

Importance of reopening

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Jury trials resume, as defendants await justice

The judges and staff at the Milwaukee County Courthouse try to honor the axiom that “justice delayed is justice denied.”

With that in mind, they are doing all they can to expedite the resumption of jury trials and other live court proceedings since late July.

When the COVID-19 pandemic broke out in mid-March, the jury trials and other in-person proceedings were put on hold indefinitely.

That meant hundreds of defendants waiting in Milwaukee County Jail cells because they have been unable to post bail to be released until their day in court.

Thus, the delays caused by the pandemic have meant the defendants are held in jail longer, even if they are presumed innocent until they are proven guilty, according to Milwaukee County Circuit Court Judge David Feiss.

“That’s very important,” Judge Feiss says of the right to a timely trial. “People still have speedy trial rights, and trying to balance those rights with the interests of the public, that is a huge challenge.”

“It is important to have the courtroom back open,” says one defense attorney, who requested anonymity in this article.

The attorney emphasizes that the extended stints in jail pose significant burdens for the incarcerated defendants who cannot post bail. They have no way of making a living or applying for jobs while they’re waiting for their trials, he says.

“They are in limbo,” the attorney says.

The problem has an inordinate adverse effect on Milwaukee’s people of color, court officials say.

Assistant District Attorney Nicholas Heitman, captain of the county’s domestic violence unit, says delays in trials pose especially significant burdens on families involved in cases.



“We have an obligation as prosecutors to protect the rights of everyone,” Heitman says.
“People are putting their lives on hold.”

Ensuring the right to a timely, fair and safe trial must remain among the courthouse’s top priorities, Heitman says.

“It is the most important thing, as far as protecting the rights of the accused and the rights of the victims,” Heitman says.

