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PRESS RELEASE

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CONTACT: Joe DeCecco/(920) 459-3040
RE: DA PRAISES COUNTY, BLASTS STATE

Sheboygan County District Attorney Joe DeCecco today praised the Sheboygan County Board for creating an additional prosecutor position for his office at county expense while blasting the State for failing to address a critical prosecutor shortage for more than a decade.

“In 1990, the State legislature enacted a law that made all county prosecutors state prosecutors, with the State providing the salary and benefits to the new state Assistant District Attorney positions and giving the State the sole authority to create additional state prosecutor positions,” DeCecco said. “Since then, several Governors and multiple legislatures have simply ignored the escalating critical prosecutor shortage to the point where several counties, including Sheboygan, must look to their respective county boards for critical assistance even though the addition of prosecutors and their pay and benefits are entirely the legal responsibility of state, not county, government.”

DeCecco noted that a formula to determine the minimum number of prosecutors per county, based on the number of cases and their severity, was developed by the Legislative Audit Bureau [LAB], a non-partisan state entity relied upon for advice and information by the Legislature and Administration officials, and has been refined over the years. Currently, that analysis shows a need of 139.5 additional prosecutors in the state, the highest that need has ever been. [*Latest LAB Analysis attached to this PR*].

“When we are operating so far beneath minimum requirements, a number of serious situations exist,” DeCecco said. “Cases can’t be given the attention they deserve and mistakes are waiting to happen, all of which effect the prosecution of crimes and can result in justice not being served and victims not being vindicated.” DeCecco pointed out that national prosecution guidelines recommend a absolute minimum of one prosecutor per 10,000 of population. “In Sheboygan County, we have one prosecutor per 15,000 as we are more than four full-time prosecutors short of the LAB minimums.”

DeCecco noted that he was forced to approach his County Board when it became apparent that children whose parents have failed to provide for their basic emotional and physical needs for several years, despite a plethora of services provided by the Department of Health and Human Services [DHS], and which children have spent long periods in foster home placement at county tax payer expense, were unable to be adopted as their parents' parental rights had not yet been terminated by a court. "There are strict time limits throughout the juvenile system, but none governing the proceedings to terminate parental rights to allow a child to be legally adopted. We are so short of prosecutors, we have had to put those terminations on the back burner to address time sensitive juvenile matters," DeCecco explained. "As a result, some children have been waiting to be eligible for adoption for 18 to 24 months and we just had to do something to address the state's continued neglect to fulfill its legal duty."

DeCecco stated his office, with the support of the Sheboygan County DHS approval and partial funding, approached the County Board which created an additional prosecutor position to be paid salary and benefits by the County. "I can't tell you how grateful I am to our County Board for immediately responding to this problem, which problem the Board had no legal obligation to do. It's very frustrating when in the last two state budgets (four years) the legislature and the governor provided funds to create 63 new public defender positions but only 3 prosecutor positions, all of which three were to make part-time positions full time. And although I have applied for additional prosecutors for almost every state budget since I became DA in 2003, Sheboygan County has never received a single additional prosecutor position in all that time. Most, if not all, DA offices in this state have experienced the same lack of legislative and administration concern. Elected state officials always talk tough on crime but when it comes time to put their money where their mouth is, they mysteriously lose their voice."

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