

## DISTRICT ATTORNEYS

### GOVERNOR'S BUDGET RECOMMENDATIONS

Source of Funds	FY11 Adjusted Base	FY12 Recommended	% Change Over FY11	FY13 Recommended	% Change Over FY12
GPR	42,289,100	41,684,600	-1.4	41,684,600	0.0
PR-O	2,250,900	3,512,800	56.1	3,169,400	-9.8
PR-S	132,000	1,142,500	765.5	1,142,500	0.0
<b>TOTAL</b>	<b>44,672,000</b>	<b>46,339,900</b>	<b>3.7</b>	<b>45,996,500</b>	<b>-0.7</b>

### FULL-TIME EQUIVALENT POSITION SUMMARY

Source of Funds	FY11 Adjusted Base	FY12 Recommended	FTE Change From FY11	FY13 Recommended	FTE Change From FY12
GPR	380.90	380.90	0.00	380.90	0.00
PR-O	54.20	41.75	-12.45	39.00	-2.75
PR-S	1.00	1.00	0.00	1.00	0.00
<b>TOTAL</b>	<b>436.10</b>	<b>423.65</b>	<b>-12.45</b>	<b>420.90</b>	<b>-2.75</b>

### AGENCY DESCRIPTION

The agency includes 71 district attorney offices, with one office in each of 70 counties and one office serving two counties. An elected district attorney heads each office. In addition, 60 offices have one or more assistant district attorneys and 13 have one or more deputy district attorneys. These prosecutors are state employees, and other office staff are county employees. The agency distributes salaries and fringe benefits to all prosecutors, court-ordered costs for special prosecutors and limited additional administrative expenses. The costs for information technology are addressed as a part of the Department of Administration's budget.

District attorneys manage their offices and implement the terms of a collective bargaining agreement with the Association of State Prosecutors, which represents assistant district attorneys. They also:

- Prosecute violations of criminal, forfeiture and county traffic laws;
- Conduct "John Doe" and grand jury proceedings;
- Prosecute certain misdemeanor and civil actions, including sexual predator cases;
- Assist in the investigation of potential welfare fraud;
- Meet the requirements of the state's crime victims' rights law; and
- Propose budget requests.

## MISSION

The mission of the agency is to advocate for justice under the law to protect the community.

## PROGRAMS, GOALS, OBJECTIVES AND ACTIVITIES

### Program 1: District Attorneys

Goal: Ensure justice is done in a timely manner in all instances in which a case has been referred for prosecution by law enforcement agencies.

Objective/Activity: Complete timely prosecutorial action in all cases referred by law enforcement agencies involving firearms, sexual assault and burglary.

## PERFORMANCE MEASURES

### 2009 AND 2010 GOALS AND ACTUALS

Prog. No.	Performance Measure	Goal 2009	Actual 2009	Goal 2010	Actual 2010
1.	Number of days from receipt of all law enforcement referrals of felonies involving firearms cases until initial prosecutorial action.	7.97	N/A <sup>1</sup>	8.37	11.88 <sup>2</sup>
1.	Number of days from receipt of all law enforcement referrals of sexual assault cases until initial prosecutorial action.	18.52	N/A <sup>1</sup>	19.45	16.69 <sup>2</sup>
1.	Number of days from receipt of all law enforcement referrals of burglary cases until initial prosecutorial action.	11.93	N/A <sup>1</sup>	12.53	14.66 <sup>2</sup>

Note: Based on fiscal year.

<sup>1</sup>No survey was done.

<sup>2</sup>Based on an analysis of data from the District Attorney Case Management System (PROTECT) for all fiscal year 2009-10 cases for the 67 district attorney offices having and using PROTECT since July 1, 2009, that responded to the request for data. Responses were received from 32 of the 67 offices (47.8%). The statistics are the unweighted average number of days for reporting of offices having such cases.

## 2011, 2012 AND 2013 GOALS

Prog. No.	Performance Measure	Goal 2011	Goal 2012	Goal 2013
1.	Number of days from receipt of all law enforcement referrals of felonies involving firearms cases until initial prosecutorial action. <sup>1</sup>	12.47	13.09	13.74
1.	Number of days from receipt of all law enforcement referrals of sexual assault cases until initial prosecutorial action. <sup>1</sup>	17.52	18.40	19.32
1.	Number of days from receipt of all law enforcement referrals of burglary cases until initial prosecutorial action. <sup>1</sup>	15.39	16.16	16.97

Note: Based on fiscal year.

<sup>1</sup>Given anticipated resource limitations, the number of days is expected to increase by 5% each year from the fiscal year 2009-10 actual.

## **DISTRICT ATTORNEYS**

### **GOVERNOR'S BUDGET RECOMMENDATIONS**

#### **RECOMMENDATIONS**

1. Increase Employee Contributions to Pension and Health Insurance
2. Budget Efficiencies
3. Assistant District Attorney Compensation
4. Full Funding for Milwaukee Clerks
5. Remove Permanent Positions from Base
6. Standard Budget Adjustments

#### **ITEMS NOT APPROVED**

7. New GPR Assistant District Attorney Positions
8. Conversion of Prosecutor Funding
9. Increase Part-Time Assistant District Attorneys
10. Increase Part-Time Elected District Attorney
11. Fifth Week of Vacation as Cash
12. Increase Supplies and Services Funding
13. Nonstatutory Provisions for Assistant District Attorneys

**Table 1**  
**Department Budget Summary by Funding Source (in thousands of dollars)**

	ACTUAL FY10	ADJUSTED BASE FY11	AGENCY REQUEST		GOVERNOR'S RECOMMENDATION	
			FY12	FY13	FY12	FY13
GENERAL PURPOSE REVENUE	\$37,346.9	\$42,289.1	\$49,881.8	\$51,801.7	\$41,684.6	\$41,684.6
State Operations	37,346.9	42,289.1	49,881.8	51,801.7	41,684.6	41,684.6
PROGRAM REVENUE (2)	\$3,943.9	\$2,382.9	\$2,962.5	\$2,206.3	\$4,655.3	\$4,311.9
State Operations	3,626.5	2,055.8	2,625.5	1,859.3	4,351.0	3,997.6
Local Assistance	317.4	327.1	337.0	347.0	304.3	314.3
SEGREGATED REVENUE (3)	\$9,139.7	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
State Operations	9,139.7	0.0	0.0	0.0	0.0	0.0
TOTALS - ANNUAL	\$50,430.5	\$44,672.0	\$52,844.3	\$54,008.0	\$46,339.9	\$45,996.5
State Operations	50,113.1	44,344.9	52,507.3	53,661.0	46,035.6	45,682.2
Local Assistance	317.4	327.1	337.0	347.0	304.3	314.3

(2) Includes Program Revenue-Service and Program Revenue-Other

(3) Includes Segregated Revenue-Service, Segregated Revenue-Other and Segregated Revenue-Local

**Table 2**  
**Department Position Summary by Program (in FTE positions) (4)**

	ADJUSTED BASE FY11	AGENCY REQUEST		GOVERNOR'S RECOMMENDATION	
		FY12	FY13	FY12	FY13
GENERAL PURPOSE REVENUE	380.90	483.21	484.21	380.90	380.90
PROGRAM REVENUE (2)	55.20	25.00	21.25	42.75	40.00
TOTALS - ANNUAL	436.10	508.21	505.46	423.65	420.90

(2) Includes Program Revenue-Service and Program Revenue-Other

(4) All positions are State Operations unless otherwise specified

**Table 3**  
**Department Budget Summary by Program (in thousands of dollars)**

	ACTUAL FY10	ADJUSTED BASE FY11	AGENCY REQUEST		GOVERNOR'S RECOMMENDATION	
			FY12	FY13	FY12	FY13
1. District attorneys	\$50,430.5	\$44,672.0	\$52,844.3	\$54,008.0	\$46,339.9	\$45,996.5
TOTALS	\$50,430.5	\$44,672.0	\$52,844.3	\$54,008.0	\$46,339.9	\$45,996.5

**Table 4**  
**Department Position Summary by Program (in FTE positions) (4)**

	ADJUSTED BASE FY11	AGENCY REQUEST		GOVERNOR'S RECOMMENDATION	
		FY12	FY13	FY12	FY13
1. District attorneys	436.10	508.21	505.46	423.65	420.90
TOTALS	436.10	508.21	505.46	423.65	420.90

(4) All positions are State Operations unless otherwise specified

**1. Increase Employee Contributions to Pension and Health Insurance**

Source of Funds	Agency Request				Governor's Recommendation			
	FY12		FY13		FY12		FY13	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	0	0.00	0	0.00	-2,319,300	0.00	-2,319,300	0.00
PR-O	0	0.00	0	0.00	-180,600	0.00	-180,600	0.00
PR-S	0	0.00	0	0.00	-8,100	0.00	-8,100	0.00
TOTAL	0	0.00	0	0.00	-2,508,000	0.00	-2,508,000	0.00

The Governor recommends increasing state employee contributions towards pension and health insurance costs. Employees will generally pay 50 percent of the total required retirement contribution, which for calendar year 2011 equals 5.8 percent of salary. The Governor further recommends increasing employee contributions for health insurance from approximately 6 percent of the premium to 12.6 percent of the premium. These modifications are necessary to bring state employee compensation in line with private sector employment and reduce compensation costs.

**2. Budget Efficiencies**

Source of Funds	Agency Request				Governor's Recommendation			
	FY12		FY13		FY12		FY13	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	0	0.00	0	0.00	-24,800	0.00	-24,800	0.00
PR-O	0	0.00	0	0.00	-32,700	0.00	-32,700	0.00
TOTAL	0	0.00	0	0.00	-57,500	0.00	-57,500	0.00

The Governor recommends reducing funding, excluding salary and fringe benefits, in most GPR and PR appropriations by 10 percent to create additional efficiencies and balance the budget.

**3. Assistant District Attorney Compensation**

Source of Funds	Agency Request				Governor's Recommendation			
	FY12		FY13		FY12		FY13	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
PR-S	0	0.00	0	0.00	1,000,000	0.00	1,000,000	0.00
TOTAL	0	0.00	0	0.00	1,000,000	0.00	1,000,000	0.00

The Governor recommends providing funding from justice information fee revenues for compensation payments made to assistant district attorneys, as determined by a distribution plan agreed to by the department and the Office of State Employment Relations, to increase retention of experienced prosecutors.

**4. Full Funding for Milwaukee Clerks**

Source of Funds	Agency Request				Governor's Recommendation			
	FY12		FY13		FY12		FY13	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
PR-O	9,900	0.00	19,900	0.00	9,900	0.00	19,900	0.00
TOTAL	9,900	0.00	19,900	0.00	9,900	0.00	19,900	0.00

The Governor recommends increasing reimbursements to Milwaukee County for clerks staffing the Felony Drug Crime Courts, Violent Crime Courts and Operation Ceasefire prosecutions.

**5. Remove Permanent Positions from Base**

Source of Funds	Agency Request				Governor's Recommendation			
	FY12		FY13		FY12		FY13	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
PR-O	-350,200	-5.75	-350,200	-5.75	-350,200	-5.75	-350,200	-5.75
TOTAL	-350,200	-5.75	-350,200	-5.75	-350,200	-5.75	-350,200	-5.75

The Governor recommends decreasing expenditure and position authority where funding is no longer available.

**6. Standard Budget Adjustments**

Source of Funds	Agency Request				Governor's Recommendation			
	FY12		FY13		FY12		FY13	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	1,739,600	0.00	1,739,600	0.00	1,739,600	0.00	1,739,600	0.00
PR-O	1,815,500	-6.70	1,462,100	-9.45	1,815,500	-6.70	1,462,100	-9.45
PR-S	18,600	0.00	18,600	0.00	18,600	0.00	18,600	0.00
TOTAL	3,573,700	-6.70	3,220,300	-9.45	3,573,700	-6.70	3,220,300	-9.45

The Governor recommends adjusting the agency's base budget for: (a) turnover reduction (-\$210,500 in each year); (b) removal of noncontinuing elements from the base (-\$150,900 and -6.70 FTE in FY12 and -\$504,300 and -9.45 FTE in FY13); (c) full funding of continuing position salaries and fringe benefits (\$3,836,300 in each year); and (d) night and weekend differential pay (\$98,800 in each year).

### ITEMS NOT APPROVED

The following requests are not included in the Governor's budget recommendations for the District Attorneys.

Decision Item	Source of Funds	FY12		FY13	
		Dollars	Positions	Dollars	Positions
7. New GPR Assistant District Attorney Positions	GPR	4,205,400	79.86	5,607,100	79.86
8. Conversion of Prosecutor Funding	GPR	914,200	17.75	1,327,000	18.75
	PR-O	-914,200	-17.75	-1,327,000	-18.75
9. Increase Part-Time Assistant District Attorneys	GPR	284,000	4.20	368,800	4.20
10. Increase Part-Time Elected District Attorney	GPR	57,200	0.50	57,200	0.50
11. Fifth Week of Vacation as Cash	GPR	217,300	0.00	237,900	0.00
12. Increase Supplies and Services Funding	GPR	175,000	0.00	175,000	0.00
13. Nonstatutory Provisions for Assistant District Attorneys	PR-O	0	0.00	0	0.00
TOTAL OF ITEMS NOT APPROVED	GPR	5,853,100	102.31	7,773,000	103.31
	PR-O	-914,200	-17.75	-1,327,000	-18.75