

## Smith, Allyson

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**From:** Landgraf, Bruce <Bruce.Landgraf@da.wi.gov>  
**Sent:** Thursday, October 15, 2020 10:51 AM  
**To:** Smith, Allyson  
**Cc:** Chisholm, John  
**Subject:** RE: Request for additional Information on Item 9 from the 10/13/20 Finance-BUDGET Meeting

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Thank you Ms. Smith.

As to Item 1, Marsy's Law, we are making further inquiries and we will forward such information as we may be able to gather early next week.

As to Item 2, our notes indicate that Supervisor Czarnezki requested data on the number of felony charges issued for Possession of THC, Second & Subsequent, broken out by race of the defendant. We have requested that reports be run against the data in our case management system. We also anticipate forwarding this information early next week.

If the committee or any of its members would like to receive other or additional information, we will happily provide that.

Bruce J. Landgraf  
Deputy District Attorney  
(414) 278-2178  
(414) 223-1955 (fax)

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**From:** Smith, Allyson [<mailto:Allyson.Smith@milwaukeecountywi.gov>]  
**Sent:** Wednesday, October 14, 2020 4:50 PM  
**To:** Chisholm, John - DA <[John.Chisholm@da.wi.gov](mailto:John.Chisholm@da.wi.gov)>  
**Cc:** Haas, Jason <[Jason.Haas@milwaukeecountywi.gov](mailto:Jason.Haas@milwaukeecountywi.gov)>; Czarnezki, Joseph <[Joseph.Czarnezki@milwaukeecountywi.gov](mailto:Joseph.Czarnezki@milwaukeecountywi.gov)>; Meyers, Mary Jo <[MaryJo.Meyers@milwaukeecountywi.gov](mailto:MaryJo.Meyers@milwaukeecountywi.gov)>; Bablitch, Kelly <[Kelly.Bablitch@milwaukeecountywi.gov](mailto:Kelly.Bablitch@milwaukeecountywi.gov)>; Cady, Steve <[Stephen.Cady@milwaukeecountywi.gov](mailto:Stephen.Cady@milwaukeecountywi.gov)>; Jensen, Janelle <[Janelle.Jensen@milwaukeecountywi.gov](mailto:Janelle.Jensen@milwaukeecountywi.gov)>  
**Subject:** Request for additional Information on Item 9 from the 10/13/20 Finance-BUDGET Meeting  
**Importance:** High

Good Afternoon,

Please note the following requests for additional information that were made at the Tuesday, October 13, 2020 Budget meeting:

Item 9 Org. Unit 4500 Office of the District Attorney



OFFICE OF THE DISTRICT ATTORNEY

# Milwaukee County

JOHN T. CHISHOLM · District Attorney

Chief Deputy Kent L. Lovern, Deputies Lovell Johnson, Jr., Jeffrey J. Altenburg, Karen A. Loebel,  
Elisabeth Mueller, Matthew J. Torbenson, Bruce J. Landgraf

October 19, 2020

Mr. Jason Haas  
Chair, Finance Committee  
901 North 9th Street, Room 201  
Milwaukee WI 53233

Re: 2021 Budget Hearings; File 20-772 Request for Information

Dear Chairman Haas:

Following the appearance of District Attorney John Chisholm at the informational meeting of the Finance Committee today, and in response to Agenda Item No. 1, File 20-772, we now provide written responses to the committee's questions.

First, in response to the committee's questions on the impact of Marsy's Law on the Milwaukee County 2021 budget, four positions have been added to our Victim Witness staff to meet the anticipated requirements of this recently enacted constitutional requirement. These consist of three FTE Victim Witness Advocates (Job Code 84181) and one FTE Secretarial Assistant (Job Code 127). The salary amount attributable to these four positions in the 2021 budget is \$189,927.40. Our office has made inquiries with the State Prosecutors Office concerning the anticipated fiscal impact of Marsy's Law on district attorneys' offices statewide. We have not yet received that information, but we will share any information we may receive in that regard.

As District Attorney Chisholm stated in his remarks today to the committee, we requested that certain data queries be run to determine statistics regarding prosecution of the offense of Possession of THC (Second & Subsequent) in violation of Wis. Stat. § 961.41(3g)(e), a Class I felony. That report is attached to this letter. It will also be published to the office's web page on the county website.

Please feel free to contact me at 414-278-2178 or at [bruce.landgraf@da.wi.gov](mailto:bruce.landgraf@da.wi.gov) if you have any questions or concerns regarding these repos.

Very truly yours,

A handwritten signature in black ink, appearing to read "B. Landgraf".

Bruce J. Landgraf  
Deputy District Attorney

BJL/bl

cc: Supervisor Joseph J. Czarnecki  
Ms. Allyson R. Smith  
Ms. Janelle M. Jensen

Attachment

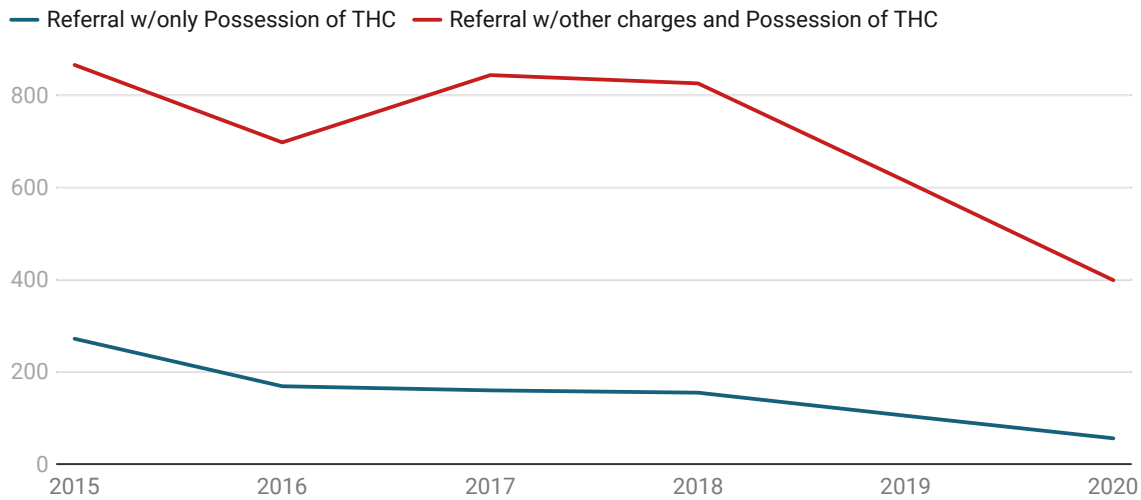
# Request for Data on Possession of Marijuana

The Milwaukee County District Attorney's Office received a data request for information related to the referral and charge of possession of marijuana.

For purposes of this analysis, possession of marijuana is operationalized as any offense that includes Possession of THC (Tetrahydrocannabinols) or Possession of THC (Tetrahydrocannabinols) - (2nd and subsequent) in violation of statute 961.41(3g)(e).

## Possession of THC Referrals to the MCDA

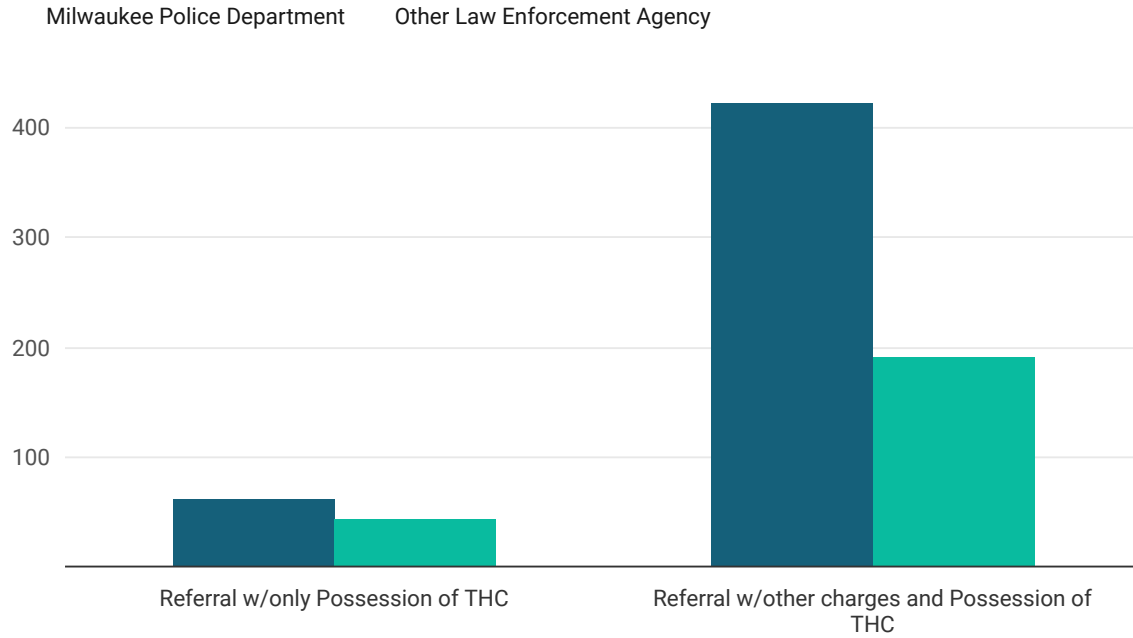
In 2019, there were 614 referrals to the MCDA with any possession charge representing 2.1% of all 2019 referrals. 105 referrals were for possession of THC only and represent .3% of all 2019 referrals.



2020 is YTD and only current to 8-31-2020. Possession of marijuana is operationalized as any offense that includes Possession of THC (Tetrahydrocannabinols) or Possession of THC (Tetrahydrocannabinols) - (2nd and subsequent) in violation of statute 961.41(3g)(e).

[Get the data](#)

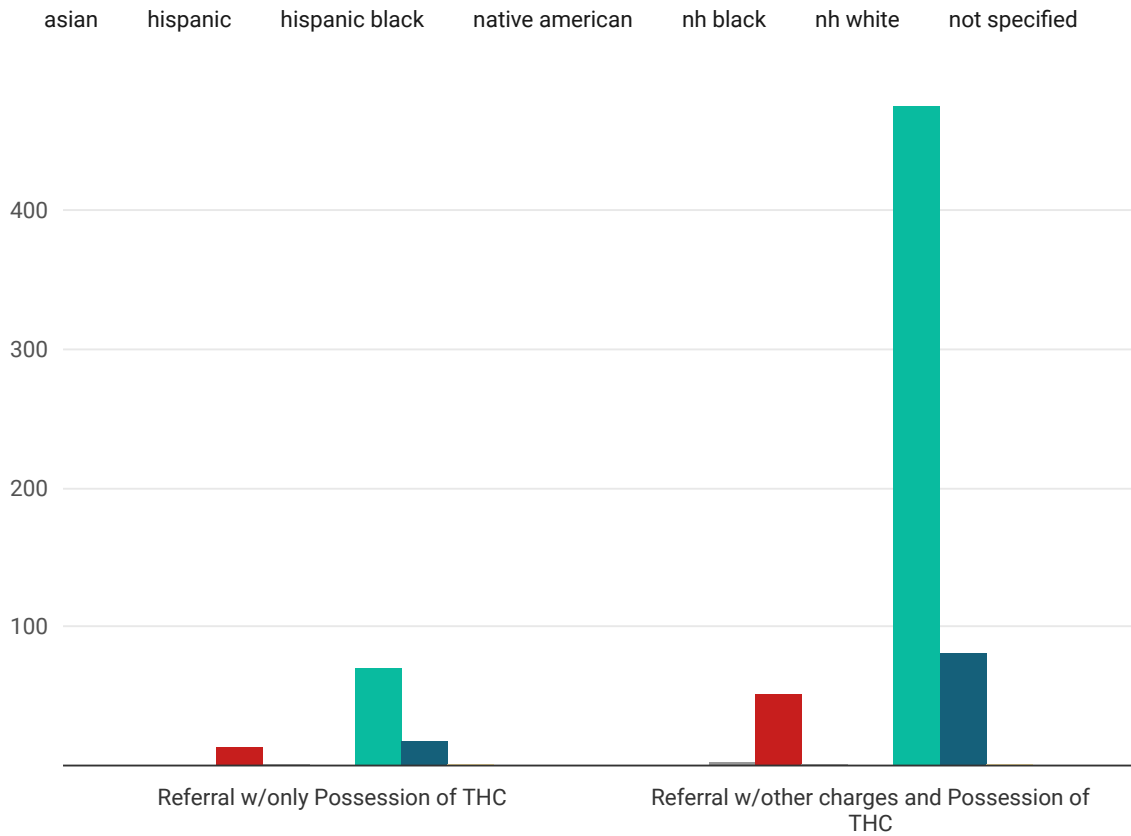
# 2019 Possession of THC Referrals by Law Enforcement Agency



*Possession of marijuana is operationalized as any offense that includes Possession of THC (Tetrahydrocannabinols) or Possession of THC (Tetrahydrocannabinols) - (2nd and subsequent) in violation of statute 961.41(3g)(e)*

[Get the data](#)

## 2019 Possession of THC Referrals by Race & Ethnicity



Possession of marijuana is operationalized as any offense that includes Possession of THC (Tetrahydrocannabinols) or Possession of THC (Tetrahydrocannabinols) - (2nd and subsequent) in violation of statute 961.41(3g)(e).

[Get the data](#)

## 2019 Possession of THC Charges by the MCDA

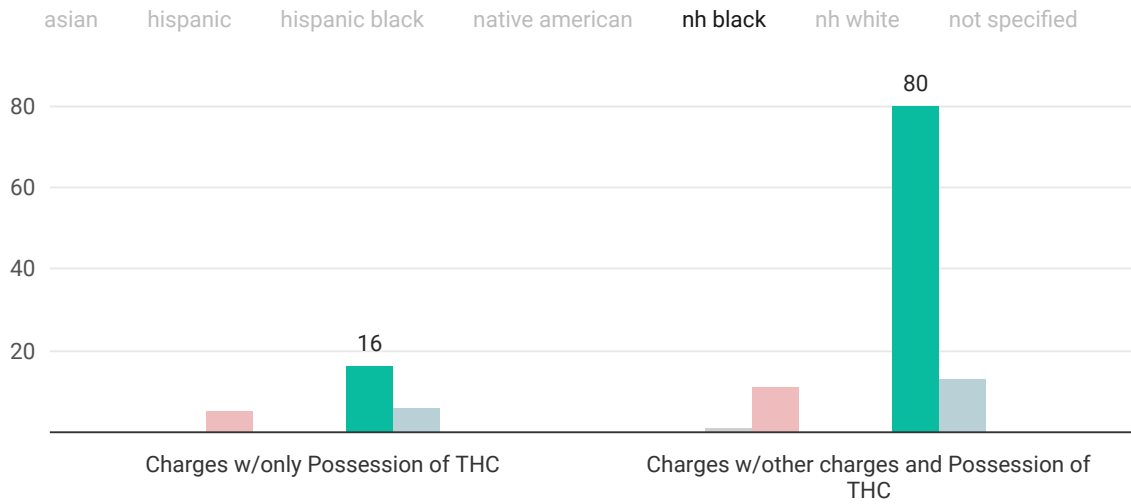
In 2019, 25% of charges with only possession of THC were filed. This represents .1% of total charged cases. 17% of cases with other charges and possession of THC were filed representing .7% of total charged cases.

Referral w/only Possession of THC	105
Referral w/other charges and Possession of THC	614
Charges w/only Possession of THC	27
Charges w/other charges and Possession of THC	105
Any THC Possession Charge w/ DV, Gun, Habit	38

Possession of marijuana is operationalized as any offense that includes Possession of THC (Tetrahydrocannabinols) or Possession of THC (Tetrahydrocannabinols) - (2nd and subsequent) in violation of statute 961.41(3g)(e).

[Get the data](#)

# 2019 Possession of THC Charges by Race & Ethnicity



Possession of marijuana is operationalized as any offense that includes Possession of THC (Tetrahydrocannabinols) or Possession of THC (Tetrahydrocannabinols) - (2nd and subsequent) in violation of statute 961.41(3g)(e).

[Get the data](#)