



STATE OF WISCONSIN
Legislative Audit Bureau
NONPARTISAN • INDEPENDENT • ACCURATE

Report 24-4
April 2024

Wisconsin State Capitol Police

Department of Administration



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Wisconsin State Capitol Police

Department of Administration



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Legislative Audit Bureau

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April 30, 2024

Senator Eric Wimberger and
Representative Robert Wittke, Co-chairpersons
Joint Legislative Audit Committee
State Capitol
Madison, Wisconsin 53702

Dear Senator Wimberger and Representative Wittke:

As requested by the Joint Legislative Audit Committee, we have performed an evaluation of the security services provided by the Wisconsin State Capitol Police, which is part of the Department of Administration (DOA).

We found that Capitol Police responded to 95 legislative duress alarms 4.3 percent faster, on average, than its average response time to 300 incidents from fiscal year (FY) 2021-22 through FY 2022-23. Most police officers and dispatchers who responded to our February 2024 survey indicated they understood the actions they should take to respond to alarms in the State Capitol in a timely manner.

In July 2023, Capitol Police was authorized 55.0 full-time equivalent (FTE) staff positions, including 45.0 FTE staff positions that were filled and 10.0 FTE staff positions that were vacant. We found that staff turnover increased from 24.0 percent in FY 2021-22 to 33.1 percent in FY 2022-23. We also found that Capitol Police's training records included insufficient information to allow us to determine whether staff received training on all topics required by its written procedures.

Most Capitol Police staff who responded to our survey indicated they were satisfied with their compensation, number of hours worked weekly, and length of shifts. However, less than one-half of respondents were satisfied with their professional development opportunities and the responsiveness of supervisors to their questions and feedback.

We recommend DOA require Capitol Police to consistently record incident response times and improve its assessment of incident response times. DOA should also require Capitol Police to improve its staff recruitment and retention efforts, require Capitol Police to maintain sufficient training records, and improve its oversight of Capitol Police.

We appreciate the courtesy and cooperation extended to us by Capitol Police. A response from the Secretary of DOA follows the Appendix.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Joe Chrisman'.

Joe Chrisman
State Auditor

JC/DS/ss

Introduction

DOA is statutorily responsible for safeguarding the State Capitol, including through the Capitol Police.

The Department of Administration (DOA) is statutorily responsible for safeguarding the State Capitol. DOA's Division of Wisconsin State Capitol Police provides police and security services to the Governor and Lieutenant Governor, legislators, Supreme Court justices, visiting dignitaries, state employees, and the public. Capitol Police has statewide jurisdiction and investigates criminal, domestic, and traffic-related incidents. In fiscal year (FY) 2022-23, Capitol Police was appropriated \$6.8 million, and in July 2023 it was authorized 55.0 full-time equivalent (FTE) staff positions.

Capitol Police is organized into two bureaus. The Patrol Operations Bureau is responsible for detecting and conducting preliminary investigations of crimes, traffic accidents, and traffic violations, as well as protecting lives and the facilities on properties DOA manages. Police officers in this bureau are assigned to specific patrols or post assignments.

The Specialized Services Bureau is made of up five units, including:

- a communications unit that operates a communications center that dispatches police officers to respond to alarms and incidents, as well as monitors video cameras, alarms, and access control systems in state facilities;
- a criminal investigations unit that conducts criminal investigations, prepares and executes search warrants and subpoenas, preserves and collects evidence, provides victim services, and manages court services;

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- an executive residence detail that provides security at the Wisconsin Executive Residence;
- an infrastructure security unit that is responsible for access control, video surveillance, fire alarms, duress alarms, and intrusion systems in state facilities; and
- an unmanned aircraft unit that assists state, local, and tribal agencies with aerial photography of post-disaster damage assessments, crime scenes, and other events.

Statutes require DOA to notify the Joint Committee on Legislative Organization of any proposed changes to security at the State Capitol. Under a passive review process, DOA may implement the proposed changes if the Committee does not notify it within 14 working days of a scheduled meeting to consider the proposed changes. If the Committee schedules a meeting, DOA may implement the proposed changes only with the Committee's approval. However, if there is a risk of imminent danger, DOA may take any action related to security at the State Capitol that is necessary to prevent or mitigate the danger, and the co-chairpersons of the Committee may review the action later if they determine such a review is necessary.

Capitol Police uses a variety of measures to help ensure security at the State Capitol. These measures include legislative duress alarms located in legislative offices and chambers, duress alarms located in areas of the Capitol occupied by the executive and judicial branches, door and window alarms, and surveillance cameras. Individuals can press duress alarms to summon Capitol Police to respond to incidents, such as disturbances caused by visitors to the State Capitol.

Questions have been raised about the security services provided by Capitol Police.

Questions have been raised about the security services provided by Capitol Police. These questions include the timeliness and consistency of Capitol Police when responding to incidents in the State Capitol.

To complete this evaluation, we:

- interviewed DOA officials, including members of Capitol Police's management team;
- surveyed all 50 Capitol Police employees, other than the management team, in February 2024;
- reviewed security measures at capitol buildings in other states;
- contacted 10 capitol police departments in other states, as listed in the Appendix, and 3 law enforcement organizations in Wisconsin;

- attended the annual meeting of the National Legislative Services and Security Association, which is a professional staff section of the National Conference of State Legislatures;
- reviewed Capitol Police’s written procedures for responding to incidents in the State Capitol;
- analyzed data indicating how timely Capitol Police were in responding to incidents in the State Capitol from FY 2021-22 through FY 2022-23;
- reviewed a May 2022 audit completed by the University of Wisconsin-Madison (UW-Madison) Police Department on duress alarms in the State Capitol;
- assessed information on the training provided to Capitol Police employees;
- analyzed Capitol Police staffing information from July 2021 through July 2023;
- assessed DOA’s oversight of Capitol Police; and
- considered seven reports pertaining to Capitol Police made to our Fraud, Waste, and Mismanagement Hotline.

Security Measures in Capitol Buildings Nationwide

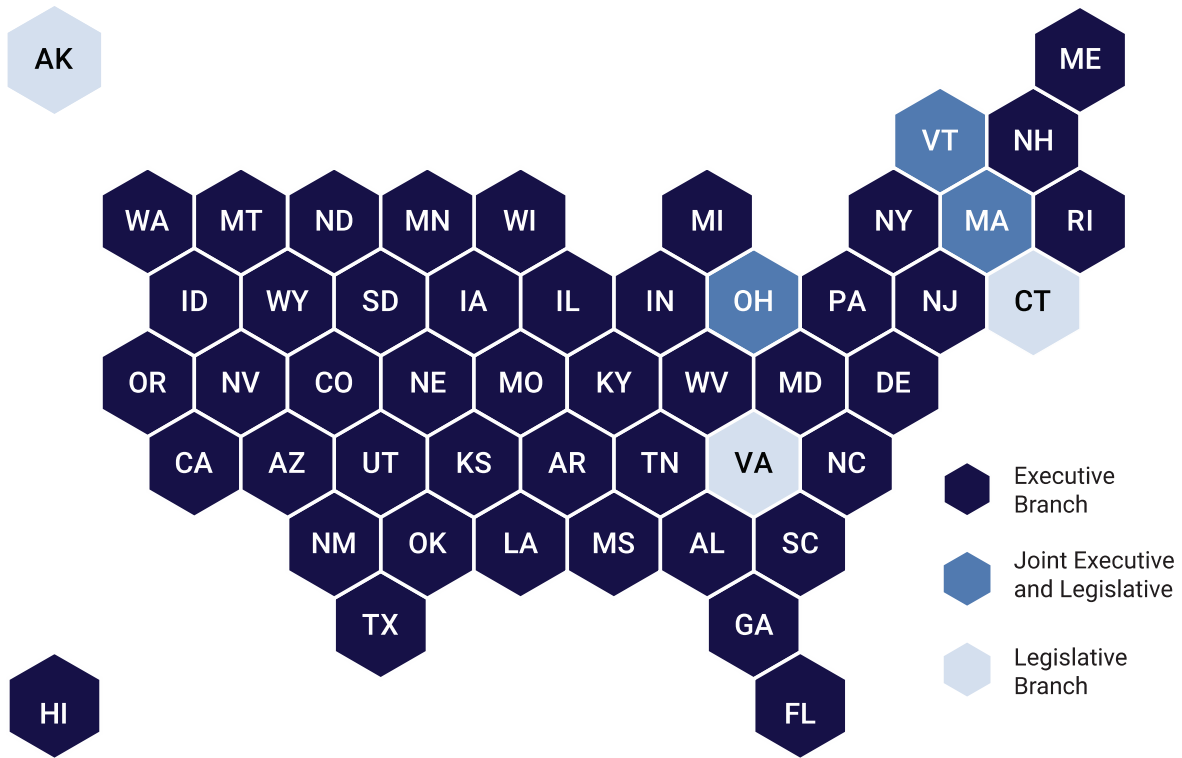
Primary responsibility for providing security in capitol buildings in 44 states is assigned to the executive branch.

We determined security measures at capitol buildings nationwide. As shown in Figure 1, primary responsibility for providing security in capitol buildings in:

- 44 states, including Wisconsin, is assigned to the executive branch;
- 3 states is assigned to the legislative branch; and
- 3 states is assigned jointly to the executive and legislative branches.

Figure 1

Primary Responsibility for Providing Security in Capitol Buildings, by State¹



¹ As determined by our review of states' statutes.

In 18 states, including Wisconsin, security in capitol buildings is provided by a law enforcement agency specifically designated for that purpose. In 32 states, security is provided by a law enforcement agency or other entity that also has other responsibilities, such as a state's highway patrol. Law enforcement agencies in 23 of these 32 states contain a subdivision that is responsible for providing security.

Each state determines the extent to which it implements security measures at capitol buildings. Additional such measures may increase a building's security but may also hinder the level of access to a building, including by members of the public and those who work in a building.

In the Wisconsin State Capitol, security screenings that involve metal detectors or X-ray machines are not conducted on visitors and packages, and visitors are not required to present photo identification. A 2021 report by the Council of State Governments indicated the security measures in capitol buildings nationwide. Based on this report, other publicly available information, and our interviews with capitol police departments in 10 states, we found that:

- 39 states employed metal detectors in their capitol buildings;
- 31 states employed X-ray machines to scan personal items and packages in their capitol buildings; and
- 10 states required visitors to their capitol buildings to present photo identification.

In the State Capitol, individuals are prohibited from carrying firearms openly, but each branch of state government establishes its own policies pertaining to individuals who carry concealed firearms in the spaces these branches occupy in the building. Legislators are permitted to designate with signage whether firearms are prohibited in their offices. Individuals are prohibited from carrying firearms in the offices of the Supreme Court and Capitol Police. Capitol Police indicated individuals are also prohibited from carrying firearms in the offices of the Governor and the Lieutenant Governor.

According to the 2021 Council of State Governments report and other publicly available information:

- 36 states prohibit the public from carrying firearms in their capitol buildings;
- 6 states allow the public to carry firearms both openly and in a concealed manner in their capitol buildings;
- 7 states, including Wisconsin, allow the public to carry only concealed firearms in their capitol buildings; and
- 1 state allows the public to carry firearms only openly in its capitol building.

■ ■ ■ ■

Timeliness of Incident Response

We determined the timeliness of Capitol Police's response to incidents in the State Capitol that typically require a quick response.

We determined the timeliness of Capitol Police's response to incidents in the State Capitol that typically require a quick response. We found that Capitol Police responded to 95 legislative duress alarms 4.3 percent faster, on average, than its average response time to 300 incidents from FY 2021-22 through FY 2022-23. Our February 2024 survey of 50 Capitol Police staff, 39 of whom responded (78.0 percent), found that most responding police officers and dispatchers indicated they understood the actions they should take to respond to alarms in the State Capitol in a timely manner. We recommend DOA require Capitol Police to consistently record incident response times and improve its assessment of incident response times.

Written Procedures

We reviewed Capitol Police's written procedures for responding to incidents. The procedures require police officers to respond quickly to incidents involving deadly force, such as active shooters, as well as to incidents involving duress and other types of alarms. The procedures do not specify the amount of time by which police officers are required to arrive at the location of an incident.

None of the 10 capitol police departments in other states we contacted indicated they had written procedures that specify the amount of time by which officers are required to arrive at the location of an incident. All 10 departments indicated they respond to life-threatening incidents or duress alarms as quickly as possible.

Incident Response

Capitol Police becomes aware of incidents in the State Capitol in a variety of ways, including when various types of alarms are activated or individuals telephone Capitol Police. In some instances, police officers respond to incidents they observe while on patrol. Incidents do not necessarily involve risks to the safety of individuals who work in or visit the State Capitol.

Capitol Police uses an electronic dispatch system to track the dispatch and response of police officers to incidents in the State Capitol. Capitol Police dispatchers receive information from two alarm systems, including:

- a system owned by the Legislature for duress alarms in areas of the State Capitol occupied by the Legislature, including legislative offices and chambers; and
- a system owned by DOA for alarms in areas of the State Capitol not occupied by the Legislature, as well as for alarms in other state-owned buildings.

As of February 2024, the legislative duress alarm system was separate from Capitol Police's electronic dispatch system.

As of February 2024, the legislative duress alarm system was separate from Capitol Police's electronic dispatch system. Dispatchers are trained to separately monitor the legislative duress alarm system and enter relevant information into the electronic dispatch system when legislative duress alarms are activated.

Response Times

We analyzed Capitol Police's data from the electronic dispatch system in order to assess response times to incidents in the State Capitol from FY 2021-22 through FY 2022-23. In doing so, we included incidents that typically necessitate quick responses, such as the activation of duress alarms. We excluded incidents that typically do not necessitate quick responses, such as parking complaints and reports about incidents that are not in progress.

Capitol Police's data did not indicate response times for 39.4 percent of 495 incidents from FY 2021-22 through FY 2022-23.

We found that Capitol Police's data did not indicate response times for 195 of 495 incidents (39.4 percent) from FY 2021-22 through FY 2022-23 because the data did not indicate the times police officers arrived at the incident locations. These 195 incidents included 34 legislative duress alarms that were activated. Capitol Police stated the response times were not indicated because:

- police officers were not dispatched to respond to certain incidents such as when Capitol Police anticipated maintenance staff would activate door and other types of alarms while completing their duties; and

- its dispatchers did not record in the electronic dispatch system the times that police officers arrived at the incident locations, which Capitol Police stated could indicate the need for additional training to be provided to dispatchers.

DOA should require Capitol Police to provide additional training to its dispatchers on consistently recording in the electronic dispatch system the response times of police officers to incidents. DOA should also require Capitol Police to consistently record information in the electronic dispatch system about response times to incidents in the State Capitol. Recording such information will allow Capitol Police to assess whether police officers responded to incidents in a timely manner, or whether additional training and guidance needs to be provided to ensure timely responses. While our audit was ongoing, Capitol Police indicated it planned to provide additional training to its dispatchers.

Recommendation

We recommend the Department of Administration:

- *require State Capitol Police to provide additional training to its dispatchers on consistently recording in the electronic dispatch system the response times of police officers to incidents;*
- *require State Capitol Police to consistently record information in the electronic dispatch system about response times to incidents in the State Capitol; and*
- *report to the Joint Legislative Audit Committee by July 26, 2024, on the status of its efforts to implement these recommendations.*

Capitol Police's data indicated response times for 300 incidents from FY 2021-22 through FY 2022-23, including 95 legislative duress alarms that were activated.

Capitol Police's data indicated response times for 300 incidents from FY 2021-22 through FY 2022-23, including 95 legislative duress alarms that were activated. The remaining 205 types of incidents included:

- 101 check-door incidents, which include alarms and open doors that police officers observed;
- 53 intrusion alarms, including on windows and doors, which may be triggered for reasons other than unauthorized entry, such as when doors do not fully close or when the air pressure changes;
- 29 automated external defibrillator (AED) alarms;

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- 13 duress alarms activated in areas of the State Capitol not occupied by the Legislature; and
- 9 other types of incidents, including those involving suspicious packages, suspicious individuals, and disturbances.

We used the data to determine the average amount of time Capitol Police took to respond to the 300 incidents. DOA and Capitol Police indicated the security of the State Capitol would be compromised if the response times were publicly reported because individuals could use this information to determine the amount of time they had to commit malicious actions before police officers were likely to respond. As a result, our report does not specify the response times.

The response time to a given incident in the State Capitol depends on a variety of factors, including the distance of the nearest police officer to an incident's location and the speed with which police officers respond. Unless police officers observe an incident, they depend on timely notification from dispatchers about an incident. Capitol Police assigns priority levels for different types of incidents. For example, incidents involving deadly force require quick responses. In addition, Capitol Police indicated response times may depend on the precise context of an incident and other information Capitol Police may have about an incident.

We analyzed Capitol Police's response times to incidents involving legislative duress alarms and to other types of incidents, and we did so in several ways, including by the:

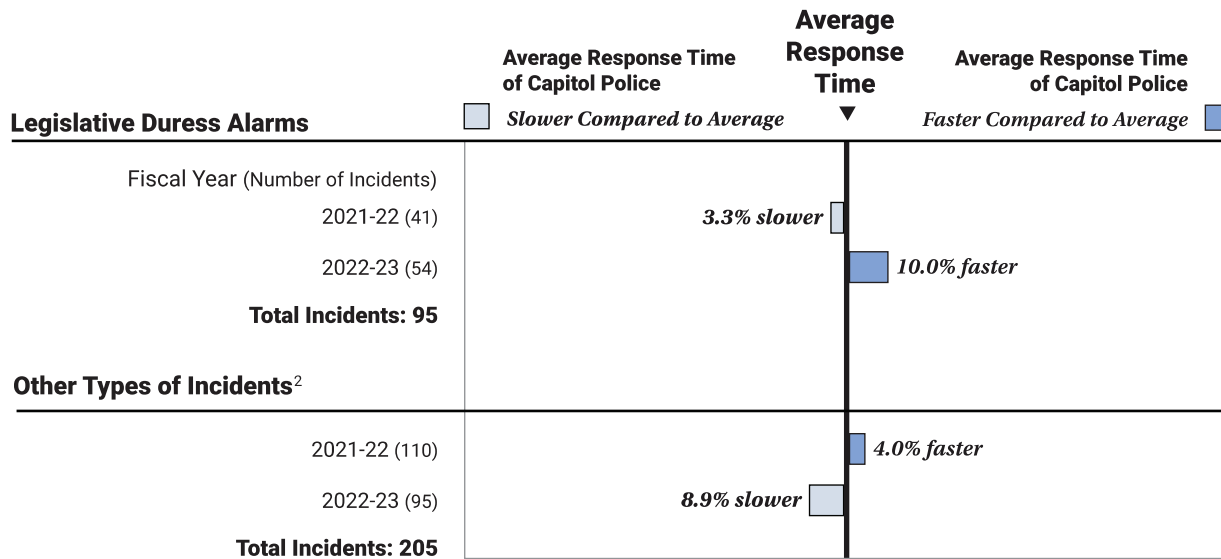
- fiscal years when the incidents occurred;
- types of incidents;
- times of day the incidents occurred; and
- floors of the State Capitol where the incidents occurred.

Capitol Police responded to legislative duress alarms in FY 2022-23 faster, on average, than its average response time to all 300 incidents.

As shown in Figure 2, Capitol Police responded to legislative duress alarms in FY 2022-23 faster, on average, than its average response time to all 300 incidents. In FY 2021-22, Capitol Police had responded to legislative duress alarms slower, on average, than its average response time to all 300 incidents.

Figure 2

Average Response Time of Capitol Police to Incidents, by Fiscal Year, Compared to the Average Response Time for All Incidents¹
 FY 2021-22 through FY 2022-23



¹ Excludes 195 incidents with no response times in the data.

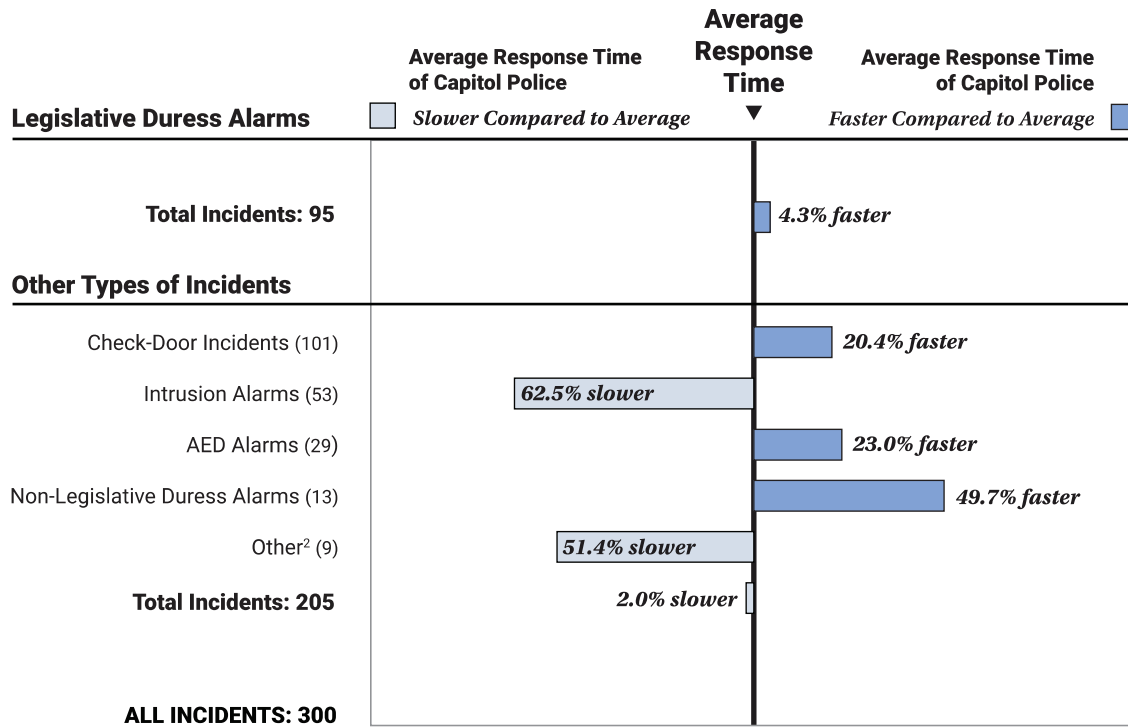
² Includes check-door incidents, intrusion alarms, AED alarms, and non-legislative duress alarms.

Capitol Police responded to legislative duress alarms 4.3 percent faster, on average, than its average response time to all 300 incidents.

As shown in Figure 3, we found that Capitol Police responded to legislative duress alarms 4.3 percent faster, on average, than its average response time to all 300 incidents from FY 2021-22 through FY 2022-23. Capitol Police responded to intrusion alarms 62.5 percent slower, on average, than its average response time to all 300 incidents. Capitol Police indicated such alarms may be activated when doors do not fully close and, thus, may not require quick responses. Capitol Police indicated it is attempting to educate individuals who work in the State Capitol about the importance of fully closing doors.

Figure 3

Average Response Time of Capitol Police to Incidents, by Type of Incident, Compared to the Average Response Time for All Incidents¹
 FY 2021-22 through FY 2022-23



¹ Excludes 195 incidents with no response times in the data.

² Includes suspicious packages, suspicious individuals, and disturbances.

We requested additional information from Capitol Police about 18 specific incidents with the slowest response times, including 6 legislative duress alarms and 12 other types of incidents. Capitol Police indicated in writing that these 18 incidents included:

- 6 incidents that occurred when the State Capitol was closed to the public and, as a result, fewer police officers were on duty;
- 4 incidents that occurred at the same times as other incidents, which may have affected the ability of police officers to respond to the 4 incidents quickly;
- 2 incidents for which dispatchers did not record accurate response times;
- 2 incidents that occurred in locations further away from where police officers typically patrol; and

- 4 incidents that involved a variety of other circumstances, such as a legislative duress alarm that did not clearly indicate an incident's location.

The State Capitol is typically open to the public from 8:00 a.m. to 6:00 p.m. on weekdays and from 8:00 a.m. to 4:00 p.m. on weekends and holidays. Capitol Police indicated its police officers and dispatchers typically work in eight-hour shifts, including:

- 7:00 a.m. to 3:00 p.m., when 175 of the 300 incidents (58.3 percent) occurred;
- 3:00 p.m. to 11:00 p.m., when 110 incidents (36.7 percent) occurred; and
- 11:00 p.m. to 7:00 a.m., when 15 incidents (5.0 percent) occurred.

We found that Capitol Police responded to incidents faster, on average, when the State Capitol is open to the public and more police officers are on duty, compared to other times of the day. Our report does not specify more-detailed information about response times during particular times of the day because Capitol Police indicated doing so could compromise security in the State Capitol.

We found that Capitol Police responded to incidents on some floors of the State Capitol faster, on average, than it responded to incidents on other floors of the building. Our report does not specify more-detailed information about response times based on the locations of incidents in the State Capitol because Capitol Police indicated doing so could compromise security in the State Capitol.

Opinions of Capitol Police Staff

Our February 2024 survey asked Capitol Police staff to indicate whether they had helped to respond to alarms in the State Capitol in 2023. We analyzed the responses of staff who indicated they had helped to respond to such alarms.

Nine of the ten responding dispatchers and their sergeants indicated they understood the actions they should take to dispatch police officers to respond to alarms in a timely manner, the types of information they should provide to police officers responding to alarms, and the types of information to record in the electronic dispatch system. One dispatcher expressed concern with the frequency of false alarms caused by routine staff activities and indicated false alarms affect the ability of Capitol Police to respond to other incidents.

All 20 responding police officers, their sergeants, and police detectives indicated they understood the actions they should take to respond to alarms in a timely manner. In addition, 19 of 20 respondents indicated they typically obtained sufficient information from dispatchers to

respond to alarms in a timely manner, and 16 of 20 respondents indicated they knew precisely where to go in order to respond to alarms in a timely manner. Five police officers expressed concerns with responding to duress alarms that were not located where the officers had expected to find them.

Our survey asked Capitol Police staff to indicate the extent to which certain information sources helped them to understand how to respond to alarms in the State Capitol in 2023. As shown in Figure 4, more than 70.0 percent of respondents indicated the information sources were helpful. More than one-fourth of respondents indicated Capitol Police’s written policies and procedures were not helpful. Three respondents expressed concern with the lack of an opportunity for all staff to practice responding to incidents in the State Capitol.

Figure 4

Extent to Which Certain Information Sources Helped Capitol Police Staff Understand How to Respond to Alarms in the State Capitol in 2023¹



¹ Depending on the question, between 13 and 30 staff responded to our February 2024 survey.

Assessing Response Times

Capitol Police completes a report summarizing incidents that occurred during each eight-hour shift. Capitol Police indicated it reviews these reports to provide guidance and feedback to police officers and dispatchers. Capitol Police indicated it does not complete reports to assess trends in incidents over periods of time longer than individual shifts.

We requested that Capitol Police provide us with the reports it completed for shifts on five specified days in April 2023, May 2023, June 2023, November 2023, and December 2023. The reports provided to us included summary information about incidents that occurred during each shift on those five days, as well as the time of day each incident occurred. However, the reports did not specify the amount of time it took to respond to incidents. Capitol Police indicated it consults its electronic dispatch system to determine incident response times.

Capitol Police can improve its assessment of incident response times.

Capitol Police can improve its assessment of incident response times. DOA should require Capitol Police to periodically complete reports that indicate trends in the response times to incidents in the State Capitol, including those that involve legislative duress alarms. Such reports could be completed on a monthly, quarterly, semiannual, or other basis. DOA should also require Capitol Police to assess these reports in writing and determine whether to provide additional training and guidance to police officers and dispatchers on responding to certain types or locations of incidents.

Recommendation

We recommend the Department of Administration:

- *require State Capitol Police to periodically complete reports that indicate trends in the response times to incidents in the State Capitol;*
- *require State Capitol Police to assess these reports in writing and determine whether to provide additional training and guidance to police officers and dispatchers; and*
- *report to the Joint Legislative Audit Committee by July 26, 2024, on the status of its efforts to implement these recommendations.*

Legislative Duress Alarm System Data

In December 2023, we separately obtained data directly from the legislative duress alarm system. Because the legislative duress alarm system retains data for only a limited period of time, the earliest day for which the data were available to us was April 7, 2023. As noted,

dispatchers were trained to enter relevant information into the electronic dispatch system when legislative duress alarms were activated. Therefore, it would be expected that information about each legislative duress alarm that was activated would be included in both the legislative duress alarm system and the electronic dispatch system.

We found that the electronic dispatch system did not include information on three legislative duress alarms that were activated from April 7, 2023, through June 30, 2023. Capitol Police indicated to us that it believed the activated alarms were associated with tests of the legislative alarm system and, as a result, the electronic dispatch system did not indicate that the alarms had been activated. However, Capitol Police did not have documentation of the dates or times of two of these three tests, but it had did have documentation of the date of one test.

UW-Madison Police Department Audit

In February 2022, the Office of the Senate Sergeant at Arms requested UW-Madison Police Department audit duress alarms in the State Capitol.

In February 2022, the Office of the Senate Sergeant at Arms requested the UW-Madison Police Department audit duress alarms in the State Capitol, as well as review Capitol Police's policies and procedures, communications center, and training on and testing of duress alarms. This audit was requested because Capitol Police in January 2022 did not respond to an activated legislative duress alarm in a Senator's office. The electronic dispatch system data we received from Capitol Police did not indicate this duress alarm had been activated.

UW-Madison Police Department's audit report included 12 recommendations for improvements.

In May 2022, UW-Madison Police Department completed its audit, which identified concerns related to the testing, security, and inventory of duress alarms in the State Capitol and included 12 recommendations for improvements. The audit found that no agreement existed between the Senate, the Assembly, and Capitol Police regarding the legislative duress alarm system, and that no contract existed with the firm that provides this system. The audit report's recommendations included:

- executing a memorandum of understanding between the Senate, the Assembly, and Capitol Police to clarify responsibilities for the legislative duress alarm system, such as regular testing and maintenance;
- executing a contract with the firm that provides the legislative duress alarm system in order to stipulate system maintenance and upgrades;
- establishing and documenting a testing schedule for all legislative duress alarms; and
- developing training for legislative staff and Capitol Police on using and responding to duress alarms.

In February 2024, the Chief Clerk of the Senate, the Chief Clerk of the Assembly, and Capitol Police signed an interim memorandum of understanding. The document indicates Capitol Police is responsible for monitoring the status of the legislative duress alarm system, performing basic maintenance on legislative duress alarms, cooperating with the Office of the Senate Sergeant at Arms and the Office of the Assembly Sergeant at Arms to test these alarms, and providing the Senate and the Assembly with a monthly report of alarm activity. The document indicates the three entities anticipate executing a new memorandum of understanding after our audit's completion. Capitol Police is working to implement other audit recommendations. For example, Capitol Police developed a training video to instruct legislative staff on using duress alarms.

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Staffing, Training, and Oversight Issues

We assessed staffing, training, and oversight issues pertaining to Capitol Police.

We assessed staffing, training, and oversight issues pertaining to Capitol Police. In July 2023, Capitol Police was authorized 55.0 FTE staff positions, including 45.0 FTE staff positions that were filled (81.8 percent) and 10.0 FTE staff positions that were vacant (18.2 percent). We found that staff turnover increased from 24.0 percent in FY 2021-22 to 33.1 percent in FY 2022-23. We also found that Capitol Police’s training records included insufficient information to allow us to determine whether staff received training on all topics required by its written procedures. Most Capitol Police staff who responded to our survey indicated they were satisfied with their compensation, number of hours worked weekly, and length of shifts, but less than one-half were satisfied with their professional development opportunities and the responsiveness of supervisors to their questions and feedback. We recommend DOA require Capitol Police to improve its staff recruitment and retention efforts, require Capitol Police to maintain sufficient training records, and improve its oversight of Capitol Police.

Staffing

In July 2023, Capitol Police was authorized 55.0 FTE staff positions.

As shown in Table 1, Capitol Police was authorized 55.0 FTE staff positions in July 2023, including 25.0 police officer positions. Capitol Police’s management team included 5.0 FTE staff positions for the police chief, deputy police chief, one captain, and two lieutenants.

Table 1

Number of Authorized FTE Staff Positions for Capitol Police, by Type
July 2023

Position Type	Number
Police Officers	25.0
Sergeants	9.0
Dispatchers	7.0
Support Staff ¹	6.0
Management ²	5.0
Police Detectives	3.0
Total	55.0

¹ Includes technicians and office management staff.

² Includes the police chief, deputy police chief, one captain, and two lieutenants.

DOA’s 2023-2025 biennial budget request asked for 3.0 FTE staff positions to be reallocated from three other DOA appropriations to DOA’s facilities management, police and protection appropriation, which funds the operations of Capitol Police. The Governor’s biennial budget request also asked for these positions to be reallocated as well as for an additional 12.0 FTE positions, including 9.0 FTE police officer positions, 1.0 FTE police lieutenant position, 1.0 FTE police sergeant position, and 1.0 FTE police detective position. 2023 Wisconsin Act 19, the 2023-2025 Biennial Budget Act, did not authorize any of these 12.0 positions but reallocated the 3.0 FTE staff positions. Capitol Police used the three positions to hire a dispatcher, a dispatch sergeant, and a support staff member. Capitol Police indicated these positions allow it to have two dispatchers work simultaneously in its communications center and to support its management of the electronic dispatch system.

DOA inappropriately funded three positions for approximately one year.

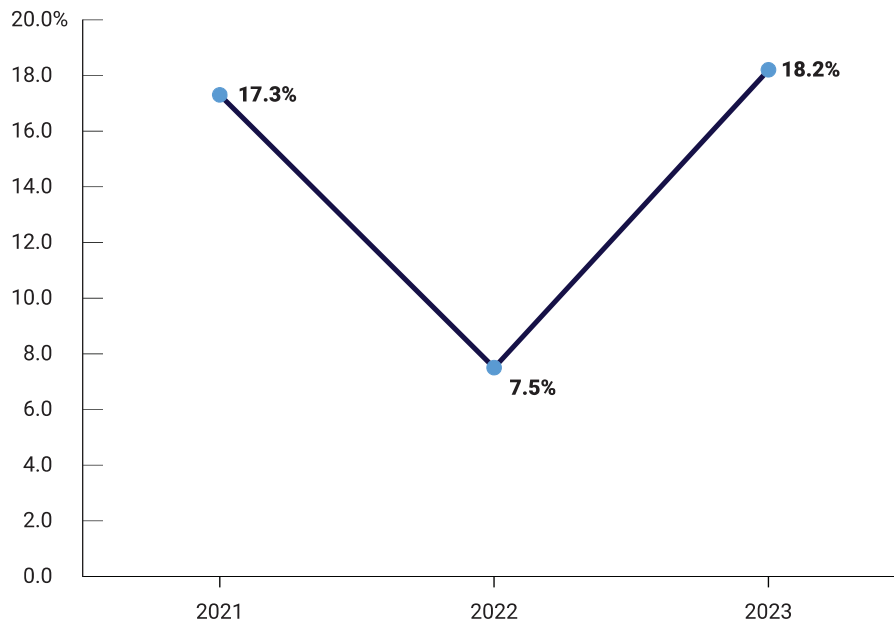
In general, a state agency is statutorily authorized through the biennial budget process or by the Joint Committee on Finance a specific number of positions for a given appropriation. We found that DOA inappropriately funded three positions for approximately one year. Although 2023 Wisconsin Act 19, which was enacted in July 2023, reallocated the 3.0 FTE staff positions from three other appropriations, DOA funded these 3.0 FTE staff positions out of its facilities management, police and protection appropriation, which is supported by program revenue, beginning in July 2022 and September 2022. DOA indicated it had “repurposed” these positions because statutes allow it to deploy its total number of authorized positions to meet its management needs, as long as it does not spend more than the amount authorized for a given appropriation. We disagree with this statutory interpretation.

In July 2023, 18.2 percent of Capitol Police's authorized FTE staff positions were vacant.

As shown in Figure 5, the vacancy rate in authorized FTE staff positions for Capitol Police increased from 17.3 percent in July 2021 to 18.2 percent in July 2023.

Figure 5

Vacancy Rates of Authorized FTE Staff Positions for Capitol Police
As of July 1



In July 2023, the 10.0 vacant FTE staff positions included:

- 7.0 FTE police officer positions;
- 1.0 FTE police sergeant position;
- 1.0 FTE police detective position; and
- 1.0 FTE support staff position.

In recent years, limited-term employees (LTEs) also worked for Capitol Police as police officers and dispatchers. The number of LTEs decreased from 10 in July 2021 to 8 in July 2023. Statutes permit the Secretary of DOA to authorize the temporary creation of surplus positions if such positions are necessary to maintain adequate staffing levels for high-turnover classifications, in anticipation of attrition, or to fill positions for which recruitment is difficult. In July 2023, Capitol Police employed two individuals in surplus positions.

Staff Turnover

Turnover among Capitol Police staff in permanent positions increased from 24.0 percent in FY 2021-22 to 33.1 percent in FY 2022-23.

Turnover among Capitol Police staff in permanent positions increased from FY 2021-22 through FY 2022-23. We found that turnover was:

- 24.0 percent in FY 2021-22, when 11 individuals left employment; and
- 33.1 percent in FY 2022-23, when 16 individuals left employment.

The 27 staff in permanent positions who left employment with Capitol Police from FY 2021-22 through FY 2022-23 included:

- 22 staff who resigned, 4 of whom subsequently began employment at other state agencies;
- 4 staff who retired from state service; and
- 1 staff member who was dismissed.

Staff in permanent positions who responded to our survey indicated the length of time they had been employed with Capitol Police, including:

- 12 who indicated they had been so employed for less than one year;
- 8 who indicated they had been so employed for one to two years;
- 3 who indicated they had been so employed for three to five years;
- 5 who indicated they had been so employed for six to ten years; and
- 6 who indicated they had been so employed for more than ten years.

Capitol Police indicated it has been challenging to retain staff, in part because its police officers and dispatchers may depart in order to be paid more at other law enforcement agencies. The 2023-2025 State Compensation Plan approved by the Joint Committee on Employment Relations in October 2023 increased compensation for certain Capitol Police staff, which may help to retain staff in the future. For example, the Plan includes a \$5.00 per hour increase for police officers and police detectives.

Capitol Police indicated it has taken action to recruit and retain staff, such as by recruiting individuals who are not certified law enforcement officers and paying for their training at the law enforcement academy. Capitol Police indicated it requires newly hired police officers and police detectives to agree in writing to repay a portion of their training

costs if they do not remain employed with Capitol Police for at least three years.

In its 2023-2025 biennial budget request, DOA established a 2023 goal for Capitol Police to increase the number of staff who administer a law enforcement recruitment program. Capitol Police provided us with information indicating the team participated in two job fairs in FY 2021-22 and two job fairs in FY 2022-23. Capitol Police indicated that the team's activities were limited because the team's leader departed employment in 2023, but that it began identifying new team members in July 2023 in order to expand the team's activities. In its 2023-2025 biennial budget request, DOA also established goals for Capitol Police to implement a mentorship program for all newly hired staff in 2024 and to hold quarterly open house events in 2025.

In its statutorily required 2021-2023 biennial report on performance and operations, DOA indicated Capitol Police implemented a new program to identify and develop staff for leadership positions. However, Capitol Police indicated to us that this program was inactive in FY 2021-22 and FY 2022-23 because of reduced staff capacity during and after the public health emergency. Capitol Police indicated it restarted the program in FY 2023-24, when seven staff members participated.

Capitol Police can improve its staff recruitment and retention efforts.

Capitol Police can improve its staff recruitment and retention efforts. DOA should require Capitol Police to maintain an active law enforcement recruitment program, implement a mentorship program for all newly hired staff, and identify and develop staff for leadership positions. Taking these actions that were specified in DOA's 2023-2025 biennial budget request and its 2021-2023 biennial report will help Capitol Police to improve staff recruitment and decrease staff turnover, including by providing additional professional development opportunities to staff.

Recommendation

We recommend the Department of Administration:

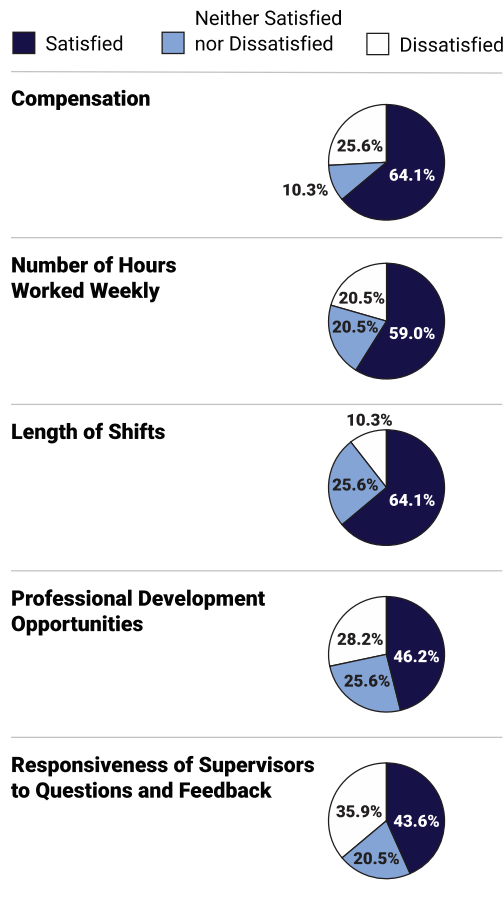
- *require State Capitol Police to maintain an active law enforcement recruitment program;*
- *require State Capitol Police to implement a mentorship program for all newly hired staff;*
- *require State Capitol Police to identify and develop staff for leadership positions; and*
- *report to the Joint Legislative Audit Committee by July 26, 2024, on the status of its efforts to implement these recommendations.*

Opinions of Capitol Police Staff

As shown in Figure 6, most Capitol Police staff who responded to our survey indicated they were satisfied with their compensation, the number of hours worked weekly, and the length of shifts. In contrast, less than one-half of respondents indicated they were satisfied with their professional development opportunities and the responsiveness of supervisors to their questions and feedback.

Figure 6

Level of Satisfaction of Capitol Police Staff with Certain Aspects of Their Jobs¹



¹ According to 39 respondents to our February 2024 survey.

A few survey respondents commented positively on their jobs. For example, one respondent indicated “I feel that my supervisors are very supportive and attentive to my questions and welcome my feedback, which I appreciate.”

In contrast, many survey respondents indicated dissatisfaction with various aspects of their jobs. For example:

- One respondent indicated “A substantial contributor to the department’s issues is that line level employees do not want to address concerns up the chain...because it is uncommon for their comments to even be received and truly considered; and if they are listened to, it seems more likely to cause retaliation or professional harm than lead to resolution of an issue.”
- A second respondent indicated “The upper management is disconnected from the rest of the staff and rarely comes into contact with them.”
- A third respondent indicated “We don’t really have professional development opportunities at this agency; if offered they are only provided to a select few and the information is not provided to the rest of the agency...hence we have [a] high [turnover] rate at this agency.”
- A fourth respondent indicated “We have squad cars that should have been retired months ago.”

Training

The Law Enforcement Standards Board, which is attached to the Department of Justice, is statutorily authorized to establish certification, education, training, and recruitment standards for law enforcement officers in Wisconsin. The Board’s 15 members include:

- 7 representatives of local law enforcement, including at least one who must be a sheriff and at least one who must be a police chief;
- 2 local government representatives who occupy executive or legislative posts;
- 1 public member not employed in law enforcement;
- 1 district attorney;
- the Attorney General or a designee, who must be a member of the Attorney General’s staff;
- the Secretary of the Department of Transportation or a designee;

- the Secretary of the Department of Natural Resources or a designee; and
- the special agent in charge of the Milwaukee office of the Federal Bureau of Investigation or a designee who must be a member of the special agent’s staff, who acts in an advisory capacity and has no vote.

The Governor appoints members to the Law Enforcement Standards Board, with the advice and consent of the Senate, other than the four *ex officio* members or their designees. Board members serve four-year terms.

Capitol Police’s certified law enforcement officers employed in permanent positions as of November 2023 had completed the statutorily required recertification training in recent years.

Statutes require all certified law enforcement officers to complete at least 24 hours of recertification training every fiscal year. We analyzed the training information Capitol Police reported to the Board for all its certified law enforcement officers whom it employed in permanent positions as of November 2023. We found that all these officers annually completed the statutorily required recertification training from FY 2020-21 through FY 2022-23. Capitol Police’s dispatchers are not required to be certified law enforcement officers.

As shown in Table 2, 24 certified law enforcement officers employed by Capitol Police in permanent positions each completed a median of 44.0 hours of recertification training in FY 2022-23, according to information Capitol Police reported to the Law Enforcement Standards Board.

Table 2

Recertification Training Hours Completed by Certified Law Enforcement Officers Employed by Capitol Police¹
 FY 2020-21 through FY 2022-23

Fiscal Year	Number of Officers	Median Number of Training Hours per Officer
2020-21	18	40.5
2021-22	18	32.0
2022-23	24	44.0

¹ Includes officers in permanent positions for at least a full fiscal year and still employed by Capitol Police as of November 2023.

We found that Capitol Police overreported to the Law Enforcement Standards Board a total of 73.5 training hours for seven certified law enforcement officers. Capitol Police indicated this overreporting occurred because it reported information:

- external entities that provided certain training had also reported for some officers;
- multiple times for the same officers; and
- indicating its officers had served as training instructors for the same training sessions multiple times in a given fiscal year, when it should have reported a given session only once per instructor, as required by the Board's policies.

After correcting for the overreporting of the 73.5 training hours, we found that all seven certified law enforcement officers completed at least 24 hours of recertification training each fiscal year, as required by statutes.

We analyzed Capitol Police's training records from FY 2021-22 through FY 2022-23. Capitol Police's written procedures require staff to receive training on certain topics annually or every two years, including emergency operations plans, use of force, and ethics. We found that Capitol Police's training records:

- included insufficient information to allow us to determine whether staff had received training on all topics required by the written procedures;
- did not consistently indicate the training topics, dates, hours, and attendance for dispatchers; and
- did not indicate that refresher training on responding to duress alarms had been provided to police officers and dispatchers, as recommended by UW-Madison Police Department's audit report. Capitol Police indicated it had provided the training.

Capitol Police can improve how it administers training for its staff.

Capitol Police can improve how it administers training for its staff. DOA should require Capitol Police to periodically review the training information reported to the Law Enforcement Standards Board in order to ensure the information's accuracy. DOA should require Capitol Police to maintain sufficient records that indicate staff received training on all topics required by the written procedures. In addition, DOA should require Capitol Police to track the dates, training hours, attendance, and training topics for all training provided to dispatchers. Taking these actions will help Capitol Police assess the training its staff have received and plan for any necessary adjustments. While our audit was ongoing, Capitol Police indicated it planned to review each quarter

the information it reports to the Law Enforcement Standards Board and centralize its training records in order to allow it to verify all staff met its training requirements.

☑ Recommendation

We recommend the Department of Administration:

- *require State Capitol Police to periodically review the training information reported to the Law Enforcement Standards Board to ensure the information's accuracy;*
- *require State Capitol Police to maintain sufficient records that indicate staff received training on all topics required by the written procedures;*
- *require State Capitol Police to track the dates, training hours, attendance, and training topics for all training provided to dispatchers; and*
- *report to the Joint Legislative Audit Committee by July 26, 2024, on the status of its efforts to implement these recommendations.*

DOA Oversight

We evaluated DOA's oversight of Capitol Police. DOA indicated it supports Capitol Police with various administrative services, such as those pertaining to hiring staff, procuring goods and services, and budgeting.

Capitol Police indicated it does not regularly receive guidance from the DOA Secretary's Office on when to send alerts through the RAVE emergency alert system, which provides state employees with real-time telephone and email communications about emergencies and other situations that may affect the State's operations. Capitol Police indicated it is responsible for sending RAVE alerts pertaining to police emergencies and severe weather alerts. Capitol Police maintains a list of 13 types of incidents for which it sends RAVE alerts and assigns responsibility for sending such alerts to dispatchers or its management team, depending on the type of incident.

We were unable to determine the issues discussed at meetings between the DOA Secretary's Office and Capitol Police's chief.

The DOA Secretary's Office was scheduled to meet every two weeks with Capitol Police's chief to discuss issues pertaining to the operations of Capitol Police. In response to our request for documentation of these meetings, DOA provided us with email invitations to such meetings, but the invitations did not include meeting agendas. As a result, we are unable to determine the issues discussed at these meetings.

Capitol Police indicated it provides the DOA Secretary's Office with information about certain incidents in the State Capitol. However, Capitol Police indicated it does not provide the DOA Secretary's Office with regular written reports about incidents in the State Capitol or its response times to these incidents. As noted, Capitol Police indicated it does not complete reports that assess trends over time in incident response times.

***DOA's oversight of Capitol
Police can be improved.***

DOA's oversight of Capitol Police can be improved. DOA should require Capitol Police to periodically provide the DOA Secretary's Office with written assessments of the response times to incidents in the State Capitol. In addition, DOA should require Capitol Police to periodically report on the results of efforts to recruit and retain staff. Taking these actions will allow the Secretary's Office to improve its oversight of Capitol Police's efforts to protect individuals in the State Capitol and help to fulfill DOA's statutory requirement to safeguard the State Capitol.

☑ Recommendation

We recommend the Department of Administration:

- *require State Capitol Police to periodically provide the DOA Secretary's Office with written assessments of response times to incidents in the State Capitol;*
- *require State Capitol Police to periodically provide the DOA Secretary's Office with written reports indicating the results of efforts to recruit and retain staff; and*
- *report to the Joint Legislative Audit Committee by July 26, 2024, on the status of its efforts to implement these recommendations.*

■ ■ ■ ■

Appendix

Appendix

**Ten States Whose Capitol Police
Departments We Contacted**

Idaho

Illinois

Indiana

Iowa

Maryland

Michigan

Minnesota

North Carolina

Ohio

South Carolina

Response



STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION

Tony Evers, Governor
Kathy Blumenfeld, Secretary

VIA EMAIL

April 24, 2024

Joe Chrisman, State Auditor
Legislative Audit Bureau
22 East Mifflin Street, Suite 500
Madison, WI 53703

Dear Mr. Chrisman:

On behalf of the Department of Administration (“DOA”), I write in response to the Legislative Audit Bureau’s (“LAB”) recently completed audit of the security services provided by the Department’s Division of Capitol Police, otherwise known as the Wisconsin State Capitol Police Department. I want to thank the LAB for its review and recommendations, and to acknowledge the diligence and cooperation between the LAB and Capitol Police necessary to complete this audit. I also want to thank LAB for its efforts to conduct the audit in a manner that accounted for a heightened need for confidentiality to ensure the security of state facilities and Capitol Police operations.

DOA accepts LAB’s recommendations contained in this Report (the “Report”), and DOA will update the Joint Legislative Audit Committee on the status of efforts to implement them by July 26, 2024. We note that with respect to all the recommendations made by LAB, the Department’s Division of Capitol Police has either already implemented them or is in the process of doing so.

While the name may suggest that the Division of Capitol Police is only responsible for the security of the Capitol building, in actuality the Wisconsin State Capitol Police Department has statewide jurisdiction to serve the approximately 35,000 employees of the State of Wisconsin. The Division’s Bureau of Patrol Operations includes the uniformed officers present in the State Capitol but also conducts routine patrols and provides the primary response to calls for service in 61 state facilities located between Madison and Milwaukee. The Division’s Bureau of Specialized Services’ Communications Center monitors alarms of various types from 302 facilities across the state. From Waukesha to La Crosse, all the way to Madeline Island, the Communications Center dispatchers are orchestrating police, fire, EMS, and maintenance calls 24 hours a day, seven days per week, all with just seven dispatchers.

Considering the unique challenges presented by the scope of work described above, coupled with the current recruitment and retention environment faced by all law enforcement agencies and the broader labor market, we agree that recruitment and retention of Capitol Police staff must be a priority. To that end, we are committed to continuing to develop and improve recruitment and retention strategies consistent with LAB’s recommendation in this area. We also note that one of the most important tools in retention is simply ensuring that there is sufficient staffing to meet service delivery needs, because not doing so can cause untenable strain on existing staff and result in high turnover. This is something the Department addressed mid-budget cycle for Capitol Police with respect to its dispatch services through the temporary realignment

of certain of DOA's authorized positions. As indicated in the Report, DOA believes this practice is within an agency's authority.

Through the audit process, Capitol Police proactively identified improvements it could make to its processes and documentation, several of which are consistent with LAB's recommendations in the Report. For example, Capitol Police has already provided updated instructions to all dispatchers and dispatch supervisors to help ensure more accurate records, consistent with LAB's recommendation that Capitol Police more consistently record response times to incidents in its electronic dispatch system. Through the collection and review of documentation requested by LAB, Capitol Police learned that in many cases, when an incident was simultaneously reported and resolved by an officer, dispatchers were often recording a single resolution time rather than both an arrival time and a resolution time (e.g., if an officer reported to dispatchers that they found a door ajar after hours and had closed it, dispatchers would record that the event was reported and resolved at the same time without additionally reporting an arrival time). Capitol Police recognizes the importance of consistently logging report, arrival, and resolution times for each event and the updated instructions will help ensure that information is available for any future review of response timeliness.

In addition, Capitol Police has already implemented certain measures consistent with LAB's recommendation related to the improvement of training documentation, after the audit process revealed a need to do so. This includes a quarterly review of Law Enforcement Standards Board training records to avoid duplicate reporting, updating policies and procedures to ensure they align with training needs and support documentation, and working to centralize and document dispatcher training.

DOA is proud to support the Capitol Police in its crucial mission, and matters such as those described above related to its budget, personnel, process improvement, and service delivery are routinely discussed with my office at regular standing meetings. Additionally, my office and the Capitol Police are in regular contact regarding security related matters. We work closely with Capitol Police to ensure they have the resources they need to address issues in line with state law and agency policies.

Again, thank you to LAB for its work. I am confident that implementation of the recommendations will only work to improve the security services that the people of Wisconsin deserve and expect from Capitol Police.

Sincerely,

A handwritten signature in black ink that reads "Kathy Blumenfeld". The signature is written in a cursive, flowing style.

Kathy Blumenfeld
Secretary