

## **AGENDA**

**Village of Plover/City of Stevens Point**

**Joint Municipal Court Oversight Committee**

**County-City Building**

**November 21, 2016**

**1515 Strongs Avenue**

**3:00 P.M.**

**Conference Room D**

1. Roll Call.
2. Discussion and possible action on the 2017 budget.
3. Review of the Joint Municipal Court Administrative Report for 2016 by Judge McKenna.
4. Adjournment.

Any person who has special needs while attending this meeting or needs agenda materials for this meeting should contact the City Clerk as soon as possible to ensure a reasonable accommodation can be made. The City Clerk can be reached by telephone at (715) 346-1569, TDD #346-1556, or by mail at 1515 Strongs Avenue, Stevens Point, WI 54481.



HON. MICHAEL J. MCKENNA  
*Municipal Court Judge*  
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KARI JOZWIAK  
*Municipal Court Clerk*  
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November 8, 2016

## **Joint Municipal Court Administrative Report 2016 (Stevens Point-Plover Joint Municipal Court)**

### **I. Introduction**

The Municipal Court has encountered new and ongoing challenges in establishing and administering the caseload here in 2016. The City of Stevens Point and the Village of Plover set numerous goals for the Municipal Court including:

- Efficient processing of cases;
- Professional atmosphere;
- Accountability and responsibility;
- Fair and just resolution for each case; and
- Increased access to court.

This is an administrative report submitted in compliance with judicial regulations regarding the overall operation of the court and not regarding individual cases.

### **II. Security**

We are, by this report, requesting that the City and the Village look at some form of plan to have a police officer serve as bailiff and security for arraignments on Thursdays at 5 pm to 6 pm. This would amount to three hours per month. We suggest that this would be an efficient use of police and court resources, and, frankly, is becoming a necessity. We have had numerous dangerous felons and other obviously dangerous individuals appear. Presently, there is no such security and it is clear that court personnel and even city personnel are in a vulnerable status. I would be glad to participate in formal or informal discussions on this issue. Importantly, our comparable neighbors for the Cities of Wausau and Wisconsin Rapids have officers present.

### **III. Timelines**

The Municipal Judge was appointed in 2014 and an office was established in the courthouse for the court. Also in 2014, the Municipal Court Clerk was hired and the computer systems for the court installed and made operational. The Municipal Court began operations with the first session held in July of 2014. Generally, the Court, located in the City conference room, operates with initial appearances the first three Thursdays of every month at 5:00 p.m. The Court sets mandatory pretrial conferences concurrent with initial appearances for the City, and at a later date for the Village. Cases and hearings are set on a case-by-case basis.

2016 has seen a steady caseload and expanded programs and services for the court. The court has continued its juvenile community service program which has required significant staff time to track and to monitor, fielding frequent questions from the parents, schools and the community as well as the juveniles themselves. I can report that this has been a significant success story for the court. Also, juvenile filings for the City are way up for 2016-they are very resource intensive cases.

#### IV. Current Status and Statistics

It is suggested that operationally, the Court has been set up and it continues to operate very efficiently. The latest chart and projections through 2016 follows. For comparison, Wisconsin Rapids processes about 3,000 citations annually and Wausau, about 4,500.

	Citations to 10/31/2016	Projected # 12/31/2016
Plover	738	886
Plover Juvenile	26	32
Stevens Point	3,513	4,216
S.P. Juveniles	129	155
Totals	4,406	5,289

Citation numbers of course are not the entire story of the court, but they do illustrate the processing of a significant number for a newly created court system. The location of the office and the City conference room remain, overall, very positive. Early on, the Court's computer system is such that only one address was deemed optimal. While the lack of seating and size of the conference room are challenges, it has been shown to be fully functional, readily accessible and recognizable by the public and an overall professional atmosphere. The increased number of initial hearings and timing have proven to provide increased public access to the court.

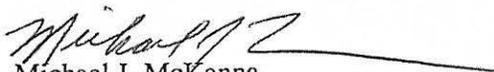
Again, as reported earlier, our court clerk, Kari Jozwiak, deserves significant credit and praise for establishing a very efficient, very business-like and very fair and just system in a short period of time. These efforts contribute greatly to the public impression of the court.

#### V. Conclusions and Future Challenges

The stated goals of establishing Municipal Court and operating in a fair and efficient manner continue to be met on a very solid basis. The Clerk and the Court are processing a significant number of cases in an efficient, fair, and cost-effective manner. The Court has increased access both as to location and time for the public. A professional atmosphere enhances justice for all parties and allows the Court to focus on results which enhance public safety while ensuring just results in individual cases.

We need however, as set forth above to address the need for security and establish a plan to do so. We need the presence of an officer for arraignment times.

It is hoped that this report will illustrate the administrative progress of the Court. Continuing future issues which will need to be addressed include court security, improvements in office spaces and functioning and future space needs. As Municipal Court Judge, I am committed to achieving the goals set forth and look forward to working with the City and Village to achieve them.

  
 Michael J. McKenna  
 Municipal Court Judge

**Citation Totals by Offense**

All Departments

Violation Date: 01/01/2016 through 10/31/2016

Court	Agency	Offense Code	Offense Description	Total
PPD				
	Adult			
		346.89(3)(a)	Texting While Driving	1
		125.07(4)(b)	Underage Drinking-Possess	11
		125.07(4)(a)2	Underage Drinking-Procures	1
		346.93(1)	Underage Person Transport Intoxicants In Mv	2
		346.13(1)	Unsafe Lane Deviation	2
		496-14(c1)	Use Of Motor Assisted Scooters On Public Streets	1
		347.48(2m)(b)	Vehicle Operator Fail/Wear Seat Belt	28
		346.675(1)	Vehicle Owner'S Liability For Fsa	1
		347.48(4)(am)	Viol Of Child Safety Restraint	2
		346.63(2m)	Violate Absolute Sobriety Law	1
		346.37(1)(a)1	Violate Green Traffic Signal	1
		346.37(1)(c)1	Violate Red Traffic Signal	4
		346.57(5)	Zone And Posted Limits	108
			<b>Adult Grand Total</b>	<b>738</b>

**Citation Totals by Offense**

All Departments

Violation Date: 01/01/2016 through 10/31/2016

Court	Agency	Offense Code	Offense Description	Total
PPD	Juvenile	947.01(1)	Crimes Against Public Peace Order & Other	2
		943.01(1)	Criminal Damage To Property	1
		369-1(a)	Curfew Violation Under 17 YOA	5
		254.92(2)	Minor Possesses Or Purchases Tobacco	1
		961.41(3g)(e)	Possession Of The	1
		943.50(1m)(b)	Retail Theft-Intentionally Take(<=\$2500)	14
		125.07(4)(b)	Underage Drinking-Possess	2
			<b>Juvenile Grand Total</b>	<b>26</b>

**Citation Totals by Offense**

All Departments

Violation Date: 01/01/2016 through 10/31/2016

Court	Agency	Offense Code	Offense Description	Total
SPPD	Adult			
		21.03(4)	Accumulation of Rubbish or Garbage	8
		21.03(10)	Accumulation of Vegetative Matter	1
		125.07(3)	Allow Underage On Licensed Premises	1
		346.14(1)	Automobile Following Too Closely	25
		940.19(1)	Battery	2
		346.80(5)	Bicycle/Epamd Fyr To Motor Vehicles	1
		TR305.16(4)	Covered/Obscured Tail Lamps/Reflectors	1
		943.01(1)	Criminal Damage To Property	12
		943.14	Criminal Trespass To Dwelling	2
		346.34(1)(a)3	Deviating From Lane Of Traffic	6
		346.13(3)	Deviation From Designated Lane	5
		947.01	Disorderly Conduct	74
		24.01(3)	Disorderly Conduct With A Motor Vehicle	46
		341.62	Display False Vehicle Registration Plate	1
		341.61(2)	Display Unauth. Veh. Registration Plate	16
		346.935(1)	Drink Open Intoxicants In Mv	5
		346.04(2)	Driving Against Traffic (One Way Street)	18
		346.57(3)	Driving Too Fast For Conditions	9
		347.39(2)	Equip Motor Vehicle With Illegal Muffler	1
		346.31(1)	Fail To Follow Indicated Turn	1
		tr305.26(1)	Fail/Equip Required Mirrors	1
		347.36(3)	Fail/Maintain Veh.Brakes/Working Order	1
		346.04(2)	Fail/Obey Traffic Sign/Signal	1
		TR305.15(2)	Fail/Properly Maintain Stop Lamps	2
		TR305.30(1)	Fail/Properly Maintain Tires And Rims	1
		346.46(1)	Fail/Stop At Stop Sign	51
		346.39(1)	Fail/Stop For Flashing Red Signal	12
		346.44(1)(a)	Fail/Stop/RR Crossing If Officer Signals	1
		346.18(3)	Fail/Yield Right/Way From Stop Sign	31
		346.18(5)	Fail/Yield Rt/Way From Parked Position	2
		346.18(4)	Fail/Yield When Emerging From Alley	8
		346.18(2)	Fail/Yield While Making Left Turn	34
		346.18(3m)	Fail/Yield/Uncontrolled T Intersection	1
		346.57(2)	Failure To Keep Vehicle Under Control	35
		346.70(1)	Failure To Notify Police Of Accident	3
		346.37(1)(c)3	Failure To Obey Sign Or Signal	4
		346.32	Failure To Yield Right Of Way	1
		346.28(2)	Fyr To Ped/Bike/Epamd On Sidewalk	1
		346.24(1)	Fyr To Pedestrian^ Bicyclist^ Or Epamd	2
		7.06(4)	Garbage Ordinance Violation / Illegal Dumping	3
		947.013(1M)	Harassment	8
		346.69	Hit And Run-Property Adjacent To Highway	9
		346.68	Hit And Run-Unattended Vehicle	9
		24.53(3)	Host/Allow Gathering With UA Possession/Consumption	12
		125.085(3)(b)	Id Card Violations-14-16	1
		346.94(16)	Illegal Use Of Radio^ Etc.	1
		346.31(3)(a)	Improper Left Turn/Approach	1
		346.31(3)(c)	Improper Left Turn/Completion	2
		346.31(3)(b)	Improper Left Turn/Intersection	4
		346.51(1)	Improper Parking On Roadway	1
		346.31(2)	Improper Right Turn	5

**Citation Totals by Offense**

All Departments

Violation Date: 01/01/2016 through 10/31/2016

Court	Agency	Offense Code	Offense Description	Total
<b>SPPD</b>				
<b>Adult</b>				
		21.03(13)	Improper Vehicle Parking	5
		346.89(1)	Inattentive Driving	79
		346.935(3)	Keep Open Intoxicants In Mv	4
		343.43(1)(d)	Lic Restriction Violation-Class D/M Vehicle	14
		24.06	Littering	4
		254.92(2)	Minor Possesses Or Purchases Tobacco	3
		14.03	Mistreating Animal	1
		TR305.39(1)	Motorcycle-Fail/Maintain Exhaust System	1
		346.88(4)	Mv Windows Not Reasonably Clean	1
		347.13(1)	No Tail Lamp/Defective Tail Lamp-Night	1
		341.04(1)	Non-Registration Of Auto^ Etc	92
		21.03(14)	Occupant Permitting Excessive Noise	22
		24.03	Open Intoxicant On Public Way	39
		343.07(1g)(d)1	Oper Mtr Veh By Permittee After Dark W/O Per	1
		341.03(1)	Operate After Rev/Susp Of Registration	60
		346.63(7)(a)1	Operate Cmv With Pac > 0.0	1
		347.39(1)	Operate Motor Veh. W/O Adequate Muffler	3
		347.09(1)(a)	Operate Motor Vehicle W/O 2 Headlights	4
		347.35(1)	Operate Motor Vehicle W/O Capable Brakes	2
		344.62(1)	Operate Motor Vehicle W/O Insurance	224
		344.62(2)	Operate Motor Vehicle W/O Proof Of Insurance	193
		343.05(3)(b)	Operate Motorcycle W/O Valid License	1
		343.07(1g)(a)3	Operate Mtr Veh By Permittee W/O Auth Person	4
		343.07(1g)(a)1	Operate Mtr Veh By Permittee W/O Instructor	2
		341.07(2)	Operate Unregistered Truck	1
		343.18(1)	Operate W/O Carrying License	1
		343.05(3)(a)	Operate W/O Valid License	74
		346.63(1)(am)	Operate With Control Substance	5
		343.44(1)(a)	Operating After Suspension	267
		346.05(1)	Operating Left Of Center Line	9
		346.63(1)(b)	Operating W/Pac	83
		346.63(1)(a)	Operating While Intox.	112
		343.44(1)(b)	Operating While Revoked	25
		347.06(1)	Operation W/O Required Lamps Lighted	10
		347.48(2m)(c)	Operator Fail/Have Passenger/Seatbelted	2
		346.09(3)	Passing In No-Passing Zone	2
		346.23(1)	Pedestrian^ Bicyclist^ Or Epamd Fyr	8
		145.06(1)(a)	Performing Plumbing Work w/o Proper Credentials	1
		945.04(1m)(a)	Permit Premise Use/Commercial Gambling	1
		343.45(2)	Permit Unauthorized Person To Drive	1
		961.573(1)	Possess Drug Paraphernalia	41
		346.935(2)	Possess Open Intoxicants In Mv	7
		343.085(2m)(a)1	Prob Licensee Oper Cl D Veh W/Other Prn Veh	2
		346.94(2)	Racing On Highway	4
		175.25(1)	Real Estate Storage Of Junked Cars	4
		TR305.32(5)(a)	Rear Window Unauthorized Sign	1
		346.62(2)	Reckless Driving-Endanger Safety	2
		946.41(1)	Resist Or Obstruct An Officer	21
		943.50(1m)(b)	Retail Theft-Intentionally Take(<=\$2500)	47
		347.48(2m)(d)	Ride In Vehicle W/O Wearing Seat Belt	8
		125.07(1)(a)1	Sell Alcohol To Underage Person	2

**Citation Totals by Offense**

All Departments

Violation Date: 01/01/2016 through 10/31/2016

Court	Agency	Offense Code	Offense Description	Total
<b>SPPD</b>				
<b>Adult</b>				
		346.57(4)(i)	Speeding - Public Park/15mph Zone	1
		346.57(4)(b)	Speeding At School Crossing	5
		346.57(4)(f)	Speeding In Outlying District	97
		346.57(4)(a)	Speeding In School Zones	16
		346.57(4)(e)	Speeding On City Highway	985
		346.57(4)(g)	Speeding On Semiurban Highway	2
		346.57(4)(b)1	Speed-School Cross.-Child	12
		346.57(4)(b)3	Speed-School Cross.-Sign	3
		21.03(9)	Storage of Household Items Outside	3
		12.14(11a)	Tavern Closing Hour Violation	14
		943.20(1)(a)	Theft-Movable Property<=\$2500	19
		TR301.34(1)	Tire Tread Depth	1
		943.13(1m)(a)	Trespass To Land	14
		948.45(1)	Truancy, Parent-Guardian Responsibility	7
		346.14(2)(a)	Truck Following Too Closely	1
		343.07(4)(b)1	Type 1 Cycle Permittee Oper Cycle W/Unqd Pass	1
		346.07(4)(a)3	Underage Drinking-Loiter	2
		125.07(4)(b)	Underage Drinking-Possess	104
		125.07(4)(a)	Underage Drinking-Procures	12
		346.93(1)	Underage Person Transport Intoxicants In Mv	3
		947.012(1)a	Unlawful Use Of Telephone	2
		347.38(1)	Unnecessary Blowing Of Horn	1
		346.87	Unsafe Backing Of Vehicle	18
		346.13(1)	Unsafe Lane Deviation	29
		346.08	Unsafe Passing On Right	1
		24.35	Urinating / Defecating On Public/Private Prop	10
		961.14(4)	Use or Possession of Marijuana - Less Than 5 Grams	40
		347.48(2m)(b)	Vehicle Operator Fail/Wear Seat Belt	39
		346.675(1)	Vehicle Owner'S Liability For Fsa	3
		347.48(4)(am)	Viol Of Child Safety Restraint	4
		346.63(2m)	Violate Absolute Sobriety Law	5
		346.37(1)(c)1	Violate Red Traffic Signal	57
		346.37(1)(b)	Violate Yellow Signal	3
		346.57(5)	Zone And Posted Limits	14
<b>Adult Grand Total</b>				<b>3,513</b>

**Citation Totals by Offense**

All Departments

Violation Date: 01/01/2016 through 10/31/2016

Court	Agency	Offense Code	Offense Description	Total
SPPD	Juvenile	943.01(1)	Criminal Damage To Property	4
		24.25(2)	Curfew Violation By Minor^ Age Under 16	15
		947.01	Disorderly Conduct	53
		24.01(3)	Disorderly Conduct With A Motor Vehicle	7
		346.39(1)	Fail/Stop For Flashing Red Signal	1
		24.34	Harassment	2
		10.05	In City Park During Closed Hours	2
		346.89(1)	Inattentive Driving	1
		24.06	Littering	1
		254.92(2)	Minor Possesses Or Purchases Tobacco	11
		24.03	Open Intoxicant On Public Way	1
		344.62(1)	Operate Motor Vehicle W/O Insurance	1
		343.07(1g)(a)3	Operate Mtr Veh By Permittee W/O Auth Person	1
		343.05(3)(a)	Operate W/O Valid License	1
		346.25	Ped/Bike/Epamd Fyr-Crossing Roadway	1
		961.573(1)	Possess Drug Paraphernalia	2
		946.41(1)	Resist Or Obstruct An Officer	5
		943.50(1m)(b)	Retail Theft-Intentionally Take(<=\$2500)	9
		125.09(2)	School/Possession/Alcohol	1
		943.20(1)(a)	Theft-Movable Property<=\$2500	4
		125.07(4)(b)	Underage Drinking-Possess	4
		961.14(4)	Use or Possession of Marijuana - Less Than 5 Grams	2
			<b>Juvenile Grand Total</b>	<b>129</b>

Account Number	Account Title	2013	2014	2015	01/16-10/16	2016	2017	2016 Amount
		Pri Year 3 Actual	Pri Year 2 Actual	Pri Year Actual	Cur YTD Actual	Cur Year Budget	Fut Year Budget	
<b>GENERAL FUND</b>								
<b>FINES &amp; FORFEITURES</b>								
100.45.20010.51	MUNI COURT ADMIN FEES	.00	38,460	108,560	101,153	112,000	119,257	
Total FINES & FORFEITURES:		.00	38,460	108,560	101,153	112,000	119,257	
<b>INTERDEPARTMENTAL REVENUE</b>								
100.47.20010.51	MUNI COURT REIMB - PLOVER	.00	9,863	.00	.00	.00	.00	
Total INTERDEPARTMENTAL REVENUE:		.00	9,863	.00	.00	.00	.00	
<b>GENERAL GOVERNMENT</b>								
<b>MUNICIPAL COURT</b>								
100.51.20010.1035	MUNICIPAL COURT JUDGE	.00	8,767	12,000	11,704	14,667	16,000	
100.51.20010.1256	MUNICIPAL COURT CLERK	.00	22,934	42,675	36,015	44,200	46,613	
100.51.20010.1257	ON-CALL MUNICIPAL CLERK	.00	.00	1,432	2,035	2,000	4,000	
100.51.20010.1530	GENERAL OVERTIME WAGES	.00	.00	.00	.00	.00	1,000	
100.51.20010.1900	EMPLOYER CONTRIB/WIS RET.	.00	1,605	2,902	2,377	3,885	4,326	
100.51.20010.1910	EMPLOYER CONTRIB/S.S. TAX	.00	2,333	3,973	3,518	4,656	5,172	
100.51.20010.1920	EMPLOYER CONTRIB/LIFE INSUR	.00	13	63	59	60	60	
100.51.20010.1930	WORKERS COMPENSATION PREM	.00	.00	93	50	79	88	
100.51.20010.1940	I.C. INSURANCE PREMIUM	.00	.00	.00	.00	.00	96	
100.51.20010.1950	MEDICAL INSURANCE PREMIUM	.00	10,919	19,654	19,196	20,941	20,941	
100.51.20010.1955	HSA CONTRIBUTIONS	.00	.00	.00	1,000	1,000	1,000	
100.51.20010.2203	TELEPHONE UTILITY CHARGES	.00	1,299	315	431	325	325	
100.51.20010.2501	MONTHLY SURCHARGE PAYMENT	.00	.00	.00	.00	.00	.00	
100.51.20010.2907	CONTRACTED SOFTWARE MAINT	.00	10,897	13,738	4,536	4,536	7,386	
100.51.20010.3000	GENERAL OFFICE SUPPLIES	.00	4,131	1,375	1,443	2,000	2,000	
100.51.20010.3006	POSTAGE	.00	617	1,924	1,631	2,000	2,000	
100.51.20010.3301	MILEAGE EXPENSES	.00	53	162	.00	100	100	
100.51.20010.5000	MISCELLANEOUS EXPENSE	.00	13,312	1,332	1,085	6,000	6,000	
100.51.20010.5003	BANK ACCOUNT CHARGES	.00	338	686	605	650	650	
100.51.20010.5910	GEN SEMINAR/EDUCATION EXP.	.00	816	1,477	1,015	1,500	1,500	
Total MUNICIPAL COURT:		.00	78,033	103,801	86,699	108,599	119,257	
GENERAL FUND Revenue Total:		.00	48,323	108,560	101,153	112,000	119,257	
GENERAL FUND Expenditure Total:		.00	78,033	103,801	86,699	108,599	119,257	
Net Total GENERAL FUND:		.00	29,709-	4,759	14,454	3,401	.00	
Net Grand Totals:		.00	29,709-	4,759	14,454	3,401	.00	