

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

Category	2020 Actual	2021 Actual	2022 Budget	2023 Budget	2023/2022 Variance
Expenditures					
Personnel Costs	\$7,619,187	\$8,234,795	\$9,510,540	\$9,532,614	\$22,074
Operation Costs	\$3,590,134	\$3,520,699	\$3,282,217	\$3,339,453	\$57,236
Debt & Depreciation	\$0	\$23	\$0	\$0	\$ 0
Capital Outlay	\$2,296	\$0	\$0	\$0	\$ 0
Interdepartmental. Charges	(\$428,711)	(\$419,475)	(\$469,962)	\$0	\$469,962
Total Expenditures	\$10,782,906	\$11,336,042	\$12,322,795	\$12,872,067	\$549,272
Revenues					
Direct Revenue	\$293,099	\$245,423	\$196,000	\$132,700	(\$63,300)
Intergovernmental Revenue	\$5,097,044	\$5,435,186	\$5,250,409	\$5,298,350	\$47,941
Indirect Revenue	\$0	\$0	\$0	\$0	\$0
Total Revenues	\$5,390,143	\$5,680,609	\$5,446,409	\$5,431,050	(\$15,359)
Tax Levy	\$5,392,763	\$5,655,433	\$6,876,386	\$7,441,017	\$564,631
Personnel					
Full-Time Pos. (FTE)	162.0	164.0	167.0	165.0	(2.0)
Seasonal/Hourly/Pool \$	\$0	\$165,619	\$322,394	\$327,106	\$4,712
Overtime \$	\$131,240	\$65,505	\$195,077	\$160,000	(\$35,077)

Department Mission: The mission of the Milwaukee County District Attorney’s Office (DA’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, to safeguard the rule of law, and to promote citizens’ participation in law enforcement by treating all persons who come in contact with the criminal justice system with fairness, dignity, and respect. Our overall objectives are to,

- Target, investigate, successfully prosecute and incarcerate shooters, other gun offenders, and other violent criminals through the coordinated efforts of the community prosecution, general crimes, and violent crimes units.
- Reduce crime and recidivism by coordinating the efforts of the community prosecution, general crimes, early intervention and violent crimes units, to promote accountability and to facilitate the investigation and prosecution of violent offenders.

- Maintain a permanent witness protection unit to ensure that victims and witnesses who are threatened or intimidated are able to safely appear and testify in court; and to insure that offenders who threaten, intimidate, or harm victims and witnesses are successfully prosecuted and punished.
- Encourage increased participation in the criminal justice system by victims and witnesses through a robust victim witness advocacy program and witness protection unit;
- Work closely with the courts, the Office of the State Public Defender, Justice Point, treatment professionals, and community organizations to maintain a successful early intervention program, to employ diversion and deferred prosecution programs 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 mandate of the Marsy’s Law, the constitutional amendment which became effective on May 4, 2020, which significantly augmented 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, first, that all victims of and witnesses to crime are treated with dignity, respect, courtesy, and sensitivity; and, second, that the rights extended to victims and witnesses of crime are honored and protected no less vigorously than the rights and protections afforded criminal defendants.
- 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 partnership 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 of 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.
- Work to address the court calendar backlog created by the COVID-19 pandemic, to ensure that victims receive resolution of their cases in a timely and just manner.

MILWAUKEE COUNTY DISTRICT ATTORNEY'S OFFICE CASELOAD STATISTICS - FILINGS				
Workload Statistics	2019	2020	2021	2020-2021 Change
<i>Felony</i>	5,534	4,419	5,149	730
<i>Misdemeanor</i>	4,294	2,476	3,740	1,264
<i>Criminal Traffic</i>	2,270	884	1,358	474
<i>Children in Need of Protective Services (CHIPS)</i>	1,014	816	765	-51
<i>Juvenile Delinquency</i>	895	711	1175	464
<i>TPR (Termination of Parental Rights)</i>	252	284	290	6

Source: Clerk of Circuit Court/Register in Probate-Statistics Reports for January thru December, 2019, 2020, and 2021

MILWAUKEE COUNTY CIRCUIT COURT CASELOAD STATISTICS – PENDING CASES					
Workload Statistics	Jan-20	Dec-20	Jan-21	Dec-21	% Change Jan-20 Dec-21
<i>Felony</i>	3796	5079	5057	5737	51.13%
<i>Misdemeanor</i>	2039	2462	2466	3148	54.39%
<i>Criminal Traffic</i>	1012	578	576	866	-14.43%
<i>Children in Need of Protective Services (CHIPS)</i>	416	429	403	414	-0.48%
<i>Juvenile Delinquency</i>	255	219	219	510	100.00%
<i>TPR (Termination of Parental Rights)</i>	157	247	221	230	46.50%

Source: Clerk of Circuit Court/Register in Probate-Statistics Reports for January thru December, 2020, 2021

Department Description:

The District Attorney’s Office is the prosecuting Office for Milwaukee County. The office is responsible for representing the State in criminal matters, the County in certain non-criminal traffic and ordinance cases, and for handling juvenile delinquency cases, Children in Need of Protection and Services (CHIPS) cases, and termination of parental rights matters at the Vel R. Phillips Youth & Family Justice Center. The responsibilities of District Attorney’s Office are imposed by state statute and constitutional mandate.

The office’s mission is to promote public peace and safety by just and vigorous prosecution; to seek and to 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; to safeguard the rule of law; and to promote participation in law enforcement by treating all persons who come in contact with the criminal justice system with fairness, dignity, and respect.

The office is comprised of state-funded prosecutors and county-funded support staff, all of whom support the office’s mission and help execute the duties. The District Attorney’s office administers a significant number of federal and state grant programs to subsidize expenses which otherwise would be borne by the county, thereby reducing the tax level effect of the department’s operations. Among these are the CH. 950 Victim/Witness Program; the Victims of Crime Act (VOCA) grant; the Byrne Justice Assistance Grant Prosecution of Drug Crimes grant; the Violence Against Woman Acts (VAWA) grant; and the High Intensity Drug Trafficking Area grant.

District Attorney

The District Attorney (DA) is an elected, constitutional officer, who is responsible for the planning and organization of prosecutions in all criminal and juvenile offenses, and in applicable traffic and ordinance violations in Milwaukee County. The DA, who is state-funded, oversees county funded support staff members and state-funded attorneys; he recruits and staffs all professional positions and makes major assignments relative to both personnel and caseloads. The District Attorney oversees all department activities and sets all departmental policies and procedures.

Chief Deputy District Attorney

The Chief Deputy District Attorney (CDDA) is a state-funded attorney, who supervises all division functions and oversees the implementation of departmental policies and procedures. The CDDA serves as a liaison with other county officials and departments; city, state, federal officials, law enforcement agencies; and community groups. The CDDA works with the state legislature in regard to the initiation and review of proposals for legislative changes

related to criminal and juvenile law. The Chief Deputy supervises the homicide and public integrity units, the Deputy

District Attorneys (DDAs), and other office supervisors. Together with the Deputy District Attorney of Administration, the CDDA reviews and approves the extradition of defendants and uncooperative witnesses from other states in felony cases in Milwaukee County.

Deputy District Attorneys

Deputy District Attorneys (DDA) are state-funded attorneys who are assigned to supervise or oversee the office's units or departments. Depending on the assignment, they directly supervise legal and support staff; carry a caseload in court; assist in higher level investigations; work on budgeting, personnel, and grant matters; represent the office in law enforcement and community-based initiatives; and assist the CDDA as required.

General Crimes, Community Partnership and Early Intervention Units

Under the supervision of the General Crimes DDA, the Community Partnership, General Crimes, and Early Intervention Units of the District Attorney's Office handle the bulk of criminal referrals to the District Attorney's Office. Assistant District Attorneys (ADAs) are state-funded attorneys.

General Crimes Unit (GCU)

ADAs assigned to the General Crimes Unit (GCU) review all referrals for prosecution which are not otherwise directed to a specialty unit (over 13,000 cases in 2021), and prosecute all general felony, misdemeanor and applicable ordinance violations in the five general felony and four misdemeanor courts in Milwaukee County. The ADAs handle court appearances, ensure that discovery is acquired and disseminated in a timely manner, argue motions, negotiate case resolution, and conduct jury trials and court trials. Presently, twenty state ADAs and four ADAs funded by the American Rescue Plan Act (ARPA) grant staff the nine general crimes courts. The ADAs work closely with the attorneys in the Early Intervention Unit and the Community Partnership Unit to seek alternatives to prosecution and incarceration where such can be done consistent with public safety; they strive to ensure application of uniform disposition policies in general felony, misdemeanor, traffic, and ordinance cases; and they seek to develop and maintain systems which ensure the highest quality of prosecution and speedy disposition of these cases.

Community Partnership Unit (CPU)

Eight ADA positions, called Community Prosecutors (CPs), are assigned to the Community Partnership Unit. Six of the positions—funded through a combination of grant funding through the City of Milwaukee Community Development Block program and the Milwaukee County Byrne-JAG Local grant—work out of Milwaukee Police Department (MPD) districts (Districts 1, 2, 3, 4, 5, and 7) and the West Allis Police Department. The two others are funded by non-profit organizations: the Near West Side Partners, Inc.; and the Milwaukee Downtown, Inc. The CPs work closely with local community groups and district officers to identify and abate neighborhood-specific matters, relating to both criminal and nuisance issues. They handle a limited caseload in court, focused on the worst and most chronic offenders in their geographic areas, and they coordinate with ADAs in the GCU, Violent Crimes Unit, and the Early Intervention to direct offenders into the appropriate referral stream, either to conventional prosecution or Early Intervention resources.

Early Intervention Unit (EI)

Currently, five ADAs are assigned to the Early Intervention Unit ("EI"). Three ADAs screen and identify referrals of non-violent offenders whose criminal risk can be safely managed with community-based Early Intervention programs, pre-charge diversion agreements, and post-charge deferred prosecution ("DPA"), Drug Treatment Court ("DTC"), or Veterans' Treatment Court ("VTC") programs. Two ADAs staff the Early Intervention Court. A DA Investigator is assigned to work part-time with the DTC and VTI programs, partnering 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. The investigator is involved in all phases of the program, including initial screening of defendants, home visits, ongoing monitoring, compliance investigation as needed, and apprehension of

defendants who fail to comply with programming and court orders.

Two of the three ADAs who are involved with the initial screening and referrals of EI candidates are funded a grant from MacArthur Foundation. That grant will end in 2022 and will not be renewed which will impact the staffing and the capacity of the EI Unit, EI programming, and the office as a whole.

Violent Crimes Division

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

Homicide Unit

Six ADAs assigned to the Homicide Unit prosecute homicides and related cases in the four homicide / sensitive crimes courts. There are generally 120 to 140 homicides cases pending at any given time; in 2021, alone, the unit reviewed over 150 homicide referrals for prosecution. Each ADA in the unit carries an average caseload of approximately 30 homicide cases, as well as related matters such as aiding a felon and witness intimidation. The aggravated nature of the cases and the intensity of the investigations and prosecution, require a cohesive, highly trained, and experienced team of attorneys and victim witness staff.

Gun Unit

The Gun Unit handles all non-fatal felony level shooting offenses and related cases in the specialty gun court. The unit is staffed by seven ADAs and three Victim Witness Advocates. Four of the attorneys are state-funded ADAs, one is funded through a federal grant from Project Safe Neighborhoods program (PSN 2020); and two are assistant attorney generals assigned by the Wisconsin Department of Justice. Two of the three victim witness advocates are funded through federal grants: one by a grant from Project Safe Neighborhood (PSN 2018); and one by a grant from Operation Legend. Those two victim witness advocates are classified as community victim witness specialists (CVWs), who work out of both the DA's Office and MPD, in order to provide more immediate access and more robust services to victims. The PSN 2018 grant also provides a Direct Victim Services Fund, which allows the PSN 2018 advocate to assist victims of firearms violence with crisis intervention and safety planning. With the support of the victim witness specialists, the Gun Unit attorneys review and prosecute felony level cases involving the discharge of a gun, and associated matters such as witness intimidation. Certain issues--including unique evidence such as NIBIN and ShotSpotter data, and witness intimidation--are regularly attendant to shooting cases. By focusing on these cases in a collocated setting, the Gun Unit attorneys develop the expertise to meet those issues as they arise.

Felony Drug Unit

Six ADAs in the Drug Unit review referrals for prosecution of all felony drug cases, including drug trafficking cases and opioid / methamphetamine possession cases. The Drug Unit ADAs, assisted by an EI attorney assigned there, use a bifurcated strategy to address the issues of drug trafficking and use: enforcement, on one hand, and demand reduction, on the other. Because of the role substance abuse and addiction plays in drug-related activity, Drug Unit prosecutors screen all possession and low-level trafficking referrals for redirection into EI programming, set forth above. Drug Unit ADAs address higher level trafficking, violent or armed drug offenders, and those who refuse EI resources, though traditional prosecution in two dedicated speedy trial drug courts. In those courts, ADAs engage plea negotiations, conduct a significant amount of 4th amendment litigation, and try cases to juries and the court. 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 Drug Unit Team Captain is currently responsible for reviewing and prosecuting Len Bias homicides; she has been recognized for her work on both the state and national level.

High Intensity Drug Trafficking Area (HIDTA) Unit

The three ADAs in the HIDTA 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.

HIDTA ADAs work closely with investigators in long term, high-level investigations, including TIII investigations, and are collocated both in the District Attorney's Office and at the HIDTA building, off-site. Having a unit of attorneys

collocated 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 ADAs in each area of the Violent Crimes Division work closely with federal, state, and local officers; 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), PSN, the NIBIN Task Force, the Homicide Review Commission, VR-PHAST and OD-PHAST, overdose death reviews, and the MPD's weekly Public Safety Meetings.

Eight of the ADAs in the Violent Crimes Division are funded by federal or state grants: four of the ADAs in the Drug Unit are funded by a Byrne JAG grant; the three HIDTA ADAs are funded by a grant from the North Central HIDTA; and a Gun Unit ADA is funded through the PSN 2020 grant, as noted above. The PSN 2020 grant will expire on September 30, 2023; funds may be exhausted before that date, which would require the position to be vacated earlier. Funding under Operation Legend for the Legend CVW will also expire in September of 2023. The PSN 2018 grant is scheduled to end on September 30, 2022. The District Attorney's Office has requested a no-cost extension of the grant, but a decision is not expected on that request until fall of 2022. An application under PSN 2021 to continue the PSN CVW position has been submitted and is pending. Grant funding for the Drug Unit ADAs and the HIDTA ADAs have remained more secure, but grant awards are always at risk of non-renewal. Reduction in the state or county personnel assigned to the Violent Crimes Division would have a negative effect on every aspect of the Division's operations, including the office's 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.

Sensitive Crimes Unit

The Sensitive Crimes Unit consists of six assistant district attorneys and seven 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 related offenses. The ADAs and advocates in the Sensitive Crimes Unit follow Milwaukee County's Joint Protocol on the investigation and prosecution of sensitive crimes. 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 for criminal activity, while simultaneously protecting victims from further victimization. In addition, an ADA funded through the Wisconsin Department of Justice, both handles sensitive crimes cases and serves as a statewide resource on DNA evidence, providing training and support to law enforcement and prosecutors on the use and interpretation of DNA evidence in court.

Human Trafficking cases are among the most complex cases to investigate and prosecute. Significantly, the Sensitive Crimes Unit has received a conviction in every human trafficking case it has tried, and the team's approach to Human Trafficking has led to some of Milwaukee County's most dangerous offenders being removed from our community.

Sexually Violent Persons (Chapter 980) Unit

The Sexually Violent Persons Unit handles civil commitments for individuals who are deemed to be sexually violent persons under Wisconsin law under CH. 980 of the Wisconsin Statutes. Typically, these offenders have been convicted of a sexually violent offense and have been found to suffer from a mental disorder which makes it more

likely than not that he/she will engage in act(s) of sexual violence in the future. The Sexually Violent Persons Unit is comprised of two ADAs and a paralegal; together they perform the critical function of reviewing and filing petitions

when it is appropriate to civilly commit an individual deemed to pose a continued risk to commit a sexually violent offense against members of the community. The Unit also handles petitions for discharge filed by individuals who have been civilly committed under Ch.980. The trials in these matters, which are unique in that they are civil in nature, are extremely complicated and involve the extensive use of expert witnesses.

Child Protection and Advocacy Unit (CPAU)

The ADAs assigned to CPAU handle the review and prosecution of caregiver child abuse and child neglect cases. District Attorney John Chisholm formed CPAU in 2008 to provide a greater focus on the protection of child victims and to hold those who abuse or neglect children to the highest possible level of accountability. CPAU is comprised of three ADAs and two victim witness advocates. Together, they are responsible for highly complex child abuse and neglect cases involving Milwaukee County's most vulnerable victims, including children who have suffered significant abuse, including abusive head trauma (formerly shaken baby syndrome) and inflicted burn injuries, as well as severe child neglect, including child malnutrition, and serial child torture cases. All homicides resulting from child abuse and neglect are handled by the DDA who supervises the Unit.

Domestic Violence Unit

Ten assistant district attorneys and eight victim advocates are assigned to the Domestic Violence Unit, to provide a coordinated, victim-centered approach to the review and prosecution of intimate partner domestic violence referrals. The Domestic Violence Unit is collocated in both the Courthouse complex and the Sojourner Family Peace Center, one of the largest family peace centers in the nation, which houses a shelter for women and child victims, and provides a central location for a number of victim service providers, MPD's Sensitive Crimes Unit, and Children's Hospital of Wisconsin's Child Advocacy Unit.

Before the pandemic, the Domestic Violence Unit reviewed all intimate partner domestic violence cases at the Sojourner Family Peace Center. Collocation has the advantage of 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-person charging conferences at the Sojourner Family Peace Center were put on hold during the pandemic; we are working on how safely to resume them.

In addition to other work within the Division, members of the Sensitive Crimes Division represent the Milwaukee County District Attorney's Office in 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 County Domestic Violence High Risk Team meetings, (DV-HRT);); Milwaukee County Joint Task Force on Human Trafficking meetings; Milwaukee Commission on Domestic Violence and Sexual Assault meetings; and at Milwaukee County Child Death reviews.

Juvenile Division

Child Welfare 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, and it is our responsibility to assure that these children are kept safe once the Division of Milwaukee Child Protective Services ("DMCPS") becomes involved with a family and makes a referral to us. This is a large task: Milwaukee County handles approximately one-third of all child welfare cases in the State of Wisconsin.

The District Attorney's Office reviews and handles Child in Need of Protection or Services (CHIPS) and Termination

of Parental Rights (TPR) cases. A contract between the District Attorney's Office and the State of Wisconsin covers the cost of our entire TPR unit. As part of that contract, the State and County are required to match that cost with their own funds, though activities of both ADA and support staff which are dedicate to child welfare purposes. Thus,

every member of our child welfare teams—including our support staff and paralegals—is in either a contract-funded or a match position.

Child Welfare cases are complex and lengthy. They do not end upon a finding that a child is in need of protection or services: litigation is ongoing, as matters related to placement of children, permanency planning, and revision and extension requests are frequently contested. Case review and issuance are time-sensitive: every case at the Vel

Phillips Youth and Family Justice Center has a statutory time limit. As petitioners in the matters, the District Attorney's Office needs 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 Division also handles all of its own appeals on child welfare cases.

Delinquency Team

The Juvenile Division also represents the interests of the public in all juvenile delinquency matters, which are time-sensitive and subject to jurisdictional time limits. When juveniles are held in custody, referrals must be reviewed within 24 hours. When a juvenile is not detained, the Division must process the referral within 20 days. The Division also reviews and approves as appropriate all informal resolutions in juvenile delinquency cases. The Division petitions for waiver into adult court as necessary, handles reverse waiver matters, and makes determinations as to the appropriateness of a serious juvenile offender (SJO) 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 relative to changes in juvenile/child welfare law, best practices, the joint protocol on child maltreatment, witness preparedness, and Chapters 48 and 938. The Division also directs the victim/witness services at Vel Phillips Youth and Family Justice Center, including witness notification and subpoena functions.

Note on Staffing and Hours of Operation:

All ADAs in the criminal division are required to staff both Intake courts: Out-of-Custody Intake (which is open weekday afternoons) and In-Custody Intake (which operates seven days per week). ADAs handle post-conviction and post-disposition litigation in the circuit courts, as well as petitions for writs of habeas corpus and extradition matters. All ADAs, regardless of assignment, are required to be on call to law enforcement 24 hours per day, on a rotating basis, to provide legal advice to law enforcement and assist with legal process as required. Because statutory and constitutional mandates require that certain referrals be processed within established time-limits, the District Attorney's Office reviews and processes referrals seven days per week. ADAs in both the criminal and juvenile division review cases on Saturday and Sunday on a rotating basis. County-funded clerical staff provides support to all of the legal staff: Like the ADAs, many of the support staff are required to work weekends to support the office's seven day per week charging and intake functions.

The Milwaukee County court system plans to expand operations in 2022 in order to address the backlog of cases which has developed as a result of the COVID-19 pandemic. The courts have added a pilot night court project and a new homicide / sensitive crimes court. The courts anticipate adding four additional new criminal courts later in 2022, including—potentially--an additional domestic violence court; one to two additional general crimes courts, and an additional violent crimes court. Additional prosecutor positions, funded by American Rescue Plan Act (ARPA) funds, have been created by the State to support the expanded court operations. This budget includes new unfunded county support staff positions, which are essential to support the expanded operations, which we anticipate will be created and funded through ARPA dollars. These new, unfunded positions include two new Secretarial Assistant positions which are necessary to support the expanded legal staff.

Victim/Witness Division

The Milwaukee County District Attorney's Office Victim Witness Assistance Program provides crime victim services to Milwaukee County, which encompasses 19 law enforcement jurisdictions and an estimated population of 939,489 (U.S. Census Bureau, April 2020). 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, became effective on May 4, 2020. The amendment modified the definition of a victim, identified 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. These rights are in addition to rights afforded by CH. 950. Of immediate impact to the DA's Office was 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 assistance of victim witness advocates at charging is critical to ensure that we meet victims' right to timely notification.

Crime victim services are provided in-person (in the 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 to offer emotional support and guidance through the process. Other services, based on the needs of the victim or witness, are also routinely provided on an individual basis. In 2021, the Victim Witness Services Division provided services to a minimum of 33,158 unique parties, including 81,583 court hearing notifications, 992 court escorts to victims and 41,585 criminal justice and advocacy phone calls.

The victim witness advocates attend to many victims from underserved and vulnerable groups. They serve an extensive population of abused and neglected children; sexually abused children and adults, some of whom similarly were abused as children; domestic violence victims; families of homicide victims; victims of elder abuse; and thousands of victims of other violent, personal, and property 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.

In addition to carrying out their duties under Ch. 950 and Marsy's Law, the victim witness advocates and supervisors are also heavily engaged with system partners and community agencies to enhance and improve services to victims and witnesses of Milwaukee County. This includes, but is not limited to, actively participating on the Domestic Violence High Risk Team, Sexual Assault Response Team, CRAY, Milwaukee Commission on Domestic Violence and Sexual Assault, and meetings with MPD.

The CVW program, made possible through the PSN 2018 grant has permitted the District Attorneys' Office to expand its victim services in a select category of firearm offenses. The grant funding permits the CVW to provide comprehensive victim services from the time of incident through case disposition, addressing not only investigation and prosecution related matters, but also providing crisis intervention services, security planning, assistance with emergency relocation when necessary, emergency housing assistance, and assistance with miscellaneous expenses related to the offense, the investigation, and any prosecution, such as replacing broken windshield glass lost due to the offense. The authorized grant expenditures help address immediate safety concerns and help to mitigate the costs associated with the crime, in order to help stabilize the victim's personal and living situation. By reducing the potential of re-victimization, keeping victims engaged in the investigative and criminal justice process,

and providing crisis intervention, the CVW grant helps promote community engagement and community safety.

This budget funds forty-four victim witness positions. Thirty-two victim witness advocates, one bilingual victim witness advocate, six assistant sensitive crimes victim advocates, four victim witness supervisors, and one director are authorized in this budget. Our Victim Witness Services Division is supported in part by both federal and state funding. Eight victim witness advocate positions are partially (approximately 61%) funded through a federal Victims of Crime Act (VOCA) grant. Twenty-nine victim witness advocate positions are partially funded (approximately 49%) through the Wisconsin Department of Justice chapter 950 Program. One victim witness advocate position is funded by the Project Safe Neighborhoods (2018) grant, and one victim witness advocate position is funded by the Operation Legend (2020) grant. Five positions are tax levy funded. Five additional unfunded victim witness advocate positions were created pending ARPA funding.

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

To address the increase in victim services secondary to the pandemic and expanded court operations, this budget contains a request for a new tax levy Management Assistant position to support the Victim Witness Services Division.

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, respond to critical incidents, and maintain office security.

Maurice V. Pulley Jr. Witness Protection Program (WITSEC)

The Maurice V. Pulley Jr. Witness Protection Program consists of one Deputy Chief, seven Investigators, two Witness Protection Analysts, and three hourly Administrative Intern positions. The 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 are able to be safe and secure when outside court. Unlike traditional victim/witness protection programs, the focus of the Maurice V. Pulley Jr. Witness Protection Program is on enforcement and prosecution of offenders. Investigators in the unit criminal investigations of witness tampering and intimidation crimes, resulting in successful prosecutions for conspiracy to commit murder, intimidation, bribery, bail jumping, criminal contempt, and solicitation to commit perjury.

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.

The program is available in any case where threats and intimidation may occur, but it has had a particular impact in domestic violence cases. In 2009, the year of the program's inception, investigators conducted 61 domestic violence related investigations. By 2019, the number increased to 193. Just as the pandemic had a significant effect on victim and witness cooperation, it also impacted the number of referrals for WITSEC investigation. As a result, the number of such referrals dropped substantially by 2021; however the number of such referrals and investigations is again increasing in 2022, as in-person court operations have expanded. Threats and witness intimidation frequently increase as the criminal case nears trial: incentive grows to dissuade witnesses from attending and giving evidence in the case.

To address the increase in workload due to expanded court operations, this budget includes four new unfunded Investigator positions and a new unfunded Clerical Assistant 1 position, which we anticipate will be created pending ARPA funding.

Child Support Enforcement

Two investigators currently 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 as of August 1, 2022; these two Investigator positions are being abolished in the 2023 budget.

Special Investigations Unit (SIU)

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; the Taskforce reimburses the County for the overtime costs of one of them. One investigator is assigned part-time to the Veterans Treatment Court / Drug Treatment Court Initiative. One other SIU investigator specializes in the forensic analysis of devices such as cell phones and computers in criminal investigations; his services are available to any law enforcement agency in the county. SIU also has the capability of performing criminal intelligence analysis.

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. Our investigators also attend briefings with MPD's Special Investigations Division 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 capacity and capabilities when confronted with increases in violent criminal acts.

Veterans' Treatment Court / Drug Treatment Court Initiative

The District Attorney's Office continues its partnership with the MPD to provide law enforcement support for Veteran's Treatment Court and Drug Treatment Court. The District Attorney's Office provides an investigator, and MPD provides one officer, to support the programs. The investigator is involved in all phases of the programs, including initial screening of defendants, home visits, ongoing monitoring, compliance investigation as needed, and apprehension of defendants who fail to comply with programming and court orders. The office's partnership with MPD and the courts ensures that program support is available for all participants, county-wide.

Process Servers/Process Investigators

Three hourly non-sworn Process Server positions and six hourly sworn Process Investigator positions currently are authorized in the District Attorney's Office. Their principal duty is to serve criminal trial subpoenas on witnesses who are either unresponsive to mailed subpoenas or who are overtly uncooperative, frequently in our most aggravated cases. To address the increase in workload due to expanded court operations, this budget includes three additional unfunded Process Investigator positions, which we anticipate will be created pending ARPA funding.

Administrative Division

The Administrative Division manages the fiscal, personnel and record management functions of the District Attorney's office. It develops the state and county budgets; develops and coordinates grants and revenues, controls the department's expenditure of funds; and serves a procurement function, utilizing county purchasing and inventory systems. The administrative section handles personnel-related matters for both county and state

employees, which 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 approves witness travel and extraditions, 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 - within the courthouse complex, at the Vel Phillips Juvenile Justice Center and at the Sojourner Family Peace Center.

This Division manages the database and user accounts for Protect, the State DA case management system. The Pro-Phoenix law enforcement report management software and database, and the office's connections to the county Web Focus, Justice, Advantage, and other applications. It provides data and statistics to requestors, including partner agencies and research groups, and provides training to legal and county staff in office computer applications. The Division supports prosecutors and by assisting in the preparation of trial exhibits, including audio and other digitally based exhibits; and it supports law enforcement partners in the electronic transfer of criminal case data. Most significantly, however, the IT Division has become responsible for the managing digital referrals for prosecution, and for the acquisition, storage, and dissemination of digital discovery in criminal cases.

The Division consists of twelve authorized full-time positions: a Network Manager, two Network Technical Specialists, a Database Assistant, a Management Assistant, two Paralegals, two Secretarial Assistants, and three Clerical Assistant 1 positions. An hourly intern position is also assigned to the Division. The Division is assisted by seven full-time and one part-time paralegals who are assigned to different divisions, and, part-time by two other paralegals. These different positions have different functions in regard to information technology services. In the broadest sense, responsibilities are divided two main areas: the IT hardware function (managing the actual equipment and its proper function) and IT applications function (managing the case management system and supporting the digital discovery function of the office).

With respect to the hardware function, the Network Manager and the two Network Technical Specialists provide operational support for the office. Principally, their function relates to the maintenance of the various IT hardware systems, such as the computers and the network. They also support the proper functioning of the business applications that run on the computer system, such as Microsoft Office, Adobe Acrobat, and Outlook. They are responsible for managing IT inventory, employees' computer accounts and licenses. They also assist with the preparation of exhibits for court including audio and other digitally-based exhibits.

With respect to the applications function, the Database Assistant is chiefly responsible for the management of the DA's case management system known as PROTECT. She supervises all office functions directly and indirectly related to PROTECT. This includes the processing referrals of electronic reports and digital evidence received from law enforcement agencies and the office's criminal discovery function. The discovery function is a statutorily and constitutionally mandated process whereby investigative reports and other evidence is received by our office, reviewed by ADAs to determine whether charges are appropriate, and then disseminated to defense attorneys in connection with the defense of the defendant after charges have been issued.

The Unit's "IT Discovery Team" consists of one Database Assistant, one Management Assistant, two Paralegals, two Secretarial Assistants, and three Clerical Assistants. As cases are referred for prosecution, the team receives and processes digital discovery and digitally transmitted police investigative reports. The staff downloads and extracts the data, identify the unit and team to which it belongs to (e.g., the Domestic Violence Unit), then uploads it into folders they create on the DA network drive. Clerical Assistants organize the folders and rename the digital material stored there. Paralegals assigned to other divisions review the material which has been received and, in

consultation with the attorney assigned to the case, identify missing or new material. The paralegals request missing or additional material from law enforcement, monitor the requests for that additional material, receive it, then organize it and upload into the appropriate digital folder it when it is delivered. When the available discovery is assembled, these paralegals notify the IT Discovery Team, which sends it to the defense attorney and moves the folder to a local server for long term storage. Clerical Assistants move folders associated with no processed cases to the server for long term storage.

This process, although straight-forward, is incredibly complex and time-consuming for a variety of reasons. First, we receive discovery from law enforcement agencies—particularly MPD—in multiple digital formats and platforms. Second, the time involved in downloading, extracting, and uploading data is significantly greater than would be necessary to file paper records and/or CDs which were historically delivered to us by law enforcement agencies. Third, particularly when sent via a platform other than Axon's Evidence.com, digital discovery may not be labeled in a convention which makes its contents readily apparent. And where evidence for a single referral is sent via multiple platforms, staff must to review each item, attempt to connect it to the appropriate case, rename it, and save it accordingly.

Notwithstanding those difficulties, the transition to digital discovery was essential. Over the past few years, law enforcement agencies in the county moved to an "e-referral" process, by which digital transmission of referrals and discovery is the only method of transmittal. With the onset of the pandemic in the first quarter of 2020, there was an immediate (and unforeseen) shift to a digital referral by all law enforcement agencies. Moreover, because the courts and the District Attorney's Office moved to a paperless system, there is no longer a paper file in which to store CDs, DVDs, or paper reports; everything must be converted to and stored in digital format, in PROTECT or on a network drive. And, due in large degree to the pandemic and the need for working remotely, we needed to be able to receive, store, and disseminate all criminal discovery electronically. That the criminal discovery is now processed digitally has permitted us to designate all of discovery-related as telework eligible to some degree, even now that we have fully resumed in-person operations.

This budget contains a request for \$100,000 in new licensing fees to support expanded access to cloud-based discovery services with MPD, which we consider essential to proper functioning of the discovery process. The District Attorney receives the majority of its referrals for criminal prosecution from Milwaukee Police Department: in 2021, over 64% of criminal referrals came from MPD, including over 90% of homicides and non-fatal shootings—some of the most violent and dangerous offenses and offenders. The requested funds will be used to share the cost of increasing cloud storage capacity of digital evidence in Evidence.com, which will permit MPD to store all reports, photographs, digital recordings, and other digital evidence in the cloud, and to transmit all discovery material related to a referral for prosecution to the District Attorney's Office in a single digital process and platform.

Currently, the office receives evidence in MPD's referrals for criminal prosecution through DEST and Evidence.com. DEST is a digital transfer platform; it includes no storage capacity. All material transmitted through DEST—which includes all evidence *other* than squad video and body-worn camera recordings—must be manually uploaded to the platform; our staff then downloads the material, uploads it onto local servers, sorts it, organizes it and associates it with a referral. In contrast, Evidence.com is a cloud-based storage platform, where evidence can be stored, transmitted to the DA's Office, and accessed by our legal staff by digital link. The increase in storage which will be made possible by the requested funds will provide a significant and essential benefit to the District Attorney's Office: the office will be able to receive all discovery material through a single digital link; the material will be organized, named, and associated with a particular referral; nothing will need to be downloaded, uploaded, or stored on local servers; and secondary dissemination to defense attorneys as constitutionally required can be done quickly, by link, and tracked through and audit trail

We expect this streamlined process to bring significant benefits. We believe it will simplify the discovery process for both support and legal staff; save significant amounts of staff time; facilitate more rapid and efficient review of criminal cases, which will expedite both the issuance of cases when charges appropriate and a suspect's release from custody when they are not; and facilitate the more prompt disposition of cases in court, as discovery is disseminated more completely, in a more timely fashion, to defense counsel. In contrast, failing to provide discovery in a timely

fashion carries a significant cost. Discovery is a due process obligation under the State and federal constitutions;

cases may be delayed or dismissed when the office cannot provide discovery in a timely fashion. Those outcomes implicate defendants’ rights, victims’ rights, and community safety.

In addition, to support the expanded court operations which will be enacted to address the pandemic-related backlog of cases in the circuit courts, this budget includes two new and unfunded secretarial assistant positions, a new and unfunded Network Tech Specialist position, and a new and unfunded paralegal position to support our IT functions, all of which we anticipate will be created and funded through ARPA dollars.

State Prosecutors with County Fringe Benefits

The District Attorney’s budget includes 2 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 2 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 on a quarterly basis 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. The ADA expenses for salaries and fringe benefits are posted to account 60030 and are offset with state and federal grant revenue to accounts 43035 and 44007, respectively.

	2022	2023	2022/2023
Charges from the State	Budget	Budget	Variance
Byrne JAG - DAS	\$219,040	\$168,150	\$ (50,890)
Community Development Block Grant (CDBG)	165,000	186,530	21,530
CSS Child Support Prosecutor	94,825	0	(94,825)
High Intensity Drug Trafficking Area (HIDTA)	296,000	309,905	13,905
Project Safe Neighborhood	134,200	62,490	(71,710)
State DCF CHIPS TPR Contract	856,000	895,125	39,125
WIDJ Byrne JAG MMDEG Task Force	276,321	240,865	(35,456)
WIDJ Violence Against Women Act (VAWA RRP)	136,000	121,430	(14,570)
TOTAL	\$2,177,386	\$1,984,495	\$(192,891)

State Revenue

Revenue from state grants are posted to account 43035 and are comprised of the programs detailed in the table below:

STATE GRANTS			
	2022	2023	2022/2023
State Revenue Programs	Budget	Budget	Variance
DAS/CEX Adjustment	\$ 45,000	\$ -	\$ (45,000)
Project Safe Neighborhood	183,000	157,780	(25,220)
Special Prosecution Courts' Clerks	305,000	305,000	-
State DCF CHIPS TPR Contract	1,443,218	1,534,150	90,932
State reimbursement of fringe costs	45,000	25,000	(20,000)
Victim of Crimes Act (VOCA)	357,621	455,955	98,334
Victim/Witness Program	1,466,680	1,474,960	8,280
WIDOG Violence Against Women Act (VAWA RRP)	136,000	121,430	(14,570)
TOTAL	\$3,981,519	\$4,074,275	\$ 92,756

The Project Safe Neighborhood grant provides funding for the salary and fringe benefits for 1.0 Victim Witness Advocate, who serves as a community victim witness specialist for firearms-related offenses which occur in any of six neighborhoods identified by the Milwaukee Police Department as having particularly high firearms-related crime. The CVW is embedded in the Milwaukee Police Department and provides comprehensive victim services to shooting victims and their families from the time of the offense through the investigation and any resultant prosecution. A second grant provides funding for the salary and fringe benefits for 1.0 Assistant District Attorney position.

The Special Prosecution Courts' Clerks statutory reimbursement program provides continuing funding for the salaries and fringe benefits of 4.0 Secretarial Assistant positions and 2.0 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). 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, 1.0 Secretary and 1.0 Secretarial Assistants under a state contract with the Department of Children and Families (DCF) for CHIPS and TPR cases in the juvenile division. There is a match restriction on a portion of this grant. There is a Deputy District Attorney whose time fluctuates each quarter, 8.75 FTE Assistant District Attorneys, 1.0 Paralegal, 2.0 Secretarial Assistants, 1.0 Clerical Assistant and 1.0 Office Support Assistant. The Milwaukee County employees are authorized, funded positions.

The Victims of Crime Act (VOCA) grant provides funding of approximately 61% percent for the salaries and fringe benefits costs. The grant has a 20% match requirement but due to the reduced funding received, the County is contributing 39% in match. There are 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 38.5 FTE authorized, funded positions: 1.0 FTE Victim Witness Director, 3.5 FTE Victim Witness Supervisors, 21.0 FTE Victim Witness Advocates, 1.0 FTE Victim Witness Advocate – bilingual, 1.0 FTE Sensitive Crimes Victim Advocate, 3.0 Investigators in the witness protection unit, 2.0 Office Support

Assistants, 2.0 Secretarial Assistants, and 2.0 FTE 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. Actual reimbursement rates were 49.0% for the past two semi-annual reimbursement periods ending on May 2022 and December 2021. The previous three semi-annual reimbursement rates were 47.7% for June 2021, 33.33% for December 2020 and 42.5% for June 2020.

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. There is a 25% match requirement which is met with a 1.0 FTE authorized, funded Paralegal position.

Federal Revenue

Revenue from federal grants are posted to account 44007 and are comprised of the programs detailed in the table

FEDERAL GRANTS			
	2022	2023	2022/2023
Federal Revenue Programs	Budget	Budget	Variance
Body-worn cameras	\$26,758	\$12,815	\$ (13,943)
Byrne JAG - DAS	219,040	168,150	(50,890)
Community Development Block Grant (CDBG)	165,000	186,530	21,530
High Intensity Drug Trafficking Area (HIDTA)	296,000	309,905	13,905
Operation Legend	45,485	38,765	(6,720)
WIDJ Byrne JAG MMDEG Task Force	543,365	507,910	(35,455)
TOTAL	\$1,295,648	\$1,224,075	\$ (71,573)

The Body-worn camera grant was received in early 2022. The three year grant will be used to partially offset the costs of body-cameras for DA Investigators and Process Investigators, subject to 50% match requirement. A five year contract for the body-worn camera equipment and associated services is currently pending the County approval process.

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 Partnership Unit in Milwaukee Police Districts 1, 3 and 7. In 2023, we anticipate that the District 1 CP will be transferred to District 6. The fourth ADA is assigned as a “vertical” Domestic Violence prosecutor in felony court. This means the ADA follows cases vertically, that is from initial review through conviction and sentencing.

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 3.0 Assistant District Attorneys in the Violent Crimes - HIDTA unit and approved operating expenses.

The Operation Legend grant funds a 1.0 FTE community victim witness specialist, who, like the CVW, is embedded with the Milwaukee Police Department and who is tasked with providing comprehensive victim services to victims

of violent crimes and their families, from the time of the offense through prosecution. The Operation Legend victim focuses on violent crime which occurs anywhere in the City of Milwaukee.

The Wisconsin Department of Justice WIDOG Byrne JAG OJA MMDEG Task Force grant provides funding for the salaries and fringe benefits of 3.0+ Assistant District Attorneys in the violent crimes – drug unit. The grant also funds pre-determined payments 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	2022	2023	2022/2023
Department	Program	Budget	Budget	Change
Child Support Services	Child Support Prosecution	\$191,197	\$0	(\$191,197)
Child Support Services	Child Support Investigation	278,765	-	(\$278,765)
	TOTAL	\$469,962	\$0	(\$469,962)

Child Support Services

Wis. Stat. § 948.22 provides criminal penalties for failure to support a child. This program between the Child Support Office and the District Attorney’s Office was terminated effective, August 1, 2022. The termination of this program resulted in the abolishment of 2.0 FTE Investigator positions and 1.0 FTE Paralegal positions. It also resulted in the loss of 1.0 Assistant District Attorney position.

Major Changes in FY 2023

In the main, the 2023 budget submission is a cost-to-continue budget. The 2023 budget contains three major changes and one positive continuing trend from 2022:

- Increased personnel costs.** The County adopted a 2% across the board, salary increases for all county staff in April 2022, and has submitted a request for an additional 2% increase in August 2022. These increases have resulted in an increase to our personnel and fringe costs of approximately \$197,000 that was not included in the initial 2023 budget tax levy target.
- Termination of Child Support Enforcement program.** In 2014, the District Attorney’s Office and the Milwaukee County Child Support Agency entered into a Standard Cooperative Agreement which provided funding for a state prosecutor position, a paralegal position, and two investigators to handle referrals for prosecution for Failure to Support Child cases, under CH. 948.22. Due to the increase in violent crime and the decrease in the number of such referrals from prosecution, the contract was terminated, effective August 1, 2022.

The impact to our budget as a result of the termination of the Child Support Enforcement program is a loss of the fringe costs that were used to reduce our tax levy balance. The 2022 budget revenue for this program was \$469,962; State personnel and fringe costs were \$94,617; Milwaukee County salary and overtime costs were \$230,275, and fringe costs were \$145,070. Since fringe costs are not charged to departments, this balance reduced the tax levy balance.

- Addition of 1.0 FTE Management Assistant.** This budget includes a request for the creation of a Management Assistant position to support the office’s Victim Witness program which is mandated by both state statues and the state constitution. . Two factors primarily necessitate the creation of this position.

First, like many county departments, the District Attorney’s Office has experienced a high rate of turnover in

our county staff. Whether due to pay structure, life-style changes prompted by the pandemic, opportunities in the private sector, or some other reason, the turnover has hit our Victim Witness Services particularly hard. Thirty percent (30%) of our Victim Witness Advocates have been hired within the last year. Further, only thirty percent (30%) of our Victim Witness Advocates have been with our office more than 5 years. The situation with clerical staff in the Victim Services Division is similar, in that we have had over a thirty percent (30%) turnover in our clerical support staff. The gap in institutional knowledge that has been lost has put a strain on tenured staff and supervisors as we work to on-board and train new staff members.

The impact has been significant, not only because of the rate of turnover, but also because the services provided are specialized and unique. New staff require a high degree of training and assistance. This need will become particularly pointed when five new ARPA-funded advocate positions are created and filled. The new Management Assistant position will be instrumental in helping to ensure that new staff has the training and support that they require to meet our statutory and constitutional obligations. The position will also serve to ensure the smooth transition of victim services as caseloads are transferred between staff members.

Second, the rate at which criminal cases were resolved dropped precipitously when in-person court operations were reduced during the height of the pandemic. Victim advocates must maintain contact with victims and witnesses throughout the course of criminal prosecution, to keep them engaged and to provide the services which state statute and the constitution mandate. During the pandemic, advocates' cases increased significantly, as new cases continued to be issued, but older cases failed to be resolved. The new Management Assistant position will play an important role in helping supervisors establish consistent and thorough training, normalize caseloads and provide support for advocates and clerical staff.

4. **Grant funding subsidizes expenditures.** The District Attorney's 2023 budget request is \$7,441,017. In 2023, as in previous years, the true cost of the DA's Office's services far exceeds to obligation to the County. This is because the District Attorney's Office continually has sought out, and continues to seek out, private, Federal, and State grants to fund and support our statutorily and constitutionally mandated services. Some of those grants fund state ADA's salaries and benefits: the state pays the salaries, and the County reimburses the State. Those grants have no tax levy impact. Other grants, however, provide substantial subsidies for the wages and fringe benefits of Milwaukee County employees working in our office. For the past three years, the subsidies comprise over thirty-five percent (35%) of our operating budget. If this funding for county employees were to cease, this financial burden for essential services would shift to the county.