



MARATHON COUNTY PUBLIC SAFETY COMMITTEE MEETING

AGENDA

Date & Time of Meeting: **Wednesday, October 9, 2019, at Noon**

Meeting Location: **Courthouse Assembly Room B-105 – 500 Forest St., Wausau**

Committee Members: Craig McEwen, Chair, Jim Schaefer, Vice-Chair, Karen Kellbach, Jean Maszk, David Nutting, Arnold Schlei, Chris Voll

Marathon County Mission Statement: *Marathon County Government serves people by leading, coordinating, and providing county, regional, and statewide initiatives. It directly or in cooperation with other public and private partners provides services and creates opportunities that make Marathon County and the surrounding area a preferred place to live, work, visit, and do business. (Last updated: 12-20-05)*

Committee Mission Statement: *Provide leadership for the implementation of the Strategic Plan, monitoring outcomes, reviewing and recommending to the County Board policies related to public safety initiatives of Marathon County.*

- 1. Call Meeting to Order**
- 2. Public Comment (15 minute limit)**
- 3. Approval of the Minutes of the Public Safety Meeting on September 11, 2019**
- 4. Policy Issues Discussion and Committee Determination to the County Board for its Consideration**
 - A. Discussion regarding use of County Resources for Special Events, Like 5K Runs, etc. (Griesbach)
 - B. Extending the Charter of the Task Force Overseeing the Development of a Forensic Science Center (Morgue)
 - C. New Position Request from the District Attorney
 - a. Paralegal
 - D. Request of the District Attorney for the County to fund One Assistant District Attorney Position in 2020
- 5. Operational Functions Required by Statute, Ordinance or Resolution - None**
- 6. Educational Presentations/Outcome Monitoring Reports**
 - A. Evidence-Based Decision Making
 - B. Educational Update on Changes to Youth Corrections with the Closure of Lincoln Hills
 - C. Progress in Funding the Operational and Capital Costs of a Forensic Science Center
- 7. Next Meeting Time, Location, Announcements and Agenda Items:**
 - A. Committee members are asked to bring ideas for future discussion
 - B. Next meeting: **Wednesday, November 13, 2019 at Noon**
- 8. Adjournment**

“Any person planning to attend this meeting who needs some type of special accommodation in order to participate should call the County Clerk’s Office at 715-261-1500 or e-mail infomarathon@mail.co.marathon.wi.us one business day before the meeting.

SIGNED /s/ Craig McEwen
Presiding Officer or Designee

FAXED TO: Wausau Daily Herald, City Pages, and
FAXED TO: Other Media Groups
FAXED BY: M. Palmer
FAXED DATE: _____
FAXED TIME: _____

NOTICE POSTED AT COURTHOUSE
BY: M. Palmer
DATE: _____
TIME: _____



MARATHON COUNTY PUBLIC SAFETY COMMITTEE MINUTES

Wednesday, September 11, 2019, at 12:00 p.m.
Courthouse Assembly Room – B-105, 500 Forest St, Wausau

Attendance:

<u>Members</u>	<u>Present</u>	<u>Absent</u>
Craig McEwen, Chair	X	
Jim Schaefer, Vice-Chair	X	
Karen Kellbach		EX
Jean Maszk	X	
David Nutting		EX
Arnie Schlei	X	
Chris Voll		EX

Others Present: Brad Karger, Lance Leonhard, Scott Parks, Sean McCarthy, Mike Puerner, Paul Mergendahl, Mary Palmer

1. Call Meeting to Order

The meeting was called to order by Chair Craig McEwen at 12:00 p.m.

2. Public Comment (15 minute limit) - None

3. Approval of the Minutes of the Public Safety Meeting on August 14, 2019

MOTION BY MASZK; SECOND BY SCHLEI TO APPROVE THE MINUTES OF THE AUGUST 14, 2019, PUBLIC SAFETY COMMITTEES. MOTION CARRIED.

4. Policy Issues Discussion and Committee Determination to the County Board for its Consideration

- A. Recommendation by the Civil Service Commission To Amend County Ordinance 5.01 to Allow the Sheriff's Office to Recruit, Examine and Hire New Deputy Sheriff Candidates Without the Oversight of the Civil Service Committee (Capt. McCarthy)

Discussion:

Gone are the days of having a large number of good applicants. Civil Service Committee voted to amend the ordinance to take the Civil Service Commission out of the mix for new hires. They will still be involved in promotions, but hiring would be done in the Sheriff's Department in a very short period of time. Remove language from the Ordinance regarding deputy candidates.

Action:

MOTION BY SCHAEFER; SECOND BY MASZK TO APPROVE THE RECOMMENDATION BY THE CIVIL SERVICE COMMISSION TO AMEND COUNTY ORDINANCE 5.01 TO ALLOW THE SHERIFF'S OFFICE TO RECRUIT, EXAMINE AND HIRE NEW DEPUTY SHERIFF CANDIDATES WITHOUT THE OVERSIGHT OF THE CIVIL SERVICE COMMITTEE. MOTION CARRIED UNANIMOUSLY.

Follow through:

No follow through requested.

5. Operational Functions Required by Statute, Ordinance or Resolution: None

6. Educational Presentations/Outcome Monitoring Reports

- A. Report on Annual Inspection of Secure Detention Facility

Discussion:

Secure Detention Facility passed their inspection with flying colors. Thank you to the entire staff at the juvenile and security detention facility along with the Jail Administrator and the Sheriff for keeping our facility safe and secure.

Any questions or concerns reach out to Paul Mergendahl or Sandra LaDu. The committee recognizes the outstanding job done at the facility.

Follow through:

No follow through requested.

B. Update on Forensic Science Center (Morque)

Discussion:

This is a tremendous amount of work. From an operational perspective we could make enough to pay staff, but have nothing left for capital. It would cost 2.6 million dollars, if we use the old pool area at NCHC.

There will be a meeting with Representative Snyder and Wipfli to put together a proposal. One million dollars needs to be raised outside what we are asking from foundations. Howard Young via Elizabeth Taylor Foundation has money for regional benefits. It's a challenge to work through. We have to come up with some money.

Follow through:

No follow through requested.

7. Next Meeting Time, Location, Announcements and Agenda Items:

- A. Committee members are asked to bring ideas for future discussion
 - 1. Evidence Based Decision Making (EBDM)
- B. Next meeting: **Wednesday, October 9, 2019** at the Courthouse Assembly Room.

Announcements:

- I. Next meeting will provide an educational update on the development at the state getting rid of Lincoln Hills and moving toward regional centers for youth. Brown County is going to apply for a grant and are looking for support from counties in that area. Vicki Tylka is sending a letter of support.
- II. Karen Kellbach update if all ok she is on her way to Oklahoma.

8. Adjournment

MOTION BY SCHLEI; SECOND BY SCHAEFER TO ADJOURN THE MEETING. MOTION CARRIED. (12:44 pm)

District Attorney
THERESA WETZSTEON



Deputy District Attorney
ANITA M. LAWRENCE

July 25, 2019

Kasey Deiss, Director
State Prosecutors Office
Department of Administration
PO Box 7869
Madison, WI 53707-7869

Dear Director Deiss:

The 2011-2013 Department of Administration Workload Analysis indicated that the Marathon County District Attorney's Office had a demonstrated need for 4.41 additional State-funded prosecutors. As of the 2015-2017 Workload Analysis, our need has risen to 9.2 additional State-funded prosecutors. Currently, the State funds 8.5 prosecutors for Marathon County, 48% of our needed attorney staff. The impact of stagnant pay and an overwhelming caseload has had a staggering detrimental impact on our office and, in turn, the citizens of Marathon County. Since 2002, we have had 40 prosecutors end their employment with our office, with 22 departures since 2010. One of our recent losses was an attorney who worked previously for eight years as a United States Probation and Pretrial Officer answering directly to the United States District Court Judges. She is bright, passionate and had always dreamed of being a prosecutor. The time was right in her life to make her dream a reality. However, on May 4, 2019, after 60 days in our office, she tendered her resignation. In her resignation letter, she wrote the following:

"Thank you for the opportunity to chase my dream of becoming a prosecutor. This office is full of great staff, dedicated to each other, and dedicated to the common goal to serve the people of this community. They take pride in the importance of their work. I will cherish my memories of working here.

However, I am tendering my resignation effective immediately. In the two months I have worked as an Assistant District Attorney, I have worked more hours than I thought humanly possible. And it wasn't enough. There was always more to do. I was always behind. This office is grossly understaffed and I realize it is not your fault. I find that the caseload is untenable.

The Legislature needs to fund more positions for Assistant District Attorneys, more positions in the Public Defender's Office, and more judges. Our populations keep growing, yet the staffing levels remain unchanged. This makes no sense. I hope that someday, light is shown on this festering problem. Meanwhile, the justice system grinds along with this under-resourced staff, digesting people along the way. I am one of those casualties, and I am not alone. There are many of us "first year drop outs" in ADA positions. I suspect my unnamed colleagues struggled under their caseloads as well.

To be clear, everyone in this office is amazing! The Attorneys who bear the weight of caseloads of 500 to 600-plus cases are our unsung heroes. I tried to be one of them. But I merely helped lift the burden for a short while. My body is not made of the same metal as some. The caseload burden is too much for me. I tried to make it work, but it was too much. I will miss you all. You all have a special place in my heart. I leave this office a better person having worked here with you. Goodbye friends."

OVERWHELMING CASELOADS EQUALS PROSECUTOR TURNOVER

Prosecutor turnover takes a toll on victims, justice initiatives and our current staff. Currently, 8 of our 11 prosecutors have less than 5 years of prosecution experience, with 4 of those 8 having less than 1 year of prosecution experience. Each time a prosecutor leaves employment with our office, their caseload must be covered by the remaining attorneys. Recently, our office had three vacancies at the same time which resulted in needed coverage for hundreds of active cases. Despite superhuman efforts, our remaining staff does not have the time to adequately manage these additional cases. Our prosecutors cover the additional court appearances as their schedules allow. Inevitably, the additional caseloads fail to progress toward resolution. When a new prosecutor is hired, our remaining staff works diligently to train the new hire while still covering their additional caseloads. Our attorneys have expended countless hours on weekends and weeknights training the dozens of new hires that have come through our office. Despite those efforts, it is unrealistic to expect a newly hired

prosecutor to successfully acclimate to the position, and review and manage a minimum of 300 active cases. The result is the literal mental and physical breakdown of passionate new attorneys and, in turn, the more experienced attorneys who are trying to provide coverage and training.

OVERWHELMING CASE LOADS RESULT IN ADDITIONAL NEEDLESS TRAUMA FOR VICTIMS

Deficient staffing and the subsequent turnover, together with the lack of prosecution experience, negatively impacts crime victims. Jessica Lind, Sexual Assault Services Program Coordinator with the Women's Community, recently expressed her observations regarding the impact of understaffing and prosecutor turnover on victims. She stated, "(O)ne of the main concerns victims share is not understanding what is going on with their case... (V)ictims do not understand the criminal justice process..." Victims are feeling frustrated by their cases changing hands several times between attorneys. She expressed that victims are anxious, especially parents of child victims, and it is "vitally important" for prosecutors to meet with victims to allow them the opportunity to ask questions and understand what is going to happen.

We have insufficient prosecutorial resources to meet with sexual assault or domestic violence victims pre-charge. This is unacceptable. The Marathon County District Attorney's Office is very victim-centered. Pre-charge meetings are invaluable for victim communication and the appropriate exercise of prosecutorial discretion.

UNDERSTAFFING RESULTS IN FAILURE TO SUPPORT FORENSIC INTERVIEWS OF CHILD VICTIMS

We have insufficient prosecutorial resources to consistently attend forensic interviews of child victims of sexual assault, physical abuse or neglect, and witnesses to domestic violence and drug activity. Our prosecutors are an integral part of the Child Advocacy Center's Multidisciplinary and Executive committees. Our prosecutors attend the interviews and observe in a separate viewing area with the multidisciplinary team. The prosecutor will interject questions to the interviewer to ensure that all questions necessary for the investigation and potential prosecution are asked. The team's goal is to obtain a comprehensive interview of the child and eliminate the need for future interviews, thereby minimizing additional trauma to the vulnerable child. Despite our commitment to this mission, due to our staffing shortage, our prosecutors' attendance at interviews has declined significantly from 65% to 40% since 2017. Without sufficient staff to attend the interviews, we are jeopardizing the mission of the Center's work.

UNDERSTAFFING RESULTS IN INADEQUATE VICTIM CONTACT

Our understaffing results in fewer victim contacts and increased victim anxiety. The Wausau Police Department Mental Health Therapist, Kristen Seidler, works specifically with victims of crime in Marathon County. She sees first-hand the impact of inadequate prosecutor staffing on communication with victims. Ms. Seidler states, "(v)ictim witness does an amazing job of speaking with victims and helping them out... however a lot of the victims I work with would also like to speak with the prosecutors, as they are the ones handling the case, and I think it gives the victims a sense of comfort and security to know and see in person how invested the prosecution is in their case." Earning the trust of crime victims is critically important to ensuring cooperation through the process. Insufficient prosecutorial, judicial and defense attorney staffing has slowed case processing and resulted in cases pending years, in some cases up to four years, before conclusion. Our prosecutors' connection with victims is crucial for continued victim cooperation over the long and difficult court process.

UNDERSTAFFING RESULTS IN NEGLECT OF CRITICAL COLLABORATION WITH LAW ENFORCEMENT

Deficient staffing also results in the neglect of our criminal justice partnerships with local law enforcement. Our staff is either unavailable or too inexperienced to be able to respond to local law enforcement requests for direction in a criminal investigation or review of probable cause for a proposed search warrant. Our delay and often unavailability to respond to law enforcement is unacceptable and can put law enforcement in precarious situations, as well as jeopardize ongoing investigations and pending criminal cases.

UNDERSTAFFING RESULTS IN UNACCEPTABLE AND INADEQUATE CASE PREPARATION

Our lack of sufficient prosecutorial staff combined with the influx of technology in all criminal and traffic prosecutions has resulted in an unavoidable substandard quality of work. The number one comment of our outgoing prosecutors is that they will not accept their inability to have adequate time to review the evidence in their cases. The outgoing attorneys have expressed the weight of the burden they feel when they are making life-changing decisions of paramount importance to our community's public safety without sufficient time to review the digital evidence in the case. For example, a child enticement case may include a forensic interview of the child, body camera footage of the interviews of witnesses, cell phone and computer downloads, surveillance footage, a suspect interview, written reports, medical records, and child protective services records. Our prosecutors could literally work 24 hours per day and not have time to adequately review their case materials at the current volume of our caseloads.

TREATMENT INITIATIVES ARE IN JEOPARDY

Without additional resources, we will struggle to continue to support Marathon County's many treatment court initiatives. The Marathon County District Attorney's Office plays a critical role in our treatment courts.

Drug Treatment Court

We currently have a prosecutor with 300 plus active cases assigned to our drug court. Marathon County's drug court started in January of 2018 and has a maximum capacity of 25 participants. Eligible participants are addicts who are on the cusp of prison and are afforded drug court as an alternative. Participants are to be addressed weekly in Court. Due to limited resources, including prosecutorial, participants are addressed in court every other week. Lack of prosecutor resources also limits the ability for a prosecutor to screen appropriate candidates for referral into the program early on in the process. Our assigned prosecutor currently spends 3-4 hours per week working with this treatment court.

OWI Court

We currently have a prosecutor with less than 2 months experience and a caseload of 350 plus active cases assigned to our OWI court. Our prosecutor representative should be a legal resource, a voting party, and an active participant in the selection committee, participant progress evaluations, participant intervention, sanction recommendations and termination hearings. Although the team depends upon the assigned prosecutor, the reality is that our prosecutor does not have the time to properly prepare and evaluate the participants' progress and provide input. In addition, staff turnover has eliminated the experience and consistency that is so vital to effectively working with the team and participants. On average, this treatment court requires at least a 3 hour per week time commitment.

Domestic Violence Compliance Court

Our prosecutors also provide resources for Marathon County's Domestic Violence Compliance Court. The assigned prosecutors must prepare by reviewing the Department of Corrections recommendations for immediate jail sanctions. The prosecutor then appears in court and articulates to the Court the reasonableness of the requested sanction. This is at least a 1-2 hours per week commitment for our prosecutors.

Community Conferencing Program

Despite insufficient resources, we have tried to maintain our existing community conferencing/restorative justice prosecution program. The Marathon County District Attorney's Office-created alternative program offers an opportunity for the

offender, victim, and community members to come together to discuss ways the offender may work to repair the harm caused by their crime. Proper selection for this program is critical to the success of the outcome. An offender must accept responsibility for their offense and the participant's prior criminal history must be reviewed. The victim must be consulted prior to the meeting and the assigned prosecutor offers the terms of the agreement prior to entry into the program. The offenders who take advantage of the opportunity will only have two in-court hearings: the initial appearance and the plea/sentencing. The upfront investment by the prosecutor in facilitating the community conference results in reduced recidivism, reduced jail sentences, and increased victim satisfaction and restoration. The prosecutor assigned to this role currently has 300 plus active cases. This valuable program is being neglected and is in jeopardy due to our lack of prosecutorial resources.

EVIDENCE BASED DECISION MAKING

The Marathon County District Attorney's Office is currently an active participant with Marathon County's Evidence Based Decision Making team. Our prosecutors' past and present participation is crucial to success of our criminal justice system process improvement efforts. Our prosecutors are very invested in making sure that our programming and system processing is effective both in the manner and time of case handling. Our prosecutors have worked diligently to achieve the mission by identifying and eliminating system communication gaps, eliminating system process waste, and evaluating the source of case delays. Involvement in these initiatives takes valuable time away from case prosecution and our continued involvement at the current level is in jeopardy without additional prosecutorial resources.

CONTINUED SYSTEM AND COMMUNITY PARTNERSHIPS IN JEOPARDY

In addition to the above efforts, our prosecutors currently actively participate in the following ongoing critical justice system and community initiatives

*TRAUMA INFORMED CARE- continued critical evaluation of the juvenile justice system process and incorporation of trauma informed care practices

*AOD PARTNERSHIP- collaboration of justice system and community partners to develop community education regarding alcohol and drug abuse

*CEADEG (Central Area Drug Enforcement Group)- collaborative effort with the Department of Corrections, Marathon County law enforcement, Marathon County Social Services, federal probation and the Marathon County District Attorney's Office to share information regarding drug trends and concern areas/individuals within the county. The Group also provides case updates regarding ongoing investigations and prosecutions of drug crimes.

*CHILD DEATH REVIEW TEAM- review child deaths within our county and identify potential future life-saving education or other interventions

*OVERDOSE FATALITY REVIEW TEAM- review drug overdose fatalities to evaluate system response and prevention opportunities

*SEXUAL ASSAULT INTERVENTION TEAM- justice system and community partners collaborate to facilitate communication about community and justice system education needs and initiatives

*SEXUAL ASSAULT REVIEW TEAM- review sexual assault cases and the justice system and community partners' responsiveness to meet the needs of the victim, protect the public and support appropriate prosecution

PROSECUTORIAL OVERSIGHT TO ENSURE JUSTICE

The Marathon County District Attorney's Office currently reviews "informational only" cases of reported sexual assault and other crimes from some of our largest police agencies. This review is a critical check and balance in our system to ensure justice for victims is achieved. In 2018, our prosecutors reviewed 188 informational reports. Of those, 38 cases were charged, including 9 sexual assaults. Our office also reviews all fatal crash investigations from the Marathon County Sheriff's Office. Our prosecutor reviews the reports, videos, blood analysis and crash reconstruction, and then makes a determination whether to charge or not. These cases involve unique dynamics and a complex analysis is required to determine the propriety of criminal charges. Regardless of the issuance of charges, our prosecutor has a responsibility to meet with the deceased's family to explain our office's decision. Our assigned prosecutor is part of the Sheriff's Office Crash Reconstruction Team and is available 24/7 to respond to crash scenes. This prosecutor responds to virtually all multi-car, multi-person crashes. This invaluable oversight will not be able to continue without additional resources.

MAXIMIZED JUSTICE ALTERNATIVES

Marathon County's prosecutorial need exists despite our best efforts to maximize pre-charge diversion alternatives. The Marathon County District Attorney's Office has one of the largest diversion programs in the State. We have a full-time Diversion Coordinator and Specialist who oversee the approximately 500 active program participants. Our prosecutors are critical to the evaluation of appropriate referrals and the ultimate success of our program participants. We are doing all we can to divert low-level first-time offenders out of the system. Recently, we expanded our diversion program to assist offenders who are accused of operating after revocation of their drivers' license. Our traffic prosecutor screens the offenders and refers those who have the prospect of getting their license back in a reasonable amount of time. Those selected

offenders are offered pretrial diversion and programming to assist them in getting a valid license. In 2018, 21 of the selected participants were able to get a valid license prior to their scheduled diversion programming and 138 others were referred pre-charge for services. Those 138 cases were diverted from the formal system with work by our prosecutor and diversion staff. Our Diversion Program has an overall average success rate of well over 70%. Despite this maximization of pre-charge diversion, our office remains critically understaffed with our prosecutorial need doubling from 2013 to 2017.

Thank you for your consideration of our need for additional prosecutorial staffing. The Marathon County District Attorney's Office's demonstrated staffing need comes despite our maximization of pretrial diversion alternatives and evidence based practices. Without additional staffing, we will not be able to maintain our office's victim centered initiatives and treatment court involvement. If additional prosecutorial staffing is provided, State funding for 2.5 positions would only convert current county-funded positions to State-funded positions. The end result of State funding for 2.5 additional prosecutors would be no increase in our prosecutor staffing and our office would remain 6.7 prosecutors deficient. This continued deficit will put our current programming in jeopardy. Additional staffing of 4.5 attorneys would result in 2 additional prosecutors. This additional staff would reduce the caseloads of our current staff, allow our office to maintain our evidence based treatment and diversion alternatives, and reduce additional victim trauma through prosecutor consistency and increased contacts.

Sincerely,



Theresa Wetzsteon
District Attorney
Marathon County

RESOLUTION #R-40-17

**SUPPORT FOR STATE FUNDING TO HIRE MORE PROSECUTORS FOR COUNTY-BASED DISTRICT ATTORNEYS OFFICES
WITHOUT COUNTING COUNTY-FUNDED POSITIONS WHEN ASSESSING NEED
OR DISTRIBUTING PROSECUTOR POSITIONS**

WHEREAS, the Wisconsin criminal justice system is made up of multiple entities, each of which depends upon the others to function efficiently; and when one part of the system is neglected, the entire system is impacted; and

WHEREAS, the State of Wisconsin's most recent Workload Analysis, covering 2012 to 2014, identifies a shortage of 140 prosecutor positions across the state; and

WHEREAS, rising workloads as a result of these unfunded positions leave prosecutors less time to work with crime victims, witnesses, and law enforcement officials; delays the resolution of cases; contributes to an environment that has resulted in high rates of prosecutor turnover; and has put tremendous strain on law enforcement, the courts, and other criminal justice system partners; and

WHEREAS, at least 14 Wisconsin Counties, including Marathon, are currently relying on other funding sources for additional prosecutors, including county tax levy, to fill the void created by inadequate state funding; and

WHEREAS, the State's Workload Analysis includes these non-state funded positions when reporting need across the state, creating the illusion that the State is doing a far better job than it actually is doing at funding the number of positions needed; and

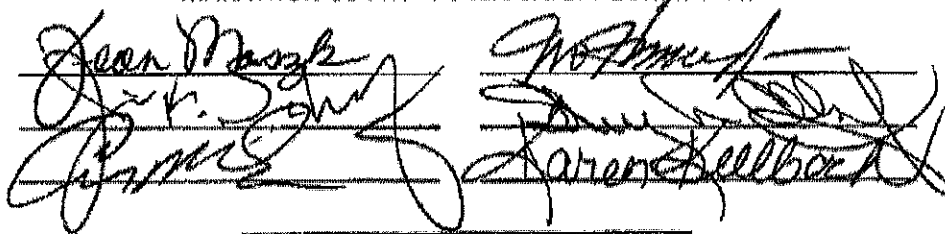
WHEREAS, the Legislature then utilizes the State's Workload Analysis when proposing the allocation of funding for new positions, putting counties that fund prosecutor positions at a further disadvantage when new positions are awarded; and

WHEREAS, the Marathon County Public Safety Committee has determined that inadequate State funding of prosecutor positions is detrimental to the administration of justice and the preservation of public safety in Marathon County.

NOW THEREFORE BE IT RESOLVED that the Marathon County Board of Supervisors calls upon the State of Wisconsin to address the shortage of prosecutors by distributing new prosecutor positions consistent with a revised Workload Analysis that does not count County-funded prosecutor positions when assessing need, as the current system is in crisis and compromises public safety.

Dated this 20th day of June, 2017 in Wausau, Wisconsin.

MARATHON COUNTY PUBLIC SAFETY COMMITTEE



Fiscal Impact: None. However, the Marathon County District Attorney is currently in need of a new support position. If the State were to assume its proper role and fund one or all of the 2.5 prosecutor positions currently County-funded, that funding could be reallocated to fund the new position request, consistent with the County's role to provide support to the District Attorney and prosecutors.



Marathon County Board

Kurt A. Gibbs-Chairman

Marathon County Courthouse
500 Forest Street
Wausau, WI 54403
715.370-7435 (Cell)
Kurt.Gibbs@co.marathon.wi.us



June 27, 2017

Ms. Robyn L. Voss
Administrative Assistant
Wisconsin Counties Association
22 E. Mifflin St., Suite 900
Madison, WI 53703

Greetings Robyn,

The Marathon County Board of Supervisors adopted the attached Resolution #R-40-17 at their Adjourned Organizational meeting, Tuesday, June 20, 2017.

The Marathon County Board requests the Wisconsin Counties Association to consider discussion and support of #R-40-17 "Support for State Funding to Hire More Prosecutors for County-Based District Attorneys' Offices Without Counting County-Funded Positions when Assessing Need or Distributing Prosecutor Positions" at the Annual Conference in September.

Please contact me if you have any questions.

Kurt A. Gibbs
Marathon County Board Chairman

1 Rosenberg	YES	14 Seefeldt - R	YES	27 Seubert	YES
2 Seefeldt, J	YES	15 Ffrick	YES	28 Tremelling	YES
3 Nutting	YES	16 Zriny	YES	29 Wegner	EXCUSED
4 Robinson	YES	17 Stark	YES	30 Qumz	EXCUSED
5 Lewis	Absent	18 McEwen	YES	31 Drabek	YES
6 Hoogendyk	YES	19 Xiong	YES	32 Gibbs	YES
7 Quamme	YES	20 Guild	YES	33 Buttke	YES
8 Kellbach	YES	21 Kluck	YES	34 Beastron	YES
9 Peek	YES	22 Christensen	YES	35 Langenhahn	YES
10 Ahltz	YES	23 Voll	Absent	36 Miller	YES
11 Wysong	YES	24 Maszk	YES	37 Opall	YES
12 Schlei	YES	25 Cihlar	YES	38 Schaefer	YES
13 Bootz	YES	26 Durham	EXCUSED		

R-40-17

Passed (33 Y - 0 N - 0 A - 5 Absent)

Majority Vote >



September 4, 2018

TRANSMITTED VIA EMAIL

Kasey Deiss – Director of the State Prosecutors Office
State of Wisconsin – Department of Administration
101 E. Wilson Street, 10th Floor
Madison, WI 53707

Re: *Letter in Support of Marathon County District Attorney's Request for Additional Prosecutor Positions*

Dear Mr. Deiss:

This letter is offered in formal support of Marathon County District Attorney Theresa Wetzsteon's recent request for additional prosecutor positions.

Marathon County's vision is to be the healthiest, safest, and most prosperous county in the State of Wisconsin. A fully staffed, fully functional District Attorney's Office is central to that mission. Historically, Marathon County Government has not only allocated the necessary county-funded staff to our local District Attorney's Office, but it has also supplemented the deficit in state-funded prosecutors by funding an additional two and a half (2.5) prosecutors with county tax levy. Our local government budget has continued to tighten and at this time we are once again calling upon the State of Wisconsin to allocate the funding requested by District Attorney Wetzsteon.

Should the state allocate said funds, Marathon County stands ready to provide the necessary office space and support staff for those prosecutors to be successful.

Sincerely,

Brad Karger
Marathon County Administrator

**SUPPORT FOR STATE FUNDING TO HIRE MORE PROSECUTORS FOR COUNTY-BASED DISTRICT ATTORNEYS OFFICES
WITHOUT COUNTING COUNTY-FUNDED POSITIONS WHEN ASSESSING NEED
OR DISTRIBUTING PROSECUTOR POSITIONS**

WHEREAS, the Wisconsin criminal justice system is made up of multiple entities, each of which depends upon the others to function efficiently; and when one part of the system is neglected, the entire system is impacted; and

WHEREAS, the State of Wisconsin's most recent Workload Analysis, covering 2012 to 2014, identifies a shortage of 140 prosecutor positions across the state; and

WHEREAS, rising workloads as a result of these unfunded positions leave prosecutors less time to work with crime victims, witnesses, and law enforcement officials; delays the resolution of cases; contributes to an environment that has resulted in high rates of prosecutor turnover; and has put tremendous strain on law enforcement, the courts, and other criminal justice system partners; and

WHEREAS, at least 14 Wisconsin Counties, including Marathon, are currently relying on other funding sources for additional prosecutors, including county tax levy, to fill the void created by inadequate state funding; and

WHEREAS, the State's Workload Analysis includes these non-state funded positions when reporting need across the state, creating the illusion that the State is doing a far better job than it actually is doing at funding the number of positions needed; and

WHEREAS, the Legislature then utilizes the State's Workload Analysis when proposing the allocation of funding for new positions, putting counties that fund prosecutor positions at a further disadvantage when new positions are awarded; and

WHEREAS, the Marathon County Public Safety Committee has determined that inadequate State funding of prosecutor positions is detrimental to the administration of justice and the preservation of public safety in Marathon County.

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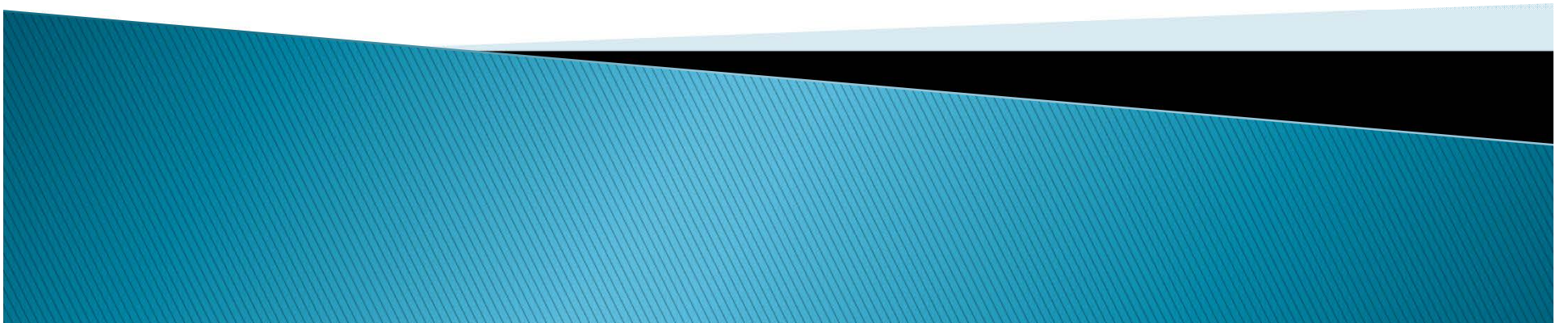
Dated this 20th day of June, 2017 in Wausau, Wisconsin.

MARATHON COUNTY PUBLIC SAFETY COMMITTEE



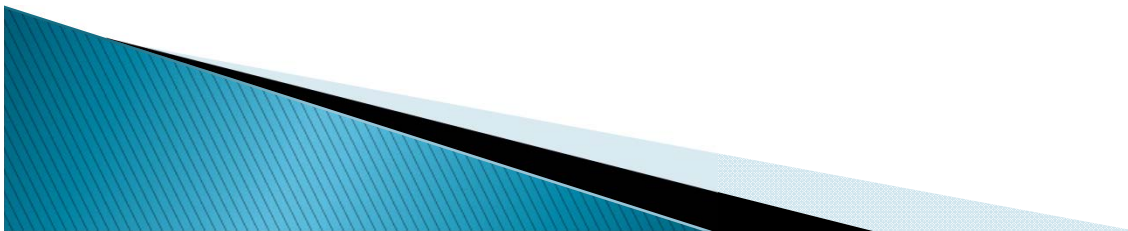
Fiscal Impact: None. However, the Marathon County District Attorney is currently in need of a new support position. If the State were to assume its proper role and fund one or all of the 2.5 prosecutor positions currently County-funded, that funding could be reallocated to fund the new position request, consistent with the County's role to provide support to the District Attorney and prosecutors.

EVIDENCE BASED DECISION MAKING



Why EBDM?

- ▶ More objective information (data) helps criminal justice professionals (officers, prosecutors, judges, corrections) make better decisions and improves outcomes
- ▶ Ultimately, saving \$\$\$



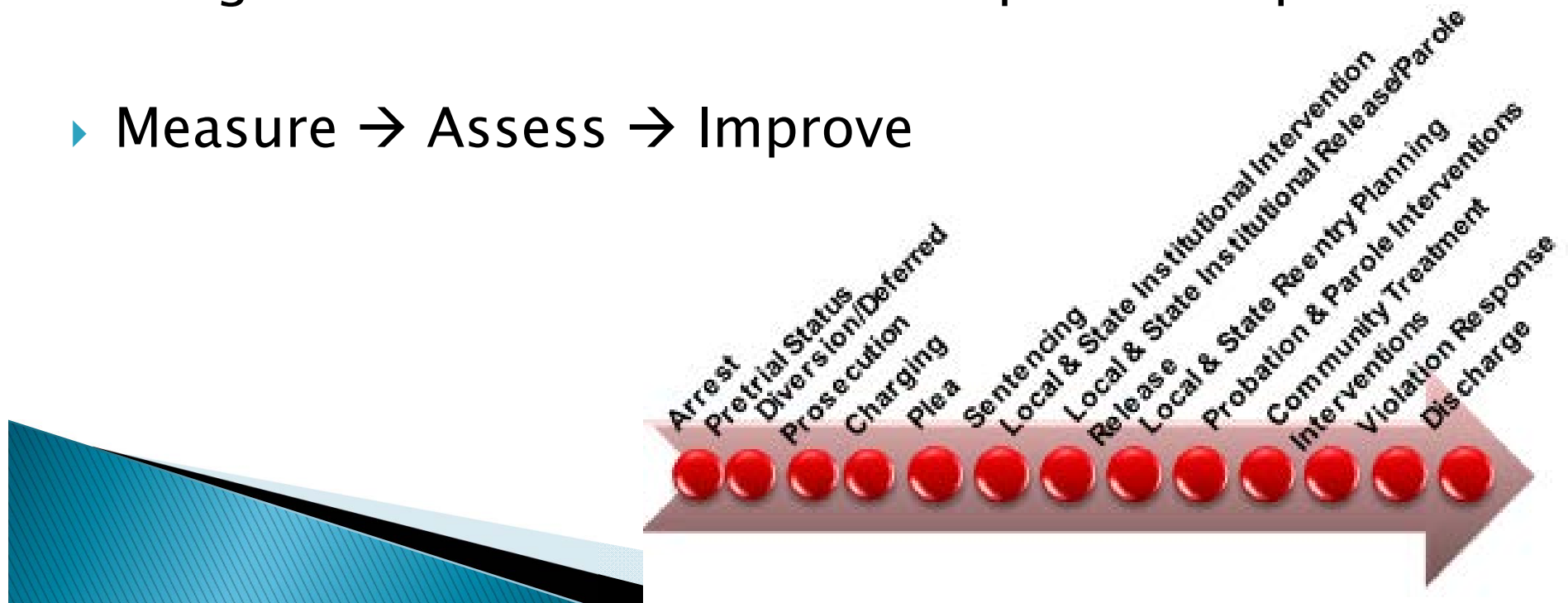
Who is EBDM?

- ▶ State Initiative
- ▶ Local Team
 - Law Enforcement Officials
 - Pretrial Officials
 - Women's Community
 - District Attorney
 - Defense Attorneys
 - Jail Administrator
 - Court Administrator
 - Judges
 - Probation/Parole (DOC)
 - County Administration / Justice Systems
 - Community Representatives (e.g., civic leaders, members of faith-based organizations, service providers)
 - North Central Health Care



How EBDM works?

- ▶ Collaborate
- ▶ Identify most important decision points
- ▶ Integrate Best-Practices into our policies & practices
- ▶ Measure → Assess → Improve



Key EBDM Strategies

- ❖ Use evidence-based risk assessments
- ❖ Focus on medium and higher risk offenders.
- ❖ Tie interventions to individual criminogenic needs.
- ❖ Respond with swiftness, certainty, and proportionality.
- ❖ Deliver services in community if possible.
- ❖ Link sanctions with individual criminogenic needs.



Key Accomplishments

- ❖ Mental Health Training for Officers (CIT / CIP)
- ❖ CART
- ❖ Drug Court
- ❖ Case Processing Improvements
 - ❖ Hot Sheet and Court Scheduling, Warrant Purge, Reminder texts
- ❖ High Utilizer Project
- ❖ On the street Proxy
- ❖ Medically-Assisted Treatment



Pretrial Assessment & Supervision

- ❖ Why – we want to make sure we have the right people in the jail
 - ❖ Premise – if someone can safely remain in the community they should be in the community
- ❖ How
 - ❖ Risk Assessment – Public Safety Assessment
 - ❖ Community Supervision
- ❖ Where are we now?
- ❖ Next steps?



Questions?

