



## Legislative Fiscal Bureau

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Joint Committee on Finance

Paper #146

### **District Attorney Information Technology Program (Administration -- Information Technology and District Attorneys)**

[LFB 2023-25 Budget Summary: Page 41, #2 and Page 153, #9]

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#### **CURRENT LAW**

The District Attorney Information Technology (DAIT) program, administered by DOA, provides IT services and support in district attorney (DA) offices statewide. Budgeted funding for the program is \$4,272,800 PR in 2021-22 and \$4,273,000 PR in 2022-23 and 15 PR positions, supported with an allocation from the \$21.50 justice information system surcharge. The \$21.50 justice information system (JIS) surcharge imposed on an individual who is assessed a court fee for the commencement of certain court proceedings. In recent years the JIS surcharge fund has operated in deficit. In 2021-22, the JIS surcharge fund concluded the fiscal year with a cumulative deficit of \$9,911,600.

Under the program, DA offices transitioned from independent county networks to a statewide platform, implemented a statewide case management system (PROTECT), and coordinated with the Circuit Courts, the Departments of Justice and Corrections, the Wisconsin State Patrol, and local law enforcement agencies on shared interfaces. Examples of such collaborations include: (a) an interface with the state court system's database (CCAP) in DA offices to provide a two-way transfer of case data; (b) an interface to the criminal history repository to provide updated criminal history records to DA offices; (c) an interface with law enforcement agencies to electronically process referrals; (d) an interface with the Department of Corrections to provide crime victims information from Corrections' notification service; and (e) a criminal eFiling system for all case types.

#### **DISCUSSION POINTS**

1. According to DOA, efforts to implement criminal eFiling began in 2015-16. The initial

development of PROTECT was funded through federal JAG/Byrne funds. The PROTECT system is a client server application and requires desktop equipment for all users and includes dependencies on third-party applications, such as Microsoft Word.

2. The Department indicates that there are new platforms that may provide a more efficient system using cloud technology. This may allow users to access the application as long there is an internet connection. In addition, there may be an opportunity to incorporate best practices introduced in the past 10 to 20 years such as mobile-based applications, advanced security controls, and greater integration across the justice system.

3. A request for information was conducted by DOA to gather industry information regarding platform and vendor options as well as estimated costs. Information gathered indicates implementation timelines averaging just over three years with total implementation costs averaging \$6.26 million. The project would have three phases: strategy and planning; design and development; and transition support.

4. During strategy and planning, DAIT would contract for consulting services and a software development and IT operations engineer. During design and development, contracted personnel would include a project manager, senior internal business analyst, systems architect, cloud engineer, database developers, and quality assurance. Transition support would contract for systems administration, desktop support, infrastructure, and bandwidth for system access.

5. The Department indicates that maintaining the current system may require an investment in order to continue to provide service to each DA office and ensure the system is stable and meets security standards. The increase in users, the move to subscription software, increase in storage costs due in part to digital evidence and need to increase bandwidth all may require additional resources just to keep the current environment functioning.

6. Under AB 43/SB 70, the Department is provided with \$3,000,000 GPR annually for the 2023-25 biennium only. The Department indicates that this funding will primarily be used for software licensing fees, infrastructure costs and consulting resources to rearchitect the system to a cloud-ready application. A variety of contracted staff hourly wage rates could range from \$75 to \$150 per hour. [Alternative A1] This alternative would also create an annual GPR appropriation for justice information systems. Further, the new appropriation would be included in a list of appropriations for which the Department is annually required to report to the Legislature regarding efforts to improve and increase the efficiency of integration of justice information systems.

7. In order to account for the time it will take to fully initiate the project during 2023-24, the Committee could provide less funding in the first year. Reduced funding assumes that work in the first year would be more equivalent to six months rather than a full year. [Alternative A2] This alternative would provide \$1,700,000 GPR in 2023-24 and \$3,000,000 GPR in 2024-25 on a one-time basis. However, the Department indicates that the additional flexibility additional funding would provide may allow for more expedited implementation.

8. In previous biennia, the DAIT program has provided IT hardware, software, and legal subscription services to DAs, ADAs, and other DA office staff. Due to decreasing revenue provided

to DAIT through the JIS surcharge and the movement to subscription-based software, DAIT is no longer positioned to provide these services.

9. In addition to updating the PROTECT system, under AB 43/SB 70, \$1,400,000 GPR annually is provided for laptops and software for 1,600 state- and county-funded employees statewide utilizing the DAIT network and to provide TIME access (Department of Justice information), Westlaw subscription, and State Bar legal research tools for eligible DA office employees. The bill would use the same annual GPR appropriation created for the PROTECT system to fund IT upgrades.

10. The Department indicates that funding for the IT upgrades is sufficient to cover the laptop (4-year life cycle) and necessary software (Microsoft Office 365 G3) for the 1,600 employees working in the District Attorney offices statewide and utilizing the DAIT network. Additionally, this item provides funding to cover DOJ/TIME Access, Westlaw Subscription and State Bar legal research tools for eligible DA office employees. The table below from DOA breaks down this estimate. [Note that the table sums to more than is provided.]

<u>Item</u>	<u>Total Annual</u>
Laptop	\$640,000
Office 365 License	640,000
DOJ/TIME Access	78,000
Westlaw	99,900
State Bar	<u>10,900</u>
Total	\$1,468,800

11. Given that the current source of funding for DAIT is the JIS, which is in deficit, the Committee could provide GPR funding in an amount sufficient to cover hardware and software costs associated with DAIT. [Alternative B1] This alternative would provide \$1,400,000 GPR annually in a new annual appropriation.

12. The DAIT PR appropriation does have a base amount of funding for hardware and software costs. However, the amount in the base is \$200,000 annually for hardware and \$810,000 for software costs, which is \$458,900 less than the total estimated cost in the table above. In order to balance the needs of DAIT and the PR funding that is in deficit, the Committee could provide the GPR requested, but reduce PR authority. [Alternative B2] This alternative would provide \$1,400,000 GPR and -\$1,000,000 PR annually.

13. If the Committee decides to take no action related to the PROTECT system or IT upgrades, funding for DAIT would remain at \$4,329,700 PR in 2023-24 and 15 PR positions. [Alternative A3 and B3]

## ALTERNATIVES

### A. PROTECT System

1. Provide \$3,000,000 GPR annually on a one-time basis to support the District Attorney Information Technology (DAIT) program, which provides IT hardware, software, and legal subscription services to the District Attorneys (DA), Assistant District Attorneys, and other District Attorney Office staff. Create a new annual GPR appropriation for justice information systems. Further, include the new appropriation in a list of appropriations for which the Department is annually required to report to the Legislature regarding efforts to improve and increase the efficiency of integration of justice information systems.

ALT A1	Change to Base
GPR	\$6,000,000

2. Provide \$1,700,000 GPR in 2023-24 and \$3,000,000 GPR in 2024-25 on a one-time basis to support the District Attorney Information Technology (DAIT) program, which provides IT hardware, software, and legal subscription services to the District Attorneys (DA), Assistant District Attorneys, and other District Attorney Office staff. Create a new annual GPR appropriation for justice information systems. Further, include the new appropriation in a list of appropriations for which the Department is annually required to report to the Legislature regarding efforts to improve and increase the efficiency of integration of justice information systems.

ALT A2	Change to Base
GPR	\$4,700,000

3. Take no action.

### B. IT Upgrades

1. Provide \$1,400,000 GPR annually in a new annual appropriation to fund information technology upgrades for District Attorney offices. Create a new annual GPR appropriation for justice information systems. Further, include the new appropriation in a list of appropriations for which the Department is annually required to report to the Legislature regarding efforts to improve and increase the efficiency of integration of justice information systems.

ALT B1	Change to Base
GPR	\$2,800,000

2. Provide \$1,400,000 GPR to fund information technology upgrades for District Attorney offices. Reduce PR expenditure authority for DAIT funded from the Justice Information Fee by

\$1,000,000 PR annually. Create a new annual GPR appropriation for justice information systems. Further, include the new appropriation in a list of appropriations for which the Department is annually required to report to the Legislature regarding efforts to improve and increase the efficiency of integration of justice information systems.

<b>ALT B2</b>	<b>Change to Base</b>
GPR	\$2,800,000
PR	<u>-2,000,000</u>
Total	\$800,000

3. Take no action.

Prepared by: Sarah Wynn

