

SHEBOYGAN COUNTY PROGRAM WORKSHEET
February 16, 2005

Department: District Attorney

Date: April 6, 2005

| Program | Description | Mandated | Priority | Service Level Required | 2004 Actual Expense | 2005 Budgeted Expense | 2005 Budgeted Grants/Fees Revenue | 2005 Tax Levy |
|--------------------------|--|----------------------------------|----------|---|---------------------|-----------------------|-----------------------------------|---------------|
| Prosecution Program | Review law enforcement referrals and issue appropriate criminal, traffic, juvenile and ordinance charges | YES-sec. 978.05 Stats. | #1 | Subject to prosecutor discretion | \$581,106 | \$599,235 | \$65,215 | \$534,020 |
| Victim Witness Program | Provide multiple victim services within mandated victim rights. Includes but not limited to: notification of court events; escort to court proceedings; Victim Impact Statement; provision of safe and secure waiting area and information on disposition of case. | YES – secs. 950 & 978.05, Stats. | #2 | 100% for all services including victim notification, with the service level of other facets of program left to District Attorney discretion | \$229,137 | \$238,834 | \$145,198 | \$93,636 |
| Check Fraud Unit Program | -Administer Check Diversion Program -Investigate and process worthless check referrals for criminal prosecution | NO | #3 | Mandated by County Ordinance | \$16,205 | \$20,941 | \$15,000 | \$5,941 |

SHEBOYGAN COUNTY PROGRAM EVALUATION QUESTIONNAIRE
February 16, 2005

- A. **INSTRUCTIONS:** For each program, list the Scheduled Review Date, the Department, the Department Mission Statement and the Program Title at the top of the page, and answer the following questions for each program. The overall response for each program should be no greater than two (2) pages in length.

SCHEDULED REVIEW DATE: APRIL 6, 2005

DEPARTMENT: DISTRICT ATTORNEY

DEPARTMENT MISSION STATEMENT:

The mission of the Sheboygan County Office of the District Attorney is to prosecute all crimes occurring within the County on behalf of the State of Wisconsin. In addition, this office is charged with prosecuting all non-criminal traffic and ordinance citations on behalf of the Wisconsin State Patrol and the Sheboygan County Sheriff's Department that occur in the County. Finally, the office is charged with prosecuting a variety of juvenile matters including delinquencies, Children In Need Of Protection or Services [CHIPS], truancies, Termination of Parental Rights [TPR], Guardianships, juvenile ordinance violations and inoculation violations.

PROGRAM: PROSECUTION [1]

1. Describe the program, its purpose and goals.

The purpose of this program is to prosecute all crimes occurring within the County on behalf of the State of Wisconsin. In addition, this program also prosecutes all non-criminal traffic and ordinance citations on behalf of the Wisconsin State Patrol and the Sheboygan County Sheriff's Department that occur in the County. Finally, this program also prosecutes a variety of juvenile matters including delinquencies, Children In Need Of Protection or Services [CHIPS], truancies, Termination of Parental Rights [TPR], Guardianships, juvenile ordinance violations and inoculation violations.

The goal of this program is to bring to justice those persons or entities who violate Wisconsin law, and to do so by ensuring the efficient, ethical, lawful and timely prosecution of all the above case types, including compliance with all evidentiary and procedural mandates created by statute and the U.S. and Wisconsin Constitutions as well as the recognition of, and compliance with, the "Rights of Victims And Witnesses of Crime" Act [Chapter 950].

The program itself meshes eight state employees (prosecutors) with a county support staff of nine. The program requires reviewing all law violation referrals forwarded to our office by the seven police agencies with jurisdiction in our County, issuing formal criminal or juvenile written documents (complaints) or the appropriate non-criminal documents or court referrals. Once these documents have been filed with the court, the program requires copying of all police reports, photographs, video tapes, audio recordings and any other evidentiary materials to be forward to the person charged. Subpoenas for a variety of court proceedings are created and sent to law enforcement for service. Individual files are created for each case. In addition, the program requires assisting all law enforcement agencies in the County in legal advice and legal training as well as providing investigative tools such as search warrants, wire "taps" and/or "traces", warrants for tracking devices, and records subpoenas.

2. Who is the program intended to serve? How many are served?

The program serves the victims of crime or non-criminal law violations by bringing their perpetrators to justice and providing monetary restitution. In prosecutions that have no direct victim (drug dealers, traffic code violators, etc.) the program serves the community in general.

We do not keep statistics on the number of individuals served by the prosecution program, but in 2004 our office prosecuted approximately 6500 cases.

3. Are the program benefits long-lasting and essential to the service populations?

As to individual violators of law, there is no guarantee they will not victimize again. In general, however, the quality of life and our citizens' sense and perception of safety for themselves and their families in our County is well served by the Prosecution program.

4. Is this program directly or indirectly related to or does it support any other program in this department or another department? If so, how?

This program is directly related to the Sheriff's Department as that is one of the seven police agencies we serve in the County. It is also indirectly related to that Department as we are both constantly reviewing our polices that affect each other to make them more efficient and cost effective. Both our respective Departments enjoy an open and responsive relationship.

This program is directly related to the Clerk of Courts Department via court filings and scheduled hearings. As with the Sheriff's Department, we are both constantly reviewing our policies and procedures that affect each other to make them more efficient and cost effective and neither Department hesitates to contact the other to resolve any such issues in an open and responsive manner.

This program is directly related to the Child Support Department as we work with that office to prosecute individuals who choose not to pay court-ordered child support. In addition, by mutual written agreement with that office, we provide statistics and costs of prosecution of those types of cases to Child Support which they submit to a federal program which reimburses approximately 66% of those costs to that Department.

This program is directly related to the Health and Human Services Department by our prosecution of all juvenile matters including crimes committed by children, children who have been abused or neglected, truancies, juvenile ordinance cases involving alcohol violations and termination of parental rights cases. The program directly involves social and juvenile intake workers with whom we directly work and for whom our office provides legal training as they request. Our Departments maintain an open and responsive relationship via regularly scheduled meetings involving senior management from both Departments to discuss any issues (legal, procedural, policy or otherwise) to make our interaction efficient and cost effective.

Finally, this program is directly related to our two other programs of Victim Witness and Check Fraud Unit. All three programs are dependant upon the other to fulfill our mission and statutorily mandated duties.

5. How does this program make the department or county government more effective or efficient, including any intergovernmental relationship?

The program doesn't directly make County government more efficient.

6. How do you determine/measure if this program has been effectively provided and implemented?

By feedback by law enforcement, crime victims and citizens in general.

7. Could the county cost-effectively subcontract this program?

No, as this is not allowed by law.

8. State the numerical ranking of this program compared to all programs in your department and briefly explain.

This program has been assigned a number 1 priority only because I am prohibited from assigning all three programs with that same designation. All three programs are mandated and are interlocked with each other.

9. Are there current alternatives to this program available in the community? Can this program be provided through alternative arrangements with other providers?

No.

10. If this program were eliminated, what would be the ramifications for the County (i.e., added risk, liability or legal issues)?

By law, this program cannot be eliminated.

11. What is the program impact and effectiveness related to the program cost? (Provide data if available.)

The program does not produce tangible results so there is no meaningful way to compare its impact and effectiveness to its costs. The program does result in punishing persons who have violated the law, removing many of them from our streets, giving our citizens a safe and secure environment.

12. Is this program currently duplicated by another county department or provider in the community?

No.

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SCHEDULED REVIEW DATE: APRIL 6, 2005

DEPARTMENT: DISTRICT ATTORNEY

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PROGRAM: VICTIM WITNESS [2]

1. Describe the program, its purpose and goals.

The program's purpose is to provide statutorily mandated services to victims and witnesses of crime. For victims, this includes written notice as to their rights which include charges filed, names of persons against whom the charges are filed, notice of all court hearings including post-conviction hearings, application for restitution, right to confer with the prosecutor regarding the charges and case, right to submit a written victim impact statement and make a statement in court at sentencing. For witnesses and victims alike, to provide a safe and secure place in our Courthouse while awaiting to testify or attend court hearings.

The goal of this program is to provide these mandated services with empathy, compassion and a respect for the dignity of the victim or witness so as to make their passage through the court system as least traumatic as possible.

This program is administered by four County employees who, by law, cannot perform any other function in our Department to qualify for State reimbursement, which is currently 60% of all costs of the program, including salaries.

2. Who is the program intended to serve? How many are served?

This program serves victims of, and witnesses to, crimes. In 2004, this program contacted 1,642 victims of crime. Unfortunately, there are no statistics as to court and other services provided directly to victims and witnesses for the first six months of 2004 as the State did not require reporting of that data for that time period, but in the last six months of 2004 this program provided direct services to 655 victims and 255 witnesses.

3. Are the program benefits long-lasting and essential to the service populations?

Court proceedings can be traumatic for both victims and witnesses. The services provided by this program greatly ease their journey through the court system. In fact, our Victim Witness office frequently hears from victims long after their case is concluded who express their gratitude for the assistance, understanding and support they received from this program.

4. Is this program directly or indirectly related to or does it support any other program in this department or another department? If so, how?

This program directly supports the Prosecution program in securing convictions by giving victims and witnesses emotional support and an understanding of the process.

5. How does this program make the department or county government more effective or efficient, including any intergovernmental relationship?

There is no direct impact on County or intergovernmental effectiveness or efficiency, but the Prosecution program would be much more cumbersome and less efficient if this program did not exist.

6. **How do you determine/measure if this program has been effectively provided and implemented?**

By direct feedback from the victims and witnesses this program serves.

7. **Could the county cost-effectively subcontract this program?**

No.

8. **State the numerical ranking of this program compared to all programs in your department and briefly explain.**

This program has been assigned a number 2 priority only because I am prohibited from assigning all three programs with that same designation. All three programs are mandated and are interlocked with each other.

9. **Are there current alternatives to this program available in the community? Can this program be provided through alternative arrangements with other providers?**

No.

10. **If this program were eliminated, what would be the ramifications for the County (i.e., added risk, liability or legal issues)?**

The County would be in violation of State mandates established by law.

11. **What is the program impact and effectiveness related to the program cost? (Provide data if available.)**

The program does not produce tangible results so there is no meaningful way to compare its impact and effectiveness to its costs.

12. **Is this program currently duplicated by another county department or provider in the community?**

No.

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PROGRAM: CHECK FRAUD UNIT

1. Describe the program, its purpose and goals.

The purpose of this program is to investigate and evaluate "worthless" checks issued to merchants and individuals in this County to determine if the case is appropriate for the Check Diversion Program or to prepare criminal complaints for prosecution.

The goal of this program is to provide an efficient method of reviewing the large number of worthless checks issued in this County, obtain restitution for those defrauded by this crime and, through the Check Diversion Program, to significantly lessen the number of these type of cases that are filed in court, as well as to generate revenue through that diversion program to help pay for the operation of this Unit.

The program is administered by two County part-time employees who have no benefits, assisted in the collection of the administrative fees of the diversion program by our office's support staff.

2. Who is the program intended to serve? How many are served?

This program primarily serves area merchants, but is also available to individuals defrauded by worthless checks. Approximately 80 merchants in Sheboygan County routinely use this service.

3. Are the program benefits long-lasting and essential to the service populations?

This program is very popular with merchants as it affords them an efficient way to recover their worthless check losses. If a person qualifies for the diversion program, they are given an opportunity to avoid criminal prosecution and conviction, which program generates revenue in the form of an administrative fee.

4. Is this program directly or indirectly related to or does it support any other program in this department or another department? If so, how?

This program directly supports our prosecution program as it provides an efficient and cost effective system of addressing potential criminal worthless check cases, both by the investigation and processing of these cases. The check diversion program benefits both the District Attorney department and the Clerk of Courts department as it results in significantly lower numbers of criminal cases filed, easing the case numbers with which our courts must deal. In its first year of operation in 2004, the check diversion program resulted in only 160 criminal cases being filed, down by almost 200 cases in 2003.

5. How does this program make the department or county government more effective or efficient, including any intergovernmental relationship?

This program has removed the investigation of worthless check cases from local law enforcement agencies, freeing them to address more serious crimes. As these investigations are now centralized in one County unit, the process has become much more efficient, cost effective and standardized.

6. How do you determine/measure if this program has been effectively provided and implemented?

By feedback from merchants who are very pleased with the program and that \$45,500 was recovered for County merchants in 2004, with \$14,000 generated in administrative fees for the County by the diversion program.

7. Could the county cost-effectively subcontract this program?

No.

8. State the numerical ranking of this program compared to all programs in your department and briefly explain.

This program has been assigned a number 3 priority only because I am prohibited from assigning all three programs with that same designation. All three programs are interlocked with each other.

9. Are there current alternatives to this program available in the community? Can this program be provided through alternative arrangements with other providers?

No.

10. If this program were eliminated, what would be the ramifications for the County (i.e., added risk, liability or legal issues)?

The elimination of this program would result in returning the investigation of worthless checks back to our county law enforcement agencies. These type of cases are very low priority for police agencies, and not much time is spent on them. In addition, our office's only recourse would be to issue criminal complaints in court as we could not administer the diversion program on our own.

11. What is the program impact and effectiveness related to the program cost? (Provide data if available.)

The check diversion program, as noted above, generated revenue from administrative fees in the amount of \$14,000 in 2004, which represents 85% of this program's costs, including salaries.

12. Is this program currently duplicated by another county department or provider in the community?

No.