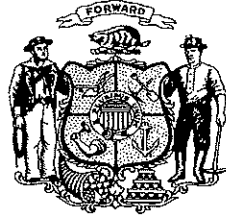


State of Wisconsin

SENATE CHAIR
Howard Marklein

316 East, State Capitol
P.O. Box 7882
Madison, WI 53707-7882
Phone: (608) 266-0703



ASSEMBLY CHAIR
Mark Born

308 East, State Capitol
P.O. Box 8952
Madison, WI 53708-8953
Phone: (608) 266-2540

Joint Committee on Finance

MEMORANDUM

To: Members
Joint Committee on Finance

From: Senator Howard Marklein
Representative Mark Born

Date: September 26, 2022

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

Attached is a copy of a request from the Department of Administration, received September 26, 2022, pursuant to s. 16.515/16.505(2), Stats., on behalf of the Milwaukee County District Attorney's office.

Please review the material and notify **Senator Marklein** or **Representative Born** no later than **Thursday, October 13, 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: September 26, 2022
To: The Honorable Howard Marklein, Co-Chair
Joint Committee on Finance
The Honorable Mark Born, Co-Chair
Joint Committee on Finance
From: Kathy K. Blumenfeld, Secretary-designee
Department of Administration

SEP 26 2022
St. Finance

^{DS}
KB

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:

AGENCY	DESCRIPTION	2021-22		2022-23	
		AMOUNT	FTE	AMOUNT	FTE
DA 20.475(1)(h)	Gifts and grants				1.0*

* Project position extension to September 30, 2023.

As provided in s. 16.515, the request(s) will be approved on October 17, 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 (608) 266-1353, or the analyst who reviewed the request in the Division of Executive Budget and Finance, if you have any additional questions.

Attachments

CORRESPONDENCE/Memorandum

State of Wisconsin
Department of Administration

Date: September 22, 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*

*Position ending 9/30/2023.

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*

*Position ending 9/30/2023.

BP APPROVAL 



STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION

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

Date: September 22, 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 Milwaukee County District Attorney for the Extension of 1.0 FTE Program Revenue Assistant District Attorney Project Position.

Request:

The Department of Administration, on behalf of the Milwaukee County District Attorney's Office, requests the extension of 1.0 FTE program revenue assistant district attorney project position for a term extending from October 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 grant to Milwaukee County from the Wisconsin Department of Justice via the federal Project Safe Neighborhoods program administered by the U.S. Department of Justice. The county, in turn, provides the grant money to the Milwaukee 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 Milwaukee County District Attorney's Office would reimburse the salary and fringe benefit costs for the assistant district attorney prosecutor position from the grant award.

Background:

On April 13, 2020, the Wisconsin Department of Justice awarded \$175,078 to support the creation of 2.0 FTE Project Safe Neighborhoods prosecutor project positions. Project Safe Neighborhoods is a nationwide program that works to reduce gun and gang crime throughout the country by networking existing local programs that target gang and gun crime and providing these programs with additional tools to help increase success. The positions were approved by the Joint Committee on Finance on July 21, 2020, for a term extending from July 1, 2020, through September 30, 2021. On June 22, 2021, the Wisconsin Department of Justice awarded an additional \$174,282 to extend the project positions. On September 22, 2021, the Committee approved a one-year extension of the project positions through September 30, 2022.

Milwaukee County originally applied for a Project Safe Neighborhoods grant in February 2020, to reduce the level of firearm-related violence through the creation of two dedicated prosecutor positions. The city of Milwaukee has consistently reported a violent crime rate

Kathy Blumenfeld, Secretary-designee
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September 22, 2022

that is significantly higher than the national average. Progress was made in 2017 and 2018 as the violent crime rate fell in both years. In addition, the number of reported homicides and nonfatal shootings in the city of Milwaukee dropped in 2019. However, for 2020 and 2021, the number of homicides and nonfatal shootings spiked greatly. The number of homicides in 2022 is on pace to exceed 2021's record-setting level.

The positions approved in 2020 were budgeted at entry level assistant district attorney rates. In light of the growing violent crime problem, the Milwaukee County District Attorney and the grant providers determined that a single, experienced prosecutor would be a better use of the grant dollars rather than two less experienced prosecutors. To that end, one of the positions was left vacant so that a single, more experienced prosecutor could work on the Project Safe Neighborhoods caseload. This prosecutor would work to reverse the trend of increasing violent crime. The grant period runs through September 30, 2023.

Analysis:

The city of Milwaukee has consistently had a reported violent crime rate that exceeds the national average. This is coupled with 2020 and 2021 homicide and nonfatal shootings occurring at a pace that indicates a significant increase over the past several years. The Project Safe Neighborhoods prosecutor position would continue to work to reduce the violent crime rate, homicide rate and nonfatal shooting rate in a new and collaborative way. This individual would be cross designated as a Special Assistant United States' Attorney in the Eastern District of Wisconsin. The cross designation would allow the prosecutor to fully utilize both state and federal resources, improve communication and information sharing, and increase support for law enforcement. This prosecutor would concentrate on illegal firearm-related activity and offenders, specifically nonfatal shootings offenses and offenders.

The overall goal of the Project Safe Neighborhood prosecutor program is the reduction of firearm and gang/crew violence in the city of Milwaukee. The three primary objectives would be:

- Increase support of law enforcement investigations into firearm related violence and offenders and into gang/crew activity;
- Increase the capacity of prosecution of firearms related violence and firearm offenders through expanded resources; and
- Improve coordination of referrals for prosecution and between state and federal prosecutors' offices.

Ideally, meeting these objectives would lead to more successful prosecutions, fewer incidences of firearm-relate violence, and ultimately, greater community safety.

Milwaukee County was awarded \$174,282 to support two prosecutor positions for one year. This included approximately \$116,000 for salary and \$52,200 for fringe benefits. As of August 2022, \$78,640.98 of the grant had been expended, leaving \$95,641.02. It is projected that this remaining amount would be sufficient to carry one prosecutor through September 30, 2023. The funds for this position would be monitored closely and should a

Kathy Blumenfeld, Secretary-designee
Page 3
September 22, 2022

shortfall occur, the position would be vacated. The second, currently vacant prosecutor position has an expiration date of September 30, 2022. That position would be allowed to expire and would not be renewed.

This position is in furtherance of the state's policy to reduce firearm-related violence. The grant encourages collaboration between the District Attorney's Office, the United States Attorney's Office, as well as federal, state and local law enforcement to reduce firearm violence in Milwaukee County.

Recommendation:

Approve the request.

August 8, 2022
Project Safe Neighborhood
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 extension of 1.0 FTE program revenue (PR) assistant district attorney (ADA) project positions from October 1, 2022 through September 30, 2023. The position is in the Milwaukee County District Attorney's (DA's) Office. If approved, this position will be funded via appropriation s. 20.475(1)(h).

II. BACKGROUND

On July 21, 2020, the Joint Committee on Finance authorized two Program Revenue project positions for the Milwaukee County District Attorney after the DA office competed for and was awarded funding via the federal Project Safe Neighborhood (PSN) program. The Wisconsin Department of Justice (grant administrator) awarded Milwaukee County the sum of \$175,078 in support of the creation of these two Project Safe Neighborhood (PSN) Prosecutor positions. Subsequently, the Milwaukee County DA office applied and was awarded a second year of funding for the PSN program, in the amount of \$174,282 (\$116,000 allocated to salary, \$52,200 allocated to fringe and other payroll expenses). On September 22, 2021, the Joint Committee on Finance approved the second year of position authorization for 2.0 FTE PSN prosecutor positions.

In January of 2022, in coordination with the grant providers, and in response to rising violent crime rates, it was determined that the goals of the grant could be best achieved by increasing the coverage period and assigning an experienced prosecutor to the PSN assignment. As such, to achieve these goals, one position was left vacant, while a highly experienced prosecutor was assigned to the other PSN position. Additionally, the focus of the position shifted from status-related firearm offenses to non-fatal shooting offenses. Due to these grant conservation efforts, only \$78,640.98 has been spend from the 2021 award of \$174,282. Milwaukee county projects the remaining funds will be sufficient to carry 1.0 FTE prosecutor through to September 30, 2023.

Project Safe Neighborhoods is a nationwide commitment to reduce gun and gang crime in America by networking existing local programs that target gang and gun crime and by providing these programs with additional tools necessary to be successful. The City of Milwaukee has consistently experienced a reported violent crime rate more than the national average. The homicide rate in 2020 surged to 189 deaths, nearly double the 98 deaths reported in 2019. Homicides in 2021 were higher at 193 and homicides in 2022 are currently tracking a 40% increase over the record-setting 2021 levels.

The Milwaukee County District Attorney will continue to utilize this PSN position to address needs in an innovative and collaborative way. The PSN prosecutor will work closely with Victim Witness Advocates funded both by the county and by other DOJ grants for the purpose of enhancing victim relations and improving victim cooperation in criminal justice proceedings. The prosecutor will

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attend intelligence, investigative, and information-sharing meetings with MPD, state and federal partners, and violent crime reduction task forces, to help identify (1) gang and crew members who are involved in shootings and related offenses; and (2) shootings and related offenses which are perpetrated by gang and crew members.

The PSN ADA will also assist law enforcement in investigations into shootings and related offenses and offenders, and they will review referrals and prosecute cases involving shootings and related offenses and offenders, and gang/crew members who are involved in gun violence. These positions are not curtailed by geographical restrictions and they may target crime wherever it occurs in the City of Milwaukee. The goal of this program is the reduction of firearm and gang/crew related violence in the City of Milwaukee.

III. ANALYSIS

This position is in furtherance of the State's policy to reduce activity related to firearm-related violence. The grant encourages collaboration between the District Attorney's Office, the US Attorney's office as well as federal, state and local law enforcement to reduce firearm violence in Milwaukee County.

IV. FISCAL ANALYSIS

In 2021, \$174,282 was allocated to prosecutor salary, fringe, payroll and associated expenses. In January of 2022 Milwaukee reduced the number of prosecutors on this grant to prolong the available funding. To date \$78,640.98 has been expended. The remaining \$95,641.02 is sufficient to allow the PSN prosecutor to continue to September 30, 2023. Funding is provided via federal grant and disbursed by the Wisconsin Department of Justice. 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 the Wisconsin Department of Justice through the federal Project Safe Neighborhoods Program (2020), administered by the U.S. Department of Justice (USDOJ) - Office of Justice Programs - Bureau of Justice Assistance. Project Safe Neighborhoods is a nationwide initiative that brings together federal, state, local and tribal law enforcement officials, prosecutors, and community leaders to identify the most pressing violent crime problems in a community and develop comprehensive solutions to address them.

Milwaukee 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.

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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 Milwaukee 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.*

The Wisconsin Department of Justice awarded this grant to the Milwaukee 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 through the federal Project Safe Neighborhoods (2020), is intended to combat firearm violence and prosecute gang activity in Milwaukee 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%

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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%
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%

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s.16.505 Request

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				



STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION

Tony Evers, Governor
Kathy Blumenfeld, Secretary-Designee
Jana Steinmetz, Administrator

DATE: August 8, 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: MILWAUKEE
COUNTY DISTRICT ATTORNEY'S OFFICE

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

Thank you for your attention to this matter.

Attachment



OFFICE OF THE DISTRICT ATTORNEY
Milwaukee County

JOHN T. CHISHOLM - District Attorney

Chief Deputy Kent L. Lovern, Deputies Lovell Johnson, Jr., Jeffrey J. Altenburg, Karen A. Loebel,
Elisabeth Mueller, Matthew J. Torbenson, Bruce J. Landgraf

August 4, 2022

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

Re: Project Safe Neighborhood-s; PR 10022; Request to Extend Project PR Position

Dear Mr. Deiss:

On behalf of the Milwaukee County District Attorney's Office, I request that you take the steps necessary to seek legislative approval to renew position authority for one of the two program 10022 Assistant District Attorney positions for the period of October 1, 2022 to September 30, 2023. The positions are funded through a grant the Wisconsin Department of Justice (WI DOJ) secured through the federal Project Safe Neighborhoods (PSN) 2020 program (grant award 2020-PE-01-16591). We currently project that we will have sufficient funds under the grant to fund the one 10022 position through the third-quarter of 2023; and the requested period of extension coincides with the grant's project end date.

Two 10022 project positions were created on July 20, 2020, following WI DOJ's award of PSN 2019 grant funds to the Milwaukee County District Attorney's Office. In September of 2021, the positions were extended from October 1, 2021 through September 30, 2022, following an additional award of \$174,282 by WI DOJ to Milwaukee County under the PSN 2020 program. The two prosecutors assigned to 10022 under PSN 2019 funding continued in the positions under PSN 2020, transitioning into the 2020 continuation grant when PSN 2019 funds were exhausted. At the same time the focus of the positions shifted from status-related firearms offenses (felon in possession of a firearm offenses) to non-fatal shootings offenses and offenders.

In January of 2022, with approval from the PSN Working Team, a steering committee for PSN activities in the Eastern District of Wisconsin which includes a representative from the Office of the United States Attorney for the Eastern District (USAO), the District Attorney's Office submitted a grant modification (GAN), reducing the number of prosecutors assigned to the project from two to one. The goal of the modification was to extend the life of grant funding by reducing the number of grant-funded prosecutors. Given the significant increase in firearm-related violence in Milwaukee in 2021 and 2022, we—and our grant funders—believed it was important to enhance the prosecution of non-fatal shooting events under the grant for as long as possible. To mitigate the effect of the loss of the one prosecutor position, the District Attorney's Office committed to assigning a more experienced

prosecutor to perform grant functions and to backfill the position with a prosecutor with lower salary and fringe benefit costs.¹

The GAN was approved on January 12, 2022. On January 16, 2022, the beginning of the next pay period, one of the two 10022 position was vacated. Consistent with the GAN, that position has remained vacant, and we do not seek its renewal. Also on January 16, 2022, Assistant District Attorney (ADA) William Berens was assigned to perform the PSN 2022 grant duties of the other 10022 position. Consistent with the GAN, that second position has been backfilled: first, by ADA Michael Staskunas; and currently, by ADA Joshua Milder. It is this second position for which we seek an extension from October 1, 2022 to September 30, 2023.

Vacating one of the 10022 positions and backfilling the other has resulted in the conservation of the PSN 2020 grant funds. As a result, we project that there are sufficient grant funds remaining to fund the remaining 10022 position into the third quarter of 2023. As noted above, on June 22, 2021, WI DOJ awarded Milwaukee County \$174,282 under PSN 2020, Grant Number 2020-PE-01-16591. The total award for the prosecutor positions was \$168,200: \$116,000 of the award was allocated to prosecutors' personnel expenses; \$52,200 was allocated for employee benefits.² The grant fiscal report filed with the Department of Justice on July 22, 2022 reflects that \$78,640.98 in grant funds had been expended through the second quarter of 2022. We project that the grant funds which remain will be sufficient to fund an entry level ADA's salary and benefits in to September of 2023.³

Continuing the PSN 2020 program for as long as possible is important to public safety. The PSN 2020 prosecutor concentrates on non-fatal shooting offenses and offenders, and on related crimes (such as witness intimidation) in Milwaukee's specialized felony Gun Court. The position works closely with Victim Witness Advocates funded both by the county and by other DOJ grants for the purpose of enhancing victim relations and improving victim cooperation in criminal justice proceedings. The PSN 2020 ADA attends—or works directly with staff members who attend—intelligence, investigative, and information-sharing meetings with the Milwaukee Police Department, state and federal partners, and violent crime reduction task forces, in order to help identify (1) gang and crew members who are involved in shootings and related offenses; and (2) shootings and related offenses which are perpetrated by gang and crew members. The PSN 2020 ADA also assists law enforcement in investigations into shootings and related offenses and offenders, and reviews referrals and prosecutes cases involving shootings and related offenses and offenders and gang/crew members who are involved in gun violence.

The objectives of the PSN 2020 ADA program are two-fold:

Objective 1: Increase capacity to support law enforcement investigations into non-fatal shootings and related offenses and offenders and into gang/crew related activity in the City of Milwaukee; and

¹ In the process of backfilling, grant services are actually provided by a senior prosecutor while the grantor pays the compensation of a more junior, lower paid prosecutor. The grantor is aware of the process, and the grant application contains notice that the process may be utilized. Here the USAO was aware of, and approved, the process.

² The grant requires approximately \$6000 to be budgeted for travel to, and attendance at, a national PSN conference.

³ The actual date funds will be exhausted is dependent on a number of factors, including the cost of the benefits the backfill prosecutor selects.

Kasey Deiss
August 4, 2022
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Objective 2: Increase capacity to prosecute non-fatal shootings and related offenses and offenders and gang/crew members involved in that activity.

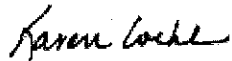
Continued authorization of these two prosecutor positions will yield benefits in the form of more successful prosecutions and, ultimately, greater community safety.

For these reasons, we request that the legislature approve a project position to be utilized for the PSN prosecutor with a term of October 1, 2022 to September 30, 2023. In further support of this request, I provide the following materials:

1. A copy of the fully executed award letter;
2. The approved grant budget; and
3. A copy of the Fiscal Report, filed with the Department of Justice through Egrants on August 22, 2022, showing cumulative grant expenditures through June 30, 2022.

The Milwaukee County District Attorney's Office appreciates the consideration that will be given to this request. In the event you have questions or if you require additional information, please feel free to contact me at 414-278-4626 or at karen.loebel@da.wi.gov.

Yours very truly,



Karen Loebel
Deputy District Attorney
Milwaukee County District Attorney's Office

KAL:tm

Enclosures



STATE OF WISCONSIN
DEPARTMENT OF JUSTICE

Josh Kaul
Attorney General

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

PROJECT SAFE NEIGHBORHOODS GRANT AWARD
Project Safe Neighborhoods Eastern District (2020)
2020-PE-01-16591

The Wisconsin Department of Justice (DOJ), on behalf of the United States Attorney for the Eastern District of Wisconsin, hereby awards to **Milwaukee County**, (hereinafter referred to as the **Grantee**), the amount of **\$174,282** for programs or projects that initiate, support, and/or enhance law enforcement efforts to reduce gun-related crime and violence.

This grant may be used until **9/30/2023** for the programs consistent with the budget and general conditions in Attachment A, subject to any limitations or conditions set forth in Attachments B and/or C, if included.

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

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

BY:

JOSHUA L. KAUL
Attorney General

Wisconsin Department of Justice

06/22/2021

Date

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

GRANTEE: **Milwaukee County**

BY:

NAME: **David Crowley**

TITLE: **County Executive**

6/24/2021

Date

Completion of this signed grant award within 30 days of the date of the award is required to release federal funds.

WISCONSIN DEPARTMENT OF JUSTICE
ATTACHMENT A

Grantee: Milwaukee County

Project Title: Project Safe Neighborhoods Eastern District (2020) CFDA# 16.609

Grant Period: From 6/1/2021 To 9/30/2023

Grant Number: 2020-PE-01-16591 Program Area: 1

APPROVED BUDGET

Personnel	<u>\$116,000</u>
Employee Benefits	<u>\$52,200</u>
Travel (Including Training)	<u>\$6,082</u>
Supplies & Operating Expenses	<u> </u>
Consultants	<u> </u>
Other	<u> </u>
TOTAL APPROVED BUDGET	<u>\$174,282</u>

Award Conditions:

1. **All changes to the submitted budget require prior DOJ approval**
2. Award funds will be used to supplement, not supplant, planned or allocated funds.
3. To be allowable under a grant program, all funds (federal and cash match) must be obligated (purchase order issued) or paid for services provided during the grant period. If obligated by the end of the grant period, payment must be made within 60 days of the grant period ending date.
4. Subgrantees acknowledge that failure to submit an acceptable Equal Employment Opportunity Plan (if required to submit one pursuant to 28 CFR 42.302) that is approved by the Federal Office of Civil Rights, is a violation of its Certified Assurances and may result in the suspension of the grant.
5. Grant funds will be paid to the grantee on a reimbursement basis.
6. Any changes in personnel involved with the grant including the project director, financial officer and/or signatory needs to be reported in a modification to DOJ via Egrants.
7. Fees for independent consultants may not exceed the federal rate of \$650 per eight-hour day, unless prior approval is received from DOJ.
8. The recipient agrees to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this project.
9. Reimbursement for travel (i.e. mileage, meals, and lodging) is limited to state rates.
10. Recipient fully understands that DOJ has the right to suspend or terminate grant funds to any recipient that fails to conform to the requirements (special/general conditions and general operating policies) or that fails to comply with the terms and conditions of its grant award.
11. If the grant award budget contains wages, the grantee's records must be maintained in a form that, at any time, an auditor or DOJ representative would be able to identify the use of the Federal and Matching funds. These records should include information such as employee name, rate of pay, hours worked and amount of time dedicated to the grant project.
12. To be allowable under a grant program, costs must be obligated (purchase order issued) or paid for services provided during the grant period. If obligated by the end of the grant period, payment must be made within 30 days of the grant period ending date.

WISCONSIN DEPARTMENT OF JUSTICE

SUBGRANTEE FISCAL REPORT

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

Period Ending Date: 6/30/2022
Report Type: Quarterly
Final Report: No
Report Status: Submitted
Approval Status: Approved

Subgrant Number: 2020-PE-01-16591
Submit Date: 7/22/2022
Submitted By: Ms. Anna M Thomas
Last Update Date: 8/3/2022
Last Update By: Ms. Jannifer Ayers

Financial Information	Budget	Expenditures To Date	Current Period	New Expenditures To Date	Balance
Federal	174,282.00	73,479.66	5,161.32	78,640.98	95,641.02
Total Σ	174,282.00	73,479.66	5,161.32	78,640.98	95,641.02



Estimates of Amount of Funds Required Next Quarter: Federal \$ 0.00 State \$ 0.00

Budget Categories	Budget	Expenditures To Date	Current Period	New Expenditures To Date	Balance
Personnel	116,000.00	54,995.29	3,668.29	58,663.58	57,336.42
Employee Benefits	52,200.00	18,484.37	1,493.03	19,977.40	32,222.60
Travel (Including Training)	6,082.00	0.00	0.00	0.00	6,082.00
Total Σ	174,282.00	73,479.66	5,161.32	78,640.98	95,641.02

Remarks: ADA Michael Staskunas was removed from the grant effective 04/24/22 and the position is unfilled at the end of the quarter. ADA Joshua Milder will be assigned to the grant effective July 31, 2022.

Approved for payment in the amount of \$5,161.32 - JA 8/3/22

Certifications

 Date Signed: 7/22/2022 9:22:17 AM Project Director: Ms. Megan M Newport	 Date Signed: 7/22/2022 7:49:42 AM Financial Officer: Ms. Anna M Thomas
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**DEPARTMENT OF ADMINISTRATION REQUEST UNDER S. 16.505 FOR
POSITION AUTHORIZATION**

I. REQUEST

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

II. BACKGROUND

On July 21, 2020, the Joint Committee on Finance authorized two Program Revenue project positions for the Milwaukee County District Attorney after the DA office competed for and was awarded funding via the federal Project Safe Neighborhood (PSN) program. The Wisconsin Department of Justice (grant administrator) awarded Milwaukee County the sum of \$175,078 in support of the creation of these two Project Safe Neighborhood (PSN) Prosecutor positions. Subsequently, the Milwaukee County DA office applied and was awarded a second year of funding for the PSN program, in the amount of \$174,282 (\$116,000 allocated to salary, \$52,200 allocated to fringe and other payroll expenses). On September 22, 2021, the Joint Committee on Finance approved the second year of position authorization for 2.0 FTE PSN prosecutor positions.

In January of 2022, in coordination with the grant providers, and in response to rising violent crime rates, it was determined that the goals of the grant could be best achieved by increasing the coverage period and assigning an experienced prosecutor to the PSN assignment. As such, to achieve these goals, one position was left vacant, while a highly experienced prosecutor was assigned to the other PSN position. Additionally, the focus of the position shifted from status-related firearm offenses to non-fatal shooting offenses. Due to these grant conservation efforts, only \$78,640.98 has been spend from the 2021 award of \$174,282. Milwaukee county projects the remaining funds will be sufficient to carry 1.0 FTE prosecutor through to September 30, 2023.

Project Safe Neighborhoods is a nationwide commitment to reduce gun and gang crime in America by networking existing local programs that target gang and gun crime and by providing these programs with additional tools necessary to be successful. The City of Milwaukee has consistently experienced a reported violent crime rate more than the national average. The homicide rate in 2020 surged to 189 deaths, nearly double the 98 deaths reported in 2019. Homicides in 2021 were higher at 193 and homicides in 2022 are currently tracking a 40% increase over the record-setting 2021 levels.

The Milwaukee County District Attorney will continue to utilize this PSN position to address needs in an innovative and collaborative way. The PSN prosecutor will work closely with Victim Witness Advocates funded both by the county and by other DOJ grants for the purpose of enhancing victim relations and improving victim cooperation in criminal justice proceedings. The prosecutor will

attend intelligence, investigative, and information-sharing meetings with MPD, state and federal partners, and violent crime reduction task forces, to help identify (1) gang and crew members who are involved in shootings and related offenses; and (2) shootings and related offenses which are perpetrated by gang and crew members.

The PSN ADA will also assist law enforcement in investigations into shootings and related offenses and offenders, and they will review referrals and prosecute cases involving shootings and related offenses and offenders, and gang/crew members who are involved in gun violence. These positions are not curtailed by geographical restrictions and they may target crime wherever it occurs in the City of Milwaukee. The goal of this program is the reduction of firearm and gang/crew related violence in the City of Milwaukee.

III. ANALYSIS

This position is in furtherance of the State's policy to reduce activity related to firearm-related violence. The grant encourages collaboration between the District Attorney's Office, the US Attorney's office as well as federal, state and local law enforcement to reduce firearm violence in Milwaukee County.

IV. FISCAL ANALYSIS

In 2021, \$174,282 was allocated to prosecutor salary, fringe, payroll and associated expenses. In January of 2022 Milwaukee reduced the number of prosecutors on this grant to prolong the available funding. To date \$78,640.98 has been expended. The remaining \$95,641.02 is sufficient to allow the PSN prosecutor to continue to September 30, 2023. Funding is provided via federal grant and disbursed by the Wisconsin Department of Justice. 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 the Wisconsin Department of Justice through the federal Project Safe Neighborhoods Program (2020), administered by the U.S. Department of Justice (USDJ) - Office of Justice Programs - Bureau of Justice Assistance. Project Safe Neighborhoods is a nationwide initiative that brings together federal, state, local and tribal law enforcement officials, prosecutors, and community leaders to identify the most pressing violent crime problems in a community and develop comprehensive solutions to address them.

Milwaukee 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 Milwaukee 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.*

The Wisconsin Department of Justice awarded this grant to the Milwaukee 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 through the federal Project Safe Neighborhoods (2020), is intended to combat firearm violence and prosecute gang activity in Milwaukee 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%

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 s.16.505 Request

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%
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%

August 8, 2022
 Project Safe Neighborhood
 s.16.505 Request

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				