



"...meeting community needs...enhancing quality of life."

LEGAL SERVICES DIVISION

Office of the City Attorney


100 North Appleton Street

Appleton, WI 54911

Phone: 920/832-6423

Fax: 920/832-5962

TO: Members of the Safety and Licensing Committee
Alderson Nate Wolff
Alderson Joe Prohaska

FROM: Darrin M. Glad, Assistant City Attorney 

DATE: October 12, 2020

RE: Resolution #15-R-20
Statutory Limits on Juvenile Paraphernalia Forfeitures

After the most recent Safety and Licensing Committee meeting, I learned that there are statutory maximums that apply to juveniles found guilty of **possession of drug paraphernalia**. This fact seems to have been missed by other municipalities as several other municipalities also have forfeitures in excess of the statutory amounts. For juveniles, the Wisconsin Statutes allow for a maximum of a \$50.00 forfeiture for a first offense, a maximum of a \$100.00 forfeiture for a second offense, and a maximum of a \$500.00 forfeiture for third and subsequent offenses. Our current Schedule of Deposits has forfeiture amounts of \$200, \$250, and \$300 respectively for juveniles aged 15-17 years' old. I recommend that whatever action is taken by Council regarding this resolution, that the forfeiture amounts for juveniles be corrected in the Schedule of Deposits to not exceed the statutory maximums. For juveniles 14 years' old and younger, the forfeiture amount is set at \$5.00 and no correction is needed.

If you have any questions or concerns, please do not hesitate to contact me.

DMG;jlg
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