

**MINUTES OF MEETING OF JUDICIARY & LAW ENFORCEMENT COMMITTEE  
AUGUST 11, 2004  
KCAB 2<sup>ND</sup> FLOOR COUNTY BOARD COMMITTEE ROOM**

**Members Present:** Brenda Carey-Mielke, Terry Rose, Susan Deschler, William Michel II

**Others Present:** David Beth, Charles Smith, Greg Frost (Kickstand), Corri Hess (Kenosha News), David Cold (WGTD)

**Meeting Called to Order:** 7:00 p.m. by Chairperson Brenda Carey-Mielke

**Citizen Comments:** None

**Supervisor Comments:** None

**Chairman Comments:** None

**Minutes Read:** July 6, 2004

**Motion by:** Rose

**Seconded by:** Deschler

**Approved:** unanimously

**Resolution from the Kenosha County Sheriff's Department:**

1) Probationary Cabaret License - Kickstand

**Motion by:** Deschler

**Seconded by:** Rose

**Approved:** unanimously

The proprietor of Kickstand, Greg Frost, was in attendance at the meeting. Sheriff Beth reported that the Town of Salem issued a liquor license to Greg Frost/Kickstand. KSD received full cooperation throughout the application procedure. All required documents have been turned in; fees have been paid; and the premises passed inspections. The only calls to the establishment from January through July were for change of ownership and the cabaret application. Supr. Carey-Mielke advised Mr. Frost that the resolution along with the Sheriff's recommendation would go to the full County Board the next week.

**Discussion Regarding Recognizing Unanticipated Revenue Surplus – Detentions Improvement:**

Sheriff Beth reported that they are tabling the resolution for the Detention Center renovation because of a decrease in the number of federal inmates. At one point, the daily population of US Marshall and BICE inmates totaled 177; the number is now at 90. The number needed through the end of the year is 99. They will be monitoring the population and if the numbers go back up maybe they will revisit the expansion plans in November. The back-up plan of housing State Inmates is no longer a viable option. Someone from corrections for the State has advised KSD that the inmates are no longer available to be put in County Jails. Carey-Mielke asked why the State Prisoners are no longer available. Sheriff said that when they started this a year and a half ago there were 2,000 out of state prisoners. The State has opened two prisons in Wisconsin and other counties have already taken some inmates. Supr. Michel asked if there has been any negotiating regarding federal inmates and the possibility of eliminating some of the northern institutions where they are housed. Beth said this is possible. When KSD started the program there were 20 institutions and jails in Wisconsin, Illinois, and Indiana that housed federal inmates. This number was reduced to 5 and Kenosha is in the top 3 preferred, partially due to location. Not moving forward in the future could be a detriment if counties like Dodge can hold 180 to 200 inmates. Currently we are under capacity and can accommodate these numbers. If the Feds say they need 250 beds in 9 months, we could get the expansion done and accommodate. There is also talk about a contract being negotiated between the Federal Government and Statesville for 500 beds. Michel asked if the Federal Government is aware that we are willing to expand if they will provide inmates. Sheriff responded yes, they know that we can add 120 beds. Chief Deputy added that we have never had a contract, only a per

diem rate. Chances are greater that we may decrease in numbers due to the negotiating with Statesville. We may not have enough inmates to meet the 2005 projected revenue. Supr. Rose asked if we are still making money with a 90 count and if 2004 revenue projections may not be met. Beth replied that we have pretty much met the 2004 projection, there just may not be sufficient revenue to finance the renovation. There is also an additional fear regarding staffing.

Sheriff handed out a Budget Reduction Plan that specified the number of staff reduction that would be required to remain within the \$490,000 tax levy increase allowed for 2005 and reach the bottom line of \$26,496,000. This Reduction Plan was submitted to the County Executive and Finance. This plan reflects a total reduction of 26.5 FTE's. KSD has already eliminated 12 positions in the past 4 years. The 2005 budget would be about 28 million if personnel, etc. were kept consistent with 2004. Sheriff Beth identified the positions that would be cut as a reduction to ½ time for the Executive Secretary and elimination of the ½ time Laundry Manager position, ½ time Relief Cook, 4 Correctional Officers Downtown, 4 DSO's at KCDC, 1 Office Associate, and 16 Deputies. Michel asked if this Budget Proposal included the revenue of 76 federal inmates/month. Sheriff responded that it does, the loss of federal inmates would increase the deficit by 1.9 million. KSD has done their job to increase revenue the past two years; the tax levy in 2003 was only raised by 1.9% and in 2004 they decreased the Department's tax levy. With the reductions, many programs would cease. WCS budget of \$300,000 will be eliminated in 2005. This may be absorbed by another budget. WCS \$300,000 is not included in the Reduction Plan. WCS will be advised of this tomorrow (8/12/04). The Sheriff's major concern is retaining money for public safety. WCS was designed to decrease the number of inmates, however, Commissioner Greco believes that the impact of inmates would be insignificant. Supr. Rose asked what the 2005 increase was. Sheriff responded that benefits and salary increases total 1.3 million, which by itself is more than the \$490,000. Fuel has also gone up. Rose commented that they get these contracts presented to them (County Board) without anyone coming to them upfront to discuss what would be an appropriate wage increase. The position has always been that this is in an administrative function. The finished contract is presented and then all they can do is accept or reject. He feels it would be a more sensible and effective approach for wage increases to come to them upfront. You're given \$490,000 yet there is a built-in wage increase of 1.3 million that is proposed by the County Executive and urged that the County Board adopt. This is impossible. Having to determine whether one department or function is more important than another can result. Should more people be paid less or fewer people paid more. These are the kinds of choices that need to be made upfront before the contracts are presented. He said that right now it is hard to have a whole lot of sympathy for the problems being faced when the contracts are before you. The general public is not interested in tax increases.

Chief Deputy commented that the budget would be OK this year because of unanticipated revenues. It is now risky to project revenues. They may have to come back and ask for more overtime money. There have been 4 resignations in the past week mainly due to working too much and forced overtime. Carey-Mielke commented she understands that officers are working 16 hour days back to back and are exhausted. It seems this could lead to security issues and problems. Sheriff said that they are trying to discuss with the Union the opportunity to open up the forced overtime to more that the low seniority personnel. Carey-Mielke asked if the senior officers realize that the last three years of income lend to the retirement benefits. Chief Deputy responded that most do not make it to retirement. \$300,000 in overtime has already been paid for corrections staff; their contract has also still not been settled.

Sheriff added that part of the 1.3 million personnel increase is \$780,000 for health insurance. Chief Deputy added that the health costs for inmates are also always going up. Female population is up to 90 resulting in more female care including pregnancies. Bids for medical care were opened up a couple years ago and no one came close to what we have now. Increases proposed for 2005 for Inmate medical is absolutely necessary. There is a tremendous liability.

Supr. Michel asked if the 13 deputies proposed for reduction included administrative or if are they only patrols. Sheriff said that if this comes to be, the figures are based on the lowest cost deputies. If they got to the point that 16 deputy positions were vacant they would start demoting detectives and right

up the chain of command. They could not function as they do now. Sheriff said that what is really needed is two more correctional officers at the Detention Center. A few years ago they gave up two vacant positions and these are currently filled daily on overtime. He also thinks two more Deputies positions are needed. Sheriff wants the Committee aware of the situation. They are working with Administration.

Rose commented that WCS came into existence to reduce inmate population, he is surprised that Commissioner Greco has commented that elimination would not increase the population. This is different than the figures that used to be brought in. Possibly this could go under the Courts budget. Sheriff said that there are 400 people on WCS (pre-sentencing probation). He can only go by what the Commissioner said. He does believe the program is a good tool. Chief Deputy added that he too believes in the program, however, they need officers and deputies more. There has been talk about reducing Work Crew. Work Crew has already been reduced by one in order to add to patrol. This unit may be decreased to one Deputy Sheriff and a Sergeant. They have to look at all options and prepare for the worst. Michel asked if eliminating the Work Crew would result in an increase of inmate population. Chief Deputy responded that there are only about 19 or 20 that are on Home Detention; the rest leave the Jail for assignments. Sheriff spoke about the excessive growth happening in the County, especially Salem. Interstate traffic is increasing. Reductions in deputies would reduce the districts when they should increase. Supr. Deschler asked that if in regards to female inmates, could furlows be allowed. Sheriff replied that they do work with the District Attorney to get these inmates released and this does currently happen unless a serious crime/felony is involved. Deschler commented that someone from Racine law enforcement raised the option that Kenosha and Racine share transportation and asked if this could be done. Sheriff said that we already send full vehicles. Northern jails with less population could benefit from this. We transfer every day. There is a State program that addresses this for counties that would benefit. Chief Deputy added that staff is short in the summer months due to vacations, etc. and that they take officers from the school assignments to offset.

KSD handles 31,000 Calls for Service per year. This is done with 6 to 8 people on days, 6 to 10 people on 2<sup>nd</sup> and 6 to 7 people on 3<sup>rd</sup>. Stats will be listed in the paper that the City responds to 148 calls in a day but these calls are handled within the city and their 2<sup>nd</sup> shift may have between 30 and 40 cars. Sheriff said that we handle two-thirds the calls with many less cars. Pleasant Prairie may have 29 calls a day with 5 or 6 cars.

Michel asked when the decisions would be made regarding WCS and Work Crew or are these just ideas. Sheriff said that notice would be given to WCS tomorrow. He would like to re-instate a version of the TIU (Traffic Interdiction Unit) to reduce speeds and generate revenue. The Unit did a great job. Due to Racine's aggressiveness, traffic slows when it hits Racine. Michel asked if we are not getting a fair share of revenue from tickets and in order to protect people could we get a higher share. Sheriff said that many reasons led to the abrogation of the TIU Unit. Of 181 tickets they thought they would get 50%, however, got a little less. Chief Deputy added that the distribution is decided by Finance and distributed between the Clerk of Courts, District Attorney, and KSD. Some County Sheriffs get nothing. He said they stretched to enable the TIU Unit. They needed the officers back for other jobs. Michel asked if there was any data of the revenue collected due to the Unit. Sheriff said yes, however, not available by memory. Michel asked if transportation is provided for court hearings as well as transfers. Sheriff responded yes.

Supr. Carey-Mielke asked for an update on Country Thunder at the "Any Other Business by Law" point of the agenda.

Supr. Rose stated that he wanted Ron Frederick to be here for the Discussion Regarding Developing a Criminal Justice Coordinating Committee/Collaborating Council, however, he could not attend. Discussion would include alternatives to incarceration and what are the best resources. Michel asked if

this would be for adults only or also for juveniles. Rose replied mostly adults but could include juveniles. This would be put on a subsequent agenda when Mr. Frederick can attend.

***Any Other Business Allowed by Law:*** Supr. Carey-Mielke asked if the bond that is posted for Country Thunder is of a sufficient amount to meet costs. Sheriff explained that the primary coverage needed is for traffic, however, the campground has become lawless. 15 & 16 year olds plan for the next year because of the drinking. They did not have the manpower to handle the campground. There is a concern with public safety. Larry Barr and organizers do not provide enough security. Sgt. Halisy advised that at one time there were 3 fights going on and deputies had to decide which they believed had the potential for greatest harm. The other 2 were disbanded by the time they could respond. KSD will step in with a plan for next year with 30 deputies if needed. They will not recommend approval of the Cabaret next year if a plan is not in force. Carey-Mielke asked if the bond should be increased to cover these costs. Chief Deputy replied that the bond is set by Ordinance, currently about \$35,000. Carey-Mielke commented that she believes the amount was about \$60,000 at one time. This amount was decreased when things were going well and the amount was determined excessive. In anticipation that extra costs may be necessary for next year she believes it would be good preparation to estimate costs and follow procedures to raise the bond again. Chief Deputy said he believes that the attendance count Barr supplies is less than actuality. This count influences the bond amount that has been determined. Deschler said that possibly bringing alcohol on grounds should be prohibited, restricting sales to from within. Sheriff said that they are looking for a sound plan that includes similar ideas. People in the past have attended for the freedoms and drinking. Chief Deputy said that there would be a written plan to stop alcohol and behavior in the campground. Michel asked if there has been private police or security on grounds. Chief Deputy said yes but at an insufficient level.

An additional problem has been the short timeline to meet all requirements and get the Cabaret approval. The festival is routinely held the third week in July. Often the County Board meeting dates change in July due to events such as the NACO Conference. Beginning in 2005, the Sheriff is requiring that by May technical aspects be met and the names of firms to provide equipment/entertainment supplied. Carey-Mielke proposed that possibly the JLEC Committee should go on record that a Cabaret License will not be issued if the timeline provided by KSD is not adhered to. She asked for this to be put on a meeting agenda.

Sheriff said that there is speculation that the owners of the property on which the festival is held may be trying to annex to Twin Lakes. If this occurs this would be Twin Lakes problem.

***Meeting Adjourned:*** 8:10 p.m. on motion by Rose, seconded by Michel.

Respectfully submitted,

Donna L. DeBree