

IN THE MATTER OF COMPLAINT
AGAINST THE EAU CLAIRE COUNTY
DISTRICT ATTORNEY'S OFFICE AND
THE EAU CLAIRE COUNTY
SHERIFF'S DEPARTMENT,

Case No. 24-011

Respondents.

PROBABLE CAUSE DETERMINATION

1. The Crime Victims Rights Board (“the Board”) reviewed a complaint filed by C.G.¹ against the Eau Claire County District Attorney’s Office (ECDA) and the Eau Claire County Sheriff’s Office (ECSO). The Board evaluated the complaint and other relevant information to determine whether there is probable cause that the ECDA and ECSO violated C.G.’s rights as a crime victim. *See Wis. Stat. § 950.04(1v).*

The Board finds no probable cause.

BOARD PROCEDURE

2. On December 20, 2024, C.G. filed a complaint with the Board.²

3. Upon receipt of this complaint, the Board contacted the Department of Justice’s Office of Crime Victim Services’ Victim Resource Center (VRC), which verified that the substance of the complaint had been presented to the VRC and that

¹ This probable cause determination uses the initials of the alleged victim to protect the victim’s privacy.

² The complainant originally named several additional respondents, and the complaint was remanded back to the VRC. The complainant then clarified that the two respondents in this determination are at issue.

the VRC had completed its action under Wis. Stat. § 950.08(3). *See* Wis. Admin. Code CVRB § 1.05(1), (4).

4. The Board provided a copy of the complaint to the ECDA and ECSO and invited them to answer the complaint. *See* Wis. Admin. Code CVRB § 1.05(5).

5. On August 28, 2025, the ECDA filed their answer to the complaint.

6. On September 11, 2025, the ECSO filed their answer to the complaint.

7. The Board made this probable cause determination at meetings held on September 17, 2025 and November 19, 2025. *See* Wis. Admin. Code CVRB § 1.05(6).

8. In making this probable cause determination, the Board considered all relevant information, the complaint, responses, and the letter documenting the VRC's action. *See* Wis. Admin. Code CVRB § 1.05(7)(a)–(c).

9. The Board notifies the parties and the VRC of its conclusions through the issuance of this probable cause determination. *See* Wis. Admin. Code CVRB § 1.05(8).

STATEMENT OF THE CASE

C.G.'S COMPLAINT³

Claim I: The ECDA failed to provide C.G. an opportunity to confer with the prosecutor.

10. On February 28, 2022, A.L. was arrested for domestic violence against C.G. (CVRB 24-011 Formal Compl. 006.)

³ This section is derived from the submissions of the complainant. The information contained in this section does not constitute findings of fact by the Board.

11. On March 1, 2022, A.L. was charged with Battery in violation of Wis. Stat. § 940.19(1) and Disorderly Conduct in violation of Wis. Stat. § 947.01(1)(a). (*State v. Ling*, No. 22CM179 (Wis. Cir. Ct. Eau Claire Cnty.))

12. After the incident, C.G. met several times with ECSO Detective G.G. and began working with a domestic violence community-based victim service provider. During those meetings, C.G. reported other incidents involving A.L. that C.G. was not yet ready to pursue. (CVRB 24-011 Compl. 006–009.)

13. On April 13, 2022, the ECDA Victim/Witness Specialist (VWS) sent C.G. notice of A.L.’s May 17, 2022 court date indicating that it could be a plea and sentencing date. (CVRB 24-011 Compl. 037.)

14. On May 17, 2022, A.L. entered into a Deferred Acceptance of Guilty Plea Agreement. On May 19, 2022, the ECDA sent C.G. a letter outlining the agreement. (CVRB 24-011 Compl. 028–031.)

15. In July 2022, C.G. indicated that she was ready to move forward with charges, including a strangulation incident from December 2021. (CVRB 24-011 Compl. 009, 042.)

16. In August 2022, C.G. was made aware that A.L. was not charged with any strangulation or any other domestic violence crimes and nothing was referred to the ECDA. (CVRB 24-011 Compl. 009.)

17. C.G. indicated that she tried many times to speak with the ECDA and that the VWS had blocked C.G. from speaking with an ECDA attorney. (CVRB 24-011 Compl. 010.)

Claim II: The ECDA failed to provide C.G. with reasonable and timely information about the status of the case.

18. In January 2023, C.G. contacted the ECDA regarding the strangulation charge against A.L. (CVRB 24-011 Formal Compl. 010.)⁴

19. C.G. asked the VWS about the strangulation incident and whether it had been referred for charges. C.G. received inconsistent information. At one point C.G. was told that it was on the prosecutor's desk and also told that the strangulation charge had been part of the Deferred Acceptance of Guilty Plea Agreement. (CVRB 24-011 Compl. 010; Closing Letter 1.)

20. The ECDA finally responded that they had not received a referral for strangulation. (CVRB 24-011 Formal Compl. 011.)

21. In February 2023, C.G.. made an open records request with the ECSO for reports related to the strangulation. (CVRB 24-011 Formal Compl. 011.)

22. C.G. received a report which contained information regarding a 911 hang up but did not contain information about a strangulation. C.G. indicated that the police report mischaracterized her 911 call as a hang-up rather than a recording of A.L. strangling her. C.G. indicated that the call disconnected when A.L. threw her phone at the wall. 911 called back after the disconnection and C.G. spoke with an operator. An officer was then sent out. (CVRB 24-011 Formal Compl. 011.)

⁴ The Formal Complaint states January 2022, but the Board believes 2022 is in error.

Claim III: The ECDA and ECSO failed to treat C.G. with dignity, respect, courtesy, sensitivity, and fairness.

Regarding the ECDA:

23. C.G. stated that the VWS blocked her from speaking with the district attorney on many occasions. (CVRB 24-011 Formal Compl. 010.)

24. C.G. indicated that she spoke to the VWS's supervisor regarding the status of the strangulation charge and that the supervisor yelled at her. (CVRB #24-011 Closing Letter 1.)

Regarding the ECSO:

25. C.G. indicated that Detective G.G. discouraged her from pursuing charges and that G.G. inappropriately inquired where C.G. was living. (CVRB #24-011 Closing Letter 2.)

26. C.G. was also concerned about the fact that Detective G.G. did not record their interviews. (CVRB #24-011 Closing Letter 2.)

EAU CLAIRE COUNTY DISTRICT ATTORNEY'S RESPONSE⁵

27. The ECDA provided a response to the complaint. (ECDA Resp't Letter Resp. to Def.'s Compl., Aug. 28, 2025.)

Claim I: The ECDA failed to provide C.G. an opportunity to confer with the prosecutor.

28. On March 1, 2022, the ECDA charged A.L. with one count of misdemeanor battery and one count of disorderly conduct, naming C.G. as the victim. (ECDA Resp't Letter Resp. 001.)

⁵ This section is derived from the submissions of the respondent. The information contained in this section does not constitute findings of fact by the Board.

29. The ECDA sent C.G. a form titled “Request to Exercise Victim’s Rights” along with an initial contact letter.

30. On March 25, 2022, C.G. returned the form indicating that she waived her rights to confer with the prosecutor, restitution, and to attend or be heard at any proceedings. C.G. indicated that she wished to exercise her right to be notified of all court hearings/proceedings, to be notified of the final disposition of the case, and to be contacted about writing a victim impact statement. (ECDA Resp’t Letter Resp. 001, 017.)

31. After the complaint was filed, the ECDA had contact with C.G. on March 2, 7, 11, 22, 2022, and April 1, 8, 13, 2022. (ECDA Resp’t Letter Resp. 002.)

32. On May 19, 2022, C.G. was mailed the offer regarding the Deferred Acceptance of Guilty Plea Agreement. (ECDA Resp’t Letter Resp. 002.)

33. On May 31, 2022, C.G. contacted the ECDA stating that she had been out of town and wanted an update on the case. The VWS explained the May 19, 2022 letter, which C.G. did not know about. C.G. began to talk about an event between her and A.L. that took place in 2021. The VWS referred C.G. to the proper law enforcement agency to report the incident. (ECDA Resp’t Letter Resp. 002.)

34. In January 2023, C.G. emailed the ECDA inquiring about incidents that occurred in 2021 and if they were included in the Deferred Acceptance of Guilty Plea Agreement. On February 8, 2023, C.G. also requested to speak with the assigned Assistant District Attorney. The VWS emailed C.G. identifying the Assistant District

Attorney assigned and asked C.G. to let the VWS know anything else she needed. C.G. never responded. (ECDA Resp't Letter Resp. 002.)

Claim II: The ECDA failed to provide C.G. with reasonable and timely information about the status of the case.

35. On March 8, 2022, the ECDA received two supplemental reports from the ECSO. The reports referenced an incident that allegedly occurred in December 2021. Neither of the reports referenced a choking or strangulation incident. One of the reports reference C.G. making a Facebook post that A.L. choked her. A responding officer inquired about the event and C.G. told him she spoke to a Clark County Deputy on December 18, 2021, but did not report the choking. The reporting officer determined that he did not have enough information to take action and did not refer charges to the ECDA. (ECDA Resp't Letter Resp. 001–002.)

36. When C.G. contacted the ECDA regarding the strangulation report, there was some confusion as to what investigations she was referring to. It was later determined that C.G. was referring to supplemental reports regarding the December 2021 incident. There were no charges referred to the ECDA stemming from that incident. (ECDA Resp't Letter Resp. 003.)

Claim III: The ECDA failed to treat C.G. with dignity, respect, courtesy, sensitivity, and fairness.

37. The ECDA had numerous contacts with C.G. regarding these matters.

38. The communications were complicated by the fact that C.G. was involved in concurrent criminal and family cases. (ECDA Resp't Letter Resp. 003.)

39. On January 27, 2023, the VWS did explain to C.G. it was a Friday and that the District Attorney was unavailable to speak with C.G. when she came to the courthouse. The ECDA denies ever blocking C.G. from conferring with the prosecutor. (ECDA Resp't Letter Resp. 30–31.)

40. The ECDA denied that the VWS ever raised her voice with C.G. (ECDA Resp't Letter Resp. 30–31.)

EAU CLAIRE COUNTY SHERIFF'S OFFICE RESPONSE⁶

41. The ECSO provided a response to the complaint. (ECSO Resp't Letter Resp. to Def.'s Compl., Sept. 11, 2025.)

Claim III: The ECSO failed to treat C.G. with dignity, respect, courtesy, sensitivity, and fairness.

42. The ECSO investigated allegations against A.L. involving C.G. as the victim. The investigation resulted in charges being referred to the ECDA.

43. During the course of the investigation, ECSO Detective G.G. had contact with C.G. on several occasions. Detective G.G. did not record any interviews without C.G.'s permission. (ECSO Resp't Letter Resp. 002.)

44. The ECSO acknowledged that C.G. was enrolled in the "Safe at Home" program. The ECSO only had access to C.G.'s address that was contained on the form. ECSO also indicated that most of the in-person interviews took place at other locations agreed to by C.G. (ECSO Resp't Letter Resp. 002.)

⁶ This section is derived from the submissions of the respondent. The information contained in this section does not constitute findings of fact by the Board.

45. ECSO stated that Detective G.G. was very responsive to C.G. and pointed to numerous text messages provided by C.G. (ECSO Resp't Letter Resp. 002.)

ALLEGATIONS OF VICTIM RIGHTS VIOLATIONS

46. **Right to confer with the attorney for the government.** The Wisconsin Constitution states, a crime victim has a right “[u]pon request, to confer with the attorney for the government.” Wis. Const. art. I, § 9m(2)(h). Wisconsin statutes also state that crime victims have a right “[t]o have at his or her request, the opportunity to consult with the prosecution in a case brought in a court of criminal jurisdiction as provided under s. 971.095(2).” Wis. Stat. § 950.04 (1v)(j).

47. **Right to reasonable and timely information about the status of the investigation and outcome of the case.** Under the Wisconsin Constitution, a crime victim has a right “[u]pon request, to reasonable and timely information about the status of the investigation and the outcome of the case.” Wis. Const. art. I, § 9m(2)(o).

48. **Right to be treated with dignity, respect, courtesy, sensitivity, and fairness.** Under the Wisconsin Constitution, a crime victim has a right “[t]o be treated with dignity, respect, courtesy, sensitivity, and fairness.” Wis. Const. art. I, § 9m(2)(a). The parallel statutory provision provides that a crime victim has a right to “be treated with fairness, dignity, and respect for his or her privacy by public officials, employees, or agencies.” Wis. Stat. § 950.04(1v)(ag). This right “does not impair the right or duty of a public official or employee to conduct his or her official duties reasonably and in good faith.” Wis. Stat. § 950.04(1v)(ag).

DETERMINATIONS OF FACT

49. The Board finds no dispute of material fact between the parties.

INTERPRETATIONS OF LAW

50. The Board employs a multi-step methodology to analyze the complaint: (1) whether the complainant was a crime victim; (2) whether the respondents are subject to the authority of the Board; (3) whether the allegations are time-barred; (4) whether the allegations implicate any constitutional or statutory victim rights; and (5) whether the respondents failed to comply with any duty imposed by a constitutional or statutory provision.

51. Whether a person is a crime victim is determined by statute. “A crime is conduct which is prohibited by state law and punishable by fine or imprisonment or both.” Wis. Stat. § 939.12. A crime victim is “[a] person against whom a crime has been committed.” Wis. Stat. § 950.02(4)(a)1.; *see also* Wis. Const. art. I, § 9m(1)(a)1. A crime victim “does not include the person charged with or alleged to have committed the crime.” Wis. Stat. § 950.02(4)(b); *see also* Wis. Const. art. I, § 9m(1)(b) (victim “does not include the accused”).

52. Whether respondents are subject to the Board’s authority is also determined by statute. The Board has authority to review complaints about “public officials, employees or agencies that violate the rights of crime victims.” Wis. Stat. § 950.09(2)(a); *but see Gabler v. Crime Victims Rights Bd.*, 2017 WI 67, 376 Wis. 2d 147, 897 N.W.2d 384 (statute unconstitutional as applied to judges).

53. Whether the allegations are time-barred is determined by the filing requirements in the administrative code. The Board may not consider allegations relating to “conduct that occurred prior to December 1, 1998, or more than 3 years before a complaint was filed with the board or the board was otherwise notified of the conduct,” except that the Board may consider issuing a report and recommendation concerning such conduct. Wis. Admin. Code CVRB § 1.04(5).

54. Probable cause is “a reasonable basis for belief, supported by facts, circumstances, and reasonable inferences strong enough to warrant a prudent person to believe that a violation probably has been or is being committed as alleged in the complaint.” Wis. Admin. Code CVRB § 1.02(9). Probable cause is satisfied by a believable or plausible account that the respondent probably has violated or is violating the victim’s rights. *See State v. Sorenson*, 143 Wis. 2d 226, 251, 421 N.W.2d 77 (1988).

55. At the probable cause stage, the Board evaluates the limited information available to it in the light most favorable to the complainant. The probable cause determination is not the proper time to debate and resolve credibility issues if essential facts, circumstances, and reasonable inferences are strong enough to warrant a prudent person to believe a violation probably has occurred or is occurring. *See State ex rel. Huser v. Rasmussen*, 84 Wis. 2d 600, 614, 267 N.W.2d 285 (1978).

PROBABLE CAUSE DETERMINATION

The Board Finds the Following:

56. The Board finds **no probable cause** of crime victims rights violations.

57. That C.G. is a crime victim.

58. That the members of the Eau Claire County District Attorney's Office and Eau Claire County Sheriff's Department are public officials or employees subject to the authority of the Board. *See Wis. Stat. § 950.09(2)(a)*.

59. That C.G.'s 2022–2023, allegations of victims rights violations fall within the three-year limitations period. *See Wis. Admin. Code CVRB § 1.04(5)*.

Claim I: The ECDA failed to provide C.G. an opportunity to confer with the prosecutor.

60. That the ECDA had several contacts with C.G. through letter, email, and phone calls.

61. That on March 25, 2022, C.G. did return the “Request to Exercise Victim’s Rights” form. C.G. indicated that she waived her rights to confer with the prosecutor, restitution, and to attend or be heard at any proceedings. C.G. indicated that she wished to exercise her right to be notified of all court hearings/proceedings, to be notified of the final disposition of the case, and to be contacted about writing a victim impact statement.

62. That on February 8, 2023, C.G. emailed for information about who the Assistant District Attorney assigned to the case was. The VWS responded with the name of the Assistant District Attorney and to invite C.G. to let them know if there was anything further that C.G. needed.

63. That although C.G. filed a form indicating that she waived her right to confer with the prosecutor, C.G. had the ability to reassert her right to confer if she chooses.⁷

64. That the ECDA could have provided better guidance on how to exercise this right, however the ECDA had fulfilled this obligation throughout the pendency of the case.

65. That given the facts and circumstances the Board finds no probable cause that the ECDA violated C.G.'s right to confer with the prosecutor.

Claim II: The ECDA failed to provide C.G. with reasonable and timely information about the status of the case.

66. That the ECDA provided C.G. with reasonable and timely information regarding the charged case against A.L.

67. That in January 2023, C.G. contacted the ECDA regarding a strangulation incident that was alleged to have occurred in 2021.

68. That there was some confusion as to the status of the strangulation investigation.

69. That the ECDA was able to determine that it received two supplemental reports from the ECSO. The reports referenced an incident that occurred in December 2021. Neither of the reports referenced a choking or strangulation incident.

⁷ A victim may assert their right to confer at any time, and staff should approach such communications with care and flexibility, consistent with the guidance outlined in CVRB Report and Recommendation #15.

70. That the ECSO determined that there was not enough evidence regarding the 2021 incident to take action and did not refer charges to the ECDA.

71. That the ECDA attempted to provide information to C.G. However, because no charges were referred to the ECDA, the ECDA did not have any additional information they could provide.

72. That given the facts and circumstances the Board finds no probable cause that the ECDA failed to provide C.G. with reasonable and timely information about the status of the case.

Claim III: The ECDA and the ECSO failed to treat C.G. with dignity, respect, courtesy, sensitivity, and fairness.

73. That the ECDA and ECSO communicated with C.G. and responded to her concerns throughout the pendency of the case.

74. That the copies of communications that were submitted with the complaint and responses were appropriate and professional in nature.

75. That the ECSO Detective went above and beyond in attempting to assist C.G., this included stopping the recording when C.G. requested, referring C.G. to advocates, trying to create safe spaces for interviews, and offering other resources for C.G.'s safety.

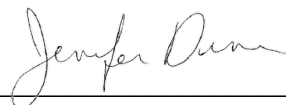
76. That the Board finds no probable cause that either the ECDA or the ECSA failed to treat C.G. with dignity, respect, courtesy, sensitivity, and fairness.

ORDER

Based on the foregoing, it is hereby ORDERED:

1. That there is no probable cause that a victim rights violation occurred, so the complaint is dismissed. A finding of no probable cause is a final decision of the Board under Wis. Admin. Code CVRB § 1.05(8).
2. That the Board hereby provides notice to the parties of the right to seek judicial review of this final decision pursuant to Wis. Stat. § 227.52. Attached to this decision is a summary of appeal rights.
3. That judicial review of this final decision is governed by Wis. Stat. §§ 227.52–.59. *See* Wis. Admin. Code CVRB § 1.10.
4. That a copy of this probable cause determination will be provided to the parties and the VRC, as identified in the service list below, in accordance with Wis. Admin. Code CVRB § 1.05(8).

Dated this 27th day of February 2026.



Chairperson Jennifer Dunn
Crime Victims Rights Board