department of Administration under 14-day passive review, the Committee could subsequently provide expenditure authority based on the Secretary's report. [Alternatives B3 and E2]

36. If the Committee elected to delete all of the OJA initiatives in order to provide additional resources for the traffic data collection initiative, the Committee could also consider deleting the new PR annual, data gathering and analysis appropriation under OJA. Under AB 75,

OJA would utilize this appropriation to receive and expend justice information system surcharge revenues to fund these OJA initiatives. [Alternative B2]

ALTERNATIVES

A. Collection and Analysis of Traffic Stop Data

1. Approve the Governor's recommendation to require local law enforcement agencies in counties having a population of 125,000 or more, and the Department of Justice (DOJ) to collect and analyze traffic stop data.

2. Direct the Secretary of the Department of Administration to report to the Joint Committee on Finance under 14-day passive review as to: (a) the feasibility of developing an information technology system to implement the traffic stop data collection initiative; (b) estimated initial development costs for the system and how these cost estimates were arrived at; (c) estimated ongoing system costs and how these costs were arrived at; (d) system development timelines; (e) the estimated costs to each participating local law enforcement agency on a one-time and ongoing basis to acquire any necessary hardware and software, costs for necessary communication lines, as well as other associated initiative costs; (f) the estimated costs to DOJ on a one-time and ongoing basis to acquire any necessary hardware and software, costs for necessary communication lines, staffing costs to compile and analyze the data and produce the required annual reports, staffing costs to administer the program, costs to maintain the information technology system, as well as other associated initiative costs; and (g) identified funding sources for the initiative sufficient to cover the estimated cost of the initiative. Further, direct the Secretary of the Department of Administration to not begin any system development work without the approval of the Joint Committee on Finance.

3. Provide that information from every recorded traffic stop that is forwarded to DOJ under the traffic stop data collection initiative is subject to inspection or copying under the state's open records law.

4. Delete provision.

B. Justice Information System Surcharge.

1. Approve the Governor's recommendation to increase the justice information system surcharge by \$1.50 and allocate the additional revenue to a new PR annual, data gathering and analysis appropriation under the Department of Administration's Office of Justice Assistance (OJA).

2. Delete the PR annual, data gathering and analysis appropriation under OJA.

3. Create PR annual appropriations under DOJ to receive justice information system surcharge revenues to fund state and local information technology and administrative costs associated with the traffic stop data collection initiative.

4. Delete provision. Reduce estimated revenues from the increased surcharge by \$765,000 PR in 2009-10, and by \$1,020,000 PR in 2010-11.

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|---------------|-----------------------|
| ALT B4 | Change to Bill |
| | Revenue |
| PR | - \$1,785,000 |

C. Racial Disparity Data Analysis

1. Approve the Governor's recommendation to provide a net \$247,500 PR and 2.0 PR positions annually to OJA to analyze data on racial disparity and staff the Racial Disparities Oversight Commission.

2. Delete provision.

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|---------------|-----------------------|
| ALT C2 | Change to Bill |
| | Funding Positions |
| PR | - \$495,000 - 2.00 |

D. Statistical Analysis Center

1. Approve the Governor's recommendation to provide a net \$297,000 PR and 2.0 PR positions annually to OJA's Statistical Analysis Center.

2. Delete provision.

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|---------------|-----------------------|
| ALT D2 | Change to Bill |
| | Funding Positions |
| PR | - \$594,000 - 2.00 |

E. Wisconsin Justice Information Sharing Program

1. Approve the Governor's recommendation to provide a net \$148,500 PR and 1.0 PR position annually to OJA for its Wisconsin Justice Information Sharing Program.

2. Delete provision.

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|---------------|-----------------------|
| ALT E2 | Change to Bill |
| | Funding Positions |
| PR | - \$297,000 - 1.00 |

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