

**COUNTY EXECUTIVE'S 2009 BUDGET**

**DEPT:** DISTRICT ATTORNEY

**UNIT NO.** 4500  
**FUND:** General - 0001

**OPERATING AUTHORITY & PURPOSE**

Pursuant to Wis. Stat. § 978.05, the District Attorney of Milwaukee County has the following duties:

A. In the Circuit Courts of Milwaukee County having jurisdiction for criminal cases – Prosecutes all criminal actions; prosecutes all state forfeiture actions, county traffic actions and actions concerning violations of county ordinances which are in conformity with state criminal laws; participates in John Doe or other investigative proceedings; issues subpoenas and other process to compel the attendance of witnesses; upon the request and under the supervision and direction of the Attorney General, briefs and argues all criminal cases brought by appeal or writ of error to the Court of Appeals or Supreme Court; handles all appeals

or proceedings if the case is decided by a single Court of Appeals judge; institutes, commences, or appears in certain civil actions or special proceedings as set forth in Wis. Stat. § 978.05 (6).

B. In the Circuit Courts of Milwaukee County having jurisdiction for juvenile cases – Represents the public’s interest at the Children’s Court Center for matters including children alleged to be delinquent, to have violated civil laws or ordinances, to be in need of protection or services or who are developmentally disabled, mentally ill, alcoholic or drug dependent; and initiates and defends appeals and prosecutes termination of parental rights actions.

<b>BUDGET SUMMARY</b>				
<b>Account Summary</b>	<b>2007 Actual</b>	<b>2008 Budget</b>	<b>2009 Budget</b>	<b>2008/2009 Change</b>
Personal Services (w/o EFB)	\$ 8,070,139	\$ 8,410,801	\$ 8,551,747	\$ 140,946
Employee Fringe Benefits (EFB)	5,678,692	5,525,294	5,869,460	344,166
Services	3,356,211	3,912,661	3,968,810	56,149
Commodities	120,266	147,330	191,746	44,416
Other Charges	0	0	0	0
Debt & Depreciation	0	0	0	0
Capital Outlay	65,637	53,447	89,785	36,338
Capital Contra	0	0	0	0
County Service Charges	2,606,700	2,261,504	2,087,679	(173,825)
Abatements	(2,252,034)	(255,087)	(229,655)	25,432
<b>Total Expenditures</b>	<b>\$ 17,645,611</b>	<b>\$ 20,055,950</b>	<b>\$ 20,529,571</b>	<b>\$ 473,621</b>
Direct Revenue	111,120	109,875	76,250	(33,625)
State & Federal Revenue	8,175,516	8,598,806	8,628,928	30,122
Indirect Revenue	0	0	0	0
<b>Total Revenue</b>	<b>\$ 8,286,636</b>	<b>\$ 8,708,681</b>	<b>\$ 8,705,178</b>	<b>\$ (3,503)</b>
<b>Direct Total Tax Levy</b>	<b>9,358,975</b>	<b>11,347,269</b>	<b>11,824,393</b>	<b>477,124</b>

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<b>ADDITIONAL COSTS NOT INCLUDED IN TAX LEVY*</b>				
<b>Account Summary</b>	<b>2007 Actual</b>	<b>2008 Budget</b>	<b>2009 Budget</b>	<b>2008/2009 Change</b>
Central Service Allocation	\$ 184,560	\$ 0	\$ 0	\$ 0
Courthouse Space Rental	1,006,044	0	0	0
Tech Support & Infrastructure	306,950	0	0	0
Distribution Services	22,823	0	0	0
Telecommunications	64,733	0	0	0
Record Center	33,222	0	0	0
Radio	15,920	0	0	0
Computer Charges	0	0	0	0
Applications Charges	322,384	0	0	0
Apps Charges - Network	0	0	0	0
Apps Charges - Mainframe	0	0	0	0
HRIS Allocation	51,788	0	0	0
<b>Total Charges</b>	<b>\$ 2,008,424</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>
<b>Direct Property Tax Levy</b>	<b>\$ 9,358,975</b>	<b>\$ 11,347,269</b>	<b>\$ 11,824,394</b>	<b>\$ 477,125</b>
<b>Total Property Tax Levy</b>	<b>\$ 11,367,399</b>	<b>\$ 11,347,269</b>	<b>\$ 11,824,394</b>	<b>\$ 477,124</b>

\* In 2007, these costs were included in other charging departmental and non-departmental budgets. They were reflected here to show the "total" amount of tax levy support for this Department. In 2008 and 2009, these costs are budgeted within the receiving department to show the tax levy cost in the department.

<b>PERSONNEL SUMMARY</b>				
	<b>2007 Actual</b>	<b>2008 Budget</b>	<b>2009 Budget</b>	<b>2008/2009 Change</b>
Personal Services (w/o EFB)	\$ 8,070,139	\$ 8,410,801	\$ 8,551,747	\$ 140,946
Employee Fringe Benefits (EFB)	\$ 5,678,692	\$ 5,525,294	\$ 5,869,460	\$ 344,166
Position Equivalent (Funded)*	145.5	147.2	148.8	1.6
% of Gross Wages Funded	90.6	96.5	96.2	(0.3)
Overtime (Dollars)**	\$ 184,459	\$ 174,716	\$ 224,458	\$ 49,742
Overtime (Equivalent to Position)	4.8	3.6	5.3	1.7

\* For 2007 Actuals, the Position Equivalent is the budgeted amount. Position Equivalent and Percent of Gross Wages Funded exclude 15.75 FTE state prosecutors on the county payroll in org. unit 4503.

\*\* Delineated for information. (Also included in personal services.)

<b>PERSONNEL CHANGES</b>				
<b>Job Title/Classification</b>	<b>Action</b>	<b>Number of Positions/ Total FTE</b>	<b>Division</b>	<b>Cost of Positions (Excluding Social Security &amp; Fringe)</b>
HIDTA Director	Abolish	1/1.0	District Attorney-General	\$ (104,803)
HIDTA Coordinator	Abolish	1/1.0	District Attorney-General	(73,978)
Paralegal	Abolish	0.5/0.5	District Attorney-General	(25,060)
Clerical Assistant 1	Abolish	1/1.0	District Attorney-General	(34,481)
Investigator	Create	3/3.0	District Attorney-General	174,045
Administrative Intern	Fund	5/0.57	District Attorney-General	12,090
			<b>TOTAL</b>	<b>\$ (52,187)</b>

## COUNTY EXECUTIVE'S 2009 BUDGET

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### MISSION

The mission of the Milwaukee County District Attorney's office is to promote public peace and safety by just and vigorous prosecution; to seek and do impartial justice by ensuring that the guilty are punished and the innocent go free; to protect the health and welfare of children who are victims of child abuse and neglect; and to safeguard the rule of law and promote citizens' participation in law enforcement by treating all persons who come in contact with the criminal justice system with fairness, dignity and respect.

### OBJECTIVES

- Target, investigate, successfully prosecute and incarcerate shooters, other illegal gun offenders, and other violent criminals through the coordinated efforts of the Community Prosecution, General Crimes, and Violent Crimes units.
- Reduce crime by coordinating the efforts of the Community Prosecution, General Crimes, and Violent Crimes units and assigning each general crimes and violent crimes team to one or more Milwaukee police districts and adjoining suburbs to promote accountability and facilitate investigation and prosecution of criminal gangs and violent offenders.
- Establish a permanent Witness Protection Unit, building off a \$50,000 pilot project grant from the Wisconsin Department of Justice, to ensure that crime victims and witnesses who are threatened or intimidated are able to safely appear and testify in court; and that offenders who threaten, intimidate, or harm crime victims and witnesses are successfully prosecuted and punished.
- Continue to work closely with the courts, the State Public Defender, and Justice 2000 and other community organizations to maintain a successful diversion and deferred prosecution program for nonviolent offenders with serious substance abuse and mental health treatment needs.
- Continue the successful operation of the Violent Crimes Courts project, which aims to bring homicide and sexual assault cases to trial within 90 to 120 days of the issuance of criminal charges.
- Continue to carry out the mandate of the crime victims' rights bill, enacted in response to a 1994 amendment to the Wisconsin Constitution that was effective on April 1, 1998, to ensure that all victims and witnesses of crime are treated with dignity, respect, courtesy, and sensitivity; and that the rights extended to victims and witnesses of crime are honored and protected no less vigorously than the protections afforded criminal defendants.
- Continue to enhance the prosecution of felony drug cases through the Milwaukee High Intensity Drug Trafficking Area (HIDTA), the Milwaukee Metropolitan Drug Enforcement Group (MMDEG), the Community Prosecution Unit, and the Violent Crimes Unit by targeting, investigating and prosecuting major drug dealers; ridding neighborhoods of drug dealers and nuisance properties; and continuing the successful operation of the Speedy Trial Drug Courts project, which aims to bring drug cases to trial within 120 days of the issuance of criminal charges.
- Continue the successful operation with the state Bureau of Milwaukee Child Welfare of the Termination of Parental Rights (TPR) Speedy Resolution project at the Children's Court Center to ensure that children do not languish in substitute care for years without realistic prospect of a return home or adoption by a loving family.
- Continue to implement 2005 Wisconsin Act 60, which mandated electronic recording of statements of adults in custodial interrogation, effective January 1, 2007, and requires the District Attorney to copy, edit, index, provide discovery, and play in court the electronically recorded statements of defendants in felony cases.

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**DEPARTMENT DESCRIPTION**

**District Attorney Functions:** The District Attorney is responsible for the following duties: plans and organizes the prosecution of all criminal, juvenile and applicable ordinance violations in Milwaukee County; recruitment and staffing of all professional positions and making major assignments of personnel and cases; and coordination and supervision of all department activities and approval and control over all departmental policies, procedures and activities.

**Chief Deputy District Attorney Functions:** The Chief Deputy District Attorney is responsible for the following duties: supervision of all division functions and oversight of the implementation of all departmental policies and procedures; supervision of liaisons with other county officials and departments, city, state, federal officials, law enforcement agencies and community groups; serving as office liaison to the legislature and initiation and review of proposals for criminal and juvenile law legislation; supervision of the public integrity unit; the extradition of defendants from other states on felony charges; and proceedings related to the extradition of uncooperative witnesses on felony cases to or from Milwaukee County.

<b>DA and Chief Deputy DA Program Personnel</b>	
District Attorney	1
Chief Deputy District Attorney	1
County Staff	2
Assistant District Attorneys	4

**General Crimes Division:** The general crimes division staffs all general felony and misdemeanor courts and presents evidence, argues motions, negotiates cases, and conducts jury and court trials for all general felony, misdemeanor and applicable ordinance violations in Milwaukee County. The division staffs five general felony courts and seven general misdemeanor courts in Milwaukee County circuit court, and strives to ensure application of uniform negotiation policies in general felony, misdemeanor, and ordinance cases, and to develop and maintain systems to ensure the highest quality of prosecution and speedy disposition of general felony, misdemeanor, and ordinance violation cases.

<b>General Crimes Division Personnel</b>	
Deputy District Attorney	1
County Staff	5
Assistant District Attorneys	30

**Administrative and Witness Security Division:** The investigation subdivision of the Administrative Division, which is headed by the Chief Investigator, supervises District Attorney Investigators, who investigate police shootings of civilians and deaths in police custody, public corruption, major multi-jurisdictional crimes, industrial deaths and injuries, as well as providing post-charging investigation on major crimes, and maintain office security. The investigators also run the Witness Security Program, which seeks to insure that witnesses who are threatened or intimidated are able to safely appear and testify in court by focusing enforcement efforts on prosecuting offenders and offering specialized security services to victims and witnesses.

The Administrative Division also administers the department's state and county budgets and fiscal systems, develops and coordinates grants and revenues, and controls the expenditure of funds. The division also supervises internal management, including inventory, purchasing systems and procedures, record management and statistics as well as organizing, staffing, directing and coordinating clerical functions. The division is also responsible for long-range planning, and maintaining liaison with the administrative and fiscal personnel of the state, Milwaukee County, law enforcement agencies and other governmental organizations.

<b>Administrative Division Personnel</b>	
Deputy District Attorney	1
County Staff	23.70
Assistant District Attorneys	0

**Violent Crimes Division:** The violent crimes division staffs the specialized criminal courts for homicide, sexual assault, felony drug, and firearms cases, and presents evidence, argues motions, negotiates cases, and conducts jury and court trials for all felony violations in the specialized felony Milwaukee County felony courts. The division, which consists of the homicide, sensitive crimes, sensitive crimes victim witness services, violent crimes – drug, and violent crimes – firearms units, staffs seven specialized felony courts in Milwaukee County Circuit Court and strives to ensure application of uniform negotiation policies in violent crimes' cases,

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and to develop and maintain systems to ensure the highest quality of prosecution and speedy disposition of violent crimes' cases.

<b>Violent Crimes Division Personnel</b>	
Deputy District Attorney	1
County Staff	18.50
Assistant District Attorneys	32.75

**Juvenile Division:** The Juvenile Division performs the following functions: reviews all referrals for possible delinquency prosecution and orders additional investigation as required; provides legal advice to Children's Court staff; drafts and files petitions to declare juveniles delinquent or in need of protection and services (CHIPS) under Chapters 48 and 938 of Wisconsin Statutes; prepares and argues waivers of jurisdiction from Children's Court to adult court; prosecutes all delinquency and CHIPS actions in the Children's Court of Milwaukee County; reviews and prosecutes all matters involving termination of parental rights in the Children's Court of Milwaukee County; conducts a continuing education and informational program for law enforcement personnel, social services agencies, child protection social workers and citizens on latest developments and practices in juvenile law; and directs the Victim/Witness Services Unit of the Children's Court Center, including the witness notification and subpoena functions.

<b>Juvenile Division Personnel</b>	
Deputy District Attorney	1
County Staff	27
Assistant District Attorneys	30.5

**Training/Appeals and Intake/Habeas Division:** The training/appeals and intake/habeas division is responsible for training of the legal staff, especially new assistant district attorneys; for monitoring legislation and notifying the legal staff of changes in the law; for staffing the in-custody and out-of-custody intake courts for felony and misdemeanor cases; for representing the state on writs of habeas corpus and certiorari in Milwaukee county circuit court; for representing the state on one-judge appeals in the court of appeals and three-judge appeals in the court of appeals and supreme court when authorized by the attorney general; and for the assignment and supervision of the paralegals in the criminal division.

<b>Training/Appeals &amp; Intake/Habeas Personnel</b>	
Deputy District Attorney	0
County Staff	7.5
Assistant District Attorneys	2.25

**Community Prosecution Division:** The Community Prosecution Division supervises the community prosecutors in six Milwaukee police district stations; the Domestic Violence Unit, which prosecutes all domestic violence cases in three specialized courts in Milwaukee County Circuit Court; the Restorative Justice and Family Support Unit; and the Crisis Response Unit, which provides services to crime victims after the commission of a crime. The division also supervises the diversion and treatment alternatives to criminal charges program.

<b>Community Prosecution Personnel</b>	
Deputy District Attorney	0
County Staff	18
Assistant District Attorneys	22

**Information Technology Division:** The Information Technology Division manages the District Attorney's computer network downtown and at Children's Court, which is part of the statewide District Attorney computer network; manages District Attorney connections to the county mainframe for the CJIS, Advantage, Ceridian, and BRASS applications; trains District Attorney staff in office computer applications; prepares courtroom exhibits and copies and edits electronic media in criminal and juvenile cases; and manages District Attorney facilities in the Safety Building and Criminal Justice Facility.

<b>Information Technology Personnel</b>	
Deputy District Attorney	0
County Staff	2
Assistant District Attorneys	0

**Victim/Witness Division:** The Victim/Witness Division, which is headed by the Director of the Victim/Witness Services Unit, supervises the victim/witness staff in the criminal and juvenile divisions, which provides comprehensive services to crime victims and witnesses on criminal cases; and also supervises the Outreach Process Unit, which serves subpoenas and other process on criminal and juvenile cases.

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<b>Victim/Witness Personnel</b>	
Deputy District Attorney	0
County Staff	43
Assistant District Attorneys	0

**State Prosecutors and the County Payroll and Benefit System:** The district attorney's budget includes 15.75 FTE prosecutors who elected to remain in the Milwaukee County Employee Retirement System and retained county fringe benefits when District Attorneys became state employees on January 1, 1990. There are also 13 prosecutors on the state payroll that retained county

fringe benefits when district attorneys became state employees. The budget reflects county payments to prosecutors on the county payroll and state reimbursement for these payments as well as the actual county cost of fringe benefits provided to the 28.75 prosecutors with county fringe benefits. The county is reimbursed biweekly for salary, social security, and retirement benefits and semi-annually for health, dental, and life insurance. Wis. Stat. §§ 978.12 (5) & (6) provide that state reimbursement must be based on actual county fringe benefits' costs or comparable state costs, whichever is less.

**CHARGES FROM THE STATE**

Charges from the state for prosecutors increase \$65,286 for the salaries and fringe benefits of 35.0 FTE Assistant District Attorneys whose positions are offset with federal and state grant revenue. The District Attorney receives the revenue for these positions and passes the revenue to the state. Of the \$3,179,737 received by the District Attorney for state grants, \$2,751,086 is passed to the State for prosecutor costs.

Revenue from state grants for 2009 is comprised of five programs that are detailed in the following table:

<b>STATE GRANTS</b>			
<b>State Revenue Programs</b>	<b>2008 Budget</b>	<b>2009 Budget</b>	<b>2008/09 Variance</b>
Victim/Witness Program	\$ 1,217,000	\$ 1,250,500	\$ 33,500
Victim of Crimes Act (VOCA)	290,600	314,900	24,300
Special Prosecution Courts' Clerks	306,550	311,100	4,550
CHIPS-Termination of Parental Rights State Contract	1,097,500	1,162,300	64,800
State Violence Against Women Act	140,937	140,937	0
<b>TOTAL</b>	<b>\$ 3,052,587</b>	<b>\$ 3,179,737</b>	<b>\$ 127,150</b>

The Victim/Witness Program, which provides services to victims and witnesses of crimes pursuant to Chapter 950 of the Wisconsin Statutes, will consist of 33.5 FTE positions in 2009: 3.5 FTE Victim/Witness Coordinator positions, 25.0 FTE Victim/Witness Advocate position, 1.0 FTE Sensitive Crimes Victim Advocate position, and 4.0 FTE clerical personnel. Wis. Stat. § 950.06 provides that the state can reimburse counties for up to 90 percent of costs of their victim/witness programs. In the 1990s, the reimbursement rate averaged 80 to 85 percent of costs, but the reimbursement rate has been declining in recent years. For 2009, based upon recent experience, the District Attorney is estimating a reimbursement rate of 50%, the same rate as the 2008 budget.

provide funding for 5.0 FTE positions in 2009: 2.0 FTE Victim/Witness Advocate positions assigned to the Crisis Response Unit and 3.0 FTE Assistant Sensitive Crimes Victim Advocate positions in the Sensitive Crimes Victim Services Unit. OCVS provides 80 percent reimbursement for these positions and operating expenses through VOCA.

The Special Prosecution Courts' Clerks statutory grant provides funding for the salaries and fringe benefits of 6.5 FTE Secretary positions: 3.5 FTE Secretarial Assistant positions and 3.0 FTE Clerical Assistant 1 positions in the Homicide, Sensitive Crimes, and Violent Crimes units. The Clerk of Circuit Court collects the grant revenue from a \$3.50 fee levied on civil case filings, only in Milwaukee County, pursuant to Wis. Stat. § 814.86 (1m).

Victims Of Crime Act (VOCA) funding from the Wisconsin Department of Justice, OCVS, will

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The CHIPS-Termination of Parental Rights grant will provide continuing funding for 8.5 FTE Assistant District Attorney positions, 4.0 FTE Paralegal positions and 2.0 FTE Secretarial Assistant positions under a state contract with the Department of Health and Family Services - Division of Children and Family Services.

The State Violence Against Women Act (VAWA) Formula Grant for Domestic Violence and Sexual Assault Prosecution from the Wisconsin Office of Justice Assistance (OJA) will provide funding for 1.0 FTE Assistant District Attorney and 1.0 FTE Assistant Sensitive Crimes Victim Advocate position.

Revenue from federal grants for 2009 is comprised of six programs that are detailed in the following table. Funding is uncertain next year for the 10.0 Assistant District Attorney positions funded by Byrne JAG grants and for the 5.0 FTE Assistant District Attorney positions funded by the domestic violence congressional earmark. The 2008 federal budget reduced Byrne grant funding by approximately 67 percent and the funds for the domestic violence earmark will run out in April 2009. If funding is not restored or continued for any of these prosecutors, the positions will be vacated when funding ends for no tax levy effect.

<b>FEDERAL GRANTS</b>			
	<b>2008 Budget</b>	<b>2009 Budget</b>	<b>2008/09 Variance</b>
JAG Prosecution of Drug Crimes Grants	\$ 143,000	\$ 157,600	\$ 14,600
HIDTA	730,500	# 470,900	(259,600)
2005 JAG County MMDEG	300,000	0	(300,000)
JAG OJA MMDEG	845,725	1,052,250	206,525
2008 JAG County Equipment	27,547	0	(27,547)
Domestic Violence Congressional Earmark	389,600	401,850	12,250
Federal VAWA Domestic Violence	638,300	673,550	35,250
OJA 5th District Community Prosecution	0	100,000	100,000
<b>TOTAL</b>	<b>\$ 3,074,672</b>	<b>\$ 2,856,150</b>	<b>\$ (218,522)</b>

The Byrne Justice Assistance Grant (JAG) Prosecution of Drug Crimes grant will provide approximately \$157,600 from OJA for the salaries and fringe benefits of 2.0 FTE Assistant District Attorney positions assigned to the Milwaukee Metropolitan Drug Enforcement Group (MMDEG).

The Domestic Violence Congressional Earmark provides funding for the salaries and fringe benefits of 5.0 FTE Assistant District Attorney positions dedicated to domestic violence cases.

The Milwaukee High Intensity Drug Trafficking Area (HIDTA) grant will provide 100 percent funding from the federal Office of National Drug Control Policy (ONDCP) for 5.0 FTE Assistant District Attorney positions and 1.0 FTE Clerical Specialist position. The positions of HIDTA Director and HIDTA Coordinator are abolished in the 2009 budget as a result of the University of Wisconsin-Milwaukee replacing the District Attorney's Office as the administrator of the Milwaukee HIDTA.

The Byrne JAG OJA MMDEG task force and community prosecution grants will provide funding for 8.0 FTE Assistant District Attorney positions and 2.0 FTE Secretary positions in the Violent Crimes – Drug Unit, payments to the Milwaukee, South Milwaukee, and West Allis police departments for the salaries and fringe benefits of officers assigned to MMDEG, and reimbursement for confidential funds' expenditures by MMDEG officers. One position of Clerical Assistant 1 for which grant funding ended on January 1, 2008, and which has been held vacant since then, is abolished in the 2009 budget.

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The Federal VAWA Domestic Violence grant will provide funding for the salaries and fringe benefits of 3.0 FTE Assistant District Attorney positions dedicated to domestic violence cases; payments to the project's community partners – the Task Force on Family Violence, Sojourner Truth House, Alma Center, and the state Department of Corrections - and reimbursement for telephone and travel expenses.

The Milwaukee Fifth District Community Prosecution grant from OJA will provide funding for the salary and fringe benefits of 1.0 FTE Assistant District Attorney position that serves as the community prosecutor for the Milwaukee fifth police district.

<b>CHARGES TO OTHER COUNTY AGENCIES</b>				
<b>Department</b>	<b>Program</b>	<b>2008 Budget</b>	<b>2009 Budget</b>	<b>2008/09 Change</b>
Child Support	Criminal Child Support Prosecutions	157,825	162,478	4,653
Health & Human Serv	First Offender Program	32,462	33,075	613
Health & Human Serv	JAIBG Juvenile Firearms Prosecutions	64,800	34,102	(30,698)
<b>TOTAL</b>		<b>255,087</b>	<b>229,655</b>	<b>(25,432)</b>

Child Support Enforcement

Wis. Stat. § 948.22 provides criminal penalties for failure to support a child. The Department of Child Support Enforcement (CSE) refers the most egregious cases to the District Attorney for criminal prosecution. The District Attorney cross charges CSE for services of 1.0 FTE Assistant District Attorney on the state payroll and a 1.0 FTE Paralegal position that prosecute criminal child support cases. CSE receives federal reimbursement of 66 percent for the cost of these positions and charges back the remaining 34 percent to the district attorney. The state charges the District Attorney for the costs of the Assistant District Attorney position dedicated to child support cases.

Department of Health and Human Services

The costs for 0.5 FTE Paralegal position assigned to the Children's Court Center First Time Offender program are cross charged to the Department of Health and Human Services (DHHS) to recover grant funding. In addition, the costs for 1.0 FTE Assistant District Attorney position are charged to DHHS to recoup grant funding from the Juvenile Accountability and Incentive Block Grant (JAIBG). DHHS receives this grant funding in its budget.

**BUDGET HIGHLIGHTS**

- Personal Services expenditures without fringe benefits increase by \$140,946, from \$8,410,801 to \$8,551,747.
- In the 2009 Budget, due to the discontinuation of grant funding, 3.50 FTE positions are abolished for a total salary and active fringe benefit cost of \$339,662: 1.0 FTE HIDTA Director position, 1.0 FTE HIDTA Coordinator position, 0.5 FTE Paralegal position and 1.0 FTE Clerical Assistant 1 position.
- The 2009 Budget includes appropriations for a new Witness Protection program. This initiative will build on the success of the three-month pilot program that the District Attorney engaged in during the summer of 2008. Additional appropriations of \$339,373 are included in the 2009 Budget to support the District Attorney's Witness Protection Program.

Purpose:

- This program will ensure that victims or witnesses who are threatened or intimidated by defendants or others are able to safely appear in court and testify. This will allow for better functioning of the criminal justice system and proper prosecution of offenders who threaten and intimidate.

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### Program Support:

- The Witness Protection Program will be staffed with 5.0 FTE District Attorney Investigator positions. This staffing level will be achieved through a reallocation of current Investigator positions, dedicating 33 percent of investigative staffing resources to the Witness Protection Program. This shift still permits the District Attorney Investigators to continue with their core missions: investigating allegations of public corruption, investigating use of deadly force by law enforcement officers and deaths in police custody, and providing post-charging criminal investigation to support major criminal cases. In addition, 3.0 FTE District Attorney Investigator positions are created for an additional salary, social security, and active fringe cost of \$254,199.
- Existing staff will provide clerical, administrative and analytical support for the Witness Protection Program. In addition, the 2008 Budget funds 0.57 Administrative Intern positions to provide additional support at a salary and social security cost of \$13,015.
- Additional overtime and special premium appropriations are provided at a salary and social security cost of \$26,140.
- Appropriations of \$46,019 will support the purchase of vehicles, law enforcement equipment, and computers.
- The District Attorney will seek authorization for partial reimbursement of personnel costs from the Wisconsin Department of Justice, Office of Crime Victim Services, pursuant to the state Victim/Witness Program under Wis. Stat. § 950.06.
- IMSD is coordinating the upgrade of the county law enforcement radio system to a digital radio network, but departments are responsible for budgeting for replacement costs of the radios. The District Attorney's budget includes \$27,360 for the replacement of nine mobile radios in District Attorney squad cars. This includes funding to support re-templating and re-banding costs.
- The District Attorney is requesting that all District Attorney Investigators be equipped with tasers to provide an effective less-than-lethal force option. Following best practices, District Attorney Investigators adhere to a use of force continuum that requires the availability of intermediate force options. The District Attorney will use tasers as one intermediate use of force as seen in other law enforcement agencies. Funding of \$9,450 is budgeted to purchase tasers for all ten investigators.
- As a result of the 2009 reorganization of the Fleet Management Division, vehicle-owning and leasing departments no longer pay for vehicles and equipment through rental rates (crosscharged from Fleet), but are allocated a maintenance appropriation to pay for vehicle maintenance and repairs provided by the County's maintenance provider. Departments are now responsible for vehicle repair and replacement decisions in consultation with the Fleet Division. This restructuring results in a decrease in crosscharges from Fleet Management of \$85,381. The Division is allocated \$34,152 for maintenance and repairs of its vehicles and equipment for 2009. The 2009 maintenance appropriation is less than the 2008 crosscharge amount as overhead is no longer allocated to departments but budgeted centrally as part of the contract costs.
- As a result of the 2009 reorganization of the Fleet Management Division, vehicle-owning and leasing departments no longer pay Fleet space rental rates (crosscharged from Fleet). Overhead costs are now budgeted centrally in the Fleet Management Division. This restructuring results in a decrease in crosscharges from Fleet Management of \$3,445.

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- All departments are required to operate within their expenditure appropriations and their overall budgets. Pursuant to Wis. Stat. § 59.60(12), "No payment may be authorized or made and no obligation incurred against the county unless the county has sufficient appropriations for payment. No payment may be made or obligation incurred against an appropriation unless the director first certifies that a sufficient unencumbered balance is or will be available in the appropriation to

make the payment or to meet the obligation when it becomes due and payable. An obligation incurred and an authorization of payment in violation of this subsection is void. A county officer who knowingly violates this subsection is jointly and severally liable to the county for the full amount paid. A county employee who knowingly violates this subsection may be removed for cause."

<b>MILWAUKEE COUNTY DISTRICT ATTORNEY'S OFFICE CASELOAD STATISTICS – FILINGS</b>				
	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2006/07 Change</b>
Felony	6,980	6,776	6,270	(506)
Misdemeanor	10,156	9,677	9,027	(650)
Criminal Traffic	12,017	8,734	6,275	(2,459)
Children in Need of Protective Services (CHIPS)	1,304	1,760	1,717	(43)
Juvenile Delinquency	2,643	2,736	2,467	(269)
TPR (Termination of Parental Rights)	420	382	285	(97)