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DOJ Seeks Reversal of Court of Appeals Decision in Case Involving Crime Victims and Law Enforcement Training Methods

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MADISON – Today, the Wisconsin Department of Justice filed a brief with the Wisconsin Supreme Court asking the court to help protect law enforcement training methods and crime victims' privacy by not releasing two training videos.

The videos are of trainings by then-District Attorney Brad Schimel that were given to a limited audience of prosecutors on how to investigate, catch and prosecute sexual predators. They openly share techniques and strategies. The two conference audiences did not include members of the public, criminal defense attorneys, private attorneys or the media. The tapes were created by Wisconsin State Prosecutors Education and Training (SPET). They chose Attorney General Schimel to be the presenter, as he is one of the most knowledgeable prosecutors in the state when it comes to sensitive crimes.

DOJ's brief in *Democratic Party of Wisconsin v. Wisconsin Department of Justice* asks that the court of appeals' decision be reversed and two training videos recorded by (SPET) at its conferences, should remain confidential because:

- The public's interest in **thwarting criminals**, including sex predators, outweighs the interest of releasing the two videos.
 - The videos also include the training of law enforcement using techniques that constitute a playbook of how to investigate those cases;
 - They deal with sensitive subject matter that involves the training of prosecutors to successfully prosecute child predators;
 - The goal of these presentations was to provide a forum where prosecutors can frankly discuss strategies on how to successfully prosecute these predators while protecting victims;
- The public's interest in **protecting the victims of sex crimes** outweighs the interest in releasing these particular videos
 - The 2013 video is a presentation from a district attorney's case file of a high-profile case during which sensitive victim information otherwise not in the public record was discussed in detail;

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- The victims in this case – including their families – were profoundly affected by the publicity surrounding this crime. They have since attempted to go on with their lives. The release of these tapes will most certainly re-victimize and cause further trauma to them;
- When victims’ identities are discernible publically, and specific crimes become widely known, the loss of privacy may be humiliating, especially in the age of the Internet;
- It can be crushing for a crime victim to reasonably believe that people who know him or her can learn what happened to that victim, or learn more about what happened;
- The loss of privacy has serious public safety consequences because the criminal justice system relies on victims and witnesses of crime to come forward, report crime, and cooperate with the legal system.

Following is a statement from Carmen Pitre, Executive Director of Sojourner Family Peace Center, a local domestic violence agency: “Victims who contact us are distressed because their identities have been disclosed or are discernible, the facts surrounding their victimization have been described in graphic detail, and the general public has access to those details. Victims deserve the ability to tell their own story. In today’s society, the release of these facts cannot be undone, and the harm is permanent and widespread. The loss of privacy has serious public safety consequences because our community relies on victims to report crimes. Anything that deters that from happening concerns us. We count on victims to come forward; they should be able to count on us to stand by them and respect their privacy interests.”

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