



Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

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Joint Committee on Finance

Paper #497

Wisconsin Statewide Intelligence Center (Justice)

Base Agency

[LFB 2007-09 Budget Summary: Page 369, #4]

CURRENT LAW

The federal Department of Homeland Security has provided federal homeland security grant funding to encourage the establishment of statewide intelligence centers. The Department of Homeland Security identifies that these centers will: (a) receive and disseminate law enforcement and threat information; and (b) facilitate information sharing between federal, state, and local law enforcement and emergency-response agencies.

In 2005, the Governor's Homeland Security Council charged the Department of Justice (DOJ) with the responsibility of establishing a statewide intelligence center. Since November, 2005, DOJ has received three awards of federal homeland security funding from the Department of Administration's Office of Justice Assistance (OJA), totaling \$1,303,800 FED, to fund the creation of the center.

On September 27, 2006, DOJ received its third homeland security funding award from OJA totaling \$689,600 FED. This award was provided from the federal fiscal year (FFY) 2006 Law Enforcement Terrorism Prevention Program (LETPP). The Department of Homeland Security permits states to utilize the FFY 2006 LETPP award on a one-time basis to fund the hiring of new permanent staff to serve as intelligence analysts in state intelligence centers. The LETPP guidelines indicate, however, that the ongoing support of the positions will be the responsibility of the states.

GOVERNOR

Provide \$452,400 GPR and 5.0 GPR positions in 2008-09 to support the operation of the Wisconsin Statewide Intelligence Center (WSIC) at DOJ's Division of Criminal Investigation. Funding would be utilized to fund a 1.0 special agent in charge, 1.0 special agent, and 3.0 intelligence analysts, as well as supplies and services funding.

DISCUSSION POINTS

1. On September 14, 2006, DOJ submitted its 2007-09 agency budget request. Under this request, the Department sought 7.0 additional GPR positions annually to staff the WSIC, including 1.0 special agent in charge (administrative head of the center), 2.0 special agents, and 4.0 intelligence analysts. The Department requested GPR funding for both years of the upcoming biennium (\$482,600 GPR in 2007-08 and \$552,900 GPR in 2008-09) since it was unclear whether federal funding would be available for the center during the upcoming biennium.

2. On November 20, 2006, DOJ submitted its WSIC s. 16.515/16.505(2) request to the Department of Administration seeking position authority for 8.0 PR full-time equivalent (FTE) positions through September 30, 2007, including 1.0 special agent in charge, 2.0 special agents, and 5.0 intelligence analysts. This request was not forwarded to the Joint Committee on Finance.

3. As indicated above, SB 40 would provide 5.0 GPR-funded positions and \$452,400 GPR to the center in 2008-09, to provide ongoing state funding for the WSIC.

4. On March 1, 2007, DOA submitted the companion s. 16.515/16.505(2) request to the Joint Committee on Finance to approve 5.0 PR permanent positions from the date of approval through June 30, 2008, to staff the center. The request indicated that federal homeland security funding received from OJA would be utilized to fund the positions.

5. DOA indicates that the recommended staffing of the center was reduced to 5.0 FTE positions to balance available state funding with the staffing needs of the center to perform necessary intelligence gathering. On March 22, 2007, the Joint Committee on Finance approved the creation of these positions but provided that, "Whether or not these positions will be extended in 2008-09 utilizing GPR funding is an issue that this Committee and the Legislature will address as a part of biennial budget deliberations."

6. As a result of the Committee's actions under s. 16.515/16.505(2) of the statutes, the WSIC is currently authorized 5.0 PR full-time equivalent positions through June 30, 2008, including 1.0 special agent in charge, 1.0 special agent, and 3.0 intelligence analysts. Under the Governor's recommendation these positions would be extended as GPR-funded positions in 2008-09 and salary and fringe benefits funding totaling \$328,900 GPR in 2008-09 would be provided to support the positions. The provisions of SB 40 would also provide supplies and services funding for the center totaling \$123,500 GPR in 2008-09.

7. State intelligence centers are intended to permit the receipt and dissemination of law enforcement and threat information, and to facilitate information sharing between federal, state, and local law enforcement and emergency-response agencies. In carrying out these functions, all WSIC staff have varying clearances to receive sensitive information from the federal government, and WSIC staff receives daily briefings from the FBI. In turn, WSIC staff provides daily intelligence briefings for the Governor, Attorney General, and Adjutant General, members of its governance board and selected executive-level law enforcement personnel statewide. In addition, WSIC staff issues weekly law enforcement bulletins to all law enforcement agencies statewide, as well as to other state intelligence centers and to the federal government. The WSIC also provides relevant state and local information to the federal government.

8. It should be noted that the WSIC is not restricted to a law enforcement and terrorism focus. The WSIC is being developed as an all crimes, all hazards intelligence center that will have a broader emergency response focus.

9. In carrying out these responsibilities, the WSIC is undertaking the following activities: (a) building a database of threats and intelligence compliant with federal law; (b) linking state information technology systems, wherever possible, to permit the sharing of data in these separate systems; (c) conducting threat assessments in cooperation with Wisconsin Emergency Management (at the Department of Military Affairs) and establishing a risk analysis database; (d) providing law enforcement agencies broad-level access to a DOJ criminal investigation database (although for specific case information law enforcement agencies may need to follow-up with a WSIC intelligence analyst); and (e) providing 24-hour per day access for law enforcement agencies to law enforcement bulletins and broader law enforcement and threats information provided by WSIC or by other intelligence centers or the federal government.

10. The WSIC also applied for, and received, a federal homeland security grant to create and maintain a database of critical state infrastructures. It will be a database developed from on site surveys conducted by trained inspectors.

11. While information sharing is an important part of the work of the WSIC, WSIC staff are also actively involved in assisting other law enforcement agencies with ongoing criminal investigations. In fact, for two of the three intelligence analysts, an important part of their responsibilities involves providing this assistance to local law enforcement agencies. The third intelligence analyst is responsible for assembling the daily intelligence briefings to the Governor and other executive officials and developing the weekly law enforcement bulletins. Intelligence analysts responsibilities also include carrying out law enforcement initiatives, such as the drug task force information sharing initiative and the gang intelligence initiative.

12. The special agent in charge is responsible for supervising the work and initiatives of the center in addition to preparing budgets and federal grant applications, coordinating outreach to the emergency services community as well as the public and private sectors, and representing the state and the Department on various homeland-security related boards and councils. Finally, the special agent is assigned broad investigative responsibilities, and in this role receives and follows-up

on complaints or information received from other statewide intelligence centers, and from other governmental and law enforcement agencies.

13. If the Committee concludes that it is important to continue to develop a statewide intelligence center, the Committee could consider approving the Governor's recommendation to provide \$452,400 GPR and 5.0 GPR positions in 2008-09, to transition the WSIC from federal to state funding.

14. Alternatively, the Committee could conclude that the activities of the WSIC are important, but that these initiatives should be supported from base agency resources. Since November, 2005, DOJ has received three federal awards totaling \$1,303,800 FED, to fund the creation of the center. The Department of Justice indicates that it could not have developed the WSIC as it has developed to date without the additional funding that has been provided by the federal government. Department of Justice staff indicate that the work of the center would be severely hampered if replacement/ongoing state funding is not provided. Department staff indicate that DOJ has little ability to reallocate existing base resources to advance this initiative.

ALTERNATIVES TO BASE

1. Approve the Governor's recommendation to provide \$452,400 GPR and 5.0 GPR positions in 2008-09 to support the operation of the Wisconsin Statewide Intelligence Center.

ALT 1	Change to Bill		Change to Base	
	Funding	Positions	Funding	Positions
GPR	\$0	0.00	\$452,400	5.00

2. Maintain current law.

ALT 2	Change to Bill		Change to Base	
	Funding	Positions	Funding	Positions
GPR	-\$452,400	- 5.00	\$0	0.00

Prepared by: Paul Onsager