

# The Palm Beach Post

TOM GIUFFRIDA, *Publisher*

EDWARD SEARS, *Editor*

LON DANIELSON, *General Manager*

TOM O'HARA, *Managing Editor*

RANDY SCHULTZ, *Editor of the Editorial Page*

JAN TUCKWOOD, *Associate Editor*

ALAN FERGUSON, *VP Advertising* LARRY SIEDLIK, *VP & Treasurer*

GALE HOWDEN, *Director, Community Relations* TOM HIGHFIELD, *VP Circulation*

LINDA MURPHY, *Director, Human Resources*

KEN WALTERS, *Director, Marketing and Research*

## Senate's crime-fighters will create more crime

If Florida continues to treat crime only by building prisons, the state will be no more successful than a patient treating cancer only with aspirin. Yet Sen. Mario Diaz-Balart, R-Miami, who chairs the ways and means committee, still plans to take money from the poor for prisons. That would guarantee the need for many more prisons 20 years from now.

Sen. Diaz-Balart needs to take a walk on the wild side of Florida's child welfare system. He needs to see frightened foster children. He needs to see a 2-pound baby struggling to survive because its mother didn't get prenatal care. Yet two months ago, rather than make the effort to obtain such flesh-and-blood facts, he issued a cavalier edict to state agencies: Show how you'd cut up to 25 percent of your budget. This irrelevant exercise consumed thousands of dollars in state employees' time and taxpayers' money. Now Sen. Diaz-Balart's committee proposes \$1.1 billion in cuts, including some in welfare payments and public health clinics that would hurt the poor.

Sen. Diaz-Balart should have accompanied Rep. Lois Frankel, D-West Palm Beach, when she went with a Florida Department of Health and Rehabilitative Services protective investigator on a recent routine child-abuse call. He can read about the trip in a *Post* article published a week ago. The story detailed the harrowing case of two children who lived in squalor and fear yet howled when separated from their parents. It showed the appalling conditions seen daily by HRS workers. And it dramatized their dilemma, that there's rarely a "right" answer.



As do all Floridians, Rep. Frankel wants safe streets. But she understands there must be strategies besides prisons. "If we're going to get tough on crime in the streets," Rep. Frankel says, "we have to do the same with crime in the home." Last week, Attorney General Bob Butterworth called domestic violence Florida's most crucial problem.

Yet state spending on children's mental health, to use one example, met only 6.5 percent of the need last year. This year, HRS has \$115,360,062 for foster-care services, but it's not enough. For 1995-96, the agency requested \$137,995,438. Gov. Chiles recommended \$119,130,780, and the actual number is likely to be less.

And with so many children and families needing help, HRS must deal with lawmakers such as Sen. John Ostalkiewicz, R-Orlando, who is using one anecdote to make his case that HRS takes children away from parents too quickly. If that were true, perhaps HRS would have saved 10-year-old A.J. Schwarz, whose stepmother is on trial for killing him. And maybe someone would have called HRS in time to save Christina Holt, allegedly killed by her stepfather, John Zile, in September.

Miami attorney Karen Gievers' 1990 lawsuit on behalf of Florida's foster children called attention to these innocent children. But U.S. District Judge James Kehoe rightly approved a settlement Monday between Ms. Gievers and HRS Secretary Jim Towey. That agreement, mediated by Rep. Frankel, saved taxpayers from spending more money on lawyers. Judge Kehoe will review the settlement in July. If HRS has recruited more foster and adoptive parents and reduced turnover among foster-care workers, he will dismiss the suit. But that won't dismiss the goal — secure, permanent homes for these children.

HRS is a scapegoat for society's failure. Yes, the agency must operate better. In fact, since Mr. Towey arrived, it is. More foster children are being placed. But HRS gets no points for successes because problems get people's attention. Rather than wait for troubled children to become criminals, find out how children have been saved and duplicate the effort. Rather than wait for pregnant women to walk into emergency rooms to have their babies, provide care to all through Gov. Chiles' Healthy Start program.

Sen. Diaz-Balart's 25 percent solution had the wrong goal. He should have asked, "What will it take to address the problems?" Once we agree on the goal, we can work on achieving it as efficiently as possible. The least efficient — and most expensive — way is to put someone in prison.

We have to do better. Troubled kids grow up. And the bill comes due.

# The Palm Beach Post

TOM GIUFFRIDA, *Publisher*

EDWARD SEARS, *Editor*

LON DANIELSON, *General Manager*

TOM O'HARA, *Managing Editor*

RANDY SCHULTZ, *Editor of the Editorial Page*

JAN TUCKWOOD, *Associate Editor*

ALAN FERGUSON, *VP Advertising* LARRY SIEDLIK, *VP & Treasurer*  
GALE HOWDEN, *Director, Community Relations* TOM HIGHFIELD, *VP Circulation*  
LINDA MURPHY, *Director, Human Resources*  
KEN WALTERS, *Director, Marketing and Research*

## To help children, stress prevention, not prisons

**T**he right to have children is conditional. Children have rights. Parents will lose children quickly if they abuse, neglect or abandon them.

Radical idea? Karen Gievers doesn't think so. In the five years since the Miami attorney first sued Gov. Chiles because kids were in foster care too long, she's become an expert on Florida's foster-care system. She knows how such delays damage children. And, as are others who see the system up close, she is outraged.

"The single most important thing we can do," Ms. Gievers says with urgency, "is get it through people's heads that the biological ability to parent doesn't mean you have the talent to be a proper parent."

Ms. Gievers should not be alone in her outrage. While lawmakers blather about making prisoners earn their keep, the failure to address crucial children's needs is creating breeding grounds for more prisoners. Many of Florida's nearly 60,000 inmates grew up with single mothers and absent fathers. Most never learned such basic skills as reading so they could hold a job. Many of those on Death Row were physically or sexually abused as children. Yet lawmakers don't seem to make the connection between abused and illiterate children and crime and unwed pregnancy.

Long-term, paying for prevention, not just prisons, is the only thing that holds any promise. That goes for more than just foster care. It includes Gov. Chiles' Healthy Start program of prenatal care for pregnant women. It includes comprehensive family planning and sex education throughout the state.

We must also do more to keep families together. Last week, a Florida State University study of 750 families found that 88 percent who received services such as those of the \$21.7 million Family Builders program had no other abuse or neglect reports in the next six months. In the past four years, Family Builders kept 2,300 children out of foster homes by helping biological parents. Since foster care can cost \$1,000 a month, that's also cheaper.

But the foster-care program does need help. Foster parents need incentive pay to take unwanted children. To stop the high turnover among foster-care workers, take some of the money now spent on constant hiring and training.

### NOBODY'S CHILDREN

FIXING FOSTER CARE IN FLORIDA

the rest to foster parents who stay a second year. Hire enough workers so cases won't be neglected. In Palm Beach County, workers average roughly 23-30 children's cases. The Child Welfare League of America says the standard caseload should be 1-15.

Tracey Campbell of Boca Raton knows how the system ought to work. She entered foster care in 1983, when she was sent to the Haven, a shelter for abused children in Boca. Since 1988, she has lived with foster parents Lou and Mary Richt. Though Ms. Campbell's problems were serious and similar to those of many foster children who don't get help, she's a success story. In August, she will graduate from Florida Atlantic University. After getting her master's degree in social work, she will work with sexually abused children.

Reducing foster-care caseloads needn't always require money. Rep. Lois Frankel, D-West Palm Beach, thinks it will help if judges can free a foster child for adoption while allowing a relationship to continue between the child and his or her biological parents. This "open adoption" concept could lead to more and quicker adoptions.

Last week, Corrections Secretary Harry Singletary told the Senate Criminal Justice Committee that he needs \$88 million to expand prison capacity to what legislators want. Meanwhile, Attorney General Bob Butterworth was telling Ms. Frankel's Select Committee on Child Abuse and Neglect, "The most important issue facing us as a state is domestic violence."

We focus on prisons while domestic violence spills into our streets and classrooms. Instead, increase efforts to prevent unplanned pregnancy, repair children and make parents responsible. There is a connection between troubled kids and crime. Put some millions where they can do some good.

Chairman Brancel

3-23-95

DEAR PALM BEACH POST LETTER TO EDITOR,

I READ WITH INTEREST YOUR 3-21-95, EDITORIAL ON "STRESSING PREVENTION NOT PRISONS", WHILE VACATIONING AT MY SISTERS LOXAHATCHEE HOME, AND I WAS MOVED TO TAKE THIS TIME TO LET YOU KNOW THAT YOUR PHILOSOPHY IS RIGHT ON THE MONEY. I HAVE TO CUT MY VACATION SHORT TO TESTIFY BEFORE THE WISCONSIN STATE LEGISLATURE ON MONDAY ON THE VERY SAME SUBJECT.

I HAVE BEEN AN EMPLOYEE OF THE WISCONSIN PRISON SYSTEM THE PAST 18 YEARS, AND I HAVE SEEN FIRST HAND THE FAILURES OF THE EDUCATION SYSTEM, THAT LEAD TO A LIFE OF CRIMINALITY AND THEIR DESTINATION IN PRISON. IN THIS FAST PACED WORLD OF INSTANT GRATIFICATION, PRISONS ARE A QUICK FIX TO A LONG TERM PROBLEM. YOUR EDITORIAL FOCUSED ON THE LACK OF PARENTAL RESPONSIBILITY AND THE FOSTER CARE CRISIS IN AMERICA THAT WILL ULTIMATELY RESULT IN THE NEXT GENERATION OF CRIMINALS. LIKE FLORIDA, WISCONSIN IS IN THE BIGGEST PRISON EXPANSION PROGRAM IN HISTORY AND AT THE SAME TIME CRIME RATES ARE AT THEIR LOWEST LEVEL.

I ALSO BELIEVE THAT OUR FAILING DEMOCRACY IS TO BE PART THE ISSUE AS ARE BUDGETS FOR EDUCATION VERSUS PRISONS. WHEN CONSTITUENCIES SUCH AS CHILDREN, PRISONERS, THE DISABLED AND DISADVANTAGED CANNOT BRING VOTING POWER OR MONIED LOBBY FORCE TO LEGISLATIVE DECISIONS, AND THE REST OF THE ELECTORATE ARE DISENFRANCHISED WITH THE CIVIC PROCESS, AMERICAN PLURALISM AND DEMOCRATIC PRINCIPLES ARE EXCHANGED FOR CORPORATE LOBBYISTS AND LEADERS CONCERNED WITH FINANCING THEIR CAMPAIGNS.

WE MUST SET OUR PRIORITIES FOR THE FUTURE, AND INVEST IN OUR MOST PRECIOUS COMMODITY, OUR CHILDREN !!

SINCERELY,

JEFF HOLUBOWICZ  
w11297 hy 33  
RANDOLPH, WISCONSIN  
53956  
414-928-2724

p.s. sorry for this typewriter, when in Rome, one must use what is available at the Roman household.

I HAVE ALSO ENCLOSED A COPY OF MY DRAFT TESTIMONY FOR YOUR REFERENCE, OR IF YOU'D LIKE TO PUBLISH IT OR PARTS.

THANKS

JEFF





16 N. Carroll Street • Suite 420 • Madison, WI 53703 • (608) 284-0580 FAX (608) 284-0583

#### Board of Directors

TRACEY PRIESTLEY, *President*  
Waukesha

BERNARD STUMBRAS, *Vice-President*  
Madison

CAROLE WENEROWICZ, *Secretary*  
Milwaukee

JAMES SAMPSON, *Treasurer*  
Milwaukee

JULIUS AGARA  
Milwaukee

MARY BEIER  
Kenosha

MARY PAT BERRY  
Madison

FRAN BICKNELL  
Middleton

JUDY BLUESTONE  
Milwaukee

DORIS CHORTEK  
Milwaukee

MARCIA COLES  
Milwaukee

LARRY HAGAR  
La Crosse

L. KENNETH HAYNES  
Madison

ALAN FISH  
Madison

ROXANN JOHNSON  
Beloit

RICHARD KINCH  
Racine

CHARLES HOLTON  
Milwaukee

DR. HAMILTON McCUBBIN  
Madison

BARBARA MEDINA  
Milwaukee

MARGO MELLI  
Madison

JUDGE GORDON MYSE  
Wausau

HEIDI PANKOKE  
Madison

BISHOP SHARON RADER  
Sun Prairie

KATHY SAMMONS  
Milwaukee

JOSEPH SCHLANGEN  
Milwaukee

JOHN STEDMAN  
Hayward

DALE VAN MIEGHEM  
Wausau

MARY WILLIAMS  
Stevens Point

#### Staff

ANNE ARNESEN, *Director*

NAN BRIEN, *Associate Director*

JOHN FRANZ, *Director, Calliope Project*

LINDA HALL, *Policy Specialist*

ZACHERY JOHNSON, *Milwaukee Coordinator*

KATE BRIEN, *Office Staff*

A statewide voluntary association of citizens and organizations dedicated to improving governmental and voluntary health and human services for children and families. Supported by memberships, grants, contributions and United Way and Community Shares campaigns.

## Testimony Before the Joint Committee on Finance AB 150

by Anne Arnesen, Director  
Wisconsin Council on Children and Families

Today we released the 1995 WisKids Count Data Book: A Profile of Child Well-Being in Wisconsin. You will all be receiving a complimentary copy of this book. I urge you to examine it carefully as you make decisions on AB 150.

While I will focus my testimony on Juvenile Justice issues, I ask you to note that child abuse and neglect reports and substantiations continue to rise. Investigation and treatment for these children is provided through Community Aids funding, yet there is no increase in Community Aids--and in fact a decrease if you account for inflation. In addition, federal Title IV B and Title IV E are increased as state GPR is decreased. These are the very funds threatened to be cut in the Child Protection Block Grant. Wisconsin would lose \$48 M. in five years. With this in mind I urge you to give serious consideration to a five percent increase in Community Aids and to slow down the implementation of property tax relief by only implementing half of the two thirds increase in this biennium.

### Juvenile Justice Issues

The 1995-97 Biennial Budget comes close to entirely dismantling the existing juvenile justice system. It has some serious flaws which you should investigate carefully.

Under the proposal, a new class of juvenile offender is created. It is called serious juvenile offender, created by increasing certain felony offenses under A, B, C, D and E to 20 offenses. The maximum age of delinquency is reduced from 18 to 17 years of age.

Next, under the budget proposal all youth eligible for serious juvenile offenders classification are committed to the Department

Corrections for five years. (A judge does have the discretion to commit to the Division of Youth Services in DHSS.) The two juvenile correctional institutions( JCI's), Ethan Allen and Lincoln Hills, will be operated by DOC and serve only serious juvenile offenders. The budget funding is based on projections of a population for these two facilities of 762 at the end of the biennium. The Youthful Offender facility to be built in Racine for 400 will also serve the serious juvenile offender.

Another institution for youth ages 12 to 16 years who are not charged with a serious juvenile offender offense, will be opened, probably at Prairie du Chien.

The age of delinquency is lowered to 17 years of age. Anyone 17 and over who commits a juvenile offense goes to adult court.

The problem with this plan is as follows:

1. The number of youth projected to qualify for the DOC serious juvenile offender program seems highly overstated. I would urge you to reexamine these numbers and the underlying assumptions, since the proposal also has the state paying directly for these youth. Under DOA's projections the number of serious juvenile offenders could be as high 1300 when girls are included. (Girls would be sent to Southern Oaks and DOC would contract with DYS to serve them.) I seriously doubt that there will be that many who will qualify as serious juvenile offenders.

There are over 900 in the JCI's now, but when we have reviewed statistics from counties it looks as if only half, at a maximum, could qualify as serious juvenile offenders under the new definition. This should be analyzed more carefully. It might be that only one of the two institutions would be needed for serious juvenile offenders. If this is the case, it is the other group, which seems to have only 250 beds planned that needs the space and is seriously undercounted.

You should also know that the increase in arrests for serious crimes by juveniles slowed down considerably in 1993 according to our Wiskids Count Data Book. After four years of double digits ranging between a 24% and 11% increase there was only a 3.5% increase in 1993.

2. The second problem with this plan is that there is absolutely no fiscal incentive to keep kids out of expensive facilities. The state will pay if they are charged with a serious juvenile offense. In fact, it creates a fiscal incentive to charge juveniles with one of these crimes in order to send them off to the DOC. No longer will there be pressure on the facilities, by the counties, to return the youth so the county can save money as they do now under the youth aids formula. Since the county pays for incarceration the present system creates an incentive to keep stays short or avoid incarceration when appropriate. This system should be continued.

3. Another serious flaw in the plan is that the placement in either DOC or DYS has little to do with the behavior or character of the youth. Placement is based on the

charging offense, but often the most recent offense does not define the needs or the behavior of a youth. The nature of juvenile crime is such that the pattern of a youth's behavior, rather than the most recent offense, has a great deal more to do with the treatment and placement necessary for crime to be stopped and behavior to be changed. Sometimes a youth who is charged with a burglary may not be very dangerous. Conversely, there are some youth with a string of offenses who might be quite dangerous and for whom the serious offender program would be appropriate, but the charge wouldn't qualify the youth for DOC.

It would be far more rational to have each facility provide a particular program and assess the youth and make an assignment based on behavior, their actions, not some charge that can be the result of a lot of different factors.

Therefore, the separation of the juvenile justice program to DOC and DYS only makes a muddle of the system and youth who need help will be caught in between. The whole system should be in one place or the other so youth can be placed appropriately.

4. Reducing the age of delinquency from 18 to 17 years of age is also unnecessary. Seventeen year old youth who have committed a serious crime are already waived into adult court. This provision only means that juveniles who have committed lesser crimes or engaged in pranks would be tried in adult court and carry criminal records with them for the rest of their lives. These youth are often juniors in high school. 65% of the delinquency petitions filed in 1994 were the result of misdemeanors such as criminal damage to property and disorderly conduct. And by putting them into an adult probation caseload of an already burdened adult correctional system is to invite disaster. And once again, it will be a county cost as some end up in adult jails.

5. The elimination of the intensive supervision disposition currently available to judges is completely without merit. In a time when other states and national experts on juvenile delinquency are reiterating that "hard time" inside prison walls is not as hard as time in a restitution and work program in the community, it is ludicrous that this option should be removed from a judges list of possible consequences for youth. Eliminating community options for first and second time offenders guarantees that they will be slapped on the wrist and sent home until they do something serious enough to warrant incarceration.

6. Finally, the annualization of capacity building funds to allow counties and communities the opportunity to augment early intervention services was promised by the Legislature during the negotiations on the annual budget adjustment in the Spring of 1994. We strongly urge you to add the promised 2.5% million GPR to guarantee that there will be early, as well as late consequences for youth who have committed delinquent acts.

Our major recommendations on these issues are reiterated below.

Thank you for the opportunity to comment on these legislative proposals which have grave consequences for delinquent and troubled youth as well as incredible costs for taxpayers as we pay for another 600 beds at \$42,000 a year.

**Recommendation:** Delete provisions that would change the maximum age for delinquency to age 17.

**Recommendation:** Commit all juveniles, ages 12 to 18, who are sentenced to secure corrections to either the Department of Corrections or the Department of Youth Services. Do not create two youth correctional systems. Allow judges the discretion to commit youth for one to five years. Require an assessment of the youth to determine appropriate placement among the facilities. Retain county payment for secure correctional placement with the exception of the violent offenders who are paid for by the state under the present law.

**Recommendation:** Restore intensive supervision in the community as a dispositional alternative for juveniles.

**Recommendation:** Appropriate \$2.5 million GPR annually to fully fund the \$5.0 million in capacity building dollars as promised during the annual budget adjustment session last spring.

staff members in the educational unit were told that their names were on a mandatory transfer list to go to a new institution at a site still unchosen but widely rumored to be Prairie du Chien. My name was on this list. We were told we were randomly chosen. That was an obvious lie. A look around the room showed me all but two of us to be in our forties and fifties with an average age of fifty-one. It became obvious that the list was so fine tuned that its purpose was to create hardship by separating spouses or caregivers from their elderly parents. The ultimate goal was not to take advantage of needed skills at the new institution but to try to separate senior staff from state service based on their salaries, their years of service and their age. Our younger colleagues hired recently at the school were not touched. A legislator in my area even admitted that the aim was to encourage retirements from teachers who are not old enough to retire. We were told to seek out other teaching positions with the public schools as though that were a real possibility or to sacrifice and endure the hardship of uprooting ourselves from our communities and families or to accept demotions and salary cuts into non-teaching positions which could affect our incomes by \$6000 per year. What a waste of talent of some of your most dedicated and innovative teachers! What a lack of recognition that our experience has seasoned us to deal with the violent offender! It is a poor example to our students and to the public of employer-employee relationships in the State of Wisconsin. Moreover, it destroyed educational programs at the school. Nearly all of the vocational teachers were on the list as was the librarian, the two gym teachers, the guidance counselor, English teachers, business education teacher and all of our African-American teachers. We are being told that our positions will not be filled again. That is hard to imagine. The vocational classes taught students work habits and skills for their future. They were the show case classes for visitors. The Reading Initiative, a student education program at EAS, can't exist without a librarian. The computer lab for keyboarding and business skills won't stand empty.

This raid on institution staff was so ill-planned that no effort was made to match the skills and talents of the teachers with those needed by a younger age group of non-violent offenders. Advanced



welding is not a suitable course for a young middle school student. Nor would the services of the Print teacher be needed. Teachers for a younger population have to be selected as carefully as teachers for the older population was selected.

Planning to place an institution for younger juveniles in an area far from their homes in order to redeem political promises for economic development to a depressed area of the state is also wrong. A younger population will need to have contact with their family support system and family therapy to reintroduce them back into the community.

Cutting the faculty by one-third at EAS was done under another faulty premise that the population at Ethan Allen would drop substantially with the opening of the new institution for younger juveniles. We as faculty do not see that happening to the extent the legislature imagines. First of all the system is being expanded to include younger ages. This in itself will add to the general population of youth entering secure juvenile institutions in Wisconsin. No one is sure at this point that this will eventually reduce the older population in juvenile corrections. Secondly, many of our youth at Ethan Allen, even at an early age, are violent offenders and would not fit into the program. Thirdly, it is also predictable that the number of clients served may become larger under the new juvenile code because of the fact that Ethan Allen and Lincoln Hills will be GPR and not PRO funded. In my years at Ethan Allen, the Division of Correction and the Division of Health and Social Services have always underestimated the population of Ethan Allen School. In other words, the legislature may be cutting staff when they should not be doing so. You will be leaving fewer teachers to deal with more aggressive and more violent youth. One of my colleagues who commented on the reality of a higher student-teacher ratio and fewer experienced teachers on board and its risks stated, "It won't be easy for us either. We will have to come to work in body armor."

Lastly, I find in your budget a punitive and not a rehabilitative attitude towards juveniles. Planning on spending less on juveniles under the Department of Corrections may be counterproductive. This affects the whole philosophy of dealing with them. Under the Department of Corrections, less emphasis will be put on education and

treatment and the hope for the future of our youth that it brings. More emphasis will be put on security. Speaking from experience, I remember when we were last under the Department of Corrections where school supplies were so lacking that paper and pencils were not available for classroom assignments. Teachers were told to do oral discussions. I found it offensive that I was having difficulty teaching my students writing skills. I also experienced a drought where almost all orders I submitted for textbooks were turned down for a ten year period. I also remember an inadequate attempt to expand school facilities that have left us with temporary trailers that are in the process of being condemned.

Already there are strong indicators that this new philosophy of punishment will affect the staff and the students at Ethan Allen. We know that no matter how high our population becomes the amount of money for providing services to them will remain the same. Food will take precedence over books. The recent raid on the educational programs depriving students of educational opportunities in the academic and vocational areas is another example. Our program was limited enough without being forced to place students in their rooms for so-called study hours when any experienced teacher at the school knows that our students need supervised study or work experience in the classroom. Out of necessity, the teacher-pupil can not be increased. Sports program which have provided an outlet to relieve the stress of institutional living and to improve the sense of worth of our youth are in the process of being cut permanently to save money.

Don't fifteen and sixteen and seventeen year olds deserve better than this? I personally believe that their increasing maturity makes them more open to change than their younger peers if they have adequate educational and treatment programs. Obviously, some people who are doing the planning have forgotten what this age group is like and particularly what our students are like. To cut vocational classes and and possibly replace them with Badger Industries as a form of work rehabilitation for our youth is one example of not knowing what our youth are like. I believe our vocational teachers would agree that not many are ready for this focus at this time in their lives.

In conclusion, I would ask you to consider the following:

1. Allocating start up funds for the new institution without unduly raiding the budget of Ethan Allen School and Lincoln Hills.
2. Recognizing that services given to juveniles will be costly whether they are housed in DHSS or DOC facility.
3. Offering intensive educational and treatment services to seventeen year olds where ever they are housed.
4. Leaving EAS and LH under the supervision of DHSS to avoid overcrowding at these institutions because of GPO funding.
5. Locating the new institution close enough to the families of younger juveniles in order that they can participate in meaningful treatment that will bring their sons back into their communities with less of a chance to return to an institutional setting.
6. Observing seniority status of Wisconsin employees and allowing voluntary transfer to the new institution located within an hour's distance of their current place of employment or opening a very large window for early retirement.
7. Maintaining an effective educational and treatment program at all JCI facilities housing juveniles.

Things to consider regarding the new juvenile institution:

I. Making three institutions out of two and using the same number of staff makes sense only if (1) the number of clients served remains the same or close (2) the original staffing patterns have essential services duplicated (3) the target population at the new institution does not differ radically from the original and (4) there is a plan of operation which clearly states the purpose and function of all three institutions.

None of these four points have been addressed by the DYS administrators to our knowledge. In fact,

(1) the number of clients will be much larger because of the new juvenile code and the fact that Ethan Allen and Lincoln Hills will be GPR instead of PRO funded.

(2) In most cases where services have been duplicated this has been done for safety's sake in an overcrowded setting. Program staffing, particularly in the education, section has not kept up with population growth at EAS and LHS. The pupil teacher ratio at EAS has gone from 6.8:1 to 9.9:1 between 1984 and 1995. In order to maintain the higher ratio, the population at EAS would have to drop to 318. For the lower, more favorable ratio, the population would have to drop to 217. Though the populations may drop briefly upon start-up, there is no question of maintaining a level of two to three hundred. The Division is prediction four hundred and they've been low by at least a hundred for the last five years in a row.

(3) The target population of the new facility does differ radically. The youth there will be significantly younger and less aggressive. In addition to opening up a new pool of potential clients, this target population will have distinct needs in terms of programming and services. For example, the school might well be Junior High oriented with fewer vocational classes and more emphasis on preparing the students to return to their community school. Indeed, with a younger client, the goal of family and community reintegration is even more important than with an older

client. And the Division wants to locate this facility in the hinterlands.

(4) What is becoming increasingly clear is that the administrators at DYS have no plan. That more capacity for juveniles in the State of Wisconsin is necessary is not being disputed; however the shape the added capacity takes should certainly be up for consideration. The plan should have been in place three years ago when the trend of rising juvenile crime became apparent. Now, because of the switch from DYS to DOC, we are faced with a "rush rush" agenda that promises to increase the chaos. We are looking at crippling two institutions to create a third which will be poorly planned. All three will be inadequately staffed if the administration's agenda is adhered to.

BROWN COUNTY DISTRICT ATTORNEY  
ADDITIONAL PROSECUTOR JUSTIFICATION

- I. Number of Courts/Number of Prosecutors
  - A. Nine prosecutors to cover nine courts
    - a. many times we are in all courts and cannot cover
- II. Caseload Numbers Continue To Increase
  - A. Legislature deemed judgeship appropriate for Brown County
    - a. reason - increased criminal caseload
      1. parallel need for increase prosecutors to handle said increased criminal caseload
- III. Types of Cases Are Becoming More Complex and Time Consuming
  - A. White Collar Crime
  - B. Big Increase in Juvenile Crime
    - a. need another juvenile prosecutor
      1. more violent cases
      2. gang problem (kids migrating from southeastern WI)
  - C. Wage Claim Cases
    - a. some involve major civil litigation
- IV. Same Number of Public Defenders in Brown County
  - A. Public defenders have a lesser caseload than the D.A.'s office
- V. Poor Statistics
  - A. Time Study - not accurate
  - B. system of cases filed - not accurate
    - a. no uniformity between counties for counting charges - i.e. traffic, juvenile
    - b. better gauge for need is to look at total referrals
- VI. Steps Taken To Try To Keep Up With Caseload Without A New Prosecutor
  - A. Use of special prosecutors
  - B. More overtime (not compensated)
  - C. Secretaries act as paralegals
  - D. UW law clerk drafts complaints
  - E. Increased specialization between attorneys
  - F. Cut back teaching at technical college and other school programs
- VII. More Money Available Now Than At The Time The Governor's Proposed Budget Was Made
  - A. Need and salary of assistant district attorneys vs. other government bureaucrats
- VIII. Legislation To Fight Crime
  - A. Necessarily needs additional prosecutors - not just police, prisons and new laws

## ANALYSIS OF 1991 PART 1 ARRESTS PER PROSECUTOR

<u>RANK</u>	<u>COUNTY</u>	<u>COUNTY FTE</u>	<u>TOTAL ARRESTS</u>	<u>TOTAL ARRESTS/ FTE</u>	<u>ABOVE/BELOW AVG (sorted by)</u>
1	MANITOWOC	4.00	1,293	323	70.55%
2	BROWN	9.00	2,800	311	64.14%
3	LA CROSSE	5.00	1,522	304	60.60%
4	WOOD	4.00	1,210	303	59.60%
5	WINNEBAGO	6.00	1,623	271	42.72%
6	OUTAGAMIE	7.00	1,702	243	28.28%
7	PORTAGE	4.00	954	239	25.83%
8	MILWAUKEE	93.00	21,954	236	24.55%
9	WASHINGTON	5.00	1,173	235	23.78%
10	FOND DU LAC	5.00	1,134	227	19.66%
11	RACINE	14.50	3,169	219	15.31%
12	DOUGLAS	3.00	655	218	15.19%
13	EAU CLAIRE	6.00	1,300	217	14.32%
14	ROCK	12.50	2,661	213	12.32%
15	JEFFERSON	4.80	1,005	209	10.47%
16	MARATHON	6.00	1,249	208	9.83%
17	MARINETTE	2.00	405	203	6.84%
18	SHAWANO/MEN	3.00	579	193	1.83%
19	SHEBOYGAN	7.00	1,347	192	1.53%
20	MONROE	2.00	380	190	0.25%
21	WAUKESHA	18.50	3,357	181	-4.26%
22	LANGLADE	2.00	349	175	-7.93%
23	WALWORTH	5.00	821	164	-13.37%
24	DANE	27.00	4,411	163	-13.80%
25	SAWYER	1.00	161	161	-15.05%
26	CHIPPEWA	2.50	395	158	-16.64%
27	DODGE	4.00	610	153	-19.54%
28	GRANT	2.00	299	150	-21.12%
29	KENOSHA	14.00	2,066	148	-22.14%
30	DOOR	2.00	282	141	-25.61%
31	CRAWFORD	1.00	140	140	-26.13%
32	WAUPACA	4.00	545	136	-28.11%
33	OZAUKEE	3.00	408	136	-28.25%
34	ADAMS	1.00	135	135	-28.77%
35	WASHBURN	1.00	134	134	-29.30%
36	FOREST	0.60	77	128	-32.29%
37	GREEN	2.00	256	128	-32.47%
38	ONEIDA	2.00	254	127	-32.99%
39	LINCOLN	2.00	247	124	-34.84%
40	DUNN	3.50	431	123	-35.03%
41	PRICE	1.00	122	122	-35.63%
42	POLK	2.00	240	120	-36.69%
43	CALUMET	1.50	179	119	-37.04%
44	JUNEAU	2.00	229	115	-39.59%
45	COLUMBIA	3.00	337	112	-40.73%
46	ASHLAND	1.50	157	105	-44.78%
47	TAYLOR	1.00	102	102	-46.18%
48	SAUK	4.00	385	96	-49.22%
49	BARRON	3.00	275	92	-51.64%
50	RICHLAND	1.75	152	87	-54.17%
51	GREEN LAKE	1.00	86	86	-54.63%
52	JACKSON	2.00	164	82	-56.74%
53	BURNETT	1.00	76	76	-59.90%
54	RUSK	1.50	112	75	-60.61%
55	BAYFIELD	1.00	74	74	-60.96%
56	FLORENCE	0.50	36	72	-62.01%
57	PEPIN	0.60	42	70	-63.07%
58	PIERCE	3.00	191	64	-66.41%

ANALYSIS OF 1991 PART1, PART2 AND DRUG ARRESTS PER PROSECUTOR

<u>RANK</u>	<u>COUNTY</u>	<u>COUNTY FTE</u>	<u>TOTAL ARRESTS</u>	<u>TOTAL ARRESTS FTE</u>	<u>ABOVE/BELOW AVG (sorted by)</u>
1	MANITOWOC	4.00	7,865	1,966	93.24%
2	WALWORTH	5.00	8,700	1,740	71.01%
3	LA CROSSE	5.00	8,219	1,644	61.55%
4	ROCK	12.50	18,579	1,486	46.07%
5	WINNEBAGO	6.00	8,401	1,400	37.61%
6	EAU CLAIRE	6.00	8,308	1,385	36.08%
7	BROWN	9.00	12,237	1,360	33.63%
8	JEFFERSON	4.80	6,523	1,359	33.56%
9	FOND DU LAC	5.00	6,511	1,302	27.98%
10	DOUGLAS	3.00	3,888	1,296	27.37%
11	WASHINGTON	5.00	6,382	1,276	25.44%
12	OUTAGAMIE	7.00	8,638	1,234	21.28%
13	WOOD	4.00	4,697	1,174	15.40%
14	MONROE	2.00	2,337	1,169	14.84%
15	MILWAUKEE	93.00	105,763	1,137	11.77%
16	GRANT	2.00	2,163	1,082	6.29%
17	WAUKESHA	18.50	19,990	1,081	6.19%
18	OZAUKEE	3.00	3,171	1,057	3.88%
19	SHEBOYGAN	7.00	7,340	1,049	3.05%
20	SHAWANO/MEN	3.00	3,142	1,047	2.93%
21	SAWYER	1.00	990	990	-2.70%
22	MARINETTE	2.00	1,966	983	-3.39%
23	RACINE	14.50	14,219	981	-3.63%
24	DODGE	4.00	3,792	948	-6.83%
25	KENOSHA	14.00	13,104	936	-8.01%
26	LANGLADE	2.00	1,795	898	-11.79%
27	SAUK	4.00	3,525	881	-13.39%
28	GREEN LAKE	1.00	853	853	-16.17%
29	CHIPPEWA	2.50	2,095	838	-17.64%
30	PORTAGE	4.00	3,329	832	-18.21%
31	ADAMS	1.00	808	808	-20.59%
32	MARATHON	6.00	4,837	806	-20.77%
33	ONEIDA	2.00	1,586	793	-22.06%
34	COLUMBIA	3.00	2,368	789	-22.43%
35	FOREST	0.60	465	775	-23.83%
36	DUNN	3.50	2,709	774	-23.93%
37	DANE	27.00	20,594	763	-25.04%
38	CALUMET	1.50	1,136	757	-25.57%
39	TAYLOR	1.00	755	755	-25.80%
40	ASHLAND	1.50	1,125	750	-26.29%
41	WAUPACA	4.00	2,955	739	-27.40%
42	VILAS	2.00	1,377	689	-32.33%
43	LINCOLN	2.00	1,364	682	-32.97%
44	KEWAUNEE	1.50	1,023	682	-32.97%
45	CRAWFORD	1.00	678	678	-33.37%
46	GREEN	2.00	1,331	666	-34.60%
47	DOOR	2.00	1,248	624	-38.67%
48	PRICE	1.00	622	622	-38.87%
49	WASHBURN	1.00	603	603	-40.74%
50	JUNEAU	2.00	1,186	593	-41.72%
51	PIERCE	3.00	1,760	587	-42.34%
52	POLK	2.00	1,148	574	-43.59%
53	BARRON	3.00	1,666	555	-45.42%
54	JACKSON	2.00	1,012	506	-50.27%
55	OCONTO	1.50	747	498	-51.06%
56	SAINT CROIX	6.00	2,545	424	-58.31%
57	IRON	1.00	423	423	-58.43%
58	PEPIN	0.60	250	417	-59.05%



WEEK OF:

March 21, 1994

	II	III	IV	V	VI	VII	P.H.	JUV. DET.	ADULT TRAFFIC LOCKUPS	JUV. P.T.	VIII		
MON. 3/21	(Pat)	STEVE	PAT	BILL LARRY	(John)	ROGER	TAMMY	(Dana)	KEVIN	DANA			(John)
TUES. 3/22	(John)	DANA	(John)	BILL LARRY	(Roger)	PAT	(Kevin)	ROGER	KEVIN	DANA			(Pat)
WED. 3/23	(Rick)	STEVE (am)	(Kevin)	LARRY BILL	(Pat)	ROGER (9 AM)	ROGER (1:15 PM)	PAT	KEVIN	RICK	STEVE (pm)		(John)
THURS. 3/24	(Tammy)	BILL (John)	PAT	TAMMY	LARRY (Pat)	ROGER	JOHN	(Dana)	KEVIN	DANA			(Roger)
FRI. 3/25	RICK	DANA	(John)	ROGER	PAT	(Rick)	LARRY	(Pat)	KEVIN	DANA			BILL

D.A. ASSIGNED:

*John*

THURSDAY:

\_\_\_\_\_

VIII

TUESDAY:

FRIDAY:

WEDNESDAY:

WEEK OF :

April 11, 1994

	I	II	III	IV	V	VI	VII	VIII	P.H.	JUV. DET.	LOCKUPS	TR. P.T.	JUV. P.T.
MON. 4/11	(Pat)	LARRY	(Dana)	(John)	(Bill)	TAMMY	ROGER	PAT	BILL	DANA	DANA		
TUES. 4/12	(John)	BILL (am)	(Kevin)	(Bill)	STEVE	LARRY	(Pat)	(Dana)	BILL	KEVIN	DANA		
WED. 4/13	ROGER (pm)	BILL	(Kevin)	(Rick)	RICK	LARRY	ROGER (am)	JOHN	PAT	KEVIN	DANA	STEVE	
THURS. 4/14	(Steve)	BILL	LARRY	TAMMY	KEVIN	ROGER	DANA	STEVE	PAT	BILL	DANA		
FRI. 4/15	(Rick)	DANA (am)	BILL	PAT	LARRY	(John)	ROGER	(Bill)	(Larry)	KEVIN	RICK		

D.A. ASSIGNED :

*John*

THURSDAY :

MONDAY :

TUESDAY :

FRIDAY :

WEDNESDAY : Br. 8, WYNNER Bulgaria, CE, JT 8:30 93CV152

ATTORNEY NEED BY COUNTY, 1992 WEIGHTED DATA

COUNTY	# ATTORNEYS	POPULATION	92CF	92CM	92CT	92 ATTY NEED	92 WTD ATTY NEED
Racine	14.5	176268	941	3795	1436	5.400	5.512
Rock	12.5	140064	950	2624	1244	3.034	3.307
Eau Claire	6	85472	354	1953	461	2.925	3.050
La Crosse	5	98646	431	1429	571	2.838	2.961
Winnebago	6	141257	318	1467	899	2.654	2.321
Chippewa	2.5	52495	162	859	257	1.621	1.635
Dane	27	370633	1869	4495	2296	0.922	1.582
Sauk	4	47522	209	1046	423	1.410	1.345
Brown	9	195694	495	1253	1656	1.975	1.202
Manitowoc	4	80579	230	962	424	1.210	1.172
Sawyer	1	14293	119	401	98	0.993	1.081
Marathon	6	116380	327	1222	657	1.113	1.006
Wood	4	73848	242	834	370	0.662	0.687
Columbia	3	45326	195	599	352	0.695	0.665
Grant	2	49204	141	441	230	0.618	0.619
Walworth	5	75778	388	728	617	0.588	0.593
Fond du Lac	5	90588	261	962	542	0.691	0.590
Monroe	2	36809	122	449	243	0.625	0.587
Douglas	3	41846	279	556	172	0.247	0.497
Washburn	1	13887	72	275	81	0.380	0.414
Shawano - Men	3	41153	141	627	275	0.363	0.327
Ozaukee	3	73525	107	579	391	0.472	0.282
Marquette	1	12414	87	189	80	0.148	0.202
Green Lake	1	18713	75	176	107	0.154	0.167
Adams	1	15824	55	207	81	0.106	0.115
Forest	0.6	8792	47	92	80	0.106	0.102
Burnett	1	13131	84	164	54	-0.026	0.047
Trempealeau	1.6	25408	82	307	116	0.028	0.046
Polk	2	34971	120	356	134	-0.033	0.023
Marinette	2	40645	184	255	145	-0.117	0.017
Milwaukee						0.000	0.000
Jefferson	4.8	68110	264	698	547	0.065	-0.042
Clark	2	31737	112	340	128	-0.130	-0.080
Oneida	2	31869	129	332	105	-0.175	-0.081
Florence	0.5	4612	31	66	18	-0.129	-0.100
Ashland	1.5	16289	86	259	67	-0.172	-0.105
Green	2	30443	117	288	169	-0.149	-0.131
Price	1	15611	45	152	58	-0.178	-0.163
Oconto	1.5	30382	108	145	130	-0.265	-0.227
Bayfield	1	14078	40	139	47	-0.271	-0.254
Vilas	2	17867	104	304	117	-0.307	-0.260
Calumet	1.5	34512	68	126	201	-0.226	-0.310
Pepin	0.6	7102	15	54	12	-0.339	-0.327
Waushara	1.5	19495	91	141	123	-0.355	-0.335
Lincoln	2	27221	125	223	141	-0.423	-0.370
Crawford	1	15989	57	75	52	-0.407	-0.372
Taylor	1	18971	42	63	72	-0.429	-0.434
Buffalo	1	13527	32	111	17	-0.484	-0.452
Outagamie	7	141521	333	1022	722	-0.303	-0.464
Juneau	2	21794	82	258	135	-0.468	-0.469
Door	2	25739	118	218	114	-0.549	-0.481
Washington	5	96909	225	657	563	-0.341	-0.519
Kewaunee	1.5	18882	100	101	63	-0.649	-0.562
Jackson	2	16661	81	232	131	-0.568	-0.568
Lafayette	1	16093	26	46	53	-0.597	-0.607
Iron	1	6153	22	46	23	-0.707	-0.695
Richland	1.75	17523	94	142	67	-0.773	-0.698
Langlade	2	19575	95	193	84	-0.801	-0.738
Rusk	1.5	15097	73	96	46	-0.807	-0.743
Dodge	4	76884	213	378	415	-0.756	-0.823
Iowa	1.75	20198	34	161	82	-0.857	-0.880
Waupaca	4	46508	187	472	304	-0.895	-0.896
Dunn	3.5	36101	139	445	201	-0.969	-0.945
Portage	4	61884	155	387	365	-1.076	-1.179
Barron	3	40888	111	292	144	-1.236	-1.204
Sheboygan	7	104262	298	948	573	-1.135	-1.212
Vernon	2.4	25757	78	134	71	-1.488	-1.439
Pierce	3	32903	104	249	88	-1.578	-1.505
Kenosha	14	129443	807	1648	967	-2.967	-2.666
St. Croix	6	50668	138	488	255	-3.159	-3.185
Waukesha	18.5	308243	512	1925	1829	-4.745	-5.636
Total	263.5		14578	43356	23791		



VIVI L. DILWEG  
Circuit Judge



SHARON E. MILLIS  
Court Reporter  
448-4113

JEAN A. WOLF  
Deputy Clerk  
448-4167

**CIRCUIT COURT BRANCH II**

BROWN COUNTY COURTHOUSE  
100 S. JEFFERSON STREET  
P.O. BOX 23600  
GREEN BAY, WISCONSIN 54305-3600

July 1, 1994

Mr. John P. Zakowski  
Brown County District Attorney  
P.O. Box 23600  
Green Bay, WI 54305-3600

Dear John:

Enclosed is a summary of the 1993 case filings. The last column is the year-end number of cases filed. Also enclosed is a summary of the 1992 case filings, although I do not have an individual breakdown of the January and August figures. The year-end figures are accurate and you may use those. In addition, I thought you might be interested in what the year-to-date estimates are for 1994 in the categories that you are interested in. In 1994, criminal felonies, if you make a year-end estimate, would be 802. Criminal misdemeanors would be 1,690 for a year-end. Criminal traffic would be 1,728 for a year-end. CHIPS would be 218 for a year-end. Delinquencies would be 233 for a year-end. Adoptions would be 79 for a year-end. Termination of parental rights would be 84 for a year-end. This will give you some idea of where the case load is going. Especially criminal felonies have gone out of sight. Misdemeanors and traffic have increased significantly. CHIPS matters have also increased significantly. Delinquencies seem to be down from 1993, as do adoptions and TPR's. I hope this is of assistance to you.

Very truly yours,

Vivi L. Dilweg,  
Circuit Judge

VLD:jea  
Enc.

SUMMARY OF 1992 CASE FILINGS

	FEB	MAR	APR	MAY	JUNE	JULY	SEPT	OCT	NOV	DEC	YTD
CF	51	52	47	32	39	41	46	61	49	37	565
CM	103	160	91	97	126	71	113	194	79	79	1368
CT	141	117	143	130	137	160	151	169	153	200	1765
CV	191	160	169	134	145	155	149	166	130	139	1879
FA	96	95	93	80	114	96	88	99	89	63	1125
CHIPS	9	23	11	6	11	19	15	20	6	15	162
DEL.	28	15	15	20	19	17	13	11	9	39	260
PA	41	46	33	73	86	82	40	56	45	61	669
SC	852	916	827	705	838	823	951	782	816	834	10116
AD	8	12	7	9	12	5	2	9	5	8	90
TPR	5	10	7	8	9	7	4	13	6	8	87

January and August figures were omitted because they were not accurate

SUMMARY OF 1993 CASE FILINGS

	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	YTD
CF	44	55	49	62	31	67	54	47	60	45	55	41	613
CM	158	130	133	143	125	141	122	125	94	100	145	100	1517
CT	119	156	128	102	159	132	139	152	129	209	104	134	1661
CV	115	162	170	169	169	162	179	163	155	124	166	118	1877
FA	98	92	113	107	90	94	105	113	105	123	111	78	1258
CHPS	9	13	17	10	22	14	7	10	28	16	18	20	189
DEL.	12	14	21	20	23	36	22	30	29	20	50	25	300
PA	46	53	55	57	66	71	37	51	47	68	72	21	653
SC	895	786	1169	870	813	749	779	749	881	535	611	512	9525
AD	6	11	6	7	4	11	3	3	11	12	13	6	101
TPR	13	10	13	10	6	3	3	1	10	8	12	6	107

TOTAL CASES IN ALL CATEGORIES ESTIMATED FOR YEAR END 23,525  
 (Not all categories are shown in the above table)

Total cases filed in 1992 23,777

SUMMARY OF 1994 CASE FILINGS

	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	YE
CF	119	61	50	46	58	43							766
CM	181	137	125	110	151	121							1678
CT	138	145	130	119	188	124							1690
CV	159	152	144	114	150	130							1716
FA	81	105	119	97	108	89							1228
CHPS	20	15	17	22	17	15							212
DEL	25	10	19	22	21	31							256
PA	56	32	92	86	52	71							780
SC	637	654	483	448	565	427							6480
AD	3	5	9	5	11	5							76
TPR	6	6	9	7	7	7							84
FO	48	25	47	32	86	120							718
TR	244	251	369	260	741	933							5598
GD	35	37	38	21	37	28							392
MENT	49	33	38	43	44	25							464
WATT	37	24	49	42	37	42							462
F E	26	61	39	35	36	26							446
IF E	21	22	18	10	14	16							202

COMPARISON OF 1993 & 1994 JANUARY-JUNE FILINGS

	JAN-JUNE 1993	JAN-JUNE 1994	% CHANGE
FELONY	309	383	+24
MISDEMEANOR	831	839	+1
TRAFFIC	795	845	+6
CIVIL	961	858	-11
FAMILY	612	614	NO CHANGE
PATERNITY	348	390	+12
SMALL CLAIMS	5371	3240	-40
JUVENILE CHIPS	86	106	+23
JUVENILE DELINQUENCY	122	128	+5
TPR	63	42	-33
ADOPTIONS	47	38	-19
INITIATED TRAFFIC	2165	2799	+29



DISTRICT ATTORNEY  
*Brown County*

300 EAST WALNUT  
P.O. BOX 23600  
GREEN BAY, WISCONSIN 54305-3600

PHONE (414) 448-4190  
FAX (414) 448-4189

Assistant District Attorney

Roger J. Shaha  
Patrick C. Hitt  
Lawrence J. Lasee  
William C. Griesbach  
Mary M. Kerrigan-Mares  
Steven J. Madson  
Kevin A. Rathburn  
Dana J. Johnson

JOHN P. ZAKOWSKI

DISTRICT ATTORNEY

Victim Witness Coordinator

Karen H. Dorau  
(414) 448-4194

October 25, 1994

Mr. Robert Brick  
Supreme Court Operations  
110 E. Main Street, Room 315  
Madison, WI 53703

RE: Revised Brown County District Attorney Caseload Statistics

Dear Mr. Brick:

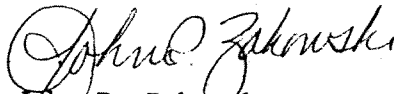
Enclosed is a letter our office received from Brown County Clerk of Courts Lynn Verheyen earlier this month. She indicated upon further review that the original numbers listed in the State court data statistics for Brown County were low. The total number of felony filings in Brown County for 1993 was 632 and not 556. The total number of misdemeanor cases filed was 1,523 and not 1,479.

We realize you originally had sent preliminary numbers to us for necessary revisions. At that time the clerks office listed the same numbers for felonies and misdemeanors you had submitted to us. In fact, we did revise the number of juvenile filings. The Clerk of Courts has explained why the original numbers were inaccurate.

We feel there are many considerations the legislature should consider when determining staffing needs, including actual amount of time spent in court by the attorneys. We hope these more accurate figures can be utilized to modify the original statistics. They help show a more accurate picture of our workload.

Please call if you have any questions.

Yours very truly,



John P. Zakowski  
District Attorney

CLERK OF COURTS

*Brown County*

100 SOUTH JEFFERSON  
P.O. BOX 23600  
GREEN BAY, WISCONSIN 54305-3600

PHONE (414) 448-4155 FAX (414) 448-4156

LYNN VERHEYEN

CLERK OF COURTS

October 11, 1994

JEANNE KROUTH  
CHIEF DEPUTY CLERK OF COURTS  
(414) 448-4154

CURT NYSTED  
FINANCIAL OPERATIONS MANAGER  
(414) 448-4501

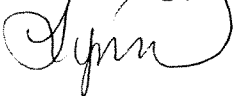
John Zakowski  
Brown County District Attorney  
300 East Walnut Street  
Green Bay, WI 54301

Dear John:

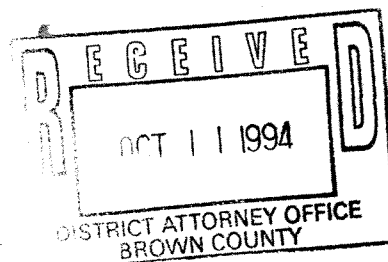
I have reviewed our files for 1993. The ending number for felony is 93CF632. The criminal ending number is 93CM1523. The numbers you were previously given must have come from our month end report which was probably run prior to having all the cases for 1993 entered into the system.

If you have any other questions, or need further information, please call.

Sincerely,



Lynn Verheyen  
Clerk of Courts



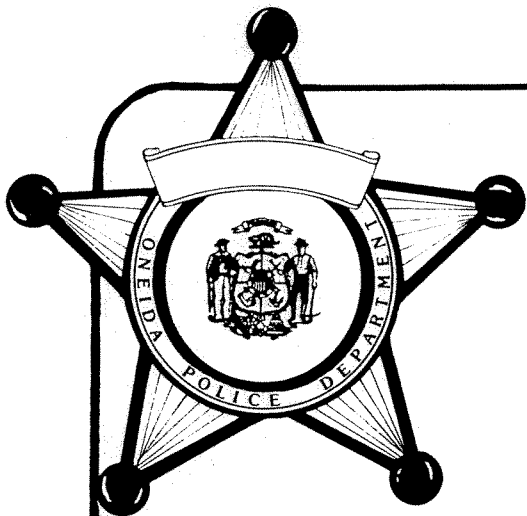
CASES FILED



Total Felonies, Misdemeanors, and Criminal Traffic

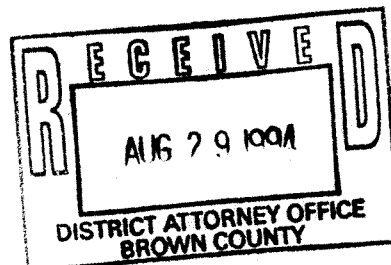
1990	3,370
1991	3,795
1992	3,742
1993	3,816

NOTE: The above numbers do not include the forfeitures, civil suits handled by our office, or municipal not guilty traffics.



## Oneida Police Department

Chief of Police  
James L. Danforth



August 26, 1994

State Prosecutor's Office  
P.O. Box 7869  
Madison, WI 53707-7869

To whom it may concern:

At the request of Brown County District Attorney's Office we support their proposed 1995-1997 budget to hire two more prosecutors.

With the Oneida area growing rapidly due to the Gaming Operation there has been an extreme amount of back log on cases and criminal prosecution.

It would be my recommendation to approve two more prosecutors in the upcoming budget, so cases can be processed in a more timely manner.

I hope this letter of support will help you in approving their request for two additional prosecutors.

Sincerely,

A handwritten signature in cursive script that reads "James L. Danforth".

James L. Danforth, Chief  
Oneida Police Department

cc: Joint Finance Committee  
John Zakowski, Brown County D.A.

W1144 Park Drive  
Oneida, WI 54155

(414)869-2026 833-7755 Fax:833-7826



P.O. BOX 23387 • GREEN BAY, WISCONSIN 54305

ADMINISTRATIVE OFFICES: 200 S. BROADWAY  
GREEN BAY, WISCONSIN 54303

THOMAS M. JOYNT, Ph.D., SUPERINTENDENT  
PHONE: (414) 448-2101

September 12, 1994

Stuart Morse  
State Prosecutor's Office  
101 E. Washington  
Madison, WI 53703

Dear Mr. Morse:

I have been informed that the Brown County District Attorney's office is requesting two additional prosecutors to assist in meeting the needs of this community.

The services of the district attorney's office impact upon our school district in several ways. Certainly the prosecution of criminals in general makes Brown County a safer place for our students and their families. In some instances, our staff and students are directly involved in cases handled by the local prosecutors. In addition, we have received assistance from that office in the area of prevention. Our staff have attended sexual harassment in-service programs and our students have learned about date rape prevention through programs presented by the district attorney. Our staff work with the prosecutors in addressing the problems of child abuse and truancy on an ongoing basis. For the past five years, John Zakowski has been a leader in the Green Bay Area Drug Alliance fight against alcohol and other drug abuse. Our school district along with more than 90 Brown County Citizens are members of this organization.

Brown County has a rapidly growing, increasingly diverse population. Strong prevention and prosecution efforts are essential to the safety and growth of our citizens. I would urge your consideration of the request for additional prosecutors in Brown County.

Sincerely,

DR. THOMAS M. JOYNT  
Superintendent of Schools

TMJ:pm

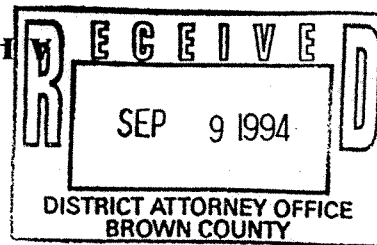
PETER J. NAZE  
Circuit Judge



**CIRCUIT COURT BRANCH**  
BROWN COUNTY COURTHOUSE  
100 S. JEFFERSON STREET  
P.O. BOX 23600  
GREEN BAY, WISCONSIN 54305-3600  
414/448-4118

SHERI L. PIONTEK  
Court Reporter  
448-4119

RETA FONDER  
Deputy Clerk  
448-4168



September 9, 1994

State Prosecutor's Office  
P.O. Box 7869  
Madison, WI 53707-7869

Re: Additional Assistant District Attorneys

Dear Sir/Madam:

As presiding judge in Brown County, I can advise you that the Brown County Circuit Judges wholeheartedly support the addition of Assistant D.A.'s to the prosecutor's staff in Brown County.

In the 4 years since an A.D.A. position was last added in this county, we have seen a tremendous increase in the number of cases filed in our Circuit Branches. Felony and misdemeanor filings have increased well over 50 percent. Delinquency filings have almost quadrupled. In addition, in each of these areas we have also seen a dramatic increase in the complexity of the cases and the degree of violence involved. Additionally, the Legislative and the Executive initiatives to get tough on crime by creating new classes of criminals and new means to detain people for longer periods of time significantly increase the prosecutorial burdens.

The present D.A. staff cannot adequately prepare for court, while fulfilling their many other responsibilities. By the time the 1995-97 budget is approved, it will have been over five years since an Assistant District Attorney was added to our D.A.'s office. Unfortunately, we all know that crime and the complexity of the cases will continue to increase. The people of Brown County cannot be well served by an office so understaffed.

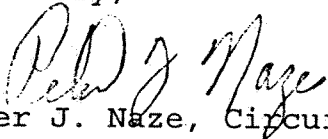
I understand District Attorney John Zakowski is requesting two additional prosecutors. In the past, the Circuit Judges have consistently supported his requests for additional staff only to

State Prosecutor's Office  
September 9, 1994  
Page Two

see those requests turned down. The situation has become extremely critical. The Brown County Judges view this request as an absolute minimum if the District Attorney's Office is to provide the level of service the people of this County expect and deserve.

Thank you for your consideration.

Sincerely,



Peter J. Naze, Circuit Judge

PJN/nb

✓cc: John Zakowski  
Brown County District Attorney

N. PATRICK CROOKS  
Circuit Judge



**CIRCUIT COURT BRANCH VI**  
BROWN COUNTY COURTHOUSE  
100 SOUTH JEFFERSON STREET  
P.O. BOX 23600  
GREEN BAY, WISCONSIN 54305-3600  
414/448-4120

CONNIE L. GALES  
Court Reporter  
448-4120

MARY KIMMETH  
DONNA MARTZAHN  
Deputy Clerks  
448-4169

September 7, 1994

Stuart Morse  
Director  
State Prosecutor's Office  
P.O. Box 7869  
Madison, WI 53707-7869

Re: District Attorney State Budget

Dear Mr. Morse:


I am writing to support the request of Brown County District Attorney John P. Zakowski for two more prosecutors for his office to commence employment on July 1, 1995.

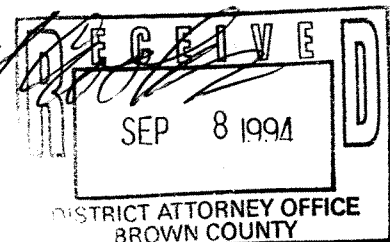
During the last few years, I have been able to observe first-hand the problems that have resulted from the fact that his office is understaffed. The attorneys which appear in the Circuit Court Branch over which I preside are often late, ill-prepared and with little or no knowledge about the case or cases to be addressed.

This is not because of a lack of professionalism, but because they are overworked in an office that is understaffed.

I strongly urge you to consider John Zakowski's request for additional staff to start on July 1, 1995.

Sincerely,

  
N. Patrick Crooks  
Circuit Judge



NPC/mec

bc: John P. Zakowski, District Attorney



RICHARD J. DIETZ  
Circuit Judge



LORI J. MAKELA  
Court Reporter  
414/448-4122

MARGARET DeCOSTER  
Deputy Clerk  
414/448-4173

**CIRCUIT COURT BRANCH VII**

BROWN COUNTY COURTHOUSE  
100 SOUTH JEFFERSON STREET  
P.O. BOX 23600  
GREEN BAY, WISCONSIN 54305-3600  
414/448-4121

September 8, 1994

Mr. John P. Zakowski  
District Attorney  
300 East Walnut Street  
P. O. Box 23600  
Green Bay, WI 54505-3600

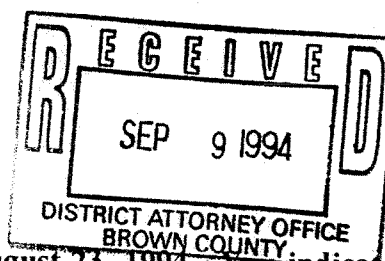
Re: District Attorney State Budget

Dear Mr. Zakowski:

I am writing in response to your letter dated August 23, 1994. You indicate that you are seeking two additional prosecutors as part of the next State budget. One area of concern which you express is the apparent discrepancy between Brown County and other counties of similar size relating to Juvenile Court activities. You request my comments in that regard as well as a statement of support for your request for additional prosecutors.

This Branch of the Circuit, in addition to Civil and Family Law matters, hears Felony and Juvenile cases involving your office. In my opinion the most critical need for additional prosecutors lies in the ever expanding field of Juvenile Law. I understand that your case load numbers are not as impressive as some other counties. I have stated on numerous occasions that the case load numbers are not the best indicator of need for prosecutors since there is an obvious divergence of methods of reporting among the various Clerk of Courts offices. I have discussed this matter with our District Court Administrator and would again suggest that you contact her to seek her counsel in that regard. As an example, civil forfeiture matters for underage drinking and the like can add substantially to the case numbers while adding little to trial preparation and court appearance time in the Juvenile Court. Many of these cases are handled by our local municipal courts and you therefore lose the benefit of those numbers while gaining little in regard to time spent by the prosecutor on such matters.

A better indicia of the need for prosecutors, in my opinion, lies in the amount of court time actually devoted to various prosecutorial functions. Brown County has three Branches of the Circuit Court assigned to hear Juvenile Court proceedings. Each of the Branches reserves six days per month exclusively for those matters. My experience has



Mr. John P. Zakowski  
September 8, 1994  
Page 2

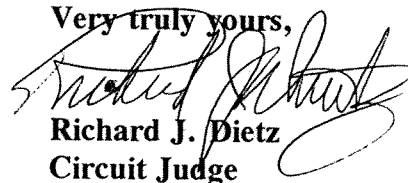
been that all six of those days are crowded with cases and that a prosecutor is in court for the entire day on each of the Juvenile Court Days. My colleagues advise me that the same is true in their Branches. In addition, the restrictive time constraints of the Juvenile Code require that Juvenile Court matters be scheduled in each Branch on days other than those reserved for that purpose. The practical effect of the Juvenile Court Calendar is that one prosecutor spends the equivalent of a full-time employee just in the courtroom.

In addition to those courtroom duties, an Assistant District Attorney is required to appear daily in Juvenile Intake for initial appearance and subsequent plea hearings and hearings on temporary custody. An Assistant District Attorney must also be reviewing new Juvenile referrals from the Human Services Department so that new petitions can be drafted within the twenty day time limit imposed by Chapter 48. This leaves little time for trial preparation and preparation for other hearings such as Disposition. The only conclusion that can be drawn from a review of the Juvenile Court calendar is that there is a need in Brown County, at a minimum, of two full-time equivalent prosecutors for Juvenile Court. This conclusion is based on facts which are much more real than case load "statistics".

Based on my Felony case load, I am also aware of the time constraints placed upon the balance of your current staff. Simply put, you need at least one additional Assistant District Attorney to marginally meet your needs in properly representing the public interest in Felonies, misdemeanors and traffic. The substantial increase in reported domestic violence and the time consumed in handling those matters to conclusion, the increase in contested felonies and the ever present serious traffic matters cannot be adequately handled by your current staff.

I hope that the information which I have provided to you in this correspondence is useful in your quest to adequately represent the public interest in Brown County. Please do not hesitate to use this information in any way which you deem appropriate. It is my sincere hope that this biennium will produce the two additional staff positions you and the criminal justice system in Brown County so desperately need.

Very truly yours,

  
Richard J. Dietz  
Circuit Judge

C. File

**HUMAN SERVICES DEPARTMENT**

*Brown County*

COPY

September 23, 1994

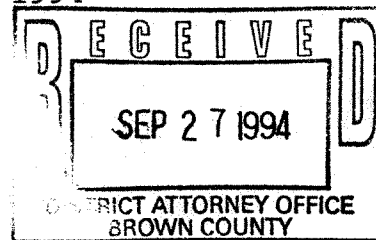
**MARK A. QUAM**  
Human Services Director

**Community Services/  
Economic Support Services**  
111 N. Jefferson Street  
P.O. Box 22188  
Green Bay, WI 54305-2188  
Phone (414) 448-6000  
FAX (414) 448-6166  
TDD (414) 448-6130

**Mental Health Center**  
2900 St. Anthony Drive  
Green Bay, WI 54311-9962  
Phone (414) 468-1136  
FAX (414) 468-4213  
TDD (414) 468-7492

**Community Services**  
201 W. Walnut Street  
Green Bay, WI 54303  
Phone (414) 448-4425  
FAX (414) 448-4444  
TDD (414) 448-4432

Stuart Morse, Director  
State Prosecutor's Office  
P.O. Box 7869  
Madison, WI 53707-7869



Dear Mr. Morse:

I have been a Child Protection Disposition social worker at Brown County Human Services for the last six years. I am sending you this letter in support of obtaining an additional prosecutor for our County's District Attorney's Office. I have seen a dramatic increase in the number of CHIPS cases over the last two years. It is evident by the size of our workload that one Assistant District Attorney in the Brown County office is not able to adequately meet the needs of all of our Child Protection/Delinquency cases.

According to statistics from Roger Tepe, Supervisor of our office's Child Protection Intake Unit, he is projecting approximately 3,000 referrals of child abuse or neglect in 1994. Our Disposition Unit opens approximately 30 to 50 cases a month for Court Intake inquiries, services, and supervision. It seems that more and more child abuse/neglect cases are increasing in number and severity of types. Approximately 80% of my 25 cases are currently in Juvenile Court. This places a lot of demand on the District Attorney's Office in response to requests for CHIPS petitions, change-of-placement/custody orders, and extension and revision requests. In my experience with our District Attorney's Office, one prosecutor handling Juvenile cases is not enough. Over the last two years, I have had many close calls in almost missing time lines for new petitions, custody orders, and revisions. In dealing with Child Protection matters, one cannot miss these time lines, as you sometimes risk the life of a child.

Of significant concern as well is the lack of time we are allowed to prepare cases with our District Attorney's Office. Many times our cases are very complex and involve many other collateral contacts. Our District Attorney's Office needs more time to prepare our cases before court so that the child's safety and best interests are protected.

Stuart Morse, Director  
State Prosecutor's Office  
September 23, 1994  
page 2

I am finding it more and more difficult to reach our District Attorney's Office to discuss cases. Oftentimes, a different prosecutor will attend the hearing who has had no history in reference to the case, leaving the Department to make legal/jurisdictional recommendations.

In my opinion, these problems are related to the inability of one prosecutor to handle all Juvenile cases. I believe it is imminent to our children's safety in the community that additional prosecutors are obtained by the Brown County District Attorney's Office to assist with these matters. I understand that Brown County is asking for two additional prosecutors for the 1995-1997 term. I would fully support two additional prosecutors for Brown County; however, even one position would be helpful in terms of our crisis.

If I can be of further assistance or if you have any questions, please feel free to contact me at 414-448-6033.

Sincerely,



Melissa Blom, Social Worker  
Child Protection Disposition Unit

**BROWN COUNTY  
HUMAN SERVICES DEPARTMENT**

MB/ljs

cc: John Zakowski, District Attorney

CORNERSTONE



FOUNDATION

OF NORTHEASTERN WISCONSIN, INC.

September 16, 1994

Mr. Stuart Morse, Director  
State Prosecutor's Office  
P.O. Box 7869  
Madison, WI 53707-7869

Dear Mr. Morse:

This letter is in support of Brown County District Attorney John Zakowski's request for additional prosecutors.

Unfortunately Brown County has seen a significant increase in violent crime and have not added an additional attorney in four years. Additional prosecutors would mean cases would get to court faster. I understand an additional juvenile prosecutor is needed to deal with the dramatic increase in juvenile crime in our area.

Thank you for your consideration.

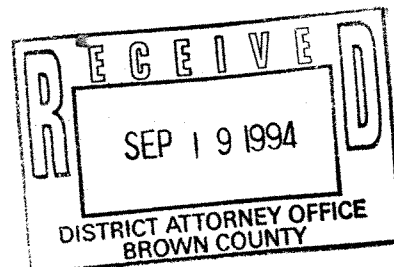
CORNERSTONE FOUNDATION OF NORTHEASTERN WISCONSIN, INC.

A handwritten signature in cursive script that reads "John W. Hickey".

John W. Hickey  
Vice President

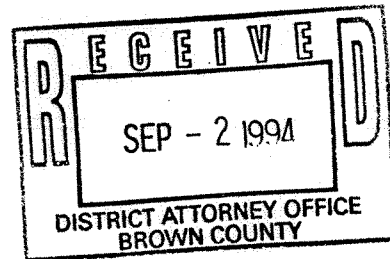
JWH/cae

cc: John Zakowski  
RIVERWALK PLAZA, SUITE 305  
200 S. WASHINGTON STREET  
POST OFFICE BOX 1563  
GREEN BAY, WI 54305-1563  
414-432-2045  
FAX: 414-432-5822



**HUMAN SERVICES DEPARTMENT**

*Brown County*



**MARK A. QUAM**  
Human Services Director

September 2, 1994

**Community Services/  
Economic Support Services**  
111 N. Jefferson Street  
P.O. Box 22188  
Green Bay, WI 54305-2188  
Phone (414) 448-6000  
FAX (414) 448-6166  
TDD (414) 448-6130

**Mental Health Center**  
2900 St. Anthony Drive  
Green Bay, WI 54311-9962  
Phone (414) 468-1136  
FAX (414) 468-4213  
TDD (414) 468-7492

**Community Services**  
201 W. Walnut Street  
Green Bay, WI 54303  
Phone (414) 448-4425  
FAX (414) 448-4444  
TDD (414) 448-4432

Mr. Stuart Morse, Director  
State Prosecutor's Office  
P.O. Box 7869  
Madison, WI 53707 - 7869

RE: Support letter for additional prosecutors for  
Brown County for 1995 - 1997.

Dear Mr. Morse:

It has come to my attention that the Brown County District Attorney's Office is seeking 2 additional prosecutors for the 1995 - 1997 state budget period.

My program represents 2 supervisors and 20 line staff positions who work exclusively with child protection (child abuse and neglect) cases and their counterpart in the court system - Children in Need of Protection and Services.

In 1994, we are projecting about 3000 new referrals to the investigations unit alone of new child abuse and neglect cases. With hard work and some effective diversion type programs, we are able to keep the bulk of those cases out of the court system.

However, for those we do send to the court system through our District Attorney's Office, they tie up a significant piece of court time. Although juvenile delinquency cases seem to get the most public attention, please remain aware of a more silent - but perhaps even more needy - population of children in need of protection and services (CHIPS).

We have had too many close calls with our District Attorney's Office where the pressures of other cases have limited their preparation time for these crucial (from a safety standpoint) child abuse/neglect type cases. If a mistake is made with a delinquent in court and he goes home, the worst case scenario is often a new crime. With an abused or neglected child, a premature return home due to lack of sufficient District Attorney preparation time can lead to a recurrence of the maltreatment or even death for very small children.

Mr. Stuart Morse

Page 2

As a 20 year veteran employee of county Social / Human Services programs exclusively with child abuse and neglect cases, I have been on the wrong end of numerous, tight government budgets. I can appreciate your dilemma in allocating scarce funds among many truly deserving counties.

At the same time, we out in the field have to be honest with you about our needs. In 1994 so far, we have had 2 child deaths - both violent - of small children by adult perpetrators. Those kinds of incidents don't just impact the criminal system when it comes to tying up prosecutor time. These families tend to have other children who may need protection both from the 'system' and from the courts. In other words, the impact of violent crime hits at many levels and can simultaneously tie up prosecutor time in the juvenile and criminal areas simultaneously - though the criminal case gets the publicity and usually the lion's share of the prosecutor's time as well.

As I have proceeded to make a short story long, I would ask you to please consider the needs in a legal sense of some of Wisconsin's most needy citizens - its children - as you make those hard budget decisions.

I would fully support 2 additional prosecutors for Brown County; but even one position would help.

If I can be of further assistance or you have questions, please feel free to contact me at 414 - 448 - 6010.

Sincerely,



Roger C. Tepe, ACSW, CISW, Supervisor  
Child Protection Intake Unit

BROWN COUNTY HUMAN SERVICES DEPARTMENT

✓ cc: John Zakowski