

## **Minutes of the Judiciary and Law Enforcement Committee – January 11, 2008**

Chair Bonnie Morris called the meeting to order at 8:36 a.m.

**Committee Members Present:** County Board Supervisors Bonnie Morris (Chair), Kathleen Cummings, Dave Swan and Steve Wimmer. Absent: Supervisors Rick Stevens and Genia Bruce.

**Also Present:** Legislative Policy Advisor Dave Krahn, Juvenile Center Coordinator Mike Sturdevant, Adolescent and Family Services Manager Pat Voss, Emergency Preparedness Director Richard Tuma, Financial Analyst Lyndsay Johnson, Information Technologies Manager Mike Biagioli, and Legislative Associate Karen Phillips.

### **Approve Minutes of November 16, 2007**

MOTION: Swan moved, second by Wimmer to approve the minutes of November 16. Morris asked that a correction be made on page 2. Motion carried 4-0 as amended.

### **Approve Minutes of November 30, 2007**

MOTION: Swan moved, second by Wimmer to approve the minutes of November 30. Motion carried 4-0.

### **Correspondence**

A copy of the State of Wisconsin, Department of Corrections – 2007 Annual Inspection, Waukesha County Jail, was distributed.

### **Executive Committee Report**

Morris highlighted the items considered at the December 3 & 17, 2007, Executive Committee meetings.

### **Future Agenda Items**

- 2007 Annual Inspection, Waukesha County Jail

### **Future Meeting Dates**

- February 1, 2008
- February 15, 2008
- February 29, 2008

### **Review of the 2007 Annual Inspection, Waukesha County Juvenile Detention Center**

Sturdevant and Voss began by outlining some background information about the Waukesha County Juvenile Center and provided the Committee members with a handout.

Voss explained the Juvenile Center services as a temporary facility for court-ordered placements of children from ten to seventeen years of age. Sturdevant added the typical age is about 13 or 14, and in some cases up to age 18. They are placed at the center for a maximum of 30 days, though the average stay is about 5 days. Each juvenile and family is assigned a social worker. Voss continued to explain that their center is unique in that it combines secure detention, shelter care units, juvenile court and court offices in the same facility. He stated the Juvenile Center can accommodate 36 children: 18 in Shelter Care (nine girls and nine boys), and 18 in the Secure Detention Unit, though they are most often under that number.

Sturdevant proceeded by reviewing the inspection summary, noting highlights in the following areas:

- **Summary of Progress from the Previous Year:** A number of improvements and enhancements at the facility implemented were noted since the 2006 Annual Inspection with regard to safety and building maintenance issues, as well as acknowledgement of the hiring of a new Superintendent (Sturdevant hired in August 2006).
- **Detention Operations and Practices:** The inspection verified that appropriate information is being obtained on each juvenile being admitted to the facility and proper logs and records are being maintained.
- **Health Screening and Care:** The inspection revealed that requirements are currently being met. A suggestion was made in reference to keeping the medical records cabinet locked and secured at all times to ensure juvenile confidentiality.
- **Nutrition / Food Service:** Sturdevant stated the food service at the facility is provided by the same company that provides services to the adult jail, but the juvenile facility purchases enhanced meals for better quality and nutrition. Voss added that a dietitian reviews the menus and they are very conscious of providing proper nutrition.
- **Suicide Prevention / Crisis Intervention:** Proper procedures were found to be in place, including initial assessments on admission, proper monitoring and wellness checks and special housing assignments if deemed appropriate, as well as meeting mental health needs. Swan asked if there is anything proactive being done looking for harassment/bullying on the internet, in light of the recent news story of a girl's suicide. Voss explained that it is a difficult issue to take on. He believes there is a group within the mental health center which may address this. Sturdevant added that they do provide annual training to staff with regard to the most current information about online predators.
- **Safety and Security Practices:** The inspection revealed the Center's procedures exceed the requirements set forth in the administrative code, and specifically noted the scheduled inspections of the cells in secure detention help maintain safety and security. Conduction of fire inspections and fire drills were also found to meet the proper requirements.
- **Resources for Juveniles:** Both indoor and outdoor recreational areas are provided, and the school program incorporates both areas as part of the curriculum. A reference to the need of asphalt resurfacing in the outdoor recreation area was noted.
- **Supervision and Observation of Juveniles:** Though the property of juveniles admitted to the facility was found to be appropriately secured and placed in a locked cabinet, it was suggested that a copy of the property inventory sheet be placed in each bag containing the juveniles' civilian clothing and other items. A review of physical security checks was found to be compliant; however, the review also indicated that some physical security checks are being completed beyond the timeframes set forth in the administrative code. One area of concern involved the lack of monitoring capabilities for staff required to observe juveniles housed in the two person cell area within the facility. It was recommended that the administration review the feasibility of providing monitors of the two person cell area in each of the worker stations on the main housing units to provide staff with the ability to maintain constant supervision of those juveniles
- **Programming Opportunities:** Educational services are provided with two full time and four part time teachers from the Waukesha School District. State statute requires the municipality in which the facility is located must provide these teachers at no cost. Academic, art and physical education are provided throughout the school year, as well as a summer program. Cummings asked whether a "scared straight" type program is utilized. Voss stated there was such a program in the past, but studies have shown they may do more harm than good. He stated the Ethan Allen School has a program which they use, which includes a tour of the facility and the

chance for the juveniles to talk with the residents of Ethan Allen to get an idea of what it is like there.

- **Physical Environment:** The facility was found to be maintained at a high level of standard.

In closing, Sturdevant clarified that no violations of the administrative code were observed; however, a number of recommendations were included in the report, which were only suggestions for improvement based on good correctional practice.

Morris commended Sturdevant on an excellent report, and stated she had an opportunity to tour the facility and was impressed on how well the center is run. She questioned, in light of a recent report that the census was down at the Juvenile Center, whether the correctional officers can be shifted to the jail or if they are specifically trained for the facility. Sturdevant replied that his staff is specifically trained and there is State mandated training for different areas of expertise.

Swan suggested cross-training correctional officers should be considered. Cummings suggested the Personnel Committee could look at this possibility.

### **Status Update of the Spillman System**

Tuma began by stating that a letter from DOA has been finalized that basically puts Spillman on notice that the mobile product has not worked, and the County would like their money refunded. There are certain portions of the Geobase CAD System not working, and reimbursement is being requested for that also. He said an invoice will follow the letter stating specific dollar amounts.

Tuma continued by explaining the system is not working on the radio network as promised. For example, signing on to the system can take anywhere from forty seconds to six hours; it should be within thirty seconds. The signal often gets lost and the Spillman system drops out. Spillman also promised a fire department module, when in fact they sold the Delafield Fire Department a police module for half the price police departments pay. Tuma stated this is a problem because the fire department can then see police records.

Tuma clarified that the IT Mobile Net system allowing messaging between cars inquires for license plate checks works fine; it is the interface to the cars, to the Spillman CAD system, in which an incident and an address could be entered and sent to the car and speed up the dispatching process which does not work as they reported it would. All of our resources have been exhausted in an effort to get the system to work. Tuma stated it is not known if the whole system will be eliminated or just parts that are not working. Tuma said there are a number of companies that can do what we need them to do. Tuma stated he felt Spillman has been given every opportunity and countless man hours have been spent trying to get this system to work.

Morris asked if this will be a legal issue, and Tuma stated he thought so. Swan wanted more details. Tuma said since there may be litigation, all of the details will not be provided at this time in consideration of the best interest of the County. Tuma said that if satisfaction with Spillman is not achieved, that the obvious next step would be replacement of the system, though an RFP has not been established.

Wimmer asked if there is a system that can accomplish the needs of the County. Tuma said there is no perfect system, but there are many that would be much better than what we have. We would need to see demonstration of how they would handle the unique addressing system of the County. He stated there are ten to twelve counties in the US that have an addressing such as Waukesha County, and there are companies who can handle it.

Cummings stated she would like to see a contract with financial consequences if the vendor fails to fulfill their promises.

Wimmer asked if there were any retainers built into the Spillman contract. Biagioli said there was a 10% holdback until it was up and running, but there was a gray area in the interpretation of the wording. Wimmer stated he would like to see wording built into a future contract whereby something is held back not only until the system is up and running, but until it has run for maybe a month to see if there are any glitches that need to be fixed. Holding back monies due on the contract would certainly be an incentive for them to fix the problem, and a reasonable vendor would understand that

Swan said maybe too much emphasis had been put on the records system. Tuma stated the emphasis now should be on the dispatching system, where seconds really count, and where safety is the issue. Tuma said we can get a system that will meet our needs of the addressing system. Presently, the Spillman system disregards the first three numbers in the address, for example: N123 W456 – the system looks at the 456 and disregards the rest. The dispatcher gets a number of picks, and then a determination must be made which one is correct. It is time consuming and prone to mistakes.

Wimmer suggested that in the future, a committee of anyone involved in using the system should meet, and only once everyone has reported back and is satisfied that it is working should the final payment be released. He stated this final approval procedure should be written into the contract with a new vendor.

Tuma stated that he expects there will be a formal process put into place as things progress and will keep the committee informed. Wimmer stated this Committee as a whole should review the RFP and any written documentation that ultimately forms the written contract to make sure expectations will be fulfilled.

Discussion continued in regard to the future of the Committee in that there may be all new members after the April election. It was noted that since this Committee does have purview, this issue should be brought back before the Committee for ongoing review as discussed.

In closing, Tuma added that the Eagle Fire Department joined the system on December 26. Lannon will be joining the 800 system in March as the last remaining community to join.

### **Legislative Update**

Tuma stated he has been working with Representative Phil Montgomery in regard to forming a taskforce to totally rewrite legislation for 911. He stated they are hopeful that there may be new legislation in March. He stated they are looking for relief to taxpayers, and a surcharge on cell phones and landline phones for the 911 service could certainly help reduce the impact on property taxes.

Krahn said the goals are to rewrite the 911 statute, not just for the interim but for the future, and he reminded the Committee that the surcharge is to sunset in November of this year and the money now being collected would be no longer.

Krahn handed out a list of 2007 State Legislation items, and specifically reviewed the following bills:

AB 576 (SB 321): Krahn stated both these bills, regarding changing the criteria for determining indigency for the purposes of SPD representation, will be voted upon next week.

AB 579 (SB 342): Krahn stated these bills would increase the jurisdictional limit in small claims actions from \$5,000 to \$10,000.

AB 52: Krahn stated this was signed by the governor (ACT 37), creating an exception to quarantine requirement for a law enforcement dog that bites a person while the dog is performing law enforcement functions if the dog is immunized against rabies.

AB 639: Krahn stated this new bill, requiring DOT to electronically share drivers license photos with law enforcement agencies for the administration of criminal justice and for traffic enforcement, has a hearing next week.

AB 678: Krahn stated this collection enhancement bill which was attempted last session has little chance of going through.

Krahn also stated there will be legislation introduced for which 17 year olds will be removed from adult supervision to juvenilesupervision . The sponsoring senator's proposed legislation includes funding which would come from a 1% fee on the sale of gross receipts of video games and gaming devices. This money would then be funneled from DOC to counties for juvenile justice / delinquency related services.

Krahn addressed the issue of the shortage of prosecutors in the State. Due to a federal appropriations bill which cut the Byrne Grant, the deficit has risen to 150 Statewide. He stated this could impact the court system, law enforcement, and safety in general.

MOTION: Cummings moved, Wimmer second, to adjourn the meeting at 10:26 a.m. Motion carried 4-0.

Respectfully submitted,

Kathleen M. Cummings  
Secretary