

**QUESTIONS FOR CHIEF DEPUTY DISTRICT ATTORNEY KENT LOVERN
FROM MENTAL HEALTH TASK FORCE MEETING
January 9, 2018**

Q: Is there a plan for a shelter for male domestic violence victims (maybe in collaboration with neighboring counties if not in Milwaukee County alone)?

A: I am not aware of plans right now for a standalone DV shelter for male victims. Existing DV shelters work closely on a daily basis with other non-DV shelters in the Greater Milwaukee area to identify emergency housing for males who are victims of domestic violence. In addition, Sojourner Family Peace Center recently designated one of its shelter rooms for use by male victims.

Q: Because domestic violence deferred prosecution agreements require victim consent and an admission of guilt by the offender, how do we prevent this from becoming another incentive to make a false guilty plea?

A: Despite a tremendous amount of law enforcement, DA and judicial resources, over half of misdemeanor domestic violence cases are dismissed on the date of trial. This is mainly because victims choose not to participate in the prosecution at the trial stage, for many different reasons. Although we will see additional DV offenders wanting to take responsibility at an early stage and enter into deferred prosecution agreements, I still expect to see a number of defendants wait until the day of trial with the belief that the victim will not appear and the case will be dismissed. This high dismissal rate (which is common in DV cases nationwide) is another reason we think deferred prosecution agreements can be a more immediate and safer option in certain misdemeanor cases. If both parties agree that accountability with an immediate therapeutic intervention can be more stabilizing for their family dynamic moving forward, we want to provide that option to them.

Q: Is the diversion docket focused on domestic violence offenders?

A: No. We have had an Early Intervention program for diversions in our office for over ten years. Many of those diversions have focused on general non-violent crimes and drug possession offenses. Violent crimes are generally excluded from consideration. Only in the last several months have we carefully developed a domestic violence focused deferred prosecution program discussed at the meeting yesterday, and that caseload, while growing, is approximately 5% of our overall diversion docket.

Q: Could you expand programs that address the needs of offenders and victims through restorative justice?

A: Our Early Intervention program currently seeks to accomplish this and includes a restorative justice option. We continue to look for ways to expand this option, and would need additional community resources with which to collaborate. We also consider the wishes of victims in each and every case within our office.

Q: Given the long history of opponents who view Trauma/PTSD as an “excuse”, what has been the response of local/state lawmakers on this initiative to address trauma?

A: Local lawmakers generally support more trauma-informed approaches in Milwaukee County because they see firsthand the negative impacts of generational trauma within our community. I hear increased discussion about trauma by some state lawmakers as well, and certainly the Milwaukee delegation in Madison is supportive of our efforts in this regard.