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.

2023 Accomplishments

General Prosecution

- The District Attorney's Office filed 2,827 criminal cases in 2023.
- The number of jury trials held in 2023 (23) was consistent with 2022 but still represents an increase from the previous two years.
- For the fifth year in a row, the criminal case clearance rate surpassed the 95% benchmark. The criminal case clearance rate was 103% in 2023.
- Implemented new office structure at the start of the third quarter to more appropriately distribute existing workload and provide staff with opportunities for cross-training and professional development. The new structure pairs each legal analyst with one or two prosecutors in a direct support role. The 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.

Victim Witness & Crisis Response

- Victim Witness and Crisis Response provided support, resources, and services to nearly 3,000 crime victims and witnesses 2023.
- Staff attended various professional conferences through the year, including the National Organization for Victim Advocacy (NOVA) Training Event and Wisconsin Victim Witness Professionals conference, to network with colleagues and learn best practices for supporting crime victims.
- Victim Witness Manager Jessica Bryan entered her second year as President of the Wisconsin Victim Witness Professionals (WVWP) Board. WVWP, in partnership with the Wisconsin Department of Justice-Office of Crime Victim Services (OCVS), successfully secured additional GPR funds in the latest biennial budget to support constitutionally mandated victim witness services. WVWP and OCVS continue to advocate for additional resources at the state level.
- Victim Witness Manager Jessica Bryan also serves on the Wisconsin Crime Victim Council. The Council spent the last year developing statewide best practices for judges aimed at reducing secondary trauma to survivors during jury duty.

Diversion Programs

Deferred Acceptance of Guilty Plea (DAGP), Pre-charge Diversion, & OWI Early Intervention

- Developed a more robust Diversion program option with online course work to tailor programming to address each individual participants' needs. The online course work also allows for expanded participation eligibility criteria while still ensuring fidelity to evidence based practices.
- The Diversion program now offers a complete program in Spanish which eliminates the need for an interpreter and expands participant eligibility.
- Drug patch and sober link device monitoring was implemented in 2023 for the OWI Early Intervention program. These new initiatives expand participation eligibility to include those who do not reside in Eau Claire County, have limited or no transportation options to come to the City of Eau Claire, or who travel for work.

Worthless Checks/Financial Program

- Collected more than $150,000 in restitution for crime victims.

Alignment with Strategic Plan

A Healthy, Safe Community	Quality and Meaningful Relationships	Robust Infrastructure
Increase public safety by training with local law enforcement and community agencies.	***Identify opportunities to strengthen partnerships and collaboration*** by developing networks with community agencies with common missions.	***Improve efficiency and performance of County operations through automation and data-driven decision-making*** by improving data-driven processes that are measurable and accessible.
Increase evidence-based solutions to drug and alcohol abuse by participating in the development of programming with prevention focus.		

2024 Future Opportunities

Building on the work complemented in 2023 to modernize and reform District Attorney's Office operations, specific focus areas for 2024 include:

- Evaluate, refine, and update office structure and programming
    - The new office structure implemented in mid-2023 will continue to be evaluated and refined in an effort to create additional efficiencies and improve prosecution outcomes.
    - The Deferred Acceptance of a Guilty Plea (DAGP) and Diversion programs were reviewed in 2021 and 2022, respectively, additional reviews in 2024 will focus on program offerings to ensure we are culturally responsive and meeting the needs of participants.
    - The worthless check/financial program will also be reviewed in 2024 with an aim to assess the feasibility of incorporating new software to streamline and automate processes where appropriate.

- Explore and develop flexible work opportunities
    - A significant focus in 2024 will be exploring and cultivating additional flexible work opportunities to fulfill our commitment to enhancing employee retention and bolstering recruitment efforts. To accomplish this, we will:
        - Work collaboratively with the county and state to secure essential technological resources.
        - Create policies and streamlined workflows conducive to flexible work arrangements that ensure mandated work is completed.

- Evaluate existing and implement new communication strategies and community engagement efforts
    - Also in 2024, we will look to revamp our communication strategies and community engagement efforts to strengthen our connections and make a greater impact in the communities we serve by:
        - Enhancing both internal and external communication channels.
        - Conducting a thorough review and update of all our literature, online content, and internal communication practices.
        - Leveraging public relations opportunities to showcase our initiatives and the positive outcomes we contribute to.
        - Identifying and engaging with new community partners while actively participating in upcoming community events.

- Prepare for changes in funding for programming
    - Victims of Crime Act (VOCA) grant funding for victim witness services programming will be ending in the fourth quarter of 2024. Continuation of the crime victim crisis response program, which is currently fully funded through the VOCA grant, is a top concern. To minimize the cost to Eau Claire County, we will coordinate with a community agency to assume responsibility of the program.

Performance Management

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		2018	2019	2020	2021	2022	2023
Cases Filed:	Felony	1,926	1,850	1,589	1,400	1,392	1,326
	Misdemeanor	1,504	1,407	1,223	1,047	1,087	1,023
	Criminal Traffic	400	435	366	413	451	478
	Civil Traffic/Ordinance/Miscellaneous	1,727	2,035	1,883	2,070	1,934	1,661
	Juvenile Delinquency Cases	44	59	52	38	58	42
	Juvenile Ordinance	5	4	6	1	11	6
	Total Cases Filed	**5,606**	**5,790**	**5,119**	**4,969**	**4,933**	**4,536**
Other Cases Processed:	No Prosecution Juvenile Cases	270	264	184	131	206	257
	No Prosecution Adult Criminal Cases	600	580	380	381	650	370
	Total No Prosecution Cases	**870**	**844**	**564**	**512**	**856**	**627**
	Total Cases Filed/Processed	**6,476**	**6,634**	**5,683**	**5,481**	**5,789**	**5,163**
Jury Trials:	Number of Jury Trials	30	25	5	17	23	23
	Number of Jury Trials Result in Conviction	25	17	5	13	17	15

OUTCOMES	2018	2019	2020	2021	2022	2023
Average Number of Days for Prosecutorial Action at or under 15 days	11.21	10.05	7.36	8.20	10.50	10.31
Case Clearance Rate at or above 95%	91%	98%	98%	99%	100%	103%
Jury Trial Conviction Rate at or above 75%	83%	68%	100%	76%	74%	65%

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		2018	2019	2020	2021	2022	2023
Victim Witness Services:	Number of Victims Served	2,445	2,284	2,426	1,641	1,977	1,746
	Number of Witnesses Served	385	279	390	282	154	102
	Number of Other Case Parties Served	172	203	235	176	168	137
	Total Case Parties Served	**3,002**	**2,766**	**3,051**	**2,099**	**2,299**	**1,985**
	Initial Contact Letters Sent	2,496	2,338	2,383	1,752	2,061	1,822
	No Contact Orders in Place	1,050	949	496	454	541	624
	Number of Follow Up Contacts	3	163	596	404	691	282
Crisis Response:	Total Number of Clients Served	620	707	1,373	1,165	1,426	857
	Number of Child Forensic Interviews Attended	62	100	151	119	77	50

Diversion Programs

Deferred Acceptance of a Guilty Plea (DAGP), Pre-charge Diversion, & OWI Early Intervention

The Deferred Acceptance of a Guilty Plea Program (DAGP) is a post-charge program which 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 Pre-charge Diversion Program offered to first time or low risk offenders. The Pre-charge Diversion Program is designed to keep those offenders out of the Criminal Justice System, reduce recidivism, and preserve limited prosecution resources.

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

OUTPUTS & OUTCOMES		2018	2019	2020	2021	2022	2023
DAGP Program:	Number of Participants	271	228	222	212	175	172
	DAGP Fees Collected	$66,523	$56,068	$57,438	$53,058	$48,202	$46,509
Diversion Program:	Number of Participant Referrals	282	247	303	260	283	243
	Number of Successful Participants	215	202	234	191	226	197
	Success Rate	**76%**	**82%**	**77%**	**73%**	**80%**	**81%**
	Diversion Program Fees Collected	$54,480	$59,240	$58,653	$48,920	$66,000	$62,873
OWI Early Intervention Program:	Number of Participant Referrals	28	26	7	29	25	30
	Number of Successful Participants	22	22	5	27	18	23
	Success Rate	**79%**	**85%**	**71%**	**93%**	**72%**	**77%**
	Jail Days Permanently Stayed	1,058	707	646	*	*	1,360

*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	2018	2019	2020	2021	2022	2023
Worthless Check Payments Collected	$11,781	$24,489	$7,753	$13,227	$10,362	$11,833
Restitution Payments Collected	$83,083	$194,678	$125,355	$168,734	$260,960	$156,877