

# State of Wisconsin

SENATE CHAIR  
**Alberta Darling**

317 East, State Capitol  
P.O. Box 7882  
Madison, WI 53707-7882  
Phone: (608) 266-5830



ASSEMBLY CHAIR  
**John Nygren**

309 East, State Capitol  
P.O. Box 8593  
Madison, WI 53708-8953  
Phone: (608) 266-2343

## Joint Committee on Finance

### MEMORANDUM

To: Members  
Joint Committee on Finance

From: Senator Alberta Darling  
Representative John Nygren

Date: October 7, 2015

Re: s. 16.515/16.505(2), Stats. Request

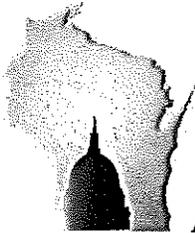
Attached is a copy of a request from the Department of Administration, received October 7, 2015, pursuant to s. 16.515/16.505(2), Stats., on behalf of the Dane County District Attorney's Office.

Please review the material and notify **Senator Darling** or **Representative Nygren** no later than **Monday, October 26, 2015**, if you have any concerns about the request or if you would like the Committee to meet formally to consider it.

Also, please contact us if you need further information.

Attachments

AD:JN:jm



**WISCONSIN DEPARTMENT OF  
ADMINISTRATION**

**SCOTT WALKER**  
GOVERNOR

**SCOTT A. NEITZEL**  
SECRETARY

Office of the Secretary  
Post Office Box 7864  
Madison, WI 53707-7864  
Voice (608) 266-1741  
Fax (608) 267-3842

**Date:** October 7, 2015

**To:** The Honorable Alberta Darling, Co-Chair  
Joint Committee on Finance

The Honorable John Nygren, Co-Chair  
Joint Committee on Finance

**From:** Scott A. Neitzel, Secretary  
Department of Administration *SA*

**Subject:** s. 16.515/16.505(2) Request(s)

**RECEIVED**  
OCT 07 2015  
BY: *J. Finance*

Enclosed are request(s) that have been approved by this department under the authority granted in s. 16.515 and s. 16.505(2). The explanation for each request is included in the attached materials. Listed below is a summary of each item:

<u>AGENCY</u>	<u>DESCRIPTION</u>	<u>2015-16</u>		<u>2016-17</u>	
		<u>AMOUNT</u>	<u>FTE</u>	<u>AMOUNT</u>	<u>FTE</u>
DAs 20.475(1)(h)	Gifts and grants		1.0*		1.0*

\* Project position ending 10/31/2016.

As provided in s. 16.505(2), the request(s) will be approved on October 28, 2015, unless we are notified prior to that time that the Joint Committee on Finance wishes to meet in formal session about any of the requests.

Please contact Kirsten Grinde at 266-1353, or the analyst who reviewed the request in the Division of Executive Budget and Finance, if you have any additional questions.

Attachments

**Date:** October 1, 2015  
**To:** Michael Heifetz  
**From:** Caitlin Morgan Frederick  
**Subject:** Section 16.505(2) Request

Attached is a s. 16.505(2) request analysis for your approval and processing. Listed below is a summary of each item:

**DOA RECOMMENDATION:**

<u>AGENCY</u>	<u>DESCRIPTION</u>	<u>2015-16</u>		<u>2016-17</u>	
		<u>AMOUNT</u>	<u>FTE</u>	<u>AMOUNT</u>	<u>FTE</u>
DAs 20.475(1)(h)	Gifts and grants		1.0*		1.0*

\* Project position ending 10/31/2016.

**AGENCY REQUEST:**

<u>AGENCY</u>	<u>DESCRIPTION</u>	<u>2015-16</u>		<u>2016-17</u>	
		<u>AMOUNT</u>	<u>FTE</u>	<u>AMOUNT</u>	<u>FTE</u>
DAs 20.475(1)(h)	Gifts and grants		1.0*		1.0*

\* Project position ending 10/31/2016.

MH APPROVAL 10-05-15 (FORWARD TO MARY HAMELE)



**WISCONSIN DEPARTMENT OF  
ADMINISTRATION**

**SCOTT WALKER**  
GOVERNOR

**SCOTT A. NEITZEL**  
SECRETARY

Division of Executive Budget and Finance  
Post Office Box 7864  
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TTY (608) 267-9629

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**Date:** October 1, 2015

**To:** Scott A. Neitzel, Secretary  
Department of Administration

**From:** Caitlin Morgan Frederick  
Executive Policy and Budget Manager

**Subject:** Request Under s. 16.505 from the Dane County District Attorney to Create a 1.0 FTE Program Revenue Assistant District Attorney Project Position.

**Request:**

The Department of Administration, on behalf of the Dane County District Attorney's Office, requests the creation of a 1.0 FTE program revenue assistant district attorney project position for a term extending from the time of approval through October 31, 2016.

**Revenue Sources for Appropriation(s):**

The revenue source for the position in the gifts and grants appropriation under s. 20.475(1)(h) is a grant from the state Department of Justice, Office of Crime Victim Services to the Dane County District Attorney's Office. As the grant is funded from a program revenue continuing, all moneys received appropriation, there is no accompanying request for an increase in expenditure authority. The Dane County District Attorney's Office will reimburse the salary and fringe benefit costs for the assistant district attorney prosecutor position from the grant award.

**Background:**

The STOP Violence Against Women Act Specialized Prosecution Regional Resource Prosecutor program is part of a competitive bid process through the Department of Justice to seek funding for a full-time assistant district attorney position, which acts as a regional prosecutor specializing in cases of violence against women. Dane County was awarded \$120,300 for the program, which may be renewed for an additional two years if the county reapplies for continued funding.

According to the Department of Justice Web site, the goals of the program are "to ensure prosecution response to violence against women is effective, keeps victims safe, and holds perpetrators accountable." The Regional Violence Against Women Resource Prosecutors (Regional VAWRP) are to be established in four regions across the state "to

provide technical assistance and training to their established region." Dane County is in Region 2.

Other program responsibilities for grant recipients include:

- Working with local, regional and state partners, including law enforcement, domestic violence and sexual assault victim service providers, court systems, domestic violence and sexual assault statewide coalitions, Department of Justice, and other identified partners to assess the need for, and develop and provide, technical assistance for prosecutors and others;
- Providing legal research and technical assistance to prosecutors on issues of crimes of violence against women, including sexual assault, domestic violence and stalking;
- Providing technical assistance to trial prosecutors in the form of research and briefing assistance, trial strategy and victim/witness preparation;
- Identifying best practice policies for the prosecution of crimes of violence against women; and
- Serving on advisory councils, local community coordinated response and/or sexual assault response teams, committees and other related boards.

The prosecutor will be required to maintain a 40 percent caseload in the county and perform outreach to each county in the established region, which for the southwest region encompasses 18 counties. The remaining 60 percent of the position's activity will be focused on the items above.

**Analysis:**

Currently, Dane County has 21.85 FTE assistant district attorney positions, all of whom may be assigned to violence against women cases. The additional position, in addition to specializing in these types of cases, may act as an expert witness, and will assist other District Attorney offices in outreach efforts regarding the prosecution of violence against women cases. It is expected that the individual hired into the position will have at least five years of experience in prosecution.

The Waukesha County District Attorney's Office (Region 1) has also received an award, and the request for the creation of a new position has been received. The remaining two regions have yet to receive awards.

The Dane County District Attorney's Office, in its grant application, indicated that the creation of this position will allow the office to expand its effectiveness in dealing with domestic violence and other related cases, by developing strong best practice protocols

to manage domestic violence cases and preparing cases for trial, creating a review mechanism to establish the strength of cases to determine the likelihood of positive prosecution, and preparing appropriate disposition strategies to reduce the likelihood of repeat offenses.

The District Attorney's Office has also indicated that this position will provide it with additional opportunities to train medical staff, law enforcement and community partners on managing domestic violence issues and cases. The position would provide additional resources for the office to both expand its existing training and programming, as well as improve protocols to provide for the best outcomes for both sexual assault and domestic violence cases.

The assistant district attorney position furthers the State's policy to fight domestic violence by developing and strengthening effective responses to violence against women and building relationships with collaborative partners in the criminal justice system and the advocacy groups that serve victims in Dane County and the southwest region of the state.

**Recommendation:**

Approve the request.



**WISCONSIN DEPARTMENT OF  
ADMINISTRATION**

SCOTT WALKER  
GOVERNOR

SCOTT A. NEITZEL  
SECRETARY

Division of Administrative Services  
State Prosecutors Office  
Post Office Box 7869  
Madison, WI 53707-7869  
Voice (608) 267-2700  
Fax (608) 264-9500

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DATE: September 10, 2015

TO: Michael Heifetz, Administrator  
Division of Executive Budget and Finance

FROM: Philip W. Werner, <sup>PWW</sup> Director  
State Prosecutors Office

SUBJECT: **REQUEST UNDER S. 16.505 FOR DEPARTMENT 475: DANE  
COUNTY DISTRICT ATTORNEY'S OFFICE**

On behalf of the Dane County District Attorney's Office, I am submitting the attached request to create a 1.0 FTE program revenue project position in Department 475, District Attorneys.

Thank you for your attention to this matter.

Attachment

## DEPARTMENT OF ADMINISTRATION REQUEST UNDER S. 16.505 FOR POSITION AUTHORIZATION

### I. REQUEST

The Department of Administration (DOA) requests, under s.16.505, the creation of a 1.0 FTE program revenue (PR) assistant district attorney (ADA) project position from the date of approval by the Joint Committee on Finance, to October 31, 2016. The position will be in the Dane County District Attorney's (DA's) Office and will be funded via appropriation s.20.475(1)(h).

### II. BACKGROUND

In August, 2015, the Wisconsin Department of Justice (DOJ) Office of Crime Victim Services awarded \$120,300 for a full-time ADA position in the Dane County District Attorney's Office for one year. The program is on a three-year cycle, the first year being a competitive bid; whereas, the second and third year will be non-competitive but the DA's office will need to apply for continued funding beyond the first year.

The funds will be utilized by the Dane County DA's office to create a regional resource prosecutor position specializing in cases of violence against women. The ADA will be responsible for the management of a caseload within the Dane County DA's office, and working collaboratively with local, regional, and State partners, including law enforcement, domestic violence and sexual assault victim services providers, court systems, Statewide coalitions, Wisconsin DOJ, and other partners. The ADA also will consult with other District Attorney offices within Region 2. The prosecutor will identify and utilize best practice policies and research publications to enhance prosecution processes and outcomes. The ADA will serve on a variety of advisory councils, local domestic violence community coordinated response or sexual assault response teams, committees, and other broad entities to work on issues of crimes of violence against women.

The ADA will be a resource for other counties in Region 2 to ensure a prosecutorial response to violence against women that increases victim safety while holding perpetrators accountable.

Though the project period for the VAWA Regional Resource Prosecutor grant is one year beginning October 1, 2015, it is unlikely that the position will be created before that date. Consequently, DOA is requesting legislative authority for the position through October 31, 2016, due to vacancy and turnover, and the timeframe required for the legislature to create the position.

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### III. ANALYSIS

This position is in furtherance of the State's policy to fight domestic violence by developing and strengthening effective responses to violence against women. The grant encourages collaboration between the primary players in the criminal justice system (victim/witness counselors, prosecutors, and law enforcement) and the advocacy groups that serve Dane County and surrounding counties. Victim safety and offender accountability are important aspects of the grant.

### IV. FISCAL ANALYSIS

Funding of \$120,300 has been authorized by the DOJ Office of Crime Victim Services for a 1.0 FTE ADA position for one year. The program revenue appropriation, s.20.475(1)(h), is continuing and will be re-estimated based on actual experience.

### V. REVENUE SOURCE FOR APPROPRIATION

The source of the grant funds is the DOJ Office of Crime Victim Services. Dane County will reimburse the salary and fringe benefit costs for the State-paid ADA position in the Department of District Attorneys.

### VI. SPECIAL INFORMATION

The co-chairs of the Joint Committee on Finance, in a letter to the Department of Administration Secretary dated June 12, 1996, set forth four additional items of information that should be included in a s.16.505 request for additional positions in the District Attorney program.

- 1) *An explanation of the effect of the positions on weighted caseload for the requesting counties (the LAB methodology is suggested).*

Table 1 indicates the LAB methodology's results using the modifications recommended by the Wisconsin District Attorneys Association and highlights the impact of creating the position requested on the Dane County DA's Office. The table uses the most current court data available (2011-2013) and the positions authorized as of February 13, 2015. It is important to note that the position need shown in the LAB methodology is a general need responding to all duties of a DA office and is not specific to a particular type of criminal activity or caseload.

- 2) *An assessment of similar caseload problems in counties not addressed by the request.*

Data with which to make this assessment are not available.

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- 3) *An explanation of why the request has greater priority than similar needs existing in other counties.*

The DOJ Office of Crime Victim Services awarded this grant to the Dane County DA's Office.

- 4) *If the request is intended to address a specific type of caseload, an explanation of why this type of caseload has a greater priority than other types.*

This grant, funded by the DOJ Office of Crime Victim Services, is intended for the Dane County DA's Office to develop and strengthen effective responses to violence against women in Dane County and surrounding counties.

**Table 1: DA Office Caseload Analysis, February 13, 2015**

DA Office	2/13/15 Total FTE Positions *	FTE needed before positions approved	FTE needed after positions approved	DA Office	2/13/15 Total FTE Positions *	FTE needed before positions approved	FTE needed after positions approved
Adams	1.20	1.34	1.34	Marathon	11.00	3.27	3.27
Ashland	2.00	0.30	0.30	Marinette	2.60	0.40	0.40
Barron	3.00	2.67	2.67	Marquette	1.00	0.52	0.52
Bayfield	1.00	0.92	0.92	Milwaukee	120.50	-17.87	-17.87
Brown	13.00	11.62	11.62	Monroe	3.00	3.39	3.39
Buffalo	1.00	0.61	0.61	Oconto	2.00	0.93	0.93
Burnett	1.25	1.55	1.55	Oneida	2.50	1.66	1.66
Calumet	2.00	0.96	0.96	Outagamie	10.00	7.02	7.02
Chippewa	5.00	1.66	1.66	Ozaukee	3.00	1.53	1.53
Clark	2.00	0.37	0.37	Pepin	0.80	-0.26	-0.26
Columbia	4.75	3.01	3.01	Pierce	2.50	0.56	0.56
Crawford	1.00	-0.28	-0.28	Polk	3.00	2.48	2.48
Dane	27.85	6.45	5.45	Portage	4.00	3.90	3.90
Dodge	4.00	1.80	1.80	Price	1.00	0.10	0.10
Door	2.00	0.60	0.60	Racine	18.00	9.96	9.96
Douglas	3.50	2.24	2.24	Richland	1.80	-0.13	-0.13
Dunn	3.00	2.76	2.76	Rock	14.00	2.99	2.99
Eau Claire	8.00	4.75	4.75	Rusk	1.50	0.31	0.31
Florence	0.50	4.05	4.05	Saint Croix	6.00	0.71	0.71
Fond du Lac	8.00	3.30	3.30	Sauk	5.00	2.23	2.23
Forest	1.00	1.50	1.50	Sawyer	2.00	1.14	1.14
Grant	2.00	2.17	2.17	Shaw/Men	3.00	2.03	2.03
Green	2.00	0.87	0.87	Sheboygan	7.50	3.71	3.71
Green Lake	1.50	0.47	0.47	Taylor	1.00	0.45	0.45
Iowa	1.75	0.91	0.91	Trempealeau	2.00	0.07	0.07
Iron	1.00	-0.25	-0.25	Vernon	2.00	-0.04	-0.04
Jackson	2.00	1.74	1.74	Vilas	2.00	0.96	0.96
Jefferson	5.30	1.79	1.79	Walworth	5.00	3.10	3.10
Juneau	2.50	0.55	0.55	Washburn	1.25	0.73	0.73
Kenosha	16.00	6.05	6.05	Washington	5.00	3.86	3.86
Kewaunee	1.50	-0.13	-0.13	Waukesha	15.50	7.76	7.76
La Crosse	8.00	4.75	4.75	Waupaca	3.50	1.14	1.14
Lafayette	1.00	0.28	0.28	Waushara	2.00	1.13	1.13
Langlade	1.50	2.07	2.07	Winnebago	10.00	6.41	6.41
Lincoln	2.00	1.17	1.17	Wood	4.00	5.57	5.57
Manitowoc	5.00	2.41	2.41				

September 10, 2015

Dane County VAWA Regional Resource Prosecutor - Southwestern Wisconsin  
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\*Modifications:

- 1) The 0.5 GPR FTE in Washburn (0.25 FTE) that also serves Burnett (0.25 FTE) is divided by the FTE shown in parentheses.
- 2) In Milwaukee, the total FTE used is 120.50 rather than 121.50 due to the following factor:
  - a) the 1.0 FTE DNA position serves the entire state; so, showing it as a Milwaukee position distorts the data.
- 3) In Brown the total FTE used is 13.00 rather than 14.00 due to the following factor:
  - a) the 1.0 ADA FTE sex predator position in Brown is excluded because it also serves approximately 20 other DA offices.
- 4) The weighted time estimate for CHIPS cases was changed from 2.61 hours to 6.0 hours effective in the 2004-06 study, based on a 7/04 WDAA Executive Board recommendation.
- 5) CHIPS extensions include permanency plan review petitions filed under s. 48.365 beginning with data for 2006.
- 6) Immunization cases filed by DA Offices under s. 48.13(13) are included with CHIPS cases beginning with data for 2006.
- 7) WDAA Executive Board authorized the following changes to the weighted time estimates beginning with the 2007-09 caseload study:
  - a) Increase the "reviewing case referrals that are not prosecuted" from 35 to 100 hours per year, thereby reducing hours available per prosecutor to handle individual cases to 1162 per year.
  - b) Weighted time estimate for Class A and First Degree Reckless homicides changed from 100 hours each to 160 hours each.
  - c) Weighted time estimate for "All other Homicides" changed from 50 to 80 hours each.
  - d) The weighted time estimate for misdemeanors changed from 2.17 hours each to 2.91 hours each.
  - e) The weighted time estimate for criminal traffic changed from 1.68 hours each to 2.91 hours each.
  - f) Weighted time estimate for juvenile delinquency changed from 3.32 hours each to 3.44 hours each.

**From:** Ozanne, Ismael <Ismael.Ozanne@da.wi.gov>  
**Sent:** Tuesday, September 08, 2015 4:46 PM  
**To:** Werner, Phil W - DOA  
**Cc:** Howe, Marlys  
**Subject:** RE: VAWA Specialized Prosecution Regional Resource Prosecutor program update

Phil,

We have been given notice by WI DOJ that we will receive a grant for VAWA Specialized Prosecution Regional Resource Prosecutor which funding will be available on October 1, 2015. Could you please start the process of seeking position authority for this grant with the Joint Finance Committee. Please let me know if you need anything else from me.

Thank you,

Ismael R. Ozanne  
Dane County District Attorney  
215 S. Hamilton St. # 3000  
Madison WI 53703-3297  
[ismael.ozanne@da.wi.gov](mailto:ismael.ozanne@da.wi.gov)  
Ph: (608) 266-4211  
Fx: (608) 267-2545

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**From:** Werner, Phil W - DOA  
**Sent:** Tuesday, September 08, 2015 4:41 PM  
**To:** Howe, Marlys; Ozanne, Ismael  
**Subject:** RE: VAWA Specialized Prosecution Regional Resource Prosecutor program update

Ish and Marlys: Congratulations on being awarded funding for the VAWA Regional Prosecutor position.

I will be happy to begin the process of seeking position authority, and would appreciate a copy of the grant application, as well as an e-mail from Ish requesting that I request position authority for this grant-funded position.

Thanks. Phil.

---

**From:** Howe, Marlys [<mailto:Marlys.Howe@da.wi.gov>]  
**Sent:** Tuesday, September 08, 2015 3:51 PM  
**To:** Werner, Phil W - DOA; Ozanne, Ismael R - DAIT  
**Subject:** FW: VAWA Specialized Prosecution Regional Resource Prosecutor program update

**I am starting this discussion as it relates to position authority.**  
**Thanks**

Marlys Howe  
Manager-DV Unit  
Dane County District Attorney Office  
215 S. Hamilton St Room 3000  
Madison, WI 53703  
608-284-6888

**From:** Phelps, Shira R - DOJ  
**Sent:** Friday, August 21, 2015 10:39 AM  
**To:** Ozanne, Ismael  
**Cc:** Howe, Marlys; 'hicklin@co.dane.wi.us'; Karofsky, Jill J - DOJ; Grady, Cynthia A - DOJ  
**Subject:** VAWA Specialized Prosecution Regional Resource Prosecutor program update

The Wisconsin Department of Justice Office of Crime Victim Services has completed the review, evaluation, and selection process for applications in the STOP VAWA Specialized Prosecution Regional Resource Prosecutor program for the southwest region 2 of the state. I am happy to announce that the Dane County District Attorney's Office will receive funding to create the Southwest Regional Violence Against Women Resource Prosecutor. The project period for the first year of funding will begin on October 1, 2015. Your office will receive a formal letter from the Attorney General with additional details.

I will also be in touch to discuss next steps, project and budget details, and to answer any immediate questions you might have. We will be scheduling an initial meeting with the Regional VAW Resource Prosecutors and DOJ staff later this fall.

Congratulations! I look forward to working with you on this exciting project.

Sincerely,

Shira Rosenthal Phelps  
VAWA Grants Administrator  
Violence Against Women Program and Policy Analyst  
Office of Crime Victim Services  
Wisconsin Department of Justice  
608.267.5250  
[PhelpsSR@doj.state.wi.us](mailto:PhelpsSR@doj.state.wi.us)

WISCONSIN DEPARTMENT OF JUSTICE

DOJ USE ONLY

Applicant Hereby Applies to the DOJ for Financial Support for the Within-Described Project:

Receipt Date	Award Date	Subgrant Number(s)
		- 11407

SUBGRANT #: 11407

SHORT TITLE: Dane County Specialized Resource Prosecutor

1. Type of Funds for which you are applying.	( ) VAWA STOP: Specialized Prosecution Regional Resource Prosecutor 2015		
2. Applicant	Name Of Applicant:		
	Dane County District Attorney's Office		County: Dane
	Street Address Line 1: 215 South Hamilton Street		
	Address Line 2: Room 3000		Address Line 3:
	City: Madison		State: WI Zip: 53703-3293
3. Recipient Agencies	Dane County District Attorney's Office		
4. Signatory	Name:		Title: County Executive
	Joseph Parisi		Agency: Dane County
	Address Line 1: 210 Martin Luther King Jr. Blvd.		
	Address Line 2:		Addr Line 3:
	City: Madison		State: WI Zip: 53709-3340
	Phone:	Fax:	Email: Parisi@countyofdane.com
5. Financial Officer	Name:		Title: Controller
	Mr. Charles R. Hicklin		Agency: Dane County District Attorney's Office
	Address Line 1: 215 South Hamilton Street		
	Address Line 2: Room 3000		Addr Line 3:
	City: Madison		State: WI Zip: 53703-3293
	Phone: 608-266-4109	Fax:	Email: hicklin@co.dane.wi.us
6. Project Director	Name:		Title: Domestic Violence Unit Manager
	Ms. Marlys K. Howe		Agency: Dane County District Attorney's Office
	Address Line 1: 215 South Hamilton Street		
	Address Line 2: Room 3000		Addr Line 3:
	City: Madison		State: WI Zip: 53703-3293
	Phone: 608-284-6888	Fax: 608-267-2545	Email: marlys.howe@da.wi.gov
7. Brief Summary of Project  (Do Not Exceed Space Provided)	Short Title (may not exceed 50 characters)		
	Dane County Specialized Resource Prosecutor  Dane County would use the funding to support a Specialized Regional Resource Prosecutor. This position would carry a reduced specialized caseload within the Dane County DA office. This position would also work collaboratively with local, regional and statewide partners. They would provide consultation to other Region 2 counties to include legal advice, technical assistance and the sharing of best practice and protocols to handling Domestic Violence and Sexual Assault cases. The Resource Prosecutor will serve on advisory councils, community CCR and other committees and entities related to the promotion of holding offenders accountable and providing effective options to keep victims safe. The goal will be to establish a best practice way to prosecute specialized prosecution cases while improving collaborations between offices in our region that ultimately will benefit all victims in the state.		

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8. SubGrant Budget

Sources

Categories	Federal	Cash Match (New Approp.)	In-Kind Match	Category Total
Personnel	85,300.00	0.00	0.00	85,300.00
Employee Benefits	35,000.00	0.00	0.00	35,000.00
Travel (Including Training)	4,043.72	0.00	0.00	4,043.72
Equipment	0.00	0.00	0.00	0.00
Supplies & Operating Expenses	0.00	0.00	0.00	0.00
Consultants/Contractual	0.00	0.00	0.00	0.00
Other	0.00	0.00	41,666.00	41,666.00
Source Total	124,343.72	0.00	41,666.00	166,009.72

9. Project Start Date: 10/1/2015 Project End Date: 9/30/2016

10. BUDGET DETAILS:

A. MASTER BUDGETS:

BY RECIPIENT AGENCY	YEAR 1	Total
Dane County District Attorney's Office	166,009.72	166,009.72
Total:	166,009.72	166,009.72

Allocation/Recipient Agency: Dane County District Attorney's Office

Category:	YEAR 1	Total
Personnel	85,300.00	85,300.00
Employee Benefits	35,000.00	35,000.00
Travel (Including Training)	4,043.72	4,043.72
Other	41,666.00	41,666.00
Total	166,009.72	166,009.72

11. BUDGET DETAILS:

A. MASTER BUDGETS:

Line Item Details for Dane County District Attorney's Office.

**YEAR 1**

**PERSONNEL**

Justification:		<u>COST</u>
Position	Specialized Resource Prosecutor (5 years experience)	
Name	TBD	
Description of your computation: Salary for 1 year of Specialized Prosecutor		
	Source: Federal	85,300.00
	Source: Cash Match (New Approp.)	0.00
	Source: In-Kind Match	0.00
<b>Personnel Year 1 Total:</b>		<b>85,300.00</b>

**EMPLOYEE BENEFITS**

Justification: The cost for the Fringe Benefits for a prosecutor with at least 5 years experience=\$35,000		<u>COST</u>
Position	Specialized Resource Prosecutor	
Name	TBD	
Description of your computation: 1 year worth of Fringe Benefits per WI DOA		
	Source: Federal	35,000.00
	Source: Cash Match (New Approp.)	0.00
	Source: In-Kind Match	0.00
<b>Employee Benefits Year 1 Total:</b>		<b>35,000.00</b>

**TRAVEL (INCLUDING TRAINING)**

Justification: In the travel budget we have estimated for 400 miles of travel during the first year of the grant. This will allow the Specialized Resource prosecutor the opportunity to have in person contact with other counties in the region if needed to discuss complex cases and assist with preparation of trials. The request is also for coverage of meals during the travel days.

There is a travel request for the annual Statewide CCR training in a location TBD.

There is also a request for funding for the resource prosecutor to 2 national conferences. One is the Training Institute on Strangulation Prevention in San Diego and the other would be through AEQUITAS (location to be determined) related to Sexual Assault cases. They offer several training institutes throughout the year and we would determine what the most appropriate training would be for the resource prosecutor to attend. The prosecutor would then be expected to present on both of these trainings to the Dane County DA office on what was learned. We could record that training and be able to have that available to other counties as a potential webinar. The training budget would account for all expenses related to the above named travel.

Purpose of Travel	Annual Statewide CCR training-End Abuse WI	
Location	TBD within the State	
Item	mileage, conference fee, lodging, meals	
Description of your computation: Mileage 250 miles X .51=127.50, Conference Fee \$25, Lodging \$100(one night), meals: dinner X 2=\$40		
	Source: Federal	267.00
	Source: Cash Match (New Approp.)	0.00
	Source: In-Kind Match	0.00
Purpose of Travel	Provide legal advice and technical assistance/case reviews/trial preparations	
Location	Counties within the region	
Item	Meals	
Description of your computation: 10 days of travel at \$10 per meal		
	Source: Federal	100.00
	Source: Cash Match (New Approp.)	0.00
	Source: In-Kind Match	0.00

<b>Purpose of Travel</b>	Provide legal advice and technical assistance/case reviews/trial preparations		
<b>Location</b>	Counties within the Region		
<b>Item</b>	Mileage		
<b>Description of your computation:</b> 400 miles at .51 reimbursement rate			
	Source: Federal		204.00
	Source: Cash Match (New Approp.)		0.00
	Source: In-Kind Match		0.00

<b>Purpose of Travel</b>	Training Institute-ABQUITAS		
<b>Location</b>	Washington DC (or other location TBD)		
<b>Item</b>	Flight, ground transportation, lodging, meals		
<b>Description of your computation:</b> Flight: \$400, ground transportation: \$200, Lodging: 5 nights X \$150=750, Meals: 3 meals a day, X 5 days=\$200			
	Source: Federal		1,736.36
	Source: Cash Match (New Approp.)		0.00
	Source: In-Kind Match		0.00

<b>Purpose of Travel</b>	Training Institute on Strangulation Prevention		
<b>Location</b>	San Diego, California		
<b>Item</b>	Flight, Ground Transportation, Meals and Lodging		
<b>Description of your computation:</b> Flight: \$400, ground transportation: \$200, Lodging: 5 nights X \$150=750, Meals: 3 meals a day, X 5 days=\$200			
	Source: Federal		1,736.36
	Source: Cash Match (New Approp.)		0.00
	Source: In-Kind Match		0.00

**Travel (Including Training) Year 1 Total: 4,043.72**

**OTHER**

**Justification:** The Manager of the Domestic Violence Unit, Marlys Howe will be the In-Kind Match for this grant. **COST**  
The funds will be used for a 1.0 Specialized Resource Prosecutor. This includes Salary and Benefits.

<b>Description</b>	DV Manager- Marlys Howe; 25% Match 1 year		
<b>Description of your computation:</b> 25% Match-DV Manager			
	Source: Federal		0.00
	Source: Cash Match (New Approp.)		0.00
	Source: In-Kind Match		41,666.00

**Other Year 1 Total: 41,666.00**

**YEAR 1 TOTAL: 166,009.72**

12. SECTIONS:

**A PROJECT DEVELOPMENT & IMPACT TO DATE**

Please answer the following questions completely and in the order they appear.

1. Include a brief history of how your office has addressed violence against women, including:
  - a. What federal funds has your office received in the past 10 years to address violence against women?
  - b. How has prosecution of violence against women offenses evolved?
2. Does your office participate on community coordinated response or sexual assault response teams? Attach any written interagency agreements.
3. What emerging issues and problems require attention? How will your office respond to these problems?
4. Describe any technical assistance or training your agency has provided in relation to violence against women.

**RESPONSE:**

The Dane County District Attorney has always had a proactive approach to the issue of Domestic Violence (DV). In the mid-nineties, with the assistance of federal grant funds, a dedicated Domestic Violence Unit was created. The unit was funded initially with funds through a Grants To Encourage Arrest grant. It funded three prosecutors, three DV specialists, a bail monitor counselor, a clerical and a paralegal. Shortly after receiving that grant, the office applied and were awarded an additional two prosecutors through the VAWA STOP specialized prosecution grant. These grants funded positions for a total of ten years. During that timeline, the office went from prosecuting hundreds of DV cases to the current volume of almost 3,000 referrals that now come into the office each year. We average a 1-2% dual arrest rate in Dane county and that percentage has to do more with non-intimate partner related DV cases. (I.e. roommate or sibling disputes). In 2104 there were 121 Sexual Assault (SA) cases referred to the Dane County District Attorney's office.

In 1998 a Domestic Violence Protocol/Best Practices manual was created for the office to assist new ADA's in how to work on DV cases. It was last updated in 2008 and is currently under revisions to include legislative updates and to include the intersection with the DV Specialist and the importance of the victim's perspective. Several staff from within the office participated in the rewrite of the Statewide Prosecution Manual on DV that is currently available on WILENET.

With the previous grant funding we were able to send staff to specialized DV, Stalking, Sexual assault and Child abuse related training, locally, statewide and on the national level. We have had Department of Justice staff present trainings to our office related to similar topics. Staff of the DV unit participate on several committees. On a statewide level there is participation on the Governor's Council on Domestic Abuse: Legislative and Policy subcommittee. Locally, we have staff appointed to the Commission of Sensitive Crime and others who participate monthly on the Commissions DV and Sexual Assault Community Coordinated Response Task Forces (CCRTF). Staff also attend the monthly subcommittees of those CCRTF's, including the Legal Issues and Victim Outreach subcommittees. Dane County is a partner in the Sexual Assault Response Team (SART) and members from the office attend those meetings monthly. The Victim Witness unit within the office has three dedicated DV specialist along with a dedicated Sexual Assault (SA) victim witness case manager. The Victim Witness staff assists the prosecutors on all sensitive crime cases and are a resource for services for victims in the community beyond the mandated Chapter 950 requirements. We have strong relationships with Rape Crisis Center and Domestic Abuse Intervention Services.

The emerging issues that the office is currently working through related to DV cases are the complexity of these types of cases and often times recanting victims. The use of other acts motions in criminal cases, is a common addition to prosecution now, but requires additional time and focus to work on for each defendant. We are using more experts for DV dynamics and Strangulation. Coordinating and meeting with the expert witnesses has created an added dimension to preparing cases for trial. There has been more focus on the charging process, to be sure to include the repeater enhancer onto cases, or charge cases as Felonies if the meet the new statutory language related to prior acts. This requires a more in depth review of all previous history and outcomes. The goal has been to identify the repeaters and review the previous outcomes and utilize their prior convictions to assure that the disposition better fits the behaviors of that particular

defendant. Although the office has a strong history on DV related cases, we also have experienced prosecutors working on sexual assault cases. Several of the prosecutors in our office have the capability to work on a dual SA and DV caseload. In the Victim Witness unit we have a dedicated SA caseload with the same staff person in the position for over 20 years. In addition to that, we have created a hybrid position within the DV unit, to include one specialist who works DV and SA cases. We are also currently hiring for a Victim Witness case manager whose caseload will include cases where DV intersects with Child Abuse. We have seen how these crimes overlap and we are committed to providing experience staff dedicated to these cases.

The ADA's and DV specialists in the office have provided hundreds of trainings hours to local and statewide law enforcement jurisdictions. We train several local jurisdictions on an annual basis. We have provided trainings to 911 communicators, Department of Correction staff and local non-profit entities. Staff has organized trainings on topics such as strangulation (to include a SANE nurse and medical examiner), stalking and other DV related topics for courthouse staff, law enforcement and our DV community partners. Recently, Dane County worked on and implemented the lethality assessment and several members of the DA's office participated on a workgroup to assist in that project. Staff have participated as panel members in statewide trainings, to include SPET and the Victim Witness Professional Organizations conferences. The panels topics included DV 101, UVISA's/immigration issues, Firearm Surrender related to restraining orders, legal issues related to DV, trauma and victims, working with recanting victims and DV advocacy issues.

The staff in the DV unit in Dane County are often utilized by other agencies, to include Department of Corrections, victim witness staff from across the state and numerous Law Enforcement agencies for guidance, information and best practices. Staff work closely with law enforcement to ensure the most useful information is conveyed in police reports, while ensuring victim's needs are met. In turn then are able to present the best case in court utilizing past police reports, 911 tapes, jail recorded inmate conversations, photos, medical records, prior offender records, restraining order documentation and transcripts from other court proceedings. Utilizing experts to educate the jury in areas of stalking, strangulation and DV dynamics also improves outcomes in DV cases. The DV unit is ever evolving and updating based on new legislation and trends in DV crimes. The addition of a specialized resource regional prosecutor will only continue to enhance how our office responds to violence against woman cases, specifically SA and DV cases.

#### PROJECT DEVELOPMENT & IMPACT TO DATE - RELATED ATTACHMENTS:

**File Name**

**File Description**

**B GOALS AND OBJECTIVES**

The purpose of this section is to: (1) describe the broad goals for your project, (2) present clear objectives designed to achieve those goals, and (3) outline a plan to evaluate or assess success in achieving your proposed outcomes.

Choose the most critical expectations to develop into three to five objectives for this project.

Goals are defined as:

Functional or behavioral outcomes that you believe will address the problem you describe above. Be as specific as possible about the behavioral and functional outcomes needed. Your proposal should include 1-2 broad goals that guide your project.

Objectives are defined as:

List the behavioral outcomes and attitudinal changes that need to be achieved as steps toward achieving the project goals. Objectives are the focus of project activities and should identify outcomes you believe are achievable by your project. Objectives should be measurable. List 2-4 specific objectives for each broad goal.

RESPONSE:

Please see attachment of the Goals and Objectives

**GOALS AND OBJECTIVES - RELATED ATTACHMENTS:**

File Name	File Description
ResourceprosGoal.docx	Goals and Objectives # 11407

**C IMPLEMENTATION PLAN**

Describe the steps needed to implement this plan to address the problem or issue.

- Outline the project operations and tasks intended to accomplish the objectives you describe in program goals and objectives.
- Include a timeline for implementation steps.
- Describe coordination efforts with other relevant community programs

RESPONSE:

Please see attached Implementation Task, Timeline and Coordination plan.

**IMPLEMENTATION PLAN - RELATED ATTACHMENTS:**

File Name	File Description
Implementation Task.docx	Implementation Plan #11407

**D REQUIRED ATTACHMENTS**

Please attach the following documents to your application in this section:

- Position Descriptions for each funded or partially funded position
- Resumes for any STOP VAWA funded positions
- Certification of Consultation

RESPONSE:

Please note that because we have not hired a person for this position, we are unable to provide the resume at this time. Once the person is in the position, the resume would be submitted per the grant requirement.

**REQUIRED ATTACHMENTS - RELATED ATTACHMENTS:**

File Name	File Description
ADA position description_1-27-15.doc	Job Description #11407



14. Approval Checklist:

- A. Have you, the grant recipient, had any discrimination findings after a due process hearing on the basis of race, color, religion, national origin or sex within the last 5 years? (federal BBOP required response)
- Yes  
 No
- B. If yes, have the discrimination findings been reported to the Office of Civil Rights as required for all recipients of Federal funds? (see <http://www.eop.usdoj.gov/bcr/>). If no, a copy should be forwarded to: Wisconsin Department of Justice, Attn: EBOP, 17 West Main Street, PO Box 7857, Madison, WI 53707-7857 (federal BBOP required response)
- Yes  
 No  
 N/A
- C. Have you utilized the DOJ Administrative Guide located on the DOJ website? (grants-admin-guide-2012.pdf)
- Yes  
 No
- D. Would you like someone from DOJ to contact you?
- Yes  
 No
- E. Are you a state or local government agency; AND have 50 or more employees; AND applying for \$25,000 or more? If yes, you are required to prepare and implement an Equal Employment Opportunity Plan (EEOE) or Certification form (if applicable). A copy of your BBOP federal approval letter must be submitted to DOJ. (More information may be found at <http://www.doj.state.wi.us/grants/grantee-civil-rights-information>) (federal BBOP required response)
- Yes  
 No  
 N/A
- F. If this application is \$25,000 or more, did your business or organization (including parent organization, all branches, and all affiliates worldwide) receive in the previous fiscal year (1) 80% or more of your annual gross revenues in US federal contracts, subcontracts, loans, grants, subgrants, and/or cooperative agreements?; AND (2) \$25,000,000 or more in annual gross revenues from US federal contracts, subcontracts, loans, grants, subgrants, and/or cooperative agreements? (required by The Federal Funding Accountability and Transparency Act)
- Yes  
 No  
 N/A
- G. If you answered yes to the previous question, does the public have access to information about the compensation of the senior executives in your business or organization (including parent organization, all branches, and all affiliates worldwide) through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986? If you answered no to the first part of this question; you must attach to this application the full names and compensation of the top 5 highly compensated individuals of your organization as required by The Federal Funding Accountability and Transparency Act.
- Yes  
 No  
 N/A

15. Attachments:

List of Attachments required for submission of this Application for funding:

Section: Goals and Objectives

File Name

ResourceprosGoal.docx

File Description

Goals and Objectives # 11407

Section: Implementation Plan

File Name

Implementation Task.docx

File Description

Implementation Plan #11407

Section: Required Attachments

File Name

ADA position description\_1-27-15.doc

letterofconsultation.docx

File Description

Job Description #11407

Letter of Certification of Consultation grant # 11407

Goal #1- To improve the Dane County District Attorney's office and over all Criminal Justice systems response to holding perpetrators accountable for their behaviors and crimes while meeting the needs and concerns of victims of sensitive crimes.

- Objective: Create a specialized caseload dedicated to Sexual Assault, Domestic Violence and Stalking.
  - Hire an experienced prosecutor familiar with the dynamics of sensitive crimes to handle the specialized caseload.
  - Create database to capture volume of cases assigned to specialized prosecution to include the type of crimes committed, demographics of the cases (both victim and perpetrator). *nd Outcome*
  - Maintain vertical prosecution of all cases on specialized caseload.
  
- Objective: Be available to other prosecutors in the Dane County District Attorney office to be able to provide technical assistance on any aspect of working complex sexual assault, domestic violence and stalking cases to strengthen prosecution of all of these kinds of cases in the office.
  - Provide in house guidance and training on items such as brief writing, other act motions, obtaining expert witnesses, how to prepare voir dire, opening and closing arguments, preparing a witness for trial and other aspects of trial preparation.
  - Documenting all questions or areas of concern from prosecutors to create a Frequently Asked Questions list for prosecutors to be shared within office.
  - Ongoing emails to prosecutors in the Dane County District Attorney office relating to domestic violence, sexual assault or stalking cases to include but not limited: legislative updates, current research, trending topics related to these topics or upcoming training opportunities.
  - Plan and coordinate to have DOJ staff provide ongoing training opportunities in the office.
  - Attend monthly CCR and SART meetings and any other related community meetings or committees that will improve processes within Dane County.
  - Attend SPET.
  - Encourage collaboration with victim witness staff within each office and community advocates working with victims of sensitive crimes.
  - Attend any and all required meetings with Department of Justice.
  - Report all of activities listed above in quarterly reports.

Goal # 2: To be a resource for other counties within Region 2 to ensure a prosecutorial response to violence against women that increases victim safety while holding perpetrators accountable.

- Objective: Be a resource to prosecutors in other counties in Region #2 to provide a consistent response to domestic violence, sexual assault and stalking criminal cases.
  - Provide ongoing technical assistance in person, by phone or via email to prosecutors in region #2 who are in need assistance to include but not limited to: tips on how to prepare briefs, case and trial preparation tips, assistance with best practice for working with victims, researching criminal histories and preparing other acts motions, preparing witnesses and utilizing expert witnesses for trial.
  - Create and maintain list serve of all prosecutors in region # 2 to be able to send legislative updates, current research and upcoming trainings related to this specialized caseload.
  - Maintain a list serve of prosecutors in region # 2 for questions and responses to topics related to case work to allow sharing of information about what is working and best practices between counties in a timely manner.
  - Coordinate access to any training that occurs in Dane County District Attorney office, via streaming online (maybe recorded and shared), via conference call or in person.
  - Encourage collaboration with victim witness staff within each office and community advocates who work with victims of sensitive crimes.
  - Encourage all counties to participate in SPET trainings.
  - Attend any and all meetings required by the Department of Justice.
  - Report all of activities listed above in quarterly reports.
  - Update Dane County District Attorney domestic violence best practice manual, in collaboration with other regions input, to include sexual assault and stalking cases and to be shared within Region #2 and statewide as requested.
  - Report all of activities listed above in quarterly reports.

Specialized Regional Resource Prosecutor Dane County #11407

IMPLEMETATION TASK	IMPLEMENTATION TIMELINE	IMPLEMENTATION COORDINATION/ACTION
Hire Specialized Resource Prosecutor (SRP)	October 2015	DA Staff to include DV Manager
Train SRP on requirements of the grant and expectations for the position.	October 2015	DA Staff to include DV Manager and Senior prosecutors in the office. If in house hire, restructure caseload and set up outline of grant requirements.
SRP creates list serve for Region 2	October 2015	With assistance of office Database coordinator and other DA's office in region.
SRP creates database to track caseload Maintains database	October-November 2015 Ongoing	With assistance of office Database Coordinator to identify data needed and how reporting will be done.
SRP maintains reduced specialized caseload-working towards a vertical prosecution case management style.	Ongoing	Assigned by Deputy District Attorney (DDA) in collaboration with DV Specialists and other VW Staff.
SRP to create plan for reaching out to community programs and beginning committee work.	November-December 2015	Work with DV Manager and community advocacy groups to determine participation needs. Map out meeting schedules and participation plan. Introduction of SRP via email/letters/in person. Keep track of all activities.
SRP field calls from Regional DA Offices to triage/consult/offer technical assistance.	Ongoing	Document all activities. Consult with DOJ Staff as needed. Meet with staff from other DA offices as needed. Consult with DDA's as needed.
SRP emails updates on research/legislative/best practice ideas and upcoming trainings.	Ongoing	Document all activities.
Set up trainings for Dane County DA office and other regional offices.	Ongoing	Document all activities. Contact DOJ Staff to arrange trainings. DOJ staff to provide in house trainings with opportunity to create regional trainings or video conference/videotape.

Specialized Regional Resource Prosecutor Dane County #11407

Attend SART and CCR meetings.	Monthly	Attend meetings with DV and VW staff
Attend SPET	Annually	Attend with other ADA's from the DA office.
Create a Frequently Asked Questions document.	Beginning in November 2015. Update as inquiries occur and email out quarterly to list serve.	Working with other regional offices, create document/list with Database Coordinator and disseminate on list serve quarterly.
Document all activities, to include on-going caseload issues, on-going office issues related to SRP position.	Ongoing and reported in quarterly reports.	SRP to work with DV Manager and Database Coordinator to be sure all reports are in on time and all requirements are met.

## **Assistant District Attorney Specialized Prosecution Regional Resource Position Description**

### **Definition:**

Under direction of the District Attorney, perform duties of the District Attorney's Office as defined in Wis. Stats. Sec 978.05. Prosecute criminal actions specifically related to crimes against women to include Domestic Violence, Stalking and Sexual Assault crimes.

### **Duties:**

Responsible for management of a reduced specialized violence against women caseload, to include domestic violence, stalking and sexual assault cases within the Dane County District Attorney Office. Work collaboratively with local, regional and state partners, including law enforcement, domestic violence and sexual assault victim services providers, court systems, statewide coalitions, Wisconsin Department of Justice and other identified partners. Assess the need for, and develop and provide technical assistance for prosecutors and others, within the Dane County District Attorney office and other regional District Attorney's Offices. Provide in person, phone and email technical assistance, legal research, briefing assistance, trial strategy and victim/witness preparation to prosecutors on issues of crimes against woman, including domestic violence, sexual assault and stalking. Consult with other prosecutors within the Dane County District Attorney office and other District Attorney offices within Region 2. Identify and utilize best practice policies and research publications to enhance prosecution processes and outcomes. Serve on advisory councils, local domestic violence community coordinated response or sexual assault response teams, committees and other broad entities as requested to work on issues of crimes of violence against women. Attend SPET training. Meet with Department of Justice program oversight group quarterly.

### **EMPLOYMENT STANDARDS:**

#### Education and Experience:

Must possess a JD from an accredited University. Must be admitted to practice law in the State of Wisconsin. Should possess five years of experience practicing law, with an emphasis on the criminal justice system. Have experience in the area of prosecution related to violence against women to include domestic violence, stalking and sexual assault cases.

#### Knowledge and Abilities:

Understanding of the dynamics of sensitive crimes to include domestic violence and sexual assault related crimes. Understanding of the dynamics of trauma as it relates to victimization. Work collaboratively in team that includes, but is not limited to, law enforcement, victim witness staff and community non-profits advocates that work specifically with victims of sexual assault and domestic violence.