

LANGLADE COUNTY



RESOLUTION #22-2026

INTRODUCED BY: PUBLIC SAFETY COMMITTEE

INTENT: RESOLUTION URGING THE WISCONSIN COUNTIES ASSOCIATION AND THE WISCONSIN LEGISLATURE TO EXPAND THE DEFINITION OF "FORFEITURE EXPENSES" UNDER WIS. STAT. § 961.55 TO INCLUDE DRUG-RELATED TREATMENT, DIVERSION, AND LAW ENFORCEMENT PROGRAM COSTS

WHEREAS, Wisconsin Statute § 961.55 permits law enforcement agencies to retain up to 50 percent of drug-related forfeiture proceeds to pay "forfeiture expenses," which are currently defined narrowly as the proper expenses of the proceedings for forfeiture and sale, including expenses of seizure, maintenance of custody, advertising, court costs, and the costs of investigation and prosecution reasonably incurred; and

WHEREAS, the remaining proceeds from drug-related forfeitures under state law are deposited into the Wisconsin Common School Fund pursuant to Article X, Section 2 of the Wisconsin Constitution, leaving no mechanism for counties to direct forfeiture proceeds toward programs that directly address the causes and consequences of drug-related criminal activity; and

WHEREAS, Wisconsin Counties bear significant financial responsibility for operating treatment courts, funding treatment court probation officers and human services workers assigned to drug-related cases, and providing continuing education for Health and Human Services employees involved in substance abuse diversion and treatment programs—all of which are direct operational costs of processing, adjudicating, and resolving drug-related offenses; and

WHEREAS, treatment courts are a proven, cost-effective alternative to incarceration for non-violent, drug-involved individuals, reducing recidivism and long-term criminal justice costs, and their continued operation depends on stable, adequate funding for program administration, case management, and judicial oversight; and

WHEREAS, county law enforcement agencies incur substantial costs for undercover surveillance equipment, electronic tracking equipment, Drug Recognition Expert (DRE) training, and Advanced Roadside Impaired Driving Enforcement (ARIDE) training—all of which are essential tools and competencies for the investigation and prosecution of drug-related offenses; and

WHEREAS, the current narrow definition of "forfeiture expenses" fails to reflect the full range of costs directly incurred by counties in investigating, prosecuting, and providing court-ordered dispositions for drug-related offenses, leaving counties unable to use seized drug proceeds for programs that are integral to the drug case continuum from arrest through successful treatment completion; and

WHEREAS, an expanded definition of "forfeiture expenses" would remain within the existing 50 percent cap established under Wis. Stat. § 961.55(5)(b), ensuring the Common School Fund continues to receive a meaningful share of forfeiture proceeds consistent with the Wisconsin Supreme Court's 1973 ruling regarding Article X, Section 2 of the Wisconsin Constitution; and

WHEREAS, allowing counties to reinvest drug forfeiture proceeds into the treatment, diversion, and enforcement programs that directly arise from drug-related criminal activity reflects sound public policy, promotes fiscal responsibility, and advances the goals of public safety and community wellbeing; and

WHEREAS, the Wisconsin Counties Association (WCA) serves as the foremost voice of county officials representing all 72 counties in Wisconsin and is well-positioned to advocate before the Wisconsin Legislature and the Governor for statutory changes that reduce unfunded burdens on county governments; and

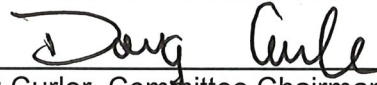
NOW, THEREFORE, BE IT RESOLVED by the Langlade County Board of Supervisors that Langlade County urges the Wisconsin Legislature to amend Wis. Stat. § 961.55 to expand the definition of "forfeiture expenses" to expressly include the following costs when directly incurred in connection with the prosecution or court-ordered disposition of drug-related offenses:

1. Costs of operating treatment court programs, including program administration and judicial oversight;
2. Salaries and associated costs for treatment court probation officers assigned to drug-related cases;
3. Salaries and associated costs for human services workers assigned to drug-related cases and treatment court participants;
4. Continuing education and training expenses for Health and Human Services employees involved in substance abuse diversion and treatment programs;
5. Purchase and maintenance of undercover surveillance equipment used in drug-related investigations;
6. Purchase and maintenance of electronic tracking equipment used in drug-related investigations; and
7. Drug Recognition Expert (DRE) training and Advanced Roadside Impaired Driving Enforcement (ARIDE) training for law enforcement officers.

BE IT FURTHER RESOLVED that the Langlade County Board of Supervisors respectfully requests that the Wisconsin Counties Association advocate before the Wisconsin Legislature and the Governor for passage of legislation amending Wis. Stat. § 961.55 consistent with the foregoing, and that WCA request the nonpartisan Wisconsin Legislative Council analyze the constitutional parameters of such an expansion to ensure that the Common School Fund continues to receive a meaningful share of forfeiture proceeds consistent with Article X, Section 2 of the Wisconsin Constitution and applicable Wisconsin Supreme Court precedent.

BE IT FURTHER RESOLVED that this Resolution shall be effective upon its passage and publication and that a copy be forwarded to the Wisconsin Counties Association, the Governor, all local and state legislators who represent the citizens of Langlade County, and all county boards in the State of Wisconsin for their consideration, support, and action.

PUBLIC SAFETY COMMITTEE:



Doug Curler, Committee Chairman

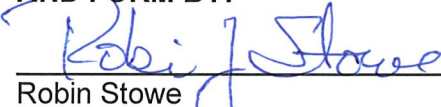
FISCAL NOTE: No Fiscal Note.

APPROVED BY:



Vacant
LANGLADE COUNTY ADMINISTRATOR

**APPROVED AS TO LEGALITY
AND FORM BY:**



Robin Stowe
CORPORATION COUNSEL

CERTIFICATION: I hereby certify this to be a true and exact copy of Resolution #22-2026.

Ayes 17 Nays 1 Abstained ____ Excused ____ Absent 3

☒ Approved and adopted this 27th day of July, 2026.

☐ Denied this ____ day of ____.



Judy Nagel, County Clerk