

**JAMES A. GRAMLING JR.
ATTORNEY AT LAW**

June 8, 2023

Members of the Judiciary and Legislation Committee
Milwaukee Common Council
City Hall

Re: JusticePoint's Municipal Court Alternatives Program
File No. 230246
Hearing Scheduled June 12, 2023

Dear Chair Borkowski and Members:

Before I explain the reasons for my support for continuation of this vital program, two apologies. First, I have a long-scheduled trip out of town set for Sunday and therefore will miss the hearing, thus this letter. Second, this letter is longer than I would like it to be; please bear with me.

I have two histories with the Alternatives Program ("MCAP"). When I served as Municipal Judge from 1986-2007, I found the program critical to fulfilling my judicial function and responsibilities. Two estimates underpin this statement: approximately 70% of the defendants miss their initial court appearance and are found in default, and approximately 95% of the defendants scheduled in the court are unrepresented by an attorney. You can see the potential, no, reality, that many thousands of people are processed through the system without individual attention by the court. And many of those defendants are part of disadvantaged groups within our community: the poor, those addicted to drugs and alcohol, those suffering from mental health issues.

It was essential to me that our municipal justice system – yours and mine – reach out to them at every possible opportunity to prevent them from being ground up in that system. The MCAP was the vehicle for that. Defendants caught on warrants were released with an order to report to MCAP on a given date when they could be screened and taken into the courtroom for approval of alternative programs. During every court session I had the ability to assess the needs of people appearing before me and then to have an MCAP case worker take them out of the courtroom for a full screening. The end result would most often be the assignment of community service or referral to counseling or treatment programs.

You can see why I considered the program vital to the legitimacy of the court. And I still do, given my second history with it. Among other things I have enjoyed in retirement is the opportunity to accept referrals from MCAP in an attorney capacity. I have handled dozens and dozens of cases, primarily in the most recent years. In every instance the cases referred required an attorney's participation since the MCAP workers could not

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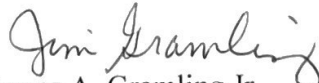
provide legal advice or representation. Referrals by JusticePoint were critical. There was nothing wrong about their referral of cases; in fact it was the right thing to do. And there was nothing wrong with them providing me with a copy of the citation; I could have got it otherwise from MPD Open Records. Without their evaluation and referring role these many defendants would have no hope of a satisfactory resolution of their cases. I would like to give you a few examples.

- C.P. had numerous criminal charges pending, where competency had been raised, along with four outstanding municipal cases with judgments and warrants. Negotiations with the city attorney and representation in court resulted in either dismissal or a judgment stay on the four cases
- For G.M., a previous default judgment was reopened and the case dismissed when the city attorney was presented with proof of a non-competency finding in circuit court
- S.K. had outstanding warrants on two cases. They were withdrawn and the cases were ultimately dismissed when proof was presented to the court of a lack of competency finding in circuit court
- A.B. had an outstanding warrant which was issued by the court when she failed to attend court while restrained at the Winnebago Mental Health Institute. The warrant was released, a pretrial was scheduled, and ultimately the charge was dismissed due to her mental health issues.

Defendants like these are referred every day to JusticePoint from a variety of sources. Without their intervention, attorneys would not get involved and improper judgments and warrants would remain outstanding.

You can see I am a fan of JusticePoint. They have provided excellent service to the City and its more disadvantaged citizens. Their staff has been competent and committed from my first day in court in 1986. I would like to see their program reinstated and continued. My understanding is that they are currently operating under an amendment to an initial contract; that amendment expires at the end of this calendar year. The court should be encouraged by your committee to perform an orderly review of JusticePoint's work as it would any other expiring contract. In the meantime, the City's justice system requires continued service. Thank you for reading this far and considering my viewpoint.

Yours truly,


James A. Gramling Jr.
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