



**MARATHON COUNTY  
CRIMINAL JUSTICE COLLABORATING COUNCIL  
AGENDA**

Date & Time of Meeting: **Thursday, January 20, 2022, at 8:00 a.m. – 9:30 am**

Meeting Location: **Courthouse Assembly Room, (B105), Courthouse, 500 Forest Street, Wausau WI**

**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)*

**Council Mission Statement:** *To improve the administration of justice and promote public safety through community collaboration, planning, research, education, and systemwide coordination of criminal justice initiatives.*

- 1. Call Meeting to Order**
- 2. Public Comment** *(not to exceed 15 minutes)*
- 3. Approval of the Minutes of the December 16, 2021, CJCC meeting**
- 4. Operational functions required by bylaws - None**
- 5. Operations Issues**
  - A.** Traffic Initial Appearances: How are dates currently determined? Is there a better practice?
  - B.** Pretrial Conferences with Judicial Assistants: Who is required to appear? What is documented?
- 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.
- 7. Educational Presentations/Outcome Monitoring Report - None**
- 8. Adjournment**

*\*Any person planning to attend this meeting who needs some type of special accommodation to participate should call the County Clerk's Office at 261-1500 or e-mail [countyclerk@co.marathon.wi.us](mailto:countyclerk@co.marathon.wi.us) one business day before the meeting*

**SIGNED**  /s/ , Judge Suzanne O'Neill  
Presiding Officer or Designee  
NOTICE POSTED AT COURTHOUSE

EMAILED TO: Wausau Daily Herald, CityPages,  
and Other Media Groups  
BY: T. Ranallo  
DATE & TIME: 1/14/2022 at 1:30 pm

BY: T. Ranallo  
DATE & TIME: 1/14/2022 at 1:30 pm

**From:** [Kurt Gibbs](#)  
**To:** [Toshia Ranallo](#)  
**Subject:** FW: [EXTERNAL] CCJC Mtg -- Public Comments  
**Date:** Thursday, January 20, 2022 7:35:41 AM

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EMAIL #1

Kurt Gibbs  
Marathon County Board Chairman  
Phone 715-261-1409  
e-mail [kurt.gibbs@co.marathon.wi.us](mailto:kurt.gibbs@co.marathon.wi.us)

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**From:** Erin Crawford <erin@oad.marketing>  
**Sent:** Thursday, January 20, 2022 5:45 AM  
**To:** Suzanne O'Neill <Suzanne.ONEill@Wlcourts.gov>; Kurt Gibbs <Kurt.Gibbs@co.marathon.wi.us>  
**Cc:** Chris Crawford <chris.crawford@charter.com>  
**Subject:** [EXTERNAL] CCJC Mtg -- Public Comments

**Judge Suzanne O'Neill and Vice Chair, Kurt Gibbs:**

I'm emailing to encourage you to continue to uphold the law as it pertains to softening marijuana possession laws. Please forward on comments to the rest of your committee.

Many of us tuned into the joint Safety and Health and Human Services Committee meeting a few weeks ago. And many of us were absolutely shocked to hear Supervisor Jeff Johnson's casual and normalizing comments on drug usage. This substance is illegal.

What type of message is this sending to our precious youth? What precedent does this set? They are already suffering from depression.

If these reduced penalties pass, our central WI area will suffer horribly with increased drug use. Crime will escalate, etc.

The only people that do not think that marijuana is a "gateway drug" are the same people that are users and want it legalized. It is a gateway drug to many other serious drugs.

Thank you for upholding the law!

Erin & Chris Crawford  
Marathon County Taxpayers and Residents

**From:** [Kurt Gibbs](#)  
**To:** [Toshia Ranallo](#)  
**Subject:** FW: [EXTERNAL] Marijuana  
**Date:** Thursday, January 20, 2022 7:36:10 AM

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Toshia,  
Email # 2

Kurt Gibbs  
Marathon County Board Chairman  
Phone 715-261-1409  
e-mail [kurt.gibbs@co.marathon.wi.us](mailto:kurt.gibbs@co.marathon.wi.us)

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**From:** KG <misskelly1975@gmail.com>  
**Sent:** Wednesday, January 19, 2022 10:07 PM  
**To:** Suzanne O'Neill <Suzanne.ONeill@Wlcourts.gov>; Kurt Gibbs <Kurt.Gibbs@co.marathon.wi.us>  
**Subject:** [EXTERNAL] Marijuana

Dear Sir and Madam,

I write concerning our future as you consider allowing lesser fines for a drug amount to me seems absolutely ridiculous.

If I catch my child sinning I don't tell him his consequence will be lesser of a fine or discipline because it really wasn't quite that bad. He will just take the sin farther and deeper worsening his heart and mind also knowing his discipline is less anyways because "hey it's not that bad of a sin". But as a parent if you don't nip a sin in the butt real quick it gets worse and builds upon the next just as I can see this slap in the hand on these fines for marijuana use. Don't kid yourself the majority don't stop at small amounts of the same drug it just heads to a "worsen sin".

Thank you for considering my thoughts to ponder on.

Mr. and Mrs. Kelly Girmscheid

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Serving for the hopes of eternity near, those who are in Christ Jesus will rise for eternity,

Kelly neaton Girmscheid

612-369-4931

**From:** [Kurt Gibbs](#)  
**To:** [Toshia Ranallo](#)  
**Subject:** FW: [EXTERNAL] Input on Marijuana Possession Ordinance Revision Proposal  
**Date:** Thursday, January 20, 2022 7:36:37 AM

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Toshia,  
Email # 3

Kurt Gibbs  
Marathon County Board Chairman  
Phone 715-261-1409  
e-mail [kurt.gibbs@co.marathon.wi.us](mailto:kurt.gibbs@co.marathon.wi.us)

-----Original Message-----

From: Tanya Dullinger <[tldullinger@yahoo.com](mailto:tldullinger@yahoo.com)>  
Sent: Wednesday, January 19, 2022 8:16 PM  
To: Kurt Gibbs <[Kurt.Gibbs@co.marathon.wi.us](mailto:Kurt.Gibbs@co.marathon.wi.us)>; Suzanne O'Neill <[Suzanne.ONeill@WICourts.gov](mailto:Suzanne.ONeill@WICourts.gov)>  
Subject: [EXTERNAL] Input on Marijuana Possession Ordinance Revision Proposal

To members of the Marathon County Criminal Justice Collaborating Council:

Please take into consideration the following questions in your discussion tomorrow of the proposed Marijuana Possession Ordinance Revision, which would lower the fines for possession of certain levels of marijuana in Marathon County.

-Lowering the fines/barriers for illegal activities, such as marijuana use, will decrease deterrence and will likely lead to greater marijuana use. This would be an example of defining deviancy down, which inevitably leads to more of the activity that was once considered unacceptable.

-How will defining deviancy down in terms of marijuana impact our children? The barriers to marijuana use will be lowered, it will be seen as more "acceptable" in Marathon County, and it will become more attractive to our young people. Please explain to me how increasing the acceptance and ease of marijuana use will have a positive impact on our young people?

-How will defining deviancy down in terms of marijuana impact our employers? With a shortage of willing and able laborers in the market. it is already difficult for employers to find sober, capable employees. Please explain how increasing the acceptance and ease of marijuana use will have a positive impact on our labor market?

-How will defining deviancy down in terms of marijuana impact the safety of our transportation? Operating while impaired, with alcohol or other substances, is already a large problem in Wisconsin. Please explain to me how increasing the acceptance and ease of marijuana use will have a positive impact on the problem of OWI offenses in Marathon County, which can easily end up in fatalities of innocent victims?

I could ask several other questions, but at this time I will keep my comments to a minimum. I thank you for your time and consideration.

Tanya L. Riehle  
223828 Orchid Lane  
Wausau, WI 54401



**MARATHON COUNTY  
CRIMINAL JUSTICE COORDINATING COUNCIL  
MINUTES**

**Thursday, December 16, 2021, at 8:00 a.m. – 9:30 am  
Courthouse Assembly Room, (B105), Courthouse, 500 Forest Street, Wausau WI**

Members	Present/Web-Phone	Absent
Chair Suzanne O’Neill	X (designee Greg Huber)	
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	
Liberty Heidmann	X	

Also present: Judge Greg Grau, Shawn Yaeger, Laura Yarie, Ruth Heinzl, Nikki Delatolas, Jeff Decker

**1. Call Meeting to Order**

The meeting was called to order by Vice Chair Gibbs at 8:00 a.m.

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

Jeff Decker provides public comment.

**3. Approval of the Minutes of the November 18, 2021, CJCC meeting**

**Motion to Approve the November 18, 2021, CJCC meeting minutes by Leonhard, second by Schremp. Motion Carried.**

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

**5. Operational Issues**

**A. Calendar Calls / Court Scheduling of Victim Cases**

**Discussion:**

Judge Huber explains that he is seeking feedback on the process that is described in the minutes which the Judges will be moving forward with relative to scheduling.

- DA Wetzsteon addresses electronic calendaring including status of full implementation, questions why court dates are not scheduled in the courtroom and wonders if the courts have reached out to other large counties to hear the practices elsewhere.
- Huber indicates that he did reach out and that one of the primary differences between us and other counties is that Marathon is a generalist county and other counties have specialized courts.
- One of the issues that is brought up relates to electronic calendaring and the potential that scheduling outside of court could affect victims.
- Ashley Bores shares of feedback she received and will share, including that she believes that if victims can be heard, the current process is not a problem.
- Grau asks whether there is a process that exists for cases being heard in other branches to require them to get a date in advance? Consensus from discussion is that there is no such policy.
- Theresa asks whether there has been an analysis of what is leading to calendar calls being set?
- Agreement on the need to reduce calendar calls.
- Theresa asks that there be analysis of whether the new process is effective?
  - o Huber clarifies that there are 3 goals from this.

- Scheduling victim cases more speedily
  - Making more court time available
  - Eliminating the court calendar call process
- Schremp indicates that she would like to start a process whereby we develop backup JA policies. Administrator Leonhard indicates he would be willing to assist in that process. Schremp asks that any other interested parties reach out to her to become involved in that process. Yanke agrees to share out of county attorney email lists with Judicial Assistants to aid in scheduling prior to court.

**Action:**

Agreement to review the process in 6 months as well as a review of the University Report that will be available to share.

B. Collection of Restitution: Current Process/Alternative Avenues to Collect

**Discussion:**

District Attorney Wetzsteon provides an overview of the issues surrounding restitution collection and indicates that she would like this group to restart the discussion of doing it differently, indicating that she would propose a subset of this committee to look at the issue.

Denfeld agrees that there would be value in starting the conversation again. She mentions concerns with split restitution and overpayments. Yanke expresses that she has gotten good feedback from those counties that have the Clerk of Courts' office lead the collection process. Huber provided some feedback, as did Schremp on some of the challenges of collection. Schremp mentions the difficulty of identifying the victim and getting them the funds. Administrator Leonhard indicates that in similar situations involving complex issues, the county board has utilized taskforces, and that a similar approach might be appropriate here. Vice Chair Gibbs indicates he will work to prepare a charter for the group to start from.

**Action:**

None taken at this time.

**Follow up:**

Vice Chair Gibbs to prepare a draft charter for a workgroup of a subset of the CJCC to investigate this issue.

**6. Policy Issues for Discussion and Potential Council Action – None**

**7. Educational Presentations/Outcome Monitoring Reports**

A. OAR/OWL Diversion Program – District Attorney's Office

**Discussion:**

Ruth provides a brief overview of the document shared at the meeting. District Attorney Wetzsteon expresses that there is a significant issue with diversion participants not appearing for their initial appearance and their office not being able to contact them.

Ruth explains that most of the OWL cases are standalone cases and that the change in law relative to non-citizens ability to obtain a driver's license has caused more of these cases to proceed through court. Wetzsteon expresses that she is open to a process that enhances public safety and allows for an alternative to a criminal prosecution. Consensus emerges that there may be an opportunity for a program to be created that provides driver education to these individuals. Leonhard suggests that a workgroup of people from different disciplines may again be a prudent approach to developing an educational program for non-citizens that are charged with OWL that can then allow for a non-criminal disposition and future non-criminal dispositions for standalone OWLs. The following members express interest in being part of a workgroup: Yauo Yang, Ruth Heinzl, Judge Huber, Chad Billeb, Todd Baeten, and Nathan Miller from the City of Wausau was also suggested.

**Follow up:**

Ruth Heinzl to work with County Administration to develop a framework for a workgroup.

**8. Adjournment**

Motion to Adjourn by Huber, second by Yang. Motion carried. Meeting Adjourned at 9:10 a.m.

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**Sec. 9.71. Possession of marijuana/synthetic cannabinoids and drug paraphernalia.**

- (1) This section is enacted pursuant to §§ 59.54(25), (25g), and (25m), Wis. Stats.
- (2) Any person possessing 25 grams or less of marijuana, as defined in § 961.01(14), Wis. Stats., or its successor statute, or any synthetic cannabinoids, as defined in § 961.14(4)(tb), Wis. Stats., or its successor statute, and subject to the exceptions set forth in § 961.41(3g), Wis. Stats., or its successor statute, shall be subject to a forfeiture of \$50.
- (3) Any person using or possessing drug paraphernalia, as defined in § 961.571(1), Wis. Stats., or its successor statute, with the primary intent to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance or controlled substance analog, shall be subject to a forfeiture of \$50.
- (4) Exceptions.
  - (a) This section is not applicable to any person charged with possession of more than 25 grams of marijuana.
  - (b) If a complaint is issued regarding an allegation of possession of any amount of marijuana following conviction in this state for the possession of marijuana, the subject of that complaint may not be prosecuted under this ordinance [chapter] unless (1) the charges for violating the state statute are dismissed or the district attorney declines to prosecute the case, and (2) the city, village, or town with jurisdiction over the action has no ordinance enacted under § 66.0107(1)(bm), Wis. Stats., in effect or the city, village, or town with jurisdiction over the action has declined to prosecute or has dismissed the charges for violation of the ordinance enacted under § 66.0107(1)(bm), Wis. Stats.
- (5) This section applies in every municipality within the county.

(O-29-20)

- **PART VII. - CONTROLLED SUBSTANCES**
- **Sec. 9.71. - Possession of marijuana/synthetic cannabinoids and drug paraphernalia.**

(1)

This section is enacted pursuant to §§ 59.54(25), (25g), and (25m), Wis. Stats.

(2)

Any person possessing 25 grams or less of marijuana, as defined in § 961.01(14), Wis. Stats., or its successor statute, or any synthetic cannabinoids, as defined in § 961.14(4)(tb), Wis. Stats., or its successor statute, and subject to the exceptions set forth in § 961.41(3g), Wis. Stats., or its successor statute, shall be subject to a forfeiture as set forth in [§ 25.04](#) of this Code.

(3)

Any person using or possessing drug paraphernalia, as defined in § 961.571(1), Wis. Stats., or its successor statute, with the primary intent to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance or controlled substance analog, shall be subject to a forfeiture as set forth in [§ 25.04](#) of this Code.

(4)

Exceptions.

(a)

This section is not applicable to any person charged with possession of more than 25 grams of marijuana.

(b)

If a complaint is issued regarding an allegation of possession of any amount of marijuana following conviction in this state for the possession of marijuana, the subject of that complaint may not be prosecuted under this ordinance [chapter] unless (1) the charges for violating the state statute are dismissed or the district attorney declines to prosecute the case, and (2) the city, village, or town with jurisdiction over the action has no ordinance enacted under § 66.0107(1)(bm), Wis. Stats., in effect or the city, village, or town with jurisdiction over the action has declined to prosecute or has dismissed the charges for violation of the ordinance enacted under § 66.0107(1)(bm), Wis. Stats.

(5)

This section applies in every municipality within the county.



To be replaced with:

- **PART VII. - CONTROLLED SUBSTANCES**
- **Sec. 9.71. - Possession of marijuana/synthetic cannabinoids and drug paraphernalia.**

(1)

This section is enacted pursuant to §§ 59.54(25), (25g), and (25m), Wis. Stats.

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Any person possessing 25 grams or less of marijuana, as defined in § 961.01(14), Wis. Stats., or its successor statute, or any synthetic cannabinoids, as defined in § 961.14(4)(tb), Wis. Stats., or its successor statute, and subject to the exceptions set forth in § 961.41(3g), Wis. Stats., or its successor statute, shall be subject to a forfeiture of \$50.00

(3)

Any person using or possessing drug paraphernalia, as defined in § 961.571(1), Wis. Stats., or its successor statute, with the primary intent to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance or controlled substance analog, shall be subject to a forfeiture of \$50.00

(4)

Exceptions.

(a)

This section is not applicable to any person charged with possession of more than 25 grams of marijuana.

(5)

This section applies in every municipality within the county.