

State of Wisconsin

SENATE CHAIR
Alberta Darling

317 East, State Capitol
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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: July 2, 2018

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

Attached is a copy of a request from the Department of Administration, received July 2, 2018, pursuant to s. 16.515/16.505(2), Stats., on behalf of the Sauk County District Attorney's Office.

Please review the material and notify **Senator Darling** or **Representative Nygren** no later than **Friday, July 20, 2018**, 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



STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION

Scott Walker, Governor
Ellen Nowak, Secretary

Date: July 2, 2018

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

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

From: Ellen E. Nowak, Secretary
Department of Administration

JUL 02 2018
St. Finance

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

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>2017-18</u>		<u>2018-19</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 positions ending 9/30/2020.

As provided in s. 16.515, the request(s) will be approved on July 24, 2018, 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: June 26, 2018
To: Waylon R. Hurlburt
From: Ryan Hutter
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>2017-18</u>		<u>2018-19</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 9/30/2020.

AGENCY REQUEST:

<u>AGENCY</u>	<u>DESCRIPTION</u>	<u>2017-18</u>		<u>2018-19</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 9/30/2020.

WRH APPROVAL WRH (FORWARD TO GAIL TAPPEN)



STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION

Scott Walker, Governor
Ellen Nowak, Secretary
Waylon Hurlburt, Administrator

Date: June 26, 2018

To: Ellen Nowak, Secretary
Department of Administration

From: Ryan Flutter
Executive Policy and Budget Analyst

Subject: Request Under s. 16.505 from the Sauk County District Attorney for the Creation of a 1.0 FTE Program Revenue Assistant District Attorney Project Position.

Request:

The Department of Administration, on behalf of the Sauk 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 September 30, 2020.

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 U.S. Department of Justice, Office on Violence Against Women, to the Sauk 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 Sauk 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 Sauk County District Attorney's Office was awarded \$450,000 for the program, of which \$249,893 will be used to support the salary and fringe benefits for the 1.0 FTE PR position. Under the program, the assistant district attorney would be expected to: serve as a prosecutor of cases involving adult-victim sexual assault cases, domestic battery cases, sexual assault and act of domestic violence concerning dating or teen violence, and stalking. In addition, the objectives of the grant are:

- Developing and strengthening policies, protocols and training for law enforcement officers and prosecutors regarding the investigation and prosecution of sexual assault cases and the appropriate treatment of victims;
- Developing and implementing training programs for prosecutors and other prosecution-related personnel regarding best practices to ensure offender

accountability, victim safety and victim consultation in cases involving sexual assault, domestic violence, dating violence and stalking; and

- Developing and implementing policies and training for police, prosecutors, probation and parole officers, and the judiciary in recognizing, investigating and prosecuting instances of sexual assault, with emphasis on recognizing the threat to the community for repeat crime perpetration by such individuals.

Analysis:

Sauk County is one of 50 grant awardees nationwide that received the grant under the Improving Criminal Justice Responses to Sexual Assault, Domestic Violence, Dating Violence, and Stalking grant program. The program distributed a total of \$30,027,793, with Sauk County receiving \$450,000. In its grant application, Sauk County indicated it will serve as a pass-through entity for the grant implementing agencies. The application stated Hope House of South Central Wisconsin, Inc., and the Sauk County District Attorney's Office would act as the grant-implementing agencies. A past example of a successful collaboration between these entities is the Firearms Surrender Project.

Sauk County is a unique area in that it is a significant tourist destination, resulting in great seasonal fluctuations in the county population. The transient nature of the population, and its proximity to interstates and U.S. highways serving large population centers, also make it a target destination for sex trafficking. As a result, many victims of sexual assault in the county are residents of other geographic areas. The transient population and limited county resources cause gaps in reporting and investigation of sexual assault cases in the area.

In January 2018, a new 1.0 FTE PR project position was approved in Sauk County with the purpose of replacing a 0.8 FTE PR project position set to expire February 28, 2018. Half of this position was funded with the Sexual Assault Justice Initiative Grant and half with funds from Sauk County. The purpose of this funding split was to allow this assistant district attorney to continue work required under the requirements in the no-cost extension while also learning new general assignment duties. Approval of this position put Sauk County's authorized positions at 6.0 FTE. This project is set to expire June 30, 2018, at which time the individual occupying the project position will transition into an existing general assignment position. The position being requested would perform the sexual assault prosecution duties of the position set to expire on June 30, 2018. With the creation of this position and expiration of the project position approved in January 2018, Sauk County's authorized positions will remain at 6.0 FTE.

The assistant district attorney position furthers the State's policy to reduce sexual assault cases 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 Sauk County. This grant offers the opportunity for the county to expand its resources and strengthen the services available to victims of sexual assault.

Ellen Nowak, Secretary
Page 3
June 26, 2018

Recommendation:

Approve the request.



STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION

Scott Walker, Governor
Ellen Nowak, Secretary
James M. Langdon, Administrator

DATE: May 15, 2018

TO: Waylon Hurlburt, Administrator
Division of Executive Budget and Finance

FROM: Kasey Deiss, Director
State Prosecutors Office

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

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

Thank you for your attention to this matter.

Attachment

May 15, 2018
Sauk County District Attorney Office – ICJR Grant Position – ADA
s.16.505 Request

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 date of approval to September 30, 2020. The position will be in the Sauk County District Attorney's (DA's) Office and will be funded via appropriation s.20.475(1)(h).

II. BACKGROUND

In September of 2017 the US Department of Justice (US DOJ) – Office on Violence Against Women (OVW) awarded Sauk County with a \$450,000 grant through the Improve Criminal Justice Responses to Sexual Assault, Domestic Violence, Dating Violence, and Stalking (ICJR). This grant includes funding of \$249,893 through September 30, 2020, for the salary and fringe benefits of a full-time prosecutor. The position would serve as a prosecutor of cases involving adult-victim sexual assault cases; domestic battery cases; sexual assault and acts of domestic violence concerning dating or teen violence; and stalking.

The ICJR Program encourages partnerships among state, local, and tribal governments, courts, victim service providers, coalitions and rape crisis centers, to ensure that sexual assault, domestic violence, dating violence, and stalking are treated seriously and trigger the coordinated involvement of the entire criminal justice system and community-based victim service providers. The grant provider seeks to encourage stakeholders to work collaboratively to identify problems and share ideas resulting in effective responses to promote victim safety and offender accountability.

Relevant goals of the ICJR Program as it relates to prosecutors include: developing and strengthening policies, protocols, and training for law enforcement officers and prosecutors regarding the investigation and prosecution of sexual assault cases and the appropriate treatment of victims; developing and implementing training programs for prosecutors and other prosecution-related personnel regarding best practices to ensure offender accountability, victim safety, and victim consultation in cases involving sexual assault, domestic violence, dating violence, and stalking; and developing and implementing policies and training for police, prosecutors, probation, and parole officers, and the judiciary in recognizing, investigating, and prosecuting instances of sexual assault, with an emphasis on recognizing the threat to the community for repeat crime perpetration by such individuals.

May 15, 2018

Sauk County District Attorney Office – ICJR Grant Position - ADA
s.16.505 Request

Previously, in December 2015, the U.S. Department of Justice (US DOJ) Office on Violence Against Women (OVW) awarded \$176,371 for a 0.8 FTE ADA position in the Sauk County District Attorney's Office for two years. In August 2017, the Sauk County DA's office requested a six-month extension, from January 1, 2018 through June 30, 2018, of this position, at a 0.5 FTE ADA, to continue and complete the ADA's work on sexual assault cases and law enforcement education duties within the scope of work approved by the grant. In January of 2018, the Joint Committee on Finance approved modifying this position to full-time utilizing a combination of funding from US DOJ and Sauk County through June 30, 2018.

III. ANALYSIS

This position is in furtherance of the State's policy to prevent crime and ameliorate the impact of crime upon the populace. This position is also in furtherance of the State's policy to fight domestic and sexual violence by developing and strengthening effective responses to violence against women. Victim safety and offender accountability are important aspects of the grant.

IV. FISCAL ANALYSIS

Initial funding of \$249,893 has been authorized by US DOJ OVW. This sum is sufficient to fund a 1.0 FTE ADA position through September 2020. 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 US DOJ OVW through the federal ICJR program. Sauk County will serve as the pass-through entity and 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 Sauk Claire County DA's Office. The table uses the most current court data available (2012-2014) and the positions authorized as of July 2016. 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 is not available.

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

The US DOJ OVV awarded this grant to the Sauk 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 US DOJ OVV through the federal ICJR program, is intended for the Sauk County DA's Office to prosecute crimes of domestic and sexual violence.

DISTRICT ATTORNEY OFFICE WORKLOAD ANALYSIS AS OF JULY 2016

	7/20/16 GPR- Funded FTE Positions*	7/20/16 Program Revenue- Funded FTE Positions*	7/20/16 Total FTE Positions*	Additional FTE Needed	Estimated Total FTE Needed	Additional FTE Needed as a % of 7/20/16 GPR- Funded FTE	Additional FTE Needed as a % of 7/20/16 Total FTE	GPR- Funded FTE as a % of Estimated Total FTE Needed	Total FTE as a % of Estimated Total FTE Needed
DA Office									
Adams	1.20		1.20	1.36	2.56	113.33%	113.33%	46.88%	46.88%
Ashland	2.00		2.00	0.87	2.87	43.50%	43.50%	69.69%	69.69%
Barron	3.00		3.00	3.22	6.22	107.33%	107.33%	48.23%	48.23%
Bayfield	1.00		1.00	0.90	1.90	90.00%	90.00%	52.63%	52.63%
Brown	12.00	1.00	13.00	11.46	24.46	95.50%	88.15%	49.06%	53.15%
Buffalo	1.00		1.00	0.61	1.61	61.00%	61.00%	62.11%	62.11%
Burnett	1.25		1.25	1.95	3.20	156.00%	156.00%	39.06%	39.06%
Calumet	2.00		2.00	1.01	3.01	50.50%	50.50%	66.45%	66.45%
Chippewa	5.00		5.00	1.49	6.49	29.80%	29.80%	77.04%	77.04%
Clark	2.00		2.00	0.56	2.56	28.00%	28.00%	78.13%	78.13%
Columbia	4.75		4.75	3.32	8.07	69.89%	69.89%	58.86%	58.86%
Crawford	1.00		1.00	-0.25	0.75	-25.00%	-25.00%	133.33%	133.33%
Dane	28.85	3.00	29.85	3.21	33.06	11.96%	10.76%	81.22%	90.29%
Dodge	4.00		4.00	2.12	6.12	53.00%	53.00%	65.36%	65.36%
Door	2.00		2.00	0.71	2.71	35.50%	35.50%	73.80%	73.80%
Douglas	3.50		3.50	3.07	6.57	87.71%	87.71%	53.27%	53.27%
Dunn	3.00		3.00	2.93	5.93	97.67%	97.67%	50.59%	50.59%
Eau Claire	8.00	1.00	9.00	4.48	13.46	55.75%	49.56%	59.44%	66.86%

May 15, 2018
 Sauk County District Attorney Office – ICJR Grant Position - ADA
 s.16.505 Request

Florence	0.50		0.50	0.39	0.89	78.00%	78.00%	56.18%	56.18%
Fond du Lac	5.00	2.00	7.00	5.44	12.44	108.80%	77.71%	40.19%	56.27%
Forest	1.00		1.00	1.91	2.91	191.00%	191.00%	34.36%	34.36%
Grant	2.00		2.00	2.09	4.09	104.50%	104.50%	48.90%	48.90%
Green	2.00		2.00	0.99	2.99	49.50%	49.50%	66.89%	66.89%
Green Lake	1.50		1.50	0.67	2.17	44.67%	44.67%	69.12%	69.12%
Iowa	1.75		1.75	0.96	2.73	56.00%	56.00%	64.10%	64.10%
Iron	1.00		1.00	-0.27	0.73	-27.00%	-27.00%	136.99%	136.99%
Jackson	2.00		2.00	1.62	3.62	81.00%	81.00%	55.25%	55.25%
Jefferson	5.30		5.30	1.83	7.13	34.53%	34.53%	74.33%	74.33%
Juneau	2.50		2.50	0.67	3.17	26.80%	26.80%	78.86%	78.86%
Kenosha	15.00	1.00	16.00	7.16	23.16	47.73%	44.75%	64.77%	69.08%
Kewaunee	1.50		1.50	-0.14	1.36	-9.33%	-9.33%	110.29%	110.29%
La Crosse	8.00		8.00	4.95	12.95	61.88%	61.88%	61.78%	61.78%
Lafayette	1.00		1.00	0.26	1.26	26.00%	26.00%	79.37%	79.37%
Langlade	1.50		1.50	1.99	3.49	132.67%	132.67%	42.98%	42.98%
Lincoln	2.00		2.00	1.44	3.44	72.00%	72.00%	58.14%	58.14%
Manitowoc	5.00		5.00	2.73	7.73	54.60%	54.60%	64.68%	64.68%
Marathon	8.50	2.50	11.00	3.60	14.60	42.35%	32.73%	58.22%	75.34%
Marinette	2.50	0.10	2.60	0.49	3.09	19.60%	18.86%	80.91%	84.14%
Marquette	1.00		1.00	0.49	1.49	49.00%	49.00%	67.11%	67.11%
Milwaukee	87.00	33.50	120.50	-21.80	98.70	-25.06%	-18.09%	88.15%	122.09%
Monroe	3.00		3.00	3.15	6.15	105.00%	105.00%	48.78%	48.78%
Oconto	2.00		2.00	0.94	2.94	47.00%	47.00%	68.03%	68.03%
Oneida	2.50		2.50	1.55	4.05	62.00%	62.00%	61.73%	61.73%
Outagamie	9.00		9.00	8.83	17.83	98.11%	98.11%	50.46%	50.46%
Ozaukee	3.00		3.00	1.66	4.66	55.33%	55.33%	64.38%	64.38%
Pepin	0.80		0.80	-0.16	0.82	-22.50%	-22.50%	129.03%	129.03%
Pierce	2.50		2.50	0.67	3.17	26.80%	26.80%	78.86%	78.86%
Polk	3.00		3.00	2.84	5.84	94.67%	94.67%	51.37%	51.37%
Portage	4.00		4.00	3.93	7.93	98.25%	98.25%	50.44%	50.44%
Price	1.00		1.00	0.09	1.09	9.00%	9.00%	91.74%	91.74%
Racine	18.00		18.00	11.23	29.23	62.39%	62.39%	61.58%	61.58%
Richland	1.80		1.80	-0.10	1.70	-5.56%	-5.56%	105.88%	105.88%
Rock	14.00		14.00	2.57	16.57	18.36%	18.36%	84.49%	84.49%
Rusk	1.50		1.50	0.52	2.02	34.67%	34.67%	74.26%	74.26%
Saint Croix	6.00		6.00	1.05	7.05	17.50%	17.50%	85.11%	85.11%
Sauk	5.00	0.8	5.80	1.36	7.16	27.20%	23.46%	69.83%	81.01%
Sawyer	2.00		2.00	1.10	3.10	55.00%	55.00%	64.52%	64.52%
Shaw/Men	3.00		3.00	2.19	5.19	73.00%	73.00%	57.80%	57.80%
Sheboygan	7.50		7.50	4.08	11.58	54.40%	54.40%	64.77%	64.77%
Taylor	1.00		1.00	0.41	1.41	41.00%	41.00%	70.92%	70.92%
Trempealeau	2.00		2.00	1.13	3.13	56.50%	56.50%	63.90%	63.90%
Vernon	2.00		2.00	-0.09	1.91	-4.50%	-4.50%	104.71%	104.71%
Vilas	2.00		2.00	1.17	3.17	58.50%	58.50%	63.09%	63.09%
Walworth	5.00		5.00	2.46	7.46	49.20%	49.20%	67.02%	67.02%
Washburn	1.25		1.25	0.96	2.21	76.80%	76.80%	56.56%	56.56%
Washington	5.00		5.00	4.08	9.08	81.60%	81.60%	55.07%	55.07%
Waukesha	14.50	2.00	16.50	7.68	24.18	52.97%	46.55%	59.97%	68.24%
Waupaca	3.50		3.50	1.36	4.86	38.86%	38.86%	72.02%	72.02%
Waushara	2.00		2.00	1.16	3.16	58.00%	58.00%	63.29%	63.29%
Winnebago	10.00		10.00	5.97	15.97	59.70%	59.70%	62.62%	62.62%
Wood	4.00		4.00	5.40	9.40	135.00%	135.00%	42.55%	42.55%

May 15, 2018

Sauk County District Attorney Office – ICJR Grant Position - ADA
s.16.505 Request

TOTALS 382.95 46.90 429.85 139.66 569.51

*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) In Fond du Lac the total FTE used is 7.00 rather than 8.00 because the Title IV-E CHIPS/TPR position has no funding.
- 5) In Outagamie the total FTE used is 9.00 rather than 10.00 because the VAWA position has no funding.
- 6) 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.
- 7) CHIPS extensions include permanency plan review petitions filed under s. 48.365 beginning with data for 2006.
- 8) Immunization cases filed by DA Offices under s. 48.13(13) are included with CHIPS cases beginning with data for 2006.
- 9) 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.

SAUK COUNTY DISTRICT ATTORNEY'S OFFICE

515 Oak Street Baraboo Wisconsin 53913
Phone 608-355-3280 FAX 608-355-3282
Victim Witness unit 608-355-3281

District Attorney
Kevin R. Calkins

Office Manager
Yvonne R. Neumann

Assistant District Attorneys
Linda A. Hoffman
Michael X. Albrecht
Dennis J. Ryan
Rick C. Spentgen

Administrative Assistants
Jamie L. Catterson
Patricia A. Church
Shari L. Meyer
Wendy S. Kroening
Krystal K. Schara

Victim Witness Unit
Laura Moffit
Linda M. Grieshaber

April 26, 2018

Kasey Deiss, Director
State Prosecutors Office
Wisconsin Department of Administration
101 East Wilson Street, 9th Floor
Madison WI 53707-7857

Dear Director Deiss,

We are requesting that you take the steps necessary to secure legislative approval for the creation of a new full-time position of assistant district attorney in the Sauk County District Attorney's Office.

The US Department of Justice (DOJ) – Office on Violence Against Women (OVW) has given the County of Sauk a \$450,000 grant to improve Criminal Justice Responses to Sexual Assault, Domestic Violence, Dating Violence, and Stalking (ICJR).

The ICJR grant includes funding of \$249,893, through September 30, 2020, for the salary and fringe benefits of a full-time prosecutor. The position would serve as a prosecutor of cases involving adult-victim sexual assault cases; domestic battery cases; sexual assault and acts of domestic violence concerning dating or teen violence; and stalking.

Sauk County, through the County Board Chair, and the District Attorney's Office executed a memorandum of understanding (MOU) regarding the prosecutor. The MOU, award documents, and project budget are attached to this email.

Thank you for your consideration. If you need additional information, please contact me at 608-355-3280 or at kevin.calkins@da.wi.gov.

Sincerely,



Kevin R Calkins
District Attorney
Sauk County



U.S. Department of Justice
Office on Violence Against Women

Grant

PAGE 1 OF 11

1. RECIPIENT NAME AND ADDRESS (Including Zip Code) County of Sauk 505 Broadway Baraboo, WI 53913-2183		4. AWARD NUMBER: 2017-WE-AX-0016	
		5. PROJECT PERIOD: FROM 10/01/2017 TO 09/30/2020 BUDGET PERIOD: FROM 10/01/2017 TO 09/30/2020	
2a. GRANTEE IRS/VENDOR NO. 396003750		6. AWARD DATE 09/26/2017	7. ACTION Initial
2b. GRANTEE DUNS NO. 076165513		8. SUPPLEMENT NUMBER 00	
3. PROJECT TITLE Sauk County Improving Criminal Justice Response Project		9. PREVIOUS AWARD AMOUNT \$ 0	
		10. AMOUNT OF THIS AWARD \$ 450,000	
		11. TOTAL AWARD \$ 450,000	
12. SPECIAL CONDITIONS THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).			
13. STATUTORY AUTHORITY FOR GRANT This project is supported under 42 U.S.C. §§ 3796(a)-3796(h)-4 (OVW- Improving Criminal Justice Responses Program, also known as Arrest Program)			
14. CATALOG OF DOMESTIC FEDERAL ASSISTANCE (CFDA Number) 16.590 - Improving Criminal Justice Responses Grant Program also known as the Arrest Program			
15. METHOD OF PAYMENT OPRS			
AGENCY APPROVAL		GRANTEE ACCEPTANCE	
16. TYPED NAME AND TITLE OF APPROVING OFFICIAL Nadine M. Neufville Acting Director		18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL Marty Krueger County Board Chair	
17. SIGNATURE OF APPROVING OFFICIAL 		19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL 	19A. DATE 10/16/17
AGENCY USE ONLY			
20. ACCOUNTING CLASSIFICATION CODES FISCAL FUND BUD. DIV. YRAR CODE ACT. OFC. REG. SUB. POMS AMOUNT X A W4 29 00 00 450000		21. W417D00019	



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1. Requirements of the award; remedies for non-compliance or for materially false statements

The conditions of this award are material requirements of the award. Compliance with any certifications or assurances submitted by or on behalf of the recipient that relate to conduct during the period of performance also is a material requirement of this award.

Failure to comply with any one or more of these award requirements -- whether a condition set out in full below, a condition incorporated by reference below, or a certification or assurance related to conduct during the award period -- may result in the Office on Violence Against Women ("OVW") taking appropriate action with respect to the recipient and the award. Among other things, the OVW may withhold award funds, disallow costs, or suspend or terminate the award. The Department of Justice ("DOJ"), including OVW, also may take other legal action as appropriate.

Any materially false, fictitious, or fraudulent statement to the federal government related to this award (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, and/or 42 U.S.C. 3795a), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).

Should any provision of a requirement of this award be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or unenforceable, such provision shall be deemed severable from this award.

2. Applicability of Part 200 Uniform Requirements and DOJ Grants Financial Guide

The recipient agrees to comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by DOJ in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements"), and the current edition of the DOJ Grants Financial Guide as posted on the OVW website to include any amendments made throughout the course of the grant period.

3. Requirement to report potentially duplicative funding

If the recipient currently has other active awards of federal funds, or if the recipient receives any other award of federal funds during the period of performance for this award, the recipient promptly must determine whether funds from any of those other federal awards 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 provided under this award. If so, the recipient must promptly notify the DOJ awarding agency (OJP or OVW, as appropriate) in writing of the potential duplication, and, if so requested by the DOJ awarding agency, must seek a budget-modification or change-of-project-scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.

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4. Requirements related to System for Award Management and Universal Identifier Requirements

The recipient must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at <https://www.sam.gov>. This includes applicable requirements regarding registration with SAM, as well as maintaining the currency of information in SAM.

The recipient also must comply with applicable restrictions on subawards ("subgrants") to first-tier subrecipients (first-tier "subgrantees"), including restrictions on subawards to entities that do not acquire and provide (to the recipient) the unique entity identifier required for SAM registration.

The details of the recipient's obligations related to SAM and to unique entity identifiers are posted on the OVW website at <https://www.justice.gov/ovw/grantees> (Award condition: Registration with the System for Award Management (SAM) and Universal Identifier Requirements), and are incorporated by reference here.

This 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).

5. Requirements pertaining to prohibited conduct related to trafficking in persons (including reporting requirements and OVW authority to terminate award)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipients, subrecipients ("subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the recipient or of any subrecipient.

The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OVW web site at <https://www.justice.gov/ovw/grantees> (Award condition: Prohibited conduct by recipients and subrecipients related to trafficking in persons (including reporting requirements and OVW authority to terminate award)), and are incorporated by reference here.

6. Compliance with applicable rules regarding approval, planning, and reporting of conferences, meetings, trainings, and other events

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears on the OVW website at <https://www.justice.gov/ovw/grantees>.

7. OVW Training Guiding Principles

The recipient understands and agrees that any training or training materials developed or delivered with funding provided under this award must adhere to the OVW Training Guiding Principles for Grantees and Subgrantees, available at <https://www.justice.gov/ovw/grantees>.

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8. Effect of failure to address audit issues

The recipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) 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.

9. Potential imposition of additional requirements

The recipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this award, if the recipient is designated as "high-risk" for purposes of the DOJ high-risk grantee list.

10. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 42

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.

11. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38, specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries. Part 38 of 28 C.F.R., a DOJ regulation, was amended effective May 4, 2016.

Among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38 also sets out rules and requirements that pertain to recipient and subrecipient ("subgrantee") organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipients and subrecipients that are faith-based or religious organizations.

12. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 54

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs."

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13. Restrictions on "lobbying" and policy development

In general, as a matter of federal law, federal funds may not be used by the recipient, or any subrecipient ("subgrantee") at any tier, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, in order to avoid violation of 18 U.S.C. 1913. The recipient, or any subrecipient ("subgrantee") may, however, use federal funds to collaborate with and provide information to federal, state, local, tribal and territorial public officials and agencies to develop and implement policies and develop and promote state, local, or tribal legislation or model codes designed to reduce or eliminate domestic violence, dating violence, sexual assault, and stalking (as those terms are defined in 42 U.S.C. 13925(a)) when such collaboration and provision of information is consistent with the activities otherwise authorized under this grant program.

Another federal law generally prohibits federal funds awarded by OVW from being used by the recipient, or any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any question arise as to whether a particular use of federal funds by a recipient (or subrecipient) would or might fall within the scope of these prohibitions, the recipient is to contact OVW for guidance, and may not proceed without the express prior written approval of OVW.

14. Compliance with general appropriations-law restrictions on the use of federal funds for this fiscal year

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions, for each fiscal year, are set out at <https://www.justice.gov/ovw/grantees>, and are incorporated by reference here. Should a question arise as to whether a particular use of federal funds by a recipient (or a subrecipient) would or might fall within the scope of an appropriations-law restriction, the recipient is to contact OVW for guidance, and may not proceed without the express prior written approval of OVW.

15. Reporting potential fraud, waste, and abuse, and similar misconduct

The recipient, and any subrecipients ("subgrantees") at any tier, must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award-- (1) submitted a claim 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.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by-- (1) mail directed to: Office of the Inspector General, U.S. Department of Justice, Investigations Division, 950 Pennsylvania Avenue, N.W. Room 4706, Washington, DC 20530; (2) e-mail to: oig.hotline@usdoj.gov; and/or (3) the DOJ OIG hotline: (contact information in English and Spanish) at (800) 869-4499 (phone) or (202) 616-9881 (fax).

Additional information is available from the DOJ OIG website at <https://www.usdoj.gov/oig>.

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16. Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient ("subgrantee") under this award, or entity that receives a procurement 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 4414 (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 federal 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 under this award to make subawards ("subgrants"), procurement contracts, or both--

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 ("subgrant"), procurement contract, or subcontract under a procurement contract) 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 federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

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17. Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)

The recipient (and any subrecipient at any tier) must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The recipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the recipient is to contact the DOJ awarding agency (OJP or OVW, as appropriate) for guidance.

18. Encouragement of policies to ban text messaging while driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), DOJ encourages recipients and subrecipients ("subgrantees") to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

19. The recipient agrees to follow the applicable set of general terms and conditions that are available at <https://www.justice.gov/ovw/grantees>. These do not supersede any specific conditions in this award document.

20. The recipient agrees to comply with all relevant statutory and regulatory requirements which may include, among other relevant authorities, the Violence Against Women Act of 1994, P.L. 103-322, the Violence Against Women Act of 2000, P.L. 106-386, the Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C 3711 et seq., the Violence Against Women and Department of Justice Reauthorization Act of 2005, P.L. 109-162, the Violence Against Women Reauthorization Act of 2013, P.L. 113-4, and OVW's implementing regulations at 28 CFR Part 90.

21. The recipient must be in compliance with requirements outlined in the solicitation under which the approved application was submitted. The program solicitation is hereby incorporated by reference into this award.

22. The Violence Against Women Reauthorization Act of 2013 added a civil rights provision that applies to all OVW grants issued in FY 2014 or after. This provision prohibits recipients of OVW awards from excluding, denying benefits to, or discriminating against any person on the basis of actual or perceived race, color, religion, national origin, sex, gender identity, sexual orientation, or disability in any program or activity funded in whole or in part by OVW. The recipient acknowledges that it will comply with this provision. The recipient also agrees to ensure that any subrecipients ("subgrantees") at any tier will comply with this provision.

23. The recipient understands and agrees that misuse of award funds may result in a range of penalties, including suspension of current and future funds, suspension or debarment from federal grants, recoupment of monies provided under an award, and civil and/or criminal penalties.

24. Grant funds may be used only for the purposes in the recipient's approved application. The recipient shall not undertake any work or activities that are not described in the grant application, and that use staff, equipment, or other goods or services paid for with OVW grant funds, without prior written approval from OVW.

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25. The recipient agrees that funds will be used to supplement, not supplant, non-federal funds that would otherwise be available for the activities under this grant.
26. The recipient agrees to comply with the provisions of 42 U.S.C. 13925(b)(2), nondisclosure of confidential or private information, which includes creating and maintaining documentation of compliance, such as policies and procedures for release of victim information. The recipient also agrees to ensure that any subrecipients ("subgrantees") at any tier meet these requirements.
27. The recipient agrees that grant funds will not support activities that compromise victim safety and recovery, such as: procedures or policies that exclude victims from receiving safe shelter, advocacy services, counseling, and other assistance based on their actual or perceived sex, age, immigration status, race, religion, sexual orientation, gender identity, mental health condition, physical health condition, criminal record, work in the sex industry, or the age and/or sex of their children; procedures or policies that compromise the confidentiality of information and privacy of persons receiving OVW-funded services; procedures or policies that impose requirements on victims in order to receive services (e.g., seek an order of protection, receive counseling, participate in couples counseling or mediation, report to law enforcement, seek civil or criminal remedies, etc.); procedures or policies that fail to ensure service providers conduct safety planning with victims; project design and budgets that fail to account for the access needs of participants with disabilities and participants who have limited English proficiency or are Deaf or hard of hearing; or any other activities outlined in the solicitation under which the approved application was submitted.
28. The Director of OVW, upon a finding that there has been substantial failure by the recipient to comply with applicable laws, regulations, and/or the terms and conditions of the award or relevant solicitation, will terminate or suspend until the Director is satisfied that there is no longer such failure, all or part of the award, in accordance with the provisions of 28 CFR Part 18, as applicable *mutatis mutandis*.
29. The recipient acknowledges that it is responsible for maintaining updated contact information in the Grants Management System. To update information in GMS for either the point of contact and/or the authorized representative, the recipient must submit a Grant Adjustment Notice.
30. The recipient agrees to submit semiannual progress reports that describe project activities during the reporting period. Progress reports must be submitted within 30 days after the end of the reporting periods, which are January 1 - June 30 and July 1 - December 31, for the duration of the award. Future awards may be withheld if progress reports are delinquent. Recipients are required to submit this information online, through the Grants Management System (GMS), on the semi-annual progress report for the relevant OVW grant programs.
31. Under the Government Performance and Results Act (GPRA), VAWA 2000 and subsequent legislation, recipients are required to collect and maintain data that measure the effectiveness of their grant-funded activities. Accordingly, the recipient agrees to submit semi-annual electronic progress reports on program activities and program effectiveness measures. Recipients are required to collect the information that is included on the semi-annual progress report for the OVW Program under which this award is funded.
32. A final report, which provides a summary of progress toward achieving the goals and objectives of the award, significant results, and any products developed under the award, is due 90 days after the end of the award. The Final Progress Report should be submitted to the OVW through the Grants Management System with the Report Type indicated as "Final".

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33. The recipient agrees that it will submit quarterly financial status reports to OVW on-line (at <https://grants.ojp.usdoj.gov>) using the SF 425 Federal Financial Report form (available for viewing at <https://www.grants.gov/web/grants/forms/post-award-reporting-forms.html#sortby=1>), not later than 30 days after the end of each calendar quarter. The final report shall be submitted not later than 90 days following the end of the award period.
34. Program income, as defined by 2 CFR 200.80, means gross income earned by the non-Federal entity that is directly generated by a supported activity or earned as a result of the Federal award during the period of performance. Without prior approval from OVW, program income must be deducted from total allowable costs to determine the net allowable costs. In order to add program income to the OVW award, the recipient must seek approval from its program manager via a budget modification Grant Adjustment Notice (GAN) prior to generating any program income. Any program income added to the federal award must be used to support activities that were approved in the budget and follow the conditions of the OVW award. Any program income approved via budget modification GAN must be reported in the recipient's quarterly Federal Financial Report SF-425 in accordance with the addition alternative. If the program income amount changes (increases or decreases) during the project period, it must be approved via a budget modification GAN by the end of the project period. If the budget modification is not submitted and approved, it could result in audit findings for the recipient.
35. The recipient agrees to comply with applicable requirements to report first-tier subawards ("subgrants") 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 on Violence Against Women web site at: <https://www.justice.gov/sites/default/files/ovw/legacy/2010/12/08/ffata-award-term.pdf> (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 and/or operate in his or her name).
36. The recipient agrees to submit for OVW review and approval any anticipated addition of, removal of, or change in collaborating partner agencies or individuals who are signatories of the Memorandum of Understanding, and if applicable, the Internal Memorandum of Agreement.
37. The recipient agrees to submit one copy of all required reports and any other written materials or products that are developed by the recipient or project partners and funded under the project to OVW not less than twenty (20) days prior to public release. If the written material is found to be outside the scope of the program, or in some way to compromise victim safety, it will need to be revised to address these concerns or the recipient will not be allowed to use project funds to support the further development or distribution of the materials.
38. All materials and publications (written, visual, or sound) resulting from award activities shall contain the following statements: "This project was supported by Grant No. _____ awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women."

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39. Pursuant to 2 CFR §200.315(b), the recipient may copyright any work that is subject to copyright and was developed, or for which ownership was acquired, under this award. OVW reserves a royalty-free, nonexclusive and irrevocable right to reproduce, publish, or otherwise use the work, in whole or in part (including in the creation of derivative works), for Federal purposes, and to authorize others to do so.
- OVW also reserves a royalty-free, nonexclusive and irrevocable right to reproduce, publish, or otherwise use, in whole or in part (including in the creation of derivative works), any work developed by a subrecipient ("subgrantee") of this award, for Federal purposes, and to authorize others to do so.
- In addition, the recipient (or subrecipient, contractor or subcontractor of this award at any tier) must obtain advance written approval from the OVW program manager assigned to this award, and must comply with all conditions specified by the program manager in connection with that approval, before: 1) using award funds to purchase ownership of, or a license to use, a copyrighted work; or 2) incorporating any copyrighted work, or portion thereof, into a new work developed under this award.
- It is the responsibility of the recipient (and of each subrecipient, contractor or subcontractor as applicable) to ensure that this condition is included in any subaward, contract or subcontract under this award.
40. First-time recipients, or continuation recipients if requested, must agree to have key staff members, as identified by OVW, attend the OVW grantee orientation seminar, which may be offered in-person, online, or a combination of both. Additionally, if there is a change in the project director/coordinator during the grant period, the recipient agrees, at the earliest opportunity, to send the new project director/coordinator, regardless of prior experience with this or any other federal award, to an OVW grantee orientation seminar or require completion of the orientation online, whichever is available.
41. The recipient agrees that funds allocated for OVW-sponsored technical assistance may not be used for any other purpose without prior approval by OVW. To request approval, recipients must submit a Program Office Approval Grant Adjustment Notice (GAN) via the Grants Management System (GMS). The recipient must attach to the GAN a copy of the event's brochure, curriculum and/or agenda, a description of the hosts or trainers, and an estimated breakdown of costs. The GAN request must be submitted to OVW at least 20 days prior to registering for the event. Approval to attend non-OVW sponsored events will be considered on a case-by-case basis. This prior approval process also applies to requests for the use of OVW-designated technical assistance funds to pay a consultant or contractor not designated as an OVW technical assistance provider to develop and/or provide training and/or technical assistance.
42. The recipient agrees to attend and participate in OVW-sponsored technical assistance. Technical assistance includes, but is not limited to, national and regional conferences, audio conferences, webinars, peer-to-peer consultations, and workshops conducted by OVW-designated technical assistance providers. All training will be coordinated by OVW-designated technical assistance providers.
43. Approval of this award does not indicate approval of any consultant rate in excess of \$650 per day or \$81.25 per hour. A detailed justification must be submitted to and approved by OVW prior to obligation or expenditure of such funds. Although prior approval is not required for consultant rates below these specified amounts, recipients are required to maintain documentation to support all daily or hourly rates.

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44. Pursuant to 42 U.S.C. § 3796hh(d), the recipient understands that 5% of this award is being withheld and that it may not obligate, expend, or drawdown that 5% unless the State or unit of local government:
- (1) certifies that it has a law, policy, or regulation that requires:
- (A) the State or unit of local government at the request of a victim to administer to a defendant, against whom an information or indictment is presented for a crime in which by force or threat of force the perpetrator compels the victim to engage in sexual activity, testing for the immunodeficiency virus (HIV) not later than 48 hours after the date on which the information or indictment is presented and the defendant is in custody or has been served with the information or indictment;
- (B) as soon as practicable notification to the victim, or parent and guardian of the victim, and defendant of the testing results; and
- (C) follow-up tests for HIV as may be medically appropriate, and that as soon as practicable after each such test the results be made available in accordance with subparagraph (B); or
- (2) gives the Attorney General assurances that its laws and regulations will be in compliance with requirements of paragraph (1) by the period ending on the date on which the next session of the State legislature ends.
- The "next session of the State legislature" means the next session after the date on which the application for this award was submitted.
- If the recipient submits a certification, a Grant Adjustment Notice (GAN) will be issued, and the funds will become available for drawdown. If, by the date on which the next session of the State legislature ends, the recipient is not in compliance with this provision, then the withheld funds will be de-obligated from the amount of funds awarded for this award period.
45. The recipient acknowledges that it has a continuing obligation to remain in compliance with the applicable certification requirements of 42 U.S.C. § 3796hh(c).
46. The recipient agrees that grant funds may be used to strengthen legal advocacy service programs for victims of domestic violence, dating violence, sexual assault, and stalking, including strengthening assistance to such victims in immigration matters. Grant funds may not be used to provide long-term or short-term legal representation.
47. The recipient agrees that funds will not be used for prevention activities (e.g., outreach to elementary and secondary schools, implementation of educational programs regarding domestic and dating violence intervention, and public awareness campaigns). The recipient may use funds to provide outreach regarding the specific services offered under the grant.
48. The recipient's budget is pending review and approval. The recipient may obligate, expend, and draw down only funds for travel-related expenses up to \$10,000 to attend OVW-sponsored technical assistance events, unless there is another condition on the award prohibiting obligation, expenditure, and drawdown of any funds, in which case the condition prohibiting any obligation, expenditure or drawdown of funds will control. Remaining funds will not be available for drawdown until OVW's Grants Financial Management Division has approved the budget and budget narrative, and a Grant Adjustment Notice has been issued removing this special condition. Any obligations or expenditures incurred by the recipient prior to the budget being approved are made at the recipient's own risk. If applicable, the Indirect Cost Rate will be identified in the Grant Adjustment Notice when the budget is approved.

MFK



Sauk County Board of Supervisors

Marty Krueger
Board Chair
505 Broadway, Baraboo, WI 53813

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FAX: 608-355-3522
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Memorandum of Understanding

Sauk County Improving Criminal Justice Responses to Sexual Assault, Domestic Violence, Dating Violence, and Stalking Initiative

The below-stated is mutually agreed upon by the applying agency (serving as a pass-through entity) and the project partners:

1. Partner Identity and Collaborative History:

- a. Sauk County, Wisconsin is the applicant. Sauk County will serve as a pass-through entity for the grant-implementing agencies, should the grant be awarded. The grant-implementing agencies are Hope House of South Central Wisconsin, Inc. and the Sauk County District Attorney's Office.

The grant-implementing agencies have regularly collaborated with each other, not only in the obvious, but also via active participation in the Sauk County Sexual Assault Response Team (SART) and Coordinated Community Response Team. The SART, utilizing a multi-disciplinary approach recently developed and implemented a sexual assault worksheet and protocol to be used during interviews of sexual assault victims. The checklist and form was designed to gather more information from victims during initial interviews and to avoid the need for, and the re-traumatization of victims during, multiple interviews. Another recent policy change among the applying agencies was to add the requirement that law enforcement contact Hope House immediately upon or prior to initiating victim contact. This has improved victim services by having an advocate present as soon as possible for any interview or SANE exam, and allowed the investigating officer to have more time to focus on interviewing the victim.

A further example of past successful collaboration between Hope House and the Sauk County District Attorney's Office was the Firearms Surrender Project (with the Wisconsin Governor's Council in 2010). Through this project, policies and protocols were developed to help enforce firearm surrender after a restraining order was issued. Hope House, the Sauk County District Attorney's Office, and a Sauk County Judge (with assistance from other systems-based actors), all collaborated to develop and implement these protocols. This pilot project was successful and helped forward the passage of Wisconsin legislation, which adopted the new firearm surrender protocols as state law (in 2014).

Perhaps the most recent instance of collaborative success is the progress of the Sauk County Sexual Assault Justice Initiative. Therein Hope House, the Sauk

County District Attorney's Office, and local Law Enforcement partnered to specifically focus on examining and improving our response to adult-victim sexual assault. This has included the development of victim satisfaction surveys (to gauge victim's satisfaction with law enforcement's response), trauma-informed interviewing and investigation training for law enforcement, implementation of new performance measures in the prosecutor's office (tracking time elapsed from incident to report, report to referral, and referral to charging (among other things)). This grant has also led to a revitalization of the Sauk County SART, as well as a push towards a 100% advocacy referral rate by law enforcement concerning reports of sexual assault. While this grant is still in progress (culminating at the end of 2017), it has led to a much greater amount of collaboration, coordination, and communication among advocacy, law enforcement, and prosecution in the county.

2. Roles and Responsibilities:

The term of the proposed protect will run for a duration of three years, 01/01/2017 – 12/31/2020.

a. The grant prosecutor shall:

- i. Be responsible for review and prosecution of adult-victim sexual assault cases; domestic battery cases; sexual assault and acts of domestic violence concerning dating or teen violence; and stalking referred to the Sauk County District Attorney's Office;
- ii. Attend trainings concerning emerging and best practices in the investigation and prosecution of sexual assaults, domestic violence, dating/teen violence, and stalking;
- iii. Track data from incident to report, report to referral, and referral to charge in order to investigate and address issues concerning the timeliness and efficiency in the criminal justice processes;
- iv. Attend and be active in Sauk County CCR and SART meetings and assist in advocating for further development/enhancement of local FNE programs;
- v. Facilitate a 100% DA-to-advocacy referral rate for all covered crimes;
- vi. Tabulate data received from law enforcement satisfaction surveys; and
- vii. Assist in the training of county law enforcement in emerging and best practices for the investigation of sexual assault, domestic violence, dating/teen violence, and stalking.

b. The grant advocate shall:

- i. Provide advocacy services to victims of sexual assault, domestic violence, dating/teen violence, and stalking;
- ii. Attend and be active in Sauk County CCR and SART meetings and assist in advocating for further development/enhancement of the local FNE programs;
- iii. Attend trainings concerning emerging and best practices in the advocacy for and interviewing of victims of sexual assault, domestic violence, dating/teen violence, and stalking;

- iv. Per the developed protocol, distribute and collect victim satisfaction surveys and forward data collected therein to the grant prosecutor;
- v. Assist in the training of county law enforcement in emerging and best practices for the investigation of sexual assault, domestic violence, dating/teen violence, and stalking; and
- vi. Work to create stronger, more-open and collaborative lines of communication with the Ho Chunk Tribe and local immigrant population.

3. Contributed Resources:

- a. The Sauk County District Attorney's Office shall provide the following items to the grant prosecutor:
 - i. Office space and any needed supplies/ equipment;
 - ii. Clerical support;
 - iii. Legal/professional support (via other prosecutors); and
 - iv. On-going professional development and training in the form of one, four-day intensive conference per year (funded through the county and state prosecutor's office).
- b. Hope House of South Central Wisconsin, Inc. shall provide the following items to the grant advocate:
 - i. Office space and any needed supplies;
 - ii. Clerical support; and
 - iii. Professional support (via other Hope House staff and differently funded advocates).

4. Partnership Contribution to Application:

- a. The Sauk County District Attorney's Office assumes primary responsibility for coordinating and authoring the application.
- b. Formation and completion of the grant goals shall be a collaborative and equally shared responsibility among the partners pursuant to the language of this agreement.
- c. All proposed project partners agree to mutually share information¹ in furtherance of a continued collaborative relationship and fruition of the proposed project goals.

5. Commitment for Collaboration and Goal Achievement:

- a. Hope House of South Central Wisconsin, Inc. and the Sauk County District Attorney's Office are committed to working collaboratively through this project to strengthen the county's existing policies, protocols, and accountability measures to improve our community response to victims of sexual assault, domestic violence, dating/teen violence, and stalking.
- b. Each party is additionally committed to participate in the provision and collection of data, the evaluation of the project, and any OVW-sponsored technical assistance and trainings.

¹ Information will be shared to the extent possible pursuant to applicable law, federal regulation, and on-going professional responsibilities concerning client confidentiality.

- c. Each party is further committed to promulgating training to other local entities for the purposes of improving not only the systemic, but also the community response to sexual assault, domestic violence, dating/teen violence, and stalking.

6. Budgetary Approval:

- a. Hope House of South Central Wisconsin, Inc. and the Sauk County District Attorney's Office have each reviewed and hereby ratify the attached operating budget for the proposed project.

7. Applying Agency Team and Proposed Project Staff Cooperation:

- a. In furtherance of the proposed project goals (as listed in the Project Abstract), and in support of the roles and responsibilities of each grant-funded position (as outlined in #2, above), the potential recipient agencies will dedicate the following team members to assist the project staff as outlined below.

- i. The Sauk County District Attorney's Office will dedicate:

- 1. Two staff attorneys (the District Attorney and one Assistant District Attorney) to assist the grant attorney, when necessary, in the modification and implementation of new policies and best practices, as well as with any assistance in providing victim-centered, offender-focused, trauma-informed services to his/her caseload;
 - 2. One administrative assistant, when necessary, to provide clerical support to the grant attorney, when necessary; and
 - 3. One office manager to assist, when necessary, with managing the finances of the grant.

- ii. Hope House of South Central Wisconsin, Inc. will dedicate:

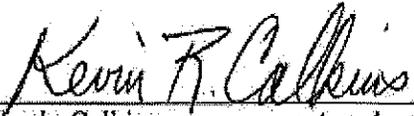
- 1. The assistance of legal advocates to assist the grant advocate, when necessary;
 - 2. The assistance of the Director of Services, if needed, for the implementation or modification of policies, or in making agency-affecting decisions;
 - 3. The assistance of any and all necessary clerical staff in order to assist with the implementation, distribution, and collection of victim surveys.

The above-listed conditions are hereby mutually agreed to by the following authorized representatives of Sauk County, Hope House of South Central Wisconsin, Inc., and the Sauk County District Attorney's Office.

Martin F. Krueger 02/01/18
Marty Krueger Date
Sauk County Board Chair

Ellen Allen 1/31/18
Ellen Allen Date
Executive Director

Hope House of South Central WI, Inc.


Kevin Calkins
District Attorney 4/31/18 Date
Sauk County District Attorney