

# 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: December 27, 2023

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

Attached is a copy of a request from the Department of Administration, received December 27, 2023, 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 **Tuesday, January 16, 2024**, 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

**Date:** December 27, 2023  
**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 <sup>DS</sup> KB  
Department of Administration  
**Subject:** s. 16.515/16.505(2) Request(s)

DEC 27 2023  
J. Finance

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

AGENCY	DESCRIPTION	2023-24		2024-25	
		AMOUNT	FTE	AMOUNT	FTE
DAs 20.475(1)(h)	Gifts and grants		1.0*		1.0*

\*Project position ending 9/30/2024.

As provided in s. 16.515, the request(s) will be approved on January 18, 2024, 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:** December 27, 2023  
**To:** Brian Pahnke  
**From:** Nicholas Richter  
**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>2023-24</u>		<u>2024-25</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 09/30/2024.

**AGENCY REQUEST:**

<u>AGENCY</u>	<u>DESCRIPTION</u>	<u>2023-24</u>		<u>2024-25</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 09/30/2024.

BP APPROVAL 



STATE OF WISCONSIN  
DEPARTMENT OF ADMINISTRATION

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

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**Date:** December 27, 2023

**To:** Kathy Blumenfeld, Secretary  
Department of Administration

**From:** Nicholas Richter  
Executive Policy and Budget Analyst

**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 of 1.0 FTE program revenue assistant district attorney project position for a term extending from September 30, 2023, through September 30, 2024.

**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.

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, \$200,600 was allocated to cover the cost of hiring a 1.0 FTE assistant district attorney project position over a 20-month project period. Due to delays in funding availability and difficulties in hiring support staff, the grant has a remaining balance of \$131,700 as of December 19, 2023.

On July 20, 2023, the U.S. Department of Justice extended the grant from September 30, 2023, through September 30, 2024. The State Prosecutors Office has estimated it would cost \$83,500, including \$58,500 for salary and \$29,000 for fringe benefit costs, to fund the

Kathy Blumenfeld, Secretary

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December 27, 2023

1.0 FTE assistant district attorney project position through the remainder of the grant period. With \$131,700 in remaining grant funding, the agency has a sufficient balance to cover the project position through September 30, 2024.

**Analysis:**

Waukesha County, like much of the nation, has experienced an increase in cybercrime. This includes crimes that are primarily committed using a computer, such as cyberstalking, 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 has 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 electronically convert case documents into formats that are easier for prosecutors to utilize to avoid manual data entry. In addition, the cyber unit locates records and documents, such as electronic transactions, text messages and global positioning system (GPS) information that can help map the locations of events, during a specific time period to assist in the analysis of evidence.

Cybercrimes can be particularly complex and require additional caseload hours to prosecute. Waukesha County anticipates that a felony level complex cybercrime 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 cybercrimes in the first year and 14 felony level complex cybercrimes in the second year. The county also indicates that, in addition to the cases completed by the cyber unit itself, the cyber unit would increase efficiency throughout the Waukesha County District Attorney's Office.

The Waukesha County 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.

The updated grant 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, 2024.

Kathy Blumenfeld, Secretary

Page 3

December 27, 2023

The request from the Waukesha County District Attorney would extend the project position through September 30, 2024. The position initially expired on September 30, 2023. Given that the project position expired prior to the renewal request being submitted, it cannot be extended. Instead, a one-year position would need to be created. 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 County 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.

**CORRESPONDENCE/Memorandum**State of Wisconsin  
Department of Administration

**Date:** December 20, 2023

**To:** Brian Pahnke, State Budget Director  
Division of Executive Budget and Finance

**From:** Amanda Mott, Director  
State Prosecutor's Office 

**Subject:** Request to Extend Project Position Under s.16.505 (2), Wis. Stats.

**Request**

The Department of Administration (Department), on behalf of the State Prosecutors Office (SPO), respectfully requests a one-year extension through September 30, 2024, for the Waukesha County District Attorney's (DA) 1.0 Program Revenue-Service (PR-S) FTE Assistant DA (ADA) project position, position number (PN) 524596, authorized under s. 20.475(1)(h), Wis. Stats., Gifts and grants, appropriation numeric 13200, funded by a United States Department of Justice (U.S. DOJ) Bureau of Justice Assistance (BJA) grant.

This position was originally authorized on March 25, 2022, to expire on September 30, 2023; this one-year extension would result in a project position with a less than three-year duration (i.e., less than the four-year statutory maximum for project positions).

Please review the Waukesha County DA Position Extension Request, BJA Extension Request, and Caseload Analysis (Attachments 1., 2., and 3., respectively), in conjunction with the following information.

**Background**

On December 2, 2021, the U.S. DOJ BJA awarded the Waukesha County DA's Office (Office) \$340,000 for the SMART Prosecution – Innovative Prosecution Solutions Program (Program) grant to reduce the backlogged caseloads of the current prosecutors and to create a Cyber Unit and cyber-enabled crime assistance ADA project position.

This Program seeks to implement data-driven approaches to assist prosecutorial agencies in incorporating innovative prosecution strategies as a fundamental component of their efforts to ensure public safety by: establishing and/or expanding programming to enhance a prosecutor's ability to effectively and sustainably prevent and respond to crime; fostering effective, formal, and consistent collaborations with external agencies and the communities they serve; using technology, intelligence, and data in innovative ways that enable prosecutor's 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; and enabling prosecutor's offices to reduce caseloads to manageable levels through office modernization, hiring of analytical or support staff, and updating information technology.

The Office hired 1.00 FTE project ADA position with the BJA grant funding to focus on cyber-related crimes, support staff to handle the increase in discovery demands, and an intern to collect information from jail calls. Additionally, the Office was able to use the grant funding to streamline the process for reviewing and making charging decisions on complex computer-enabled crimes in order to reduce processing timelines and to provide for the software and hardware upgrades necessary to perform essential statutory requirements, in attempts to reduce the amount of time it takes to respond to discovery demands from defense counsel and increase the efficiency of their team.

The ADA position was initially authorized on March 25, 2022, to expire September 30, 2023. This request would extend this position into a fourth calendar year (CY) (i.e., through September 30, 2024).

### Analysis

The extension of this position as requested through September 30, 2024, is in furtherance of the mission of the Program to utilize updated technology, to network within the cyber-related industries for resources and training, increase support for law enforcement investigations into cyber-enabled offenses and expand tools available to prosecutor's offices, and promote public safety by expanding prosecutorial capacity.

The potential benefits include continuing more successful prosecutions and resources, bettering community safety, and reducing the size of each prosecutor's caseload. The grant encourages collaboration between the Waukesha County DA's Office, community stakeholders, citizens, and law enforcement, while expanding the toolkit available to prosecutors in emerging areas of criminal law.

Cybercrimes can be particularly complex and require additional time to prosecute. Waukesha County estimates that a felony-level complex cybercrime requires 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 Office indicates it could increase efficiencies by lengthening training periods, and via the additional project ADA position efforts, could implement procedures and guidelines to more efficiently prosecute future cases.

Given significant delays on funding availability until April 2022 and difficulties in hiring the support staff and an intern for jail call support, the remaining balance as of December 19, 2023, is \$131,700 of the original \$340,000 grant from BJA to Waukesha County under appropriation numeric 13200. Salary and fringe costs for the remainder of the grant period of the project 1.0 PR-S FTE ADA position are estimated at \$83,500 annually (approximately \$58,500 and \$29,000, respectively). It is anticipated there would be a sufficient balance remaining to cover this position through September 30, 2024.

The performance period of the grant was originally October 1, 2021, to September 30, 2023, which was extended to September 30, 2024, by U.S. DOJ on July 20, 2023, and thus funding is authorized to be available to support the position through its requested duration. There are also no concerns with the availability of expenditure authority under s. 20.475(1)(h), Wis. Stats., given that it is a continuing, all-moneys received appropriation.

Extension of position authorization for this grant would allow for sufficient time to complete goals, objectives, and deliverables of the project. The extension would allow for the necessary interim support to be provided by the project position for intelligence software training and to provide demos next summer for staff in the Waukesha County's DA Office. It would also allow for the project position to continue forward with their process improvement and program feasibility analysis. The position would be able to train on other software acquired through the grant related to financial crimes and it would assist in reducing the overall number of caseload hours necessary to charge these types of cases. Additionally, it would allow the Office to reach their goal of 24 total complex cases being charged.

Waukesha County DA's Office anticipates without extension there would not be sufficient staff available to develop guidelines and procedures to streamline these prosecutions and would result in loss of knowledge for staff to charge these types of cases as this ADA would be responsible for finalizing procedures for prosecution and would guide and lead training of other staff for these crimes. There would be loss of knowledge provided in training for cyber-crimes and that loss of knowledge would cause significant charging or prosecution delays due to the complex nature of these cases. This would result in the Office not reaching the goal set for the number of complex computer-enabled crimes they anticipated they would have charged with the assistance from this grant.

### Special Information

The co-chairs of the Joint Committee on Finance, in a letter to the Department's 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 DA Program.



1. *An explanation of the effect of the positions on weighted caseload for the requesting counties (the Legislative Audit Bureau (LAB) methodology is suggested).*

Attachment 3. indicates the LAB methodology's results using modifications recommended by the Wisconsin DA's Association and highlights the impact on the Waukesha County DA's Office. The caseload analysis table uses the most current court data available and with positions authorized as of August 2022. 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.*  
BJA awarded this grant to the Waukesha County DA's office.
4. *If the request is intended to address a specific type of caseload, an explanation of why this type of caseload has a greater priority than other types.*

This grant, funded through BJA, is intended to provide project staffing for training on cyber-related crimes, an emerging area of criminal law that the Office does not currently have the bandwidth and knowledge on how to prosecute. The extension of the position will allow the grant prosecutor to be joined by two county administrative staff members, to assist in the discovery process and jail calls related to the Cyber Unit, as well as funding software and hardware to increase the efficiency of reviewing, charging and processing cyber-related crimes

Additionally, the project ADA position's increased workload completion would continue to contribute to the body of completed cyber-related cases that the federal government is able to review and that it may use to increase its understanding of the challenges local prosecutors' offices are facing. This increased body of work may help to inform future federal legislation and governance on how these cases can be investigated and prosecuted.

#### Summary

The Department of Administration, on behalf of the State Prosecutors Office (SPO), requests the one-year extension of a project 1.0 PR FTE Assistant District Attorney position funded by the United States Department of Justice Bureau of Justice Assistance authorized under s. 20.475 (1) (h), Wis. Stats., Gifts and grants, appropriation numeric 13200. The new expiration date of the position would be September 30, 2024, and it would continue to serve as the Assistant District Attorney for the Waukesha County District Attorney's Office to carry out the duties outlined.

Thank you for your consideration of the Department's request. Should you have any questions or require additional information, please contact Chris Paul at [christopher.paul@wisconsin.gov](mailto:christopher.paul@wisconsin.gov).

cc: Jana Steinmetz, Division of Enterprise Operations, Administrator  
Colleen Holtan, Bureau of Financial Management, Director  
Robin Malicki, Bureau of Financial Management, Budget Section Chief

Attachments: Attachment 1. Waukesha County DA Position Extension Request  
Attachment 2. BJA Extension Request  
Attachment 3. Weighted Caseload Analysis

District Attorney  
Susan L. Opper

Deputy District Attorneys  
Lesli S. Boese  
Michael D. Thurston  
Abbey L. Nickolie

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*

Assistant District Attorneys  
Mary C. Brejcha  
Lindsey H. Hirt  
Melissa J. Zilavy  
Kristina J. Gordon  
Jack A. Pitzo  
Molly M. Schmidt  
Zachary A. Wittehow  
Randolph P. Sitzberger  
Claudia P. Ayala Tabares  
Peter M. Tempelis  
Edward M. Bremberger  
Andrew M. Nesheim  
Chelsea C. Thompson  
Alyssa M. Schaller  
Alyssa M. Jay  
J.J. Crawford  
Ted S. Szczupakiewicz  
Jack A. Rieder  
Nikole M. Kane  
Alexis P. Werthmann  
Brooke E. Schultz

December 8, 2023

Ms. Amanda Mott, Director  
State Prosecutors Office  
Post Office Box 7869  
Madison, WI 53707-7869

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

Dear Ms. Mott:

We request that you seek legislative approval to extend 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. This position was previously approved for the term of October 1, 2021 to September 30, 2023. We are requesting an extension of the position through September 30, 2024.

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 programing 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 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.

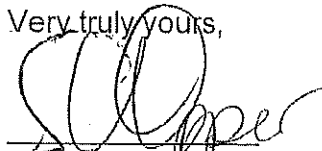
The potential benefits include more successful prosecutions; more resources; greater community safety; and reducing caseloads.

For all these reasons, we request that the legislature extend the one project position to be utilized for the SMART Prosecution – Innovative Prosecution Solutions Program prosecutor through September 30, 2024. In further support of this request, I provide the following materials:

1. 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.
5. The letter requesting a no-cost extension and the email from DOJ indicating it was approved.

Thank you kindly for your assistance.

Very truly yours,

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

Susan L. Oppel  
District Attorney

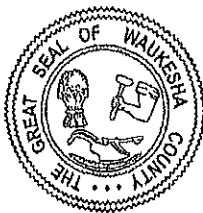
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Christian A. Farina  
Alyssa M. Schaller  
Alyssa M. Jay  
Charles P. Hoffmann  
J.J. Crawford  
Ted S. Szczupakiewicz

June 9, 2023

RE: Support for No-cost extension Grant Adjustment Modification (GAM) for Award 15PBJA-21-GG-03892-SMTP

The Waukesha County District Attorney's Office is seeking a one (1) year no-cost extension for the Innovative Prosecution Solutions for Innovative Technology Prosecutorial Team award, number 15PBJA-21-GG-03892-SMTP.

The current period of performance for this award is October 1, 2021 to September 30, 2023.

The most recent unobligated funds balance as of May 20, 2023 is \$152,744.72.

This grant adjustment notice constitutes our first request for a no-cost extension pursuant to OJP Order 4200.1 3.6.1.

#### *Current Program Status*

This grant was awarded to create a Cyber Unit team in the Waukesha County District Attorney's Office.

We have hired a prosecutor to focus on cyber related crimes, support staff to handle the increase in discovery demands, and an intern to assist in listening to jail calls. We are working on a streamlined process to reduce the time it takes to review and make charging decisions on complex computer-enabled crimes.

We are providing software and hardware technology necessary to perform essential statutory requirements, in attempts to reduce the amount of time it takes to respond to discovery demands from defense counsel and increase the efficiency of our team. Thus far we have purchased most of the grant funded software, including Adobe Pro, Scan Writer and Lead Generation tools from ERAD. We have also purchased a majority of the grant funded hardware with the potential of only two pieces still remaining.

Twenty-one (21) cases have been assigned to our Cyber Unit thus far. These investigations have included eighty-five (85) subpoenas, seventeen (17) search warrants and nine (9) warrants for records. Eight charging decisions have been made, including collaboration with other state and federal agencies to determine the most appropriate jurisdiction based on the case details.

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

### ***Project Delays***

There were a few delays in this project as it was to begin on October 1, 2021, however was not awarded until December of 2021. Due to a county ordinance needing to be filed, we were unable to accept the award until January of 2022. The funding did not become available to our office until April of 2022 which was the same timing as our prosecutor being hired for this grant position. Therefore, we were approximately six months behind in getting started. There was also a delay in hiring the support staff and intern for jail calls due to the delay of initial funding.

### ***One Year Project Plan if Extension Is Granted***

We are asking that our project plan be extend out for one additional calendar year to September 30, 2024. That would give us sufficient time to complete our goals, objectives and deliverables of this project. As our planning stages led us to needing additional training, we recently acquired a new software for Open Source Intelligence and will host a training for our office relating to this in June of 2023. We are also working on participating in a software demo that may be of great assistance to our office and law enforcement partners in tracing crypto currency in relation to fraudulent crimes. We anticipate the timing needed to demo this software (one month trial) will occur in August of 2023. After completion of the demo, continued discussion with our Information Technology (IT) divisions will be necessary to determine the feasibility of acquiring such a program. During this time, we are continuing the training of our staff on additional features (such as bate stamping) of the Adobe Pro software that was previously acquired through this grant. As we just recently utilized Adobe Pro in a complex financial crimes trial with great success, we want to expand the number of staff who can use the software. We also anticipate the continued use of these programs and the trainings which the prosecutor and administrative staff have acquired, and will continue to acquire during the term of this grant, will be shared with other prosecutors to assist in reducing the overall number of caseload hours necessary to charge these types of cases. Additionally, the extension, if granted, would allow us to reach the goal of 24 total complex cases being charged.

### ***Plan If Extension is Not Granted***

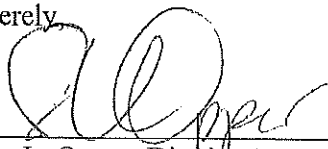
If a no-cost extension were not granted for this project, the level of knowledge the prosecutor and administrative staff have acquired may be lost as a result of not enough time to develop guidelines and/or procedures to streamline these types of prosecutions. The potential to learn how to trace cryptocurrencies may be lost entirely as the demo would be considered if only for a month prior to the grant ending. The number of complex cases would need to be passed off to a prosecutor without the same cyber fraud training and would most likely increase the time necessary to either charge or prosecute the cases as a different prosecutor may have to start from scratch to understand the complex nature of these crimes. Since we are still waiting for additional subpoena and warrant returns on a number of cases, if the extension is not provided, we most likely will not reach our goal of 24 felony complex computer enabled crimes charged by September 30, 2023.

### ***Conclusion***

The benefits of a no-cost extension to Waukesha County, Wisconsin is exponentially vital to the overall success of the goals and objectives our team has set out to provide to our community in relation to this grant. The potential to be able to start charging crimes related to crypto currency, which we do not currently do, would be a significant benefit to the victims associated with this type of crime. The additional software and training that our team would acquire in the additional year of this no-cost

extension can be utilized to put together guidance for other prosecutors and shared at other trainings, which may assist the federal government in seeing the struggles of local prosecutors' offices and the necessity to provide updated legislation and governance on how these cases can be investigated and prosecuted.

Sincerely,

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

Susan L. Opper, District Attorney  
Waukesha County District Attorney's Office

## Weighted Caseload Analysis – As of August 2022

DA Office Code		Authorized Permanent FTE AUG 2022	Total hours available (1162/FTE)	Dif (=needed-available)	FTE equivalent (=dif/1162)	FTE needed as a % of current FTE	Current FTE as a % of total FTE needed	2020 DOA Population Estimate	Prosecutors per 10,000 residents (Goal is 1 to 10,000)
#	DA Office	FTE	1,162	Hours	FTE needed	% FTE needed	% FTE needed		
1	Adams	2.00	2,324.00	391.42	0.34	16.84%	85.59%	20,701.00	0.97
2	Ashland	2.60	3,021.20	809.67	0.70	26.80%	78.86%	15,871.00	1.64
3	Barron	4.00	4,648.00	473.96	0.41	10.20%	90.75%	46,522.00	0.86
4	Bayfield	1.70	1,975.40	-417.39	-0.36	-21.13%	126.79%	15,334.00	1.11
5	Brown	15.00	17,430.00	12,221.64	10.52	70.12%	58.78%	264,821.00	0.57
6	Buffalo	1.20	1,394.40	854.99	0.74	61.32%	61.99%	13,671.00	0.88
7	Burnett	2.00	2,324.00	1,891.10	1.63	81.37%	55.14%	15,486.00	1.29
8	Calumet	3.00	3,486.00	247.92	0.21	7.11%	93.36%	53,338.00	0.56
9	Chippewa	6.00	6,972.00	1,682.41	1.45	24.13%	80.56%	65,339.00	0.92
10	Clark	2.00	2,324.00	359.82	0.31	15.48%	86.59%	34,725.00	0.58
11	Columbia	6.00	6,972.00	2,390.15	2.06	34.28%	74.47%	57,134.00	1.05
12	Crawford	1.00	1,162.00	586.90	0.51	50.51%	66.44%	16,679.00	0.60
13	Dane	29.00	33,698.00	10,620.11	9.14	31.52%	76.04%	543,408.00	0.53
14	Dodge	5.00	5,810.00	264.12	0.23	4.55%	95.65%	90,005.00	0.56
15	Door	2.00	2,324.00	475.57	0.41	20.46%	83.01%	28,770.00	0.70
16	Douglas	5.00	5,810.00	1,692.95	1.46	29.14%	77.44%	44,246.00	1.13
17	Dunn	5.00	5,810.00	1,362.31	1.17	23.45%	81.01%	44,788.00	1.12
18	Eau Claire	10.00	11,620.00	7,484.00	6.44	64.41%	60.82%	103,959.00	0.96
19	Florence	0.60	697.20	-261.82	-0.23	-37.55%	160.14%	4,467.00	1.34
20	Fond du Lac	9.00	10,458.00	4,390.89	3.78	41.99%	70.43%	104,370.00	0.86
21	Forest	2.00	2,324.00	86.84	0.07	3.74%	96.40%	9,183.00	2.18
22	Grant	2.00	2,324.00	2,036.74	1.75	87.64%	53.29%	52,572.00	0.38
23	Green	3.00	3,486.00	-202.03	-0.17	-5.80%	106.15%	36,967.00	0.81
24	Green Lake	2.00	2,324.00	401.72	0.35	17.29%	85.26%	19,178.00	1.04
25	Iowa	2.00	2,324.00	924.44	0.80	39.78%	71.54%	23,915.00	0.84
26	Iron	1.00	1,162.00	-180.53	-0.16	-15.54%	118.39%	5,909.00	1.69
27	Jackson	3.00	3,486.00	200.10	0.17	5.74%	94.57%	20,828.00	1.44
28	Jefferson	6.00	6,972.00	1,982.79	1.71	28.44%	77.86%	84,692.00	0.71
29	Juneau	3.00	3,486.00	1,007.82	0.87	28.91%	77.57%	27,250.00	1.10
30	Kenosha	17.00	19,754.00	7,558.32	6.50	XX	72.33%	170,514.00	1.00
31	Kewaunee	1.50	1,743.00	-362.80	-0.31	-20.81%	126.29%	20,746.00	0.72
32	La Crosse	10.00	11,620.00	2,247.36	1.93	19.34%	83.79%	120,447.00	0.83
33	Lafayette	1.50	1,743.00	-95.72	-0.08	-5.49%	105.81%	17,007.00	0.88
34	Langlade	2.50	2,905.00	1,275.78	1.10	43.92%	69.48%	20,063.00	1.25
35	Lincoln	3.00	3,486.00	528.89	0.46	15.17%	86.83%	28,800.00	1.04
36	Manitowoc	7.00	8,134.00	5,252.26	4.52	64.57%	60.76%	81,349.00	0.86
37	Marathon	13.00	15,106.00	5,050.83	4.35	33.44%	74.94%	137,237.00	0.95



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#	DA Office	FTE	1,162	Hours	FTE needed	% FTE needed	% FTE needed		
38	Marinette	3.00	3,486.00	1,314.30	1.13	37.70%	72.62%	41,255.00	0.73
39	Marquette	1.60	1,859.20	553.74	0.48	29.78%	77.05%	15,387.00	1.04
40	Milwaukee	104.50	121,429.00	#####	-20.05	-19.18%	123.74%	944,099.00	1.11
41	Monroe	5.00	5,810.00	3,442.02	2.96	59.24%	62.80%	46,882.00	1.07
42	Oconto	2.00	2,324.00	1,404.63	1.21	60.44%	62.33%	38,853.00	0.51
43	Oneida	2.50	2,905.00	1,579.23	1.36	54.36%	64.78%	36,268.00	0.69
44	Outagamie	11.00	12,782.00	7,025.73	6.05	54.97%	64.53%	187,661.00	0.59
45	Ozaukee	4.60	5,345.20	1,522.03	1.31	28.47%	77.84%	90,630.00	0.51
46	Pepin	0.80	929.60	-350.93	-0.30	-37.75%	160.64%	7,393.00	1.08
47	Pierce	3.00	3,486.00	746.51	0.64	21.41%	82.36%	42,413.00	0.71
48	Poik	4.00	4,648.00	1,225.37	1.05	26.36%	79.14%	44,628.00	0.90
49	Portage	6.00	6,972.00	270.07	0.23	3.87%	96.27%	71,670.00	0.84
50	Price	1.50	1,743.00	-18.74	-0.02	-1.08%	101.09%	14,170.00	1.06
51	Racine	20.00	23,240.00	6,862.19	5.91	29.53%	77.20%	195,766.00	1.02
52	Richland	1.80	2,091.60	-182.39	-0.16	-8.72%	109.55%	18,034.00	1.00
53	Rock	15.00	17,430.00	1,405.17	1.21	8.06%	92.54%	160,120.00	0.94
54	Rusk	2.00	2,324.00	238.83	0.21	10.28%	90.68%	14,879.00	1.34
55	Saint Croix	7.00	8,134.00	4,231.81	3.64	52.03%	65.78%	90,949.00	0.77
56	Sauk	6.00	6,972.00	2,219.55	1.91	31.84%	75.85%	63,343.00	0.95
57	Sawyer	3.00	3,486.00	1,486.60	1.28	42.64%	70.10%	16,903.00	1.77
58	Shaw/Men	4.00	4,648.00	2,917.21	2.51	62.76%	61.44%	41,739.00	0.96
59	Sheboygan	9.50	11,039.00	2,583.74	2.22	23.41%	81.03%	116,924.00	0.81
60	Taylor	1.50	1,743.00	-232.66	-0.20	-13.35%	115.40%	20,793.00	0.72
61	Trempealeau	2.00	2,324.00	1,187.24	1.02	51.09%	66.19%	30,047.00	0.67
62	Vernon	2.00	2,324.00	-143.59	-0.12	-6.18%	106.59%	30,496.00	0.66
63	Vilas	2.00	2,324.00	2,183.21	1.88	93.94%	51.56%	21,769.00	0.92
64	Walworth	6.00	6,972.00	3,478.51	2.99	49.89%	66.71%	104,086.00	0.58
65	Washburn	2.00	2,324.00	-66.79	-0.06	-2.87%	102.96%	15,993.00	1.25
66	Washington	6.40	7,436.80	2,461.06	2.12	33.09%	75.14%	138,268.00	0.46
67	Waukesha	18.00	20,916.00	9,778.32	8.42	46.75%	68.14%	406,785.00	0.44
68	Waupaca	4.00	4,648.00	1,776.15	1.53	38.21%	72.35%	52,155.00	0.77
69	Waushara	2.60	3,021.20	274.65	0.24	9.09%	91.87%	24,436.00	1.06
70	Winnebago	12.00	13,944.00	1,621.18	1.40	11.63%	89.58%	169,861.00	0.71
71	Wood	6.00	6,972.00	5,272.57	4.54	75.62%	56.94%	75,381.00	0.80
	STATE	473.90	550,671.80	120,004.63	103.27	21.79%	82.11%	5,850,327.00	0.81