

# Milwaukee County, Wisconsin Pretrial Praxis

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**Grid 1 - Misdemeanor and Criminal Traffic (Excluding OWI & Risk of Injury)**

Risk Levels	Bond Type [Range]	Supervision	Supervised Conditions
I	Personal Recognizance [Low]	None	None
I-BWR	Personal Recognizance [Moderate]	Court Reminders	None
II	Personal Recognizance [Low]	None	None
II-BWR	Personal Recognizance [Moderate]	Court Reminders	None
III	Personal Recognizance [Low]	Standard	As Authorized
III-BWR	Cash [Low]	Enhanced	As Authorized
IV	Cash [Low]	Intensive	As Authorized

**Grid 2 - Misdemeanor-Risk of Injury (Excluding Domestic Violence)**

Risk Levels	Bond Type [Range]	Supervision	Supervised Conditions
I	Personal Recognizance [Low]	None	None
I-BWR	Personal Recognizance [Moderate]	Court Reminders	None
II	Personal Recognizance [Moderate]	Standard	As Authorized
II-BWR	Personal Recognizance [High]	Enhanced	As Authorized
III	Personal Recognizance [High]	Enhanced	As Authorized
III-BWR	Cash [Low]	Intensive	As Authorized
IV	Cash [Moderate or statutory limit]	Intensive	As Authorized

**Grid 3 - Felony (Excluding OWI & Risk of Injury)**

Risk Levels	Bond Type [Range]	Supervision	Supervised Conditions
I	Personal Recognizance [Low]	None	None
II	Personal Recognizance [Moderate]	Standard	As Authorized
III	Cash [Low]	Enhanced	As Authorized
IV	Cash [Moderate]	Intensive	As Authorized

**Grid 4 - Felony-Risk of Injury (Excluding DV & non-OWI Homicides)**

Risk Levels	Bond Type [Range]	Supervision	Supervised Conditions
I	Personal Recognizance [High]	Enhanced	As Authorized
II	Cash [Moderate]	Enhanced	As Authorized
III	Cash [High]	Intensive	As Authorized
IV	Cash [High]	Intensive	As Authorized

**Grid 5 - Misdemeanor Operating While Intoxicated**

Risk Levels	Bond Type [Range]	Supervision	Supervised Conditions
I	Personal Recognizance [Low]	None	None
II	Personal Recognizance [Moderate]	Intensive	Random PBTs
III	Cash [Low]	Intensive	Random PBTs SCRAM Eligible
IV	Cash [Low/Moderate]	Intensive	Random PBTs SCRAM Eligible

**Grid 6 - Felony Operating While Intoxicated**

Risk Levels	Bond Type [Range]	Supervision	Supervised Conditions
I	Cash [Low]	Intensive	Random PBTs SCRAM Eligible
II	Cash [Low/Moderate]	Intensive	Random PBTs SCRAM Eligible
III	Cash [Moderate]	Intensive	SCRAM Mandatory
IV	Cash [High]	Intensive	SCRAM Mandatory

**Grid 7 - Felony Risk of Injury AND Felony Operating While Intoxicated**

Risk Levels	Bond Type [Range]	Supervision	Supervised Conditions
I	Cash [Low]	Intensive	Random PBTs SCRAM Eligible + As Authorized
II	Cash [Moderate]	Intensive	Random PBTs SCRAM Eligible + As Authorized
III	Cash [High]	Intensive	SCRAM Mandatory + As Authorized
IV	Cash [High]	Intensive	SCRAM Mandatory +As Authorized

**NOTE: The Praxis does NOT apply to the following: 1) Non-OWI related homicides, 2) DV cases and 3) Fugitive from Justice Cases. (Persons with these charges will continue to be screened and reports will be published).**

**Bond Type [Ranges]**

Personal Recognizance [Low] = \$0 to \$250  
 Personal Recognizance [Moderate] = \$250 to \$750  
 Personal Recognizance [High] = \$750 to \$2,500

Cash [Low] = \$1 to \$500  
 Cash [Low/Moderate] = \$500 to \$2,500  
 Cash [Moderate] = \$2,500 to \$10,000  
 Cash [High] = Minimum of \$10,000

**Supervision Levels**

	COURT REMINDERS	STANDARD	ENHANCED	INTENSIVE
Face-to-Face Contact	NA	Monthly	Every other week	Weekly
Alternative Contact (phone, text, e-mail)	NA	1 x/month	Every other week	NA
Supervised Conditions Compliance Verification	NA	As authorized	As authorized	As authorized
Court Date Reminder	X	X	X	X
Criminal History/CJIS Check	NA	X	X	X

**Supervised Conditions**

CONDITION	Authorized when:	CONDITION	Authorized when:
DRUG TESTING	-Defendant is eligible for supervision according to the Praxis. <b>AND</b> -Scores 3 or greater on UNCOPE. <b>AND</b> -Has a history of illegal drug use/abuse.	GPS MONITORING	-Defendant qualifies for Intensive Supervision on Grids 2-4. <b>OR</b> -Concern exists for victim safety/no contact monitoring.
PORTABLE BREATHALYZER TESTING	-Defendant is eligible for supervision according to Grids 1-4 of the Praxis. <b>AND</b> -Scores 3 or greater on UNCOPE. <b>AND</b> -The defendant has a history of problematic alcohol use/abuse or current alcohol abuse. <b>OR</b> -Is eligible for supervision on OWI Grids 5-6. <b>OR</b> -The defendant qualifies for supervision and the court is ordering absolute sobriety due to allegations of intoxication at time of alleged offense.	SCRAM Eligible	-Qualifies for supervision on Grid 5, Risk Level III or IV, Grid 6, Risk Level I or II or Grid 7 Risk Level I or II. <b>AND ONE OF THE FOLLOWING IS TRUE</b> -Scores 3 or greater on UNCOPE. -Already on pretrial release for an OWI at time of alleged new OWI. -Is charged with 4 <sup>th</sup> or greater OWI offense.
Absolute Sobriety	-Defendant has an UNCOPE Score of 3 or greater and has a history of alcohol abuse or current alcohol abuse. <b>OR</b> -The police report and/or criminal complaint indicate the defendant was intoxicated at the time of arrest. <b>OR</b> -The defendant is charged with an OWI case and qualifies for supervision.		

**Felony Crimes-Risk of Injury (List applies to and includes all subsections of the listed statutes)**

346.04(3)	Felony Fleeing
940.11	Mutilating or hiding a corpse
940.19–940.20	All forms of Felony Battery
940.21	Mayhem
940.22	Sexual exploitation by a therapist
940.225	All forms of Felony Sexual Assault
940.23	Reckless injury
940.235	Strangulation and suffocation
940.24	Injury by negligent handling of dangerous weapon, explosives or fire
940.25	Injury by intoxicated use of a vehicle
940.285	Abuse of individuals at risk
940.29	Abuse of residents of penal facilities
940.295	Abuse and neglect of patients and residents – <b><u>all but sub (5)</u></b>
940.30	False imprisonment
940.305	Taking hostages
940.31	Kidnapping
940.32	Stalking
940.43	Intimidation of witnesses; felony
940.45	Intimidation of victims; felony
941.01(1)	Negligent Operation of a Vehicle
941.11	Unsafe burning of buildings
941.12	Interfering with firefighting – <b><u>all but sub (3)</u></b>
941.20(1m)	Endangering safety by use of a dangerous weapon
941.21	Disarming a police officer
941.24	Possession of switchblade knife
941.26 / 941.27	Machine Guns/Other Weapons
941.28	Possession of short-barreled shotgun or short-barreled rifle
941.29	Possession of a firearm
941.291	Possession of Body Armor
941.295(1)	Possession of Electric Weapon
941.296	Use or possession of a handgun and an armor-piercing bullet during crime
941.298(2)	Firearm silencers
941.30	Recklessly endangering safety
941.31	Possession of explosives
941.31(2)(B)	Possession of Improvised Explosives
941.32	Administering dangerous or stupefying drug
941.325	Placing foreign objects in edibles
941.327	Tampering with household products
941.37	Obstructing emergency or rescue personnel - <b><u>all but sub (2)</u></b>
941.375	Throwing or discharging bodily fluids at public safety workers
941.38(2)	Criminal gang member solicitation of a child
943.02	Arson of buildings
943.06	Molotov cocktails
943.07	Criminal damage to railroads – <b><u>all but sub (4)</u></b>
943.20(1)a & (3)d(5)	Theft of Firearm
943.20(1)a & (3)e	Theft From Person
943.20(1)(c)	Theft of Firearm
943.32	Robbery and armed robbery

943.76	Infecting animals with contagious disease
943.87	Robbery of a financial institution
943.10	Burglary (residential - victim present at any point during burglary)
943.10(2)(a), 943.10(2)(b), 943.10(2)(c), 943.10(2)(d), 943.10(2)(e)	Burglary, aggravated
943.23(1)(g)	OMVWOOC - Carjacking
946.01	Treason
946.02	Sabotage
946.03	Sedition
946.415	Failure to comply
946.42(4)	Aggravated Felony Escape (resulting in injury)
946.43	Assault by prisoners
947.015	Bomb Scares
948.02	Sexual assault of a child
948.03	Physical abuse of a child
948.05	Sexual Exploitation of a Child
948.051	Trafficking of a Child
948.06	Incest with a child
948.07	Child enticement
948.075	Use of a computer to facilitate a child sex crime
948.08	Soliciting a child for prostitution
948.20	Abandonment of a child
948.21	Neglecting a child - <b><u>all but sub (a)</u></b>
948.30	Abduction of another's child
948.51	Hazing
948.605(2)(A)	Possess Firearm in School Zone ( <b><u>both misdemeanor and felony</u></b> )
951.02	Mistreating animals
951.06	Use of poisonous and controlled substances
951.08	Instigating fights between animals
951.09	Shooting at caged or staked animals
951.095	Harassment of police and fire animals
951.097	Harassment of service dogs
961.41(1)	Distribution of a controlled substance – “while armed”;
961.41(1m)	Possession of a controlled substance with intent to distribute – “while armed”

### **Misdemeanor Crimes –Risk of Injury**

940.19(1)	Misdemeanor Battery
940.225	4th Degree Sexual Assault
941.23 etc.	Carrying a Concealed Weapon
940.42	Intimidation of witnesses; misdemeanor
940.44	Intimidation of victims; misdemeanor
941.20(1)	Endangering safety by use of a dangerous weapon
943.50 (1M)(D)	Retail Theft (modifier/enhancer--While Armed)
946.41	Resisting an officer
947.01	Disorderly conduct while armed
939.63	While Armed
948.55	Leaving/Storing a Loaded Firearm with the Reach of a Child
948.60	Possession of Dangerous Weapon by a Child
948.605	Gun Free School Zones
948.605(2)(A)	Possess Firearm in School Zone ( <b><u>both misdemeanor and felony</u></b> )

948.61	Dangerous Weapons other than Firearms on School Premises
951.02	Mistreating animals
951.08	Instigating fights between animals
951.09	Shooting at caged or staked animals
951.095	Harassment of police and fire animals
951.097	Harassment of service dogs