



**MARATHON COUNTY  
CRIMINAL JUSTICE COORDINATING COUNCIL  
MINUTES**

**Thursday, October 21, 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	
Vice Chair Kurt Gibbs	X	
Lance Leonhard	X	
Matt Bootz	X	
Tim Buttke		Excused
Scott Parks	X (designee Chad Billeb)	
Ben Bliven		X
Theresa Wetzsteon		X
Shirley Lang	X (designee Kelly Schremp)	
Kat Yanke		X
Cati Denfeld-Quiros	X	
Vicki Tylka	X	
Jill Meschke		X
Jane Graham Jennings	X	

Also present: Davis Runde, Sandra LaDu, Todd Baeten, Shawn Yaeger, Yauo Yang, Laura Yarie, and Ruth Heinzl

**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)**

No public comment is received.

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

**Motion to Approve the September 16, 2021, CJCC meeting minutes, with a correction of the date from June 21, 2022 to reflect June 21, 2021, by Leonhard, second by Gibbs. Motion Carried.**

**4. Operational functions required by bylaws**

- A. Appointment of Mosinee Chief of Police Kenneth Grams as Law Enforcement Representative
- B. Appointment of Pastor Yauo Yang as a Citizen Representative
- C. Appointment of NTC Advisor, Liberty Heidmann as a Citizen Representative
- D. Appointment of Attorney Manager Kathryn Yanke as lead of Evidence-Based Decision-Making workgroup
- E. Appointment of Judge Suzanne O’Neill as lead of Case Processing workgroup
- F. Appointment of Sheriff Scott Parks as lead of Mental Health workgroup
- G. Appointment of District Attorney Theresa Wetzsteon as lead of Community Outreach, Victim Rights, and Communications workgroup
- H. Appointment of County Administrator Lance Leonhard as lead of System Budgeting workgroup

**Discussion:**

Chair O’Neill explains that she is offering the appointments in accordance with the bylaws.

**Action:**

**MOTION BY GIBBS; SECOND BY LEONHARD, TO CONFIRM THE PROPOSED APPOINTMENTS A-H AS OFFERED IN THE AGENDA. MOTION CARRIED.**

**Follow Up:**

Not necessary.

- I. Election of At-Large Executive Committee member

**Discussion:**

Chair O’Neill explains the election process for the at-large position in accordance with the bylaws.

**Action:**

**NOMINATION OF CHAD BILLEB TO THE EXECUTIVE COMMITTEE OF THE CJCC BY LEONHARD; SECOND BY GIBBS.**

**NO ADDITIONAL NOMINATIONS RECEIVED. UNANIMOUS VOTE TO ELECT BILLEB TO EXECUTIVE COMMITTEE.**

**Follow Up:**

Not necessary.

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

**A. Utilization of Writs for non-evidentiary and non-conclusory hearings (Sheriff's Office)**

**Discussion:**

Chad Billeb provides a brief explanation of the Sheriff's Office's observation that writs were being utilized for a number of hearings that were non-evidentiary and non-conclusory and required significant resources from the Sheriff's Office. Judge O'Neill indicates that this topic aligns with item 6A, so she postpones, without objection, further discussion of this topic until item 6A is discussed

**Action:**

**MOTION BY LEONHARD; SECOND BY BOOTZ, TO REFER THIS ISSUE TO THE CASE PROCESSING WORKGROUP TO DEVELOP A POLICY ON THE UTILIZATION OF WRITS.**

**Follow Up:**

Case Processing Workgroup to discuss this issue and develop a recommendation to bring back to the group.

**B. Driving with Care – update on current process and how do we move forward**

**Discussion:**

Laura Yarie provided a brief update on the Driving with Care program and the impact of the pandemic on the program. She reports that Driving with Care is an evidence based cognitive curriculum containing education and treatment modules designed for higher risk/need OWI offenders. Marathon County began using the curriculum through an agreement with NCHC about 16 years ago prior to OWI Court or Case Management and Treatment Services (CMTS). The groups have not operated since 2019 due to the pandemic. The group was implement for offenders on probation for 4<sup>th</sup> and 5<sup>th</sup> offense OWI convictions as an option for more intense interventions. Prior to the pandemic referrals for this group were greatly declining due to many of the participants participating in the structure of OWI Court and receiving intensive IOP through CMTS. Group discussion questioned the need to restart and continue to utilize this program. Ruth suggested this topic may align closely with items C. i, and ii and mentioned the idea of combining this with those topics before making any decisions.

**Action:**

**Judge O'Neill agrees to discuss the future of Driving with Care in the discussion of items regarding OWI Court update and Justice Programs Request for Proposal Process.**

**Follow Up:**

Discussion continued under 6. C.

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

**A. Report on Judicial Pretrial case resolution and determination of judges relative to future pretrial scheduling**

**Discussion:**

Judge O'Neill gives an update on the history of the county's Case Processing Group and the policy that was developed that each branch would schedule consistently in terms of timing and naming conventions of hearings (e.g., Pretrial, FPT, Jury Status Date, Jury Trial). One of the primary aims was to increase accountability. This was a pilot program for 4-6 months. O'Neill explains that recently judges received a presentation from Tyler Brandt on how to best recover from the pandemic. They learned that the estimate was that it would take 2 years 9 months to recover. One of the other consequences of the judicial pretrial that the judges saw was that the process was "robbing the parties" of the opportunity to negotiate. In light of the presentation and at the suggestion of State Courts, the judges are planning to

transition the first pretrial back to their judicial assistant. In implementing this approach, Judge O'Neill indicated that the JA's will be instructed to be put notes for the judges to see and hold people/parties accountable. This would start during the next round of intake. Attorney Runde raises a question relative to Marsy's Law and the judicial assistant pretrial process. Judge O'Neill references that the judges had discussed the new process with Amber Petersen from State Courts and were advised that the new model was appropriate. Stakeholders are asked to reach out to O'Neill with concerns. O'Neill explains that for the initial pretrial conference under the new model, a writ should not be issued and the defendants, if they are in the jail, should not be brought to the chambers. O'Neill also indicates that this topic should be sent to the Case Processing Workgroup to investigate and resolve through crafting a clear policy recommendation.

**Follow up:**

- (1) Schremp is to work with Suzanne to ensure that the JA pretrial develops standard notes structure for these non-court hearings.
- (2) O'Neill to convene the Case Processing Workgroup to address the issuance of writs and creating a formal practice/policy.

**B. Update from Sheriff's Office on Huber program**

**Discussion:**

LaDu explains that as part of pandemic the jail ceased the Huber program (15-16 months). The jail does not have intent to reinstate Huber program and will instead continue the electronic monitor programming. This has allowed the jail to more effectively house and separate inmates for COVID mitigation. Ultimately, this will allow the jail to repurpose these areas. They will retain the ability to reinstate a "smaller" huber if necessary. Probation does not see a significant issue with this change.

**C. Update from Justice Alternatives Coordinator**

- i. Efforts relative to updating Operating While Intoxicated mandatory prison sentences

Laura indicates that Judge Levine from Lacrosse has worked with Rep. Schraa to draft a bill to address this issue and is in search of a senator to sponsor the bill. Some chronic 4<sup>th</sup> offenders are being referred; however, 5<sup>th</sup> and 6<sup>th</sup> offenders may be not resolving their cases because of the potential law change and the hope of getting into the program. The bill would seek a change to allow 5<sup>th</sup> and 6<sup>th</sup> offenders to remain in the community and participate in treatment only if accepted into an established OWI Treatment Court Program.

Members discuss taking a more holistic approach to the utilization of funds for Driving with Care, SSTOP, OWI court, and CMTS to develop a more defined process for dealing with the different OWI populations.

Leonhard asks the group to consider when we deem enough time has passed with no legal change that we are needing to move forward with restructuring our OWI court. The group discussed beginning now to look over everything currently available within the existing structure of all programs dealing with OWI offenses to see if our needs are being effectively met.

O'Neill offers a potential solution mentioned by Judge Strasser to expand Drug Court and allow for separating genders within the program as research supports this. Yarie states that the CMTS program is already gender specific.

- ii. Justice Programs Request for Proposal Process – request for interested parties to participate in a workgroup to prepare an RFP for Justice Programs

Proposal not to go out until 2023 for the 2024 contract year but due to discussions on program effectiveness and current needs there is a desire to have a group comprised of all disciplines to discuss what services are a priority. Yarie is looking for volunteers to participate and give feedback in this process.

Additional issues for next meeting – Failure to Report

**7. Adjournment**

Motion to Adjourn by Leonhard, second by Billeb. Motion carried. Meeting Adjourned at 9:42 a.m.