

Minutes of the Judiciary and Law Enforcement Committee
January 13, 2017

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

Committee Members Present: Peter Wolff (Chair), Jennifer Grant, Jim Batzko, Steve Whittow Mike Crowley, Kathleen Cummings, and Timothy Dondlinger.

Others Present: Legislative Policy Advisor Sarah Spaeth, Clerk of Courts Kathy Madden, Sheriff Eric Severson, and Inspector James Gumm. Minutes Recorded by Beth Schwartz, County Board Office.

Approve Minutes of November 11, 2016

MOTION: Crowley moved, second by Dondlinger to approve the minutes of November 11, 2016. Motion carried 7-0.

Correspondence

- County Appropriation Fund Transfer Request for the Emergency Preparedness Department. The Department needs approximately \$87,500 of additional personnel cost appropriations due to higher than anticipated overtime costs (about \$236,000) related to employee turnover, employees out on medical leave, and training new telecommunicators. The Department implemented a revised scheduling system in the second half of 2016, in an effort to better manage and reduce their overtime costs. Higher overtime costs are partially offset by salary and benefit cost savings from position vacancies and turnover.
- County Appropriation Fund Transfer Request for Circuit Court Services. The Department has experienced greater than budgeted spending on collections costs and defendant transportation costs. This includes funds totaling \$20,000 for Collections services incurred for Guardian Ad Litem delinquent cost recovery, which generate higher revenue for the department. Funds totaling \$40,000 are needed for Sheriff service charges for defendant transportation associated with ongoing court proceedings of juveniles who also require placements at the State Mental Health Institutes for inpatient treatment services.
- County Appropriation Fund Transfer Request for the Sheriff's Department who has experienced greater than budgeted spending on overtime expenses due to position vacancies. As of November 29, the Department has exceeded the overtime budget by \$813,000 largely due to the need to pay overtime for shift coverage. The Department will be able to absorb the majority of the overtime overage due to underspending of salary and benefit accounts due to position vacancies. The Department is requesting that \$170,000 be transferred from the interdepartmental appropriation unit to the personnel appropriation unit to address the anticipated coverage in the personnel appropriation unit.

Executive Committee Report of December 12, 2016

Wolff reported that the following items were discussed at the last Executive Committee meeting:

- Discussed and considered a resolution from the Department of Administration and an ordinance from the UW-Extension Office
- Heard an update on the Wisconsin Digital Government Summit
- Heard standing committee reports

Future Meeting Date: February 17, 2017 at the Communications Center

Discussed and Considered Ordinance 171-O-073: Modify 2017 Budget Of The Circuit Court Services To Appropriate Expenditures For The Purchase Of New Jury Box Seating With Reserved Fund Balance From Juror Service Fee Donations From Prior Years

Madden said this ordinance modifies the 2017 budget of the Circuit Court Services to appropriate expenditures totaling \$7,400 for the purchase of new juror seating in Courtroom C-267 with reserved fund balance from donations of Juror Service fees. The Voluntary Juror Donation Program established in 2010 allows persons serving as jurors in circuit court to donate some or all of their county paid per diem fees and travel expenses to fund special Jury Program improvements. Funds can only be used for enhancement of the program. Funds totaling \$13,203 have been donated back to the County from the program's inception in 2010 and thru December 31 of the 2016 fiscal year. In reviewing jury improvement needs, in part from volunteer juror surveys, Madden determined that the Juror seating in Courtroom C-267 requires upgrade and replacement with an estimated cost of \$7,400. This upgrade is appropriate under the guidelines established in the Juror Donation Program and sufficient donated Juror Service and travel expense fees have been collected to pay for this upgrade.

Wolff asked if there is an estimated lifetime on the jury box. Madden was not sure of the exact age but said the chairs upholstery looks cracked and aged. Grant asked if this was just for one courtroom or if eventually all the courtroom jury boxes would be updated. Madden said this is the only courtroom with consistent comments from jurors that their box is so uncomfortable. Not all jury boxes get used on a daily or weekly basis so chair life is typically long. In answering Cummings question, Madden said they've worked with the Department of Administration as their department is without an ability to budget for unexpected furniture and replacement costs. Although Administration set aside \$20,000 in case of these costs, this program was specifically designed to enhance the comfort of jurors. Dondlinger asked how many chairs need replacing and Madden said 13 with one spot open as compliant with the Americans with Disabilities Act (ADA). Crowley asked what else the money can be used for. Madden said small enhancements like refrigerators or any technology needs.

MOTION: Batzko moved, second by Cummings to approve Ordinance 171-O-073. Motion carried 7-0

Heard an Update on Circuit Court Services

Madden reported on the e-filing system. Circuit Court Services still uses some paper but all paper transfers to electronic. Public defenders are big filers but even they must prepare for the mandatory switch to e-filing. Part of that is the Circuit Court no longer makes paper files. So far, paperless committees formed and over 300 attorneys, judges, court officials, and staff trained to be paperless in all areas. The focus now is on dealing with hurdles and system fixes. Madden said it will be a long time until everyone is entirely comfortable because this big transition affects everyone and every written procedure. Job studies will develop the most effective training for a paperless court system. Since the implementation of these changes, five full time positions opened. Madden also reported on the consolidation of the Probate and Juvenile divisions into one Juvenile Probate Division. How the two divisions functioned was not that different and it made sense to eliminate redundancies. The Probate staff is being moved to Juvenile Center.

Heard an Introduction to Patrol Division

Severson and Gumm discussed the Patrol Division. With 172 sworn officers, the Patrol Division is the largest although some positions are vacant. There are 15 vacancies as of today and only 7 deputies in training – a low for the Sheriff's Department. The Patrol Division is the most publically visible and responsible for many tasks throughout the County whether the community has their own police department or not. At any point of being on duty, 24 hours a day 7 days a week, there must always be a supervisor available to the deputy. However, Severson said he has never been happy with the supervisor to employee ratio as many supervisors don't see their employees for months. The Patrol Division is like a community caretaker who responds as a backup for fire departments and police officers throughout the County. Many times for safety reasons there cannot be only one patrolman sent. Severson said that so far, 2016 is showing an arrest of a drunk driver every day, about 200 arrests for drug offenses, 12 overdoses with the application of Narcan in 11 of those cases, and once a month

called for use of the tactical enforcement unit. Severson said every shift includes dealing with mental health issues.

As for recruiting and hiring, the number of applicants for deputy sheriff jobs has dropped and the number of certified applicants is down. The State and National Sheriff's Associations have told Severson that this is a national trend. Over the last three years, the Department has lost 24 employees during the first year of probationary employment. This means an average length of employment is only 120 days. As a result, there has been a push on hiring. It takes about three years to get into law enforcement so changes are being made to lateral hiring, getting other agency's deputies to switch to the County by adjusting wages and vacation allotment. Batzko asked about the hiring process and the amount of time it takes to move forward after the exam. Gumm described the process and said twice a year they look at applicants who are not certified. The rest of the year they will only look at certifiable candidates.

Cummings asked about the failure to supervise. Severson said lawsuits often implicate law enforcement for failure to supervise, which includes aspects of training, providing appropriate resources, and mindfully monitoring employees. Gumm asked the supervisor to imagine supervising as many deputies as assigned to the supervisors. Severson added that being in the Patrol Division is a complicated job and mistakes are made when there are no supervisors to turn to. Grant asked about the ranking of positions. Severson said true supervision for patrol allows for being in the field and on the scene, not sitting in an office. Gumm described an ideal model of supervisor to employee ratio by comparing the Patrol Division to any successful business. The Village of Sussex has asked for an additional supervisor to be added to their second shift operations.

Legislative Update

Spaeth reported the Legislature is back in session and the new delegation is being sworn in. Legislation has begun circulating. One new bill is for those not compliant with child support payments would not be eligible for FoodShare benefits. Child Welfare Services faces overdosing opiate addicted parents, in turn affecting their children in need of placement and support. To remedy this, the County will ask the Legislature to look at funding flexibility and remove strings on how the money is spent. The County is also asking the State to provide more flexible spending for Veteran's Services with a block grant. Another lobbying item is for home rule authority over boards and commissions and the flexibility to combine boards or decrease their size to better recruit for appointments. Spaeth also mentioned the Governor's Taskforce on Opiate Abuse, which includes 11 bills, 19 agency actions and \$125 million annual spending.

MOTION: Crowley moved, second by Grant to adjourn the meeting at 10:07 a.m. Motion carried 7-0.

Respectfully submitted,

Jennifer Grant
Secretary