

ENROLLED ORDINANCE 175-24

MODIFY 2020 NON-DEPARTMENTAL BUDGET TO CORRECT DRUG  
BUY PAYMENTS TO MUNICIPAL LAW ENFORCEMENT AGENCIES

WHEREAS, criminal and misdemeanor cases involving the sale of illegal drugs may be investigated through the use of a controlled buy, where funds used in the controlled buy are advanced by the law enforcement agency; and

WHEREAS, these cases are referred for prosecution by a variety of law enforcement agencies; and

WHEREAS, while most cases are referred by the Waukesha County Metro Drug Enforcement unit comprised of a variety of local law enforcement agencies and coordinated by the Waukesha County Sheriff's Department, some local law enforcement agencies also independently advance buy money and refer drug cases for prosecution; and

WHEREAS, upon conviction, the District Attorney's office may request and the court may order the defendant to reimburse the law enforcement agency for certain municipal funds used in the investigation; and

WHEREAS, the Clerk of Circuit Court's office administers the courts orders, including any financial orders for reimbursement of funds through the accounts receivable and accounts payable processes incorporated in the state Consolidated Courts Automation Program (CCAP); and

WHEREAS, the CCAP financial application allows for receivables to be set up to accept payment through the Clerk of Circuit Court and subsequently remit payments to any creditors listed on the account as collections are made, and can also aggregate individual payments by account and creditor to enable a monthly remittance of all collections made in that period to the specified creditor; and

WHEREAS, the Clerk of Circuit Court's analysis of disbursements has determined that at the time of CCAP implementation in 2000, only one account type was set up for the receivables of court ordered repayment of drug buy money, which was configured to sweep all collections to the Waukesha County Sheriff's Department c/o Metro Drug Enforcement Unit regardless of the creditor identified on the court order; and

WHEREAS, the CCAP configuration caused all collected court ordered funds of this type to be paid to the Waukesha County Sheriff's Department instead of the court-specified municipal law enforcement agency when appropriate; and

WHEREAS, the Clerk of Circuit Court's review of all CCAP orders and receipts has identified \$135,666 in revenues incorrectly paid to the Sheriff's Department that should have been properly paid to municipalities; and

WHEREAS, these funds were accounted for in the County's general fund; and

WHEREAS, general fund balance appropriated within the 2020 Contingency fund balance is available for situations that could not be anticipated in the budget process, and

WHEREAS, the Clerk of Circuit Court has made system configuration changes in CCAP to prevent this from reoccurring; and

WHEREAS, it is necessary to modify the 2020 Non-Departmental budget in order to allow for payment of the misdirected funds to the appropriate municipalities.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that the 2020 Non-Departmental budget be modified to appropriate additional expenditures of \$135,666 through transfer from the Non-Departmental 2020 Contingency Fund budget.

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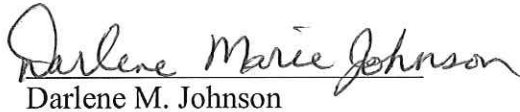
Approved By:  
Judiciary & Law Enforcement Committee

  
Peter M. Wolff, Chair

  
Michael A. Crowley

  
Tyler J. Foti

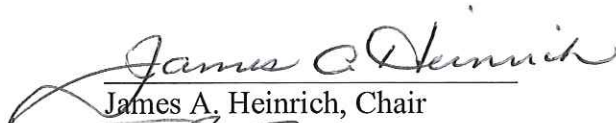
  
Christine M. Howard

  
Darlene M. Johnson

  
Larry Nelson

  
Steve Whittow

Approved By:  
Finance Committee

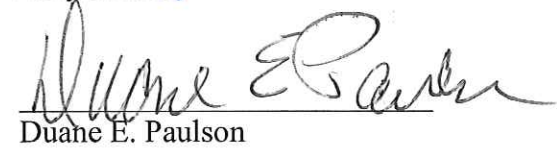
  
James A. Heinrich, Chair

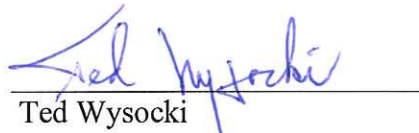
  
Tyler J. Foti

  
Joel R. Gaughan

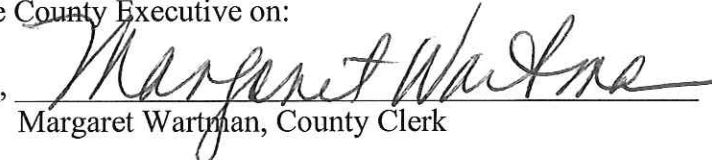
  
Thomas A. Michalski

  
Larry Nelson

  
Duane E. Paulson

  
Ted Wysocki

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, was presented to the County Executive on:

Date: 7/31/2020,   
Margaret Wartman, County Clerk

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, is hereby:

Approved: X  
Vetoed: \_\_\_\_\_

Date: 7/31/2020,   
Paul Farrow, County Executive

**Ordinance 175-O-024**



Ordinance 175-O-024: Modify 2020 Non-Departmental Budget to Correct Drug Buy Payments to Municipal Law Enforcement Agencies

**VOTE RESULTS: Passed With 17 Yes Votes Needed**

**AYE: 22**

**ABSENT: 3**

**NAY: 0**

D1 - Foti	ABSENT
D2 - Zimmermann	AYE
D3 - Morris	AYE
D4 - Batzko	ABSENT
D5 - Dondlinger	AYE
D6 - Walz	AYE
D7 - Grant	AYE
D8 - Michalski	AYE
D9 - Heinrich	AYE
D10 - Swan	AYE
D11 - Howard	Second AYE
D12 - Wolff	Motion AYE
D13 - Decker	AYE

D14 - Mommaerts	AYE
D15 - Mitchell	AYE
D16 - Crowley	AYE
D17 - Paulson	AYE
D18 - Nelson	AYE
D19 - Cummings	AYE
D20 - Schellinger	AYE
D21 - Gaughan	AYE
D22 - Wysocki	AYE
D23 - Hammitt	ABSENT
D24 - Whittow	AYE
D25 - Johnson	AYE