



# SHEBOYGAN COUNTY

Joel Urmanski – District Attorney  
*District Attorney's Office*

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February 28, 2018

Honorable Members of the Sheboygan County Board and County Administrator Adam Payne,

Attached, please find the 2017 Report of the District Attorney's Office. Within the report you will find a great deal of numbers concerning the output of our Office over the prior year. The report will also share some of the challenges we faced and our direction moving forward.

Unfortunately, our single greatest struggle continues to be staffing levels. With the help of the County Board, I am happy to announce that our County Funded Special Prosecutor has made an incredible difference in our Office and County. The position and the focus it has allowed on helping children has resulted in greatly increased numbers of termination of parental rights and guardianship cases and the savings of a great deal of money that otherwise would have been spent on foster care costs. More importantly, the focus on children has created permanency for many children and foster parents.

Last year brought many changes to the Office. A significant change was in personnel. Through the course of 2017 our Office hired five new prosecutors, two of whom have since moved on to other positions outside of the Office. One of the positions was the County Funded Special Prosecutor position. All of the other positions were to fill openings caused by prosecutors leaving State employment or transferring to other counties. Only one of the new prosecutors had professional experience a lawyer. The youth provided a challenge for training, which was met in part with trainings from invited guests from the Department of Corrections, Lakeshore Regional Child Advocacy Center, Wisconsin Bar Association, and local officers. While the challenges of training new prosecutors have been significant, these new additions have done some excellent work and provide opportunities for continued and future success.

Our Office also lost a long-term County employee due to retirement in 2017. Thankfully, we had excellent candidates from within the Office and were able to promote from within. The promotion led to other movement from within the Office as well as the hiring of a new employee. Again, training can pose challenges, but the team came together and we have moved forward with an excellent group of hard working employees.

While we face many more challenges looking forward to 2018, we prefer to look at the challenges as opportunities. With the support of the County, we are confident that we will continue to be successful.

Respectfully Submitted,



Joel Urmanski  
District Attorney

## MISSION STATEMENT AND SUMMARY OF RESPONSIBILITIES

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, the Office is charged with prosecuting all non-criminal traffic and ordinance citations issued in the County by the Wisconsin State Patrol, Sheboygan County Sheriff's Department and Department of Natural Resources [DNR]. Finally, the office is charged with prosecuting juvenile matters including delinquencies; Children/Juveniles In Need Of Protection or Services [CHIPS/JIPS], which included truancy violations; Termination of Parental Rights [TPR]; Guardianships; juvenile ordinance violations; and inoculation violations.

In fulfilling this mission, the Office of the District Attorney has the following responsibilities:

- (1) Efficient, ethical, lawful and timely prosecution of all cases.
- (2) Compliance with all evidentiary and procedural mandates created by statute, the United States Constitution and Wisconsin Constitution.
- (3) Recognition of, and compliance with, the "Rights of Victims And Witnesses of Crime" Act [Chapter 950 of the Wisconsin Statutes].
- (4) Assisting all law enforcement agencies in the County in legal advice and training as well as providing investigative tools such as wire "taps" and/or "traces," warrants for tracking devices, search warrants, subpoenas for records and electronic service provider warrants and subpoenas.
- (5) Establish a close working relationship with the eight (8) law enforcement agencies that serve Sheboygan County.

In order to meet these responsibilities, the Office must meld a team of State and County employees. The District Attorney, Deputy District Attorney and five full-time one part-time Assistant District Attorneys are all State employees. Starting in 2017, the Office also included one full-time County Funded Special Prosecutor. The Office Supervisor, support staff, Victim/Witness and Check Fraud Unit personnel are all County employees.

## GOALS AND OBJECTIVES ACHIEVED IN 2017

The Office of the District Attorney prosecuted the following number and types of cases in 2017:

Felony [potential prison]	830
Misdemeanor [potential jail]	886
Criminal Traffic [potential jail]	462
<b>TOTAL CRIMINAL CASES</b>	<b>2178</b>
Non-Criminal, Traffic & Ordinance (including juvenile ordinances)	1473
Total CHIPS Cases	106
Total TPR Cases	18
Total Juvenile Delinquency Cases	200
Total Juvenile Guardianships	17
Total Civil Asset Forfeitures	15
<b>TOTAL NON-CRIMINAL CASES</b>	<b>1829</b>
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<b>TOTAL 2017 CASES</b>	<b>4007</b>
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Our overall total criminal caseload in 2017 decreased by a total of 32 cases. However, there was an increase of felony cases, which are typically the criminal cases that require the most time and effort to

prosecute. The Office received a total of **4825** referrals from law enforcement and related agencies, each one of which had to be reviewed by one of our staff members to determine what, if any, action to be taken. This number is a decrease of 156 referrals from 2016.

Our Office issued (with judicial approval) **281** search warrants in 2017, which is an increase of 69 warrants from 2016. In addition, our office issued **132** electronic service provider warrants or subpoenas or other subpoenas for records, each with judicial approval. This is a decrease of 47 from last year.

### **JUVENILE PROCEEDINGS**

Our office reviewed **789** juvenile referrals in 2017, which is an increase of 46 referrals from 2016.

### **TERMINATION OF PARENTAL RIGHTS AND GUARDIANSHIP CASES**

Beginning in 2017, the Office included a County Funded Special Prosecutor to allow the Deputy District Attorney to focus almost exclusively on Termination of Parental Rights and Guardianship cases. The focus included collaboration with the Department of Health and Human Services with funding and support from the County. The collaboration and focus resulted in our ability to file 12 additional TPR cases, over double last year's number, and 13 more guardianship cases, over three times the number from 2016. The added cases directly resulted in more finality for children and foster parents as well as an estimated yearly savings of over \$100,000 in County expenses that would have been spent to care for the children awaiting the filing and resolution of these cases.

### **CHECK FRAUD UNIT**

The Check Diversion Program, established by county ordinance in 2003, allows most persons who write worthless checks to enter into an agreement with the District Attorney's office to avoid criminal prosecution. The participants are required to pay an administrative fee of \$35.00 (or 20% of the total amount of checks owed, whichever is greater) and then are given time to directly pay the victims for the issued checks, including returned check fees and costs. Once repayment is verified by the victims, no further legal action is taken.

In 2017, the Check Fraud Diversion Program returned **\$11,898.63** to victims, mostly area merchants, and generated **\$ 1,414.00** as revenue for the County from the program's administrative diversion fee. The Check Fraud Diversion Program had a total expense of \$6,185.53, which equates, after subtracting the diversion fee, to a tax levy amount of \$4,771.53.

### **ASSET FORFEITURES**

The County Funded Special Prosecutor has been solely responsible for all asset forfeiture actions. While a number of the cases filed in 2017 remain open, four cases have resolved with a total forfeiture of \$6,789.00.

## **BUDGET**

### **A) 2017 Performance**

Out of our **\$ 1,026,325.59** actual budget with a property tax levy of **\$753,759.00**, we experienced an overall positive variance of **\$ 41,310.40** for 2017. The majority of this was due to vacant positions in the Office through the year and Victim/Witness reimbursements being higher than anticipated.

### **B) 2018 Budget**

Our approved budget for 2018 is **\$1,061,134.00** with a property tax levy of **\$737,182.00**.

## **ISSUES AND CHALLENGES AHEAD**

The responsibilities and duties of our Office provide great challenges. We face the incredible responsibility of enforcing the law to protect the residents and visitors of the County while also trying to help victims heal and defendants to become productive members of society. Our jobs become more challenging in light of the adverse effects that drug use, especially heroin and methamphetamine, are having in our communities; the trauma that so many people are suffering, especially children who are growing up in homes with domestic violence; and the prevalence of human trafficking.

Having adequate time and training to appropriately address these and other issues has been a struggle. A recent amendment to Senate Bill 54, which has passed the Assembly but may face a serious challenge in the Senate, would add two State funded prosecutors to the Office. These added positions would create an incredible opportunity for our Office to allocate time, people, talents and resources to addressing crimes that directly hurt people in our communities.

Another challenge is having the time and people to not just respond after a crime has occurred, but to be proactive. It is my position that our Office cannot merely be responsive to crime; rather we must use our unique positions to be proactive and prevent crime. Educating our youth about healthy relationships, sexual assaults, sexting and other topics helps prevent crime and protect our children. Identifying people who suffer the consequences of living with trauma, especially children, and facilitating services and resources for these people will help prevent crime and victimization. These efforts take time and resources that are difficult to secure with current staffing levels.

Challenges also exist in trying and maximize the criminal justice system's ability to provide rehabilitation. The probation and parole system is overworked with agents supervising far too many individuals at one time. While some counseling and treatment resources exist in the County, there is a need to determine how we can maximize these resources and bring others to the County so that those who violate the law but are truly motivated to change can receive the resources, treatment and counseling that is appropriate for their needs. In charging and resolving over two thousand cases each year, our Office has the ability to help these defendants and thereby their families, friends and the entire County.

## **GOAL AND OBJECTIVES FOR 2018**

The District Attorney's Office will continue efforts commenced in 2017 and initiate new ones with the goal of protecting our communities. These efforts will include helping victims, working on enhanced rehabilitation for appropriate defendants and working proactively to prevent crime.

To better help and serve our victims, our Office will continue many initiatives from 2017. For example, we will continue our collaboration with Safe Harbor to provide advocates to help victims of sexual assault and domestic violence. This includes continuing our commitment to an Education and Resource Discussion program with victims of domestic violence. Last year, the program helped 71 victims of domestic violence receive information and resources to protect themselves and their families.

We will also move forward with initiatives to better serve and help our victims. For example, in April we will host an Assistant Attorney General who will give a presentation to the prosecutors in our Office as well as other legal professionals in the County about the intersection of trauma and domestic violence. We will also continue other training efforts to ensure that our care for and treatment of victims is trauma informed.

To improve rehabilitation opportunities for suitable defendants, our Office will move forward with two specific initiatives. First, I coordinated a group of professionals to investigate whether Sheboygan County should establish a domestic violence treatment court and to evaluate treatment providers to provide quality, trauma informed batterer's treatment. While any domestic violence treatment court is more than a year away from possible creation, I hope that quality treatment can become a reality near the end of the year.

The second initiative to enhance rehabilitation will be a coordinated effort to assess appropriate defendants and identify quality treatment for those who are accepting and motivated for it. This effort will include collaboration between the District Attorney's Office and multiple treatment providers.

To prevent crime, our Office will continue efforts to educate our youth. I have already been involved in multiple meetings with members of the Sheboygan Area School District to discuss the multitude of areas where prosecutors can provide education and prevention efforts to administrators, counselors, social workers, teachers and students. I would like to expand these efforts to directly help the youth of Sheboygan County.

Our efforts will also continue to include providing our prosecutors and staff with training opportunities to ensure that we are the best trained, most knowledgeable professionals ready to meet the challenging work handled by our Office.