

PROCEEDINGS OF THE BROWN COUNTY
PUBLIC SAFETY COMMITTEE

Pursuant to Section 19.84 Wis. Stats., a regular meeting of the **Brown County Public Safety Committee** was held on Wednesday, August 1, 2012 in Room 200, Northern Building, 305 East Walnut Street, Green Bay, Wisconsin.

Present: Patrick Buckley, Bill Clancy, Andy Nicholson, Tim Carpenter

Also Present: Karl Fleury, Tom Miller, John Gossage, Judge Zuidmulder, Beth Robinson, Sue Tilot, Don Hein, David Lasee

I. Call meeting to order.

The meeting was called to order by Chair Pat Buckley at 5:30 p.m.

II. Approve/Modify Agenda.

Motion made by Supervisor Clancy, seconded by Supervisor Carpenter to approve. Vote taken. **MOTION CARRIED UNANIMOUSLY**

III. Approve/Modify Minutes of June 6, 2012.

Motion made by Supervisor Carpenter, seconded by Supervisor Clancy to approve. Vote taken. **MOTION CARRIED UNANIMOUSLY**

1. Review Minutes of:

a. Criminal Justice Coordinating Board (May 29, 2012)

Motion made by Supervisor Carpenter, seconded by Supervisor Clancy to receive and place on file. Vote taken. **MOTION CARRIED UNANIMOUSLY**

b. Fire Investigation Task Force Board of Directors (March 15, 2012)

Motion made by Supervisor Clancy, seconded by Supervisor Carpenter to receive and place on file. Vote taken. **MOTION CARRIED UNANIMOUSLY**

Supervisor Nicholson arrived at 5:33 p.m.

Drug Court

2. Update on Drug Court by Judge Zuidmulder.

Judge Zuidmulder gave a presentation on Drug Court and provided a handout to the Committee, a copy of which is attached. Following the presentation several Committee members had questions.

Supervisor Clancy asked Judge Zuidmulder how successful he felt Drug Court was. Judge Zuidmulder said he thought he could save everybody, but he has had to terminate people from the program. However in looking at national statistics, he feels the program has been very successful. He felt that if he is able to take somebody who has been through the criminal justice cycle and give them the legs to stand in the community and hold down a full time job, maintain sobriety and have them get back in a stable situation and out of the prison and jail system, that is what shows success. As of today nine people have graduated Drug Court and there are currently 12 participating and working towards those goals. Without Drug Court these people would have either been in the County jail or in prison with no expectations that they discontinue this pattern. On a scale from 1 – 10, Judge Zuidmulder gauges the success of the program at about a 7.

Supervisor Nicholson asked what charges Drug Court participants are usually faced with. Judge Zuidmulder stated that they are non-violent crimes such as property crimes. Judge Zuidmulder continued that their policy is that they do not accept dealers, however, they do have a working relationship with the DTF and if the DTF recommends someone who is known as a middler (someone who has been selling drugs to feed their own habit) they will accept those. They do not take anybody convicted of delivery of a controlled substance.

Nicholson asked how many graduates they have had and Judge Zuidmulder answered that they have had nine graduates to date. Judge Zuidmulder stated that the program requires a participant to be in it for at least 12 months and the national average at graduation is 14 months. In two years they have had nine graduates and if you ran the statistics Judge Zuidmulder felt it would be consistent with what the expectations would be. He also stated that he is not playing a numbers game. He has described the population and he has been resistant to lowering any standards to build up the number of graduates.

Nicholson asked how much money has been spent in 2012 for the program, but Judge Zuidmulder was not able to answer specifically. Drug Court Coordinator Beth Robinson said she was be able to get the requested figures and provide them to the Committee. Judge Zuidmulder stated that their budget is \$175,000 and this is used to pay the full-time court coordinator and the remainder of the money is treatment money. He wished to point out that the Drug Court participants are residents of Brown County and therefore the CTC has an obligation to provide the services to County residents. What the Drug Court tends to do is get participants to the head of the line for treatment. He noted that treatment money goes in a circle as it is money that is often paid back to the CTC because they bill Drug Court for the treatment. Judge Zuidmulder also stated that the Sheriff's Department assists with the drug testing at a rate much lower than what it would be to have a private entity do this.

Buckley noted that there are currently 12 participants in the program and he wanted to know how many they could handle. Judge Zuidmulder shared his opinion that he doesn't like to put a ceiling on a number but rather felt they should take in as many as they can and if they get to a point where they find they cannot adequately provide for that number, that would be the time to create a ceiling. He felt the way you do things is have an open program with a goal as to what is being provided and you provide that to as many people as you can consistent with your standards.

Motion made by Supervisor Nicholson, seconded by Supervisor Carpenter to bring back next month with financials including what has been spent year to date on the Drug Court program. Vote taken. MOTION CARRIED UNANIMOUSLY

Communications

3. **Communication from Supervisor Buckley re: Would like Mr. Miller from the Airport to come to Public Safety Committee and give an update on funding for the Sheriff's Deputy to be stationed at the Airport. *Held for one month.***

Airport Director Tom Miller stated that the application is in, has been accepted and he is currently waiting for the federal government to decide how much they are going to fund. It was submitted as a three year grant request and the earliest they will hear something is September.

Motion made by Supervisor Nicholson, seconded by Supervisor Clancy to hold until the October meeting of the Public Safety Committee. Vote taken. MOTION CARRIED UNANIMOUSLY

4. **Communication from Supervisor Nicholson re: Request the District Attorney of Brown County to review the State Statutes criteria on placement of sexual predators with possible action. *Referred from July County Board.***

Motion made by Supervisor Nicholson, seconded by Supervisor Clancy to hold for one month. Vote taken. MOTION CARRIED UNANIMOUSLY

5. **Communication from Supervisor Fewell re: To reduce all fees for Senior Citizens that Brown County charges by 33% including golf course, zoo, museum, Frisbee golf, rental fees, Register of Deeds, Medical Examiner fees, all County Clerk fees, including boat launch fees to honor all Senior Citizens in Brown County. Referred from July County Board.**

Buckley stated he had spoken with Supervisor Fewell regarding this communication. Fewell felt that any communication such as this or seeking reductions in any fees should be made at budget time rather than in the middle of the year. Fewell wanted the Committee members to consider how to address discounting fees in the future.

Motion made by Supervisor Nicholson, seconded by Supervisor Clancy to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

District Attorney

6. **Budget Adjustment Request (12-60) Increase in expenses with offsetting increase in revenue.**

DA Lasee stated that this budget adjustment request is to increase the internal printing expenses for the District Attorney's office Victim Witness division and corresponding State grant revenue due to new State legislation.

Motion made by Supervisor Carpenter, seconded by Supervisor Nicholson to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

Nicholson asked about the issue of lobbying the State for more assistant district attorneys and asked DA Lasee where his office stands with this. Lasee stated that he has not personally contacted the Governor's office yet as it is his understanding that pay progression was what was to be addressed in the first budget cycle while a numbers increase is what is to be addressed in the second budget cycle. That will be the focus of the Association of State Prosecutors and the Wisconsin District Attorneys Association in the next budget cycle. He stated that he will definitely get involved in that in terms of contacting the Governor's office and representatives.

Buckley advised Lasee that he would like to hear any comments and/or opinions he would have with regard to the Drug Court program the next time Judge Zuidmulder addresses the Committee

Public Safety Communications

7. **Budget Status Financial Reports for May and June, 2012.**

Communications Directly Karl Fleury stated that they are tracking on target and are within budget at this point in time. Right now they are projecting to be about \$30,000 under budget if there are no unforeseen circumstances.

Motion made by Supervisor Carpenter, seconded by Supervisor Nicholson to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

8. **2013 Five-year Capital Improvement Plan.**

Fleury stated that there are two projects: the computer aided dispatch CAD system and the next generation 911. He wanted the Committee to know that he felt the estimate for the computer aided dispatch CAD system would come in at a lower amount when they are ready to do that project. He continued that their current system is based on a very old platform system and it no longer provides the services they need for things like MABAS.

The next generation 911 consists of transferring from land line 911 to cellular 911. At the time 911 was established everyone had land lines in their home, however, this is no longer the case as people are using more cell phones and other mobile devices. The next generation 911 will provide the capability of 911 calls to be handled in a cellular format and will also have more features such as the ability to text 911 and submit videos to 911.

Fleury continued that this capital improvement plan is a working, living document that can be changed or modified but he wanted to be sure that the board members had an idea of what they were thinking about.

Buckley asked if the CAD system is something that we should be looking at budgeting for now. Fleury responded that he had spoken with County Executive Troy Streckenbach with regard to this and he would like it kept on the capital improvement list for the year they had projected and he will provide further updates before a final decision is made. He continued that the CAD system is something that is important to provide the service that they need to provide to the community. Fleury reiterated that he thought the price would be less than what is shown on the plan. Buckley felt it would be prudent to get a better idea of what the cost might be and start earmarking money for it now instead of waiting until 2014. Fleury understood Buckley's philosophy and stated that he will be working on getting more accurate numbers in 2013. He continued that he agreed with Buckley that earmarking funds early is a good idea, but also noted that the 2013 budget is already very tight and he did not think there would be much available for capital improvement projects. Buckley felt if we could get a better ballpark number, we could then go to the County Executive and say in 2013 if there is general fund excess maybe we could start putting money aside for this project.

Motion made by Supervisor Carpenter, seconded by Supervisor Nicholson to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

9. **Director's Report.**

Fleury reported that they are currently five full-time, four part-time and one supervisor short. They have two candidates that are currently doing their sit-ins and background checks are being done. If these two candidates are successful with the sit-in and pass the background checks offers of employment will be made to them. They have 28 interviews scheduled for the week of August 10. He stated that filling the empty positions is a priority and if the positions are filled it will relieve some of the impact within the agency.

Fleury continued that they have had discussions with regard to employees being paid overtime for times they are forced to work over their shift or get called in on their short week and a resolution will be forthcoming on this. He stated that staffing continues to be a priority and they will continue to get positions filled. They are also looking at other ways to reduce the number of 12 hour shifts.

With regard to the interviews scheduled for the week of August 10, Carpenter asked how many applications they had. Fleury stated that they had somewhere in the neighborhood of 150 – 175. Carpenter asked why the number of interviewees was so small compared to the total applications. Fleury stated that there are a number of factors. He continued that of the total applications, 49 came in for testing and of those, 28 passed the testing to move on to be interviewed. He stated that they received a number of incomplete applications, applications that did not meet the minimum qualifications and a number that were submitted by people looking to fulfill requirements to receive unemployment payments.

Carpenter felt like Brown County could not be the only county short staffed and trying to fill positions in the communication center. He asked if anything had been explored from a regional standpoint such as working with NWTC to set up some sort of training class for the communication centers. He felt that if there were a graduating class of appropriate candidates it would really speed up the process of getting positions filled and thus reduce the extra hours that employees are being forced to work due to being short staffed. Fleury thought that at one point this had been explored to see if there was enough interest for something like this but there

was not. He continued that they have reached out to NWTC, UWGB, St. Norbert and FVTC to promote the open positions at their job centers. They have also put ads in several publications geared toward public safety communication professionals. Fleury stated that they frequently draw applicants from other dispatch centers in the area as well as from out of state. He stated that he does have some contacts at NWTC and he will reach out to them to see if they have any thoughts with regard Carpenter's idea.

Fleury continued his director's report by addressing the radio project. He stated that the last tower site they had to secure was in Hobart. Fleury said that they went through the appropriate processes and had a meeting with the Village of Hobart in June where they presented additional police and fire chiefs in support of the project as well as Supervisor Carpenter to show support. The Village went into closed session for several hours to discuss the application for conditional use permit and came out of closed session and advised that they approved the conditional use permit with five stipulations. Four of the five were not an issue, but the fifth stipulation related to the exchange of services agreement the County had with the Oneida Tribe of Indians and was for the Tribe to remove their application to place the land into federal trust and guarantee that while the tower was in use or operation that they would not apply for trust status. The County advised the Village that that could potentially derail the site and then did then did their due diligence by going to the Tribe and asking them if they would be agreeable to this but the Tribe was not. Corporation Counsel also sent a letter to the Village in regard to this stipulation asking them to drop the conditions and as of now the reply received is that they will not drop that condition.

Consequently, they have been working diligently in looking for a new potential site because even with an appeal or litigation it would put the project behind schedule. Fleury noted that as this process moves along it could take months to secure another site. They did look at one site and he will keep the Committee advised.

Buckley stated that once Fleury is able to figure out who much this delay is going to cost the County he would like to see that as he felt this information should be put out to the public and used as leverage from a public safety standpoint.

Fleury stated that he has always taken the high road when dealing with the communities and presented the project as being done for all the right reasons and is for public safety purposes and he will continue to take the high road and be professional.

Clancy asked if the new site they are looking at is also in the Hobart area and Fleury stated that they are in negotiations and he did not want to speak further on the record on this but he did state that it is in the parameters that would keep the whole system operational.

Motion made by Supervisor Nicholson, seconded by Supervisor Carpenter to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

Sheriff:

10. Budget Status Financial Report for June, 2012.

Sheriff John Gossage stated they are on track for their 2012 numbers. Their overtime is about \$177,000 less than budgeted at this time and he is cautiously optimistic that they will be within budget at the end of the year. He did note that they were a little over budget on investigative overtime and this is due to work being done on homicides they are working on in Howard and Allouez. He also stated that patrol is a little higher due to some FMLA short-term disability issues where officers were out.

Accountant Don Hein added that expenses are about 47% through June which is right where they should be expected. Revenues are running about 50% of budget which is also right where they should be expected.

Hein continued that the only area he has a little concern about is on the fringe benefits. He stated that some of the retirement calculations were incorrect for the 2012 budget. These figures have been corrected for the 2013 budget and they will wait to see how this plays out for the end of the year. Gossage stated that the error related to when Act 10 took effect, there was an assumption made that the corrections officers were no longer going to have protective status but that was incorrect. The protective status is a higher percentage but it was budgeted at a lower percentage. This amounts to about \$200,000.

Motion made by Supervisor Carpenter, seconded by Supervisor Nicholson to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

11. Budget Adjustment Request (12-58) Reallocation of personnel services and fringe benefits.

Gossage stated that this request is to adjust the budget amounts for three Wis. DOT BOTS patrol programs added to the 2012 budget in January. Each of the grants allows for the purchase of in-squad cameras up to \$4,999 each. When the grants were budgeted all the expenses were allocated to overtime and related fringes. This adjustment reallocates the expenses to include the cost of cameras.

Motion made by Supervisor Carpenter, seconded by Supervisor Nicholson to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

12. Budget Adjustment Request (12-62) Interdepartmental reallocation or adjustment (including reallocation from the County's General Fund).

This is a request to re-allocate building maintenance dollars, originally budgeted in Facility Management for Work Release Center roof replacement, to Sheriff outlay to cover the cost of electrical upgrades needed at the Sheriff facility for the installation of a car wash system. The Work Release roofing project came in under budget allowing the dollars to be re-allocated. The cost of the car wash equipment is already in the Sheriff' budget for 2012.

Motion made by Supervisor Nicholson, seconded by Supervisor Carpenter to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

13. Grant Application (12-05) Crime Prevention.

The purpose of this grant is to provide a safe area at the Sheriff's Office where divorced couples can exchange their children with one another when they transfer children after visitation. The area will have a video surveillance component and the costs of the equipment and signage is requested within the grant proposal. The cameras will be assimilated into the existing system and covered under the maintenance costs with no increase in fees.

Gossage continued that the parking lot is very busy and Cpt. Deneys came up with the idea of designating a certain area as a safe drop zone.

Motion made by Supervisor Clancy, seconded by Supervisor Nicholson to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

14. Key Factor Report July, 2012.

Hein stated that this is the report that used to be monthly, but now is submitted on a quarterly basis. He continued that federal inmate revenue is running a little less than budgeted due to the numbers of federal inmates being down. They do have some other jail revenue that is running ahead of schedule and this will help

offset the federal inmate revenue. He also indicated that overtime costs are running under budget, largely due to the kilo pod remaining closed.

Motion made by Supervisor Carpenter, seconded by Supervisor Nicholson to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

15. **Jail Average Daily Population by Month and Type for the Calendar Year 2012.**

Motion made by Supervisor Nicholson, seconded by Supervisor Carpenter to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

16. **Proposed Ordinance for Brown County, WI Jail Inmate Fees.**

Sheriff Gossage reported that this is mainly a housekeeping type item that came from Corporation Counsel. There was a lawsuit in the western part of Wisconsin that addressed the issue of whether or not sentenced inmates versus unsentenced inmates can be charged a daily fee. Past practice was to charge a daily fee for both sentenced and unsentenced inmates. Corporation Counsel felt it would be in Brown County's best interest to follow this ordinance based on the State Statutes and their interpretation of it so we do not get into a similar situation with a lawsuit. This ordinance sets forth that Brown County is able to charge a daily fee to sentenced inmates and it will also allow use of a collection agency to collect any fees that have not been paid as they should be.

Motion made by Supervisor Carpenter, seconded by Supervisor Nicholson to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

17. **Sheriff's Report.**

At an earlier meeting Supervisor Zima had requested an update with regard to asset seizures by the Drug Task Force. Sheriff Gossage shared the following numbers which are from January to June, 2012:

- \$111,291 - in seized currency
- \$722,906 – estimated street value of drugs taken off the streets;
- 11 vehicles with an estimated value of \$46,500
- 22 firearms

In addition there have been:

- 225 drug investigations conducted
- 66 search warrants
- 47 consent searches
- 16 drug presentations to various organizations
- 124 controlled buys
- 154 canine deployments

Gossage continued that the prescription drug officers will make a presentation to the full County Board and provide information on the program to see if the County Board wants to fund the program that was previously grant funded.

Gossage also informed the Committee that a Police Consolidation Study Panel has been put together and the members of the panel are as follows: Supervisor Buckley, Supervisor Carpenter, Supervisor Van Dyck, Cpt. Dave Konrath, Attorney Jim Kalny and Tim Mc Nulty. The panel has not met yet, but Gossage will keep this Committee updated.

The final item Gossage reported on was the law enforcement testing procedure through EMPCO. He stated that he is working in conjunction with Human Resources in an attempt to eliminate the \$35 for the test people take for law enforcement. What they anticipate is that the candidate can go to NWTC or Globe University to take the written examination from a computer, proctored by NWTC and Globe, and they get paid through EMPCO to do that thus not costing the County anything. Gossage continued that we would still be able to set the standards and criteria for the testing as well as what the passing grade needs to be. The testing would apply to Brown County for both corrections and the patrol area. The test is good for a two year period and the results can be sent to any County in Wisconsin that does their testing this way and currently there are about 48 or 50 Counties who use this system.

Clancy had a question posed to him by a constituent that he wanted to ask Sheriff Gossage. The constituent wanted to know who makes the determination to call Flight for Life. Gossage stated that it usually a determination made by EMS on the scene and is based upon the severity of the injuries. The decision is also dependent on weather conditions and also where the accident happened as sometimes it is easier for a helicopter to land than for land vehicles to make access. He also noted that if the patient is aware of what is going on, they typically ask the patient if they are agreeable to the helicopter.

Motion made by Supervisor Carpenter, seconded by Supervisor Nicholson to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

Circuit Courts, Commissioners, Probate

18. Budget Status Financial Report May, 2012.

Motion made by Supervisor Nicholson, seconded by Supervisor Clancy to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

19. Second Quarter Report of Brown Co. Security/Incident Review Committee.

Motion made by Supervisor Nicholson, seconded by Supervisor Carpenter to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

Medical Examiner – No agenda items.

Clerk of Courts – No agenda items.

Emergency Management – No agenda items.

Other

20. Audit of bills.

Motion made by Supervisor Carpenter, seconded by Supervisor Clancy to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

21. Such other matters as authorized by law.

Motion made by Supervisor Carpenter, seconded by Supervisor Nicholson to adjourn at 6:43 p.m. Vote taken. MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Therese Giannunzio, Recording Secretary

Brown County Drug Court Program

Table 1: Drug Court Participant Numbers

Category	Number
Total Participants to Date	26
Current Participants	12
Additional Approved Participants (awaiting sentencing)	1
Individuals in Referral Process	3
Successful Graduates*	8
Terminations**	6

*We have 1 additional participant eligible to graduate later this week.

**The national average for terminations is between 25-40%; with 26 total participants served to date and 6 terminations, we are currently at 23%.

Table 2: Community Activities of Current Drug Court Participants

Description of Activity	Number
Full-Time Employed (32+ hours per week)	6
Part-Time Employed (under 32 hours per week)	1
Community Service (20-30 Hours/Week)	6
Community Service (less than 10 hours per week)***	0
Full-Time Student (12 or more credits)	0
Part-Time Student (11 or fewer credits)	0

***Participants working part-time and those that are students – to supplement their required 40 hours of structured activity each week.

Table 3: Financial Information

Average Monthly Estimates Based on Current Program Numbers	
Description	Amount
Total Estimated Gross Monthly Income by Employed Participants (Estimated at \$10/Hour)	\$11,267
Total Estimated Monthly Community Service (Estimated at \$10/Hour)	\$4983
Total Monthly Drug Court Fees (\$40 per month)	\$480
Average Monthly Jail Bed Days Saved (\$51 per day)	360 days = \$18,360

Estimated Incarceration Savings – Per Participant Savings			
Description	6 months	9 months	1 year
\$51 per day in Brown County Jail	\$9,320	\$13,980	\$18,641
\$89 per day in Wisconsin State Prison	\$16,265	\$24,397	\$32,530

Estimated Incarceration Savings – Total Savings to Date****			
Description	6 months	9 months	1 year
\$51 per day Brown County Jail	\$186,405	\$279,602	\$372,810
\$89 per day for Wisconsin State Prison	\$325,295	\$487,934	\$650,590

****These figures utilized a total of 20 participants, including 12 current participants and 8 graduates (terminated participants were not included in these cost savings projections). Please note that total jail bed days saved per participant will vary, depending on their sentencing structure.

Our program goal is, and has always been, to get at least 15+ participants in the program at any one time.

Table 4: Overview of Accomplishments of First Drug Court Graduate*

Date of Admission	10/07/2009
Date of Completion	10/08/2010
Drug/Alcohol Tests Taken	155 (all negative)
Drug Court Sessions Attended	32
Office Visits with Coordinator	34
Home Visits with Coordinator	29
Supervision Sessions with Agent	29
Support Groups Attended	218
Community Service Hours	45.5
Employment Hours	915.5
Education Hours	809.75
Fees Personally Paid	100% (\$500)
Jail Bed Days Saved	365

*Please note that at the time the Brown County Drug Court was formed, we had a statistician/evaluator available through Human Services. This position has remained unfilled for over a year; therefore, we continue to work on finding ways to get data collected and tabulated.

Table 5: Specific Personal Accomplishments of First Graduate

Clean Time <ul style="list-style-type: none"> - 234 days of Drug Court clean time (as proven by our testing program) - 19+ months of personal clean time
Treatment Services <ul style="list-style-type: none"> - Successful completion of 30 days of residential treatment - Successful completion of 30 days of transitional residential treatment - Successful completion of outpatient treatment - OWI assessment and completion of Driver's Safety Plan
Other Services <ul style="list-style-type: none"> - Budget counseling - Successful completion of a parenting program
Supports & Relationships <ul style="list-style-type: none"> - Obtained a sponsor - Speaker at an area treatment program - Visitation with son - Improved relationships with family
Employment & Education & Community Service <ul style="list-style-type: none"> - Employed part-time - Attending school part-time - Community service (until employed and in school)
Other Accomplishments <ul style="list-style-type: none"> - Obtained a valid driver's license - Purchased, registered, and insured a vehicle - Obtained own apartment