

District Attorney

Mission Statement: *To skillfully and fairly seek truth and justice, protect and support victims and the community, and hold offenders accountable.*

The primary responsibility of the District Attorney's Office is to represent the people of the State of Wisconsin in the prosecution of all adult criminal and juvenile delinquent acts that occur within Eau Claire County. The District Attorney's Office also prosecutes non-criminal citations issued by the Eau Claire County Sheriff's Office, UW-Eau Claire Police Department, Wisconsin State Patrol, and Wisconsin Department of Natural Resources. As a 24-hour operation, the District Attorney's Office provides in-the-moment advice and counsel to law enforcement agencies throughout the county. The District Attorney's Office also provides regular legal updates and trainings to county law enforcement agencies.

Within the District Attorney's Office is the Office of Victim Services, a specialized unit with the primary responsibility of ensuring compliance with and enforcing the rights of victims of crimes. Victim Services staff provide information, support, and advocacy to all crime victims, witness, and their family members of adult and juvenile offenders.

The District Attorney's Office is proud to support treatment and diversion alternatives to traditional prosecution through its pre-charge and post-charge diversion programs and participation with treatment courts. As an evidence-based decision making organization, the District Attorney's Office uses data, statistics, and existing empirical research to inform its direction and evaluate existing programs and policies.

Authority for and additional responsibilities of the District Attorney's Office can be found in Chapter 978 of the Wisconsin State Statutes.

2022 Accomplishments

General Prosecution

- The District Attorney's Office filed 2,930 criminal cases in 2022.
- The number of jury trials held again increased in 2022, bouncing-back from a record low in 2020. While still not matching the long-standing average number (31) of trials held per year, the District Attorney's Office will be allocating additional and new resources to address the jury backlog that largely resulted from the COVID-19 pandemic.
- The criminal case clearance rate—100% in 2022—surpassed the benchmark of 95% for the fourth year in a row.

Victim Witness & Crisis Response

- Victim Witness and Crisis Response provided support, resources, and services to nearly 4,000 crime victims and witnesses 2022.
- Victim Witness Coordinator Jessica Bryan began her term as President of the Wisconsin Victim Witness Professionals Board elevating Eau Claire County's voice on a state-wide scale.

Deferred Acceptance of Guilty Plea Program (DAGP)

- A new DAGP program agreement was implemented in 2022. The new agreement establishes more clearly the expectations and responsibilities of the involved parties. It also creates additional accountability measures for participants.
- Through the diligent work of the DAGP Coordinator Steve Judd, over \$171,000 of restitution was collected from DAGP participants.

Diversion Program

- Year 11 of the pre-charge diversion program; 226 participants successfully completed the program—nearly a 20% increase from the previous year.
- Through the hard work of Diversion Coordinator Angie Braaten, more than \$10,000 of restitution was collected from Diversion participants.

Worthless Checks/Financial Program

- \$271,322 total of restitution collected in 2022—the most ever collected by the District Attorney’s Office.
- Credit and debit card payments have increased since begin to accept those forms of payment in late-2021. This has created efficiencies and increased prompt payment of participation fees and restitution.

Alignment with Strategic Plan

Stabilize County Finance & Operations	Enhance Communities & the Quality & Equity of Citizens’ Lives	Position the County for Economic Development
Created and adhered to realistic annual budget projections	Collaborated with County law enforcement agencies to ensure the health and safety of the public and others involved in the criminal justice system	Worked to foster a safe and healthy community that is desirable to prospective residents and businesses
Mitigated expenses while maintaining high quality services and fulfilling statutory requirements	Continued to use existing and implemented new COVID-19 mitigation strategies to keep employees and the public safe	
	Actively participated in treatment courts, review team meetings, and other multi-disciplinary groups for a cross-systems approach to mental health, substance abuse, and related services	

2023 Future Opportunities

2022 was the first full year under the leadership of District Attorney Peter Rindal. Work will continue in 2023 to modernize and reform District Attorney's Office operations. Additional emphasis will be placed on addressing the backlog of jury trials and prioritizing and allocating adequate resources to the cases that pose the greatest risk to public safety.

Specific focus areas for 2023 include:

- Office-wide Reorganization
 - Beginning in the fourth quarter of 2022, a small group of staff reviewed the office structure and workload distribution. They began forming a new office structure which is intended to more appropriately distribute existing workload and provide staff with opportunities for cross-training and professional development. The new structure is also intended to set the foundation for future workload growth by building capacity and to ease disruptions caused by mid- to long-term absences and staff turnover. Full implementation of the new structure is expected by mid-2023.
- Review, Revise, and Create Policies & Procedures
 - Restitution Policy & Procedure
 - To better serve victims of crime and to ensure uniform handling of restitution requests, a restitution policy and procedure, setting clear expectations and outlining roles and responsibilities for processing restitution requests, will continue to be developed in 2023.
 - Standard Operating and Training Materials
 - As part of the office-wide reorganization, standard operating and training materials will be developed. The new materials will help create consistency in work output and quality. They will aid cross-training and future staff on-boarding.
- Build on 2022 Training & Community Engagement
 - Regularly provide relevant and updated training and advice to law enforcement partners.
 - Continue to identify and participate in community engagement events to educate the community about the function and role of District Attorney's Office.

General Prosecution

In carrying out the duties of the General Prosecution Program, attorneys and support staff provide investigative support to Eau Claire County Law Enforcement agencies, review law enforcement referrals, make criminal charging decisions and complete a wide array of case prosecution activities. As part of this program, attorneys and support staff are responsible for the enforcement of criminal, juvenile, conservation and traffic matters within Eau Claire County.

OUTPUTS		<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
Cases Filed:	Felony	1,533	1,926	1,850	1,589	1,400	1,392
	Misdemeanor	1,411	1,504	1,407	1,223	1,047	1,087
	Criminal Traffic	458	400	435	366	413	451
	Civil Traffic/Ordinance/Miscellaneous	1,609	1,727	2,035	1,883	2,070	1,934
	Total Cases Filed	5,011	5,557	5,727	5,061	4,930	4,864
Other Cases Processed:	Juvenile Cases	415	319	327	242	170	275
	No Prosecution Cases	491	600	580	380	381	650
	Total Other Cases Processed	906	919	907	622	551	925
	Total Cases Filed/Processed	5,917	6,476	6,634	5,683	5,481	5,789
	Number of Jury Trials	34	30	25	5	17	23
OUTCOMES		<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
Average Number of Days for Prosecutorial Action at or under 15 days		15.93	11.21	10.05	7.36	8.20	10.50
Case Clearance Rate at or above 95%		95%	91%	98%	98%	99%	100%
Jury Trial Conviction Rate at or above 75%		71%	83%	68%	100%	76%	74%

*Data not available

Victim Witness Services & Crisis Response

Victim Witness staff provide legally-required case notification to victims, provide crisis response support to victims prior to the filing of criminal charges, provide support to victims and witnesses during the course of case litigation, and prepare various forms of reports required by state/federal authorities.

OUTPUTS		<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
Victim Witness Services:	Number of Victims Served	2,289	2,445	2,284	2,426	1,641	1,977
	Number of Witnesses Served	249	385	279	390	282	154
	Number of Other Case Parties Served	148	172	203	235	176	168
	Total Case Parties Served	2,686	3,002	2,766	3,051	2,099	2,299
	Initial Contact Letters Sent	2,222	2,496	2,338	2,383	1,752	2,061
	No Contact Orders in Place	985	1,050	949	496	454	541
	Number of Follow Up Contacts	13	3	163	596	404	691
Crisis Response:	Total Number of Clients Served	973	620	707	1,373	1,165	1,426
	Number of Child Advocacy Center Interviews Attended	*	62	100	151	119	77

*Data not available

Deferred Acceptance of a Guilty Plea (DAGP), Diversion, & Justice Reinvestment Initiative-OWI Early Intervention Programs

The Deferred Acceptance of a Guilty Plea Program (DAGP) involves informal supervision of defendants in criminal cases. The community benefits because defendants receive necessary domestic abuse, alcohol abuse or other counseling services that would often not otherwise occur.

The Diversion Program is a pre-charge program offered to first time, low risk offenders. The Diversion Program is designed to keep those offenders out of the Criminal Justice System and to reduce recidivism in order to preserve limited resources.

The Justice Reinvestment Initiative-OWI Early Intervention Program (JRI-OWI Program) provides for a more comprehensive disposition for impaired driving convictions that includes random drug/alcohol testing, incarceration, and other programming. Successful completion of the program results in reduced monetary penalties, and reduced incarceration time.

OUTPUTS		<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
DAGP Program:	Number of Participants	274	271	228	222	212	175
	DAGP Fees Collected	\$69,117	\$66,523	\$56,068	\$57,438	\$53,058	\$48,202
Diversion Program:	Number of Participants	214	221	207	234	191	226
	Diversion Program Fees Collected	\$54,530	\$54,480	\$59,240	\$58,653	\$48,920	\$66,000
Justice Reinvestment Initiative – OWI Program:	Number of Participants	18	22	22	17	32	25
	Number of Successful Participants	13	21	19	15	30	19
	Jail Days Permanently Stayed	541	1,058	707	646	*	*

*Data not available

Worthless Checks/Financial Program

District Attorney employees review referrals from Eau Claire County citizens and merchants of possible worthless check matters, prepare and send pre-prosecution “dunning” letters, issue criminal charges in appropriate cases, and process payments.

OUTPUTS	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
Worthless Check Payments Collected	\$10,632	\$11,781	\$24,489	\$7,753	\$13,227	\$10,362
Restitution Payments Collected	\$81,223	\$83,083	\$194,678	\$125,355	\$168,734	\$260,960