



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-5855/1
EAW/MLJ/CMH:all

2021 ASSEMBLY BILL 1015

February 16, 2022 - Introduced by Representatives MCGUIRE, ANDRACA, CONLEY, CONSIDINE, DRAKE, EMERSON, GOYKE, HEBL, HESSELBEIN, B. MEYERS, MILROY, OHNSTAD, POPE, RIEMER, S. RODRIGUEZ, SHANKLAND, SHELTON, SINICKI, SNODGRASS, SPREITZER, STUBBS, SUBECK, VINING and VRUWINK, cosponsored by Senators CARPENTER, AGARD, JOHNSON, LARSON and SMITH. Referred to Committee on Criminal Justice and Public Safety.

1 **AN ACT to create** 20.455 (5) (dm), 20.455 (5) (dn), 165.925 and 165.935 of the
2 statutes; **relating to:** grant programs for victim protection services and for law
3 enforcement agencies to provide services to crime victims and witnesses before
4 a person is charged; funding for crime victim services; reimbursement to
5 counties for victim-witness services; and making an appropriation.

Analysis by the Legislative Reference Bureau

Current law provides rights to crime victims and witnesses. The rights for victims attach once the crime has been reported to law enforcement. This bill requires the Department of Justice to award grants to law enforcement agencies to provide services to crime victims and witnesses between the time a crime is reported until a person is charged for the crime. Under the bill, a law enforcement agency may apply for such a grant by submitting a plan to DOJ. The plan must provide that the agency will create a position of a victim and witness service coordinator who will ensure that victims and witnesses receive services. The bill requires a law enforcement agency that receives a grant to provide to DOJ data on services it provides to victims and witnesses and requires DOJ to submit a comprehensive report on the grant program after five years. The bill terminates the grant program after five years.

The bill establishes another grant program, administered by DOJ, that provides grants to law enforcement agencies and prosecutorial units to provide protection services to victims of crime, including temporary housing for crime victims. The bill provides \$5,000,000 biennially for such grants.

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Under current law, DOJ provides reimbursement to counties for costs incurred in providing services to victims and witnesses of crime. The bill increases funding for these reimbursements by \$3,250,000 in each fiscal year of the 2021-23 biennium.

The bill provides an additional \$10,000,000 in the 2021-23 biennium for crime victim services provided by DOJ across the state.

The bill also provides additional funding for higher education and for special education aid the Department of Public Instruction pays to school districts, independent charter schools, cooperative educational service agencies, and county children with disabilities education boards for purposes of maintaining compliance with maintenance of effort requirements of the federal Consolidated Appropriations Act and the federal American Rescue Plan Act.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
2 the following amounts for the purposes indicated:

		2021-22		2022-23
3 20.455 Justice, department of				
4 (5) VICTIMS AND WITNESSES				
5 (dn) Crime victim protective services				
6 grant program	GPR B	2,500,000		2,500,000

7 **SECTION 2.** 20.455 (5) (dm) of the statutes is created to read:
8 20.455 (5) (dm) *Victim and witness services.* A sum sufficient to provide grants
9 to law enforcement agencies under s. 165.935.

10 **SECTION 3.** 20.455 (5) (dn) of the statutes is created to read:
11 20.455 (5) (dn) *Crime victim protective services grant program.* Biennially, the
12 amounts in the schedule to provide grants to law enforcement agencies and
13 prosecutorial units under s. 165.925.

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1 **SECTION 4.** 165.925 of the statutes is created to read:

2 **165.925 Crime victim protective services grant program. (1)** In this
3 section:

4 (a) “Crime victim” means a person against whom a crime has been committed.

5 (b) “Law enforcement agency” has the meaning given in s. 165.85 (2) (bv).

6 (c) “Prosecutorial unit” means a prosecutorial unit described in s. 978.01 (1).

7 **(2)** From the appropriation under s. 20.455 (5) (dn), the department of justice
8 shall award grants to law enforcement agencies and prosecutorial units to fund
9 crime victim protection services, including temporary housing for crime victims.

10 **(3)** The department of justice shall develop criteria that, notwithstanding s.
11 227.10 (1), need not be promulgated as rules under ch. 227 for use in awarding grants
12 under sub. (2).

13 **SECTION 5.** 165.935 of the statutes is created to read:

14 **165.935 Local law enforcement services to victims and witnesses. (1)**

15 From the appropriation under s. 20.455 (5) (dm), the department of justice shall
16 award grants to law enforcement agencies on a competitive basis to provide on-site
17 services to crime victims and witnesses between the time a crime is reported until
18 someone is charged for the crime.

19 **(2)** A law enforcement agency may apply for a grant under sub. (1) by
20 submitting a plan to the department of justice for the expenditure of the grant
21 moneys awarded. To be eligible for a grant, the law enforcement agency’s plan must
22 create the position of a victim and witness services coordinator who is available at
23 the law enforcement agency and who will ensure that victims and witnesses receive
24 the rights and services to which they are entitled under ch. 950 between the time a

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1 crime is reported and criminal charges are filed against an alleged perpetrator of the
2 crime.

3 (3) A law enforcement agency that is awarded a grant under sub. (1) shall
4 provide information to the department of justice regarding the agency's
5 implementation of the plan, including the number of victims and witnesses who are
6 provided services and the types of services they receive. The department may
7 request any data regarding a plan funded under this section that are necessary to
8 evaluate the program and prepare the reports under subs. (4) and (5).

9 (4) The department of justice shall annually analyze the data submitted under
10 sub. (3) for the previous year and prepare a progress report that evaluates the
11 effectiveness of the program. The department shall make the report available to the
12 public.

13 (5) Beginning on the date 5 years after the effective date of this subsection ...
14 [LRB inserts date], the department of justice shall prepare a comprehensive report
15 that analyzes all data submitted under sub. (3) and shall submit the report to the
16 legislature under s. 13.172 (2).

17 (6) The department of justice may not award any grant under this section after
18 the date that is 5 years after the effective date of this subsection [LRB inserts
19 date].

20 **SECTION 6. Nonstatutory provisions.**

21 (1) CRIME VICTIM SERVICES; ONETIME FUNDING. Notwithstanding s. 16.42 (1) (e),
22 in submitting information under s. 16.42 for the 2023-25 biennial budget bill, the
23 department of justice shall submit information concerning the appropriation under
24 s. 20.455 (5) (a) as though the increase in the dollar amount of that appropriation by
25 SECTION 7 (2) of this act did not take effect.

ASSEMBLY BILL 1015**1 SECTION 7. Fiscal changes.**

2 (1) REIMBURSEMENT TO COUNTIES FOR VICTIM-WITNESS SERVICES. In the schedule
3 under s. 20.005 (3) for the appropriation to the department of justice under s. 20.455
4 (5) (f), the dollar amount for fiscal year 2021-22 is increased by \$3,250,000 for the
5 purposes for which the appropriation is made. In the schedule under s. 20.005 (3)
6 for the appropriation to the department of justice under s. 20.455 (5) (f), the dollar
7 amount for fiscal year 2022-23 is increased by \$3,250,000 for the purposes for which
8 the appropriation is made.

9 (2) CRIME VICTIM SERVICES. In the schedule under s. 20.005 (3) for the
10 appropriation to the department of justice under s. 20.455 (5) (a), the dollar amount
11 for fiscal year 2021-22 is increased by \$5,000,000 to fund crime victim service
12 programs. In the schedule under s. 20.005 (3) for the appropriation to the
13 department of justice under s. 20.455 (5) (a), the dollar amount for fiscal year
14 2022-23 is increased by \$5,000,000 to fund crime victim service programs.

15 (3) SPECIAL EDUCATION AID. In the schedule under s. 20.005 (3) for the
16 appropriation to the department of public instruction under s. 20.255 (2) (b), the
17 dollar amount for fiscal year 2021-22 is increased by \$9,922,500 to increase funding
18 for aids for special education under s. 115.88. In the schedule under s. 20.005 (3) for
19 the appropriation to the department of public instruction under s. 20.255 (2) (b), the
20 dollar amount for fiscal year 2022-23 is increased by \$9,922,500 to increase funding
21 for aids for special education under s. 115.88.

22 (4) UNIVERSITY OF WISCONSIN SYSTEM; GENERAL PROGRAM OPERATIONS. In the
23 schedule under s. 20.005 (3) for the appropriation to the Board of Regents of the
24 University of Wisconsin System under s. 20.285 (1) (a), the dollar amount for fiscal
25 year 2021-22 is increased by \$2,520,000 to increase funding for the purpose for

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1 which the appropriation is made. In the schedule under s. 20.005 (3) for the
2 appropriation to the Board of Regents of the University of Wisconsin System under
3 s. 20.285 (1) (a), the dollar amount for fiscal year 2022-23 is increased by \$2,520,000
4 to increase funding for the purpose for which the appropriation is made.

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(END)