

Dept. of Justice: Report details how regional drug prosecutors support local fight against drug epidemic

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MADISON, Wis. – As part of National Substance Abuse Prevention Month and the Drug Take Back Day on October 24, Attorney General Josh Kaul today released a report today that was sent to the Wisconsin State Legislature in August that outlines the success of Wisconsin Department of Justice (DOJ) prosecutors placed around the state to support local efforts to fight the drug epidemic.

“DOJ’s regional drug prosecutors have helped law enforcement and district attorneys fight the drug epidemic. Because of their success, drug traffickers who have taken advantage of those struggling with substance-use disorder are behind bars,” said Attorney General Kaul.

2017 Wisconsin Act 261, part of the HOPE legislation, created two assistant attorneys general positions intended to assist the DOJ Division of Criminal Investigation field offices in Wausau and Appleton. The regular duties of these attorneys include training and consultation, investigation, and prosecution.

In 2019, the assistant attorneys general assisted or led prosecutions in a total of 68 cases (Six cases involved both methamphetamine and heroin/fentanyl and are included in each category:

- 21 First Degree Reckless Homicide (Len Bias)
- 31 Methamphetamine Distribution
- 16 Heroin/Fentanyl Distribution
- 6 Other

The attorneys have developed trainings for drug investigations and prosecutions. The attorneys present these materials during formal training sessions for law enforcement officers, including to various multi-jurisdictional drug task forces, as well as to prosecutors in their regions and across the state.

The attorneys also collaborate with law enforcement during the early stages of criminal investigations on major cases such as drug overdose deaths and complicated drug conspiracies. The attorneys draft and review search warrants, provide legal advice on investigations, and develop investigative strategies, all with the purpose of building legally sound and prosecutable criminal cases. The attorneys work with law enforcement to identify the most culpable offenders by working up the drug chain of supply and distinguishing drug users from drug dealers.

The majority of the attorneys' caseloads are criminal prosecutions handled as DOJ assists. Assist cases remain under the authority of the district attorney (DA), and the DA assigns a prosecutor from the local office to remain on the case with the assistant attorney general. This structure allows the DOJ attorneys to provide valuable caseload assistance to district attorney's offices and offer a level of expertise in drug conspiracy or overdose death prosecutions. The attorneys help mentor and train prosecutors, providing specific tools and strategies prosecutors can implement for future investigations and prosecutions. The attorneys also handle some cases as special prosecutions. In both special prosecution and assist cases, the attorneys remain assigned through resolution by plea agreement or trial, as well as any trial-level post-conviction motions.

The positions, originally created as part of the HOPE legislation, are currently slated to end in 2023.

[Read the report.](#)

October is National Substance Abuse Prevention Month and Drug Take Back Day is Saturday, October 24, 2020. Throughout the month of October, Wisconsinites are encouraged to dispose of unwanted and unused medications at Drug Take Back and drug disposal locations available across the state. To find a Drug Take Back Location near you, go to: www.doseofrealitywi.gov/find-a-take-back-location/. To keep everyone safe from COVID-19, please wear a mask and practice physical distancing when visiting a drug disposal site.

[https://www.doj.state.wi.us/news-releases/report-details--
how-regional-drug-prosecutors-support-local-fight-against-drug-epidemic](https://www.doj.state.wi.us/news-releases/report-details--how-regional-drug-prosecutors-support-local-fight-against-drug-epidemic)