



# DAVID CRAIG

STATE SENATOR

**Senate Committee on Judiciary and Public Safety  
Public Hearing, January 16, 2018  
Senate Bill 611  
Senator David Craig, 28<sup>th</sup> Senate District**

Dear Chairman Wanggaard and Committee Members,

Thank you for taking testimony on Senate Bill 611 relating to the reporting of crime data as part of the Wisconsin Department of Justice regular reports.

Current law requires that the Department of Justice collect information from law enforcement regarding criminal offenses committed in Wisconsin. This bill adds extra reporting requirements regarding crimes committed with a firearm, the manufacture, distribution, or delivery of marijuana, and the theft of motor vehicles. The additional information will include the number of arrests, recommendations made to the District Attorney, charges filed or dropped, and the ultimate penalty imposed for the specific crime. The Department of Justice has made my office aware of some technical concerns regarding the legislation and my office is currently working with them to craft an amendment to satisfy the Department's concerns while still collecting this needed information.

This legislation is part of my package of legislation along with Senate Bill 612 to increase public access to information in the criminal justice system and allow the public to fully track the prosecution and punishment of criminals.

Thank you for allowing me to testify on this important piece of legislation. I am happy to take any questions from committee members.



# JOE SANFELIPPO

STATE REPRESENTATIVE • 15<sup>th</sup> ASSEMBLY DISTRICT

(608) 266-0620  
FAX: (608) 282-3615  
Toll-Free: (888) 534-0015  
Rep.Sanfelippo@legis.wi.gov

P.O. Box 8953  
Madison, WI 53708-8953

January 16, 2018

## Rep. Sanfelippo Public Testimony on the Senate Bills 611 and 612

Senator Wanggaard and Committee Members,

Thank you for holding this hearing and allowing me to testify on Senate Bills 611 and 612. Both of these bills are aimed at introducing more transparency into our criminal justice system.

Over the course of the last two sessions, Senator Craig, Senator Vukmir, and I have been carefully studying the alarming increase in crime rates throughout the state and, in particular, the southeast region. Throughout this process, we have spoken with law enforcement officials, judges, prosecutors, department of correction officials, and public defenders. In all of these conversations, two things have become very clear: the lack of information readily available to lawmakers is inadequate and the transparency of the criminal justice system is obscure at best.

Senate Bill 611 increases the reporting requirements for crimes committed with a firearm, the manufacture, distribution, or delivery of marijuana and the theft of motor vehicles.

Senate Bill 612 increases the transparency of our criminal justice system by shining a light on the arrests and charges filed for crimes by county, the judge assigned to the case, all cases adjudicated by the judge, the criminal charge filed, whether the case resulted in a conviction, and any penalty that may have been imposed.

The additional information brought into the light of day by these two bills can be used by legislators for consideration of future laws aimed at protecting our citizens from violent crimes and the spread of illegal drug distribution, as well as increasing the public's awareness of which crimes are charged in their communities and how those crimes are adjudicated.

I hope you will join us in supporting these two bills.

A handwritten signature in black ink, appearing to read "Joe Sanfelippo". The signature is written in a cursive, flowing style.



**STATE OF WISCONSIN  
DEPARTMENT OF JUSTICE**

**BRAD D. SCHIMEL  
ATTORNEY GENERAL**

**Paul W. Connell  
Deputy Attorney General**

114 East, State Capitol  
P.O. Box 7857  
Madison, WI 53707-7857  
608/266-1221  
TTY 1-800-947-3529

**PREPARED TESTIMONY OF THE DEPARTMENT OF JUSTICE**

For information on 2017 Senate Bill 611  
Senate Committee on Judiciary and Public Safety  
Tuesday, January 16<sup>th</sup>, 2018

Chairman Wanggaard and committee members,

Thank you for the opportunity to submit testimony for information regarding 2017 Senate Bill 611.

The Wisconsin Department of Justice is not opposed to the spirit and intent of this bill, and we welcome the opportunity to collect data in order to make better decisions to improve public safety for the state of Wisconsin. However, there are some practical concerns that should be taken into consideration prior to this bill moving forward.

The totality of the information being requested from law enforcement, through prosecution and disposition, currently resides in multiple individual, disparate systems across multiple agencies. The data reported by law enforcement agencies is stored in records management systems (RMS) maintained by each individual agency. Law enforcement agencies use a variety of different RMS versions and vendors. Information reported by the offices of District Attorney's (DA's) is stored in the centrally managed Prosecutor Technology for Case Tracking (PROTECT) system, but each individual DA's office has a separate installation of PROTECT with an individual database.

Information reported by the Wisconsin court system is stored in the Consolidated Court Automation Programs (CCAP) system. In order to implement the requirements of the bill, a data collection or data sharing process would need to be established to collect and compile data, on a regular schedule, from more than 500 law enforcement agencies, the district attorneys for each county, and CCAP.. This project will require a very significant amount of information technology development and will come with an indeterminate, and increased cost, regardless of the approach taken.

An additional challenge is related to the specifications of what is outlined to be tracked. For the data elements, if the data collection was focused more on outcomes such as the disposition of arrests for specific statutes, more of the information would be available currently through the criminal history data. However, adding in some of the specifications such as tracking recommendations to the district attorney and if no charges are filed, then connecting to PROTECT and CCAP is required to obtain this information.

After discussing with the authors, there appears to be a willingness to amend some portions of the bill based on our original feedback to them which would include a removal of the specifics on the use of a firearm and a clear reporting timeline. These changes do improve the ability to collect data, however there are additional challenges. For example, it would still be unclear as to whether the expectation is to track all individual offenses within the range of statutes listed. This would not only be an extensive list, but raises some specific questions about whether this is the statute listed based on the arrest or what is ultimately listed at the point of charging or final case disposition, which can vary as a case moves through the system.

The quarterly recurring reporting requirement and the need to obtain records at an individual level, rather than in aggregate, adds to the cost and complexity. The recurring reporting requires investment in a process to provide a mechanism for the data to be reported on a regular basis.

Although the proposed changes in a preliminary draft amendment from the authors do address some of the concerns raised earlier the bill will increase costs for local governments, including law enforcement agencies, in order to implement information system and process changes necessary to collect and report the required data elements.

We would suggest perhaps the implementation of a pilot program so that this data collection can be done on a smaller scale to assess the value of the data and feasibility prior to a full statewide implementation. The Department is happy to assist in the creation of that pilot program.

Thank you for your consideration and please contact Director of Government Affairs, Lane Ruhland at [ruhlandle@doj.state.wi.us](mailto:ruhlandle@doj.state.wi.us) or (608) 640-7203.