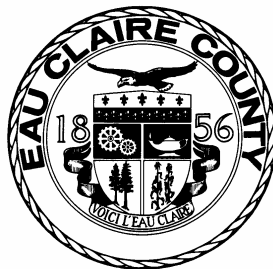


Final Report of the Special Committee to Resolve Jail Space and Site Needs

Submitted to the Eau Claire County Board of Supervisors
April 8, 2009

This report contains the results of the Special Committee to Resolve Jail Space and Site Needs. An electronic version of this document is available to the public, but is not to be regarded as the formal submittal. The original document is on file in the Office of the Eau Claire County Administrator.



ACKNOWLEDGEMENTS

The Special Committee to Resolve Jail Space and Site Needs respectfully offers the following report and recommendations to the Eau Claire County Board of Supervisors.

Committee Members

Colleen Bates
Chair

Will Fantle
Vice - Chair

Kathleen Clark

Tom Barland

Ken Fulgione

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The Special Committee to Resolve Jail Space and Site Needs wishes to acknowledge the dedicated assistance of the Eau Claire County staff, Venture Architects, SDS Architects, Market and Johnson, and Ayres and Associates in providing the Committee with information, data, reports and concepts to aid in the development of it's findings and recommendations. The Committee thanks them for their assistance.

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I. BACKGROUND

A. Committee Charge

The Special Committee to Resolve Jail Space and Site Needs met 14 times from September 25, 2008 to April 2, 2009 to consider the task delegated to them by Eau Claire County Board Resolution 08-09/073 (*Appendix A*). The task issued to the Committee was "...assess jail space needs and evaluate existing and potential sites for a new jail facility as well as possible relocation of the courts, law enforcement and possibly other county services and recommend a site no later than January 14, 2009." The Committee, however, was unable to complete the task in the time allotted. The Committee requested an extension from the County Board, as provided by the authorizing resolution, on January 20, 2009. The Eau Claire County Board granted the Committee an extension until April 2, 2009 by order of Resolution 08-09/148 (*Appendix B*).

B. Public Participation

In addition to assessing jail space needs the Committee was also directed to "...include opportunities for civic engagement, as encouraged in the Clear Vision Eau Claire report, to ensure public input and participation in identifying a solution." To that end, the Committee established a process of open meetings and public involvement that included: a 15 minute period for public comment at the start of each meeting, and a policy allowing the public to comment at any time during the meeting. The latter being subject to the discretion of the Committee Chair to allow for orderly conduct of the meeting.

A web page was developed on the Eau Claire County website to disseminate information about the Committee's work to the public (http://www.co.eau-claire.wi.us/CountyGovernment/jailspace_and_siteneeds.htm). Members of the public were encouraged to communicate comments, questions and proposals to the Committee via mail and email. All correspondence was shared with all Committee members.

Numerous comments, questions and proposals were directed to the Committee at meetings and through letters and emails. Over 50 emails commenting on the issues before the Committee were received. Each meeting after the initial organizational meeting provided public input opportunities; including a 15 minute public input period at the beginning of each meeting, and the opportunity for comments and questions during the meeting regarding agenda items. Many comments and questions were directed toward the Committee during the meetings. Thirty-six people addressed the Committee sixty-seven times over the course of 14 meetings. In addition, the October 8, 2008, December 18, 2008 and the February 15, 2009 agendas included specific agenda items devoted to public presentations on jail issues.

The Committee also sought out input from other counties, the State of Wisconsin and geography experts. The La Crosse County Administrator, Steve O'Malley, gave a report on La Crosse County experiences with recent jail expansions and efforts to manage the jail population. Correspondence was solicited and received from Rock County regarding jail expansion and jail population management efforts, particularly the electronic monitoring program. Staff provided a survey of several counties regarding use of alternatives to incarceration. The Wisconsin Department of Corrections Jail Inspection Officer, Scott Morris, was consulted and provided information to the Committee on January 8, 2009. In addition, University of Wisconsin - Eau Claire Assistant Professor of Geography, Christina M. Hupy, reported to the Committee.

II. FINDINGS

A. Interim Report Findings

On January 8, 2009 the Committee made an interim report to the County Board with the following findings:

- The jail does not have adequately sized core spaces (sally port, booking and receiving, kitchen, laundry, medical, programming, office and storage) to serve the current and future jail population, and has significant structural deficiencies. This finding was supported by Committee tours of the jail and the “2008 Annual Jail Inspection Report,” conducted by Scott Morris, State of Wisconsin, Department of Corrections, Detention Facilities Specialist (*Appendix C*).
- The secure jail does not have enough beds to serve the current jail population. There are currently 118 secure beds in the jail. The average daily secure population has range from a high of 174 in 2006 to 166 in 2008.
- The current rate of increase in the secure jail population is 3-4% per year (*Appendix D*).
- The current rate of increase in the secure jail population is unacceptable and would require a jail expansion that is too large.
- A target rate of increase in the secure jail population of 1% per year is manageable and should be the target Eau Claire County adopts for jail sizing.
- A 1% per year increase in the secure jail population will require a significant and ongoing investment in alternatives to incarceration to manage the population entering the justice system. Existing alternatives must be expanded and new alternatives must be developed in Eau Claire County to keep the jail population growth at 1% per year over the next 20 years. The culture of criminal justice must be changed to put less emphasis on secure incarceration and more emphasis on alternative programs.
- The secure jail should be sized to allow for proper classification of prisoners and flexibility in operation. The number of beds in the jail should be 20% greater than the number of prisoners for the target year of 2028 to allow for classification and unforeseen, uncontrollable influences on the secure jail population. The National Institute of Corrections (NIC) [Jail Design Guide](#) and State of Wisconsin jail classification directives support these findings.

B. Jail Site Criteria

The Committee spent portions of five meetings reviewing, discussing and adopting jail site criteria. Information on criteria was sought from documents published by the National Institute of Corrections, geography experts, staff and the public. The criteria were adopted by the Committee, and used by individual Committee members to assist them in analyzing potential jail sites (*Appendix E*). It is important to note that the Committee did not prioritize the criteria. The Committee felt it was up to each member to determine the importance of each criteria, and apply them to their own analysis of jail sites.

C. Review of Site Options

1. Renovation/Reconstruction of Current Jail Facility

- The current Courthouse cannot be sufficiently expanded or remodeled to correct significant jail deficiencies to be operated in a cost effective, humane and secure manner.

The Committee began the review of site options by evaluating the condition and structural capabilities of the Eau Claire County Courthouse. Members of the Committee toured the existing jail facilities. The Committee engaged Ayers and Associates to evaluate and report on the potential for expanding the existing jail by adding floors and/or remodeling portions of the Huber and Juvenile Detention facilities. Ayers was also directed to explore the potential for demolishing the 1953 portion of the Courthouse, and replace it with new construction. Reports from Ayers concluded that additional floors could not be added to the Courthouse, the exception being the Juvenile Detention Center where a mezzanine level could be added. Ayres determined that the Huber facility could not be remodeled into individual cells for secure prisoners due to structural limitations. At the Committee's request Venture Architects devised a plan that would remodel the Huber section into a medium security dormitory. The redesigned was estimated to cost \$2,000,000, and would provide 110 beds (*Appendix F*). However, while remodeling of the Huber and Juvenile Detention sections would provide additional jail beds, it would not, correct significant problems inherent in the existing jail (sally port, booking, kitchen, laundry, storage, office space, program areas, visitation, special needs, medical and jail housing configuration). Additionally, demolition and replacement of the 1953 portion of the Courthouse would be too disruptive to jail and Courthouse operations. It would also fail to solve the space and core facility problems of the jail, while posing significant engineering issues.

2. Jail Design

- A pod-type jail cellblock design is the most efficient, secure and cost effective design.
- A square jail design is the most efficient, secure and cost effective design.

The Committee determined that a square jail design that incorporated jail support (sally port, booking, kitchen, laundry, mechanical, visitation, office space) on the ground floor and three two-story housing pods with a shelled area for a fourth pod on the 2nd and 3rd floors was the most efficient and desirable design. It reduced hallways to a minimum, was the most staff efficient and kept operating costs to a minimum. The square design kept prisoner movement to a minimum and was the safest, most secure design. The square design was the least costly to construct and allowed for vertical expansion if the need arose. It reduced the number of elevators needed and allowed central control to monitor key

movement areas without resorting to cameras. The design allowed for better separation of secure from non-secure areas of the jail. It was deemed the best design, and the one most preferred regardless of the location of the jail.

3. On-Site Options

- Jail construction to the west of the Courthouse is not feasible due to site limitations (long and linear) which would increase operating costs and pose significant security issues.
- Small additions and remodeling of the jail within the Courthouse is not feasible due to limited expansion, costly and difficult operation, construction and would only serve to continue the deficient design of the current jail.
- A roughly square pod-type jail design was the most efficient, secure and cost effective (construction and operation) design.

During portions of five meetings from January 8, 2009 to March 19, 2009, the Committee reviewed twenty-two possible on-campus concepts for configuration of a new jail. The options can be classified into three general categories; new construction to the west, additions to the Courthouse and new construction to the east.

After exploring two plans for new construction on the west side of the Courthouse, it became apparent that the area available was insufficient to construct a jail that would operate efficiently. The jail would have to be linear in design, and would incorporate some of the same design faults (long hallways, program areas separated from housing units, limitations on expansion) that are inherent and require correction in the existing facility. Design concepts for the west would ultimately be more costly to operate, and due to their linear design would not provide adequate safety for either prisoners or jailers.

The Committee continued to explore a design that was essentially a remodeling of the current jail, a small addition to the east and west of the Courthouse, with a new building for general government to the east of the Courthouse. The Committee concluded that this particular design would not solve the problems of the current facility, would not allow for sufficient expansion, would be difficult to operate efficiently and would be more costly to construct and operate than other designs.

Investigation then settled on the east side of the Courthouse. Many designs (14) were evaluated. Some were simple variations on the same theme, while others were wholly new concepts. Included for comparison purposes, was the previous design concept reduced to three pods and a shelled fourth area.

Primary consideration to the Committee when evaluating east side jail concepts were: moving the jail as far from the Chippewa River without significantly compromising jail operation and design, reducing impact on the neighborhood and maintaining 2nd Avenue as a functional component of the road network. The Committee further explored an L-shaped jail which would allow more room on the northeast side of 2nd Avenue for a future Courts building. The design was eventually rejected because of significant operational problems associated with an L-shaped jail, and limited development possibilities for a Courts building requiring a six or more story Courts building. a

The on-campus design selected by the Committee was Design Concept 21 (*Appendix G*). This design moved the jail as far to the south and west as possible, while preserving the square design for

operational efficiency. The design re-routed 2nd Avenue to maintain street connections. Design 21 allows for future jail expansion vertically while maintaining a separation between the Courthouse and the jail to allow for windows on the west side of the jail, and the ability to retain windows on the east side of the Courthouse. No further property acquisition was required for this design. Under design 21 the courts would expand on the second floor of the Courthouse. Court expansion beyond a sixth branch of Circuit Court would require relocating some department(s). Parking on the east side of the Courthouse may be slightly reduced.

3. Off-Site Options

- The minimum criteria established for an office-site location were:
 1. Minimum of 15 acres
 2. Located in or capable of being annexed to the City of Eau Claire
 3. Access to municipal sewer and water
 4. Good access to transportation routes
 5. Willing seller
- Twenty-six sites were initially reviewed in six quadrants of the City
- Three sites were determined to be suitable for off-site development:
 1. Prairie Lane Site (preferred site)
 2. Campbell Site (alternate site)
 3. Galloway/River Prairie Site (alternate site)

The Special Committee reviewed twenty-six off-site locations. The twenty-six sites were located in six areas of the City of Eau Claire, the west, northwest, central, east, southeast and south. Applying site criteria and other measures the Committee narrowed the search down to six sites, and then narrowed that field to one preferred site and an alternate site. The preferred site was an 80 acre site on the west side, owned by Chippewa Valley Technical College, and referred to as the CVTC Site. The alternate site was located on the northwest side, owned by James Elbert and Cleo Scott, and known as the Prairie Lane Site. Following the selection of a preferred and alternate site, the Committee learned that the CVTC Site was not available. Two sites that had been previously eliminated were added to the Prairie Lane Site. They were the Campbell Site, located off of CTH "T", and the Galloway/River Prairie Site, located on the east end of Galloway Street at the intersection of Birch Street. The Committee felt these three sites; Prairie Lane, Campbell and Galloway/River Prairie would all meet basic criteria, and be suitable sites for an off-campus jail facility with the possibility of a future courts building.

III. FINAL RECOMMENDATIONS

After an arduous process that spanned slightly over six months and 14 meetings, the Special Committee to Resolve Jail Space and Site Needs **recommends On-Campus Design Concept 21** as the basic design and location for a new Eau Claire County Jail facility with a vote of ten in favor and five opposed. The Committee arrived at this recommendation for the following reasons:

A. Linkages

- Design Concept 21 maintains the relationships between the jail, courts, law enforcement and court services that are essential to achieving the goal of a 1% average annual increase in the secure jail population over the next twenty-years. For alternatives to incarceration programs (advocated by the Special Committee) to be fully effective the jail and courts should be physically connected. Critical and significant changes to the criminal justice system will be needed to meet the 1% jail population growth target. If the new jail were located some distance from the present Courthouse such changes would be impeded. It is not realistic to expect a new Courthouse would be built adjacent to an outlying new jail within 10 to 15 years. The present courthouse is capable of housing a sixth court.
- Locating the jail east of the present Courthouse satisfies the “linkage” criteria as listed in the National Institute of Corrections Jail Design Guide by:
 1. Maintaining efficient and secure movement of inmates between the jails and courts.
 2. Maintaining a close connection with law enforcement agencies for interrogation, investigation and sharing of staff facilities and backup.
 3. Maintaining a close relationship to needed service such as social services, health care, educational resources, lawyers, community support agencies and spiritual communities.
 4. Maintaining easy accessibility to existing and frequent public transportation routes and the main bus transfer center.
 5. Staying within a governmental area and adjacent to a commercial area, considered among the best locations by NIC criteria.

B. Need

- The current jail is too small and cannot house the current or projected prisoner population. Eau Claire County is currently housing 40 or more prisoners in neighboring county jails (*Appendix H*).
- The current jail has significant deficiencies. Core facilities (sally port, booking, kitchen, laundry, storage, office space, program areas, visitation, special needs and medical) are inadequate and there are significant structural problems (*Appendix H*).

C. Size

- The current rate of increase in the secure jail population is 3-4% per year during the five year period of 2004-2008 (*Appendix D*).
- The current rate of increase in the secure jail population is unacceptable and would require a jail expansion that was too large.
- Jail expansion must be accompanied by significant and ongoing investments in alternatives to incarceration to manage the population entering the justice system.

- Reducing the rate of increase in the secure jail population to 1% per year will reduce the size of the jail expansion and extend the life of the jail before future expansion is necessary.
- Existing alternatives to incarceration must be expanded and new alternatives must be developed in Eau Claire County to keep the jail population growth at 1% per year over the next 20 years. The culture of the criminal justice system must be changed to put less emphasis on secure incarceration and more emphasis on alternative programs.
- A 1% increase in the average secure jail population and a jail classification and operational margin of 20%, as recommended by the National Institute of Corrections Jail Design Guide equated to a jail size of 266 secure beds in 20 years (2028).
- Core jail functions should be sized for 330 secure beds to allow for future jail expansion. The jail must have the capability to expand to approximately 330 beds to allow for secure jail population growth beyond 2028. Jail sizing and expansion recommendations are supported by jail population studies and NIC guidelines.

D. Design Concept 21

- The Committee acknowledges that Design Concept 21 is a conceptual design subject to adjustment based on final street and jail designs. The Committee recommends the location of the jail be determined with consideration for placement of future facilities in mind.
- Given its location near the Chippewa River and residential neighborhoods, special consideration should be given to the exterior design of the jail.
- Conforms to the recommendations of the City of Eau Claire Comprehensive Plan. The plan states, in part, “Encourage expansion of the Courthouse facilities to be oriented east toward the river. Future building expansions should continue to remain mindful of the importance of maintaining high-quality housing in this district.”
- Mindful of the economic impact County facilities have on the downtown area and seeks to maintain jobs within the City center.
- Mindful of the capital and operating costs of a new jail and seeks to minimize both while providing an efficient and well designed facility.
- Sized to allow for proper classification of prisoners and for future expansion as recommended in the interim report.
- Minimizes transportation costs and provides programming and other core spaces to meet County needs now and well into the future. A remote jail site would not only increase transportation costs over an on-site location, but would also be a greater security risk.
- Seeks to minimize the impact of the jail on the riverfront and neighborhood by locating the jail as far west of the Chippewa River as possible while maintaining a cost effective design and increasing green space near the river.

Special Committee to Resolve Jail Space and Site Needs - April 2009

- Relocates 2nd Avenue to maintain and improve traffic flow and continue to serve area businesses.
- Provides opportunities within the current Courthouse to expand and meet the current and future needs of Law Enforcement, allow for expansion of the Courts and can accommodate up to two additional branches of Circuit Court within the present Courthouse, improves Court security by securing the Courts floor and creating an area for screening those entering the Courts floor, it provided room to relocate Juvenile Detention to a more serviceable and efficient location, and located general government functions to better serve the public.

E. Cost

- The County Board has approved a maximum of \$59,100,000 for the entire jail, law enforcement and general government remodeling.
- The jail building in Design Concept 21 is estimated to cost \$37,000,000. The entire project, including the law enforcement garage, remodeling for law enforcement and general government, professional services, owner items, contingency and 2nd Avenue reconstruction is estimated to cost \$60,938,000 (*Appendix I*). The increase in cost over the \$59,100,000 is due to an additional 6,000 sq. ft. of jail space (primarily for hallways and connections to the courthouse); additional architectural and engineering fees for jail redesign and added contingency costs. Staff will work with Venture Architects and Market and Johnson to reduce the estimated cost to \$59,100,000 or less.

F. Additional Recommendations

- The Committee respectfully recommends the Criminal Justice Collaborating Council accelerate the frequency of its meetings to increase the pace of work being done by the Council in changing the culture of our local justice system.
- The Committee recommends that the Eau Claire County Board of Supervisors work with the Criminal Justice Collaborating Council and the Eau Claire County Judges to consider closing the Huber facility and to replace Huber with electronic monitoring/GPS and Day Reporting.
- The Committee recommends that Eau Claire County refrain from renting jail beds to Federal and State agencies or other counties solely for the purpose of raising revenue to fund jail operations.



Minority Opinion from the Report
of the Special Committee to
Resolve Jail Space and Site Needs
to the Eau Claire County Board



Though the committee voted to site the jail downtown, a significant minority on the committee (the vote was 10-5) opposed that decision. That opposition was supported by a strong message from the community. Following are some of the reasons presented by the minority for opposing the decision:

- **The site is too small for a jail facility based on recommendations from the National Institute of Corrections** (see Jail Design Guide: A Resource for Small and Medium-Sized Jails pp.3-2 through 3-7 at <http://nicic.org/Downloads/PDF/Library/015061.pdf>) The NIC guide states, “Many new jails are designed without consideration of future capacity expansion.” The guide notes that many changing factors can impact future needs including, “criminal justice philosophy, state law, and arrest rates.” The authors say, “**In the absence of specific expansion plans, providing twice the area of the jail for expansion needs would not be unreasonable.**” The committee set a minimum requirement of 15 acres for potential offsite locations; the current site is only 11.93 acres, and that includes space used for all other county government functions. Size limitations will continue to cause conflict between the county and the community. As was noted at one meeting, “We are trying to fit a size 10 foot into a size 8 shoe.”
- **The site is in conflict with NIC guidelines regarding surroundings for a jail** (see Jail Design Guide: A Resource for Small and Medium-Sized Jails, p. 3-8 <http://nicic.org/Downloads/PDF/Library/015061.pdf>). The NIC guide states, “The best locations are in government, light industrial or commercial areas. In general, **the jail should not be near a school, a housing area, a church or a recreation area.**” The proposed site is in a historic residential neighborhood that is populated with university students. It is a church neighborhood, home to some of the oldest church communities in Eau Claire. Grace Lutheran celebrates its centennial next year; its Parish Council, representing over 2,000 church members, has signed a petition objecting to plans to build the new jail at this location. The proposed site is in the middle of a major recreation hub that includes a park, and a riverfront bicycle trail connecting Phoenix Park, the Grand Avenue Business District, the Water St. Business District and the university. It is a unique parcel of land that could be put to much better use.
- **The proposed plan does not include a site for a new courts building.** Judge Gabler sent the committee a letter dated February 13, 2009 that outlined concerns for court security (see attached). He included a Supreme Court rule (SCR 70.38) that calls for sectoring of populations in the courthouse to provide security. The passage of inmates through public hallways is of particular concern in the current courthouse. Intimidation of witnesses is one potential concern noted at the March 19th meeting. Sectoring of inmates cannot be accomplished through remodeling of the current courthouse, according to Venture Architects, but would require new construction.
- **Review of offsite locations was limited.** Offsite locations were not introduced until the 11th meeting, on Feb. 19th when 26 potential sites were listed. The list was pared down to six in that same meeting; these were reviewed at the 12th meeting on March 5th, reduced to three, and a final decision was rendered at the 13th meeting on March 19th. Criteria used for removing offsite parcels from consideration, were not applied to the onsite option. Time did not allow for a studied consideration of offsite parcels. In contrast, 22 detailed plans were presented attempting to fit the proposed jail into a small downtown area.

- The current site was chosen due to immediate financial considerations. Shortsighted planning has led us to the current dilemma. **Long-term planning is needed to make a good decision and avoid a mistake with long-term costs.** Careful planning should explore the viability of converting the current county facility into a combined government center, bringing together city, county and school district into one facility, a concept that has been on the agenda and discussed at meetings of the Commission on Shared Services. A combined government center could promote collaboration, enhance effectiveness and lead to cost savings through increased efficiencies. The county could also realize rental income that could be applied to the constructions costs of a justice center, including jail and courts.
- **The proposed plan conflicts with several sections of the Comprehensive Plan, jeopardizing historic and special places the plan says should be protected and preserved.** These include, “the waterfronts, especially the confluence of the Chippewa and Eau Claire Rivers,” “historic residential districts” listing “Randall Park,” and “the West Grand Avenue Business District.” Chapter 12 in the Comprehensive Plan specifically discusses the courthouse district saying, “Commercial and office uses should not be allowed to encroach into the nearby residential neighborhood,” and “The city will encourage the preservation of existing homes and neighborhood character.”
- **This project commits a unique property, one that could have great value to the continued redevelopment of "Downtown Eau Claire."** By placing an increased "county" footprint on this site, we are removing the opportunity for other projects that would thrive because of their proximity to recreation trails, parks, historic homes, a major medical complex, and to a university. From a land use perspective, this jail/courthouse expansion is a waste of strategic resources.

Respectfully submitted by:

Will Fantle

Jerry Foote

Ken Fulgione

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WILLIAM M. GABLER, Sr., Judge

TO: Members of the Special Committee to Resolve Jail Space and Site Needs
FROM: William M. Gabler, Sr.
Presiding Judge
DATE: February 13, 2009
RE: Court Facilities

Dear Members of the Special Committee to Resolve Jail Space and Site Needs:

As you continue examining various jail options, I understand your focus has now turned to include the integration of jail site options with court facilities and functions. On behalf of all Eau Claire County Circuit Court Judges, please consider the points we raised in our letter of August 11, 2008, addressed to County Board Chair, Gregg Moore. A copy of that letter is attached.

Moreover, as you contemplate jail placement and design, and its effect upon court facilities and functions, please consider the Supreme Court guidelines contained in Supreme Court rules 70.38 and 70.39(4). Copies of these rules are attached. Particularly please weigh the desirability of having future court facilities designed and built in a completely "sectored" system as described in the attached rules.

Currently Eau Claire County court facilities and functions are only partially sectored in that judge's private offices are proximate to their individual courtrooms. The type of sectoring system ideally contemplated by the attached Supreme Court rules is one in which all court staff (judges, clerks, judicial assistants, court reporters, jurors, etc.) can move freely about between all work areas and not encounter members of the public. In addition, a completely sectored system allows in custody parties and witnesses to move freely and safely between the jail and a courtroom without encountering members of the public. Some of the advantages of a completely sectored system are described in the attached rules. The lack of sectoring and other major problems associated with current court facilities are more particularly described in the 2005 Durrant facilities study.

I know that among the myriad of jail site possibilities you may consider, one or more of the recommendations you might make to the full County Board could include a collateral recommendation that court facilities permanently remain in the second floor of the existing courthouse. Stated differently, your long-term recommendations might not leave room for future construction of a new court facilities building adjacent to a new jail.

For a wide variety of reasons, too numerous to mention here, permanent or exceedingly long-termed placement and expansion of court facilities on the second floor of the existing courthouse is highly undesirable and contrary to the public interest. At the very least, permanent or long-termed placement of court facilities in the current building would not provide the public, court users or courthouse employees with the essential safeguards recognized by the Supreme Court and envisioned by a fully sectored court facilities structure. Based upon previous architectural designs and predictions, it would likely be physically impossible, or prohibitively expensive, to reconfigure the second floor of the existing courthouse into an optimal sectored structure.

Thank you for seriously considering the points raised in this letter as you evaluate the many options and possible recommendations you might make to the entire County Board. I would be pleased to meet with any or all of you in order to answer questions and discuss the other implications associated with court facilities on the second floor of the existing courthouse.

County Board Members
Tom McCarty
Mel Erickson
Eau Claire County Circuit Court Judges
Scott Johnson – 10th Dist. Court Administrator

SCR 70.39 Security, facilities and staffing standards for courts.

(4) Security - structure and design. (a) A court facility housing courtrooms should have a sectoring system that divides the building into the following 3 types of areas according to the nature of access to them:

1. Public areas where the general public has relatively free access.
2. Judge and court staff areas where generally only judges and their staffs and persons explicitly permitted access, such as jurors and attorneys, are allowed.
3. Prisoner areas where only prisoners and law enforcement personnel accompanying a prisoner are permitted.

Comment

Any new court facility should incorporate sectoring principles if it is to provide the most basic security that can be attained through structural design. Existing facilities present a wide range of structural variations that create obstacles to the use of sectoring principles. However, in many existing courthouses there are opportunities to achieve some sectoring that will improve security. In addition, remodeling projects undertaken for non-security purposes offer cost-efficient opportunities to enhance the overall sectoring of a courthouse.

Secure prisoner transport and holding areas that will eliminate any public access to prisoners until they are in a courtroom where other security precautions are present are critical to the safety of the public, attorneys, court staff, judges, law enforcement personnel and the prisoners themselves. The need for an area where attorneys can meet with their clients should be considered in the design.

Each committee should consider the need for feasibility of limiting building access points to improve screening effectiveness and to further sectoring principles. Such consideration should include the advisability of card-controlled doors and policies for the use and access to the courthouse after regular business hours and on weekends.



Appendix



Special Committee to Resolve Jail Space and Site Needs - April 2009

Enrolled No. R152-040

RESOLUTION

File No. 08-09/073

-AUTHORIZING WITHDRAWAL OF EAU CLAIRE COUNTY'S NEW COUNTY JAIL AND COURT-HOUSE REMODELING REZONING/SITE PLAN APPLICATION SUBMITTAL; CREATING A SPECIAL COMMITTEE TO EVALUATE POTENTIAL SITES AND RECOMMEND A SITE NO LATER THAN JANUARY 14, 2009-

WHEREAS, there continues to be widespread public concern about the county's building plans; and

WHEREAS, the county needs to urgently build new, expand and/or remodel the Eau Claire County Jail; and

WHEREAS, a successful protest petition has been filed with the City of Eau Claire opposing Eau Claire County's Rezoning/Site Plan Application Submittal for New County Jail and Courthouse Remodeling; and

WHEREAS, it appears highly unlikely that the Eau Claire City Council would approve the county's rezoning request at this time; and

WHEREAS, if the Eau Claire City Council would deny the rezoning petition, Eau Claire County would be prohibited from submitting another rezoning petition for one year unless the proposal was substantially changed.

NOW, THEREFORE BE IT RESOLVED that the Eau Claire County Board of Supervisors withdraws its New County Jail and Courthouse Remodeling Rezoning/Site Plan Application submittal to the City of Eau Claire.

BE IT FURTHER RESOLVED that a special committee composed of seven county board supervisors, two City of Eau Claire council members and six citizens be established to assess jail space needs and evaluate existing and potential sites for a new jail facility as well as possible relocation of the courts, law enforcement and possibly other county services and recommend a site no later than January 14, 2009. In making his appointments to the special committee, the chair of the county board shall appoint individuals who represent a broad cross section of perspectives. The committee shall include opportunities for civic engagement, as encouraged in the Clear Vision Eau Claire report, to ensure public input and participation in identifying a solution. The committee may request an extension if it believes it is unable to complete its charge by January 14, 2009.

ADOPTED: August 19, 2008

Janet K. Loomis
County Clerk

Special Committee to Resolve Jail Space and Site Needs - April 2009

Enrolled No. R152-097

RESOLUTION

File No. 08-09/148

-AUTHORIZING THE SPECIAL COMMITTEE TO RESOLVE JAIL SPACE AND SITE NEEDS AN EXTENSION UNTIL APRIL 2, 2009 TO COMPLETE ITS FINAL REPORT AND RECOMMENDATIONS TO THE COUNTY BOARD-

WHEREAS, the Eau Claire County Board of Supervisors adopted Resolution No. 08-09/073 on August 19, 2008 that created the Special Committee to Resolve Jail Space and Site Needs; and

WHEREAS, the special committee was charged with the tasks of “assessing jail space needs and evaluating existing and potential sites for a new jail facility as well as possible relocation of the courts, law enforcement and possibly other county services and recommend a site no later than January 14, 2009”; and

WHEREAS, the special committee has met eight times, diligently conducted business related to its charge, issued an interim status report and believes that additional time is necessary to complete the special committee charge; and

WHEREAS, Resolution No. 08-09/073 provided that the special committee could request an extension of time to complete its charge, and the special committee believes that an extension until April 2, 2009 is necessary to complete its charge and provide a final report and recommendation to the county board.

NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors hereby authorizes the Special Committee To Resolve Jail Space and Site Needs an extension until April 2, 2009 to complete its final report and recommendations to the county board pursuant to the charge identified in Resolution No. 08-09/073.

ADOPTED: January 20, 2009

Janet K. Loomis
County Clerk

February 15, 2008

Mr. Robert C. Cushman
National Institute of Corrections Consultant
c/o Eau Claire County Sheriffs Department
728 Second Avenue
Eau Claire, WI 54703

Included with this letter is sample correspondence related to the Eau Claire County Jail operation.

I have put this material together to assist you in your review and study scheduled for February 19, 20, 21, 2008. Should you have any questions related to any of these documents, please do not hesitate to contact me at the number listed above.

Additionally, the summary below is intended to provide you a brief description of a number of the physical plant deficiencies as identified during my annual reviews, discussion with sheriff department and jail administration in addition to previous studies completed by various architects and planners.

This list is not intended to be all conclusive. The deficiencies are, however, in some cases substantial in nature. These items have been discussed at great detail at various county board, law enforcement committee, and public meetings during the preceding 5 year period.

- The jail is ill-equipped to properly house inmates considered high-risk. No suitable wards or alternatives currently exist for those inmates with high-risk mental health issues up to and including suicide, those inmates with serious medical complications, or incorrigible inmates including those who are considered extremely high out-of-control security risks.
- The health care area has inadequate space and is in a poor location. The high-risk mental health cells are poorly designed and virtually constructed as an after thought during the previous jail expansion project in 1999. Visibility into the two high-risk mental health cells is extremely poor and relies far too great on video surveillance.
- The booking area of the jail, in my opinion, is sized as if it were part of a 30-bed jail. The problems include the number and location of receiving cells, lack of proper room and area for electronic equipment for booking inmates, lack of group holding cell, the number and location of receiving cells, secure interview rooms, and overall cramped design.
- Newly arrested inmates are housed in a cell block in the '74 addition due to a lack of adequate number of receiving cells. These inmates are typically intoxicated, drug related, and should be observed more frequent. However, the remote location, linear design and staffing issues do not permit more frequent observation. This in turn has resulted in a number of secure inmates shipped out-of-county to free up bed space.
- The linear design of the facility is staff intensive lending itself to a host of security problems. The jail now reaches two city blocks long. This design is very staff intensive and at the same time fails to provide staff

the ability to properly supervise inmates with constant observation. The linear design also causes

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- Currently, female secure inmates are housed in a portion of the work release center originally designed and intended as a minimum security holding facility. This temporary approval was granted by our office for female inmates to assist the county in temporarily alleviating a number of overcrowding issues during jail planning, thereby reducing the number of inmates housed off-site. However, this approval will be granted only during the planning and construction process for a new replacement facility. The approval is not intended to be a permanent solution for housing secure female inmates. This housing assignment does not provide adequate site-lines for security staff to properly observe secure female inmates. There are a host of other problems associated with this temporary approval. If the jail is not constricted, approval will be terminated.
- There have been a number of documented maintenance problems associated with plumbing and electrical equipment, and door and security controls throughout the facility. There are areas currently in the '89 addition; the plumbing fixtures are no longer manufactured. The secure area of the jail is located directly above other county office space including court rooms which frequently result in a noise control problem, as well as water leaking down into the offices below.
- The jail is not equipped with adequate multi-purpose space or recreation area for inmates consistent with ACA, NIC, and accepted correctional practice. Adequate recreational space is vital for inmates to exercise large muscle groups and alleviate stress during incarceration. It also serves as an important inmate management tool.
- Virtually none of the inmate housing units lend itself to more modern approach and philosophy of direct supervision housing units.
- Virtually no planning was included in the five expansion projects for the current and future numbers of existing correctional employees. For example, there is no training space for employees, locker rooms are cramped and have serious space deficiencies, pre-shift briefings occur in inmate educational rooms.

As previously stated, this list is not intended to be an all inclusive documentation of deficiencies of the current facility. I will be available during my interview to expand on the above issues or other concerns regarding the facility.

I do, however, want to make it very clear that under the leadership of Jail Administrator Captain Dan Bresina during the preceding five year period, a number of extremely positive changes have taken place to professionalize jail operations consistent with code issues, state statutes, and accepted correctional practice. A number of those operational issues include updating policies and procedures, staff training and accountability issues, professional health care and mental health services within the jail, conversion to professional food service in the jail, introduction of a number of valuable inmate educational programs in partnership with Triniteam and other volunteer community programming personnel (only limited by space deficiencies), updated software programs and reporting documentation procedures for staff. Jail and sheriff department administration have also made a concerted effort in their hiring and promotional process within the facility.

These are just a list of a few of the positive improvements that I have documented over the years. I ask that you closely review the sections of my inspection reports that discuss in detail operational improvements especially during the preceding five-year period.

I look forward to meeting with you on February 20, 2008 at 8:45 AM to provide you additional information for

use in your review process.

Following reports included: Annual jail inspections for the following years 1998-2007.

August 8, 2000 – letter to Sheriff Cramer – overcrowding.

November 15, 2002 – letter to Captain Bresina – inmate damage to booking area.

History of jail overcrowding – written by Eau Claire County Jail Administrator.

July 9, 2002 – letter to Lt. Salimes – maintenance issues.

May 21, 2004 – letter to Captain Bresina – female secure inmates in work release area.

May 19, 2004 - letter to Captain Bresina – female secure inmates in work release area.

June 25, 2004 - letter to Captain Bresina – female secure inmates in work release area.

Power point summary by Captain Bresina to county board reference programs & alternatives.

Sincerely

Scott Morris
Detention Facilities Specialist
SM/dgk

C:
Sheriff Ron Cramer
County Board Chair Bruce Willett
Captain Dan Bresina
First Vice Chair Colleen Bates
Second Vice Chair Gregg Moore
Judiciary and Law Chair Sue Miller
Finance and Budget Chair Stella Pagonis
County Administrator Thomas McCarty
Purchasing Agent Frank Draxler
Planning and Development Director Mel Erickson
Marty Ordinans, Director ODF

May 30, 2008

Mr. Greg Moore
Eau Claire County Board Chairman
721 Oxford Avenue Room 2570
Eau Claire, WI 54703

RE: Eau Claire County Work Release Center

At your request I am providing you with a summary of concerns regarding the prospect of housing medium security inmates at the 160 bed work release center attached to the Eau Claire County Jail.

It is my understanding my comments and opinions regarding the work release center will be used in the planning and discussion process related to the future use of this facility. Comments contained in this document are not intended to be an all inclusive list, but rather a summary of some of the high points or concerns that warrant careful consideration and study. I will state at the onset **I do not recommend** the conversion or use of the work release center to house medium security inmates.

- The work release center was constructed under the DOC Chapter 350 Jails Administrative Code for the purpose of maximizing the number of inmates within the available footprint of the existing building. Typically a work release center would be built under DOC Chapter 348 Work Release Centers. Under the Chapter 348 Administrative Code, the building would have required additional square footage reducing inmate capacity. However, due to severe space shortages and high potential for increase of work release

sound separation. While the practice of covering the windows succeeds in providing privacy, it virtually eliminates the ability of correctional staff to actively monitor and properly supervise female work release nor female secure inmates in that portion of the work release center.

- You will note the male work release center has minimum square footage provided for a multi-purpose or classroom. However, due to the footprint of the facility the design and inclusion of a classroom in the 160-bed work release center is basically an after thought. The location is remote from correctional staff and places community volunteers and/or program staff at great risk when providing educational services to inmates. The result has been extremely limited use of this room for obvious safety concerns. Inmates basically sit in the housing units without access to multi-purpose or classroom programs. This may be an acceptable practice for work release inmates who are out during the day for employment, school, or child care purposes however; the practice of eliminating programs for medium security inmates increases the amount of stress due to dead time, inactivity, and results in poor use of their time during incarceration.
- The male work release center lacks an adequate health care unit for the purpose of exams, proper medication storage, infirmary space, medical records, and related medical equipment necessary to serve a medium security population. As you may know, work release inmates are generally released from the jail during the day for the purpose of securing their own health care needs.
- Virtually none of the male dormitory housing units lends itself to a more modern approach in correctional philosophy of direct supervision. Medium security inmates are excellent candidates for direct supervision housing units. In this correctional philosophy a correctional officer is housed inside the housing unit supervising inmates up to 16-hours per day including educational programming, recreation, and immediate disturbance resolution.
- Due to severe overcrowding conditions for secure inmates in the secure portion of the jail, temporary approval was granted to house up to 20 medium security inmates in one of the dormitories of the work release center. The purpose of this temporary approval was to reduce overcrowding in the main jail, as well as reduce the total number of male inmates required to be housed off-site. The temporary approval was an agreement between our agency, Office of Detention Facilities and the Eau Claire County Sheriff Department. The agreement is intended to be temporary to assist the county with additional beds during the planning and construction process of a new jail. The agreement is not intended to be permanent, nor do I believe it is a satisfactory long-term solution for a number of safety and security concerns.
- Increasing the number of medium security inmates housed in the 160-bed work release center would take place without the approval of the Office of Detention Facilities. That does not mean the Eau Claire County Sheriff or Eau Claire County Jail Administrator would be prohibited from housing medium classified inmates in this area. However, the additional liability of housing inmates in this particular area without formal Department of Corrections approval places a high level of liability upon the Sheriff. My opinion is that housing 20 secure inmates in this area is a reasonable risk for the temporary period of time during which planning and construction of a new jail would be completed. That is the reason temporary approval was granted. However, a long-term decision to increase the number of medium security inmates in this area creates a substantial safety and security risk for public users of the jail, female inmates, health care staff, volunteer educational program personnel, as well as security staff. Therefore, I would not recommend this change.
- Could the work release center be redesigned to accommodate medium security inmates? That question would require a study and evaluation by architects and engineering firms. Moving walls and changing locations in relationship to work spaces can be a very comprehensive process. The cost of which would

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only be determined after consulting with a Criminal Justice architect and engineers to determine feasibility and related issues. Based on my experience, I believe costs may exceed new construction for similar space and even then any renovation would be limited to the existing footprint of the building.

- The question of housing medium security inmates in dormitories has come up during a number of tours and phone calls I have received at my office from board and community members. Medium security inmates in some cases could be appropriately assigned to a dormitory type setting. However, the linear design, the type of dormitories constructed and their relationships to support spaces in the existing work release center do not, in my opinion, meet necessary minimum security standards or operational needs for a long-term solution to the growing secure inmate population for the jail.
- One of the 32-bed dormitories is designated as medium security as stated. Currently, there are 20 medium security inmates housed in this dormitory. That leaves four remaining dormitories at 32-beds each. In addition, the average number of work release inmates according to facility records has been between 80-100. Many of these inmates are classified or segregated in separate housing units due to court cases or behavioral issues. Total number of inmates housed in the work release center does not leave an appreciable number of beds open and certainly not one complete dormitory open available to house medium security inmates.
- Several board members have commented regarding information received from a local architectural firm related to the design of dormitories in the new Lincoln County Jail. Apparently information received was that the dormitories in the Eau Claire work release center were of the same design as the new Lincoln County Jail. I have researched this issues and this information is incorrect. The new Lincoln County Jail does have a percentage of dormitories for secure inmates. However, that jail includes a podular design which permits staff members to observe inmates unobstructive from a control center 24-hours a day, 7-days a week. The Eau Claire County 160-bed work release center dormitories are designed in linear fashion which prevents observation from the control station due to footprint considerations during initial design and construction. In addition, as previously stated, even when standing outside the dormitories, and looking into the dayrooms through the security glass, inmates are not able to be completely observed in the dormitories first level or second tier level.

I hope this information is useful in your deliberation and process regarding current and future correctional needs for the Eau Claire County Jail. I am available to provide technical assistance and discuss many of these issues in further detail at any meeting that you deem appropriate.

Sincerely,

Scott Morris
Detention Facilities Specialist

SM/dgk

C: Ron Cramer, Sheriff
Dan Bresina, Jail Administrator
Lt. Patti Salimes

December 19, 2008

Sheriff Ron Cramer
Eau Claire County Sheriff's Department
728 Second Avenue
Eau Claire, WI 54703

RE: Annual Inspection – 11/11/08 & 11/12/08

Dear Sheriff Cramer:

On Tuesday and Wednesday, November 11 & 12, 2008, annual inspection of the Eau Claire County Jail was conducted pursuant to **Wisconsin ss 301.37(3)**. The inspection compared your facility and its operation to applicable state statutes and Department of Corrections Administrative Rule Chapter **DOC 350 Jails**. The primary focus of the review included the following areas of operation: **Inmate Classification & Housing, Safety & Security Practices, Healthcare, Records & Reporting, High-Risk Supervision, Maintenance of Jail-Care of Prisoners, and Food Service**. The results of my review are documented in the enclosed inspection document.

Operational changes noted affecting jail operations include:

- Captain Dan Bresina was recommended and appointed to attend a Leadership Development Program at the FBI Academy in Quantico, Virginia during this evaluation period. This select training by appointment only is recognition of the exemplary work performance and professional accreditation earned by Captain Bresina during the preceding six year period. Captain Bresina has effectively demonstrated the ability to implement training received in his capacity as Jail Administrator with the Eau Claire County Sheriff Department. This leadership development training program lasted twelve weeks and is a credit to the Eau Claire County Sheriff Department and community alike.
- Jail administration successfully developed and implemented a comprehensive inmate classification system effective January 1, 2008 to comply with Wisconsin Statutory requirements **302.36 Comprehensive Classification**. The appointment of a Classification/Electronic Monitoring Officer will dedicate a full time assignment to this task. The current appointment of this assignment is for a three-year period with flexible hours to accommodate jail operations.
- A Compliance Officer has been appointed to oversee the Huber work release population with regards to job search, discipline, and financial accounts. This position is also a three-year appointment with flexible hours to accommodate work requirements. The appointment of this position should further the ongoing efforts to improve accountability and responsibility among work release inmates in the community.
- Sheriff Department and jail administration have developed a long-range plan which includes civilian correctional officers being eligible for promotion to a jail sergeant position. To this end, three correctional staff members have applied for and received scholarships for the First Line Supervisory Training Program coordinated by the Wisconsin Department of Justice and conducted by the University of Wisconsin – Platteville via the internet. One of the officers has already successfully completed this program. The implementation of this program is a benefit to Sheriff Department operations even before any appointments are made to supervisory position.

- Inmate disciplinary actions and oversight has improved this period by the appointment of an Officer Disciplinary Team. Jail administration has appointed four correctional officers who will be responsible for conducting disciplinary hearings and investigations following inmate infractions. The officers will individually conduct the hearings unless they are involved in a specific incident. The new program has been well received by staff members and inmates alike for improvement in consistency, accuracy, and fairness of corrective action.
- Two correctional officers attended a National Gang Conference in San Antonio, Texas during this period. The officers have now been assigned in-service instruction responsibilities providing training to all correctional officers at the Eau Claire County Jail as well as providing in-service instruction in cooperation through Chippewa Valley Technical College at Jail Officer In-service Training Program.
- A sergeant and corrections officer attended a Direct Supervision and Inmate Behavioral Management Training Program at the National Institute of Corrections during this period. These two officers will be assigned jail officer in-service instruction responsibilities for all correctional officers on the duties and responsibilities of direct supervision. This training is an important component of preparing for a replacement jail facility which will include major housing units of direct inmate supervision style of inmate management.
- Jail administration has completed a revision of mental health/suicide prevention policies during this evaluation period and received temporary Department of Corrections' approval. In addition, jail sergeants have been assigned increased duties and responsibilities as it relates to reviewing medical/mental health screening reports on a daily basis. Jail sergeants also have an increased role in the monitoring of correctional officer daily reports regarding inmates assigned to high-risk watch status.

Summary of Jail Operations:

You will note once again this year from the enclosed inspection document jail operations are in substantial compliance with Wisconsin Administrative Code, statutory requirements, and accepted correctional practice. Jail Administrator Captain Dan Bresina is to be commended for his constant efforts to improve and professionalize jail operations. Captain Bresina has continued to make a number of positive operational changes during this evaluation period as noted above. It should be noted Captain Bresina received appointment to the National FBI Training Academy to participate in a Leadership Development Program for 12-weeks during this evaluation period. This 12-week training program was conducted in addition to his duties and responsibilities as it related to the design development of a replacement jail facility.

Additional staff resources were assigned by jail administration to provide increased on-site crisis intervention during this evaluation period. Jail administration now contracts with Health Care Professionals, Ltd. (HPL) for 25-hours per week coverage for crisis intervention and monitoring of inmates with mental health needs. Ms. Denise Amrhein-Sprunk has been hired as the on-site crisis intervention coordinator. Ms. Amrhein-Sprunk is in the final states of completing her Masters Degree in Counseling and is supervised by an HPL medical doctor. I noted detailed communication between jail health care staff, jail administration, and crisis intervention staff regarding the proper care and supervision of inmates with short-term and long-term mental health issues. This communication is shared with the jail supervisory staff who in turn provide shift briefings to correctional staff as a way of monitoring and supervising inmates with both acute short-term and long-term mental health needs. The communication process appears to be very constructive. This is absolutely essential to ensuring the proper care and treatment of inmates with short-term and long-term mental health issues which

is a growing inmate population. For example, on the day of inspection no less than eight inmates were housed in A-Block of the 1973 addition requiring a higher level of watch status due to mental health and related behavioral issues.

The growing number of inmates with mental health behavioral problems up to and including those considered to be at risk of self-harm or suicide continues to challenge jail operations. As noted in numerous previous studies and correspondences, the jail lacks adequate facilities to properly house male and female inmates alike who are considered high-risk due to short-term or ongoing mental health behavioral problems. This concern has been expressed a number of times during the preceding five-year period. The design and development of the new jail places high priority on the proper care and humane housing for inmates considered at high mental health risks. The design of the existing jail does not lend itself to suitable wards or alternatives to ensure a proper level of observation by staff or safe housing units for proper classification of high-risk inmates.

The daily challenge of high-risk inmates continues to consume significant amounts of jail administration and supervisory staff time. This high-risk population continues to grow incrementally, consistent with previous comprehensive studies and projections. This inmate population includes those considered at risk of self-harm up to and including suicide, those inmates considered to be combative or at high-risk of physical altercation, vulnerable inmate population, along with those with acute medical needs. The number of special inmates exceeds appropriate housing options within the jail. These physical plant deficiencies and supervisory challenges have been discussed in detail in previous evaluation periods and subsequent correspondences, community meetings, and jail planning meetings with county board and various committees.

The jail first line supervisory staff continues to place a high priority in cleanliness, order, and control as it relates to inmate responsibility and accountability as evidenced during this evaluation period. Virtually all areas of the jail were clean, organized, and well-kept as it relates to inmate cleaning duties and responsibilities. However, you will note on the inspection document a serious problem with mold located in all shower areas in the '73 addition as well as other parts of the jail. This hygiene problem is a growing concern and needs prompt corrective action to ensure healthful condition for inmates and staff alike. I met in person with Maintenance Department officials to discuss these issues. In addition, there are a number of plumbing issues in the '89 addition which according to maintenance staff which may require significant renovation to ensure continued use.

Jail administration is to be commended for compliance to new statutory requirements for the comprehensive classification of inmates as outlined in Wisconsin Statute 302.36 effective January 1, 2008. On the day of inspection most all inmates were properly housed according to security and classification standards. Noted improvement and a reduction in inmate behavioral issues was apparent on the day of inspection. This is due in large part to effective inmate supervision and inmates being properly classified and housed according to security risk, behavioral issues, and related criteria as outlined in the comprehensive inmate classification policy. The exception to this is the housing of inmates considered to have serious mental health issues as outlined above. It is important priority to classification be continued to ensure inmates are properly housed according to security classification to maintain an acceptable level of safety and security, and well-being of inmates, staff, and public users of the facility.

Due to overcrowding of the secure inmate population, jail administration continues to house out nearly 40+ inmates per day out of county due to lack of secure bed space. Overcrowding has continued for a considerable period of time. In June 2004 the Office of Detention Facilities and Eau Claire County Sheriff Department entered into a joint agreement whereby we approved a small renovation project to a previous portion of the female work release center in the jail. The scope of this project included updating existing sleeping rooms,

doors, windows, showers, and bathroom areas, furniture and video equipment for the temporary placement of secure female inmates. This area of the jail was not designed and intended for a housing unit for secure inmates. I would like to remind you the conversion of this area for female beds was intended to be temporary. It is not intended, nor should be considered for long-term solution to inmate overcrowding. Problems associated with this area were well documented in correspondences written during the February 2008 National Institute of Corrections review and May 2008 Work Release Center review. Over flow of secure male inmate populations are currently assigned to the Huber Center creating additional operational concerns and increased security challenges.

Jail administration continues to house overflow secure inmates in the minimum security work release center. This mixing of medium secure inmates with minimum security work release inmates has caused a number of operational challenges. This housing assignment was intended to be temporary in nature due to the lack of secure inmate bed space in the main portion of the jail. Proper level of effective inmate supervision remains an operational area of concern. Correctional staff assigned to the Huber center have a primary function of supervising work release inmates which requires a significant time commitment as it relates to check in and check out time, searches, clothing assignment, health care appointments, verification of employment attendance and related duties and responsibilities. The secure inmates are far removed from the main portion of the jail which makes it virtually impossible for them to attend inmate programs, access to health care, access to visitation, access to religious services, and related functions without entering and walking directly through female housing units and office area. This results in a significant staff time commitment for escorts and breaches of safety and security. Dormitory Unit-A, along with the other dormitories in the work release center were not designed with the ability to allow staff meaningful observation of inmates throughout the day and night time. Therefore, these inmates are supervised intermittently at best. It is acknowledged these inmates are classified as low/medium security risks, however, due to operational issues which have been discussed since the start of this housing assignment and those outlined in the attached correspondence written to National Institute of Corrections and the County Board Chairman, this practice should only be viewed as temporary and in my opinion have an end date for use as housing of secure inmates.

Physical plant deficiencies have been detailed in a number of previous annual inspections and including two correspondences in 2008. The first correspondence was written to Mr. Robert C. Cushman of the National Institute of Corrections on February 15, 2008 regarding physical plant conditions of the Eau Claire County Jail. The second letter was written to Mr. Greg Moore, Eau Claire County Board Chairman related to the Eau Claire County Work Release Center. Both of these documents were provided to detail and document issues related to the physical plant of the jail, inmate overcrowding, as well as the use of the work release center. These documents were provided to assist in the planning process and to formally document specific areas of concern. The two correspondences are included as a part of the 2008 annual inspection and evaluation.

You will note from the enclosed inspection document the health care delivery system continues to meet basic administrative code requirements. There continues to be effective communication between jail administration and jail health care staff regarding inmate medical issues. Lead jail nurse, Stacy Rose, RN continues to make satisfactory progress in developing constructive knowledge of correctional health care needs in the jail. You will note from the enclosed inspection document all areas of prescription medical, medical documentation, and related medical system requirements meet or exceed administrative code requirements. Ms. Rose, RN has increased and improved the use of the medical pass-on communication log book with correctional staff benefiting the supervision of at risk inmates.

While the health care delivery system has met basic or minimum administrative code requirements, jail

operations would benefit from a review and increase of the on-site nursing hours. The number of inmates with acute medical disorder has continued to increase during this evaluation period. Substantial amounts of time are required related to the off-site housing of nearly 40 inmates on a daily basis. Additional time for communicating health care treatment plans with health care staff from both Dunn County and Chippewa County along with the time consuming task of completion of the health care transfer summary for each inmate is creating a measurable increase in health care workload responsibilities for the nursing staff. One area of specific need is more nursing oversight hours related to work release or the Huber center inmates. This inmate population requires healthcare oversight and management of prescription medications and follow-up health care appointments with local clinics, including the downtown community free clinic. I ask that you discuss, review, and increase the on-site nursing hours commensurate with the level of acute medical needs of inmates.

Jail administration currently contracts with Dunn and Chippewa Counties to house over capacity secure inmates. Increasing population totals have been previously outlined in comprehensive studies completed by the county regarding any physical plant issues and future correctional capacity needs. Design development of a new replacement jail is at the 95% stage. The new jail as designed meets or exceeds future correctional needs, especially in the area of proper care and housing of high-risk inmates, commitment to jail educational programming, officer and public user safety, and the effective direct style of inmate supervision. Currently, the design process is on hold to study and verify previous studies and commitments.

Jail Administrator Captain Dan Bresina continues to do an exemplary job of managing jail operations. Captain Bresina is an active participant in the annual jail administrator conference, quarterly Department of Corrections sponsored jail administrator meetings, annual jail health care conference, and related statewide committees throughout this period. Administrator Dan Bresina deserves recognition for the exemplary manner in which he is managing jail operations. He has developed a loyal and professionally dedicated staff as evidenced by my review during this evaluation period. Captain Bresina is frequently solicited by other jail administrators statewide as a professional and technical resource for a number of jail management operational issues.

Approval:

The Eau Claire County Jail is approved to hold adult offenders with the total rated capacity of **326**. Onsite inmate population on the day of inspection was **283** inmates. The population of secure inmates exceeds the daily rated bed population capacity of 118. There were **39** additional inmates housed in the Chippewa and Dunn County Jails on the day of inspection. An additional 13 inmates were assigned to electronic monitoring. An additional 20 inmates were on a waiting list to start serving their work release sentence. Physical plant and operational issues have been thoroughly documented including the following correspondences: February 15, 2008 letter written to Mr. Robert C. Cushman of the National Institute of Corrections and a May 30, 2008 letter written to Mr. Greg Moore, Eau Claire County Board Chairman regarding the work release center. The purposes of these correspondences were to assist the county in the planning process regarding a replacement facility. The documents have been included as an attachment of the 2008 annual inspection. It is acknowledged the county is in the ongoing planning stage of a new jail facility.

I would like to acknowledge the professional manner in which the jail operation is currently being managed. There continues to be a strong and positive working relationship between sheriff administration, jail administrator, assistant jail administrator, jail supervisory staff, as well as correctional staff. The professionalism of the jail operation and conduct of the security staff is a positive indication of the progress completed within the previous six-year period.

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If you or your staff have any questions relative to this inspection or other jail matters, please feel free to contact me.

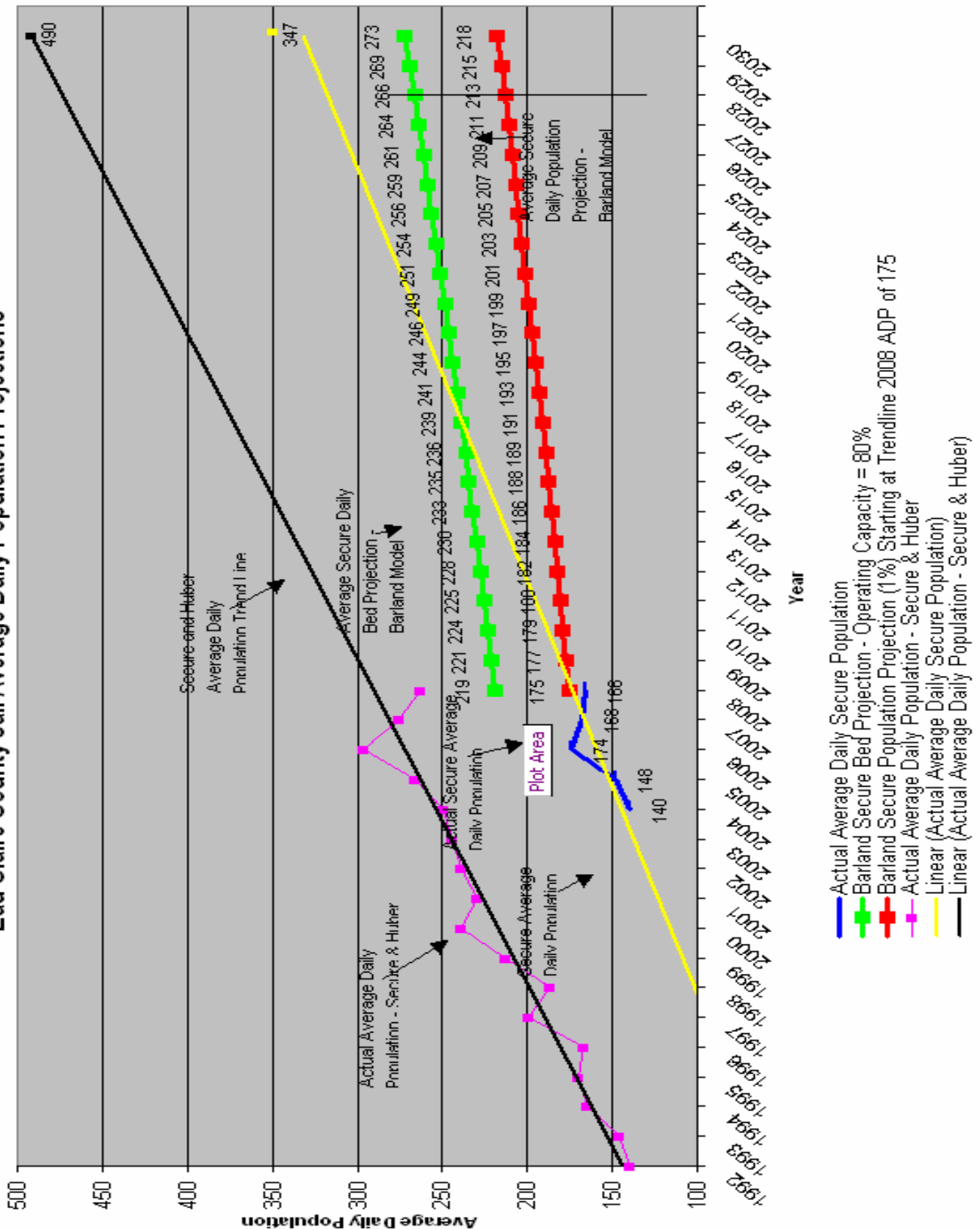
Sincerely,

Scott Morris
Detention Facilities Specialist
SM/dgk

ATTACHMENTS:

C: Dan Bresina, Jail Administrator
Mr. Greg Moore, County Board Chairman
Ms. Stella Pagonis, Co-Chair Judiciary & Law
Mr. Howard Ludwigson, Co-Chair Judiciary & Law
Marty Ordinans, ODF
File

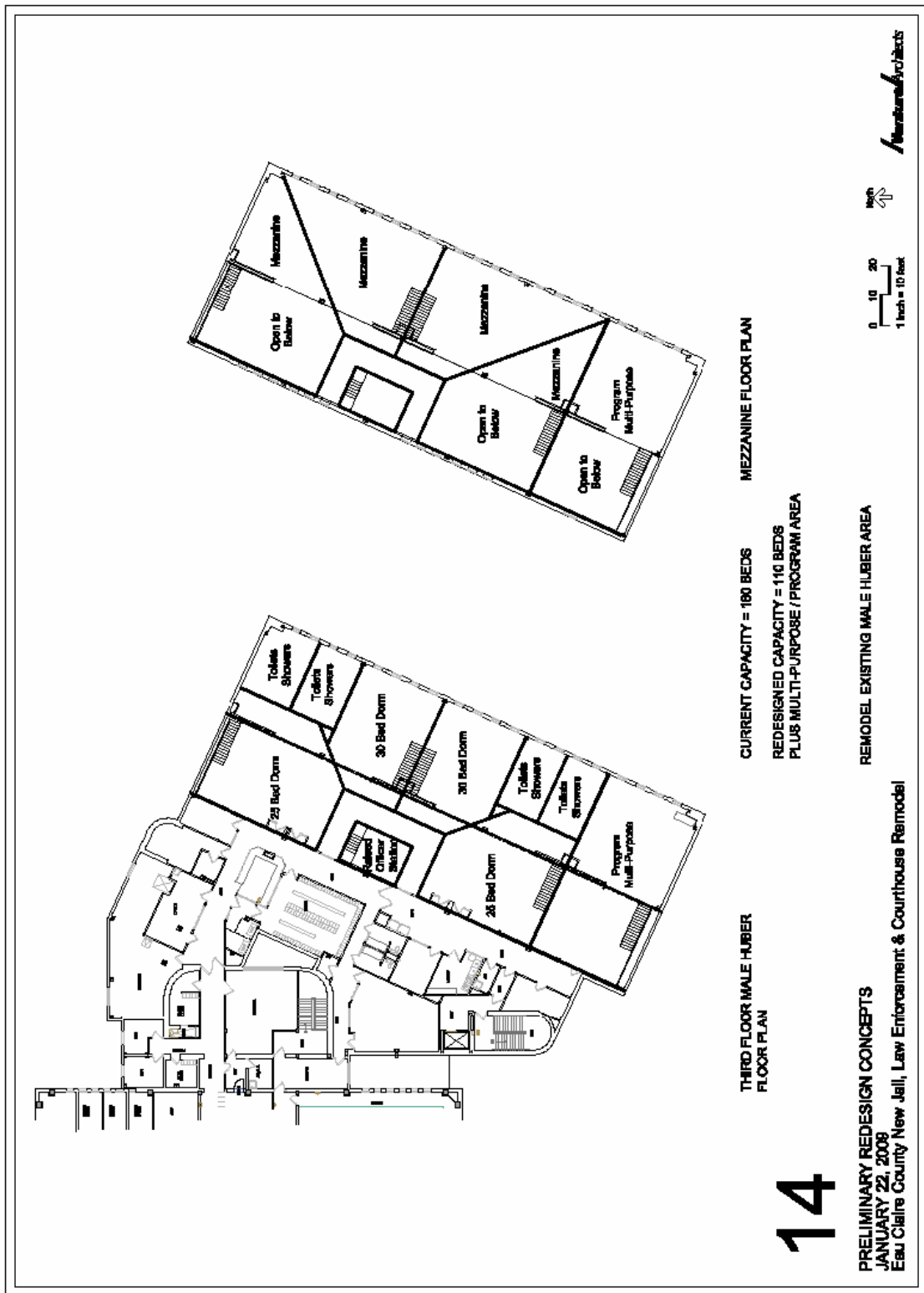
Eau Claire County Jail Average Daily Population Projections



Special Committee to Resolve Jail Space and Site Needs - April 2009

Jail and Justice System Siting Criteria

Criteria: Located Away From	Meets Criteria 4	3	Partially Meets Criteria 2	1	Does Not Meet Criteria 0	Comments
Schools (Elementary and Secondary)						640 ft. (1/16 mile)
Churches						320 ft. (1/16 mile)
Recreation Areas						320 ft.
Trails						320 ft.
Residences						320 ft.
Waterways						320 ft.
Historic Neighborhoods						320 ft.
Criteria: Located Near						
Courts						Direct Secure Access
Law Enforcement						On Site
Health Care Services (Hospital, Clinic, Mental Health)						10 min.
Social Services						On Site
Probation & Parole						On Site
Other Resources (Education, Job, Attorneys)						Nearby
Public Transportation						Immediately Adjacent
Transportation Routes, Bicycle Trail and Community Access						Immediately Adjacent to street(s) and trails capable of handling expected traffic and easily accessible to those with jail business
Public Utilities						Immediately Adjacent
Other Considerations:						
Cost – Capital & Operation Short & Long Term						County Board has set maximum cost of 59.1 million for jail, law enforcement, courts & general government
Comprehensive Plan						Consistent with Comprehensive Plan
Zoning						Capable of being zoned "P", Public Properties District
Acceptance by Community						Is the proposed location acceptable to the community
Land Availability/ Parcel Size						Reasonable ability to acquire parcels(s) of sufficient size & location
Capability for Future Expansion						Consideration of expansion beyond immediate planning horizon
Parking						Parking on site
City Police Department and Sheriff Department Location Preference						Co-location of Police and Sheriff Departments w/jail. Police strongly prefers downtown location.
Operational Efficiency						How well does the design contribute to efficiency in operation of the jail and justice system
Environment and Soils						Are there environmental or soil deficiencies



**Special Committee to Resolve Jail Space and Site Needs
Interim Report**

January 8, 2009

The Special Committee to Resolve Jail Space and Site Needs has met nine times since its inaugural meeting on September 25, 2008 to resolve the jail space and site needs problem. The Committee has attempted to comprehensively review the issues related to jail overcrowding, jail conditions, jail beds, jail programs and alternatives to incarceration to resolve jail space and site needs. The Committee has made the following findings:

- The current facility is inadequate with serious physical and security deficiencies which make it very difficult to operate in a safe and humane manner.
- The jail does not have adequately sized core spaces (sally port, booking and receiving, kitchen, laundry, medical, programming, office and storage) to serve the current and future jail population.
- The secure jail does not have enough beds to serve the current or future jail population. Current secure beds = 118. Current average secure population = 175 (September 2008).
- The current rate of increase in the Secure Jail population is 3-4% per year.
- The current rate of increase in the Secure Jail population is unacceptable and would require a jail expansion that was too large.
- A target rate of increase in the Secure Jail population of 1% per year is manageable and should be the target Eau Claire County adopts for jail sizing.
- A 1% per year increase in the Secure Jail population will require a significant and ongoing investment in alternatives to incarceration to manage the population entering the justice system. Existing alternatives must be expanded and new alternatives must be developed to keep the jail population growth at 1% per year over the next 20 years. The culture of the criminal justice system must be changed to put less emphasis on secure incarceration and more emphasis on alternative programs.
- The Secure Jail should be sized to allow for proper classification of prisoners and flexibility in operation. The number of beds in the jail should be 20% greater than the number of prisoners for the target year of 2028 to allow for classification and unforeseen and uncontrollable influences on the Secure Jail population.
- A 1% increase in the average Secure Jail population and a jail classification and operational margin of 20% equates to a jail size of 266 Secure Jail beds in 20 years (2028).
- The size of the core functions of the jail should be based on 330 secure beds to allow for future jail expansion.
- The jail must have the capability to expand to approximately 330 beds to allow for Secure Jail population growth beyond 2028.

Special Committee to Resolve Jail Space and Site Needs - April 2009

Schematic Design Budget	Concept 21 185,000 SF	Previous Project 179,000 SF
Jail Building	\$37,000,000	\$36,000,000
Basement	\$1,300,000	\$1,300,000
Law Enforcement Garage	\$8,106,000	\$8,106,000
Professional Service	\$6,540,000	\$5,040,000
Owner Items	\$6,454,000	\$6,454,000
Unknown Design Issues 2%	\$1,188,000	
COUNTY TOTAL	\$60,588,000	\$56,900,000
2nd Ave Reconstruction	\$350,000	
TAX PAYER TOTAL	\$60,938,000	\$56,900,000

Design Time after County Board Approval

5 Months

2 Months

Juvenile Detention Relocation

\$1,320,000

\$1,320,000

March 19, 2009