WAUKESHA POLICE MEMORANDUM

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 1st 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

WAUKESHA POLICE MEMORANDUM

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 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 U JUK

08/13/13 - Received - B. Booken # 442 06/15/13 - DJW #421 08/19/13 " Sw St7 8/30/13 KK #374

Appendix A

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Police Department

Appendix A

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Police Department

Appendix A

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WAUKESHA POLICE MEMORANDUM

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.

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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

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Disorderly Conduct	69	303.00	ф	492.00	\$421-\$618	\$334.50	\$ 429.00	\$303-\$555	
Resisting/Obstructing Possession of	69	366.00	69	00.966	\$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	9 9	555.00
Weapon Telephone	↔	366.00 \$	↔	492.00	\$303,00-\$429,00	460.50	\$ 933.00	4	429.00
Calls	ь	303.00	€	681.00	\$303.00-\$429.00	334.50	\$ 555.00	240-429	
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Harassment	ь	240.00	₩	1,311.00	\$303.00-\$429.00	\$ 334.50	\$ 555.00	8	366.00
Loud Noise	ь	145,50	4.	366.00	\$303.00 \$429.00	\$ 145.50	\$114.00-\$177.00	₹ 100 mm	177.00
licensed premises	சு	177.00	**		TO WAS DEPENDENT OF THE PERSON	\$271.50-\$712.50	\$ 681.00	**	
Underage Drinking	₩	177.00	• • • • • • • • • • • • • • • • • • •	429.00	\$303.00-\$429.00		\$177-\$844.80		
No Bartender's License	σ	240.00	**		***	\$208.50-\$712.50	\$ 681.00	8	429.00
Curfew Doseession of Dura	69	114.00 \$		114.00	\$162.50-\$194	\$ 114.50	114-227.40		
Paraphernalia Possession of Smoking	ь	303.00	9	681.00	\$429.00-\$618.00	\$ 240.00	\$303-\$429	9	555.00
	₩	101,40 \$	• • • • • • • • • • • • • • • • • • •	177.00	\$162.50-\$194.00	\$ 145.50	114-227.40	•	114.00
Loitering Onem Introvicante in	Ø	177.00	φ.	303.00	\$162.50-\$194.00	\$ 145.50	240.00	9	177.00
Public	6	177.00				\$ 145.50	\$03.00		

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Ordinance	Hartland	Kenosha	Appleton	Green Bay	Average	Amount below
A CIRCUIT OF THE COLUMN TO THE						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	\$366-\$681	\$235,\$681	8389.50	\$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
Weapon Tolling	\$ 681.00	\$ 303.00	\$389-50 - \$452.50	\$70.00	\$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
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	\$03,00	\$	\$ 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 Indeparts person on	\$ 177.00 \$	\$	\$263.50 - \$389.50	366.00	\$223.45-\$331.83	\$77,95-\$186.33
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
Currew	114.00	\$100. 	\$ 200.50	\$2.50	\$125.55-\$210.70	\$11.55-\$96.70
Paraphemalia	\$ 255.00	N. A. C.	\$389.50 -\$515.50	\$ 681.00	\$426.27-\$520.83	\$123.27-\$217.83
Possession of Smoking Materials	\$ 05.77.50	\$ 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
Public	4/100	A 4 00	700	9 00 11	0000	0000