

Minutes of the Judiciary and Law Enforcement Committee – February 15, 2008

Chair Bonnie Morris called the meeting to order at 8:31 a.m.

Committee Members Present: County Board Supervisors Bonnie Morris (Chair), Kathleen Cummings (arrived at 8:35 a.m.), Dave Swan and Steve Wimmer, Rick Stevens. Absent: Supervisor Genia Bruce.

Also Present: Legislative Policy Advisor Dave Krahn, Emergency Management Programs Assistant Kathy Schwei, Emergency Preparedness Director Richard Tuma, Financial Analyst Lyndsay Johnson, Sheriff Dan Trawicki, Business Manager Tom Koth, Inspector Steve Marks, Deputy Inspector Eric Severson, Jail Administrator Mike Giese and Legislative Associate Karen Phillips.

Approve Minutes of February 1, 2008

MOTION: Swan moved, second by Wimmer, to approve the minutes of January 11, 2008. Motion carried 4-0.

Correspondence

Morris stated that Eric Severson emailed to her a diagram of the floor plan for the command post/trailer. Morris stated she will have copies distributed to the Committee members.

Executive Committee Report

Morris highlighted the items considered at the February 4, 2008, Executive Committee meeting.

- Discussion of ordinances approved at the meeting on Tuesday
- Discussion with State Legislators Jeskewitz, Zipperer and Gunderson
- Update on Jail Staffing Training Seminar from Morris and Supervisor Paulson

Cummings arrived at 8:35 a.m.

Report by Committee Member Liaisons

- Morris stated she attended the public hearing in Oconomowoc regarding the DDR development (Pabst Farms) being proposed for the corner of Highway 67 and I-94. She spoke at the public hearing, informing them of the County's position on the matter, in that they need to prove that it is, in fact, a regional mall before our funds are released.

Future Agenda Items

- Update on security/front entrance (Morris)
Krahn stated there is a meeting this afternoon concerning this issue, so more info should be available for an update at the next Committee meeting.
- Discussion about Memorandums of Understanding (MOU) (Swan)

Future Meeting Dates

- February 29, 2008: (Morris stated there is a possibility this meeting will be cancelled)
- March 14, 2008

Review and Consider Ordinance 162-O-101: Accept Pre-Disaster Mitigation Planning Grant Funds From The Federal Emergency Management Agency And Modify The 2008 Emergency Management Budget To Appropriate Grant Revenues And Expenditures

Tuma explained this ordinance requesting the County Board's approval to accept the federal funding from FEMA. The grant funds will be used to purchase contracted services to develop an All Hazards

Mitigation Plan. Tuma stated the additional benefit of creating the All Hazards Mitigation Plan is that once completed, it makes the County and its municipalities eligible to apply for other project grants and federal grant programs.

Morris asked which municipal partners would be involved. Schwei stated every municipality in the County would be asked to participate in the meetings to develop the plan, since it is a Countywide plan.

Schwei continued to explain that this plan will identify hazards which could affect life, safety, property and environmental preservation. This applies to natural hazards, flooding, tornados, earthquake, wind damage and such. Schwei stated once the contractor starts the planning process it will take just over a year. Schwei explained that once a hazard and its effects are identified, mitigation strategies would be developed for each of those hazards. Next, specific plans/grant projects would be developed that could mitigate the damages, and it is from those project ideas that you move forward to someday receiving funding to address those issues.

MOTION: Cummings moved, second by Stevens, to approve Ordinance 162-O-101.
Motion carried 5-0.

Discuss Municipal Participation in the Operations of the Waukesha County Communications Center

Tuma stated thus far, 30 out of 36 communities have joined the Waukesha County Communications Center. He stated that for a number of non participating municipalities, their current police chiefs are not in favor of joining the Communications Center for various reasons.

Tuma then referenced a recent newspaper article which referred to Mayor Speaker of Brookfield and a letter he wrote to his Board. Tuma stated while he has not seen the letter, he does have regular conversations with the Administrator of Brookfield so he was aware that there were some issues coming about. Tuma stated the one comment in the article referenced the protocol and information gathering lacking for the City's paramedic program and fire department's personnel. He stated that, in fact, Brookfield Fire representatives have attended the Fire Protocols meetings for years, and all of their protocols were developed by the Brookfield Fire Department or were products recommended by them.

Tuma stated the Brookfield Police Chief is part of the EOC and for the last 6 -8 meetings, he has never brought up any new topic. Also, Tuma said the Brookfield Police Department is very active in both the technical committee and the police protocols, and they have not brought up any new issue in at least 6 months. There are some outstanding issues, simple things such as addressing inaccuracies. Some of those are Spillman issues and some are mistakes due to human error. Tuma stated that several times they have initiated meetings with the Brookfield Police Department to get more specifics, yet not once have they initiated a meeting. Time and again they have refused to stay after a protocol meeting where there has been an issue to have a one-on-one discussion. Tuma stated it is frustrating at times.

Tuma stated since this article appeared, they have received numerous emails and phone calls from other Police Departments praising the Communications Center and expressing their satisfaction with its operations.

Wimmer asked what type of Spillman problems are related to Brookfield. Tuma explained there are some problems with how the Geo Base works. Depending on how the call comes in, it is not always consistent in handling addresses of businesses and intersections. Tuma stated the Chief said he did not want to join the Communications Center right from the beginning.

Morris stated it is too bad that it is the negatives that get into the newspaper rather than the accolades.

Discuss Ordinance 162-O-106: Transfer Carryover Funds From 2007 Unexpended Appropriations To 2008 Budgeted Appropriations (Emergency Government)

2006 UASI Grant – Equipment for Waukesha County EOC (\$6,365): Tuma stated these grant funds are to be utilized for purchase of computer equipment and a satellite phone for the EOC.

2006 UASI Grant – Citizen Preparedness Initiative/CERT Classes (\$268,988): Schwei explained how the grant funds will be used for purchasing items for citizen preparedness initiatives and Community Emergency Response Team (CERT) classes. The items include promotional materials and supplies, a small trailer to transport CERT class equipment and instructor expenses.

MOTION: Swan moved, second by Cummings to approve Ordinance 162 -O-106 (Emergency Government Items) Motion carried 5-0.

Discuss Ordinance 162-O-106: Transfer Carryover Funds From 2007 Unexpended Appropriations To 2008 Budgeted Appropriations (Sheriff's Department)

Digital Cameras for Squad Cars (\$15,000): Trawicki explained the digital cameras would be installed in squad cars to allow recording of enforcement stops. Additional time is needed to insure the system will function efficiently with the department's records system.

Duress alarm for Huber Facility (\$21,000): Trawicki stated duress alarms to be installed at the Huber Facility will enable officers to request emergency assistance where radio contact is not possible. Due to a delay in the funds being appropriated, the prospective vendor's bid time limit expired and thus the cost increased. The project will be re-bid in 2008.

Back pay Payout (\$37,928): Trawicki explained the request to carryover funds to accrue back pay for an employee that has been on unpaid leave of absence since July 2007, and is expected to return to duty in February 2008. He stated if the legal issues had been resolved earlier, the employee would have been reinstated with pay.

Records Microfilming (\$40,760): Trawicki stated that during the last two years, Sheriff's Department and DOA have worked to determine the most cost effective solution for long term records retention, which was determined to be microfilming.

Swan asked about the Spillman system with regard to records management issues. Trawicki stated it is acceptable for their purposes, and does not expect to replace it.

MOTION Stevens moved, second by Swan to approve Ordinance 162-O-106 (Sheriff's Department Items.) Motion carried 5-0.

Review and Consider Ordinance 162-O-102: Amend 2008 Sheriff's Department Budget Expenditure Of Seized Funds – Participant Distribution – February, 2008

Trawicki explained that the department annually distributes a share of seized funds received to participating Metro Drug Units agency communities bases upon their participation at the time of each seizure. The amount of \$38,848 will be disbursed to the following police agencies: City of Waukesha (\$15,461); City of New Berlin (\$7,776); City of Brookfield (\$7,603); Village of Menomonee Falls (\$7,776); city of Muskego (\$173); and Village of Hartland (\$59.).

MOTION Stevens moved, second by Wimmer to approve Ordinance 162-O-102. Motion carried 5-0.

Review and Consider Ordinance 162-O103: Expenditure Of Seized Funds Amend 2008 Sheriff's Department Budget Multiple Expenditure Requests

Trawicki reviewed the comprehensive document and specifically noted a change regarding item 21 on the 2008 master Asset Forfeiture Request Listing. He stated that line 21 (furniture) will be removed because furniture donated from at&t will be used for the Computer Forensics Room. By eliminating line 21, the total of \$258,717 of seized funds expenditure authority for purchases in various divisions within the department per the detailed list will be reduced by \$7500, to the new total of \$251,271.

Cummings stated this will need to be white-copied to amend the ordinance and remove item #21.

MOTION: Stevens moved, second by Cummings, to approve Ordinance 162-O-103 as amended. Motion carried 5-0.

Discuss Resolution Requesting Legislative Audit of the Wisconsin of Corrections Probation and Parole Program

Morris stated she requested this item to be agendaized for this Committee to review and discuss the Dane County Resolution, and whether this Committee should propose a similar resolution to the Executive Committee and the County Board.

After discussion, Krahn added that a resolution would not be needed in order to request an audit. He reasoned that the Committee could request the Executive Committee to write a letter proposing an audit be done.

Trawicki reviewed the informational handout regarding Probation and Parole Reimbursement. Giese stated the chart includes felon only probation and parole violations that are reimbursed by the state for rule violations. He stated that most of these are Waukesha County residents. Trawicki stated the maximum payout for reimbursement is \$40 per day, but the actual amount is based on the total number of claims that come through per year. He stated for 2006-2007, the amount was just \$32.00 per day, which is below the agreed upon rate and well below the actual costs to house them. Trawicki stated an audit would specifically identify problems with the Probation and Parole Program, and he would support the audit being done. He referred to a survey conducted in 2005 by the Badger Sheriff's Association which addressed some of these problems. Wimmer asked to see a copy of that survey, and Trawicki agreed to provide copies for the Committee.

MOTION: Wimmer moved, second by Stevens, to refer this matter to the Executive Committee for further action by unanimous consent. Motion carried 5-0

Legislative Update

Krahn updated the Committee on a possible budget repair bill, to address a \$625 million hole in the State budget and the impact on the property tax payer. He stated the Great Lakes Compact will be a major issue coming forward. He reviewed the handout of 2007 State Legislation items and highlighted the following:

- SB 244: The Senate version was amended and approved. AB 472 approved by the assembly. This bill eliminates the discretion to require payment of a contribution surcharge to a crime prevention organization or law enforcement agency's fund, and prohibits a prosecutor from choosing not to proceed with criminal prosecution or a civil action in exchange for a person's payment of money.
- SB 321/AB 576: This bill changes the criteria for determining indigency for the purposes of SPD representation. It is in the Joint Finance Committee because of the fiscal impact.

- SB 401/AB 746: This new bill establishes that a 17 year old be subject to juvenile court jurisdiction.
- SB 458/AB 754: Krahn advised that AB 754 has already had a hearing. This bill restricts access to the consolidated court automated Internet Website.

MOTION: Cummings moved, second by Stevens, to adjourn the meeting at 10:28 a.m. Motion carried 5-0.

Respectfully submitted,

Kathleen M. Cummings
Secretary