RESOLUTION No. 39

Presented to County Board

Date 8 - 18 - 2026

Action by County Board

- ☐ Adopted as presented ___ - ___ - ___
- ☒ Adopted as amended 8 - 18 - 2026
- ☐ Referred to _____ ___ - ___ - ___
- ☐ Defeated ___ - ___ - ___
- ☐ Withdrawn ___ - ___ - ___

County Board Chairman

Mark Dejan

Presented to County Executive 8 - 18 - 2026

By Kezi Waligora

County Clerk

Action by County Executive

- ☒ Approved 8 - 19 - 2026
- ☐ Vetoed ___ - ___ - ___
- ☐ Vetoed in part ___ - ___ - ___
- ☐ Effective without signature

By _____

County Executive

Veto action by County Board

- ☐ Overridden ___ - ___ - ___
  Vote _____ to _____
- ☐ Sustained ___ - ___ - ___
  Vote _____ to _____

KENOSHA COUNTY BOARD OF SUPERVISORS

RESOLUTION NO. 39

Subject: **A RESOLUTION URGING THE WISCONSIN LEGISLATURE TO AMEND WIS. STAT. § 961.55 TO EXPAND THE DEFINITION OF "FORFEITURE EXPENSES" TO INCLUDE DRUG TREATMENT, DIVERSION, PREVENTION, AND LAW ENFORCEMENT PROGRAM COSTS**
Original ☒ Corrected ☐ 2nd Correction ☐ Resubmitted ☐
Date Submitted: 6/30/2026 Date Resubmitted:
Submitted by: Supervisors John Morrissey and Erin Decker
Fiscal Note Attached: ☐ Legal Note Attached: ☐
Prepared by: Supervisor Erin Decker *(Name, Title, Department or Division)* Signature: Erin Decker

WHEREAS, Wisconsin Statute §961.55 authorizes law enforcement agencies to retain up to fifty percent (50%) of proceeds from drug-related forfeitures to pay "forfeiture expenses," which are currently limited to expenses directly associated with the seizure, custody, forfeiture proceedings, investigation, prosecution, and sale of forfeited property; and

WHEREAS, the remaining proceeds from drug-related forfeitures are deposited into the Wisconsin Common School Fund pursuant to Article X, Section 2 of the Wisconsin Constitution; and

WHEREAS, Kenosha County continues to invest significant local resources in addressing the growing challenges posed by illegal drug trafficking, opioid addiction, fentanyl overdoses, impaired driving, and substance use disorders through coordinated law enforcement, treatment, diversion, and recovery initiatives; and

WHEREAS, Kenosha County supports evidence-based treatment and diversion programs, including treatment court services, probation supervision, behavioral health services, case management, and substance abuse treatment programs that improve public safety, reduce recidivism, and provide offenders with opportunities for long-term recovery; and

WHEREAS, the County also incurs substantial costs for specialized law enforcement training and equipment necessary to investigate and prosecute drug-related crimes, including Drug Recognition Expert (DRE) training, undercover surveillance equipment, electronic tracking technology, and other investigative tools; and

WHEREAS, these treatment, diversion, prevention, and enforcement efforts are essential components of the criminal justice continuum and are directly related to the investigation, prosecution, adjudication, and successful resolution of drug-related offenses; and

WHEREAS, the current statutory definition of "forfeiture expenses" does not reflect the full scope of county expenditures associated with combating illegal drug activity and responding to its impacts on public safety and public health; and

WHEREAS, expanding the definition of "forfeiture expenses" within the existing fifty percent (50%) limitation established under Wis. Stat. § 961.55 would allow counties to reinvest a portion of drug forfeiture proceeds into programs directly related to drug enforcement and recovery while preserving ~~a substantial~~ the 50% allocation to the Common School Fund consistent with the Wisconsin Constitution and applicable Wisconsin Supreme Court precedent; and

WHEREAS, allowing counties to reinvest proceeds generated from illegal drug activity into law enforcement, treatment, prevention, and recovery programs represents sound public policy by reducing reliance on local property tax dollars while strengthening community safety and improving outcomes for individuals struggling with substance use disorders.

NOW, THEREFORE, BE IT RESOLVED, that the Kenosha County Board of Supervisors respectfully urges the Wisconsin Legislature to amend Wis. Stat. § 961.55 to expand the definition of "forfeiture expenses" to expressly authorize the use of drug forfeiture proceeds, within the existing statutory fifty percent (50%) allocation, for expenditures directly related to drug enforcement, treatment, diversion, prevention, and recovery efforts, including but not limited to:

1. Operation and administration of treatment court programs;
2. Salaries and benefits for treatment court probation officers;
3. Salaries and benefits for Health and Human Services personnel assigned to substance abuse treatment and diversion programs;
4. Continuing education, certification, and training for employees involved in substance abuse prevention, treatment, and diversion;
5. Purchase, maintenance, and replacement of undercover surveillance equipment used in drug investigations;
6. Purchase, maintenance, and replacement of electronic tracking and investigative technology used in drug enforcement;
7. Drug Recognition Expert (DRE) training and other specialized drug enforcement training for law enforcement personnel;
8. Naloxone (Narcan) and overdose response equipment used by law enforcement and correctional staff.
9. Drug intelligence and task force participation costs, including information-sharing systems and regional narcotics enforcement partnerships.
10. Substance abuse prevention, education, and recovery initiatives directly related to drug enforcement efforts; and

11. Other county expenditures directly associated with investigating, prosecuting, adjudicating, supervising, treating, and preventing drug-related criminal activity.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be forwarded to Kenosha County's Wisconsin legislative delegation, Governor Tony Evers, all Wisconsin counties, and the Wisconsin Counties Association.

Approved by:

LEGISLATIVE COMMITTEE

ONE BOX MUST ALWAYS BE CHECKED

	AYE	NAY	ABSTAIN	EXCUSED	UNEXCUSED
MORRISSEY, JOHN, Chair	☒	☐	☐	☐	☐
DECKER, ERIN, Vice-chair	☒	☐	☐	☐	☐
TAGLIAPIETRA, RIKI	☒	☐	☐	☐	☐
TARZON, DAVE	☒	☐	☐	☐	☐
COLOGNA, JEFF	☒	☐	☐	☐	☐