

**MINUTES OF THE JOINT MEETING OF JUDICIARY & LAW ENFORCEMENT,  
BUILDING & GROUNDS, AND FINANCE COMMITTEES  
November 30, 2005  
KCAB 2<sup>ND</sup> FLOOR COUNTY BOARD COMMITTEE ROOM**

**Members Present:** Jim Huff, Brenda Carey-Mielke, Terry Rose, William Michel II, James Moore, Robert Carbone, Mark Wisnefski, Anita Faraone, Mark Modory, Mark Molinaro Jr., Gordon West, Doug Noble, Leonard Johnson, Judith Rossow

**Others Present:** Sheriff David Beth, Chief Deputy Charles Smith, Capt. Apker, Nancy Otis, Robert Riedl, Sam Sturino, Eric Klinkhammer, Mark Conforti, Dave Geertsen, Ken Krenz and John Ruffalo

**Meeting Called to Order:** 7:00 p.m. by Chairman Jim Huff.

**Citizen Comments:** Deputy Sam Sturino commented that a private security firm would not be able to detain, search, or arrest individuals. He feels that the Sheriff's Department should maintain security. KSD currently patrols the Courthouse on a regular basis and handles transports. He and the Deputy Sheriff's Association feel the main concern is the safety of individuals using the Courthouse. A private security guard's background and possible criminal past would be unknown.

**Supervisor Comments:** Supr. Faraone requested that this meeting be re-posted showing that there may be a quorum of other committees. It was her understanding that there would be an article in the newspaper, however, she would like Supervisors to be notified by mail or email.

Supr. Wisnefski commented about an article in the paper regarding wearing out the "panic button" syndrome. The article stated that the panic button should be disconnected and that scare tactics should be foregone. Anxiety should be replaced with clarity.

**Chairman Comments:** Supr. Huff stated that discussion of the resolution would follow the Sheriff's speech and that individual committees would address whether or not it will be passed or re-directed.

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

- 1) Courthouse Security – Authorize Increase in Deputy Sheriff FTE's  
Not voted on

Sheriff Beth stated that KSD did not start the Courthouse Security issue, this was brought up in other meetings with personnel from other departments. KSD is trying to come up with what they feel is the best solution to Courthouse Security. One of the topics of the many meetings was equipment: x-ray machine and magnetometer. Lt. Copen acquired this equipment from United Airlines for only the cost of shipping. An option for manning these is a private security firm; RFP's were done for candidates. \$85,000 is already approved for security personnel. The training and backgrounds for private personnel would not be to the extent of a deputy sheriff or police officer. The loyalty to the County and citizens he believes would not be the same. Deputy Sheriffs have been in the Courthouse and protecting the people of this county since the 1800's. The KSD proposal adds \$52,246 to the \$85,000 already approved. The \$52,246 would come from increasing

the revenue figures for federal inmates, not from a tax levy increase. The budget appropriation would shift from Administration's budget to the Sheriff's. The radios used by a private firm would not be the same as KSD's to communicate with dispatch. Proposal is to add 2 FTE's. If at any time federal funding was in jeopardy this would be brought to the attention of the County Executive so other plans could be explored.

Supr. Carey-Mielke asked what the odds of probability were for loss of federal inmate revenue and about McHenry County. Sheriff said that the numbers of inmates are still climbing. 2006 budget was increased from 80 to 119. At this time he is very confident that they will be able to meet the need for the additional \$52,246. McHenry County is at capacity. The federal government likes and prefers KSD and our correctional officers. The other counties are losing their federal inmates. McHenry County and us are holding most of the federal inmates in the Midwest. Carey-Mielke asked about constitutional authority; what can a deputy sheriff do vs. private security? Sheriff said that private security has no arrest powers. Their ability to do searches is restricted. Carey-Mielke asked what a security officer could do. Sheriff said they would have to call KSD and/or KPD for back up. This could be a burden for law enforcement.

Supr. Johnson asked what the chances are of a deputy being in the Courthouse. Sheriff said very likely because they transport prisoners there all the time. Johnson said that it is his understanding that Kenosha County does not have video cameras in the courtrooms. He asked if deputies are currently assigned to courtrooms. Sheriff responded that there are not cameras and they are only in courtrooms if there is a situation that they are made aware of. Johnson asked about the assignments of the new deputies if approved. Sheriff explained that this is a new venture. Both would be assigned to the front door, however, he pictures that if something would happen in a courtroom one would respond to the courtroom leaving the other at the door.

Supr. Michel asked from where the deputies covering the current gang trial are coming. Sheriff responded that some are overtime and if possible they are taken off the street to minimize overtime. Michel asked if the Sheriff was basically saying that deputies are currently taken off the road possibly compromising territory coverage. Sheriff said that a district is not left attended, they are taken if there are no deputies in training, school, sick, etc. They would be taken from a position such as traffic or responding to calls.

Supr. Noble asked about the hours that KSD would man the post. Sheriff responded 7:30 to 5:30. Noble commented about firearms in the courthouse and potential consequential incidences referring to an incident in Atlanta. He commented that the plan allows on duty law officers to carry their guns in the courthouse. Sheriff said that Atlanta is a weapon free courthouse. The inmate overpowered the deputy and she was unable to defend herself with a weapon. The inmate took her key and retrieved her weapon from a locker. Noble asked about a consolidation plan with Pleasant Prairie and integrating 15 officers. Would this allow for Courthouse coverage without new positions? Sheriff said that the Pleasant Prairie plan does include hiring 15 of their officers and eliminating their administration saving Pleasant Prairie \$1.2 million. The 15 officers would continue covering Pleasant Prairie and one additional officer would cover the interstate. This would not alleviate the need for additional officers for the courthouse.

Supr. Modory commented about his past experiences with private security at retail stores. There were issues with the quality of people and people calling in sick or not showing up. He suggested possibly having KSD provide security with part-time deputies.

Supr. Molinaro commented that he was surprised that there was a resolution before them supporting hiring deputies when Administration is currently in the RFP process. He feels that the County Board should have approved the Courthouse Security Plan before discussing who would implement the plan. He did say that he had been invited to the courthouse security planning meetings. Sheriff explained that when the budget was done there were too many uncertainties regarding the numbers of federal inmates and resulting income. Now the numbers allow the

feasibility that KSD can provide the security without increasing the tax levy. Molinaro commented that he would like consistency for allowing individuals to enter the courthouse. He feels that if you want to have a secure facility there are no special exceptions. The other thing he feels you have to commit to is that the Sheriff's Dept. patrols and secures it. He believes that a contracted service is a temporary solution. He does not like tying this service to federal inmate revenue. He does not support taking any deputies off the roads to service the Courthouse.

Supr. Rose said he believed that the discussion tonight is premature. He would like to see all proposals first. He does not dispute that the Sheriff's Dept. does a good job at the courthouse. He commented that Racine utilizes private security that he believes are not sworn officers and it works very well. He likes Modory's idea of the retired deputy being a part-time deputy. Rose commented that during the budget process there was originally \$85,000 included in KSD's budget and he was surprised to find out that this did not mean KSD was going to handle security. The amount was then transferred to Administration suggesting that RFP's would be requested. The deadline for RFP's was the day of this meeting so all options were not available at this meeting. He commented that the Corporation Counsel should be rendering the opinion of legal authority of security that is not Deputy Sheriffs. His opinion was to defer the decision due to lack of sufficient factual information about RFP's, Racine, and Corporation Counsel's opinion.

Faraone concurred with Rose and Modory. She commented that the budget was just passed and we're already back with another idea and recommendation without enough facts. She believes this should have been addressed at budget time. She asked for a motion to defer.

Carey-Mielke commented that a deadline is needed to push to make a decision. Discussions have been going on for 15 or 20 years. She does not feel this is premature. She feels \$85,000 should have always been in the Sheriff's budget and has asked about it in several committee meetings. She was given explanations about the Sheriff not wanting it. She asserts that decisions need to be made and move on. She believes that the security of the Courthouse lies with the Sheriff's Dept.

Wisniewski said that he believes more facts are needed to make an intelligent decision. He questions why there have been discussions for 10 years and now a decision is needed in 30 days. He commented that he doesn't believe it would take too much to screen the relatively low number of people that enter the courthouse. His opinion is to defer.

Moore commented that the County Board has to take some leadership and move this along.

Supr. Huff reported that the January 1<sup>st</sup> date came about due to intensified pressure from the judges to set up security. They produced an obscure state statute that within their authority they can have a deputy sheriff at every trial in every courtroom. They threatened to use that power in the event security did not move forward. After the numerous planning meetings and securing the equipment, ramp, cardswipe system, etc., details were in order and brought forward. Administration said that RFP's should be sent out. Huff said that if this were put in the Sheriff's charge it would be up to him to create and enforce policies and procedures. The County Board does not act on policies and procedures issued by the Sheriff.

Noble said he does not believe economics is the most important consideration in this case.

Molinaro said that he would like the policies and procedures for security to come before the County Board.

Huff asked Bob Riedl if the County Board would have input as to policies and procedures if a private security firm were used. Riedl responded yes. Molinaro asked if the policy went out with the RFP. Riedl replied yes, some of it did. Molinaro wants a plan in place, however, wants it in place correctly. He would like the judges to know that the County Board is giving their best effort.

Sheriff explained that the policy being referred to was a rough draft given to Personnel. KSD would allow the admittance of whomever and enforce whatever requirements the County Executive or Administration directed.

