PROCEEDINGS OF THE BROWN COUNTY CRIMINAL JUSTICE COORDINATING BOARD

Pursuant to Section 19.84 Wisconsin Statutes, a regular meeting of the **Brown County Criminal Justice Coordinating Board** was held on Tuesday, November 24, 2009, in the Truttman Room of the Law Enforcement Center – 300 East Walnut Street, Green Bay.

Present: Judge Kendall Kelley-Chair, Jeffrey Cano, Pat Evans, Jack Jadin, Dennis Kocken, Jed Neuman, Jayme Sellen, Andy Williams, Lisa Wilson.

Excused: Jim Arts, Don Hein, John Zakowski.

Citizen Reps: Jeffrey Jazgar, Tim McNulty, Dr. Gerald Wellens.

Also Present: Nicole Naze, Gary Richgels.

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1. **Call Meeting to Order:**
The meeting was called to order by Chair Judge Kendall Kelley at 3:34 p.m.

2. **Approve/Modify Agenda:**

Motion made by Supervisor Williams and seconded by J. Sellen to approve. Vote taken. MOTION APPROVED UNANIMOUSLY.

3. **Approve/Modify Minutes of October 27, 2009:**
Judge Kelley noted that Tim McNulty should be listed as a Citizen Rep., along with Jeffrey Jazgar and Dr. Gerald Wellens.

Motion made by J. Sellen and seconded by J. Jazgar to approve. Vote taken. MOTION APPROVED UNANIMOUSLY.

(Supervisor Pat Evans arrived at 3:36 p.m.)

4. **Report from the District Attorney Regarding Drug Prosecution (D.A. John Zakowski):**
D.A. Zakowski was not available. Nicole Naze, Intern, presented several handouts (copies attached) and answered questions. Judge Kelley asked if a breakdown by age and gender would be difficult. He said he hopes this Board will be able to draw some meaningful conclusions and asked if there was additional information required by the members in order to proceed with this.

Dr. Wellens said it is troubling to him that the felony vs. misdemeanor shows such a dramatic difference in race. He added that he is concerned about racial discrepancies or racial profiling. Mr. Richgels explained that sometimes prior charges could mean that a subsequent charge would automatically be a felony. Judge Kelley noted that this list represents the original charges and not

necessarily how an individual pleads out. Sheriff Kocken explained that much of the information his department gathers comes from informants. Supervisor Williams indicated that the numbers alone would not support or deny that there is a bias; and Judge Kelley said to suggest that profiling occurs would be a very serious allegation.

Supervisor Evans said he thinks it is appropriate to invite leaders of minority groups to address this Board and offer insights. Judge Kelley said as soon as you distinguish based on race, it becomes a racial perspective; and he opined that this can become problematic. Jeffrey Cano said he agreed with both viewpoints; he cautioned that recommendations should be based on fact, and the numbers could be easily skewed in a specific arrest. He added that these numbers could show whether or not police resources are being misallocated and whether or not the right people are being targeted; but he said conclusions cannot be drawn on a 6-month summary—more in depth study is needed.

Supervisor Evans reiterated that he would like to hear what Reverend Green of the NAACP has to say publically about these issues. Judge Kelley said he did not disagree with this, and continued by saying he is not suggesting that people could not be invited to speak. He stated that if there are some constructive suggestions as to what could help this issue, this Board would welcome that from anyone in the community at any time. Jed Neuman suggested inviting those who provide the information, like DTF (Drug Task Force) to offer that perspective.

Jeffrey Jazgar opined that the issue should be the types of drug coming into the community, because that is what needs to be cured. He opined that the racial information is actually irrelevant; the issue is where the funds should be directed, i.e., heroin education or cocaine education or specific groups that need to be helped. Mr. Neuman reminded the Board that it was charged with identifying the reasons there was a growing drug problem (when more money is being spent for law enforcement) and developing a program so the issue could be lessened in the community.

Supervisor Williams stated that this Board does not need diversity of color to have diversity of thought; and if Reverend Green is going to speak to this Board, he would like a targeted presentation on solutions that are not being addressed as a County.

Judge Kelley asked Ms. Naze if the reports could be subdivided by types of drugs involved and further broken down in the same manner as currently shown (age, race, gender, prior convictions, etc.). Ms. Naze will compile this.

5. **Community Drug Education Programs (D.A. John Zakowski):**
D.A. Zakowski was not available.

6. **OWI Legislation Update (Judge Kelley):**
Judge Kelley said Judge Zuidmulder had talked with him about using the same format as being used in the Drug Court and incorporating some of the OWI issues. He said he called today to learn the status of the OWI legislation: The Assembly and the Senate passed similar bills which would criminalize OWI First; and if there is a person 16 or under in the car, it would be prosecuted as an OWI

Second. For OWI Seconds and Thirds, there would be an option for probation; and a lot more emphasis will be placed on the ignition interlock. The fourth charge within 5 years becomes a felony; and there are minimum mandatory prison terms for additional charges. In addition, there are some options for requiring less jail time when the person is actively and successfully in treatment. He stated that these changes may actually be passed by January, 2010.

Ms. Sellen, Legislative Assistant, added that the concern at this point is how to pay for this, especially interlocking devices; and it is possible that this expense will be funded by increased fines for defendants. Since it is very difficult to collect the fines, she said the burden rests pretty heavily on Brown County at this point.

7. **Such Other Matters as Authorized by Law:**

Motion made by Sheriff Kocken and seconded by J. Neuman to hold off meeting until January 26, 2010. Vote taken. MOTION APPROVED UNANIMOUSLY.

8. **Adjourn:**

Motion made by J. Jazgar and seconded by J. Neuman to adjourn at 4:27p.m. Vote taken. MOTION APPROVED UNANIMOUSLY.

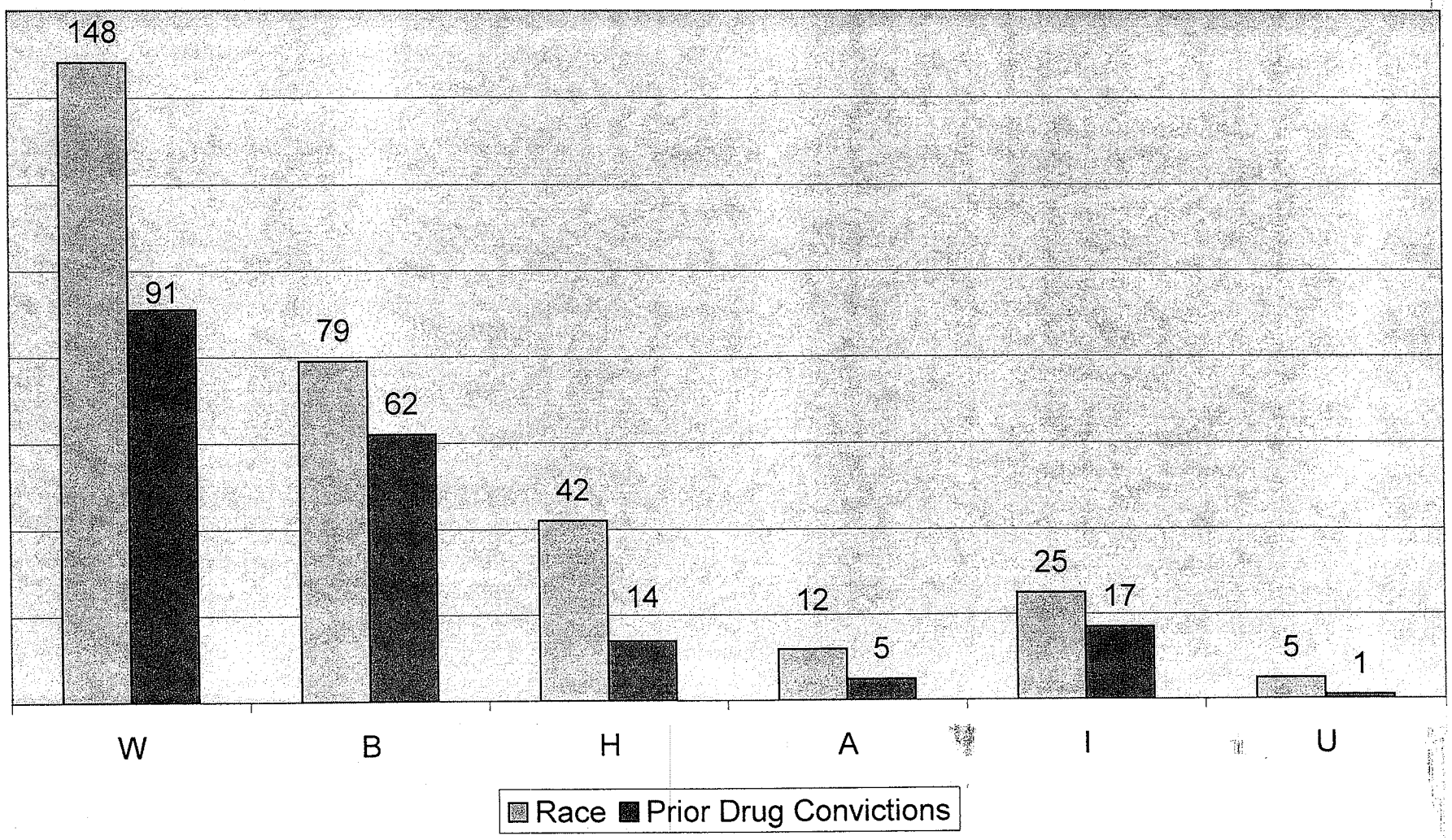
Respectfully submitted,

Lisa M. Alexander
Recording Secretary

6 Month Summary
Race vs. Case Type

Felony						
	W	B	H	A	I	U
Race	148	79	42	12	25	5
Prior Drug Convictions	91	62	14	5	17	1
Misdemeanor						
	W	B	H	A	I	U
Race	144	37	12	1	25	4
Prior Drug Convictions	49	13	3	0	5	0
Civil						
	W	B	H	A	I	U
Race	6	8	4	2	1	0
Prior Drug Convictions	3	4	2	0	0	0
Forfeiture						
	W	B	H	A	I	U
Race	2	0	0	0	0	0
Prior Drug Convictions	0	0	0	0	0	0
Criminal Traffic						
	W	B	H	A	I	U
Race	1	0	0	0	0	0
Prior Drug Convictions	1	0	0	0	0	0

6 Month Summary Charged Felony Cases
Race vs. Prior Drug Convictions



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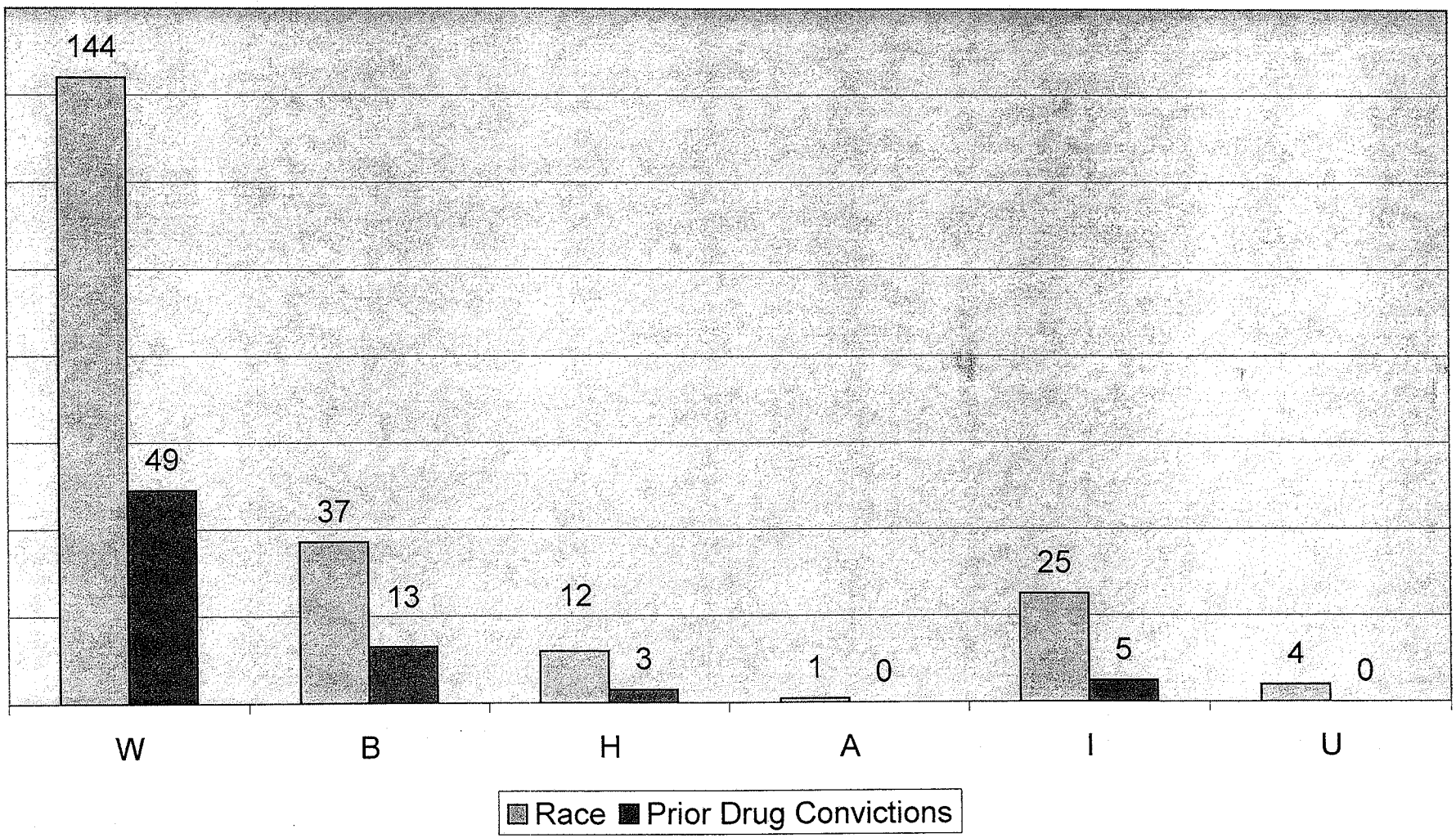
6 Month Summary Charged Misdemeanor Cases
Race vs. Prior Drug Convictions



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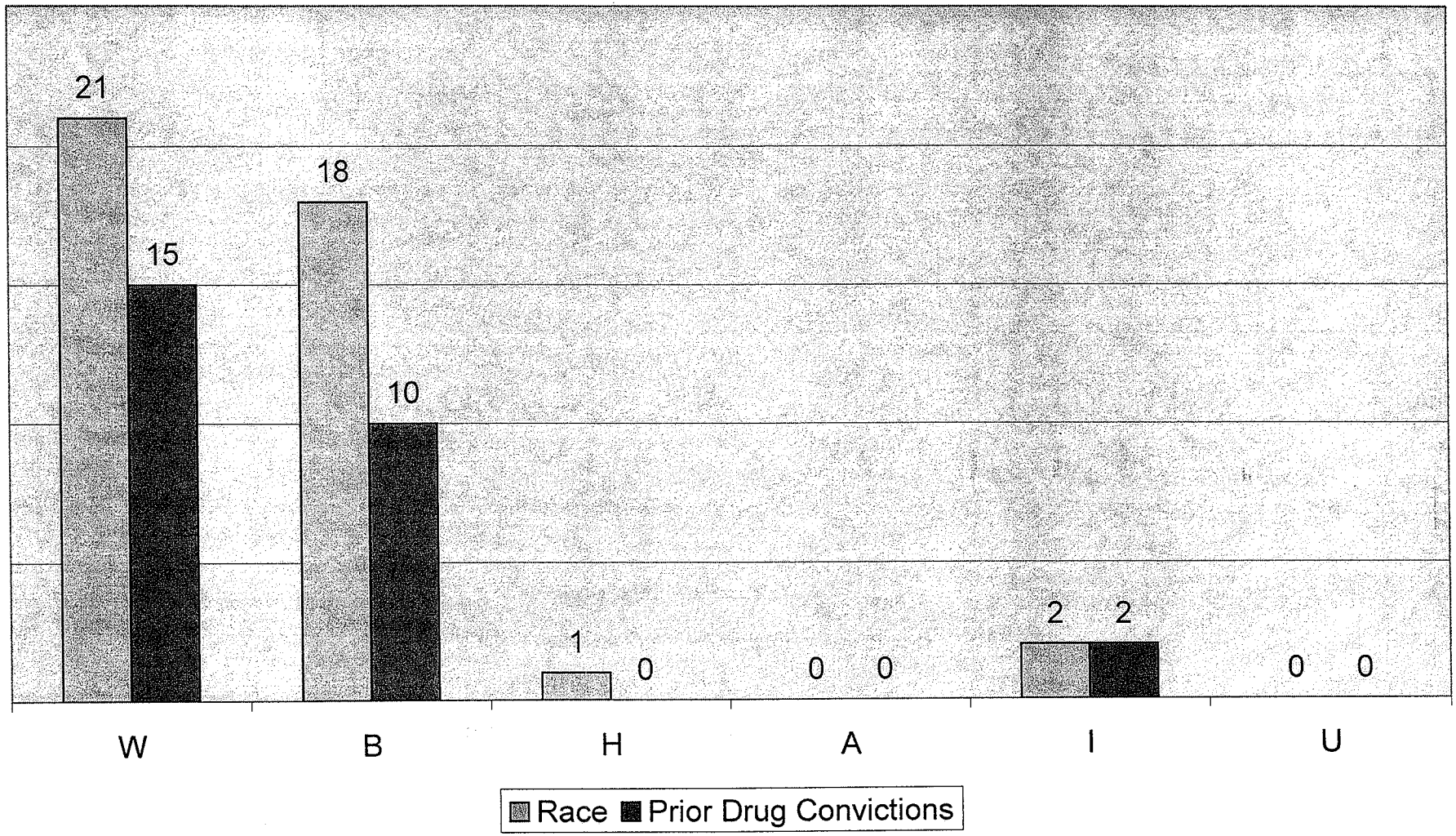
October 2009
Race vs. Case Type

Felony						
	W	B	H	A	I	U
Race	21	18	1	0	2	0
Prior Drug Convictions	15	10	0	0	2	0
Misdemeanor						
	W	B	H	A	I	U
Race	11	5	1	0	3	1
Prior Drug Convictions	0	0	0	0	1	0
Civil						
	W	B	H	A	I	U
Race	0	1	0	0	1	0
Prior Drug Convictions	0	1	0	0	1	0

October 2009 Charged Felony Cases
Race vs. Prior Drug Convictions



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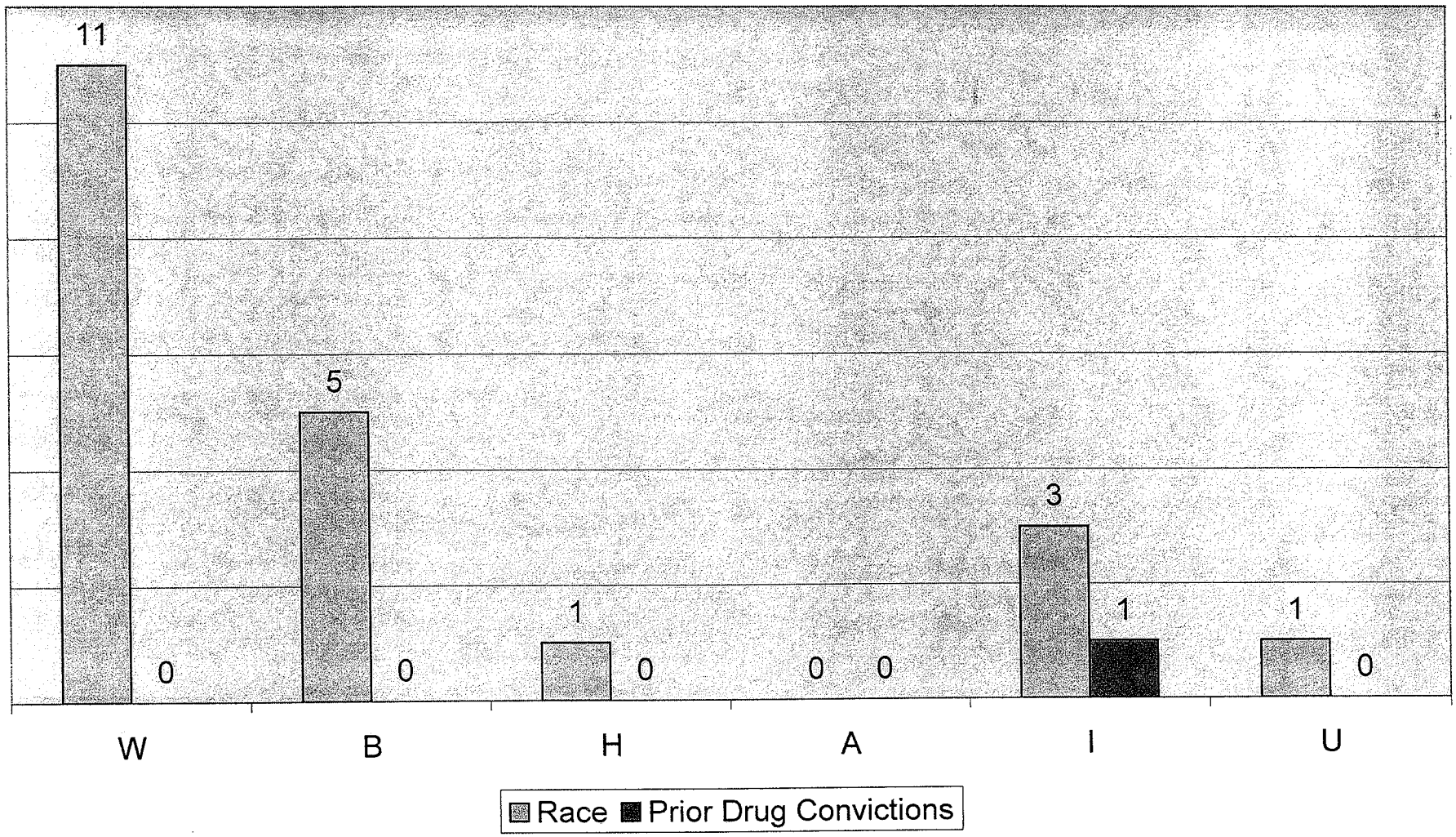
October 2009 Charged Misdemeanor Cases
Race vs. Prior Drug Convictions



October 2009 Demographics

Age

17 & younger	18-24	25-34	35-44	45-54	55-64	65 or older
0	33	18	9	3	1	0

Gender

Male	Female					
54	11					

Race

W	B	H	A	I	U	
32	24	2	0	6	1	

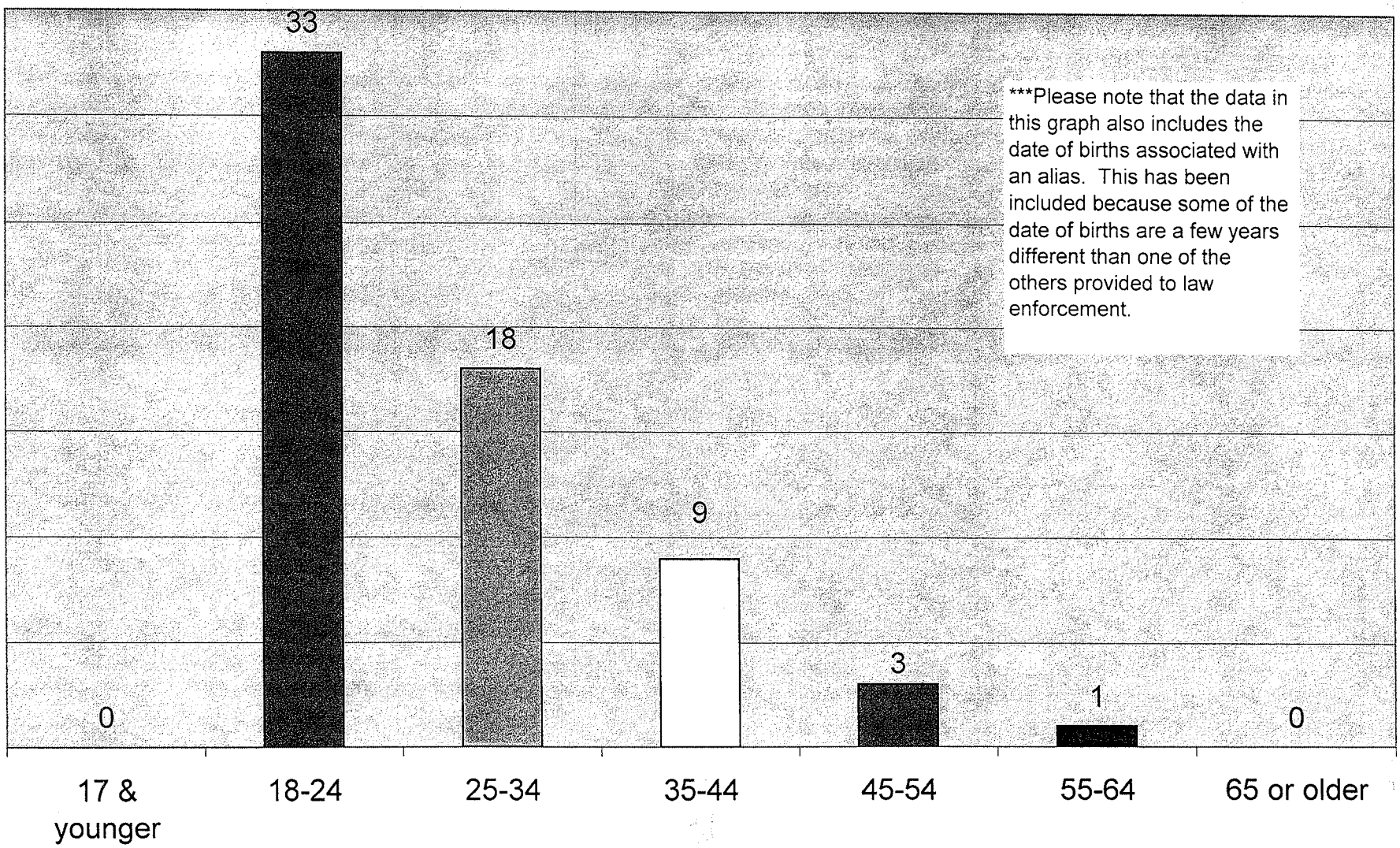
Attorney Assigned

WWL		SEB		ARP		Other
38		4		21		2

Previous Convictions

Yes			No			Pending
30			14			5
16						

October 2009 Age Range



***Please note that the data in this graph also includes the date of births associated with an alias. This has been included because some of the date of births are a few years different than one of the others provided to law enforcement.

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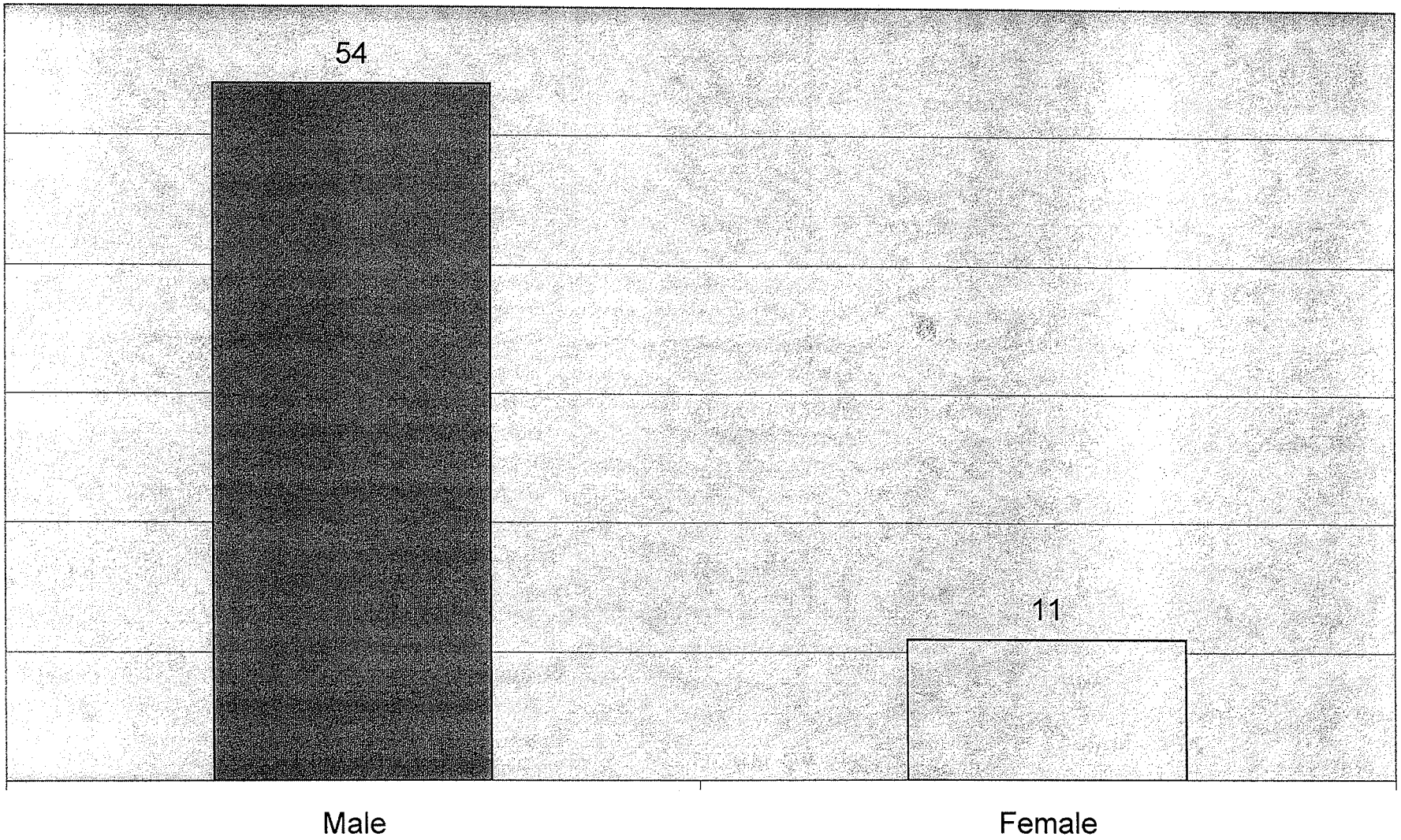
October 2009 Gender



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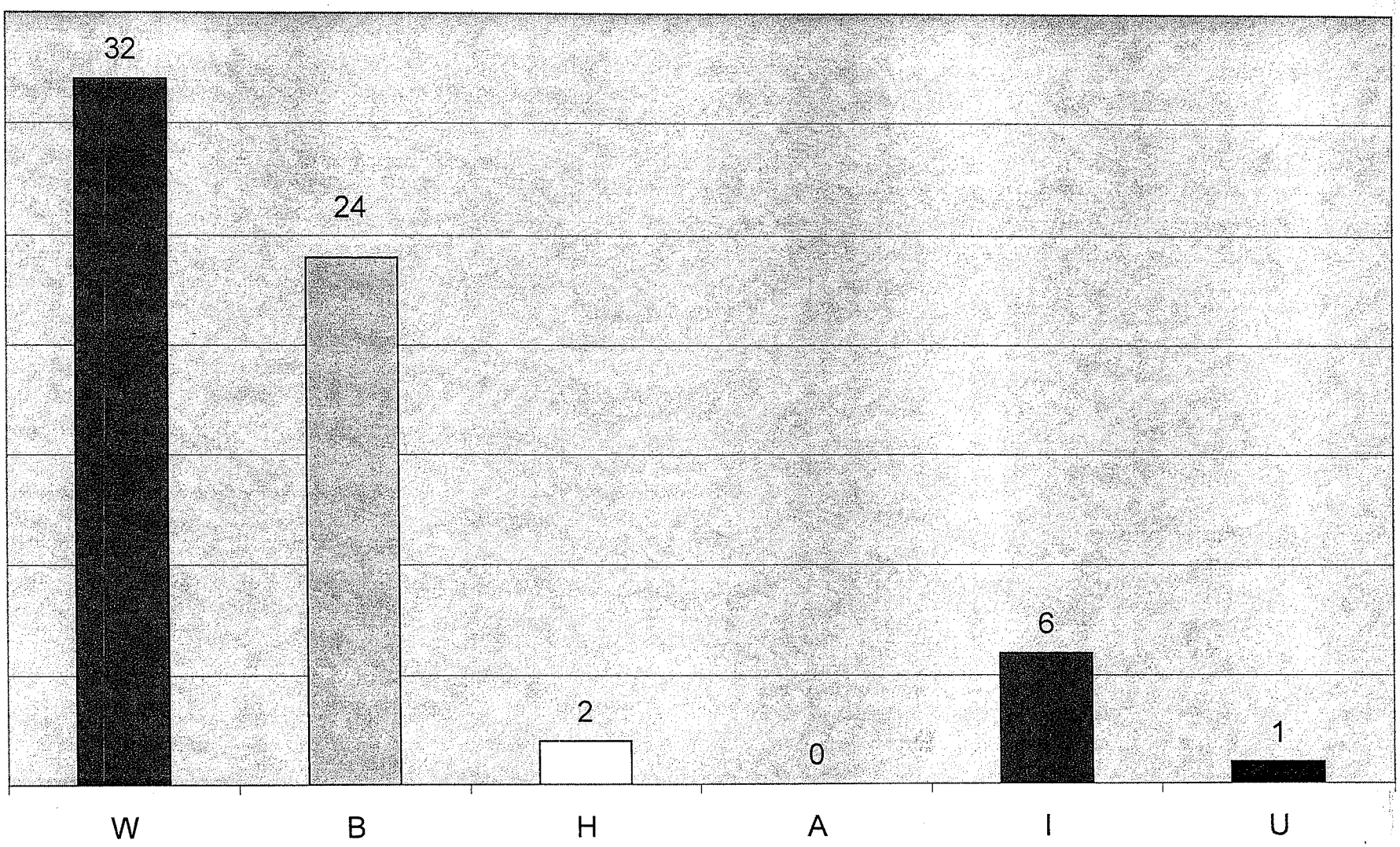
October 2009 Race



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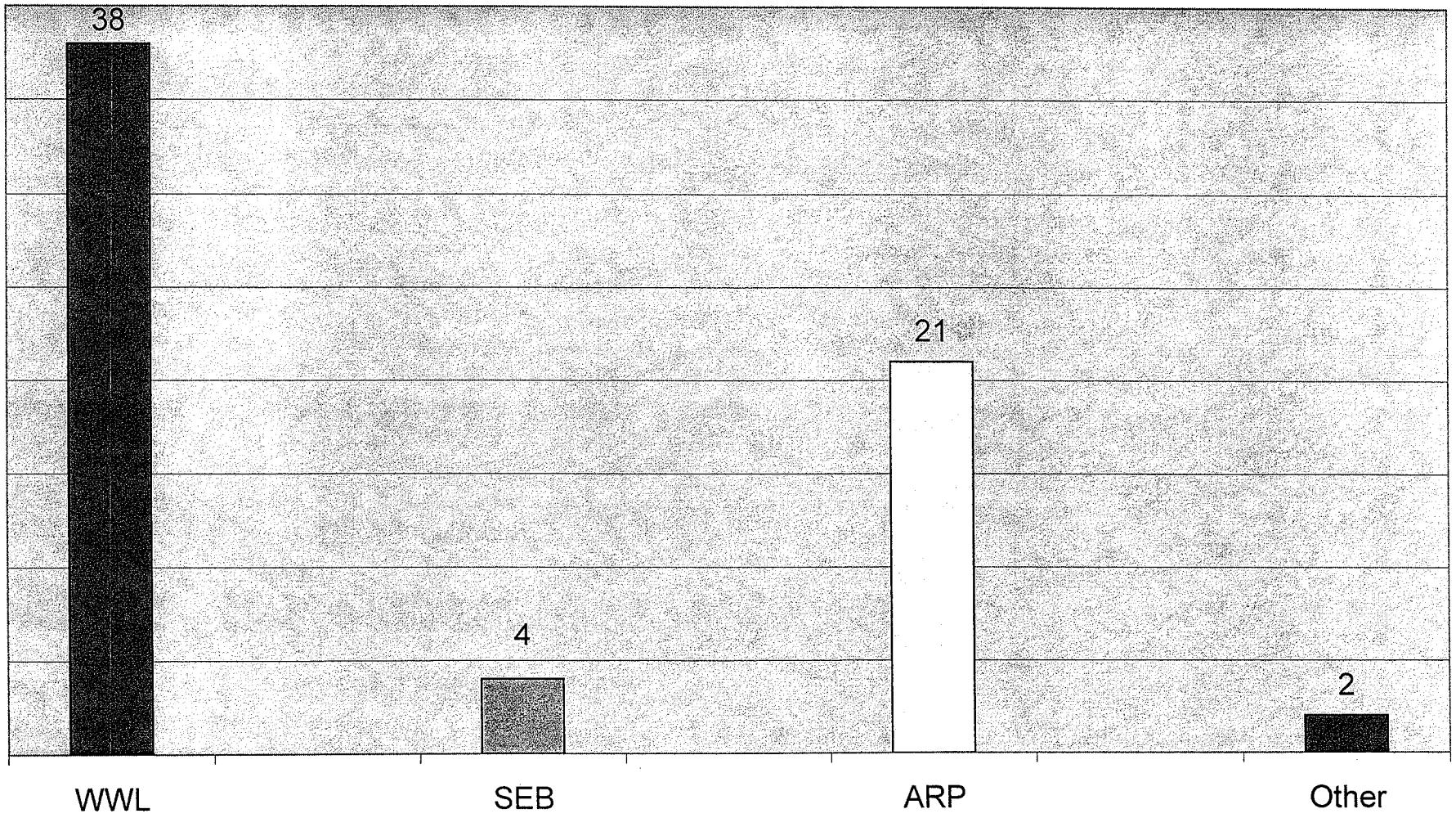
October 2009 Number of Drug Cases Charged by Attorney



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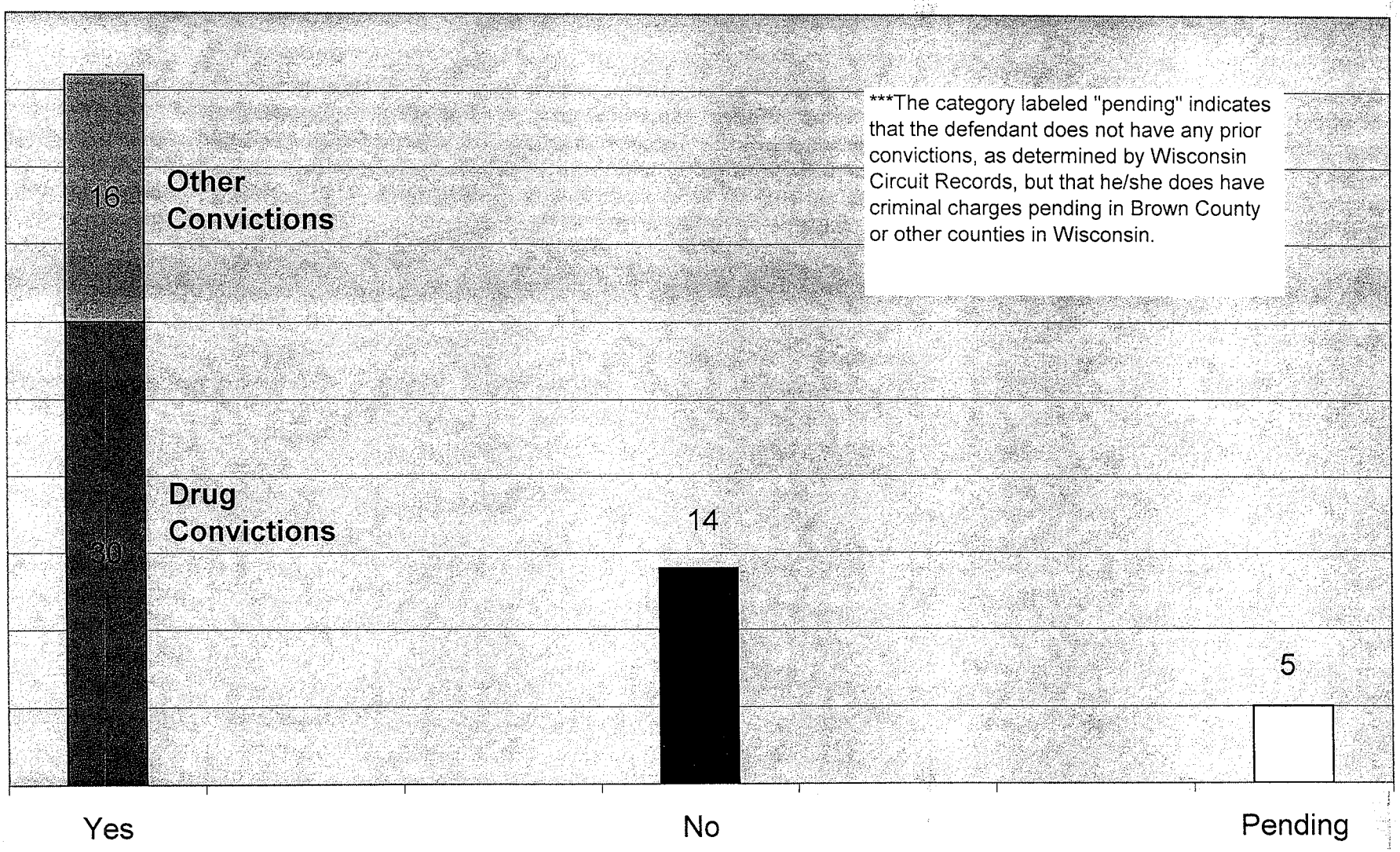
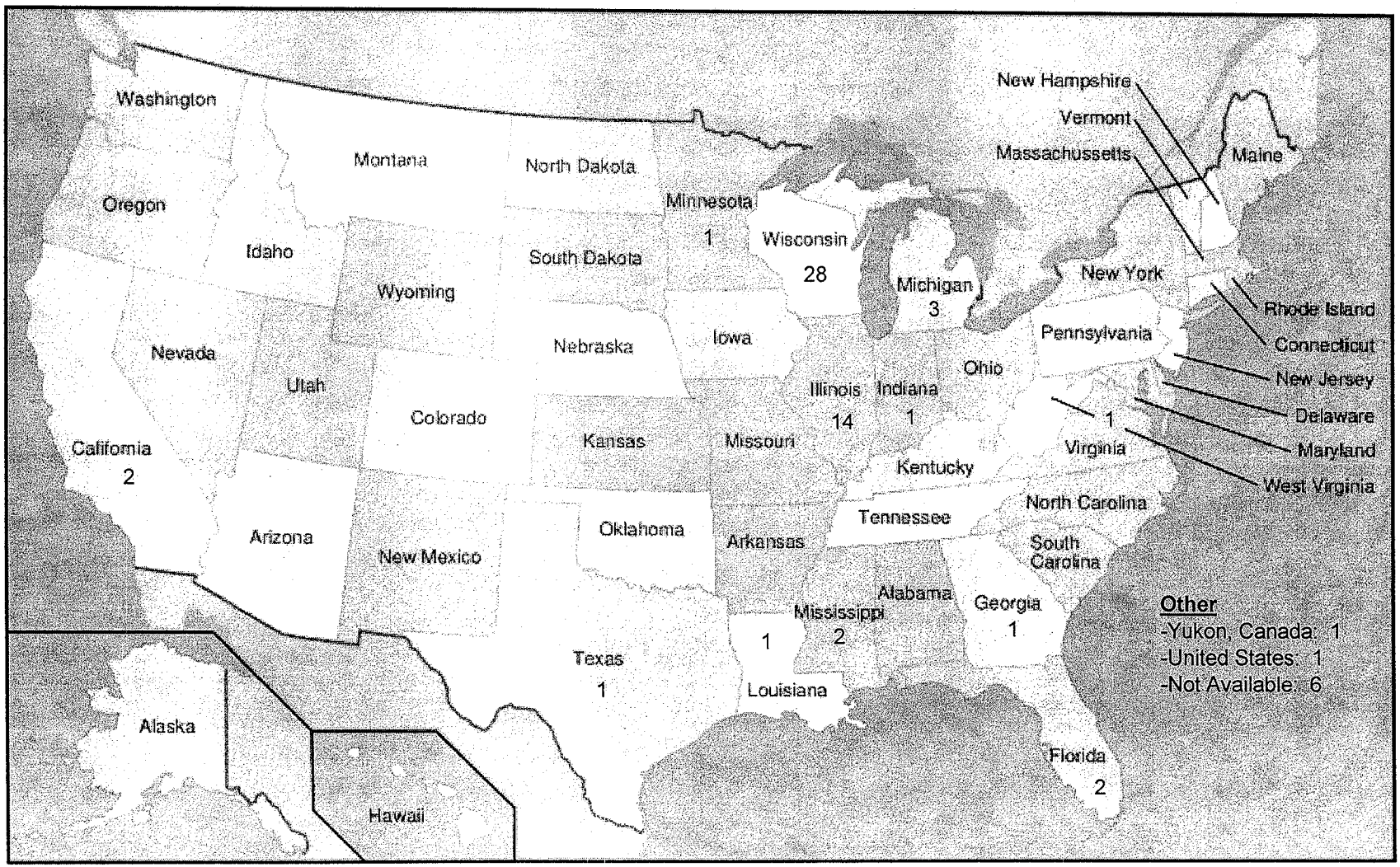
October 2009 Previous Convictions Count



***The category labeled "pending" indicates that the defendant does not have any prior convictions, as determined by Wisconsin Circuit Records, but that he/she does have criminal charges pending in Brown County or other counties in Wisconsin.

October 2009 Birthplace by State



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Criminal Drug Charges Filed in October 2009

Defendant	Date of Birth	Sex	Race	Address	Attorney Assigned	Date(s) of Offense	Referral Date	Date Filed	Case Number	Charges	# of Criminal Convictions by County	Birthplace (State)	Disposition
1 Brian K Mayer	2/28/1970	M	W	1663 Western Ave #304 Green Bay, WI 54303	WWL	10/1/2009	10/1/2009	10/1/2009	09CF1178	Poss Narc Drugs-2nd &subs-3cts Poss Non-narc Control Subst PDP Obstruct	*1 in Ozaukee* *2 in Oconto* *6 in Brown*	Wisconsin	Pending
2 Paul J Hockstock	11/2/1965	M	W	805 S Fisk St Green Bay, WI 54304	WWL	9/29/2009	10/1/2009	10/1/2009	09CF1182	Manuf THC (>1000-2500g)-2nd &subs PWI/D THC (>200-1000g)-2nd & subs PDP MDTP-2nd &subs	*1 1 in Brown* *1 in Marinette* *1 in Oconto*	Wisconsin	Pending
3 Jacob J Feagles	2/8/1990	M	W	2752 Humboldt Road #10 Green Bay, WI 54311	WWL	10/1/2009	10/2/2009	10/2/2009	09CF1183	Poss THC-2nd & subs PDP	*1 in Brown*	Wisconsin	Pending
4 Brandon D Lauth	7/12/1983	M	W	1494 Ellis Street Green Bay, WI 54302	WWL	10/4/2009	10/5/2009	10/5/2009	09CF1186	Poss THC-2nd & subs PDP OWI-3rd	*1 in Dane* *3 in Brown*	Illinois	Pending
5 Aaron R Lalbachan	9/26/1986	M	W	1069 Roland Lane #6 Green Bay, WI 54303	WWL	10/3/2009	10/5/2009	10/5/2009	09CF1188	PWI/D THC (>200-1000g)-PTAC PDP	1 in Winnebago 1 in Outagamie 1 in Brown	Florida	Pending
6 Russell R Gignac	10/20/1985	M	W	3502 Layden Drive Apt #16 DePere, WI 54115	WWL	10/3/2009	10/5/2009	10/5/2009	09CF1189	PWI/D THC (>200-1000g)-PTAC-2nd &subs PDP	*4 in Brown*	Wisconsin	Pending
7 Bryant H Thomas	7/14/1978	M	B	2257 Imperial Lane #3 Green Bay, WI 54302	WWL	10/3/2009	10/5/2009	10/5/2009	09CF1190	PWI/D Cocaine (>5-15g) OWI-3rd OAR	*1 in Winnebago* *3 in Brown*	Illinois	Pending
8 Lance C Jones	7/23/1983	M	B	801 Harvey Street Green Bay, WI 54301	ARP	10/6/2009	10/7/2009	10/7/2009	09CF1197	Extradition-Arrest Prior to Requisition	*Cook Co, IL*	Illinois	Pending
9 Blake A Armstrong	1/18/1990	M	W	813 Third Street DePere, WI 54115	WWL	8/26/2009	8/27/2009	9/29/2009	09CF1203	PWI/D THC (<=200g)-PTAC PDP	*4 FO's Winnebago*	Not Available	Pending
10 Dominic J Sangraw	12/19/1989	M	B	1831 August Street #2 Green Bay, WI 54302	ARP	9/21/2009	9/25/2009	10/9/2009	09CF1204	First Degree Reckless Homicide-rptr	*2 in Brown*	Wisconsin	Pending
11 Shane W Wheelock	2/25/1968	M	W	1148 Oakland Ave #2 Green Bay, WI 54303	WWL	6/4/2009 10/8/2009	10/9/2009	10/9/2009	09CF1210	Manuf/Del THC (<=200g)-2 cts Manuf/ Del GHB, GBL, Ketamine (<=3g) Poss THC	1 in Shawano 7 in Outagamie 1 in Winnebago 5 in Brown -1 pending in Brown	Wisconsin	Pending
12 Marquist L Dowdy	7/11/1988	M	B	1283 Smith Street Green Bay, WI 54302	WWL	10/8/2009	10/9/2009	10/9/2009	09CF1211	Manuf/ Del GHB, GBL, Ketamine (<=3g)-PTAC PWI/D Other Sched I Subst (>3-<10g) PWI/D Other Sched I Subst (<=3g)	1 FO in Brown	Wisconsin	Pending
13 Brandon R Wilson	2/9/1988	M	B	2037 Vine Street Green Bay, WI 54302	WWL	5/6/2009 10/8/2009	10/9/2009	10/9/2009	09CF1212	Manuf/Del Cocaine (<=1g) Obstruct/Resist	3 in Waukesha	Wisconsin	Pending
14 Daniel Szydlowski	8/14/1979	M	W	2340 Pecan St #4 Green Bay, WI 54311	WWL	10/8/2009	10/9/2009	10/9/2009	09CF1213	Forgery Obtain Prescript Drug w/ Fraud	*1 in Brown*	Yukon, Canada	Pending
15 Lawrence D Rogers	2/3/1981	M	B	920 Dousman Street Apt B Green Bay, WI 54303	ARP	10/11/2009	10/12/2009	10/12/2009	09CF1215	Poss THC-2nd & subs	1 pending in Brown	Illinois	Pending
16 Richard A McNew	5/24/1957	M	W	800 Seventh Street Green Bay, WI 54304	ARP	10/11/2009	10/12/2009	10/12/2009	09CF1219	Poss Short-Narreled Shotgun or Rifle CCW Poss Firearm while Intoxicated Carry Handgun where Alc is sold & consumed Poss THC PDP Poss Narc Drugs Poss Firearn by Felon	Grand Rapids, MI	United States	Pending
17 Vivian Fisher	2/4/1975	F	B	829 Dousman Street Upper Green Bay, WI 54303	WWL	4/22/2009	8/3/2009	8/3/2009	09CF1221	Poss Narc Drugs-PTAC Poss THC-PTAC	1 in Manitowoc 3 in Brown	Illinois	Pending
18 Pierre J Tyson	11/2/1972	M	B	2315 67th Ave #2 Kenosha, WI 543140	ARP	10/13/2009	10/14/2009	10/14/2009	09CF1227	Poss Cocaine-2nd & subs	*1 in Kenosha*	Illinois	Pending
19 Travis D Fleming	6/5/1987	M	B	2124 Harold Street #4 Green Bay, WI 54302	ARP	10/13/2009	10/14/2009	10/14/2009	09CF1228	PWI/D Cocaine (>15-40g)-PTAC	None	Indiana	Pending
20 Sarah M Farnsworth	4/27/1980	F	W	231 Coolidge Street Green Bay, WI 54301	ARP	10/13/2009	10/14/2009	10/14/2009	09CF1230	MDTP	None	Minnesota	Pending
21 Cordell N Thomas	11/16/1986	M	B	605 Rothe Street #8 Green Bay, WI 54302	ARP	9/24/2009 9/28/2009 10/7/2009 10/9/2009 10/13/2009	10/15/2009	10/15/2009	09CF1231	Del Cocaine (>1g but <=5g)-PTAC-2nd & subs-5cts	*1 in Brown*	Illinois	Pending
22 Terrence Gardiner	11/20/1964	M	W	1370 North Road Green Bay, WI 54313	MMKM	10/14/2009 1/1/2002	10/15/2009	10/15/2009	09CF1232	Repeated SAC Poss THC PDP	None	Michigan	Pending
23 Vincent M Zima	1/5/1990	M	W	850 William Charles Ct #D Green Bay, WI 54304	WWL	9/24/2009	9/28/2009	10/14/2009	09CF1236	Poss THC-2nd & subs-PTAC PDP	*1 in Sheboygan*	Wisconsin	Pending

Defendant	Date of Birth	Sex	Race	Address	Attorney Assigned	Date(s) of Offense	Referral Date	Date Filed	Case Number	Charges	# of Criminal Convictions by County	Birthplace (State)	Disposition
45 Sean E Smith	2/26/1990	M	W	1128 Winford Ave #7 Green Bay, WI 54303	WWL	8/26/2009	8/27/2009	10/6/2009	09CM1763	Poss THC-PTAC PDP	1 pending in Shawano	Wisconsin	Pending
46 Patrick L Beach	8/21/1989	M	W	813 Third Street DePere, WI 54115	WWL	8/26/2009	8/27/2009	10/6/2009	09CM1764	Poss THC PDP	None	Not Available	Pending
47 Cory S Jansa	12/29/1989	M	W	1128 Winford Ave #7 Green Bay, WI 54303	WWL	8/26/2009	8/27/2009	10/6/2009	09CM1765	Poss THC-PTAC PDP	None	Not Available	Pending
48 Ricky M Torres	11/21/1985	M	I	1032 Morraine Way #4 Green Bay, WI 54304	WWL	8/25/2009	10/2/2009	10/5/2009	09CM1766	Misd BJ	7 pending in Brown	Wisconsin	Pending
49 Steven J Mickelson	1/19/1991	M	I	1005 Moraine Way #8 Green Bay, WI 54303	ARP	10/10/2009	10/12/2009	10/12/2009	09CM1769	Poss THC	*2 in Brown*	Wisconsin	Pending
50 Adam T Schabow	5/10/1990	M	I	N7172 Path of the Wolf DePere, WI 54115	ARP	10/11/2009	10/12/2009	10/13/2009	09CM1777	Poss Non-narc Control Subst-2cts	3 in Brown 1 in Outagamie	Wisconsin	Pending
51 Jhron J Leavelle	7/8/1988	M	B	4010 11th Ave Kenosha, WI 53140	ARP	10/13/2009	10/14/2009	10/14/2009	09CM1800	Poss THC	1 in Kenosha	Wisconsin	Pending
52 Tina D Wilson	8/22/1972	F	B	224 N Oakland Green Bay, WI 54303	ARP	10/1/2009	10/12/2009	10/12/2009	09CM1801	Misd BJ	1 pending in Brown	Illinois	Pending
53 Matthew J Everard	4/9/1990	M	W	1165 Stevens Street DePere, WI 54115	ARP	10/17/2009	10/19/2009	10/19/2009	09CM1811	Poss Non-narc Control Subst	None	Wisconsin	Pending
54 Kirsten B McCormick	8/13/1989	F	B	Unknown	WWL	9/24/2009	9/28/2009	10/14/2009	09CM1823	Poss THC-PTAC PDP	1 in Brown	Louisiana	Warrant
55 Timothy K Peters	7/13/1990	M	W	430B Nancy Lane #67 Pulaski, WI 54162	WWL	7/25/2009	7/27/2009	10/15/2009	09CM1824	Poss/Illegal Obtain Prescript	None	Not Available	Pending
56 Nicholas R Thyrion	8/3/1989	M	W	1114 N Buchanan Street Green Bay, WI 54303	WWL	7/25/2009	7/27/2009	10/15/2009	09CM1825	Poss/Illegal Obtain Prescript	1 in Brown	Wisconsin	Pending
57 Karen M Butler	8/11/1962	F	B	933 Smith Street #2 Green Bay, WI 54302	WWL	9/29/2009	9/30/2009	10/15/2009	09CM1826	Poss THC	2 in Brown -1 pending in Brown	Illinois	Pending
58 Ray Anna R Young	3/9/1989	F	B	900 Park Court Lane Port Edwards, WI 54469	WWL	8/30/2009	9/8/2009	10/16/2009	09CM1827	Poss THC PDP	2 in Wood	California	Pending
59 Tina M Clapper	8/3/1976	F	W	411 Mather Street Green Bay, WI 54303	WWL	10/26/2009	10/26/2009	10/26/2009	09CM1852	CDTP-DVO PDP	3 in Ozaukee 4 in Milwaukee 1 in Washington	Wisconsin	Pending
60 Ryan A Pepin	2/22/1990	M	W	1301 Stockbridge Ave Iron Mountain, MI 49801	WWL	10/25/2009	10/26/2009	10/26/2009	09CM1853	Poss THC DC	None	Michigan	Pending
61 Nicholas E Stenger	12/3/1989	M	W	1218 George Street DePere, WI 54115	WWL	7/25/2009	8/10/2009	10/21/2009	09CM1869	PDP	None	Wisconsin	Pending
62 Robert M Toole	9/4/1973	M	U	1116 Pilgrim Way Apt D Green Bay, WI 54304	WWL	6/3/2009	6/4/2009	10/21/2009	09CM1870	PDP	None	Virginia	Pending
63 Priscilla A Garza	4/29/1988	F	H	1901 Eastman Ave #11 Green Bay, WI 54302	ARP	10/21/2009	10/29/2009	10/29/2009	09CM1882	PDP Misd BJ	1 pending in Brown	Not Available	Pending
64 Joseph E Ninham Jr	12/19/1986	M	I	1441 W Mason Street Green Bay, WI 54302	WWL	9/10/2009	10/5/2009	10/7/2009	09CV2799	Asset Forfeiture	*7 in Brown* *-5 pending in Brown* *2 in Oconto*	Wisconsin	Pending
65 Paul G Williams	6/19/1981	M	B	1235 E Walnut Street Green Bay, WI 54301	WWL	9/26/2009	10/7/2009	10/23/2009	09CV2935	Asset Forfeiture	*4 in Manitowoc* *1 in Kenosha* *2 in Sheboygan* *8 in Brown*	Illinois	Pending

*****included in the convictions are forfeitures related to drugs and alcohol. Ex: OWI-1st, PDP (FO), Poss of Marijuana, Violate Absolute Sobriety, Underage Drinking, etc.**
*******Within the convictions category, the items that are *italicized* indicate a prior drug conviction**