NOTICE OF MEETING

CRIMINAL JUSTICE ADVISORY COMMITTEE (CJAC)

July 25, 2018 5:15 PM

Law Enforcement Center
525 North 6th Street
Sheboygan, WI 53081

West Conference Room

AGENDA

- Call to Order
- Certification of Compliance with Open Meeting Law
- Approval of Minutes
- Public Comments
- Correspondences/Communications

  Jail Population
- Consideration of election of Committee officials
- Wisconsin Community Services
- Alternatives to Incarceration and Huber Law Program
- Resolution No. 03 (2018/19) Supporting the Sheriff in Expanded Use of Electronic Monitoring to Alleviate Detention Center Space Shortage; Directing the Criminal Justice Advisory Committee to Study Alternatives to Incarceration; and Directing a Report on Long-term Options to Address Detention Center Space Needs
- Adjourn

Prepared by:
Jodi LeMahieu
Recording Secretary

Jim Risseeuw
Committee Chairman

Note: persons with disabilities needing assistance to attend or participate are asked to notify Jodi LeMahieu, 459-3895, prior to the meeting so that accommodations may be arranged.

A majority of the members of the County Board of Supervisors or of any of its committees may be present at this meeting to listen, observe and participate. If a majority of any such body is present, their presence constitutes a "meeting" under the Open Meeting Law as interpreted in State ex rel. Badke v. Greendale Village Board, 173 Wis. 2d 553 (1993), even though the visiting body will take no action at this meeting.

Posted on July 23, 2018 @ 12:35 p.m.

CRIMINAL JUSTICE ADVISORY COMMITTEE (CJAC) MINUTES

Law Enforcement Center
525 North 6th Street
Sheboygan, WI 53081

East Conference Room

October 18, 2017 **Called to Order: 5:15 PM** **Adjourned: 6:07 PM**

MEMBERS PRESENT: Chris Domagalski, Jim Risseeuw, Chris Petros, Joel Urmanski, Nick Larkin, Thomas Epping, Charles Wingrove, Judge Borowski, Judge Sutkiewicz

MEMBERS ABSENT: Melody Lorge, Adam Payne

ALSO PRESENT: Adam Gitter, Daniela Imig, Evan Brill

Call to order

Chairman Risseeuw called the meeting to order at 5:15 p.m.

Compliance with Open Meeting Law

Chairman Risseeuw certified compliance with the open meeting law. The Notice of Meeting was posted at 11:15 a.m. on October 13, 2017.

Approval of Minutes

Motion by Epping, second by Judge Sutkiewicz, to approve the minutes from the meeting held on April 19, 2017. Motion carried unanimously.

Public Comments

There were no public comments.

Correspondences/Communications

There were no correspondences/communications.

Wisconsin Community Services - Intoxicated Driver Intervention Program

Daniela Imig and Adam Gitter gave an overview of the Wisconsin Community Services - Intoxicated Driver Intervention Program. Discussion followed.

Day Reporting Program Subcommittee Update

Chris Petros gave an update on the Day Reporting Program Subcommittee. The subcommittee will now remain inactive until a meeting is needed.

Consideration of Letter of Support for TAD Grant

It was determined prior to the meeting that a letter of support from the Criminal Justice Advisory Committee for the TAD Grant is not needed.

Adjourn

Motion by Epping, second by Domagalski, to adjourn. Motion carried.

Jodi LeMahieu
Recording Secretary

James Risseeuw
Committee Secretary

DRAFT

ALTERNATIVES TO INCARCERATION

CORRECTIONAL PHILOSOPHIES

- Punitive- Loss of freedom is unpleasant and serves as a deterrent to bad behavior.
- Reformation- An offender reflects on their behavior and decides to change , preventing future bad behavior.
- Rehabilitation- Services provided to an offender influence them to change and avoid future bad behavior.

HUBER LAW

- Named after its author, State Senator Henry Huber in 1913
- Work Release for Sentenced Inmates upon approval of application.
- Also Medical treatment, Counseling, Child Care, Court Appearances.
- If employed, fees are collected. ($20 per day, $10 per day for students)

ELECTRONIC MONITORING (EMP)

- Option for sentenced inmates if application approved by the Sheriff.
- EMP bracelet monitors location of convicted offender and allows staff to monitor compliance with restrictions.
- Capable of monitoring alcohol use
- Fees collected to cover cost of equipment

VETERANS TREATMENT COURT

- Diversion program for military Veterans charged with crimes
- Crimes are related to a treatable behavioral health issue
- Involves approval of application by Veterans Court Team
- Signed participation agreement.
- Assures available VA benefits and services are accessed by veteran participants

DRUG AND ALCOHOL TREATMENT COURT

- Diversion program for non-violent offenders assessed with Substance Abuse Disorder.
- Offender has been charged with crime(s) motivated by substance abuse.
- Requires plea of guilty or no contest and a contract between DA, participant, and Defense counsel.
- Participant must make frequent appearances before Treatment Court Judge and comply with all counseling, tests, community service and activities outlined in their treatment plan.

DAY REPORTING

- Used initially for low bond, low risk offenders for pre-trial monitoring of compliance with bond conditions.
- Has expanded to over 100 inmates for various offenses for pre-trial monitoring. Can be customized to include alcohol monitoring.
- Includes assistance in finding employment.

Adult Detention Center Expansion Project

Background

The current Adult Detention Center was completed in 1998 and was constructed to house a maximum of 295 adults. The operational capacity due to inmate classification is typically 80% which would be 236 adult inmates.

The Detention Center was initially used to house adult male inmates with a small population of 10-20 female adult inmates housed at the old downtown jail facility. We currently have a maximum capacity for adult inmates of 379.

In 2009, at the direction of Law Committee Chairman Michael Vandersteen, a plan was developed to expand the Adult Detention Center based on a steady increase in the inmate population and a projection to reach maximum capacity for secure inmates (non-Huber law) by 2012-2013. Due to the high cost of the project, ($22,000,000), it did not move forward. A decision was made to maximize the use of alternatives to incarceration, specifically the use of electronic monitoring. That plan, combined with the loss of boarded state inmates and a brief period of low growth in inmate population allowed us to operate within our capacity.

In late 2015, we experienced an increase in our adult population. While at the time we thought it may be temporary, it continued into 2016 and 2017 to a point where we have approached our maximum capacity at our Adult Detention Center and the old downtown jail. On July 13 we housed 374 adult inmates.

The alternatives programs that have provided some relief for several years are also at or near capacity. Four correctional staff members are responsible for assisting and monitoring over 100 inmates in the programs that include electronic monitoring, alcohol/drug tests, employment assistance, and occasional home visits.

In our opinion, it is time to plan for the expansion of our facility knowing that it will take a great deal of time and financial resources to move it forward to completion.

The Cost

We recently obtained a preliminary plan and estimate from Bray and Associates for the design and construction of two new phases to the detention facility. The cost estimate they provided is **$30,782,967** for both phases. In 2009, the estimate included the option of building one phase initially and the second new phase at a later time. Under this option, the cost of building the first phase was 60% of the total for two phases. Using this same proportion, building one new phase based on the new estimate would be approximately **$18,469,780**. In addition to lowering the initial cost of gaining some needed space, this option would offer some operational benefit in hiring and training new employees to staff the expanded facility.

The cost of not expanding our capacity also needs to be considered. If we reach our maximum capacity, we will have to find space in other county jails. When we experienced a space shortage in 1995-1998, we found boarding space in our surrounding counties in addition to Brown County and Shawano County. The annual cost of boarding outside our county was $600,000-$800,000. Today, those counties no longer have space available. Our closest options are Sauk County and Marquette County.

For housing purposes, inmates are typically boarded in groups of ten. If we boarded 20 inmates at Sauk County at a rate of $50 per day the annual cost would be $365,000. If we boarded 20 inmates at Marquette County at $35 per day the annual cost would be $255,000. This cost does not include the cost of transporting inmates to and from these facilities for court appearances or for initial confinement or release. This would involve the use of full time employees, an increased use of part time employees, and inevitably an increase in overtime.

Staffing Costs

If we assume that we could move all adult inmates currently housed at the downtown jail out to the expanded Detention Center, we would need to add ten additional correctional officers to our staff one new phase and another 12 to staff a second new phase. We would also need to add three supervisors if we expanded into two new phases.

Using 2017 wage and benefit costs, an additional ten correctional officers would cost $644,130. Adding another 12 correctional officers for a second phase would cost an additional $772,956. Adding three additional supervisors would cost approximately $214,000.

Offsetting Revenue

From 2004-2012 we housed 20 inmates for the State of Wisconsin Department of Corrections. We had enough space to accommodate one pod/block of males and one for females. The revenue generated from boarding state inmates was between $200,000 and $300,000 annually. In 2016 we were contacted by DOC regarding available space for state inmates. We did not have space available for male inmates but at the time we did have space for 10-20 female inmates but that is no longer the case. According to DOC, they were planning to board inmates at county jails where possible to avoid boarding inmates out of state and there were no immediate plans to build more state prison space.

The potential for revenue from boarding DOC inmates is significant. Boarding 20 inmates for one year would result in $365,000 in revenue. If more space is available, there is a potential for more revenue.

In addition to potential DOC revenue, our surrounding counties and other counties in southeast Wisconsin have experienced an increased inmate population and capacity concerns. Some have discontinued boarding juveniles to create more adult space and others have inquired about space for adult female inmates to create more space for adult males.

Our surrounding counties were contacted and none have plans to expand their current detention facilities. If Sheboygan County expands its capacity at a point in time where we would be the only facility with boarding space we have a greater potential to generate offsetting revenue from other counties in addition to Wisconsin DOC.

Using our experience with juvenile detention as an example, in 2012 the decision was made to maintain our juvenile facility as opposed to boarding our juveniles in Manitowoc. The result has been a significant source of revenue for our department. We currently board juvenile inmates for the counties of Manitowoc, Marinette, Door, Oconto, Calumet, and Shawano. Brown, Winnebago, and Outagamie counties have also boarded juveniles with us on an occasional basis. We consistently see revenue of $18,000-$20,000 each month from boarding juveniles.

The clear difference in the case of our juvenile facility is that we were one of the last counties to have available space. The potential for revenue from adult boarding is based on our facility being one of the first to have available space.

To be clear, we are not advocating the expansion of our facility for the purpose of generating revenue. We are also not advocating the expansion into two new phases as opposed to one new phase for the purpose of being in the large scale inmate boarding business.

We are advocating the expansion of our facility to avoid the enormous cost of boarding inmates elsewhere and the additional wage and overtime costs of transporting. The potential for revenue from boarding inmates for the state or other counties would simply work as an offset to the large cost of the expansion project.

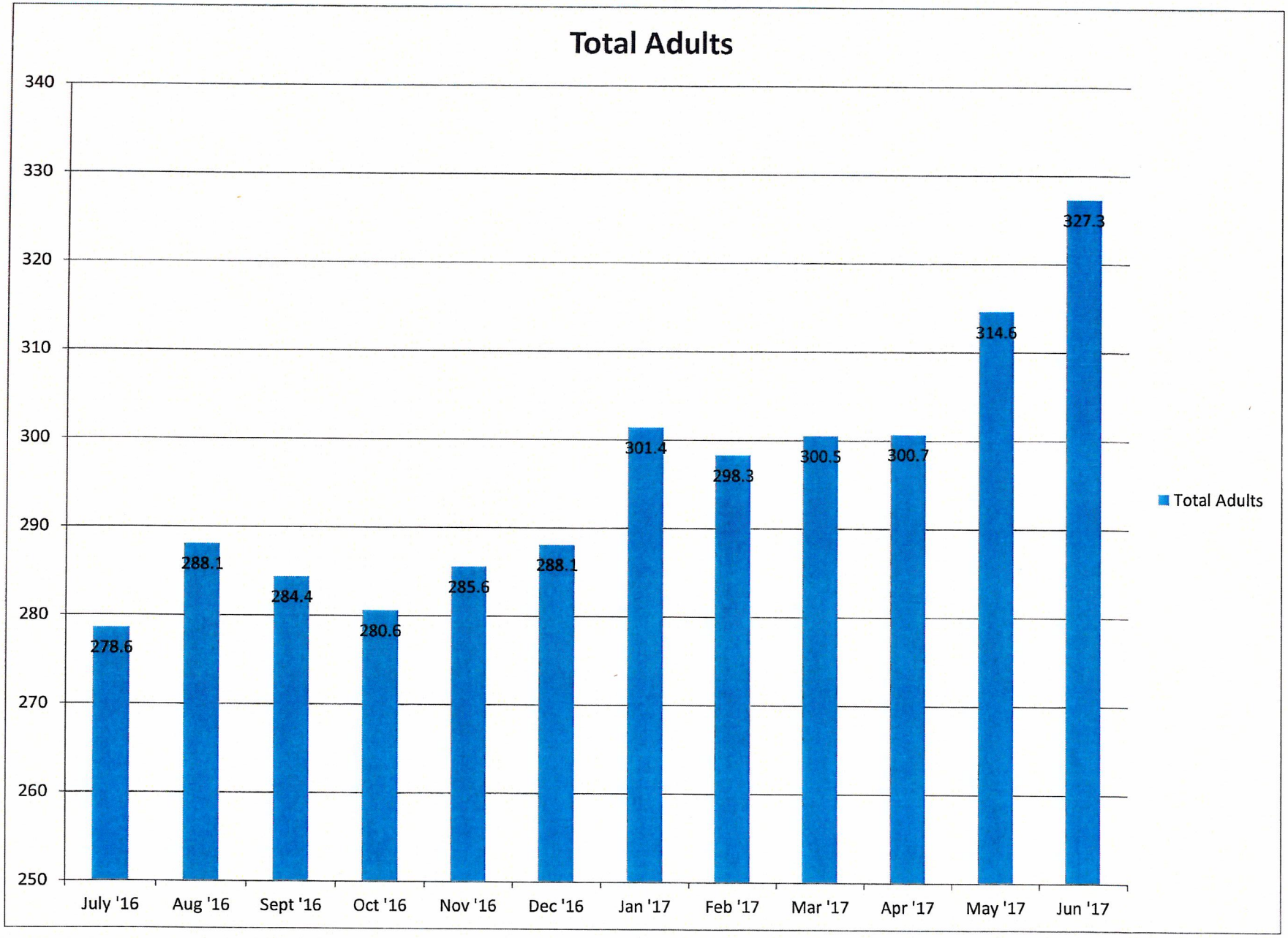
Alternatives/Options

- **Boarding at other county jails-** in addition to cost of boarding and transportation, space is limited and may not always be available in the future.

- **Expand electronic monitoring and day reporting programs-** In a recent discussion with members of CJAC sub- committee on alternative programs there is a concern about taking greater risk when allowing more inmates to enter these programs. The conclusion was that a few more inmates may be good candidates but overall not enough to significantly impact incarcerated population. Expansion of alternative programs would also require additional staffing as the current staff of four is responsible for approximately 150 inmates.

Attachments

Attached to this summary are graphs showing the increase in inmate population in recent years and the relationship to our operational and maximum capacity.


Total Adults
340
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250
278.6
288.1
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288.1
301.4
298.3
300.5
300.7
314.6
327.3
July '16
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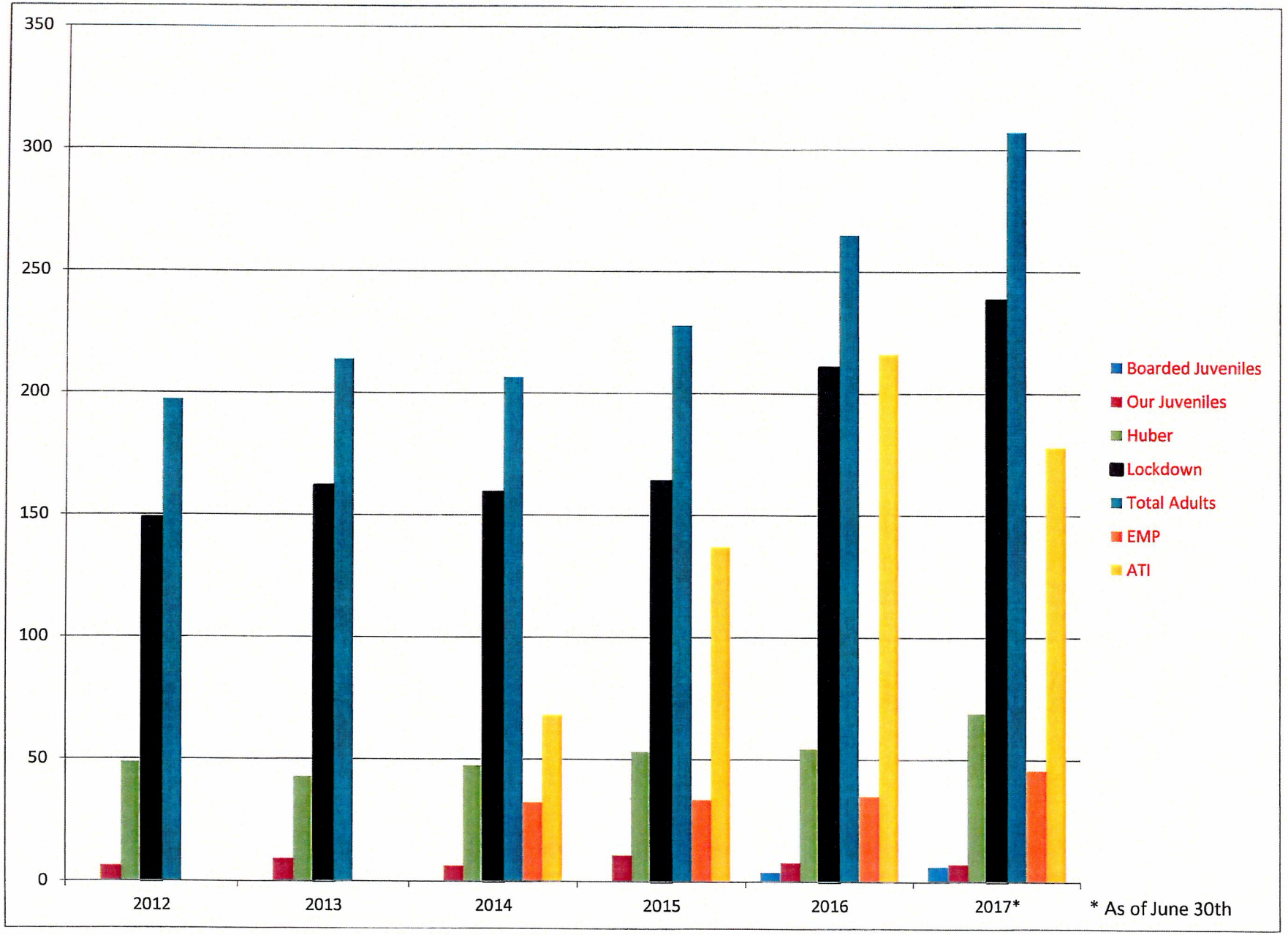
Total Adults


350
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2012
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Boarded Juveniles
Our Juveniles
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Lockdown
Total Adults
EMP
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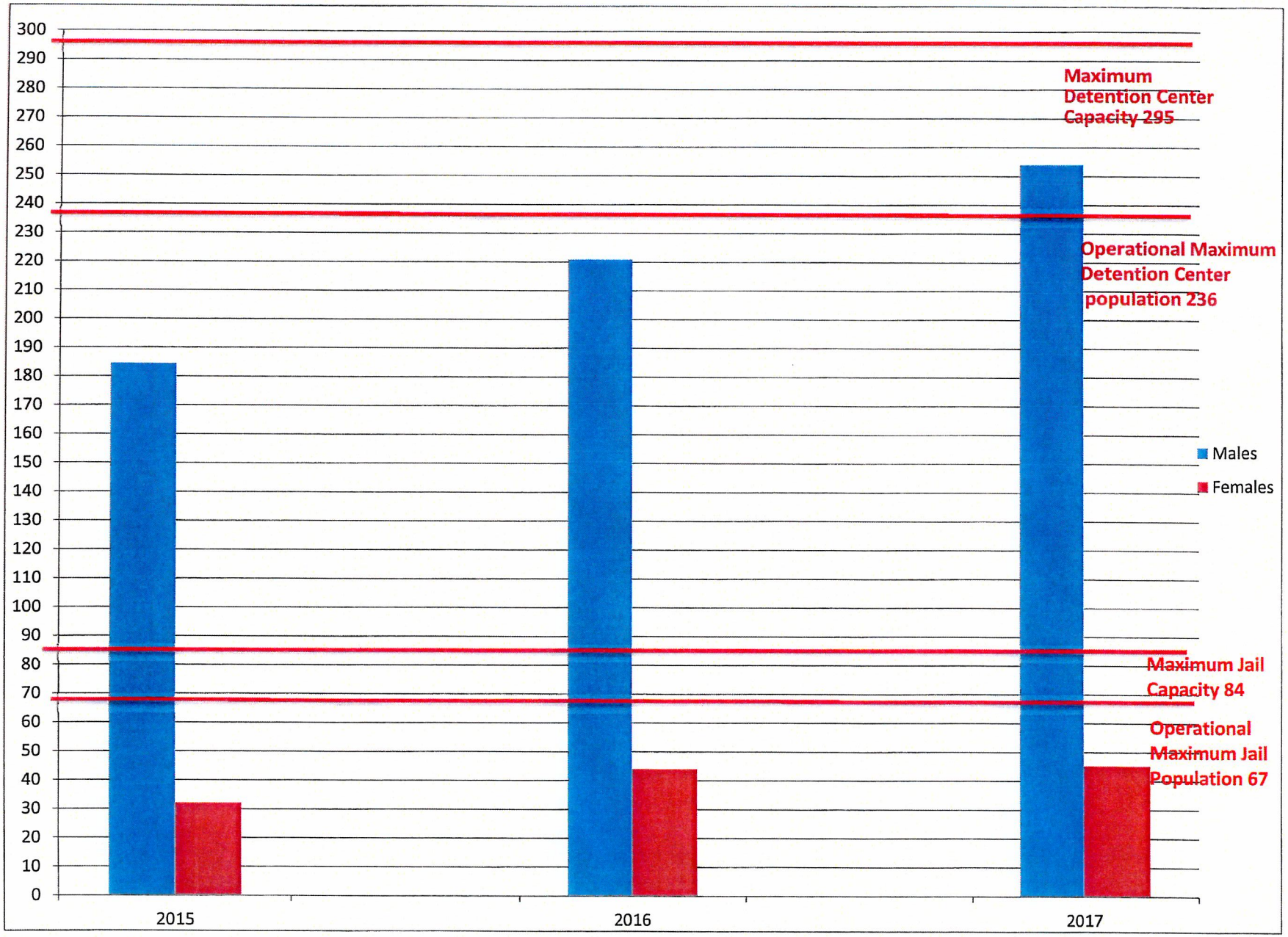
* As of June 30th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30
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10
0
2015
2016
2017
Maximum Detention Center Capacity 295
Operational Maximum Detention Center population 236
Maximum Jail Capacity 84
Operational Maximum Jail Population 67
Males
Females

SHEBOYGAN COUNTY

Todd W. Priebe
Sheriff

To: Sheboygan County Finance Committee

From: Sheriff Todd W. Priebe

Date: August 9, 2017

Re: Additional Information Regarding Jail Population

At the July 26,2017 Finance Committee meeting some additional information was requested regarding our Jail population. The following information was gathered:

-Reason for Incarceration- Attached to this memo is a statistical breakdown of our population for the last several years. It shows the reason for incarceration at the time of booking by percentage of population and a separate chart showing the raw numbers. It indicates the percentages and volume of bookings have not changed drastically but we know the average length of stay has increased from 8 days to 10 days which increases the overall daily volume.

-Home Residency of Inmate Population- Checking the current population by the address provided at time of booking, 19.8% of our inmate population indicated a home residence outside of Sheboygan County.

-Cost of Transporting Inmates to Other Facilities- Estimating we would make two round trips per week to Sauk County with two officers using one full time and one part time officer, the cost per transport would range from $378 to $450 depending on straight time or overtime rate for the full time officer. Annually, this amounts to $39,312 to $46,800. Depending on inmate volume and need for additional transports due to court appearances, the number of transports could average more than two per week.

Booking Type Statistical Data

	2013	2014	2015	2016	2017*
12 Hour Hold	4.44%	3.99%	4.65%	3.56%	3.27%
Adult Boarder	0.05%	0.00%	0.03%	0.08%	0.00%
Arrest	30.48%	29.99%	29.44%	30.62%	24.46%
Bench Warrant	4.49%	4.12%	4.83%	6.28%	5.62%
Child Support	1.08%	0.78%	1.04%	1.28%	1.17%
Criminal Warrant	1.13%	1.07%	1.18%	1.00%	1.51%
ES Sanctions	1.03%	1.31%	2.63%	2.61%	3.42%
FTP Fine	4.72%	4.52%	3.61%	4.81%	4.30%
Municipal Charge	0.43%	0.29%	0.06%	0.11%	0.00%
MPR	5.90%	7.14%	8.64%	7.59%	8.20%
Municipal Commitment	5.47%	8.48%	3.90%	1.42%	0.05%
Other county transfer	0.05%	0.19%	0.17%	0.14%	0.05%
Out of County Warrant	2.66%	2.94%	3.12%	3.87%	3.86%
Probation Registration	0.03%	0.03%	0.03%	0.06%	0.00%
P.O. Hold/ Apprehension Request	18.55%	19.48%	18.81%	18.02%	16.41%
Pending revocation	0.50%	0.32%	0.46%	0.56%	0.39%
Sentenced	4.57%	4.87%	4.65%	4.06%	4.83%
Turned self in	6.53%	6.39%	6.88%	5.87%	5.52%
Writ of habeas Corpus	2.86%	4.09%	5.87%	4.67%	4.88%

*As of July 1st

	2013	2014	2015	2016	2017*
12 Hour Hold	177	149	161	128	67
Adult Boarder	2	0	1	3	0
Arrest	1214	1121	1019	1101	501
Bench Warrant	179	154	167	226	115
Child Support	43	29	36	46	24
Criminal Warrant	45	40	41	36	31
ES Sanctions	41	49	91	94	70
FTP Fine	188	169	125	173	88
Municipal Charge	17	11	2	4	0
MPR	235	267	299	273	168
Municipal Commitment	218	317	135	51	1
Other county transfer	2	7	6	5	1
Out of County Warrant	106	110	108	139	79
Probation Registration	1	1	1	2	0
P.O. Hold/ Apprehension Request	739	728	651	648	336
Pending revocation	20	12	16	20	8
Sentenced	182	182	161	146	99
Turned self in	260	239	238	211	113
Writ of habeas Corpus	114	153	203	168	100

*As of July 1st

SHEBOYGAN COUNTY RESOLUTION NO. 03 (2018/19)

Re: **Supporting the Sheriff in Expanded Use of Electronic Monitoring to Alleviate Detention Center Space Shortage; Directing the Criminal Justice Advisory Committee to Study Alternatives to Incarceration; and Directing a Report on Long-term Options to Address Detention Center Space Needs**

WHEREAS, the current adult inmate population at the Sheboygan County Detention Center is reaching the capacity for the facilities, and

WHEREAS, Sheboygan County is facing the prospect of housing its adult inmates at out-of-county facilities if our own facilities are not expanded and/or alternatives to incarceration are not utilized, and

WHEREAS, housing Sheboygan County adult inmates at out-of-county facilities would cost approximately $50 to $75 per day, per inmate, not including transportation expenses at a cost to Sheboygan County of approximately $750,000 - $1.1 Million per year based on 40 inmates, and

WHEREAS, ordinarily an inmate sentenced to jail with Huber Law (work release) privileges is released into the community for up to 12 hours each day without any supervision and then is incarcerated in the Detention Center for the balance of each day, and

WHEREAS, the Sheriff has the statutory authority to allow inmates sentenced to jail with Huber Law privileges to be released on electronic monitoring devices wherein they are monitored 24 hours per day, and

WHEREAS, re-assigning Huber Law inmates to electronic monitoring would free up as many as 40 beds at the Detention Center for inmates sentenced to more significant crimes, and

WHEREAS, expanded use of the electronic monitoring option for Huber Law inmates on an interim basis would provide the County with a cost-effective option and would provide additional time for the County to consider alternatives to incarceration and assess and plan accordingly for an appropriately-sized addition to the Detention Center, and

WHEREAS, the Criminal Justice Advisory Committee was established by the County Board to provide guidance to the Law Committee on all criminal justice planning in order to maximize the efficiency and effectiveness of the entire system, and

WHEREAS, in 2017 the County Board anticipated the need for an expansion of the Detention Center facility by making it a component of the County's Five-year Capital Plan but has not determined the form which such expansion would take;

NOW, THEREFORE, BE IT RESOLVED that the Sheboygan County Board recognizes the Sheriff's statutory authority to place inmates sentenced under the Huber Law to electronic monitoring and supports expanded use of electronic monitoring options by the Sheriff as may be

necessary in order to provide additional space at the Sheboygan County Detention Center for more serious offenders.

BE IT FURTHER RESOLVED that the Criminal Justice Advisory Committee is directed to review the current incarceration facilities and the projected future needs for Sheboygan County and evaluate potential alternatives to incarceration including exploring what seems to be working for other communities and submit a written report of recommendations to the Law Committee by January 2019.

BE IT FURTHER RESOLVED that the Sheriff and Law Committee, together with the County Administrator, Health and Human Services Director, and Finance Director, are directed to continue to assess the demands and trends involving the Detention Center, to identify opportunities for modification or improvement, to explore alternatives, and by May 2019 provide a written proposal on expansion of the Sheboygan County Detention Center for the County Board's consideration.

Respectfully submitted this 15th day of May, 2018.

LAW COMMITTEE

Vernon Koch, Chairperson

Thomas V. Epping, Vice-Chairperson

Robert Ziegelbauer, Secretary

Paul A. Gruber

Brian C. Hoffmann

Opposed to Introduction: