STATE OF WISCONSIN CRIME VICTIMS RIGHTS BOARD

IN THE MATTER OF COMPLAINT
AGAINST THE GRAND CHUTE POLICE DEPARTMENT,
THE OUTAGAMIE COUNTY DISTRICT ATTORNEY'S OFFICE,
AND THE WISCONSIN COURT SYSTEM,

Case No. 25-006

Respondents.

DISMISSAL ORDER

On April 16, 2025, the Crime Victims Rights Board ("the Board") considered a complaint filed against the Grand Chute Police Department (GCPD), the Outagamie County District Attorney's Office (OCDA), and the Wisconsin Court System (WCS).

The complaint alleges that on November 5, 2024, an incident occurred which resulted in the complainant being arrested by the GCPD and criminally charged by the OCDA. The complainant alleges that he was a victim in two prior incidents and that neither the GCPD nor the OCDA spoke to the complainant before the arrest and filing charges in Outagamie County Circuit Court.[1]

The Board employs a multi-step methodology to analyze the complaint: (1) whether the complainant was a crime victim; (2) whether the respondent is subject to the authority of the Board; (3) whether the allegations are time-barred; (4) whether the allegations implicate any constitutional or statutory victim rights; and (5)

[1] *State v. Woods*, No. 24CM812 (Wis. Cir. Ct. Outagamie Cnty.)

whether the respondent failed to comply with any duty imposed by a constitutional or statutory provision.

Whether a person is a crime victim is determined by statute. "A crime is conduct which is prohibited by state law and punishable by fine or imprisonment or both." Wis. Stat. § 939.12. A crime victim is "[a] person against whom a crime has been committed." Wis. Stat. § 950.02(4)(a)1.; *see also* Wis. Const. art. I, § 9m(1)(a)1. A crime victim "does not include the person charged with or alleged to have committed the crime." Wis. Stat. § 950.02(4)(b); *see also* Wis. Const. art. I, § 9m(1)(b) (victim "does not include the accused").

The Board finds that the complainant is not a crime victim as defined above. As such, the complainant's constitutional and statutory victim rights are not implicated. **For this reason, the complaint cannot be reviewed and is hereby dismissed**.

ORDER

Based on the foregoing, it is hereby ORDERED:

1. That the complaint cannot be reviewed and is hereby dismissed because no constitutional or statutory victim right is implicated by the allegations in the complaint.

2. That the Board hereby provides notice to the complainant of the right to seek judicial review of this final decision pursuant to Wis. Stat. § 227.52. Attached to this decision is a summary of appeal rights.

3. That judicial review of this final decision is governed by Wis. Stat. §§ 227.52–227.59. *See* Wis. Admin. Code CVRB § 1.10.

4. That a copy of this dismissal order shall be provided to the complainant in accordance with Wis. Admin. Code CVRB § 1.05(8), as identified in the Service List Below.

Dated this 28th day of May 2025.

Chairperson Jennifer Dunn
Crime Victims Rights Board