

MINUTES OF MEETING OF JUDICIARY & LAW ENFORCEMENT COMMITTEE
October 16, 2006
KENOSHA COUNTY DETENTION CENTER

Members Present: Ruth Booth, Joseph Clark, Bob Haas

Others Present: Gabe Nudo, Sheriff David Beth, Chief Deputy Charles Smith, Capt. Gary Preston

Meeting Called to Order: 4:00 p.m. by Vice - Chair Ruth Booth

Citizen Comments: None

Supervisor Comments: None

Chairman Comments: Supr. William Michel II was excused from the meeting.

Discussion Regarding Conversion of the Industry Area at Kenosha County Detention Center to Inmate Housing:

Sheriff Beth distributed handouts detailing average daily population, available beds, and average monthly population history from 2001 to present. Capt. Preston compiled most of this information. Sheriff reported that the numbers keep going up. These numbers do include federal inmates. Sheriff would like the opportunity to continue generating revenue in the future. Ideas are brought to the County Board and it is up to them to decide. Local inmate numbers are expected to rise even though these are kept down some with WCS and Workcrew programs. We are reaching capacity. Supr. Clark asked about the capacity of both facilities. Sheriff replied 772; 325 Downtown and 447 at KCDC. Capt. Preston added that the State says we are not supposed to go over 80% or 618 due to issues such as classification and movement.

Supr. Haas asked if the Downtown Jail was built in 1982. Preston confirmed that it was built in 1982 and extensively remodeled in 1999/2000. They added the PreTrial area with receiving, the health services medical unit, and the Z-Dorm. Haas asked what the capacity was when the building was first built. Preston replied 185. Haas commented about the increase in number of beds needed in 14 years. Supr. Faraone commented about the average number of federal inmates reported so far in 2006 as appearing to be on target. Preston said yes. We currently have 112 with 8 more coming tonight. Chief Deputy explained that the original Molinaro Building housed 90 inmates and we were sending inmates to Milwaukee. When the Public Safety Building opened 150 inmates were brought in so it filled up fast. Over the past years they have utilized alternative programs to keep numbers down. Haas asked about the recidivism rate. Chief Deputy replied that some are in 25 or 30 times, some drunk drivers are on their 5th or 6th offense. Preston said that some want to return for medical treatment. Faraone added that numbers increase in the winter because people are looking for the comforts of getting out of the cold. Haas commented about the continually increasing costs of building. Sheriff said the cost projection has increased \$400,000 over the past 2 years. Haas said that the drawback is we have no guarantees of federal inmates, however, even if the federal government pulled out we would still need the beds in 3 or 4 years. Clark said that the number of local inmates over the past 5 years has not gone up, it has even gone down a little bit. Clark commented about the average federal inmates in 2005 being 146 and that this year we budgeted for 119. Preston said we are currently at 116 so we're not far off. Chief Deputy explained

that in 2005 the McHenry County facility was not done yet. Haas asked if we negotiate the daily rate or if the federal government just tells us what they will pay. Preston said there is some negotiation but mostly they tell us. We are the highest paid in the state. Haas asked who transports the inmates. Preston responded that we do. Sometimes we pick up people from local agencies and hold them for a couple days. Farone asked if we are fully compensated for transportation. Preston said yes. Chief Deputy added plus medical.

Haas asked what is usually the biggest offense of federal inmates. Preston explained that BICE are awaiting deportation. Chief Deputy said that US Marshall inmates are awaiting pre-trial with charges of major crimes including murder. These are the most difficult inmates. Clark asked if the US Marshall inmates stay in the cells at KCDC. Preston responded that they are in cells split between KCDC and Downtown because some have to be kept separate. Clark asked if the expansion with separate cells would make a difference. Preston explained that we have an 8-tiered system to categorize inmates, basically 1's & 2's and everyone else with 1's being the worst. 1's & 2's need individual cells.

Clark asked why this is being brought back after being stopped in 2004. Preston said there was to be a contract with the State, not the federal government, however, Wisconsin pulled out and there was no need at that time. KSD then pursued an increase in federal inmates. Sheriff said that in 2004 the proposal was for us to take 100 state inmates. The State then pulled their inmates from counties throughout Wisconsin. Haas asked what happens if we do not take the federal inmates. Preston said they go somewhere else. He said we bend over backwards to accommodate federal requests. Exercise equipment was requested for federal inmates so we provided it. They did not want their inmates wearing flip-flops so canvas shoes were ordered. We have the drive to accommodate the federal government. Haas asked what the longest stay was for an inmate. Preston said one inmate stayed over 3 years. Some countries won't take the people back. The usual stay here is about 3 weeks. If deportation is fought, the time can be prolonged. Chief Deputy added that we are convenient for the attorneys that represent these inmates because we are closer.

Supr. Booth asked about further expansion of McHenry County and if we could expect more inmates. Chief Deputy said there is not so much competition anymore and that they are not planning for further expansion. Preston said we still have high numbers with McHenry open. Haas asked how many people would have to be laid off if we lost federal inmates. Sheriff said they would have to determine what is most cost effective and decide where layoffs could occur or the County would have to absorb the cost. Preston said it would be difficult to justify layoffs when most of the care is provided by overtime. Clark asked what the margin is when they would have to add more employees. Sheriff said they would have to do a comparison of overtime vs. new employees. If things get too tight it may be cost effective to add employees. If employees were added directly due to federal inmates, and then federal inmates were lost, they could lay off. Clark commented that overtime could cause burnout and affect moral. Preston explained that the Direct Supervision Officers at KCDC are not such a problem because overtime is distributed evenly. Correctional Officers Downtown are more strained because the least senior person gets the overtime and high seniority people only take it if they want it. Clark asked if new hires could be sent Downtown. Preston said turnover occurs in both places. Hiring and training is different for the two facilities. Chief Deputy said they have never been fully staffed from the beginning. Employees have always worked hard. This is coupled with turnover, workers compensation, accident & sickness, etc. Clark asked if any financial modeling has been done to determine the margin of cost based on the number of inmates. Sheriff said the cost for food, employees watching the inmates, and basics is about \$10/day. Clark asked if this would be the same in 2008. Would incremental variable costs go up when numbers increase? If we're going to get 30, 40 or 50 more, how does this cost work in? Would we have diminishing returns? Sheriff said he would have to look into this, he

would need financial help. Chief Deputy said we don't know what the payback will be. If guaranteed they would be asking for staff right away. They are also planning for the inevitable need for cells for local inmates. Clark said we still need to look at it from a hypothetical standpoint. Faraone said hypothetically 120 more inmates would probably require about 9 new employees, if they saw revenue go down the reduction of employees could probably be done through attrition. Preston said they have not added employees so far partly so they would not have to lay off anyone. They hope they don't have to put people in the new area right away so they can do needed renovations. With the remodel they would be able to house at risk people how they should be housed. Faraone asked if we were timid about proceeding before because of McHenry County. Preston replied yes. Sheriff said they were being very conservative. Haas said that right now they can not even repair cells. Preston said that Downtown is holding more than they should and they could easily be sued. Supr. Nudo commented that he thinks the economy may go down and result in more crime. Chief Deputy said that even if they can't fill up the 120 beds with federal inmates, they can transfer some inmates from Downtown to relieve stress. We have the opportunity to do this for a much lower cost than adding a pod.

Haas commented that according to the roster there are more deputies transporting inmates to courts than there are on the road. Preston said there are 12 different courts they service plus their runs to and from Chicago. There are up to 12 transporters and 6 on the road. Haas said that 2nd shift goes from call to call and 3rd shift slows a little but major things can happen. He said he thinks this should be done now because of rising costs. The same thing is happening with the Highway Dept.: black top has doubled; paint for the roads has tripled; trucks, rubber and tires have doubled.

Members Present took a Tour of the Kenosha County Detention Center

Any Other Business Allowed by Law: None

Meeting Adjourned: 4:55 p.m. on motion by Clark, seconded by Haas.

Respectfully Submitted,

Donna L. DeBree