

Minutes of Meeting of Judiciary & Law Enforcement Committee
December 14, 2005
KCAB 2nd Floor County Board Committee Room

Members Present: Jim Huff, William Michel II, James Moore

Others Present: Sheriff David Beth, Chief Deputy Charles Smith, Captain Preston, Robert Riedl, Nancy Otis, Deputy Sam Sturino, Deputy Mark Conforti, Deputy Doug Bourdo, Mark Modory, Dennis Elverman, Richard Kessler, Anita Faraone, Christine Wipper, Joseph Clark, Frank Volpintesta.

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

Citizen Comments:

Deputy Sam Sturino spoke on behalf of the Deputy Sheriff's Association stating that their position has not changed from the last meeting as far as the courtroom security that they are most professional group that the county will have. The deputies have the experience and the high degree of training that the County has already provided. He went on to say he hopes that the County Board will go with the deputies providing security. He had a concern that if private security was utilized, deputies would be called off the road numerous times for backup or if personnel that was scheduled did not show up and the Sheriff would have to provide deputies.

Supervisor Comments: None

Chairman Comments: Made an announcement that he would like to stay on task tonight about the money amount and two full FTE's do a certain job with the county. Stated that Bob Riedl was here about a RFP that was sent out and came in under the \$85,000.00 cap that was set by the County Board for the 2006 budget. The Sheriff will present his resolution and if anyone has questions for him or Bob Riedl about the RFP. Went on to say that it was not the committee's intent to screen or go through all the RFP's.

Resolution re: Courthouse Security:

Sheriff Beth presented the resolution. Went on to give history about security from the 1980's on. Having deputies in the courthouse was addressed, but money was never found to staff. The Judge's sent a letter to the County Executive and the Sheriff giving them roughly two weeks to have courtroom security or they were going to order the Department to do it. The plan was finally fine tuned by the judges, clerk of courts, administration, members of the county board. Ramps, doors the electric for the x-ray machine and magnetrometer into the building, card screening has been put on the door

for the employees. A lot of effort went into how to make this work. He stated that the Judges can order a deputy sheriff in each and every courtroom and he would have to do that. As of a few days ago, the judges were content with two deputies in front of the courthouse to monitor people coming in and out. The Sheriff said that the presentation that was done to the three committees of the County Board was altered slightly. Went on to say the Washington DC was planning on cutting back the federal inmates from 650 to about 450. The Sheriff then stated that he had called Herb Kohl, Congressman Ryan, and Russ Feingold to see if there was anything they could do to help us maintain the number to meet the budget. Stated that he will monitor the situation and will keep the committee up to date. The section that was altered in the Resolution was that he had \$52,246.00 from unanticipated revenue from federal inmates and is now asking in the amended resolution \$52,246.00 from the general fund. Stated that since the department has done such a great job with federal inmates, that he believes that he will be turning in almost a half of million dollars of that to the general fund this year. Basically saying that he asking for \$52,000.00 back of that half million dollars to fund two deputies in courtroom security.

Went on to say what goes on in neighboring communities.

Lake County – Deputy at the front, they do the x-ray, magnetometer and several security officers at the front door along with a deputy in each and every courtroom.

Racine County – Has retired officers working in the front of one of the buildings they have courtrooms and also have a deputy in each and every courtroom.

Walworth County – Effective January 2006 will have private security person doing security equipment at the front door of the courthouse and deputy in each and every courtroom.

Waukesha County – A deputy in each courtroom.

Milwaukee County – A deputy in each courtroom and monitoring of the front door.

Rock County – Only one that he has found in the region that is open for twelve hours. They have a private security firm that monitors the front for eight of those hours.

The security committee that is made up of the Clerk of Courts, Planning and Zoning, and the Sheriff's Department, which meets monthly has worked very hard coming up with a rough draft policy. No matter who goes in there, the policy will have to be tweaked because this is the first time this has ever taken place in Kenosha County.

Michel – Asked about the numbers dropping for the federal inmates, that the sheriff's department has received information in the past about the possibility of numbers dropping. Sheriff stated that two years ago, he basically received the same information he got on Monday and the numbers have stayed the same and may have gone up a bit and we have been able to maintain.

Faraone – Asked how many federal inmates do we have today versus what we had two weeks ago.

Sheriff – Today, we had 127 and probably seven more than two weeks ago.

Faraone – Asked that since McHenry is now housing federal inmates, is this going to affect us.

Sheriff – Not going to help us, but doesn't believe it will.

Faraone – had a concern about the department absorbing the \$52,426.00 to taking it out of the general fund. Stated that they seem to spend all the money in the general fund every year and what is this amount going to look like next year and so on and if we they decided to go to a private firm, could they?

Sheriff – Not for him to decide, County Board's decision. It's something that is looked at every year.

Faraone – stated that there are deputies in the courthouse almost always, for one reason or another and a state patrol office.

Sheriff – State trooper is there during their court times. The deputies you see in the courthouse are usually with a prisoner they are transporting and cannot leave, or possibly testifying in a court case. There are no deputies there that are designated for courtroom security. Sheriff stated that the sheriff's department did not make the presentation to start courtroom security. He is addressing what was brought forward by the Judges and the people inside the court.

Supervisor Clark – Wants to know how the sheriff came up with the 137,000 number and making assumptions on how much time the deputies are going to have for security. The time comes up in the neighborhood of 1850 hours with vacation time, casual days, in-service time. Based on the RFP that they had 4769 hours of time and roughly their availability of 3700 hours, we have another requirement of about another 1100 hours of time that would be needed to cover the courthouse. He calculated that there would be another \$197,000.00 as opposed to \$137,000.

Sheriff - basically said that if we said we will do this for a certain amount of money, it will be done. Stated that we have people on second shift conveyance that will be utilized to make it work.

Clark – Looking at the department's budget from last year, the sheriff will be coming back for overtime again.

Sheriff – the department has never been under a million dollars in the last ten years. Last year after the department proposed the budget that they knew was going to be short, the

Board cut it again. A lot of the overtime we have comes from federal inmates. The jail uses a substantial amount of overtime housing federal inmates.

Chief Deputy – Budget is increased due to so many external issues with overtime. We have never been able to budget overtime appropriately because of so many issues. There is no way of controlling weather, costs, accident and sickness leave, workman's compensation, disciplinary actions. We have conveyance deputies that sometimes will have courtroom duty that we will use. No matter what, we utilize what we have to cover. We don't hire another deputy to fill that slot. There is usually a surplus in salary, so before we ever ask for federal revenue or come back to the Board, we dip into that first.

Chief Deputy to Clark – Kenosha County does not have any deputies in the courtroom, so if the county board chooses to have private security, they would not be able to respond and deputies would have to be called. If we had a deputy in the courtroom, private security at the door would probably not be too big of an issue.

Sheriff said that in the past, if something was going on that would be in the media, we attempted to get the letters or notices out to the County Board supervisors as quickly as possible and we have used deputies as a professional courtesy so that whenever we could, we wanted to have the supervisor hear it first, rather than seeing in the newspaper or on the radio. He has heard that some supervisors have questioned wasting the manpower to do this. Wants to know that if a letter in the mail is more appropriate, he would be happy to do that since it would save man power.

Dennis Elverman - stated that he felt it was very important that supervisors have that information and he has heard some supervisors grumbling about it, but feels it is more important to have deputies deliver information rather than seeing it or hearing it from another source.

Supervisor Huff asked Bob Riedl if this Resolution is defeated, is JBM Patrol and Protection the company that the administration would bring forward. Riedl confirmed.

Bob Riedl – Presentation

73 invitations went out to the private market for bids for Courthouse security. There are three official responses that are presented to you in the bid tabulation that the board will get at tonight's meeting. There was one qualifying bid that is JBM Patrol and Protection. They came in under the \$85,000.00 budgeted amount. References checked out and they will be the successful bidder to provide courthouse security if the county board chooses not to use the sheriff's department for that purpose. Supervisors were given a copy of the response so that they could learn more about JBM patrol and Protection. They are currently the courthouse security firm that is retained by Walworth and Rock counties.

Volpintesta – Supervisor Rose asked that he clarify the procedure for this. Supervisor Rose wanted to know whether or not the administration would go through committee for this budget. Volpintesta stated that it has always been their opinion that if money is

budgeted, it is up to the administration to negotiate for it and execute the contract. Any RFP would not potentially come back to the Board. Courthouse security is not considered bargaining unit work for the deputy sheriff's, can be though.. It is his understanding that there is supposed to be some type of a memorandum of understanding that there may be some contact with the union relative to that. May be problematic if deputies were used, then at a later date, private security was used.

Michel – stated that most counties have bailiffs as deputies and being in the courthouse on a daily basis, he sees the need. He is happy the judges did send out letters to the Board and Sheriff stating the need for security. Brought up Country Thunder who initially brought in private security and documentation that it would be great security and what he saw, it failed. We brought the Sheriff's department into Country Thunder and saw a vast improvement. Big difference between having private security and the Sheriff's department in charge. Believes it is vital that the department does courthouse security.

Motion by: Michel Second: Moore Approved: unanimously

Any other business: None

Meeting adjourned: 7:55 p.m. Motion: Michel Second: Moore

Respectfully Submitted,

Michelle Battellini