

Dept. of Justice: DOJ prosecutors making significant impact on drug cases in Wisconsin

Posted on Tuesday, Mar 22, 2022

>> **WisPolitics is now on the State Affairs network. Get custom keyword notifications, bill tracking and all WisPolitics content. [Get the app or access via desktop.](#)**

MADISON, Wis. – Wisconsin Attorney General Josh Kaul yesterday released a report to the state legislature’s Joint Committee on Finance (JCF) regarding the two Assistant Attorney General positions created as part of the HOPE Agenda to assist the Wisconsin Department of Justice (DOJ) Division of Criminal Investigation (DCI) Appleton and Wausau field offices and local district attorneys with the investigation and prosecution of significant drug-related offenses.

“DOJ’s regional drug prosecutors have helped fight the drug epidemic by prosecuting drug dealers who sell dangerous narcotics like fentanyl and meth,” said AG Kaul. “The legislature should extend these positions to ensure that regional drug prosecutors can continue providing expertise and assistance in the prosecution of drug traffickers.”

The memo to JCF describes three critical functions of the two DOJ regional drug prosecutors:

1. **Training and consultation:** Despite limitations caused by the COVID-19 pandemic, the attorneys developed and presented virtual training sessions for law enforcement officers and prosecutors during the 2020 and 2021 calendar years. The training sessions covered a variety of topics, including overdose investigations and prosecutions, drug conspiracy investigations and

prosecutions, and handling cases involving confidential informants.

2. **Investigation.** An important benefit of the attorneys' regional locations is their ability to collaborate with law enforcement during the early stages of criminal investigations on major cases such as drug overdose deaths and complicated drug conspiracies. That early involvement has repeatedly resulted in more thorough and comprehensive investigations, improved information sharing between agencies, better compliance with legal requirements, and ultimately, more successful prosecutions. The attorneys draft and review various types of search warrants, advise on the legality of investigations, help develop and brainstorm investigative strategies, and identify follow-up investigative tasks, 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.
3. **Prosecution.** The regional drug prosecutors' caseloads include both assisting at the request of the applicable district attorney, pursuant to Wis. Stat. § 978.045(8), and special prosecutors pursuant to Wis. Stat. § 978.045. Both options allow for critical assistance to district attorney's offices and provide valuable caseload assistance along with a high level of expertise in drug conspiracy and overdose death prosecutions.

Marathon County District Attorney Theresa Wetzsteon wrote, "Regional Prosecutor AAG Cass Cousins has provided invaluable assistance in our overdose homicide prosecutions and large-scale drug trafficking cases. Our Office does not have sufficient prosecutorial staff and we have struggled to retain experienced prosecutors. The majority of our prosecutors have very minimal prosecution experience. AAG Cousins has been a crucial resource for these complex cases... This resource has had a significant positive impact on the effective prosecution of drug trafficking related cases and thereby a significant positive impact on the safety of our residents."

Marinette County District Attorney DeShea Morrow shared, "We are extremely grateful for the regional drug prosecutor program. AAG Peter Hahn has been a tremendous asset to local law enforcement and the Marinette County District Attorney's Office in dealing with the significant drug crimes in our community. This

program is extremely valuable to smaller counties like Marinette County where resources are less available. AAG Hahn assisted us in the prosecution of two individuals for 1st Degree Reckless Homicide (Len Bias). One of the cases went to trial in 2021, and AAG Hahn's exceptional work was key in getting convictions on all counts."

The regional drug prosecutors have benefitted the safety and security of Wisconsin residents. The positions, originally created as part of the HOPE agenda, are currently slated to end in 2023. In the face of an ever-evolving drug epidemic, it would be a grave mistake to allow these positions to expire. Their expertise and value support both local law enforcement and DCI agents in large-scale drug trafficking and Len Bias overdose homicide investigations and result in more successful prosecutions.