

Agenda
Eau Claire County
Committee on Judiciary and Law Enforcement
Wednesday, November 25, 2020 – 3:00 PM
Virtual Meeting via Cisco Webex

Public Access Participation Information:

Dial In: 1-415-655-0001
Access Code: 920 751 770

Notice Regarding Public Comment: Members of the public wishing to make comments must email Eric Huse at Eric.Huse@da.wi.gov at least 30 minutes prior to the start of the meeting. You will be called on during the Public Comment session to make your comments.

1. Call to Order
2. Confirmation of Public Meeting Notice
3. Call of the Roll
4. Public Comment
5. Approve Minutes from October 28, 2020 Meeting – discussion/action pg. 2
6. Criminal Justice Collaborating Council Update – discussion
 - a. [Dashboard Link](#)*
7. 3rd Quarter Fiscal Updates – discussion
 - a. Register in Probate/Clerk of Juvenile Court pg. 13
 - b. Circuit Court pg. 15
 - c. Clerk of Courts pg. 18
8. Eau Claire County Sheriff's Office Updates – discussion
 - a. Jail Population, Staffing, & COVID-19 Response
 - b. Jail Voting Report
 - c. Memorandum from Sgt. Andrew Falk Regarding Asset Forfeitures pg. 21
9. File No. 20-21/089 – *Resolution to Support Pending Legislation to Amend Hearing Timelines for Juveniles Taken Into Custody Under Wisconsin Statutes Chapter 938 to Coincide With Hearing Timelines for Children Taken Into Custody Under Wisconsin Statutes Chapter 48* – discussion/action pg. 22
10. Appropriate System-Wide Criminal Justice Language – discussion/action
11. Set Future Meeting Date(s) – discussion/action
 - a. The next regularly scheduled meeting is December 23, 2020 at 3:00 PM
12. Set Future Agenda Item(s) – discussion/action
 - a. Sheriff's Office Audio/Visual Recording Equipment
 - b. Procedures/Policies for the Proper Execution of Search Warrants
 - c. Procedures for Citizen Complaints for Eau Claire County

13. Adjourn

*<https://app.powerbigov.us/view?r=eyJrIjoieYTEzZDEwYzctZDAzYi00YmQ1LTg4M2ItNWMyZGUzMjNjZTI3liwidCI6ImFjMm13YWU3LTZlZDQtNDI0Ny05YjhmLWJjM2JlNGl3ZS>

Posted: 11/20/2020

Note: Upon reasonable notice, efforts will be made to accommodate the needs of individuals with disabilities through sign language, interpreters, or other auxiliary aids. For additional information or to request the service, contact the County ADA Coordinator at 715-839-6945, (FAX) 715-839-1669, or (TDD) 715-839-4735 or by writing to the ADA Coordinator, Human Resources Department, Eau Claire County Courthouse, 721 Oxford Ave., Eau Claire, Wisconsin 54703

Minutes
Eau Claire County
Committee on Judiciary and Law Enforcement
Wednesday, October 28, 2020 – 3:00 PM
Virtual Meeting via Cisco Webex

Members Present: Melissa Janssen, Sandra McKinney, Zoe Roberts, Connie Russell, and Gerald Wilkie.

Others Present: Danielle Powers, Dave Riewestahl, Cory Schalinske, Ron Cramer, Tiana Glenna, Gary King, Donald Mowry, Kimberly Cronk, David Carlson, Ryan Patterson, Travis Quella, and Eric Huse.

Call to Order

The meeting was called to order by Chairperson Wilkie at 3:00 PM.

Call of the Roll

The Clerk called the roll. Attendance was noted above.

Confirmation of Public Meeting Notice

The Clerk confirmed this meeting was properly noticed to the public.

Public Comment

- Dr. Susan Wolfram's public comments were read by Kimberly Cronk as Dr. Wolfram was unable to attend. The comments were centered around jail procedures and programs. A transcript of the comments are included in these minutes.
- Kimberly Cronk made public comments regarding jail procedures, programs, and data. A transcript of the comments are included in these minutes.
- Christine Varnavas was unable to attend the meeting. At her request, and with the Chairperson's permission, the Clerk read the comments. The comments related to a recent experience with the Eau Claire County Sheriff's Office. A transcript of the comments are included in these minutes.
- David Carlson made comments in support of Varnavas's comments. Written public comments from Mr. Carlson were also submitted and are included in these minutes.

Approve Minutes from September 23, 2020 Meeting

Supervisor Janssen moved to approve the minutes from the September 23, 2020 meeting. The minutes were adopted as published in the meeting materials via 5-0 voice vote.

Criminal Justice Collaborating Council Dashboard Update

- **Dashboard Review**
 - A link to the dashboard website was included in the meeting materials. The data is completely refreshed monthly on the website with additional data being added periodically. The Committee reviewed the information.
- **Report from Supervisor Russell**
 - Supervisor Russell provided a brief report from the October 21, 2020 meeting CJCC meeting. The CJCC heard public comments that were similar to those shared at this meeting. There was discussion about the addition of an Equity, Diversity, and Inclusion professional with the City and County. Eau Claire Police Department Chief Matt Rokus described changes and initiatives in his department to address mental health responses.

3rd Quarter Fiscal Updates & 2021 Budget Recommendations Update

- **Criminal Justice Collaborating Council**
 - Criminal Justice Director Tiana Glenna reviewed the 3rd quarter narrative and financial reports. The Department has experienced some savings in supplies, training dollars and treatment placements due to COVID-19.

- **District Attorney**
 - District Attorney Gary King reviewed the 3rd quarter narrative and financial reports. The department recently added two Assistant District Attorneys and are now fully staffed. The department is on target for end of year financials.
- **TRY Mediation**
 - Director Travis Quella reviewed the 3rd quarter report submitted. Currently, the department is under budget and are expecting a similar end of year result. Director Quella expressed thanks for the recommendation made to restore the funding from the County to 2020 levels rather than 5% reduction. Director Quella stated they are still looking for ways to increase revenues in the future.

Eau Claire County Sheriff's Office Updates

- **3rd Quarter Fiscal Update & 2021 Budget Recommendations Update**
 - Administrative Division Manager Danielle Powers reviewed the 3rd quarter narrative and financial reports. Revenues are lagging in some areas but expenses are also down in some areas. It was noted the Fund 212 account title incorrectly labels the account as a grant fund. The account is fully funded by Federal forfeiture proceeds and is a re-imbursement based account. Lt. Schalinske reviewed upcoming national trainings all Sheriff's Office staff will be participating including implicit bias training de-escalation and force mitigation training. It was noted that the 2nd floor security screening was added back into the 2021 budget request.
- **Jail Population, Staffing, & COVID-19 Response**
 - Jail population is holding steady. Lieutenant Travis Holbrook was promoted to fill the vacant jail lieutenant position. Sergeant John Gunderson was promoted to be the new bailiff sergeant. There are currently three vacant correctional officer positions but two new staff are in training netting one vacancy with high quality applicants in the interview process. COVID-19 remains a significant concern especially with increased community spread.
- **2nd Floor Security Screening in 2020**
 - This agenda item was discussed as part of the 3rd quarter fiscal and 2021 budget recommendations update.
- **Response to Questions re: Forfeiture funds, HIDTA funding, and Transparency**
 - Sheriff Cramer spoke to this agenda item. Sheriff Cramer reviewed the current expenditures of the HIDTA grant including intelligence training and the replacement of digital tracking equipment. Neither the Sheriff's Office nor the County completed or submitted the grant application. The Sheriff's Office will look into obtaining the application and the ability for them to distribute it.

Review of Winnebago County Resolution to Support Pending Legislation to Amend Hearing Timelines for Juveniles Taken into Custody

This resolution was received from Winnebago County after passage by their County Board. The Committee reviewed the resolution and requested that a formal resolution be presented at the next regular meeting.

Future Meeting Date

The next regular meeting is scheduled for November 25, 2020 at 3:00 PM.

Future Agenda Items

- 3rd Quarter Fiscal Update
 - Register in Probate/Clerk of Juvenile Court
 - Circuit Court
 - Clerk of Courts
- Eau Claire County Sheriff's Office
 - Jail Population, Staffing, & COVID-19 Response
 - Jail Voting Report
 - Procedures/Policies for the Proper Execution of Search Warrants
 - Procedures for Citizen Complaints for Eau Claire County

- Resolution to Support Pending Legislation to Amend Hearing Timelines for Juveniles Taken into Custody
- Appropriate System-Wide Criminal Justice Language

Adjourn

The meeting was adjourned by Chairperson Wilkie at 4:50 PM.

Respectfully Submitted:

Eric Huse
Committee Clerk

October 28th, 2020

Good afternoon Chairperson Wilke and members of the Committee on Judiciary & Law Enforcement. My name is Susan Wolfgram; I have been before you a number of times with my colleagues David Carlson and Kim Cronk. I regret not being able to share my comments with you personally; however, I have a previous commitment. I appreciate you allowing Kim to share them on my behalf.

Agenda Item #8: Eau Claire County Sheriff's Department-COVID 19 Response

Following up on the September 2nd meeting, I want to begin by acknowledging the progressive practices that Captain Dave Riewestahl has demonstrated commitment to in our Jail.

1. It was not lost on me when I heard Captain Riewestahl reference incarcerated people as “incarcerated people”, not as “inmates” or “offenders”. Those of us in the criminal justice reform/transform movement have been recommending this language change for a long time. In Stop & Think, we start with two things:
 - One, “you are more than the worst thing you have ever done”
 - And Two, you must stop thinking of yourself as a “criminal, offender, or inmate”. Yes, you have done criminal acts, but you yourself, are not identified as that label. If one hopes to change, a person must see themselves as the unique human being that they are who has made some very bad mistakes.
2. The second very progressive practice was Captain Riewestahl embracing the ACLU Voting Toolkit process and partnering with Chippewa Valley Votes. Our Eau Claire County Jail joins approximately 30/61 counties that have a process in place. It is our hope that Captain Riewestahl institutionalizes this policy, joining only Kenosha County in adopting a detailed policy. https://www.aclu-wi.org/sites/default/files/field_documents/aclu-av1-2020_jail-voting-access-report-final-07012020.pdf

“Our democracy works best when everyone participates,” the authors write. “Especially in the midst of a global pandemic, it is critical that all eligible voters have a say in who represents our interests.”

What I am requesting today in the best interest of our incarcerated neighbors and staff:

- A commitment to a change in the Jail’s broad-based testing strategy, and to take more time, thoughtfully applying the CDC recommended guidelines for successfully conducting Broad-Based Testing: <https://www.cdc.gov/coronavirus/2019-ncov/hcp/broad-based-testing.html>. The CDC website emphasizes the importance of

planning ahead for all considerations when it comes to testing in congregate living facilities, especially in detention centers (please see the website for specific recommendations including providing for language and mobility barriers, issues of distrust, how to communicate the importance of participating, etc).

- Captain Riewestahl only spoke about how he was not able to “force” staff or incarcerated people in his care to be tested; we are aware of that. We had very low numbers which defeat the purpose of broad-based testing. It was stated by Captain Riewestahl that “we have a lot to learn”...yes, we agree and spending time with these critically important guidelines is what we hope occurs.
- Have there been any updates from our Public Health Director, Lieske Giese, to her April 26th memo outlining COVID 19 Jail Guidelines? We are now at the end of October, six months later; have more preventative guidelines been enacted?
 - We have asked a number of times that these Public Health Guidelines be posted on the Sheriff’s website for transparency purposes. They have not been posted; only the same list of COVID resources.
 - Lack of transparency to the public is what fuels misinformation; it is always better to overcommunicate and all public officials have a responsibility to be accountable to the public. Correctional health is public health.

In closing, we are in an emergency situation in our County with 178 cases reported Monday and a 31.5% positivity rate over the past 7-day period, rampant and out of control community spread. It can be easy to “forget” about our incarcerated neighbors. My hope is that you place these items on the next Judiciary & Law November agenda.

I appreciate you taking my comments into consideration and respectfully request that they be added to the Minutes.

10/28/20

Good afternoon Judiciary and Law Enforcement Committee members,

Thank you for the opportunity to speak. My name is Kim Cronk and I have been a long-term resident of Eau Claire County. My comments today center within your agenda item number 8 (with subsets) in today's meeting. It is also a reflection on the way in which violence, brutality, and trauma can present in many forms, what we have learned during this pandemic and how we can ensure change. I join Dr. Wolfram and Mr. Carlson in continuing to address this body in the spirit of advocacy and action that we have consistently done since March, advocacy that we have each been doing in various areas and arenas long before spring or the presence of COVID. Something powerful can happen when there is an openness and willingness to engage in true collaboration, dialogue, and community centering that typically does not happen with only elected officials or the traditional decision-makers we have seen for far too long at the table.

We have seen the effectiveness of this collaboration with the now public information by the Health Department on COVID statistics within our incarcerated persons and staff in the jail. Please know this was not without consistent advocacy and as Dr. Wolfram noted in her comments, continued updates, testing, and supports are ongoing needs to ensure people who are in extremely vulnerable positions remain in good health. Correctional health IS public health and being in a congregate setting should not equal a potential death sentence as we see cases exponentially increase in our communities, prisons, and jails within our state and region. To not ensure these continued measures with ongoing improvements in practice and policy with continuous public updates is an extension of violence on vulnerable people and their loved ones.

We have additionally seen results from the collaboration of the ACLU Rights for All Campaign, Chippewa Valley Votes, volunteers, Captain Riewestahl, and jail staff around ensuring the continual quest to improve voter registration and voting accessibility for people who are incarcerated. Voting is still a right for people who are eligible, despite being incarcerated, and this collaboration and willingness to improve policy around the use of the ACLU Voting Toolkit is something I did not see or experience in my previous work in the jail. I believe we can all agree that any type of voter disenfranchisement is an extension of violence. I want to also publicly thank the aforementioned parties for the collaboration that I hope will be institutionalized in policy and that we will see well into the future. Captain Riewestahl, again, thank you for allowing the volunteers to come into the jail and ensuring COVID measures were followed so this work can be continued with safety and health in mind. We seek and look forward to continued collaborations.

I also want to reference the reports this Judiciary and Law Enforcement Committee reviews monthly around data and demographics of the people incarcerated in the jail. As you look at and study this data, I want to bring to your attention that this data was requested for six months during the County's Jail Population Study that commenced last year and was not received. For many in our community, it was advocated for long prior to this study. While we are grateful that it is there now with the goal of expanding, I want you to understand as with any change, this took requests, questioning, determination, and advocacy. We hear consistently that people interacting with the criminal-legal system need to be accountable. Accountability is a very active and action-oriented process and one that is also critical for each contact and decision-making point within our criminal legal system. Advocacy can be time consuming, wearing, difficult, increase one's vulnerability...and yet without it, things do not change.

While some may view advocacy as adversarial, it should be welcomed as we have highlighted some of the positive change it can and will continue to create.

The County Board unanimously passed the Racism as a Public Health Crisis Resolution on July 21st and it is up to each of us to follow through with actions. Each of us needs to educate ourselves and work to advocate to change policies, practices, codes, and our communities' culture to ensure we are working toward an anti-racist and anti-oppressive community. These values need to be reflected in our investments, both human and financial, and assuring historical and future generational repair occur within our budgets. For each of us to ensure anything less is a perpetuation of violence. I am attaching an article from the Executive Director and founder of Common Justice, Danielle Sered, for your review and reference. I urge you to read and know the work of Common Justice. I quote her as stating, "Most violence is not just a matter of individual pathology— it is created. Poverty drives violence. Inequity drives violence. Lack of opportunity drives violence. Shame and isolation drive violence. And like so many conditions known all too well to public health professionals, violence itself drives violence" (Serred, 2017).

Lastly I want to ensure that our previous request from last month's meeting is addressed today in Agenda Item 8, regarding the quantitative and qualitative performance measures and metrics within the West Central Drug Task Force, including demographics of who they interact with, use of force data, no knock warrant data, what they actually seize, and how those forfeiture funds or items are tracked and utilized. In addition, there was a previous request to have the original High Intensity Drug Trafficking Area Grant proposal as part of the Criminal Justice Collaboration Council meeting packet. I have not seen that available to the public in any meeting information unless it was missed. To my understanding, the forfeiture information should be listed on the Wisconsin Department of Administration's Forfeiture page, however I am not seeing it so increased education in this area is welcomed. How often do these investigations or investigations of any kind that can perpetuate trauma and/or violence, result in nothing? These clarifications, along with demographics and other aforementioned requests do not appear to be part of this meeting's packet, however I am hopeful that again, in the spirit of advocacy, growth, collaboration, change, and the goal we share of creating the healthy and safe community(ies) we all deserve, that they will be part of this Committee's discussion today and in the future. Thank you for your time and consideration.

Citation:

Danielle Sered. Accounting for Violence: How to Increase Safety and Break Our Failed Reliance on Mass Incarceration. New York: Vera Institute of Justice, 2017.

<https://www.commonjustice.org/>

<https://d3n8a8pro7vhm.cloudfront.net/commonjustice/pages/82/attachments/original/1506608259/accounting-for-violence.pdf?1506608259>

Huse, Eric

From: Christine Varnavas [REDACTED]
Sent: Wednesday, October 28, 2020 2:27 PM
To: Huse, Eric
Subject: For Public Comment Today 10.28.20

Hello, I will not be able to attend. I would very much appreciate this being read.

PUBLIC COMMENT

I am a teacher and a wellness professional. I am currently a contractor with Eau Claire County CCS. I work with trauma survivors to help them achieve wellness, to lessen the effects of their trauma, how it impacts them and their community.

I was initially contacted by email in August by the Sheriff's Department asking for my records. I stated that I would comply. I later received a second email asking about the records. I responded by email that I had not had time.

The following happened to me on October 19th. As I was coming out of sedation from a procedure at Mayo, I was given permission to call for my ride home. I read a text from my 15-year old daughter who was home alone saying "the cops are here". I then spoke to my mother who explained to me what was happening at my house since she lives next door. When my mother and daughter arrived at Mayo to pick me up, my mother told me what she witnessed at my house. My 15-year old told me that two uniformed officers entered our house without permission, asking questions about me, my business and my home work space. She was told to leave the house and she would not be let back in. At this time, one of the officers remained alone in the house. One officer stayed outside guarding my door. The third officer left the house to get the search warrant. To the best of my knowledge no one wore a mask or gloves while in my home.

When we arrived in my mother's driveway next to my house, I saw five officers and four or five unmarked vehicles in my driveway. As I approached them, I was told I was not allowed in my house. They told me they were waiting for a search warrant. They told me they were going to go in my house and take my property as it relates to my work with CCS. I told them that I was willing to give them what they were asking for, but that I needed a few days to do so because I had just come out of the hospital. I am a single mother, self-employed and trying to keep my business afloat during the pandemic. I pleaded with them as I was crying that my computer is not only my work computer, but it is my personal computer as well. I also stated that the CCS files are HIPPA protected and that they have client names on them. They told me that the search warrant negated the HIPPA

regulations. They told me that I would get my property back within two to three weeks or never. They spoke to me in a condescending tone as if I were a child. My daughter was witnessing all of this. I firmly believe that this is a witch hunt about DHS and, sadly, my daughter and I have been caught in the crossfire.

The impact that this has had on my daughter and myself is tremendous. I feel victimized, violated and taken advantage of. This event may have a negative impact on my household income and my supplemental income as I do not have access to materials and documents that are on my computer. This will also negatively impact my clients and their health, because I no longer have access to documents that were a work-in-progress.

The following has taken place since Monday October 19th. I was contacted by the Sheriff's Department stating I could come pick up a few personal items. I was offered an explanation. I learned my personal checkbook was taken along with the other items. I met the detective at the Court House to retrieve my items. He was not wearing a mask, nor was the man with him. I was given an Evidence List, that did not include any of the items returned to me. I offered to listen to the explanation, however I stated I would not answer questions without an attorney present. The detective then stated he would not explain anything without his attorney present. I still have no idea what they are looking for.

Monday the 26th was the first day I was able to spend time in my home office. I still cannot work in there. I understand what it feels like to be victimized as I am a survivor of childhood sexual assault. My personal items are an extension of me. It feels similar.

As mental health is one of the top concerns in our community, I fail to see why anyone or any agency would try to undermine mental health services that are so desperately needed. I attended an Integrative Mental Health Conference in 2019, in San Francisco, hosted by Dr. Andrew Weil, the father of Integrative Medicine. The conference hosted global experts in mental health. Some of the "other/alternative" successful tools and methodologies being presented there are currently being offered by CCS in Eau Claire County. We should be proud of that. We should not diminish and foster fear about mental health.

I am a supporter of law enforcement; I have friends in law enforcement. However, I now feel unsafe, as does my daughter, in our own home due to a few who are positioned to protect.

Thank you for your time

Christine Varnavas, Anandaworks Wellness

My name is David Carlson. I live at 2212 Altoona Ave, Eau Claire, WI 54701.

I am giving public comment on a couple different items today, and I would like to begin with the voting event that occurred on October 6th. I thank Captain Riewestahl for the time and effort he put into making this event possible, along with Chippewa Valley Votes for being willing to use their expertise in all things voting, to pull off such an event. It was because of the willingness of all parties involved to collaborate, that Eau Claire County is one of the few counties in Wisconsin that has begun implementation of an effective voting process for eligible voters in jail.

It is refreshing to begin with a note of progress, because it has been seldom the case in my work over the last 8 months with the ACLU of Wisconsin, that I have had positive reports for this Judiciary and Law Enforcement Committee concerning actions of the Eau Claire County Sheriff's Department. It is unfortunate that I come before you again today with another concerning example of law enforcement overreach and callous behavior.

By now, some of you on this council are aware of the incident that occurred with an Eau Claire County Comprehensive Community Services Provider on October 21st. For those of you who are not, this provider's home office and business office were searched by force and under warrant, by Sheriff's Department detectives, as part of the investigation into Eau Claire County DHS. The same investigation this committee debated and declined to support the Sheriff's decision to fund with money from its operational budget. Initially, prior to a warrant being submitted to the owner of the home, the law enforcement personnel, entered the home of this provider with only her teenage daughter present. The trauma inflicted upon this family will continue to impact their daily lives long after this sheriff's department moves on to what it considers its next target within our community.

The ACLU of Wisconsin's Rights for All Campaign has presented to this committee many times over the last 7 months. Our first presentation was on the topic of the negligent handling of COVID 19 within the Jail facility and the lack of transparency concerning this virus in the jail. We then addressed the High Intensity Drug Trafficking Area Designation placed on Eau Claire County, and the strong likelihood that this designation would only increase the racially disparate outcomes that are reinforced by local law enforcement practices and legitimized by our criminal justice system. We have had months of debate, negotiation, and dispute, and at this point, it is clear where each concerned party stands on these matters. The Eau Claire City Police Department has made a commitment to reforming their policing practices to reverse years of systemic racism and discrimination—the Eau Claire County Sheriff's Department has not.

If there is to be a forensic audit of any Eau Claire County Department, it should be the Sheriff's Department. All monies from grants, the county, drug related seizures, and any other sources of funding should be categorized and made available to the public in an understandable and straight forward manner. This would include all money that is being channeled through the West Central Drug Task Force. This is the only way to distinguish what exactly is motivating the actions of this department, which seem to be incentivized more by its own expansion of authority and infrastructure, than by public safety. It is obvious that public safety is not the motivating factor with this department when it chooses to increase drug war operations while at the same time attack evidenced based treatment and recovery programming like Comprehensive Community Services.

In closing, at the October 21st CJCC meeting, the supervisor from the West Central Drug Task Force claimed that the targets of the HIDTA designation would be large scale distributors. Not 10 minutes later, when asked a question about money for prevention under this funding, the WCDF supervisor stated that the few thousand dollars each WCDF county would be getting would mainly be going towards undercover controlled buys. What large scale cartel drug organizations deal with plain clothes officers in increments of a few thousand dollars? It is time we begin scrutinizing what we are being told by this sheriff's department before our county is one of the next places that makes the national news.


Thank you for your time.

David Carlson

Rights for All Eau Claire

ACLU of Wisconsin

Register in Probate/Clerk of Juvenile Court

SELECTED PERFORMANCE MEASURES	
Probate filing fees	Filing fees collected: 31,910.17 (89%) out of \$36,000 budgeted Fees collected from Guardian ad Litem and Medical invoices and deposited in the Circuit Court Budget: \$89,098.71 which shows an increase from this time last year.  (\$10,826)
SUMMARY OF CURRENT ACTIVITIES	
<ul style="list-style-type: none"> ▪ Wis. Stats. 48.9795, 2019 Act 10 - removing guardianship of the person of child from Chapter 54 and creating a new subchapter in Chapter 48. Effective date: August 1, 2020. This has been a 'learning experience' for self represented litigants and attorneys. ▪ All staff is working in the office due to the type of cases handled in this office. ▪ 2021 budget presented to committees. 	
ISSUES ON THE HORIZON AND SIGNIFICANT TRENDS	
<ul style="list-style-type: none"> ▪ 2021-2022 Wisconsin Legislative session: amend state statutes relating to an increase in probate fees. 	
CURRENT COLLABORATIONS (INTERNAL AND EXTERNAL)	
<ul style="list-style-type: none"> ▪ Working with attorneys and non party filers with limited foot traffic in the courthouse. 	
GOALS FOR NEXT QUARTER	
<ul style="list-style-type: none"> ▪ COVID ▪ Calculate and prepare to send paperwork out to the guardians for their annual reporting 	

NOTE TO COMMITTEE: I am unable to attend the meeting scheduled for October 28, 2020. Nothing in particular stands out regarding this last quarter. My filing fees are on target, I do have an increase in fees collected and deposited in the Court's budget. My financials are stable. Financials: This office has utilized 70% of their budget at the end of the third quarter. I adjusted the contractual services (telephones) to reflect accurately in the 2021 budget. This office will not come in under budget for year end due to a change in benefits of an employee. We will be very close in utilizing 100% of our budget.

Jean

Eau Claire County - Register of Probate

Quarterly Department Report - Summary

For Period Ending: Q3, 2020

Page: 1/1

Date Ran: 10/20/20

03 - Register of Probate

Fund	Revenue:	Orig Budget 2020	Adj Budget 2020	Q1 2020	Q2 2020	Q3 2020	Q4 2020	YTD 2020	% of Budget
100	01-Tax Levy	241,827	241,827	60,457	60,457	60,457	0	181,370	75.00%
	06-Public Charges for Services	36,000	36,000	5,190	12,687	11,984	0	29,861	82.95%

Total Revenue - Register of Probate

		\$277,827	\$277,827	\$65,647	\$73,144	\$72,441	\$0	\$211,232	76.03%
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Fund	Expenditures:	Orig Budget 2020	Adj Budget 2020	Q1 2020	Q2 2020	Q3 2020	Q4 2020	YTD 2020	% of Budget
100	01-Regular Wages	-206,687	-206,687	-41,457	-46,958	-53,220	0	-141,635	68.53%
	03-Payroll Benefits	-59,485	-59,485	-12,323	-15,123	-18,790	0	-46,236	77.73%
	04-Contracted Services	-960	-960	-240	-365	-303	0	-908	94.56%
	05-Supplies & Expenses	-10,695	-10,695	-1,080	-1,649	-1,877	0	-4,606	43.06%

Total Expense - Register of Probate

		-\$277,827	-\$277,827	-\$55,100	-\$64,095	-\$74,189	\$0	-\$193,384	69.61%
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Net Surplus/(-Deficit) - Register of Probate

		\$0	\$0	\$10,547	\$9,049	-\$1,748	\$0	\$17,847	
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Circuit Court – Q3 2020

January - September

SELECTED PERFORMANCE MEASURES	
Use of State Certified Interpreters – Benchmark is 70%	87%
Number of languages requested	4
Number of appearances via videoconference	8,485
Number of cases open	15,994
Number of felony cases open	3,354 (includes new complaints filed)
Number of jury trials held	9
Number of jury trial days	26
SUMMARY OF CURRENT ACTIVITIES	
<ul style="list-style-type: none"> ▪ Mandated services <ul style="list-style-type: none"> ○ Judicial assistant per judge ○ Court-Appointed Attorneys ○ Appointment of Guardian Ad Litem ○ Interpreter Program ○ Transcription Services ○ Court-ordered Medical Evaluations – process claims ▪ Treatment Courts (4) ▪ Reporting - State <ul style="list-style-type: none"> ○ CS-148 Quarterly Report for Interpreter Payment Request ▪ Reporting – County <ul style="list-style-type: none"> ○ Quarterly Report for Administration ○ Quarterly Report for Judiciary & Law Enforcement Committee ▪ Installation of new court reporter stations in four courtrooms <p><i>Except for judicial assistant, mandated services are administered by Clerk of Courts/Probate All reports are completed by the Clerk of Circuit Court</i></p>	
ISSUES ON THE HORIZON AND SIGNIFICANT TRENDS	
<ul style="list-style-type: none"> ▪ Continued reporting – Eau Claire County was approved in a judicial bill for a 6th circuit court branch. Eau Claire County has budgeted money set aside, and plans have been drawn to build out a trial courtroom. It is expected that a new judge will be elected in the April 2022 election and take office August 1, 2022. The trial courtroom must be completed no later than May 31 of the year in which the circuit court branch becomes effective. ▪ COVID-19 has had a significant affect on the Courts. Due to the safety of staff, court partners and the public, the Wisconsin Supreme Court ordered that all counties create a plan to reopen the courts for in-person hearings and jury trials. Subcommittees were formed that included plans for 1) Staff; 2) Building & Equipment; 3) Re-engagement; and 4) Jury Trials. The courts plan was approved by the Chief Judge of the District prior so re-engagement for jury trials and in-person hearings could resume. ▪ The Courts will continue to hold regular hearings via Zoom for the foreseeable future. ▪ A Zoom Conference Room has been set up to allow individuals released from jail to appear via Zoom for initial appearances. 	

- All jury trials were rescheduled and in September 2020 we began to hold jury trials. There were numerous safety features in place prior to the first trial; i.e., plastic shields, mandatory face masks, social distancing which requires the use of two courtrooms for jury selection via videoconference, hand sanitizer, cleaning products, etc., as well as a separate entrance for potential jurors in which we could conduct temperature checks and inquire of basic questions to ensure a juror is healthy to come into the building and serve as a juror

CURRENT COLLABORATIONS (INTERNAL AND EXTERNAL)

- Clerk of Courts office is using State Debt Collection (SDC) to collect debt not otherwise being paid. Although there has been a significant increase in collections over the past year, the trend in total amount collected is yet unclear. Portions of these revenues are allotted to the Circuit Court budget. Since COVID-19, SDC stopped accepting debt; however, they began accepting debt again in mid-July 2020.
- Committees
 - CJCC
 - EBDM
 - Security & Facilities Committee
 - Adult Treatment Court Committee
 - Juvenile Justice Collaborating Committee
 - Criminal Court Review Committee
 - Courts Stakeholders Committee

GOALS FOR NEXT QUARTER

- Continue holding as many hearings by Zoom as appropriate.
- Continue having interpreters appear via Zoom. This is going well and we anticipate continuing having interpreters appear remotely to reduce the amount we pay in travel.

Eau Claire County - Circuit Court
Quarterly Department Report - Summary

For Period Ending: Q3, 2020

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Date Ran: 10/23/20

02 - Circuit Court

Fund	Revenue:	Orig Budget 2020	Adj Budget 2020	Q1 2020	Q2 2020	Q3 2020	Q4 2020	YTD 2020	% of Budget
100	01-Tax Levy	169,360	169,360	42,340	42,340	42,340	0	127,020	75.00%
	04-Intergovernment Grants and Aid	363,530	363,530	181,764	0	181,643	0	363,407	99.97%
	06-Public Charges for Services	557,600	557,600	57,362	79,845	219,848	0	357,056	64.03%
Total Revenue - Circuit Court		\$1,090,490	\$1,090,490	\$281,466	\$122,185	\$443,831	\$0	\$847,483	77.72%

Fund	Expenditures:	Orig Budget 2020	Adj Budget 2020	Q1 2020	Q2 2020	Q3 2020	Q4 2020	YTD 2020	% of Budget
100	01-Regular Wages	-284,880	-284,880	-66,753	-53,915	-74,279	0	-194,947	68.43%
	02-OT Wages	0	0	-19	-106	-71	0	-196	0.00%
	03-Payroll Benefits	-130,140	-130,140	-34,535	-17,613	-27,457	0	-79,604	61.17%
	04-Contracted Services	-615,290	-615,290	-83,688	-87,899	-121,239	0	-292,826	47.59%
	05-Supplies & Expenses	-60,180	-60,180	-6,977	-24,746	-10,563	0	-42,285	70.26%
Total Expense - Circuit Court		-\$1,090,490	-\$1,090,490	-\$191,972	-\$184,279	-\$233,607	\$0	-\$609,858	55.93%

Net Surplus/(-Deficit) - Circuit Court		\$0	\$0	\$89,494	-\$62,094	\$210,224	\$0	\$237,625
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Clerk of Courts – Q3 2020

January - September

SELECTED PERFORMANCE MEASURES	
Total Collections:	\$2,760,088
Debt turned over to SDC:	\$2,237,630
Debt Collected from SDC:	\$1,716,758
Number of Court hearings clerked:	16,571 (does not include Q3 criminal hearings)
Number of docketed events:	135,596 (does not include Q3 criminal dockets)
	<i>Criminal supervisor is out August – November and will provide numbers upon her return for Q4 report.</i>
SUMMARY OF CURRENT ACTIVITIES	
<ul style="list-style-type: none"> ▪ Mandated services <ul style="list-style-type: none"> ○ Deputy clerks (includes all positions within office) ○ Fiscal ○ Court-appointed attorneys ○ Jury Management ○ Receive electronic court reporter notes and keep them in a secure electronic file ○ Administer mandated services for the Circuit Court ▪ Reporting - State <ul style="list-style-type: none"> ○ CS-147 Wisconsin Court System Annual Reporting ○ CS-148 Quarterly Report for Interpreter Payment Request ○ Jury Evaluation ○ Juvenile Legal Fees Recoupment ○ Restitution Report ○ Unclaimed Funds Report ○ U.S. Attorney eFiling Report ▪ Reporting - County <ul style="list-style-type: none"> ○ Quarterly Report for Administration ○ Quarterly Report for Judiciary & Law Enforcement Committee ▪ Committees <ul style="list-style-type: none"> ○ CJCC ○ EBDM ○ Security & Facilities Committee ○ 10th District Meeting / Clerk’s Institute ○ WCCA Legislative Committee Meetings ○ Communications Project Committee ○ Criminal Court Review Committee ○ Court Stakeholders Committee 	

- Staffing
 - Three promotions within the office plus one new hire this year - they continue with training.
 - One vacant position remains in the office. One vacant position was filled November 16, 2020; the other will be filled January 4, 2021.
- *The Brief* - publication sent to court partners regarding changes, procedures, and information related to the court system.

ISSUES ON THE HORIZON AND SIGNIFICANT TRENDS

- COVID-19 has had a significant affect on the Courts due, for the most part, to the decrease in small claims and forfeitures not being filed until recently. We are now hearing small claims cases via remote means.
- COVID-19 has also had an effect on collections. State Debt Collection (SDC) stopped processing debt submitted to them. By not sending debt to SDC, we could continue to take payments and set up payment plans. We were not issuing sanctions (i.e., judgments, suspending driver licenses, etc.) at the time, but sending out reminder notices. SDC began processing debt again in mid-July at which time we resumed submitting debt to them.
- Remodel of the front office is scheduled to begin by the beginning of 202. Our temporary barriers will continue to be in place until the remodel is completed.
- Resuming jury trials has entailed additional staff working the trials. Although we have two civilian jury bailiffs, we need to assign court clerks to help during jury check-in and selection, as well as during the course of a trial.

CURRENT COLLABORATIONS (INTERNAL AND EXTERNAL)

- Verify cases that have a statute requesting DNA collection for Department of Justice
- Work with Sheriff Office on Fingerprint reviews (this was temporarily put on hold due to COVID and recently opened up again).
- Provide statistics to CJCCC and data analyst
 - Pretrial Program
 - Initial Appearances and cash bond ordered
 - Other requests
- Work with CourtOps and CCAP for hardware and software
- Collaboration with Child Support Agency - a Cooperative Agreement was signed end of March. We maintain timekeeping spreadsheets and provide them quarterly to Child Support Agency for reimbursement of funding from the state relative to IV-D cases. Also per that agreement, we provide them with weekly reports regarding restraining orders.
- Collaborate with IS for connectivity between state and county computer systems
- Collaborate with IS for all courtroom technology issues
- Work directly with many other court partners on a daily basis

GOALS FOR NEXT QUARTER

- Create new Courtroom names so standard text messages to parties reflects that they are to appear via Zoom vs. in person. This should eliminate a lot of traffic into the courthouse.
- Work on training new staff - this is quite a challenge due to COVID restrictions we've implemented within the office as well as working remotely.

Eau Claire County - Clerk of Court
Quarterly Department Report - Summary

For Period Ending: Q3, 2020

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Date Ran: 10/20/20

23 - Clerk of Court

Fund	Revenue:	Orig Budget 2020	Adj Budget 2020	Q1 2020	Q2 2020	Q3 2020	Q4 2020	YTD 2020	% of Budget
100	01-Tax Levy	446,270	446,270	111,568	111,568	111,568	0	334,703	75.00%
	06-Public Charges for Services	549,000	549,000	105,095	147,770	109,380	0	362,245	65.98%
	08-Fines & Forfeitures	500,000	500,000	92,671	28,482	55,094	0	176,247	35.25%
	09-Other Revenue	1,200	1,200	238	219	36	0	492	41.02%
Total Revenue - Clerk of Court		\$1,496,470	\$1,496,470	\$309,571	\$288,038	\$276,077	\$0	\$873,686	58.38%

Fund	Expenditures:	Orig Budget 2020	Adj Budget 2020	Q1 2020	Q2 2020	Q3 2020	Q4 2020	YTD 2020	% of Budget
100	01-Regular Wages	-957,140	-957,140	-177,290	-211,940	-227,458	0	-616,688	64.43%
	02-OT Wages	-100	-100	-334	-15	-3	0	-352	352.37%
	03-Payroll Benefits	-489,160	-489,160	-91,972	-128,618	-98,039	0	-318,629	65.14%
	04-Contracted Services	-5,000	-5,000	-1,380	-1,500	-1,440	0	-4,320	86.40%
	05-Supplies & Expenses	-45,070	-45,070	-9,713	-6,439	-8,174	0	-24,326	53.97%
Total Expense - Clerk of Court		-\$1,496,470	-\$1,496,470	-\$280,689	-\$348,512	-\$335,114	\$0	-\$964,316	64.44%

Net Surplus/(-Deficit) - Clerk of Court		\$0	\$0	\$28,881	-\$60,474	-\$59,037	\$0	-\$90,629
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WEST CENTRAL DRUG TASK FORCE

728 Second Avenue
Eau Claire, WI 54703
(715) 839-5054

Altoona Police Department
Buffalo County Sheriff's Department
Chippewa County Sheriff's Department
Chippewa Falls Police Department
Clark County Sheriff's Department

Department of Criminal Investigation
Dunn County Sheriff's Department
Durand Police Department
Eau Claire County Sheriff's Department
Eau Claire Police Department

Fall Creek Police Department
Menomonie Police Department
Pepin County Sheriff's Department
UW- Eau Claire Police Department
Wisconsin State Patrol District Six

November 20, 2020

Sheriff Cramer,

I am sending you this information as a response to your request pertaining to Wisconsin Forfeiture Actions for cy: 2020.

Looking at records for this year to date, we have received four quantities of money through the Wisconsin Asset Forfeiture Program. The total of funds forfeited by the court system was \$20,636.00. This was the total amount of funds forfeited through the program in four combined forfeiture actions. The individual amounts are available upon request.

Per Wisconsin Asset Forfeiture Program Guidelines, half of these funds, (\$10,318.00), were transmitted to the Wisconsin Board of Commissioners of Public Lands, Attn: Denise Nechvatal, 101 East Wilson Street Second Floor, Madison, WI. 53703.

The other half of these funds were retained by the West Central Drug Task Force for use for the purpose of operational resources. These operational resources would include but not limited to expenses such as building rent, purchase of evidence, office equipment and supplies, vehicles and vehicle maintenance, and other expenses permitted by the Wisconsin Asset Forfeiture Program. These expenses do not include the payment of any personnel related costs or benefits.

The annual amount of asset forfeiture varies from year to year based upon a number of factors. The rules related to asset forfeiture also vary on an annual basis as it is continuously redefined by the political powers that be. Please feel free to share this information as needed. All information related to asset forfeiture is public record and should be available through the Wisconsin Board of Commissioners of Public Lands. Feel free to reach out with any further questions that may arise.

Sgt. Andrew Falk
Field Operations Supervisor
West Central Drug Task Force

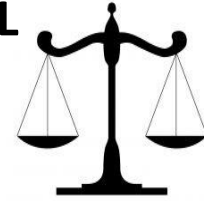
The West Central Drug Task Force is partially funded by the federal government.



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Timothy J. Sullivan

October 30, 2020

FACT SHEET: RESOLUTION 20-21/089

This resolution is being offered to encourage the State legislature to change the hearing timelines for cases in Juvenile In Need of Protection or Services Cases (JIPS - Chapter 938) to coincide with the hearing timelines for Children in Need of Protection or Services (CHIPS - Chapter 48) cases. JIPS cases include juvenile justice cases and can include minors accused of committing acts that would be considered crimes if they were an adult.

If a juvenile is detained in a JIPS case, a hearing must be held within 24 hours of the detention. If a child is detained in a CHIPS case, the hearing must be held within 48 hours of the detention. The timelines for both Chapter 48 & 938 exclude Saturdays, Sundays, and legal holidays. There are days that are not state holidays when the county is closed. Under Chapter 938 staff are currently required to come to work to hold a detention hearing on those days to remain in compliance with the 24-hour timeline. Failure to hold the hearing could result in the loss of jurisdiction over the case. This resolution is requesting that the legislature change the language in Chapter 938 to make it consistent with the language of Chapter 48, by adjusting the time to hold a hearing to 48 hours.

2
3 SUPPORT PENDING LEGISLATION TO AMEND HEARING TIME FRAMES FOR
4 JUVENILES TAKEN INTO CUSTODY UNDER WISCONSIN STATUTES CHAPTER 938
5 TO COINCIDE WITH HEARING TIMELINES FOR CHILDREN TAKEN INTO CUSTODY
6 UNDER WISCONSIN STATUTES CHAPTER 48
7

8 WHEREAS, in Children in Need of Protection or Services (CHIPS) proceedings pursuant
9 to Wisconsin Statutes Chapter 48, when a child is taken into custody and not immediately
10 released to a parent, guardian or legal custodian, the judge or circuit court commissioner in the
11 county where the child is being held must hold a detention hearing within 48 hours of the time in
12 which the decision to hold the child was made (excluding Saturdays, Sundays, and legal
13 holidays); and
14

15 WHEREAS, in similar actions involving Juvenile Justice proceedings pursuant to
16 Wisconsin Statutes Chapter 938, when a juvenile is taken into custody and held by a county, the
17 circuit court must hold a detention hearing within 24 hours after the end of the day on which the
18 decision to hold the juvenile was made (excluding Saturdays, Sundays, and legal holidays); and
19

20 WHEREAS, as a result of the discrepancy in the timelines between the Chapter 48 and
21 Chapter 938 proceedings, in Chapter 938 cases county circuit court judges, commissioners,
22 juvenile intake workers, and other courthouse staff need to be prepared to conduct hearings in
23 circumstances in which the county courthouse may otherwise be closed, such as the Friday after
24 Thanksgiving, extreme weather days, etc. Failing to meet the statutory deadlines places the
25 county at risk of losing jurisdiction over the pending matter. Additionally, concerns may arise
26 regarding transportation of juveniles and children on non-workdays in order to accommodate
27 hearings.
28

29 NOW, THEREFORE, BE IT RESOLVED by the Eau Claire County Board of
30 Supervisors that it hereby supports legislation that would align the statutes that compute the
31 detention hearing timelines for children in need of protection or services proceedings under
32 Chapter 48 and juvenile delinquency proceedings under Chapter 938 by specifying that a day in
33 which the Clerk of Circuit Courts Office is closed does not count toward the computation of the
34 detention hearing timeline under Chapter 938. This will ensure county governments are in a
35 better position to save limited resources and protect the safety of their employees and the public.
36

37 THEREFORE BE IT FURTHER RESOLVED by the Eau Claire County Board of
38 Supervisors that it hereby directs the Eau Claire County Clerk to forward a copy of this
39 Resolution to all Wisconsin Counties, the Wisconsin Counties Association, and all state senators
40 and assembly members representing Eau Claire County constituents.
41

42 I hereby certify that the foregoing correctly
43 represents the action of the Committee on Judiciary
44 and Law Enforcement on November 25, 2020, by a
45 vote of ___ for, and ___ against.
46

47
48 _____
49 Gerald Wilkie, Chair
50 Committee on Judiciary and Law Enforcement