



MARATHON COUNTY
CRIMINAL JUSTICE COORDINATING COUNCIL EXECUTIVE
COMMITTEE MEETING MINUTES

Thursday, August 18, 2022, at 8:00 a.m. – 9:30 am
Assembly Room, Courthouse, 500 Forest Street, Wausau WI

Members	Present	Absent
Judge Suzanne O'Neill (Chair)	X	
Board Chair Kurt Gibbs (Vice Chair)	X	
County Administrator Lance Leonhard	X	
Chief Deputy Billeb	X	

Also present: Theresa Wetzsteon, Ruth Heinzl, and Laura Yarie

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*) - *None*

3. Approval of the Minutes of the June 16, 2022, CJCC Executive meeting- MOTION TO APPROVE THE JUNE 16, 2022, EXECUTIVE CJCC MEETING MINUTES, BY BILLEB, SECOND BY LEONHARD. MOTION CARRIED.

4. Policy Issues for Discussion and Possible Action - *None*

5. Operational functions required by bylaws, Statute, Ordinance, or Resolution -

A. Discussion of potential items for the September 15th, 2022, Marathon County Criminal Justice Coordinating Council Meeting Agenda, and potential recommendations for consideration.

Discussion:

Billeb suggested further discussion on Zoom being made available to attorneys in the jail. He stated that he would want to ensure this improves case processing speed and is not just a convenience for attorneys as it would be an extra burden on an already burdened staff in the jail. He would want some system in place to track progress. Yarie mentioned an issue with new bonds being set that do not mention pretrial participation for individuals ordered to pretrial on a previous bond. She also mentioned issues with pretrial staff being able to locate homeless individuals ordered to pretrial supervision. Billeb suggested working with the Wausau PD and Sheriff's department to figure out a way to flag individuals in Superior that case managers are trying to locate so that law enforcement can assist when they have contact with individuals in the community. Billeb also suggested have the Wausau PD give an update on their new social work position that will be working with the homeless population. O'Neill would like an update on the OWL issue Heinzl has been addressing. Leonhard mentioned a need to put together a workgroup committed to putting together and RFP for Justice Programs to go out Spring of 2023. He further mentioned a desire to begin working on the restitution issue that was previously tabled during the Clerk of Courts election. Leonhard requested an update on the November CJCC agenda regarding the audio-visual system within the courthouse. The group discussed how to move forward with the defense attorney shortage issue. The group discussed needing a plan to move forward before continuing to address this. The meeting with Kelly Thompson did not give real clear direction on ideas to focus on beyond what the state is doing. Yarie suggested the issue be moved to public safety and the board for guidance on where the county would like to focus. There was discussion regarding the need to educate the board on the issue and the cost to the system currently. Heinzl suggested increased focus on diversion and pre-charge to cut back on hearings needed to settle cases. Billeb updated the group on the grant program the Sheriff's department is working on with NCHC to do front end deflection of cases by law enforcement. This has been slow moving and the Sheriff's department has stated they will be forced to return the funding if it does not get up and running soon.

Action: None Taken

Follow up:

Yarie will request to be on the Judges' Meeting agenda to go over pretrial issues. Yarie also to reach out to Wausau PD about pretrial homeless and a presentation update on their new position. Yarie and Heinzl to work on putting together a group to focus on the 2024 RFP. O'Neill to schedule a case processing meeting. Leonhard to move the attorney shortage issue to Public Safety and the board.

6. Educational Presentations/Outcome Monitoring Reports –

A. Discussion on the forum to address the request of District Attorney Wetzsteon regarding bond forfeiture practices.

Discussion:

Wetzsteon explains her concerns regarding bail bond forfeiture hearings. She states that currently bonds are not always being forfeited even when defendants fail to appear for the forfeiture hearings. She states concerns that the defendant is not there to dispute the forfeiture. Many times, defense attorneys request to withdraw from the case at this point, and the case stalls. When the defendant is arrested or turns themselves in a new attorney must be appointed and the case starts over. Wetzsteon states the cost for FTA is a big issue and should be considered in addition to the defense resources wasted when they are already strained. Wetzsteon stated the importance of accountability for failing to appear in court. Wetzsteon further mentioned the confusion within the Clerk's office that is caused by partial forfeitures. She understands this is judicial discretion but feels some discussion is necessary to have a more consistent and effective approach to handling bond forfeitures as this appears to be a more far-reaching systems issue.

O'Neill stated that this issue must have judicial discretion. She states the judges have discussed this issue and point out that they consider the nature of the offense, history of failure to appear, mental health concerns, transportation, and ability to pay among other things when considering forfeiture of a bond. She states that a discussion has happened between Judge Moran and the Clerk of Courts Office, and no significant issues were relayed. Leonhard mentioned some smaller concerns from the clerk's office when the cash has already been posted and there is a partial forfeiture. He suggested the issue be addressed at the case processing level.

Leonhard suggested the possibility of a cost for a system cost for missing a hearing being deducted from the bond. He also suggested the need for a script for forfeiture hearings where there is consensus about what should be considered. This would still allow for discretion but add some consistency. Group discussion on the difficulties with establishing an actual cost. Heinzl questioned the large signature bond amounts and whether they have any impact on appearance rates, and the importance of accountability. There was discussion on using lower signature bond amounts and the public perception of amounts assigned. Judge O'Neill to schedule a Case Processing Meeting if possible before the next CJCC meeting.

7. Next Meeting Date & Time, Location, Announcements, and Future Agenda Items:

A. Next meeting is October 20th, 2022, at 8:00 a.m., Courthouse Assembly Room. Members were asked to bring possible agenda ideas for future discussion.

8. Adjournment

Meeting adjourned at 9:25 a.m. by Judge O'Neill.