



**MARATHON COUNTY  
CRIMINAL JUSTICE COORDINATING COUNCIL  
MINUTES**

**Thursday, January 20, 2022, at 8:00 a.m. – 9:30 am  
Courthouse Assembly Room, (B105), Courthouse, 500 Forest Street, Wausau WI**

<b>Members</b>	<b>Present/Web-Phone</b>	<b>Absent</b>
Chair Suzanne O’Neill	X	
Vice Chair Kurt Gibbs	X	
Lance Leonhard	X	
Matt Bootz	X	
Tim Buttke	X	
Scott Parks	X (designee Chad Billeb)	
Ben Bliven	X (designee Todd Baeten)	
Theresa Wetzsteon	X	
Kelly Schremp	X	
Kat Yanke	X	
Cati Denfeld-Quiros	X	
Vicki Tylka	X	
Jill Meschke		X
Jane Graham Jennings	X (designee Ashley Bores)	
Kenneth Grams	X	
Yauo Yang	X	
Daniel Tyler		X
Liberty Heidmann	X	

**Also present:** Judge Greg Grau, Laura Yarie, Ruth Heinzl, Sarah Dowidat, Michael Puerner, Sandra La Du, Jeff Johnson, and additional members of the public.

**1. Call Meeting to Order**

The meeting was called to order by Chair O’Neill at 8:00 a.m.

**2. Public Comment (not to exceed 15 minutes)**

Public Comment was provided by Joanne Leonard, Stacy Morache, Elizabeth Guille, Jeff Decker, and Jeff Johnson

**3. Approval of the Minutes of the December 16, 2021, CJCC meeting**

**Motion to Approve the December 16, 2021, CJCC meeting minutes by Leonhard, second by Buttke. Motion Carried.**

**4. Operational functions required by bylaws - None**

**5. Operational Issues**

**A. Traffic Initial Appearances:** How are dates currently determined? Is there a better practice?

**Discussion:**

Judge O’Neill explains that there was a concern raised about the current 3 month return dates and the delay in traffic defendants appearing.

Chief Deputy Billeb references several things that might have led to the extension of the court dates:

- Pandemic – they were asked to spread out the dates to reduce numbers
- Officers giving the person more time to get funds to pay a traffic citation
- Criminal traffic is a shorter window (OWI 2 and above)
- OWI1st – gets a bit longer referral
- Theresa shared that it allows review for diversion for OAR’s
- Time for blood levels to come back from the state lab

Suggestion from Judge O’Neill is to revisit this issue in 6 – 12 months

**Action:** None

**Follow up:**

Make note to Revisit in 6 months.

**B. Pretrial Conferences with Judicial Assistants: Who is required to appear? What is documented?**

**Discussion:**

Judge O'Neill provides a background regarding Clerk of Courts drafting the process for pretrial conferences with the JA's. What should happen at these conferences?

- Discovery exchanged
- Confirm an offer was made, shared with the defendant
- Pretrial motions need to be scheduled
- Document who is in attendance
- Determine if there is a need for another hearing date

District Attorney Wetzsteon asks a couple of questions

- Is Defendant required to attend?
- Does a warrant get issued if non-appearance?
  - If excused, very clear notation, concerns for PSA scoring of FTAS.
- Consistency amongst branches
- Are Attorneys required to appear in-person?

O'Neill provides that:

- Defendants and Attorneys are required to attend in person, but can be excused.
  - Reasons for being excused may include
    1. Job- can't miss work.
    2. Travel from out of County.
    3. Transportation issues
  - Only the Judge is responsible for making the determination for someone to be excused and it must be pre-approved.
  - Documentation will occur so Judges are aware of what happened.
  - Defendant is required to give a phone number
- Warrants
  - If a defendant does not appear and did not have prior approval. Yanke advocates for the warrant being issued at a bond forfeiture hearing to allow time for the Attorney to contact the defendant. Discussion regarding issues with how and when the warrant would be issued, consideration for PSA scoring, authorized versus issued, timeline of scheduling bond forfeiture hearings, issues with notifying victims
- Consensus emerges that standard forms for pretrials, included requests to be excused (like the form for request to appear by Zoom), would be helpful to ensure consistency across branches in documenting requests and approvals.

**Action:**

Judge O'Neill moves to send these issues the Case Processing work group to develop a consistent process for these pretrials, including failure to appear and warrant authorization, second by Bores.

**Follow up:**

Case Processing to meet and develop a consistent process.

**6. Policy Issues for Discussion and Potential Council Action**

**A. Health and Human Services Committee request for CJCC discussion on the Marijuana Possession Ordinance Revision**

**Discussion:**

Buttke, Chair of Health and Human Services Committee gives a brief overview of the discussion behind sending the request to the CJCC. There was consensus on breaking down the issue further and allowing input from stake holders within the system on issues such as court costs, CCAP public access, standard limits and fines and double jeopardy between ordinances and criminal offenses. There was consensus regarding the need to look at the

number of cases this would involve, how many have other felony offenses in addition to the possession charge, and the actual costs to the county when citations are processed.

Billeb addresses the state ticketing system. He states that deputies pick the offenses in the list, and the fine amounts are automatically there. Billeb further states that his department does not assign fines and they do not know how the amounts are decided. He feels it would be beneficial to investigate this for all ordinances to determine how amounts are decided and where the money goes.

Wetzsteon clarifies CCAP entry and the difference between municipal and county ordinances. The county is required to enter on CCAP, and it is not up to DA's discretion. If an ordinance ticket is dismissed it is removed from CCAP two years from the date of dismissal. She states concerns with required fees to be collected and making sure costs to the county are covered. States concerns that the proposal would take away current \$5-\$500 discretion. Also, the complexity of the court fees. Wetzsteon suggests the following breakdown of the issues to be addressed:

- i. Can the county legally make adjustments?
- ii. Should the county make changes given our services and current circumstances?
- iii. How are we setting fine amounts?
- iv. What are the fees associated, what are actual costs?

**Action:**

None taken, as consensus is to continue discussion at the next meeting.

**Follow up:**

Per Matt Bootz request Wetzsteon to email Yarie a breakdown of THC cases to be shared with the CJCC and county board members. Schremp and Leonhard will meet and go over the process for forfeiture amounts on county ordinance tickets. Topic to be on the March agenda.

**7. Educational Presentations/Outcome Monitoring Reports - None**

**8. Adjournment**

Chair O'Neill Adjourns the meeting at 9:24 a.m.

Next meeting March 17, 2022