

District Attorney

Department Mission

The District Attorney's office is responsible for the enforcement of the criminal laws of the State of Wisconsin within Eau Claire County. Additionally, it is responsible for enforcing a variety of juvenile, conservation and traffic laws, together with various Eau Claire County ordinances. The primary area of responsibility of the District Attorney's Office is to prosecute individuals for committing felony and misdemeanor criminal offenses in Eau Claire County.

The District Attorney's Office manages four separate programs listed below in priority order:

- General Criminal Prosecution
- Victim/Witness Program
- Defer Acceptance Guilty Program and Diversion Programs
- Worthless Check/Restitution/Financial

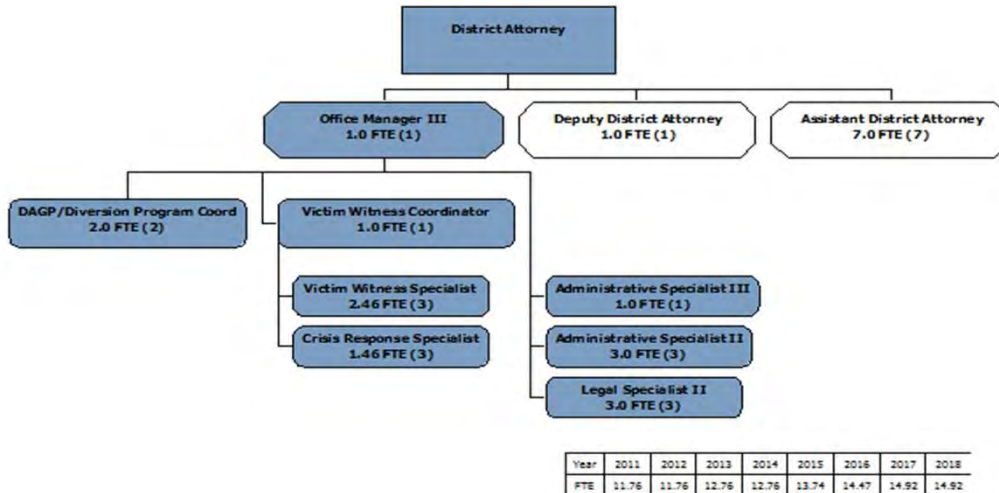
Overview of Expenditures and Revenues

| | 2016 Actual | 2017 Budget | 2017 Estimate | 2018 Request | 2018 Approved | % Change |
|---------------------------|---------------------|-------------------|---------------------|---------------------|---------------------|---------------|
| Expenditures: | | | | | | |
| Personnel | \$ 849,817 | \$ 910,306 | \$ 919,336 | \$ 925,508 | \$ 894,783 | |
| Services & Supplies | 81,645 | 52,000 | 52,000 | 77,752 | 77,752 | |
| Contracted Services | | | | | - | |
| Equipment | | | | | - | |
| VAWA Personnel | 39,026 | | 97,200 | 97,200 | 97,200 | |
| VAWA Services & Supplies | 11,245 | | 9,136 | 9,136 | 9,136 | |
| Total Expenditures | \$ 981,733 | \$ 962,306 | \$ 1,077,672 | \$ 1,109,596 | \$ 1,078,871 | 12.11% |
| Revenues: | | | | | | |
| Federal/State Grants | \$ 218,142 | \$ 198,077 | \$ 205,000 | \$ 205,000 | \$ 205,000 | |
| VAWA Grant | 50,271 | - | 106,337 | 106,337 | 106,337 | |
| Diversion | 59,520 | 75,000 | 50,000 | 75,000 | 75,000 | |
| DAGP | 70,686 | 75,000 | 75,000 | 75,000 | 75,000 | |
| Discovery | 40,122 | 15,000 | 50,000 | 40,000 | 40,000 | |
| Restitution Surcharge | 40,915 | 35,000 | 35,000 | 35,000 | 35,000 | |
| Property Tax Levy | 573,259 | 564,229 | 564,229 | 573,259 | 542,534 | -3.85% |
| Total Revenues | \$ 1,052,915 | \$ 962,306 | \$ 1,085,566 | \$ 1,109,596 | \$ 1,078,871 | |

Summary of Budget Changes and Highlights

- Changes include VAWA Prosecutor Grant.

Organizational Chart



Program Financials

| 2018 Approved | General Prosecution Priority 1 | Victim / Witness Priority 2 | DAGP & Diversion Priority 3 | Worthless Check Priority 4 | Totals |
|---------------------------|-----------------------------------|--------------------------------|--------------------------------|-------------------------------|---------------------|
| Program/Service | | | | | |
| Expenditures: | | | (prev. Prog 4) | (prev. Prog 3) | |
| Personnel | \$ 425,300 | \$ 259,998 | \$ 145,160 | \$ 64,325 | \$ 894,783 |
| Service & Supplies | 50,000 | 27,752 | - | - | 77,752 |
| Equipment | - | - | - | - | - |
| VAWA Personnel | - | 97,200 | - | - | 97,200 |
| VAWA Services & Supplies | - | 9,136 | - | - | 9,136 |
| Total Expenditures | \$ 475,300 | \$ 394,086 | \$ 145,160 | \$ 64,325 | \$ 1,078,871 |
| Revenues: | | | | | |
| Federal/State Grants | \$ - | \$ 205,000 | \$ - | \$ - | \$ 205,000 |
| VAWA Grant | - | 106,337 | - | - | 106,337 |
| Diversion | - | - | 75,000 | - | 75,000 |
| DAGP | - | - | 75,000 | - | 75,000 |
| Discovery | 40,000 | - | - | - | 40,000 |
| Restitution | - | - | - | 35,000 | 35,000 |
| Fund Balance Applied | - | - | - | - | - |
| Property Tax Levy | 435,300 | 82,749 | (4,840) | 29,325 | 542,534 |
| Total Revenues | \$ 475,300 | \$ 394,086 | \$ 145,160 | \$ 64,325 | \$ 1,078,871 |
| Mandated Service? | Yes | Yes | Yes | Yes | |

| 2017 Approved | General Prosecution Priority 1 | Victim / Witness Priority 2 | DAGP & Diversion Priority 3 | Worthless Check Priority 4 | Totals |
|---------------------------|-----------------------------------|--------------------------------|--------------------------------|-------------------------------|-------------------|
| Program/Service | | | | | |
| Expenditures: | | | (prev. Prog 4) | (prev. Prog 3) | |
| Personnel | \$ 447,267 | \$ 254,539 | \$ 143,677 | \$ 64,823 | \$ 910,306 |
| Service & Supplies | 50,000 | 2,000 | - | - | 52,000 |
| Equipment | - | - | - | - | - |
| Total Expenditures | \$ 497,267 | \$ 256,539 | \$ 143,677 | \$ 64,823 | \$ 962,306 |
| Revenues: | | | | | |
| Federal/State Grants | \$ - | \$ 198,077 | \$ - | \$ - | \$ 198,077 |
| Charges & Fees | - | - | 150,000 | - | 150,000 |
| Miscellaneous | - | - | - | 50,000 | 50,000 |
| Fund Balance Applied | - | - | - | - | - |
| Property Tax Levy | 497,267 | 58,462 | (6,323) | 14,823 | 564,229 |
| Total Revenues | \$ 497,267 | \$ 256,539 | \$ 143,677 | \$ 64,823 | \$ 962,306 |
| Mandated Service? | Yes | Yes | No | Yes | |

| #1 General Prosecution | | Budget \$476,334 | Levy \$436,334 | | | FTE's 7.00 |
|---|--|----------------------------|--------------------------|-------------|-------------|----------------------|
| <p>In carrying out the duties of the Criminal Prosecution Program, attorneys and support staff provide investigative support to Eau Claire County Law Enforcement agencies, review law enforcement referrals, make criminal charging decisions and complete a wide array of case prosecution activities. As part of this program, attorneys and support staff are responsible for the enforcement of criminal, juvenile, conservation and traffic matters within Eau Claire County.</p> | | | | | | |
| OUTPUTS | | | | | | |
| <i>(YTD column = Jan-Jun results)</i> | | <u>2013</u> | <u>2014</u> | <u>2015</u> | <u>2016</u> | <u>YTD 2017</u> |
| Number of felony cases prosecuted during the year: | | 972 | 1,207 | 1,320 | 1,476 | 681 |
| Number of misdemeanor cases prosecuted during the year: | | 1,578 | 1,482 | 1,611 | 1,537 | 704 |
| Number of criminal traffic cases prosecuted during the year: | | 588 | 488 | 507 | 431 | 236 |
| Number of civil traffic/ordinances processed during the year: | | 1,677 | 1,633 | 1,360 | 1,400 | 725 |
| Number of juvenile cases processed during the year: | | 371 | 414 | 420 | 463 | 252 |
| Number of No-Issues processed during the year: | | 406 | 365 | 350 | 347 | 193 |
| Total number of cases during the year: | | 5592 | 5589 | 5568 | 5624 | 2791 |
| Performance Goals | | | | | | |
| <u>Performance Goal</u> | <u>Outcome Measures</u> | <u>Benchmark</u> | <u>2014</u> | <u>2015</u> | <u>2016</u> | |
| Make prompt charging decisions. | Majority of arrested individuals make initial appearance with a complaint filed or have been released because of no issue or ordered in by the next available initial appearance date, unless all necessary police reports are not available or the individual is held for some other reason | 90% | 90% | 90% | 90% | |
| Make full use of diversion program and specialty courts. | The DAGP program operates with 250 or more participants per year and the Drug Court, AIM and Mental Health specialty courts operate at 90% or more of capacity. The Diversion program screens low risk individuals | 90% | 95% | 95% | 100% | |
| Promptly review investigative files. | Charges are issued or a no-issue decision made routinely on investigative files, unless follow up investigation or research is required. . | | 90% | 95% | 90% | |
| Litigate cases effectively. | The vast majority of defendants are convicted at jury trial and 90% or more of preliminary hearings result in bind-over decision | 90% | 90% | 90% | 90% | |

| #2 Victim Witness | | Budget | Levy | | | FTE's | | |
|---|--|---------------------------------------|-----------------|-------------|-------------|--------------|-------------|-----------------|
| | | \$ 385,788 | \$74,452 | | | 4.47 | | |
| Victim/Witness Program employees provide legally-required case notification to victims, provide crisis response support to victims prior to the filing of criminal charges, provide support to victims and witnesses during the course of case litigation and prepare various forms of reports required by state/federal authorities. | | | | | | | | |
| OUTPUTS | | | | | | | | |
| | | <i>(YTD column = Jan-Jun results)</i> | | 2013 | 2014 | 2015 | 2016 | YTD 2017 |
| Number of referrals | | | | 5,828 | 5,761 | 5,937 | 5,990 | 3,113 |
| Number of Initial Contact Letters | | | | 1,564 | 1,642 | 2,231 | 1,713 | 932 |
| Number of No Contact Orders | | | | 969 | 581 | 1,165 | 1,197 | 460 |
| Number of Court Cases | | | | 4,926 | 4,922 | 4,917 | 4,923 | 2,559 |
| | | | | | | | | |
| Performance Goal | Outcome Measures | Benchmark | | 2014 | 2015 | 2016 | | |
| Provide all victims with notification of filing of criminal charges and with request notification of court dates and case outcomes. | 100% of victims receive notification of filing of criminal charges and requested notification of court dates and case outcomes. | 100% | | 100% | 100% | 100% | | |
| Successfully complete and submit all required reports to state/federal authorities. | 100% of required reports to state/federal authorities were completed and filed in timely manner. | 100% | | 100% | 100% | 100% | | |
| #3 DAGP Program AND Diversion Program | | Budget | Levy | | | | | FTE's |
| | | \$ 150,165 | \$165 | | | | | 2.00 |
| The Deferred Acceptance of a Guilty Plea Program (DAGP) involves informal supervision of defendants in criminal cases. The community benefits because defendants receive necessary domestic abuse, alcohol abuse or other counseling services that would often not otherwise occur. | | | | | | | | |
| OUTPUTS | | | | | | | | |
| DAGP Program: | | <i>(YTD column = Jan-Jun results)</i> | | 2013 | 2014 | 2015 | 2016 | YTD 2017 |
| Number of Defer Prosecution cases: | | | | 268 | 259 | 264 | 301 | 160 |
| Amount of Defer Prosecution Program fees paid: | | | | 68,768 | 63,959 | 64,337 | 70,871 | 39,441 |
| | | | | | | | | |
| Diversion Program: (started in 2012) | | | | | | | | |
| Number Diversion Cases | | | | 264 | 268 | 242 | 239 | 110 |
| Number of Diversion Program Fees Paid | | | | 53,600 | 56,067 | 60,060 | 59,820 | 28,010 |
| | | | | | | | | |
| Performance Goal | Outcome Measures | Benchmark | | 2014 | 2015 | 2016 | | |
| 85% or more of individuals participating in DAGP programs successfully complete the program. | Participants receive necessary counseling, treatment and support services as verified by 70% or more successful program completion rate. | 90% | | 90% | 90% | 90% | | |
| Less than 25% of individuals participating in DAGP program commit new crimes while in program. | Reduced recidivism with 25% or less of participants committing new crimes. | less than or equal to 25% | | | | | | |
| The Diversion Program handles low risk first time offenders. | | | | 100% | 100% | 100% | | |

| #4 Worthless Checks/Financial Program | | Budget | Levy | | | FTE's |
|---|---|-------------------------------------|---------------------------------|-------------|-------------|------------------------------|
| | | \$ 66,584 | \$31,583 | | | 1.00 |
| District Attorney employees review referrals from Eau Claire County citizens and merchants of possible worthless check matters, prepare and send pre-prosecution "dunning" letters, issue criminal charges in appropriate cases and process payments. | | | | | | |
| OUTPUTS | | | | | | |
| <i>(YTD column = Jan-Jun results)</i> | | 2013 | 2014 | 2015 | 2016 | YTD 2017 |
| Amount of worthless check payments including service charges: | | \$69,972 | \$55,594 | \$24,194 | \$21,513 | \$6,135 |
| Amount of restitution payments collected: | | \$121,120 | \$127,216 | \$65,522 | \$71,522 | \$19,103 |
| | | | | | | |
| Performance Goal | Outcome Measures | Benchmark | 2014 | 2015 | 2016 | |
| Worthless check activity within Eau Claire County will be prosecuted in accordance with state statute. | 100% of worthless check activity will be prosecuted in accordance with WI State Statute 943.24 (1) and 943.24 (2). | 100% | 100% | 100% | 100% | |
| Payments by programs participants will be recorded accurately. | 100% of payments will be recorded to the correct case using actual file retrieval verification or manual receipt documentation with follow-up file retrieval. | 100.0% | 100.0% | 100.0% | 100.0% | |
| Totals | | Budget \$1,078,871 | Levy \$542,534 | | | FTE's 14.46 |