

COUNTY OF MILWAUKEE
Inter-Office Communication

Date: April 17, 2025

To: Marcelia Nicholson, Chairwoman, Milwaukee County Board of Supervisors

From: District Attorney Kent Lovern

Subject: District Attorney 2024 Annual Report

File Type: Informational Report

This informational report provides a report on how the District Attorney's Office set and achieved its 2024 goals.

POLICY

This report aligns to Chapter 108: Achieving Racial Equity & Health.

Milwaukee County Code of General Ordinances:	Chapter 108: Achieving Racial Equity & Health
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ALIGNMENT TO STRATEGIC PLAN

- 1A: Reflect the full diversity of the County at every level of County government
- 1B: Create and nurture an inclusive culture across County government
- 1C: Increase the number of County contracts awarded to minority and women-owned businesses
- 2A: Determine what, where, and how we deliver services to advance health equity
- 2B: Break down silos across County government to maximize access to and quality of services offered
- 2C: Apply a racial equity lens to all decisions
- 3A: Invest "upstream" to address root causes of health disparities
- 3B: Enhance the County's fiscal health and sustainability
- 3C: Dismantle barriers to diverse and inclusive communities

BACKGROUND

[File 22-104](#) amends Chapter 108 to require that "annually, by April 30 of each year or sooner, each Milwaukee County department leader and/or their designee(s) shall provide a written and oral report outlining their year-end results to a Milwaukee County Board of Supervisors committee. The reports shall, at a minimum:

- (a) Indicate the year-end goals the department set in the prior year
- (b) Share the rationale and relevance of the department's performance metrics (i.e. explaining why they are "SMART" goals (specific, measurable, achievable, realistic, timely, and extending) and how they align to the county's racial equity strategy, if applicable)
- (c) Report the department's year-end results relating to the goals it had set, and
- (d) Provide a thorough analysis clearly articulating why goals were significantly exceeded, met, or not met.
- (e) Explain the department's progress in creating a departmental-level strategic plan that aligns to the countywide strategic plan and provide an update about future plans to revise and enhance the departmental-level plan in the year ahead."

BODY

The District Attorney's mission is to,

- Promote public peace and safety by just and vigorous prosecution;
- Seek and do impartial justice by ensuring that the guilty are punished and the innocent go free;
- Protect the health and welfare of children who are victims of child abuse and neglect;
- Safeguard the rule of law; and
- Promote participation in law enforcement by treating all persons who come in contact with the criminal justice system with fairness, dignity, and respect.

The District Attorney's Office provides, and must provide, services equitably to all individuals, regardless of race, ethnicity, ethnic origin, gender, gender identity, or sexual orientation. To do otherwise would violate the constitutions of the United States and the State of Wisconsin, state and federal law, Wisconsin Supreme Court Rules and the code of ethics which govern attorneys and non-legal assistants; the District Attorney's mission, the fundamental precepts of justice that the office has sworn to uphold, and the County's strategic vision.

Our common goal is to create a safe and just community where children have the stability and resources to grow, neighborhoods can flourish, and residents and culture can thrive.

The District Attorney's top three goals identified in 2024 are as follows.

Goal 1: Increase the Review and Prosecution of Serious Felony Cases

Our view of public safety requires that we dedicate the most resources to the greatest threat: to those offenders and offenses who have been demonstrated to be the most significant threat to health and safety, specifically in areas of homicide, non-fatal shootings, domestic violence, and other crimes against safety and bodily security, including reckless driving.

Attorneys who prosecute criminal referrals are state-funded employees. County resources support the prosecutions in various ways, particularly in providing constitutionally and statutorily mandated services to victims and witnesses. These services are essential to keeping victims and witnesses engaged in the court process, which leads to better case outcomes and increased public safety. In 2024, the District Attorney received approximately 28,011 referrals for prosecution, an increase from 2023 when 27,154 cases were referred, and 2022 when there were 24,966 referrals. According to the Milwaukee County Circuit Court's office, the District Attorney's office has issued approximately 5908 felony cases in 2024, compared to 4764 cases in 2022.

Goal 2: Increase Public Safety by Increasing Victim and Witness Participation in the Criminal Justice System.

Our victim witness staff provided almost 114,000 services to 36,582 unique individuals in 2024 between the new referrals and existing caseloads, compared to 102,000 services to 39,442 unique individuals in 2023. As discussed below, the office is providing increased service to victims and witnesses, even though we have lost positions due to the elimination of grant funding.

One area where the District Attorney's Office has advanced its goal of public safety during 2024 is the area of Domestic Violence. Domestic violence is a significant public safety issue, and domestic violence referrals generally comprise about one-third of the referrals the office receives for criminal prosecution. Data from the Violence Response Public Health and Safety Team (VR-PHAST) and the Homicide Review Commission reflects that the extreme nature of the violence is increasing: between 2018 and 2023, the number of homicides involving domestic and intimate partner violence almost tripled, before decreasing some in 2024 (2018, 9 homicides; 2023, 33 homicides; 2024: 20 homicides), and the number of non-fatal shooting victims involving domestic and intimate partner violence between 2018 and 2024 almost quadrupled (2018: 20 non-fatal shooting victims; 2023: 57 victims; 2024:78 victims).

The District Attorney has added additional support to the Domestic Violence unit to help address the significant public safety need. We have also attempted to address this threat through novel approaches such as the Domestic Violence High Risk Team (DVHRT) coordinated by the Sojourner Family Peace Center. Due to grant funding, one Assistant District Attorney and one Advocate have been assigned to that project. The goal of the DVHRT is to identify domestic violence cases at the highest risk for lethality and to craft individual recommendations for each case that maximize safety for victims and accountability for offenders. While the project is not high volume, it is high impact. The District Attorney's personnel can increase contact with victims and establish a rapport that allows them to feel safer when participating in the criminal justice system. This, in turn, increases the number of cases that can be prosecuted and the likelihood of successful prosecution outcomes.

Of course, the District Attorney's role in public safety is only one of many throughout the County. Police agencies investigate offenses, determining what evidence is available for

use in court; testimony must come in through witnesses who appear when subpoenaed; jurors determine verdicts of guilty or not guilty; and courts decide what an offender's bond will be and what sentence an offender will receive upon conviction. These are matters outside of our office's control, but staff work to improve outcomes by assisting law enforcement in investigations and with legal process; by working with victims and witnesses to help keep them engaged and to build trust in the system, and to try to inform the court's use of discretion.

Goal 3: Promote Community and Collective Cooperation and Efficacy

Through state funding and federal, local, and private grants, the District Attorney's Office has assigned eight prosecutors as Community Prosecutors (CPs) in the Community Partnership Unit. As the unit's name suggests, these attorneys work collaboratively with other government agencies, law enforcement, businesses, community groups, and faith-based communities to improve public safety and develop viable urban communities. Prosecutors housed at police districts facilitate communication among police and neighborhood groups at the district level, to create and pursue intervention strategies which will reduce crime, prevent domestic violence, and improve quality of life. It is a proactive, non-traditional model for the criminal justice process.

The role of the CP is both to help prevent crime from occurring and to prosecute the most chronic or problematic offenders. CPs work with community partners to identify local issues, to provide people with suitable housing and living environments, abate nuisance activity before it escalates to criminal activity, and to expand economic opportunities, principally for low- and moderate-income persons. CPs participate in community crime and safety meetings; provide personal, work, and home environment safety trainings at businesses, faith-based organizations, and neighborhood association meetings; and participate in community engagement and community initiatives.

Much of the District Attorney's Office's work involves collaboration with other county agencies and community partners. DA staff participate in VR-PHAST, which coordinates a unified, multi-sector public health and public safety response to reduce the impact of firearm violence on individuals, families, and the community. We are active in the Milwaukee County Community Justice Council (CJC), Pediatric Death Reviews, Domestic Violence Near-Fatal Reviews, and Public Safety Reviews. The Domestic Violence unit reviews cases at the Sojourner Family Peace Center to better serve victims; we have partnered with Sojourner and with every law enforcement agency in Milwaukee County to implement the Lethality Assessment Program – Maryland Model (LAP); and we participate in the Community Domestic Abuse Advocacy Program, which joins law enforcement, advocates, and prosecution to reduce domestic violence on a neighborhood level. At every point our operations permit, we partner with law enforcement, criminal justice partners, and community agencies to expand the justice vision and leverage resources to reach it.

Focusing on public safety involves more than adding prosecution and victim advocacy resources to areas of violent crime. It also involves dedicating resources to diverting

people from the traditional criminal justice system. For over ten years, when the activity that brings people into police contact is driven by drug use, addiction, or mental health needs, the DA's Office has done that through the Early Intervention Program (EIP). EIP programs help to stabilize the community without the full force and consequences of the traditional criminal justice system.

EIP is an effort of the CJC to align justice system policies with evidence-based practices that effectively change offender behavior. The core principles include active collaboration across the criminal justice system; system-wide application of risk and need principles to ensure that offenders receive the interventions most likely to change behavior and decrease the likelihood of future criminal conduct. The program then uses outcome data to ensure the effectiveness of the intervention model. The goal is to maximize the opportunity to support and encourage prosocial attitudes and behavior among offenders, while minimizing potential negative consequences. EIP is based on the principle that swift access to services offers the greatest opportunity to increase public safety and the most effective use of criminal justice resources by reducing the costs of processing cases for those at lower risk of reoffending and investing resources in those who pose the most significant risk to the community.

EIP includes the following programs: Diversion (pre-charge), Deferred Prosecution (DPA) (post-charge, pre-conviction), Drug Treatment Court, Veteran's Treatment Court, and Mental Health Treatment Court. JusticePoint tracks the number of "jail days" and "prison days" saved due to successfully completed agreements to evaluate the savings. For the Diversion Program, which include those identified as lowest risk to reoffend, it was calculated that 11,370 jail days were saved. Additionally, no criminal charges were issued in 84% of the cases.

The Deferred Prosecution Program permits charged defendants to participate in programs designed to reduce the likelihood of re-offense. DPAs are divided into two categories: those with a more intensive monitoring component (CLU+TAD) and those considered "low-risk" that enter programs with less monitoring. The individuals who participated in the low-risk DPA Program, which generally includes individuals with no criminal history and status crimes, such as carrying a concealed weapon, have a success rate of 93%. This means that 93% of the time, the defendants successfully completed all the requirements of the programs, and therefore, the charges were either reduced or dismissed. The low-risk DPA Program saved 35,428 days in jail. Additionally, 66% of the participants of this program identified as Black, 19% identified as Caucasian, 11% Hispanic, and 4% other.

The more intensive DPA Program's success rate was 76%, with 21,820 jail and prison days saved. Additionally, this Program's participants identified as 62% Black, 22% Caucasian, 14% Hispanic, and 2% Other.

Drug Treatment Court (DTC), Veteran's Treatment Court (VTC), and Mental Health Treatment Courts (MHTC) are longer-term DPA Programs focused on the specific diagnosis and treatment needs of each defendant who enters the programs. For DTC,

7,442 days in jail or prison were saved. VTC had an 86% success rate, and MHTC had two individuals successfully complete their programming in 2024.

Factors that enabled and hindered progress towards the District Attorney's goals.

The most significant factor that enabled and hindered our progress towards the department's goals was the fluctuating funding availability. To continue accomplishing our goals into 2024 and into 2025, it was necessary to plan ahead to fund the victim-witness program. We thankfully increased stability in our victim witness services by obtaining funding for 2025 through the County board for two additional, tax levy-funded, victim witness advocate positions. At the same time, 12 victim witness positions, out of the current 41, are entirely funded by tax levy. The remainder of the positions are underwritten in whole or part by grants from the Victims Of Crimes Act (VOCA), PSN, the SFPC, the County's ARPA grant, or the state's statutory CH. 950 reimbursement program, all of which are challenged by reduced funding. While the District Attorney's Office now has more stability, the new additional positions do not completely offset the grant funding reduction. The statistics above show that the District Attorney's Office needed to provide more services to more individuals through the Victim Witness Program. This was accomplished while having fewer resources in 2024 compared to 2023.

In addition, the State ARPA grant currently funds 12.5 ADA positions in our office. That funding will terminate on July 31, 2025. Through the State budget process, we have requested the conversion of these positions, as well as the conversion of the Assistant District Attorney assigned to the DVHRT project and the creation of three additional Assistant District Attorney positions to offset the caseload analysis that identified Milwaukee County as having a deficit of almost four prosecutor positions. The loss of these ADA positions would significantly impact court operations and public safety. It may also affect our ability to continue staffing programs such as Early Intervention and the Community Partnership Unit.

The costs of the constitutionally and state-mandated services the District Attorney's Office provides to the community far exceed the County's yearly budget awards. Each year, the DA's Office has promoted the County's fiscal health by securing private, federal, and state grants to fund and support our services. Some grants are to fund Assistant District Attorney's personnel costs and have no tax levy impact. We currently receive funds from four grants and two statutory reimbursement programs, which provide substantial subsidies for the personnel costs of our county staff. Those subsidies have comprised approximately 35% of our operating budget for the past three years. Although we continue to seek grant opportunities, we project a reduction in grant funding in 2025, which has the potential to significantly impact our operations, particularly the provision of services to victims and witnesses.

Goals for 2025

Our goals remain the same; the District Attorney's Office will continue supporting the

community and the County's strategic mission in 2025, 2026, and the following years. This includes working towards increasing the Review, Prosecution, and Charging rates of serious felony cases, Increasing Public Safety by Increasing Victim and Witness Participation in the Criminal Justice System, and Promoting Community and Collective Cooperation and Efficacy.

FISCAL EFFECT

The report is informational only and there is no fiscal impact.

VIRTUAL MEETING INVITES

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cc: Kelly Bablitch, Chief of Staff, Milwaukee County Board of Supervisors
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