

**Working with the Criminal Justice System:  
An Introduction to the Criminal Justice Process,  
Participating Programs, and Resources Available  
in Dane County**

**October 2001**  
**(updated 05/2004)**

**A Report from the  
Offenders with  
Developmental Disabilities  
Work Group**

**compiled by**

**Axel Junker  
Community TIES  
Waisman Center Outreach Program  
122 E. Olin Ave., Suite 100  
Madison, WI 53713  
**<junker@waisman.wisc.edu>****

## Introduction

Individuals with developmental disabilities (DD) and the people who support them very rarely come in contact with the criminal justice system. However, just like everybody else, people with disabilities sometimes become the victims or perpetrators of crimes.

The criminal justice system, its process, procedures, programs and resources are uncharted territory for most individuals with developmental disabilities, their families, and involved support professionals. Unfortunately, law enforcement and other criminal justice practitioners often feel the same about “our world” of Human Services. Meaningful and effective cooperation, therefore, can be a challenge.

In November 1999, Dane County Human Services initiated the creation of a work group to improve services for offenders with developmental disabilities. Since then the work group met with various representatives of the Dane County criminal justice system so that both groups could learn more about one other, and to discuss strategies to improve communication, cooperation, and the coordination of needed interventions.

This paper is one outcome of that process. It is written for the typical DD case manager or support broker who assists an individual with a developmental disability to navigate his/her way through the confusing and complex criminal justice maze. This paper is divided into two parts: Part I presents a basic introduction to the criminal justice process as it occurs in Dane County. Part II describes the parties and programs that might be encountered in that process and how to cooperate with them effectively.

Thank you's are in order to the members of the work group and its guest speakers, whose presentations and materials are liberally quoted here, often without proper reference. Special thanks goes to Sylvan Esh, Matt Hayes, Monica Bear, Emmie Coan, Rick Miller, Paul White, Christine White and Judy Schwaemle for their expertise and diligence in proofreading this manuscript

For further information regarding the “Offenders Work Group,” please contact:  
Maya Fairchild, DCHS, Division of Adult Community Services  
(608) 242-6466, <[fairchild@co.dane.wi.us](mailto:fairchild@co.dane.wi.us)>

For questions regarding the content of this manuscript please contact:  
Axel Junker, Community TIES  
(608) 265-9428, <[junker@waisman.wisc.edu](mailto:junker@waisman.wisc.edu)>

# Contents

## Part I: The Criminal Justice Process in Dane County

Misdemeanor	4
- Initial Appearance and Arraignment	
- DA Pre-trial Conference	5
Felony	
- Initial Appearance	
- Preliminary Hearing	
- Arraignment	
Felony and Misdemeanor	6
- Motion Hearings, Bail Hearings	
- <i>Competency</i>	
- Final Pre-trial Conference	
- Trial	
- Sentencing	7
- <i>Victim's Rights</i>	
Flowchart: The Criminal Justice Process	8
Part II: Criminal Justice Professionals and How to Effectively Work with Them	
Law Enforcement / Police	9
- <i>Confidentiality</i>	
Psychiatric Hospitalizations / Emergency Detention / Involuntary Commitment	10
Flowchart: The Civil Commitment Process	12
Dane County Jail	13
Public Defender	14
Dane County District Attorney	15
City of Madison Attorney	
Jail Diversion Programs	
- Deferred Prosecution	
- Drug Treatment Court Program	16
- Bail Monitoring Program	17
- Electronic Monitoring Program	18
- ATIP - Treatment Alternative Sentences	
Probation and Parole / Extended Supervision	19
NGI / Conditional Release	21
Appendix A. Addresses and Contact Information	22
Appendix B. Work Group Members and Guest Speakers	31

## Part I: The Criminal Justice Process in Dane County

After the police have issued a citation or made an arrest, and subsequently issued a police report, the district attorney's office (DA) reviews the police report and makes a charging decision: The DA's office can order further police investigation, decide to charge the offender with the crime the police reported or with a different crime that fits the facts presented, or decide not to issue charges at all.

The DA's office will not usually notify a potential offender when charges (and the need to come to the initial appearance) have been dropped. However, unless the offender has learned through communication with the police agency that issued the citation or made the arrest, or has heard from the DA's office that an initial appearance has been canceled (and the charges were dropped), the offender must appear in court. Otherwise an arrest warrant might be issued.

The Circuit Court Automation Program (CCAP) <http://wcca.wicourts.gov/index.xsl> provides information about Wisconsin Circuit Court appearances and charges filed in cases a person has had in the past, or has scheduled for the near future. CCAP does not show arrests. CCAP is probably the most convenient way to find out about scheduled court appearances. It is not fool-proof, however, and delays sometimes occur before information is entered regarding court dates changes.

The Dane County VINE (Victim Information and Notification Everyday) service is a free, 24-hour telephone service that allows you to check on the status of inmates in custody within the Dane County jail system, and to register for automatic notification when an inmate is released or transferred. VINE can also provide you with information on the inmate's charges and bail, location in the jail, scheduled release date, and where and when the inmate was transferred, as well as court information concerning scheduled hearings. The VINE toll-free phone number is 1-877-418-8463.

The progress of a criminal case through the court system is defined by the type of crime with which the individual is charged. The law distinguishes between two types of crimes, misdemeanors and felonies. A misdemeanor is a less serious crime punishable by no more than one year in a county jail. A felony is a more serious crime usually punishable by a prison term of one year or more. A good and free resource defining unfamiliar legal terms is *Nolo's Everybody's Legal Dictionary*, at <http://www.nolo.com/dictionary/wordindex.cfm>

### **Misdemeanor**

#### **Initial Appearance and Arraignment**

The accused receives a copy of the criminal complaint containing the specific charges, and the court commissioner reads the criminal complaint, if requested. The defendant enters a plea (guilty/no contest/not guilty) or stands mute (which results in the court commissioner entering a not guilty plea). By standing mute, the accused preserves jurisdictional objections to the institution of the proceedings, i.e. the accused at a later time can object to the manner in which he or she was arrested. Bail and conditions of bail are ordered by the court. The next court appearance is assigned and the court commissioner makes the defendant aware of the public defender's office.

The initial appearance and arraignment is a good opportunity for DD service providers – with the consent of the defendant – to speak up and let the court commissioner know that the accused has a disability, has a stable residence and/or employment, and receives services and supervision. The court

commissioner might then be convinced to release the accused on a signature bond, and simply require that the accused follow the service provider's supervision guidelines as part of the bail condition.

If the accused was arrested and is in jail, the initial appearance and arraignment usually occurs at the Public Safety Building 1<sup>st</sup> floor within 24 hours of the arrest. The district attorney's office or the Dane County jail (see below) can be called to find out about the time of the arraignment. To avoid unnecessary delays, service providers arriving at the Public Safety Building should inform the clerk in the lobby that they would like to be heard at the arraignment.

If the accused was not arrested, police might have issued a citation indicating when and where the accused has to appear for the initial appearance. The accused must attend the initial hearing unless he/she learns from police or the DA's office that the charges have been dropped. If the accused fails to attend, a warrant for his/her arrest might be issued.

### ***DA Pre-trial Conference***

The assigned assistant district attorney (ADA), the defendant, and his/her attorney try to settle the case to avoid a trial. If the defendant pleads guilty or no contest, a judge will subsequently sentence the defendant. DD service providers should communicate with the defense attorney about the best way to proceed. If appropriate, the issue of the defendant's competency to stand trial (see below) should be raised at this point.

## **Felony**

### ***Initial Appearance***

If requested, the court commissioner reads the criminal complaint and sets bail (cash bail or signature bond) and other bail conditions. If the defendant is in custody (jail), a public defender is available to the defendant and present during the proceedings (if the defendant qualifies for it). A date for the preliminary hearing is scheduled. Before – often immediately before the initial appearance – DD service providers should inform the public defender about the defendant's disability and service providers involved.

### ***Preliminary Hearing***

This is an evidentiary hearing before a judge or commissioner at which the state needs to prove that the defendant probably committed a felony. This hearing must occur within 10 days of the initial appearance if the defendant is in jail or on cash bail, but may occur later if the defendant is not held in custody. If probable cause is not shown, the judge must dismiss the charges.

### ***Arraignment***

The arraignment must occur within 30 days of finding probable cause, but is usually held immediately following the preliminary hearing. The state files a document called "the Information." It identifies the charges that the state will prosecute at trial. The defendant enters a plea (not guilty, guilty, mute) to these charges, and the court will review the bail previously set.

## **Felony and Misdemeanor**

### ***Motion Hearings, Bail Hearings***

These can occur at various times during the court process. The defendant can raise challenges to his arrest, the seizure of evidence, the sufficiency of the complaint, the number of charges, the joinder of crimes or defendants, and a number of other matters. Either party can file motions requesting a change of bail or conditions of bail. Either party can also ask the court to make a determination of whether the defendant is competent to proceed to trial and to assist in his defense. Some of these motions require the taking of evidence by the court; others may call for oral or written arguments (briefs) by the attorneys.

#### ***Competency***

“No person who lacks substantial mental capacity to understand the proceedings or assist in his or her own defense may be tried, convicted or sentenced for the commission of an offense so long as incapacity endures.” Sec. 971.13(1), Wis. Stats. Either side can raise the issue of the defendant’s competency for the court to determine. If the question is raised, the court will order that an examination by a professional be performed to assist the court in making the determination. If the court determines that a person is not competent and not likely to become competent, the criminal proceeding is “suspended,” and the defendant is released from the conditions of bail.

Competency evaluations can be performed in-house, i.e., during an inpatient stay at Mendota Mental Health Institute or by a community-based professional. A judge ordering the competency evaluation might be open to suggestions of a DD service provider regarding a particular professional. The DD Crisis Response can assist in making referrals to examiners who have experience working with individuals with developmental disabilities.

### ***Final Pre-trial Conference***

The ADA and defense attorney try to resolve the matter without trial. Such plea negotiations may result in total or partial agreements about charges and disposition. If the parties cannot settle the case, it proceeds to trial. Trial is to a jury, unless both parties waive their rights to jury trial. In that event, the trial is to the court. If the defendant pleads guilty or no contest, he/she becomes subject to sentencing. Sentence may be ordered at the time he/she enters the plea, or scheduled for a later date.

### ***Trial***

In criminal cases, the defendant and the state have a right to a jury trial. A jury trial has three possible outcomes: verdicts of Guilty or Not Guilty or a mistrial. One reason for a mistrial is if the inability of the jury to reach a verdict. This is called a “hung jury.” If a mistrial was not caused by the prosecution, the defendant can be retried. Phases of a jury trial are jury selection (*voir dire*), opening statements, evidence, closing arguments, jury instructions, deliberation, and verdict.

## ***Sentencing***

A person can be sentenced only if convicted. A person can be convicted only on his/her plea of guilty or no contest, or by a finding of guilty after a trial. In felony cases, after a finding of guilt the court can order the Department of Corrections (DOC) to prepare a pre-sentence investigation report which needs to be completed within 60 or 90 days and looks at all aspects of the defendant's life to assist the court in determining the correct sentence. The report considers the defendant's mental and physical health, residential and vocational situations, family, and community treatment plan. At sentencing, the defendant has the right to address the court (the right of allocution). Victims of crime also have the right to address the court at sentencing. It is not uncommon for service providers to write a letter to the judge advocating for the defendant, but such a letter should be coordinated with the defense attorney.

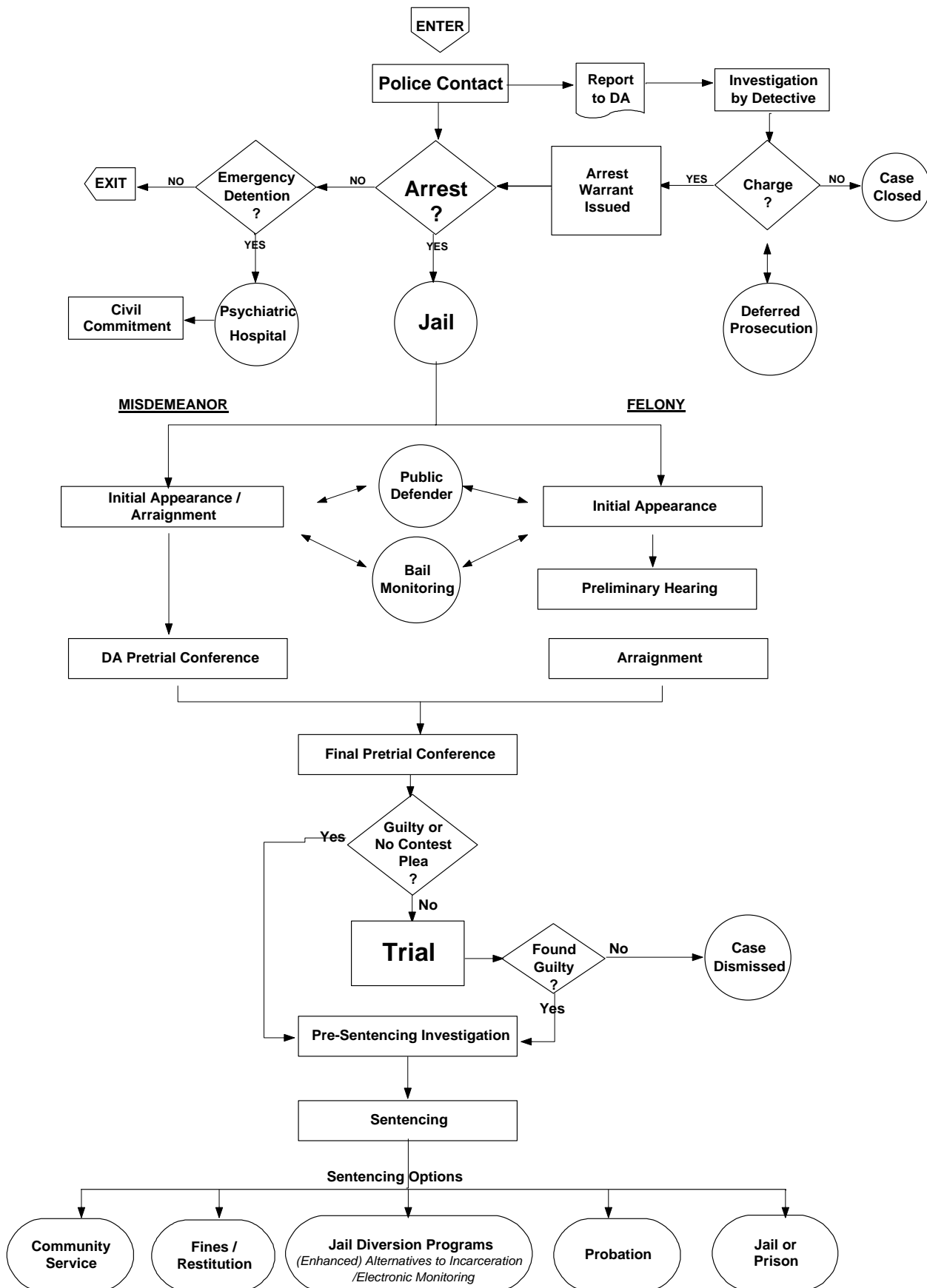
The judge determining the sentence has a variety of options, one of which (except in the case of First Degree Intentional Homicide and Hostage Taking) is probation. When probation is ordered, a sentence is either stayed or withheld. If the sentence is stayed the judge imposes a jail or prison term that will be served if the defendant's probation is revoked. If the sentence is withheld and the defendant fails probation he/she has to return to court to receive the sentence for the original offense (jail or prison are the only options available at this juncture). Other sentencing options available to the court are fines, community service, or confinement in jail or prison. The maximum available to the court for the crime is set by law, but the court determines sentences within that range.

Most convictions are the result of a plea of guilty by the defendant. Many of these guilty pleas are the product of negotiations between the prosecutor representing the state, the defendant, and the defendant's attorney. Negotiations regarding the final outcome of the case, may result in complete or partial agreement between the parties. That agreement is then presented to the judge for approval. When all or some of the final outcome is not agreed to by the parties, both sides have the opportunity to present their positions to the judge, who then makes a final sentencing decision. A person convicted of a crime, even one who enters a plea of guilty, has the right to appeal his or her conviction.

### ***Victim's Rights***

Crime victims have a number of important rights too numerous to mention here. Among these rights are the right to be notified of all court hearings, to confer with the prosecution about a case, to address the court at sentencing, to hear about the final disposition, and to claim restitution, among others. Victims of crime are notified of all their rights so that they may exercise those they choose to.

# The Criminal Justice Process





## Part II: Criminal Justice Professionals and How to Effectively Work with Them

### Law Enforcement/Police

Dane County has more than twenty law enforcement agencies, with the Madison Police Department and the Dane County Sheriff's Office being the two largest. Law enforcement is usually the first contact people make with the criminal justice system.

If law enforcement officers decide that a law has been broken, they can:

- issue a citation and/or file a report to the DA's office (which in turn may make a criminal complaint)
- make an arrest and take the person to jail
- release the individual into someone else's care (treatment provider, voluntary or involuntary hospitalization)

People with disabilities are expected to follow the same laws as everybody else and can be arrested, prosecuted, and sentenced to pay fines or spend time in jail or prison. If the safety of the community is not at risk, the police are often willing to consider a person's disability and work closely with human service providers. However, police usually do not assume that a person has a disability and/or receives services in a given case. Support providers should – with the consent of the individual and/or the individual's guardian – encourage consumers to carry identification as well as "safety cards," which list the name and phone numbers of a support person or agency, and of the guardian. Providers need to teach consumers to show the "safety cards" to law enforcement and medical personnel when assistance is needed.

The Madison Police Department has a human services liaison officer who is somewhat familiar with the human services system and DD service providers. DD service providers may look to the liaison officer for help in

- assessing when the police should become involved
- talking to a consumer about the seriousness of criminal or dangerous behavior
- accessing police records, reports. (Make sure to get the police district, the case number, and the responding officers and/or detectives names. In general, police reports can be made available to treatment providers.

However, if a decision about a felony charge is pending the report might not be released until the discovery portion of the trial has been completed.)

- passing on information to neighborhood officers of the five Madison districts) regarding specific individuals information will be stored on the dispatch computer based on an individual's address) to avoid misunderstandings or unnecessary confrontations with police (Neighborhood officers can also be contacted directly through the police stations in the different districts).

The liaison officer works closely with the Mental Health Center Crisis Unit, which assists in evaluating a person's mental status and the need for emergency detentions (see below). Police also have the option of taking a person to detox or to release an individual into someone else's care (e.g., a residential agency). The officer in charge can facilitate communication with the DA's office in order to make this happen.

#### ***Confidentiality***

When talking to the police, DD service providers must not violate a consumer's right to confidentiality. Any information given (diagnosis, IQ level) will end up in the police report and will be made public at a trial. On the other hand, staff need avoid alienating police by calling them and then refusing to cooperate or give out information. A compromise can be reached by limiting information to a description of the events that led to the police involvement, offering information on how the individual communicates and interacts with the world and more generic information about the involved agency/support provider.

## **Psychiatric Hospitalizations / Emergency Detention / Involuntary Commitment**

The procedures of an emergency detention and the civil commitment process are defined by civil law\*, not criminal law and for this reason they are not part of the criminal justice process . They are included here, however, because emergency detentions are not uncommon when police are confronted with individuals with disabilities, who present a danger to themselves or others.

Law enforcement has a variety of options when confronted with an individual who if left by him, or herself would be at risk of jeopardizing his/her own safety and/or that of others (vulnerable adult). These options are:

- releasing the individual into the care of a treatment provider (which could be a residential agency that supports and supervises the individual)
- facilitating a voluntary psychiatric hospitalization (this course of action requires that the individual has a mental illness; that the individual and/or his/her legal guardian agree to the hospitalization; that the individual is a good candidate to benefit from the treatment and therapy provided by the hospital; and that the hospital agree to the hospitalization).
- initiating the emergency detention (involuntary commitment) process (see below), which can occur when individual has a mental illness, a developmental disability, or is drug dependent; and is a proper subject for treatment; and is deemed to be at a substantial and immediate risk of serious physical harm to self or others, unless he/she receives immediate treatment in a safe (locked) facility.

The Madison Police Department and its liaison officer work closely with the Mental Health Center Crisis Unit if there are questions about a person's mental health status, the level of dangerousness, or safety. DD service providers who support individuals who have had unplanned psychiatric hospitalizations or police contacts in the past and are likely to have future contacts are encouraged to be proactive and contact the Madison police, and the Dane County jail (see below), as well as the Mental Health Center, hospital emergency rooms, and psychiatric departments. The DD Crisis Response program can - if requested - help plan and facilitate this process.

Although for numerous individuals with mental health issues, a brief psychiatric hospitalization (for special medication adjustments or the stabilization of acute symptoms) can be an appropriate and valid part of the person's support and treatment, for many people with developmental disabilities psychiatric hospitalizations do not always seem to be the most promising and appropriate intervention. Hospitals do not necessarily have expertise with individuals with DD or DD community programs, might not know how to communicate effectively with an individual with a DD, and are typically not in a good position to individualize their treatment approach easily. In addition, hospitals are often unable to provide needed one-on-one support, and might be uneasy about addressing challenging behaviors not uncommon to individuals with DD.

DD providers are encouraged to work closely with the DD Crisis Response program to think and plan for the most appropriate crisis intervention based on the person's individual needs. This could include creating or modifying the individual's behavior support plan, supplementing the individual's staff support, utilizing the Crisis Response Safe House or pursuing voluntary hospitalization.

---

\* Civil law usually applies to private rights and/or the relations between one person or a group of people to another (e.g., property rights). Criminal law focuses on the relations between citizen and the government/state and define what behaviors are illegal and are punishable by fines or imprisonment.

Law enforcement work closely with the Mental Health Center (or involved DD service providers) to determine whether an individual meets the standards for commitment (i.e., is a danger to him/herself and others) and should be detained on an emergency basis at a hospital or mental health center. Emergency detentions in Dane County usually occur at University Hospital, Psychiatry B65, and occasionally at St. Mary's or Meriter Hospital. If a person is considered to be unsafe or too dangerous to be kept at the hospital, or if there is no space available, he/she will be admitted to Mendota Mental Health Institute. The DD Crisis Response program should be notified whenever an emergency detention occurs.

Within 72 hours of the original detention – excluding Saturday, Sunday, or legal holidays – a “probable cause hearing” must take place before a court commissioner or judge. The hearing may be postponed at the individual's request or his or her attorney's, but the delay can not exceed seven days from the date of the original detention. The client is represented by an attorney at this hearing and the county is represented by its corporation counsel. The purpose of the probable cause hearing is to determine whether a person meets the legal standards for commitment, i.e., does the person have a mental illness, developmental disability, or drug dependency; is the person a good candidate for treatment; and is the person a danger to him/herself or others? If it is determined that there is probable cause, the court authorizes the detention for a period of fourteen calendar days (from the time the individual was originally taken into custody), and two psychiatric examinations are be ordered before the final commitment hearing. After hearing testimony by police, family members, two physicians (or one physician and one psychologist), and other treaters, a judge will make a final decision.

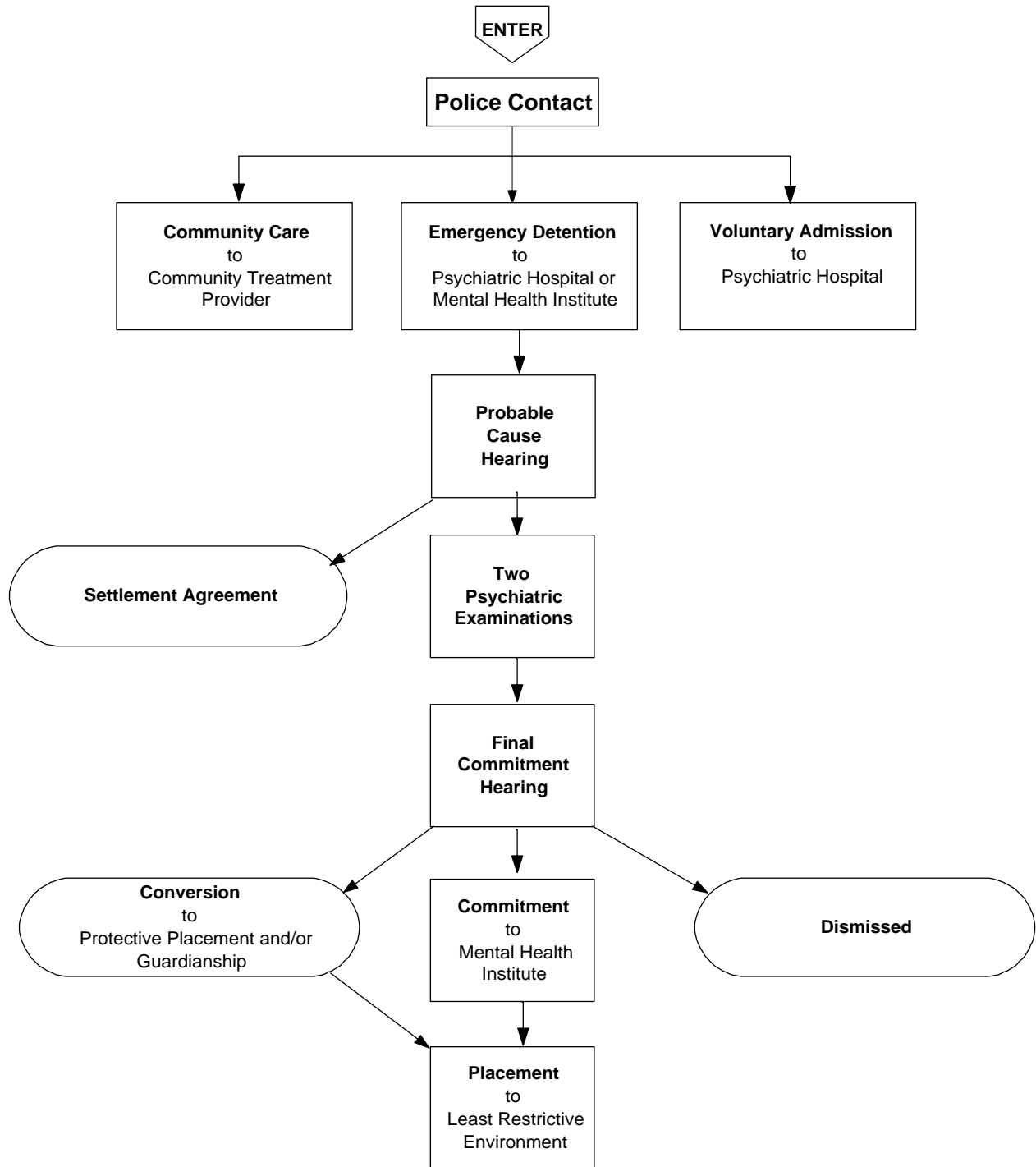
Possible outcomes of the hearing include: dismissal, conversion of the case to one for protective services and guardianship, settlement agreement (see below), or commitment to the County Department of Human Services. Commitment usually means that the person will go into a hospital (Mendota or Winnebago Mental Health Institute) for a period of time and then receive community services in the least restrictive environment. Medication can also be ordered if it is determined that the client is not competent to make this decision.

More often than not, the final commitment hearing can be avoided by convincing the person to agree to voluntary treatment, by converting the commitment to protective services or guardianship (*Wisconsin Statutes*, chapter 55) and/or by reaching a “settlement agreement,” which is similar to a plea agreement in the criminal justice process. The agreement might require the individual to cooperate with the recommended psychiatric treatment, usually for a period of 90 days, but sometimes longer. If the person does cooperate, the proceedings are dropped at the end of the 90 days. If the person does not cooperate and does not follow the treatment plan, the commitment process might be resumed at any point.

DD service providers, who might be required to testify at the probable cause and/or the final commitment hearing, are encouraged to communicate with the corporation counsel about services that the individual receives and to make suggestions regarding the most promising treatment approach. The DD Crisis Response program can help to facilitate this process.

Whether voluntary or involuntary, admissions to a psychiatric facility in Wisconsin are regulated by the *Wisconsin Mental Health Law* (chapter 51) which is a civil, not criminal law. However, civil commitment does not necessarily mean that the criminal justice process ends. The criminal justice process will cease if an individual is found incompetent to stand trial and cannot be treated to competency, or if an individual is found not guilty by reasons of insanity. A judge, however, might order an individual into a psychiatric facility for a competency evaluation (which can also be done while in the community) or – in order to protect the individual and/or the community – initiate the commitment process when the person is found incompetent to stand trial. The civil commitment process can also be initiated through a three-party petition, when three persons (relatives, friends, or support staff) sign a petition requesting that the person should be committed because of a specific behavior that at least one of the three must have witnessed.

# The Civil Commitment Process



## Dane County Jail

The Dane County Jail is on the sixth and seventh floor of the City County Building (maximum security and probation holds) and the third floor of the Public Safety Building (medium security and new charges). The William Ferris Work Release Center is the jail's minimum security facility and is located in next to the Alliant Energy Center. To find out if a person has been booked into the jail, call 284-6100, press "2", and then "0". You can also use the Dane County VINE (Victim Information and Notification Everyday) service, a 24-hour telephone service that allows you to check on the status of inmates in custody within the Dane County Jail. The VINE toll-free phone number is 1-877-418-8463.

The jail has approximately 900 beds and is considered full if 80 percent of those are taken. Any new arrivals to the jail go through Central Booking at the Public Safety Building (17,000/ per year), where they are fingerprinted and their personal belongings are put in storage. Arrivals that are not cooperative might be put into restraints or in isolation while awaiting booking.

The Mental Health Center of Dane County has an outreach team located at the jail that assists by screening for:

- mental illness or other disabilities
- medical concerns
- need for detoxification

The outreach team also assists in determining the best placement for individuals booked into jail:

The various options include:

- general population (14 or 28 inmates per deputy)
- special needs unit at CCB (seventh floor) ( cells for inmates that are suicidal, actively psychotic, are ED referrals, or are waiting for community service/discharge planning)
- Mendota/Winnebago Mental Health for emergency detention (or court-ordered competency evaluation)
- hospital/nursing home/court-ordered stay at infirmary in Dodge County

Every new inmate getting booked needs medical clearance to stay in the jail. A sick inmate charged with a serious offense might be guarded by a police officer in the hospital. At this point the jail is not set up to allow for attendant care for inmates with physical or cognitive disabilities – two nurses who attend to all of the 850 to 900 inmates at the downtown jail – but such care is being considered. Currently police and jail staff decide on a case-by-case basis where an individual with different health care needs should go. Two full-time Probation and Parole Officers work with the approx. 170 probation holds (at any given time) and also assist in determining the most appropriate placement (jail or William Ferris Work Release [Huber] Center).

The Dane County Jail also employs two teachers, who have access via the MMSD mainframe computer to school records (M-teams, achievement tests, etc.). This information can be very helpful in establishing that an individual has a disability and might require special accommodations, or might qualify for support services.

The mental health team (5.75 full-time staff) reviews all bookings within 24 hours. The team works closely with two psychiatrists, each providing up to eight hours per week, who perform general mental health status examinations when requested. The jail team is linked to the MHC computer system, which allows DD providers (check with the DD Crisis Response program) to "red flag" certain individuals (see

below). This can also be done through the jail computer, if the individual had prior contact with the Dane County Sheriff's Department. The mental health team can also assist in setting up visits (for a case manager), getting medication to an inmate, and providing assistance in transferring the inmate to the Special Needs Unit of the jail, away from the general population.

Providers supporting individuals who have had prior contact with the Dane County Sheriff Department or have stayed at the jail can – with the consumer's or guardian's consent – pro-actively contact the jail team. If a consumer is booked into jail, the jail team should be informed about the consumer's special needs. A face sheet listing current medications, communication strategies, contact people, and phone numbers (of guardian, family members, doctors, support provider, broker/case manager) as well as other helpful information should be given or faxed to the jail team. A case manager/service provider can usually arrange to visit with an inmate at times other than the normal visitation hours, but need to have identification and a business card to get into the jail.

## **Public Defender**

Individuals who cannot afford to pay for an attorney qualify for Public Defender (PD) services. People are financially eligible if they earn less than \$992 (misdemeanor) or \$1462 (felony) in two months. An individual receiving SSI (but not SSDI) automatically qualifies for PD services. An individual's assets and debts might also be taken into account.

Even individuals who qualify for PD services need to pay a fee, however. The fee is there is \$200 per complaint for a misdemeanor, \$400 for a felony, but the fee is reduced to \$50 per complaint, if the client pays within 30 days. An appeal process exists for waiving the fee entirely, but very few people choose to pursue this route. A defendant who does not qualify for a public defender can ask the court/judge to appoint an attorney. The judge might order that the defendant receives an attorney at the court's (i.e., the county's) expense and/or might decide the portion of the expense, for which the defendant will be held accountable.

The PD's office receives referrals by asking inmates at the Dane County Jail holding cell about their need (and eligibility) for a PD. This is mostly done by the PD's clerical staff. Attorneys are appointed for felonies or misdemeanors, but not for citations for ordinance violation (An ordinance is a law adopted by local government e.g., a town board or city council addressing local government issues such as zoning or parking). The court commissioner also routinely refers defendants to the PD's office at their initial appearance. Defendants are usually not represented at the initial appearance unless they are in custody.

The initial appearance is usually the first time that an actual attorney makes contact with the defendant. This is because of the extremely high work load that the public defenders face: every PD usually has 75 to 100 cases open at any given time.

The PD's office employs 22 attorneys (16 for adult, 6 for juvenile cases), but also subcontracts with the UW Law School Legal Defense Project (second and third year law students with staff attorney supervision, no felony cases), two private law firms (50 cases per year at a set rate), and approximately 350 other private attorneys (who are often relatively new and bill at a relatively low hourly rate).

DD service providers should contact the assigned PD prior to a court appearance to inform them about a defendant's disability and support services that are provided. To find out who the assigned PD is, call 266-9150 or check on CCAP. A good way of communicating with the Office of Public Defenders via e-mail: enter the last name and first initial of the attorney and then add @mail.opd.state.wi.us.

## **Dane County District Attorney**

The District Attorney (DA) reviews police reports and other investigative materials and decides whether to charge crime(s) and what crime(s) to charge. Even after the police have made an arrest the DA may decide not to charge a person. On the other hand the DA may decide to charge even if the police did not make an arrest. The decision to charge or not to charge can be changed even after it has been made, depending on new evidence made known to the district attorney. DD service providers should never assume that the DA's office knows that a person has a developmental disability or that the DA's office is familiar with DD support services which can be utilized in protecting the involved individual and the community.

The best way to communicate with the DA's office, if there is no urgency (person in jail), is in writing or by e-mail. A recommended first step is to call the DA's front desk in order to find out if case has been referred by a police agency and whether a decision about charges has been made. You may also ask to speak to the person making the decision about charges or the assigned prosecutor if you have information that you believe is relevant to the charging decision or to the prosecution of a particular case.

Human Service providers communicating with the DA's office should be aware that information communicated could be utilized against the consumer. It is therefore necessary to get the consumer's or guardian's consent before contacting and/or sharing any confidential information with the DA.

## **City of Madison Attorney**

The City Attorney provides legal representation for the City of Madison and - among numerous other job responsibilities - enforces city ordinances. Depending on the circumstances and the action taken by police an offense (example: disorderly conduct) can result in a citation (ticket) for violating a city ordinance. If this occurs, the City Attorney (and not the Dane County District Attorney) will pursue the case, i.e. enforce the ordinance violation.

## **Jail Diversion Programs**

Numerous jail diversion programs exist for eligible offenders in Dane County. Jail diversion programs blend creative supervision models, monetary restitution, community service, and a variety of educational and therapeutic interventions to assure that offenders do not repeat their criminal behavior. The benefits to the public are a reduction in recidivism, monetary restitution and community service work received, as well as a reduction of court time, jail stays, and demand on other resources.

Jail diversion programs in Dane county are offered through the Dane County District Attorney's office (Deferred Prosecution, Drug Treatment Court) and the Dane County Clerk of Circuit Court's Alternatives to Incarceration (ATIP) program (Bail Monitoring, Electronic Monitoring Program (EMP) and the ATIP - Treatment Alternative Sentences.

### ***Deferred Prosecution***

The Deferred Prosecution program of the Dane County District Attorney's office is a pre-sentencing program authorized by Wisconsin law, whereby a person facing criminal charges or charged with a crime is diverted from the criminal court process. To be eligible to participate, an offender usually cannot have

a prior criminal record, must be at least 17 years old or be waived from juvenile jurisdiction, and must be willing to participate and accept responsibility for his/her offense. In addition, the Deferred Prosecution program must be able to monitor the offender, i.e., the offender must be living in the state (and in some cases in Madison). Some crimes (serious offenses, drug crimes, or criminal traffic violations) will automatically exclude an offender from deferred prosecution. Participation is allowed only with the consent of the assistant district attorney reviewing/prosecuting the case.

A person facing criminal charges can be referred to the program by the district attorney before or after charges are issued. If charges have been issued, an offender usually enters a plea and the court withholds adjudication so that the person can participate in deferred prosecution. Judges cannot mandate participation in the program. There also is no right or entitlement to participate.

Participants are required to acknowledge responsibility for the criminal conduct and to sign a contract. The contract may require them to attend classes (Criminal Thinking, Women's Group, Domestic Abuse for Women), work, pay restitution, engage in community service, participate in a victim-offender conference (if requested by the victim), and/or obtain counseling (vocational, psychiatric) or other treatment that might include the "Alternatives to Aggression" program or AODA treatment.

The contract, which might vary from 6 to 36 months, is designed to require the participant to take appropriate measures to diminish the likelihood of further criminal behavior. A monthly fee of \$15 is to be paid by the participant throughout the duration of the contract.

Successful completion of the program results in the dismissal of criminal charges against the person. No criminal conviction will show on the individual's record, but the charges will (CCAP). If the person violates the contract or becomes involved in further criminal behavior, their case is returned to the district attorney or court for adjudication and sentencing.

The Deferred Prosecution Program provides monitoring (person to person or phone contacts) in approximately 1000 cases per year including 500 domestic violence cases. Seventy percent of the participants successfully complete their contracts. Deferred Prosecution staff consists of four social workers and one clerical staff.

DD service provider supporting an offender should – with the offender's consent – contact the DA's office or the Deferred Prosecution program directly (or have the offender's defense attorney contact the DA) if they think the individual receiving their support might be eligible and benefit from the program. The deferred prosecution agreement/contract can specify participation in DD services, or other treatment/supervision measures deemed necessary. The DA pre-trial conference provides another opportunity to suggest deferred prosecution.

### ***Drug Treatment Court Program***

The Drug Treatment Court program is another voluntary, deferred prosecution program involving intervention, treatment, and rehabilitation of non-violent drug offenders who desire to break the cycle of drug dependency. Referrals are made by the district attorneys who recommends the length of the program (nine to twelve months). Participants must be at 18 years old, must be a resident of Dane County, and may have no prior history of violence. Participants will receive an assessment to determine the most appropriate treatment program and must comply with all the components of the program (regular office visits, random urinalysis, attending regular court review hearings).



## ***Bail Monitoring Program***

The Dane County Bail Monitoring programs (BMP) are pre-conviction jail diversion programs of the Dane County Clerk of Circuit Court for persons who have been legally charged with crimes and are pending trial. Persons with all levels and seriousness of charges (felony and misdemeanor) can be on bail monitoring (instead of cash bail or reduced cash bail).

Defense attorneys or court clerks might refer defendants for an evaluation, to establish if the defendant is a suitable candidate for BMP, but the authorization for the BMP assessment or BMP admission (admission date is set by BMP) requires authorization from the court commissioner or judge. DD service providers who support individuals who might benefit from the bail monitoring programs should communicate with the individual's defense attorney and notify the DA's office, and the court commissioner, and/or contact the BMP coordinator directly. Most referrals to BMP include defendants with signature bonds, or cash bonds that have been converted to signature bonds. Specific bail conditions are ordered by the judge (for example, the defendant may be required to report to BMP within 24 hours), but BMP can also impose additional rules.

Defendants might be eligible for BMP if:

- they have been in the Dane County Jail for at least 72 hours
- have no probation/parole hold, detainer from another jurisdiction, or a commitment/sentence to serve
- have the ability to secure a suitable and verifiable residence (no motel or shelter)
- voluntarily agree to the rules and requirements of the BMP program and all other court orders, and conditions of bail
- a court order authorizing bail reduction or recognizance bond is in place

Participants in BMP agree to certain supervision requirements, which might include:

- one face-to-face contact (office visit) per week (minimum requirement)
- one to two phone contacts per week (minimum requirement)
- verifiable, stable, and suitable residence (minimum requirement)
- no alcohol or drug use as verified by observed random urinalysis/breathalyser (minimum requirement)
- employment or seeking employment (unless defendant has a verifiable disability)
- referral to AODA assessment and treatment
- referral to the Alternatives to Aggression program or other educational programs
- geographical restrictions and/or residential requirements
- compliance with prescribed medications, Chapter 51 commitment orders, or community treatment plans
- no contact with victims
- restricted contact (supervised) with minors or other specified persons
- compliance with curfews, electronic monitoring (for all or part of the release)
- additional (random) phone contact at staff discretion (or additional random urinalysis)
- other requirements by order of court or BMP staff

The Dane County Domestic Violence-Bail Monitoring (DV-BMP) program is almost identical to the BMP program in regard to eligibility and supervision criteria. The only difference is that the DV-BMP focuses on individuals charged with domestic battery or domestic disorderly conduct and might impose additional rules and requirements (see above). DV-BMP will refer all contacts with the victim(s) in a domestic violence case to the DA's Family Violence Unit, unless there is an agreement between DV-BMP and the Family Violence Unit in place to do otherwise.

If the defendant violates BMP rules or the conditions of bail, BMP might:

- issue a warning to the defendant
- issue additional supervision requirements

- notify the court
- remove the defendant from the program

Removal from the program might lead to a bail hearing, the defendants being arrested, possibly charged with bail jumping, and immediately returned to jail. The judge or court commissioner determines the length of time in BMP. BMP usually ends at sentencing.

DD service providers are encouraged to work with BMP to make sure that rules imposed for individuals with disabilities in BPM are meaningful and fully understood by the individuals in question.

### ***Electronic Monitoring Program***

The Electronic Monitoring Program (EMP) is Dane County's home monitoring bracelet program for individuals who have either been convicted of criminal charges or are out on bail pending a trial or sentencing. The individual's monitoring can vary from several days to one year, depending on the sentence.

Participants are restricted to their homes except for outings approved by their program supervisor. Approved outings include work, medical and/or legal appointments. Additional free time can be earned, depending on the participant's conduct. The monitoring equipment relays information (whenever the defendant leaves the home) via the telephone, which means that the particular phone line cannot be used for periods of time greater than 15 minutes.

Unless defendants have been court ordered into EMP at the time of sentencing, they have to serve at least 30 days in jail to become eligible, and cannot spend more than four months in EMP. In addition a defendant must have a satisfactory behavior record in jail, a verifiable and suitable residence with a phone line, verifiable employment (unless a documented disability prevents the individual from working), and school or childcare duties. The individual is also required to contribute to the cost of the program. The standard fee is \$10 per day, with a sliding fee for individuals with special circumstances. The fee for persons receiving SSI or SSDI is \$1 per day.

Rules and requirements imposed by ATIP staff might include:

- weekly face-to-face contacts with program staff
- maintaining a phone line without answering machine, 1-800 blocks, call-forwarding, 3-way calling, call-waiting, caller ID, auto blocks, voice mail, or any additional services, without prior approval
- maintaining all curfews and schedules
- no violent or criminal behavior
- no drug or alcohol use (random drug tests)
- no access to bars or taverns
- additional rules as imposed by ATIP or BMP staff.

ATIP is designed to divert individuals from jail who can be safely supervised in the community. ATIP staff are usually open and interested in working with DD support providers who can assist in the process of developing individualized and meaningful supervision plans for the individuals they support.

### ***ATIP - Treatment Alternative Sentences***

ATIP supervision is a creative sentencing option available to the court system. It might include supervising someone with an AODA or mental health treatment need. ATIP staff ensure that participants complete treatment in lieu of a jail sentence. This can be for a portion of the sentence or in some cases the entire sentence can be stayed. Random urinalysis as well as regular office visits are required.

## **Probation and Parole/ Extended Supervision**

Changes in the law implementing “truth in sentencing” became effective on 12/31/99. “Truth in sentencing” changed the sentence structure for crimes committed on/after that date and discontinued parole. Probation and Parole still apply in their traditional form to crimes committed prior to 12/31/99.

### ***Crimes Committed prior to 12/31/99***

If an offender is over the age of 17 and has been convicted of an offense, the sentence may include probation. A person can enter probation with:

- an imposed and stayed sentence, in which case a parole violation results in the individual being sent to jail/prison without a return to court
- a withheld sentence, in which case a parole violation requires the individual to return to court for sentencing .

Probation allows the offender to live in the community as long as he/she follows certain rules set by the court. If any of the rules are violated, an arrest warrant may be issued and the judge may re-sentence the offender for the original offense. Typically, in a probationary sentence, the judge decides that as long as the offender is not arrested again, and regularly meets with the probation officer, the offender may not have to serve a more serious jail or prison sentence.

On the day of sentencing, the offender has to report to the Department of Corrections (DOC), Probation and Parole Intake office (City County Building, Rm 202) and pay court fees to the clerk of court. The following day an initial meeting will take place and the general rules of probation and any special rules imposed by the judge will be reviewed. A Probation and Parole agent will be assigned and an orientation group has to be attended within one week.

Parole is a conditional release from prison. The offender might be released from prison before the original term has been completed, to serve the remainder of the term in the community. When offenders become eligible for parole, victims are notified and the parole board decides whether the offender will be released. Release into parole is mandatory after 2/3 of the time is served, and offenders are eligible for parole after serving 25 percent of their sentence.

### ***Crimes Committed on/after 12/31/99***

Probation is unaffected by the changes in the law implementing “truth in sentencing.” Parole, however, no longer exists for crimes committed after December 31<sup>st</sup>, 1999. Prison sentences in felony cases are substantially changed. Under the new, determinate sentence structure, the court may sentence an offender to a term of imprisonment up to the maximum of the crime. The term of imprisonment consists of two parts: (1) confinement, and (2) extended supervision. The length of extended supervision can be no less than 25% of the length of confinement, but may be more. The person sentenced serves the entire lengths of the terms imposed. For example, if a court imposes a sentence of five years imprisonment, consisting of two years confinement and three years extended supervision, the person will serve two calendar years in

prison and three calendar years on extended supervision. There is no discretionary or mandatory parole, i.e., the person serves the entire time. The court may order special conditions of extended supervision, much as the court can order conditions of probation. Bad behavior in prison or while on extended supervision can result in the lengthening of the period of confinement or return to confinement for a period of up to the maximum imposed. A reduction of the sentence for good behavior, however, is no longer an option.

There are approximately 125 Probation and Parole/Extended Supervision agents in Dane County, working with approximately 80 clients each. Some specialists (e.g. agents supervising sex offenders) have smaller case loads (45 to 50 clients). Currently in Dane County, there are approximately 4000 individuals on probation and parole (including 460 sex offenders), compared to roughly 1000 people in the Dane County Jail and 1250 in prison.

Agents have relatively few contacts with their clients:

- High-risk offenders: weekly contacts
- Maximum-risk offenders: two contacts per month (including one home visit)
- Medium-risk offenders: one contact per month
- Minimum-risk offenders: one contact every three months

Agents focus on five critical factors:

- Stable employment
- Stable residence
- AODA counseling
- Family/community supports
- Cognitive behavioral interaction (therapy for certain offenders)

Each offender must follow fifteen standard rules of supervision, plus additional rules for sex offenders and individualized rules. These rules may be simplified for offenders with cognitive disabilities. Any threats of violence must be reported immediately and automatically result in the individual's return to jail.

Agents might be appreciative of DD service providers who can inform them that a client has a disability, and so might be able to assist the individual in understanding and following the rules of supervision. To find out the name of a client's agent, call DOC, Probation and Parole Intake Unit at (608)261-7840, or the Madison Police Community Services Liaison officer at (608)266-4862. DOC has agents who focus on offenders with mental health issues and sex offenders. However, there is no designated agent to work with individuals with cognitive disabilities.

## **NGI / Conditional Release \***

When someone is found NGI (not guilty by reason of mental disease or defect) the court commits them to the DHFS and sets the length and the terms of the commitment. The initial placement of the person is then at one of two State Institutes (MMHI, WMHI) or in the community on Conditional Release. The criterion for placement is dangerousness. If in doubt the court might order a predisposition investigation report to figure out which option to choose.

During the period of the commitment, based on progress, people can, and do, travel between community and institute. People originally in the community can be "revoked" and sent to one of the State Mental Health Institutes, duration of at least six months, at which point the person can petition the court for "re-examination" and conditional release (CR). If they were originally placed in one of the institutes they can petition for CR after six months.

DHFS contracts with regional treatment providers who are involved in writing the treatment plan, assigning a case manager and working with the assigned CR agent (see below). The contracted regional treatment provider for Dane County is the Mental Health Center of Dane County.

All NGI clients who have been conditionally released are also assigned a CR Agent through DHFS' subcontract with DOC. There are two designated CR agents in Dane County who work out the DOC's Badger Road Office.

Toward the end of the commitment to DHFS, it is the responsibility of the CR team to formulate a transition plan and submit it to the court. This outlines the aftercare which is recommended for the client and details whether a CH 51 or CH 55 is indicated.

For more detailed information, visit:

<http://dhfs.wisconsin.gov/mentalhealth/ConditionalRelease/ConditionalReleaseHome.htm>

\* Based on information provided by Mary Mikalson, Mental Health Center of Dane County.

## **Appendix A .**

### **Addresses and Contact Information**

(Partially updated: 10/2007)

**CCAP (Circuit Court Automation Program:** <http://wcca.wicourts.gov/index.xsl>

*Nolo's Everybody's Legal Dictionary:* <http://www.nolo.com/dictionary/wordindex.cfm>

*Wisconsin State Law Library:* <http://wsll.state.wi.us/witopicindex.html>

*Glossary of Common Legal Terms Used in Dane County Circuit Court:*  
<http://www.co.dane.wi.us/clrkort/glossary.htm>

### **Developmental Disabilities Crisis Response**

Axel Junker (Crisis Response Coordinator)  
UW Waisman Center  
Community TIES  
122 E. Olin Ave., Suite 100  
Madison, WI 53713  
Phone: (608) 265-9428  
Fax : (608) 263-4681  
Pager: (608) 657-2501  
E-mail: [junker@waisman.wisc.edu](mailto:junker@waisman.wisc.edu)

### **Dane County Corporation Counsel**

Galen Strebe (Assistant Corporation Counsel)  
1202 Northport Dr., Rm. 437  
Madison, WI 53704  
Phone: (608) 242-6413  
Fax: (608) 242-6293  
Pager: (608) 559-9004  
E-mail [strebe@co.dane.wi.us](mailto:strebe@co.dane.wi.us)

## **Madison Police Department**

### ***North District (243-5258)***

Captain Richard Bach (608) 245-3652  
Lieutenant Melissa Schiferl (608) 245-3653\*  
Detective Lieutenant Kristen Roman (608) 245-3654  
Patrol Desk (608) 243-5258  
Nora Roberts & Colleen Michelson (Mental Health liaison)

### ***East District (266-4887)***

Captain Jill Klubertanz (608) 267-2100  
Lieutenant Carl Strasburg (608) 261-9112\* <cstrasburg@cityofmadison.com>  
Detective Lieutenant Jerry Tomczak (608) 266-4876  
Patrol Desk (608) 266-4022  
Dan Murphy, Diane (Mental Health liaison)

### ***Central District (266-44945)***

Captain Mary Schauf (608) 266-4316  
Lieutenant Joe Balles (608) 267-1194\*  
Lieutenant Mary Lou Ricksecker (608) 266-4874  
Patrol Desk (608) 266-4022  
Michelle Walker (Mental Health Liaison)

### ***South District (266-5938)***

Captain Jim Wheeler (608) 267-8687  
Lieutenant Jane Stoklasa (608) 266-6560\*  
Detective Lieutenant Wayne Strong (608) 266-5934  
Patrol Desk (608) 266-5938  
Jean Stenson (Mental Health Liaison) (608)577-5726 (cell)

### ***West District (288-6176)***

Captain Jay Lenfeld (608) 288-6152  
Lieutenant Vic Wahl (608) 288-6100\* <VWahl@cityofmadison.com>  
Detective Lieutenant Tony Bitterman (608) 288-6110  
Patrol Desk (608) 288-6176  
Rebecca Overland (mental health liaison)

### **Records:**

Captain Carl Gloede/Julie McRoberts (608) 266-4075 <cgloede@cityofmadison.com>

Requests for assistance and/or sharing information should be made directly to the district in which the person resides person resides person resides. The MPD website <<http://www.ci.madison.wi.us/police/poldept.html>> has a map detailing the various districts. The lieutenants marked with the \* are the ones to make first contact with.

## **University Hospital**

600 Highland Ave.  
Madison, WI 53792

### ***Inpatient Psychiatry***

Phone: (608) 263-7525

### ***ER Triage Nurse***

Phone: (608) 262-2398

Fax: (608) 262-9999

## **St. Mary's Hospital**

707 S. Mills St.  
Madison, WI 53715

### ***Inpatient Psychiatry***

Phone: (608) 258-6699

### ***ER***

Phone: (608) 258-6800

Fax: (608) 259-5373

## **Meriter Hospital**

### ***Inpatient Psychiatry***

#### ***Adults:***

202 S. Park St.  
Madison, WI 53715  
Phone: (608) 267-5330

#### ***Children & Adolescents:***

8001 Raymond Rd.  
Madison, WI 53714  
Phone: (608) 848-0770

### ***ER***

202 S. Park St.  
Madison, WI 53715  
Phone: (608) 267-6206  
Fax: (608) 267-6051



## **Mental Health Center of Dane County, Emergency Services Unit**

625 West Washington Ave.,  
Madison, WI 53703,  
Phone: (608) 280-2580  
Fax : (608) 280-2703

## **Dane County Jail**

Public Safety Building  
115 Doty St.  
Madison, WI 53703  
Phone: (608) 284-6100 (press “2 “ and then “0 “ to find out if a person has been booked)  
1-877-418-8463, Dane County VINE toll-free 24-hour phone number

## **Dane County Jail Mental Health Team**

Mental Health Center of Dane County  
ACS-Jail Program  
625 W. Washington Ave.  
Madison WI 53703  
Phone: (608) 266-4033  
Fax: (608) 267-1510  
Barbara Andrew (Clinical Specialist) 266-4509  
E-mail: [barb.andrew@mail.mhcdc.org](mailto:barb.andrew@mail.mhcdc.org)

## **Wisconsin State Public Defender**

17 S. Fairchild St.,  
Madison, WI 53703  
Phone: (608) 266-9150,  
E-mail: last name first initial of assigned public defender@mail.opd.state.wi.us

Jennifer Moran (Client Services Specialist)  
Phone: (608) 267-4816  
Fax: (608) 267-1777  
E-mail: [moranj@mail.opd.state.wi.us](mailto:moranj@mail.opd.state.wi.us)

## **Dane County District Attorney**

210 Martin Luther King Jr. Blvd, Rm 523  
Madison, WI 53703-3346  
Phone: (608) 266-42 11  
Judy Schwaemle (Deputy DA who handles intake for most felony cases)  
Phone: (608) 266-4211  
E-mail: [schwaemle@co.dane.wi.us](mailto:schwaemle@co.dane.wi.us)

## **City of Madison Attorney**

Michael P. May  
City County Bldg., Room 401  
Madison, WI 53703  
Phone: (608) 266-4511  
Fax: (608) 267-8671  
E-mail: [mmay@cityofmadison.com](mailto:mmay@cityofmadison.com)  
Web site: <http://www.ci.madison.wi.us/attorney/index.html>

## **Deferred Prosecution**

Dane County District Attorney's office  
Deferred Prosecution Unit  
Public Safety Building, Room 2137  
115 West Doty Street  
Madison, WI 53703

Nancy Gustaf (Director of Deferred Prosecution Unit)  
Phone: (608) 284-6896  
E-mail: [gustaf@co.dane.wi.us](mailto:gustaf@co.dane.wi.us)

## **Dane County Alternatives to Incarceration Program**

City County Bldg (Rm. GR-4)  
210 Martin Luther King Jr, Blvd  
Madison, WI 53703-5106

[http://www.co.dane.wi.us/clrkcort/faq\\_criminal\\_traffic.htm](http://www.co.dane.wi.us/clrkcort/faq_criminal_traffic.htm)

### ***Drug Treatment Court Program***

Elizabeth Folco  
Phone: (608) 266- 4249  
Fax: (608) 267-8859  
E-Mail: [elizabeth.folco@wicourts.gov](mailto:elizabeth.folco@wicourts.gov)

### ***Bail Monitoring Program (BMP)***

Rebecca Repaal  
Phone: (608) 266-9075  
Fax: (608) 267-8859  
E-Mail: [rebecca.repaal@wicourts.gov](mailto:rebecca.repaal@wicourts.gov)

or

JulieBeyer

Phone: (608) 267-1557  
Fax: (608) 267-8859  
E-mail: [julie.beyer@wicourts.gov](mailto:julie.beyer@wicourts.gov)

### ***Electronic Monitoring Program & ATIP/Treatment Alternative Sentences***

Rick Miller  
Phone: (608) 266-4438  
Fax: (608) 267-8859  
E-mail: [richard.miller@wicourts.gov](mailto:richard.miller@wicourts.gov)

## **Probation and Parole/Extended Supervision**

Wisconsin Department of Corrections, Division of Community Corrections  
Madison Region: Agents work out of different unit offices.  
[http://www.wi.doc.com/index\\_community.htm](http://www.wi.doc.com/index_community.htm)

Division Central Office (Madison region):  
3099 East Washington Avenue PO Box 7925  
Madison, WI 53707-7925  
Phone: (608) 240-5300  
FAX: (608) 240-3330

Region 1 Office Jail Inspector :  
2445 Darwin Rd Suite 102  
Madison, WI 53704  
Phone: (608) 246-1960  
FAX: (608) 246-1900

Unit 110 INTAKE :  
411 W Main St  
Madison, WI 53703  
Phone: (608) -266-5579  
FAX: (608) 261-6772

Units 102 & 113:  
2565 E Johnson St  
Madison, WI 53704  
Phone: (608) 243-3300  
FAX: (608) 243-3359

Units 101 & 107, Jail Inspector:  
818 W Badger Rd Suite 200  
Madison, WI 53713-2597  
Phone: (608) 266-2085  
FAX: (608) 266-9577

Unit 112:  
2039 Winnebago St  
Madison, WI 53704  
Phone: (608) 246-5428  
FAX: (608) 246-5479

Units 104:  
5706 Odana Rd  
2nd Floor

Madison, WI 53719  
Phone: (608) 273-5800  
FAX: (608) 273-5813

Unit 120 / Day Report Center:

206 East Olin  
Avenue Madison, WI 53713  
Phone: (608) 261-7840  
FAX: (608) 261-7860

**NGI / Extended Supervision:**

DHFS: Support Staff:

Glenn Larson, Forensic Services Specialist (& Court Liaison for southern Region of WI)  
1 West Wilson Street  
P.O. Box 7851  
Madison, WI 53707-7851  
Phone: (608) 266-2862  
FAX: (608) 266-2579  
E-mail: [larsogp@dhfs.state.wi.us](mailto:larsogp@dhfs.state.wi.us)

Mendota Mental Health Institution  
301 Troy Drive  
Madison, WI 53704  
Phone: (608) 301-1352  
FAX: (608) 301-1358

Beth Dodsworth, Forensic Services Specialist  
1 West Wilson Street  
P.O. Box 7851  
Madison, WI 53707-7851  
Phone: (608) 267-7705  
FAX: (608) 266-2579  
E-mail: [dodswba@dhfs.state.wi.us](mailto:dodswba@dhfs.state.wi.us)

Winnebago Mental Health Institution  
P.O. Box 9  
Winnebago, WI 54985  
Phone: (920) 235-4910  
FAX : (920) 237-2047

Regional Treatment Provider for Dane County:

Dane County Department of Human Services  
Mary Mikalson, Program Director  
Emmie Harrison, Support Staff  
124 W. Mifflin St. Room 417  
Madison, WI 53703  
Phone: (608) 280-2787  
FAX : (608) 280-2788  
Cell : (608) 225-5067

NGI Agents (Dane County):

Marilyn Zurbuchen, Regional Specialist  
Supervisor Unit 107  
818 Badger Road, Suite 200  
Madison, WI 53713  
Phone: (608) 266-2685  
FAX: (608) 266-9577

Mitch Turner  
818 Badger Road, Suite 200  
Madison, WI 53713  
Phone: (608) 266-6882  
FAX: (608) 266-9577

Margie Storm-Pearson  
818 West Badger Road, Suite 200  
Madison WI 53713  
Phone: (608) 267-4587  
FAX: (608) 266-9577  
[margie.storm-pearson@doc.state.wi.us](mailto:margie.storm-pearson@doc.state.wi.us)

## **Appendix B.**

### **“Offenders with Developmental Disabilities” Work Group Members and Guest Speakers**

Deb Anderson, Madison Metropolitan School District  
Barbara Andrew, Mental Health Center of Dane County  
Monica Bear, Dane County Human Services  
David Brockman, State of Wisconsin, Department of Corrections  
Jolene Carviou, United Cerebral Palsy  
Tina Chavez, Madison Metropolitan School District  
Emmie Coan, United Cerebral Palsy  
Maya Fairchild, Dane County Human Services  
Nancy Gustaf, Dane County District Attorney’s Office  
Axel Junker, UW- Madison, Waisman Center  
Dorrie Lundquist, State of Wisconsin, Department of Corrections  
Mary Mezera, REM Wisconsin  
Rick Miller, Dane County Courts  
Jennifer Moran, Wisconsin Public Defender’s Office  
Dan Olivas, City of Madison Police Department  
Pat Patterson, Midwest Center for Psychotherapy and Sex Therapy  
Rebecca Repaal, Dane County Courts  
Kristen Roman, City of Madison Police Department  
Judy Schwaemle, Dane County District Attorney’s Office  
Francie Teuscher, RFDF  
Maggie Thomas, Dane County Human Services  
Diane Thompson, Options in Community Living  
Mitchell Turner, State of Wisconsin, Department of Corrections  
Dee Dee Watson, Wisconsin Public Defender’s Office  
Christine White, Access for Independence  
Paul White, UW- Madison, Waisman Center  
Dona Zander, Mental Health Center of Dane County