

Minutes
Eau Claire County
Committee on Judiciary and Law Enforcement
Thursday, November 01, 2018 – 4:00 PM
Courthouse – Room 1273

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

Others Present: Sheriff Ron Cramer, Dianne Hughes, Tiana Glenna, Todd Tollefson, Eric Huse

Call to Order

The meeting was called to order by Chairperson Sue Miller at 4:00 PM.

Public Comment

No public comment was made.

Approve Minutes from October 04, 2018 Meeting

Vice-Chairperson Wilkie moved to approve the minutes from the October 04, 2018 meeting. The minutes were adopted as published in the meeting materials via a 3-0 voice vote.

TRY Mediation 3rd Quarter Update

Todd Tollefson was present to speak on this topic. The fiscal portion was not included with the meeting packet and was distributed at the meeting. Todd offered to return next month to discuss the financials in more depth. Closed case reporting is becoming difficult to represent because of the addition of temporary agreements thereby leaving some cases open for extended period of time. Small claims have been down but are still exceeding the desired close rate. Fiscal situation still looks okay.

**Supervisor Buchanan arrived during the TRY Mediation update.*

Criminal Justice Collaborating Council – General Updates

Tiana Glenna was present. General discussion regarding statewide legislative council work on pre-trial release and Eau Claire County pre-trial screening assessment and implications on jail population. Chairperson Miller, Administrator Schauf, and Tiana met last week to discuss how best to address two main questions: How to educate the whole county board about the judicial system & how to handle the current jail overcrowding?

A draft resolution directing the CJCC to do a comprehensive jail population study was handed out. There was general agreement with the content of the draft and discussion about a timeline.

This item will be added to the December 04, 2018 meeting for the committee to consider prior to the full Board Meeting.

**Supervisor Pagonis arrived during the CJCC update.*

State Public Defender Compensation Rate Resolution 18-19/078

Attorney Laurie Osberg, State Public Defender Eau Claire Trial Office Managing Attorney, requested the County Board consider a resolution urging the State to increase the compensation rate for non-staff Public Defender appointed attorneys. The fact sheet was distributed at the meeting. Vice-Chairperson Wilkie moved to approve. Supervisor Buchanan moved to amend the resolution to add “Be it further resolved the Eau Claire County Board of Supervisors directs the County Clerk to forward this resolution to the Attorney General of Wisconsin, Governor of Wisconsin, Wisconsin Supreme Court, Wisconsin State Bar Association, Wisconsin Counties Association, and Office of State Public Defender.” After discussion, Vice-Chairperson Wilkie withdrew his motion in order to correct the resolution before taking action on it. This item will be added to the December 04, 2018 meeting for the committee to consider prior to the full Board Meeting.

Eau Claire County Sheriff's Office Updates

- a. Jail Population Update
 - a. \$176,000 in out of county housing costs year-to-date. The Jail is still diligently tracking and monitoring out of county housing.
- b. ICE & Federal Detainer Policies
 - a. Sheriffs around the state have discussed this and had conversations with the ACLU. Residency status cannot be asked of arrestees- it may be revealed when a criminal background check is performed, however. Because the ICE detainers are not signed by a federal magistrate, it does not have the same authority as a warrant. Space is provided in the sally-port for ICE, if requested. The ECCJ will notify ICE when someone is going to be released if a detainer has been lodged.

2019 County Budget Discussion

There was general discussion regarding the Sheriff's Office budget modifications after budget and finance review and Sheriff's Office review.

Future Meeting Dates

The committee will meet on Thursday, December 04 at 6:45 PM and Thursday, December 06, 2018 at 4:00 PM.

Future Agenda Items

- Sheriff's Office
 - ECCJ Population Update
 - Protective Status Legislation
- Homelessness/Affordable Transitional Housing

Adjourn

The meeting was adjourned by Chairperson Miller at 5:51 PM.

Respectfully Submitted:



Eric Huse
Committee Clerk

TRY MEDIATION, INC.
Profit & Loss Budget vs. Actual
July through September 2018

	Jul - Sep 18	Budget	\$ Over Budget
Ordinary Income/Expense			
Income			
Inkind Rent/County Revenue	750.00	750.00	0.00
County - Revenue			
County - Buffalo	750.00	750.00	0.00
County - Chippewa	6,249.99	6,249.99	0.00
County - Eau Claire	33,404.76	33,404.76	0.00
County - Pepin	1,050.00	1,050.00	0.00
County Dunn	4,249.98	4,250.01	-0.03
Total County - Revenue	45,704.73	45,704.76	-0.03
Intake Fees	50.00		
Interest Income	49.60	75.00	-25.40
Mediation Fees			
Mediation Fees - Buffalo	450.00	351.00	99.00
Mediation Fees - Chippewa	1,095.00	234.00	861.00
Mediation Fees - Dunn	250.00	129.00	121.00
Mediation Fees - Eau Claire	2,380.00	1,734.00	646.00
Mediation Fees - Pepin	125.00	45.00	80.00
Total Mediation Fees	4,300.00	2,493.00	1,807.00
Other Income			
Refunds and Miscellaneous	120.00		
Total Other Income	120.00		
Parent Education	3,865.00	3,750.00	115.00
Total Revenue	54,089.33	52,022.76	2,066.57
Total Income	54,839.33	52,772.76	2,066.57
Gross Profit	54,839.33	52,772.76	2,066.57
Expense			
Advertising/Public Information	0.00	0.00	0.00
Assistant's compensation	7,802.11	7,642.11	160.00
Bank Service Fee	0.00	16.20	-16.20
Client Refunds	60.00	75.00	-15.00
Credit Card Fees	329.39	405.00	-75.61
Director's compensation	12,913.67	12,913.70	-0.03
Equipment and Furniture(expense)	841.76	573.00	268.76
FICA - Employer's Share	2,638.94	2,673.43	-34.49
In-Kind Rent Expense-E.C.	750.00	750.00	0.00
Insurance - Liability	0.00	0.00	0.00

2:12 PM

11/01/18

Accrual Basis

TRY MEDIATION, INC.
Profit & Loss Budget vs. Actual
July through September 2018

	Jul - Sep 18	Budget	\$ Over Budget
Insurance - Malpractice	0.00	0.00	0.00
Insurance - Workman's Comp.	0.00	0.00	0.00
Mediator Training	0.00	312.00	-312.00
Medicare Tax -Employer's Share	617.17	625.12	-7.95
Membership Dues	0.00	0.00	0.00
Miscellaneous Expense	0.00	300.00	-300.00
Postage	354.00	300.00	54.00
Printed Material	0.00	300.00	-300.00
Professional Fees	2,000.00	2,000.00	0.00
Recognition	0.00	0.00	0.00
Salaries -			
Salaries-Dunn	5,265.00	4,576.94	688.06
Salaries - Chippewa	910.00	1,076.94	-166.94
Salaries - Eau Claire	11,173.05	11,688.62	-515.57
Total Salaries -	17,348.05	17,342.50	5.55
SEP Retirement			
Health Insurance Reimbursement	4,500.00	4,500.00	0.00
SEP Retirement - Other	1,720.66	3,847.32	-2,126.66
Total SEP Retirement	6,220.66	8,347.32	-2,126.66
State Unemployment	49.56	70.00	-20.44
Supplies	1,270.53	306.00	964.53
Telephone	0.00	300.00	-300.00
Travel and Conference	777.55	883.42	-105.87
Total Expense	53,973.39	56,134.80	-2,161.41
Net Ordinary Income	865.94	-3,362.04	4,227.98
Net Income	865.94	-3,362.04	4,227.98

4 -DIRECTING THE CRIMINAL JUSTICE COORDINATING COUNCIL TO DO A
5 COMPREHENSIVE STUDY OF THE EAU CLAIRE COUNTY JAIL POPULATION AND
6 PROVIDE A REPORT TO THE COUNTY BOARD ON OR BEFORE _____, 2019
7 ANALYZING THE INCREASE IN JAIL POPULATION AND RECOMMENDING THE BEST
8 ALTERNATIVES -

9 WHEREAS, on September 13, 2006 the Eau Claire County Board of Supervisors adopted
10 Resolution File No. 06-07/075 establishing an Eau Claire Criminal Justice Coordinating Council
11 (CJCC) in order to provide a coordinated leadership necessary to establish and foster innovative,
12 effective corrections programs for adult and juvenile offenders and to effectively qualify for state
13 and federal grants to fund such programs; and,

14
15 WHEREAS, the CJCC is uniquely qualified to analyze the reasons for and potential solutions
16 to the increasing jail population based on its use of Evidence Based Decision Making (EDBM) and
17 report its findings to the county board; and,

18
19 WHEREAS, the analysis should include:

- 20
21 1. A review of the jail population as it relates to the increase in the population over the
22 last 5 years.
23 2. A cost benefit analysis.
24 3. Researching changes in EBDM.
25

26 WHEREAS, CJCC will evaluate changes in county demographics, State level EDBM efforts,
27 process changes in prisoner classification and engage the Department of Corrections (DOC) in
28 process discussions that impact the jail population.

29
30 NOW THEREFORE BE IT RESOLVED by the Eau Claire County Board of Supervisors
31 that the CJCC is directed to do a comprehensive study of the Eau Claire County jail population
32 and provide a report to the county board on or before _____, 2019, analyzing the increase in jail
33 population and recommending alternatives.

34
35 BE IT FURTHER RESOLVED,

36 _____
37 _____
38 _____
39 _____
40 _____
41 _____
42 _____
43 _____
44 _____
45 _____

46 KRZ/yk

Committee on Judiciary and Law Enforcement

47
48 Dated this _____ day of _____, 2018.

FACT SHEET

TO FILE NO. 18-19/078

This resolution urges the State of Wisconsin to increase compensation for defense counsel assigned by the State Public Defender (SPD) from \$40 per hour, in effect since 1995 to \$70 per hour which is the same rate paid for attorneys appointed by the county. This disparity will increase in 2020 when Wisconsin Supreme Court Rule will increase the hourly rate paid for attorneys appointed by counties \$100 per hour.

As a result of the low pay private attorneys are more frequently declining to take SPD appointments which can result in judges appointing attorneys at the county rate which acts as a further disincentive for attorneys to accept SPD appointments. It can also mean people are being held in jail longer pending appointment of counsel, delaying justice for victims, causing inefficiency for courts and law enforcement agencies and increasing the county's cost of incarceration. The clerk of court has estimated the increased use of private attorneys may cost the County an additional \$116,000 annually.

Fiscal Impact: None.

Respectfully Submitted,

Keith R. Zehms
Corporation Counsel

KZ/yk