

State of Wisconsin

SENATE CHAIR
Howard Marklein

316 East, State Capitol
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ASSEMBLY CHAIR
Mark Born

308 East, State Capitol
P.O. Box 8952
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Phone: (608) 266-2540

Joint Committee on Finance

MEMORANDUM

To: Members
Joint Committee on Finance

From: Senator Howard Marklein
Representative Mark Born

Date: March 7, 2022

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

Attached is a copy of a request from the Department of Administration, received March 7, 2022, 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 Marklein** or **Representative Born** no later than **Thursday, March 24, 2022**, 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

HM:MB:jm



STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION

Tony Evers, Governor
Kathy Blumenfeld, Secretary-designee

Date: March 7, 2022

To: The Honorable Howard Marklein, Co-Chair
Joint Committee on Finance

The Honorable Mark Born, Co-Chair
Joint Committee on Finance

From: Kathy Blumenfeld, Secretary-designee
Department of Administration

MAR 07 2022

ST. FINANCE

Kathy Blumenfeld

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>2021-22</u>		<u>2022-23</u>	
		<u>AMOUNT</u>	<u>FTE</u>	<u>AMOUNT</u>	<u>FTE</u>
DA 20.475(1)(h)	Gifts and grants		1.0*		1.0*

*Project positions ending 9/30/2023.

As provided in s. 16.515, the request(s) will be approved on March 28, 2022 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: February 17, 2022
To: Brian Pahnke
From: Andrew R. Potts
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>2021-22</u>		<u>2022-23</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*

*Position ending 09/30/2023.

AGENCY REQUEST:

<u>AGENCY</u>	<u>DESCRIPTION</u>	<u>2021-22</u>		<u>2022-23</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*

*Position ending 09/30/2023.

BP APPROVAL



(FORWARD TO TRACY WILLIAMSON)



STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION

Tony Evers, Governor
Kathy Blumenfeld, Secretary-designee
Brian Pahnke, Administrator

Date: February 16, 2022

To: Kathy Blumenfeld, Secretary-designee
Department of Administration

From: Andrew R. Potts
Executive Policy and Budget Manager

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

Request:

The Department of Administration, on behalf of the Waukesha County District Attorney's Office, requests the creation 1.0 FTE program revenue assistant district attorney project position for a term extending from February 1, 2022, through September 30, 2023.

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 Smart Prosecution – Innovative Prosecution Solutions grant from U.S. Department of Justice's Bureau of Justice Assistance. As the grant is funded from a program revenue continuing, all moneys received appropriation, there is no accompanying request to increase expenditure authority. The Waukesha 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 U.S. Department of Justice's Bureau of Justice Assistance provides Smart Prosecution – Innovative Prosecution Solutions grants to help prosecutors use data in the development of their prosecutorial strategies and to develop effective, economical and innovative responses to crime within their jurisdictions. Nationally, the Bureau of Justice Assistance awarded \$7.1 million in Smart Prosecution – Innovative Prosecution Solutions funding in federal fiscal year 2021.

On January 25, 2022, the Bureau of Justice Assistance entered into an agreement with Waukesha County to award a grant of \$340,000 to support the creation of a cyber unit. As part of the cyber unit, the Waukesha County District Attorney seeks the creation of a 1.0 FTE assistant district attorney project position. The total cost of the assistant district attorney project position is \$200,600. This includes \$143,285 for salary and \$57,315 for fringe benefit costs over the 20-month project period. Waukesha County proposes hiring an additional 0.75 FTE position (a 0.50 FTE administrative assistant position and a 0.25 FTE intern position) as a part of the cyber unit; however, these positions would not be assistant

district attorney positions and would be employed by the county rather than the state. The remaining \$139,400 balance of the Smart Prosecution – Innovative Prosecution Solutions grant would help to fund the additional county positions, as well as to purchase computer hardware and software for the initial setup of the unit.

Analysis:

Waukesha County, like much of the nation, has experienced an increase in cyber crime. This includes crimes that are primarily committed using a computer such as cyber stalking, cyber harassment and the distribution of child pornography, as well as traditional crimes in which computers and other technology are utilized in the furtherance of the criminal activity, such as human trafficking and drug dealing.

The cyber unit would have cases assigned to it by the deputy district attorney for Waukesha County, based on the level of complexity of the computer-enabled crime. The cyber unit support staff would electronically convert case documents into formats that are easier for prosecutors to utilize to avoid manual data entry. In addition, the cyber unit would locate records and documents such as electronic transactions, text messages and global positioning system (GPS) information can help map the locations of events, during a specific time period to assist in the analyzation of evidence.

Cyber crimes can be particularly complex and require additional caseload hours to prosecute. Waukesha County anticipates that a felony level complex cyber crime would require approximately 120 caseload hours to complete. By comparison, it takes approximately 2.91 hours to prosecute a general misdemeanor case and 8.49 hours to prosecute a general felony case. The county estimates that the cyber unit would prosecute approximately 10 felony level complex cyber crimes in the first year and 14 felony level complex cyber crimes in the second year. The county also indicates that, in addition to the cases competed by the cyber unit itself, the cyber unit would increase efficiency throughout the Waukesha District Attorney's Office.

The Waukesha District Attorney has indicated that the goals of the cyber unit would be as follows:

- Implement data-driven approaches to assist prosecutorial agencies in incorporating innovative prosecution strategies as a fundamental component of their efforts to ensure public safety;
- Foster effective, formalized and consistent collaborations with external agencies and the communities they serve;
- Use technology, intelligence and data in innovative ways that enable prosecutors' offices to focus resources on the people and places associated with high concentrations of crime and improve their operations to more efficiently and effectively aid communities in reducing crime; and
- Enable prosecutors' offices to reduce caseloads to manageable levels through office modernization, hiring analytical or support staff, and updating information technology.

Kathy Blumenfeld, Secretary-designee
Page 3
February 16, 2022

The award from the U.S. Department of Justice's Bureau of Justice Assistance states that the project period runs between October 1, 2021, and September 30, 2023. The request from the Waukesha County District Attorney would have the project position expire on September 30, 2023. The funds for this position would be monitored closely and should a shortfall occur, the position would be vacated.

This position is in furtherance of the state's policy to reduce crime. The grant encourages collaboration between the Waukesha District Attorney's Office, community stakeholders, citizens and law enforcement while expanding the toolkit available to prosecutors in emerging areas of criminal law.

Recommendation:

Approve the request.



STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION

Tony Evers, Governor
Joel Brennan, Secretary
Jana Steinmetz, Administrator

DATE: January 14, 2022

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 project position in Department 475, District Attorneys.

Thank you for your attention to this matter.

Attachment

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

I. REQUEST

The Department of Administration (DOA) requests, under s.16.505, the creation of 1.0 FTE program revenue (PR) assistant district attorney (ADA) project position from February 1, 2022, through September 30, 2023. The position is in the Waukesha County District Attorney's (DA's) Office. If approved, this position will be funded via appropriation s. 20.475(1)(h).

II. BACKGROUND

On April 26, 2021, the Waukesha County District Attorney's Office applied for a SMART Prosecution - Innovative Prosecution Solutions Program grant award in the amount of \$340,000 to reduce the current caseload of prosecutors and to create a Cyber Unit and a cyber-enabled crime assistant district attorney position. On December 2, 2021 the U.S. Department of Justice Bureau of Justice Assistance (BJA) awarded the Waukesha County District Attorney's office the sum of \$340,000 based upon the application described above. On behalf of Waukesha County, County Executive Paul Farrow is anticipated to accept the award on January 25, 2022. By its terms, the grant period runs from October 1, 2021 until September 30, 2023.

The federal 2021 Smart Prosecution - Innovative Prosecution Solutions Program is a nationwide grant program that seeks to implement data-driven approaches to assist prosecutorial agencies in incorporating innovative prosecution strategies to insure public safety by; establishing and/or expanding programing to enhance prosecutors' ability to prevent and respond to crime; foster effective, formalized, and consistent collaborations with external agencies and communities; use technology, intelligence, and data in innovative ways to focus resources on concentrations of crimes and improve operations to aid communities in reducing crime; enable prosecutors' offices to reduce caseloads, hire analytical or support staff, and update information technology.

Waukesha County has experienced an increase in cyber enabled crimes -- when a computer or computer applications are used to further a traditional crime as an instrumentality of the crime. The Waukesha grant application proposed to address this problem in new and collaborative ways. The grant prosecutor will be joined by two county administrative staff members to assist in the discovery process and jail calls related to the Cyber Unit. Additionally, software and hardware to increase the efficiency of reviewing, charging and processing cases will also be funded by this grant.

As reflected in the attached supporting documentation, \$143,285 of the award is allocated to personnel expenses for the prosecutor. The sum of \$57,315 is allocated for employee benefits. The total award for the prosecutor position is \$200,600.

III. ANALYSIS

This position is in furtherance of the State's policy to reduce cyber, online, and technology facilitated crimes and improve the quality of life for its citizenry. The grant encourages collaboration between the District Attorney's Office, community stakeholders, citizens and law enforcement while expanding the toolkit available to prosecutors in emerging areas of criminal law.

IV. FISCAL ANALYSIS

The \$200,600 will be allocated to prosecutor salary, fringe, payroll and associated expenses. Funding is provided via a grant from US DOJ Bureau of Justice Assistance. The funding is sufficient to carry the position from date of authorization until September 30, 2023. Available funding and authorizations will be closely monitored, and the position will be vacated if a funding shortfall occurs.

V. REVENUE SOURCE FOR APPROPRIATION

The source of the grant funds is US DOJ Bureau of Justice Assistance via the 2021 Smart Prosecution - Innovative Prosecution Solutions Program.

Waukesha County will utilize the grant funding to reimburse the salary and fringe benefit costs, as well as the prosecutor's state standard laptop computer and software, 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 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, 2020. It is important to note that the position need shown in the LAB methodology is a general need responding to all duties of a DA office and is not specific to a particular type of criminal activity or caseload.

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

Data with which to make this assessment are not available.

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

US DOJ Bureau of Justice Assistance awarded this grant to Waukesha County via the 2021 Smart Prosecution - Innovative Prosecution Solutions Program.

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 through US DOJ Bureau of Justice Assistance is intended to proactively combat cyber, online and technology facilitated crimes and improve the quality of life for citizens and visitors to Waukesha county.

FINAL 2017-2019 DISTRICT ATTORNEY OFFICE WORKLOAD ANALYSIS

As of August, 2020

DA Office	GPR-Funded FTE Positions *	Program Revenue-Funded Permanent FTE Positions*	Total FTE Permanent Positions*	Additional FTE Needed	Estimated Total FTE Needed	Additional FTE Needed as a % of GPR-Funded FTE	Additional FTE Needed as a % of Total FTE	GPR-Funded FTE as a % of Estimated Total FTE Needed	Total FTE as a % of Estimated Total FTE Needed
Adams	2.00		2.00	0.82	2.82	41%	41%	71%	71%
Ashland	2.60		2.60	0.73	3.33	28%	28%	78%	78%
Barron	4.00		4.00	0.88	4.88	22%	22%	82%	82%
Bayfield	1.70		1.70	-0.35	1.35	-21%	-21%	126%	126%
Brown	15.00	1.00	16.00	9.64	25.64	64%	60%	59%	62%
Buffalo	1.20		1.20	1.00	2.20	83%	83%	55%	55%
Burnett	2.00		2.00	1.74	3.74	87%	87%	53%	53%
Calumet	3.00		3.00	0.69	3.69	23%	23%	81%	81%
Chippewa	6.00		6.00	2.14	8.14	36%	36%	74%	74%
Clark	2.00		2.00	0.18	2.18	9%	9%	92%	92%
Columbia	5.00		5.00	3.09	8.09	62%	62%	62%	62%
Crawford	1.00		1.00	0.33	1.33	33%	33%	75%	75%
Dane	28.00	2.00	30.00	5.61	35.61	20%	19%	79%	84%
Dodge	5.00		5.00	0.77	5.77	15%	15%	87%	87%
Door	2.00		2.00	0.51	2.51	26%	26%	80%	80%
Douglas	5.00		5.00	2.29	7.29	46%	46%	69%	69%
Dunn	5.00		5.00	1.83	6.83	37%	37%	73%	73%
Eau Claire	10.00	1.00	11.00	7.03	18.03	70%	64%	55%	61%
Florence	0.60		0.60	-0.16	0.44	-27%	-27%	136%	136%
Fond du Lac	7.00	1.00	8.00	4.30	12.30	61%	54%	57%	65%
Forest	2.00		2.00	-0.12	1.88	-6%	-6%	106%	106%
Grant	2.00		2.00	1.60	3.60	80%	80%	56%	56%
Green	2.60		2.60	0.23	2.83	9%	9%	92%	92%
Green Lake	2.00		2.00	0.73	2.73	37%	37%	73%	73%
Iowa	2.00		2.00	1.26	3.26	63%	63%	61%	61%
Iron	1.00		1.00	-0.08	0.92	-8%	-8%	109%	109%
Jackson	3.00		3.00	0.72	3.72	24%	24%	81%	81%
Jefferson	6.00		6.00	1.20	7.20	20%	20%	83%	83%
Juneau	3.00		3.00	0.76	3.76	25%	25%	80%	80%
Kenosha	16.00	1.00	17.00	6.03	23.03	38%	35%	69%	74%
Kewaunee	1.50		1.50	-0.25	1.25	-17%	-17%	120%	120%
La Crosse	10.00		10.00	4.30	14.30	43%	43%	70%	70%

January 14, 2022
 SMART Prosecution - Waukesha
 s.16.505 Request

Lafayette	1.00		1.00	0.55	1.55	55%	55%	65%	65%
Langlade	2.50		2.50	1.07	3.57	43%	43%	70%	70%
Lincoln	3.00		3.00	0.51	3.51	17%	17%	85%	85%
Manitowoc	6.00		6.00	4.65	10.65	78%	78%	56%	56%
Marathon	12.00		12.00	6.18	18.18	52%	52%	66%	66%
Marinette	3.00		3.00	0.27	3.27	9%	9%	92%	92%
Marquette	1.60		1.60	0.10	1.70	6%	6%	94%	94%
Milwaukee	90.00	25.50	115.50	-20.55	94.95	-23%	-18%	95%	122%
Monroe	4.00		4.00	3.76	7.76	94%	94%	52%	52%
Oconto	2.00		2.00	1.05	3.05	53%	53%	66%	66%
Oneida	2.50		2.50	1.86	4.36	74%	74%	57%	57%
Outagamie	11.00		11.00	6.42	17.42	58%	58%	63%	63%
Ozaukee	4.60		4.60	1.54	6.14	33%	33%	75%	75%
Pepin	0.80		0.80	-0.28	0.52	-35%	-35%	154%	154%
Pierce	3.00		3.00	0.73	3.73	24%	24%	80%	80%
Polk	4.00		4.00	0.73	4.73	18%	18%	85%	85%
Portage	6.00		6.00	0.74	6.74	12%	12%	89%	89%
Price	1.50		1.50	-0.30	1.20	-20%	-20%	125%	125%
Racine	20.00		20.00	9.37	29.37	47%	47%	68%	68%
Richland	1.80		1.80	0.02	1.82	1%	1%	99%	99%
Rock	15.00		15.00	0.52	15.52	3%	3%	97%	97%
Rusk	2.00		2.00	0.03	2.03	2%	2%	99%	99%
Saint Croix	7.00		7.00	2.75	9.75	39%	39%	72%	72%
Sauk	5.00		5.00	2.26	7.26	45%	45%	69%	69%
Sawyer	3.00		3.00	1.70	4.70	57%	57%	64%	64%
Shaw/Men	4.00		4.00	2.08	6.08	52%	52%	66%	66%
Sheboygan	9.00		9.00	3.37	12.37	37%	37%	73%	73%
Taylor	1.50		1.50	-0.10	1.40	-7%	-7%	107%	107%
Trempealeau	2.00		2.00	0.82	2.82	41%	41%	71%	71%
Vernon	2.00		2.00	-0.01	1.99	-1%	-1%	101%	101%
Vilas	2.00		2.00	1.78	3.78	89%	89%	53%	53%
Walworth	6.00		6.00	3.22	9.22	54%	54%	65%	65%
Washburn	2.00		2.00	0.47	2.47	24%	24%	81%	81%
Washington	6.40		6.40	2.88	9.28	45%	45%	69%	69%
Waukesha	17.00	2.00	19.00	7.38	26.38	43%	39%	64%	72%
Waupaca	4.00		4.00	1.79	5.79	45%	45%	69%	69%
Waushara	2.60		2.60	0.88	3.48	34%	34%	75%	75%
Winnebago	12.00		12.00	3.25	15.25	27%	27%	79%	79%
Wood	6.00		6.00	3.53	9.53	59%	59%	63%	63%
TOTALS	448.00	33.50	481.50	116.47	597.97				

District Attorney
Susan L. Opper

Deputy District Attorneys
Lesli S. Boese
Ted S. Szczipakiewicz
Michael D. Thurston

Office Services Coordinator
Julie A. Moelter

Victim/Witness Program
Jennifer S. Dunn, Coord.

Support Staff Supervisor
Rebecca L. Gifford



Waukesha County
Office of the District Attorney

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Mary C. Brejcha
Jayne Davis Dewire
Andren M. Will
Lindsey H. Hirt
Abbey L. Nickolic
Melissa J. Zilavy
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Kristina J. Gordon
Jack A. Pizzo
Molly M. Schmidt
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Claudia P. Ayala Tabares
Peter M. Tempells
Edward M. Bremberger
Patrick R. Campbell
Andrew M. Neshelm
Chelsea C. Thompson

January 13, 2022

Mr. Kasey Deiss, Director
State Prosecutors Office
Post Office Box 7869
Madison, WI 53707-7869

RE: SMART Prosecution Grant; Request to Create One Project PR Position

Dear Mr. Deiss:

We request that you seek legislative approval to create 1.0 FTE project position for an assistant district attorney in the Waukesha County District Attorney Office. This position will be filled by one SMART Prosecution – Innovative Prosecution Solutions Program grant-funded prosecutor. For the reasons stated below, we request the term of this position be authorized from October 1, 2021 to September 30, 2023.

In January of 2021, the U.S. Department of Justice Bureau of Justice Assistance (BJA) announced a grant opportunity in the total amount of \$340,000. These funds were secured for administration by U.S. DOJ through the federal 2021 Smart Prosecution – Innovative Prosecution Solutions Program. The nationwide grant program seeks to implement data-driven approaches to assist prosecutorial agencies in incorporating innovative prosecution strategies as a fundamental component of their efforts to insure public safety by; establishing and/or expanding programming to enhance prosecutors' ability to effectively and sustainably prevent and respond to crime; foster effective, formalized, and consistent collaborations with external agencies and the communities they serve; use technology, intelligence, and data in innovative ways that enable prosecutors' offices to focus resources on the people and places associated with high concentrations of crimes and improve their operations to more efficiently and effectively aid communities in reducing crime; enable prosecutors' offices to reduce caseloads to manageable levels through office modernization, hiring analytical or support staff, and updating information technology.

On April 26, 2021, the Waukesha County District Attorney's Office applied for a SMART Prosecution – Innovative Prosecution Solutions Program grant award in the amount of \$340,000 to reduce the current caseload of prosecutors and to create a Cyber Unit with the creation of a cyber-enabled crime assistant district attorney position. Waukesha County has been working at

515 West Moreland Boulevard, Room CG-72
Waukesha, Wisconsin 53188-9877
Phone: (262) 548-7076

72% capacity for an extended period of time; based on the approximately 7,000 currently pending cases, each of our prosecutors on average handle more than 330 pending cases at a time. Waukesha County has consistently experienced an increase in cyber enabled crimes; when a computer or computer applications are used to further a traditional crime as an instrumentality of the crime. Our grant application proposed to address this problem in a new and collaborative way. The grant prosecutor, will be joined by two county administrative staff members to assist in the discovery process and jail calls related to the Cyber Unit. Additionally software and hardware to increase the efficiency of reviewing, charging and processing cases will also be funded by this grant.

On December 2, 2021 the U.S. Department of Justice Bureau of Justice Assistance (BJA) awarded the Waukesha County District Attorney's office the sum of \$340,000 based upon the application described above. On behalf of Waukesha County, County Executive Paul Farrow is anticipated to accept the award on January 25, 2022. By its terms, the grant period runs from October 1, 2021 until September 30, 2023.

As reflected in the attached supporting documentation, \$143,285 of the award is allocated to personnel expenses for the prosecutor. The sum of \$57,315 is allocated for employee benefits. The total award for the prosecutor position is \$200,600.

The proposed Assistant District Attorney (ADA) position will leverage the tools and resources of the entire office, staff and other prosecutors. This grant program seeks to utilize updated technology, networking within the cyber related industries for resources and training, increase support for law enforcement investigations into cyber enabled offenses and expanding the tools available to state prosecutors, and promote public safety by expanding prosecutorial capacity.

Stated above the goal of the SMART Prosecution – Innovative Prosecution Solutions Program is the reduction of overall prosecutor caseloads, increase technology to focus our resources on cyber enabled crimes within Waukesha County. The primary objectives will be four-fold:

Objective 1: Implement data-driven approaches to assist prosecutorial agencies in incorporating innovative prosecution strategies as a fundamental component of their efforts to insure public safety;

Objective 2: Foster effective, formalized, and consistent collaborations with external agencies and the communities they serve;

Objective 3: Use technology, intelligence, and data in innovative ways that enable prosecutors' offices to focus resources on the people and places associated with high concentrations of crimes and improve their operations to more efficiently and effectively aid communities in reducing crime;

Objective 4: Enable prosecutors' offices to reduce caseloads to manageable levels through office modernization, hiring analytical or support staff, and updating information technology.

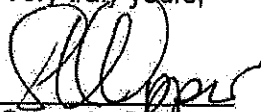
The potential benefits include more successful prosecutions; more resources; greater community safety; and reducing caseloads.

For all these reasons, we request that the legislature approve one project position to be utilized for the SMART Prosecution – Innovative Prosecution Solutions Program prosecutor with a term of October 1, 2021 to September 30, 2023. In further support of this request, I provide the following materials:

1. A copy of the award letter; to be fully executed on or about January 25, 2022;
2. The approved grant budget;
3. The "Description of the Issue" section of the grant application; and
4. The "Project Design and Implementation" section of the grant application.

Thank you kindly for your assistance.

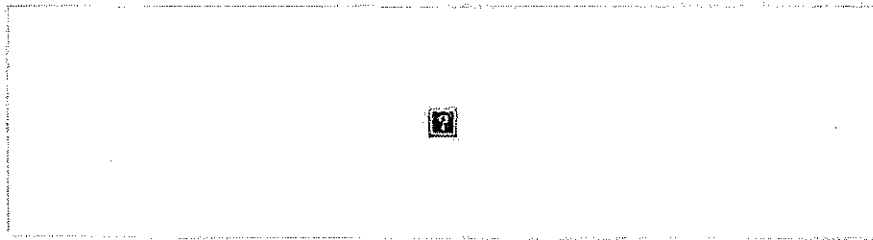
Very truly yours,

A handwritten signature in black ink, appearing to read 'S. Opper', written over a horizontal line.

Susan L. Opper
District Attorney

From: Default
To: rlucaj@waukeshacounty.gov; rlucaj@waukeshacounty.gov; DevalKenaere, April
Subject: DOJ Justice Grants System - Award Number 15PBJA-21-GG-03892-SMTP Notification
Date: Thursday, December 2, 2021 8:02:31 PM
Attachments: ..datacontent\imgertel\images\justgrants_seal_final_43A942_F2F3F41591889687873.png

**CAUTION: This email originated from outside the organization.
Do not click links or open attachments unless you recognize the sender and know the content is safe.**



Congratulations! Application GRANT13342997 submitted under the 2021 BJA FY 21 Smart Prosecution - Innovative Prosecution Solutions has been selected for an award. Please log into Justice Grants System (JustGrants) at <https://justgrants.usdoj.gov> to see award details.

For assistance logging into JustGrants, contact JustGrants.Support@usdoj.gov or 833-872-5175.

Prior to the Authorized Representative accepting the award, the Entity Administrator needs to assign a Financial Manager (responsible for submitting the Federal Financial Form), a Grant Award Administrator (responsible for submitting Grant Award Modifications, Performance Reports and Closeouts) and an Alternate Grant Award Administrator (responsible for submitting Grant Award Modifications) to the award.

To be eligible for payment, follow the Automated Standard Application for Payments (ASAP) recipient enrollment and login guidance at the JustGrants Website www.justicegrants.usdoj.gov. Please do not reply to this message. You can contact your grant manager Antonio Tovar at 202-598-7424 and Antonio.Tovar@ojp.usdoj.gov



For more information go to www.justicegrants.usdoj.gov

JustGrants is operated under the U.S. Department of Justice



Justice Training Award
 FORM # JTB-001-01 (REV. 12/01)

Agency Name:	WYANDOTA COUNTY	Agency Address:	
Agency Phone:	414-223-1234	Agency Fax:	414-223-1234
Agency Email:	info@wyandotacounty.org	Agency Website:	www.wyandotacounty.org
Agency Contact:	Jane Doe	Agency Title:	Director
Agency Address:	123 Main St Wyandota, WI 53190	Agency City:	Wyandota, WI
Agency State:	WI	Agency Zip:	53190

Project Award Information

Award Package	Award Conditions	Award Dates	Award Attachments	Performance Management	Funding Balance and Availability	Federal Financial Report (FFR)	Grant/Grant Modification (GAM)	Comments
AWARD LETTER								

AWARD LETTER
 December 7, 2011

Dear WYANDOTA COUNTY:

The Justice Training Award (JTB) is a program administered by the Office of Justice Programs (OJP) that provides training and technical assistance to state and local law enforcement agencies. OJP has approved the application submitted by WYANDOTA COUNTY for an award under the JTB program for the period of 12/01/11 to 11/30/12. The award is for the amount of \$50,000.00.

The award is made available to you only if you accept the terms and conditions of the award and requirements of the award. The award is made available to you only if you accept the terms and conditions of the award and requirements of the award. The award is made available to you only if you accept the terms and conditions of the award and requirements of the award.

If you accept the award, you must comply with all award requirements. OJP will provide appropriate technical assistance, which may include completion of the award and a requirement to report award progress.

To accept the award, you must sign and return the award acceptance form to the Office of Justice Programs (OJP), including the required distribution and execution, within 15 days of the date of this letter.

Congratulations and we look forward to working with you.

Any Questions?
 Acting Award Administrator General

Notice for Civil Rights Notice for All Recipients

The Office of Justice Programs (OJP) is committed to ensuring that all recipients of the Justice Training Award (JTB) are treated fairly and equitably. OJP is committed to ensuring that all recipients of the JTB are treated fairly and equitably. OJP is committed to ensuring that all recipients of the JTB are treated fairly and equitably.

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Comments: The award is for the amount of \$50,000.00. The award is for the amount of \$50,000.00. The award is for the amount of \$50,000.00.

Award Letter
 Project Information
 Financial Information
 Award Conditions
 Award Attachments

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December 2, 2021

Dear REBECCA LUCZAJ,

On behalf of Attorney General Merrick B. Garland, it is my pleasure to inform you the Office of Justice Programs (OJP) has approved the application submitted by WAUKESHA, COUNTY OF for an award under the funding opportunity entitled 2021 BJA FY 21 Smart Prosecution & Innovative Prosecution Solutions. The approved award amount is \$340,000.

Review the Award Instrument below carefully and familiarize yourself with all conditions and requirements before accepting your award. The Award Instrument includes the Award Offer (Award Information, Project Information, Financial Information, and Award Conditions) and Award Acceptance.

Please note that award requirements include not only the conditions and limitations set forth in the Award Offer, but also compliance with assurances and certifications that relate to conduct during the period of performance for the award. These requirements encompass financial, administrative, and programmatic matters, as well as other important matters (e.g., specific restrictions on use of funds). Therefore, all key staff should receive the award conditions, the assurances and certifications, and the application as approved by OJP, so that they understand the award requirements. Information on all pertinent award requirements also must be provided to any subrecipient of the award.

Should you accept the award and then fail to comply with an award requirement, DOJ will pursue appropriate remedies for non-compliance, which may include termination of the award and/or a requirement to repay award funds.

To accept the award, the Authorized Representative(s) must accept all parts of the Award Offer in the Justice Grants System (JustGrants), including by executing the required declaration and certification, within 45 days from the award date.

Congratulations, and we look forward to working with you.

Amy Solomon
Acting Assistant Attorney General

Office for Civil Rights Notice for All Recipients

The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) has been delegated the responsibility for ensuring that recipients of federal financial assistance from the OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW) are not engaged in discrimination prohibited by law. Several federal civil rights laws, such as Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973, require recipients of federal financial assistance to give assurances that they will comply with

those laws. Taken together, these civil rights laws prohibit recipients of federal financial assistance from DOJ from discriminating in services and employment because of race, color, national origin, religion, disability, sex, and, for grants authorized under the Violence Against Women Act, sexual orientation and gender identity. Recipients are also prohibited from discriminating in services because of age. For a complete review of these civil rights laws and nondiscrimination requirements, in connection with DOJ awards, see

<https://ojp.gov/funding/Explore/LegalOverview/CivilRightsRequirements.htm>.

Under the delegation of authority, the OCR investigates allegations of discrimination against recipients from individuals, entities, or groups. In addition, the OCR conducts limited compliance reviews and audits based on regulatory criteria. These reviews and audits permit the OCR to evaluate whether recipients of financial assistance from the Department are providing services in a nondiscriminatory manner to their service population or have employment practices that meet equal-opportunity standards.

If you are a recipient of grant awards under the Omnibus Crime Control and Safe Streets Act or the Juvenile Justice and Delinquency Prevention Act and your agency is part of a criminal justice system, there are two additional obligations that may apply in connection with the awards: (1) complying with the regulation relating to Equal Employment Opportunity Programs (EEOs); and (2) submitting findings of discrimination to OCR. For additional information regarding the EEO requirement, see 28 CFR Part 42, subpart E, and for additional information regarding requirements when there is an adverse finding, see 28 C.F.R. §§ 42.204(c), .205(c)(5).

The OCR is available to help you and your organization meet the civil rights requirements that are associated with DOJ grant funding. If you would like the OCR to assist you in fulfilling your organization's civil rights or nondiscrimination responsibilities as a recipient of federal financial assistance, please do not hesitate to contact the OCR at askOCR@ojp.usdoj.gov.

Memorandum Regarding NEPA

NEPA Letter Type

OJP - Categorical Exclusion

NEPA Letter

Awards under this program will be used to leverage state, local or tribal subject-matter expertise. None of the following activities will be conducted whether under the Office of Justice Programs Federal action or a related third-party action:

(1) New construction.

(2) Any renovation or remodeling of a property located in an environmentally or historically sensitive area, including property (a) listed on or eligible for listing on the National Register of Historic Places, or (b) located within a 100-year flood plain, a wetland, or habitat for an endangered species.

(3) A renovation that will change the basic prior use of a facility or significantly change its size.

(4) Research and technology whose anticipated and future application could be expected to have an effect on the environment.

(5) Implementation of a program involving the use of chemicals.

Additionally, the proposed action is neither a phase nor a segment of a project that when reviewed in its entirety would not meet the criteria for a categorical exclusion.

Consequently, the subject federal action meets the Office of Justice Programs' criteria for a categorical exclusion as contained in paragraph 4(b) of Appendix D to Part 61 of Title 28 of the Code of Federal Regulations.

NEPA Coordinator

First Name

Orbin

Middle Name

Last Name

Terry

BJA Grant Budget

	Year 1		Year 2
Staffing - payroll			
ADA Prosecutor (Payroll)	68,683.00		74,602.00
AA part-time (.50 FTE Payroll)	17,618.00		17,909.00
Intern part-time (.25 LTE Payroll)	7,020.00		7,670.00
Staffing - benefits			
ADA Prosecutor (Benefits)	27,473.36	40%	29,840.83
AA part-time (.50 FTE Benefits)	18,342.10	104.11%	18,645.06
Intern part-time (.25 LTE Benefits)	1,003.86	14.30%	1,096.81
Training			
State Prosecutor Educational Training (Registration Only - State pays balance)	165.00		165.00
Software			
Adobe Pro (14 licenses - 2 ADA, 7 Legal Clerks, 5 Discovery Clerks)	1,288.00		1,330.00
ScanWriter	8,000.00		3,000.00
Power Bi (2 licenses - 2 Paralegals)	192.00		196.00
Equipment - for new positions			
Laptop & Docking station (ADA)	1,315.00		0.00
Keyboard/mouse (ADA)	80.00		0.00
External Monitors (2) (ADA)	300.00		0.00
BluRay portable device (ADA)	100.00		0.00
DVD portable writer (ADA)	30.00		0.00
Laptop & Docking station (AA)	1,315.00		0.00
Keyboard/mouse (AA)	80.00		0.00
External Monitors (2) (AA)	300.00		0.00
BluRay portable device (AA)	100.00		0.00
DVD portable writer (AA)	30.00		0.00
Equipment - Trial purposes			
DVD portable writer (ADA) (2)	60.00		
Equipment - Discovery Team			
DVD multiple disk-duplicator tower	236.09		0.00
BluRay multiple disk-duplicator tower	485.00		0.00
USB multiple duplicator tower (2)	560.00		560.00
Hard-drive multiple duplicator tower	0.00		995.00
	154,776.41		156,009.70
Total w/o indirect costs:		<u>310,787.69</u>	
Indirect Costs			
10% of Grant Amount	14,548.98		14,664.91
(Supplies, desk/chair, utilities, rent)		9.40%	
	<u>169,325.39</u>		<u>170,674.61</u>
BJA Total Grant Requested		<u><u>\$ 340,000.00</u></u>	

SECTION A: DESCRIPTION OF THE ISSUE

The Waukesha County District Attorney's Office seeks funding from BJA under **Smart Prosecution – Innovative Prosecution Solutions** to create a Cyber Unit team in our office. Waukesha County would hire a prosecutor, support staff to handle the increase in discovery demands, and an intern to assist in listening to jail calls. Waukesha County's goals with this project include: reducing the amount of time it takes to review and make charging decisions on complex computer-enabled crimes; reducing the amount of time it takes to respond to discovery demands from defense counsel; and increasing the efficiency of our team by providing the software and hardware technology necessary to perform essential statutory requirements.

Waukesha County is a suburban county adjacent to Milwaukee County with a 2019 population of 404,198 according to the most recent United States census data. The population is predominantly Caucasian (88%), followed by Hispanic or Latino (5%), Asian (4%), African American (2%) and multiple races (1%). Females make up 51% of the population, and males make up the remaining 49%, with the median age of 43 years old. There are approximately 13,000 businesses operating in Waukesha County per the Waukesha County Center for Growth. Geographically, Waukesha County is directly located next to the most highly populated county in the State, Milwaukee.

Waukesha County is one of only two counties in the State of Wisconsin to participate in the Financial Abuse Specialist Team (FAST). This initiative is a subgroup of the county's Interdisciplinary Team (I-TEAM) with the goal of increasing efficiencies and exploring better outcomes for all victims of financial exploitation throughout the investigation and judicial process.

Attendance at FAST meetings every other month and the ongoing need to collaborate and educate the residents of Waukesha County must be balanced with other work demands for our staff and prosecutors.

Additionally, the Waukesha County District Attorney's Office is actively involved in OWI Treatment Court and Drug Treatment Court and have committed one prosecutor to work all aspects of each court, from advocating the State's position to administrative gatekeeping functions. These duties are in addition to their full-time caseload.

Waukesha County is a leader in the State of Wisconsin in prosecuting Len Bias cases, which convicts drug dealers who cause the death of another human being. This results in approximately *25-30 additional homicide investigations every year*, about half of which are charged and go through the court system.

Waukesha County is also a leader in the State of Wisconsin in prosecuting Power of Attorney (POA) theft cases, convicting individuals who have violated their fiduciary duty to protect the assets of vulnerable adults. These types of cases have multiple financial accounts for both the victims and the defendants to review, input, and analyze before charging decisions can be made, which can and have taken more than 300 hours to determine in some cases.

The latest workload analysis done by the State of Wisconsin determined that Waukesha County should have 26.38 FTE positions based upon our current workload. Based upon this analysis, our office is lacking 7.38 positions, as we currently employ 19 FTE positions. We are currently completing 100% of the work at 72% capacity, which is creating even more backlog of cases. Backlogs of referred cases assigned to prosecutors in Waukesha County hovers at approximately 700 for the 19 prosecutors to address, in addition to their current pending caseloads. In Waukesha County the current pending cases are nearly 7,000, which equates to approximately

370 pending cases per each of the 19 prosecutors. According to American Prosecutors Research Institute (APRI), 2002, projections of resources need to include both caseloads and workloads to understand the total number of hours available from prosecutors. They identify caseloads as, "all time spent processing cases, from the initial screening through final adjudication, including post-adjudication activities." They identify workloads as, "non-case related activities such as office administration, law enforcement coordination, and community outreach."

In Wisconsin, the annual breakdown of total hours (2080), subtracted by leave time (sick, holiday, vacation and continuing legal education (CLE) hours (255), subtracted by the workload hours (663) leaves a balance of caseload hours (1162) available. The State of Wisconsin has determined that it takes approximately 160 caseload hours to prosecute a homicide case, 8.49 hours to prosecute a general felony case, and 2.91 hours to prosecute a misdemeanor case. Our office has approximated that it takes 75 hours to prosecute a complex Identity (ID) fraud case, 120 hours to prosecute a complex felony case, and 320 hours to prosecute a complex financial felony case, all of which can be computer-enabled crimes.

According to *Assessing Technology, Methods, and Information for Committing and Combating Cyber Crime (2003)*, computer-enabled crimes are when computers or computer applications are used to further a traditional crime as an instrumentality of the crime. Evidence found on servers such as email, computer applications, or Internet Service Providers (ISP) may contain messages sent during the course of a cyber stalking, or records of users logged in during the time of the event. In most cases involving this type of digital evidence, it is easy for the prosecutor to become overwhelmed by the amount of data content that it is hard to decipher the important pieces of information. The review of the case can feel like searching 'for the needle in a haystack'. With our current limited budget and lack of adequate support staff, the prosecutor

spends a disproportionate amount of time performing manual case review tasks.

The number of cases entering the system has continued to rise, while the amount of state and local resources available to handle these cases has failed to keep pace. This has been exasperated by the global pandemic, as a large number of cases are entering the system and few are being adjudicated. Additional external factors increasing workload requirements include the new victims' rights legislation, Marsy's Law, which was passed in May 2020, that requires more time and effort on the part of the prosecutorial staff to work with victims and to redact personal identifying information (PII).

In a time study conducted by our office for complex felony financial crimes, it was determined on average these cases have approximately 300 pages of financial records such as bank and/or credit card statements and it takes approximately 70 hours of manual entry to input those 300 pages of financial documents from paper or pdf documents into Microsoft Excel. Those numbers do not include any other case related reports or information, that is just the manual entry of financial documents in order to be able to review and determine if any patterns exist in the transactions, before, during or after the alleged criminal activity.

For prosecutors to keep pace with criminals, there needs to be automated tools, such as Adobe Pro, Scan Writer, and Power Bi, otherwise the prosecutor will need to review insignificant data to find the valuable evidence. Cyber related tools may provide the prosecutors with the 'smoking gun' needed to connect the dots between the suspect and the victim and link the digital evidence of the suspect to the alleged cyber-crime. Tools such as Adobe Pro, that can make documents searchable and can apply bate stamping and reorganize pages to put them in specific, chronological order, which can be extremely helpful in large, complex cases. Additionally, some of the capabilities of ScanWriter and Power Bi, that can convert paper and pdf documents into

Excel with minimal reformatting and can assist in creating timelines, GPS mapping of specific overlapping events, link analysis, commodity flow charts, and essentially get the evidence ready for trial in hours rather than weeks will significantly reduce the amount of time necessary for the current methods of manual entry.

The ability to provide a link analysis is a very important tool and provides a powerful case visualization tool. Multiple views permit those analyzing the evidence to focus on the primary issues or dig deeper into a particular issue. The use of these tools would allow prosecutors to get a better understanding of the case and could result in processing the case and making a charging decision much faster than using the current manual methods to determine and link evidence in cases.

It is important to build the knowledge base of specialized prosecutors according to the Association of Prosecuting Attorney's, *Smart Prosecution Practices: Seven Recommendations to Integrate Science and Justice (2014)*, seeking training through organizations such as the National Computer Forensics Institute (NCFI) for comprehensive education on cyber related crimes and prosecutorial challenges can significantly assist. According to the National District Attorney's Association, *Prosecutor Case Management System Functional Requirements (2018)*, one component necessary for a specialized unit, is Discovery. They define discovery as, "the legal process in which the parties to a case disclose relevant information about the case to each other and must include all case information that is not otherwise "non-discoverable," such as notes and work product. Discovery includes the exchange of any information or evidence a prosecutor intends to use against the defendant during trial. In some instances, materials may need to be redacted to protect privacy and privileged information. Examples of discovery include: police reports; arrest, booking, and toxicology reports; audio/video statements from witness(es), law

enforcement, victim(s), and defendant(s); crime scene evidence; existing exculpatory evidence; results of physical testing or examination(s); and more.

SECTION B: PROJECT DESIGN AND IMPLEMENTATION

The goals, objectives, and deliverables of this project directly coincide with the overarching goals stated in the solicitation (please see the attached Project Timeline).

Waukesha County's project addresses all the mandatory components for the Innovative Prosecution Solutions (IPS) Program as stated in the solicitation and will reduce overall caseloads, improve the effectiveness and efficiency of the process and procedures, and provide modern technology to better manage and track cases.

The project will begin with a three-month planning phase from October 1, 2021 to December 31, 2021, with regular meetings of the planning team. The team includes members from different divisions of our office, including the prosecutors, the support staff, the administrative staff, and the victim witness staff. These members are also in constant contact with other associated agencies such as the criminal courts, the county executive/board, CJCC, and national and international training organizations.

All positions will be hired by the end of the planning phase, to include: the full-time equivalent (FTE) Prosecutor, a .50 FTE Administrative Assistant, and a .25 FTE Intern, and will be housed in the District Attorney's Office.

During the planning phase the planning team will determine our definition of computer-enabled crimes, such as the use of a computer/internet, computer program/application, GPS, cell phone, etc. to facilitate traditional crime types. The planning team will also determine the types of

cases that will be reviewed by the Cyber Unit, including computer-enabled homicides, cyber stalking, cyber harassment, distribution of child pornography, human trafficking, drug dealing, financial crimes, and identity theft. Additionally, the planning team will also determine what level of complexity will be assigned for this project, such as amount of evidence to be reviewed and the number of co-defendants, victims, and/or witnesses.

During the planning phase the Adobe Pro and ScanWriter or similar software will be purchased along with the DVD multiple disk-duplicator tower, BluRay multiple disk-duplicator tower and USB multiple duplicator tower. A Paralegal already employed with Waukesha County will create, draft and teach an educational series for support staff to utilize the most prevalent aspects of Adobe Pro. The Paralegal will participate in software-based training on ScanWriter and Power Bi to learn how to best utilize the software in complex computer enabled crime investigations.

Project implementation will begin approximately January 1, 2022. The Deputy District Attorney (DDA) will screen cases eligible for the Cyber Unit based on the complexity of the computer-enabled crime and then assign the cases to the Cyber Unit. Once a case has been flagged for the Cyber Unit, the support staff will use the new Adobe Pro software to append bates stamping on all discovery related materials. The Prosecutor will begin reviewing the case and will work with the paralegal to use the ScanWriter software to convert financial documents into Excel spreadsheets to avoid manual data entry. In addition to converting financial documents, if documents provide locations of transactions, text messages, Global Positioning System (GPS) information, that additional Power Bi features, can map the locations of events, during a specific time period to assist in the analyzation of evidence. Once the Prosecutor makes a charging decision, they will work with their support staff to utilize the current DA case management system

PROTECT, to draft the necessary documents for filing of the case. Once the case has been filed the prosecutor will follow these cases throughout the judicial process. After the preliminary hearing, the Prosecutor will begin working with the discovery team to fulfill the statutory requirements of the discovery demands filed by defense counsels and any other case related parties, such as forensic interviewers. Either the Prosecutor and/or the discovery team will redact documents as necessary to comply with new and existing statutory guidelines.

Based upon the efficiencies of the proposed software and hardware for use by all prosecutors, Waukesha County proposes to decrease the overall backlog by 5% (approximately 35 cases) in Year One of the project and decrease the overall backlog by 8% (approximately 53 cases) in Year Two of the project. Based on the procedure referenced above and the fact that complex computer-enabled cases are being approximately weighted at 120 caseload hours to process, the training and experience gained in Year One will allow the prosecutor to process cases more efficiently to allow for additional cases in Year Two. The project plans to process 24 cases through the Cyber Unit over the two-year grant by processing 10 felony complex computer-enabled crimes in Year One of the project and 14 felony complex computer-enabled crimes in Year Two of the project. This comprises the overall workable hours, caseload hours, and workload hours available to devote toward these cases.

The District Attorney's Office and Project Coordinator will work together to collect and maintain data throughout the project. The Project Coordinator, April DeValkenaere, White Collar Crime Paralegal for the District Attorney's Office, will be responsible for project oversight (planning and implementation), coordination with BJA's technical assistance provider, and submitting required quarterly performance measures in the PMT.

SECTION C: CAPABILITIES AND COMPETENCIES

Waukesha County is the best recipient for funding from BJA, evidenced by our long history of collaboration with justice system partners. Waukesha County has a Criminal Justice Collaborating Council (CJCC) that was established in 2002 and was one of the first CJCC's in the state of Wisconsin. The nineteen-member council, made up of elected officials and department heads representing all aspects of the criminal justice system, meets bi-monthly and serves as an advisory committee to the County Executive on local justice system matters including identification of emerging trends, such as computer enabled crimes and the need for more specialized prosecutors.

The management structure and key staff positions are already in place for the project, which will allow for a prompt start to the project and a seamless transition from planning to implementation. The Project Coordinator, April DeValkenaere, is the Waukesha County District Attorney's Office White Collar Crime Paralegal. She is currently responsible for assisting in the investigation and prosecution of felony financial crimes and community outreach and has been in her current position since 2014 and in the criminal justice field for approximately 15 years, in addition to having experience managing local grants. Ms. DeValkenaere will be responsible for coordinating meetings of the planning team, producing the action plan, tracking performance measures, and reporting them quarterly in the PMT.

The designated planning team has been established and will be meeting monthly, tasked with developing the data matrix necessary to collect current data prior to the implementation of the Cyber Unit and to compare that with data collected after the implementation of new personnel, software, and hardware.

Our office has staff who are currently involved in and have received training from multiple organizations in the area of computer-enabled crimes, such as: the National White Collar Crime Center (NW3C); the Federal Virtual Training Environment (FedVTE); the National Computer Forensics Institute (NCFI); and the International Association of Financial Crimes Investigators (IAFCI). Other resources, such as: the Cyber Investigations Certification Program (CICP); the FBI's Cyber Division; the International Association of Chiefs of Police (IACP); and the National Cyber Crime Conference (NCCC) will allow the Cyber Unit to network and collaborate with other specialized prosecutors.

The Prosecutor will be hired by the end of the planning period and will have passed the Wisconsin State Bar and/or be certified to practice in the State of Wisconsin. They will be supervised by the District Attorney, Sue Opper. The Prosecutor's primary focus will be to process complex computer-enabled felony crimes. They will also be required to appear in court on the record for daily calendars, be available to handle and assist with intake and on-call responsibilities, in addition to reviewing, making charging decisions, preparing cases for filing for lock-up calendars, and handle their own general caseload in addition to their specialized project cases. Additionally, with their support staff, they may need to redact documents as necessary to comply with new statutory guidelines. The new prosecutor will also be responsible for collecting and maintaining project data.

The attached project timeline details the project's goals, objectives, activities, expected completion date, and persons responsible.

*SECTION D: PLAN FOR COLLECTING THE DATA
REQUIRED FOR THIS SOLICITATION'S PERFORMANCE MEASURES*

The Project Coordinator, April DeValkenaere, will be responsible for reporting the required quarterly performance measures in the PMT. The Project Coordinator will be entering information into an electronic database on each project case from the information provided by the new prosecutor, support staff, intern, and paralegal as outlined below.

The new prosecutor will be responsible for collecting and maintaining project data, including but not limited to: the number of cases screened, the number of cases determined to be eligible for the project, the number of cases assigned to the project, the amount of time for caseload versus workload requirements, the number of cases charged, the number of cases adjudicated, and the number of cases pending. The data will be maintained in the District Attorney's Office PROTECT case management system, which was custom developed for Wisconsin District Attorneys. This system provided comprehensive tracking of case information from the time a referral is received from law enforcement to final case disposition, and contains several built-in interfaces with other Wisconsin departments, such as Corrections and Courts.

The new support staff will be responsible for collecting and maintaining project data, including but not limited to: the number of cases processed by the discovery team, the case type (Traffic, Misdemeanor, Felony), the amount of time needed to complete the discovery process, including types of discovery (paper, disks, USB, hard drives, etc.), the number of cases needing redaction to comply with statutory regulations, the amount of time needed to complete the redaction, and the amount of time needed to apply bates stamping to the project cases.

The new intern will be responsible for collecting and maintaining project data, including but not limited to: the number of cases requesting jail calls be reviewed, the case type (Traffic, Misdemeanor, Felony), and the amount of time needed to complete the review of jail calls.

The paralegal will be responsible for collecting and maintaining project data, including but not limited to: the number of cases utilizing the ScanWriter software, the amount of time necessary to convert the documents utilizing the ScanWriter software, the number of cases utilizing the Power Bi software, and the amount of time necessary to create case materials utilizing the Power Bi software.

Waukesha County does not anticipate any legal or policy barriers to gain access to data, as the District Attorney is directly involved in project planning and implementation and the Prosecutor will report to the DA and have access to the PROTECT system.