



# MARATHON COUNTY PUBLIC SAFETY COMMITTEE AGENDA

Date & Time of Meeting: **Tuesday, October 8, 2024 at 1:30pm**

Meeting Location: **Courthouse Assembly Room, Courthouse, 500 Forest Street, Wausau WI 54403**

Committee Members: Brent Jacobson, Chair; Jean Maszk, Vice-Chair; Deb Hoppa, Al Opall, Tim Sondelski  
Jason Wilhelm, Yee Leng Xiong

**Marathon County Mission Statement:** Marathon County Government serves people by leading, coordinating, and providing county, regional, and statewide initiatives. It directly or in cooperation with other public and private partners provides services and creates opportunities that make Marathon County and the surrounding area a preferred place to live, work, visit, and do business. (Last updated: 12-20-05)

**Committee Mission Statement:** Provide leadership for the implementation of the Strategic Plan, monitoring outcomes, reviewing, and recommending to the County Board policies related to the public safety initiatives of Marathon County.

Persons wishing to attend the meeting by phone may call into the **telephone conference beginning five (5) minutes prior to the start time indicated above using the following number:**

**Phone#: 1-408-418-9388      Access Code: 146 235 4571**

When you enter the telephone conference, **PLEASE PUT YOUR PHONE ON MUTE!**

The meeting will also be broadcasted on Public Access or at <https://tinyurl.com/MarathonCountyBoard>

1. **Call Meeting to Order**
2. **Pledge of Allegiance**
3. **Public Comment (15 Minutes)** (Any person who wishes to address the committee during the "Public Comment" portion of the meetings, must provide his or her name, address, and the topic he or she wishes to present to the Marathon County Clerk, or chair of the committee, no later than five minutes before the start of the meeting. All comments must be germane to a topic within the jurisdiction of the committee.)
4. **Approval of the September 10, 2024, Public Safety Committee Meeting Minutes**
5. **Policy Issues Discussion and Potential Committee Determination**
6. **Operational Functions Required by Statute, Ordinance, Resolution, or Policy**
  - A. Discussion and Possible Action by Public Safety Committee (PUBS)
    1. Consideration of Administrator's Proposed Decision-Making Process to Analyze Law Enforcement Needs at Central Wisconsin Airport
  - B. Discussion and Possible Action by PUBS to Forward to HR Finance & Property Committee
    1. Creation of 1.0 FTE Deputy Position in the Sheriff's Office to fulfill obligations in connection with contract with the Village of Rib Mountain
    2. Consideration of Resolution to Amend the 2024 Annual Budget to Accept Awarded Funds Under the 2024 Bureau of Justice Assistance Smart Prosecution Grant
  - C. Discussion and Possible Action by PUBS to Forward to County Board for Consideration
    1. Consideration to amend the existing Medical Examiner fee structure in 2024, as permitted by Wisconsin Statutes
    2. Consideration of the Creation of a County Ordinance Consistent with Dane County Ordinance 34.01
    3. Consideration of Resolution in Support of Marathon County District Attorney's State of Wisconsin biennial budget request
7. **Educational Presentations and Committee Discussion**
  - A. Overview of the highlights of the 2025 Annual Budget with respect to the departments and organizations over which the Committee has jurisdiction.
  - B. Discussion amongst supervisors regarding takeaways from attending the Wisconsin Counties Association Annual Conference
    1. Were there interesting opportunities that you believe we should further investigate.
  - C. Data Collection and Performance Measure Update on Drug Treatment Court
8. **Next Meeting Date & Time, Announcements and Future Agenda Items:**
  - A. Committee members are asked to bring ideas for future discussion.
  - B. Next meeting: Tuesday, November 12, 2024 at 1:30pm
9. **Adjournment**

\*Any Person planning to attend this meeting who needs some type of special accommodation in order to participate should call the County Clerk's Office at 261.1500 or email [countyclerk@co.marathon.wi.us](mailto:countyclerk@co.marathon.wi.us) one business day before the meeting.

**SIGNED** \_\_\_\_\_ s/s Brent Jacobson  
Presiding Officer or Designee

EMAILED TO: Wausau Daily Herald, City Pages, and other Media Groups

EMAILED BY: \_\_\_\_\_

DATE & TIME: \_\_\_\_\_

**NOTICE POSTED AT THE COURTHOUSE**

BY: \_\_\_\_\_

DATE & TIME: \_\_\_\_\_



# MARATHON COUNTY PUBLIC SAFETY COMMITTEE AGENDA WITH MINUTES

Date & Time of Meeting: **Tuesday, September 10, 2024 at 1:30pm**

Meeting Location: **Courthouse Assembly Room, Courthouse, 500 Forest Street, Wausau WI 54403**

Brent Jacobson	Present
Jean Maszk	Present
Deb Hoppa	Present
Al Opall	Absent
Tim Sondelski	Present
Jason Wilhelm	Present
Yee Leng Xiong	WebEx

Staff Present: Chad Billeb, Bill Millhausen, Tim Burkholder, Sandra La Du, Rhonda Zastrow, Theresa Wetzsteon, Kyle Mayo, Michael Puerner, Lance Leonhard, Michal Schultz, David Holcomb

Others Present: John Robinson, Stacey Morache, Judge O'Neill, Judge Cveykus, Judge Moran, Kenneth Grams, Jeff Gates

Meeting Recording

1. **Call Meeting to Order** - Chair Jacobson called the meeting to order at 1:31pm
2. **Pledge of Allegiance**
3. **Public Comment**
4. **Approval of the August 6, 2024, Public Safety Committee Meeting Minutes** – (00:01)  
Motion by Wilhelm, Second by Maszk to approve the minutes. Motion carried on voice vote unanimously.
5. **Policy Issues Discussion and Potential Committee Determination**
  - A. Discussion regarding 2025 Annual Budget Development and Policy recommendations from the committee, including Review of the Mandatory / Discretionary Program documents and discussion of Rates and Fees
    1. Consideration to Direct Administration to continue funding of Victim Witness Specialist Position in District Attorney's Office using American Rescue Plan Act funds in 2025 budget – (00:02)  
Motion by Maszk, Second by Hoppa, to direct the county administrator to continue funding of Victim Witness Specialist Position in the 2025 budget. Motion carried on voice vote unanimously.
6. **Operational Functions Required by Statute, Ordinance, Resolution, or Policy**
  - A. Discussion and Possible Action by PUBS
    1. Consideration to Direct Administration to author a letter of support to state elected officials for creation of Assistant District Attorney Position in the 2025-27 Biennial State Budget – (00:11)  
Motion by Maszk, second by Sondelski to direct staff to draft a resolution showing support for creation of Assistant District Attorney Position. Motion carried on voice vote unanimously.
  - B. Discussion and Possible Action by PUBS to Forward to County Board for Consideration
    1. Consideration of the Creation of a County Ordinance Consistent with Dane County Ordinance 34.01 – (00:36)  
Motion by Maszk, Seconded by Hoppa to direct staff to draft an Ordinance for presentation to this committee. Motion carried on voice vote unanimously.
7. **Educational Presentations and Committee Discussion**
  - A. Medically Assisted Treatment (MAT) Grant update and future opportunities – (00:48)
  - B. Update on Law Enforcement services to the Village of Rib Mountain – (01:06)
  - C. Data Collection and Performance Measure update on Treatment Courts – Judge O'Neill – (01:11)
  - D. City of Mosinee Police Department – Central Wisconsin Airport Response History – (02:02)
8. **Next Meeting Date & Time, Announcements and Future Agenda Items**
  - A. Committee members are asked to bring ideas for future discussion.
  - B. Next meeting: Tuesday, October 8, 2024 at 1:30pm
9. **Adjournment**  
Motion by Maszk Second by Wilhelm to adjourn. Motion carried on voice vote unanimously.  
Meeting Adjourned at 4:15pm

Minutes prepared by David Holcomb

# Memo

To: Marathon County Public Safety Committee  
From: Lance Leonhard  
Date: September 24, 2024  
Re: Proposed Decision-Making Process to Analyze Law Enforcement Needs at Central Wisconsin Airport (CWA)

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## Background:

The City of Mosinee has raised concerns regarding the demands placed on its law enforcement resources due to serving the Central Wisconsin Airport, in Mosinee (CWA). To address these concerns effectively, we propose the following decision-making process to assess the current and future needs of law enforcement at CWA and determine reasonable steps to mitigate the workload on the Mosinee Police Department (MPD).

## Recommended Process:

- 1. Form a Workgroup Led by CWA:** A dedicated workgroup will be formed to lead the effort in understanding and addressing this issue. The workgroup will be spearheaded by representatives from CWA and include key stakeholders from the Sheriff's Offices (SO) of both Marathon County and Portage County, as well as the County Administrator and Executive from Marathon and Portage Counties.
- 2. Review the Existing Situation – Receive Presentation from MPD:** The first step will involve a detailed presentation from the MPD to review the current situation. This presentation will provide an overview of the specific challenges MPD faces in responding to calls from CWA and outline the types and frequency of calls for service.
- 3. Analyze the Last Year of Calls for Service Responded to by MPD:** A comprehensive review of the past year's calls for service will be conducted. This review will focus on:
  - Identifying calls that are mandated by law enforcement (LE) and require a police response. CWA will work to ensure that the workgroup has access to information relative to the law enforcement service response requirements in connection with airport operational requirements (e.g., TSA).
  - Determining whether other issues, such as vehicle lockouts or non-criminal matters, can be addressed operationally through changes by CWA, Dispatch, or MPD.

4. **Assess Future Call Needs – Focus on Core Law Enforcement Needs:** The workgroup will project the anticipated need for law enforcement at CWA based on trends and future operational demands. The focus will be on identifying only those calls that require a LE response.
5. **Evaluate Whether the Anticipated Call Need is Reasonable for MPD:** Several factors will be considered to determine if the projected call volume is reasonable for MPD:
  - A comparison of law enforcement needs at CWA with other institutions, such as schools, to evaluate the burden on MPD.
  - A benchmarking review of how other airports of similar size handle law enforcement responses.
  - Identification of potential funding options to support the operational and personnel costs anticipated to be incurred by MPD in handling anticipated calls for service from CWA in connection with revised response process.

**Timeline:** This timeline for this effort would be developed by Central Wisconsin Joint Airport Board; however, the recommendations from the workgroup would be anticipated by April 1, 2025.

**Conclusion:**

This structured process will provide a thorough assessment of the law enforcement needs at Central Wisconsin Airport and offer actionable recommendations to address the concerns of the City of Mosinee. We anticipate that by forming a collaborative workgroup and reviewing both historical and projected call data, we can make informed decisions that will balance the operational needs of the airport with the resource limitations of the MPD.



Lance Leonhard  
County Administrator



## New / Expanded Position Request Form

**Department:** Sheriff's Office

**Requested by:** Chief Deputy William Millhausen

**Nature of Request (mark one)**

Create/Add a position(s) in the department      **Number of Positions:** 1

Create and abolish a current position

Expand/change FTE of a current position

Current FTE: [Click or tap here to enter text.](#)      New FTE: [Click or tap here to enter text.](#)

Other: [Click or tap here to enter text.](#)

**Classification Title/Working Title:** Deputy Sheriff – Rib Mountain Contract      **DBM:** Per Deputy Sheriff Bargaining Agreement / Contract

*(If unsure of classification or DBM list TBD "to be determined")*

**Attach:**  Job description of requested position    **-OR-**     Position Description Questionnaire (PDQ)

**Summarize the major functions of the proposed position:** See Attached

**Please indicate:**  FT or  PT

**Hours per pay period:** 80

**Start Date:**  2024 Budget Year (10/01/2024) **-OR-**  **Projected Start Date:** October 1, 2024

**Reason for Request/Justification:**

*(Reason for the new position or expanded FTE. Describe the need for this position including the benefit to the department/county if this position is filled and the negative impact if not filled.)*

This is an additional Deputy Sheriff position being requested by the Village of Rib Mountain to augment the current Deputy Sheriff positions already contracted to Rib Mountain. This is in line with the County's mission statement. A key part of the mission statement is that we will work in partnership with other partners to create opportunities to make Marathon County a preferred place to live, work, visit and do business. This position is a partnership between the Village of Rib Mountain and the Marathon County Sheriff's Office. For years leaders within the County and the Village of Rib Mountain have been approached about the need for Rib Mountain to have its own police department. Due to the size and make-up of the Village they are now required by statute to create their own police department or contract for said services. They wish to contract with the Marathon County Sheriff's Office to provide specific law enforcement services for the Village. We currently have two full-time Deputy Sheriff's assigned to the Village of Rib Mountain. The Village now wishes to enter into a larger contract for a total of three (3) dedicated Deputy Sheriff's.

The Village of Rib Mountain yields the largest number of calls of any jurisdiction we serve throughout the year. Rib Mountain is the heart of the shopping district in our county and has direct access to many recreational opportunities for our residents and visitors. Having a third dedicated Deputy contracted to the Village will bring about a great deal of consistency in our policing in Rib Mountain and will open up better lines of communication with the Village, local businesses and residents. The Deputies assigned to Rib Mountain will take on many of the community policing opportunities that we have not been able to provide in the past.

This position allows the Sheriff's Office to increase our staffing and response to areas outside of the Village of Rib Mountain during the hours the contracted deputies are working. This frees up deputies to provide better



## New / Expanded Position Request Form

service to those areas that we have not been able to spend time in due to our commitment to the Rib Mountain area. In addition, the contracted Deputies will be able to better serve the Rib Mountain area by having unique and consistent knowledge about current trends or incidents in Rib Mountain, stronger relationships with residents and businesses and access to the many resources at the Sheriff's Office when those additional services are needed. We believe this position will provide a higher level of service to Rib Mountain and free up resources to better serve other areas of the county.

**COSTING:** What is the anticipated total cost of this position: \$138,225

*(Include salary; benefits; office space, remodeling, furniture, and equipment; travel; and other applicable costs. If you need assistance in calculating cost, contact Employee Resource for salary and benefits.)*

**Please list additional costs anticipated:** N/A

**FUNDING:** Please explain how the position will be funded:

County tax levy: \$5000.00      % Of total costs: 3.6

Outside funding: \$133,225 % Of total costs: 96.4

Source and length of outside funding: Village of Rib Mountain, Contract through 12/31/2030

**Will this request require NEW funding in 2024 or current year?**

**YES**, take to Committee of Jurisdiction / HR Finance Committee / County Board-  
Annual Fiscal Impact (full year): [Click or tap here to enter text.](#)

**If midyear:** Estimated cost for remainder of 2024: [Click or tap here to enter text.](#)

**\*\*\*\*Requestor should prepare Resolution Draft to share with Committees at this time.**

**NO** Request may be taken to committee before 2025 Budget Process.  
Discuss with Employee Resource Director and County Administrator.

**Please attach any additional supporting documentation such as full job description, costing, or proposed change to organization chart.**

**Requested by:** Chief Deputy William Millhausen

**Date:** September 25, 2024

**Department Approval:** Sheriff Chad Billeb

**Date:** September 25, 2024

Completed request should be forwarded to Employee Resources: Molly Adzic, Boly Vang and Sue Fox

## **Deputy Sheriff Recruitment JR-23 (last posting in Workday)**

### **POSITION SUMMARY:**

Marathon County Sheriff's Office is pleased to announce an OPEN recruitment for Deputy Sheriffs. While we are currently accepting applications on an ongoing basis, it does not necessarily mean that there are presently open positions. Those applicants selected to participate in the next hiring assessment will be notified accordingly. Experienced law enforcement candidates are encouraged to apply and review the Lateral Entry Program agreement that allows for up to five (5) years of prior full-time service to be considered in the placement within the Deputy Sheriff pay scale and used for Paid Time Off (PTO) accruals.

Marathon County Deputy Sheriffs perform various law enforcement duties providing protection of life and property and the enforcement of federal, state and county laws and ordinances. The regular work schedule is a cycle of 4 consecutive days of work with 2 consecutive days off including weekends and holidays. The regular work day is 8 hours, 25 minutes. Officers will be assigned to one of three shifts. Deputies serve an 18 month probationary period.

### **QUALIFICATIONS:**

High school diploma or GED plus:

- Current State of Wisconsin Sworn law enforcement officer certification; OR a minimum of 60 credits earned at an accredited college or technical school. Preference will be given to candidates with current State of Wisconsin Sworn Law Enforcement Officer certification.
- Possess a valid driver's license and driving record that meets Sheriff's Office standards.
- Minimum of 18 years of age.
- United States citizen.
- Applicants must not have been convicted of any federal felony or of any offense which if committed in Wisconsin could be punished as a felony unless the applicant has been granted an absolute and unconditional pardon.
- Applicants must not have been convicted of any misdemeanor crime of domestic violence unless the applicant has been granted an absolute and unconditional pardon.
- Must be of good character to withstand an extensive background investigation.

**NEW POLICY Regarding Residency:** Marathon County Deputies living outside of the county, **MUST** live within a 15-minute response time to county line.

### **EXAMPLES OF WORK PERFORMED:**

- Patrols an assigned area in an automobile for the purposes of preventing and discovering crimes, and enforcing all applicable laws, ordinances, and traffic regulations.
- Responds to calls for service as dispatched; provides necessary assistance to the public; takes appropriate enforcement action when necessary.
- Makes arrests after observing law violations; transports prisoners to the County Jail for booking; prepares reports on action taken for record keeping purposes and for use in courtroom presentations as necessary.
- May be required to operate intoximeter equipment in accordance with State standards and departmental policies.
- Investigates accidents, sudden deaths, suicides, and any felonies or misdemeanors which may occur in the officer's area of responsibility. Enters comments into department computers; dictates reports as required.
- Utilizes various law enforcement software to complete required forms and reports.
- Serves a variety of criminal and civil processes and arrest warrants.
- Testifies in court as needed.
- May maintain order and provide security services in courtrooms and other areas of the Courthouse.
- Attends training classes and programs as required. Required to maintain certifications in CPR, intoximeter, radar, DAAT, EVOC, PBT, and qualify semi-annually with department issued firearms.
- Develops solutions to work issues that add value for our customers.
- Maintains regular and predictable attendance.
- Positions in this classification are subject to emergency call in.
- May have occupational exposure to bloodborne pathogens. Refer to the Marathon County Sheriff's Department Exposure Control Plan for more specific information.
- Performs related work as required.

#### KNOWLEDGE, SKILLS & ABILITIES:

- Knowledge of approved principles and practices of law enforcement work and of applicable laws and ordinances.
- Knowledge of the geography and demography of assigned area.
- Knowledge of departmental rules and regulations, policies, and procedures.
- Knowledge of first aid methods and techniques.
- Knowledge of investigative techniques and practice.
- Ability to observe situations analytically and objectively, and to report and record them clearly and accurately.
- Skill in the use and care of firearms and in the safe and efficient operation of motor vehicles, as well as other departmental equipment.
- Skill to deal courteously, yet firmly and effectively, with the public in police situations, of both an adversary and non-adversary nature.
- Ability to exercise good judgment in emergency situations, to act quickly and calmly in applying appropriate techniques.
- Ability to learn thoroughly a wide variety of rules and police procedures.
- Ability to learn various law enforcement computer systems and utilize knowledge in performing required job duties.
- Skill in the use of computer software programs, functions, and operations.
- Understands the County's and department's mission, core values, plans, and priorities for the future.
- Ability to contribute to a positive work culture that fosters excellent customer service and teamwork.

#### COMPENSATION:

Starting hourly rate **Deputy I: \$30.11 per hour (\$62,610 annually)**.

Based on a Lateral Entry Agreement, an experienced, currently-employed, full-time Wisconsin Law Enforcement Officer with a minimum of three (3) continuous years in that capacity could enter the pay scale with a maximum credit of five years of prior service, at the level of a **Deputy Sheriff III, with an hourly rate of \$34.46 (\$71,665 annually)**. This wage increase will take place immediately upon hire.

#### SELECTION PROCEDURE:

All candidates will be notified of their status.

1. Candidates selected for consideration will be contacted via email. As soon as dates are selected for another round of the hiring assessment and interview with Sheriff Command Staff described below, selected candidates will be emailed.

2. Complete and pass a candidate hiring assessment - The assessment will be administered at the Marathon County Sheriff's Office. It will consist of an oral interview, scenario/simulation and report-writing. Qualified applicants will be invited via e-mail to take part in the assessment at a designated date and time.

3. Interview with Sheriff's Command Staff - Upon successful completion of the hiring assessment, the top candidates will be selected for interviews with members of the Marathon County Sheriff's Office Senior Command Staff. This interview panel will consist of the Sheriff, Chief Deputy, Patrol Captain and other selected staff. Candidates will be invited via e-mail to sign up for the interviews at a designated date and time. A written background assessment may also be completed at this time.

Candidates will be notified within two (2) business days of their interview with the senior command staff of their status. Candidates will either be moved forward in the process, placed on an eligibility list, or not selected for additional consideration.

4. Candidates moving forward in the selection process will undergo an extensive background/criminal investigation: verification of education and certification, verification of employment record, background/criminal check and a driving record check.

5. Candidates offered employment will be required to submit to and pass the post-offer assessments: physical and back exam, drug screen, fingerprinting, and a psychological assessment that are paid for by Marathon County.



**RESOLUTION #R-**

**TO CREATE 1.0 DEPUTY SHERIFF IN THE MARATHON COUNTY SHERIFF’S OFFICE TO PROVIDE CONTRACTED SERVICES FOR THE VILLAGE OF RIB MOUNTAIN**

**WHEREAS**, the Marathon County Sheriff's Office exists to provide a safe, secure and crime-free community through trust-building, enforcement and public safety management; and

**WHEREAS**, the creation of this Deputy Sheriff position in partnership with the Village of Rib Mountain is directly linked to this mission; and

**WHEREAS**, this position will be funded by the Village of Rib Mountain including wages for one full-time deputy along with the purchase of a vehicle and other required equipment; and

**WHEREAS**, on October 8, 2024, the Public Safety Committee voted to recommend creating 1.0 FTE Deputy position to County Board; and

**WHEREAS**, on October 9, 2024, the Human Resources, Finance and Property Committee also voted to recommend creating 1.0 FTE Deputy position to County Board.

**WHEREAS**, in order to fund these positions and services that they will provide §65.90(5)(a), Wis. Stats., dictates that appropriations in the Marathon County budget may not be modified unless authorized by a vote of two-thirds of the entire membership of the County Board of Supervisors, and

**NOW, THEREFORE, BE IT ORDAINED AND RESOLVED** by the Board of Supervisors of the County of Marathon:

- A. To create 1.0 FTE Deputy Sheriff position effective the beginning October 1, 2024 following the approval of this resolution.

Respectfully submitted this 17<sup>th</sup> day of October, 2024.

**HUMAN RESOURCES, FINANCE AND PROPERTY COMMITTEE**

John Robinson, Chair

Gayle Marshall, Vice Chair

Scott Poole

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Kody Hart

Ann Lemmer

Jordan Reynolds

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Kurt Gibbs

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Fiscal impact: \$5000 of Tax Levy for equipment for Deputy Sheriff.

Additional costs of this position will be covered by the Village of Rib Mountain under separate contract with Marathon County Sheriff’s Office.

**Resolution # R - - 24**

**RESOLUTION AMENDING THE 2024 ANNUAL BUDGET –  
ACCEPTING AWARDED FUNDS UNDER THE BJA 2024 SMART PROSECUTION GRANT**

WHEREAS, Section 65.90(5)(a) dictates that appropriations in the Marathon County budget may not be modified unless authorized by a vote of two-thirds of the entire membership of the County Board of Supervisors; and

WHEREAS, on September 26, 2024, the Marathon County District Attorney’s Office, by the Office of Justice Programs (OJP), was awarded \$300,630, over three years, under the BJA 2024 Smart Prosecution – Innovative Prosecution Solutions grant to create a new Diversion Pre-Filing Program; and

WHEREAS, the grant funding is distributed over three years with variability due to start-up costs and allowance for salary increases. The distribution is as follows:

- Year 1: \$ 99,911 (Start-up costs, 1 LTE Position)
- Year 2: \$99,295
- Year 3: \$101,424

WHEREAS, the goals of the Diversion Pre-Filing Program is to (1) reduce the time between the date of police referral and the sentencing date for swifter justice and connection to services, (2) reduce the number of times a charge is amended from filing to sentencing, and (3) ensure that all veterans in the criminal justice system are screened and processed through a multi- disciplinary team consisting of veteran stakeholders to create a person-centered resolution; and

WHEREAS, the Diversion Pre-Filing Program aligns with the Marathon County Objectives 7.2 under the 2023-2024 Marathon County Amended and Extended Strategic Plan through the Mental Health Substance Use Disorder (MHSUD) Specialty track; and

WHEREAS, on October 8, 2024 the Public Safety Committee reviewed the request and recommended approval of accepting the awarded funds under the BJA 2024 Smart Prosecution Grant; and

WHEREAS, on October 9, 2024, the Human Resources and Finance Committee reviewed the request and recommended approval of accepting the awarded funds under the BJA 2024 Smart Prosecution Grant.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of the County of Marathon does hereby resolve and ordain to amend the 2024 Budget to accept awarded funds under the: BJA 2024 Smart Prosecution Grant

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the funds accepted under this award, in the amount of \$99,911, shall be allocated to the Marathon County District Attorney’s Office Smart Prosecution Grant Fund.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Board of Supervisors of the County of Marathon does hereby approve a budget amendment and budget allocation of \$99,911 to the Marathon County District Attorney’s Office.

Action	Account Number	Account Description	Amount
Expenditure Increase	SC_51111	Personnel/Fringe	\$88,330.00
Fund 291	SC_51120	Employee Overtime	\$6,527.28
CC_51300	SC_53321	Travel/Training Office	\$2,369.00
GR-007653		Supplies	\$2,684.72
Increase Revenue	SC_53190	Grant Revenue	\$99,911
	RC_43210		

Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Abstain \_\_\_\_\_ Absent \_\_\_\_\_ [ ] Voice Vote

Approved and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2024

Denied this \_\_\_\_\_ day of \_\_\_\_\_, 2024

Approved as to Form:

SEAL

\_\_\_\_\_  
Michael Puerner, Corporation Counsel

\_\_\_\_\_  
Kurt Gibbs, County Board Chair

Approved as to Financial Impact (if necessary)

Attest:

\_\_\_\_\_  
Samantha Fenske, Finance Director

\_\_\_\_\_  
Kim Trueblood, Marathon County Clerk

Fiscal Impact: This resolution has zero tax levy impact. All expenditures are covered under federal grant funding.

Legal Note: As a resolution approving a budget amendment, this resolution requires a 2/3 majority vote.

# Medical Examiner Fee Structure Evaluation

## Background

In Wisconsin, **State Statute 979.10** requires that coroners and medical examiners issue a cremation authorization when families choose cremation as the final disposition for their loved one. To do so, they must view the decedent and personally inquire into the cause and manner of death. In addition, **Department of Health Services Chapter 135.07** specifies that no human remains that are buried may be disturbed, transported, or reinterred without a disinterment permit issued by a coroner or medical examiner in the county where the disinterment is taking place.

**Wisconsin State Statutes 59.38(1), 59.36, and 18(2)(d)2** grant the authority to the Marathon County Board of Supervisors to establish fees for services provided by the Medical Examiner's Office, including cremation authorization and disinterment fees.

In 2015, the Marathon County Board of Supervisors approved an increase in the cremation authorization and disinterment permit fee from \$175 to \$250. In 2016, the Board approved the creation of a \$100 fee for signing death certificates. However, in April 2016, **Wisconsin Act 336, 2015 Assembly Bill 662** was enacted, limiting the ability of coroners and medical examiner offices to raise fees beyond the annual consumer price index (CPI) increase, and prohibiting the creation of new fees. The legislation was backdated to 2015, forcing Marathon County to abolish the death certificate signing fee and preventing the establishment of additional fees beyond those for cremation authorization and disinterment permits.

In March 2023, the Marathon County Board of Supervisors approved an increase in the cremation authorization fee from \$250 to \$266.25, based on a 6.5% CPI increase.

## Request

The Medical Examiner's Office is requesting that the Marathon County Board of Supervisors approve an increase in the Medical Examiner fee structure, pursuant to Wisconsin Statutes 59.38(1), 59.36, and 18(2)(d)2, as follows:

Cremation Authorization fee: \$275

Disinterment Permit fee: \$275

The fee increase is based on the allowable consumer price index from December 2022 to December 2023 of 3.4%.

It is estimated that the proposed fee increase will generate an additional \$9,400 in annual departmental revenue. This estimate is based on a four-year average of cremation authorizations (4,779 total, averaging 1,194 per year), with the understanding that 10% of fees are waived annually due to financial hardship, stillbirths, and child deaths.

The Medical Examiner's Office is also requesting that the County Board of Supervisors conduct an annual review of the fee structure once the December-to-December consumer price index for the previous year is released.

### **Reasoning**

According to the U.S. Bureau of Labor Statistics, inflation increased by 3.4% from 2022 to 2023, which is the maximum allowable fee adjustment under state statute limitations. Due to these limitations, there are no other financial avenues to generate additional revenue within our current office structure.

The costs of daily operations, including staffing expenses, have risen within our department and are expected to continue increasing in 2025 with the transition of services to the Regional Forensic Science Center. This year, departmental staffing increased due to a position transitioning from 0.7 FTE to 0.8 FTE, with the role further expanding to 1.0 FTE in 2025 as part of the preparations for the Regional Forensic Science Center.

Lastly, cremation as a final disposition has grown in popularity over the years. According to the National Funeral Directors Association, in 2021, cremation accounted for 59.0% of all dispositions. The most recent statistics show that by 2023, this rate had increased to 60.6%. This rise in popularity will continue to increase our department's workload.

# Marathon County Regional Forensic Science Center



*Venture* Architects

Marathon County Regional Forensic Science Center



# Why are we here?

- Update fee structure
- Project Update
  - Recruitment
  - Relocation
  - Budget
  - Schedule
  - Construction



# Proposed Fee Increase

- State statute limitations
  - Wisconsin Act 336, 2015 Assembly Bill 662
  - Consumer Price Index (CIP)
- Legislation update
- Additional revenue: \$9,400
- Reasoning
  - Enhanced services
  - Increased workload
  - Growing staff

Cremation and Disinterment Fee

Year	Fee	CPI
2014	\$175	N/A
2015	\$250	N/A
2023	\$266.25	6.5%
2024	\$275	3.4%



# Construction Update



# Front Entrance





# Open Office



# Conference and Break Room





# Laboratory Area



# Sally Port



# Questions or Comments?





ORDINANCE #O-\_\_\_\_-24

AMENDING SECTION 9.21 OF THE MARATHON COUNTY GENERAL CODE OF ORDINANCES, RELATING TO DISORDERLY CONDUCT TO AN ELECTION OFFICIAL

WHEREAS, Chapter 9 of the General Code of Ordinances for Marathon County sets forth regulations related to maintaining public peace and good order within the County; and

WHEREAS, Wis. Stat. §§ 59.54(6) and (22) authorize Marathon County to enact and enforce ordinances to preserve the public peace and good order within the County, including ordinances prohibiting conduct that is the same as or similar to conduct prohibited in the criminal code of the State of Wisconsin; and

WHEREAS, on September 10, 2024, the Public Safety Committee directed Marathon County staff to draft an ordinance substantially similar to Dane County Ordinance 34.01, which addresses disorderly conduct against an election official; and

WHEREAS, on October 8, 2024, the Public Safety Committee recommended that the Marathon County Board of Supervisors amend Section 9.21 of the Marathon County General Code of Ordinances as follows:

9.21 Disorderly Conduct

- 1) No person shall, in a public or private place, engage in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct under circumstances in which such conduct tends to cause or provoke a disturbance.
2) Any person who engages in conduct prohibited in subsection (1) above directed towards an election official, as defined by Wis. Stat. § 5.02(4e), is subject to a forfeiture of between \$500 to \$1000.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Marathon does hereby ordain as follows:

To amend Section 9.21 of the Marathon County General Code of Ordinances, as follows in the interests of maintaining public peace and good order in the County:

9.21 Disorderly Conduct

- 1) No person shall, in a public or private place, engage in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct under circumstances in which such conduct tends to cause or provoke a disturbance.
2) Any person who engages in conduct prohibited in subsection (1) above directed towards an election official, as defined by Wis. Stat. § 5.02(4e), is subject to a forfeiture of \$500 to \$1000.

BE IT FURTHER RESOLVED that the ordinance shall take effect upon passage and publication as required by law.

PUBLIC SAFETY COMMITTEE

Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Abstain \_\_\_\_\_ Absent \_\_\_\_\_ [ ] Voice Vote

Approved and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2024

Denied this \_\_\_\_\_ day of \_\_\_\_\_, 2024

SEAL

Approved as to Form:

Attest:

Michael Puerner, Corporation Counsel

Kim Trueblood, County Clerk

Approved as to Financial Impact (if necessary):

Samantha Fenske, Finance Director

Kurt Gibbs, County Board Chair



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**DEPARTMENT 475: DISTRICT ATTORNEYS  
INSTRUCTIONS FOR 2025-27 BIENNIAL BUDGET REQUEST  
FOR COST-TO-CONTINUE AND  
REDUCTION OF CURRENT POSITION AUTHORIZATION**

If you wish to maintain the current number of State-funded positions in your office, please complete the following one-page form requesting a cost-to-continue current positions budget. If you wish to reduce the number of State-funded positions in your office, please complete the following one-page form(s) for requesting a reduction of current position authorization. Please sign and date the form(s) and send a copy of your request to the appropriate county official(s).

Under these options, your office will be afforded the standard budget adjustments that all agencies are provided related to salary and fringe benefit adjustments.

***DEADLINE:* September 1, 2024 (preferably no later than August 15, 2024)**

**Return to the State Prosecutors Office by email to:**

[amanda.mott@wisconsin.gov](mailto:amanda.mott@wisconsin.gov)

**Director Amanda Mott  
State Prosecutors Office**

**FORM FOR REQUESTING A COST-TO-CONTINUE CURRENT POSITIONS BUDGET**

**Prosecutorial Unit (County)** \_\_\_\_\_

1. A cost-to-continue budget is requested for the 2025-27 biennium for this prosecutorial unit. This means that presently authorized positions will continue to be available and Department of Administration staff will make standard funding adjustments.
2. A copy of this request has been sent to the County Board Chairperson/County Executive/Administrative Coordinator as appropriate for this county.

Signed \_\_\_\_\_ Date \_\_\_\_\_

**FORM FOR REQUESTING A REDUCTION IN CURRENT POSITIONS BUDGET**

**Prosecutorial Unit (County)** \_\_\_\_\_

1. A REDUCED budget is requested for the 2025-27 biennium for this prosecutorial unit. This means that the presently authorized State-funded positions, minus the position authority being given up, will continue to be available and Department of Administration staff will make standard funding adjustments.
2. The number of full time equivalent prosecutorial positions being reduced shall be \_\_\_\_\_.
3. The elimination of these positions, if approved by the Governor and Legislature, will take effect upon the enactment of the budget bill once all required notice obligations were met.
4. A copy of this request has been sent to the County Board Chairperson/County Executive/Administrative Coordinator as appropriate for this county.

Signed \_\_\_\_\_ Date \_\_\_\_\_

**DEPARTMENT 475: DISTRICT ATTORNEYS  
INSTRUCTIONS FOR 2025-27 BIENNIAL BUDGET REQUEST  
FOR INCREASE IN CURRENT POSITIONS**

If you wish to **increase** the number and/or the full-time equivalent (FTE) level of your positions, more information is requested. Detailed questions are asked during the budget process; consequently, the more complete the information you provide at the start, the better the information that will be immediately available to the State Budget Office and the Legislative Fiscal Bureau to answer questions when critical decisions are being made.

**DEADLINE: September 1, 2024 (preferably no later than August 15, 2024)**

**Return to: State Prosecutors Office by email:**

[amanda.mott@wisconsin.gov](mailto:amanda.mott@wisconsin.gov)

**Director Amanda Mott  
State Prosecutors Office**

**CRITICAL STATUTORY DEADLINE NOTICE**

***All State agencies, including the Department of District Attorneys, must submit their biennial budget requests to the Governor and Legislature no later than September 15th of even numbered years. Therefore, the State Prosecutors Office has only 10 days to combine the 71 individual District Attorney budgets into the required single submission that must be sent to the Governor and Legislature. As a result, the September 1, 2024, statutory deadline for submitting your 2025-27 budget request to the State Prosecutors Office must be strictly observed. Any district attorney's budget request for more staff that is not received by the State Prosecutors Office by SUNDAY, SEPTEMBER 1, 2024, will not be considered and the office will be included in the combined District Attorney budget submission as a cost-to-continue budget request, that is, as a request to continue that district attorney office's 2023-25 prosecutorial staffing level through the 2025-27 biennium. Thank you for your cooperation.***

**Cover Sheet: Form for Use in Requesting Additional Positions**

To request any additional positions, please return the signed cover sheet for additional positions with appropriate attachments identified as P-1 through P-6. In some cases, multiples of a "P" sheet may be appropriate, depending upon your request.

**DEPARTMENT 475: DISTRICT ATTORNEYS  
2025-27 BIENNIAL BUDGET REQUEST  
FORMS FOR USE IN REQUESTING ADDITIONAL POSITIONS**

**Prosecutorial Unit (County)** \_\_\_\_\_ **Marathon** \_\_\_\_\_

For the 2025-27 biennial budget for this prosecutorial unit, an increase in the number of FTE positions is requested. The increase represents 1 position(s) on a FTE position basis.

Details supporting this request are provided on the completed attachments. Additionally, standard funding adjustments made by Department of Administration staff are expected. These adjustments will be provided to all prosecutorial units in line with the state compensation plan.

**CHECKLIST OF ATTACHMENTS**

- Current organizational chart for the office (P-1)**
- Proposed organizational chart with request (P-2)**
- Summary list of requested positions by fund source (P-3)**
- Justification for requested positions (P-4)**
- Milwaukee Clerks Funding Request – completed by Milwaukee only (P-5)**
- County impact statement for request (P-6)**
- Letters of support (if available)**

Submitted by

District Attorney/Office \_\_\_\_\_ Theresa Wetzsteon/Marathon County \_\_\_\_\_ Date August 13, 2024 \_\_\_\_\_

Telephone number (715) 261-1112 \_\_\_\_\_

Attachments

**cc: County Board Chairperson/County Executive or Administrator**

## **ATTACHMENTS**

### **P-1 Current Organizational Chart**

Please furnish an organizational chart that represents your office on September 1, 2024. Identify State positions by current incumbent's name or position number. If the position is funded by a special grant, please identify the grant. You may also show county-funded positions such as paralegal, investigators, clerical, etc. If your prosecutors are organized into subdivisions, please indicate this clearly on the organizational chart. Label the chart P-1 and include your county's name.

### **P-2 Proposed Organizational Chart**

Please furnish a second organizational chart, using the same approach as in the P-1, which shows how the requested new position(s) would be incorporated into your office structure. Clearly identify all new or modified positions. Label the chart P-2 and include your county's name.

### **P-3 Summary List of Requested New Positions by Fund Source**

Please list the new and increased positions requested.

### **P-4 Justification for Requesting Additional Prosecutorial Position(s)**

For each part-time or full-time position increase identified on the P-3, fill out a separate P-4 sheet. You may photocopy the sample copy or provide your own format as long as the key information is provided. This includes the name of your county, the type of funding, your justification, and a priority ranking among the requested positions if more than one is requested.

### **P-5 Milwaukee Clerks Funding Request**

Used only by the Milwaukee DA Office to request an increase in the funding for clerical staff under s.978.13 (b), (c) and (d), Wis. Stats., for FY26 and FY27.

### **P-6 County Impact Statement**

As the operation of District Attorneys' Offices is a joint state and county financial responsibility, we ask that you inform your appropriate county officials of your state budget request and the possible impact upon your annual county budget request. The sheet provides a format to do this, and again we ask that you attest to this with your signature.

### **Evidence of County and Other Support for District Attorney Request**

If possible, please include any letters of support from a representative(s) of your county and any others with knowledge of your office's needs. If letters become available after September 1, 2024, please submit them to the State Prosecutors Office at that time. All letters will be made available to the Executive and legislative branches.

## **QUESTIONS**

For technical assistance, please contact me at (608) 261.9386 or [amanda.mott@wisconsin.gov](mailto:amanda.mott@wisconsin.gov)

**P-3 Summary List of Increased Positions**

**Prosecutorial Unit (County):** \_\_\_\_\_ Marathon \_\_\_\_\_

**All DA Offices:** Identify the new full time equivalent (FTE) positions requested. If the position requested is new and will be filled by a new hire then the current FTE position is 0.00 and the new FTE position is whatever you are requesting, e.g., 0.50 for a half-time position, 1.00 for a full-time position. New positions will be budgeted assuming the new hire is paid at the minimum hourly rate.

If you are requesting a partial position, which you would use to increase an existing position, then show the current position's FTE position authority, the amount of additional position authority you are requesting and the name of the ADA who would likely have his/her position increased. This will allow us to identify the appropriate funding needed to support your request.

<b>Classification (i.e. ADA, DDA, DA)</b>	<b>Current FTE</b>	<b>New or additional FTE</b>	<b>Name of current holder, if increasing an existing position</b>
1. <u>ADA</u>	<u>0.00</u>	<u>1.00</u>	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____
6. _____	_____	_____	_____

**P-4 Justification for Increased Prosecutorial Position(s)**

**Provide a separate P-4 for each position listed in the P-3.**

**Prosecutorial Unit (County):** Marathon

**Classification of Position (i.e. ADA, DDA or DA):** ADA

**Full-Time Equivalent (FTE) Request:** 1.00

**Type of Funding (GPR or other):** GPR

**Position number listed on P-3 for this funding:** 1

**Requested starting date for this new or increased position (10/1/25 or later):**

10/1/25

**Please provide a justification for the request, use additional sheets if needed.**

The Marathon County District Attorney's Office serves the largest land-sized county in the State of Wisconsin. One of the unique challenges presented by this large area is the significant number of law enforcement agencies that depend on this office for their prosecutions. There are at least sixteen agencies with well over 250 law enforcement officers who, on any given day, could send over traffic citations, forfeiture violations, misdemeanors and felonies. The adequacy of staffing levels impacts case processing timeframes. Each prosecutor assists with case processing with approximately 1,162 hours of work per year. Since January 2023, Marathon County had the assistance of an additional prosecutor funded through State ARPA dollars. By year's end 2023, the number of pending criminal cases in Marathon County was reduced by 15%. Improved case processing timeframes combined with investment in increased compensation for prosecutors has resulted in stability and retention in our prosecutor staff. This stability results in continuity for victims, uninterrupted case prosecutions and experienced exercise of prosecutorial discretion. This improved quality of service is consistent with our continued efforts to treat victims with fairness dignity and respect in furtherance of Marsy's Law.

The Marathon County District Attorney is responsible not only for the management and supervision of a 13 attorney staff, but also the management and supervision of 25 support staff members. Given the size of our Office, the Deputy District Attorney's role is especially critical to the efficient functioning in our Office. Without adequate staff of Assistant District Attorneys, our Deputy District Attorney must handle a full caseload. Our prosecutors, including our Deputy, are absorbing the additional work of the equivalent of 3.55 attorneys according to the latest workload analysis by the Department of Administration. Our Office is invested in diversion alternatives including pre-charge diversion and most recently deflection of offenders struggling with controlled substance dependence. We have one of the largest pre-charge diversion alternative programs in the State of Wisconsin. Our need for prosecutorial resources as reflected in the workload analysis does not take into consideration the hundreds of cases that are diverted from traditional prosecution every year. Despite our thriving pre-charge diversion programs, we remain understaffed by 3.55 prosecutors. The Deputy District Attorney's role includes supporting the District Attorney in administrative functions, strengthening collaboration with system and community partners, case analysis and troubleshooting, and training and mentoring of newer attorneys. Conversion of the limited term ARPA funded



prosecution position to a full time permanent GPR position would allow our Deputy District Attorney to focus on these important duties. If our Office continues at the current staffing levels, the Deputy District Attorney will continue to carry a full caseload contributing to turnover and low clearance case rates.

Priority ranking (if more than one position is requested) \_\_\_\_\_

**P-5 Milwaukee Clerks Funding Request**

**ONLY COMPLETED BY THE MILWAUKEE DA OFFICE**

**Prosecutorial Unit (County): MILWAUKEE**

For the Speedy Drug Courts, Speedy Violent Crimes Courts and Operation Cease-fire clerks in total, \$305,000 was authorized in FY24 and \$305,000 in FY25. Indicate the amount in addition to the FY25 base amount that is being requested in FY26 and FY27.

1. **Additional FY 2026 funds requested compared to FY25:** \_\_\_\_\_

2. **Additional FY 2027 funds requested compared to FY25:** \_\_\_\_\_

**P-6 County Impact Statement  
For Requested Increase in Prosecutorial Positions**

Prosecutorial Unit (County): Marathon

**I. Space Provisions for Newly Requested Prosecutorial Positions**

A. The number of new positions requested, for which additional county provided space will be required, is 1.0. (Normally this will exclude any FTE positions where you are only requesting that an existing part-time position be increased.)

B. Is there sufficient space currently available in the district attorney's office to accommodate the new requested prosecutorial positions and any support staff and equipment needed for them?

YES \_\_\_ NO \_\_\_ PARTIAL OR UNKNOWN X (if checked, please explain) County Administration is planning that the District Attorney's Office will move locations in 2025 which will result in different office space.

**II. County Costs for all Newly Requested Positions (i.e., as shown on P-3)**

Estimated total annualized county costs needed to support all additional prosecutorial FTE positions you are requesting from the State, if they are approved by the Governor and Legislature: \$ 84,903 (Victim Witness Specialist) and \$81,134 (Legal Assistant). (Exclude all costs, such as ADA wages and computers, which are borne by the State.)

Please Check

X All appropriate county budgetary and other officials have been informed of this State budget request. Attach any supporting letters or resolutions. (If such documents are received after submission of your budget, please submit them to the State Prosecutors Office when they become available.) The county official(s) to whom a complete copy of this request was sent were:

Name(s) of County Officials notified:

County Administrator Lance Leonhard  
\_\_\_\_\_  
\_\_\_\_\_

This Budget Submission Was Prepared By:

Name/Office Theresa Wetzsteon/Marathon County District Attorney

Title: District Attorney Phone number ( 715) 261-1112 Date: 8/15/2024

**RESOLUTION IN SUPPORT OF THE MARATHON COUNTY DISTRICT ATTORNEY'S OFFICE  
REQUEST IN CONNECTION THE STATE OF WISCONSIN 2025-2027 BIENNIAL BUDGET**

WHEREAS, the criminal justice system is a core constitutional responsibility of the State of Wisconsin with key services provided by local district attorney's offices; and

WHEREAS, 978.13 (2) of the Wisconsin Statutes identifies the State is the responsible unit of government for funding prosecutor positions; and

WHEREAS, the impact of inadequate number of prosecutor positions results in overwhelming caseloads, which can result in difficulty in retaining and recruiting staff, ultimately negatively impacting crime victims and those charged with criminal offenses; and

WHEREAS, adequate resources for this constitutional service are necessary to protect constitutional rights and to protect public safety; and

WHEREAS, the State of Wisconsin has funded a prosecutor position in the Marathon County District Attorney's Office, utilizing American Rescue Plan Act funding received by the State, since January of 2023; and

WHEREAS, Marathon County has demonstrated the ability to effectively deploy that prosecutor to positively impact the criminal justice system and the caseload needs within the Marathon County District Attorney's Office continue to warrant state funding of the additional prosecutor; and

WHEREAS, without these resources, the criminal justice system will be negatively impacted; and

WHEREAS, Marathon County's vision is to be the healthiest, safest, and most prosperous county in the State of Wisconsin, and a fully staffed, fully functional District Attorney's Office is central to that mission. Should the state allocate the funding requested by District Attorney Wetzsteon, Marathon County stands ready to ensure the necessary office space and support staff for those prosecutors to be successful in the performance of their official duties.

NOW THEREFORE BE IT RESOLVED, that the Marathon County Board of Supervisors hereby requests that the Governor and the State Legislature support the request of the Marathon County District Attorney's Office in connection with the development of the 2025-27 Biennial Budget.

BE IT FURTHER RESOLVED, that the Board of Supervisors directs the County Clerk to submit the resolution to the Governor and Marathon County Legislative Delegation.

**HUMAN RESOURCE FINANCE AND PROPERTY COMMITTEE AND PUBLIC SAFETY COMMITTEE**

Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Abstain \_\_\_\_\_ Absent \_\_\_\_\_ [ ] Voice Vote

Approved and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2024

Denied this \_\_\_\_\_ day of \_\_\_\_\_, 2024

Approved as to Form:

SEAL

\_\_\_\_\_  
Michael Puerner, Corporation Counsel

Approved as to Financial Impact (if necessary)

Attest:

\_\_\_\_\_  
Samantha Fenske, Finance Director

\_\_\_\_\_  
Kim Trueblood, Marathon County Clerk

Fiscal Impact: There is no direct fiscal impact as a result of the resolution; however, should the state budget provide funding as requested in the Marathon County District Attorney's state budget request, Marathon County would undertake an assessment relative to additional support needs.

# Marathon County Budget Report

County Administration-Alternative Justice					
	Drug Court		OWI Court		
	2024	2025	2024	2025	
Tax Levy	\$ 144,777.00	\$ 104,685.00	\$ 118,770.00	\$ 107,528.00	
State Grant	\$ 103,371.00	\$ 150,000.00		\$ -	
<b>Total Revenues</b>	<b>\$ 248,148.00</b>	<b>\$ 254,685.00</b>	<b>\$ 118,770.00</b>	<b>\$ 107,528.00</b>	
<b>Total Operating Expenditures</b>	<b>\$ 194,021.00</b>	<b>\$ 254,685.00</b>	<b>\$ 78,853.00</b>	<b>\$ 107,528.00</b>	
<b>Total Personnel</b>	<b>\$ 15,691.00</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	
	\$ 38,436.00	\$ -	\$ 39,917.00	\$ -	
	*Thru 9/2024		*Thru 9/2024		

Treatment Courts		
	2024	2025
	\$ 263,547.00	\$ 212,213.00
	\$ 103,371.00	\$ 150,000.00
<b>Total Revenues</b>	<b>\$ 366,918.00</b>	<b>\$ 362,213.00</b>
<b>Total Operating Expenditures</b>	<b>\$ 272,874.00</b>	<b>\$ 362,213.00</b>
<b>Total Personnel</b>	<b>\$ 15,691.00</b>	<b>\$ -</b>
	\$ 78,353.00	\$ -
	*Thru 9/2024	

## Treatment Court FAQ

**Question:** Are treatment courts unique to Marathon County?

No, the programs began in 1989 in Dade County, Florida. There are currently over 4000 courts in the United States. It is an evidence based researched supported program that has demonstrated the most promising outcomes for high risk and high need individuals with substance abuse disorders. 50 Wisconsin counties have Drug Treatment Court Programs.

**Question:** Why are treatment courts successful?

The courts allow for treatment and accountability while an individual remains in the community. Participants are able to learn skills needed to be successful in the community, while living in the community and experiencing real life situations and challenges. Participants are assisted with developing a positive support system in the community including sponsors, prosocial friends and family members. Family counseling can be utilized to rebuild family relationships. Individuals with housing and employment can maintain those so they are not at increased risk as they would be returning to the community without them. Participants are taught to utilize community resources for support of their long-term recovery and learn to cope with day-to-day stresses and triggers that they won't experience in an institutional setting,

**Question:** Do all OWI Court Participants drive under the influence of Alcohol?

*No, many of the participants in OWI Court are diagnosed with polysubstance abuse and may have charges related to operating with a controlled or restricted substance.*

**Question:** Why were the Department of Corrections Substance Abuse Treatment Program Outcomes selected as a comparison group for OWI Court participants?

*The Substance Abuse Treatment Program outcomes were selected as a comparison for two primary reasons. First, the Substance Abuse Treatment Program is the program that most individuals with repeat OWI offenses would have been eligible for had they been sentenced to prison. Individuals with drug convictions typically participate in the Earned Release Program or the Challenge Program. The second reason the Substance Abuse Program outcomes were used as a comparison is that the Substance Abuse Program has the best (most successful) outcomes of the three DOC institution programs, and we wanted to compare our program to the best in-institution program.*

**Question:** Is everyone guaranteed admittance to a Treatment Court?

*No, there have been over 400 referrals to Drug Treatment Court since 2018 and only 94 have been accepted. Less than 25% of people who apply are accepted into the program. All candidates that are referred to the court are screened and formally assessed for risk to reoffend as well as substance abuse and mental health needs. The program screens out referrals that are considered violent under the Department of Justice guidelines. Following all the assessments, a multidisciplinary team, including professionals from The Wausau Police Department, Sheriff's Department, DOC Community Corrections, Marathon County Social Services, Marathon County Corporation Counsel, the State Public Defenders office, and Marathon County Justice Programs meet to consider the applicant and decide regarding acceptance into the program. Following a decision by the multidisciplinary team to accept the individual into the program, the participant must still be found appropriate for the program at sentencing by a Marathon County Circuit Court judge.*

**Question:** Do all participants that are denied from Drug Treatment Court end up sentenced to prison?

*No, individuals denied from treatment court continue through the traditional criminal justice process.*

**Question:** What is the percentage of individuals who commit a new offense while in Drug Treatment Court?

*As of September 2024, a total of 74 individuals have left the program either successfully or unsuccessfully. Of those, 20 committed a new offense while in the program. That means 73% had no new offenses during the program. For context, the average length to successfully complete Drug Treatment court is 20 months.*

**Question:** Does Drug Treatment Court track data and analyze outcomes.

Yes, the program keeps a detailed spreadsheet of program activity and outcomes. All information is further entered into the Wisconsin TAD CORE database on a weekly basis. Quarterly reports are submitted to Wisconsin DOJ as part of grant management, and we are required to reapply for grant funding each year and must include data and outcomes from the previous year. The program coordinator tracks various internal measures to assist the team in determining if changes need to be evaluated based on outcomes and these are presented and discussed on a quarterly basis.

**Question:** Do treatment court participants have children that are affected by their parents' substance use?

As of September 2024, there have been 74 completions from Drug Court, 44 successful completions (graduations) and 30 unsuccessful (terminations).

- 41 of the completions had children under the age of 18 (a total of 64 children).
- 11 currently active participants have children under 18 ( a total of 21 children).
- There have been 85 children under 18 that have had a parent participate in Marathon County's Drug Treatment Court to date.
- 25 of the 74 completions had one or more children placed out of their home by social services prior to participation in the program. 11 participants have had children returned from out of home placements during their participation in Drug Treatment Court.
- 10 current participants have children that were removed from their care prior to drug court.
- 3 additional babies were born post program to successful participants. 2 mothers and 1 father. All remain in the parents' care.



# Marathon County Drug Treatment Court Overview

Results-Based Accountability Framework | Program-To-Date (*Program Start 2018-Sept 20, 2024*)

Prepared by Marathon County's Data Officer at the request of the County Administrator on behalf of the Public Safety Committee and County Board.

## How Much Did We Do?

# of Referrals

# of Completed Referrals

# of Participants

## How Well Did We Do It?

Eligibility Screening

Program Discharges

Statewide Comparisons

## Is Anyone Better Off?

Living Situation

Employment Status

Child Support Status

In-Program Recidivism

## Due Diligence Notes and Data Limitations:

### Where did this information come from?

Wisconsin Department of Justice (DOJ) "Comprehensive Outcome, Research, and Evaluation" (CORE) Reporting System

### What is CORE?

"This is a system designed for statewide use to collect participant data to improve the quality of treatment courts and diversion programs in Wisconsin." - *The "Memorandum of Understanding" (MOU) Regarding CORE*

### Why was CORE created by WI Department of Justice?

"With the implementation of the CORE Reporting System, there is now a consistent data collection process in place for the TAD programs that will support more detailed and robust analysis and evaluation for the program in the future."

- *Bureau of Justice Information and Analysis | Wisconsin Department of Justice*

### What references were used to prepare for this presentation?

- Bureau of Justice Information and Analysis & Wisconsin Department of Justice. Treatment Alternatives and Diversion (TAD) Program 2014-2018 Participant Outcome Summary and Cost-Benefit Report.
- 2022 Admission Cohort Progress Report & 2019-2023 Data Dashboard, Accessed September 30, 2024.
- Wisconsin Treatment Court Standards | Revised 2018
- Wisconsin Statewide Drug and Hybrid Court Performance Measures: A Foundation for Performance Management
- Comprehensive Outcome, Research, and Evaluation Reporting System Multi-Factor Authentication User Guide
- Multiple Consultations with "TAD/CORE Program & Policy Analyst" from State of Wisconsin Department of Justice Bureau of Justice Information and Analysis to ensure report information was within the scope of User Agreement.
- Framework for Defining and Measuring Recidivism revised July 2016

**All reports can be found:** <https://www.doj.state.wi.us/dles/bjia/tad-data-and-reports> &

<https://www.wicourts.gov/courts/programs/problemsolving/resources.htm> &

<https://cjcc.doj.wi.gov/files/framework-defining-and-measuring-recidivism-revised-july-2016docx>

**What this presentation is:** An exercise in data transparency.

**What it isn't:** An unauthorized sharing of personal information.

"Any presentations, reports, and research articles (including drafts of any of these) based on data covered by this agreement may present data in aggregate form only. - *MOU Regarding CORE*

### Limitations:

While human error cannot be completely eliminated, Marathon County provides WI DOJ "access to any of its records, information, and data contained in the CORE Reporting System for the purposes of conducting audits to ensure compliance with this MOU and with the law. WI DOJ shall, at any time during normal business hours and upon reasonable notice, have access to and the right to examine, audit, excerpt, transcribe, and copy, on the site's premises, any of the site's records and computer data storage media involving transactions directly pertinent to this MOU."



# How Much Did We Do?

# of Referrals

# of Completed Referrals

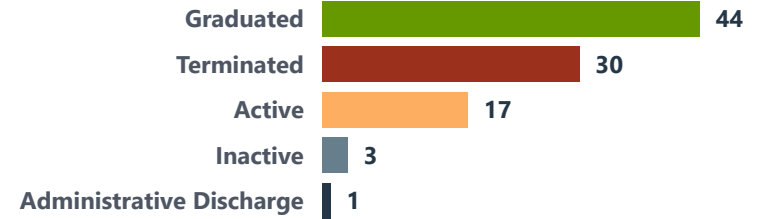
# of Participants

95

Individual Participants

Total Participants do not include: "Declined Participation", "Pending Admission", "Referred/Under Review", or "Reviewed-Ineligible" statuses.

## Total Participants by Program Status



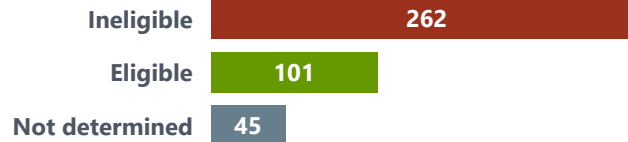
412

Referrals

408

Completed Referrals

## Outcome of Completed Referrals

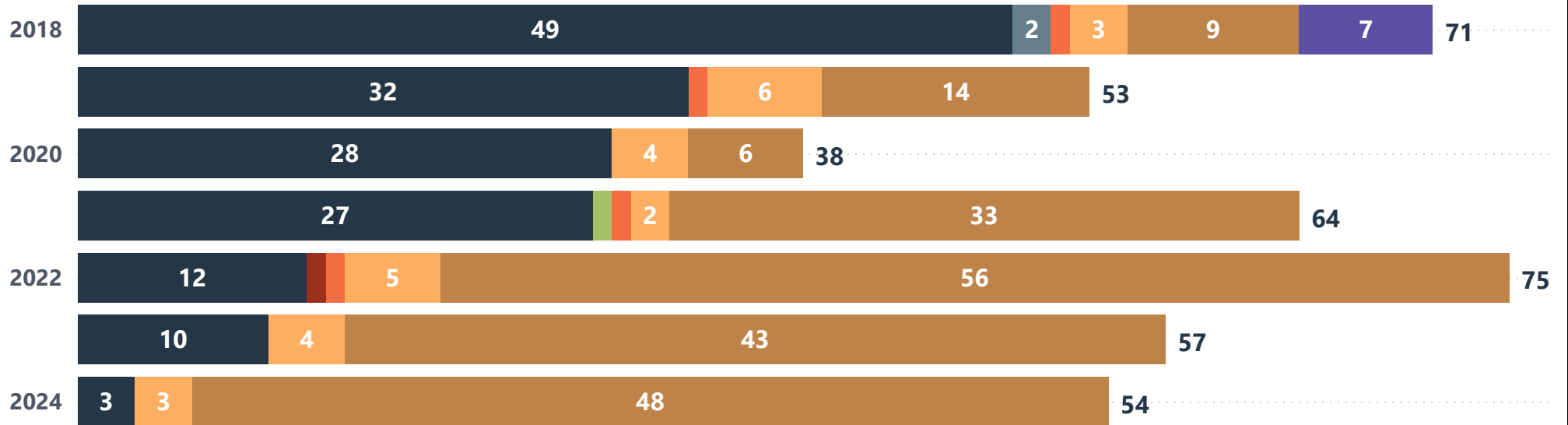


Outcome of Completed Referrals does not include "Referred/Under Review" (yet to be reviewed) status. Includes "Eligible - Declined" and "Pending Admission" (review completed). "Not determined" also appears as "Declined" which can occur prior to eligibility review.

## Where Do Referrals Come From?

Includes All Referrals Program-to-Date (Regardless of Completion Status)

● Defense Attorney ● District Attorney ● Judge ● Law Enforcement ● Other ● Probation or Parole Officer ● Self-referred ● Unknown



"Other" may include Family and/or Social Services worker



# How Well Did We Do It?

## Eligibility Screening (1 of 2)

# Question: Who Was Deemed Eligible or Ineligible for Drug Treatment Court? Why?

Participants Reviewed for Eligibility		
Eligibility Status	Declined?	Total Unique Participants
Eligible	null	97
Ineligible	null	262
Eligible	Y	4
Not determined	Y	45
<b>Total</b>		<b>408</b>

"Eligible" includes "Pending Admission" status.

Ineligible Reasons: "Other"
Argued Sentence
Cannot participate
No Qualifying Offense
Not available
OWI Court
OWI Court referral
prison
prison sent
Treatment resistance
Unavailable

Ineligibility Reasons	
Note: Multiple reasons can be given for one person	
Reasons for Ineligibility	Frequency
Current violent or weapon offense	67
Current or prior offense for drug manufacture/delivery/sale	56
Other	51
Prior violent or weapon offense	36
Does not meet residency requirement	28
Current or prior other excluding offense	14
Risk level too high	10
Does not meet need level	9
Insufficient alcohol/drug treatment available	8
DOC Revoked Referral	5
Insufficient mental health services available	5
Prior program participant	4
Risk level too low	4
Current offense not related to use/abuse of alcohol or drugs	3
Case Dismissed/Resolved	2
Incarcerated	2
Insufficient substance use/abuse need identified	2

"Not Determined" = Declined			
DECLINED	REASON_DECLINE_DESC	DECLINE_OTHER	# of IDs
Y	Unknown	null	4
Y	Other	Housing requirement	1
Y	Other	Withdrawal App	1
Y	Other	Withdrawn App	1
Y	Not interested in treatment	null	16
Y	Not Interested in Program	null	3
Y	No show/Did not start program	null	20
Y	Inconvenience/Lifestyle	Housing requirement	1
Y	Inconvenience/Lifestyle	null	5
<b>Total</b>			<b>45</b>

Eligible but Declined			
Eligibility Status	DECLINED	REASON_DECLINE_DESC	DECLINE_OTHER
Eligible	Y	Not interested in treatment	null
Eligible	Y	Other	Argued sentence
Eligible	Y	Other	Withdrawal App
Eligible	Y	Unknown	null



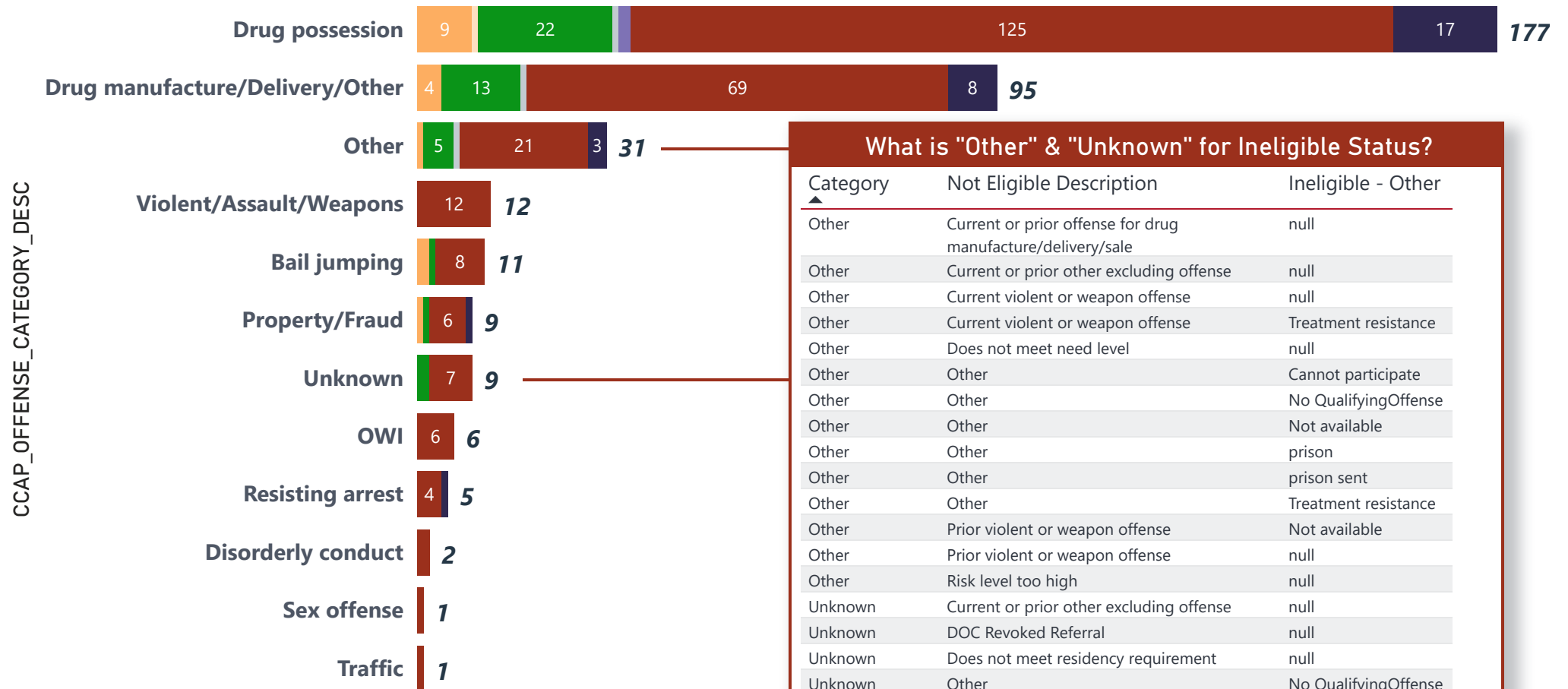
# How Well Did We Do It?

## Eligibility Screening (2 of 2)

# Question: What Types of Offenses Were Involved with Referrals?

### Program Status by "CCAP Offense Category"

Program Status: ● Active ● Administrative Discharge ● Graduated ● Inactive ● Pending Admission ● Reviewed-Ineligible ● Terminated



#### What is "Other" & "Unknown" for Ineligible Status?

Category	Not Eligible Description	Ineligible - Other
Other	Current or prior offense for drug manufacture/delivery/sale	null
Other	Current or prior other excluding offense	null
Other	Current violent or weapon offense	null
Other	Current violent or weapon offense	Treatment resistance
Other	Does not meet need level	null
Other	Other	Cannot participate
Other	Other	No QualifyingOffense
Other	Other	Not available
Other	Other	prison
Other	Other	prison sent
Other	Other	Treatment resistance
Other	Prior violent or weapon offense	Not available
Other	Prior violent or weapon offense	null
Other	Risk level too high	null
Unknown	Current or prior other excluding offense	null
Unknown	DOC Revoked Referral	null
Unknown	Does not meet residency requirement	null
Unknown	Other	No QualifyingOffense
Unknown	Other	Unavailable

Does not include "Declined Participation" (declined prior to screening) or "Referred/Under Review" program status.



# How Well Did We Do It?

## Program Discharges (1 of 2)

### Total Discharges

Discharge Type	# of IDs
Graduation	44
Termination	30
Administrative discharge	1

### DISCHARGE TYPE

*Definition:* The percentage of participants discharged from the program through graduation, termination, or other means.

### Termination Reasons

TERM_REASON_DESC	# of IDs
Absconded	14
Program non-compliance	13
Other - includes "Probation Revoked"	3

### Program Non-Compliance

Participants May Have Multiple Non-Compliance Reasons

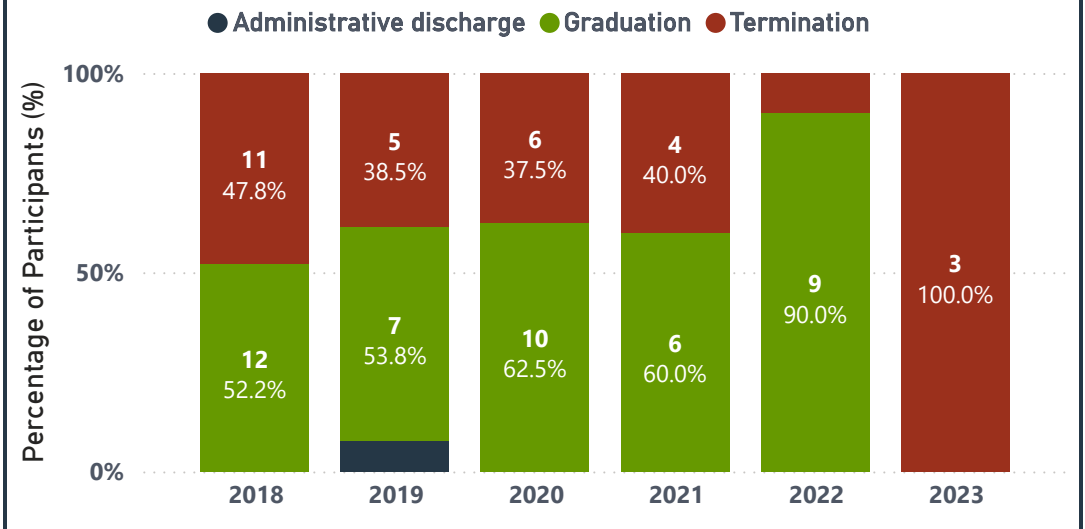
NON_COMPL_DESC	# of IDs
Disruptive behavior	10
Dishonesty	9
Failed/Missed/Refused drug test	8
Out of compliance with treatment/ supervision plan	6
Missed other meeting/session/appointment	4
New arrest	4
Missed court	3
Missed treatment	3
Other	3
Violation of no contact order	3
Driving while license suspended/revoked	2
Missed supervision appointment	2
Tampering with drug/alcohol test	2
Tardiness	2
Failed/Missed/Refused alcohol test	1
Self-report use	1

## Question: How Many Graduated? How Many Were Terminated? Why?

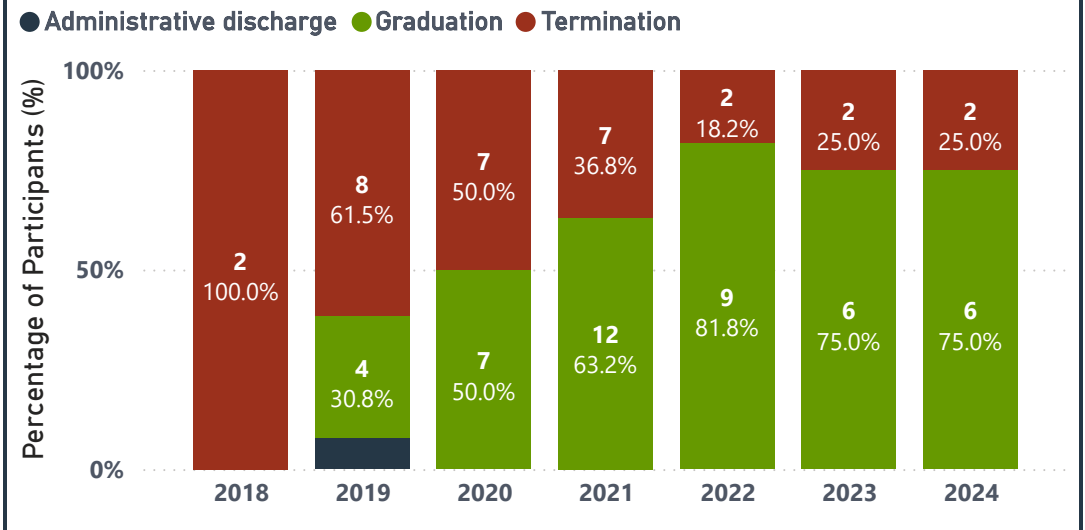
"In line with the NRAC recommendations and good research practice, NCSC recommends organizing admission and discharge streams of participants into cohorts for reporting purposes."

### Admission Cohort Totals by Year

Please Note: We can only count totals for admits who have already been Discharged



### Discharge Cohort Totals by Year



"Discharge Type" Definition: Cheesman, F. L., II, Broschius, C. E., & Kleiman, M. (2016). Wisconsin Statewide Drug and Hybrid Court Performance Measures.

Data Source: Wisconsin Department of Justice "Comprehensive Outcome, Research, and Evaluation" (CORE) Reporting System | Dataset: Administrative - Discharge



# How Well Did We Do It?

## Statewide Comparisons (2 of 2)

### USER'S NOTE:

Discharge type can be calculated by applying the following formula to each type of discharge. Graduation is the type of discharge used in this example.

$$\% \text{ Graduated} = \frac{\# \text{ of Participants who were Discharged by Graduation}}{\# \text{ of Participants}} * 100$$

### Marathon County Drug Treatment Court Discharges Program-to-Date

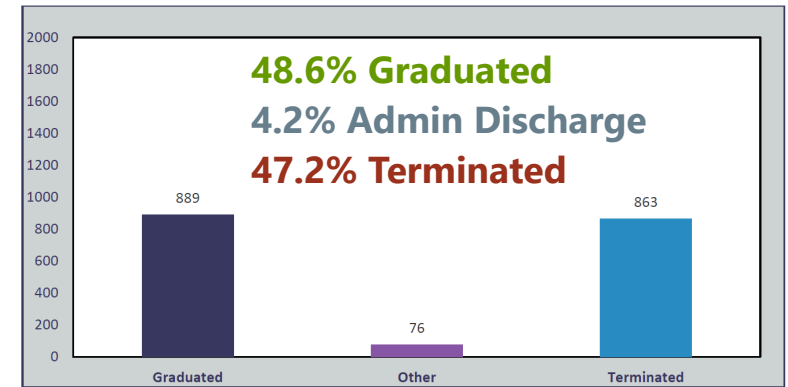


**Marathon County:**  
**59% Graduated**  
**1% Admin Discharge**  
**40% Terminated**

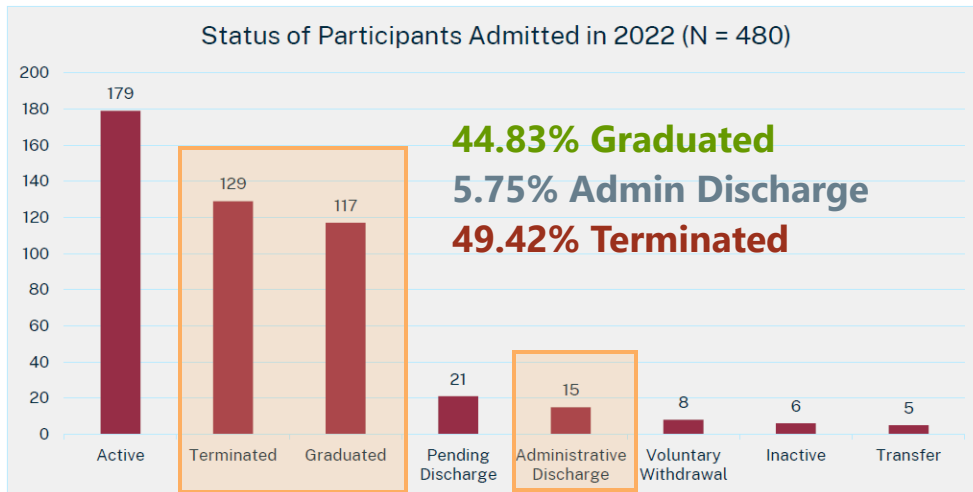
# Question: How Do Our Discharge Rates Compare to the State of Wisconsin?

### Treatment Alternatives and Diversion (TAD) Program 2014-2018

Chart 7: Treatment Court Discharges: Total discharges by type

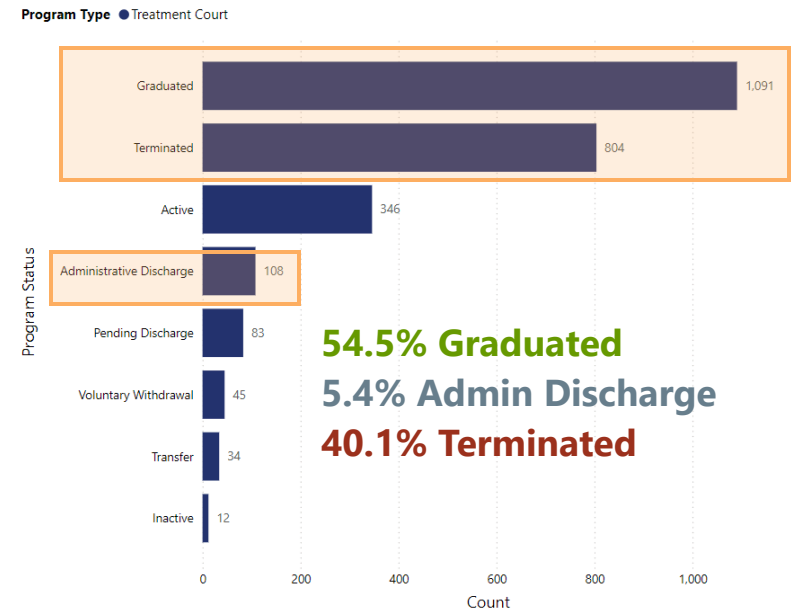


## Wisconsin Treatment Courts: 2022 Admissions Cohort



**Status of Treatment Court Admissions** Approximately 27% of the 2022 admission cohort were terminated from their program (mostly due to either non-compliance or absconding), and 24% have graduated. (Wisconsin Department of Justice & Bureau of Justice Information and Analysis, 2024).

### Current Program Status | Admission Years: 2019-2023 | All Races | All Sexes

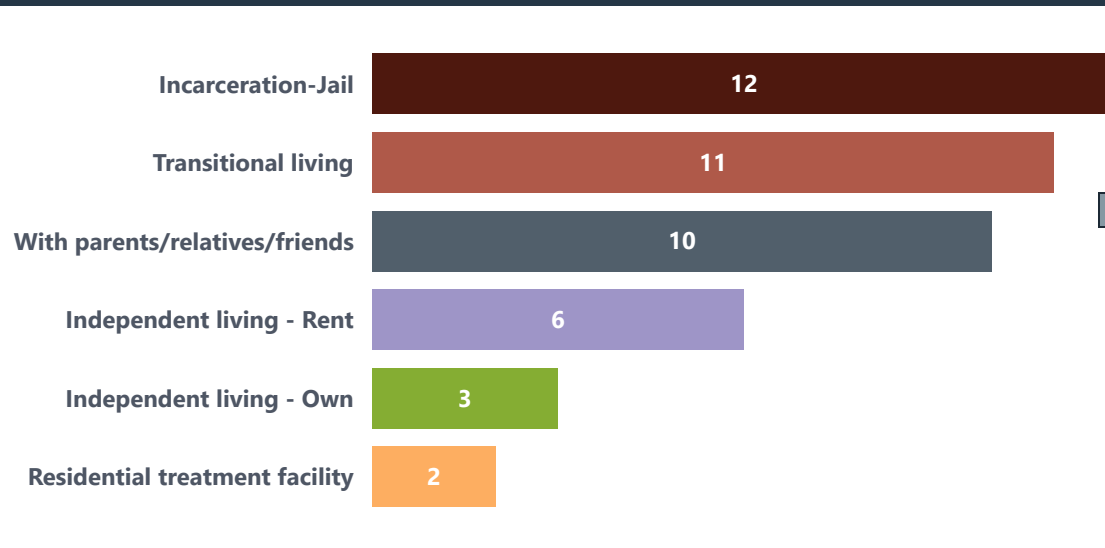


# Is Anyone *Better Off*?

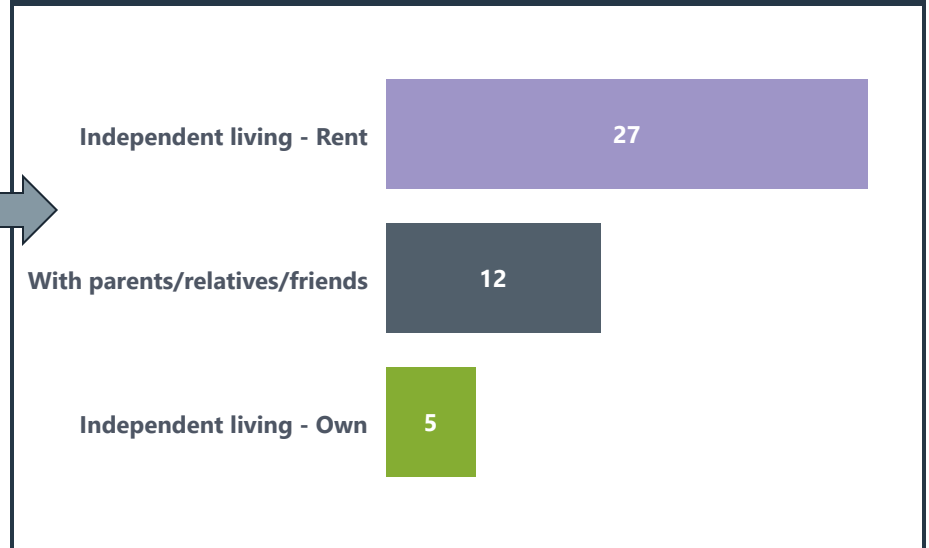
## Question: Are Drug Treatment Court Graduates Better Off?

Living Situation  
Employment Status

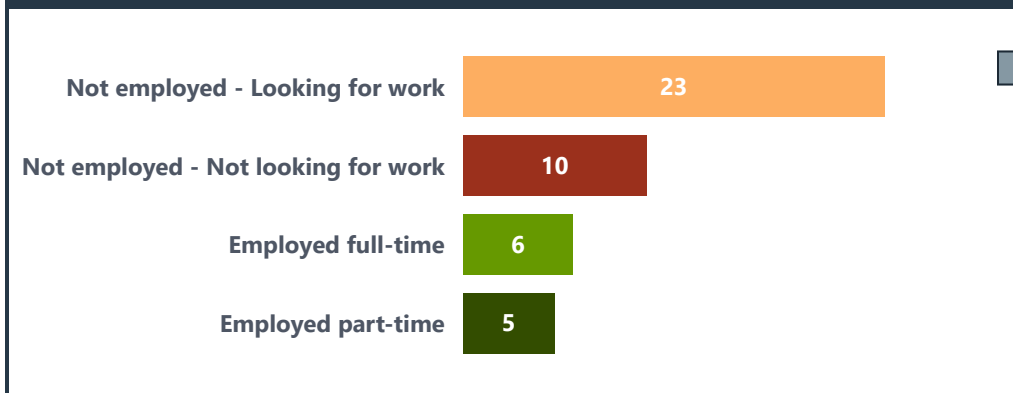
### Living Situation at Intake



### Living Situation at Graduation



### Employment Status at Intake



### Employment Status at Graduation

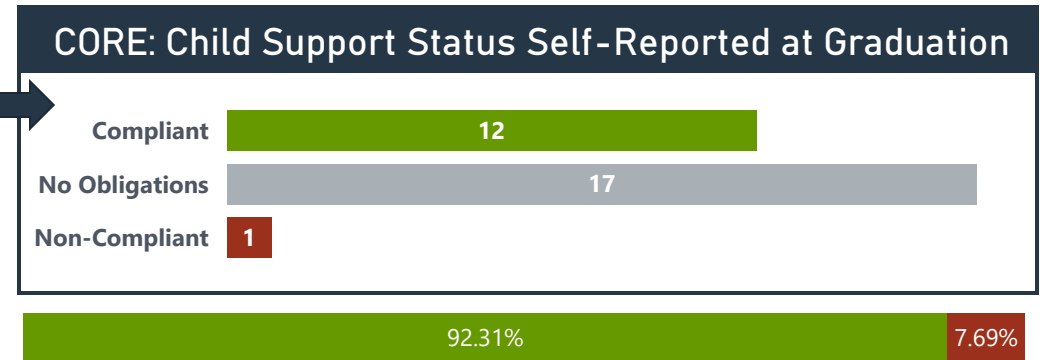
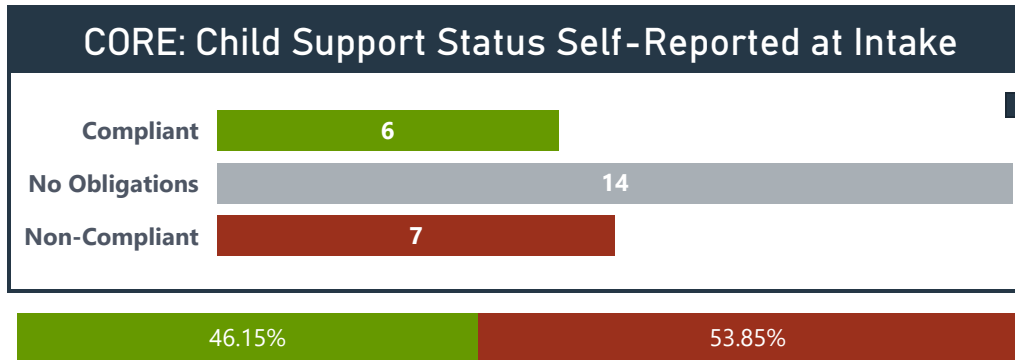


# Is Anyone Better Off?

## Child Support Status

# Question: Were Graduates More Compliant with Child Support Payments?

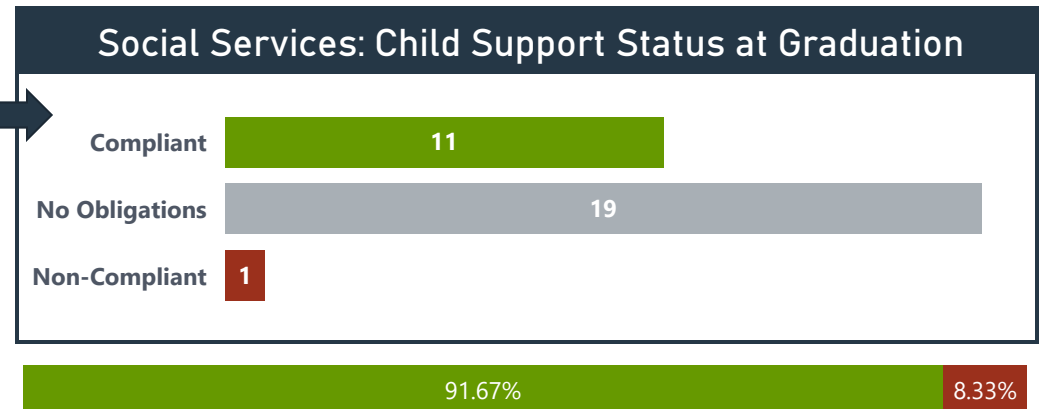
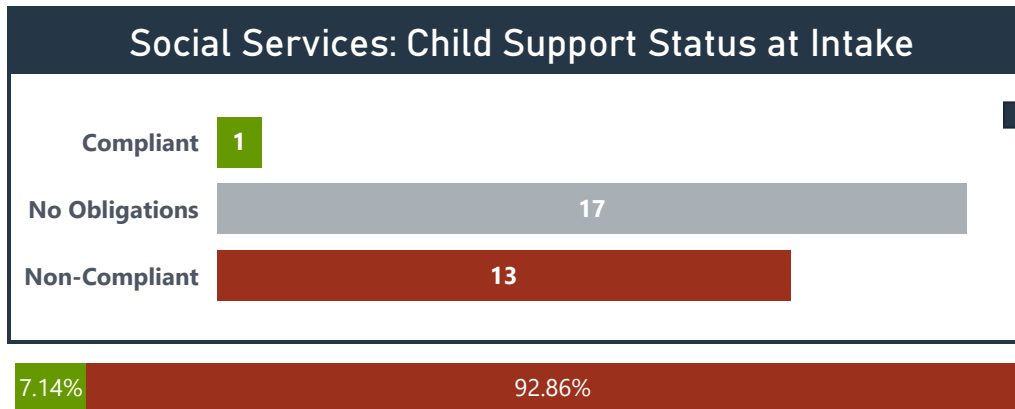
**Data Limitations:** This particular measure in CORE is based on participant self-reported information at intake. The Data Officer challenged the level of data quality/accuracy due to apparent confusion among participants regarding "Compliant" vs "No Obligation" vs "Non-Compliant" definitions. A Social Services Case Manager was asked to cross reference graduate compliance, as the Data Officer does not have access to their Social Services database. Confidentiality was maintained by the Social Services Case Manager.



## Cross-Referenced by Social Services Case Manager:

**Data Sources:** Consolidated Court Automation Programs (CCAP) and KIDS Information Data System - Wisconsin Bureau of Child Support

**Case Manager's Note:** "No Obligation numbers aren't even because there are a couple cases where support was stopped between intake and graduation."





# Is Anyone Better Off?

## In-Program Recidivism

# Question: How Do We Define Recidivism?

### IN-PROGRAM RECIDIVISM

#### STARTING POINT

- ☑ A **date on which a criminal justice event occurs** that starts the in-program measurement period and is clearly defined and consistently measured for all program participants.
  - e.g., admission date to treatment court, entry date to a program, etc.

#### PROGRAM PARTICIPANTS

- ☑ A **group of offenders who are at risk to recidivate**, during the period of program participation

#### RECIDIVIST EVENT

- ☑ A **criminal justice event during the program period** that can be reliably and validly counted based on official records, and is clearly defined and consistently measured for all program participants.
  - ☑ More than one type of recidivist event should be collected when possible. However, each event must be tracked separately for all program participants.
    - e.g., re-arrest, re-charge, re-conviction, and/or re-incarceration
  - ☑ The event must take place during the program period.
    - e.g., an event that occurs after the program has ended would not be included
  - ☑ The event must have an associated date and the date must be collected consistently for all program participants.
    - e.g., offense date should be used if possible, regardless of whether the event is measured based on re-arrest, re-charge, re-conviction, or re-incarceration
  - ☑ The event needs to be clearly defined as to whether it is general or specific.
    - e.g., for OWI offenders, measurement may include both overall recidivism for any crime (general), as well as recidivism for OWI offenses only (specific)
  - ☑ The events should be identified and counted based on all available sources
    - e.g., local, state, and national as available

#### ENDING POINT

- ☑ An **event that ends the in-program measurement period** and is clearly defined and consistently measured among all program participants.
  - e.g., discharge date from treatment court, completion date for a program, etc.
- ☑ The starting and ending points of the program define the time period in which the individual has the opportunity to engage in a recidivist event.
  - Length of measurement period depends on program length
- ☑ In-program recidivism is typically reported as the percent of participants who engaged in a recidivist event during the program time period.

### WHAT RECIDIVISM IS NOT

- ☑ In most cases, recidivism does not include:
  - ☑ Non-criminal justice events
    - e.g. treatment episodes/failures, civil violations, ordinance violations, etc.
  - ☑ Events that do not result in direct criminal justice action, where there is no arrest, charge, or conviction
    - e.g. contacts with police, positive drug tests, etc.
  - ☑ Absence of an event
    - e.g. failure to appear, failure to submit to a drug test, etc.

## 2. IN-PROGRAM RECIDIVISM

*Definition:* The percentage of participants who have a criminal case filed for a new criminal offense with an offense date<sup>4</sup> occurring between admission and discharge. In addition to the total in-program recidivism rate, in-program recidivism should be reported by type of program discharge and by offense level and type.<sup>5</sup> Case filings for offenses that cannot result in incarceration, such as first Operating While Intoxicated (OWI) offense<sup>6</sup> and non-OWI traffic offenses, should be excluded from this measure.

# Is Anyone Better Off?

## In-Program Recidivism

### Question: Who criminally re-offended while in the Drug Treatment Court program?

#### Data Notes:

- One person can have multiple charges; charge types are listed
- Includes CCAP Offense Types: Misdemeanor and Felony
- Not included: Non-Misdemeanor or Non-Felony Type marked "Other". *Examples include: "Speeding on Freeway (16-19 MPH)", "operating motor vehicle w/o proof of insurance", or "Failure of Operator to Notify Police of Accident"*
- In-Program Recidivism Totals do not include: Declined Participation, Inactive, Pending Admission, Referred/Under Review, or Reviewed-Ineligible status.
- As reported in CORE; Recidivism definition subject to change; defer to DOJ.

#### CORE In-Program Recidivism Totals

Program Status	# of Unique Participants
Active	3
Graduated	7
Inactive	1
Terminated	17

#### In-Program Recidivism Totals - Active/Inactive

*Includes individuals with multiple charges*

CCAP Offense Type	In-Program Offense Description
Felony	Possession of Narcotic Drugs
Felony	Resisting or Obstructing an Officer
Felony	Retail Theft - Intentionally Take (<=\$500)
Misdemeanor	Possess Drug Paraphernalia

#### In-Program Recidivism Offense Types - Graduates

*Descriptions of Offenses Listed - Not Frequency/Totals*

CCAP Offense Type	In-Program Offense Description
Felony	Possess Amphetamine/LSD/Psilocin(2nd+)
Felony	Possession of Methamphetamine
Felony	Possession of Narcotic Drugs
Felony	Take and Drive Vehicle w/o Consent*
Misdemeanor	Disorderly Conduct w/MV
Misdemeanor	Operate w/o Valid License (3rd+ w/in 3yrs)
Misdemeanor	Operating While Revoked (Rev due to alc/contr subst/refusal)
Misdemeanor	Retail Theft - Intentionally Conceal (<=\$500)

\* Offense occurred prior to Admission. However, Charge occurred same day as program Admission = CORE counts it

#### In-Program Recidivism Offense Types - Terminated & Inactive

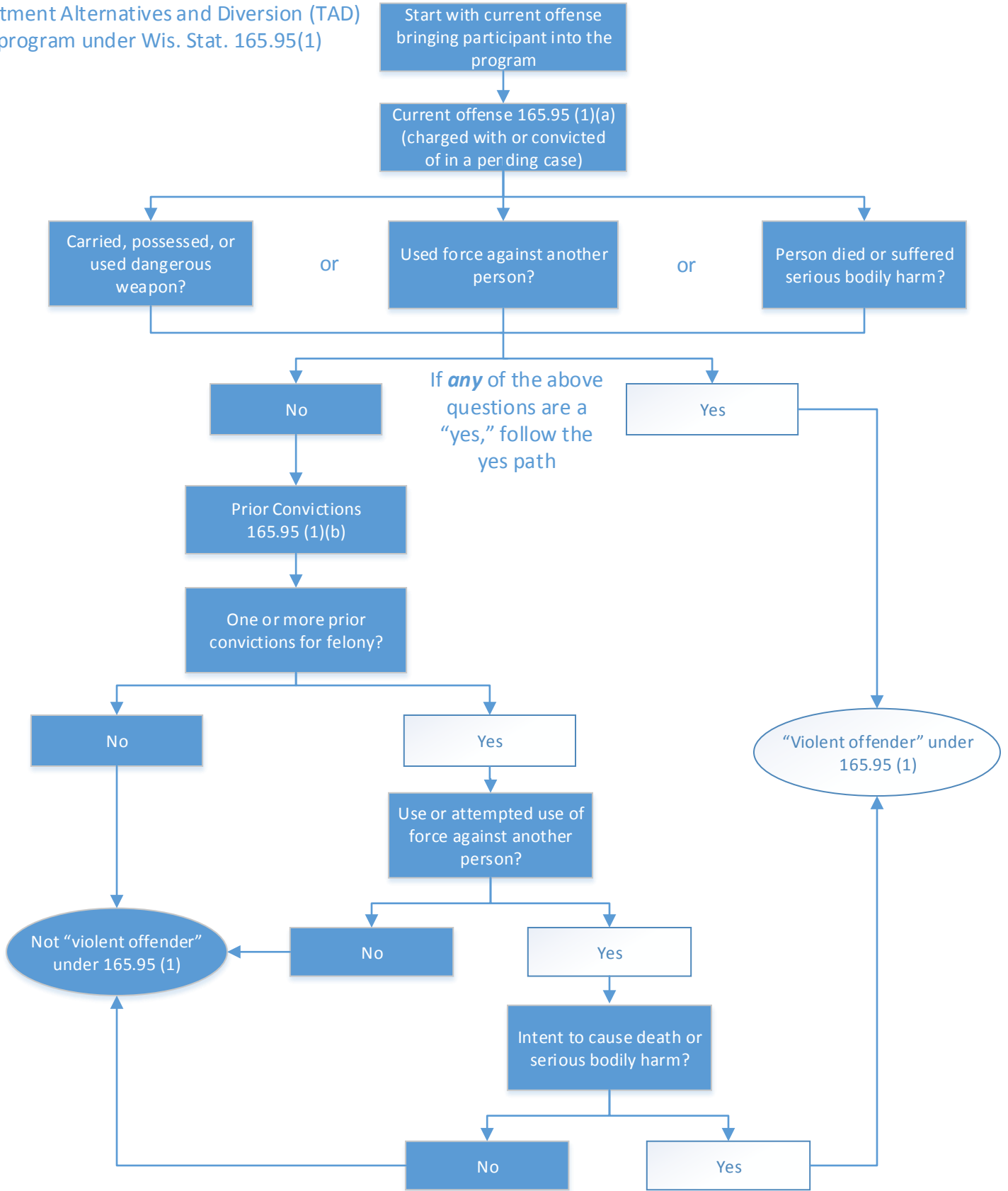
*Descriptions of Offenses Listed - Not Frequency/Totals*

CCAP Offense Type	In-Program Offense Description
Felony	Bail Jumping-Felony
Felony	Fail/Report to County Jail (10 Days +)
Felony	Manuf/Deliver Amphetamine(<=3g)
Felony	Misappropriate ID Info - Avoid Penalty
Felony	OWI (4th)
Felony	Possess w/ Intent-Amphetamine(<=3g)
Felony	Possess w/ Intent-Amphetamine(>3-10g)
Felony	Possession of Methamphetamine
Felony	Possession of Narcotic Drugs
Felony	Possession of THC (2nd+ Offense)
Felony	Resisting or Obstructing an Officer
Felony	Strangulation and Suffocation
Felony	Tampering w/ a Global Positioning System Tracking Device
Felony	Vehicle Operator Flee/Elude Officer
Misdemeanor	Disorderly Conduct
Misdemeanor	Operating While Revoked (Rev due to alc/contr subst/refusal)
Misdemeanor	Possess Amphetamine/LSD/Psilocin
Misdemeanor	Possess Drug Paraphernalia

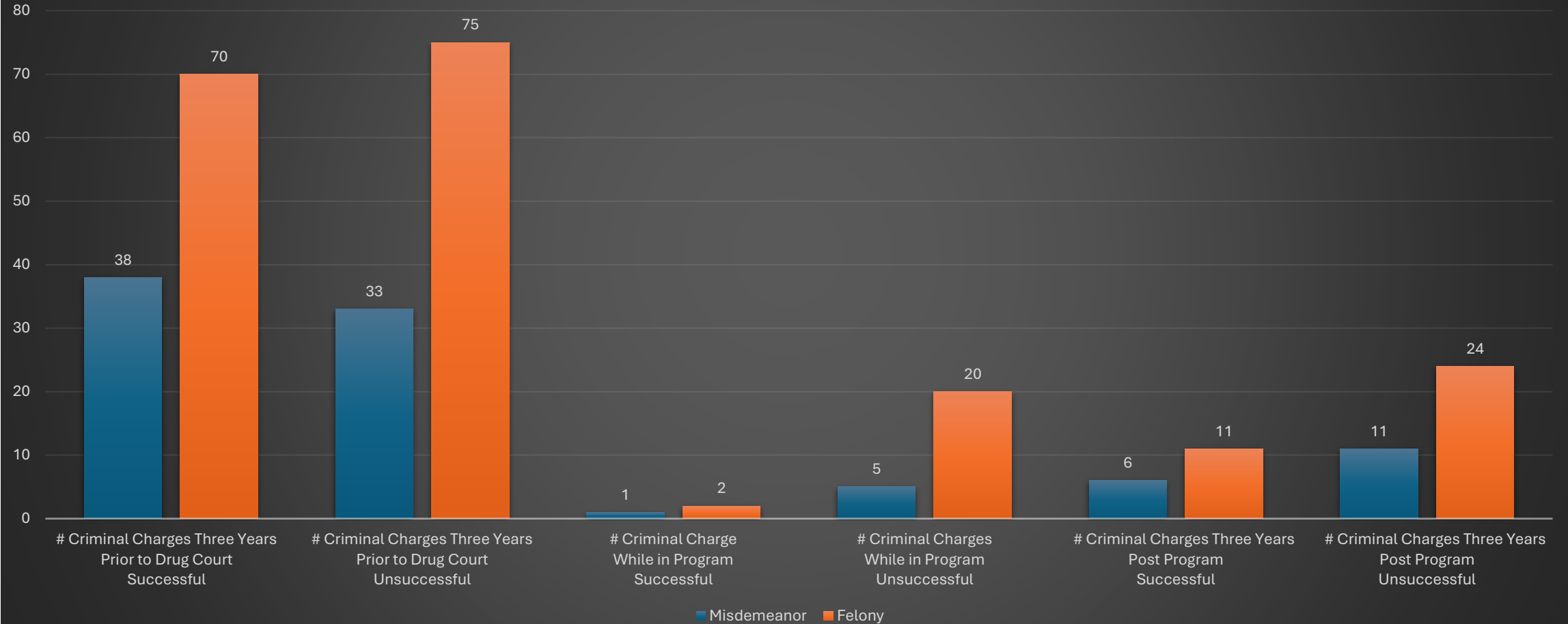
# TAD Violent Offender Decision Tree

March 25, 2018

Treatment Alternatives and Diversion (TAD)  
program under Wis. Stat. 165.95(1)



## Number of Criminal Case Filings: Three Years Prior to Program, In Program and Three Years Post Program



43 Completions - 21 Successful 22 Unsuccessful  
 This data was retrieved from Wisconsin Circuit Court Access by Justice Programs Coordinator