

# WAUKESHA COUNTY SHERIFF'S DEPARTMENT HUBER /ELECTRONIC MONITORING PROGRAM

## INMATE RULES, REGULATIONS AND INFORMATION PACKET

May 2024

*This information is a resource outlining inmate privileges and services as well as the rules. This information is subject to change as the policy and procedures change. Inmates will be given ample warning of any changes prior to their implementation. If you have any questions or do not understand the information provided, ask a staff member for clarification.*



**Waukesha County Sheriff's Department  
Huber/EM Program  
515 W. Moreland Blvd  
Waukesha, WI 53188  
(262) 548-7182 Phone  
(262) 896-8254 Fax  
[ememail@waukeshacounty.gov](mailto:ememail@waukeshacounty.gov) Email**

## General Information

1. Inmates will follow all directives by correctional staff and contract EM staff. Inmates will be respectful at all times.
2. Inmates will communicate with staff via the listed phone number, fax, or email.  
**Phone - (262) 548-7182**  
**Fax - (262) 896-8254**  
**Email - ememail@waukeshacounty.gov**
3. Inmates will comply with all local, state and federal laws.
4. Inmates will follow all rules listed in the EM rules and regulations and the contract vendor rules for EM.
5. Inmates will pay associated fees related to EM and placement. Inmate will be held financially responsible for any damaged EM equipment.
6. Inmates will provide your own medical care.

## Work Release Guidelines

1. Inmates will provide schedules and/or request for periods of time to be released from their home residence. All requests will be verified by EM staff.
  - a. Regular work schedule will need to be provided one-time as long as the schedule does not change.
  - b. Rotating work schedules will need to be provided a minimum of 2 business days in advance of the schedule.
  - c. Last minute changes and/or overtime requests will be provided as soon as possible to avoid being in violation.
2. Inmates are NOT permitted to be employed by, or supervised by, other current inmates or by inmates within six (6) months of their release from custody. Continuing employment with a family-operated business will be reviewed and approved on a case-by-case basis. Commencing employment during incarceration for a family owned/operated business will not be allowed.
3. **Self-employment.** Self-employment will be verified in the following manner. The inmate must provide the following documents:
  - Proof of an active, current business checking account (i.e., active account statement);
  - A tax number (hardcopy document listing the tax authorization number); proof of tax filing for the most current year.
  - Past and current business contracts;
  - Current invoices;
  - Business incorporation papers; or LLC and,
  - Insurance forms listing the company name and type of business.

If the documentation listed above cannot be provided or is insufficient, the matter will be forwarded to the attention of a corrections captain for review and final determination regarding the inmate's employment status. Self-employment is reviewed and approved on a case-by-case basis.

4. **Independent Contractor Status Criteria.** The inmate must provide the following documentation:
  - Social Security Number (confirmed on Spillman Names Table);
  - Previous year's income taxes, if business was previously established at that time, showing proof the inmate filed taxes as a subcontractor;
  - Bank statements showing on-going transactions during the six (6) months prior to incarceration date with a positive bank balance; and
  - At least five (5) contracts with past "employers" dated no more than six (6) months ago, and not less than one (1) month ago, substantiating [an exception would be one (1) or two (2) long-term employment contracts].
  - If the inmate is paid as a subcontractor through a single business, that business must be viable (reference section (2) above), must provide a work schedule and comply with the wage assignment.

If the documentation listed above cannot be provided or is insufficient, the matter will be forwarded to the attention of the applicable corrections captain for review and final determination regarding the inmate's employment status. Independent contracting is reviewed and approved on a case-by-case basis.

5. **Unemployment Compensation.** Unemployment compensation (and employment training benefits) checks will be mailed directly and/or turned over to the Huber Facility accounting staff. Inmates receiving unemployment compensation benefits who are approved to pay weekly Huber board fees in cash will be required to submit a weekly check stub with their fees. The check stub will be cross-reference by the Huber Facility account clerks to confirm unemployment compensation benefits have been received. The check stub will be returned to the inmate upon verification by Huber account clerks. Inmates are not permitted to apply for unemployment compensation while in custody without first notifying Huber Facility accounting staff.

## Child/Elder Care Release Guidelines

1. Inmates will be required to provide the other parent or caregiver's work schedule (from the employer), birth certificates and school schedules (including dates and hours) for all children included in the request. Childcare is not granted as a means to maintain direct contact with family members and/or conduct off-site visitation. Any requests to leave the residence must be approved by correctional staff in advance.
2. Release for family/elder care requires physician proof detailing the type and frequency of care required by the family member. You must remain at the approved residence during childcare release. Any requests to leave the residence must be approved by correctional staff in advance.
3. You must be reachable by telephone at the approved site at all times during scheduled childcare/family/eldercare hours. Based on the reasonableness of the request and the documentation provided, the request will be granted or denied at the discretion of

correctional staff. Release time will not exceed 12 hours in a single day or more than six days in a row for any reason or combination of reasons (work and childcare).

### **School Release Guidelines**

1. A school schedule (official document from the educational institution) is required and must be submitted with the form. Release time will not exceed 12 hours in a single day or more than six days in a row for any reason or combination of reasons (school and work/childcare).
2. Requests to take non-credit college or vocational courses will not be approved unless you were previously enrolled in the course prior to your incarceration.

### **Medical/Mental Health/Counseling**

1. If you require a medical or mental health service appointment, **you will provide documentation via email or fax 5-7 days prior to the appointment** for approval.

### **General Leave Requests**

1. If you need to leave home confinement as part of EM, prior approval is required from staff. Communication of these needs can be done via fax or email. The required information will include: date of submission, date of appointment, reason for appointment, length of appointment, means to travel to and from appointment, and a name and number to verify said appointment. The completed information is to be sent via fax or email in advance; no less than 48 hours from the time of requested departure from the Huber Facility.

### **Disciplinary Information**

In the event you are suspected to be in violation of a rule(s), the staff member having the suspicion will determine whether to address the matter formally or informally.

**Formal Discipline.** A formal disciplinary report will result in disciplinary hearing proceedings no sooner than 24 hours from the time you were served with the disciplinary report. The exact date and time of the hearing is determined by the availability of a disciplinary hearing staff member. Based upon the legitimacy of the request you may be allowed to call witnesses, confront your accuser and/or be represented by a staff advocate during disciplinary proceedings.

A sanction or penalty may be imposed by the hearing officer based on the findings of the disciplinary proceedings. Disciplinary findings and imposed sanctions may be appealed to the Jail Administrator or designee. You must indicate your desire to appeal immediately following the findings decision. The appeal is to be made in writing and turned over to a staff member within 24 hours of the findings decision. Based on the legitimacy of the appeal the original penalty may be eliminated, withheld, increased or decreased. The appeal decision is final. For formal disciplinary actions, sanctions will not be imposed until after the appeal process is completed.

**Informal Discipline.** An informal disciplinary action includes a notification of infraction(s) and the issuing of a sanction(s). There is no due process hearing, but the informal action may be appealed to the Jail Administrator or designee as outlined above. The appeal will not delay imposing the sanction. The goal of a successful informal disciplinary appeal would be to have the disciplinary action removed from your record. Types of disciplinary sanctions may vary based upon the severity of the offense(s) and the frequency which an inmate violates jail rules. Sanctions which may be imposed as informal discipline include:

- a) Verbal reprimand;
- b) Written reprimand;
- c) Loss of one privilege for a 24 hour period;
- d) Financial reimbursement for damaged property or maintenance fees; or,

Formal discipline has more flexibility with regard to possible sanctions. Sanctions which may be imposed as formal discipline include:

- a) Loss of up to 2 days "good time" for any one offense involving one or a number of rule violations; and/or, restriction of work release privileges up to 5 consecutive days per violation.

**Any violation of facility rules may result in administrative loss of Huber privileges and your transfer to the County Jail.**

### **Inmate Grievances**

Step 1. During your confinement, you may believe you have the basis for a complaint. When this is the case, whenever possible, you are encouraged and required to attempt to resolve the complaint informally with a correctional officer or support staff member. This is to be done verbally or emailing your concerns.

Step 2. When informal resolution is not possible, written complaints/grievances and grievance appeals are to be submitted in writing via email. The receiving officer will ensure the complaint is forwarded to the applicable staff member. All legitimate grievances are reviewed, evaluated, appropriately investigated and a written response is provided.

A grievance is a written complaint by an inmate on the inmate's own behalf regarding a jail policy application; a condition within the institution; an action involving another inmate or staff member within the institution, or; an incident occurring within the institution. The grievance procedure is not to be used to address inmate disciplinary or disciplinary appeal issues or processes, or legal decisions as directed by the courts. The Waukesha County Jail Inmate Grievance/Grievance Appeal Form will be utilized for the submission of inmate grievances and grievance appeals. This form will be provided in person when an inmate asks. Inmate grievances/grievance appeals will:

- a. Be legibly written on the form supplied for this purpose.
- b. Be signed by the inmate.
- c. Not contain language that is obscene, profane, abusive or threatens others unless such language is necessary to describe the factual basis of the substance of the complaint.
- d. Contain only one issue per complaint and shall clearly identify the issue.
- e. Only be submitted after the inmate has exhausted all avenues for informal resolution of the complaint.
- f. Will be submitted in a timely manner no more than five (5) calendar days after the incident of the complaint or grievance response for appeals. The jail administrator or designee may accept a late grievance for good cause. PREA – sexually-oriented complaints or grievances have no time limit.

A grievance may be rejected for the following reasons:

- a. The inmate submitted the complaint solely for the purpose of harassing or causing malicious injury to one or more of the department's employees, agents, contract staff, volunteers or any other person.
- b. The inmate does not raise a significant issue regarding rules, living conditions or staff actions affecting the institutional environment.
- c. The inmate submitted the grievance in excess of the five calendar days from the incident and provides no good cause for the delay.
- d. The issue raised in the grievance does not personally affect the inmate.
- e. The issue has already been addressed.

All complaints properly submitted as outlined above will be reviewed by the applicable staff member. The legitimacy of each complaint will be determined and a response will be provided. Keep in mind the complaint procedure is a vehicle for you to seek resolution for legitimate factual concerns. **Communicating false information or writing a frivolous grievance is prohibited and could be grounds for disciplinary action.** Additionally, the complaint process does not provide you with an option to refuse to follow, or to demand to talk to a corrections supervisor before following an order/instruction issued by a correctional officer.