

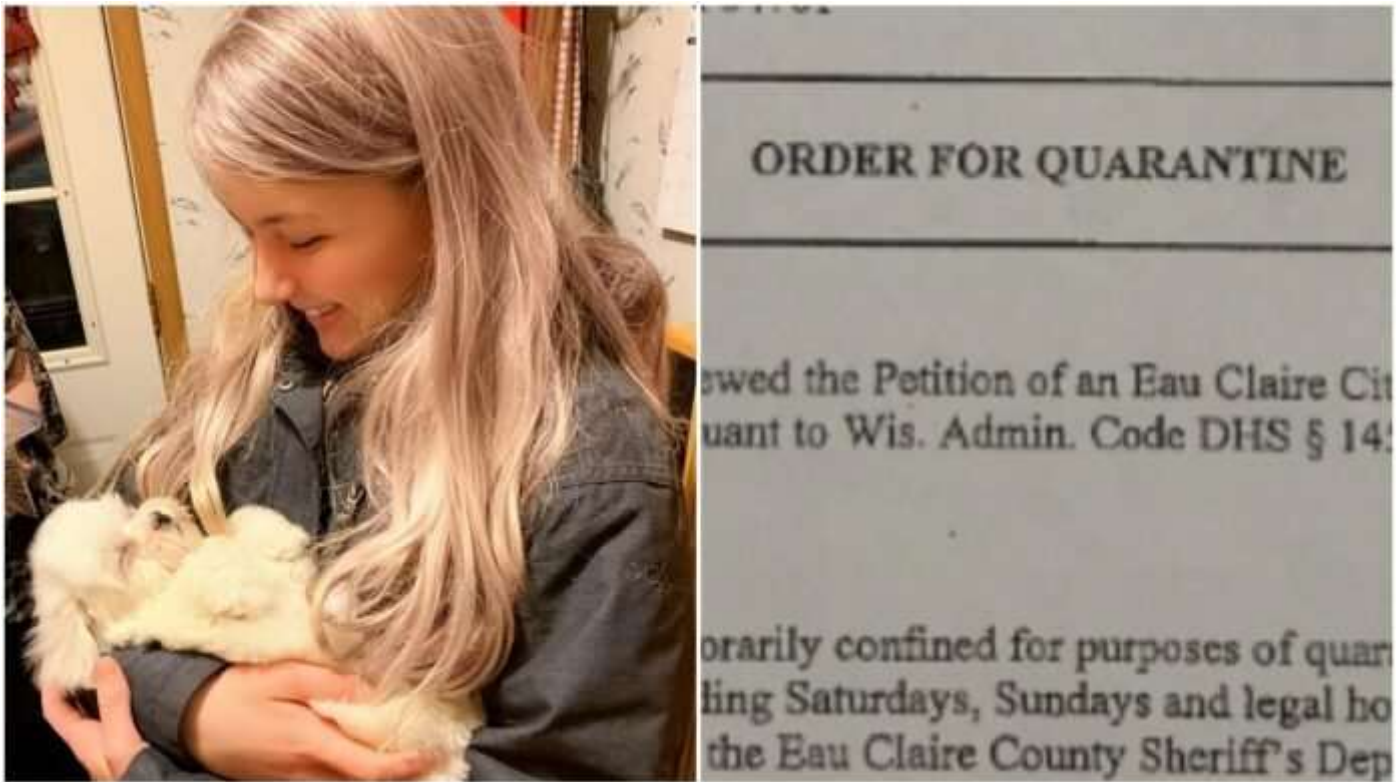


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Breaking News

Eau Claire County Judge Confines Teenage Girl Who Wouldn't Quarantine

By **Jessica McBride** -



Mikaila Spiess

An Eau Claire County judge, Sarah Harless, has ordered a 14-year-old Eau Claire teenager – Mikaila Spiess – temporarily quarantined, and the county is seeking her confinement for longer, after the girl refused to stay home from school after being labeled a “close contact” with someone who had COVID-19, court records show. The judge’s order even says “guards may be posted” at the girl’s home to make sure she doesn’t leave.

The school district obtained a “court order by the end of the day with four armed police officers ready to remove her from school,” the girl’s mother, Kita Busse, says. Now the teenager and school district are engaged in a civil court battle over the matter, she confirmed. The girl is quarantined at her home, Busse says.



Harless **was elected** to the bench in 2018, defeating a Gov. Scott Walker appointee.



Judge sarah harless

Mikaila Spiess

Busse, Mikaila Spiess' mother, gave Wisconsin Right Now court records in the case, as well as permission to use her daughter's name and photo. "She's a little fighter," Busse told WRN of Mikaila Spiess. "The hero we've all been waiting for is a little 5 foot 2 blonde child with the spirit of a warrior."

"I came to school to learn, but they isolated me and said, 'I can do this all day,'" Mikaila Spiess, who goes by the name "Pixie," told Wisconsin Right Now. Mikaila said she responded, "So can I," and that the school removed all students from her classroom. Mikaila's mother told WRN, "She tried to go for a bike ride, and I had to stop her." She said the county hasn't posted guards at their home yet, despite the judge's order.

Court records show that the judge, having reviewed the petition of the Eau Claire City-County Health Officer, ordered Mikaila Spiess temporarily confined "for the purposes of quarantine" pending a hearing held within 72 hours, excluding weekends and legal holidays. The Eau Claire County Sheriff's Department or City of Eau Claire Police Department were authorized to detain and transport Mikaila Spiess to her home in Eau Claire if necessary.



FILED

09-30-2021

Clerk of Circuit Court

Eau Claire County, WI

2021CV000418

BY THE COURT:

DATE SIGNED: September 30, 2021

Electronically signed by Sarah Harless
Circuit Court Judge

STATE OF WISCONSIN

CIRCUIT COURT
Branch 5

EAU CLAIRE COUNTY

IN THE MATTER OF THE
ISOLATION/QUARANTINE OF
MIKAILA SPIESS
DOB 7/11/2007

Case No.: 21CV 418
Case Code: 30703

ADDRESS: 4 [REDACTED] Drive
Eau Claire, WI 54701

ORDER FOR QUARANTINE

The Court having reviewed the Petition of an Eau Claire City-County Health Officer, for court ordered quarantine, pursuant to Wis. Admin. Code DHS § 145.06(5).

IT IS HEREBY ORDERED:

1. Mikaila Spiess is temporarily confined for purposes of quarantine pending a hearing held within 72 hours, excluding Saturdays, Sundays and legal holidays.
2. It is ordered that either the Eau Claire County Sheriff's Department or City of Eau Claire Police Department shall be authorized to detain and transport Mikaila Spiess to 4127 Oak Knoll Drive, Eau Claire, Wisconsin, if necessary.
3. Guards may be posted in compliance with Wis. Stat. Ch. 252 and Wis. Admin. Code DHS Ch. 145.
4. Mikaila Spiess and guardian shall receive written notice at least 24 hours before a scheduled hearing is to be held. Written notice of hearing shall include all of the following:

“Guards may be posted” in compliance with Wisconsin state statutes and Wisconsin administrative code, the order says.

Additional court documents provide written notice of a hearing “in the matter of the isolation/quarantine of Mikaila Spiess.” Notification was given by Elizabeth Giese, health officer for Eau Claire City-County. The hearing will be conducted by Zoom on Oct. 4, 2021.

However, Busse says if her daughter tests negative for COVID before that hearing, it won’t happen, and she will be able to return to school.



I, Elizabeth Giese, Health Officer for Eau Claire City-County, do hereby notify you that a hearing is scheduled on the 4th, of October, 2021 at the Eau Claire County Courthouse located at 721 Oxford Avenue, in the city of Eau Claire, County of Eau Claire, Wisconsin. Such hearing will be conducted by Zoom, the information for which is attached.

This hearing is to deal with the issues surrounding your quarantine due to close contact with an individual who had a COVID-19 infection, and because you are refusing to quarantine. Confinement is mandatory in order to protect other persons from becoming infected with COVID-19 until your medical condition indicates that you are no longer a risk to the health of the public. Unless good cause is shown, this hearing may be conducted by telephone or live audiovisual means if that is available. As the person subject to this hearing, you have the right to appear at this hearing.

You also have the right at the hearing to present evidence and cross-examine witnesses and the right to be represented by counsel. If you cannot afford counsel, you have the right to have an attorney appointed to serve as your counsel. Since you are a minor, your parent/guardian should be present.

If the health officer responsible for your condition, in concurrence with your treating physician during your confinement determines that another setting more beneficial for your care is available that still provides for the protection of the health of the public, you may be moved to that location without returning to the court for additional permission.

If you are confined by this court action, you have a right to appeal this action and the appeal will be heard within 30 days after it is filed with the court. During the appeal process, you must comply with the court determination pending the outcome of your appeal; the appeal does not stay the order.

Signed on this 30 of September, 2021.


Elizabeth Giese, Director/Health Officer

Topic: Br 5 Harless 21CV418

Time: Oct 4, 2021 08:30 AM Central Time (US and Canada)

Join Zoom Meeting

<https://wicourts.zoom.us/j/88441861665?pwd=NXBGejVsb0lGV2dOanNSVDhEeXU4dz09>

Meeting ID: 884 4186 1665

Passcode: 086587



"This hearing is to deal with the issues surrounding your quarantine due to close contact with an individual who had a COVID-19 infection, and because you are refusing to quarantine. Confinement is mandatory in order to protect other persons from becoming infected with COVID-19 until your medical condition indicates that you are no longer a risk to the health of the public," the records say.

We reached out to Giese, who told WRN, "Quarantine is required by state law for anyone who is exposed to COVID-19 and is not fully vaccinated. The Health Department continues to support vaccination (for those eligible) as a way to prevent serious illness from COVID-19 and eliminate the need to quarantine after a vaccinated individual has been exposed. For confidentiality purposes we do not speak to any specific individual situation."

The notice we obtained says that Spiess has the right to present evidence and cross-examine witnesses and the right to be represented by counsel. Because she is a minor, "your parent/guardian should be present," it says.

"If the health officer responsible for your condition, in concurrence with your treating physician during your confinement determines that another setting more beneficial for your care is available that still provides for the protection of the health of the public, you may be moved to that location without returning to the court for additional permission," said the court documents, which are signed Sept. 30, 2021.

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That same day, Busse took her daughter's cause public, writing on Facebook, "I don't normally talk politics, and what's happening right now is a polarizing topic. (The girl) would never put others at risk, and she has immunity to Covid, but was quarantined for a close contact at school."

Busse said the girl "made the decision on her own to attend school anyway. Before she left, she told me, 'I understand now how scared Rosa Parks must have been when she sat in the front of the bus'! When she arrived at her first class, they removed all of the other kids from the room to isolate her. The principal said

'You might as well just go home, because I can do this all day.' She responded, 'So can I.' I feel absolutely nauseous that she's going through this, but I'm proud of her for standing up for her right to an education."

WRN asked Eau Claire police about the allegation that four armed police officers were involved. Joshua Miller, spokesman for Eau Claire Police Department, told Wisconsin Right Now: "The incident you are referring to was handled by the Eau Claire Area School District and the Eau Claire County City/County Health Department. Our agency never had contact with the student or their parent. Police administrative staff (non-uniformed officers) were on scene to answer any questions should they arise. For details regarding the decisions made by the Eau Claire Area School District and the Eau Claire County City/County Health Department I would refer you to them."

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Teri Piper Thompson, Communications Manager for the Eau Claire Area School District, said in an email to Wisconsin Right Now, "Since the situation you mentioned involves quarantining and a court order, you should reach out to the Eau Claire City County Health Department or an Eau Claire County judicial



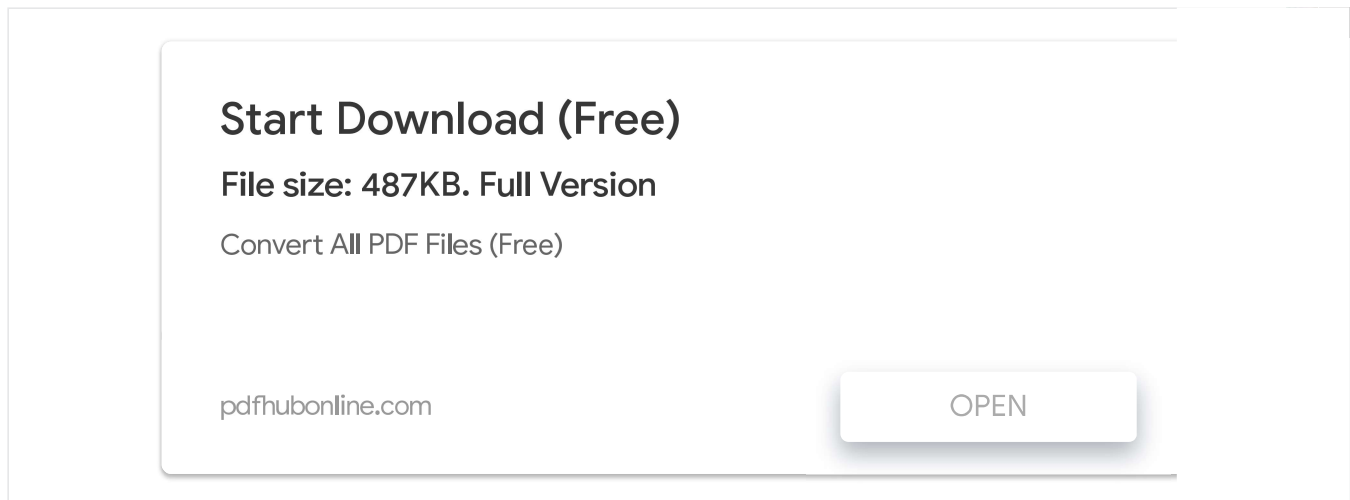
spokesperson.” The court system directed us to the corporation counsel for Eau Claire county, who said he can’t comment on any cases involving a juvenile.

We received a tip from a concerned parent in Eau Claire and decided to look into the situation. The mother also revealed on Facebook that there is a court case into the situation in front of Eau Claire County Circuit Judge Sarah Harless. Busse works as a Movement Coach at [180 Firearms Training](#).

We ran the teen’s name in court records and discovered that there, is, in fact a case in front of Harless. It’s sealed by the judge, however. The mother said on Facebook that the case is a civil case.



The screenshot shows a web browser window with the URL <https://wcca.wicourts.gov/caseDetail.html?caseNo=2021CV000418&countyNo=18>. The page header features the Wisconsin Circuit Court Access logo and navigation links: Search, Calendar, Pay fees, Reports, and Help. Below the header, a red error message states: "Your request could not be processed. This case is sealed and is not available for viewing by order of Judge Harless".



The advertisement features a white box with a shadow. Inside, the text reads: "Start Download (Free)", "File size: 487KB. Full Version", and "Convert All PDF Files (Free)". At the bottom left is the website "pdfhubonline.com" and at the bottom right is a button labeled "OPEN".

The girl “received a court order by the end of the day with four armed police officers ready to remove her from school,” Busse wrote of her daughter. “I met with them, and upon receiving the order, took (the girl) home myself to prevent trauma, but it was already the end of the school day. She was very respectful, but stood her ground for an entire day of manipulation. We will be appearing in court as a result of her decision to go to school as a healthy individual.”



The Eau Claire School district treats vaccinated and non-vaccinated students differently when it comes to quarantining over a close contact, **according to its policy.**

The school district's quarantine policy requires quarantining for students where there is a close contact with a positive case, if a student is not vaccinated. The quarantine policy for grades 4k to 12 requires students to quarantine for 14 days. If they have no symptoms and show a negative test, then the quarantine is only 7 days.

No quarantine is required for grades 6-12 if the student is vaccinated and has no symptoms. Close contact is defined as a student having been within six feet of a COVID positive person for cumulative 15 minutes.

The district requires masks for high school students. The week of Sept. 19-25, 946 students **were quarantined.**

Busse, who gave her daughter's full name on Facebook, added, "Update: we go to court Monday at 0830. I've put in calls to several lawyers trying to secure someone on such short notice (I received the court date and time at 7pm tonight). (The teen) will still be quarantined by court order at that time, so court will be held on Zoom (where she can be muted). The director of the health department in Eau Claire, Wisconsin, Lieske Giese, stated to me via phone call yesterday that (the girl) would need to appear before judge Harless 'to receive her punishment.' The public health department and this judge are trying to make an example of (the girl). She did not commit any crime, and quarantined immediately upon receiving the order. I hope that her strength shines through, so that this little girl cannot be used as a tool of public manipulation."

In her most recent post on Oct. 1, Busse wrote, "Update: I'm am getting the court date moved, but they will only go as far as Tuesday morning. I have not yet gotten any return calls from lawyers. In speaking with the opposition's lawyer, he stated there are no charges and agreed that if she has a negative test by then, w' ·
are we even talking about?"

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Jessica McBride

<https://www.wisconsinrightnow.com>

Jessica McBride, a **Wisconsin Right Now** contributor, is a national award-winning journalist and journalism educator with more than 25 years in journalism. Jessica McBride's journalism career started at the **Waukesha Freeman** newspaper in 1993, covering City Hall. She was an investigative, crime, and general assignment reporter for the **Milwaukee Journal Sentinel** for a decade. Since 2004, she has taught journalism at the University of Wisconsin-Milwaukee. Her work has appeared in many news outlets, including Heavy.com (where she is a contributor reaching millions of readers per month), Patch.com, WTMJ, WISN, WUWM, Wispolitics.com, OnMilwaukee.com, Milwaukee Magazine, Nightline, El Conquistador Latino Newspaper, Japanese and German television, Channel 58, Reader's Digest, Twist (magazine), Wisconsin Public Radio, BBC, Wisconsin Policy Research Institute, and others.



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