

MINUTES OF MEETING OF JUDICIARY & LAW ENFORCEMENT COMMITTEE
October 14, 2009
KCAB 2ND COUNTY BOARD COMMITTEE ROOM

Members Present: James Huff, Ronald Johnson, Roger Johnson

Others Present: Gisel Romero, Lt. Paul Falduto, Nancy Otis, Bob Zapf, Kathy Kemen, Ben Schliesman, Freda Pryga

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

Citizen Comments: None

Supervisor Comments: None

Chairman Comments: Supr. Huff reported that Supr. Michel is on vacation.

Minutes Read: September 15, 2009

Motion by: Ronald Johnson **Seconded by:** Roger Johnson **Approved:** unanimously

Resolutions from the Kenosha Co. Sheriff's Department:

1) Probationary Cabaret License – Mary Rose Piazza

Motion by: Roger Johnson **Seconded by:** Ronald Johnson **Approved:** unanimously
Lt. Falduto presented the resolution. Business address is 9524 Camp Lake Rd. Cabaret inspection passed. There have been no incidents. Planned entertainment is for 1 or 2 person "Sinatra-type" music. Sheriff's Dept. recommended approval. Owner Freda Pryga attended the meeting.

2) WI OJA Homeland Security Grant – New Bomb Robot

Motion by: Ronald Johnson **Seconded by:** Roger Johnson **Approved:** unanimously
Lt. Falduto presented the resolution to accept \$199,864.00 from the Office of Justice Assistance for the purchase of a new Bomb Robot. The grant does not require any local match. Huff asked why the resolution allows for possible carryover to subsequent years. Falduto explained that because purchases will be made so late in the year, it may be next year before equipment is received and/or paid for. Supr. Roger Johnson asked if Racine has a robot. Falduto responded no. Roger Johnson asked if we get reimbursed for services provided in Racine and if we go anywhere else. Falduto replied that we usually stay in Southeast Wisconsin but can go anywhere. We are reimbursed a set charge, however, if an incident is prolonged we get additional. Supr. Ronald Johnson asked how many calls for service we get for the robot. Falduto said three to five per month; largely due old devices from WWII being discovered after the passing of WWII veterans.

3) Sheriff Dept. – Staff Development Budget Modification

Motion by: Roger Johnson **Seconded by:** Ronald Johnson **Approved:** unanimously
Nancy Otis explained that the State of Wisconsin Division of Law Enforcement Services funds for law enforcement and correctional staff for both In-Service training and BASIC new recruit training expenses. In January, the Division of Law Enforcement Services decided to change their policy regarding the In-Service appropriation and request that the law enforcement agencies pay the vendors directly for In-Service costs resulting in the State cutting our department a check for \$24,620.84 representing the unspent allowance. The Sheriff's Dept. is also expecting \$7,000 as

reimbursement from the DOJ Training/Standards Bureau of BASIC recruit training expenses. The Sheriff had budgeted \$18,000 in Training Reimbursement revenue for 2009, currently we have received \$28,861.61. The Sheriff would like to recognize \$17,500 of this to cover In-Service and BASIC training expenses incurred.

Huff asked if this change will be incorporated in the 2010 budget from the start. Otis replied yes.

Memo from the Sheriff's Department Requesting to Re-Purpose Unspent Department Carry Over Funds:

Lt. Falduto explained that this does not require approval from the Committee but they like to keep the Committee informed. In 2007, \$100,000.00 was budgeted to replace communications software in the Detentions Bureau. This money was unspent in 2007, carried over to the 2008 budget, unspent in 2008 and carried over to the 2009 budget due to contract issues with the vendor. In 2009 the Department was able to resolve the issues the money was budgeted for without expending the money. The Sheriff's Department therefore requests to re-purpose \$47,000.00 of this amount to make repairs to other communications issues that need to be addressed. \$2,000 of this amount would be used to purchase and install multiple Uninterruptible Power Supply's (UPS's) to the Sheriff's Department's radio base stations at the KCC Center Tower. Currently, when there is a power interruption at this location, the Sheriff's Department's radio base stations have to be rebooted, resulting in the loss of the main communication system for a period of time. These UPS's would resolve that issue. The remaining \$45,000 would be used to purchase and install a new Multi-Site controller (MSC) for the Mobile Data Systems utilized by Squad Cars in Kenosha County. The current MSC now being utilized is no longer supported by the manufacturer and is at a point in its service life where issues and problems can be expected to begin to occur. If it goes out it may take 1-2 months to replace.

Resolution from the Division of Emergency Management:

1) Radio Interoperability Grant

Motion by: Ronald Johnson ***Seconded by:*** Roger Johnson ***Approved:*** unanimously

Ben Schliesman presented the resolution to accept \$59,403 from the State of WI Office of Justice Assistance. The grant is for the replacement of portable and/or mobile radios for Paris Fire & Rescue, Pleasant Prairie Fire & Rescue, Pleasant Prairie Police and Kenosha County Emergency Management. Each of these agencies will purchase their own radios and will be reimbursed the 75% cost through the County with the grant money. Emergency Management will require a \$686 match for the two portable radios it needs to purchase. Huff asked where the \$686 is coming from. Schliesman replied Other Professional Services. Money was budgeted on this line for AT&T and when they went to purchase equipment there was a price decrease. Huff asked if the radios are now digital. Schliesman said yes, they are P25 compliant. Roger Johnson asked how municipalities go about getting the radios and asked about Silver Lake. Schliesman explained that some municipalities such as Twin Lakes turned down the radios because they could not come up with the 25% match. Silver Lake was not on this round; Schliesman will have to check on this.

Resolution from the Office of the District Attorney:

1) Appropriate funds from the General Fund for District Attorney's Trial Related Expenditures in 2009 Budget

Motion by: Roger Johnson ***Seconded by:*** Ronald Johnson ***Approved:*** unanimously

Robert Zapf explained that \$44,000 is needed to cover the following expected shortfalls. First, a case law decision has resulted in Judge's requesting that audio/visual tapes being used in court now also be transcribed. Transcription of these tapes was initially provided by the Police

Department, however, on June 16, 2009 they ceased this practice and the burden was placed on the District Attorney's Office. The DA is currently responsible for funding these transcriptions thru staff overtime and private court reporters. Additionally, the need for transcripts of Spanish speaking defendants has increased and these are even much more expensive to have prepared.

Second, an overall paper service increase is due to the rising cost of legal notice publication fees required in TPR and CHIPS cases; to the higher fees for out of county and out of state process; and to the increase in utilization of private process servers. Their legal publishing expenses alone have doubled from last year.

Third and fourth, Witness Fees shortfall is due to increases in travel, food and lodging costs for victims and witnesses. An increase in serious offense/high profile cases is requiring greater use of Expert Witnesses.

Finally, there is projected shortfall in Books and Manuals due to an increase in legal subscription prices necessary to keep the law library up-to-date.

Huff asked what the Line Item Decrease of \$27,000 is about. Zapf explained that this is from lines where surpluses are expected. Huff asked if this would be enough through year-end. Zapf responded that they hope so. They have been directed and guided by Finance. Kemen added that this is estimated based on figures over the past few years.

Supr. Roger Johnson asked if there is anything more our local Medical Examiner can do. Zapf explained that the current Examiner is being used for all current cases, however, it is difficult to take over someone else's case.

Huff asked if anyone is challenging the requirement of written transcription in addition to audio/visual. Zapf replied that Milwaukee is. At the Appellate level judges like everything in written form. They do not want to go to audio/visual. An option could be to transcribe only cases that go to the Appellate level. Kemen also added that transcripts are done before the trial.

Any Other Business Allowed by Law: None.

Meeting Adjourned: 7:42 p.m. on motion by Roger Johnson, seconded by Ronald Johnson.

Respectfully Submitted,

Donna L. DeBree