



STATE REPRESENTATIVE

SAMANTHA KERKMAN

2019 Assembly Bill 172 / Senate Bill 161

OWI 12 Hour Holds / Release to a Responsible Party

Assembly Committee on Criminal Justice and Public Safety

Thursday, October 31, 2019

Chairman Spiros and Members of the Committee, thank you holding a hearing on Assembly Bill 172 and allowing me the opportunity to share the importance of making changes to Wisconsin's OWI laws – specifically the law that allows a drunk driver to be released to a responsible party after arrest.

This legislation was prompted by a horrifying accident in Kenosha County which was caused when an intoxicated driver – in his second OWI offense of the night – ran a red light and smashed into the side of the victim's car causing extensive, critical injuries. The intoxicated driver had been pulled over two hours before and was released to a responsible party – his mother – only 30 minutes before this nearly-fatal accident occurred.

Current law provides three options to Wisconsin law enforcement after arresting a driver for an OWI offense: 1) release the driver 12 hours after arrest, 2) release the driver after a chemical test shows they have an alcohol concentration of less than 0.04, or 3) release the driver to their attorney, spouse, relative, or other responsible adult at any time after the arrest.

Assembly Bill 172 removes from statute the ability to release an intoxicated driver to a responsible party and instead requires that the arrested person may not be released until 12 hours after the arrest or until the person has an alcohol concentration of 0.04 or less.

As much as we'd like to believe these are rare occurrences, a [news investigation](#)¹ earlier this year on the Kenosha County case found that at least two other incidents of intoxicated drivers being arrested for second OWI offenses within hours of having been legally released from jail for their first. Another [news report](#)² on a separate 'twice-in-one-night' OWI in Sauk County indicates that incident was one of two in about a month [in that county](#).

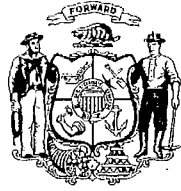
As a legislator, it frustrates me that we even need to have this conversation. Intoxicated drivers have no regard for their own or others' safety, and in many cases the friends and family who bail them out fail in their obligation to be responsible. NCSL research indicates that Wisconsin is one of only two states that allow intoxicated drivers to be released before they are sober. Something has got to change. Either we eliminate this ability to release an intoxicated driver to a responsible party, or we ensure that the responsible party is truly responsible.

Either way, when a driver arrested for OWI is released from police custody, he or she should no longer be a threat to other drivers on our state's roads.

I introduced this legislation with the support of the Kenosha County District Attorney and the Pleasant Prairie Chief of Police and ask committee members to support this common sense solution to make Wisconsin's roads safer for all of us.

¹<https://fox6now.com/2019/02/10/being-picked-up-for-drunk-driving-in-wisconsin-does-not-mean-a-night-in-jail/>

²https://www.wiscnews.com/baraboonewsrepublic/news/local/crime-and-courts/woman-charged-with-two-drunken-driving-offenses-in-same-day/article_a79115c1-bd5a-57cb-97d0-958948a4f5d6.html



Van H. Wanggaard

Wisconsin State Senator

Testimony on Assembly Bill 172

October 31, 2019

Thank you Chairman Spiros and members of the Committee on Criminal Justice and Public Safety for hearing Assembly Bill 172, otherwise known as the "sober up" bill. today.

Under current law, when someone is arrested for drunk driving they are taken into police custody and are held for twelve hours or until their blood alcohol concentration lowers to .04 or less. At any point during the hold however, they may be released to a responsible adult.

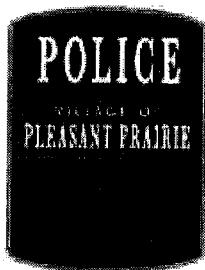
On too many occasions, drunk drivers are released to responsible adults and get right behind the wheel again. Last summer, a Pleasant Prairie Officer arrested a man for drunk driving. Just two hours later he was arrested again in Kenosha after critically injuring a Kenosha woman. Unfortunately, this is not unusual. A quick search on the internet will yield results highlighting similar stories all over Wisconsin in the past year.

Assembly Bill 172 as amended by Substitute Amendment 1 aims to curb this dangerous behavior. The bill make the responsible adult into whose custody the offender is released liable for the offender's criminal actions related to drunk driving for twelve hours upon release. This provision will increases accountability, alleviates jail population and costs, and helps keep reckless drivers off Wisconsin roadways.

I would like to thank you again for holding this hearing today, and I urge you to support AB 172 to help make our roads safer.

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Sen.Wanggaard@legis.wi.gov • SenatorWanggaard.com



Office of the Chief of Police
David Smetana

October 31, 2019

State Representative Samantha Kerkman
103 W State Capitol
PO Box 8952
Madison, WI 53708-8952

Dear Representative Kerkman,

Thank you for the opportunity to support this legislation. I greatly appreciate the work done by the legislature to address the serious issue of impaired driving and the effect it has on our community.

The tragic incident that drove this change to our laws:

An impaired driver was stopped by a Pleasant Prairie Police Officer. Our officer properly detained and took this party into custody for a first offense of driving while impaired. After being processed for the offense, the individual was properly released to his mother per our guidelines.

After being released to his mother, the impaired driver decided to leave his home and get back into a vehicle. His decision led to a horrible collision that severely injured an innocent Kenosha resident on her way to work. Her life is forever changed.

I fully support this new legislation which holds a third party civilly responsible for any damages caused by an impaired driver who gets back behind the wheel of a vehicle within the 12 hour time period.

Again I appreciate the work that went into effecting these changes for the safety of the public we all serve.

Sincerely,

A handwritten signature in black ink, appearing to read "David B. Smetana", written in a cursive style.

David B. Smetana
Chief of Police

DBS:fkf





To: Members, Assembly Committee on Criminal Justice & Public Safety
From: Badger State Sheriffs' Association (BSSA)
Wisconsin Sheriffs and Deputy Sheriffs Association (WS&DSA)
Date: October 31, 2019
RE: Comments for Information Only – Assembly Bill 172

BSSA and WS&DSA submit these comments for information only regarding Assembly Bill 172. This bill would prevent individuals arrested for OWIs from being released from custody to a responsible adult. Law enforcement would have to hold every person arrested for an OWI for 12 hours or until the person a blood alcohol level of 0.04 or less.

While we acknowledge and understand the tragic impetus for this legislation, it also the exception not the norm. Overall, the current policy to allow an individual to be released into custody to a responsible adult is effective and allows the Sheriff to properly manage individuals in the jail. Sheriffs already work to ensure that if an OWI arrest is released, they are released to a truly responsible party. Eliminating this option will not solve the problem, but rather compound the current challenges many Wisconsin jails face.

Many county jails are already overcrowded and lack the capacity to take on additional 12 hour holds. At least 24 Wisconsin county jails have less than 100 beds. Counties of all sizes face capacity challenges. In addition, this legislation would require more jail time and staff resources for the transport and increased processing. In counties with large geographical areas, the transit time to the jail can be 45 – 60 minutes. Local police jurisdictions who sometimes only have one officer on duty at a time, will have to drive outside their jurisdictions every time to admit the individual to jail.

Our organizations have spoken to the authors' offices about our concerns with this bill and believe we can come to a compromise to meet the intent of the bill without compromising law enforcement's discretion to release a person to a responsible party and further increase jail costs and capacity.

Thank you for your consideration.

KENOSHA NEWS

THURSDAY, AUGUST 30, 2018

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\$2.00



KENOSHA NEWS PHOTO BY BILL SIEL

Jennifer Kilburn talks about critical injuries she suffered in an auto accident caused by a drunken driver. After five surgeries, she is not wheelchair-bound until she heals enough to begin physical therapy to relearn to walk again. She and her husband plan to lobby for changes to the state's drunken-driving laws to make it more difficult for offenders to quickly get behind the wheel of a motor vehicle.

A long road to recovery

Woman hurt by accused drunken driver hopes to change DUI laws

BY DENEEN SMITH
dsmith@kenoshanews.com

A Kenosha woman who was critically injured when a drunken driver crashed into her car just a half hour after he was released from police custody is working on her recovery and hoping to lobby for tougher drunken-driving laws.

Jennifer Kilburn had just left her home at 4:47 a.m. on Aug. 9 and was headed to work at Aurora Hospital, where she is a nurse who works with patients before and after surgeries.

Three minutes later, a car driven by Jesse Liddell, a 25-year-old Kenosha man, allegedly ran a red light at 75th Street and 60th Avenue, smashing into the side of Kilburn's car.

The force of the crash shattered Kilburn's pelvis and ruptured her diaphragm, catapulting her intestines into her chest cavity and causing a lung to collapse. When a witness ran to her car to help her,

'THEY BASICALLY HAD

to reconstruct my pelvis.

There are plates, screws, a whole hardware store in there.'

Jennifer Kilburn
Kenosha crash victim

he found her unconscious, according to a criminal complaint.

The crash was Liddell's second drunken-driving offense in less than 2½ hours.

Liddell had just been released 30 minutes before the crash from the Pleasant Prairie Police Department. Police had released Liddell — who had been arrested for operating while intoxicated at 2:23 a.m. that same night — to his mother after she signed a responsibility agreement that she

would not allow him to operate a vehicle for 12 hours.

After the crash, Kenosha Police reported Liddell smelled of alcohol and failed a field sobriety test, according to a criminal complaint.

Five surgeries so far

After the crash, Kilburn, 40, was taken first to Aurora, then transferred by helicopter to Froedtert Hospital in Wauwatosa where she almost immediately was taken into surgery — the first of five surgeries the first two weeks after the crash. Two surgeries were aimed at repairing her ruptured diaphragm and repairing internal injuries. Three were focused on repairing her pelvis.

She spent days on a ventilator and doesn't remember the crash or her first days in the hospital.

See **RECOVERY**, Page A5

RECOVERY: Plans to lobby for change in DUI laws

From Page A1

"They basically had to reconstruct my pelvis," she said. "There are plates, screws, a whole hardware store in there."

Kilburn was able to return to her Kenosha home over the weekend in a wheelchair after two weeks in the hospital. Because of the damage to her pelvis, she will remain in the wheelchair for three to four months, doctors saying she will not be able to put any weight on her legs for at least that time.

"After that, I'll start physical therapy and then I'll have to learn how to walk again," she said.

Confined to wheelchair

An avid runner and fitness enthusiast, Kilburn said the prospect of being confined to a wheelchair is difficult.

She said her doctors have told her that, because the damage to her hip joints was so extensive, she will likely need a total hip replacement within three years. They are unable to do that now because the bone needs to heal first.

Kilburn said it is also difficult to have to depend on others for help. Her husband, Robert Brown, along with a rotating collection of family, fellow nurses and friends from the Kenosha Running Club, have been helping with everything from cutting the lawn to providing meals and changing her bandages.

"I'm blessed," she said of all the people turning out to help, but she said the role reversal is tough. "It's hard to accept help when you are used to being the helper."

"I'm a nurse, I'm used to taking care of other people," she said. "I'm used to go, go, go."

The crash is also taking a financial toll. Liddell — who was not injured in the crash — did not have auto insurance, Robert Brown said, and so the medical bills associated with the surgeries and hospital stay will be billed to Kilburn at the same time she is unable to work for months.

Will lobby for law changes

While Kilburn is focused for now on healing, she said she and her husband hope to begin work on lobbying for changes in the way drunken-driving offenses are handled in Wisconsin.

"What I would like to see happen is that people be held longer," she said.

In Wisconsin, a first-offense drunken driving is not a criminal offense, instead treated like a driving citation.

When Liddell was cited for DUI at 2:23 a.m. on Aug. 9, Pleasant Prairie Police followed state rules in releasing him to a sober adult, who signed a state form called a "responsibility agreement," agreeing to take responsibility of Liddell and prevent him



Jennifer Kilburn talks about critical injuries she suffered in an auto accident caused by a drunken driver.

KENOSHA NEWS PHOTO BY BILL SIEL

from driving for at least 12 hours.

Pleasant Prairie Police Chief David Smetana said Liddell's mother signed the agreement, and said an officer spoke to her and determined that she was sober.

According to the criminal complaint, his mother, Norma, told police after the crash that she drove her son to his car, left her car parked and drove his car home with her son as a passenger. The complaint states that she took his car keys, rolled them up in his pants and left them on a chair,

"She thought the defendant was going to bed," the complaint states.

Instead, he left and went to a store, according to his statements to police.

Other driver in jail

Since the crash Liddell has been held at Kenosha County Jail for injury by intoxicated use of a vehicle. His bond has been set at \$25,000.

Kilburn said she would like to see state laws changed to make sure people arrested for drunken driving cannot get straight back into a car,

suggesting that they be held in custody until sober and that their vehicles are impounded for 12 hours.

She said she thinks lawmakers should also create a penalty for those who take responsibility for a person after a drunken-driving arrest and then fail to keep them from driving while still drunk.

"Where is the responsibility?" she asked.

Kilburn's family has created an online fundraiser to help with her medical expenses. It can be found at www.go-fundme.com/jennifer-kilburn-recovery-donation.

‘Where’s the responsibility?’ Time for law change

Like you, we read about offenders with four, or six, or eight OWI offenses and shake our heads.

How did this person stay in the community and keep driving? We ask it over and over.

Of late though, we’re shaking our heads over a drunken driving case that begs the question, “Where’s the responsibility?”

The case was detailed in the Kenosha News late last month. Jennifer Kilburn had just left her home at 4:47 a.m. on Aug. 9 and was headed to work at Aurora Medical Center, where she is a nurse. Three minutes later, a car driven by Jesse Liddell, 25, allegedly ran a red light at 75th Street and 60th Avenue, smashing into the side of Kilburn’s car.

Liddell, of Kenosha, had been cited for DUI at 2:23 a.m. that day. Pleasant Prairie Police followed state rules in releasing him to a sober adult, who signed a state form agreeing to take responsibility of Liddell and prevent him from driving for at least 12 hours.

The adult, his mother, “thought the defendant was going to bed,” the criminal complaint states.

Instead, he left and went to a

OUR VIEW

store, according to his statements to police.

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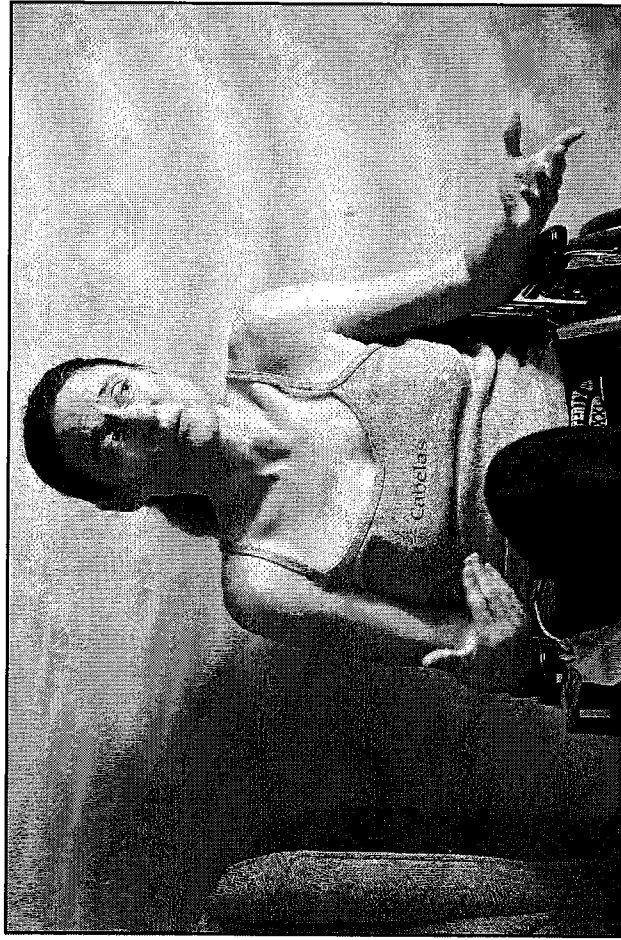
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KENOSHA NEWS FILE PHOTO BY BILL SIEL//

Jennifer Kilburn talks about critical injuries she suffered in an auto accident caused by a drunken driver. After five surgeries, she is wheelchair-bound until she heals enough to begin physical therapy to learn to walk again. She and her husband plan to lobby for changes to the state’s drunken-driving laws to make it more difficult for offenders to quickly get behind the wheel of a motor

burn-recovery-donation.

We join Kilburn in wanting to see state law changed to stop anything like this from happening again.

We hope the details of this case are shared in Madison, and we’d like to see legislators step forward to push for changes Kilburn outlines.



Being picked up for drunk driving in Wisconsin does not mean a night in jail

POSTED 9:16 PM, FEBRUARY 10, 2019, BY [BEN HANDELMAN](#), UPDATED AT 09:51PM, FEBRUARY 10, 2019

MILWAUKEE -- Wisconsin remains the only state in the country where getting busted for your first OWI is **not** a crime. A Kenosha woman found out the hard way Wisconsin is also a place where drunk drivers are getting behind the wheel just hours after being released by police.



Jennifer Kilburn

There are many things in life we take for granted. Jennifer Kilburn of Kenosha knows walking will never be one of them again. The runner and orthopedic nurse found herself on the other side of the table at an Aurora rehab facility after seemingly endless work to get to that point. After more than three months in a wheelchair, Kilburn said she's thankful to be alive.

"So, I don't remember anything. I don't want to remember," Kilburn said.



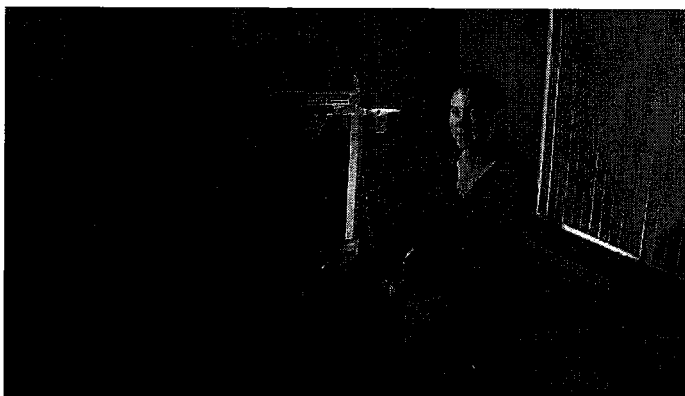
Jennifer Kilburn

On Aug. 9, 2018, Kenosha police rushed to the scene of a crash.

"I was on my way to work -- and it was just another day," Kilburn said.

Kilburn's vehicle was slammed from the side.

"On impact, it hit my left hip -- and my left thigh bone went through the socket and pushed my internal organs into my left chest cavity," Kilburn said. "My pelvis was shattered into, I don't know how many pieces. They lost count after 20 some."



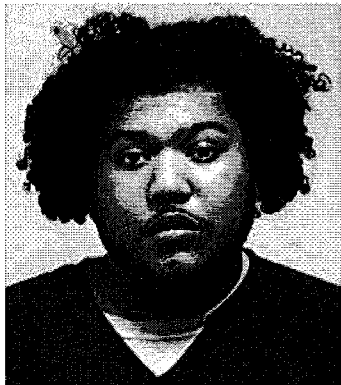
Jennifer Kilburn

<https://fox6now.com/2019/02/10/being-picked-up-for-drunk-driving-in-wisconsin-does-not-mean-a-night-in-jail/>



Wreck that seriously injured Jennifer Kilburn

Kilburn was rushed to a hospital.



Jesse Liddell

Jesse Liddell, 25, of Kenosha was questioned by police. Drunk and slurring his speech, Liddell claimed he did nothing wrong.

"This is ridiculous. Now, I'm going to get charged with this (expletive) because she wouldn't wait her turn," Liddell said in the dashcam video.

Witnesses said Liddell ran a red light.

<https://fox6now.com/2019/02/10/being-picked-up-for-drunk-driving-in-wisconsin-does-not-mean-a-night-in-jail/>



Jesse Liddell in the back of a Kenosha police squad

The biggest surprise -- it was not Liddell's first OWI arrest of the night. Two hours earlier, Pleasant Prairie Officer Jeremiah Gates spotted a vehicle going nearly double the speed limit. Liddell failed his first field sobriety test. Then, just 30 minutes after being released by police in Pleasant Prairie, Liddell was in the back seat of a Kenosha police squad.

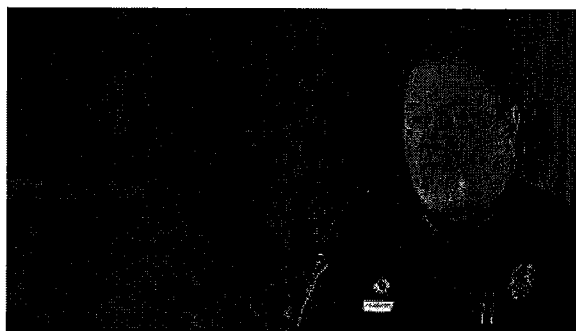


<https://fox6now.com/2019/02/10/being-picked-up-for-drunk-driving-in-wisconsin-does-not-mean-a-night-in-jail/>



Jesse Liddell pulled over for suspected OWI

It turns out, being picked up for drunk driving in Wisconsin does not mean a night in jail.



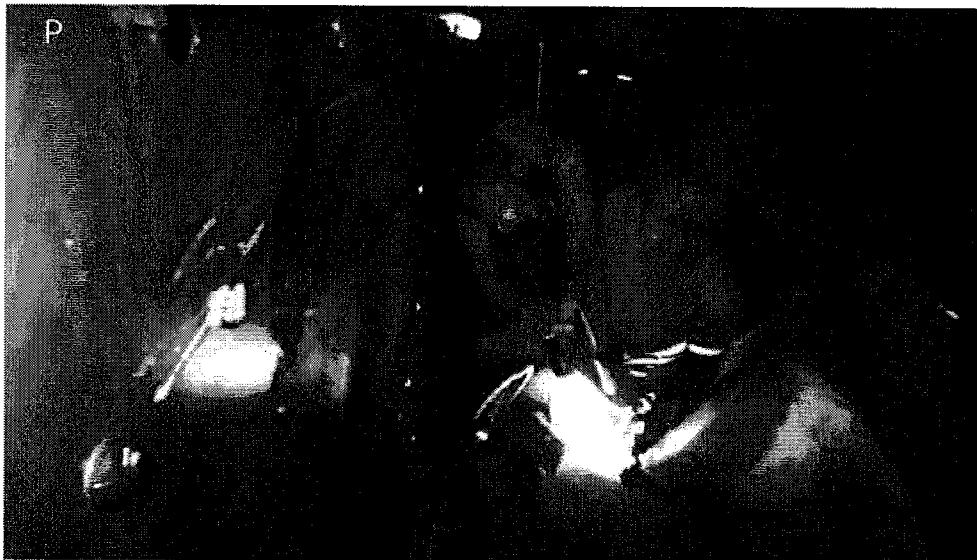
David Smetana, Pleasant Prairie Police Chief

"Once we gather all that evidence, we try to secure a safe ride home for them," said David Smetana, Pleasant Prairie police chief.

In Wisconsin, police departments allow sober family and friends to pick up first-time OWI suspects, if they agree to sign a form taking over responsibility. That is what happened in July when police arrested 47-year-

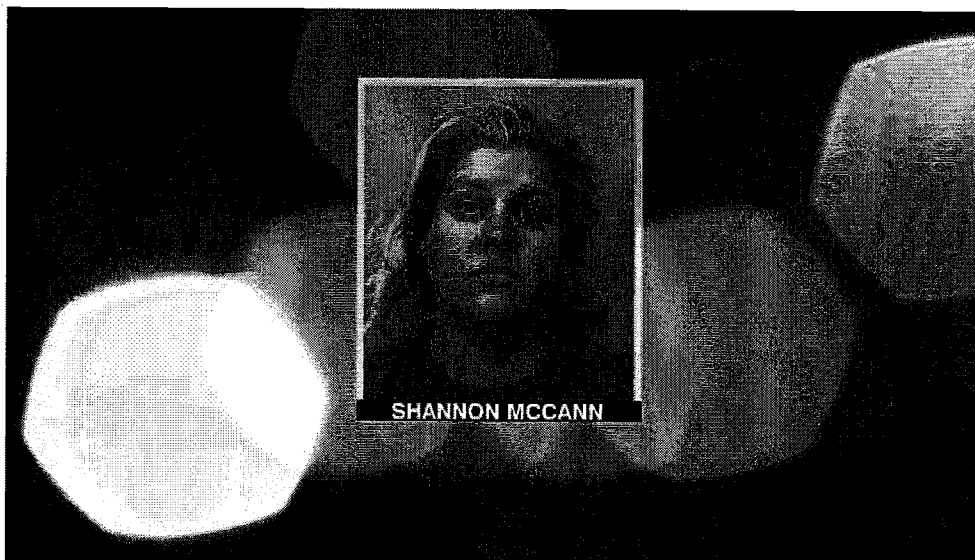
<https://fox6now.com/2019/02/10/being-picked-up-for-drunk-driving-in-wisconsin-does-not-mean-a-night-in-jail/>

old Yangchen Sopa for an OWI in Verona. About an hour after being released to her husband, the same officer spotted her driving again.



OWI arrest of Yangchen Sopa

In September, police arrested 35-year-old Shannon McCann of Sun Prairie hours after she was released to a responsible party following her first OWI.





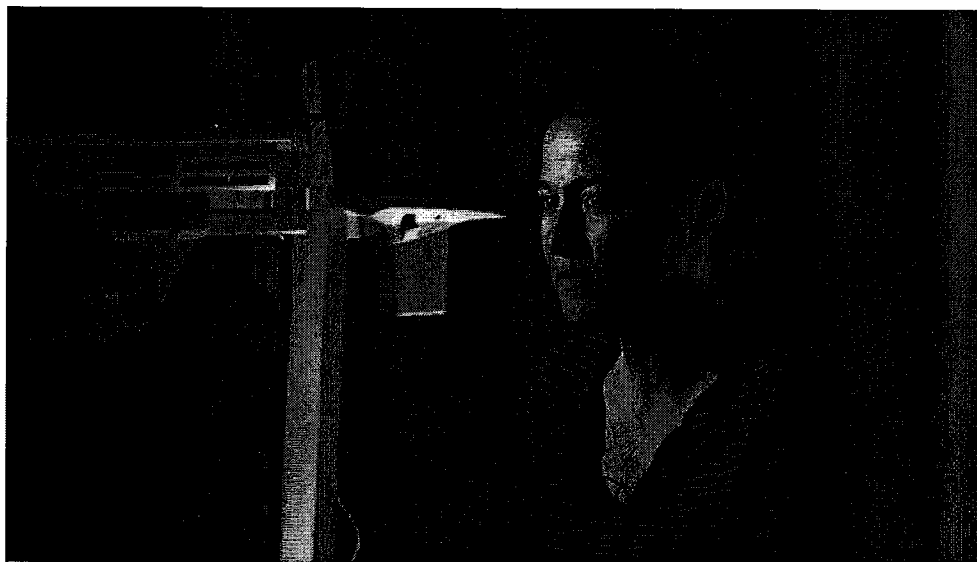
Norma Cavazos, Jesse Liddell's mother

Liddell's mother picked him up. In the fall, she told FOX6 News she tried to hide her son's keys in a pair of pants.

"He got sneaky. Found where I had rolled up the pants and took off on me again," Liddell's mother said.

Law enforcement officials said while these cases represent anomalies, there may be more of them than you realize.

"I guess we're not sure how many other times an impaired driver leaves with someone that's a responsible individual -- goes home, either gets dropped off at their car, or goes and picks up their car or gets another car and continues their night. We're not sure how times that happens," Chief Smetana said.



Jennifer Kilburn



State Rep. Samantha Kerkman (R-Salem)

After nearly losing her life to a drunk driver, Kilburn said she never thought she would be in this position. Her experience attracted the attention of Rep. Samantha Kerkman, R-Salem.

"As a Legislature, it frustrates me that we're even hearing talking about this," Kerkman said.

Kerkman is working on a bill that would not allow OWI suspects to be released until they are sober.

"I'm going for a 12-hour hold," Kerkman said.

<https://fox6now.com/2019/02/10/being-picked-up-for-drunk-driving-in-wisconsin-does-not-mean-a-night-in-jail/>



Wisconsin State Capitol

The idea has gotten support from not just Republicans and Democrats, but also law enforcement.

"I think if that can stop this from happening again, I think it's common sense," Chief Smetana said.

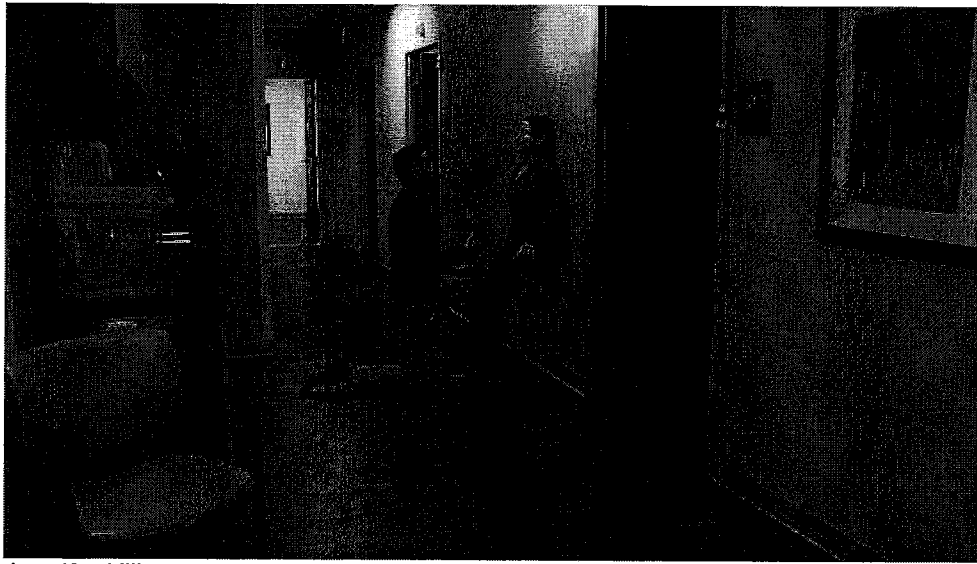


Jennifer Kilburn

Kilburn, once bound to a wheelchair, said her sights were set on one day being able to run again. She said she hopes her most powerful steps ahead help prevent this from ever happening again.

"Since I survived the crash that day, I feel this is a good opportunity to make changes to try to protect other people -- so that they don't get hurt or killed," Kilburn said.

<https://fox6now.com/2019/02/10/being-picked-up-for-drunk-driving-in-wisconsin-does-not-mean-a-night-in-jail/>



Jennifer Kilburn

In all of the cases FOX6 News reviewed, those "responsible parties" who picked up their family members and promised to keep them off the roads were not charged or fined.

Lawmakers said there is little teeth in the law. They said a "mandatory hold" would solve that issue. They urged you to tell your representatives you support changes.

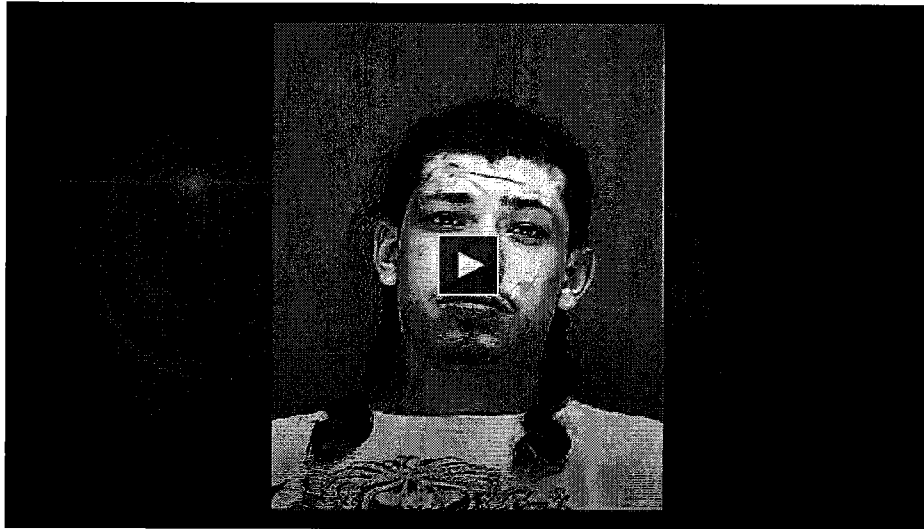
Meanwhile, earlier this month, Liddell pleaded guilty to a felony charge of injury by intoxicated use of a vehicle. His sentencing is set for March 28.

<https://fox11online.com/news/local/green-bay/18-year-old-arrested-for-drunk-driving-twice-in-a-few-hours>

18-year-old arrested for drunk driving twice in a few hours

by Courtney Ryan, FOX 11 News

Monday, June 5th 2017



ASHWAUBENON (WLUK) - An 18-year-old man was arrested for drunk driving twice in about 2.5 hours Sunday morning, according to Ashwaubenon Public Safety.

Early Sunday morning, June 4 at approximately 4:20 a.m., Ashwaubenon officers responded to a crash in the 2100 Block of S. Broadway St where a vehicle struck a light pole.

Officers say Preston Bierhals, 18, was coming home from a graduation party and seemed impaired.

According to the criminal complaint, Bierhals told officers he was trying to make a phone call when he lost control and struck the light pole.

The complaint goes on to say Bierhals had a suspended drivers license and he failed a standardized field sobriety test.

Bierhals had a blood alcohol level of .157, the complaint states.

"The legal limit for him is 0, but he was still above the .08, he was over .10 actually both times," said Capt. Jody Crocker.

Officers processed him for OWI 1st Offense and he was released to another adult who signed a Responsibility Agreement to not allow him to operate a motor vehicle.

<https://fox11online.com/news/local/green-bay/18-year-old-arrested-for-drunk-driving-twice-in-a-few-hours>

"They signed an affidavit that says to us that they will take that responsibility in lieu of this person sitting in jail for the next 12 hours. Here of course, that didn't work," said Capt. Crocker.

At approximately 7 a.m., another officer was working a traffic detail for a triathlon at the entrance to Ashwaubomay Park and recognized Bierhals from the previous arrest operating another vehicle. The officer stopped him and once again, administered a field sobriety test, which he failed, the criminal complaint reads.

Bierhals was again processed for alleged OWI 2nd and taken to the Brown County Jail.

According to the criminal complaint, his blood alcohol level for the second test was .121.

Crocker said Bierhals told officers he was coming from a graduation party, it's still unclear who's party it was. Crocker says it's possible the host of the party may be charged if they supplied alcohol to underage people.

"Minors that have been drinking, we find out that they do basically admit to driving under the influence of alcohol when they do leave these parties," explained State Rep. Andre Jacque, R- De Pere.

Lawmakers will vote on a bill later this month that tighten the laws when it comes to adults allowing underage drinking in their homes, Andre Jacque is a co-author of the bill.

"It's not okay to basically, harbor the delinquency of minors," explained Jacque.

People who break the law could be fined \$500 for a first offense and face increasing penalties for additional offenses.

Crocker said police are investigating if charges should be filed against the person Bierhals was released to.

Bierhals is currently charged with two counts of bail jumping related to Sunday's incident and because of a previous, still open drug case.

Prosecutors say before they can add a second drunken driving charge, the ticket he received hours earlier for a first drunken driving offense must be resolved.

Bierhals is expected to be back in court next week.

https://madison.com/wsj/news/local/crime/madison-woman-arrested-for-drunken-driving-twice-in-3-hours-in/article_9ace9d8e-f8ec-5d81-acdb-99662f0d554e.html#1

Madison woman arrested for drunken driving twice in 3 hours in Verona

BILL NOVAK bnovak@madison.com

Jul 2, 2018

A Madison woman stopped and ticketed for drunken driving early Saturday morning in Verona was stopped and taken to jail three hours later for doing the same thing, again in Verona, authorities reported.

Yangchen Sopa, 47, was taken to the Dane County Jail at about 5:30 a.m. Saturday on a 12-hour hold, technically for a first-offense operating while intoxicated offense, because her first offense three hours earlier hadn't been adjudicated, police said.

Sopa was stopped at about 2:15 a.m. Saturday in the 100 block of East Verona Avenue, because her vehicle had a defective headlight. She was arrested for operating while intoxicated and taken to the Verona police station, before being released to her husband at about 4:30 a.m.

Fifty minutes later, the same Verona officer who stopped her the first time stopped her again in the 500 block of East Verona Avenue.

"The vehicle still had a defective headlight and she was seen driving the vehicle," said Sgt. Jesse Christensen. She was taken into custody, again on an operating while intoxicated charge.

The two cases are pending before Verona Municipal Court. If Sopa is convicted on the first charge, the second charge will be referred to the Dane County District Attorney's Office.



<https://wkow.com/news/crime/2018/09/21/sun-prairie-woman-arrested-twice-within-hours-for-owi/>

Sun Prairie woman arrested twice within hours for OWI

 9:24 am  September 21, 2018


CRIME, TOP STORIES



MADISON (WKOW) – A Sun Prairie woman was arrested twice for Operating While Intoxicated in the early morning hours Friday.

Shannon M. McCann, 35, of Sun Prairie, was first arrested at 12:28 a.m. after a traffic stop at Jacobson Avenue and Furey Avenue in the town of Blooming Grove, according to a news release from the Dane County Sheriff's Office.

After being conveyed to the Dane County Jail, she was cited for the 1st offense OWI and released to a responsible party.

At 1:53 a.m., the same deputy spotted McCann driving the same vehicle from the  traffic stop.

This time he stopped her at N. Fair Oaks Avenue and East Washington Avenue in Madison.

She was transported the Dane County Jail and was still testing at over twice the legal limit on the Intoximeter.

She was again cited for OWI and this time booked into the Dane County Jail.



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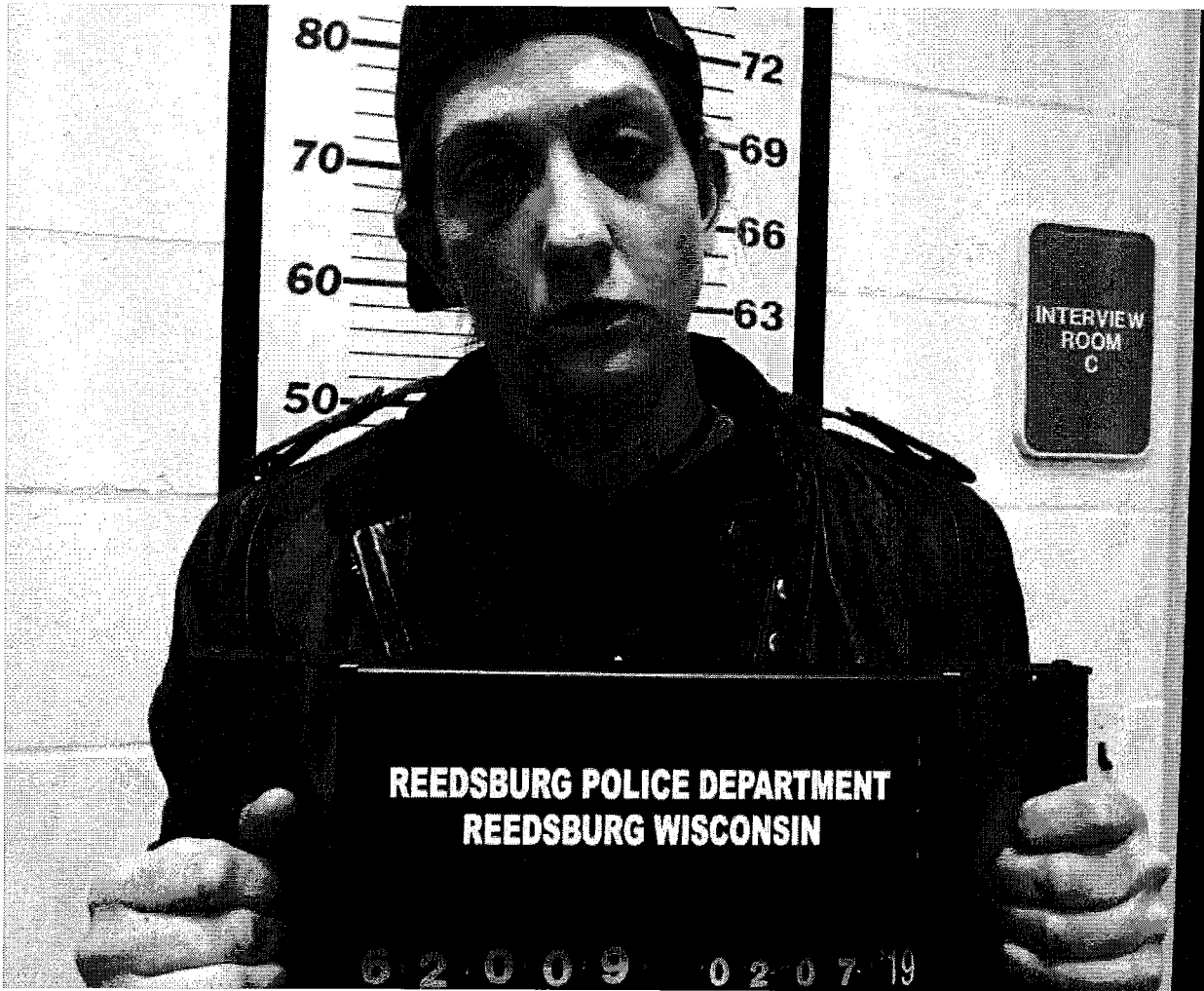
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BREAKING **TOP STORY**

Reedsburg woman cited for drunken driving twice in the same night

ERICA DYNES edynes@wiscnews.com Feb 7, 2019



Batzler

REEDSBURG POLICE DEPARTMENT/Contributed

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TIMES-PRESS ARCHIVES

A Reedsburg woman received her second citation for drunken driving Feb. 6 just hours after receiving her first.

According to police, Myranda L. Batzler, 27, was arrested at 7:50 p.m. for driving left of the center line in the area of Pine and East Main streets in Reedsburg. She was processed and released for first offense drunken driving and Reedsburg Police released her to a sober driver at about 10 p.m.

At around midnight, Reedsburg police said an officer observed the same vehicle driving the wrong way on South Walnut and Vine streets. South Walnut is a one-way street. Police say they stopped the vehicle and arrested Batzler a second time. She again was processed and released to a sober driver.

Reedsburg Police Chief Tim Becker said Batzler was issued two separate first-offense drunken citations since she “hasn’t been convicted of anything yet.”

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Both cases are scheduled to appear in Reedsburg Municipal Court in March. Becker said if convicted of the first citation, the second citation becomes a second-offense drunken driving charge and will transfer to Sauk County Circuit Court as a criminal offense.

First-offense drunken driving Wisconsin is a civil forfeiture unless bodily harm is involved or a minor child is in the vehicle at the time. The driver can be released to a responsible party once sober. Batzler faces fines between \$150-\$300 and license revocation of 6-9 months.

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TOP STORY

Woman charged with two drunken driving offenses in same day in Spring Green

TIM DAMOS tdamos@wiscnews.com Mar 8, 2019

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News Republic file photo

Authorities say a Beloit woman was caught drunken driving twice in the same day, the second time after rolling a vehicle along a town road.

A caller informed dispatch shortly before 4 p.m. Wednesday that a Silver Nissan Altima was speeding and getting close to the oncoming traffic lane, nearly striking several vehicles, according to a press release from Sauk County Sheriff Chip Meister.

A Spring Green police officer stopped the vehicle along Highway 14 west of Highway 23. After officers allegedly saw signs of impairment during field sobriety tests, 33-year-old Danielle Walkey was cited for her first drunken driving offense.

She was released to a responsible party, the release said, but came into contact with authorities again a short time later.

Just before 6:30 p.m., someone notified dispatch of a one-car rollover with injuries on Jones Road, east of State Highway 23 in the town of Spring Green. "A vehicle reportedly left the roadway and was occupied with two people," Meister stated in the release.

He said an investigation determined that Walkey was driving when the vehicle left the road and struck a barbed wire fence. She and a male passenger were located by police about an hour later on Neuheisel Road, less than a mile from where the rollover occurred.

Walkey was transported to a local hospital and the male passenger was taken to University of Wisconsin Hospital in Madison with non-life-threatening injuries, according to the release.

Meister said Walkey was cited for causing injury while drunken driving, a hit-and-run causing injury, failure to report an accident, and failure to maintain control and possession of drug paraphernalia.

It is the second time in about a month in Sauk County that a driver was cited twice for drunken driving within a few hours. Reedsburg Police said on Feb. 6 Myranda L. Batzler, 27, was cited for drunken driving and released, only to be picked up a second time later that night for the same offense.

Follow Tim Damos on Twitter @timdamos or contact him at

608-745-3513.

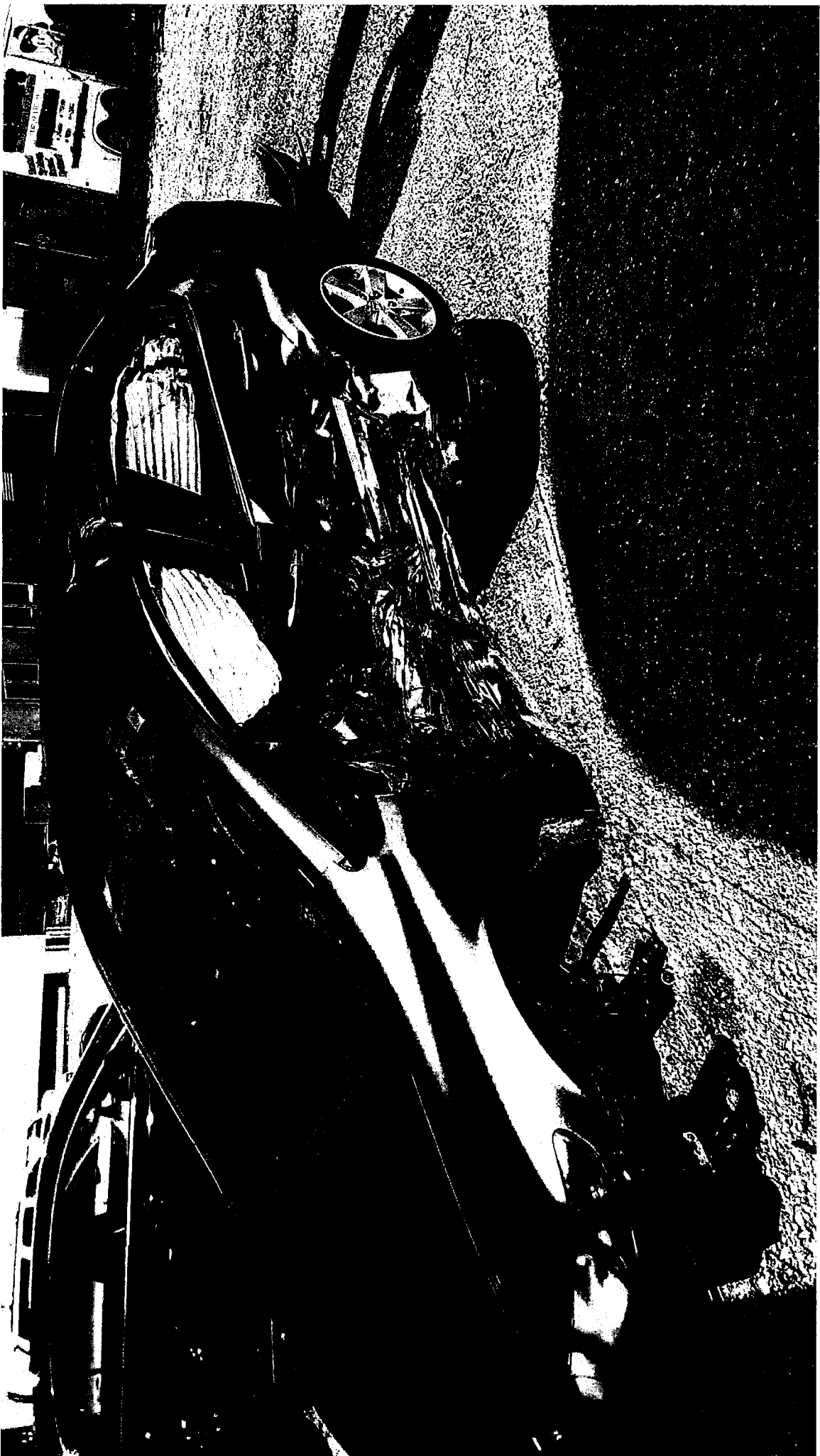
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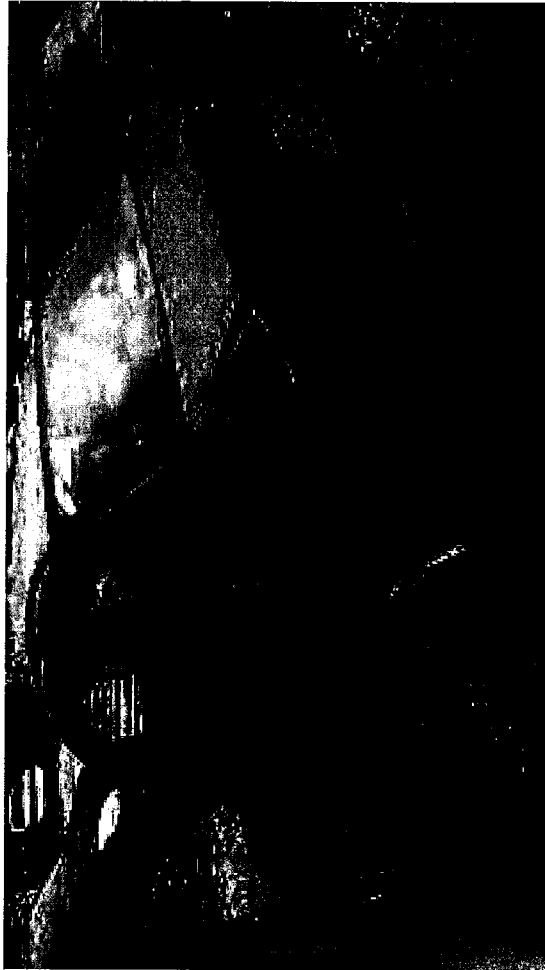


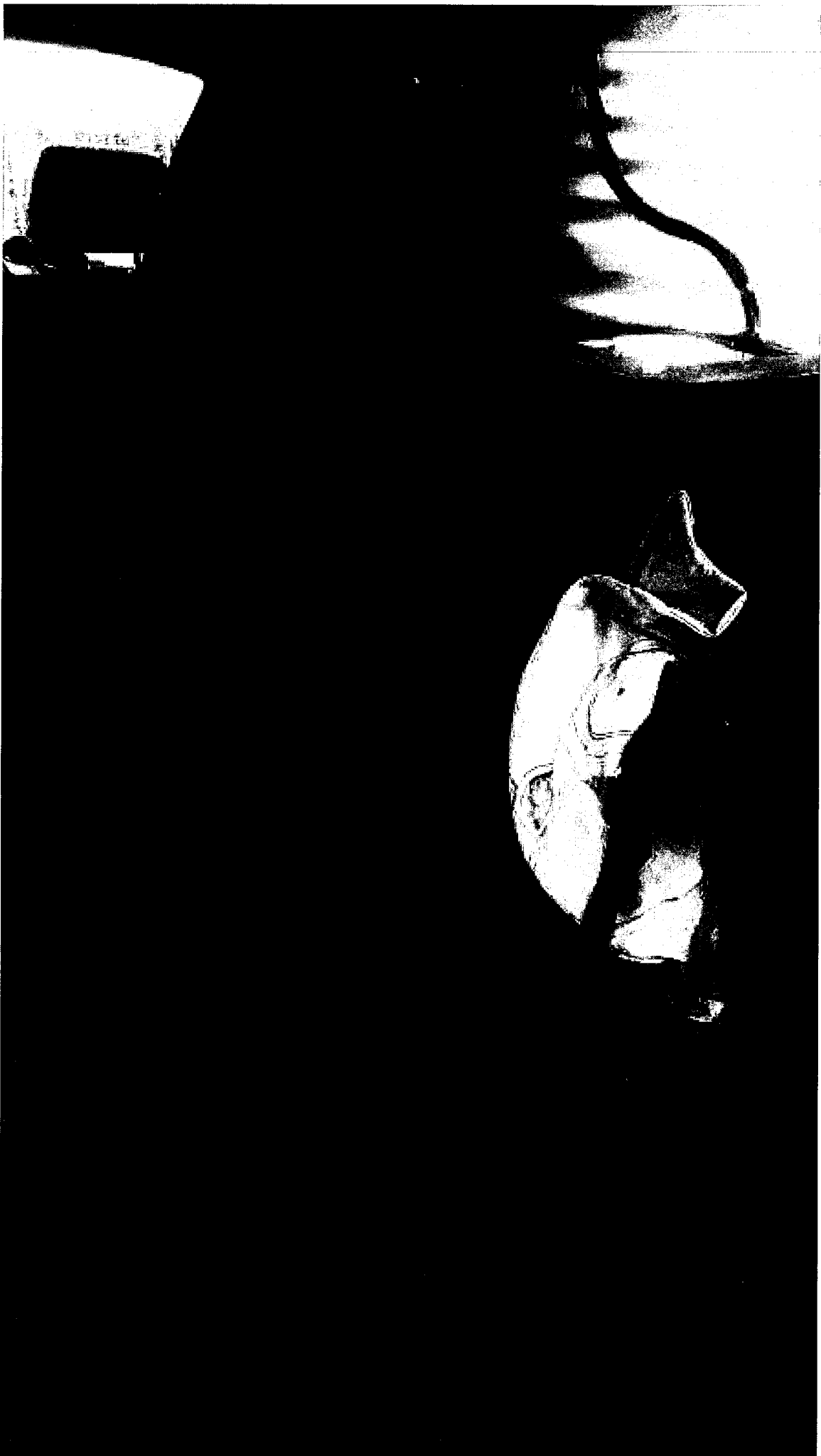
Reedsburg woman cited for drunken driving twice in the same night

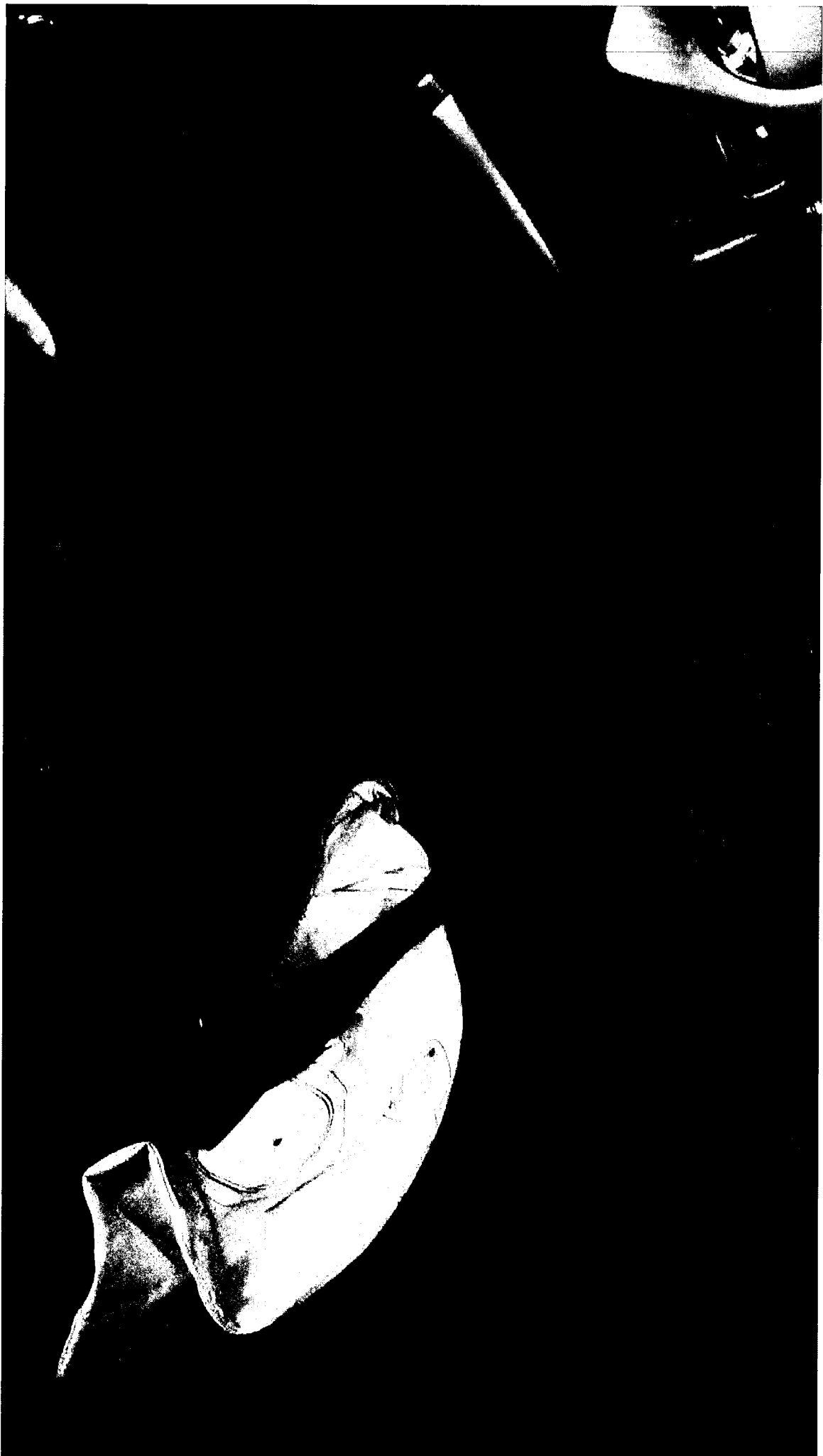
Tim Damos

Baraboo News Republic reporter









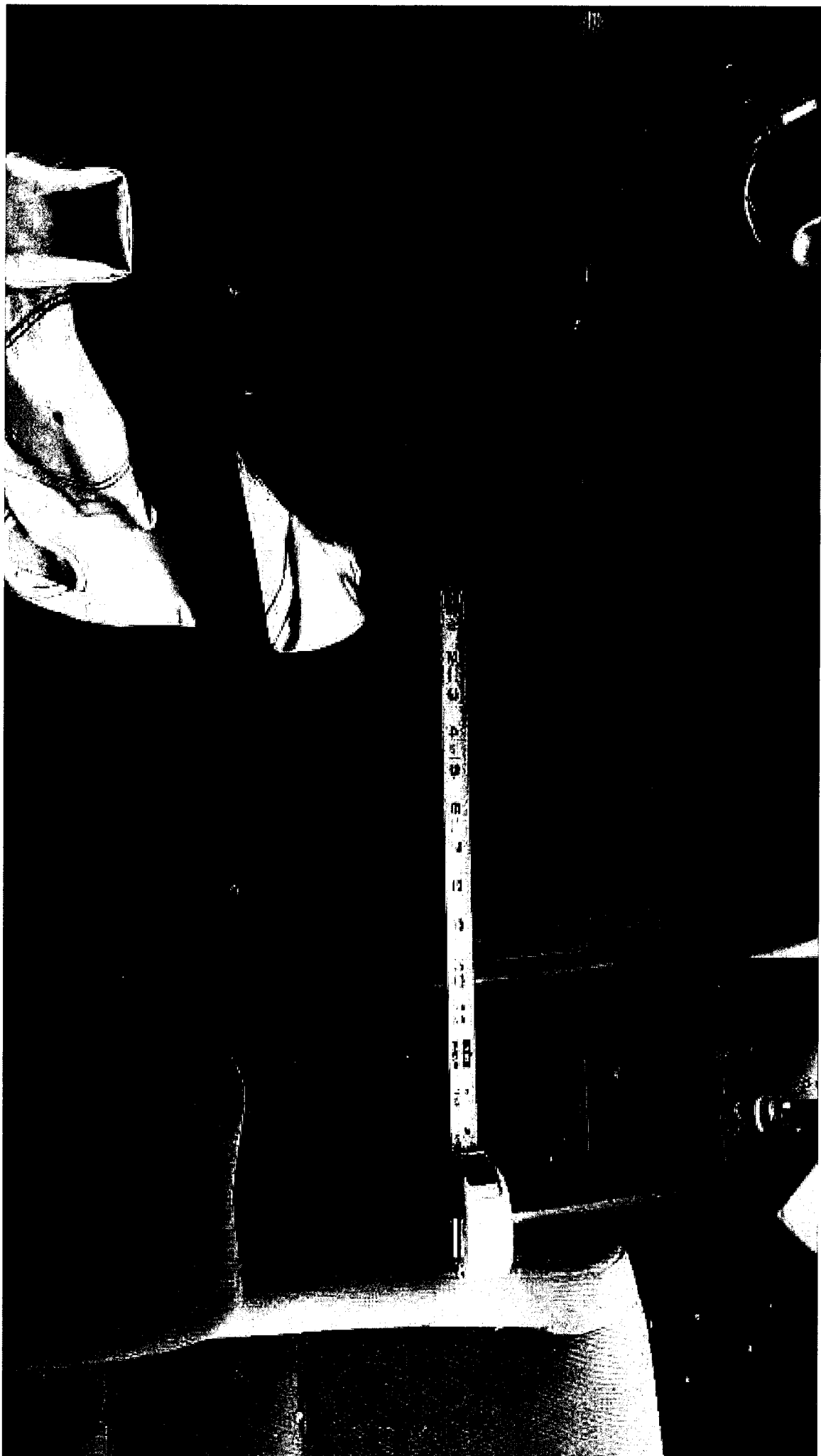
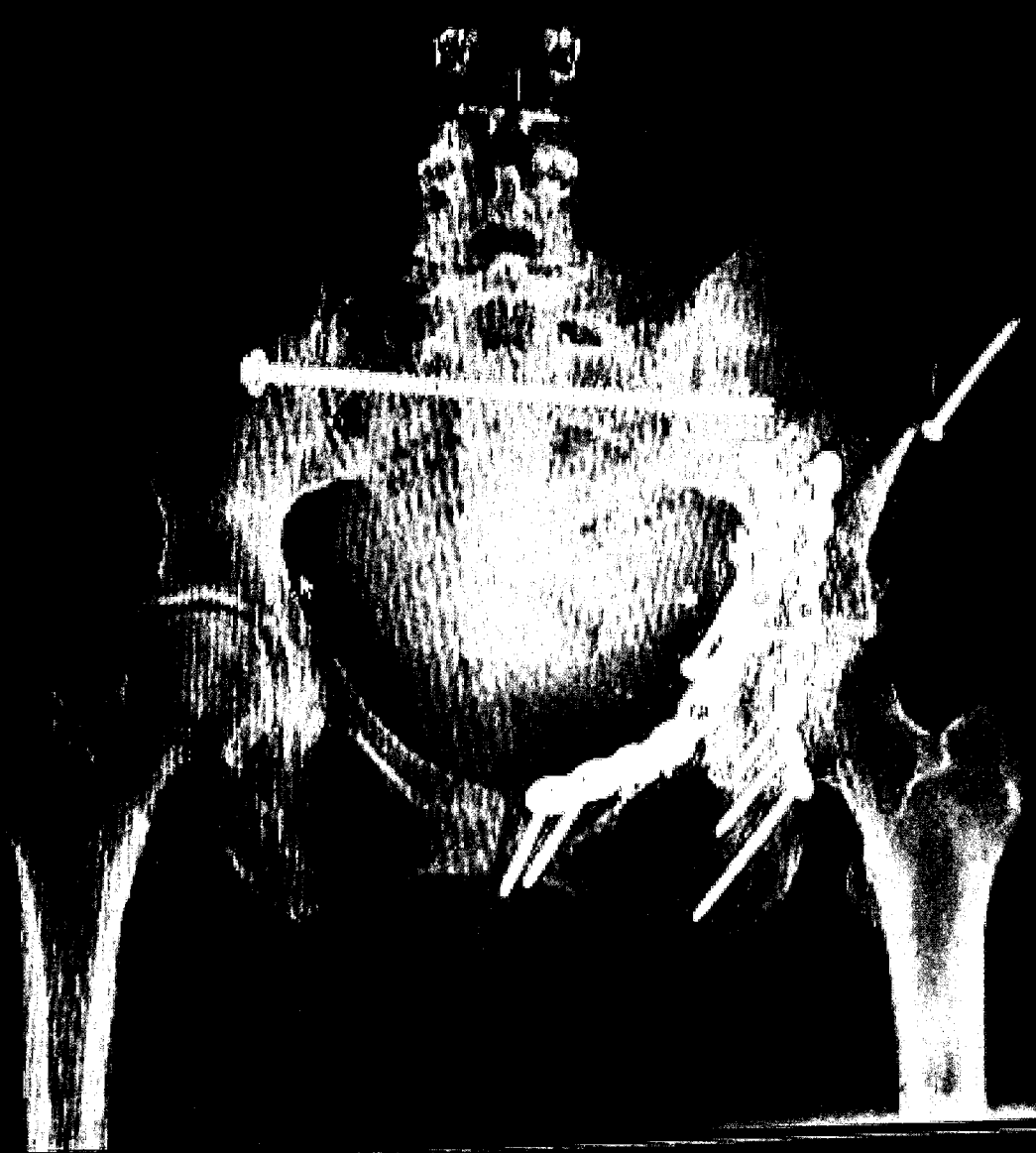




Fig. 1. (a) ...
(b) ...
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