

## Proposal Narrative

### Description of the Issue

The City of Racine located in southeast Wisconsin is the county seat and situated 30 miles south of Milwaukee and approximately 70 miles north of Chicago. Racine law enforcement is acutely aware of the illegal traffic between these two metropolitan areas and that criminals travel between these two areas often cross through Racine to get to their destination. This criminal traffic between two large metropolitan areas presents a daunting challenge for the City of Racine. In September of 2020, the Federal Bureau of Investigation (FBI) released its 2019 edition of *Crime in the United States*, which showed that violent crime **decreased** nationwide for the third consecutive year. After decreases in both 2017 and 2018, the violent crime rate dropped an additional one percent nationally in 2019. Though this is great news at a national level, the violent crime rate for Racine and the surrounding area show a significant increase in violent crime. The increase in violent crime in the cities of Chicago and Milwaukee in the last five years is well publicized and negatively impacts the Racine. Based on 2019 FBI Part 1 crime data, Milwaukee experienced a violent crime rate of 13.53 per 1,000 residents while Chicago experienced a violent crime rate of 9.48 per 1,000 residents. Part 1 crime in Racine during 2019 was 5.5 per 1,000 residents which was nearly double the Wisconsin state crime rate of 3.05 per 1,000 residents and far exceeds the national rate of 3.66 per 1,000 residents. Racine's violent crime rate increased in 2020 by 4% to 5.7 per 1000 residents. Racine has also seen a significant increase in the number of gun related offenses. Four different types of gun related statistical data that best demonstrate the gun and gang problem in Racine are ***shots fired calls for service, substantiated shooting incidents, non-fatal shootings, and homicides.***

1. ***Shots Fired Calls for Service:*** This category includes all calls received and dispatched through the Racine County Communication Center (RCCC) for complaints of shots fired

within the City of Racine. Racine has seen a steady increase in this type of call for service over the past six years with an alarming increase of 106% from 2019 to 2020. (*Attachment A, Figure 1*)

2. **Substantiated Shooting Incidents:** This category includes shooting incidents with substantiated personal injury, property damage or evidence of a crime gun recovered. 2020 experienced a 128% increase from 2019. (*Attachment A, Figure 2*)
3. **Non-Fatal Shootings:** This category includes all non-fatal shootings within the City of Racine and is defined as a person receiving an injury from a gunshot. Information provided in this category is the most alarming of all data collected by the Racine Police Department. Racine experienced a staggering 196% surge in the number of individuals shot within the city from 2019 to 2020. (*Attachment A, Figure 3*)
4. **Homicides:** 2019 saw a nearly 70% increase in homicides from 2018. Although the City of Racine experienced a reduction in the number of homicides in 2020 from 2019. This trend is unlikely to continue because of the skyrocketing number of non-fatal shooting incidents the city is experiencing. (*Attachment A, Figure 4*)

As a result of these increases in Racine County, the Racine County District Attorney's Office (RCDAO) has seen a significant increase in the number of prosecutions of gun related crimes. In 2016, this number was at 121 and by 2020 was 390, an increase of 210%. These are identified as crimes where a gun was used, or misused, in the commission of a crime. (*See Attachment B*)

Racine County is home to 195,602 residents, 12.4% of whom live below the poverty rate. This is in contrast to the City of Racine's economic conditions further impacts the crime problem in the community. The current population is 76,130 with an average poverty rate of 20.99%. Of the city's 20 census tracts, 8 exceed a poverty rate of 20%. These 8 census tracts have an average poverty rate of 33.25%. Within the City of Racine, census tracts 1,4 and 5 are deemed *Qualified*

*Opportunity Zones* as identified in **Attachment A, Figure 5**. Additionally, **Figure 5** depicts the 8 census tracts that exceed a 20% poverty rate. ***It is important to note that 76% of all shootings in which personal injury resulted, took place in one of the 8 census tracts noted with the highest poverty rates.***

Lack of actionable intelligence hinders the ability of both law enforcement and prosecution to effectively investigate and build a solid case for prosecution. To effectively prosecute gun and gang crimes, the prosecutor must have timely and accurate information on the crime gun used in the incident. The State crime lab will no longer process casings from the city's crime scenes because of staffing and resource limitations. The Fusion Center will only process homicide cases which excludes 367 cases in 2020 alone. Without these resources, prosecution cases are lacking the solid evidence needed to convict perpetrators of gun and gang violence.

As violence and resulting caseloads increase, the RCDAO and Racine Police Department (RPD) are facing significant challenges. The RCDAO currently has 20 prosecutors. In 2019, the Wisconsin Department of Administration estimated, based on the number of cases reviewed by the RCDAO and a statewide standard of hours needed per case from 2017-2019, that the RCDAO needed 34,1256 hours to prosecute the cases received, and thus was understaffed by 47%. The State biannual budget for 2021-2023 is expected to be tighter than ever due to the pandemic, and there is no anticipation of adding additional staff in that time frame.

The RPD suffered a 3.85% budget reduction for 2021 (a reduction of 11 sworn officers) and has been told to prepare for another 5% reduction in 2022. Fewer staff and less resources for future years will require smarter, more efficient investigation and prosecution techniques to combat violent crime, particularly gun and gang crime. Multi-disciplinary collaboration is also critical to leverage limited resources to address the violent crime in the area. Without viable solutions to the

situation that the City of Racine now faces relative to the increase in violent crime, there is great concern that the numbers will continue to climb and exceed those of our metropolitan neighbors, Milwaukee and Chicago.

## **Project Design and Implementation**

As the RCDAO and RPD evaluated possible solutions to the violent crime issue in the city, one theme resonated with all stakeholders - that a temporary solution will not work. As Racine faces unprecedented increases in gun crime, the RCDAO and the RPD recognize that the solution to this new threat must focus on collaboration of prosecutors and law enforcement officers as well as embrace technology and new ways of evidence gathering and analysis. Gun crime intelligence, gun crime deterrence, accountability for those responsible for gun crime are all essential parts of significantly reducing gun crime. In other parts of the country, Gun Crime Teams (GCT) have proven that this new model is successful in reducing crime in their area. *The RCDAO and the RPD are looking to create a Gun Crime Task Force (GCTF) and effectively use data to improve the quality and speed of investigations, improve the efficiency and quality of prosecutions, and improve the conviction rate for gun crime offenses.*

The GCTF will rely on a highly engaged core governance team. The governance team will oversee the management of the task force and will be responsible for monitoring the performance measures identified in the grant and successful outcomes of the work performed by the task force. It will be equally important to correct negative trends. This will be accomplished by implementing an effective feedback among members. The core governance team will meet monthly and review the data provided by a crime analyst assigned to the GCTF as well as current prosecution data provided by a dedicated prosecutor. The GCTF also will evaluate the progress of on-going cases and set goals and expectations for future activities of the task force. The core governance team will consist

of Racine County District Attorney Patricia Hanson, Racine Police Department Investigative Lieutenant Michael Smith, and ATF Special Agent Craig Fries. As the GCTF builds to a regional level, the core governance team will add members from neighboring jurisdictions. Because of the Bureau of Alcohol, Tobacco, Firearms and Explosives' (ATF) participation in the GCTF, cases will be reviewed for opportunities to indict at the federal level for the most serious cases. Participation from all stakeholders at the monthly governance meeting will allow the GCTF to identify and develop multi-tier responses to newly emerging trends in gun violence.

The nature of the problem and the commitment of local leaders in the region will mean that the development of a GCTF will pay off immediately with the goal of significantly reducing the number of gun crime offenses and ensure long term sustainability of the project. The goal is to create a database of information on firearms that solves not just one case, but many. Linking cases and offenders together by their weapons, allows personnel to see the big picture, not just individual events. The GCTF strategy seeks to build an ecosystem within the region rather than a silo of individual agencies. The strategy is built on a partnership with the ATF, the RCDAO, and the RPD.

The RPD and the ATF have signed a Memorandum of Understanding (MOU) for the purpose of forming the GCTF. The RPD has assigned two investigators as Task Force Officers (TFOs) to work in conjunction with ATF special agents in the Racine area. The TFOs are already fully sworn federal deputies giving them the same jurisdictional authority as federal special agents to assist not only in Racine, but the entire region. This enables federal agencies, such as ATF, to utilize TFOs to assist in the investigation of federal laws. The TFOs are also fully authorized to present cases to United States Attorney's Offices, in addition to the RCDAO. This multi-layered and consistent approach will lead to increased prosecution of gun crimes at all levels.

A second MOU between ATF and RPD will provide the technology component of the GCTF. This technology is the National Integrated Ballistics Information Network (NIBIN) which is a cornerstone ballistic imaging program administered by ATF with a network of over 200 local, state, and federal partner sites. The technology behind the NIBIN federal program is IBIS (Integrated Ballistics Identification System) by Ultra Electronics Forensic Technology). IBIS is used to capture digital images of bullets and cartridge cases. It enables the sharing and comparison of significant quantities of exhibit information and images across network imaging sites and provides automated identification of likely matching bullets and cartridge cases. NIBIN is a program that generates actionable leads, linking shooting crimes and incidents that otherwise may not have been linked. The technology can search for links at speeds that are well beyond human capacity. This allows our investigators to obtain critical information in a timely fashion and advance investigations. Timely and thorough investigations and gun crime data increase the prosecutor's ability to present a solid case against an offender and successfully prosecute these cases. The ATF will supply the NIBIN machine to the RPD and provide training for the RPD's two Criminalists who will be responsible for operating the technology. The information gathered by RPD will be regularly shared with the RCDAO through the GCTF agreement.

NIBIN technology has been used by RPD with success since 2017. The RPD's partner for this ballistics processing was the Wisconsin State Crime Laboratory (WSCL) located in Milwaukee Wisconsin. From 2017 through 2019, the Racine Police Department submitted 512 cases to WSCL for NIBIN processing. In September of 2019, WSCL discontinued NIBIN processing due to their inability to adhere to new required operating standards relating to timeliness in disseminating NIBIN leads. At that point, NIBIN processing then shifted to the Milwaukee Police Department's Fusion Center and became the RPD's only access to NIBIN technology. Not long after this transition, the Fusion Center was also burdened with a growing backlog and were then forced to

institute a tier system in which priority was given to Milwaukee cases. The RPD was able to submit cases to Fusion only in the event of a homicide, sexual assault, or a known Milwaukee nexus. In total, the RPD had 367 cases in 2020 that could have been processed in NIBIN however, with the limited access, submissions only totaled 9 cases in 2020. This severely impacted the ability for the RPD to provide timely evidentiary case information to the RCDAO. Without solid evidentiary data, cases are less likely to be successfully prosecuted. In-house processing will allow for more comprehensive timely leads that will be investigated by the Gun Crimes Task Force investigators.

The RPD has seen noteworthy success utilizing NIBIN technology. With the use of NIBIN and its resulting leads, RPD investigators were able to link three cases to one violent offender. NIBIN provided the RPD with actionable leads which allowed for the arrest of this offender for possession/manufacture of an unregistered machinegun. In a later case, NIBIN leads tied a firearm used by this same offender to a City of Racine homicide. This case has multi-state ties along with federal prosecution for individuals who assisted this offender in obtaining the gun used in the homicide. The district and federal prosecution would not have been as successful without the use of NIBIN.

The RCDAO fully supports and is committed to work with the newly formed GCTF. The opportunity that this grant provides will allow the RCDAO to appoint a single dedicated prosecutor and part time support position to work as a part of the GCTF. This prosecutor will become fully engaged GCTF operations, how intelligence ties together to form larger cases and conspiracies to traffic guns around the region and become specialized in presenting gun cases to juries. By having one prosecutor assigned to this very specific caseload will allow the RCDAO to move the gun crimes cases forward faster and more efficiently, preventing delays in court outcomes. The support position will be responsible for working with the RCPD on data collection, reporting and grant administration. Investigative resources working side-by-side with our prosecutorial partner will

accomplish our goal of increased accountability for those responsible for Racine's most violent crime and in turn decrease violent crime in and around the City of Racine.

We believe that our gun crime strategy must be a regional approach and that violent crime does not always begin or end at our border. It is important that our neighboring jurisdictions have access to the information gained from NIBIN technology as well. Once the NIBIN equipment is in place, we will develop policies to allow trained users from other agencies to access the NIBIN equipment and acquire ballistic evidence. Sharing information and collaborating with our neighboring jurisdictions will allow all participating agencies to share the responsibility, while at the same time allow the Racine Police Department the ability to share the on-going maintenance costs of the NIBIN equipment. In addition, prosecutors across Wisconsin already share a database that will allow us to compare offender names and crimes to one another and find links between other jurisdictions easily to bring that information back to the GCTF.

This grant will allow the RCDAO to further support the RPD's acquisition of NIBIN technology by providing additional tools and supplies necessary to effectively process firearms evidence. Through the grant, the RCDAO will provide funding for two years of NIBIN machine maintenance and additional training for RPD staff and RCDAO staff during the two-year grant period.

### **Capabilities and Competencies**

Racine County has successfully administered several grants from the U.S. Department of Justice, Bureau of Justice Assistance (USDOJ/BJA). For example, Racine County has benefited and maintained a Treatment Alternative and Diversion Grant (#15476) since 2007. Racine County already has financial staff and systems in place to account for grant funds and report on grant activities in a timely manner. The financial staff are competent in applying the Code of Federal Regulations (CFR) and OJP guidance in administering grants. Staff stays up to date on changes to



the CFRs and apply any changes to processes and procedures to ensure compliance with all grant regulations.

Racine County District Attorney, Patricia Hanson, has been a Racine County prosecutor since 1995. Prior to becoming District Attorney in 2017, she spent many years assigned to specifically prosecute drug and gun cases. She has worked closely with the COP Units located in Racine County, and regional units including the Racine County Gang Task Force and the Human Trafficking Task Force. Ms. Hanson's knowledge and experience in gang and gun crimes will be invaluable as the lead for this project.

Lieutenant Michael Smith is a 21-year veteran of the Racine Police Department and currently has direct command of all sworn and civilian personnel assigned to the Detective Unit including investigators, criminalists, crime analysis and support staff. Additionally, Lt. Smith oversees the Major Crimes Squad and is responsible for maintaining the budget for the unit. From 2013 to 2018, Lt. Smith had direct command of the department's Community Policing Unit and supervised personnel funded under the Wisconsin Department of Justice Beat Patrol grant. Lt. Smith was responsible for compiling and submitting program reports detailing outcomes as well as setting goals for the grant funded personnel. Lt. Smith will be an integral part of the team, providing support to the RCDAO.

ATF Special Agent Craig Fries has been with ATF since 2014 and is currently assigned to the Chicago Field Division, Milwaukee Field Office Group 3 where his primary duties are the investigation of federal firearm violations and violent crime in the Racine County area, more specifically within the City of Racine. As a Special Agent with ATF, a variety of investigative techniques are utilized with local partners to help reduce violent firearm activity to include the

National Integrated Ballistic Information Network (NIBIN). This federal partnership will provide continuity with federal initiatives and local efforts.

The Racine District Attorney's Office will assign a dedicated prosecutor to the GCTF who has 19 years of criminal law and prosecutorial experience. In addition to investigators assigned to the newly formed GCTF, the RPD currently has three support positions which will further the effectiveness of the overall project and the RCDAO requests a part-time support staff person to track cases and report on outcome and efficiency data. Two sworn positions are responsible for processing evidentiary items submitted by officers for latent print recovery using specialized equipment. The Criminalists perform forensic video analysis, utilize an AFIS terminal, and examine latent lift cards submitted by field evidence technicians to determine the usability of the print evidence for comparison purposes and provide necessary expert testimony in court of law. The RPD also employs a civilian Crime Analysis position whose responsibility is to research crime trends and patterns and provide specific criminal activity data as requested by the GCTF. The data collected will be shared with the RCDAO to enhance prosecution efforts that will lead to increased convictions of gang and gun crimes. The skill set of the GCTF and its Governance Team will result in a highly diversified and qualified group that will lead to the success and sustainability of this effort.

### **Plan for Collecting Data**

Project performance will be tied directly to the GCTF collective effort to increase successful prosecution of gun crime offenders. Evidence Based Outcomes are essential in measuring the effectiveness of this project. The Governance Team will develop performance measures that will allow the team to monitor the success of our efforts. NIBIN data collected from the newly installed machine will provide timely, actionable data to the GCTF. The Governance Team will meet monthly and review the shooting statistics presented by the RPD's Crime Analysis specialist as

well as any on-going shooting investigations. The RCDAO will provide a status and outcomes of cases in the prosecutorial process. This innovative forum for information sharing will allow the GCTF to determine how crime statistics are being affected by the task force efforts, whether they are able to link more gun crime cases together by use of technology and if the efforts lead to the RCDAO or the Eastern District of Wisconsin United States Attorney's Office increase in successful prosecutions.

The RPD currently utilizes ProPhoenix Law RMS software for its data management and reporting needs. ProPhoenix Law RMS allows all Phoenix users to share data amongst themselves via a secured internet connection to a central location, without duplicating the data. Currently, all name and vehicle information, including mug shots and jurisdictional activity for the specific individual or vehicle, is available in ProPhoenix. The data and reporting in ProPhoenix is currently available to the RCDAO as well as ATF Special Agent Craig Fries. In addition to ProPhoenix records management, the RPD has added an additional, more specifically focused system of tracking all gun crime evidence in a spreadsheet format database. This database tracks the cases that have been sent for NIBIN processing and lists information on any leads that may exist. This current database will be expanded to further track arrest and prosecution of gun violence offenders. We will be able to accurately track the number of cases submitted through NIBIN each year and monitor the clearance rate and conviction rates related to gun offenses. NIBIN leads that result in arrest will be documented as "NIBIN Success Stories" and shared with those members that played some role in the shooting incident from the patrol officer that responded to the scene to the investigators working tirelessly on the case. In addition, NIBIN matches that relate to outside law enforcement agencies will be shared with that agency to increase information sharing and result in more successful prosecution of our communities' most violent offenders.

The RCDAO currently monitors and collects data on gun cases sent for prosecution and their outcomes using a statewide internal database named PROTECT. Data from PROTECT can be collected and provided to add information to ProPhoenix to show the entire picture of how the cases move through the criminal justice system. As part of this project, the RCDAO also will review their current case tracking method and implement changes to improve the accuracy of tracking cases involving gang and gun crime.

This innovative approach to enhance prosecution efforts will engage both law enforcement and prosecutors to address the gang and gun crime in the Racine area, this project will require true collaboration among partners, real engagement on a face-to-face level with investigators and prosecutors, and real commitment from key stakeholders to be successful. Success of the project will be measured by increased successful prosecutions of gang and gun crimes. Holding offenders accountable for their actions will deter other criminals who choose to use guns and gang activity to further their criminal enterprises. The goal of the project is to effectively punish offenders and bring back a sense of safety in the community. The Racine District Attorney's Office and the Gun Crimes Task Force strive to create an atmosphere where citizens are comfortable in their neighborhoods and that our work leads to deterrence from criminals who choose to use guns as tools of their trade.