

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: June 1, 2016

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

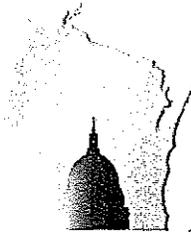
Attached is a copy of a request from the Department of Administration, received June 1, 2016, pursuant to s. 16.515/16.505(2), Stats., on behalf of the Milwaukee County District Attorney's office.

Please review the material and notify **Senator Darling** or **Representative Nygren** no later than **Monday, June 20, 2016**, 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: June 1, 2016
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
Subject: s. 16.515/16.505(2) Request(s)

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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*

* Project position ending March 31, 2019.

As provided in s. 16.515, the request(s) will be approved on June 22, 2016, 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: May 20, 2016
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*

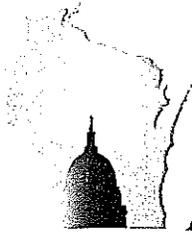
* Project position ending 03/31/2019.

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*

* Project position ending 03/31/2019.

MH APPROVAL 05-25-16 *Mbtt* (FORWARD TO KIRSTEN GRINDE)



**WISCONSIN DEPARTMENT OF
ADMINISTRATION**

SCOTT WALKER
GOVERNOR
SCOTT A. NEITZEL
SECRETARY

Division of Executive Budget and Finance
Post Office Box 7864
Madison, WI 53707-7864
Voice (608) 266-1736
Fax (608) 267-0372
TTY (608) 267-9629

Date: May 20, 2016

To: Scott A. Neitzel, Secretary
Department of Administration

From: Caitlin Morgan Frederick
Executive Policy and Budget Manager

Subject: Request Under s. 16.505(2) from the Milwaukee 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 Milwaukee County District Attorney's Office, requests the creation of a 1.0 FTE program revenue assistant district attorney project position. Position authority is requested through March 31, 2019.

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 Sexual Assault Kit Initiative grant through the Wisconsin Department of Justice, Division of Law Enforcement Services. 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 Milwaukee County District Attorney's Office will reimburse the salary and fringe benefit costs for the assistant district attorney project position from the grant award.

Background:

The Milwaukee County District Attorney's Office was awarded \$259,921 from the Wisconsin Department of Justice, which was received by the department as part of grant issued by the New York County District Attorney's Office to 20 states. The total awards issued nationwide were \$38 million. The intent in awarding the grant to various governmental entities is to reduce the number of unprocessed sexual assault kits and develop coordinated community response plans to resolve those cases, as well as prevent future backlogs of unprocessed kits. Milwaukee County is a subrecipient of the federal grant. The grant complements \$41 million in grant aid issued to states and local jurisdictions by the U.S. Department of Justice, Bureau of Justice Assistance, of which the Wisconsin Department of Justice was also a direct recipient.

The Milwaukee County District Attorney's Office has a Sensitive Crimes Unit, which specializes in the investigation and prosecution of sexual assault cases. Attorneys in

Scott A. Neitzel, Secretary
Page 2
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the unit receive special training in working with victims of sexual assault and prosecution of sexual assault cases. In its grant application, the Milwaukee County District Attorney's Office indicated that the Sensitive Crimes Unit reviewed 1,155 charges in 2015, of which 532 have not been processed and 88 cases were targeted for further investigation. The assistant district attorney assigned to the Sexual Assault Kit Initiative will be responsible for overseeing the reduction of unprocessed sexual assault kits and the disposition of cases which have developed through evidence collected from the sexual assault kit backlog, and is expected to review approximately 140 cases in the first year of the grant award.

As part of the overall initiative with the Wisconsin Department of Justice, the Milwaukee County District Attorney's Office also anticipates expanding public service efforts to encourage individuals who underwent a sexual assault examination but who chose not to report the assault, to come forward. The assistant district attorney will work with victim advocate groups, law enforcement and other partners to ensure the available support and justice is received by the victim. It is likely that in certain cases the statute of limitations has expired, or the length of time since the initial assault occurred will make prosecution and case disposition difficult; however, evidence gathered during these investigations may lead to convictions for related other criminal activities.

Analysis:

The Wisconsin Department of Justice estimates that approximately 45 percent of all unsubmitted sexual assault kits are located in Milwaukee County. In the city of Milwaukee, it is estimated that there are at least 750 untested kits.

The assistant district attorney assigned to this position will develop a protocol for tracking criminal investigations once a suspect has been identified, review all cases from which test results have been completed and participate in vertical prosecution. Vertical prosecution allows the same attorney to interview the alleged victim, file charges and handle the case through trial and sentencing. In this effort, the assistant district attorney will be responsible for all case preparation as well as representation.

The amount of the award is intended to support an assistant district attorney position for a maximum of 33 months. In anticipation of delays in approval and hiring, the department has requested position authority from July 1, 2016, to March 31, 2019.

The grant award supports the state's ongoing efforts to reduce the backlog of unsubmitted sexual assault kits and make the evidence available for investigation and prosecution of cases, and directly complements the Sexual Assault Kit Initiative being undertaken by the Wisconsin Department of Justice.

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

DATE: April 19, 2016

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

FROM: Philip W. Werner, Director
State Prosecutors Office

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

On behalf of the Milwaukee 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 March 31, 2019. The position will be in the Milwaukee County District Attorney's (DA's) Office and will be funded via appropriation s.20.475(1)(h).

II. BACKGROUND

In April, 2016, the Wisconsin Department of Justice (DOJ) awarded \$259,921 to Milwaukee County for a full-time ADA position in the Milwaukee County District Attorney's Office from January 1, 2016, to September 30, 2018. The grant, however, was not made until April 6, 2016, and it is unlikely that the new position will be created prior to July. Therefore, to maintain the 33-month length of the grant, DOA is requesting that position authority be granted through March 31, 2019.

The ADA will serve as a law enforcement liaison, crime laboratory and medical facility point of contact for cases involving the back log of Sexual Assault Evidence Kits. Funding has been awarded to Milwaukee County and the State of Wisconsin to enable the crime laboratory and law enforcement to perform forensic examinations of evidence seized during sexual assault investigations that have not yet been examined for DNA. As these cases develop, the ADA will work with law enforcement, the crime laboratory, medical facilities, and victim advocates to develop criminal prosecutions to hold perpetrators accountable.

This ADA will be assigned to the Sensitive Crimes Unit of the Milwaukee County DA's office, and will be charged with the expeditious prosecution of perpetrators identified in this process. The attorneys assigned to the Sensitive Crimes Unit receive specialized training in working with victims of sexual assault and presenting forensic evidence to effectively prosecute complex cases. The attorneys work with victim advocates who are responsible for addressing the holistic well-being of the victims of these crimes.

This ADA will review referrals for prosecution, review police reports, interview witnesses to determine whether or not criminal charges are appropriate, prepare criminal complaints, prepare declination memos to explain why charges are not being pursued, and notify victims of charging decisions. The prosecutor will represent the State before judges and court commissioners, handle preliminary examinations, motions, plea negotiations, trials, and sentencings. The ADA also will provide legal

advice on sensitive crimes cases to police officers and work with advocates to ensure that victims are referred to appropriate services. It is anticipated that this ADA will review approximately 140 cases in the first year.

III. ANALYSIS

This position is in furtherance of the State's policy to fight sexual assault by supporting investigations and prosecutions resulting from evidence found in sexual assault kits that have not been submitted to a crime laboratory for analysis. The grant encourages collaboration between the primary players in the criminal justice system (victim advocates, prosecutors, and law enforcement) that serve Milwaukee County. Victim safety and offender accountability are important aspects of the grant.

IV. FISCAL ANALYSIS

Funding of \$259,921 has been authorized by the DOJ for a 1.0 FTE ADA position for 33 months. 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. Milwaukee 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 Milwaukee 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.

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

The DOJ awarded this grant to Milwaukee County.

- 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 DOJ, is intended for the Milwaukee County DA's Office to create a prosecutor position which supports sexual assault investigations and prosecutions resulting from evidence found in sexual assault kits that have not been submitted to a crime laboratory for analysis.

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	-18.87
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	6.45	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				

*Modifications:

April 19, 2016
Milwaukee County Sexual Assault Kit Initiative
s.16.505 Request
Page 5

- 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.



OFFICE OF THE DISTRICT ATTORNEY
Milwaukee County

JOHN T. CHISHOLM • District Attorney

Chief Deputy Kent L. Lovern, Deputies James J. Martin, Patrick J. Kenney, Lovell Johnson, Jr., Jeffrey J. Altenburg, Karen A. Loebel, Elisabeth Mueller

- Gale G. Shelton
David Robles
Steven H. Glamm
John M. Stober
Thomas L. Potter
Rayann Chandler Szychlinski
Carole Manchester
Steven V. Licata
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Dennis P. Murphy
Bruce J. Landgraf
Dennis J. Singl
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Jesica A. Ballenger
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Sara Volden Schroeder
Abbey M. DeSisto
Holly M. Schmidt
Jay R. Pucak
Danielle E. Chojacki
Benjamin T. Lindsay
Nicholas S. Cervin
Michael Schindhelm
Brittany C. Grayson
Nathaniel E. Adamson
Margaret Kunisch
Sarah McNutt
Sarah J.S. Wakschmidt
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Jeanette Corbett
Katherine Ann Seelow
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Stephanie M. Chiarelli
Jennifer L. Pickett
Ericka Frank Molsch
Taylor L. Kraus
Michelle A. Schwab
William P. Dockry

April 16, 2016

Mr. Philip Werner, Director
State Prosecutors Office
Post Office Box 7869
Madison, WI 53707-7869

Dear Mr. Werner:

We are requesting that you take the steps necessary to seek legislative approval for the creation of a new full-time position of assistant district attorney in the Milwaukee County district attorney's office to serve as a sexual assault prosecutor as part of the state's Sexual Assault Kit Initiative (SAKI).

On April 6, 2016, the Wisconsin Department of Justice (DOJ) made a 33-month grant award of \$259,921 to Milwaukee County, as part of the state's SAKI initiative, to support sexual assault investigations and prosecutions resulting from evidence found in sexual assault kits that has not been submitted to a crime laboratory for analysis. The award of \$259,921 consists of \$258,621 for the salary and fringe benefits of the prosecutor and \$1,300 for a state standard laptop computer and software for the prosecutor. The grant application and award are enclosed.

The 33-month grant period for the Milwaukee County SAKI initiative is January 1, 2016, to September 30, 2018, but the grant award was not made until April 6, 2016, and the legislature most likely will not create the new position of assistant district attorney for two to three months. Therefore, we are seeking legislative authority for the new position of assistant district attorney until March 31, 2019, which would provide 33 months of funding from approximately July 1, 2016, to March 31, 2019. As always, we will closely monitor grant expenses and vacate the PR position at no GPR cost to the state if grant funding ends before March 31, 2019.

Thank you for your consideration. If you need additional information, please contact me at 414-278-5369 or at James.Martin@da.wi.gov.

Sincerely,

James J. Martin

James J. Martin
Deputy District Attorney

RECORDED 1 APRIL 2016

System will time
Remaining time
 

WISCONSIN DEPARTMENT OF JUSTICE
ATTORNEY GENERAL *Brad D. Schmel*



MAIN USER FUNDING PROJECT WORK
MENU MANAGEMENT ANNOUNCEMENT MANAGEMENT MANAGER (0)

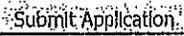
Project Application Monitoring Fiscal Details

Grant ID: 11756
Application Status: Open - Received

Project Title: SAKI Milwaukee County Sexual Assault Prosecutor
Fund Announcement: SAKI Milwaukee County Sexual Assault Prosecutor (2015)

APPLICATION SUMMARY

Section Name	Status	Point Value	Last Update
<u>Main Summary Information</u>	Complete	0	2/29/2016 1:35:43 PM
<u>Approval Checklists</u>	Complete	0	2/7/2016 10:21:28 AM
<u>Performance Measures</u>	Complete	0	2/7/2016 10:22:02 AM
<u>Budget Detail</u>	Complete	0	2/28/2016 10:23:43 AM
<u>Budget Narrative</u>	Complete	0	2/28/2016 10:58:22 AM
<u>Project Narrative</u>	Complete	0	2/28/2016 9:49:30 AM


Please send technical comments and questions to Egrants@doj.state.wi.us.
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The Department of Justice is subject to Wisconsin Statutes related to public records. Applicants should presume that all information contained in the Egrants application is subject to release upon request, unless the information is exempt from disclosure by law. In order to help ensure that exempt information is not inadvertently disclosed to the public, the Department of Justice strongly encourages applicants not to include information that is exempt from disclosure by law in an application, unless specifically requested.

WISCONSIN DEPARTMENT OF JUSTICE

DOJ USE ONLY

Applicant Hereby Applies to the DOJ for Financial

Support for the Within-Described Project:

SUBGRANT #: 11756

Receipt Date	Award Date	Subgrant Number(s)
		-- 11756

SHORT TITLE: SAKI Milwaukee County Sexual Assault Prosecutor

1. Type of Funds for which you are applying.	<input type="checkbox"/> SAKI Milwaukee County Sexual Assault Prosecutor (2015)		
2. Applicant	Name Of Applicant:		
	Milwaukee County District Attorney's Office		County: Milwaukee
	Street Address Line 1: 821 West State Street		
	Address Line 2: Room 405		Address Line 3:
	City: Milwaukee		State: WI Zip: 53233-1485
3. Recipient Agencies	Milwaukee County District Attorney's Office		
4. Signatory	Name:		Title: County Executive
	County Executive Chris Abele		Agency: Milwaukee County
	Address Line 1: 901 North Ninth Street		
	Address Line 2: Room 306		Addr Line 3:
	City: Milwaukee		State: WI Zip: 53233-1458
	Phone: 414-278-4211	Fax:	Email: chris.abele@milwaukeecountywi.gov
5. Financial Officer	Name:		Title: Deputy District Attorney
	Mr. James J. Martin		Agency: Milwaukee County District Attorney's Office
	Address Line 1: 901 North Ninth Street		
	Address Line 2: Room 306		Addr Line 3:
	City: Milwaukee		State: WI Zip: 53233-1458
	Phone: 414-278-5369	Fax: 414-223-1955	Email: James.Martin@da.wi.gov
6. Project Director	Name:		Title: District Attorney
	Mr. John T. Chisholm		Agency: Milwaukee County District Attorney's Office
	Address Line 1: 821 West State Street		
	Address Line 2: Room 405		Addr Line 3:
	City: Milwaukee		State: WI Zip: 53233-1485
	Phone: 414-278-4653	Fax:	Email: John.Chisholm@da.wi.gov
7. Brief Summary of Project (Do Not Exceed Space Provided)	Short Title (may not exceed 50 characters)		
	SAKI Milwaukee County Sexual Assault Prosecutor The SAKI Milwaukee County Sexual Assault Prosecutor project funds a Milwaukee County assistant district attorney, as part of the state's Sexual Assault Kit Initiative (SAKI), to support sexual assault investigations and prosecutions resulting from evidence found in sexual assault kits that haven't been submitted to a crime laboratory for analysis.		

8. SubGrant Budget

Sources

Categories	Federal	Category Total
Personnel	170,143.00	170,143.00
Employee Benefits	88,478.00	88,478.00
Travel (Including Training)	0.00	0.00
Supplies & Operating Expenses	1,300.00	1,300.00
Source Total	259,921.00	259,921.00

9. Project Start Date: 1/1/2016 Project End Date: 9/30/2018

10. BUDGET DETAILS:

A. MASTER BUDGETS:

BY RECIPIENT AGENCY	YEAR 1	Total
Milwaukee County District Attorney's Office	259,921.00	259,921.00
Total:	259,921.00	259,921.00

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

Category:	YEAR 1	Total
Personnel	170,143.00	170,143.00
Employee Benefits	88,478.00	88,478.00
Supplies & Operating Expenses	1,300.00	1,300.00
Total	259,921.00	259,921.00

11. BUDGET DETAILS:

A. MASTER BUDGETS:

Line Item Details for Milwaukee County District Attorney's Office

YEAR 1

PERSONNEL

Justification: Salary of SAKI Project Assistant District Attorney

COST

Position	Assistant District Attorney	
Name	New Position	
Description of your computation: Approx. \$29.63 per hour x 5,742 hours (33 months)		
	Source: Federal	170,143.00
Personnel Year 1 Total:		170,143.00

EMPLOYEE BENEFITS

Justification: Fringe Benefits for SAKI Project Assistant District Attorney

COST

Position	Assistant District Attorney	
Name	New Position	
Description of your computation: Approx. 52 percent of salary: 7.65% FICA, 11.3% retirement, and 33.05% health, life, and short-term disability insurance		
	Source: Federal	88,478.00
Employee Benefits Year 1 Total:		88,478.00

SUPPLIES & OPERATING EXPENSES

Justification: Laptop Computer for SAKI Assistant District Attorney

COST

Supply Item	State Standard Laptop Computer, Docking Station, and Microsoft Office 2013	
Description of your computation: Estimated State Standard Pricing for District Attorney Information Technology (DAIT) Laptop Computer and Software		
	Source: Federal	1,300.00
Supplies & Operating Expenses Year 1 Total:		1,300.00

YEAR 1 TOTAL: 259,921.00

12. Sections:

A BUDGET NARRATIVE

Please describe how your budget relates to the overall program/project strategy or implementation plan.

RESPONSE:

Milwaukee County District Attorney's Office

SAKI Milwaukee County Sexual Assault Prosecutor

Budget Narrative

The grant period in the SAKI Grant Announcement is January 1, 2016, to September 30, 2018. However, the grant application is due on March 1, 2016, and the Wisconsin Legislature must create the new position of assistant district attorney after the grant award is made, a process that takes approximately three months, so the project will not start until mid-year 2016. Therefore, the proposed budget assumes a grant period of approximately July 1, 2016, to March 31, 2019.

The salary for the SAKI project prosecutor is based on an estimate of the salary of an experienced sexual assault prosecutor, as authorized by 2011 Wisconsin Act 238, which established pay progression for assistant district attorneys. The \$1,300 cost of the SAKI project prosecutor's state-standard laptop computer, docking station, and Microsoft Office software is based on experience.

Assistant district attorneys are state employees in the state Department of Administration. The State Prosecutors Office (SPO) charges the Milwaukee County district attorney's office for the actual salary and fringe benefits costs of grant-funded prosecutors. The SPO charges 7.65 percent for social security payments and approximately 11.3 percent for state pension fund contributions, but the cost of health insurance varies widely depending on the single or family health plan selected by the prosecutor in the state's three-tier health insurance package. Fringe benefits for the SAKI project assistant district attorney are estimated at 52 percent of salary: 7.65 percent for FICA payments, 11.3 percent for state retirement fund contributions, and 33.05 percent for a family health plan, life insurance, and short-term disability insurance.

The following table summarizes the salary and fringe benefits of the SAKI project assistant district attorney during the projected grant period:

	Salary	Fringe Benefits	Total
Year 1	\$58,900	\$30,631	\$89,531
Year 2	\$61,805	\$32,138	\$93,943
Year 3 (9 mos.)	\$49,439	\$25,708	\$75,147
Total	\$170,143	\$88,478	\$258,621

BUDGET NARRATIVE - RELATED ATTACHMENTS:

File Name	File Description
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B PROJECT NARRATIVE

<p>Describe your program or project in detail, including what objectives would be accomplished. Include appropriate statistics, if applicable. Describe how your department staff will use or otherwise put in place this project or program. Relate any potential benefits including cost savings, decrease in crime activity, or other relevant details.</p>

RESPONSE:

Milwaukee County District Attorney's Office

SAKI Milwaukee County Sexual Assault Prosecutor

Project Narrative

Project Summary

The Sensitive Crimes Unit of the Milwaukee County District Attorney's Office seeks to create an Assistant District Attorney position that will serve as a law enforcement liaison, crime laboratory and medical facility point of contact for cases involving the back log of Sexual Assault Evidence Kits (SAK). Milwaukee County and the State of Wisconsin have received funds that will enable the crime laboratory and law enforcement to perform forensic examinations of evidence seized during sexual assault investigations that have not previously been examined for DNA. As these cases develop, this prosecutor will work with law enforcement, the crime laboratory, medical facilities and victim advocates to develop criminal prosecutions to hold perpetrators accountable.

Problem to be Addressed

Law enforcement agencies around the nation have discovered untested sexual assault kits in storage facilities and the federal government estimates that hundreds of thousand sexual assault kits sit untested in police and crime laboratory storage facilities. See <http://www.victimsofcrime.org/our-programs/dna-resource-center>. This is also true in Milwaukee County, the most populous county in the state with 19% of the state's population and 54% of the state's violent crime. See Crime in Wisconsin, Wisconsin Statistical Analysis Center, Crime Information Bureau, Department of Justice. The City of Milwaukee Police Department, the largest police department in the state, is presently conducting an inventory of SAK's and a spokesperson estimates a minimum of 750 untested kits.

Police agencies intend to have these kits examined by the crime laboratory and are prioritizing evidence to be submitted. DNA evidence contained in SAK's can be a powerful tool to solve and prevent crime. Submitting and analyzing DNA samples increases the likelihood of identifying unknown perpetrators of crimes and confirms the presence of a known assailant. This position will be assigned to the Sensitive Crimes Unit of the Milwaukee District Attorney's office and will be charged with the expeditious prosecution of perpetrators identified in this process.

Project Description

The Milwaukee County District Attorney's office has had a specialized unit devoted to the investigation and prosecution of sexual assault cases since 1978. The attorneys assigned to the Sensitive Crimes Unit receive specialized training in working with victims of sexual assault and presenting forensic evidence to effectively prosecute complex cases.

The attorneys assigned to the unit work with victim advocates who are responsible for addressing the holistic well-being of the victims who have been traumatized by these terrible crimes. The advocates will play an important supporting role in this project.

All victims of sexual assault are referred to the Sensitive Crimes Victim Services unit by Milwaukee County law enforcement agencies. At the time that the case is reviewed for criminal charges, the victim

is asked to come in to the district attorney's office by law enforcement personnel investigating the matter. Law enforcement provides information to the advocate about the case and their investigation. An advocate is assigned to work with a victim and they meet in person. The advocate is responsible for explaining the review process and provides crisis counseling, emotional support, criminal justice advocacy and appropriate information and referrals.

Sexual assault legal advocacy is also about assisting and supporting victims. It is necessary to do the following:

- Answer a victim's questions about how law enforcement investigates sexual assaults;
- Inform the victim what may occur during a law enforcement interview;
- Work with law enforcement by providing trainings on victims sensitive interviewing techniques;
- Help victims prepare emotionally for testifying at trial;
- Provide a victim with information about legal issues that may arise at trial (such as the rape shield law) and about court procedures in general;
- Furnish information about the statute of limitations;
- Answer questions about probation and parole when the victim is afraid that the offender will be released back into the victim's community;

The Sensitive Crimes Unit district attorney who will be supported by this grant will serve as the law enforcement liaison, crime laboratory and medical professional point of contact for all criminal cases developed as a result of the renewed focus on examining the backlog of untested rape kits in Milwaukee County. Many of the untested SAK's are "blind reporting" kits. As the process of testing all SAKs moves forward, it is anticipated that the Department of Justice will be presenting public service announcements to encourage victims who participated in the blind reporting process to participate in police investigations. "Blind reporting" involves a situation where a victim undergoes a sexual assault nursing exam but advises the medical facility that they do not wish to report the sexual assault at this time. In "blind reporting", if a victim is an adult, the examination and evidence gathered as a result of the investigation remains confidential as long as the victim does not wish to participate in a criminal investigation.

It is anticipated that the victims who come forward in response to the public service announcement will need a substantial amount of support to proceed with the process. Additionally, in many instances, the evidence may be difficult to present due to the passage of time since the assault.

There may be instances when victims come forward and agree to participate but the statute of limitations has expired. The ADA funded by this project will take a victim-centric approach to these cases to determine if the victim is able to achieve some measure of closure even with the passage of time. In instances where prosecution cannot be obtained, victims may be allowed to give a victim impact statements in sentencing the offender in another case. In other instances, victims can be provided information so that they may make an oral or written statement to the Department of Corrections if the offender has been incarcerated for another crime. The ADA will explain these opportunities to allow the victim to play a proactive role in the criminal justice process and let the victim know that the criminal justice system acknowledges the impact of their crime and the harm suffered by the victim.

In the instances of blind reporting, many victims report anxiety over the possibility that their offender continues to victimize others. Testing after the statute of limitations has run can quell this anxiety, as well as help to hold offenders accountable. The DNA profile derived from testing all kits can be

entered into the FBI's national DNA database, regardless whether the statute of limitations has run. Since the majority of all rapes are perpetrated by repeat offenders, entering evidence from untested kits into the database will result in more hits, thereby linking offenders to more crimes. Some of these offenders may be deceased and some may be in prison for other crimes. Their inability to harm others can be reassuring to survivors.

What will be Done

The Prosecutor assigned to this grant will contact the law enforcement agencies and develop a protocol for tracking criminal investigations which progress as perpetrators are identified. All cases developed as a result of testing this backlog will be assigned to this prosecutor to review. The prosecutor will vertically handle all chargeable cases. Vertical prosecution involves the same attorney interviewing the victim, charging the case and handling the matter through motions, trial and sentencing. This method promotes accountability and facilitates good communication among the victim, victim advocate and investigating officers.

Specifically, this position will: 1) review referrals for prosecution; review police reports; interview civilian and police witnesses to determine whether criminal charges are appropriate; prepare and file criminal complaints; prepare declination memos to explain why charges are not being issued in appropriate cases; and notify victims of charging decisions. 2) Represent the state before judges and court commissioners; handle preliminary examinations, motions, plea negotiations, trials and sentencing in assigned cases; 3) provide legal advice on sensitive crimes cases to police officers and work with advocates to see that victims are referred to appropriate services.

Project Goals and Objectives

The Sensitive Crimes Unit reviewed 1,155 referred charges in 2015 and issued 535 charges. Five Hundred and thirty-two (532) were not processed and 88 cases were pending for further investigation. As this position will be one of eight assistant district attorneys assigned to the unit, it is anticipated that the ADA will review approximately 140 cases in the first year with an emphasis on cases developed through testing the SAK backlog. The ADA will maintain statistics on cases reviewed, issued, number of jury trials and conviction rate. Although we rely on the court to handle matters promptly, we will also report on the number of cases resolved within 150 days of charging.

PROJECT NARRATIVE - RELATED ATTACHMENTS:

File Name	File Description
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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 EEO 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.eeoj.doj.gov/ocr/>). If no, a copy should be forwarded to: Wisconsin Department of Justice, Attn: EEO, 17 West Main Street, PO Box 7857, Madison, WI 53707-7857 (federal EEO 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 (EEO) or Certification form (if applicable). A copy of your EEO 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 EEO 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



STATE OF WISCONSIN
DEPARTMENT OF JUSTICE

BRAD D. SCHIMEL
ATTORNEY GENERAL

Andrew C. Cook
Deputy Attorney General

114 East, State Capitol
P.O. Box 7857
Madison, WI 53707-7857
608/266-1221
TTY 1-800-947-3529

NATIONAL SEXUAL ASSAULT KIT INITIATIVE
SAKI Milwaukee County Sexual Assault Prosecutor
2015-AK-02-11756

The Wisconsin Department of Justice (DOJ), hereby awards to Milwaukee County, (hereinafter referred to as the Grantee), the amount of \$259,921 for programs or projects pursuant to the federal Department of Justice Appropriations Act of 2015.

This grant may be used until September 30, 2018 for the programs consistent with the budget and general conditions in Attachment A, subject to any limitations or conditions set forth in Attachments B and/or C, if included.

The Grantee shall administer the programs or projects for which this grant is awarded in accordance with the applicable rules, regulations, and conditions of the Wisconsin Department of Justice. The submitted application is hereby incorporated as reference into this award.

This grant shall become effective, and funds may be obligated (unless otherwise specified in Attachments A and/or B) when the Grantee signs and returns one copy of this grant award to the Wisconsin Department of Justice.

BY: 
BRAD D. SCHIMEL
Attorney General
Wisconsin Department of Justice

04/06/16
Date

The (Grantee), Milwaukee County, hereby signifies its acceptance of the above-described grant on the terms and conditions set forth above or incorporated by reference therein.

GRANTEE: Milwaukee County

BY: 
NAME: Chris Abele
TITLE: County Executive

4/13/16
Date

**WISCONSIN DEPARTMENT OF JUSTICE
ATTACHMENT A**

Grantee: Milwaukee County

Project Title: SAKI Milwaukee County Sexual Assault Prosecutor CFDA #16.833

Grant Period: From January 1, 2016 To September 30, 2018

Grant Number: 2015-AK-02-11756 Program Area: 002

APPROVED BUDGET

See your Egrants Application for details

	<u>Federal & Match</u>
Personnel	\$170,143
Employee Benefits	\$88,478
Travel (Including Training)	
Equipment	
Supplies & Operating Expenses	\$1,300
Consultants	
Other	
FEDERAL TOTAL	\$259,921
MATCH TOTAL	
TOTAL APPROVED BUDGET	\$259,921

Award General Conditions:

1. Award funds will be used to supplement, not supplant, planned or allocated funds.
2. To be allowable under a grant program, all funds (federal and cash match) must be obligated (purchase order issued) or paid for services provided during the grant period. If obligated by the end of the grant period, payment must be made within 60 days of the grant period ending date.
3. Budget changes in excess of 10% of the approved line item amount and any increases for personnel compensation not included in the approved budget require approval from DOJ. **All changes to the contractual category require prior DOJ approval.**
4. Subgrantees acknowledge that failure to submit an acceptable Equal Employment Opportunity Plan (if required to submit one pursuant to 28 CFR 42.302) that is approved by the Federal Office of Civil Rights, is a violation of its Certified Assurances and may result in the suspension of the grant.
5. Grant funds will be paid to the grantee on a reimbursement basis.
6. Any changes in personnel involved with the grant including the project director, financial officer and/or signatory needs to be reported in a modification to DOJ via Egrants.
7. Fees for independent consultants may not exceed the federal rate of \$650 per eight-hour day, unless prior approval is received from DOJ.
8. All income generated as a direct result of an agency funded project shall be deemed program income. Program income must be used for the purpose and under the conditions applicable to the award. Program income should be used as earned and expended as soon as possible. If the cost is allowable under the Federal grant program, then the cost would be allowable using program income. All program income must be reported to DOJ.
9. Reimbursement for travel (i.e. mileage, meals, and lodging) is limited to state rates.
10. Recipient fully understands that DOJ has the right to suspend or terminate grant funds to any recipient that fails to conform to the requirements (special/general conditions and general operating policies) or that fails to comply with the terms and conditions of its grant award.
11. The Wisconsin Department of Justice reserves the right to withhold grant payments if the grant recipient is delinquent paying any obligation to the Department of Justice such as background check fees, etc.

12. All awards are subject to the availability of appropriated funds and to any modifications or additional requirements that may be imposed by law.
13. Please be advised that a hold may be placed on any application or grant payment if it is deemed that an agency is not in good standing on other Wisconsin Department of Justice (DOJ) grants, has other grants compliance issues that would make the applicant agency ineligible to receive DOJ funding, and/or is not cooperating with an ongoing DOJ grant review or audit.
14. A hold may also be placed on any application or grant payment if it is deemed that an agency is not in compliance with federal civil rights laws and/or is not cooperating with an ongoing federal civil rights investigation.

CSA

**NATIONAL SEXUAL ASSAULT KIT INITIATIVE
ACKNOWLEDGEMENT NOTICE**

Grantee: Milwaukee County Date April 2016
 Grant No. 2015-AK-02-11756
 Project Title: SAKI Milwaukee County Sexual Assault Prosecutor

The following reporting requirements apply to your grant award.

QUARTERLY PERFORMANCE MEASURE REPORTS must be submitted on a scheduled basis and must be completed in the federal web-based Performance Measurement Tool (PMT). Additional information on this system and instructions will be provided by DOJ. Performance Measure reports on the status of your project are due in the PMT on:

NOTE: Reports due 04/12 includes January, February and March program activity.
 Reports due 07/12 includes April, May and June program activity.
 Reports due 10/12 includes July, August and September program activity.
 Reports due 01/12 includes October, November and December program activity.

PROGRESS REPORTS must be submitted on a scheduled basis and should be completed in Egrants. Narrative reports on the status of your project are due to DOJ on:

<u>04/12/16</u>	<u>07/12/16</u>	<u>10/12/16</u>	<u>01/12/17</u>
<u>04/12/17</u>	<u>07/12/17</u>	<u>10/12/17</u>	<u>01/12/18</u>
<u>04/12/18</u>	<u>07/12/18</u>	<u>10/12/18 FINAL</u>	

NOTE: Reports due 04/12 includes January, February and March program activity.
 Reports due 07/12 includes April, May and June program activity.
 Reports due 10/12 includes July, August and September program activity.
 Reports due 01/12 includes October, November and December program activity.

FINANCIAL REPORTS serve two functions: to report fiscal status and to request funds. The Financial Report (G2) form can be found on the DOJ website: <http://www.doj.state.wi.us/>, scroll to the bottom of the website, under Resources, (in blue) and click on Grants. Please attach copies of all invoices to G-2 report for all equipment purchases.

<u>04/12/16</u>	<u>07/12/16</u>	<u>10/12/16</u>	<u>01/12/17</u>
<u>04/12/17</u>	<u>07/12/17</u>	<u>12/12/17</u>	<u>01/12/18</u>
<u>04/12/18</u>	<u>07/12/18</u>	<u>10/12/18 FINAL</u>	

NOTE: Reports due 04/12 includes January, February and March program activity.
 Reports due 07/12 includes April, May and June program activity.
 Reports due 10/12 includes July, August and September program activity.
 Reports due 01/12 includes October, November and December program activity.

OTHER: Complete and return Certified Assurances and Lobbying/Debarment Forms, enclosed

ACKNOWLEDGEMENT

The materials referenced above were received and reviewed by the appropriate members of this organization. I also acknowledge receipt of the Grant Award and any attached Special Conditions, as well as receipt of the General Conditions which were previously provided in the Instructions for Filing and Application. I understand that this grant is awarded subject to our compliance with all Conditions, Regulations, and Obligations described in the above materials.

4/13/2016
Date

John G. Gisholm, Project Director

**CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE
WORKPLACE REQUIREMENTS**

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and (d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about

(c) The dangers of drug abuse in the workplace;

(d) The grantee's policy of maintaining a drug-free workplace;

- (e) Any available drug counseling, rehabilitation, and employee assistance programs; and
- (f) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (g) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (h) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will
- (i) Abide by the terms of the statement; and
- (j) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (k) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;
- (l) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted
- (m) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
- (n) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (o) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

Milwaukee County District Attorney's Office, 821 West State Street, Milwaukee, Wisconsin, 53233-1485

Grantee Name and Address

SAKI Milwaukee County Sexual Assault Prosecutor

Project Name



Chris Abele, County Executive
Signature of Chief Executive (Co. Board Chair, Co. Executive, Mayor)

4/13/16

Date

STANDARD ASSURANCES

The Applicant hereby assures and certifies compliance with all applicable Federal statutes, regulations, policies, guidelines, and requirements, including OMB Circulars A-21, A-87, A-102, A-110, A-122, A-133; Ex. Order 12372 (intergovernmental review of federal programs); and 28 C.F.R. pts. 66 or 70 (administrative requirements for grants and cooperative agreements). The applicant also specifically assures and certifies that:

1. It has the legal authority to apply for federal assistance and the institutional, managerial, and financial capability (including funds sufficient to pay any required non-federal share of project cost) to ensure proper planning, management, and completion of the project described in this application.
2. It will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
3. It will give the awarding agency or the Government Accountability Office, through any authorized representative, access to and the right to examine all paper or electronic records related to the financial assistance.
4. It will comply with all lawful requirements imposed by the awarding agency, specifically including any applicable regulations, such as 28 C.F.R. pts. 18, 22, 23, 30, 35, 38, 42, 61, and 63, and the award term in 2 C.F.R. § 175.15(b).
5. It will assist the awarding agency (if necessary) in assuring compliance with section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. § 470), Ex. Order 11593 (identification and protection of historic properties), the Archeological and Historical Preservation Act of 1974 (16 U.S.C. § 469 a-1 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. § 4321).
6. It will comply (and will require any subgrantees or contractors to comply) with any applicable statutorily-imposed nondiscrimination requirements, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. § 3789d); the Victims of Crime Act (42 U.S.C. § 10604(e)); The Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. § 5672(b)); the Civil Rights Act of 1964 (42 U.S.C. § 2000d); the Rehabilitation Act of 1973 (29 U.S.C. § 7 94); the Americans with Disabilities Act of 1990 (42 U.S.C. § 12131-34); the Education Amendments of 1972 (20 U.S.C. §§1681, 1683, 1685-86); and the Age Discrimination Act of 1975 (42 U.S.C. §§ 6101-07); see Ex. Order 13279 (equal protection of the laws for faith-based and community organizations).
7. If a governmental entity:
 - a. it will comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. § 4601 et seq.), which govern the treatment of persons displaced as a result of federal and federally-assisted programs; and
 - b. it will comply with requirements of 5 U.S.C. §§ 1501-08 and §§ 7324-28, which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by federal assistance.

FEDERAL AWARD CONDITIONS

1. Applicability of Part 200 Uniform Requirements

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by the Department of Justice (DOJ) in 2 C.F.R. Part 2800 (the "Part 200 Uniform Requirements") apply to this 2015 award from the Office of Justice Programs (OJP). For this 2015 award, the Part 200 Uniform Requirements, which were first adopted by DOJ on December 26, 2014, supersede, among other things, the provisions of 28 C.F.R. Parts 66 and 70, as well as those of 2 C.F.R. Parts 215, 220, 225, and 230.

If this 2015 award supplements funds previously awarded by OJP under the same award number, the Part 200 Uniform Requirements apply with respect to all award funds (whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this 2015 award.

Potential availability of grace period for procurement standards: Under the Part 200 Uniform Requirements, a time-limited grace period may be available under certain circumstances to allow for transition from policies and procedures that complied with previous standards for procurements under federal award to policies and procedures that comply with the new standards (that is, to those at 2 C.F.R. 200.317 through 200.326).

For more information on the Part 200 Uniform Requirements, including information regarding the potentially-available grace period described above, see the Office of Justice Programs (OJP) website at <http://ojp.gov/funding/Part200UniformRequirements.htm>.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the recipient is to contact OJP promptly for clarification.

2. The recipient agrees to comply with the Department of Justice Grants Financial Guide posted on the OJP website (currently, the "2015 DOJ Grants Financial Guide").
3. The recipient acknowledges that failure to submit an acceptable Equal Employment Opportunity Plan (if recipient is required to submit one pursuant to 28 C.F.R. Section 42.302) that is approved by the Office for Civil Rights is a violation of the Standard Assurances executed by the recipient, and may result in suspension of funding until such time as the recipient is in compliance, or termination of the award.
4. The recipient understands and agrees that OJP may withhold award funds, or may impose other related requirements, if the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.
5. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of OJP.
6. The recipient and any subrecipients must promptly refer to the DOJ OIG any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has-- (1) submitted a claim for award funds that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving award funds. Potential fraud, waste, abuse, or misconduct should be reported to the OIG by- mail: Office of the Inspector General U.S. Department of Justice Investigations Division 950 Pennsylvania Avenue, N.W. Room 4706 Washington, DC 20530 e-mail: oig.hotline@usdoj.gov hotline: (contact information in English and Spanish): (800) 869-4499 or hotline fax: (202) 616-9881 Additional information is available from the DOJ OIG website at www.usdoj.gov/oig
7. Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient under this award, or entity that receives a contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 14414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient --

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized to make subawards or contracts under this award--

a. it represents that--

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward, contract, or subcontract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

8. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract or subaward to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of OJP.
9. The recipient agrees to comply with any additional requirements that may be imposed during the grant performance period if the agency determines that the recipient is a high-risk grant. Cf. 28 C.F.R. parts 66, 70.
10. The recipient agrees to comply with applicable requirements regarding registration with the System for Award Management (SAM) (or with a successor government-wide system officially designated by OMB and OJP). The recipient also agrees to comply with applicable restrictions on subawards to first-tier subrecipients that do not acquire and provide a Data Universal Numbering System (DUNS) number. The details of recipient obligations are posted on the Office of Justice Programs web site at <http://www.ojp.gov/funding/sam.htm> (Award condition: Registration with the System for Award Management and Universal Identifier Requirements), and are incorporated by reference here. This special condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).
11. Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), the Department encourages recipients and sub recipients to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this grant, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.
12. The recipient agrees to comply with all applicable laws, regulations, policies, and guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences, meetings, trainings, and other events, including the provision of food and/or beverages at such events, and costs of attendance at such events. Information on rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "2015 DOJ Grants Financial Guide").
13. The recipient understands and agrees that any training or training materials developed or delivered with funding provided under this award must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <http://www.ojp.usdoj.gov/funding/ojptrainingguidingprinciples.htm>.
14. The recipient agrees that if it currently has an open award of federal funds or if it receives an award of federal funds other than this OJP award, and those award funds have been, are being, or are to be used, in whole or in part, for one or more of the identical cost items for which funds are being provided under this OJP award, the recipient will promptly notify, in writing, the grant manager for this OJP award, and, if so requested by OJP, seek a budget-modification or change-of-project-scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.
15. The recipient understands and agrees that award funds may not be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.
16. The recipient understands and agrees that- (a) No award funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography, and (b) Nothing in subsection (a) limits the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.
17. A recipient that is eligible under the Part 200 Uniform Requirements to use the "de minimis" indirect cost rate described in 28 C.F.R. 200.414(1), and that elects to use the "de minimis" indirect cost rate, must advise OJP in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC).
18. The recipient must collect, maintain, and provide to OJP, data that measure the performance and effectiveness of activities under this award, in the manner, and within the timeframes, specified in the program solicitation, or as otherwise specified by OJP. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act and other applicable laws.
19. The award recipient agrees to participate in a data collection process measuring program outputs and outcomes. The data elements for this process will be outlined by the Office of Justice Programs.
20. Grantee agrees to comply with the requirements of 28 C.F.R. Part 46 and all Office of Justice Programs policies and procedures regarding the protection of human research subjects, including obtainment of Institutional Review Board approval, if appropriate, and subject informed consent.

21. Grantee agrees to comply with all confidentiality requirements of 42 U.S.C. section 3789g and 28 C.F.R. Part 22 that are applicable to collection, use, and revelation of data or information. Grantee further agrees, as a condition of grant approval, to submit a Privacy Certificate that is in accord with requirements of 28 C.F.R. Part 22 and, in particular, section 22.23.
22. Grantee agrees that assistance funds awarded under this grant will not be used to support any inherently religious activities, such as worship, religious instruction, or proselytization. If the grantee refers participants to, or provides, a non-Federally funded program or service that incorporates such religious activities, (1) any such activities must be voluntary for program participants, and (2) program participants may not be excluded from participation in a program or otherwise penalized or disadvantaged for any failure to accept a referral or services. If participation in a non-Federally funded program or service that incorporates inherently religious activities is deemed a critical treatment or support service for program participants, the grantee agrees to identify and refer participants who object to the inherently religious activities of such program or service to, or provide, a comparable secular alternative program or service.
23. The recipient agrees to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this project.
24. Recipient agrees that funds provided under this award may not be used to operate a "pay-to-stay" program in any local jail. Recipient further agrees not to subaward funds to local jails which operate "pay-to-stay" programs.
25. The recipient agrees to comply with applicable requirements to report first-tier subawards of \$25,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients of award funds. Such data will be submitted to the FFATA Subaward Reporting System (FSRS). The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the Office of Justice Programs web site at <http://ojp.gov/funding/Explore/FFATA.htm> (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here. This condition, and its reporting requirement, does not apply to grant awards made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).
26. The recipient acknowledges that the Office of Justice Programs (OJP) reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use (in whole or in part, including in connection with derivative works), for Federal purposes: (1) any work subject to copyright developed under an award or subaward; and (2) any rights of copyright to which a recipient or subrecipient purchases ownership with Federal support.

The recipient acknowledges that OJP has the right to (1) obtain, reproduce, publish, or otherwise use the data first produced under an award or subaward; and (2) authorize others to receive, reproduce, publish, or otherwise use such data for Federal purposes. "Data" includes data as defined in Federal Acquisition Regulation (FAR) provision 52.227-14 (Rights in Data-General).

It is the responsibility of the recipient (and of each subrecipient, if applicable) to ensure that this condition is included in any subaward under this award.

The recipient has the responsibility to obtain from subrecipients, contractors, and subcontractors (if any) all rights and data necessary to fulfill the recipient's obligations to the Government under this award. If a proposed subrecipient, contractor, or subcontractor refuses to accept terms affording the Government such rights, the recipient shall promptly bring such refusal to the attention of the OJP program manager for the award and not proceed with the agreement in question without further authorization from the OJP program office.

27. Any Web site that is funded in whole or in part under this award must include the following statement on the home page, on all major entry pages (i.e., pages (exclusive of documents) whose primary purpose is to navigate the user to interior content), and on any pages from which a visitor may access or use a Web-based service, including any pages that provide results or outputs from the service: "This Web site is funded in whole or in part through a grant from the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice. Neither the U.S. Department of Justice nor any of its components operate, control, are responsible for, or necessarily endorse, this Web site (including, without limitation, its content, technical infrastructure, and policies, and any services or tools provided)." The full text of the foregoing statement must be clearly visible on the home page. On other pages, the statement may be included through a link, entitled "Notice of Federal Funding and Federal Disclaimer," to the full text of the statement.
28. The recipient agrees to submit to BJA for review and approval any curricula, training materials, proposed publications, reports, or any other written materials that will be published, including web-based materials and web site content, through funds from this grant at least thirty (30) working days prior to the targeted dissemination date. Any written, visual, or audio publications, with the exception of press releases, whether published at the grantee's or government's expense, shall contain the following statements: "This project was supported by Grant No. 2015-AK-BX-K014 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Department of Justice's Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the SMART Office. Points of view or opinions in this document are those of the author and do

not necessarily represent the official position or policies of the U.S. Department of Justice." The current edition of the DOJ Financial Guide provides guidance on allowable printing and publication activities.

29. Within 45 calendar days after the end of any conference, meeting, retreat, seminar, symposium, training activity, or similar event funded under this award, and the total cost of which exceeds \$20,000 in award funds, the recipient must provide the program manager with the following information and itemized costs:

- 1) name of event;
- 2) event dates;
- 3) location of event;
- 4) number of federal attendees;
- 5) number of non-federal attendees;
- 6) costs of event space, including rooms for break-out sessions;
- 7) costs of audio visual services;
- 8) other equipment costs (e.g., computer fees, telephone fees);
- 9) costs of printing and distribution;
- 10) costs of meals provided during the event;
- 11) costs of refreshments provided during the event;
- 12) costs of event planner;
- 13) costs of event facilitators; and
- 14) any other costs associated with the event.

The recipient must also itemize and report any of the following attendee (including participants, presenters, speakers) costs that are paid or reimbursed with cooperative agreement funds:

- 1) meals and incidental expenses (M&IE portion of per diem);
- 2) lodging;
- 3) transportation to/from event location (e.g., common carrier, Privately Owned Vehicle (POV)); and,
- 4) local transportation (e.g., rental car, POV) at event location.

Note that if any item is paid for with registration fees, or any other non-award funding, then that portion of the expense does not need to be reported.

Further instructions regarding the submission of this data, and how to determine costs, are available in the OJP Financial Guide Conference Cost Chapter.

30. With respect to this award, federal funds may not be used to pay cash compensation (salary plus bonuses) to any employee of the award recipient at a rate that exceeds 110% of the maximum annual salary payable to a member of the federal government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. (An award recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds.)

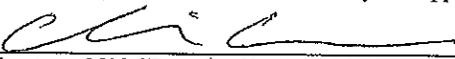
This limitation on compensation rates allowable under this award may be waived on an individual basis at the discretion of the OJP official indicated in the program announcement under which this award is made.

31. Approval of this award does not indicate approval of any consultant rate in excess of \$650 per day. A detailed justification must be submitted to and approved by the Office of Justice Programs (OJP) program office prior to obligation or expenditure of such funds.

32. All procurement (contract) transactions under this award must be conducted in a manner that is consistent with applicable Federal and State law, and with Federal procurement standards specified in regulations governing Federal awards to non-Federal entities. Procurement (contract) transactions should be competitively awarded unless circumstances preclude competition. Noncompetitive (e.g., sole source) procurements by the award recipient in excess of the Simplified Acquisition Threshold (currently \$150,000) set out in the Federal Acquisition Regulation must receive prior approval from the awarding agency, and must otherwise comply with rules governing such procurements found in the current edition of the OJP Financial Guide.

CERTIFICATION

Lead Agency's Chief Executive: I certify that applicant will comply with the above-certified assurances.



Signature of Chief Executive (Co. Board Chair, Co. Executive, Mayor)

Chris Abele, County Executive

4/13/16

Date

414-278-4211

Telephone Number