

## DISTRICT ATTORNEYS

<b>Budget Summary</b>							
Fund	2018-19 Base Year Doubled	2019-21 Governor	2019-21 Jt. Finance	2019-21 Legislature	2019-21 Act 9	Act 9 Change Over Base Year Doubled	
						Amount	Percent
GPR	\$89,571,200	\$93,999,300	\$93,165,000	\$100,234,900	\$100,234,900	\$10,663,700	11.9%
PR	<u>6,456,800</u>	<u>7,103,800</u>	<u>7,803,800</u>	<u>7,803,800</u>	<u>7,803,800</u>	<u>1,347,000</u>	20.9
<b>TOTAL</b>	<b>\$96,028,000</b>	<b>\$101,103,100</b>	<b>\$100,968,800</b>	<b>\$108,038,700</b>	<b>\$108,038,700</b>	<b>\$12,010,700</b>	<b>12.5%</b>

<b>FTE Position Summary</b>						
Fund	2018-19 Base	2020-21 Governor	2020-21 Jt. Finance	2020-21 Legislature	2020-21 Act 9	Act 9 Change
						Over 2018-19 Base
GPR	384.45	418.05	414.05	449.00	449.00	64.55
PR	<u>47.00</u>	<u>36.50</u>	<u>40.50</u>	<u>40.50</u>	<u>40.50</u>	<u>- 6.50</u>
<b>TOTAL</b>	<b>431.45</b>	<b>454.55</b>	<b>454.55</b>	<b>489.50</b>	<b>489.50</b>	<b>58.05</b>

### Budget Change Items

#### 1. STANDARD BUDGET ADJUSTMENTS

**Governor/Legislature:** Provide adjustments to the base totaling -\$1,133,900 GPR, and \$1,069,200 PR in 2019-20, and -\$1,148,100 GPR and -0.4 GPR position, and \$818,500 PR, and -3.0 PR positions in 2020-21. Adjustments are for: (a) turnover reduction (-\$954,500 GPR annually); (b) removal of non-continuing elements from the base (-\$14,300 GPR and -\$35,800 PR and in 2019-20 and -\$28,500 GPR and -0.4 GPR position and -\$286,500 PR and -3.0 PR positions in 2020-21); (c) full funding of continuing position salaries and fringe benefits (-\$344,800 GPR and \$1,105,000 PR annually); (d) reclassifications and semiautomatic pay progression (\$85,200 GPR annually); and (e) night and weekend differential pay (\$94,500 GPR annually).

	<b>Funding</b>	<b>Positions</b>
GPR	-\$2,282,000	- 0.40
PR	<u>1,887,700</u>	<u>- 3.00</u>
Total	-\$394,300	- 3.40

**2. PAY PROGRESSION [LFB Paper 270]**

	<b>Governor (Chg. to Base)</b>	<b>Jt. Finance (Chg. to Gov)</b>	<b>Assembly/Leg. (Chg. to Jt. Finance)</b>	<b>Net Change</b>
GPR	\$1,225,300	- \$134,300	\$3,477,900	\$4,568,900

**Governor:** Provide \$307,300 in 2019-20 and \$918,000 in 2020-21 to support pay progression for assistant district attorneys (ADAs) and deputy district attorneys (DDAs). The ADA and DDA pay progression plan is merit-based and consists of 17 hourly salary steps, with each step equal to one seventeenth of the difference between the lowest annual salary (\$52,291) and the highest annual salary (\$126,339). The value of one hourly salary step equals \$4,356 annually. Notwithstanding the creation of a 17 hourly salary step pay progression plan, supervising DAs are authorized to: (a) deny annual salary increases to individual ADAs and DDAs; and (b) increase the salary of individual ADAs and DDAs by up to 10% per year. Funding under the bill is intended to equal a 2% increase for all ADAs and DDAs on January 1, 2020 and 2021.

**Joint Finance:** Reduce funding provided to the District Attorney function for pay progression by -\$33,700 in 2019-20 and -\$100,600 in 2020-21 to reflect a reestimate of providing a 2% increase for eligible ADA's and DDAs on January 1, 2020, and January 1, 2021.

**Assembly/Legislature:** Increase the amount provided under Joint Finance by \$1,246,600 GPR in 2019-20 and \$2,231,300 GPR in 2020-21 to provide a one-step pay progression increase to eligible assistant district attorneys on July 1, 2019, and 2020.

**Veto by Governor [A-7]:** Delete statutory language specifying that pay progression be provided "to eligible district attorneys." As under current law and AB 56, pay progression would be provided to Assistant District Attorney and Deputy District Attorney positions.

[Act 9 Section: 9210(1e)]

[Act 9 Vetoed Section: 9210(1e)]

**3. ADDITIONAL GPR PROSECUTOR POSITIONS [LFB Paper 271]**

	<b>Governor (Chg. to Base)</b>		<b>Jt. Finance (Chg. to Gov)</b>		<b>Assembly/Leg. (Chg. to Jt. Finance)</b>		<b>Net Change</b>	
	<b>Funding</b>	<b>Positions</b>	<b>Funding</b>	<b>Positions</b>	<b>Funding</b>	<b>Positions</b>	<b>Funding</b>	<b>Positions</b>
GPR	\$5,484,800	34.00	-\$700,000	- 4.00	\$3,592,000	34.95	\$8,376,800	64.95
PR	<u>- 1,240,700</u>	<u>- 7.50</u>	<u>700,000</u>	<u>4.00</u>	<u>0</u>	<u>0.00</u>	<u>- 540,700</u>	<u>- 3.50</u>
Total	\$4,244,100	26.50	\$0	0.00	\$3,592,000	34.95	\$7,836,100	61.46

**Governor:** Provide \$2,498,400 GPR in 2019-20, \$2,986,400 GPR in 2020-21, and 34.0 GPR positions annually, to provide additional prosecutors to District Attorney offices across the state. In addition, modify funding by -\$608,200 PR in 2019-20, and -\$632,500 PR in 2020-21 and -7.50 PR positions annually. [Note that the GPR funding for new positions includes funding for pay progression in 2020-21.]

a. *New State Prosecutor Positions.* Provide \$1,069,500 GPR in 2019-20, \$1,466,900 GPR in 2020-21, and 19.6 GPR-funded positions annually, to provide additional ADAs to the following 20 offices:

<u>County</u>	<u>New GPR ADA Positions</u>	<u>Current Prosecutor Positions</u> *	<u>Resulting Prosecutor Positions</u>
Barron	1.00	3.00	4.00
Bayfield	0.60	1.00	1.60
Brown	1.00	14.00	15.00
Dunn	1.00	3.00	4.00
Eau Claire	1.00	9.00	10.00
Forest	1.00	1.00	2.00
Jackson	1.00	2.00	3.00
La Crosse	1.00	8.00	9.00
Langlade	1.00	1.50	2.50
Lincoln	1.00	2.00	3.00
Manitowoc	1.00	5.00	6.00
Monroe	1.00	3.00	4.00
Outagamie	1.00	10.00	11.00
Ozaukee	1.00	3.00	4.00
Polk	1.00	3.00	4.00
Portage	1.00	4.00	5.00
Racine	1.00	18.00	19.00
Sawyer	1.00	2.00	3.00
Washington	1.00	5.00	6.00
Wood	<u>1.00</u>	<u>4.00</u>	<u>5.00</u>
Total for Above 20 Counties	19.60	101.50	121.10

\*Note that the number of authorized prosecutor positions includes GPR-funded and PR-funded positions. The amount may be subject to revision as position authority for certain PR-funded positions expires and position authority for new PR-funded positions is authorized.

b. *Convert PR-Funded ADA Positions.* Provide \$608,200 GPR, and -\$608,200 PR in 2019-20, and \$632,500 GPR and -\$632,500 PR in 2020-21, and 7.5 GPR positions and -7.5 PR positions annually, to convert funding for certain prosecutor positions from program revenue to general purpose revenue. The 7.5 GPR positions would include 1.0 ADA position in Fond du Lac County, 2.5 ADA positions in Marathon County, and 4.0 ADA positions in Milwaukee County. The Governor indicates that funding currently supporting the positions is not available for the 2019-21 biennium.

c. *Increase Existing Part-Time ADA Positions.* Provide \$820,700 GPR in 2019-20, \$887,000 GPR in 2020-21, and 6.9 GPR positions annually, to increase part-time prosecutor positions in the following 14 counties:

<u>County</u>	<u>Additional ADA Positions</u>	<u>Current Prosecutor Positions</u> *	<u>Resulting Prosecutor Positions</u>
Adams	0.80	1.20	2.00
Buffalo**	0.20	1.00	1.20
Burnett***	0.75	1.25	2.00
Columbia	0.25	4.75	5.00
Douglas	0.50	3.50	4.00
Green Lake	0.50	1.50	2.00
Iowa	0.25	1.75	2.00
Juneau	0.50	2.50	3.00
Marinette	0.40	2.60	3.00
Pierce	0.50	2.50	3.00
Rusk	0.50	1.50	2.00
Sheboygan	0.50	7.50	8.00
Washburn***	0.75	1.25	2.00
Waupaca	<u>0.50</u>	<u>3.50</u>	<u>4.00</u>
Total for Above 14 Counties	6.90	36.30	43.20

\*Note that the number of authorized prosecutor positions includes GPR-funded and PR-funded positions. The amount may be subject to revision as position authority for certain PR-funded positions expires and position authority for new PR-funded positions is authorized.

\*\*Note that Buffalo has a 0.5 elected DA and a 0.5 ADA. The requested 0.2 positions would be used to make both 0.6 positions.

\*\*\*Note that one 0.5 ADA splits time between Burnett and Washburn Counties. Under the bill, both Burnett and Washburn Counties would have a full-time ADA.

**Joint Finance:** Modify funding for additional ADAs by -\$346,500 GPR and \$346,500 PR in 2019-20 and -\$353,500 GPR and \$353,500 PR in 2020-21 and -4.0 GPR and 4.0 PR positions annually to maintain 4.0 PR-funded ADA positions in Milwaukee.

**Assembly/Legislature:** Increase the amount provided in the bill by \$1,430,000 GPR in 2019-20 and \$2,162,000 GPR in 2020-21 and 34.95 GPR positions annually, to provide additional prosecutors to District Attorney Offices across the state as indicated in the table below. New GPR positions would have an anticipated start date of October 1, 2019.

<u>County</u>	<u>Gov/ Jt. Finance</u>	<u>Assembly/ Legislature</u>	<u>Total Additional</u>	<u>County</u>	<u>Gov/ Jt. Finance</u>	<u>Assembly/ Legislature</u>	<u>Total Additional</u>
Adams	0.80	0.00	0.80	Marinette	0.40	0.00	0.40
Ashland	0.00	0.60	0.60	Marquette	0.00	0.60	0.60
Barron	1.00	0.00	1.00	Monroe	1.00	1.00	2.00
Bayfield	0.60	0.00	0.60	Outagamie	1.00	1.00	2.00
Brown	1.00	2.00	3.00	Ozaukee	1.00	0.70	1.70
Buffalo <sup>1</sup>	0.20	0.00	0.20	Pierce	0.50	0.00	0.50
Burnett	0.75	0.00	0.75	Polk	1.00	0.00	1.00
Calumet	0.00	1.00	1.00	Portage	1.00	1.00	2.00
Chippewa	0.00	1.00	1.00	Price	0.00	0.50	0.50
Columbia	0.25	1.00	1.25	Racine	1.00	1.00	2.00
Dane	0.00	0.15	0.15	Rusk	0.50	0.00	0.50
Dodge	0.00	1.00	1.00	Sawyer	1.00	0.00	1.00
Douglas	0.50	1.00	1.50	Shawano and Menominee	0.00	1.00	1.00
Dunn	1.00	1.00	2.00	Sheboygan	0.50	1.50	2.00
Eau Claire	1.00	1.00	2.00	St. Croix	0.00	1.00	1.00
Florence <sup>2</sup>	0.00	0.10	0.10	Taylor	0.00	0.50	0.50
Fond du Lac <sup>3</sup>	1.00	2.00	3.00	Walworth	0.00	1.00	1.00
Forest	1.00	0.00	1.00	Washburn	0.75	0.00	0.75
Green	0.00	0.50	0.50	Washington	1.00	0.00	1.00
Green Lake	0.50	0.00	0.50	Waukesha	0.00	2.50	2.50
Iowa	0.25	0.00	0.25	Waupaca	0.50	0.00	0.50
Jackson	1.00	0.00	1.00	Waushara	0.00	0.60	0.60
Jefferson	0.00	0.70	0.70	Winnebago	0.00	2.00	2.00
Juneau	0.50	0.00	0.50	Wood	<u>1.00</u>	<u>1.00</u>	<u>2.00</u>
Kenosha	0.00	1.00	1.00	Total	30.00	34.95	64.95
La Crosse	1.00	1.00	2.00				
Langlade	1.00	0.00	1.00				
Lincoln	1.00	0.00	1.00				
Manitowoc	1.00	1.00	2.00				
Marathon <sup>3</sup>	2.50	2.00	4.50				

<sup>1</sup> Note that Buffalo has a 0.5 elected DA and a 0.5 ADA. The requested 0.2 positions would be used to make both 0.6 positions.

<sup>2</sup> Note that Florence has a 0.5 elected DA. The 0.1 position would be used to make it a 0.6 position.

<sup>3</sup> Includes PR positions converted to GPR positions.

**Veto by Governor [A-6]:** Delete provision specifying the distribution of 34.85 Assistant District Attorney positions. In the veto message the Governor directs the Department of Administration to work with the State Prosecutors Office to allocate the positions to counties "in a manner that considers need holistically including staffing needs based on creation or expansion of treatment alternatives and diversion programs, meeting with victims prior to charging, addressing backlogs, and utilizing available workload analyses."

[Act 9 Sections: 9110(1f) and 9210(1f)]

[Act 9 Vetoed Section: 9210(1f)]