



**Honorable Darcy J. Rood, Circuit Court Judge**

400 Courthouse Square ~ Suite 115 ~ Viroqua, WI 54665 ~ Phone (608) 637-5364 ~ Fax 637-5554

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March 19, 2020

**TO:** All Law Enforcement Agencies  
Vernon County District Attorney  
Office of State Public Defender  
Vernon County Clerk of Court

**RE: TEMPORARY ORDER ON BONDS**

To Whom It May Concern:

I wish to extend the authority of law enforcement to permit them to issue signature bonds during the COVID-19 pandemic. This is based on the interest in preserving the safety and health of the community, offenders and government employees. The following temporary order is authorized until either May 1, 2020 or further order of this court. Until May 1, 2020, defendants with warrants on misdemeanor and non-violent felonies may be released and given a court date of **June 3, 2020 at 8:30 am. Consider this memorandum an order of this court.**

Law enforcement of Vernon County has the authority to issue signature bonds in the following situations and the conditions that must be placed on bonds at this time of arrest are as follows:

**A. MISDEMEANOR DOMESTIC VIOLENCE OFFENSE BONDS:**

Anyone arrested for any criminal misdemeanor offense wherein domestic violence was involved must sign a signature bond to be released from custody if the arresting officer determines in their discretion that lethality is not present.

The bond shall contain the following condition:

**That the defendant, until further notice of the court, have no contact directly or indirectly with the victim(s) by telephone, mail, technology or through another individual, except through your attorney; stay away from residence and place of employment of the victim(s) of this criminal offense: [clearly insert name and address of victim(s)]**

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**B. OWI BONDS:**

Anyone arrested for Operating a Motor Vehicle While Under the Influence of an Intoxicant 2<sup>nd</sup> or subsequent offense, Operating a Motor Vehicle With a Prohibited Alcohol Concentration 2<sup>nd</sup> or subsequent offense, and/or Operating a Motor Vehicle with a Detectable Amount of a Restricted Controlled Substance 2<sup>nd</sup> or subsequent offense must sign a signature bond and be released from custody with a responsible party or if the BAC is below .02. The bond shall contain the following provisions:

- (1) That the defendant will not possess or consume alcohol;  
*and/or if charged with the Other Drug provision;***
- (2) That the defendant not possess or consume any drugs or controlled substances without a valid prescription from a licensed physician;**
- (3) That the defendant must comply with random drug and/or alcohol testing by law enforcement.**

**C. ALCOHOL RELATED OFFENSE BONDS:**

Anyone arrested for any criminal offense wherein alcohol was an underlying factor for the offense or offenses must sign a signature bond (or a cash bond) to be released from custody. The bond shall contain the following provision:

- (1) That the defendant not consume or possess any alcohol;**
- (2) That defendant must comply with random drug and/or alcohol testing by law enforcement.**

**D. OAR BONDS:**

Anyone arrested for any OAR offenses *may* be released from custody on a \$500.00 signature bond with the condition that they not operate a motor vehicle without a valid license. They must sign the bond to be released from custody.

**E. MISDEMEANOR POSSESSION OF TETRAHYDROCANNABINOLS OR DRUG PARAPHERNALIA BONDS:**

Anyone arrested for misdemeanor possession or attempted possession of Tetrahydrocannabinols [961.41 (3g)(e)] *must* be released from custody on a \$100.00 signature bond. Anyone arrested for misdemeanor possession of drug paraphernalia [961.573(1)] *must* be released from custody on a \$100.00 signature bond. They must sign the bond to be released from custody. The bond shall contain the following conditions:

- (1) That the defendant not possess or consume any drugs or controlled substances without a valid prescription from a licensed physician;**
- (2) That the defendant must comply with random drug and/or alcohol testing by law enforcement.**

**ALL OTHER MISDEMEANOR, NON-VIOLENT FELONY ARRESTS AND MISDEMEANOR BENCH WARRANTS FOR MISDEMEANOR AND NON-VIOLENT FELONYS**

For all other misdemeanor offenses, including traffic misdemeanors, not listed above, all Vernon County law enforcement agencies are authorized to issue signature bonds on all misdemeanors and non-violent

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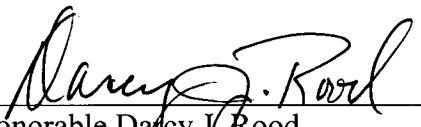
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felony cases whether new arrests or bench warrants. Officers may use their discretion based on the facts of a specific situation and the pandemic at hand.

I will continue to take calls from law enforcement officers looking for confirmation or authorization of a unique way to handle a situation he/she encounters. All criminal arrests not released on bond shall have a Probable Cause Statement and Judicial Determination form, which are being developed, submitted to the judge for review.

Please contact my office with questions.

Very truly yours.



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