

JUSTICE

Amendment to Omnibus Justice Motion  
[LFB Papers 420 thru 428]

Motion:

Move to amend motion #405 as follows:

1. *Criminal History Search Fees [Paper #420]*. Delete the adoption of Alternatives 1 and 3. Instead, adopt Alternative 2 to delete the provisions regarding changes to the fee structure for criminal history search fees. [Under this alternative, effective July 1, 2011, the fee to nonprofit organizations for a criminal record name search would revert to \$2 per search. Under this alternative, requesters who are neither government agencies nor nonprofit organizations would continue to pay \$13 per criminal record name search.]

2. *Internet Crimes Against Children Task Force [Paper #422]*. In addition to Alternative 1, adopt Alternative 5 to require that the funding and position authority provided to DOJ for ICAC be separately tracked for budgetary purposes.

3. *Penalty Surcharge [Paper #424]*. Delete the adoption of Alternative 2. Instead, adopt Alternative 4 to delete the recommendation to reduce the following Department of Justice programs by 10% annually: (a) \$88,700 PR annually for the transaction information for the management of enforcement (TIME) system, which provides law enforcement agencies across the state access to a variety of law enforcement-related databases; (b) \$180,000 PR annually for anti-drug activities at DOJ, specifically funding for drug enforcement tactical and strategic intelligence units; and (c) \$83,200 PR annually for reimbursements to counties for providing victim and witness services. As a result, this alternative would restore \$351,900 PR annually in expenditure authority. In addition, reduce funding for training costs for new local law enforcement recruits by \$100,000 PR in 2011-12, but provide increased funding for these costs of \$100,000 PR in 2012-13, as a re-estimate of funding needed for these training costs in the upcoming biennium.

4. *Department of Defense Excess Property Program [Paper #426]*. Delete the alternative under Motion #405. Instead, adopt Alternative 2 to provide \$128,300 GPR annually to the GPR annual federal resource acquisition support grants appropriation to provide additional funding for the Section 1033 excess military property program. [In conjunction with Alternative 5, this alternative would permit the Committee to provide GPR funding for the program in lieu of discretionary settlement funds from DOJ.]

In addition, adopt Alternative 5 to delete the recommendation to provide \$128,300 PR annually to a new PR annual federal resource acquisition appropriation to provide additional funding for the Section 1033 excess military property program. In addition, delete the modification of the DOJ Division of Administrative Services gifts, grants and proceeds appropriation.

5. *Mandatory Processing of Rape Kits.* Require law enforcement agencies in a timely manner to forward all rape kits to the State Crime Laboratories at the Department of Justice for crimes for which no suspect has been identified but for which the rape kits have been utilized to collect evidence. Further, require the State Crime Laboratories to process all forwarded rape kits for which evidence has been collected and maintain the information for possible future prosecution. [Rape kits contain physical evidence from the bodies of victims that can be tested for DNA. This physical evidence can be utilized to prosecute the associated crimes.]

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Note:

[Change to Bill: \$256,600 GPR, \$584,200 PR, and -\$580,600 PR-REV]