

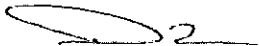
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## **WAUKESHA POLICE MEMORANDUM**

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**DATE:** October 8, 2013  
**TO:** City Attorney's Office  
Ordinance and License Committee  
**FROM:** Dennis J. Angle, Deputy Chief of Police  
**SUBJECT:** Municipal Bail Bond Recommendation

Attached is a Municipal Bail Bond Comparison study completed by Specialist Hallmark. Upon review of the information provided I recommend a 20% increase in our current Municipal Bail Bond Schedule for 1<sup>st</sup> offenses, and a 50% increase in second offenses committed within a year. On average City of Waukesha bail amounts are 36% lower than other communities and an increase in fine amounts can reduce the amount of recidivism. Please refer to Specialist Hallmark for specific details supporting this recommendation.



Dennis J. Angle  
Deputy Chief of Police

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## **WAUKESHA POLICE MEMORANDUM**

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**DATE:** August 13, 2013  
**TO:** Chief Russell Jack  
**FROM:** Specialist Lukas Hallmark  
**SUBJECT:** Municipal Bail Bond Comparison

The following was a study conducted by myself in regards to our Municipal Bail Bond Schedule. The results of the study are that the City of Waukesha is well below other municipalities in its bond amounts.

On Appendix A, I took twenty ordinances in the City of Waukesha and compared them with other Waukesha County municipalities and with other municipalities with similar population to Waukesha.

Many municipalities have a sliding price scale and I have noted their base/low and high end of the bond amount. The sliding price scale is done because of: 1) Second and subsequent offenses, 2) Monetary amount of damage done by offender, and 3) Monetary amount taken by offender. The City of Waukesha does not have sliding price scale for commonly used ordinances.

Also on Appendix A, I have included the average low and high amounts for all municipalities for each specific ordinance. I found that the City of Waukesha is on average \$85.40 below other municipalities per ordinance (High end average is \$436.35 using sliding price scale). The City of Waukesha had the largest gap in the ordinance "Possession of Controlled Substance" when compared to the averages. Waukesha's current fine amount for this ordinance was \$259.33 below the average. This price difference is remarkably high; knowing that the recidivism rate for this offense is high along with the Waukesha County District Attorney's Office cutting staffing for drug related cases.

On Page 3 of Appendix A I have listed how much in percentage Waukesha is below the other municipalities by ordinance. I have shown the base (low) and the step/sliding scale (high) percentages. Based on the base amount for the listed ordinances, Waukesha is on average 36% below the other municipalities on fine amounts. I have provided a 15%, 20%, 25% and 50% increase to our current fine amount on page 3. If fine amounts were to be increased by 15%, on an average, 16 out of the 20 ordinances chosen for this comparison would still have an average higher cost. If fine amounts were to be increased by 20%, 12 out of the 20 ordinances would still have an average higher cost. If fine amounts

were to be increased by 25%, 13 out of the 20 ordinances would still have an average higher cost.

Further, I averaged the ordinances by dollar value per municipality. Waukesha was currently at an average of \$253.79 per ordinance. When looking at a municipality with similar population and department size such as Appleton, they had an average of \$286.68 per ordinance. Green Bay was on average \$403.52 per ordinance. With 15% increase, our average fine amount would be \$286.12 per ordinance; 20% would be \$303.10 and 25% would be \$310.99.

The City of Waukesha last revised the fine amounts to our bail schedule on 07/1/2009. Based on my findings, and without the ability to raise specific ordinance fine amounts, I suggest a 20% increase (rounded up to the nearest \$0.50) to all municipal fine amounts. At a 20% increase, our fine amounts will be comparable to municipalities our size and comparable to other municipalities within the county. I would also suggest that a 50% increase (sliding scale) be implemented for all second and subsequent offense within 12 months of violation.

Sincerely,  
Specialist Lukas Hallmark



08/13/13 - received - B. Broom # 442

08/15/13 - DJW # 421

08/19/13 " JW # 47

8/20/13 KJC # 324

Police Department

Appendix A

\*\*Denotes Bond Not Available or State Charge

Ordinance	Waukesha	City of Brookfield	Village of Pewaukee	Muskego	Menomonee Falls	Delafield
Disorderly Conduct	\$ 303.00	\$ 492.00	\$421-\$618	\$334.50	\$ 429.00	\$303-\$555
Resisting/Obstructing Possession of	\$ 366.00	\$ 996.00	\$429.00-\$618.00	\$ 460.50	\$ 807.00	\$ 555.00
Controlled substance	\$ 303.00	\$ 1,311.00	\$429.00-\$618.00	\$ 240.00	\$ 1,033.80	\$ 555.00
Carrying/Concealed Weapon	\$ 366.00	\$ 492.00	\$303.00-\$429.00	\$ 460.50	\$ 933.00	\$ 429.00
Emergency Telephone Calls	\$ 303.00	\$ 681.00	\$303.00-\$429.00	\$ 334.50	\$ 555.00	240-429
Criminal Damage to Property	\$ 366.00	\$366.00-\$3201	\$303.00-\$429.00	\$ 460.50	\$ 681.00	\$ 429.00
Theft	\$ 271.00	\$366.00-\$3201	\$303.00-\$429.00	**	\$ 681.00	\$ 366.00
Issue of Worthless Checks	\$ 240.00	\$366.00-\$3201	\$303.00-\$429.00	**	\$ 681.00	\$ 366.00
Retail Theft	\$ 366.00	\$366.00-\$3201	\$429-\$618	\$208.50-\$460.50	\$555-\$844.80	\$429-\$555
Unlawful use of Telephone	\$ 240.00	\$ 303.00	\$303.00-\$429.00	\$ 334.50	\$ 429.00	\$ 303.00
Harassment	\$ 240.00	\$ 1,311.00	\$303.00-\$429.00	\$ 334.50	\$ 555.00	\$ 366.00
Loud Noise	\$ 145.50	\$ 366.00	\$303.00-\$429.00	\$ 145.50	\$14.00-\$177.00	\$ 177.00
Underage person on licensed premises	\$ 177.00	**	**	\$271.50-\$712.50	\$ 681.00	**
Underage Drinking	\$ 177.00	\$ 429.00	\$303.00-\$429.00	**	\$177-\$844.80	**
No Bartender's License	\$ 240.00	**	**	\$208.50-\$712.50	\$ 681.00	\$ 429.00
Curfew	\$ 114.00	\$ 114.00	\$162.50-\$194	\$ 114.50	114-227.40	**
Possession of Drug Paraphernalia	\$ 303.00	\$ 681.00	\$429.00-\$618.00	\$ 240.00	\$303-\$429	\$ 555.00
Possession of Smoking Materials	\$ 101.40	\$ 177.00	\$162.50-\$194.00	\$ 145.50	114-227.40	\$ 114.00
Loitering	\$ 177.00	\$ 303.00	\$162.50-\$194.00	\$ 145.50	\$ 240.00	\$ 177.00
Open Intoxicants in Public	\$ 177.00	**	**	\$ 145.50	\$ 303.00	**

Police Department

Appendix A

\*\*Denotes Bond Not Available or State Charge

Ordinance	Hartland	Kenosha	Appleton	Green Bay	Average	Amount below WKPD is to Average
Disorderly Conduct	\$ 177-\$202	\$ 303.00	\$389.50-\$452.50	\$ 366.00	\$351.70-\$481.87	\$48.70-\$178.87
Resisting/Obstructing Possession of	\$366-\$681	\$235-\$681	\$389.50	\$870-R \$429-O	\$503.25-\$712.50	\$137.25-\$346.50
Controlled substance	\$ 492.00	\$ 303.00	\$389.50-\$515.50	\$ 870.00	\$562.33-\$566.75	\$259.33-\$263.75
Carrying Concealed Weapon	\$ 681.00	\$ 303.00	\$389.50-\$452.50	\$ 870.00	\$522.65	\$156.65-\$440.75
Emergency Telephone Calls	\$ 303.00	\$ 376.00	\$326.50-\$515.50	\$ 681.00	\$410.30-\$457.83	\$107.30-\$154.83
Criminal Damage to Property	\$208.50-\$996	\$177-\$681	\$389.50	\$ 660.00	\$404.00-\$1326.75	\$38.00-\$960.75
Theft	\$101.40-\$996	\$177-\$681	\$263.50-\$704.50	\$ 366.00	\$321.65-\$1202.30	\$50.65-\$931.30
Issue of Worthless Checks	\$101.40-\$996	**	**	**	\$342.90-\$1542.00	\$102.90-\$1302.00
Retail Theft	\$151.80-\$996	\$177-\$681	\$263.50-\$704.50	\$366-\$870	\$331.18-\$992.31	\$-34.82-\$626.31
Unlawful use of Telephone	\$ 303.00	\$ 303.00	\$ 200.50	\$ 366.00	\$308.50-\$429.00	\$68.50-\$189.00
Harassment	**	\$164-\$660	\$ 200.50	\$ 366.00	\$426.66-\$544.50	\$186.66-\$304.50
Loud/Noise	\$ 177.00	\$ 177.00	\$263.50-\$389.50	\$ 366.00	\$223.45-\$331.83	\$77.95-\$186.33
Underage person on licensed premises	**	\$ 371.00	\$ 263.00	\$ 366.00	\$354.91-\$712.50	\$177.91-\$535.50
Underage Drinking	**	\$177-\$681	\$200.50-\$263.50	\$177-\$681	\$234.35-\$579.86	\$57.35-\$402.86
No Bartender's License	**	\$ 177.00	\$ 263.50	\$ 177.00	\$310.85-\$712.50	\$70.85-\$472.50
Curfew	\$ 114.00	\$ 114.00	\$ 200.50	\$ 82.50	\$125.55-\$210.70	\$11.55-\$96.70
Possession of Drug Paraphernalia	\$ 255.00	**	\$389.50-\$515.50	\$ 681.00	\$426.27-\$520.83	\$123.27-\$217.83
Possession of Smoking Materials	\$ 77.50	\$ 63.60	\$ 200.50	\$ 82.50	\$123.85-\$210.70	\$22.45-\$109.30
Loitering	\$ 240.00	\$366-\$1311	\$ 200.50	\$ 177.00	\$205.75-\$752.50	\$28.75-\$575.50
Open Intoxicants in Public	\$ 177.00	\$ 114.00	\$ 263.50	\$ 177.00	\$ 193.85	\$16.85

Police Department

Appendix A

\*\*Denotes Bond Not Available or State Charge

Ordinance	Ave. Below:		High: 178% below	WKPD Current	15% Increase	20% Increase	25% Increase	2nd and subsequent 50% Increase
	Low: 36% Below							
Disorderly Conduct	16%		59%	\$303.00	\$348.45	\$363.60	\$378.75	\$454.50
Resisting/Obstructing Possession of Controlled Substance	38%		100%	\$366.00	\$420.90	\$439.20	\$457.50	\$549.00
Carrying/Concealed Weapon	86%		87%	\$303.00	\$348.45	\$363.60	\$378.75	\$454.50
Emergency Telephone Calls	43%		120%	\$366.00	\$420.90	\$439.20	\$457.50	\$549.00
Criminal Damage to Property	35%		51%	\$303.00	\$348.45	\$363.60	\$378.75	\$454.50
Theft	19%		263%	\$271.00	\$311.65	\$325.20	\$338.75	\$406.50
Issue of Worthless Checks	43%		344%	\$240.00	\$276.00	\$288.00	\$300.00	\$360.00
Retail Theft	0%		543%	\$366.00	\$420.90	\$439.20	\$457.50	\$549.00
Unlawful use of Telephone	29%		171%	\$240.00	\$276.00	\$288.00	\$300.00	\$360.00
Harassment	78%		79%	\$240.00	\$276.00	\$288.00	\$300.00	\$360.00
Loud Noise	54%		127%	\$145.50	\$167.33	\$174.60	\$181.88	\$218.25
Underage person on licensed premises	101%		128%	\$177.00	\$203.55	\$212.40	\$221.25	\$265.50
Underage Drinking	32%		303%	\$177.00	\$203.55	\$212.40	\$221.25	\$265.50
No Bartender's License	30%		228%	\$240.00	\$276.00	\$288.00	\$300.00	\$360.00
Curfew	10%		197%	\$114.00	\$131.10	\$136.80	\$142.50	\$171.00
Possession of Drug Paraphernalia	41%		85%	\$303.00	\$348.45	\$363.60	\$378.75	\$454.50
Possession of Smoking Materials	22%		72%	\$101.40	\$116.61	\$121.68	\$126.75	\$152.10
Loitering	16%		108%	\$177.00	\$203.55	\$212.40	\$221.25	\$265.50
Open Intoxicants in Public	10%		325%	\$177.00	\$203.55	\$212.40	\$221.25	\$265.50

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## WAUKESHA POLICE MEMORANDUM

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**DATE:** July 15, 2013  
**TO:** Chief Russell Jack  
**FROM:** Specialist Lukas Hallmark  
**SUBJECT:** Municipal Bail Bond Comparison

The following was a study conducted by myself in regards to our Municipal Bail Bond Schedule. The results of the study are that the City of Waukesha is well below other municipalities in its bond amounts.

On Appendix A, I took twenty ordinances in the City of Waukesha and compared them with other Waukesha County municipalities and with other municipalities with similar population to Waukesha.

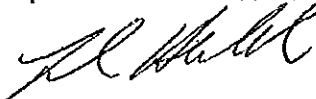
Many municipalities have a sliding price scale and I have noted their low and high end of the bond amount. The sliding price scale is done because of: 1) Second and subsequent offenses, 2) Monetary amount of damage done by offender, and 3) Monetary amount taken by offender. The City of Waukesha does not have sliding price scale for commonly used ordinances.

Also on Appendix A, I have included the average low and high amounts for all municipalities for each specific ordinance. I found that the City of Waukesha is on average \$87.39 below other municipalities per ordinance (High end average is \$436.35 using sliding price scale). The City of Waukesha had the largest gap in the ordinance "Possession of Controlled Substance" when compared to the averages. Waukesha's current fine amount for this ordinance was \$259.33 below the average. This price difference is remarkably high; knowing that the recidivism rate for this offense is high along with the Waukesha County District Attorney's Office cutting staffing for drug related cases.

I found that not all ordinances increased on an average amount. Many ordinances that are related to juveniles or status offenses were not increased at the same rate as other ordinances.

The City of Waukesha last revised the fine amounts to our bail schedule on 07/1/2009. Based on my findings I am requesting that the Waukesha Common Council review our current municipal bail bond schedule.

Sincerely,  
Specialist Lukas Hallmark



07-15-13 rec'd B. Boerger #442

07-21-13 rec'd [unclear] #447



Police Department

Appendix A

\*\*Denotes Bond Not Available or State Charge

Ordinance	Waukesha		City of Brookfield		Village of Pewaukee		Muskego		Menomonee Falls		Delafield	
Disorderly Conduct	\$ 303.00	\$	492.00		\$421-\$618		\$334.50	\$	429.00		\$303-\$555	
Resisting/Obstructing Possession of	\$ 366.00	\$	996.00		\$429.00-\$618.00		\$ 460.50	\$	807.00		\$ 555.00	
Controlled substance	\$ 303.00	\$	1,311.00		\$429.00-\$618.00		\$ 240.00	\$	1,033.80		\$ 555.00	
Carrying Concealed Weapon	\$ 366.00	\$	492.00		\$303.00-\$429.00		\$ 460.50	\$	933.00		\$ 429.00	
Emergency Telephone Calls	\$ 303.00	\$	681.00		\$303.00-\$429.00		\$ 334.50	\$	555.00		240-429	
Criminal Damage to Property	\$ 366.00	\$366.00-\$3201			\$303.00-\$429.00		\$ 460.50	\$	681.00		\$ 429.00	
Theft	\$ 271.00	\$366.00-\$3201			\$303.00-\$429.00		**	\$	681.00		\$ 366.00	
Issue of Worthless Checks	\$ 240.00	\$366.00-\$3201			\$303.00-\$429.00		**	\$	681.00		\$ 366.00	
Retail Theft	\$ 366.00	\$366.00-3201			\$429-\$618		\$208.50-\$460.50	\$555-\$844.80			\$429-\$555	
Unlawful use of Telephone	\$ 240.00	\$	303.00		\$303.00-\$429.00		\$ 334.50	\$	429.00		\$ 303.00	
Harassment	\$ 240.00	\$	1,311.00		\$303.00-\$429.00		\$ 334.50	\$	555.00		\$ 366.00	
Loud Noise	\$ 145.50	\$	366.00		\$303.00-\$429.00		\$ 145.50	\$114.00-\$177.00			\$ 177.00	
Underage person on licensed premises	\$ 177.00	**			**		\$271.50-\$712.50	\$	681.00		**	
Underage Drinking	\$ 177.00	\$	429.00		\$303.00-\$429.00		**	\$177-\$844.80			**	
No Bartender's License	\$ 240.00	**			**		\$208.50-\$712.50	\$	681.00		\$ 429.00	
Curfew	\$ 114.00	\$	114.00		\$162.50-\$194		\$ 114.50	\$114-227.40			**	
Possession of Drug Paraphernalia	\$ 303.00	\$	681.00		\$429.00-\$618.00		\$ 240.00	\$303-\$429			\$ 555.00	
Possession of Smoking Materials	\$ 101.40	\$	177.00		\$162.50-\$194.00		\$ 145.50	\$114-227.40			\$ 114.00	
Loitering	\$ 177.00	\$	303.00		\$162.50-\$194.00		\$ 145.50	\$	240.00		\$ 177.00	
Open Intoxicants in Public	\$ 177.00	**			**		\$ 145.50	\$	303.00		**	



Police Department

Appendix A

\*\* Denotes Bond Not Available or State Charge

Ordinance	Hartland	Kenosha	Appleton	Green Bay	Average	Amount below WKPD is to Average
Disorderly Conduct	\$ 177-\$202	\$ 303.00	\$389.50-\$452.50	\$ 366.00	\$351.70-\$481.87	\$48.70-\$178.87
Resisting/Obstructing Possession of	\$366-\$681	\$235-\$681	\$389.50	\$870-R-\$429-O	\$503.25-\$712.50	\$137.25-\$346.50
Controlled substance Carrying, Concealed	\$ 492.00	\$ 303.00	\$389.50-\$515.50	\$ 870.00	\$562.33-\$566.75	\$259.33-\$263.75
Weapon	\$ 681.00	\$ 303.00	\$389.50 - \$452.50	\$ 870.00	\$522.65	\$156.65
Emergency Telephone Calls	\$ 303.00	\$ 376.00	\$326.50-\$515.50	\$ 681.00	\$410.30-\$457.83	\$107.30-\$154.83
Criminal Damage to Property	\$208.50-\$996	\$177-\$681	\$389.50	\$ 660.00	\$404.00-\$1326.75	\$38.00-\$960.75
Theft	\$101.40 - \$996	\$177-\$681	\$263.50 - \$704.50	\$ 366.00	\$321.65-\$1202.30	\$50.65-\$931.30
Issue of Worthless Checks	\$101.40-\$996	**	**	**	\$342.90-\$1542.00	\$102.90-\$1302.00
Retail Theft	\$151.80-\$996	\$177-\$681	\$263.50 - \$704.50	\$366-\$870	\$331.18-\$992.31	\$-34.82-\$626.31
Unlawful use of Telephone	\$ 303.00	\$ 303.00	\$ 200.50	\$ 366.00	\$308.50-\$429.00	\$68.50-\$189.00
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Loud Noise	\$ 177.00	\$ 177.00	\$263.50 - \$389.50	\$ 366.00	\$223.45-\$331.83	\$77.95-\$186.33
Underage person on licensed premises	**	\$ 371.00	\$ 263.00	\$ 366.00	\$354.91-\$712.50	\$177.91-\$535.50
Underage Drinking	**	\$177-\$681	\$200.50 - \$263.50	\$177-\$681	\$234.35-\$579.86	\$57.35-\$402.86
No Bartender's License	**	\$ 177.00	\$ 263.50	\$ 177.00	\$310.85-\$712.50	\$70.85-\$472.50
Curfew	\$ 114.00	\$ 114.00	\$ 200.50	\$ 82.50	\$125.55-\$210.70	\$11.55-\$96.70
Possession of Drug Paraphernalia	\$ 255.00	**	\$389.50-\$515.50	\$ 681.00	\$426.27-\$520.83	\$123.27-\$217.83
Possession of Smoking Materials	\$ 77.50	\$ 63.60	\$ 200.50	\$ 82.50	\$123.85-\$210.70	\$22.45-\$109.30
Loitering	\$ 240.00	\$366 - \$1311	\$ 200.50	\$ 177.00	\$205.75-\$752.50	\$28.75-\$575.50
Open Intoxicants in Public	\$ 177.00	\$ 114.00	\$ 263.50	\$ 177.00	\$ 193.85	\$16.85