



# WISCONSIN DEPARTMENT OF JUSTICE LAW ENFORCEMENT BULLETIN

March 2021

## Strengthening Wisconsin's Response to Sexual Assault

By Attorney General Josh Kaul

From 2015 to 2017, Wisconsin law enforcement and hospitals took on an enormous project: an inventory of all previously unsubmitted sexual assault kits (SAKs) collected in Wisconsin prior to January 1, 2016. This effort resulted in more than 1,000 DNA profiles added to the national DNA database, investigative leads resulting from DNA matches, criminal prosecutions, and guilty verdicts.

Now, the Wisconsin Department of Justice (DOJ) looks to build on this extraordinary effort by creating a statewide tracking system for SAKs. Once implemented, this system will eliminate the need to conduct a statewide SAK inventory ever again. Similar systems have been implemented in Michigan, Idaho, North Carolina, and Washington. DOJ looks forward to working with law enforcement, forensic nurses, victim advocates, and prosecutors to create a SAK tracking system in Wisconsin. You can expect to hear more about this later in 2021.

As we prepare to launch this system, DOJ is conducting a census of all SAKs (tested and untested) currently in the possession of law enforcement. To simplify data collection, your agency has been mailed SAK ID stickers to attach to every SAK in your possession. DOJ also has created a web-based process to submit information.

DOJ requests four pieces of information about every SAK in your agency's possession: SAK ID (from the sticker mailed to you), your agency case number, Wisconsin State Crime Laboratories case number (if it exists), and the year the incident occurred. DOJ also asks that your agency upload to the DOJ website the incident report/case file for every SAK collected on or after January 1, 2016.

Instructions are available online at: <https://wilenet.widj.gov/ocvs/sexual-assault-kit-census>.

Your commitment to this census is deeply appreciated.

If you have questions about the census process, please contact the DOJ Bureau of Justice Information and Analysis (BJIA) at [SAK.Census@doj.state.wi.us](mailto:SAK.Census@doj.state.wi.us).

### New Resources

The Wisconsin State Crime Laboratories, Office of Crime Victim Services, and Division of Law Enforcement Services have also been putting together new resources to assist Wisconsin law enforcement in strengthening the justice system's response to sexual assault.

On WILENET, you can now find these new resources:

**Flowchart on kit submissions:** Subject matter experts at DOJ have created simple flowcharts summarizing best practices for when and how sexual assault kits should be submitted to the crime lab and retained.

**New virtual training module:** A five-hour training series on Best Practices for Law Enforcement Response to Sexual Assault is now available. [Sign up for the training here.](#)

**New podcast series:** The DOJ Division of Law Enforcement Services has launched a new podcast, "Yes Means Yes," that offers the latest in sexual assault investigations and resources, in less than 30 minutes. Episodes are released every two to three weeks.

You can find these at: <https://wilenet.widj.gov/wisaki/sexual-assault-response-resources>.

Thank you for your commitment to supporting survivors of sexual assault and to holding offenders accountable.

## In This Issue

- News from our Division Administrator
- Drug Take Back
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- SART Training
- SUSO
- Guest Article

# STATE OF WISCONSIN - DEPARTMENT OF JUSTICE

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**608-266-1221**



# Message from the Administrator



## Dear Law Enforcement Colleague:

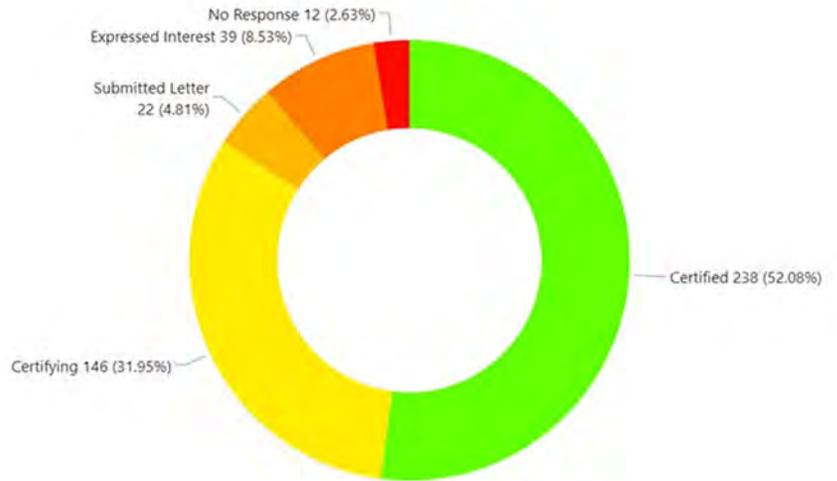
In an effort to meet the FBI's goals in transitioning all law enforcement agencies to the Incident based Reporting (IBR) system, the Wisconsin Uniform Crime Reporting (UCR) staff has been working to transition all Wisconsin law enforcement agencies to the new system by providing training, grant funding, and various other resources to promote and assist agencies with the transition. The IBR system allows for more in-depth reporting and collection of incident-level data than the older Summary Based Reporting (SBR) system which relied on less-detailed aggregated counts of offenses and arrests.

The UCR Program will retire the SBR system by the end of 2021. Wisconsin law enforcement agencies are statutorily required to submit crime data to the state UCR program. This means with the sunset of the SBR system, IBR will be the only form of crime reporting an agency will be able to submit. Please contact our office at [statsanalysis@doj.state.wi.us](mailto:statsanalysis@doj.state.wi.us) or call us at 608-266-0605 for information on transitioning to IBR.

## IBR Coverage in Wisconsin

Throughout 2020, over 60 additional agencies have completed the

WIBRS Certification Status



certification process and have become fully certified IBR reporters. Of the 68 agencies who are only submitting SBR, 13% of these agencies have committed to or expressed interest in transitioning to IBR. Only 2% of agencies have not expressed any interest in transitioning to IBR.

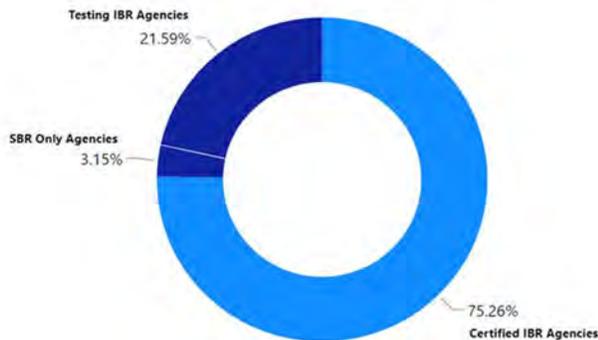
As of February 11, more than 75% of Wisconsin's population is covered by certified IBR agencies. 21% of the population are covered by agencies who are currently in the testing process and have committed to becoming certified.

**238**  
Certified IBR Agencies

**143**  
Testing IBR Agencies

**68**  
SBR Only Agencies

Population Coverage



Stay healthy and safe!  
Tina R. Virgil, Administrator  
Division of Law Enforcement Services

# Spring Drug Take Back Date

**April 24, 2021**

Registration is Open for Spring Drug Take Back

[Click Here to Register](#)



**Drug Take Back Day**

**April 24, 2021**

**Safe disposal saves lives**

[DoseOfRealityWI.gov](http://DoseOfRealityWI.gov)

**dose of reality**  
Prevent opioid harm.  
It starts with real talk.

### [April Drug Take Back Protocol](#)

The Wisconsin Department of Justice (DOJ) in conjunction with the Drug Enforcement Administration (DEA) will conduct a statewide Drug Take-Back on April 24, 2021. You may register to conduct a one day drug take-back event and/or to turn over drugs collected in your permanent drop box for disposal.

All disposal boxes requested during registration will be provided by the DEA. You should expect to receive your boxes and liners no later than April 12, 2021. Contact Jamie Kubina at the DEA ([jamie.r.kubina@usdoj.gov](mailto:jamie.r.kubina@usdoj.gov)), for more information about disposal boxes and liners.

Only law enforcement agencies may register to participate. One registration per department allowed.

# WISCONSIN Drug Take Back

Wisconsin Department of Justice & Drug Enforcement Administration



Permanent dropbox locations



**683,923**  
pounds

collected since May 2015



**485 locations**

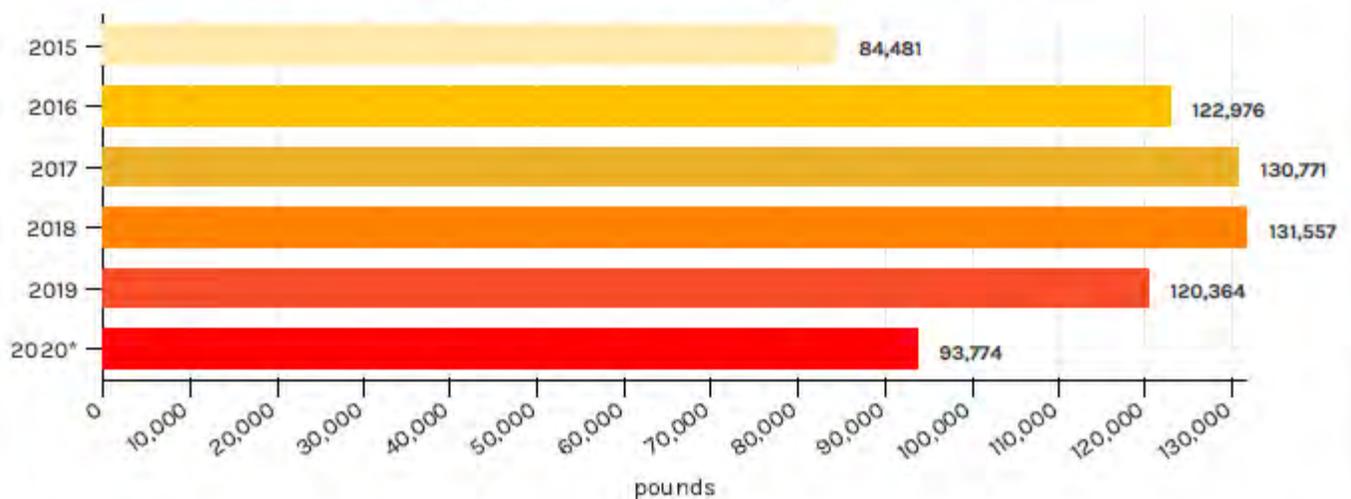
with permanent  
dropboxes statewide



**11 Drug Take  
Back Days**

since May 2015

## Pounds of Drugs Collected at Drug Take Back Events



\*There was only one drug take back event in 2020 due to COVID-19.

Last updated 11/19/2020



## State v. Halverson

On January 29, 2021, the Wisconsin Supreme Court held that a law enforcement officer was not required to give a Miranda warning to a jail inmate he was questioning over the telephone.

### Facts

A Stanley Police Department officer was investigating a claim of theft and destruction of property at a prison. He wanted to interview Brian Halverson, who was in the Vernon County Jail on a probation hold.

The officer called the jail and asked for Halverson. The jail's policies allow an inmate to choose whether to return a call. Ten minutes later, a deputy called back, then put Halverson on the phone, which was in the jail's community room. Halverson was not handcuffed. Deputies watched him through glass, but they could not hear his conversation and did not record it.

The officer did not give Halverson a Miranda warning. Halverson confessed to the crime during the telephone call, which lasted less than five minutes.

### Legal Arguments

Halverson moved to suppress his confession, arguing that the officer had violated his constitutional rights by not giving him a Miranda warning before a custodial interrogation. The circuit court applied a per se rule – anyone who is incarcerated is “in custody” for Miranda. Because Halverson was in jail and the officer had not given a Miranda warning, the circuit court suppressed his confession.

The State appealed. The Wisconsin Court of Appeals reversed the circuit court. Instead of using the per se rule, it looked at the totality of the circumstances. It concluded Halverson was not in Miranda custody and the confession should not be suppressed.

Halverson then appealed to the Wisconsin Supreme Court. He argued he should have received a Miranda warning because:

Under the per se rule, he was in custody because he was a jail inmate.

Under the totality of the circumstances rule, he was in custody because he was not free to end the interview.

### Supreme Court Holding

The Wisconsin Supreme Court agreed with the State. It held that, under the totality of the circumstances, Halverson's confession did not result from custodial interrogation. No Miranda warning was required, and his confession was admissible.

The Fifth Amendment says “No person ... shall be compelled in any criminal case to be a witness against himself.” In *Miranda v. Arizona*, the U.S. Supreme Court held that officers are required to protect the Fifth Amendment rights of a person in custody by reading the Miranda warning before questioning them.

But only some interrogations while a person is in custody are Miranda “custodial interrogations.” Instead, the U.S. Constitution considers whether the circumstances of the interrogation are “thought generally to present a serious danger of coercion.” The Fifth Amendment does not create a *per se* rule. Neither does the Wisconsin Constitution.

Here, the court used a totality of the circumstances test to conclude that Halvorsen was not in custody for Miranda purposes. That test has two parts: (1) Would a reasonable person in these circumstances feel free to end the interrogation and leave? (2) Does the environment present the same inherently coercive pressures as the type of stationhouse questioning that occurred in *Miranda*?

To decide whether a reasonable person in these circumstances would feel free to end the interrogation, the court examines things like:

- where the questioning happened,
- how long it lasted,
- what was said,
- whether a weapon was drawn,
- whether the person was frisked or restrained, and
- whether they were released when questioning ended.

Here, the court concluded a reasonable person would have felt free to end the interrogation and leave. The interrogation was over the telephone. It lasted less than five minutes. The officer’s demeanor was calm. Halvorsen was in the room by himself and unrestrained. He was free to terminate the call whenever he liked.

It also concluded for the same reasons that the questioning was not coercive.

<https://www.wicourts.gov/sc/opinion/DisplayDocument.pdf?content=pdf&seqNo=330568>



# Bureau of Justice Information and Analysis

## Use-of-Force and Arrest-Related Death Data Collection Update

As of January 1<sup>st</sup>, 2021, the Use-of-Force & Arrest-Related Death (UFAD) data collection form moved out of the “early-onboarding” phase and went into effect for all agencies.

### What does this mean for agencies?

All Agencies should now be reporting their UFAD reportable incidents via TraCS  
*Agencies that do not have any reportable incidents for a month will need to send in a “Zero Report” for that month*  
Reports are due on or by the 15<sup>th</sup> of the following month

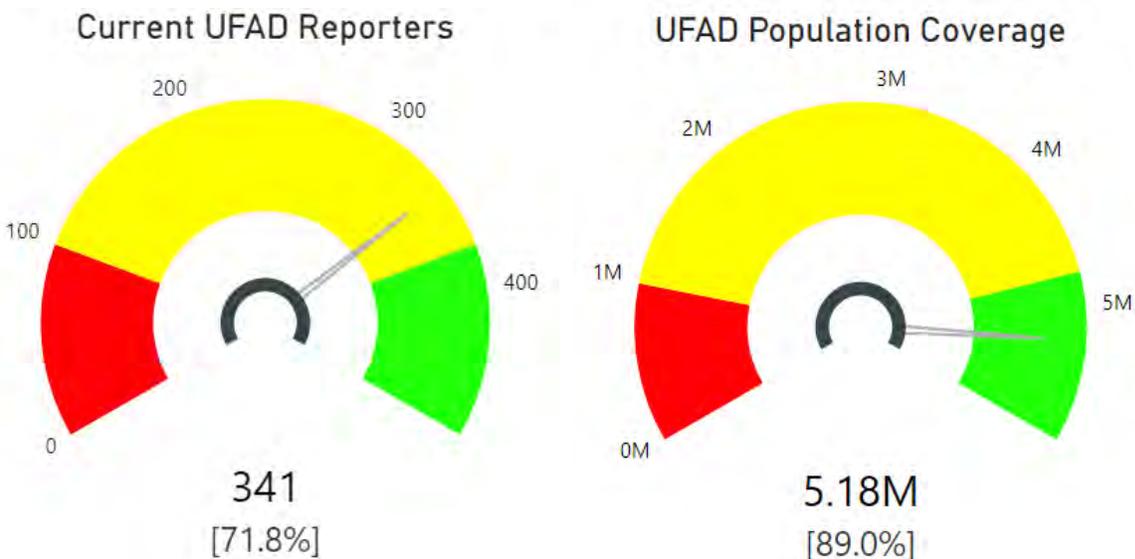
### What are “reportable” incidents?

The UFAD TraCS form collects data on officer-involved Use-of-Force incidents that meet **one or more of the following criteria:**

- Officer Use-of-Force that results in the death of a person
- Officer Use-of-Force that results in the great bodily harm of a person
- Use-of-Force that results in an officer discharging their firearm at or in the direction of a person
- Whenever a person dies in the course of being arrested

### What agencies are already reporting?

As of February 11<sup>th</sup>, 2021, 341 agencies have begun reporting via the form, covering almost 90% of Wisconsin’s population:



If your agency has not yet started submitting your UFAD data via TraCS and has questions, please reach out to the Bureau of Justice Information & Analysis (BJIA) at:

[statsanalysis@doj.state.wi.us](mailto:statsanalysis@doj.state.wi.us) or (608) 266-0605

# TRAINING AND STANDARDS BUREAU

## Updates from the Law Enforcement Standards Board



Dear Law Enforcement Administrators:

The Law Enforcement Standards Board (LESB) is committed to providing flexibility to law enforcement agencies during the COVID-19 pandemic. Here is a reminder as to the changes made by the LESB and current requirements for this training year (ending June 30, 2021):

- ◆ On September 2, 2020, the LESB approved allowing continued completion of up to 24-hours of annual recertification training for FY21 (July 1, 2020 – June 30, 2021) through online training (instructor-led or learner-led).
- ◆ On March 19, 2020, the LESB also approved extensions of the certification expiration date for instructors with certifications set to expire on September 1, 2020, December 1, 2020, or March 1, 2021, until December 1, 2021. In addition, these instructors have until December 1, 2021 to complete an instructor update.
- ◆ Twenty-four hours of training will be required for the FY21 recertification.
- ◆ Handgun qualification completion is required for FY21 recertification.
- ◆ Biennial vehicle pursuit training is required for FY21 recertification (the current biennium ends on June 30, 2021).

Instructor Updates are on Acadis as a virtual offering this year. Contact Training and Standards Bureau at [tsb@doj.state.wi.us](mailto:tsb@doj.state.wi.us) for technical assistance.

The new WILENET went live on January 26<sup>th</sup>, 2021. If there are difficulties navigating or questions, please contact the Training and Standards Bureau at [tsb@doj.state.wi.us](mailto:tsb@doj.state.wi.us).

The Law Enforcement Standards Board and Training and Standards Bureau are committed to providing up-to-date directives and impactful academy curriculum.



## Where in the virtual world on WILENET?



### Can't Log In?

[wilenet.widoj.gov](http://wilenet.widoj.gov)

The new WILENET may have made some changes to the way you log in. If you have any issues logging in please use the troubleshoot document located online to assist with retrieving your login credentials: <https://lesbportal.doj.state.wi.us/AcadisViewer/RetrieveAcademyID.aspx>

### Training & Conference Page:

**1. Submit Course Announcement**—submit any upcoming training courses or conferences your agency or association is hosting.

**2. Upcoming Training Conferences**—all conferences being held around the state will be listed on this page.

This also includes WI DOJ Career Development programs such as First Line Supervisor, LPO and Command College

**3. Search for Training Courses**—new and exciting search functionalities have been added to the site so you can easily search for events by keyword, title, date, hosting agency and course title. This section is a list of all the training courses active in Wisconsin.

The screenshot shows the WILENET website interface. The top navigation bar includes 'Training and Standards', 'Training & Conferences', 'Academies and Curriculum', 'Legal Drawer', 'Prosecutors Corner', 'Investigations', 'MFCU', 'Employment', and 'Resources'. The 'Training & Conferences' menu is expanded, showing options for 'Submit Course Announcement', 'Upcoming Training Conferences', and 'Search for Training Courses'. Below the navigation, there are 'View' and 'Results' buttons. A note states: '\* Indicates required field'. A warning message reads: 'Must have completed the 32-hour CJ-IDC course before attending, OR be a currently-certified'. Under 'Specify the type of training', there are three radio button options: 'Basic Recruit Training', 'Instructor Training', and 'Inservice, Specialized, and Advanced Training'. Below this, it says 'Complete the following for any type of training'. There is a text input field for 'Provider's Course Number' with '(optional field)' below it. There is a checkbox for 'Ongoing Course'. There is a text input field for '\* Course Begin Date' with '(mm/dd/yyyy)' below it.



## Where in the virtual world on WILENET?

### Resources Page:

The Resource section has a host of information and partner links in the drop down menu including a new Resource Directory that allows you to search by topic area.

Here you will find the pages for things such as **eTime** and the **TRAIN** system for CIB as well as the Drug Take Back information page and copies of the Law Enforcement Quarterly Bulletin.



### Narrow your search

Keyword

Category

### Resource Directory

#### Category: Dose of Reality

Title	Category	Topics	Date
<a href="#">Drug Take Back</a>	Dose of Reality	Drug Take Back	February 10, 2021

#### Category: Crime Information Bureau (CIB)

Title	Category	Topics	Date
<a href="#">ETime</a>	Crime Information Bureau (CIB)		August 14, 2020

#### Category: News and Links

Title	Category	Topics	Date
<a href="#">Forensic Imaging Unit</a>	News and Links		August 26, 2020
<a href="#">September 2020 Law Enforcement Bulletin</a>	News and Links	Law Enforcement Bulletin	September 11, 2020
<a href="#">Wisconsin Fireworks Law 2020</a>	Laws, News and Links	Wisconsin Fireworks Law	June 16, 2020



## WEDNESDAY WELLNESS AND LEADERSHIP WEBINAR SERIES

SPRING 2021

Beginning March 3 and running through April 28.

[Registration Website](#)

### **Topics Include:**

Forensic Genealogy

Drug Endangered Children in Rural Environments

Public Records—Law Enforcement focused topics

Surviving and Recovering from a Traumatic Event

Peer Support Team—ReTrainer Topics

Officer Wellness and LEDR

Black Friday Barricade: A Case Study

Cold Case Investigations and Advances in Investigative Techniques

Officer Wellness: A Case Study in Resiliency

Register to attend any one of these webinars or check them all out, there is no cost to attend. Brought to you by the Division of Law Enforcement Services.

Any questions, contact Stacy Lenz at [lenzse@doj.state.wi.us](mailto:lenzse@doj.state.wi.us).



The DOJ Office of Crime Victim Services is pleased to offer the webinar

## Initiating a Collaborative Response Within a Sexual Assault Response Team (SART)

March 9<sup>th</sup> or March 17<sup>th</sup>, 2021  
10 AM - 11:30 AM

During these webinars, presenters will clarify and strengthen the referral process for advocacy services by:

- Discussing the provisions of Marsy's Law, the Crime Victim Rights Board recommendation on victim privacy, victim accompaniment legislation, and how they impact SART referrals for advocacy services.
- Developing consistent language to utilize when offering an advocate, explaining their role, and providing options for engagement.
- Reviewing different scenarios for referrals from all SART partners.

Please contact Keeley Crowley at [crowleykj@doj.state.wi.us](mailto:crowleykj@doj.state.wi.us) to register for one of the webinars.

This project was supported by grant #2016-WE-AX-0042 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication are those of the authors and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women.





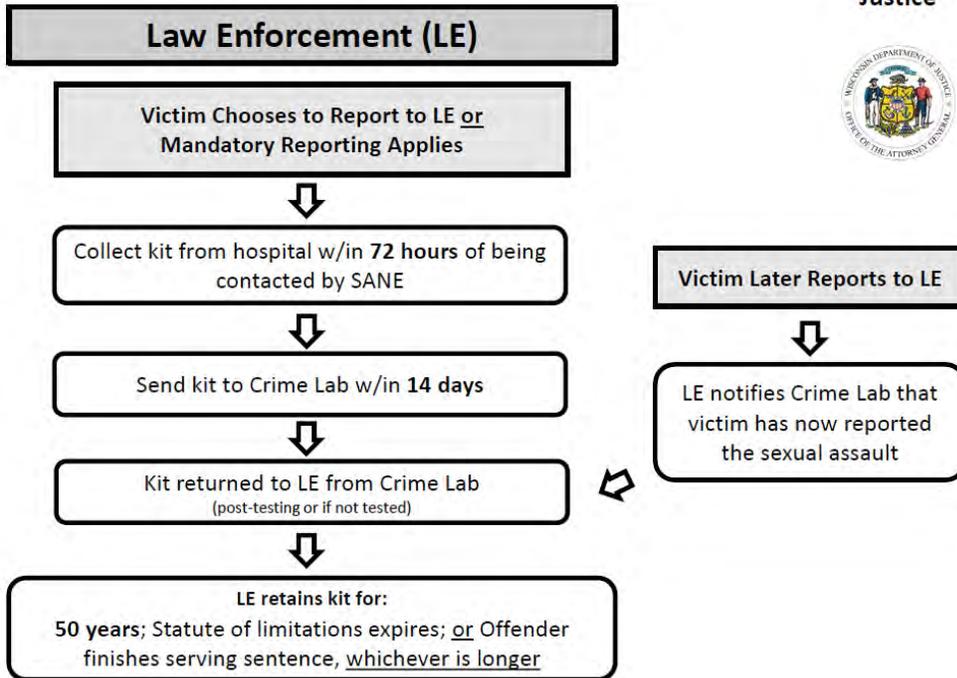
## SEXUAL ASSAULT KIT COLLECTION AND SUBMISSION:

Subject matter experts at DOJ have created a simple flowchart for when and how sexual assault kits should be submitted to the crime lab and retained. If you have any questions regarding the flowchart, kit submission best practices, or the multidisciplinary response to sexual assault, please reach out to the WI Sexual Assault Kit Initiative team at [WiSAKI@doj.state.wi.us](mailto:WiSAKI@doj.state.wi.us). Thank you for your commitment to survivors of sexual assault and holding offenders accountable.

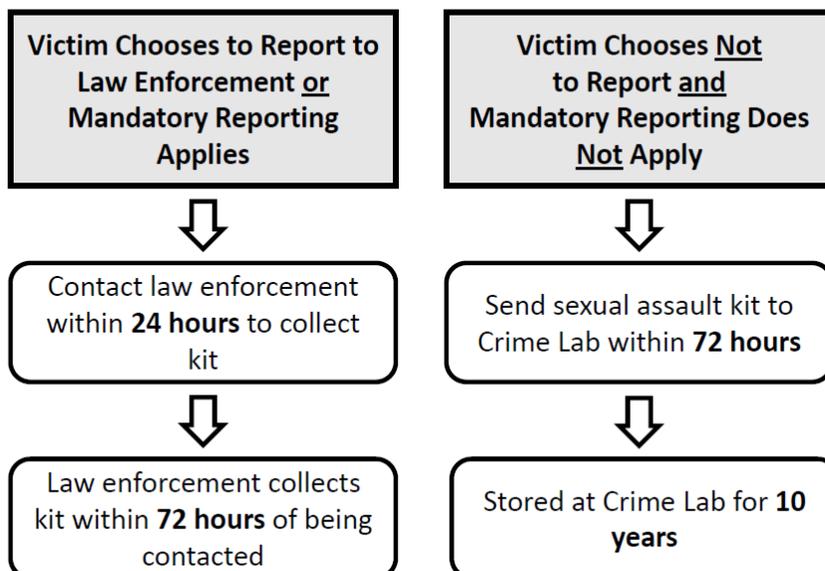
Best Practice Recommendations

### Sexual Assault Kit Collection and Submission: Best Practice Recommendations

Wisconsin Department of Justice



### Sexual Assault Nurse Examiners (SANEs)



# The Crime Victim Compensation Program

## Who is eligible?

- A person who is injured or killed as a result of a compensable crime
- A person who is injured or killed while attempting or succeeding in:
  - ◊ Preventing a crime/aiding law enforcement,
  - ◊ Apprehending an offender of a crime, or
  - ◊ Aiding a victim of a compensable crime
- Compensable crimes are listed in Wis. Stat. §949.03(1)(b)- see reverse side
- Victim must have suffered actual bodily harm, or mental/psychological trauma.
- Examples:
  - ◆ A person who has been physically assaulted
  - ◆ A person who reports a sexual assault
  - ◆ A victim of domestic violence
  - ◆ A family member, domestic partner, or someone who resides with a homicide victim
  - ◆ A person who was victimized as a child and is now an adult.

## What can CVC pay for?

- Medical expenses
- Dental expenses
- Mental health for both victims and parents of minor victims
- Net lost wages for victims, parents of minor victims and family/household members of homicide victims
- Loss of support
- Caregiver services
- Clothing/bedding held as evidence
- Computer/mobile phone held as evidence
- Property destroyed by crime lab testing
- Securing/cleaning of a crime scene
- Funeral/burial expenses

The maximum benefit per claim is \$40,000.

Property loss or damage is not covered other than those items described above. The victim must have suffered a physical injury or mental/psychological trauma.

## What makes a claim ineligible?

- The victim engaged in conduct which substantially caused or contributed to his/her injury or death
- The victim committed a crime that caused or contributed to his/her injury or death
- The incident was not reported to law enforcement within 5 days of the crime or within 5 days of when the crime could reasonably have been reported\*
- The application is not filed with the program within one year of the date of the crime\*
- The victim does not cooperate with law enforcement, through prosecution.
  - However, criminal charges do not have to be filed; a crime victim can still apply and be found eligible.

\*Note that these timelines may be waived in certain instances, particularly if the application involves a child or vulnerable adult.

\*Exceptions also apply to adults that were victimized as children.

### Examples:

- A victim who does not cooperate with the investigation or prosecution
- A victim who is injured or killed while engaged in an illegal drug transaction
- A victim whose wallet has been stolen

## How do victims apply?

- Victims can call the toll free line at **1-800-446-6564** to have an application sent to them
- The application can also be accessed on the website: [www.doj.state.wi.us/ocvs](http://www.doj.state.wi.us/ocvs)

The program does not cover property crime, property loss, legal fees, or stolen money or prescriptions.

Law enforcement is required by statute to provide information about crime victims' rights, including information about the Crime Victim Compensation Program, to all victims.





## Statewide School Safety Threat Reporting System Available and Saving Lives

In September 2020, the Wisconsin Department of Justice (DOJ) Office of School Safety (OSS) launched **Speak Up, Speak Out (SUSO) Resource Center** – a comprehensive, one-stop place to turn with important school safety concerns.

According to U.S. Secret Service analysis of targeted school violence, prior to most incidents, other people knew about the attacker's idea and/or plan to attack. SUSO provides a place to report and respond to these concerns through 24/7 threat reporting system, threat assessment consultation, critical incident response, and general school safety guidance.

Students, parents, school staff, or any community members can submit a school safety concern or threat via the [SUSO website](#), mobile phone application, or toll-free number. Resource Center staff work around-the-clock to respond to tips and to deploy a response locally by communicating directly with school administrators, law enforcement, and counselors. Nationwide more than half of public middle and high schools now operate similar safety tip lines.

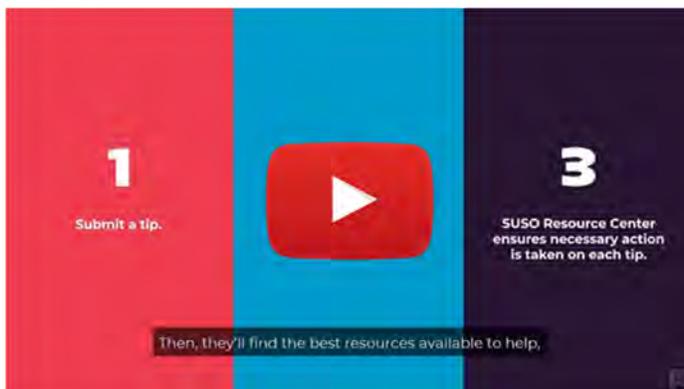
**Since its launch in late 2020, SUSO has received more than 1,000 tips and helped deploy mental health resources and welfare checks to multiple students.**

SUSO is a critical safety tool that is available to all Wisconsin communities for free. If your agency is not already utilizing SUSO, follow these steps:

**Submit contact information:** In the event an immediate safety concern is submitted to the SUSO reporting system, our analysts may need to contact you. Submit the name and email address of the person that you would like to receive notification of that event to 1-800-MY-SUSO-1 or [schoolsafety@doj.state.wi.us](mailto:schoolsafety@doj.state.wi.us).

**Ask area school officials about using SUSO:** Talk to school officials in your area about utilizing this school safety tool. Connecting schools to SUSO is easy. School officials [can sign up their school online](#), and [attend a train-the-trainer webinar](#) that reviews curriculum for elementary, middle, and high school students. The curriculum is age-appropriate information on when and how to use the free statewide confidential tip line to report threats of school violence.

Click the video below to see how the SUSO threat reporting system works.



Find more information at <https://speakup.widoj.gov/> or contact [schoolsafety@doj.state.wi.us](mailto:schoolsafety@doj.state.wi.us) with questions.

# Division of Forensic Sciences



## New Advisory Committee

DFS has created an Advisory Committee that will focus on evidence submission guidelines and the application and effectiveness of these documents for the different disciplines. The committee has various law enforcement partners including representatives from the District Attorneys Office, US Attorneys Office, Office of the State Public Defender, Circuit Court Judge, Police Chief, and Sheriff. This first meeting is scheduled for March 23, 2021.

## Transmittal of Criminal Evidence Form Updates

DFS has updated the Transmittal of Criminal Evidence form. We have added a statement that the laboratory reserves the right to select the most appropriate test methods that meet the needs of the customer. We have also removed the race indicator as this information is not needed for our analysis. Here is a link to the updated document. It can also be located on the WI DOJ website and WILENET.

[Link to Transmittal of Criminal Evidence Form](#)

**Madison Laboratory**  
4326 University Avenue  
Madison, WI 53705  
(608) 266-2031

**Milwaukee Laboratory**  
1578 South 11th Street  
Milwaukee, WI 53205  
(414) 382-7500

**Wausau Laboratory**  
7100 West Stewart Avenue  
Wausau, WI 54401  
(715) 845-8626

## Wisconsin State Crime Laboratories



Madison



Milwaukee



Wausau

# Division of Criminal Investigations

## ***interact!***

Wisconsin DOJ released the third installment of DOJ's '*interact!*' online internet safety training modules on Safer Internet Day 2021! *Interact!* is a collaborative project with the Wisconsin Department of Instruction (DPI) that was designed for parents to complete with their children with the goal of sparking online safety discussions in the home. The newest 15-20 minute interactive module focuses on Encouraging Healthy Online Behaviors and incorporates new scenario types for audience engagement. More information about *interact!* and the new training module can be found on here:

<https://icac.widoj.gov>



## **Wisconsin Internet Crimes Against Children Task Force Announces Addition of Victim Services Program**

Technology is an ever-present and inevitable facet of our daily lives, and perhaps even more so in the lives of our children. As a nationwide effort to counter the emerging threat of offenders using online technology to sexually exploit children, the U.S. Department of Justice began the National Internet Crimes Against Children's (ICAC) Task Force. Under this program, regional ICAC task forces serve as a source of prevention, education, and investigative expertise to assist law enforcement, teachers, parents, and other professionals working on child victimization issues.

The Wisconsin ICAC Task Force has been a national leader in fighting technology facilitated crimes against children and has been administered through the Wisconsin Department of Justice's Division of Criminal Investigation since its inception in 1999. The task force is comprised of Wisconsin Department of Justice personnel, police and sheriff's departments from around the state, and various community partners. The WI ICAC Task Force now also has specialized ICAC victim services personnel available to assist victims and their families.

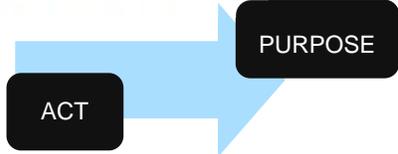
Victims of internet crimes are faced with challenges that can make healing and recovery after abuse a difficult process. The National Center for Missing & Exploited Children explains, "not only do images and videos of [Child Sexual Abuse Material (CSAM)] document victims' exploitation and abuse, but when these files are shared across the internet, child victims suffer re-victimization each time the image of their sexual abuse is viewed".

The ICAC Victim Services team was formed to help victims and families navigate the overwhelming complexities of the criminal justice system and address these concerns regarding revictimization. The team provides on-scene crisis intervention, follow-up support throughout the investigative and legal process, and assists with the removal of CSAM from the internet. They also work to connect victims and their families to local resources such as victim service agencies, mental health professionals, and other community supports as needed.

For more information about the program or to request assistance from the ICAC Victim Services team, please email [ICACServices@doj.state.wi.us](mailto:ICACServices@doj.state.wi.us) or call 608-266-1671 and ask for ICAC Victim Services. Additional information about the WI ICAC Task Force can also be found at our website:

<https://icac.widoj.gov>

# Division of Criminal Investigations



## Trafficking of a Child

**Trafficking of a Child** is a Class C felony that involves any of the following **ACTS**: Whoever knowingly *recruits, entices, provides, obtains, harbors, transports, patronizes, or solicits* any child or *attempts* to do the same...

...For the **PURPOSE** of a commercial sex act. See §948.051.

*Commercial sex act*: sexual contact, sexual intercourse, sexually explicit performance and any other conduct done for the purpose of sexual humiliation, degradation, arousal or gratification **for which anything of value** is given to, promised, or received, directly or indirectly, by any person. See §940.302(1)(a).

To report suspected sex trafficking of a child or sexual exploitation of a child, please contact the appropriate County or Tribe.

County	Office Hours #	After Hours #	County	Office Hours #	After Hours #	County	Office Hours #	After Hours #
Adams	608-339-4505	608-339-3304	Kenosha	262-605-6582	262-657-7188	Sheboygan	920-459-3207	920-459-3111
Ashland	715-628-7004	715-682-7023	Kewaunee	920-388-7030	920-388-3108	St. Croix Co.	715-246-8285	715-246-8285
Barron	715-537-5691	715-537-3106	La Crosse	608-784-4357	608-784-4357	Taylor	715-748-3332	715-748-2200
Bayfield	715-373-6144	715-373-6120	Lafayette	608-776-4902	608-776-4848	Trempealeau	715-538-2311, ext. 290	715-538-4351
Brown	920-448-6035	920-448-3200	Langlade	715-627-6500	715-627-6411	Vernon	608-637-5210	608-637-2123
Buffalo	608-685-4412	608-685-4433	Lincoln	715-536-6200	715-536-6272	Vilas	715-479-3668	715-479-4441
Burnett	715-349-7600	715-349-2128	Manitowoc	920-683-4230	888-552-6642	Walworth	262-741-3200	262-741-3200
Calumet	920-849-9317	920-849-9317/ 920-832-4646	Marathon	715-261-7500	715-261-1200	Washburn	715-468-4747	715-468-4720
Chippewa	715-726-7788	715-726-7788	Marinette	715-732-7700	715-732-7600	Washington	262-335-4888	262-365-6565
Clark	715-743-5233	715-743-3157	Marquette	608-297-3124	608-297-2115	Waukesha	262-548-7212	262-547-3388
Columbia	608-742-9227	608-742-9227	Menominee Co.	715-799-3861	715-799-3881	Waupaca	715-258-6300	715-258-4466
Crawford	608-326-0248	608-326-0241	Milwaukee	414-220-7233	414-220-7233	Waushara	920-787-6550	920-787-3321
Dane	608-261-5437	608-255-6067	Monroe	608-269-8600	911	Winnebago	920-236-4600	920-233-7707
Dodge	920-386-3750	920-386-6713	Oconto	920-834-7000	920-834-6900	Wood	715-421-8600	715-421-8600
Door	920-746-7155	920-746-2400	Oneida Co.	715-362-5695	715-361-5100	<b>Tribe</b>	<b>Contact #</b>	
Douglas	715-395-1304	715-395-1375	Outagamie	920-832-5161	920-832-4646	Bad River	715-682-7127	
Dunn	715-232-1116	715-232-1348	Ozaukee	262-238-8200	262-238-8436	Forest County	715-478-4812	
Eau Claire	715-839-2300		Pepin	715-672-8941	715-672-5944	Potawatomi		
Florence	715-528-3296	715-528-3346	Pierce	715-273-6766	715-273-5051	Ho-Chunk	715-284-2622	
Fond du Lac	920-929-3400	920-906-5555	Polk	715-485-8400	715-485-8300	Lac Courte	715-558-7435	
Forest	715-478-3351	715-478-3331	Portage	715-345-5350	715-345-5350	Oreilles		
Grant	608-723-2136	608-723-2157	Price	715-339-2158	715-339-3011	Lac Du Flambeau	715-588-4275	
Green	608-328-9393	608-328-9393	Racine	262-638-6646	262-638-7720	Menominee Tribe	715-799-5161	
Green Lake	920-294-4070	920-294-4000	Richland	608-647-8821	608-647-2106	Oneida Nation	920-490-3701	
Iowa	608-930-9801	608-935-3314	Rock	608-757-5401	608-757-2244	Red Cliff	715-779-3785	
Iron	715-561-3636	715-561-3800	Rusk	715-532-2299	715-532-2200	Sokaogon	715-478-6437	
Jackson	715-284-4301	715-284-5357	Sauk	608-355-4200	800-533-5692	St. Croix Tribe	715-349-2671	
Jefferson	920-674-3105	920-674-3105	Sawyer	715-634-4806	715-634-4858	Stockbridge-	715-793-4580	
Juneau	608-847-2400	608-847-6161	Shawano	715-526-4700	715-526-3111	Munsee		



## **New AMBER Alert Procedure**

**Effective January 1, 2020**

The Wisconsin Department of Justice – Division of Criminal Investigation (DCI) would like to make Wisconsin law enforcement agencies aware of changes to the AMBER Alert Process. These changes to the program are effective January 1, 2020. More information and resources are available on the secure side of WILENET, under the DOJ tab.

### **To request an AMBER Alert activation:**

1. Law enforcement must call the Wisconsin State Patrol (telephone number available on WILENET under the DOJ Tab).
2. Provide your contact information. A DCI supervisor will call you back.
3. Review the facts of the case and the status of the investigation with the DCI supervisor. DCI will determine which area(s) of the state an approved AMBER Alert will be broadcast. If you have determined that the child/suspect are physically located outside the state of Wisconsin, DCI is your best point of contact to activate an AMBER Alert in another state.
4. If approved for an AMBER Alert, the DCI supervisor will provide you with the information to access the online form.
5. Access the online form, fill out the information for the AMBER Alert, attach your photos, and submit.
6. Maintain frequent contact with the DCI supervisor as your response and investigation progresses.

In conjunction with our transition to State Patrol as the first point of contact and partner in issuing AMBER Alerts, we are upgrading the technology we use to issue Emergency Alert System (EAS) broadcasts. Beginning January 1, 2020, we will use FEMA's Integrated Public Alert and Warning System (IPAWS) to issue the EAS messages that are broadcast on television and radio. This does not impact you as a requesting local agency. The National Center for Missing and Exploited Children will continue to issue the Wireless Emergency Alert (WEA) direct to cell phones in the broadcast area on our behalf. Our partners in issuing AMBER Alerts in Wisconsin include Wisconsin State Patrol, Wisconsin Educational Communications Board, Wisconsin Broadcasters Association, Wisconsin Public Radio, and Wisconsin Lottery.

In addition, we are using a new public website URL: [amberalert.widoj.gov](http://amberalert.widoj.gov). The public website displays information about active AMBER Alerts as well as general information about Wisconsin's AMBER Alert program.

#### **Wisconsin AMBER Alert Criteria:**

1. The child must be 17 years of age or younger.
2. The child must be in immediate danger of death or serious bodily harm.
3. There must be enough descriptive information about the child(ren), suspect(s), or vehicle(s) to believe a broadcast will assist in the recovery.



# WISCONSIN CRIME ALERT NETWORK

WISCONSIN DEPARTMENT OF JUSTICE



## Green Alerts

**A law enforcement agency will directly issue the Green Alert through the Wisconsin Crime Alert Network** using a "Green Alert – Missing Veteran at Risk" form. Agencies themselves make the determination when to issue a "Green Alert" through WCAN. **The Wisconsin Department of Justice does not have a role in approving Green Alerts or sending out Green Alerts.**

Wisconsin has enacted legislation (2017 Wisconsin Act 175), relating to **"alerts for missing veterans who have a service-related health condition."** This legislation has been commonly referred to as **"Green Alert."** According to the act, <http://docs.legis.wisconsin.gov/2017/related/lcactmemo/act175.pdf>, **"veteran at risk"** is a veteran or an active-duty member of the armed forces, the national guard, or the military reserve forces of the United States who is known, based on the information provided by the person making the report, to have a **physical or mental health condition that is related to his or her service.**

**Should your agency receive a report of a missing veteran at risk that is provided within 72 hours of the individual's disappearance, according to Wisconsin Act 175, your agency must issue a Green Alert using the Wisconsin Crime Alert Network (WCAN) as soon as practically possible if your agency determines that the following applies:**

1. There is reason to believe that the veteran at risk is **missing due to his or her physical or mental health condition.**
2. There is **sufficient information** available to disseminate that could assist in locating the missing veteran.

**Green Alerts are always disseminated to the general public** and the alerts are for a missing veteran who has a service-related health condition. Therefore, **agencies sending out Green alerts should evaluate all of the information to be contained in the alert to determine if such health-related information is appropriate for public dissemination.**

### How to have an account to send out WCAN Alerts/Green Alerts

There is a 45-minute online training for law enforcement to have an account to send out WCAN Alerts, including Green Alerts. The following is the registration link for that training: <http://www.wisconsincrimealert.gov/training.html>





# WISCONSIN URGENT INCIDENT ALERTS



Know when and how to utilize these resources

## IMMINENT THREAT TO LAW ENFORCEMENT



Investigating agency or TIME Control Center (TSCC) issues TIME System message using broadcast group ITLE

## FATAL HIT & RUN



Investigating agency issues WCAN Alert using "Standard Alert" form

✓ For Fatal Hit & Run and Green Alerts: if the WCAN was sent statewide, contact TSCC to broadcast a statewide message

## MISSING VETERAN Green Alert



Investigating agency issues WCAN Alert using "Green Alert" form

## MISSING ELDER Silver Alert



Investigating agency contacts Wisconsin State Patrol (see WILEnet) to begin DCI approval process

DCI approves & issues Silver Alerts

## MISSING CHILD AMBER Alert



Investigating agency contacts Wisconsin State Patrol (see WILEnet) to begin DCI approval process

DCI approves & issues AMBER Alerts

### CRITERIA

Death or serious injury of a law enforcement officer in the line of duty  
-or-  
Threat of death or serious injury to law enforcement officer  
-or-  
Law enforcement officer missing in connection with official duties

### CRITERIA

Person has been killed  
-and-  
Law enforcement agency has information that could help identify the driver or vehicle involved  
-and-  
Alert could help avert further harm

### CRITERIA

Veteran is missing believed due to his or her physical or mental health condition related to their service  
-and-  
Sufficient information to disseminate that could assist in locating the missing veteran

### CRITERIA

60 years of age or older  
-and-  
Believed to have Alzheimer's, dementia, or another permanent cognitive impairment  
-and-  
Disappearance due to the impaired cognitive condition  
-and-  
Request made within 72 hours of disappearance  
-and-  
Entered into NCIC

### CRITERIA

17 years of age or younger  
-and-  
Danger of serious bodily harm or death  
-and-  
Sufficient descriptive information



# Wisconsin ICAC

~ Internet Crimes Against Children ~

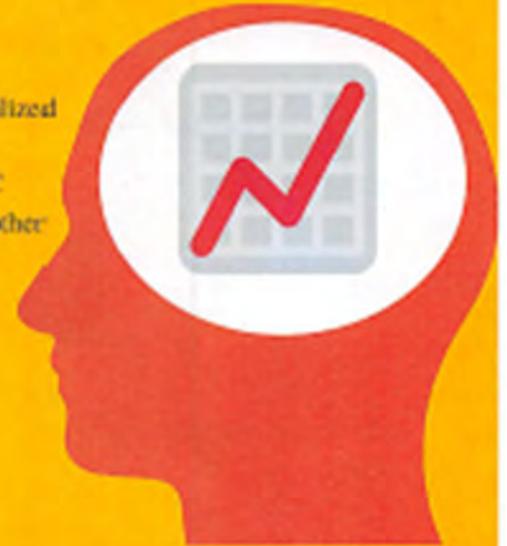


## TASK FORCE



### Gain Access to:

- Free technology facilitated crimes against children training
- National database for deconfliction, specialized ICAC tools, and more!
- Ability to connect with over 280 WI ICAC affiliate agencies and investigators & the other 62 ICAC Task Forces across the U.S



### Direct your Community:

- WI ICAC Task Force shares monthly newsletters on tech trends & useful tips!
- Look to the PKO podcast where content is researched and discussed per community requests!



**The Biggest Influence on a Child's Online Behavior is Discussions held with the family.**

**Studies have shown only 59% of parents engage in frequent conversations regarding online social behavior.**

### To ask your local Families/School Administrators:

What apps are you seeing youth in the community use? Know what to listen for in passing times? What trends have you been noticing within local school halls?

For questions, or if you would like to join, please email us at:  
[icac@doj.state.wi.us](mailto:icac@doj.state.wi.us)



# Additional Resources:



<https://www.missingkids.org/NetSmartz>



<https://dpi.wi.gov/internet-safety/new-interactive-safety-resource-available>



<https://www.doj.state.wi.us/dci/icac/icac-task-force-home>



<https://dpi.wi.gov/>



<https://us11.campaign-archive.com/home/?u=7a0f17e07003d2e1106f9e43e&id=7e43d0854c>



<https://thesmarttalk.org>



<https://www.commonsensemedia.org/>



<https://www.esrb.org/>



<https://www.doj.state.wi.us/dci/icac/protect-kids-online-pko-podcast>

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# Screen Time Break! PKO Podcast Provides Online Safety Resources

Virtual classrooms. Hybrid learning. Intermittent closures. Regardless of your location in Wisconsin, it's likely that you've seen an area school offering modified schedules this year. These major (and sometimes very quick) changes can cause added stress in an already stressful social climate.

Students are facing changes in schedules, changes in learning styles, more systems, more passwords, the possibility of less one-on-one awareness of their work and learning level, less interaction with their peers, and so many more challenges with these necessary adaptations. This can result in increased screen time, increased anxiety or acting out, or possibly just higher stress levels. And of course, parents and teachers are impacted by these stressors, as well!

Take a break from screen time and listen to some suggestions and resources for recent increased screen time, mental health information, ideas for offline activities, and more. The Protect Kids Online (PKO) podcast is a free resource offered by the Wisconsin Department of Justice – Internet Crimes Against Children Task Force to provide parents, grandparents, or caregivers of children resources and information on the latest trends, apps, and online activity of children.

Listen online at [www.ProtectKidsOnlineWI.gov](http://www.ProtectKidsOnlineWI.gov) or subscribe through your favorite podcast player!

**FREE Parent Technology Resource Available! Listen to the latest episodes of the Protect Kids Online (PKO) Podcast below!**

The screenshot shows a podcast player interface. At the top, there is a header for 'Protect Kids Online' with social media icons for Facebook, Twitter, LinkedIn, and a menu icon. The main title of the episode is 'PKO 120: Dealing With School Year Stress', dated 'Nov 10, 2020' and published by the 'Wisconsin Department of Justice'. The player controls show a play button, a progress bar at 00:00, and a total duration of 13:32. Below the player, a list of recent episodes is displayed:

Episode Title	Publisher	Date	Duration
PKO 120: Dealing With School Year Stress	Wisconsin Department of Justice	Nov 10, 2020	13:32
PKO 119: Online Abuse & Violence - Let's Work to Make Online Connections Healthier and Happier!	Wisconsin Department of Justice	Oct 27, 2020	18:10
PKO 118: Watch Parties! Virtual Connections to Stream Videos, Movies, and Shows	Wisconsin Department of Justice	Oct 13, 2020	16:25
PKO 117: Virtual Learning & Connection Considerations	Wisconsin Department of Justice	Sep 29, 2020	20:11



# WISCONSIN | ePDMP

The WI ePDMP is a tool to help combat the ongoing prescription drug abuse epidemic in Wisconsin. By providing valuable information about controlled substance prescriptions in schedules II-V that are dispensed in Wisconsin, the WI ePDMP can help pharmacies, healthcare professionals, law enforcement agencies, and public health officials work together to reduce the misuse, abuse, and diversion of controlled substance prescriptions.

*"The WI PDMP is hands down the best resource made available to those of us investigating drug diversion in the state of Wisconsin. It gives us valuable information and a direct route for working with the healthcare community to address prescription drug abuse and diversion."* – WI Diversion Investigator

## WI ePDMP Access for Active Investigations

Did you know...

Law enforcement may request access to WI ePDMP data under one of the following circumstances:

1. The law enforcement agency or prosecutorial unit is engaged in an active and specific investigation or prosecution of a violation of state or federal law involving prescribed controlled substances and the information requested is reasonably related to that investigation or prosecution.
2. The law enforcement department or agency or prosecutorial unit is monitoring the patient as part of a drug court, as defined in Wis. Stat. 165.955 (1).

The WI ePDMP can help guide investigators to original records kept by prescribers and dispensers but should not be used in isolation to make any determinations about a prescriber, dispenser, or patient. Investigators should rely on original records obtained from the prescriber or the dispenser as the source of truth.

*"Having access to the WI PDMP is essential to my job as a Diversion Investigator. I can obtain prescription information quickly and efficiently. I believe there is a direct correlation between the PDMP and a decrease in pharmacy/doctor shopping. I am grateful for this program."* – Federal Diversion Investigator

## Law Enforcement Duty to Report

Don't forget...

Wis. Stat. 961.37 established a requirement for law enforcement agencies to submit information to the WI ePDMP. The following events require law enforcement to submit an alert to the WI ePDMP:

1. Suspected Narcotic-Related Death
2. Suspected Opioid-Related Overdose (Non-Fatal)
3. Suspected Violation of the Controlled Substances Act Involving a Monitored Prescription Drug
4. Report of a Stolen Controlled Substance Prescription

The WI ePDMP disseminates alert information to healthcare users of the WI ePDMP, many of whom are required to check their patients' records in the PDMP before writing a controlled substance prescription. This allows the WI ePDMP to facilitate communication between healthcare professionals and law enforcement.



Department of Safety and Professional Services – Wisconsin Prescription Drug Monitoring Program  
Web: [pdmp.wi.gov](http://pdmp.wi.gov) Email: [PDMP@wisconsin.gov](mailto:PDMP@wisconsin.gov) Phone: (608) 266-2112  
Law Enforcement User Guide: [pdmp.wi.gov/training-materials](http://pdmp.wi.gov/training-materials)



## Protect Wisconsin's Seniors, Report Elder Abuse.

Elder Abuse can be verbal, physical, emotional, sexual or financial. It can also be intentional or unintentional neglect. Unfortunately, Elder Abuse is a growing problem in Wisconsin, negatively impacting the lives of our senior citizens and their families.

In fact, Wisconsin's population of seniors 65 and older is projected to increase by more than 70% in the next 20 years. That's why all Wisconsinites share the responsibility to help protect our senior citizens by recognizing and reporting any signs of Elder Abuse.

**If you feel that you are a victim of Elder Abuse or you believe it has been inflicted upon someone you know or love, REPORT IT!**



Call the Wisconsin Elder Abuse Hotline

**1-833-586-0107**

or visit [ReportElderAbuseWI.org](http://ReportElderAbuseWI.org)

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## Guest Article:

### ***SOCIAL LEARNING THEORY, CRIME AND EMPLOYMENT: AN INTRICATE CONNECTION***

**By Mark Schultz and Marshall Ogren**

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*Marshall Ogren is a Special Agent in Charge, Wisconsin Department of Justice – Division of Criminal Investigation, Wisconsin Statewide Intelligence Center (WSIC). He specializes in cybercrime investigations and deputy director of the WSIC and has 4 years experience conducting outreach and coordination efforts with state, local, and federal partners related to information sharing. Marshall has a Master's degree in Criminal Justice with an emphasis in Criminology and Victimology from University of Wisconsin - Platteville*

People commit crimes and deviant acts on a daily basis, and this is an inevitable fact of life. Wisconsin is no stranger to criminal activity and deviance as is evident by the Wisconsin Department of Corrections [Weekly Population Report](#) for the week of February 12<sup>th</sup>, 2021 which shows that the total probation/parole population rested at just over 63,000 people while the total inmate population was over 19,700. But one question that is often left without an answer is “Why do people commit criminal and deviant acts?”

#### **SOCIAL LEARNING THEORY EXPLAINED**

Theoretical explanations of crime and deviance have come a long way since Cesare Lombroso's theory of atavism, which posits that criminals are “evolutionary throwbacks” and that physical abnormalities compared to law-abiding citizens (such as the shape of the skull) are evidence of their involvement in criminal behavior (DeLisi, 2012). More contemporary criminological theories that attempt to explain why individuals commit crime and deviance argue, for example, that crime is the result of a natural human propensity to commit deviant acts, that the offenders have low self-control or are experiencing strain, or that being labeled a criminal induces further criminality (Vold, Bernard and Snipes, 2002). However, one of the leading theories of crime and delinquency is Ronald Akers' Social Learning Theory (Cochran, Maskaly, Jones and Sellers, 2015) which, in the most general of terms, posits that crime is a learned behavior and is learned through interaction with others (Pratt, Cullen, Sellers, Winfree, Madensen, Daigle, Fearn, and Gau, 2010).

Akers' theory is based off of four concepts of a learning process that influences whether or not people decide to commit criminal acts (Akers, 2006):

**Differential Association:** interaction with individuals or exposure to people/groups who supply definitions that are seen as favorable or unfavorable to the commission of criminal behavior

**Definitions:** the meanings that an individual attaches to certain behaviors

**Differential Reinforcement:** the perceived or actual rewards or punishments that are anticipated or experienced for a certain behavior (i.e. doing things that are anticipated to bring rewards and avoiding behaviors that are anticipated to be punished)

**Imitation:** participating in certain behaviors after seeing someone else do them

## LITERATURE REVIEW

There is much research that has been done that supports a social learning theory of crime. Cao (2004) found there was much “empirical support” for the social learning theory and that the “main arguments are largely supported.” In addition, Kubrin, Stucky and Krohn (2009) noted that “social learning theories have earned an important place among individual explanations of crime” while Agnew (2001) called the social learning perspective a “leading explanation of delinquency.” Support for this theory of crime has been rather consistent over the decades, with Akers and Jensen (2006) finding support based off of empirical research in every decade since 1950. For example, Cressey (1953) studied embezzlers who had been caught and found that “exposure to, and acceptance of, already existing definitions justifying or rationalizing violation of trust was the key part of the three-step process of embezzlement.” More recent support was found by Skinner and Fream (1997) who found that all four of the concepts outlined above were “significantly related to computer crime” among university students while Chappell and Piquero (2004) found that this theory “provides a useful explanation of police misconduct.” Additionally, Kabin, Shadmanfaat, Howell, Donner and Cochran (2020) found social learning theory to be linked with performance enhancing drug usage in professional athletes and Cochran, Maskaly, Jones and Sellers (2017) found a relationship between social learning variables and intimate partner violence.

## SOCIAL LEARNING, EMPLOYMENT AND CRIME DESISTENCE: A THEORETICAL CORRELATION

Employment remains one of the strongest preventative measures against recidivism – which is defined by the [National Institute of Justice](#) as a “relapse into criminal behavior, often after the person receives sanctions or undergoes intervention for a previous crime.” However, not all jobs are created equal in regard to preventing recidivism. For example, Crutchfield and Pitchford (1997) found that individuals in “secondary sector” jobs, which are characterized by having lower wages and “irregular” employment, can have higher levels of criminality due to the unstable nature of those jobs. More specifically, people in “secondary sector” jobs may experience more job instability, including lowered expectations that the job will last for a longer duration or spending more time unemployed from their job, and therefore could have higher incidences of criminal behavior. On the other hand, Uggen (1999) found that employment in higher quality jobs (have a higher satisfaction rating) reduces the likelihood of criminal behavior. Linking social learning theory to employment potentially reveals another mechanism in which employment can lead to crime desistance – that being the learning of pro-social behaviors.

While the basic assumption of social learning theory is that criminal behavior is learned, this assumption also includes the idea that the same learning processes that lead to criminal behaviors also play out in the learning of conforming, or law-abiding, behaviors (Akers 1998). Taking the four concepts Akers laid out in his social learning theory and applying them to potential employment situations, theoretically it can be argued that employment can provide opportunities for one to successfully a) interact with individuals who provide definitions that are unfavorable to crime commission or favorable to law-abiding behavior (differential association), b) apply pro-social meanings to behaviors (definitions), c) see or anticipate rewards based on law-abiding/conforming behavior (differential reinforcement) and d) copy others, i.e. co-workers, that are successfully performing well on the job (imitation).

For example, if one were to begin employment, they would surely have interaction with coworkers, customers, and supervisors. Now, if one were to be exposed to a job situation where coworkers often model criminal, antisocial behavior (such as stealing) and there were little or no consequences, it could be reasonably concluded that anti-social behavior on the part of the new

employee might result. Conversely, if one were to be exposed to a supportive environment where coworkers and supervisors modeled pro-social and law-abiding behavior and experienced rewards (such as monetary bonuses or promotions), and those rewards were apparent, it would be reasonable to conclude that the employee could learn similar behaviors and would be successful and reap benefits from following suit. Thus, employment can act as a conduit in which law-abiding behaviors are learned. If this holds true, then Wisconsin is ripe with employment opportunities for individuals of all experience, skill, and educational levels, but who also have a criminal background.

## **WISCONSIN'S EMPLOYMENT OPPORTUNITIES**

One of the major barriers that individuals with a criminal background face on a daily basis is obtaining gainful employment. The stigmatizing nature of being marked a “criminal” hinders their ability to obtain employment (Pager, 2003) and, despite some employers saying they would give someone with a criminal record a chance, in practice this is not always the case (Pager, 2005). These employment barriers from being “marked” play out in a variety of ways, including such things as licensing barriers for specific occupations (i.e. health care and social work), company policies against the hiring of people with certain offenses (i.e. assault, drugs or theft), or implicit biases. However, as employers continue to struggle with filling their job vacancies due to labor force shortages, not to mention the perils brought about by COVID-19, some may reconsider some of their hiring practices as it pertains to hiring those with criminal backgrounds.

There are plenty of employment opportunities in Wisconsin that may be accommodating to those with past criminal transgressions on their record. Most recent employment estimates for the State of Wisconsin show that there are over 2,870,000 people employed throughout the state. The largest employment numbers are seen in Office and Administrative Support (365,140), Production (335,380), Sales and Related (263,380), Transportation and Material Moving (250,230) and Food Preparation and Serving Related (243,010). Together, these five occupational groups make up over half of the total employment in the state. See Table 1. Subsequently, these five occupational groups may also show more leniency in their hiring practices based on an applicant's criminal history.

One issue that Wisconsin faces regarding employment are that wages may not be up to par with cost of living requirements. For example, 10<sup>th</sup> percentile wages for the top five employing occupational groups are all under \$12 per hour, with two of the five have starting wages below \$10 per hour. Even a single person with no children would struggle to make ends meet earning these wages. In addition, some of these occupational groups, such as Sales and Related and Food Preparation and Serving Related suffer from the “double whammy” of having low starting wages while also being characterized by having many positions that are part-time, decreasing the total take-home pay even more.

Luckily, the wages increase as tenure and experience grow within these occupations, with median wages for these top five occupations jumping to between \$14 and \$18 per hour. Wages are even higher in many of the remaining occupations also. For example, 10<sup>th</sup> percentile wages peak at \$24.66 for Management occupations while median wages reach almost \$50 per hour in this occupational group. The bottom line is that people with criminal backgrounds have to start somewhere, even in occupations that may be lower-paying. However, as job experience increases, these individuals have opportunities to not only learn positive behaviors, but also increase their “worker reputation” and add positive references to their employment arsenal. The results of this could include promotions or movement into better jobs that offer more stability and higher wages.

Table 1. Wisconsin Occupational Employment Statistics							
SOC Code	Occupational Group	May 2019 Employment Estimates	Wage Percentiles				
			10th PCT Hourly	25th PCT Hourly	Median Wage Hourly	75th PCT Hourly	90th PCT Hourly
00-0000	<b>Total, All Occupations</b>	<b>2,870,050</b>	<b>\$9.90</b>	<b>\$13.11</b>	<b>\$18.79</b>	<b>\$28.61</b>	<b>\$41.21</b>
43-0000	Office & Administrative Support	365,140	\$11.30	\$14.43	\$17.88	\$22.61	\$28.70
51-0000	Production	335,380	\$11.98	\$14.40	\$18.03	\$22.98	\$28.74
41-0000	Sales & Related	263,380	\$8.88	\$10.58	\$14.21	\$24.38	\$39.61
53-0000	Transportation & Material Moving	250,230	\$9.97	\$12.42	\$16.54	\$21.62	\$27.12
35-0000	Food Preparation & Serving Related	243,010	\$8.12	\$8.85	\$10.34	\$13.04	\$16.34
29-0000	Healthcare Practitioners & Technical	175,730	\$17.03	\$24.18	\$32.45	\$42.64	\$63.89
25-0000	Educational Instruction & Library	166,120	\$11.90	\$15.66	\$22.55	\$30.99	\$39.10
13-0000	Business and Financial Operations	151,820	\$17.47	\$23.00	\$29.80	\$38.66	\$49.47
31-0000	Healthcare Support	137,810	\$10.18	\$11.40	\$13.57	\$16.40	\$19.50
11-0000	Management	122,150	\$24.66	\$35.42	\$49.35	\$66.07	\$93.07
49-0000	Installation, Maintenance, & Repair	112,300	\$13.38	\$17.18	\$22.48	\$28.78	\$36.36
47-0000	Construction & Extraction	110,160	\$15.29	\$18.94	\$25.26	\$33.56	\$40.28
37-0000	Building & Grounds Cleaning & Maintenance	80,640	\$9.29	\$10.83	\$13.30	\$17.03	\$21.64
15-0000	Computer & Mathematical	78,540	\$20.84	\$27.44	\$36.37	\$47.11	\$58.91
39-0000	Personal Care & Service	56,020	\$8.39	\$9.49	\$12.19	\$17.02	\$22.78
17-0000	Architecture & Engineering	54,510	\$21.43	\$27.29	\$34.55	\$43.56	\$53.19
33-0000	Protective Service	52,420	\$10.63	\$13.74	\$19.94	\$29.06	\$37.75
21-0000	Community & Social Service	39,250	\$12.79	\$16.48	\$21.36	\$27.20	\$32.86
27-0000	Arts, Design, Entertainment, Sports, & Media	31,750	\$9.67	\$13.67	\$20.29	\$28.21	\$36.92
19-0000	Life, Physical, & Social Science	23,410	\$16.88	\$21.84	\$29.26	\$38.61	\$49.41
23-0000	Legal	14,510	\$17.65	\$23.75	\$33.39	\$55.90	\$91.08
45-0000	Farming, Fishing, & Forestry	5,790	\$9.76	\$12.23	\$15.04	\$19.02	\$24.14

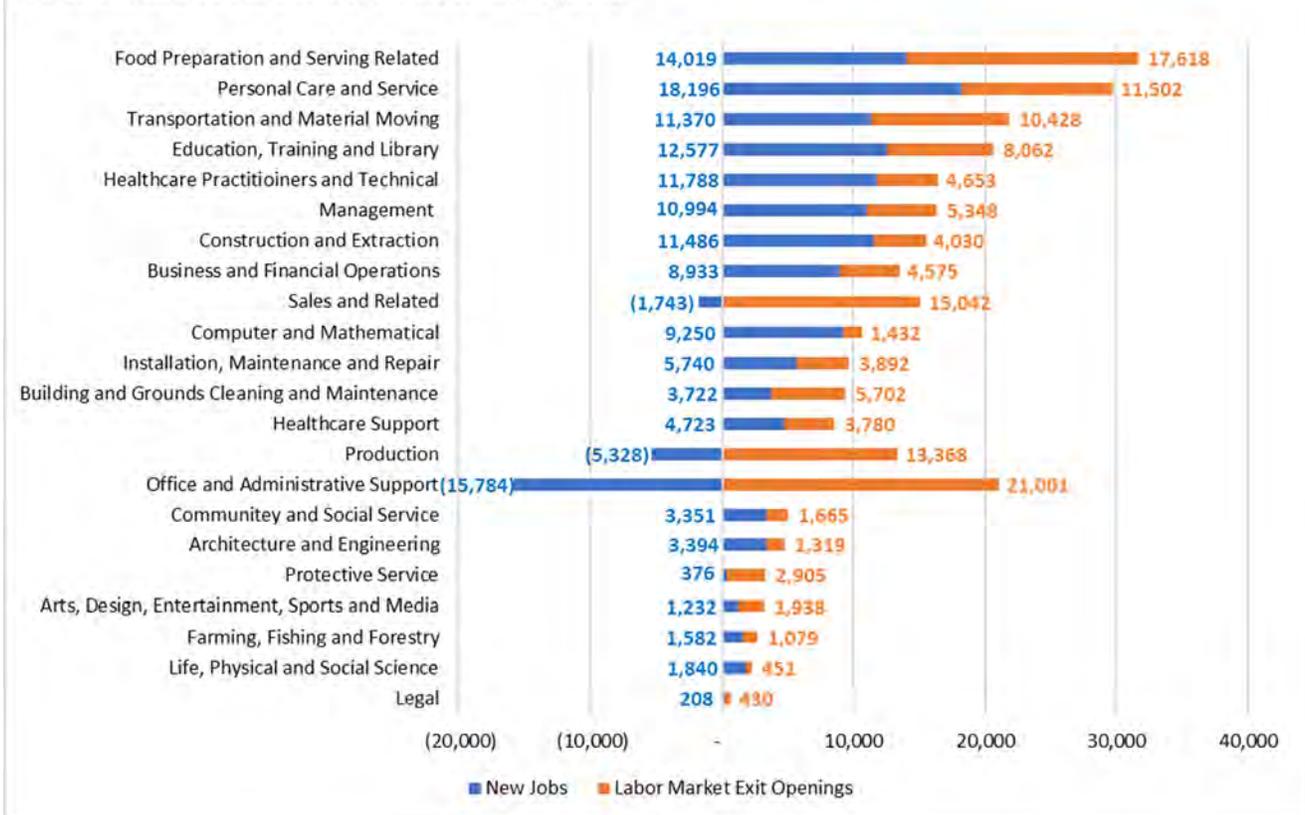
Source: Wisconsin Department of Workforce Development

Not only does the current employment in the State of Wisconsin have a strong representation across a variety of occupational groups, there are anticipated to be future job openings as well throughout the state. The Job Center of Wisconsin [Occupational Projections](#) data shows that there is anticipated to be a

3.5% growth in jobs from 2018 to 2028, equaling an increase of almost 112,000 new jobs. Meanwhile, during this 10-year period the state is also anticipated to see the need to fill over 140,000 openings due to labor market exits, such as retirements.

**Figure 1. Wisconsin Employment Projections by Occupational Group (2018-2028)**

Source: Wisconsin Department of Workforce Development



The largest amount of job growth is anticipated to be in Personal Care and Service, which is expected to grow by 11.7% from 2018 to 2028, equaling almost 18,200 new jobs. In addition, there are expected to be over 14,000 new jobs in Food Preparation and Serving Related (5.6% growth) and an additional 12,577 new jobs in Education, Training and Library occupations (6.7% growth). Simultaneously, additional job openings are expected due to labor market exits, including just over 21,000 labor market exit openings in Office and Administrative Support occupations, over 17,600 openings in Food Preparation and Serving Related occupations, and over 15,000 openings in Sales and Related occupations. And while a few occupational groups are expected to see negative growth (Office and Administrative Support, Production, and Sales and Related), all occupational groups will see vacancies due to labor market exits. See Figure 1.

## IMPLICATIONS

If it is true that the learning process that leads to criminal or deviant behavior mimics that of law-abiding, pro-social behaviors, then there are several implications for including job training and

opportunities for those who are at greater risk of participating in criminal or deviant behaviors. For example, giving teens employment opportunities to keep them off of the streets and out of gangs would provide them with opportunities to learn positive behaviors while employed rather than learning behaviors that violate the law on the streets or in gangs. In addition, correctional treatment programs could provide opportunities for individuals to be gainfully employed and subsequently have opportunities for positive learning to help in their rehabilitation rather than going back to their old, criminogenic ways (recidivism). Correctional treatment programs that provide opportunities for individuals to pursue and obtain specialized technical training, including certificates and licensures, would provide them a chance to be well positioned to enter the labor market with desirable, often required, qualifications. Individuals who possess desirable or required qualifications would also position them to obtain higher-paid, higher-quality employment, thus exposing them to more opportunities for positive learning and allow them to enjoy the benefits of law-abiding/conforming behavior.

Crime prevention strategies may also exist for law enforcement decision makers to foster relationships with local certificate and skills-based educational institutions. These relationships would provide a path for law enforcement agencies to refer individuals with criminal backgrounds to skills-based training programs. Furthermore, encouraging discussion around Social Learning Theory as it relates to employment and recidivism may well be fruitful for the average patrol officer's knowledge as they encounter individuals who may be on the precipice of further criminality.

## **CONCLUSION**

Ronald Akers' Social Learning Theory of crime tells us that criminal and deviant behaviors are learned, through social interaction. His theory also states that the learning process that produces criminal behaviors is the same as that which results in pro-social/law-abiding behaviors. Based off of this tenet, it can theoretically and reasonably be assumed that employment may provide opportunities to learn conforming and law-abiding behaviors and reduce the chances one will commit criminal or deviant acts.

And with Wisconsin having solid current employment numbers and a plethora of employment opportunities on the horizon, as shown in the occupational projections data, many of these employment opportunities will still be available when individuals are released from incarceration and lend to rehabilitation from learning positive behaviors rather than pursuing future criminal behaviors.

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