

Minutes
Eau Claire County
Committee on Judiciary and Law Enforcement
Friday, August 10, 2018 – 1:00 PM
Courthouse – Room 1273

Members Present: Brandon Buchanan, Sue Miller, Sandra McKinney, Gerald Wilkie, and Stella Pagonis

Others Present: Sheriff Ron Cramer, Dianne Hughes, Dan Bresina, Dave Riewestahl, Cory Schalinske, Joel Brettingen, Kathryn Schauf, Gary King, Eric Huse

Call to Order

The meeting was called to order by Chairperson Sue Miller at 1:00 PM.

Public Comment

No public comment was made.

Approve Minutes from August 02, 2018 Meeting

Supervisor Buchanan moved to approve the minutes from the August 02, 2018 meeting. The minutes were adopted as published in the meeting materials on 5-0 voice vote.

District Attorney Budget Update

District Attorney Gary King was in attendance to present the District Attorney budget (see attached handout). DA King explained recent events in the office and the community including staff transition, high-profile investigations and cases. The budget is relatively in line with previous years'. Trends and strategic directions were discussed. Case filings are up significantly- especially felonies. Recent Statewide workload analysis showed the office is short more than 7 attorneys. There was a request from the committee to look at discovery revenue- is the full billable amount being billed? Supervisor Wilkie moved to approve the budget as presented with the caveat that discovery revenue be looked at for an increase if possible.

Approved 5-0 via voice vote.

Sheriff's Office 2019 Budget Presentation

- *Budget Format Review/Overview of Highlights*
 - Members of the Sheriff's Department were present to detail the budget request. In total, there is a need for over 1 million in tax levy to fulfill every new request in the budget: 5 additional staff: one admin associate, one detective, one civilian sergeant, and two bailiffs. The two bailiffs are for courthouse screening project. The civilian sergeant would assist with the courthouse screening project and is a must-fund position for that project; however, the civilian sergeant is also requested separately, regardless of the outcome of the screening project. The additional requests account for out-of-county housing costs. There is a request for a flat rate contract with Wisconsin Lock and Load Prisoner Transport, LLC to transport inmates for long-haul transport trips. The courthouse screening project's operating budgeting is included in the budget request. A capital budget request was also submitted earlier for the initial infrastructure and equipment start-up costs. Additional mental health service for inmates in the jail is requested. The budget requests were prioritized in terms of county-wide needs. Additional information regarding some of the requests is below.
 - Adjustments account for what would be cut from budget in order to get to zero increase budget (with the exception for cost to continue increases).
 - Cost to continue: \$689,000. The increase is mostly personnel related. It is in line with previous years' requests. It accounts for \$38,000 increase in budgeted amount of revenue as a result of increases in Sheriff's Office charges/fees.

- Admin Associate: there is no dedicated clerical staff in the jail. Currently using a temp agency to fulfill some job functions. Increase in requests for recordings/reports from District Attorney's Office necessitates an additional Admin Associate.
- Mental Health Services in the Jail: there is a potential for a Department of Human Services Social worker to come to the jail. There is also potential for grant funding. The grant funding aspect is part of the reason the request is lowest on the priority list.
- Question with regard to amount requested in out of county housing given this year projection. We should budget for it but perhaps look at decreasing the budgeted amount.
- There was a request to revise bullet point 7 of the Trends and Issues on the Horizon.
- Supervisor Buchanan moved to approve the cost to continue budget, without any of the 7 changes included, including the service fee changes.
 - i. Vice-Chairperson Wilkie moved to amend the budget motion to include change 4, less \$50,000 for a total change of \$250,000. **Approved** 5-0 via voice vote.
 - ii. Vice-Chairperson Wilkie moved to amend the budget motion to include change 3, Civilian Sergeant Position and change 6, Courthouse Security Project. **Approved** 4-1 via voice vote.
 - iii. Supervisor Buchanan moved to amend the budget motion to include change 7, Mental Health Services in Jail. **Approved** 5-0 via voice vote.
 - iv. Supervisor Buchanan moved to amend the budget motion to include change 5, Prisoner Transport Contract with Lock and Load. **Approved** 3-2 via voice vote.
- Motion to approve the cost to continue budget, as amended to include change 3; change 4 less \$50,000; change 5; change 6; and change 7, was **approved** 4-1 via voice vote.
- *Trends and Issues*
 - Captain Brettingen detailed how the rise in crime rate, felonies in particular, has dramatically impacted the jail population and workload on the staff.
 - Captain Bresina talked about meth and mental health driving the rise in crime. EBDM & CJCC appear to be working though. Due to increases, additional staff is requested in the budget.

The Committee was in recess at 2:52 PM and reconvened at 3:31 PM

Members Present: Brandon Buchanan, Sue Miller, Sandra McKinney, Gerald Wilkie, and Stella Pagonis

Others Present: Sheriff Ron Cramer, Dianne Hughes, Dan Bresina, Dave Riewestahl, Cory Schalinske, Joel Brettingen, Kathryn Schauf, Gary King, Eric Huse

Sheriff's Office 2019 Budget Presentation (continued)

- *2018 2nd Quarter Fiscal Report*
 - 6 months of data distributed in the agenda materials.
 - i. 7 months of data was run just prior to the meeting. The budget is on target for end of the year projections
 - ii. Payroll: with 15 of 26 pay periods in, the budget is on target for the end of the year projections
- *Out of County House Update*
 - The Huber center has been housing secure inmates. There has been \$123,000 dollar adjustment because of this housing decisions. \$109,000 in out of county expenses through July 2018. The jail population has been at 80% capacity or higher since 2016.

Resolution on Cannabis Referendum

Vice-Chairperson Wilkie gave a brief overview of the resolution that was distributed in the meeting materials. Two main points were made: 1. Educate the citizens of the county regarding cannabis. 2. Strictly advisor referendum . The referendum mirrors various other counties across the state. The Committee on Administration has already approved the resolution. The resolution will appear on August 21, 2018 County Board Agenda. Supervisor Buchanan moved to approve the resolution as presented and forward to the full County Board. **Approved** 5-0 via voice vote.

Future Meeting Date(s)

The committee will meet on Thursday, September 06, 2018 at 4:00 PM

Future Agenda Item(s)

- *Resolution on Conversion Therapy*
- *Eau Claire Emergency Communications Center*
 - *Overview and policy details*
- *Protective Status Legislation – Sheriff's Department*
- *Jail Book and Release policy/process*
- *GPS/Electronic Monitoring*

Adjourn

The meeting was adjourned by Chairperson Miller at 3:56 PM.

Respectfully Submitted:



Eric Huse
Committee Clerk

District Attorney

Department Mission

The District Attorney's office is responsible for the enforcement of the criminal laws of the State of Wisconsin within Eau Claire County. Additionally, it is responsible for enforcing a variety of juvenile, conservation and traffic laws, together with various Eau Claire County ordinances. The primary area of responsibility of the District Attorney's Office is to prosecute individuals for committing felony and misdemeanor criminal offenses in Eau Claire County.

The District Attorney's Office manages four separate programs listed below in priority order:

- General Criminal Prosecution
- Victim/Witness Program
- Defer Acceptance Guilty Program and Diversion Programs
- Worthless Check/Restitution/Financial

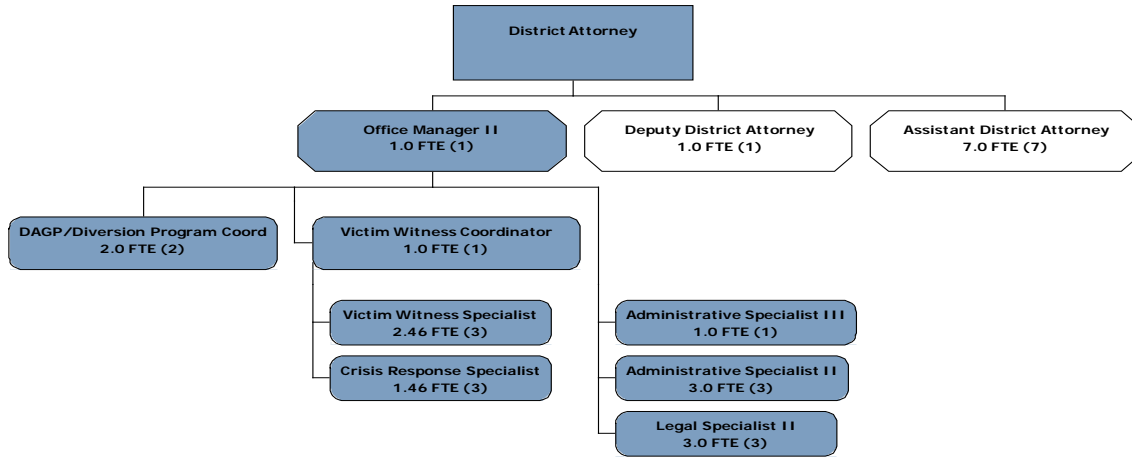
Overview of Expenditures and Revenues

	2017 Actual	2018 Budget	2018 Estimate	2019 Request	2019 Approved	% Change
Expenditures:						
Personnel	\$ 893,884	\$ 894,783	\$ 851,907	\$ 970,323		
Services & Supplies	54,574	77,752	53,283	77,960		
Contracted Services						
Equipment						
VAWA Personnel	83,081	97,200	97,200	97,200		
VAWA Services & Supplies	11,838	9,136	9,136	9,136		
Total Expenditures	\$ 1,043,377	\$ 1,078,871	\$ 1,011,526	\$ 1,154,619	\$ -	-100.00%
Revenues:						
Federal/State Grants	\$ 266,532	\$ 205,000	\$ 205,000	\$ 205,000		
VAWA Grant	89,556	106,337	106,337	106,337		
Diversion	54,780	75,000	49,060	75,000		
DAGP	69,027	75,000	68,326	75,000		
Discovery	51,742	40,000	60,878	60,000		
Restitution Surcharge	39,827	35,000	59,588	40,000		
Funds Balance Applied		-				
Property Tax Levy	564,229	542,534	542,534	593,282		-100.00%
Total Revenues	\$ 1,135,693	\$ 1,078,871	\$ 1,091,723	\$ 1,154,619	\$ -	

Strategic Direction and Priority Issues

Trends and Issues on the Horizon

Organizational Chart



Year	2011	2012	2013	2014	2015	2016	2017	2018	2019
FTE	11.76	11.76	12.76	12.76	13.74	14.47	14.92	14.92	14.92

Program Financials

2019 Requested	General Prosecution Priority 1	Victim / Witness Priority 2	DAGP & Diversion Priority 3	Worthless Check Priority 4	Totals
Program/Service					
Expenditures:					
Personnel	\$ 447,843	\$ 302,553	\$ 152,042	\$ 67,885	\$ 970,323
Service & Supplies	\$ 47,910	\$ 29,550	\$ 500		\$ 77,960
Equipment					-
VAWA Personnel		97,200			97,200
VAWA Services & Supplies		9,136			9,136
Total Expenditures	\$ 495,753	\$ 438,439	\$ 152,542	\$ 67,885	\$ 1,154,619
Revenues:					
Federal/State Grants		\$ 205,000			\$ 205,000
VAWA Grant		106,337			106,337
Diversion			75,000		75,000
DAGP			75,000		75,000
Discovery	60,000				60,000
Restitution				40,000	40,000
Fund Balance Applied					-
Property Tax Levy	435,753	127,102	2,542	27,885	593,282
Total Revenues	\$ 495,753	\$ 438,439	\$ 152,542	\$ 67,885	\$ 1,154,619
Mandated Service?	Yes	Yes	No	Yes	

2018 Approved	General Prosecution Priority 1	Victim / Witness Priority 2	DAGP & Diversion Priority 3	Worthless Check Priority 4	Totals
Program/Service					
Expenditures:			(prev. Prog 4)	(prev. Prog 3)	
Personnel	\$ 425,300	\$ 259,998	\$ 145,160	\$ 64,325	\$ 894,783
Service & Supplies	50,000	27,752	-	-	77,752
Equipment	-	-	-	-	-
VAWA Personnel	-	97,200	-	-	97,200
VAWA Services & Supplies	-	9,136	-	-	9,136
Total Expenditures	\$ 475,300	\$ 394,086	\$ 145,160	\$ 64,325	\$ 1,078,871
Revenues:					
Federal/State Grants	\$ -	\$ 205,000	\$ -	\$ -	\$ 205,000
VAWA Grant	-	106,337			106,337
Diversion	-	-	75,000	-	75,000
DAGP	-	-	75,000	-	75,000
Discovery	40,000	-	-	-	40,000
Restitution	-	-	-	35,000	35,000
Fund Balance Applied	-	-	-	-	-
Property Tax Levy	435,300	82,749	(4,840)	29,325	542,534
Total Revenues	\$ 475,300	\$ 394,086	\$ 145,160	\$ 64,325	\$ 1,078,871
Mandated Service?	Yes	Yes	No	Yes	

#1 General Prosecution		Budget \$495,753	Levy \$435,753		FTE's 8.00	
In carrying out the duties of the Criminal Prosecution Program, attorneys and support staff provide investigative support to Eau Claire County Law Enforcement agencies, review law enforcement referrals, make criminal charging decisions and complete a wide array of case prosecution activities. As part of this program, attorneys and support staff are responsible for the enforcement of criminal, juvenile, conservation and traffic matters within Eau Claire County.						
OUTPUTS						
<i>(YTD column = Jan-Jun results)</i>		2014	2015	2016	2017	YTD 2018
Number of felony cases prosecuted during the year:		1,207	1,320	1,476	1,533	985
Number of misdemeanor cases prosecuted during the year:		1,482	1,611	1,537	1,411	770
Number of criminal traffic cases prosecuted during the year:		488	507	431	458	192
Number of civil traffic/ordinances processed during the year:		1,633	1,360	1,400	1,609	805
Number of juvenile cases processed during the year:		414	420	463	415	168
Number of No-Issues processed during the year:		365	350	347	491	314
Total number of cases during the year:		5,589	5,568	5,654	5,917	3,234
Performance Goal	Outcome Measures	Benchmark	2015	2016	2017	
Make prompt charging decisions.	Majority of arrested individuals make initial appearance with a complaint filed or have been released because of no issue or ordered in by the next available initial appearance date, unless all necessary police reports are not available or the individual is held for some other reason	90%	90%	90%	90%	
Make full use of diversion program and specialty courts.	The DAGP program operates with 250 or more participants per year and the Drug Court, AIM and Mental Health specialty courts operate at 90% or more of capacity. The Diversion program screens low risk individuals	90%	95%	95%	100%	
Promptly review investigative files.	Charges are issued or a no-issue decision made routinely on investigative files, unless follow up investigation or research is required. .		90%	95%	90%	
Litigate cases effectively.	The vast majority of defendants are convicted at jury trial and 90% or more of preliminary hearings result in bind-over decision	90%	90%	90%	90%	
#2 Victim Witness		Budget \$ 438,439	Levy \$127,102			FTE's 4.92
Victim/Witness Program employees provide legally-required case notification to victims, provide crisis response support to victims prior to the filing of criminal charges, provide support to victims and witnesses during the course of case litigation and prepare various forms of reports required by state/federal authorities.						
OUTPUTS						
<i>(YTD column = Jan-Jun results)</i>		2014	2015	2016	2017	YTD 2018
Number of referrals		5,761	5,937	5,990	6,030	
Number of Initial Contact Letters		1,642	2,231	1,713	2,222	1,304
Number of No Contact Orders		581	1,165	1,197	985	566
Number of Court Cases		4,922	4,917	4,923	5,057	
Performance Goal	Outcome Measures	Benchmark	2015	2016	2017	
Provide all victims with notification of filing of criminal charges and with request notification of court dates and case outcomes.	100% of victims receive notification of filing of criminal charges and requested notification of court dates and case outcomes.	100%	100%	100%	100%	
Successfully complete and submit all required reports to state/federal authorities.	100% of required reports to state/federal authorities were completed and filed in timely manner.	100%	100%	100%	100%	

2019 STRATEGIC DIRECTION AND PRIORITY ISSUES

In 2019, the District Attorney's office will continue its consistent efforts towards the efficient administration of justice in the context of functioning with a severely understaffed department (both attorney and support staff). Of course, all cases are considered a priority. With that said, there will be continued focus on prosecution of recent trends, such as methamphetamine-related cases, child neglect, online sexual predators, and other matters that represent a direct threat to our community's safety and well-being. In addition, continued efforts will be made to support current evidence-based programs as well as initiate other such programs in conjunction with the statewide movement on this front.

2019 TRENDS AND ISSUES ON THE HORIZON

In 2015 (3438), 2016 (3444), and 2017 (3402), the District Attorney's office averaged approximately 3400 criminal prosecutions per year. That number is expected to approach, if not exceed, 4000 cases in 2018. The vast majority of the new cases, per the data through July of 2018, shows that increased caseload predominantly consists of felony cases. With this increase, there will be more challenges to making sure the appropriate individuals are placed or held in custody. Continued efforts will be made to evaluate which individuals can be safely monitored in the community, whether pre-trial or post-disposition, in the backdrop of the functional capacity of the jail. All of this must be undertaken with the understanding of the State workload analysis and how it impacts our functioning on a day to day basis. With an office of nine attorneys, the latest workload analysis indicates we are staffed at level of 55.62%. In other words, we are 7.18 attorneys short, not to mention the concurrent support staff need. The need to effectively and efficiently prosecute cases must also be met with a concurrent effort to monitor the health and well-being of our office attorneys and staff.

FACT SHEET

TO FILE NO. 18-19/051

This resolution is not a position statement either pro or con on the legalization of cannabis. This resolution is meant to facilitate public input from Eau Claire County voters on this controversial topic through an advisory referendum on November 6, 2018. The results of the advisory referendum will be shared with members of the Wisconsin assembly and senate as well as the governor. There are three alternatives listed as follows:

Should cannabis:

(Please select only one of the alternatives below or your vote will be invalid)

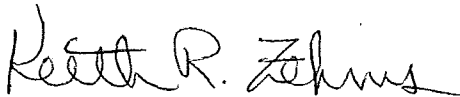
_____ (a) Be legal for adult, 21 years of age and older, recreational or medical use, taxed and regulated like alcohol, with the proceeds from the taxes used for education, healthcare, and infrastructure in Wisconsin?

_____ (b) Be legal for medical purposes only and available only by prescription through a medical dispensary?

_____ (c) Remain a criminally illegal drug as provided under current law?

A list of resources and links to information regarding the legalization of cannabis is available on the Eau Claire County website at <https://www.co.eau-claire.wi.us/government/legislation-resources/cannibas-advisory-referendum>.

Respectfully Submitted,



Keith R. Zehms
Corporation Counsel

4 - DIRECTING THE COUNTY CLERK TO PLACE THE REFERENDUM QUESTION
5 CONTAINED IN THIS RESOLUTION REGARDING LEGALIZATION OF CANNABIS ON
6 THE NOVEMBER 6, 2018 BALLOT-

7 WHEREAS, A non-binding advisory referendum can gauge public opinion and give voters
8 an opportunity to learn about a public health issue that will likely be before the legislature; and

9 WHEREAS Alaska, California, Colorado, Maine, Nevada, Oregon, and Washington have
10 legalized adult personal use of marijuana, and regulate the production, distribution, and sale of
11 cannabis; and

12 WHEREAS, Vermont and the District of Columbia have legalized limited personal
13 possession and cultivation of cannabis by adults; and

14 WHEREAS, Michigan and Illinois may fully legalize and tax cannabis within the next
15 year; and

16 WHEREAS, in order to determine whether the people of Eau Claire County support or
17 oppose the legalization of cannabis, the County Board may conduct a countywide advisory
18 referendum, pursuant to Wis. Stat. 59.52(25), in the Fall Election on November 6, 2018.

19
20 WHEREAS, other Wisconsin Counties will be offering advisory cannabis referendums
21 for their constituents' consideration on November 6, 2018.

22 NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of
23 Supervisors authorizes the following countywide advisory referendum be placed on the
24 November 6, 2018 ballot:

25 Should cannabis:

26 (Please select only one of the alternatives below or your vote will be invalid)

27 _____(a) Be legal for adult, 21 years of age and older, recreational or medical use,
28 taxed and regulated like alcohol, with the proceeds from the taxes used for education,
29 healthcare, and infrastructure in Wisconsin?

30 _____(b) Be legal for medical purposes only and available only by prescription
31 through a medical dispensary?

32 _____(c) Remain a criminally illegal drug as provided under current law?

33
34 BE IT FURTHER RESOLVED that the Eau Claire County Board of Supervisors directs
35 the county clerk to forward this resolution to the governor, assembly members and senators
36 representing Eau Claire county and the Wisconsin Counties Association.

37
38
39
40 _____

41
42 _____

Committee on Administration

43
44 _____

45 KRZ/lyk

46 Dated this 1 day of August, 2018.

1 Sandra McKinney

2 Sue Miller

3 Donald Dalke

4 Sue Pagan

5 [Signature]

6
7
8
9
10 Committee on Judiciary and Law

11
12 KRZ/yk

13
14 Dated this 10th day of August, 2018.

15
16 ORDINANC/18-19/051