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4 **A RESOLUTION**

5
6 requesting an audit of the Milwaukee County Behavioral Health Services Division
7 regarding statutory notification requirements under Wisconsin Statutes Statute Chapter
8 971 – Competency Proceedings related to the discharge of individuals from inpatient
9 treatment facilities
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12 WHEREAS, the health and safety of all Milwaukee County residents is a top
13 priority of the Milwaukee County Board of Supervisors; and
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15 WHEREAS, a recent incident widely reported in the media involved the release
16 of an individual with mental illness from an inpatient treatment facility without proper
17 notification to required entities, including the criminal court of jurisdiction, the district
18 attorney, and the individual's attorney of record, as required under Wis. Stat. §
19 971.14(6)(c); and
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21 WHEREAS, the individual in question had previously been charged with first-
22 degree intentional homicide in 2019 but was found not legally competent to stand trial
23 and not likely to regain legal competency within the statutory timeframe; and
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25 WHEREAS, as a result, the individual's criminal case was suspended, and he
26 was ordered to undergo civil commitment proceedings under Wis. Stat. Chapter 51 and
27 transferred to a Milwaukee County reception hospital; and
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29 WHEREAS, Wis. Stat. Chapter 51 – State Alcohol, Drug Abuse, Developmental
30 Disabilities and Mental Health Act governs civil commitments and is separate and
31 distinct from criminal proceedings; and
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33 WHEREAS, following a community incident in June 2025, it was revealed that
34 the individual had been living in a group home for the past two years, raising concerns
35 that the statutory notification requirements under Wis. Stat. § 971.14(6)(c) were not
36 followed when he was discharged from the inpatient facility; and
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38 WHEREAS, in a subsequent court proceeding on June 23, 2025, a judge ordered
39 a new competency examination, and the Milwaukee County District Attorney's office
40 indicated it would consider pursuing criminal charges if the individual is found
41 competent; and

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43 WHEREAS, on June 26, 2025, the Milwaukee County Behavioral Health
44 Services Division acknowledged a communication oversight and committed to working
45 with the District Attorney's Office to ensure future compliance with applicable state laws;
46 and

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48 WHEREAS, the Milwaukee County Board of Supervisors seeks the assistance of
49 the County's Audit Services Division to determine whether this incident was isolated or
50 indicative of broader issues, and to assess whether improvements to current policies
51 and procedures are needed to ensure compliance with state statutes; and

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53 WHEREAS, the Committee on Audit, at its meeting of July 7, 2025,
54 recommended adoption of File No. 25-480 (vote 6-0); now, therefore,

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56 BE IT RESOLVED, that Milwaukee County Board of Supervisors requests the
57 Milwaukee County Audit Services Division to conduct an audit of Milwaukee County
58 Behavioral Health Services Division, specifically to review its policies, procedures, and
59 compliance with notification requirements under Wisconsin Statutes Chapter 971
60 related to the discharge of individuals from inpatient treatment facilities.

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