

State of Wisconsin

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308 East, State Capitol
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Joint Committee on Finance

MEMORANDUM

To: Members
Joint Committee on Finance

From: Senator Alberta Darling
Representative John Nygren

Date: October 24, 2019

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

Attached is a copy of a request from the Department of Administration, received October 24, 2019, pursuant to s. 16.515/16.505(2), Stats., on behalf of the Waukesha County District Attorney's office.

Please review the material and notify **Senator Darling** or **Representative Nygren** no later than **Tuesday, November 12, 2019**, 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

Tony Evers, Governor
Joel Brennan, Secretary

Date: October 24, 2019

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

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

From: Joel T. Brennan, Secretary
Department of Administration

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

OCT 28 2019
JL FINANCE

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

<u>AGENCY</u>	<u>DESCRIPTION</u>	<u>2019-20</u>		<u>2020-21</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

As provided in s. 16.515, the request(s) will be approved on November 14, 2019, unless we are notified prior to that time that the Joint Committee on Finance wishes to meet in formal session about any of the requests.

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

Attachments

Date: October 21, 2019
To: Brian Pahnke
From: Maggie Hamer
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>2019-20</u>		<u>2020-21</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

AGENCY REQUEST:

<u>AGENCY</u>	<u>DESCRIPTION</u>	<u>2019-20</u>		<u>2020-21</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

BP APPROVAL  (FORWARD TO GAIL TAPPEN)



STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION

Tony Evers, Governor
Joel Brennan, Secretary
Brian Pahnke, Administrator

Date: October 21, 2019

To: Joel Brennan, Secretary
Department of Administration

From: Maggie Hamer
Executive Policy and Budget Analyst

Subject: Request Under s. 16.505(2) from the Waukesha County District Attorney for the Creation of a 1.0 FTE Program Revenue Assistant District Attorney Permanent Position.

Request:

The Department of Administration, on behalf of the Waukesha County District Attorney's Office, requests the creation of a 1.0 FTE program revenue assistant district attorney permanent position.

Revenue Sources for Appropriation(s):

The revenue source for the position in the gifts and grants appropriation under s. 20.475(1)(h) is a grant from the state Department of Justice, Office of Crime Victim Services to the Waukesha 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 Waukesha County District Attorney's Office would reimburse the salary and fringe benefit expenses for the assistant district attorney position from the grant award.

Background:

The Services, Training, Officers and Prosecutors (STOP) Violence Against Women Act Specialized Prosecution Regional Resource Prosecutor program began as a part of a competitive grant process through the Department of Justice that allowed counties to seek funding for a full-time assistant district attorney position. The counties that received funding for the positions created assistant district attorney positions to act as a regional prosecutor specializing in cases of violence against women. The Waukesha County Regional Violence Against Women Act Prosecutor grant was a three-year grant, for which the first year was competitive, and the second and third years were noncompetitive. The Department of Justice then provided noncompetitive funds for a fourth year of the project position carrying it through September 30, 2019.

According to the Department of Justice, the goals of the program are "to ensure prosecution response to violence against women is effective, keeps victims safe, and holds perpetrators accountable." The Regional Violence Against Women Resource Prosecutors are to be

Joel Brennan, Secretary
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October 21, 2019

established in four regions across the state "to provide technical assistance and training to their established region." Waukesha County is in Region 1.

Other program responsibilities for grant recipients include:

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

The prosecutor is required to maintain a 40 percent caseload in the county and perform outreach in the established region, which for the southeast region encompasses 14 counties. The remaining 60 percent of the position's activity is focused on the items listed above.

Analysis:

The STOP Violence Against Women Grant allows an assistant district attorney to specialize in domestic violence and sexual assault cases and to build relationships with the victims of domestic violence and sexual assault and the community organizations that provide services to victims. The Violence Against Women assistant district attorney provides vertical prosecution, which means the same prosecutor works the case through the prosecution for most, if not all, sexual assault and domestic violence cases referred to the office. In addition, by following the case from the initial hearing through sentencing, the prosecutor provides the victim or victims with a consistent specialized single point of contact throughout the process. Without the additional prosecutor position, the Waukesha County District Attorney's Office would be unable to dedicate the appropriate resources to these types of cases, as the existing staff is also required to prosecute violent and property crimes.

The Waukesha County Regional Violence Against Women Act Prosecutor, in addition to specializing in domestic violence and violence against women cases, acts as an expert witness and assists other District Attorney offices in outreach efforts regarding the prosecution of cases involving violence against women.

During the next year of the grant cycle, if approved, the Waukesha County prosecutor plans to provide expert witness training in multiple counties in the southeast region. This training

would be practical and encompass when and how to present expert witness testimony related to sexual assault, medical, recantation, domestic violence dynamics and strangulation. The prosecutor would also continue to build and develop the multidisciplinary, interagency response to domestic violence in the region. Finally, the prosecutor would continue to make the prevention of domestic violence homicides a priority. This would include a focus on addressing the issue of strangulation and how it relates to domestic violence, domestic violence homicide and sexual assault.

The Department of Justice has indicated that approximately \$125,000 will be awarded to Waukesha County to support the Violence Against Women assistant district attorney position for another year. The department has also notified the State Prosecutor's Office that the funding stream for this position is expected to be continued long-term with noncompetitive renewals every year. Because of the continued support for this position, the Waukesha County District Attorney's Office is requesting a 1.0 FTE permanent position. The funds for this position would be monitored closely and should a shortfall occur or if the grant were not renewed, the position would be vacated.

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

Recommendation:

Approve the request.



STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION

Tony Evers, Governor
Joel Brennan, Secretary
James M. Langdon, Administrator

DATE: September 20, 2019

TO: Brian Pahnke, Administrator
Division of Executive Budget and Finance

FROM: Kasey Deiss, Director
State Prosecutors Office

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

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

Thank you for your attention to this matter.

Attachment

September 20, 2019
Waukesha County VAWA Regional Resource Prosecutor
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 permanent 1.0 FTE program revenue (PR) assistant district attorney (ADA) position beginning October 1, 2019. The position will be in the Waukesha County District Attorney's (DA's) Office and will be funded via appropriation s.20.475(1)(h).

II. BACKGROUND

In October 2015, the Wisconsin Department of Justice (DOJ) Office of Crime Victim Services awarded \$115,000 for a full-time ADA position in the Waukesha County District Attorney's Office for one year. This position funds the Regional Violence against Women Act Resource Prosecutor ("RVAWRP") position for a 14-county region in Southeast Wisconsin. This program is designed to provide victim centered, offender focused guidance and assistance to prosecutors and other systems actors in the areas of domestic violence, sexual assault, and stalking and human trafficking while utilizing evidence based best practices. The program is now entering its fifth year of renewal. Waukesha expects to be awarded a total of \$125,000.00 in federal dollars for salary, fringe and other expenses. Furthermore, as the program is now fully established with a five-year track record of consistent funding, staffing and support at the local, state and federal levels, it is appropriate to convert this position from a Project Position to a Permanent PR position.

Past funding under this grant was utilized by the Waukesha County DA's office to create a regional resource prosecutor position specializing in cases of violence against women. The ADA improved safety in Wisconsin by improving efficiency in case disposition time in Waukesha County and counties in the southeastern Wisconsin region; provided training and collaborated with law enforcement agencies in the county and region. and, provided training and collaborate with victim witness services.

During the next year of the grant cycle, the Waukesha RVAWRP plans to provide expert witness trainings in multiple counties. This training will be practical and encompass when and how to present expert witness testimony related to sexual assault, medical, recantation, DV dynamics, and strangulation. The RVAWRP also plans to continue to build and develop the multi-disciplinary, inter-agency response to domestic violence in the 14-state region. Lastly the RVAWRP plans to focus on preventing DV homicide in the SE region. Of consequence is addressing the issue of strangulation and how it relates to DV, DV homicide and sexual assault.

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Waukesha County VAWA Regional Resource Prosecutor - Northwestern Wisconsin
s.16.505 Request

III. ANALYSIS

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

IV. FISCAL ANALYSIS

A fifth year of funding of \$125,000.00 will be authorized by the DOJ Office of Crime Victim Services for a 1.0 FTE ADA position for one additional year. The program revenue appropriation, s.20.475(1)(h), is continuing and will be re-estimated based on actual experience.

V. REVENUE SOURCE FOR APPROPRIATION

The revenue source for the position in the gifts and grants appropriation under s. 20.475(1)(h), Wis. Stats., WI Department of Justice (DOJ), Office of Crime Victim Services grant to the Waukesha County DA'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 Brown County District Attorney's Office will reimburse the State of Wisconsin District Attorney Department the salary and fringe benefit costs for the ADA position from the grant award.

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 on the Waukesha DA Office. The table uses the most current court data available and the positions authorized as of August 9, 2018. 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.*

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Waukesha County VAWA Regional Resource Prosecutor - Northwestern Wisconsin
s.16.505 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 WI DOJ Office of Crime Victim Services awarded this grant to the Waukesha County DA's Office.

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

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

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Waukesha County VAWA Regional Resource Prosecutor - Northwestern Wisconsin
s.16.505 Request

FINAL 2015-2017 DISTRICT ATTORNEY OFFICE WORKLOAD ANALYSIS

DA Office	8/9/18 GPR- Funded FTE Positions*	8/9/18 Program Revenue- Funded FTE Positions*	8/9/18 Total FTE Positions*	Additional FTE Needed	Estimated Total FTE Needed	Additional FTE Needed as a % of 8/9/18 GPR- Funded FTE	Additional FTE Needed as a % of 8/9/18 Total FTE	GPR- Funded FTE as a % of Estimated Total FTE Needed	Total FTE as a % of Estimated Total FTE Needed
Adams	1.20		1.20	2.27	3.47	189%	189%	35%	35%
Ashland	2.00		2.00	1.29	3.29	65%	65%	61%	61%
Barron	3.00		3.00	2.90	5.90	97%	97%	51%	51%
Bayfield	1.00		1.00	0.89	1.89	89%	89%	53%	53%
Brown	12.00	1.00	13.00	12.76	25.76	106%	98%	47%	50%
Buffalo	1.00		1.00	0.85	1.85	85%	85%	54%	54%
Burnett	1.25		1.25	2.19	3.44	175%	175%	36%	36%
Calumet	2.00		2.00	1.28	3.28	64%	64%	61%	61%
Chippewa	5.00		5.00	2.41	7.41	48%	48%	67%	67%
Clark	2.00		2.00	0.21	2.21	11%	11%	90%	90%
Columbia	4.75		4.75	3.77	8.52	79%	79%	56%	56%
Crawford	1.00		1.00	0.02	1.02	2%	2%	98%	98%
Dane	26.85	2.00	28.85	4.93	33.78	18%	17%	79%	85%
Dodge	4.00		4.00	2.16	6.16	54%	54%	65%	65%
Door	2.00		2.00	0.16	2.16	8%	8%	93%	93%
Douglas	3.50		3.50	3.73	7.23	107%	107%	48%	48%
Dunn	3.00		3.00	3.14	6.14	105%	105%	49%	49%
Eau Claire	8.00	1.00	9.00	7.18	16.18	90%	80%	49%	56%
Florence	0.50		0.50	-0.11	0.39	-22%	-22%	128%	128%
Fond du Lac	5.00	2.00	7.00	4.56	11.56	91%	65%	43%	61%
Forest	1.00		1.00	1.07	2.07	107%	107%	48%	48%
Grant	2.00		2.00	1.29	3.29	65%	65%	61%	61%
Green	2.00		2.00	0.83	2.83	42%	42%	71%	71%
Green Lake	1.50		1.50	1.08	2.58	72%	72%	58%	58%
Iowa	1.75		1.75	1.59	3.34	91%	91%	52%	52%
Iron	1.00		1.00	-0.26	0.74	-26%	-26%	135%	135%
Jackson	2.00		2.00	1.58	3.58	79%	79%	56%	56%
Jefferson	5.30		5.30	2.41	7.71	45%	45%	69%	69%
Juneau	2.50		2.50	0.82	3.32	33%	33%	75%	75%
Kenosha	15.00	1.00	16.00	6.75	22.75	45%	42%	66%	70%
Kewaunee	1.50		1.50	-0.25	1.25	-17%	-17%	120%	120%
La Crosse	8.00		8.00	5.78	13.78	72%	72%	58%	58%
Lafayette	1.00		1.00	0.37	1.37	37%	37%	73%	73%
Langlade	1.50		1.50	2.16	3.66	144%	144%	41%	41%
Lincoln	2.00		2.00	1.61	3.61	81%	81%	55%	55%
Manitowoc	5.00		5.00	4.71	9.71	94%	94%	51%	51%
Marathon	8.50	2.50	11.00	6.73	17.73	79%	61%	48%	62%
Marinette	3.00		3.00	0.00	3.00	0%	0%	100%	100%
Marquette	1.00		1.00	0.46	1.46	46%	46%	68%	68%
Milwaukee	87.00	27.50	114.50	-15.24	99.26	-18%	-13%	88%	115%
Monroe	3.00		3.00	4.25	7.25	142%	142%	41%	41%
Oconto	2.00		2.00	0.59	2.59	30%	30%	77%	77%
Oneida	2.50		2.50	1.93	4.43	77%	77%	56%	56%
Outagamie	9.00		9.00	8.10	17.10	90%	90%	53%	53%

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Waukesha County VAWA Regional Resource Prosecutor - Northwestern Wisconsin
s.16.505 Request

Ozaukee	3.00		3.00	2.90	5.90	97%	97%	51%	51%
Pepin	0.80		0.80	-0.17	0.63	-21%	-21%	127%	127%
Pierce	2.50		2.50	1.80	4.30	72%	72%	58%	58%
Polk	3.00		3.00	2.07	5.07	69%	69%	59%	59%
Portage	4.00		4.00	2.80	6.80	70%	70%	59%	59%
Price	1.00		1.00	0.13	1.13	13%	13%	88%	88%
Racine	18.00		18.00	13.49	31.49	75%	75%	57%	57%
Richland	1.80		1.80	0.05	1.85	3%	3%	97%	97%
Rock	14.00		14.00	2.30	16.30	16%	16%	86%	86%
Rusk	1.50		1.50	0.82	2.32	55%	55%	65%	65%
Saint Croix	6.00		6.00	2.59	8.59	43%	43%	70%	70%
Sauk	5.00	1.00	6.00	0.96	6.96	19%	16%	72%	86%
Sawyer	2.00		2.00	2.34	4.34	117%	117%	46%	46%
Shaw/Men	3.00		3.00	1.83	4.83	61%	61%	62%	62%
Sheboygan	7.50		7.50	4.51	12.01	60%	60%	62%	62%
Taylor	1.00		1.00	0.55	1.55	55%	55%	65%	65%
Trempealeau	2.00		2.00	0.31	2.31	16%	16%	87%	87%
Vernon	2.00		2.00	0.09	2.09	5%	5%	96%	96%
Vilas	2.00		2.00	0.85	2.85	43%	43%	70%	70%
Walworth	5.00		5.00	2.84	7.84	57%	57%	64%	64%
Washburn	1.25		1.25	1.07	2.32	86%	86%	54%	54%
Washington	5.00		5.00	3.81	8.81	76%	76%	57%	57%
Waukesha	14.50	2.00	16.50	8.76	25.26	60%	53%	57%	65%
Waupaca	3.50		3.50	1.98	5.48	57%	57%	64%	64%
Waushara	2.00		2.00	1.28	3.28	64%	64%	61%	61%
Winnebago	10.00		10.00	5.71	15.71	57%	57%	64%	64%
Wood	4.00		4.00	5.41	9.41	135%	135%	43%	43%
TOTALS	383.45	40.00	423.45	166.03	589.48				

*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 114.5 rather than higher due to the following factors:
 - a) the 1.0 FTE DNA position serves the entire state; so, showing it as a Milwaukee position distorts the data.
 - b) Various PR Positions have no federal funding and are vacant, thus not included in the analysis
- 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.
- 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.



STATE OF WISCONSIN
DEPARTMENT OF JUSTICE

Josh Kaul
Attorney General

Michelle Viste, Executive Director
Office of Crime Victim Services
17 West Main Street
P.O. Box 7951
Madison, WI 53707-7951

(608) 264-9497
(608) 264-6368 FAX
(800) 947-3529 TTY

September 11, 2019

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

Dear Mr. Deiss:

The Wisconsin Department of Justice Office of Crime Victim Services (OCVS) receives the STOP VAWA federal formula grant every year from the US Department of Justice. STOP VAWA is a reliable funding stream awarded annually to every state.

The Wisconsin Regional Violence Against Women Resource Prosecutors Program is a permanent program funded through this grant. Brown, Dane, Eau Claire, Milwaukee, and Waukesha counties receive STOP VAWA funding for a Regional Violence Against Women Resource Prosecutor in each county. OCVS anticipates this program will be funded long-term, with non-competitive renewals every year.

Please contact Shira Phelps, VAWA Grants Administrator, at phelpssr@doj.state.wi.us with any additional questions.

Sincerely,

Michelle L. Viste
Executive Director

MLV:srp

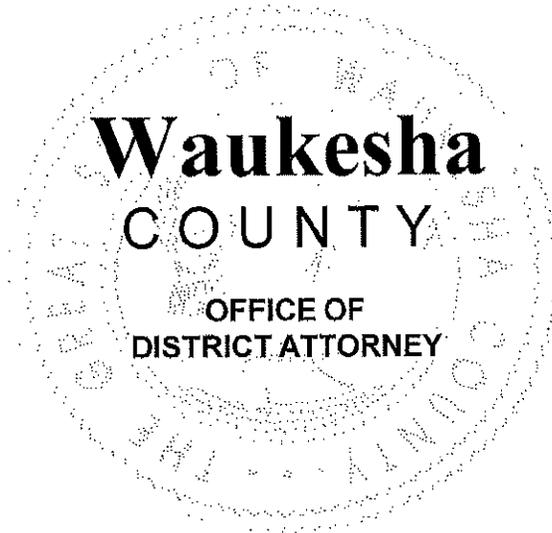
District Attorney
Susan L. Opper

Deputy District Attorneys
Lesli S. Boese
Ted S. Szczupakiewicz

Office Services Coordinator
Julie A. Moelter

Victim/Witness Program
Jennifer S. Dunn, Coord.

Support Staff Supervisor
Rebecca L. Gifford



Assistant District Attorneys
Kevin M. Osborne
Michele W. Hulgaard
Mary C. Brejcha
Jayne Davis Dewire
Andrea M. Will
Lindsey H. Hirt
Abbey L. Nickolie
Melissa J. Zilavy
Shawn N. Woller
Kristi J. Gordon
Michael D. Thurston
Jack A. Pitzo
Molly M. Schmidt
Zachary A. Wittchow
Randolph P. Sitzberger

September 10, 2019

Kasey Deiss, Director
State Prosecutor's Office
Post Office Box 7869
Madison, WI 53707-7869

Dear Mr. Deiss:

I am writing to request that you seek legislative approval to maintain a 1.0 FTE prosecutor to the staff of the Waukesha County District Attorney's Office for the period of October 1, 2019 through September 30, 2020. This position will be filled by the Regional Violence Against Women Act Resource Prosecutor (RVAWARP), a position that has been assigned to the Waukesha County District Attorney's Office since 2015.

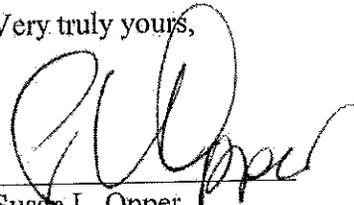
In October, 2015, the Wisconsin Department of Justice awarded Waukesha County \$115,000 of federal grant money for the purpose of funding the 1.0 FTE prosecutor who would serve in the role of the RVAWARP. The grant was intended to be competitive for the initial award, but non-competitive for the following two years. Waukesha County was awarded \$106,249 in 2016 for the second year of the RVAWARP grant, and in 2017, Waukesha County was awarded \$87,044 for the third year of the grant. Last year, the fourth year, we were awarded \$120,989. Waukesha County has once again applied for federal funding for the RVAWARP position for the fifth year of the program.

Waukesha County has requested \$125,000 of federal funds to support the requested 1.0 FTE prosecutor position as part of the RVAWARP program. Because the grant is non-competitive for this year, Waukesha County strongly anticipates receiving the funds for which it has applied. The application anticipates that \$102,734 for employee payroll and employee benefits are sufficient to cover the cost of a 1.0 FTE prosecutor from October 1, 2019 through September 30, 2020.

Therefore, we are requesting that the legislature grant position approval for the 1.0 FTE prosecutor position necessary to fill the RVAWARP position. A copy of the grant application and other supporting documents are attached. Moreover, our office is willing to provide any additional documentation requested by the State Prosecutor's Office.

Thank you for your attention in this matter. If you have any questions or concerns, please contact me at 262-548-7076 or at Sue.Opper@da.wi.gov at your earliest convenience.

Very truly yours,



Susan L. Opper
District Attorney
Waukesha County

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WISCONSIN DEPARTMENT OF JUSTICE

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

SUBGRANT #: 15566

DOJ USE ONLY

Receipt Date	Award Date	Subgrant Number(s)
		-- 15566

SHORT TITLE: VAWA Regional Resource Prosecutor SE WI

1. Type of Funds for which you are applying.	<input type="checkbox"/> VAWA STOP: Specialized Prosecution Regional Resource Prosecutor 2019		
2. Applicant	Name Of Applicant:		County: Waukesha
	Waukesha County District Attorney's Office		
	Street Address: 515 W Moreland Blvd		
	Address Line 2: Room G-72		Address Line 3:
	City: Waukesha		State: WI Zip: 53188-2428
3. Recipient Agencies	Waukesha County District Attorney's Office		
4. Signatory	Name:		Title: District Attorney
	District Attorney Susan L. Opper		Agency: Waukesha County
	Street Address: 515 West Moreland Blvd		
	Address Line 2: Suite 370		Addr Line 3:
	City: Waukesha		State: WI Zip: 53188-2428
	Phone: 262-548-7076	Fax: 262-548-7933	Email: sue.opper@da.wi.gov
5. Financial Officer	Name:		Title: Office Services Coordinator
	Julie Moelter		Agency: Waukesha County District Attorney's Office
	Street Address: 515 W Moreland Blvd		
	Address Line 2: Room G-72		Addr Line 3:
	City: Waukesha		State: WI Zip: 53188-2428
	Phone: 262-548-7083	Fax:	Email: julie.moelter@da.wi.gov
6. Project Director	Name:		Title: Assistant District Attorney
	Ms. Molly M. Schmidt		Agency: Waukesha County District Attorney's Office
	Street Address: 515 W Moreland Blvd		
	Address Line 2: Room G-72		Addr Line 3:
	City: Waukesha		State: WI Zip: 53188-2428
	Phone: 262-548-7076	Fax:	Email: molly.schmidt@da.wi.gov
7. Brief Summary of Project (Do Not Exceed Space Provided)	Short Title (may not exceed 50 characters)		
	VAWA Regional Resource Prosecutor SE WI Funds will be used by the Waukesha County District Attorney's Office to maintain a regional resource prosecutor position specializing in cases of violence against women. The regional resource prosecutor will continue to improve safety in Wisconsin by strengthening the prosecution response to domestic violence, sexual assault and other violence against women within Waukesha County and the surrounding counties in Southeastern Wisconsin.		

8. SubGrant Budget

Sources

Categories	Federal	Cash Match (New Approp.)	In-Kind Match	Category Total
Personnel	68,578.00	27,040.00	0.00	95,618.00
Employee Benefits	34,156.00	4,840.00	0.00	38,996.00
Travel (Including Training)	6,600.00	0.00	0.00	6,600.00
Equipment	0.00	0.00	0.00	0.00
Supplies & Operating Expenses	250.00	0.00	9,786.00	10,036.00
Consultants/Contractual	0.00	0.00	0.00	0.00
Other	15,416.00	0.00	0.00	15,416.00
Source Total	125,000.00	31,880.00	9,786.00	166,666.00

9. Project Start Date: 10/1/2019

Project End Date: 9/30/2020

10. Budget Details:

Master Budgets:

By Recipient Agency	Year 1	Total
Waukesha County District Attorney's Office	166,666.00	166,666.00
Total:	166,666.00	166,666.00

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

Category:	Year 1	Total
Personnel	95,618.00	95,618.00
Employee Benefits	38,996.00	38,996.00
Travel (Including Training)	6,600.00	6,600.00

Supplies & Operating Expenses	10,036.00	10,036.00
Other	15,416.00	15,416.00
Total:	166,666.00	166,666.00

11. Budget Details:

Master Budgets:

Line Item Details for Waukesha County District Attorney's Office

YEAR 1

PERSONNEL

Justification: Personnel funds will be used to pay the salary of the prosecutor assigned to work on the grant project. The personnel category also includes cash match from a portion of a Victim/Witness Counselor. The source of the cash match is county funding of the position.

COST

Position Assistant District Attorney

Name Ms. Molly M. Schmidt

Description of your computation: 1.0 FTE, 100% VAWA, \$32.97/hour x 2080 hours/year

Source: Federal	68,578.00
Source: Cash Match (New Approp.)	0.00
Source: In-Kind Match	0.00

Position Victim Witness Counselor

Name Jennifer Ellenson

Description of your computation: 1.0 FTE, 40% VAWA, \$32.50/hour x 832 hours/year (16 hours/week)

Source: Federal	0.00
Source: Cash Match (New Approp.)	27,040.00
Source: In-Kind Match	0.00

Personnel

Year 1 Total:

95,618.00

EMPLOYEE BENEFITS

Justification: Employee benefits include Social Security, retirement, health insurance, dental insurance, life insurance, vision insurance, disability insurance, Medicare, worker's compensation, and post-employment health plan costs. These funds will pay for the employee benefits of the prosecutor funded by the grant project. Also included are a portion of the benefits of a Victim/Witness Counselor used as cash match. The source of cash match is county funding of the position. **COST**

Position: Assistant District Attorney
Name: Ms. Molly M. Schmidt

Description of your computation: 1.0 FTE, 100% VAWA: Health Insurance \$24,080, WRS \$5,242, life insurance \$23, FICA/Medicare \$912, Social Security \$3,899

Source: Federal	34,156.00
Source: Cash Match (New Approp.)	0.00
Source: In-Kind Match	0.00

Position: Victim Witness Counselor
Name: Jennifer Ellenson

Description of your computation: 1.0 FTE, employee benefits \$12,100 x 40% VAWA

Source: Federal	0.00
Source: Cash Match (New Approp.)	4,840.00
Source: In-Kind Match	0.00

Employee Benefits	Year 1 Total:	38,996.00
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TRAVEL (INCLUDING TRAINING)

Justification: Cost for VAWA prosecutor training and travel associated with the requirements of the grant. Costs for training related to DV and SA specializations. **COST**

Purpose of Travel: SE Region outreach and training
Location: TBD
Item: Mileage

Description of your computation: 1800 miles x .51/mile

Source: Federal	918.00
Source: Cash Match (New Approp.)	0.00
Source: In-Kind Match	0.00

Purpose of Travel SE Region outreach and training
Location TBD
Item Travel costs - meals & lodging
Description of your computation: Meals: \$38/day x 12 days (\$456); Lodging \$82/day x 12 days (\$984)

	Source: Federal	1,440.00
	Source: Cash Match (New Approp.)	0.00
	Source: In-Kind Match	0.00

Purpose of Travel Staff Development - VAWA prosecutor, DV and SA prosecutors
Location TBD
Item Conference registration costs
Description of your computation: 2 annual SPET registrations (\$280); costs for specialized DV and SA training registration (\$1,400)

	Source: Federal	1,680.00
	Source: Cash Match (New Approp.)	0.00
	Source: In-Kind Match	0.00

Purpose of Travel Staff Development - VAWA prosecutor, DV and SA prosecutors
Location TBD
Item Mileage
Description of your computation: 2200 miles x .51/mile

	Source: Federal	1,122.00
	Source: Cash Match (New Approp.)	0.00
	Source: In-Kind Match	0.00

Purpose of Travel Staff Development - VAWA prosecutor, DV and SA prosecutors
Location TBD
Item Travel costs - meals & lodging
Description of your computation: Meals: \$38/day x 12 days (\$456); Lodging \$82/day x 12 days (\$984)

	Source: Federal	1,440.00
	Source: Cash Match (New Approp.)	0.00
	Source: In-Kind Match	0.00

Travel (Including Training)	Year 1 Total:	6,600.00
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SUPPLIES & OPERATING EXPENSES

Justification: Office supplies (pens, paper, minimal supplies utilized by VAWA prosecutor). This category also includes in-kind match for office space utilized by the VAWA prosecutor, Victim Witness DV Counselor, and waiting rooms/meeting rooms used by the VAWA prosecutor to meet with crime victims. **COST**

Supply Item	Office supplies		
Description of your computation:	Annual cost of office supplies to support VAWA prosecutor position		
		Source: Federal	250.00
		Source: Cash Match (New Approp.)	0.00
		Source: In-Kind Match	0.00

Supply Item	Rental costs of offices utilized by VAWA prosecutor, VW DV Counselor, and VW waiting/meeting rooms		
Description of your computation:	545 sq. feet x \$17.95/sq foot		
		Source: Federal	0.00
		Source: Cash Match (New Approp.)	0.00
		Source: In-Kind Match	9,786.00

Supplies & Operating Expenses	Year 1 Total:	10,036.00
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OTHER

Justification: Indirect cost recovery: Federal grant guidelines allow for indirect cost recovery of 10% of actual federal grant expenses. Expert witness funds to retain experts specializing in domestic violence and sexual abuse for successful prosecution of these cases. **COST**

Description	Expert witness fund		
Description of your computation:	Expert witness fees (average of \$450/trial) x 5 trials		
		Source: Federal	2,250.00
		Source: Cash Match (New Approp.)	0.00
		Source: In-Kind Match	0.00

Description	Indirect cost recovery		
Description of your computation:	Federal grant total \$125,000 x .10 = \$12,500 (adjusted to \$10,166 to match grant award maximum)		
		Source: Federal	10,166.00
		Source: Cash Match (New Approp.)	0.00
		Source: In-Kind Match	0.00

Description	Witness intimidation prevention intern		
Description of your computation:	312 hours = 6 hrs/week x \$9.62/hour		
		Source: Federal	3,000.00
		Source: Cash Match (New Approp.)	0.00
		Source: In-Kind Match	0.00
			<hr/>
	Other	Year 1 Total:	15,416.00

YEAR 1 TOTAL: 166,666.00

12. Sections:

A PROJECT DEVELOPMENT & IMPACT TO DATE

Project Development and Impact to Date

1. Discuss any challenges or obstacles you have encountered in the implementation of this project. How do you plan to address these issues moving forward?
2. Discuss your progress in working with the other counties in your region. Include your outreach to multidisciplinary teams throughout your region; types of technical assistance provided; trainings attended and provided; and any additional relevant collaboration.
3. How has this grant program benefitted your region?

RESPONSE:

1. Though I have had success assisting the counties in my region when they call with specific questions, I have not been able to travel to them and perform any trainings. I have training ideas that I have prepared. I plan to, moving forward, set aside specific times every week where I will do VAWA work and specific days of the month when I will plan to travel for VAWA. This planning ahead should help me be more diligent in traveling and training.

1. Early on in this year I sent an email to my regional counties introducing myself. I also did an early webinar on no contact orders and presented at SPET in May on sexual assault cases within a domestic violence relationship. I believe each of these forms of outreach has helped introduce me as a resource to the surrounding counties. I receive regular emails and phone calls from ADAs in other counties with questions. I also regularly attend DV CCR meeting in Waukesha County. I also serve on a committee to create a Sexual Assault Review Team and a committee to increase the use of LAP in area law enforcement agencies. With the other VAWA prosecutors, I have helped to lead three trainings on use of a SANE at trial. These were training geared towards SANEs and prosecutors.

1. Waukesha County has benefited from having an experienced ADA to take difficult DV and SA cases, as well as to have a person with time dedicated to various community building and outreach. As a part of the LAP team and the SART committees, I am able to create some change in this county and better serve victims of DV and SA. Other counties have also been able to use me as a resource for specific questions. The webinar I gave on no contact orders was in response to a specific request from another county to have that training. I am also planning other trainings on topics suggested by area counties.

PROJECT DEVELOPMENT & IMPACT TO DATE - RELATED ATTACHMENTS:

File Name

File Description

B IMPLEMENTATION PLAN

Implementation Plan

Applicants must submit a plan for the implementation this program for the 10/1/2019-9/30/2020 grant cycle.

The Implementation Plan must include:

1. At least two broad goals for your project
2. Clear objectives designed to achieve those goals. Detailed steps involved in implementing the project, including project operations and tasks intended to accomplish the objectives for each program Goal. Clearly articulate what staff will be involved in each step. Describe coordination efforts with other relevant community programs.
3. An Evaluation Plan. What does success look like for your project? How will this be tracked? How will feedback be gathered and incorporated into program development?

Your Implementation Plan must address both sexual assault and domestic violence.

Applicants must use the **STOP Subgrantee Implementation Plan document**. The form can be found in the [VAWA Document Library](#) on the WI DOJ website. Please complete your plan using this form and attach it to the Implementation Plan section of your application in Egrants.

RESPONSE:

See attached implementation plan.

IMPLEMENTATION PLAN - RELATED ATTACHMENTS:

<u>File Name</u>	<u>File Description</u>
STOP Subgrantee Implementation Plan.docx	Implementation Plan

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 EEOP 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.ojp.usdoj.gov/ocr/>). If no, a copy should be forwarded to: Wisconsin Department of Justice, Attn: EEOP, 17 West Main Street, PO Box 7857, Madison, WI 53707-7857 (federal EEOP required response)
- Yes

No

N/A

C. Have you utilized the DOJ Administrative Guide located on the DOJ website? (grants-admin-guide-2018.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

15. **Attachments:**

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

Section: Implementation Plan

<u>File Name</u>	<u>File Description</u>
STOP Subgrantee Implementation Plan.docx	Implementation Plan