

Judge insists on jail for daughter of drug dealer drug case

Written by BILL SCHANEN IV

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Port woman whose mom had her deliver pills asks for, receives 60 days

A 20-year-old Port Washington woman walked into an Ozaukee County courtroom last week and asked to be sent to jail for delivering drugs for her mother — this after negotiating an earlier plea deal with prosecutors that would have spared her time behind bars.

The problem with the initial deal was that Circuit Judge Paul Malloy, who noted the distribution and use of drugs is a growing and dangerous problem in Ozaukee County, didn't want any part of an agreement that in his opinion let a woman involved in the drug trade off easy.

Hoping to minimize what Malloy indicated would be an inevitable jail sentence, Ariana S. Wiedenhoeft, who pleaded guilty in October to one felony count of possession of narcotic drugs, reached a new agreement with Assistant District Attorney Patti Wabitsch to jointly recommend 60 days behind bars.

"This is because you're concerned that if the state stands silent (the sentence) will be completely up to me," Malloy said during the Dec. 18 sentencing hearing.

Malloy followed the recommendation, which was consistent with a presentence report, by withholding a prison sentence, placing Wiedenhoeft on probation for two years and ordering her to serve 60 days in the county jail.

The judge ordered the crime be expunged from Wiedenhoeft's record if she abides by the conditions of her probation, which include maintaining absolute sobriety, having no contact with taverns or liquor stores and working at least 30 hours per week or taking at least 12 credits in school.

"I took a real hard line on this because someone in your life had to hold you accountable," Malloy told Wiedenhoeft. "I don't think your mother ever did that. Your mom didn't set a good example for you."

Regarding expungement, Malloy said, "I want to hold you responsible, but I don't want you to have a felony (on your record) at such a young age."

Wiedenhoeft's mother, Tania Wiedenhoeft, 40, pleaded no contest in May to three felony counts of manufacturing/delivering narcotic drugs and was sentenced by Malloy in July to one year in jail as a condition of her seven years of probation.

Mother and daughter were arrested in January for an earlier drug deal in which Tania Wiedenhoeft arranged to sell an undercover officer \$440 worth of oxycodone. On Aug. 11, 2011, she and her daughter, who was 18 at the time, met the officer in the parking lot of the Target store in Grafton. Ariana Wiedenhoeft entered the officer's car and gave him 40 oxycodone tablets in exchange for \$440, according to the criminal complaint.

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Tania Wiedenhoeft was also implicated in other drug deals later that year, but her daughter was not.

“There was no criminal motive on her part. She was just doing this to help her mother,” Ariana Wiedenhoeft’s lawyer Perry Lieuallen said during last week’s sentencing. “This was a family situation, but that’s no justification.”

Lieuallen said this wasn’t the first time Wiedenhoeft got in trouble because of her mother. She was expelled from school after being caught with half an oxycodone tablet that her mother gave her, he said.

“She didn’t take it, but she told someone she had it,” Lieuallen said.

Instead of blaming her mother, Wiedenhoeft was apologetic and said she takes responsibility for her crime.

“I blame no one but myself for the decision I made,” she said. “I completely understand that what I did was 100% wrong.”

Wiedenhoeft told Malloy that with their mom in jail, she has become a mother figure for her 13-year-old sister.

Malloy, however, said the seriousness of drug dealing can’t be overlooked.

“You can’t ignore what a difficult job we have fighting drugs, which are highly addictive and wreck people’s lives,” he said. “You were so nonchalant about distributing 40 pills.”