

**PROCEEDINGS OF THE BROWN COUNTY
PUBLIC SAFETY COMMITTEE**

Pursuant to Section 19.84 Wis. Stats., a regular and budget meeting of the Brown County Public Safety Committee was held on Wednesday, October 4, 2017 in Room 200 of the Northern Building, 305 E. Walnut Street, Green Bay, Wisconsin.

Present: Chair Buckley, Supervisor Clancy, Supervisor Evans, Supervisor Zima, Supervisor Nicholson
Also Present: Supervisors Moynihan, Sieber, Hoyer, Brusky, Gruszynski and Vander Leest, District Attorney David Lasee, District Attorney Office Manager Michele Andresen, Public Safety Communications Director Cullen Peltier, Emergency Management Director Jerad Preston, Medical Examiner Director of Operators Barry Irmen, Sheriff John Gossage, Chief Deputy Todd Delain, Accountant Donn Hein, Judge Walsh, Judge Zuidmulder, Judge Atkinson, Circuit Court Office Manager Michelle Wallerius, Clerk of Courts John Vander Leest, Financial Operations Manager Neal Basten, Technology Services Director August Neverman, County Executive Troy Streckenbach, Deputy Executive Jeff Flynt, Director of Administration Chad Weininger, Finance Director Dave Ehlinger, Senior Accountant Sandy Parmer, Internal Auditor Dan Process, Human Resources Director Kathryn Roellich, Human Resources Analyst Camille Stymiest, other interested parties and media.

I. **Call meeting to order.**

The meeting was called to order by Chair, Pat Buckley at 11:04 am.

II. **Approve/Modify Agenda.**

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

III. **Approve/Modify Minutes of September 6, 2017.**

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

**** BUDGET REVIEW ****

Comments from the Public on Budget Items: None.

REVIEW OF 2018 DEPARTMENT BUDGETS

1. **District Attorney:** Review of 2018 department budget.

The District Attorney budget is set forth on Pages 85 – 90 of the Budget Book.

District Attorney David Lasee and Office Manager Michele Andresen address the Committee. Lasee said what is presented is essentially a cost to continue budget. He referenced the proposal made at the last Criminal Justice Coordinating Board (CJCB) meeting to add additional District Attorney positions and how that would relate to jail overcrowding but noted that those positions are not included in the budget for 2018.

Supervisor Zima said everyone knows there is overcrowding in the jail and a backlog in the criminal justice system. The length of stay of jail has increased dramatically over past years. Currently Brown County is shipping 50 people out of the jail to other facilities in other counties. Zima recalled in the past the average length of stay in the jail was 30 – 40 days. He continued that the State is knowingly not funding at least nine positions on the DA's office which puts us severely behind the eight ball. Zima asked Lasee if additional positions were added, if those positions could be used specifically those cases in the jail that are lingering and causing the longer jail stays. He also feels there are other proactive actions that need to be taken as well as soon as possible. He asked Sheriff Gossage what his budget

was for boarding inmates in other counties and Gossage responded the amount is \$730,000. In 2016 the Sheriff's Department budgeted for boarding 10 inmates in other counties, that that has been increased to 50 for 2018. Zima said one option may be to cut the boarding budget and then apply the difference to hiring additional DAs to work specifically on the cases that have been lingering too long. Buckley said the Department of Labor has said we cannot hire temporary help anymore and further, this would be adding positions without actually studying what we need. He said this is the first thing that has come out of the CJCJ since he has been on the Board, but he said this is not really based on anything. He has a problem with the County throwing money at a problem without actually seeing how it is going to affect it. He noted that we have been putting over a million dollars towards mental health programs that were brought by a lot of the same people on the CJCJ, but a lot of that money is not being used for what it was intended for. Buckley said we cannot just add positions and say it is going to clean out the jail, we have to think about where we are going to come up with the money to give back to the Sheriff for his costs and we also have to think if this is going to clog up the court system and how that will be handled. Zima noted that the County was able to come up with the money the Sheriff needed this year and said a budget is nothing more than a best estimate. When something comes up that is not expected, we deal with it as it comes up. He feels a duty to the public to try to process the lingering cases faster and he feels it would help overall. Buckley questioned what facts Zima bases his opinions on.

Zima asked DA Lasee for his input. Lasee responded that one of many factors that lead to jail overcrowding is his office not being staffed properly. He said the current rotation they have with the courts is done with the understanding that the DA's office cannot staff more criminal courts. Six of the eight judges handle criminal matters, but the DA's office cannot staff more courts and this leads to a large number of criminal cases in the six branches and court congestion. If there were more prosecutors and more judges to handle the criminal case load cases could be moved through the system faster. Zima appreciated that Lasee wants to solve the problems and he does not want to sit here and say we are going to build a jail because we cannot solve a backlog problem in the courts and the DA's office. Buckley pointed out that there is a communication on the agenda to conduct a formal study on the processes and where they are bottlenecking and how each department is affected. He feels all the players have to be on the same page because all of the departments work together.

Motion made by Supervisor Evans, seconded by Supervisor Zima to suspend the rules and take Item 18 together with this Item. Vote taken. MOTION CARRIED UNANIMOUSLY

Judge Zuidmulder said Zima and Evans had this same conversation at the last Public Safety meeting and the Committee specifically asked the CJCJ to look at this issue. The CJCJ has been looking at this issue and studying it for the last 18 months and he noted that one of the citizen representatives is a businessman and concurs with all of the conclusions. This is not about whether a new jail is built or not; it is about the fact that this circumstance has now required a critical analysis of the whole system to see if there are areas in the system that on a short term can provide a financial benefit to the citizens of the county by improving efficiencies.

Judge Zuidmulder provided a handout, a copy of which is attached. He noted the County is spending \$50 per day for every inmate that is being shipped out. The number of inmates being shipped out fluctuates between 20 – 70 per day which will incur costs of \$360,000 - \$1.2 million dollars next year if the system continues to operate the way it is. The question the CJCJ looked at is if there are things that can be done within the current system to reduce the shipping of inmates and reducing that expenditure. He explained the process for someone when they come into jail is a bail hearing, get an attorney, trial and then sentencing. When looking at the whole system, it was found that there are 126 people sitting in the jail awaiting trial. Of those people, 68 have been there for more than six months. Supervisor Nicholson asked why they are sitting that long and Judge Zuidmulder responded that it is because jail has been set but they are awaiting trial.

Judge Zuidmulder continued that for a very long time the State has neglected its responsibility with regard to staffing. Neglect has set in because we have a bifurcated funding system for the criminal court system. The judges and court reporters are State employees, while the rest of the employees are County employees. There is no single funding person that listens to this is one of the reasons there has been a failure of the State to carry out its responsibility of properly staffing the DA's office. The DA has come to the judges over the years and said they could only staff a limited number of courts at a time so even though there may be judicial time available the DA's office can only handle a limited number. With a limited number of courts that can hear the criminal cases along with a limited DA staff, there is a big back up because people cannot get into the court system because of the staff shortage in the DA's

office. Judge Zuidmulder said his position is the DA's office is short in the area of trial lawyers. He is not necessarily concerned about the cases for the non-violent offenders that have never been arrested on that have not been issued on; he is critically interested in the money that is being spent to ship people who have been charged and sitting in the jail and if there is something that can be done about that. Conversations with the CJC and the DA have been that if the County were to fund positions that would be solely dedicated to trying the cases of those sitting in the jail to clear them out of the jail. Judge Zuidmulder said there may not be any fiscal impact to this at all because if the number of people being shipped is reduced by 25 – 30, it would probably be equal to or less than what it would be to fund two or three positions in the DA's office. It is the same money and we would be improving the criminal justice system. Judge Zuidmulder also noted that these people sitting in the jail are presumed innocent and they are not getting a chance to have their day in court. Many of those sitting in jail are on very high bails ranging from \$10,000 - \$1 million dollars. These are serious felonies and the probability that upon conviction they will be sent to the State prison system is very high. Judge Zuidmulder said the State of Wisconsin knows if the DA's office cannot try these people, they cannot be convicted and therefore cannot be sent to the State prison system.

Judge Zuidmulder said the DA believes that if he got three positions, his office could handle at least five jury trials per week. At this time, the maximum is two to three. This would double the number of trials and if this is in place by February 1, Judge Zuidmulder feels there would be a substantial reduction by August. He has had a judges meeting and covered this material with them and the response from the judges was that they realize there is a problem and are willing to cooperate fully and they will find time on their calendars to try cases. Buckley said that with all due respect, he has heard that there have been times where there are attempts to schedule trials, but schedules are full. The last thing we want to do is add three trial attorneys, only to have them unable to schedule trials because then we will be right back here asking for more judges. Judge Zuidmulder responded that the judges have agreed to do what they need to do so if they have to reassign cases from one branch to another, they will do that. Judge Zuidmulder could not tell specifically how many cases they could clear up in a year, but if it is assumed that priority is given to those people who are incarcerated and being held on bail for a trial, he would think the number could be cut in half, or by at least 32 – 34 people. Judge Zuidmulder also shared that Brown County is under-judged; the numbers from the State show Brown County should have two more judges than we do. If the Board tells the judges they need to make the cases of people sitting in the jail a priority, the judges will have to put the other cases such as small claims cases and family law cases off to direct attention to something that his costing the community \$50 per day per person being shipped out.

Zima asked if there was any possibility of bringing in a reserve judge to help with the backlog. Judge Zuidmulder said that likely would not work. If the Board would agree that these cases be given priority and agreeing that the community would have to understand that some of the other cases will have to take a backseat, the judges we currently have can do it efficiently and move it along. Zima said he does not want to see some other system become clogged up while we are trying to fix a different system and Judge Zuidmulder responded that in the short term, when talking about spending \$400,000 - \$500,000 on and on and on when there is an alternative to improve the system does not make sense to him. He was asked to look at a problem and come up with a solution and that is what he did. If the Board wants to listen and not do this, it is okay with him, but as a member of the community that was asked to do this in a position of public trust; he has presented the facts and a possible solution.

Zima asked if there are specific judges that would have an easier time accommodating these trials than others. Judge Zuidmulder responded that even under the vertical prosecution model currently being used, because of the staffing they can only do criminal matters every other week. The rest of the time they are sitting on civil matters, but if there were staff available in the DA's office, they could be trying cases in the six criminal branches every week. Lasee further explained that six of the eight judges do criminal matters. The other two judges do other things like family law and juvenile law and then they all split the civil matters equally. His office has asked the judges to maintain the six judges out of eight with criminal matters because they cannot staff all eight branches with the current staff in the DA's office. The DA's office has also asked the judges to do the criminal matters every other week because they cannot staff criminal courts every week. The feedback he has heard in judges meeting is that they would have time to take additional cases on their civil calendars, but Lasee has asked them not to do that because he cannot staff them. Lasee also noted that there are things defendants can do to manipulate the system to make sure they do not have their trials on time, but the DA's office does not fight defendants on delays like they could because they do not have the staff.

Judge Zuidmulder said there are 126 people sitting in the jail awaiting trial and his opinion is that each branch could potentially have 10 cases where the defendant wants to fire their attorney or in other circumstances where the trials cannot be held. If the judges could tolerate 10 of these cases in each branch, that is 60 cases which leaves the other 66 cases that are not being scheduled because of staff. Buckley asked Judge Walsh and Judge Atkinson if they would have room on their calendars to handle additional cases if additional DAs are hired. Judge Walsh responded that if there are additional DA's, you could go from six judges handling criminal matters, there could be eight working on criminal cases which takes the remaining cases and spreads them out differently. This would result in more judges tackling the criminal issues. Judge Zuidmulder said he believes the numbers are there and he believes the system, given the property application, can accomplish what needs to be done, and although there are no guarantees, he feels it cannot get any worse than it is now. Zima noted that on top of the daily boarding fee, there are also transportation costs that need to be factored in. Judge Zuidmulder said the judges do not have free time; they all have a civil calendar where they schedule things like civil trials and eviction matters and those matters settle before trial, which frees up space. He wants to make it clear that Brown County is under-judges according to the State's own numbers. The judges are saying that they can prioritize these criminal matters for a period of time to get things under control. Hopefully at some point the State will fund additional judges and appropriately staff the DA's office but in the meantime, we cannot just sit around and let the State cause us to spend public monies in a wasteful manner.

Buckley feels if 60 additional cases are added onto calendars that are already full, it is going to result a request for more judges to clear out the backlog in the judicial area. He feels strongly that at some point in time the State has to step up and take care of their responsibilities, but if the County keeps taking care of things for the State, the State is not going to do that. Judge Zuidmulder said the County cannot create a judgeship; all they can do is pass a resolution that says the County supports the legislature giving more judges, but he does not think getting additional judges is anything that is going to be coming soon.

Zima said from what he has read, the number of cases has really not substantially increased on top of the current problem, and with the larger population in the county, he feels the case load is going to start to increase and we have to do something to stop the needless flow of dollars. Judge Zuidmulder said the nature of offenses is getting worse and the offenses are become more and more serious and violent which result in the higher bails. This really needs to compel us to get the cases tried and get the inmates where they need to be. If they are going to get County jail time, but are granted Huber privileges, they can be moved out of the mail jail and into the Huber center. People sitting in jail on bail cannot be moved to the huber center where there are more options such as electronic monitoring.

Gossage said that something else that would need consideration is increased courthouse security if the number of trials is increased. Security would need to be bolstered for people that are in custody. Gossage is not able to give a clear cost estimate for this because it would have to be handled on a case by case basis, but it is something that needs to be taken into consideration.

Supervisor Clancy feels it is time to move ahead and do something constructive and if the judges are willing to do this and it is something that is going to help us in the long haul, hiring additional staff this is a no brainers. He complimented Zima for bringing this forward so that it does not keep getting pushed aside while we continue to send inmates out and said he would support hiring the additional staff that is needed.

Supervisor Evans said discussions on this topic at the CJC have been interesting. IN talking about the bottlenecks, it seems like fingers get pointed all over the place. This is a complex issue and one of the CJC reps, Bob Srenaski, talked about quantitative and time objections and measurements. We know there is a problem and we know we are building a pod onto the jail, but we do not know that an additional pod will alleviate this problem. Evans said this goes back to the severity of the crimes being committed and the identification of more people being in the jail with mental health issues. In addressing the bottleneck, it could be with the population of people committing crimes and not getting their mental health issues addressed, it could be with law enforcement that could potentially need more training in other ways to handle people with mental illness other than arresting them, or it could be that there are not enough prosecutors in the DA's office or the bottleneck could be coming from the judicial area. Evans trusts that Judge Walsh and Judge Zuidmulder are going to do whatever they can to help solve these bottlenecks. He also said he trusts the management at the jail on this but every day it is a juggling act. Evans looks at this from an organizational flow and in looking forward to fixing this, if it is known that we can alleviate some of the problems by having different parties come to the table and address this as a process. If we start by adding additional DA's, and

perhaps support staff and then rely on the judges and jail management, and we can continue to work through the flow. Evans supports hiring additional prosecutors and necessary support staff because right now it is the right thing to do. Evans said this is not necessarily going to solve the problem, but it will start to alleviate the problems. Without clearly defining the bottleneck, we cannot completely solve the problem. The hiring of additional prosecutors would be a good starting point. He acknowledged that it will cost money to hire staff, but all of the other alternatives will also cost money. The biggest item we should be concerned with is that we have 126 people sitting in the jail that have not been able to go to trial. This bothers him a lot because this is not the way this country works. People here are innocent until proven guilty and to have people sitting in jail who are presumed innocent is horrendous and a very bad way to operate a government and he is going to do everything he can to alleviate the problem.

Zima asked what the cost of support staff would be. Lasee said adding three attorneys would allow his office to staff all eight branches. They would also need one clerk typist and one legal assistant. Director of Administration Chad Weinger said the cost for three ADAs, one clerk typist and one legal assistant would be \$317,307.42. Zima asked if at least a portion of this could be deducted from the Sheriff's Department budget. Weinger said it would have to come either from the levy or from some other line item. Buckley asked if there are any dollars in the budget that are not already spoken for. Weinger said we had a really, really good year of equalized value, but we are currently within about \$800,000 of the levy limit, so after we hit that, we will not be able to take any additional equalized value above net construction. Zima asked if a logical way to handle this would be to put half on the levy and take the rest from the Sheriff's Department. Weinger said that splitting this part levy and part from the Sheriff's Department makes sense, but we have to be cognizant that there will be a very large operating expense with the jail is built and the money that has been set aside for the increase on transportation would help offset the increase for the operations, so we should be careful about cutting too much. Buckley noted that transportation costs are not going to end January 1, so we have to be careful how much to take out of that fund. Buckley would rather see the entire amount coming out of the \$800,000 of levy; then if we need to go into the Sheriff's budget later on, we can deal with that. Zima said the Sheriff has increased the boarding and transportation portion of his budget because he feels he needs it and this would just be reducing that increase based on the fact that we feel there will be a reduction in that area by implementing these changes and he wants to get something started.

Motion made by Supervisor Zima, seconded by Supervisor Clancy to add 3 ADAs, one clerk typist and one legal assistant at a cost of \$332,307.42 which includes equipment and chargebacks with half coming from the levy and the other half coming from the Sheriff's Department boarding of prisoners and transportation and that these positions be reviewed in the 2019 budget and that staff draft a resolution for the next Executive Committee meeting. Vote taken. Ayes: Zima, Clancy, Evans, Nicholson Nay: Buckley MOTION CARRIED 4 to 1

Weinger said generally when positions are added and the fiscal effect is not definite, they contain a sunset clause and he asked if it was the Committee's intention to include a sunset on this that these positions will end if the anticipated results are not seen. Zima asked if this is something that could be handled through attrition. Weinger said that they look at all grandfathered positions. Zima said he feels these positions should be full time permanent positions. Judge Zuidmulder does not want to miss the point that Brown County is the fourth largest county in the state and we need to be lighting a fire under our representatives. The County should not have to be spending this money. Buckley agreed with Judge Zuidmulder and said the State needs to step up and do their job. Judge Zuidmulder said we need to get the point across to the State that this neglect is not something we can continue to let happen. The County now has to spend local dollars on a State function. Zima said Brown County is a huge minority in the State and everyone who has been around even a few years knows that. Milwaukee and Madison control the largest number of votes that decide what we get and what we do not get and they get all they want while Brown County gets crumbs. Judge Zuidmulder says we need to set a clear example of what we have to spend every month to fill the gap created by the State. Buckley sees part of the problem is that the County has already funded several positions and, in addition, because of the lack of State funding for DA's the State is able to manage the State prison population as well.

County Executive Troy Streckenbach said there are counties throughout the state that are looking at building jail space because of jail overcrowding. He recommended to the oversight committee to sunset this because Andre Jacque has a bill specifically for Brown County to add two more DAs. In addition, there has been a call from the WCA to add more DAs. Streckenbach continued that the County should not be doing the State's responsibilities and funding the positions we have already funded is setting a very bad precedent. Zima said we are not talking about State politics; we are talking about a real problem here and how to solve it and how to spend money more efficiently.

Streckenbach said he supports this conversation, but he is looking at not setting a precedent and said that he really would like to see a sunset on this.

Evans said the County has an arm in the State. As much as he appreciates Mr. Jacques, the budget is basically done and he can put in all the requests he wants, but Evans said the money is not going to come for several years, if at all. Evans agreed with Zima in that these positions should be permanent. We can show the State that we have needs and are being proactive. He feels we know the County government better than our State representatives and he has not seen the representatives really go to bat hard to get us anything.

Nicholson recalled that we did reach out to our State representatives a few years ago on this and he also recalled that Streckenbach has gone down to Madison to lobby on this. Streckenbach said both her and DA Lasee have gone to Madison to lobby. He explained that what was supported by the Association was pay progression. In every line of work that the County does, we are challenged to recruit and keep people. The DA's office has been in a predicament with regard to this for many years. He and Lasee went to Madison to advocate for more DAs. The legislative audit bureau says based on the case load, Brown County should have 12 – 14 additional DAs, but Streckenbach and Lasee asked for four. The reason Streckenbach suggested having a sunset on the motion is because there is a statewide conversation on this and he noted that the State has a biennial budget. He feels a statewide conversation needed to take place in terms of what regions in the state are going to do to address the overcrowding that is taking place in the jails across the state. If Brown County is able to showcase that we were able to move 60 – 70 people through and reduce the jail population, whether it is getting people who are innocent out, putting people on Huber or getting people sentenced, a statewide conversation will be generated to negotiate and try to get the State fund more DAs which should be our precedent. Streckenbach continued that in the event that the additional positions do not have the intended effect, when this comes up for review in our budget process, the numbers will tell us what to do next and it may ultimately become part of our overall system whether we are funding DAs for the State and this is not a precedent that we should be setting as a county. He wants to use these additional positions as an opportunity for us to be able to build a case to argue to the State that this is an issue statewide. If this is just to support Brown County's endeavors, we will have a hard time getting the state to give us additional DAs. A year from now when we are looking at these positions and deciding if we should keep them, we will look at the statistics and intelligently decide what to do next. Clancy feels whether these positions are permanent or sunsetted, we have to do something.

Buckley said he would have liked to have seen more about how this is going to work with the additional positions. He said it seems to be coming at the 11th hour and he is concerned that other positions we have added in the past that should be funded by the State have been paid for by the County and become permanent positions. He agrees with Judge Zuidmulder in that the State needs to pick up these costs, but he feels if we do get the three positions we are looking at, we will back here next year at budget time trying to figure out how to take care of the courts. He also questioned if the backlog of cases that still need to be charged is being addressed. Buckley said he is trying to look at the whole process overall.

Motion made by Supervisor Zima, seconded by Supervisor Clancy to suspend the rules to allow interested parties to speak. Vote taken. MOTION CARRIED UNANIMOUSLY

-Robert Srenaski, 3375 Sonata Drive, Green Bay, WI

Srenaski informed he is a member of the CJC and he agrees with Buckley. He said that over time we have seen the jail population increase to the point where we are now spending money to ship inmates out and having to spend a great deal of money to add on to the jail and then staff it. Nobody has been able to say why the jail population has continued to increase when all of the crime stats and arrest stats have not increased. The problem is the system. The system is not the answer; it is the problem. The criminal justice system is inefficient and the people going into the system are staying longer and there are fewer coming out on the other end, but we do not know why. There is no one single thing that is going to reduce that but from his experience, if a system wide analysis is done and we begin to look at the time it takes to go through each step and then set some goals for reduction of those times, eventually over time the jail population will come down to where it is much more manageable and affordable. What has been proposed sounds like a great idea and makes sense, but it cannot be the only solution. There are inefficiencies throughout the whole system and each one of the components of the subsystem is like an administrative silo. They are all separate and doing the best they can with very competent people, but it is not a system. They do not share information electronically because there is not a data system that includes all of the silos

to look at where the inefficiencies are. He believes the jail population can be brought down because there does not seem to be a different reason why the population should have gone up. It appears to be system inefficiency.

Motion made by Supervisor Nicholson, seconded by Supervisor Clancy to return to regular order of business. Vote taken. MOTION CARRIED UNANIMOUSLY

Nicholson asked Sheriff Gossage about his initiative when he was elected Sheriff to aggressively attack crimes involving sexual predators and asked if this has any effect on the jail population. Gossage responded that it does and noted that the ICAC crimes and human trafficking crimes are felonious crimes which probably affect the jail population. DA Lasee added that those people get high cash bonds and mandatory minimum prison sentences.

DA Lasee did not have anything else to talk about with regard to his budget.

Motion made by Supervisor Zima, seconded by Supervisor Clancy to approve the District Attorney's budget as amended. Vote taken. MOTION CARRIED UNANIMOUSLY

2. **Public Safety Communications: Review of 2018 department budget.**

The Public Safety Communications budget is set forth on Pages 97 – 103 of the budget book.

Public Safety Communications Director Cullen Peltier and Emergency Management Director Jerad Preston addressed the Committee. Peltier informed they finally caught up with the maintenance costs for the radio system so there is a slight decrease in the budget. They have also been able to combine some of the maintenance agreements which also helped decrease the budget. Everything else remains status quo.

Evans referenced the succession plan referenced on page 98 of the budget book. He understands this is included because they are trying to be comprehensive, but he does not like policy included in budgets. He understands that this is included because they are trying to be comprehensive and there needs to be a policy if something needs to be funded. He likes succession planning for private businesses, but he has a very difficult time in government entities saying we are going to identify people in the department who will come up through the ranks, but we will still have job applications and interviews for the positions. He feels the term succession planning should be changed or taken out. He understands the intent and agreed with it wholeheartedly in the private sector, but he has a problem with it in public sector.

Peltier said what they are talking about is cross training and he is agreeable to changing the name of the initiative to cross training. He recalled having discussions on this in the past, but Emergency Management Director Jerad Preston was not privy to that and he reiterated that what it really would be is cross training.

Motion made by Supervisor Evans, seconded by Supervisor Clancy to replace the words *Succession Plan* with *Cross Training Plan* under the Emergency Management Initiatives on Page 98 of the Budget Book. Vote taken. MOTION CARRIED UNANIMOUSLY

Evans referenced the contracted services line on Page 103 of the Budget Book and noted that contracted services in 2017 was \$247 and now what is being proposed is \$12,795 and asked for an explanation. Peltier explained that that is the code red, the emergency alerting reverse 911 that was enacted in last year's budget. What is being budgeted for this year is for the third party vendor who sends out the mass app based notifications.

Evans also asked about the \$55,000 transfer out wages. Preston explained that relates to the HMEP planning grant and this is a plan that need to be updated every five years. It is the hazard mitigation grant they applied for through FEMA for the Brown County Planning Department to write the grant. Evans also asked what the rental space entry was for and Peltier said it is for rental space for tower equipment.

Motion made by Supervisor Nicholson, seconded by Supervisor Clancy to approve the Public Safety Communications budget. Vote taken. MOTION CARRIED UNANIMOUSLY

3. **Medical Examiner: Review of 2018 department budget.**

The Medical Examiner budget is set forth on Pages 91 – 96 of the budget book.

Medical Examiner Director of Operations Barry Irmen reported the Medical Examiner's Office is in the best shape they have been in in the last couple of years which is a solid move forward. There is a small increase in the cost of the contract for services by Dane County and that is due to the number of projected additional autopsies based on the numbers over the last few years.

Unrelated to the budget, Evans asked about a situation that has recently come to his attention and he would like the policy on the record. The situation was that a funeral home picked up a body and for which they charged the County \$250. The funeral home that picked up a body then called another funeral home to come and get the body and then charged the second funeral home \$150 and told them it was county policy to charge them and Evans asked if that is indeed County policy. Irmen responded he did not know the circumstances of whether this was a home death or a death in a facility. He explained if the jurisdiction was going to be under the Medical Examiner's Office, they would contact the closest funeral home to move the decedent to St. Vincent. If the decedent was released from the scene, it is the family's choice to make a decision regarding a funeral home. Evans said he will get additional information on this so it can be discussed at the next Public Safety Committee meeting.

With regard to the medicolegal investigator that is being added and asked for a definition of medicolegal investigator. Irmen said that Committee and Board added staff earlier this year to get the office up to full staffing. A medicolegal investigator is an investigator that goes to death scenes and represents Brown County, Door County or Oconto County as the case may be. They do the scene examination, follow up with primary care providers and report findings to the doctors and that is how decisions are made about additional forensic investigations. Evans also asked about the medical examiner investigator listed on page 93 and noted there is not an FTE listed, but there is a cost of \$76,523. Irmen said that refers to the LTE staff. He explained the full time staff staffs the shifts except on Wednesdays which are staffed by LTE staff. The LTE staff is also used to fill in for vacations, holidays and sick times and to fill in when there are simultaneous calls. There are seven LTEs at this time, three of whom are in training. These are the backups to the office and in addition to filling in on Wednesdays; they fill in one-quarter of the entire rotation for coverage. Evans suggested in the next budget there should be a separate column for the LTEs. All of the employees of the Medical Examiner's Office work out of the Brown County Office.

Motion made by Supervisor Evans, seconded by Supervisor Evans to approve the Medical Examiner's budget. Vote taken. MOTION CARRIED UNANIMOUSLY

4. **Sheriff: Review of 2018 department budget.**

The Sheriff's Department is set forth on Pages 104 – 114 of the Budget Book.

Sheriff John Gossage, Chief Deputy Todd Delain and Accountant Donn Hein addressed the Committee. Gossage said the budget they presented to the County Executive contained an increase of \$107,000 for a mental health nurse. The current medical provider contract in the jail is with CCS and that contract was not providing enough triaging of some of the incidents and requests they receive. Gossage also said there will need to be an adjustment made to the boarding of prisoners' amount as he is being told the will be shipping 38.7 inmates per day, minus the \$166,000 based on the motion made in the DA's office. The jail does their due diligence every day to make sure they are not shipping inmates out unnecessarily and that they bring others back in as soon as they can.

The other component to that that is not in the budget but is something he mentioned earlier is the additional court security they will be needed in the branches. When the judges have a jury trial, a lot of times the inmate will not be shackled or handcuffed because the judges do not want to give that perception to the jury which requires additional security in the courtroom. It is very hard to quantify what will be needed, but he feels a conservative estimate for an increase in overtime, as opposed to adding to the table of organization, would be \$100,000 - \$200,000 which would allow at least 1500 additional hours. Chief Deputy Todd Delain said he has contacted Lt. Cuny at the courthouse and asked what would be needed in terms of security for additional branches and Cuny said overtime would skyrocket. He noted every time an inmate is moved from secure to the courthouse, they need to be escorted by an officer and staffing currently would not allow for that. Zima asked how much the Sheriff needs in his budget to cover additional

security; however, since this issue first came up during this meeting, numbers were not available. Gossage said the number of security officers is based on the judges' dockets.

Buckley feels it may be easier to leave the money in the Sheriff's Department budget that was deducted under the DA portion of this meeting and then take the DA money off the levy and then do an interdepartmental transfer to cover overtime if necessary. Gossage said he wanted to be sure the Committee knows that under the proposal for addition of DAs would bring added expenses to the Sheriff's Department. Zima asked what the typical cost is for courthouse security per case. Gossage said that a typical trial will last a full day which would need two deputies at the overtime rate of \$65 per hour roughly. Zima said if they increase the caseload by 60, the increase in overtime to staff those with courthouse security would be in the neighborhood of \$60,000.

Motion made by Supervisor Zima, seconded by Supervisor Evans to add \$60,000 to Sheriff's overtime budget to compensate for increased overtime in handling more criminal cases in the courthouse and have the Sheriff bring specific numbers back for adjustment. Vote taken. MOTION CARRIED UNANIMOUSLY

Gossage continued with his budget review and noted they still struggle with correction officers; however they recently went through interviews which resulted in some good candidates. At this time they are down 10 correction officers and he noted that so far this year they have lost 20 officers. Gossage said the industry average turnover is about 6 – 7% and Zima noted that Brown County appears to have turnover at closer to 20%. When asked about the turnover, Gossage said a lot of it has to do with overtime that is being expended. There are minimums that need to be maintained based on the number of inmates in the facility and correction officers are being forced to work overtime. In the last year good standing employees who have been working for 27 years, 17 years, 12 and 6 years have left. Some have gone to the school district making less money because they are tired of the overtime.

Evans asked exit interviews are done and Human Resources Director Kathryn Roellich responded they send exit interviews out to everyone who leaves the County and they are working to change the process to offer an off boarding process. She said she calculated the turnover for the last few years, however, it was noted that her records did not match the Sheriff's numbers.

Clancy asked if the turnover rates are common throughout the state. Gossage said that other counties are having the same issues and the protective status is a huge factor and some of the officers that are leaving are gravitating towards counties that have the protective status. Roellich gathered her information because she was aware that turnover has been a concern.

Evans referred to the notation on Page 105 which indicates that indirect costs have increased by about \$371,000 and he asked for an explanation. Gossage said they are given the amount for indirect costs from administration. Evans said it is interesting that there all of these expenses broken out, and then one of the largest expenses is indirect costs and there is no real explanation. Finance Director Dave Ehlinger said the indirect cost allocation plan is done by a vendor that comes and he noted that it does not affect the bottom line of the budget. The indirect cost allocation for every expense to the department is offset by revenue in general revenues making it levy neutral. Evans understood this but said his point is that it is a \$2 million dollar item and the explanation seems to be there is a revenue and expense that even out, but he wants more information. Ehlinger said the plan is large and he can give Evans a copy if he wants. He said basically it the allocation of administration, human resources, corporation counsel, facilities and maintenance and every department gets a portion of the charge based on things like square footage, number of computers, personnel counts and things like that; it is a large formula. Ehlinger said the purpose is to recapture revenue from departments that can do so. For instance, Child Support will recapture 66% of their charge and the Highway Department will recapture a portion of that from the charges to the State for their services. He said we have to be consistent that if we are charging one department, we have to charge all departments and he reiterated that it is levy neutral. Evans understands it is levy neutral, but his point is the Committee and the Board likes to see the management of the County. Ehlinger noted the costs for one year are based on the actual costs from the prior year. Buckley asked Ehlinger if he can have the information Evans wants prior to the budget meeting and Ehlinger responded that he will.

Evans referenced the inmate revenues on Page 111 and asked what the inmates are charged for. Gossage responded that inmates are charged \$20 per day and there is an additional charge of \$10 for nurse visits and that comes from an inmate's canteen account. Evans asked about the increased costs in the charges and fees Sheriff services and it was

indicated those are charges to private parties for things such as traffic control and event security at things like festivals, marathons and Packer games. Evans also asked about the daily cost per jail inmate covered by tax levy referenced on Page 104 and asked if there are other inmate related costs that are not covered by the levy. Hein said when you think of the gross cost of the jail and divide it by the number of inmates and then divide by 365 days. But there are revenues that are generated for things like fees, grant revenue and boarding revenue so those offset the expenses. What is left after that is what the levy covers. He calculates the gross expense, minus offsetting revenues and what is left is levy cost and then divide that by the number of inmates and then divide by 365 days. Evans noted a large increase from 2016 to 2017 and Delain said that is directly related to loss in revenues for things they do not control like phone sales.

Zima went back to the indirect costs in other department budgets and he noted that some had decreases in the indirect costs and he understands that where one goes down, another goes up but the increase in the Sheriff's indirect costs of 20% seems unusually high and he asked if there was concern about this. Gossage agreed that it went up significantly and said that a lot of this may have been attributed to Technology Services because they have different servers for the in squad recorders and mobile data computers and all of that data needs to be stored. Buckley recalled that the Sheriff Department recently had to increase their storage based on State requirements. Gossage will look more into the indirect costs and report any concerns.

Motion made by Supervisor Nicholson, seconded by Supervisor Clancy to approve the Sheriff's Department budget as amended. Vote taken. MOTION CARRIED UNANIMOUSLY

5. **Court System: Review of 2018 department budget.**

The Court System budget is set forth on Pages 77 – 84 of the Budget Book.

Chief Judge Atkinson, Clerk of Courts John Vander Leest, Financial Operations Neil Basten and Office Manager Michelle Wallerius presented the Court System budget. Judge Atkinson said based on what transpired earlier in the meeting with having more trials, the Courts would be short on the expenses related to jurors. He noted they pay jurors to come to Court, pay them mileage and they also feed the jurors. Given the increase of trials that will take place because of the additional ADAs, these costs will increase. Judge Atkinson estimated the increase to be somewhere between \$18,000 - \$30,000. He said that realistically not every case will go to trial, but there is no way to tell how many will actually go. Judge Atkinson explained that 50 people are summoned in for a trial and then of those, 12 will hear the case and there will be one or two alternates. Jurors who are not selected to serve on the jury receive \$16 and those who do get selected receive \$32 per day. Financial Operations Manager said the cost to bring in a jury for one day is about \$1000. If a trial goes more than one day, each juror and alternate receives \$32 for each additional day they serve.

Motion made by Supervisor Zima, seconded by Supervisor Evans to increase the juror daily fee line by \$30,000 and increase the levy by \$30,000, Vote taken. MOTION CARRIED UNANIMOUSLY

Judge Atkinson introduced Michelle Wallerius, the new Courts Office Manager to the Committee.

Clerk of Courts John Vander Leest said his budget is pretty much status quo. Evans observed on Page 83 that general property tax revenue in 2016 was \$732,231, then it dropped in 2017 and for 2018 it went back up to \$740,853 and he asked for an explanation. Vander Leest said that amount is given by the County Executive and administration. He continued that one of the items that has decreased is the guardian ad litem fees. There was \$440,000 in the 2017 amended budget and that was adjusted down in 2018 to \$400,000. They have been aggressive in holding hearings for non-payment of GAL fees and the revenue is closer to the \$400,000. Evans noted the property taxes are going up and that is how departments are judged. Buckley said it appears that Vander Leest is just being more realistic with the numbers and in the past there have been a lot of lofty goals in their budget and he would rather see things closer to realistic. Vander Leest responded that the Clerk of Courts was \$330,000 over budget at one time and that number has been reduced to less than \$60,000 and he feels this year they will even get it lower. Evans referred to the attorney fees on Page 84 and asked what that was for. Vander Leest responded that that refers to court appointed attorneys on criminal cases. Judge Atkinson further explained that under Wisconsin and Federal law, if a person does not qualify for a public defender because they are slightly above the guidelines but still does not have cash to pay a retainer for a private attorney, the Court must appoint an attorney for that person and the County has to pay. The

County pays the court appointed attorneys \$70 per hour which is substantially less than the standard fee. The defendant is required to pay the Court back, but it is often through a wage assignment.

Motion made by Supervisor Nicholson, seconded by Supervisor Clancy to approve the Court System budget as amended. Vote taken. MOTION CARRIED UNANIMOUSLY

The budget review portion of this meeting concluded at 1:13 pm and was followed by the non-budget Items.

Respectfully submitted,

Therese Giannunzio
Recording Secretary

RECOMMENDATION

Intake System Public Safety Department

Pre charge release with conditions

Public Safety Department

Bail-Assessors
Treatment Courts
Day Report Central Intake
Day Report screeners
Jail Mental Health Screeners

Discuss criminal justice system funding sources

County and State

County Funded

State Funded

Court Commissioners
Sheriff's Department
Clerk of Courts
DA's Office-Non professional staff

Circuit Court Judges
DA's Office-Professional Staff

District Attorney's Office

Understaffed

Circuit Court Judges

Each Judge has a 1.2 caseload, 9.6 Circuit Courts needed

Need for County funded

Prosecutors
Circuit Court Judges

If requested, re-prioritize cases, such as, Family, Civil, Evictions, Foreclosures
these matters would be given less priority with the focus being given
on Criminal Felony matters

Criminal Justice System

Cost of Jail Shipping

20 inmates x \$30 per day x 30 days per month = \$18,000

70 inmates x \$30 per day x 30 days per month = \$63,000

Yearly cost between \$216,000 to \$756,000

Optimal Jail Population

What is the optimal jail population number, excluding huber and electronic monitoring?

What is the jail population number today, excluding huber and electronic monitoring?

Discuss how the optimal number can be achieved.

Jail Population

<u>Intake</u>	<u>Movement</u>	<u>Outflow</u>
Bail	Bail-Awaiting Trial	Not Guilty
Charging	Revocation	Fine
	Sentencing	Probation
		Jail-Huber
		Prison

Courts

Bail #
Revocation days to
Sentencing