

B U D G E T S U M M A R Y

Category	2018 Actual	2019 Actual	2020 Budget	2021 Budget*	2021/2020 Variance
Expenditures					
Personnel Costs	\$8,546,298	\$8,415,101	\$9,367,372	\$9,129,536	(\$237,836)
Operation Costs	\$2,942,942	\$3,789,635	\$3,723,137	\$3,819,819	\$96,682
Debt & Depreciation	\$0	\$0	\$0	\$0	\$ 0
Capital Outlay	\$22,132	\$63,259	\$0	\$0	\$ 0
Interdepartmental. Charges	(\$407,665)	(\$455,711)	(\$481,845)	(\$131,210)	\$350,635
Total Expenditures	\$11,103,707	\$11,812,284	\$12,608,664	\$12,818,145	\$209,481
Revenues					
Direct Revenue	\$278,942	\$322,714	\$169,533	\$211,800	\$42,267
Intergovernmental Revenue	\$5,349,435	\$5,536,677	\$6,414,570	\$5,431,855	(\$982,715)
Indirect Revenue	\$0	\$0	\$0	\$0	\$ 0
Total Revenues	\$5,628,377	\$5,859,391	\$6,584,103	\$5,643,655	(\$940,448)
Tax Levy	\$5,475,330	\$5,952,893	\$6,024,561	\$7,174,490	\$1,149,929
Personnel					
Full-TimePos. (FTE)	152.8	162.0	163.5	165.0	1.5
Seasonal/Hourly/Pool Pos.	0	0	0	0	0
Overtime \$	\$219,992	\$232,668	\$232,668	\$230,000	(\$2,668)

*The Budget Request for the District Attorney was received after the deadline, therefore, the numbers presented here for the 2021 Budget do not match the 2021 Requested Budget Summary

Department Mission:

The mission of the Milwaukee County District Attorney’s Office is to promote public peace and safety by just and vigorous prosecution of criminal cases. This office seeks to do impartial justice by ensuring that the guilty are punished and the innocent go free. We strive 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 justicesystem with fairness, dignity, and respect. These are our overall 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.

DISTRICT ATTORNEY (4500) BUDGET

UNIT NO. 4500

Department: **District Attorney**FUND: **General — 0001**

- Maintain a permanent witness protection unit 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, Justice Point, 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.
- Carry out the new mandate of the Marsy's Law, the constitutional amendment passed by referendum in April 2020 (effective May 4, 2020) which substantially augments the statutory requirements of the crime victims' rights bill. The crime victim rights bill itself was originally 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 Division of Milwaukee Child Protective Services of the Termination of Parental Rights (TPR) Speedy Resolution project at the Vel Phillips Juvenile Justice 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.

MILWAUKEE COUNTY DISTRICT ATTORNEY'S OFFICE CASELOAD STATISTICS - FILINGS				
Workload Statistics	2017	2018	2019	2018/19 Change
<i>Felony</i>	5,680	5,997	5,534	-463
<i>Misdemeanor</i>	4,437	4,451	4,294	-157
<i>Criminal Traffic</i>	2,233	2,296	2,270	-26
<i>Children in Need of Protective Services (CHIPS)</i>	1,179	1,114	1,014	-100
<i>Juvenile Delinquency</i>	1,224	965	895	-70
<i>TPR (Termination of Parental Rights)</i>	271	290	252	-38

source: Clerk of Circuit Court/Register in Probate-Statistics Report for January thru December 2019

Department Description:***District Attorney***

The District Attorney is responsible for the planning and organization of prosecutions in all criminal, juvenile and applicable ordinance violations in Milwaukee County. He recruits and staffs all professional positions and makes major assignments relative to both personnel and cases. The District Attorney oversees all department activities and sets all departmental policies and procedures.

Chief Deputy District Attorney

The Chief Deputy District Attorney supervises all division functions and oversees the implementation of departmental policies and procedures. He serves as a liaison with other county officials and departments, city, state, federal officials, law enforcement agencies, and community groups. Likewise, he works together with the state legislature as it relates to the initiation and review of proposals for criminal and juvenile law legislation. The Chief Deputy supervises the homicide and public integrity units. Together with the Deputy District Attorney of Administration, he reviews and approves the extradition of defendants and uncooperative witnesses from other states in felony cases in Milwaukee County.

General Crimes, Community Prosecution and Early Intervention Units

Under the supervision of the General Crimes Deputy District Attorney, the Community Prosecution, General Crimes and Early Intervention Units of the District Attorney's Office handle the bulk of criminal referrals to the District Attorney's Office.

The General Crimes Unit ("GCU") reviews all general crime referrals (approximately 15,000 per year) into the office and staffs all the 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. Presently, twenty-five state general purpose revenue funded Assistant District Attorneys staff five general felony courts and six general misdemeanor and intake courts in Milwaukee County circuit court. They strive to ensure application of uniform disposition policies in general felony, misdemeanor, and ordinance cases, and seek to develop and maintain systems ensuring the highest quality of prosecution and speedy disposition of these cases.

The Community Prosecution Unit ("CPU") currently consists of 6 Assistant District Attorneys who serve Milwaukee Police Department ("MPD") Districts 1 through 7. They are funded through a combination of grant funding through the City of Milwaukee Community Development Block program and the Milwaukee County Byrne-JAG Local grant. Additionally, one Assistant District Attorney serves 7 identified neighborhoods in the near west side of Milwaukee. This Community Prosecutor is funded by a non-profit organization, the Near West Side Partners, Inc.

The Early Intervention Unit ("EIU") consists of an Assistant District Attorney in both the GCU (funded through the MacArthur Foundation) and the Violent Crimes Unit. They screen and identify case referrals of nonviolent offenders whose criminal risk can be safely managed with community-based programs in the Milwaukee County Diversion, Deferred Prosecution Agreement ("DPA"), Drug Treatment Court ("DTC"), or Veterans' Treatment Initiative ("VTI") programs. In addition, there are 2 full time Assistant District Attorney's funded through state general purpose revenue who staff the DPA/DTC/VTI Court. In 2017, the office assigned an existing DA Investigator position to the DTC and VTI programs to partner with a Milwaukee police officer to provide dedicated law enforcement services to defendants in those courts in order to enhance the success of alternatives to incarceration in those programs. This investigator is involved in all phases of the program, including initial screening of defendants, home visits, ongoing monitoring and compliance investigation as needed, and apprehension of defendants who fail to comply.

Juvenile Division

The District Attorney's Office represents the interests of the public in all child welfare cases in Milwaukee County. These cases involve some of our most vulnerable and at-risk citizens. It is our responsibility to assure, once DMCPs becomes involved with a family and makes a referral to us, that these children are kept safe. This is a large task as Milwaukee County handles approximately 1/3 of all child welfare cases in the State of Wisconsin. The District Attorney's Office reviews CHIPS and TPR referrals. We have a contract with the State of Wisconsin which covers the cost of our entire TPR unit. The State and County, however, are required to match that cost with their own funds, through both ADA and support staff payroll that can be used only for child welfare purposes. Thus, every member of our child welfare teams is either in a contract funded or "match" position. This includes support staff and paralegals. Child Welfare cases are complex and lengthy; they do not end upon a finding that a child is in need of protection or services, rather, litigation is ongoing. Matters related to placement of children, permanency planning, revision and extension requests are frequently

contested. Every case at the Vel Phillips Youth and Family Justice Center has a statutory time limit. We also handle all of our own appeals on child welfare cases. As petitioners, we need extensive clerical and paralegal support to ensure that proper parties are noticed, depositions are scheduled, court of appeals briefs are assembled and mailed, timelines are met, and cases are processed appropriately.

The Juvenile Division also represents the interests of the public in all juvenile delinquency matters. When juveniles are held in custody, their cases must be reviewed within 24 hours. When cases are referred but a juvenile is not detained, we are required to process it within 20 days. We also review and approve as appropriate all informal resolutions in juvenile delinquency cases. We review and petition for waiver into adult court as necessary, handle reverse waiver matters and make determinations as to the appropriateness of a serious juvenile offender designation. Similar to child welfare cases, juvenile delinquency matters remain open long after an adjudication, as issues regarding placement, compliance with court orders and extensions continue to be litigated. The division also handles all delinquency appeals.

In addition, the Juvenile Division conducts continuing education and training for law enforcement and social welfare partners, citizens (including foster parents) and civic groups in Milwaukee County on changes in juvenile/child welfare law, best practices, the joint protocol on child maltreatment, witness preparedness and Chapters 48 and 938. We also direct the victim/witness services at Vel Phillips Youth and Family Justice Center, including witness notification and subpoena functions.

Violent Crimes Division

The Violent Crimes Division is comprised of four units which staff eight specialized criminal courts.

The Homicide Unit prosecutes in the four homicide / sensitive crimes courts. There are generally 110 to 120 homicides cases pending at any given time; the five attorneys assigned to the unit carry an average caseload of 20 to 25 homicide cases, in addition to other cases which are related to homicides, such as aiding a felon and witness intimidation. The aggravated nature of the cases, and the intensity of the investigations and prosecution, requires a cohesive, highly trained, and experienced team of attorneys and victim witness staff.

The Gun Unit handles all non-fatal felony level shooting offenses in the specialty gun court. The unit is staffed by five assistant district attorneys, two assistant attorney generals assigned by the Wisconsin Department of Justice, and a victim witness specialist. Together, the unit supports victims, unit attorneys review, prosecute and take cases to trial. Certain issues attendant to shooting cases, including unique evidence, such as NIBIN and Shotspotter data, and witness intimidation. By focusing on these cases, the attorneys develop the expertise to meet those issues as they arise.

The Drug Unit reviews all felony drug cases, including drug trafficking and opioid possession cases, for referral to treatment programming or prosecution in the three speedy trial drug courts, using a bifurcated strategy: demand reduction, on one hand, and enforcement, on the other. Because of the role substance abuse and addiction play in drug-related activity, drug unit prosecutors screen all possession and low-level trafficking referrals for redirection into early intervention programming, which takes the form of pre-charge diversions into treatment, deferred prosecutions agreements, or more intensive supervision in the Drug Treatment Court. The attorneys in the unit review cases; with the assistance of the early intervention specialist assigned to the unit, and some defendants are accepted into early intervention programming. In 2019, over 300 Drug Unit defendants their early intervention programming, with a compliance rate of 74.3%. Individuals who are not suitable for, or who decline early intervention programming are prosecuted in the speedy trial drug courts, where the attorneys in the unit negotiate cases, engage in significant amounts of 4th amendment litigation, and conduct jury and court trials. Maintaining a specific unit dedicated to all felony drug cases promotes consistency in charging and case resolution, allows for a greater focus on referrals to early intervention programming, and enhances expertise in 4th amendment issues.

The four attorneys in the High Intensity Drug Trafficking Area (HIDTA) Unit are responsible for disrupting and dismantling drug trafficking organizations (DTOs) and for prosecuting high level traffickers and violent criminal gang members in any of the criminal courts in Milwaukee County. The HIDTA prosecutors focus on some of the most serious and violent offenders in Milwaukee County. One HIDTA prosecutor reviews and prosecutes all Len Bias homicides. She has been recognized for her work on both the state and national level and she teaches about overdose death prosecutions on

the national, state, and local level. HIDTA prosecutors are co-located both in the District Attorney's Office and at the HIDTA building, located on Michigan Avenue. Having a unit of attorneys co-located in both spaces provides officers ready access to legal assistance during investigations which ensures more informed, more directed, and, ultimately, more successful, prosecutions, as well as better coordination of referrals for federal prosecution when that venue is more appropriate given the criminal conduct, the suspect's background, and the available criminal penalties

The attorneys in each area of the Violent Crimes Division work closely with federal, state, and local officers and draft, review, and approve applications for search warrants, subpoenas for records, wiretap orders, and electronic surveillance orders, in support of criminal investigations. The prosecutors in the Division also participate in local and national crime reduction initiatives, including The Public Safety Partnership (PSP), the Crime Gun Intelligence Center (CGIC), the NIBIN Task Force, and the Milwaukee Police Department's shooting reviews.

Eight of the twenty-three assistant district attorneys in the Violent Crimes Division are funded by federal or state grants. All of the Homicide and Gun Unit ADAs are funded through GPR revenue. Four of the nine ADAs in the Drug Unit are funded by a Byrne Jag grant. In 2019 (effective in 2020), the HIDTA grant was reduced, eliminating funding for the Drug Unit ADA and the Early Intervention specialist. In 2020 (effective in 2021) the HIDTA grant will be reduced by an additional position. These reductions have created a negative effect on every aspect of the unit's operations, including its demand reduction strategy.

Sensitive Crimes Division

The Sensitive Crimes Division of the Milwaukee County District Attorney's Office is comprised of the Sensitive Crimes Unit, the Sexually Violent Persons (Chapter 980) Unit, the Child Protection & Advocacy Unit, and the Domestic Violence Unit.

The Sensitive Crimes Unit consists of six assistant district attorneys and six victim advocates who provide a coordinated response to the review and prosecution of sexual assault, human trafficking, possession and distribution of child pornography, invasion of privacy, sextortion, and other related offenses. The assistant district attorneys and advocates in the Sensitive Crimes Unit follow Milwaukee County's Joint Protocol on the investigation and prosecution of sensitive crimes, and all members of the unit have specialized training and experience in handling very complex cases using a trauma informed approach that seeks to hold offenders accountable while simultaneously protecting victims from further victimization.

Human Trafficking cases are among the most difficult cases to investigate and prosecute. Significantly, the Sensitive Crimes Unit has never lost a human trafficking case that proceeded to trial, and the team's approach to Human Trafficking has led to some of Milwaukee County's most dangerous offenders being removed from our community.

The Sexually Violent Persons (Chapter 980) Unit handles civil commitments or persons deemed to be sexually violent persons under Wisconsin law. To qualify as a sexually violent person, an individual has typically been convicted of a sexually violent offense and has been found to suffer from a mental disorder that makes it more likely than not that the person will engage in future act(s) of sexual violence. The Sexually Violent Persons Unit is comprised of two assistant district attorneys and a paralegal who, together perform the critical function of reviewing and filing petitions when appropriate to civilly commit an individual deemed to pose a continued risk to commit a sexually violent offense against members of the community.

The Child Protection and Advocacy Unit (CPAU) handles the review and prosecution of caregiver child abuse and child neglect cases. District Attorney John Chisholm formed the Child Protection and Advocacy Unit in 2008 to provide a greater focus on the protection of child victims and to hold those who abuse or neglect children to a higher level of accountability. CPAU is comprised of three assistant district attorneys and two victim advocates. The assistant district attorneys in CPAU prosecute cases involving Milwaukee County's most vulnerable members, child victims, on complex child abuse and neglect cases including abusive head trauma (formerly shaken baby syndrome); inflicted burn injuries; severe child neglect, including child malnutrition; and serial child torture cases.

Finally, the Domestic Violence Unit is comprised of eleven assistant district attorneys and eight victim advocates who provide a coordinated, victim-centered approach to the review and prosecution of intimate partner domestic violence

referrals. Milwaukee is home to the Sojourner Family Peace Center. The Sojourner Family Peace Center is one of the largest family peace centers in the nation, housing a shelter for women and child victims, as well as providing a central location for a number of victim service providers, the Milwaukee Police Sensitive Crimes Unit, Children's Hospital of Wisconsin's Child Advocacy Unit, and the Milwaukee County District Attorney's Office Domestic Violence Unit.

The Domestic Violence Unit reviews all intimate partner domestic violence cases at the Sojourner Family Peace Center, allowing the prosecutor and a victim advocate to meet with the victim at a safe location. Since co-locating at the Sojourner Family Peace Center, there has been an increase in victim participation in charging conferences. From 2015 to 2016, there was a 17% increase in victim appearance and participation. In 2017, 2,504 victims appeared for charging conferences, a 20% increase over 2016. In 2018 a total of 2,521 victims appeared for charging conferences, and in 2019, 2,664 victims appeared. The annual increase in victim participation at the Peace Center is substantial.

In addition to the work done within the Sensitive Crimes Division, members of the Sensitive Crimes Division represent the Milwaukee County District Attorney's Office at: Milwaukee's Child Abuse Review Team meetings; Milwaukee Child Abuse Multidisciplinary Response Team meetings (Child Abuse MDT meetings); Milwaukee's Sexual Assault Review Team meetings; Milwaukee's Sexual Assault (M-SAR) case review meetings; Milwaukee Commission on Domestic Violence and Sexual Assault meetings; Milwaukee County Domestic Violence High Risk Team meetings, (DV-HRT); and Milwaukee County Child Death review meetings.

Victim/Witness Division

The Milwaukee County District Attorney's Office Victim Witness Assistance Program provides crime victim services to Milwaukee County. The county encompasses 19 law enforcement jurisdictions and an estimated population of 945,726 (U.S. Census Bureau, July 2019). Wisconsin State Statutes chapter 950 mandates the provision of services for victims and witnesses of crime.

Marsy's Law, Wisconsin's Victims of Crime Constitutional Amendment, began effective May 4, 2020. The amendment modifies the definition of a victim, identifies 16 constitutional rights given to victims, and provides the victim the ability to enforce their rights in court. The amendment guarantees victims' rights at the time of victimization and establishes a continuity of victim rights and timely notification throughout the criminal justice process. Of immediate impact to the DA's Office is the victims' right to timely notification of all proceedings and the right to attend all proceedings and be heard if their rights are implicated, including: release, scheduling, plea, sentencing, disposition, parole, revocation, expungement, or pardon hearings. The assignment of victim witness advocates to the charging conferences is critical to ensure the victims' right to timely notification and the right to attend hearings is met. These rights are in addition to rights afforded by Wisconsin State Statute 950.

Thirty-four victim witness advocates, four victim witness supervisors, and one director are authorized in this budget. They provide crisis intervention and specialized victim services to victims in criminal and juvenile cases. Our Victim Witness Services Division is supported in part by federal and state funding. Eight victim witness advocate positions are partially (approximately 65%) funded through a federal Victims of Crime Act (VOCA) grant. Twenty-four positions are partially funded (approximately 40%) through the Wisconsin Department of Justice chapter 950 Program. One position is funded by the Project Safe Neighborhoods (2018) grant. Two positions are funded by the Milwaukee County tax levy. An additional three victim witness advocates and one secretarial assistant have been requested in the 2021 budget to handle the additional requirements related to the implementation of Marsy's Law.

Services were provided in person (in office and in the community), over the phone, and through correspondence. Victims and witnesses are informed of their constitutional and statutory rights and they are informed on the criminal justice process generally. They are given assistance with Crime Victim Compensation applications and other forms for financial reimbursement or other support. The division informs them on case status and hearing dates. In the courthouse complex, attended waiting rooms are available for victim and witness use. Indeed, victim witness advocates accompany citizens to hearings and related meetings. Other services, based on the needs of the victim or witness, are also routinely provided on an individual basis.

The victim witness advocates attend to many victims from underserved and vulnerable population groups. These include: abused and/or neglected children; sexually abused children; domestic violence victims; sexually abused adults

some of whom were also sexually abused as children; families of homicide victims; elder abuse victims; and thousands of victims of other violent and non-violent crimes.

Victims often present with comprehensive problems (homelessness, mental illness, poverty, criminal cases of their own, language barriers, AODA issues, medical problems, multiple children, teen mothers, lack of education, and hunger). Most of these victims require extensive attention and services and multiple advocates to assist them. Written communication is not always an option due to comprehension limitations, the transient nature of their existence, fear, and other barriers. In-person communication and referral to resources and follow up is critical.

Twenty-five FTE clerical staff authorized in this budget provide essential, basic support for the daily operation of the Victim Witness Services Division. Clerical staff provided receptionist services in five units, processed subpoenas in court cases and sent thousands of notification letters to victims and witnesses to keep them informed on their case status and resources available.

Investigations Division

The investigations division is headed by the chief investigator who supervises district attorney investigators and intelligence analysts. The division is divided into the Maurice V. Pulley Jr. Witness Protection Program and the Special Investigations Unit. Each unit is supervised by a deputy chief investigator.

The division investigates victim/witness intimidation, police shootings of civilians, deaths in police custody, public corruption, major multi-jurisdictional crimes, elder abuse, white collar crimes and industrial deaths and injuries. In addition, they provide post-charging investigation on major crimes for the prosecutors and maintain office security.

Maurice V. Pulley Jr. Witness Protection Program

Enforcement and Prosecution of Offenders

The witness protection program consists of one Deputy Chief, nine Investigators and two Intelligence Analysts. The witness protection program works to ensure that victims and witnesses in all cases are able to safely appear at all court proceedings related to their case, and to be safe and secure when outside court. Unlike traditional victim/ witness protection programs, the focus is on the enforcement and prosecution of offenders. In 2019, the witness protection unit handled 348 case referrals, 55% of which involved domestic violence. The unit made 56 arrests related to witness intimidation. When a case is charged or about to be charged and there is suspicion of victim/witness intimidation, either the prosecutors or the investigative agencies who originated the complaint will request an investigation by the witness protection program. Without this valuable resource, many cases would become untenable for prosecution.

Child Support Enforcement

Two investigators provide direct law enforcement / investigative support to the Department of Child Support Services and to the Child Support Enforcement Assistant District Attorney. The overall goal of child support enforcement, whether civil or criminal in nature, is to obtain compliance with court-ordered child support in order to provide for children and reduce the economic burden on social services. This initiative began in 2014 and will be discontinued at the end of 2020 by mutual agreement with the Department of Child Support Services.

Special Investigations Unit

The special investigations unit consists of one Deputy Chief, seven Investigators and an Intelligence Analyst. Two of the seven investigators are assigned to the F.B.I. Violent Crimes Taskforce and one is assigned to the Veterans Treatment Court / Drug Treatment Court Initiative. The special investigations unit has the capability to perform criminal intelligence analysis and forensic computer and cell phone analysis in support of investigations and charged criminal cases.

Veterans' Treatment Court / Drug Treatment Court Initiative

The District Attorney's Office continues its partnership with the Milwaukee Police Department in providing law enforcement support for Veteran's Treatment Court and Drug Treatment Court. The Milwaukee Police Department provides an officer and the District Attorney's Office provides an investigator for these programs. Since the opioid epidemic is a countywide issue, this partnership allows coverage for all Milwaukee County defendants. Home visits are conducted and defendants are arrested for violating the terms of the program. When arrested, defendants are returned to court to assess their further involvement in the program.

F.B.I. Violent Crimes Taskforce

The Special Investigations Unit has maintained its relationship with the F.B.I. Violent Crimes Task Force which specifically targets serial armed robbery suspects, bank robbery suspects and carjacking's throughout Milwaukee County. The relationship with the Milwaukee Police Departments Special Investigations Unit has solidified, and our investigators attend daily briefings to ensure the transmittal of the most current intelligence within the investigations unit. This work supports multi-agency investigations throughout Milwaukee County by providing investigative case management, resources and support to law enforcement partners throughout Milwaukee County. Moreover, the unit remains a resource for local departments to augment investigative capability when confronted with increases in violent criminal acts.

Administrative Division

The administrative division manages the fiscal, personnel and record management functions of the District Attorney's office. It is responsible for assembling the state and county budgets. The division develops and coordinates grants and revenues, and it controls the department's expenditure of funds. The division also serves a procurement function, utilizing county purchasing and inventory systems. The administrative section handles personnel related matters for both county and state employees. This includes organizing, staffing, directing and coordinating the clerical functions of the department. It serves as the chief point of contact with the county Departments of Administrative Services and Human Resources. Likewise, this section serves as the main contact for the state Department of Administration and the State Prosecutors Office. The administrative section also supervises record management and responds to public records requests. Generally, it is this division that is responsible for maintaining liaison with the administrative and fiscal personnel of other related governmental agencies, including the State of Wisconsin, the County of Milwaukee, and local law enforcement agencies.

Information Technology Division

The District Attorney's Office is part of the statewide district attorney computer network. The Information Technology division manages the District Attorney's computer network at multiple locations, i.e., within the courthouse complex, at the Vel Phillips Juvenile Justice Center and at the Sojourner Family Peace Center. The division manages the database and user accounts for the State DA case management system known as PROTECT. It manages the Pro-Phoenix law enforcement report management software and database and manages district attorney connections to the county Web Focus, Justice, Advantage, and BRASS applications. The Information Technology division also trains district attorney staff in office computer applications. It supports prosecutors by setting up courtroom presentation equipment and by preparing trial exhibits, including audio and other digitally based exhibits. IT staff also manage the digital distribution of criminal discovery materials to defense attorneys. It provides data and statistics to requestors, including partner agencies and research groups. The division manages and supports law enforcement agencies in the electronic transfer of criminal case data. Finally, the office maintains a forensic computer examination capability with specialized computers and storage devices.

State Prosecutors with County Fringe Benefits

The District Attorney's budget includes 3 FTE prosecutors on the state payroll that retained county fringe benefits when District Attorneys became state employees on January 1, 1990. The budget reflects the state reimbursement for the actual county cost of fringe benefits provided to the 3 FTE prosecutors. Wis. Stat. §§ 978.12(5)&(6) provides that state reimbursement must be based on actual county fringe benefits' costs or comparable state costs, whichever is less.

Charges from the State

The State charges Milwaukee County for the salaries and fringe benefits of any grant-funded Assistant District Attorney (“ADA”). The State pays the salaries and fringe benefits on a biweekly basis but bills the County for these costs on a quarterly basis because the County submits grant claim reimbursements on a quarterly basis. The ADA expenses for salaries and fringe benefits are posted to account 6090 and are offset with state and federal grant revenue to accounts 2299 and 2699, respectively.

Charges from the State	2020 Budget	2021 Budget	2020/2021 Variance
Byrne JAG - DAS	\$ 399,600	\$ 383,000	\$ (16,600)
Community Development Block Grant (CDBG)	190,000	190,000	-
CSS Child Support Prosecutor	97,647	0	(97,647)
High Intensity Drug Trafficking Area (HIDTA)	255,733	287,847	32,114
IPS - Opioid Community Prosecutor	0	98,685	98,685
Project Safe Neighborhood	0	165,000	165,000
State DCF CHIPS TPR Contract	824,758	892,975	68,217
USDOJ VAWA Domestic Violence	160,215	167,163	6,948
WIDOB Byrne JAG MMDEG Task Force	265,723	286,707	20,984
WIDOB Violence Against Women Act (VAWA RRP)	316,000	111,914	(204,086)
TOTAL	\$ 2,509,676	\$ 2,583,291	\$ 73,615

State Revenue

Revenue from state grants are posted to account 2299 and are comprised of the programs detailed in the table below:

STATE GRANTS			
State Revenue Programs	2020 Budget	20201 Budget	2020/2021 Variance
IPS - Opioid Community Prosecutor	\$ 188,117	\$ 121,160	\$ (66,957)
Project Safe Neighborhood	257,089	175,078	(82,011)
Special Prosecution Courts' Clerks	305,000	305,000	-
State DCF CHIPS TPR Contract	1,367,702	1,471,792	104,090
Victim of Crimes Act (VOCA)	961,613	450,671	(510,942)
Victim/Witness Program	1,500,000	1,220,000	(280,000)
WIDOB Violence Against Women Act (VAWA RRP)	155,000	116,779	(38,221)
TOTAL	\$ 4,734,521	\$ 3,860,480	\$ (874,041)

The IPS – Opioid Community Prosecutor provides funding for the salary and fringe benefits for 1.0 Assistant District Attorney in the areas of drug prosecution, early intervention, community prosecution, community agency interaction or some combination of one or more of those areas of expertise as well as computer software and computer equipment.

DISTRICT ATTORNEY (4500) BUDGET

UNIT NO. 4500

Department: **District Attorney**FUND: **General — 0001**

The Project Safe Neighborhood provides funding for the salary and fringe benefits for 1.0 Victim Witness Advocate who will work with the City of Milwaukee Office of Violence prevention to provide support to shooting victims and their families. A second grant provides funding for the salary and fringe benefits for 2.0 Assistant District Attorneys.

The Special Prosecution Courts' Clerks statutory reimbursement program provides continuing funding for the salaries and fringe benefits of 4.0 Secretarial Assistants and 2.0 Clerical Assistant 1's 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). Amounts chargeable to this statutory program routinely exceed the maximum funding, which for the state biennium ending June 30, 2020 was \$305,000.

The CHIPS-Termination of Parental Rights (TPR) grant provides continuing funding for the salaries and fringe benefits of 8.5 Assistant District Attorneys, 5.0 Paralegals, and 2.0 Secretarial Assistants under a state contract with the Department of Children and Families (DCF) for CHIPS and TPR cases in the juvenile division.

The Victims of Crime Act (VOCA) grant provides continuing funding of approximately 65% percent for the salaries and fringe benefits of 2.0 Victim Witness Advocates assigned to the crisis response unit, 2.0 Victim Witness Advocates for domestic violence cases assigned to the Sojourner Family Justice Center, 4.0 Sensitive Crimes Victim Advocates in the sensitive crimes victim services unit. The grant also provides emergency funds related to assisting victims.

The Victim/Witness Program, which provides services to victims and witnesses of crimes, pursuant to Chapter 950 of the Wisconsin Statutes, consists of 35.5 FTE authorized, funded positions: 1.0 Victim Witness Director, 3.5 Victim Witness Supervisors, 22.0 Victim Witness Advocates, 1.0 Victim Witness Advocate – bilingual, 1.0 Sensitive Crimes Victim Advocate, 3.0 Investigators in the witness protection unit, and 4.0 clerical personnel.

Wis. Stat. § 950.06 provides that the state may reimburse counties for up to 90 percent of costs of their victim/witness programs; however, actual reimbursement rates have been decreasing and were just 42.5% for Jan – Jun 2020. For 2021, we are estimating a reimbursement rate of approximately 40% of programs costs.

The STOP VAWA Regional Resource Prosecutor project from the Wisconsin Department of Justice (WIDJ) provides continuing funding for the salaries and fringe benefits of 1.0 Assistant District Attorney that prosecutes domestic violence cases in Milwaukee County and also provides training and support to 13 other Wisconsin counties to promote effective and efficient prosecution of domestic violence cases.

Federal Revenue

Revenue from federal grants are posted to account 2699 and are comprised of the programs detailed in the table below:

FEDERAL GRANTS			
Federal Revenue Programs	2020 Budget	2021 Budget	2020/2021 Variance
Byrne JAG - DAS	\$ 399,600	\$ 383,000	\$ (16,600)
Community Development Block Grant (CDBG)	190,000	190,000	-
High Intensity Drug Trafficking Area (HIDTA)	255,733	287,847	32,114
USDOJ VAWA Domestic Violence	246,351	167,163	(79,188)
WIDJ Byrne JAG MMDEG Task Force	543,365	543,365	-
TOTAL	\$ 1,635,049	\$ 1,571,375	\$ (63,674)

The Milwaukee County Byrne JAG – Local grant provides funding for the salaries and fringe benefits of 4.0 Assistant District Attorneys. Three prosecutors are assigned to the Community Prosecution Unit in Milwaukee

Police Districts 1, 3 and 7. The fourth is assigned as a “vertical” Domestic Violence prosecutor in felony court. This means he follows cases from start to finish, or “vertically.”

The City of Milwaukee Community Development Block Grant (CDBG) provides funding for the salaries and fringe benefits of 2.0 Assistant District Attorneys. These prosecutors serve as Community Prosecutors. They serve the Milwaukee Police Districts 2, 5 and 6.

The North Central High Intensity Drug Trafficking Area (HIDTA) grant provides funding from the Federal Office of National Drug Control Policy (ONDCP) for the salaries and fringe benefits of 2.0 Assistant District Attorneys in the District Attorney’s violent crimes and HIDTA units and approved operating expenses, a reduction of 2.0 FTE from 2020.

The U.S. Department of Justice, Office on Violence against Women, USDJ OVW VAWA Domestic Violence grant provides funding for the services of 2.0 Assistant District Attorneys dedicated to domestic violence cases, payments of approximately \$113,000 to the Sojourner Family Peace Center for the salaries and fringe benefits of 2.0 Victim Advocates that provide services to domestic violence victims in Milwaukee District police stations, and reimbursement for required grant travel and training.

The Wisconsin Department of Justice WIDJ Byrne JAG OJA MMDEG Task Force grant provides funding for the salaries and fringe benefits of 4.0 Assistant District Attorneys in the violent crimes – drug unit in an amount of about \$297,963. The grant also funds payments totaling approximately \$245,402 to the Milwaukee, South Milwaukee, and West Allis police departments for the salaries and fringe benefits of officers assigned full-time to the MMDEG police unit.

Charges to Other County Agencies

CHARGES TO OTHER COUNTY AGENCIES				
	CROSSCHARGES	2020	2021	2020/2021
Department	Program	Budget	Budget	Change
Child Support Services	Child Support Prosecution	\$190,016	\$131,210	\$ (58,806)
Child Support Services	Child Support Investigation	291,829	-	(291,829)
	TOTAL	\$481,845	\$131,210	\$ (350,635)

Child Support Services

Wis. Stat. § 948.22 provides criminal penalties for failure to support a child. In 2020, the Department of Child Support Services (“CSS”) referred the most egregious cases to the District Attorney for criminal prosecution which funded the salaries and fringe benefits of 1.0 Assistant District Attorney and 1.0 Paralegal. In 2021, the program was modified and now it will fund 1.0 Paralegal and 0.5 Secretarial Assistant. The program to investigate child support cases for CSS and the District Attorney’s office was discontinued in 2021.

Major Changes in FY 2021

1. **Marsy’s Law changes.** In April 2020, as a result of a ballot referendum, Marsy’s law was enacted as a modification to the Wisconsin Constitution. This constitutional law greatly increases the responsibilities of the District Attorney’s Office to victims of crime, adding new requirements such as those requiring victim interaction even before charges are filed and requiring notice of all hearings, regardless of type. Consequently, we foresee an additional three new Victim Witness positions and one Secretarial Assistant position will be needed to address these new demands. The 2021 budget includes personnel and operational costs of \$224,263 to support this program.

2. **Loss of anticipated victim witness funding related to the VOCA grant.** As a result of unanticipated lack of funding under the Victims of Crime Act grant, our 2021 personnel budget is substantially higher as compared to our 2020 adopted budget. Not having received certain funding that we had good reason to believe would be awarded, the end result was that Milwaukee County was required to shoulder a higher percentage of the compensation package for Victim Witness Advocates employed by Milwaukee County. Milwaukee County cannot choose to not fund these positions due to the grant obligations. If the County chose to not approve future grant submissions, it would reduce revenue and personnel costs and also have an adverse racial and economic impact in that services to our poor and underprivileged victim and witness base would certainly suffer. The 2021 budget revenue is decreased by \$510,942 and operational costs are decreased by \$74,278. The balance of \$436,664 is for personnel costs includes two Victim Witness Advocate positions totaling \$108,102 transferred to V&T and \$328,652 which is now transferred to tax levy.
3. **Loss of Chapter 950 Victim Witness reimbursement due to rate reduction.** By statute, the State is authorized to subsidize up to 90% of certain victim witness expenses, mostly the compensation packages for Victim Witness Advocates (not funded by VOCA) and victim support staff. Recently, funding has been at the level of about 47%+. This dropped dramatically in 2020 to 42.5%. If Milwaukee County chose to not fund these positions, it would reduce revenue and personnel costs and also would have an adverse racial and economic impact in that services to our poor and underprivileged victim and witness base would certainly suffer. The 2021 budget revenue is decreased by \$280,000; the offsetting personnel costs is now transferred to tax levy.
4. **Discontinuation of portions of Child Support Investigation Crosscharges.** The Child Support Office ended funding for two Investigators and one prosecutor position. Funds were administered by that office under the IV-D program of the Federal Social Security Act. Again, because of the demographics of the victims we serve in this office, underprivileged persons of color will be most directly and adversely affected. The 2021 budget abatement is decreased by \$350,635; this is offset by a reduction in operational costs of \$58,806 and the balance of \$291,829 for personnel costs is transferred to V&T until it is determined if these two positions should be abolished.
5. **The Sea Change of Office Functions after COVID-19.** In 2019, the court system in Milwaukee County converted to a paperless system. The District Attorney's Office did not immediately institute changes in office technology and functions to move to paperless office functionality. We now find ourselves forced to respond to a crisis in the form of a pandemic and convert our paper-based systems to a new digital format. Some of these costs are directly attributable to COVID-19 and may be reimbursable with federal dollars. Others may not be. What is clear is that change in the form of urgent needs for, inter alia, laptops, scanners, larger monitors in greater numbers, digital storage devices and webcam (audiovisual) accessories will be long term and these needs will represent a major change in the nature and the amount of our budget requests.
6. **Evaporating Fiscal Support from External Sources.** Milwaukee County crime victims and witnesses, especially underprivileged persons of color, are the chief consumers of the services provided by Milwaukee County employees in the District Attorney's Office. While it is our privilege and honor to provide support to crime victims and witnesses, the provision of such services is not optional. Indeed, victim rights – administered by victim witness advocates and the clerical staff supporting them – are mandated by the Wisconsin Constitution and by ch. 950 of the Wisconsin Statutes. The District Attorney's Office has historically funded many of these operational costs with reimbursements in the form of grants and statutory programs. Over time, the grant reimbursements have declined while our personnel costs have increased without any changes to our personnel levels. Likewise, the statutory reimbursement rates have fallen over the years and have done so precipitously in the last six months. Nevertheless, we are still expected – no, required – to provide a level of service (recently increased by virtue of Marsy's Law) as our tax levy balance has decreased. In the past, we have been able "to make do" with what we had or by virtue of employee purchases of needed items from their personal budget. This is no longer possible as new mandates are placed upon us. Moreover, our victim witness position (and two others) have only one pay range. One step pay ranges create inequities that still need to be addressed. When the time comes to address these issues, this may create even additional costs for our department.

Strategic Program Area 1: Investigations & Criminal Prosecutions

Service Provision: Mandated

How We Do It: Program Budget Summary					
Category	2018 Actual	2019 Actual	2020 Budget	2021 Budget	2021/2020 Variance
Expenditures	\$11,103,707	\$11,812,284	\$12,608,664	\$12,818,145	\$209,481
Revenues	\$5,628,377	\$5,859,391	\$6,584,103	\$5,643,655	(\$940,448)
Tax Levy	\$5,475,330	\$5,952,893	\$6,024,561	\$7,174,490	\$1,149,929
FTE Positions	152.8	162.0	163.5	165.0	1.5

What We Do With It: Activity Data				
Activity	2018 Actual	2019 Actual	2020 Target	2021 Target
To Be Determined	0	0	0	0

How Well We Do It: Performance Measures				
Performance Measure	2018 Actual	2019 Actual	2020 Target	2021 Target
To Be Determined	0	0	0	0

Strategic Overview:

The Office of the District Attorney is responsible for targeting, investigating, successfully prosecuting and incarcerating shooters, other illegal gun offenders, and other violent criminals through the coordinated efforts of the community prosecution, general crimes, and violent crimes units.

Strategic Implementation:

The District Attorney is committed to maintaining current service levels in both quantity and quality. This office is a public safety agency whose duties are mandated by federal and state law. It must meet court-ordered deadlines as well as perform its constitutional and statutory duties in order to enforce criminal and juvenile law to provide for the safety and security of the citizens of Milwaukee County.