



Wisconsin Department of Justice

2021-2023 Biennial Report

Pursuant to Wis. Stats. §15.04(1)(d), this report provides department performance and operational information from the 2019-2021 biennium, and projects department goals and objectives as developed for the program budget.

I. Organization

The Wisconsin Department of Justice (DOJ) is led by the attorney general, a constitutional officer who is elected by partisan ballot to a four-year term. Public safety is the core of DOJ's mission. DOJ fulfills its mission and statutory duties through the work of five divisions and four offices. The main duties include, but are not limited to, the following:

- Providing legal advice and representation for the State of Wisconsin,
- Investigating crimes that are statewide in nature or importance,
- Providing technical assistance and training to law enforcement officers and prosecutors,
- Assisting victims of crime in exercising their rights and accessing services,
- Providing forensic analysis of evidence for prosecutors and defense upon request, and
- Promoting safe school environments.

For more information: www.doj.state.wi.us

A. Division of Criminal Investigation

The Division of Criminal Investigation (DCI) is charged with investigating crimes of statewide nature or importance. DCI employs sworn law enforcement officers possessing statewide jurisdiction and charged with the responsibility of enforcing the laws of Wisconsin. DCI Special Agents and criminal analysts work closely with local, county, tribal, state, and federal law enforcement officials to investigate and prosecute crimes involving homicide, arson, financial crimes, illegal gaming, multi-jurisdictional crimes, drug trafficking, internet crimes against children,

human trafficking, sexual assault, cybercrimes, homeland security, public integrity, and government corruption. DCI also provides focused management of officer involved death investigations, bringing extensive experience and added confidence to investigations involving use of force by law enforcement that results in death. DCI provides expertise, specialized training, and additional equipment and investigative resources to local, state, and federal law enforcement partners during major events or investigations in Wisconsin. Finally, DCI's administrative personnel help the Division be responsive to the citizens of Wisconsin as well as DOJ's criminal justice partners. DCI is organized into five bureaus, each overseen by a director based upon their subject matter and location.

The **Field Operations Bureau** is responsible for the majority of investigative resources deployed throughout the state by DCI. DCI has regional field offices in the areas of Madison, Milwaukee, Appleton, Eau Claire, and Wausau. Additionally, supervisors and staff work in partnership with other law enforcement agencies at the North Central High Intensity Drug Trafficking Area (HIDTA) office in Milwaukee. The Field Operations Bureau also oversees the state's high profile drug programs, initiatives, and specialized investigative task forces such as the Drug Endangered Children program (DEC). Additionally, the Field Operations Bureau encompasses the Lead Instructor Group which facilitates training for members of the division. The bureau's justice program staff plan and coordinate DCI's many conferences, workshops, and schools held for law enforcement organizations throughout the state.

The **Special Operations Bureau** includes Wisconsin's AMBER, Silver, and Green Alert program, the Wisconsin Clearinghouse for Missing and Exploited Children and Adults, Wisconsin Crime Alert Network, and gaming enforcement. Special agents assigned to the cyber crimes unit, the technical services unit, the Sexual Assault Kit Initiative (SAKI) and the FBI Joint Terrorism Task Force are assigned to this bureau. The crime response specialists, also assigned to this bureau, have a crucial role during officer involved critical incidents, fires/explosions, death investigations, missing children, and other significant events in support of DCI and other law enforcement agencies and criminal justice partners. This bureau is also responsible for activities and programs of the Wisconsin Statewide Intelligence Center (WSIC). WSIC serves as the Governor's designated primary intelligence fusion center for the state. WSIC criminal intelligence analysts provide analysis and specialized investigative and tactical intelligence support to enhance the efforts of DCI and other law enforcement agencies in Wisconsin. Analysts provide investigative support by identifying suspects, developing investigative leads, examining patterns of criminal activity, gathering, and examining records, and defining the roles of participants in criminal organizations to support prosecutions.

The **Human Trafficking and Internet Crimes Against Children Bureau** houses multiple focus areas dedicated to investigating online exploitation and to provide digital forensic capabilities for law enforcement in Wisconsin. Within the bureau is the Human Trafficking focus area which investigates cases involving sexual exploitation, labor trafficking, and provides training to law enforcement and the public. The Human Trafficking focus area recently received a grant to form a statewide task force that combines law enforcement with victim advocate groups to combat human trafficking using a victim-centered approach, which has been named the Wisconsin Anti-Human Trafficking Task Force. This bureau also houses Wisconsin's ICAC (Internet Crimes Against Children) Task Force, formed in 1999. The ICAC task force includes a partnership with a growing list of local law enforcement agencies. DCI ICAC personnel provide investigative and prosecutorial assistance statewide, as well as training to law enforcement, prosecutors, and the public. The ICAC Task Force relies upon the Division's Crime Response Unit to provide support and services to victims and families in Wisconsin, the first of its specialized kind in the nation. This bureau utilizes an electronic storage detection K-9 and handler that assist agencies in locating hidden electronic media used to store illegal images or other evidence of criminal activity.

The **State Fire Marshal's Office – Arson Bureau** is overseen by a director, who also serves as the State Fire Marshall. The primary work of the Arson Bureau is conducting investigations of fires and explosions to determine origin and cause. As Deputy State Fire Marshals, the special agents use the scientific method to conduct investigations of fires and explosions and classify these events as accidental, natural, incendiary, or undetermined. Deputy State Fire Marshals work with law enforcement agencies and fire departments throughout the State of Wisconsin as well as the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). Additionally, the Office of the State Fire Marshal has one accelerant detection canine, trained to alert in areas of fires that may contain potential accelerants. The K-9 and handler, certified by ATF, are used by agents and local law enforcement officers during their investigations. This section provides training opportunities to both fire service and law enforcement in the area of fire investigation. This bureau also includes the DCI Appleton Field Office, Lake Winnebago Area Metropolitan Enforcement Group – Drug Unit, the Native American Drug and Gang Initiative, and the Clandestine Laboratory Enforcement and Response Team.

The **Administrative Operations Bureau** is responsible for the DCI Public Records Unit. This is a collaborative team operating in conjunction with the department's Office of Open Government (OOG) charged with responding to public requests for records. In addition, they carry out fundamental day to day operations including processing financials, managing all DCI records, creating metrics and reports, and providing assistance for special projects including high profile case support.

The bureau is also responsible for the Digital Evidence Unit (DEU). This unit provides assistance to department investigators and local law enforcement agencies by analyzing electronic media and devices using complex forensic and analytical software systems to identify and present evidence of crimes. The DEU also participates in the ICAC Human Exploitation Rescue Operative (HERO) program, through which wounded, injured, or ill veterans are hired to enhance or improve forensic examination capacity in the Task Force.

For more information: <https://www.doj.state.wi.us/dci/division-criminal-investigation-dci>

B. Division of Law Enforcement Services

The Division of Law Enforcement Services (DLES) provides technical and programmatic assistance to state and local law enforcement agencies, manages the state repository for fingerprint identification and criminal history record information, and operates a 24-hours-a-day, seven-days-a-week computerized telecommunications system linking law enforcement agencies statewide. DLES administers law enforcement training standards, conducts, and creates specialized training for law enforcement, manages criminal information reporting systems, administers grant funds that support training, juvenile justice, and adult criminal justice initiatives, and collects, shares, and analyzes criminal justice data. DLES is organized into four bureaus.

The **Bureau of Justice Information and Analysis (BJIA)** was created in 2014 to support effective policy development and data-driven decision making through criminal justice research, analysis, and program evaluation. The BJIA manages several data collection programs, including the Wisconsin Uniform Crime Reporting (UCR) Program and the Wisconsin Use-of-Force and Arrest Related Death (UFAD) Program, and publishes various reports, responds to requests for data, and shares information related to those programs through publicly available interactive data dashboards. The BJIA also serves as the Statistical Analysis Center (SAC) for Wisconsin. As such, the BJIA is responsible for conducting objective policy-relevant research and analysis on a variety of statewide criminal justice issues and providing information to policymakers. This work includes projects related to expanding the availability of data and capacity to share and link information as well as work to create data collection mechanisms for collecting programmatic information. In addition, the bureau evaluates grant funded programs including the Treatment Alternatives and Diversion (TAD) program and provides data support to the Wisconsin Overdose Fatality Review (OFR) program, DOJ's Office of Crime Victim Services (OCVS), and other DOJ data initiatives.

The **Crime Information Bureau (CIB)** is responsible for managing statewide programs that are critical to the daily operations of law enforcement throughout the state. The Transaction Information for the Management of Enforcement (TIME) System is the law enforcement message switch and network that provides law enforcement with current information on warrants, driver licenses and vehicle registration, criminal histories, sex offender and corrections status, missing persons, and more. CIB provides public access to Criminal History Record Information (CHRI) and manages the Wisconsin Online Record Check System (WORCS). CIB also issues Wisconsin concealed carry permits and manages Wisconsin's Handgun Hotline, which all registered firearms dealers are required to use for background checks when any person requests to purchase a handgun in Wisconsin.

The **Training and Standards Bureau** is responsible for statewide coordination of specialized training for law enforcement and administers the programs of the Law Enforcement Standards Board (LESB). The Certification and Curriculum program section of the bureau assists LESB in establishing and maintaining professional standards for Wisconsin law enforcement as well as jail and secure detention officers. Bureau staff maintain law enforcement training and certification records and administer mandatory reimbursement for training expenses. Bureau staff also coordinate statewide training opportunities provided by DOJ.

The **Bureau of Justice Programs (BJP)** serves as the designated State Administering Agency (SAA) for Wisconsin for federal criminal and juvenile justice formula and discretionary grant programs, as well as related state grant programs. BJP is responsible for seeking federal discretionary funding opportunities on behalf of the state; leveraging resources to implement funding strategies; awarding and disseminating grants to local, tribal, state, and non-profit agencies; and program/fiscal oversight and assistance. BJP provides guidance to the Office of the Attorney General on opioid and other drug policy and oversees a statewide initiative to address elder abuse. BJP is also responsible for coordinating two statewide advisory councils that assess the current status of the criminal and juvenile justice systems; recommend strategies for improvement; advise on grant administration to assist with improvements; and advise state agencies, the Governor, and legislature on policy issues.

The Statewide Criminal Justice Coordinating Council (CJCC) brings together state and local decision-makers as a collaborative body to assess the criminal justice system and improve system outcomes. The CJCC is co-chaired by the Wisconsin Attorney General and Secretary of the Department of Corrections. The mission of the State CJCC is to promote and facilitate the implementation of effective criminal justice policies and practices that maximize justice and the safety of the public.

The Governor's Juvenile Justice Commission (GJJC) is comprised of a diverse group of appointed commissioners across the juvenile justice system to serve as the State Advisory Group (SAG). Each state is required to have a SAG in order to be eligible for federal Title II formula grant funding. The mission of the GJJC is to strive to positively impact youth and families through a racial justice lens by promoting front-end reforms that prevent youth from becoming involved in the juvenile justice system.

For more information: <https://www.doj.state.wi.us/dles/division-law-enforcement-services-dles>

C. Division of Legal Services

The Division of Legal Services (DLS) provides legal representation and advice to the governor, legislature, other state offices, and state agencies. It represents the state in all felony appeals and prosecutes certain criminal and civil matters. The division consists of six units organized by substantive areas of law to maximize the advantages of specialization. Each unit is managed by a director and is comprised of assistant attorneys general, paralegals, investigators, and secretarial staff.

The **Civil Litigation Unit** handles a wide variety of matters, such as civil rights, property rights, torts, administrative law, and employment law on behalf of the state, its agencies, the University of Wisconsin System, and individual state employees and agents. Examples of matters handled by this unit include:

- Cases challenging searches, seizures, and uses of force by state law enforcement;
- Cases challenging conditions of confinement in state correctional and health service institutions;
- Cases involving First Amendment rights, such as freedom of speech and religion;
- Malpractice actions brought against state and university medical professionals;
- Tort actions brought against state and university employees and agents (i.e., automobile accidents, slip and fall accidents, defamation, and property damage);
- Legal advice and litigation services with respect to state contracts and claims in state and federal court; and
- Cases challenging takings or compensation in eminent domain matters.

The **Criminal Appeals Unit** represents the state in all felony appeals before the Wisconsin Court of Appeals, Wisconsin Supreme Court, 7th Circuit Court of Appeals, and United States Supreme Court. The unit also represents the state with respect to appeals arising from selected misdemeanor, traffic, and juvenile cases. The unit also advises the Governor on extradition matters. The unit works closely with the state's local prosecutors, providing training, support, and legal advice. The unit has authority to initiate criminal prosecutions for violations of certain statutes including securities, tax, insurance, environmental, banking, and the Wisconsin Organized Crime Control Act.

The **Criminal Litigation Unit** prosecutes criminal violations and provides training and advice to prosecutors and law enforcement. At the request of district attorneys, members of this unit assist with investigations and prosecutions throughout Wisconsin in homicide, public corruption, election fraud, multi-jurisdictional criminal cases, and other cases where the district attorney needs assistance or is unable to act due to a conflict. The unit provides training, support, and legal advice to local prosecutors and assists with specialized support in the areas of traffic safety and sexual assault. The unit also handles petitions for discharge by sexually violent persons as defined by Chapter 980 of the Wisconsin Statutes.

The **Medicaid Fraud Control and Elder Abuse Unit** investigates and prosecutes crimes committed against vulnerable adults in nursing homes and other facilities, as well as fraud perpetrated by service providers against the Wisconsin Medicaid program. In conjunction with law enforcement, other state regulatory agencies such as the Department of Health Services, the Department of Revenue, and the Department of Professional Services, the unit investigates, prosecutes, and enforces laws involving:

- Medicaid provider fraud;
- Deceptive, off-label and other illegal marketing of pharmaceutical products;
- Abuse, neglect, and misappropriation involving residents or patients residing in facilities that received Medicaid funds;
- Abuse and neglect of residents in board and care facilities that do not receive Medicaid funding, such as Community Based Residential Facilities (CBRFs) and adult family homes;
- The Medicaid program itself, including but not limited to, fraud, violations of the Fair Claims Act, and issues relating to the health, safety, and welfare of Medicaid recipients.

The **Public Protection Unit** enforces the laws that protect Wisconsin's consumers and natural resources. The Consumer Protection and Antitrust Section of the unit enforces antitrust and state consumer protection laws, which prohibit unfair and deceptive business practices in a wide variety of areas, including advertising, charitable solicitations, consumer credit matters, debt collection, mortgage-related complaints, sales practices, telecommunications, telemarketing, landlord/tenant, and fair housing matters. The Environmental Protection Section enforces state laws including those relating to air pollution, water pollution, hazardous substance spills, public nuisance, land use, and public trust in navigable waters. Many of the cases prosecuted are referred by other state agencies such as the Department of Natural Resources, Department of Agriculture, Trade and Consumer Protection, and the Department of Financial Institutions. Public Protection Unit staff also work with other states, federal agencies (i.e., Federal Trade Commission), and participate in multi-state investigations and enforcement actions.

The **Special Litigation and Appeals Unit** provides legal advice to the State and its agencies and handles litigation in a wide variety of substantive areas, frequently on issues relating to constitutional law and governmental authority. The complex and sometimes high-profile cases that the unit handles frequently involve challenges to the validity of state statutes and administrative rules. The unit's three primary responsibilities include representing the state in significant or complex litigation of unique importance to the state, representing the state in civil appeals, and drafting Attorney General Opinions.

For more information: <https://www.doj.state.wi.us/dls/division-legal-services-dls>

D. Division of Forensic Sciences

The Division of Forensic Sciences (DFS) was established as an independent division in 2019, though the Wisconsin State Crime Laboratory (WSCL) was originally established in 1947. DFS employs forensic scientists, technicians, evidence specialists, and crime scene response professionals and offers scientific testing and impartial forensic analysis of evidence for every community in Wisconsin. DFS crime laboratories—located in Madison, Milwaukee, and Wausau—are the only full-service forensic science laboratories in Wisconsin. The DNA Databank stores DNA profiles on all convicted offenders and DNA profiles of certain persons arrested for violent felonies after a judicial finding of probable cause. The state system is connected to the national system to help identify suspects when unknown DNA is found at a crime scene. All three laboratories staff an on-call Crime Scene Response Unit to assist law enforcement at major crime scenes by processing the crime scene and maintaining evidence integrity. Crime scene

response staff receive special training to aid in the recognition, documentation, recovery, and preservation of physical evidence. DFS is also responsible for the disposal of weapons and ammunitions seized or surrendered to law enforcement pursuant to Wis. Stat. § 968.20 (3)(a). Descriptions of scientific disciplines in DFS include:

- Drug Identification: Chemical and instrumental analysis and identification of suspected controlled substances, narcotics, pharmaceuticals, and other ingredients.
- Toxicology: Identification and quantification of drugs and alcohols found in body fluids and tissues.
- Trace Chemistry: Examination of trace evidence such as paints, soil, plastics, glass, safe insulation, arson accelerants, fireworks, explosives, and synthetic fiber comparison and identification.
- Firearms/Toolmarks: Examination of firearms, ammunition, toolmarks, suspect tools, serial number restoration, and distance determination tests.
- Latent Print and Footwear - Automated Fingerprint Identification System: Development and examination of latent or visible fingerprints, palm prints or footprints, tire tread and footwear impressions, and maintenance of the computerized fingerprint repository.
- Forensic Imaging: Specialized forensic photography and video imaging services using specialized lighting techniques, hi-resolution imaging equipment, and computer applications to record and recover information.
- DNA Analysis: Examination of evidence for the presence of biological material, develops DNA profile utilizing scientific techniques, and analyzes and interprets the data.

For more information: <https://www.doj.state.wi.us/dfs/division-forensic-sciences>

E. Division of Management Services

The Division of Management Services (DMS) is responsible for providing a wide range of operational support to the department. DMS develops and monitors the department's budget; manages personnel recruitment and payroll/benefits; performs accounting and fiscal control; oversees the department's facilities; maintains data security; provides information technology service; coordinates departmental policy and procedure advancement; and advances diversity, equity, inclusion, and accessibility strategies. DMS is comprised of three bureaus.

The **Bureau of Budget and Finance (BBF)** develops and monitors the department's statutory and operating budgets. The bureau also processes and records financial transactions and provides support services for grant management, fleet, purchasing, printing, forms and records, and facilities.

The **Bureau of Human Resources (BHR)** manages personnel processes including recruitment and selection, classification analysis, compensation, performance appraisal, payroll and benefits administration, affirmative action, labor relations, the Employee Assistance Program, and safety programs. BHR plays a key role in the success of DEI initiatives.

The **Bureau of Computing Services (BCS)** manages the department's information technology infrastructure and assets. The Bureau also develops, supports, and maintains applications for the department's programs.

For more information: <https://www.doj.state.wi.us/dms/division-management-services>

F. Office of the Attorney General

The Office of the Attorney General oversees the DOJ and fulfills duties as provided by chapter 165 of the Wisconsin Statutes and the Wisconsin Constitution.

G. Office of Crime Victim Services

The Office of Crime Victim Services (OCVS) provides direct assistance to victims of crime, administers state and federal funding for programs that assist victims of crime, directly helps victims understand and exercise their crime victim rights, and works with allied professionals to enhance services for victims through training and public policy initiatives.

Victims of violent crime and family or household members of deceased victims may have significant out-of-pocket expenses through no fault of their own. The **Crime Victim Compensation Fund** administered by the OCVS helps pay for unreimbursed eligible expenses that result from the crime, which may include costs of medical and mental health services, lost wages and benefits, and burial expenses for eligible victims and their families who have out-of-pocket expenses. The **Sexual Assault Forensic Exam (SAFE)** fund reimburses health care providers for the cost of a forensic medical exam for victims of sexual assault.

OCVS staffs a **Victim Resource Center** to assist with questions about the rights afforded to victims and witnesses of crime as they move through the criminal justice process, and what to do if a victim or witness believes a right has been violated. Victims may also choose to be notified of the progress of cases involving their perpetrators that are moving through the appeals process. Assistance is available in multiple languages through a toll-free number, email, or webform. Victim Resource Center staff also provide Victim Witness assistance on criminal cases prosecuted by the Department of Justice, engage in informal victims' rights mediation, and provide direct victim assistance to individuals reporting sexual abuse by clergy or faith leaders through the Clergy and Faith Leader Abuse Initiative.

OCVS manages the **Safe at Home** program. Safe at Home is a statewide address confidentiality program that provides victims of actual or threatened domestic abuse, child abuse, sexual abuse, stalking, and trafficking, or those who fear for their physical safety, with a legal substitute address to be used for both public and private purposes.

OCVS also offers technical assistance and reimbursements to county **Victim/Witness Assistance programs**. The program provides training, continuing education, and technical assistance to victim services professionals as well as funding for county victim witness programs in district attorneys' offices in Wisconsin. The program sets standards and offers guidance to ensure victims and witnesses understand the criminal justice process and receive appropriate support and information.

OCVS manages and administers a number of federal grant programs and state funding streams, such as Victims of Crime Act (VOCA), Violence Against Women Act (VAWA), Sexual Assault Victim Services (SAVS), State Child Advocacy Center Grants, and the Children's Justice Act. **Victim Services Grants** are available to qualifying organizations that provide victim services. OCVS works to develop public policy changes and coordinates initiatives related to victim services including the Attorney General's Sexual Assault Response Team (SART), Wisconsin's Sexual Assault Kit Initiative (SAKI), Wisconsin Crime Victims Council, the Taskforce on Missing and Murdered Indigenous Women (MMIW), the Clergy and Faith Leader Abuse Initiative, and provides operational support to the Wisconsin Crime Victims Rights Board.

OCVS regularly provides training and technical assistance to criminal justice partners and victim services providers and offers ongoing training programs for Sexual Assault Nurse Examiners (SANEs) and child forensic interviewers.

For more information: <https://www.doj.state.wi.us/ocvs>

H. Office of Open Government

The Office of Open Government (OOG) is responsible for interpretation and application of Wisconsin's open meetings law and public records law. OOG manages DOJ's public records request process and strives for effective and efficient responses to such requests. OOG provides training and expert legal guidance on the open meetings law and public records law for DOJ staff and by request for the governor, legislators, other state agencies, district attorneys, local government, law enforcement, and members of the public. OOG also responds to citizen inquiries regarding open government issues and provides open meetings law and public record law compliance guides and other open government resources to the public.

For more information: <https://www.doj.state.wi.us/office-open-government/office-open-government>

I. Office of School Safety

The Office of School Safety (OSS) supports Wisconsin public and private schools, law enforcement, and community-based agencies to implement evidence-based school safety practices. The OSS partners with the Wisconsin Department of Public Instruction, the Wisconsin School Safety Coordinators Association, and the Wisconsin Safe and Healthy Schools Center, as well as other agencies to promote model practices for school safety.

Since the creation of the OSS in 2017 Wisconsin Act 143, the office has continued its efforts to reimburse schools with \$100,000,000 in grant funding. The office is currently accepting and reviewing applications for additional funding through 2021 Wisconsin Act 109 - Digital Mapping of School Buildings. This grant opportunity provides funding for critical incident mapping of school buildings, to be used in collaboration with local law enforcement and first responders.

The OSS staff provide direct service, consultation, technical assistance and support to school staff, students, and law enforcement through the "Speak Up, Speak Out" School Safety Resource Center (SUSO). SUSO includes a 4-pronged approach to school safety: a statewide threat reporting system, threat assessment, critical

incident response, and general school safety guidance. The threat reporting system is staffed 24 hours a day, 7 days a week by analysts trained to provide immediate support to those reaching out with concerns about school aged youth. Concerns are shared with school staff and law enforcement as appropriate. Behavioral threat assessment and management best practice guidance, training, consultation, and tools are provided to schools and law enforcement as an evidence-based approach to reducing school violence. Through the Critical Incident prong, the OSS aids schools who may have experienced a crisis event in the school community. In addition, under OSS leadership, 12 regionally based Critical Incident Response Teams (CIRT), comprised of multi-disciplinary volunteers including law enforcement officers, school administrators, counselors, psychologists, social workers, nurses, teachers, school safety experts, and community representatives have been trained and are ready to assist schools. The goal of the CIRTs is to minimize the psychological impact of a school critical incident; provide resources to help stabilize the school community; work to identify individuals that may require long-term mental health services after a critical incident occurs; and offer support to school administrators and educators.

The office maintains a wide variety of safety documentation and data including the following: blueprints of school buildings, school safety plans, violence drill documentation, safety trainings, and safety assessments completed in conjunction with law enforcement. Schools are required to update documentation annually.

The OSS delivers quality school safety-related trainings that provide participants with the tools and resources needed to implement evidence-based school safety plans, best practices, and address implementation issues. Training in Behavioral Threat Assessment and Management, School Crisis Prevention, School Crisis Response, and other school security related topics are provided by subject matter experts within the office.

The OSS collaborates with divisions internal to the Wisconsin Department of Justice to provide Wisconsin schools with access to state and federal resources such as communication, intelligence, and investigation.

For more information: <https://www.doj.state.wi.us/office-school-safety/office-school-safety>

II. Accomplishments

The following are among the DOJ accomplishments during the 2021-2023 biennium that merit special recognition.

A. 2021 Wisconsin Acts 116 and 117

In December 2021, 2021 Wisconsin Acts 116 and 117, which both help to prevent a future backlog of sexual assault kits in Wisconsin, were signed into law. These acts were shaped through critical feedback from the multi-disciplinary Attorney General's Sexual Assault Response Team (AG SART). DOJ, along with subject matter experts, advocates, and a bipartisan group of legislators, worked for nearly three years to get the legislature to pass them.

2021 Wisconsin Act 116 created clear statutory procedures and timeframes for the collection and retention of sexual assault kits. Pursuant to Act 116, when a health care professional collects sexual assault evidence, a survivor has the choice to report to law enforcement or not. If the survivor chooses not to report to law enforcement, the health care professional, within 72 hours, will send the kit to the state crime laboratories for storage. The crime lab will then store the kit for up to 10 years, or until the survivor decides to report to law enforcement. This feature of the law provides sexual assault survivors with options in the event they choose to report to law enforcement.

If a survivor does choose to report to law enforcement, the health care professional will notify law enforcement within 24 hours after collecting the sexual assault kit. The law enforcement agency then has 72 hours to collect the kit from the health care professional, and then 14 days after collecting the kit to send the kit to the state crime laboratories for analysis.

2021 Wisconsin Act 117 established statutes governing the tracking of sexual assault kits and requires health care professionals, law enforcement agencies, and the Wisconsin State Crime Laboratories to enter information about the status of a sexual assault kit into the Wisconsin Sexual Assault Kit Tracking System. This system allows survivors of sexual assault the ability to access information about the location and status of their sexual assault kit. DOJ created the Wisconsin Sexual Assault Kit Tracking System in 2022 with Sexual Assault Kit Initiative (SAKI) grants from the U.S. Department of Justice's Bureau of Justice Assistance (BJA). Act 117 requires that health care professionals, law enforcement agencies, and the Wisconsin State Crime Laboratories enter information about the status of the kit into the system.

B. Clergy and Faith Leader Abuse Initiative

In April 2021, DOJ announced a statewide initiative to review reports of clergy and faith leader abuse in Wisconsin. The initiative includes an independent and thorough review of sexual abuse committed by clergy and faith leaders in Wisconsin reported to DOJ, no matter when that abuse occurred. DOJ continues to

gather information directly from survivors and their families, friends, and advocates through a phone number and online submission form. DOJ has also requested documents and information from dioceses and religious orders in Wisconsin. As part of the review, victim advocates and/or sensitive crimes investigators may follow-up with survivors to conduct trauma-informed interviews. To the extent that further investigation is necessary to support potential prosecutions, with the victim's consent DOJ refers those cases to local law enforcement and/or district attorneys.

For more information: <https://supportsurvivors.widj.gov/>

C. Office of School Safety Milestones

DOJ's Office of School Safety (OSS) made progress on several important initiatives during the 2021-2023 biennium, including:

- In June 2022, DOJ announced that OSS had begun training twelve Critical Incident Response Teams (CIRTs) around the state. CIRTs are designed to provide all Wisconsin K-12 public, private, charter, and tribal schools with access to a regionally based team to support them if a critical incident ever occurs at their school. OSS considers a school-related critical incident to be a sudden and unexpected incident or sequence of events which can cause trauma within a school community that may overwhelm the normal coping mechanisms of the school. Examples of critical incidents in schools include threats or acts of violence, natural disasters, serious injuries to students or staff, suicide, weather-related disasters, community turmoil, intruders, an Amber Alert, and hate crimes. The mission of the CIRT program is to minimize the psychological impact of a school critical incident; provide resources to help stabilize the school community; work to identify individuals that may require long-term mental health services after a critical incident occurs; and offer support to school administrators and educators. Wisconsin is the first state to implement regionally based CIRTs on a statewide basis.
- In September 2022, OSS celebrated the two-year anniversary of the launch of the Speak Up, Speak Out Resource Center (SUSO), which is a comprehensive, one-stop place to turn with school environment-related concerns, offering a Threat Reporting System, Threat Assessment Consultation, Critical Incident Response, and General School Safety Guidance. At that point in time, SUSO's confidential, 24/7/365 tip line had aided 438 different Wisconsin schools with at least one tip. In the two year

period between SUSO’s inception in September of 2020 and September of 2022, SUSO received more than 4,000 tips, including a 15.2% increase in tips during the second year of operation. Bullying and suicide threats were the two most reported tips to SUSO during the 2021-2022 school year. SUSO aims to promote the reporting of concerns before violence happens.

D. PFAS Litigation

In March 2022, DOJ announced that it had filed a civil environmental enforcement lawsuit against Johnson Controls, Inc. (JCI) and Tyco Fire Products LP (Tyco) for alleged violations of the state’s hazardous substance spills law related to discharges of per- and polyfluoroalkyl substances (PFAS). According to the complaint, JCI and Tyco violated the state spills law when they failed to notify the Wisconsin Department of Natural Resources (DNR) of a PFAS discharge and failed to remediate PFAS contamination at and around the Fire Technology Center in Marinette, Wisconsin.

In July 2022, DOJ announced it had filed a lawsuit against three Wisconsin manufacturers and 15 other defendants for “wrongful, deceptive, and tortious conduct” that led directly to PFAS contamination of Wisconsin’s water, property, and natural resources. In the litigation, DOJ has alleged that the defendants knew or should have known that the ordinary and intended use of their products would lead to the dangerous impacts on public health and the environment now being experienced across Wisconsin. Wisconsin taxpayers are currently facing enormous costs to address PFAS contamination, costs the lawsuit alleges should be borne by those responsible for their presence throughout the state.

E. Opioid Recoveries

The opioid epidemic has led to considerable harm in Wisconsin over the last 20 years. Between 2000 and 2020, more than 10,000 Wisconsinites died from an opioid overdose. The state of Wisconsin and Wisconsin municipalities are currently on track to receive over \$750 million in opioid settlements to combat the epidemic. Examples of the work DOJ is doing to hold companies accountable include:

On February 4, 2021, Wisconsin DOJ announced a \$573 million opioid agreement with McKinsey & Company, resolving an investigation into the company’s role in working for opioid companies, helping those companies promote their drugs, and profiting from the opioid epidemic. Wisconsin is set to receive \$10,393,201.20 from the agreement for opioid remediation, to be paid over five years. The agreement also calls for McKinsey to prepare tens of thousands of its internal

documents for public disclosure online that detail its work for Purdue Pharma and other opioid companies.

On November 15, 2022, Wisconsin DOJ announced an agreement with Walmart to resolve allegations that the company contributed to the opioid addiction crisis by failing to appropriately oversee the dispensing of opioids at its stores. The agreement provides more than \$3 billion nationally and will require significant improvements in how Walmart's pharmacies handle opioids. Under the agreement, Wisconsin is set to receive over \$47 million.

On June 9, 2023, Wisconsin DOJ announced agreements with drug makers Teva and Allergan and pharmacies CVS and Walgreens. The agreements provide more than \$17.3 billion nationally, of which Wisconsin is set to receive nearly \$276,777,000 over 15 years. The settlements also require Teva's opioid business to stop all opioid marketing; Allergan is required to stop selling opioids for the next 10 years; and CVS and Walgreens have agreed to monitor, report, and share data about suspicious activity related to opioid prescriptions.

III. 2023-2025 Executive budget program goals and objectives

DOJ will work to achieve the following goals in the 2023-2025 biennium as outlined in 2023 Wisconsin Act 19, the 2023-2025 Executive Budget.

A. Treatment Alternatives and Diversion (TAD) Program Expansion

An additional \$1.0 million in TAD funding was provided in the biennial budget. DOJ will prioritize the establishment of TAD programs in counties and tribes that currently do not have TAD programs and continue to support the enhancement and expansion of existing programs.

B. County Victim Witness Reimbursement

An additional \$3,404,800 GPR over the biennium will be made available to reimburse counties for services provided to victims and witnesses of crime. This new funding is in addition to \$1,548,000 GPR that was added for the same purpose in the 2021-2023 biennial budget and will supplement the surcharge revenues that fund these services. Although victim witness programs are eligible to receive reimbursement for up to 90% of their costs pursuant to state statute, a lack of

funding has seen the actual percentage of reimbursed costs drop to approximately 40% in recent years. This additional funding will help raise the reimbursement rate.

C. Crime Laboratory Toxicology Testing

DOJ will utilize an additional 3.0 GPR toxicologists to address the demand for forensic toxicology testing performed by the state crime laboratories. Dangerous synthetic drugs continue to evolve in chemical composition and mixture complexity.

D. Law Enforcement Training

DOJ will utilize an additional \$2,300,000 to reimburse law enforcement agencies for the costs associated with statutorily required certification (law enforcement, jail, and juvenile detention officers), and recertification (law enforcement officers only) trainings. DOJ will increase funds available for specialized training.

E. Law Enforcement and Criminal Investigation Support

DOJ will utilize an additional 1.5 GPR positions annually for the ICAC task force and \$125,000 PR annually for ICAC local assistance. Over the past several years there has been a dramatic increase in the number of cybertip investigations referred to DOJ by the National Center for Missing and Exploited children. Additional resources for DOJ and local ICAC task forces will help law enforcement to address this increase.

F. Critical Incident Mapping

DOJ will seek to award an additional \$2.5 million GPR for grants for critical incident mapping for schools. Approximately \$3.5 million has already been allocated by DOJ for this purpose and there still appears to be additional unmet demand from schools.