

Agenda

Joint Meeting - Eau Claire County
Committee on Judiciary and Law Enforcement | Committee on Finance and Budget
Wednesday, July 20, 2022 – 3:00 PM
County Courthouse, Room 1277
721 Oxford Avenue, Eau Claire, WI 54703
& Virtual via Cisco WebEx

Join via WebEx Online:

[Meeting Link](#)

Meeting Number: 2591 571 0535

Password: JudLaw

Join via Phone:

Dial In: 1-415-655-0001

Access Code: 2591 571 0535

Passcode: 583529

-
1. Call to Order
 2. Confirmation of Public Meeting Notice
 3. Call of the Roll
 4. Public Comment
 5. 2023 Department Budget Presentations – discussion/action
 - a. TRY Mediation pg. 2
 - b. Sheriff's Office pg. 5
 - c. District Attorney pg. 33
 6. Adjournment of Committee on Finance & Budget
 7. Approve Minutes from June 22, 2022 Meeting – discussion/action pg. 45
 8. Set Future Meeting Dates – discussion/action
 - a. July 27, 2022 at 3:00 PM (Joint meeting – Committee on Judiciary and Law Enforcement & Committee on Finance and Budget)
 9. Set Future Agenda Item(s) – discussion/action
 - a. 2023 Department budget presentations
 - i. Criminal Justice Services
 - ii. Register in Probate/Clerk of Juvenile Court
 - iii. Clerk of Courts
 - iv. Circuit Court
 - b. System of Care overview
 - c. Sheriff's Office
 - i. Jail population, staffing, & COVID-19 response
 - ii. Update on DHS Investigation
 - iii. Communications network / Digital radios
 - iv. Protective status for correctional officers
 - d. Policies/procedures for proper execution of search warrants
 - e. Policies/procedures for officer involved critical incidents
 - f. Committee oversight duties and responsibilities review
 10. Adjourn

Posted: 07/15/2022

Note: Upon reasonable notice, efforts will be made to accommodate the needs of individuals with disabilities through sign language, interpreters, remote access, or other auxiliary aids. Contact the clerk of the committee or County Administration for assistance (715-839-5106). For additional information on ADA requests, contact the County ADA Coordinator at 715-839-6945, (FAX) 715-839-1669, or 715-839-4735, TTY: use Relay (711) or by writing to the ADA Coordinator, Human Resources Department, Eau Claire County Courthouse, 721 Oxford Ave., Eau Claire, Wisconsin 54703

TRY Mediation, Inc.

Request for funding for the year beginning January 1, 2023: \$ __138,616__.

TRY Mediation, Inc. is asking for an increase of funds from the 2022 requested amount of \$133,619, which is a 3.7% increase. TRY Mediation, Inc. has not requested an increased amount since 2016 and is only the second requested amount since 2003. The reason for the requested increase is for wage increases for employees other than the Director as well as cost increases for some services and supplies.

Organization Purpose:

TRY Mediation, Inc. is a private, not for profit agency that began its partnership with Eau Claire County in 1985 to provide a cost-effective alternative to using the judicial system to resolve disputes.

List the major goals of your organization for 2023 and beyond:

- TRY Mediation will continue to provide exceptional mediation services to citizens of Eau Claire County.
- TRY Mediation will provide cost effective alternatives to litigating civil matters in court, reducing the court's caseloads.
- TRY Mediation continues to seek outside revenue sources.
- TRY Mediation will retain our highly motivated, exceedingly skilled volunteer Community Mediators for small claims actions.
- TRY Mediation will continue shared services relationship with Buffalo, Chippewa, Dunn, Pepin, and Rusk Counties.
- TRY Mediation will continue to provide evening mediation appointments on a limited basis.
- TRY Mediation will continue to provide mediation appointments in the virtual platform by Zoom.
- TRY Mediation will continue to provide the Families in Transition Class in the virtual platform by Zoom.

List the services provided to Eau Claire County residents:

- **Family Mediation:** TRY Mediation is the designated provider of all court-ordered family mediations for contested child custody and/or placements disputes (State Statute 767.405). Parents of children involved in disputed placement litigation meet with the mediator in an effort to create a placement plan. In 2021, 224 family mediation files were referred to TRY Mediation from Eau Claire County Courts. This compares with 261 files in 2020 and 260 in 2019.

TRY Mediation, Inc.

- **Small Claims Mediation:** TRY Mediation is the designated provider of all court-ordered small claims mediation. Local Rule mandates small claims mediation before a hearing can be scheduled in Court. In 2021 there were 221 small claims mediations referred to TRY Mediation. This compares to 226 in 2020 and 400 in 2019.
- **Families in Transition Class:** TRY Mediation’s “Families in Transition” program is in accordance with State Statute 767.401 and Eau Claire County Local Rule (dated January 22, 2009). Parents are ordered by the Court to attend training to more effectively communicate with each other to keep their children from harmful discourse. In 2021, 333 parents attended the Parenting Program. This compares with 303 in 2020 and 328 in 2019. We have successfully implemented two evening classes, in addition to the afternoon class, to accommodate working parents. Due to COVID-19 we started offering the Families in Transition Class in the virtual platform by Zoom and we will continue to offer this platform going forward. We have also partnered with the Eau Claire Area Hmong Mutual Assistance Association to provide a Hmong version of the Families in Transition program to parents that could not attend the class without a translator as well as a Spanish version that can be utilized by Spanish-speaking parents.
- **Community Mediation:** TRY Mediation provides (at no cost) community mediation services to the Eau Claire area. Community mediations include landlord/tenant cases, disputing neighbors, car accidents, etc.
- **Financial Mediation:** In situations where the parties are disputing variable expenses TRY Mediation will work with the parties to assist with resolving the past expenses and to put together a plan for future variable expenses.
- **Voluntary Mediations:** TRY Mediation has received several mediation requests from citizens who are not filing motions with the courts. These Voluntary Mediations are fee based and, if requested by the participants and appropriate to do so, the mediation agreement is sent to the appropriate court with jurisdiction. There were 15 Voluntary mediations in 2021. This compares with 4 in 2020 and 11 in 2019.

What funding alternatives do you have if Eau Claire County funding is reduced or eliminated?

If funding was eliminated, TRY Mediation would be forced to change venues and continue serving our partnering counties.

If funding were to be reduced but services continue in Eau Claire County the Director’s position would need to be reduced from full time to part time.

TRY Mediation, Inc.

Provide revenue and expense figures for your total organization's actual 2021 activity, estimated actual 2022 activity, and 2023 budget request. Actual revenue and expenditures should not be budget amounts but reflect actual activity.

Attach your most recent audited financial statements.

| | Actual 2021 | Estimated Actual 2022 | Budget 2023 | | |
|------------------------------|--------------------|----------------------------------|--------------------|--|--|
| Revenues | | | | | |
| Eau Claire County Funding | \$ 133,619 | \$ 133,619 | \$ 138,616 | | |
| User Fees | 33,569 | 29,450 | 31,800 | | |
| All Other Revenue | 52,932 | 56,990 | 58,895 | | |
| Total Revenue | \$ 220,120 | \$ 220,059 | \$ 229,311 | | |
| Expenditures | | | | | |
| Salaries, Wages, Benefits | 195,970 | 200,490 | 206,230 | | |
| Supplies & Services | 23,176 | 19,569 | 23,081 | | |
| Capital Outlay | - | - | - | | |
| Total Expenditures | \$ 219,146 | \$ 220,059 | \$ 229,311 | | |
| Net Surplus/(Deficit) | \$ 974 | \$ - | \$ - | | |

Sheriff

DEPARTMENT MISSION

The Eau Claire County Sheriff's Office is a full-service law enforcement agency. The Office seeks to provide a secure environment professionally, efficiently and to foster positive relationships within the community.

DEPARTMENT BUDGET HIGHLIGHTS

- Requesting 4 new Deputy Sheriff (patrol) positions
- Requesting 1 new Recreational Patrol Deputy position
 - Shared funding between Highway, Parks & Rec, and the Sheriff's Office
- Requesting 1 new Security Services Lieutenant position
- In 2022 we are experiencing a significant rise in fuel cost and lag in supply that continue to affect the cost of operations and will require additional funds allocated to the department
- Anticipating RFP's for Aramark and Wellpath contracted services
- The department is into year 2 of utilizing the Axon Body Cameras and will require department funding starting year 2026.

STRATEGIC DIRECTION AND PRIORITY ISSUES

Buildings and Infrastructure

- Studies have been conducted to support the Sheriff's Office storage needs including a possible cooperative agreement with the Highway Department. This includes currently utilizing funds for rental facilities.
- Discussions continue regarding need for building out the fourth pod in the Jail to address the increasing inmate population.
- ARPA Funds Requests: booking remodel, 4th Pod, Premium Pay, and Digital Upgrade
- An update/remodel of the evidence area has become necessary in cooperation with the police department

Staff

- Collaboration continues with Human Resources to develop strategies to address significant concerns related to attracting individuals interested in law enforcement careers and retention.
- Protective Status for Correctional Officers remains a topic of consideration for policy makers.
- The Sheriff's Office staffing levels have been discussed in previous budgets and continue to be a concern for all divisions. The key takeaway is we are minimally staffed, and one vacancy creates a ripple effect for coverage as we are not able to backfill without overtime or replacement of the position. The staffing level is directly affecting services to the community as we are not responding to certain calls for service for example in our patrol or detective divisions. Responding to high-risk situations and numerous calls creates a concern for the well-being of staff.

Provision of Service

- Continue collaboration with Criminal Justice Collaborating Council on innovative strategies to lessen the issue of overcrowding in the Jail.
 - Stepping Up Committee
 - EBDM Committee
 - Crisis Network Committee
 - Community Collaboration & Intervention Committee

Sheriff

- Further work continues with system partners on prevention, detection, education, and prosecution of crimes. That includes working with the Meth Response Committee and its activities and partnerships with the stakeholders, legislators, and Attorney General's Office.
- Housing has been identified as a major issue for offenders and jail re-entry. Funding issues remain prevalent.
- Field Services is working with Parks & Forest and Highway with concerns related to the protection of our infrastructure
- We continue to work with community partners to include DHS for the most appropriate response to mental health cases. Deputies are often the first to be called and to respond to these situations. We are committed to the process and finding the most appropriate response to those in crisis.

Technology

- The Jail is working with IT to update jail cameras as we are starting to see camera failures. Additionally, the original jail cameras were low quality and in today's world replacement of cameras with higher quality will help reduce liability.
- Field Services has researched and tested a new digital frequency that will improve communication throughout the County.

TRENDS AND ISSUES ON THE HORIZON

- Keeping the community and law enforcement staff safe continues to require changes in strategies on multiple levels.
- Anti-Terrorism attacks on specific groups within communities, which has resulted in mass casualties, raises concerns. We need to discuss how the use of knives, vehicles, large caliber weapons, and chemicals is affecting how crimes are committed and what law enforcement response is required to address.
- Attracting, recruiting, training, supporting, and retaining law enforcement professionals is a significant challenge. Deputies and Correctional Officers are required to be trained, are willing and prepared to deal with complex criminal activity, become trained and familiar in the thought processes or patterns of criminal behaviors, and potential mental health issues.
- Technological advancements have led to increased criminal activity on the internet and cell phone. While criminal activity that is located on cell phones and computers assists with investigations, it has escalated the amount of information that needs to be processed.
- Sexual assaults of children and human trafficking cases cannot be ignored.
- Scrutiny surrounds police/citizen encounters around the Country. This has led to prioritizing discussions and taking action to equip law enforcement with additional training.
- Budgetary constraints and minimum staffing make it difficult to be proactive. Our minimum staffing is three Deputies who must respond to high-risk incidents and frequent, lengthy mental health cases. This leaves potential safety issues for Deputies to work on crime prevention.
- Current drug trends- Agencies now carrying NARCAN in the event an Officer is exposed to deadly fentanyl mixtures. The Wisconsin Attorney General is leading an opioid prevention program due to the number of overdoses and teen usage. The presence of METH can be found daily on the streets of Eau Claire County. Many arrests can be linked to the use of METH.
- Mental Health- Law Enforcement spends a large amount of time with those suffering in a mental health crisis. Due to current budget constraints the Sheriff's Office provides in-house Crisis Intervention training for our first responding Deputies. This provides tools and knowledge of what they may be handling. These cases are lengthy and take a Deputy off the street. Mental health issues also significantly impact the work of Correctional Officers. The need for community-based mental health treatment is considerable.
- High risk drinking behaviors in the community continue to stress resources.

Sheriff

OPERATIONAL CHANGES IN 2022

- New Part-Time Fiscal Associate position. Mostly grant funded overseeing financial and grant responsibilities of the WCDTF.
- Huber Center operations are suspended due to COVID-19.
- The investigation into the DHS shortfall has created the need to contract with WIPFLI for forensic review. This has created additional spending in field investigative services.
- Field Services updated portable radios in 2022 an important investment in critical communication.

POSITION CHANGES IN 2023

Requesting 4 new Deputy Sheriff (patrol) positions.

- The Sheriff's Office has not added staff to patrol since 1991. Our current population is 106,452 from 85,183 in 1990. Two similar County Sheriff Offices employ 6 patrol sergeants and 54 deputies. The other is 6 patrol sergeants and 35 deputies. This is compared to ECSO at 4 patrol sergeants and 19 deputies.
- Since 1991 a lot has changed in the world of law enforcement. We cannot expect staff to handle high-risk and complex cases while only having 3 deputies cover the entire County. Also, note the increase in meth use and overdoses in our community as well as the opioid epidemic. We rely on municipal department to assist us at scene. It must be noted that the Sheriff's Office must also provide coverage to municipalities when they do not have law enforcement coverage.
- We are committed to working with our community partners to find the most appropriate response to those in a mental health crisis. Deputies are often the first to be called and the first to respond. We serve for the health, safety, and welfare of our community.
- With an additional deputy on each shift, we will provide more proactive patrol, service response, and faster case resolution for the community. Currently, one deputy is responsible for the whole Eastern half of the County.

Requesting 1 new Deputy Sheriff (recreational deputy)

- Shared funding between Highway, Parks & Rec, and the Sheriff's Office
- The Recreational Deputy will patrol all County parks to ensure local, state, and federal law are being followed. They will ensure the County's investment is being protected and not destroyed.
- This deputy will ensure the quality of the resources is one that will attract residents and others to Eau Claire County. They will enforce parking passes, campground issues, ATV patrol, and ensure our 52,712 acres of forest/timber is protected.
- This deputy will assist the Highway Dept with weights and measurement enforcement, ordinance enforcement, and ATV patrol on County highways.
- The deputy will also be available to assist highway crews on the roadway for visibility at times.

Requesting 1 new Security Services Lieutenant

- This position is being requested as a direct result in the increased complexity and supervisory needs of a 24x7 jail operation. Our current jail supervision level has remained the same since 2006.
- It has also been identified through staff surveys that there needs to be increased follow up, accountability, and communication from management.
- In addition, it has also been noted in the last three years of Jail Inspections that "a facility this size could use an additional supervisor to support the Captain with day-to-day operations along with assisting with future initiatives."

Sheriff

OPERATIONAL CHANGES – WITH FISCAL IMPACT

- None foreseen

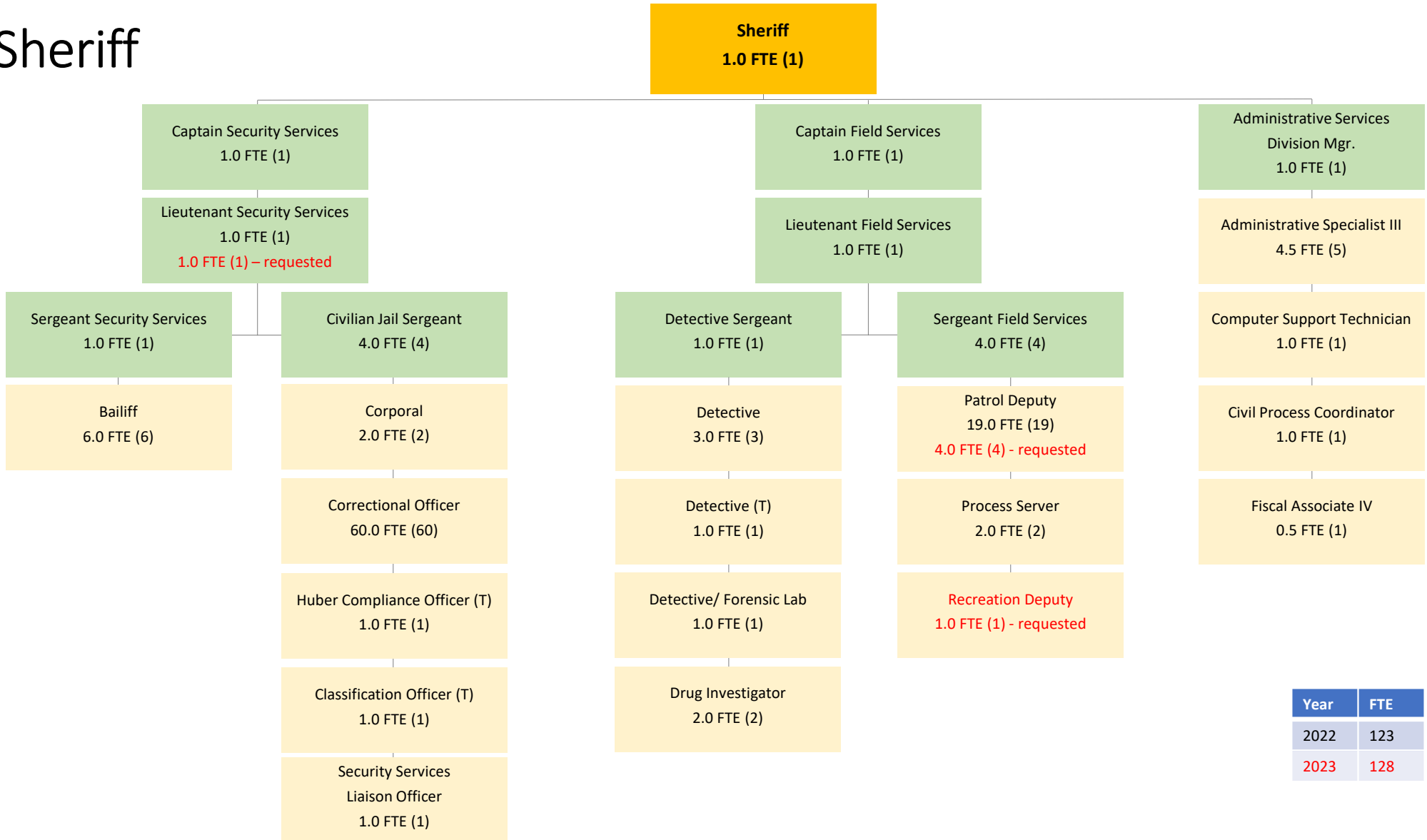
OPERATIONAL CHANGES – WITHOUT FISCAL IMPACT

- None to report

KEY ASSUMPTIONS AND POTENTIAL RISKS

- Safety for community and staff
- Staff morale and turnover
- Increase in overtime dollars
- RFP for 2023 for the jail's medical/mental health contract and kitchen. As a placeholder we did a slight increase in the current contract budget line item.
- Increases in wages and benefits for current staff for 2023.
- Reduction of our contracted services in Field Services.

Sheriff



| Year | FTE |
|------|-----|
| 2022 | 123 |
| 2023 | 128 |

Response to Crime and Community Caretaking

Crime & Community Caretaking: The Eau Claire Sheriff's Office provides a complete range of public safety and quality of life services to the county including, but not limited to, the following: criminal investigation and apprehension; mental health evaluations and response, recreational patrol, truck inspection, preventative patrol; emergency response (fire & EMS); disaster response and preparedness; large event security; dispute mediation; building escorts; civil disorder; and other duties as requested by the citizens.

SWAT: The Sheriff's Office Tactical team referred to as SWAT, or Special Weapons and Tactics, is a regional team that is comprised of deputies from various divisions of the Sheriff's Office, Altoona Police Officer, Menomonie Police Department, Bloomer Police Department, Dunn County Sheriff's Office, Chippewa County Sheriff's Office, Chippewa Falls Police Department, Wisconsin State Patrol. In addition, there are paramedics from the Chippewa Fire District, crisis negotiators on-call for negotiations. The team responds to high-risk situations where equipped personnel may be needed to safely resolve the incident. These incidents may be high-risk warrants, personal warrants, VIP protection, hostage situations, officer/citizen rescue, barricaded situations, manhunts, or any event where more skilled training is required. The team is comprised of a tactical commander and team leaders that provide skilled training on a monthly basis and develop operational plans for responses.

| OUTPUTS | | <u>2019</u> | <u>2020</u> | <u>2021</u> | <u>YTD* 2022</u> |
|--|---|-------------|-------------|-------------|------------------|
| Crime & Community Activity: | Population served | 104,534 | 104,937 | 105,710 | 106,452 |
| | Number of square miles served | 655 | 655 | 655 | 655 |
| | Number of cases handled | 8,575 | 6,959 | 7,409 | 3,503 |
| | Number of assists to other law enforcement agencies | 874 | 301 | 708 | 356 |
| | Number of adult arrests | 1,313 | 889 | 1,035 | 587 |
| | Number of juvenile arrests | 33 | 30 | 10 | 42 |
| | Number of Mental Health Chapters/Incidences | 97 | 90 | 101 | 53 |
| | Number of New Warrants entered | 991 | 940 | 1,409 | 605 |
| | Number of New Warrants canceled | 1,013 | 856 | 1,371 | 683 |
| | Response times to services-Level 1 | 14:51 | 14:58 | 13:54 | 11:52 |
| | Number of high risk situation (SWAT) responses per year | 11 | 14 | 12 | 1 |

**YTD indicates Jan-June results*

Statutory Detention of Inmates - *Secure*

Secure Detention: The Eau Claire County jail houses inmates arrested on new charges, pre-trial inmates who are awaiting adjudication of charges, sentenced inmates, and individuals on community supervision who have violated the conditions of their probation or parole. Also includes transportation of prisoners and mental subjects to and from the courts and to and from secure institutions.

| OUTPUTS | | <u>2019</u> | <u>2020</u> | <u>2021</u> | <u>YTD* 2022</u> |
|--------------------------|---|-------------|-------------|-------------|------------------|
| Secure Detention: | Number of Bookings | 4,883 | 2,607 | 2,665 | 1,473 |
| | Average number of Secure jail bed days: | 74,460 | 54,385 | 54,020 | 28,800 |
| | Average In-House Inmates:Secure | 204 | 149 | 148 | 160 |
| | Average Secure daily population: | 222 | 160 | 167 | 179 |
| | Average total Eau Claire County Jail Population: | 281 | 200 | 184 | 193 |
| | Number of clients transported: | 1,127 | 357 | 130 | 268 |
| | Number of transports: | 594 | 253 | 99 | 190 |
| | Number of Video Court appearances: (transport diverted) | 49 | 83 | 13 | 43 |
| | Inmate Visitations | 8,246 | 9,386 | 5,223 | 4,785 |
| | DNA Collections | 482 | 223 | 37 | 122 |
| | Criminal Fingerprints | 871 | 383 | 301 | 643 |
| | Private Fingerprints | 559 | 342 | 288 | 266 |

**YTD indicates Jan-June results*

Statutory Detention of Inmates - *Huber*

Huber: The Eau Claire County jail houses inmates arrested on new charges, pre-trial inmates who are awaiting adjudication of charges, sentenced inmates, and individuals on community supervision who have violated the conditions of their probation or parole. Housing of Huber inmates includes random urine testing and Electronic Monitoring.

Electronic Monitoring: The Electronic Monitoring program allows inmates who meet specified criteria to be closely monitored at their homes rather than serving their sentence in the Eau Claire County Jail. The electronic monitoring equipment verifies that the individual is present at their residence and also requires them to periodically submit a breath sample to determine if they have been drinking. This equipment is perpetually monitored. The participant pays a daily fee to help cover the cost of the equipment and monitoring. Technology advances will continue to improve the quality and level of monitoring available.

| OUTPUTS | | <u>2019</u> | <u>2020</u> | <u>2021</u> | <u>YTD* 2022</u> |
|---------------|--|-------------|-------------|-------------|------------------|
| Huber: | Huber bed Days provided based on average daily Huber population: | 21,535 | 10,060 | 0 | 0 |
| | Average Huber daily population: | 69 | 28 | 0 | 0 |

**YTD indicates Jan-June results*

Circuit Court & Courthouse Security

Wisconsin statute 59.27(3) mandates that the sheriff shall: “attend upon the circuit court held in the sheriff’s county during its session”. Program area provides security for the circuit court judges, court commissioner and for courthouse departments. Deputies monitor proceedings by providing security while court is in session, respond to all calls for service and emergencies within the courthouse, transport “in-custody” persons between the jail and courtrooms, assist the Clerk of Courts Office with escorting persons who appear in court to ensure documents are signed when needed, patrol the courthouse when time allows, make arrests for warrants and other criminal offenses within the courthouse and surrounding area, assist the Treasurer’s Office with bank deposits, and other duties as needed.

| OUTPUTS | <u>2019</u> | <u>2020</u> | <u>2021</u> | <u>YTD* 2022</u> |
|---|-------------|-------------|-------------|------------------|
| # of incidents requiring deputy sheriff intervention in the courthouse: | 1,373 | 529 | 343 | |
| # of warrants served in courthouse: | 548 | 190 | 225 | |
| # of people screened at 2nd floor security: | 51,277 | 34,330 | 38,450 | 25,982 |
| # of bags screened at 2nd floor security: | 48,654 | 35,007 | 40,100 | 27,290 |
| # of knives/blades discovered at 2nd floor security: | 1,155 | 734 | 779 | 481 |
| # of sprays (mace/OC) discovered at 2nd floor security: | 190 | 86 | 152 | 71 |
| # of firearms (real, replica) discovered at 2nd floor security: | 5 | 0 | 2 | 7 |

**YTD indicates Jan-June results*

Civil Process and Foreclosure Sales

Serving of civil process and conducting foreclosure sales are a statutorily mandated responsibility of the Sheriff’s Office. Deputies in this program also provide back up for inmate transport service.

| OUTPUTS | <u>2019</u> | <u>2020</u> | <u>2021</u> | <u>YTD* 2022</u> |
|--|-------------|-------------|-------------|------------------|
| Number of requested civil process served | 3,141 | 2,807 | 1,464 | 1,167 |
| Number of Sheriff’s sales conducted | 37 | 15 | 12 | 4 |
| Civil process papers served by patrol deputies | 1,202 | 1,120 | 1,183 | 428 |

**YTD indicates Jan-June results*

Investigative Services

General Investigative: Follow up investigations of reported crimes including collection of evidence, testifying in court, and providing the victim with progress reports on the status of the investigation. Also includes project management for the West Central Drug Task Force, a multi-agency Drug Unit focusing on narcotics investigations.

West Central Drug Task Force: The West Central Drug Task Force is a cooperative effort made up of multiple law enforcement agencies from six area counties, the intent of which is to identify individuals involved in the manufacture, distribution or sale of illicit drugs as well as the illegal diversion of prescription medication. Criminal activity commonly associated with drug crimes such as illegal possession of firearms, burglary and theft is also addressed. Under a functioning Memorandum of Understanding signed by all agency members of the Task Force, resources such as personnel, equipment, and economic resources can be targeted to particular criminal problems within the Task Force area.

| OUTPUTS | | <u>2019</u> | <u>2020</u> | <u>2021</u> | <u>YTD* 2022</u> |
|--|--|-------------|-------------|-------------|------------------|
| General Investigative: | Number of investigations assigned to Division | 316 | 270 | 281 | 118 |
| | Number of investigations cleared by arrest | 59 | 55 | 24 | 20 |
| | Number of cases assigned to Forensic Lab | 100 | 91 | 96 | 37 |
| West Central Drug Task Force | Number of cases opened for investigation | 463 | 456 | 476 | 202 |
| | Number of search warrants executed by Task Force | 99 | 45 | 40 | 17 |
| | Number of Juvenile Drug Related Charges | 0 | 0 | 0 | 0 |
| | Number of Adult Drug Related Charges | 280 | 352 | 355 | 55 |
| | Eau Claire County's Allocation % of Grant Monies | \$45.09 | \$45.09 | \$45.00 | \$45.00 |
| Eau Claire County drug task force personnel will participate in at least 24 drug abuse prevention/education presentations during the year. | | 28 | 20 | 5 | 2 |

**YTD indicates Jan-June results*

Traffic Control & Enforcement

Through active enforcement of traffic laws, Eau Claire Sheriff's deputies attempt to reduce the loss of property and life resulting from dangerous driving behavior. Enforcement also includes arresting suspected impaired drivers and the issuing of citations to individuals violating traffic laws and ordinances. Eau Claire Sheriff's deputies also address other traffic issues, provide for orderly and safe traffic flow, thoroughly investigate traffic crashes, and develop strategies to reduce traffic related deaths, injuries, and property damage.

| OUTPUTS | <u>2019</u> | <u>2020</u> | <u>2021</u> | <u>YTD* 2022</u> |
|-------------------|-------------|-------------|-------------|------------------|
| OWI Arrests | 231 | 130 | 117 | 57 |
| Traffic crashes | 1,045 | 398 | 460 | 230 |
| Traffic citations | 3,531 | 2,052 | 3,323 | 1,794 |
| Traffic warnings | 1,892 | 407 | 822 | 447 |

**YTD indicates Jan-June results*

Sheriff

Overview of Revenues and Expenditures

| Revenues | 2021 | 2022 | 2022 | 2023 | % |
|--|---------------------|---------------------|---------------------|---------------------|------------|
| | Actual | Adjusted Budget | Estimate | Request | Change |
| 01-Tax Levy/General Revenue Allocation | \$12,326,960 | \$12,854,749 | \$12,854,749 | \$14,339,740 | 12% |
| 04-Intergovernment Grants and Aid | \$208,824 | \$195,754 | \$348,446 | \$201,257 | 3% |
| 06-Public Charges for Services | \$662,430 | \$793,600 | \$496,000 | \$751,000 | -5% |
| 09-Other Revenue | \$443,954 | \$184,027 | \$282,441 | \$212,208 | 15% |
| Total Revenues: | \$13,642,168 | \$14,028,130 | \$13,981,636 | \$15,504,205 | 11% |

| Expenditures | 2021 | 2022 | 2022 | 2023 | % |
|---------------------------------|---------------------|---------------------|---------------------|---------------------|------------|
| | Actual | Adjusted Budget | Estimate | Request | Change |
| 01-Regular Wages | \$6,764,249 | \$7,269,643 | \$6,567,603 | \$7,984,782 | 10% |
| 02-OT Wages | \$513,325 | \$295,630 | \$453,250 | \$477,000 | 61% |
| 03-Payroll Benefits | \$3,185,020 | \$3,414,632 | \$3,391,988 | \$3,878,571 | 14% |
| 04-Contractual Services | \$1,493,617 | \$1,689,804 | \$1,764,153 | \$1,769,720 | 5% |
| 05-Supplies & Expenses | \$701,215 | \$691,977 | \$811,251 | \$743,807 | 7% |
| 07-Fixed Charges | \$347,111 | \$448,790 | \$448,790 | \$411,075 | -8% |
| 09-Equipment | \$360,125 | \$208,155 | \$304,023 | \$229,250 | 10% |
| 10-Grants, Contributions, Other | \$7,400 | \$9,499 | \$9,499 | \$10,000 | 5% |
| Total Expenditures: | \$13,372,062 | \$14,028,130 | \$13,750,557 | \$15,504,205 | 11% |

| | | | | | |
|---------------------------------------|------------------|------------|------------------|------------|--|
| Net Surplus/(Deficit)- Sheriff | \$270,106 | \$0 | \$231,079 | \$0 | |
|---------------------------------------|------------------|------------|------------------|------------|--|

Sheriff

Revenues and Expenditures - General Fund

| Revenues | 2021 | 2022 | 2022 | 2023 | % |
|--|---------------------|---------------------|---------------------|---------------------|------------|
| | Actual | Adjusted Budget | Estimate | Request | Change |
| 01-Tax Levy/General Revenue Allocation | \$12,326,960 | \$12,854,749 | \$12,854,749 | \$14,339,740 | 12% |
| 04-Intergovernment Grants and Aid | \$208,824 | \$195,754 | \$348,446 | \$201,257 | 3% |
| 06-Public Charges for Services | \$662,430 | \$793,600 | \$496,000 | \$751,000 | -5% |
| 09-Other Revenue | \$435,097 | \$75,528 | \$169,233 | \$99,000 | 31% |
| Total Revenues: | \$13,633,311 | \$13,919,631 | \$13,868,428 | \$15,390,997 | 11% |

| Expenditures | 2021 | 2022 | 2022 | 2023 | % |
|---------------------------------|---------------------|---------------------|---------------------|---------------------|------------|
| | Actual | Adjusted Budget | Estimate | Request | Change |
| 01-Regular Wages | \$6,764,249 | \$7,269,643 | \$6,562,894 | \$7,980,073 | 10% |
| 02-OT Wages | \$513,325 | \$295,630 | \$453,250 | \$477,000 | 61% |
| 03-Payroll Benefits | \$3,185,020 | \$3,414,632 | \$3,391,988 | \$3,878,571 | 14% |
| 04-Contractual Services | \$1,481,660 | \$1,655,664 | \$1,730,013 | \$1,735,580 | 5% |
| 05-Supplies & Expenses | \$691,277 | \$642,667 | \$761,941 | \$694,497 | 8% |
| 07-Fixed Charges | \$345,325 | \$443,741 | \$443,741 | \$406,026 | -8% |
| 09-Equipment | \$359,633 | \$188,155 | \$284,023 | \$209,250 | 11% |
| 10-Grants, Contributions, Other | \$7,400 | \$9,499 | \$9,499 | \$10,000 | 5% |
| Total Expenditures: | \$13,347,890 | \$13,919,631 | \$13,637,349 | \$15,390,997 | 11% |

| | | | | | |
|---|-----------|-----|-----------|-----|--|
| Net Surplus/(Deficit)- Sheriff- General Fund | \$285,421 | \$0 | \$231,079 | \$0 | |
|---|-----------|-----|-----------|-----|--|

Sheriff

Revenues and Expenditures - Anti-Drug Grant Fund

| Revenues | 2021 | 2022 | 2022 | 2023 | % |
|--|----------------|------------------|------------------|------------------|-----------|
| | Actual | Adjusted Budget | Estimate | Request | Change |
| 01-Tax Levy/General Revenue Allocation | - | - | - | - | |
| 04-Intergovernment Grants and Aid | - | - | - | - | |
| 06-Public Charges for Services | - | - | - | - | |
| 09-Other Revenue | \$8,857 | \$108,499 | \$113,208 | \$113,208 | 4% |
| Total Revenues: | \$8,857 | \$108,499 | \$113,208 | \$113,208 | 4% |

| Expenditures | 2021 | 2022 | 2022 | 2023 | % |
|---------------------------------|-----------------|------------------|------------------|------------------|-----------|
| | Actual | Adjusted Budget | Estimate | Request | Change |
| 01-Regular Wages | - | - | \$4,709 | \$4,709 | |
| 02-OT Wages | - | - | - | - | |
| 03-Payroll Benefits | - | - | - | - | |
| 04-Contractual Services | \$11,957 | \$34,140 | \$34,140 | \$34,140 | 0% |
| 05-Supplies & Expenses | \$9,938 | \$49,310 | \$49,310 | \$49,310 | 0% |
| 07-Fixed Charges | \$1,785 | \$5,049 | \$5,049 | \$5,049 | 0% |
| 09-Equipment | \$492 | \$20,000 | \$20,000 | \$20,000 | 0% |
| 10-Grants, Contributions, Other | - | - | - | - | |
| Total Expenditures: | \$24,172 | \$108,499 | \$113,208 | \$113,208 | 4% |

| | | | | | |
|--|-------------------|------------|------------|------------|--|
| Net Surplus/(Deficit)- Sheriff-Anti-Drug Grant Fund | (\$15,315) | \$0 | \$0 | \$0 | |
|--|-------------------|------------|------------|------------|--|

Sheriff

Overview of Revenues and Expenditures by Program Area

Administration Services

| Revenues | 2021 | 2022 | 2022 | 2023 | % |
|--|--------------------|--------------------|--------------------|--------------------|-----------|
| | Actual | Adjusted Budget | Estimate | Request | Change |
| 01-Tax Levy/General Revenue Allocation | \$1,050,604 | \$1,170,869 | \$1,170,869 | \$1,158,922 | -1% |
| 04-Intergovernment Grants and Aid | \$208,824 | \$195,754 | \$348,446 | \$201,257 | 3% |
| 06-Public Charges for Services | \$23,660 | \$18,000 | \$25,500 | \$25,000 | 39% |
| 09-Other Revenue | \$20,122 | - | \$765 | - | |
| Total Revenues: | \$1,303,210 | \$1,384,623 | \$1,545,580 | \$1,385,179 | 0% |

| Expenditures | 2021 | 2022 | 2022 | 2023 | % |
|---------------------------------|--------------------|--------------------|--------------------|--------------------|-----------|
| | Actual | Adjusted Budget | Estimate | Request | Change |
| 01-Regular Wages | \$449,141 | \$505,145 | \$525,145 | \$516,808 | 2% |
| 02-OT Wages | \$544 | \$2,000 | \$1,000 | \$2,000 | 0% |
| 03-Payroll Benefits | \$197,185 | \$206,972 | \$205,162 | \$232,095 | 12% |
| 04-Contractual Services | \$3,180 | \$3,800 | \$3,800 | \$3,800 | 0% |
| 05-Supplies & Expenses | \$263,414 | \$161,610 | \$232,604 | \$151,800 | -6% |
| 07-Fixed Charges | \$345,325 | \$443,741 | \$443,741 | \$406,026 | -8% |
| 09-Equipment | \$59,451 | \$61,355 | \$61,355 | \$72,650 | 18% |
| 10-Grants, Contributions, Other | - | - | - | - | |
| Total Expenditures: | \$1,318,241 | \$1,384,623 | \$1,472,807 | \$1,385,179 | 0% |

| | | | | | |
|---|-------------------|------------|-----------------|------------|--|
| Net Surplus/(Deficit)- Administration Services | (\$15,031) | \$0 | \$72,773 | \$0 | |
|---|-------------------|------------|-----------------|------------|--|

Sheriff

Overview of Revenues and Expenditures by Program Area

Field Services

| Revenues | 2021 | 2022 | 2022 | 2023 | % |
|--|--------------------|--------------------|--------------------|--------------------|------------|
| | Actual | Adjusted Budget | Estimate | Request | Change |
| 01-Tax Levy/General Revenue Allocation | \$4,043,836 | \$4,121,619 | \$4,121,619 | \$5,057,072 | 23% |
| 04-Intergovernment Grants and Aid | - | - | - | - | |
| 06-Public Charges for Services | \$132,302 | \$141,100 | \$130,500 | \$100,500 | -29% |
| 09-Other Revenue | \$258,276 | \$5,528 | \$73,468 | \$4,000 | -28% |
| Total Revenues: | \$4,434,414 | \$4,268,247 | \$4,325,587 | \$5,161,572 | 21% |

| Expenditures | 2021 | 2022 | 2022 | 2023 | % |
|---------------------------------|--------------------|--------------------|--------------------|--------------------|------------|
| | Actual | Adjusted Budget | Estimate | Request | Change |
| 01-Regular Wages | \$2,354,432 | \$2,397,749 | \$2,397,749 | \$2,865,764 | 20% |
| 02-OT Wages | \$259,653 | \$132,250 | \$132,250 | \$200,000 | 51% |
| 03-Payroll Benefits | \$1,149,715 | \$1,135,876 | \$1,140,676 | \$1,426,462 | 26% |
| 04-Contractual Services | \$271,345 | \$234,861 | \$388,045 | \$258,045 | 10% |
| 05-Supplies & Expenses | \$258,446 | \$262,812 | \$275,374 | \$296,301 | 13% |
| 07-Fixed Charges | - | - | - | - | |
| 09-Equipment | \$287,910 | \$95,200 | \$164,668 | \$105,000 | 10% |
| 10-Grants, Contributions, Other | \$7,400 | \$9,499 | \$9,499 | \$10,000 | 5% |
| Total Expenditures: | \$4,588,900 | \$4,268,247 | \$4,508,261 | \$5,161,572 | 21% |

| | | | | | |
|--|--------------------|------------|--------------------|------------|--|
| Net Surplus/(Deficit)- Field Services | (\$154,485) | \$0 | (\$182,674) | \$0 | |
|--|--------------------|------------|--------------------|------------|--|

Sheriff

Overview of Revenues and Expenditures by Program Area

Security Services

| Revenues | 2021 | 2022 | 2022 | 2023 | % |
|--|--------------------|--------------------|--------------------|--------------------|-----------|
| | Actual | Adjusted Budget | Estimate | Request | Change |
| 01-Tax Levy/General Revenue Allocation | \$7,232,520 | \$7,562,261 | \$7,562,261 | \$8,123,746 | 7% |
| 04-Intergovernment Grants and Aid | - | - | - | - | |
| 06-Public Charges for Services | \$506,468 | \$634,500 | \$340,000 | \$625,500 | -1% |
| 09-Other Revenue | \$156,699 | \$70,000 | \$95,000 | \$95,000 | 36% |
| Total Revenues: | \$7,895,687 | \$8,266,761 | \$7,997,261 | \$8,844,246 | 7% |

| Expenditures | 2021 | 2022 | 2022 | 2023 | % |
|---------------------------------|--------------------|--------------------|--------------------|--------------------|-----------|
| | Actual | Adjusted Budget | Estimate | Request | Change |
| 01-Regular Wages | \$3,960,677 | \$4,366,749 | \$3,640,000 | \$4,597,501 | 5% |
| 02-OT Wages | \$253,128 | \$161,380 | \$320,000 | \$275,000 | 70% |
| 03-Payroll Benefits | \$1,838,120 | \$2,071,784 | \$2,046,150 | \$2,220,014 | 7% |
| 04-Contractual Services | \$1,207,135 | \$1,417,003 | \$1,338,168 | \$1,473,735 | 4% |
| 05-Supplies & Expenses | \$169,417 | \$218,245 | \$253,963 | \$246,396 | 13% |
| 07-Fixed Charges | - | - | - | - | |
| 09-Equipment | \$12,272 | \$31,600 | \$58,000 | \$31,600 | 0% |
| 10-Grants, Contributions, Other | - | - | - | - | |
| Total Expenditures: | \$7,440,749 | \$8,266,761 | \$7,656,281 | \$8,844,246 | 7% |

| | | | | | |
|---|------------------|------------|------------------|------------|--|
| Net Surplus/(Deficit)- Security Services | \$454,938 | \$0 | \$340,980 | \$0 | |
|---|------------------|------------|------------------|------------|--|

Sheriff

Program Summary

| Revenues | 2021 | 2022 | 2022 | 2023 | % |
|-------------------------|---------------------|---------------------|---------------------|---------------------|------------|
| | Actual | Adjusted Budget | Estimate | Request | Change |
| Administration Services | \$1,303,210 | \$1,384,623 | \$1,545,580 | \$1,385,179 | 0% |
| Field Services | \$4,434,414 | \$4,268,247 | \$4,325,587 | \$5,161,572 | 21% |
| Security Services | \$7,895,687 | \$8,266,761 | \$7,997,261 | \$8,844,246 | 7% |
| Total Revenues: | \$13,633,311 | \$13,919,631 | \$13,868,428 | \$15,390,997 | 11% |

| Expenditures | 2021 | 2022 | 2022 | 2023 | % |
|----------------------------|---------------------|---------------------|---------------------|---------------------|------------|
| | Actual | Adjusted Budget | Estimate | Request | Change |
| Administration Services | \$1,318,241 | \$1,384,623 | \$1,472,807 | \$1,385,179 | 0% |
| Field Services | \$4,588,900 | \$4,268,247 | \$4,508,261 | \$5,161,572 | 21% |
| Security Services | \$7,440,749 | \$8,266,761 | \$7,656,281 | \$8,844,246 | 7% |
| Total Expenditures: | \$13,347,890 | \$13,919,631 | \$13,637,349 | \$15,390,997 | 11% |

| Net | 2021 | 2022 | 2022 | 2023 | % |
|-------------------------|------------------|-----------------|------------------|------------|--------|
| | Actual | Adjusted Budget | Estimate | Request | Change |
| Administration Services | (\$15,031) | - | \$72,773 | - | |
| Field Services | (\$154,485) | - | (\$182,674) | - | |
| Security Services | \$454,938 | - | \$340,980 | - | |
| Total Net | \$285,421 | \$0 | \$231,079 | \$0 | |

Sheriff

Budget Analysis

| | 2022 Adjusted Budget | 2023 New Lieutenant Position | 2023 New Patrol Deputy Positions (4) | 2023 New Rec Deputy Position |
|---|-----------------------------|-------------------------------------|---|-------------------------------------|
| 01-Tax Levy/General Revenue Allocation | \$12,854,749 | \$131,789 | \$390,004 | \$49,752 |
| 04-Intergovernment Grants and Aid | \$195,754 | - | - | - |
| 06-Public Charges for Services | \$793,600 | - | - | - |
| 09-Other Revenue | \$184,027 | - | - | - |
| Total Revenues | \$14,028,130 | \$131,789 | \$390,004 | \$49,752 |

| | | | | |
|--|---------------------|------------------|------------------|-----------------|
| 01-Regular Wages | \$7,269,643 | \$84,926 | \$221,560 | \$27,695 |
| 02-OT Wages | \$295,630 | - | - | - |
| 03-Payroll Benefits | \$3,414,632 | \$46,863 | \$168,444 | \$22,057 |
| 04-Contractual Services | \$1,689,804 | - | - | - |
| 05-Supplies & Expenses | \$691,977 | - | - | - |
| 07-Fixed Charges | \$448,790 | - | - | - |
| 09-Equipment | \$208,155 | - | - | - |
| 10-Grants, Contributions, Other | \$9,499 | - | - | - |
| Total Expenditures | \$14,028,130 | \$131,789 | \$390,004 | \$49,752 |

Sheriff

Budget Analysis

| | Cost to Continue Operations in 2023 | 2023 Requested Budget |
|---|--|------------------------------|
| 01-Tax Levy/General Revenue Allocation | \$913,446 | \$14,339,740 |
| 04-Intergovernment Grants and Aid | \$5,503 | \$201,257 |
| 06-Public Charges for Services | (\$42,600) | \$751,000 |
| 09-Other Revenue | \$28,181 | \$212,208 |
| Total Revenues | \$904,530 | \$15,504,205 |

| | | |
|--|------------------|---------------------|
| 01-Regular Wages | \$380,958 | \$7,984,782 |
| 02-OT Wages | \$181,370 | \$477,000 |
| 03-Payroll Benefits | \$226,575 | \$3,878,571 |
| 04-Contractual Services | \$79,916 | \$1,769,720 |
| 05-Supplies & Expenses | \$51,830 | \$743,807 |
| 07-Fixed Charges | (\$37,715) | \$411,075 |
| 09-Equipment | \$21,095 | \$229,250 |
| 10-Grants, Contributions, Other | \$501 | \$10,000 |
| Total Expenditures | \$904,530 | \$15,504,205 |

Sheriff

Revenue Assumptions

| | 2021 | 2022 | 2022 | 2023 | | |
|-------------------------------------|-----------|-----------|-----------|-----------|---|--------------------|
| Revenue Source | Actual | Budget | Estimate | Request | Assumptions | Confidence Level % |
| County Tax Levy - Admin | 1,050,604 | 1,170,869 | 1,170,869 | 1,158,922 | Levy | 100% |
| County Tax Levy - Field Services | 4,043,836 | 4,121,619 | 4,121,619 | 5,057,072 | Levy | 100% |
| County Tax Levy - Security Services | 7,232,520 | 7,562,261 | 7,562,261 | 8,123,746 | Levy | 100% |
| Police Training | 38,160 | 17,600 | 17,600 | 17,600 | Calculated per employee reimb | 100% |
| Grant Revenues | 31,959 | 25,497 | 120,350 | 25,000 | Grants through 2022. 2022 estimate large due to unexpectedly more grants received | 100% |
| Byrne Grant | 70,657 | 70,657 | 70,657 | 70,657 | WCDF | 100% |
| Atv Grant | 6,180 | - | 6,000 | 6,000 | DNR ATV GRANT | 80% |
| Drug Trafficking Grant | 1,845 | - | 37,839 | - | WCDF | 100% |
| Methamphetamine Grant | 12,579 | - | - | - | WCDF | 100% |
| Anti-Heroin Grant | 2,220 | - | - | - | WCDF | 100% |
| Hidta Grant Revenue | 45,209 | 75,000 | 89,000 | 75,000 | WCDF | 100% |
| Highway Safety | 15 | - | - | - | Inactive | 0% |
| Scaap Grant | - | 7,000 | 7,000 | 7,000 | Grant | 100% |
| Process Fees | 67,191 | 65,000 | 65,000 | 65,000 | Civil Process Service Fees | 80% |
| Sheriff Restitution | 4,491 | 2,000 | 1,000 | 2,000 | Restitution from previous closed cases | 75% |
| Parking Citation Revenues | 2,270 | 1,500 | 2,000 | 1,500 | Parking Citation Fees | 75% |
| Traffic Control Fees | 60,011 | 70,000 | 60,000 | 30,000 | Revenue from Festivals (Jam, Farm Tech, Blue Ox) | 75% |
| Dna/Fingerprint Collections | 15,852 | 15,000 | 15,000 | 15,000 | Increased since Courthouse opened back up | 75% |
| Shooting Range Fees | - | 1,600 | 500 | 1,000 | Charged at the end of the year to other agencies | 100% |
| Patrol Service Fees | 450 | - | - | - | Inactive | 0% |
| Blood Collection Fees | 2,380 | 3,000 | 3,000 | 3,000 | Blood Draw Fees | 100% |
| Board Of Prisoners-Ssi | 3,600 | 10,000 | 3,000 | 3,000 | Collecting SSI from inmates | 100% |

Sheriff

Revenue Assumptions

| | 2021 | 2022 | 2022 | 2023 | | |
|------------------------------------|---------------------|---------------------|---------------------|---------------------|---|--------------------|
| Revenue Source | Actual | Budget | Estimate | Request | Assumptions | Confidence Level % |
| Board Of Prisoners-Other Agency | 403,344 | 300,000 | 250,000 | 300,000 | large probation check arrives end of year-amount unknown | 100% |
| Electronic Monitor Fees | 88,395 | - | 80,000 | - | Don't budget for. Just brought back for covid. Not evidence-based | 100% |
| Jail Medical Collections | 11,083 | 14,000 | 7,000 | 12,000 | Medical collections in jail | 100% |
| Jail/ Laundry Fees | - | 6,000 | - | 6,000 | Anticipation of Huber open | 80% |
| Board Of Prisoners-Huber | 26 | 300,000 | - | 300,000 | Anticipation of Huber open | 80% |
| Huber Drug Testing Fees | 20 | 4,500 | - | 4,500 | Anticipation of Huber open | 80% |
| Miscellaneous Fees | 3,318 | 1,000 | 9,500 | 8,000 | Unknowns from year to year can be restitution | 80% |
| Drms0 Vehicle Sales Proceeds | 253,204 | - | 69,468 | - | Do not budget. Carryforward Acct | 100% |
| Bike Safety Donations | 952 | - | - | - | Do not budget. Carryforward Acct | 100% |
| Dec Donations | 10,044 | - | - | - | Do not budget. Carryforward Acct | 100% |
| Ec Lions Club Donations | 4,100 | - | 765 | - | Do not budget. Carryforward Acct | 100% |
| Kids & Cops Program Donations | 3,026 | - | - | - | Do not budget. Carryforward Acct | 100% |
| Project Lifesaver Donations | 2,000 | - | - | - | Do not budget. Carryforward Acct | 100% |
| Rebates Fuel Credit Card - Voyager | 1,518 | 4,000 | 2,000 | 2,000 | Rebate fluctuation | 80% |
| Jail Miscellaneous Revenue | 23,437 | 20,000 | 20,000 | 20,000 | Check rec'd at end of year from TEAMS | 100% |
| Jail Commissary Revenue | 76,224 | - | 25,000 | 25,000 | Estimated place holder. We don't budget for this | 100% |
| Inmate Phone System Rev | 57,038 | 50,000 | 50,000 | 50,000 | 2022 Minimum guarantee | 100% |
| Drug Unit/ Other Revenue | 3,554 | 1,528 | 2,000 | 2,000 | Restitution | 80% |
| K-9/ Program Donations | 1,000 | - | - | - | Do not budget. Carryforward Acct | 100% |
| Other Drug Forfeiture Fund Revenue | - | 108,499 | 113,208 | 113,208 | WCDF provides revenue | 100% |
| Federal Forfeiture Fund Revenue | 7,857 | - | - | - | Inactive-keep | 100% |
| TOTAL | \$13,642,168 | \$14,028,130 | \$13,981,636 | \$15,504,205 | | |

Sheriff

Grant Funding

| | 2021 | 2022 | 2022 | 2023 | |
|------------------------|------------------|------------------|------------------|------------------|--|
| Revenue Source | Actual | Budget | Estimate | Request | Grant Details |
| Police Training | 38,160 | 17,600 | 17,600 | 17,600 | State reimbursement program based on training participation |
| Grant Revenues | 31,959 | 25,497 | 120,350 | 25,000 | Any WEM/Homeland Security grants that support LE supplies/equipment, number unknown, various reward amounts fro \$1500+; |
| Byrne Grant | 70,657 | 70,657 | 70,657 | 70,657 | Awarded \$70,657/yr to support WCDTF activities |
| Atv Grant | 6,180 | - | 6,000 | 6,000 | ATV Grant supports services by all-terrain vehicle enforcement patrol. Amt unknown up front. Based on participation |
| Drug Trafficking Grant | 1,845 | - | 37,839 | - | Supports WCDTF equipement needs |
| Methamphetamine Grant | 12,579 | - | - | - | COPS Grant. Not guaranteed annually, but usually. \$ amt changes. Supports overtime |
| Anti-Heroin Grant | 2,220 | - | - | - | COPS Grant. Usually annually. \$ amt changes. Supports OT |
| Hidta Grant Revenue | 45,209 | 75,000 | 89,000 | 75,000 | \$75k annually. Supports personell, equipment, supplies, services and buy funds |
| Highway Safety | 15 | - | - | - | NA |
| Scaap Grant | - | 7,000 | 7,000 | 7,000 | State Criminal Alien Assistance Program \$7k annually |
| TOTAL | \$208,824 | \$195,754 | \$348,446 | \$201,257 | |

Sheriff

Contracted Services Summary

| | 2021 | 2022 | 2022 | 2023 |
|---------------------------|--------------------|--------------------|--------------------|--------------------|
| Expenditure Type | Actual | Budget | Estimate | Request |
| Professional Services | 1,192,311 | 1,404,868 | 1,332,668 | 1,460,200 |
| Utility Services | 117,925 | 179,252 | 252,345 | 190,880 |
| Repairs And Maintenance | 68,090 | 72,184 | 87,640 | 85,140 |
| Other Contracted Services | 115,290 | 33,500 | 91,500 | 33,500 |
| Total | \$1,493,617 | \$1,689,804 | \$1,764,153 | \$1,769,720 |

Sheriff

Contracted Services Detail

| | 2021 | 2022 | 2022 | 2023 | | |
|--|---------|---------|----------|---------|--|---------------------------|
| Expenditure | Actual | Budget | Estimate | Request | Description | Expenditure Type |
| Adm Svc/ Telephone | - | 2,400 | 2,400 | 2,400 | Telephones | Utility Services |
| Adm Svc/ Cellular Phone | 3,180 | 1,400 | 1,400 | 1,400 | Cell Phones | Utility Services |
| Field Services/ Contracted Services | 40,484 | 90,000 | 90,000 | 99,200 | Communication Towers, .5 NovaTime Scheduling Field Medical, Investigative tools | Utility Services |
| Field Services/ Telephone | 465 | 4,045 | 4,045 | 4,045 | Telephones | Utility Services |
| Field Services/ Cellular Phone | 45,265 | 43,972 | 45,000 | 45,000 | Cell Phones | Utility Services |
| Field Services/ Motor Vehicle Maint | 65,614 | 64,044 | 77,000 | 77,000 | Fleet Repair-parts/service cost increases | Repairs And Maintenance |
| Field Services/ Investigative Exp | 115,120 | 25,000 | 83,000 | 25,000 | Forensic Lab, criminal investigation | Other Contracted Services |
| Field Services/ Radio Supplies | 4,396 | 7,800 | 89,000 | 7,800 | Carryforward \$81k for new portables | Utility Services |
| Security Services/ Contracted Services | 100,472 | 140,935 | 140,935 | 145,200 | REDI, Per Mar, Avalon, Huber Drug Testing, .5 NovaTime Scheduling | Professional Services |
| Security Services/ Medical | 745,097 | 811,733 | 811,733 | 845,000 | Wellpath-RFP in 2022. (2022 \$ x 3.5%) | Professional Services |
| Security Services/ Telephone | - | 10,055 | - | 10,055 | Telephones | Utility Services |
| Security Services/ Cellular Phone | 14,201 | 6,600 | 8,000 | 8,000 | Cell Phones | Utility Services |
| Security Services/ Motor Vehicle Maint | 623 | - | 2,500 | - | Move this to Field 241-102. Lori is aware | Repairs And Maintenance |
| Security Services/ Radio Service | - | 480 | - | 480 | Jail radios | Utility Services |
| Security Services/ Food | 346,742 | 447,200 | 375,000 | 465,000 | Aramark RFP in 2022 | Professional Services |
| Forfeiture Fund/ Telephone | - | 2,500 | 2,500 | 2,500 | Telephones | Utility Services |
| Forfeiture Fund/ Cellular Phone | 9,934 | 10,000 | 10,000 | 10,000 | Cell Phones | Utility Services |
| Forfeiture Fund/ Seized Autos Maint | 1,854 | 8,000 | 8,000 | 8,000 | Auto vehicles maintenance | Repairs And Maintenance |
| Forfeiture Fund/ Computer Hardware Maint | 170 | 2,300 | 2,300 | 2,300 | Computer Hardware | Other Contracted Services |

Sheriff

Contracted Services Detail

| | 2021 | 2022 | 2022 | 2023 | | |
|--|--------------------|--------------------|--------------------|--------------------|--------------------------------|---------------------------|
| Expenditure | Actual | Budget | Estimate | Request | Description | Expenditure Type |
| Forfeiture Fund/ Computer Software Maint | - | 6,200 | 6,200 | 6,200 | Computer Software | Other Contracted Services |
| Forfeiture Fund/ Service On Machines | - | 140 | 140 | 140 | Maintenance on office machines | Repairs And Maintenance |
| Forfeiture Fund/ Investigative Expenses | - | 5,000 | 5,000 | 5,000 | Investigations | Professional Services |
| TOTAL | \$1,493,617 | \$1,689,804 | \$1,764,153 | \$1,769,720 | | |

Sheriff

Capital Projects Summary

| Function Project Name | Total Project Cost | Bond Funding | Proceeds from Asset Sale | Levy/General Revenue Funding |
|---------------------------------------|-------------------------------|-------------------------|---|---|
| Public Safety | \$ 494,304 | \$ 402,014 | \$ 54,000 | \$ 38,290 |
| Annual Fleet to include new positions | 456,014 | 402,014 | 54,000 | - |
| Jail Washer | 38,290 | - | - | 38,290 |
| Total All Projects | \$ 494,304 | \$ 402,014 | \$ 54,000 | \$ 38,290 |

Eau Claire County Capital Improvement Project Request

| | | | | | |
|--------------------------------|--|----------------------|----------------------------|---------------------------|-------------|
| PROJECT NAME | <i>Jail Main Washers</i> | | DEPARTMENT | <i>Sheriff</i> | |
| PROJECT LOCATION | <i>Sheriff's Office</i> | | MANAGER | <i>Sheriff Ron Cramer</i> | |
| EXPECTED START DATE | <i>1/1/2023</i> | EXP. END DATE | <i>3/31/2023</i> | DEPT PRIORITY | <i>High</i> |
| MANDATORY/OPTIONAL | <i>1. Mandatory in year proposed</i> | | SHARED PROJECT | <i>EC County only</i> | |
| REQUEST TYPE | <i>Replacement</i> | | FUNCTIONAL CATEGORY | <i>Public Safety</i> | |
| ASSET BEING REPLACED | <i>Current Washers</i> | | | | |
| PROJECT DESCRIPTION | <i>Replacement of 2 Washers.</i> | | | | |
| ANALYSIS OF NEED | <p><i>Over the past few years we have had major expenses associated with our jail secure washers that are now approaching 10 years old. Parts are getting more difficult to find and have had to start outsourcing to get what is needed. The secure washers are an essential part of the jail's sanitation program for laundering inmate bedding and clothing and need to stay functional to meet compliance with correctional codes. We are requesting both of our current washers be replaced so we can meet our operational needs and continue to meet standards. We utilize inmate labor for our laundry services therefore this is the cheapest alternative vs. the cost of sending laundry to a third party as there are security and transportation costs associated that outweigh keeping the service in-house.</i></p> | | | | |
| ALTERNATIVES CONSIDERED | <i>The company selected is the company recommended by our Facilities and Maintenance Director.</i> | | | | |

| Project Funding | | | |
|-------------------------|---------------|------------------------|-----------------------|
| <i>Funding Source *</i> | <i>Amount</i> | <i>Fund</i> | <i>Description **</i> |
| Levy | 38,290 | Fund 100: General Fund | |

| | |
|----------------------|------------------|
| Total Funding | \$ 38,290 |
|----------------------|------------------|

* Please list each funding source on a different line

**For grant/aid funding, provide the name of the grant and whether it is reimbursement or up-front funding

| Project Cost | | | |
|-------------------------|---------------|------------------------|---------------------------------------|
| <i>Expenditure Type</i> | <i>Amount</i> | <i>Fund</i> | <i>Description</i> |
| EQUIPMENT | 16,340 | Fund 100: General Fund | <i>Fagor 80lb. Soft Mount Washer</i> |
| EQUIPMENT | 16,340 | Fund 100: General Fund | <i>Fagor 80 lb. Soft Mount Washer</i> |
| EQUIPMENT | 2,980 | Fund 100: General Fund | <i>Factory Freight</i> |
| EQUIPMENT | 2,630 | Fund 100: General Fund | <i>Delivery/Installation</i> |

| | |
|-------------------|------------------|
| Total Cost | \$ 38,290 |
|-------------------|------------------|

Eau Claire County Capital Improvement Project Request

| | | | | | |
|--------------------------------|--|----------------------|----------------------------|---------------------------|-------------|
| PROJECT NAME | <i>Fleet Replacement</i> | | DEPARTMENT | <i>Sheriff</i> | |
| PROJECT LOCATION | <i>Sheriff's Office</i> | | MANAGER | <i>Sheriff Ron Cramer</i> | |
| EXPECTED START DATE | <i>1/1/2023</i> | EXP. END DATE | <i>12/31/2023</i> | DEPT PRIORITY | <i>High</i> |
| MANDATORY/OPTIONAL | <i>1. Mandatory in year proposed</i> | | SHARED PROJECT | <i>EC County only</i> | |
| REQUEST TYPE | <i>Replacement</i> | | FUNCTIONAL CATEGORY | <i>Public Safety</i> | |
| ASSET BEING REPLACED | <i>Ford Utility 26, 28, 18, 20, & 34. Also Jail transport 2013 E250</i> | | | | |
| PROJECT DESCRIPTION | <i>The sheriff's office replaces the fleet on a static basis to smooth out the annual capital replacement cost, however balances the need to maintain a highly functional fleet with fiscal responsibly in mind. The fleet replacement procedure includes acquisition utilizing state contracts which allows for substantial price reductions to purchase at low bid from dealers around the State, utilizing state bid pricing for maintenance, and looking at best practices to maintain a safe fleet yet receive a good return at time of disposal.</i> | | | | |
| ANALYSIS OF NEED | <i>The sheriff's office has a need to maintain a highly functional fleet as we utilize our fleet daily to respond to emergency situation in a variety of weather conditions. The sheriff's office has extensively reviewed the replacement of vehicles and has a current approved procedure for replacement cycle. The replacement for patrol, transport, and civil process vehicles is every 4-5 years or when the vehicle is estimated to obtain 100,000 miles when due for replacement. The replacement for jail, detective, and administration vehicles will be every 7-8 years as the vehicles still retain some auction value. (The capital cost is amortized prior to disposal of the vehicle) Part of the analysis included reviews of fleet replacement studies related to service vehicles such as police services. The studies showed items such as each hour of idol time equals 37 miles driven, additional equipment in police vehicles puts additional strain on the vehicle, driving extremes and weather extremes all reduce the longevity of police vehicles. We combined the results of the studies with our experiences and found the above replacement cycle produces a vehicle that is purchases at a good value, is kept maintained appropriately, and has reached its useful life yet we are able to receive a good price at disposal.</i> | | | | |
| ALTERNATIVES CONSIDERED | <i>The sheriff's office reviewed the potential to lease fleet vehicles. We have found because of the miles driven each year, the specialty equipment change over cost turning the vehicle around in shorter lease terms, and the unavailable police packages for lease vs our current practice of purchasing at a reduced state bid, limited maintenance issue during the life of the vehicle, and obtaining a good disposal price purchasing remains the best practice.</i> | | | | |

| Project Funding | | | |
|-------------------------|-------------------|----------------------------|---|
| Funding Source * | Amount | Fund | Description ** |
| Asset Sale | 41,000 | Fund 100: General Fund | Sale of Ford Utility #26, 28, 18, 20 & 34 |
| Asset Sale | 13,000 | Fund 100: General Fund | Sale of 2013 Ford E250 Jail Transport |
| Bonds | 402,014 | Fund 405: Capital Projects | |
| Total Funding | \$ 456,014 | | |

* Please list each funding source on a different line

**For grant/aid funding, provide the name of the grant and whether it is reimbursement or up-front funding

Eau Claire County Capital Improvement Project Request

| | | | | | |
|-----------------------------|---|----------------------|----------------------------|---------------------------|-------------|
| PROJECT NAME | <i>Fleet Replacement</i> | | DEPARTMENT | <i>Sheriff</i> | |
| PROJECT LOCATION | <i>Sheriff's Office</i> | | MANAGER | <i>Sheriff Ron Cramer</i> | |
| EXPECTED START DATE | <i>1/1/2023</i> | EXP. END DATE | <i>12/31/2023</i> | DEPT PRIORITY | <i>High</i> |
| MANDATORY/OPTIONAL | <i>1. Mandatory in year proposed</i> | | SHARED PROJECT | <i>EC County only</i> | |
| REQUEST TYPE | <i>Replacement</i> | | FUNCTIONAL CATEGORY | <i>Public Safety</i> | |
| ASSET BEING REPLACED | <i>Ford Utility 26, 28, 18, 20, & 34. Also Jail transport 2013 E250</i> | | | | |

Project Cost

| <i>Expenditure Type</i> | <i>Amount</i> | <i>Fund</i> | <i>Description</i> |
|-------------------------|-------------------|----------------------------|--------------------------------|
| VEHICLES | 42,148 | Fund 405: Capital Projects | Ford Utility |
| VEHICLES | 42,148 | Fund 405: Capital Projects | Ford Utility |
| VEHICLES | 42,148 | Fund 405: Capital Projects | Ford Utility |
| VEHICLES | 40,510 | Fund 405: Capital Projects | Ford F150 |
| VEHICLES | 40,510 | Fund 405: Capital Projects | Ford F150 |
| VEHICLES | 46,000 | Fund 405: Capital Projects | Ford Transit- Jail Transport |
| VEHICLES | 40,510 | Fund 405: Capital Projects | Ford F150 *New position |
| VEHICLES | 40,510 | Fund 405: Capital Projects | Ford F150 *New position |
| VEHICLES | 40,510 | Fund 405: Capital Projects | Ford F150 *New position |
| VEHICLES | 40,510 | Fund 405: Capital Projects | Ford F150 *New/Shared position |
| VEHICLES | 40,510 | Fund 405: Capital Projects | Ford F150 *New position |
| Total Cost | \$ 456,014 | | |

District Attorney

DEPARTMENT MISSION

To skillfully and fairly seek truth and justice, protect and support victims and the community, and hold offenders accountable.

DEPARTMENT BUDGET HIGHLIGHTS

The 2023 budget for the District Attorney’s Office represents the minimum needed support to continue its essential mission serving the people of Eau Claire County. The budget is a proportionate response to the population growth—and associated crime rate increases—the County has experienced over the past 30 years. It also reflects the changing landscape of criminal prosecution through technological evolution in detection, apprehension, and ultimately conviction of criminal acts.

STRATEGIC DIRECTION AND PRIORITY ISSUES

- Create more appropriate workload distribution through appropriate staff increases and office-wide reorganization.
- Leverage existing technology platforms to increase efficiency and accuracy in work-product.
- Identify and prioritize the cases involving criminality posing the greatest risk to public safety and allocate resources to the pursuit of appropriate outcomes.

TRENDS AND ISSUES ON THE HORIZON

- The jury trial backlog, largely brought on by the COVID-19 pandemic, is of paramount concern.
- The 6th Circuit Court Branch, set to begin hearing cases in August 2022, will further stretch the already at-the-limit staff in the office.
- Case filings, notably felony-level case filings, are returning to pre-pandemic levels.

POSITION CHANGES IN 2023

- Create two (2.0 FTE) Legal Specialist II positions.
- Reclassify three (3.0 FTE) Administrative Specialist II positions to Legal Specialist II positions.
- Retitle one (1.0 FTE) Administrative Specialist III position to Legal Specialist II position.

OPERATIONAL CHANGES – WITH FISCAL IMPACT

- Full transition to cloud-based storage and delivery subscription service for audio-visual discovery materials. While there will be a nominal increase to discovery related expenses, it will be offset by increased efficiency, modified fee structure, and reduction in other discovery-related expenses.

District Attorney

- As noted above in the position changes section, the most substantial operational change in the District Attorney's Office will be in personnel culminating with an office-wide reorganization to address workload allocation and distribution. Over the last nearly 30 years, just two DA support staff have been added to the District Attorney's Office. Over that same time period, there have been substantial increases in both attorney staffing levels and overall workload on support staff in the form of increased case filings and associated case work (e.g., search warrant and subpoena filings, drafting pleadings, managing discovery materials). Meaningful reorganization and redistribution of work will not be accomplishable without the position changes requested.

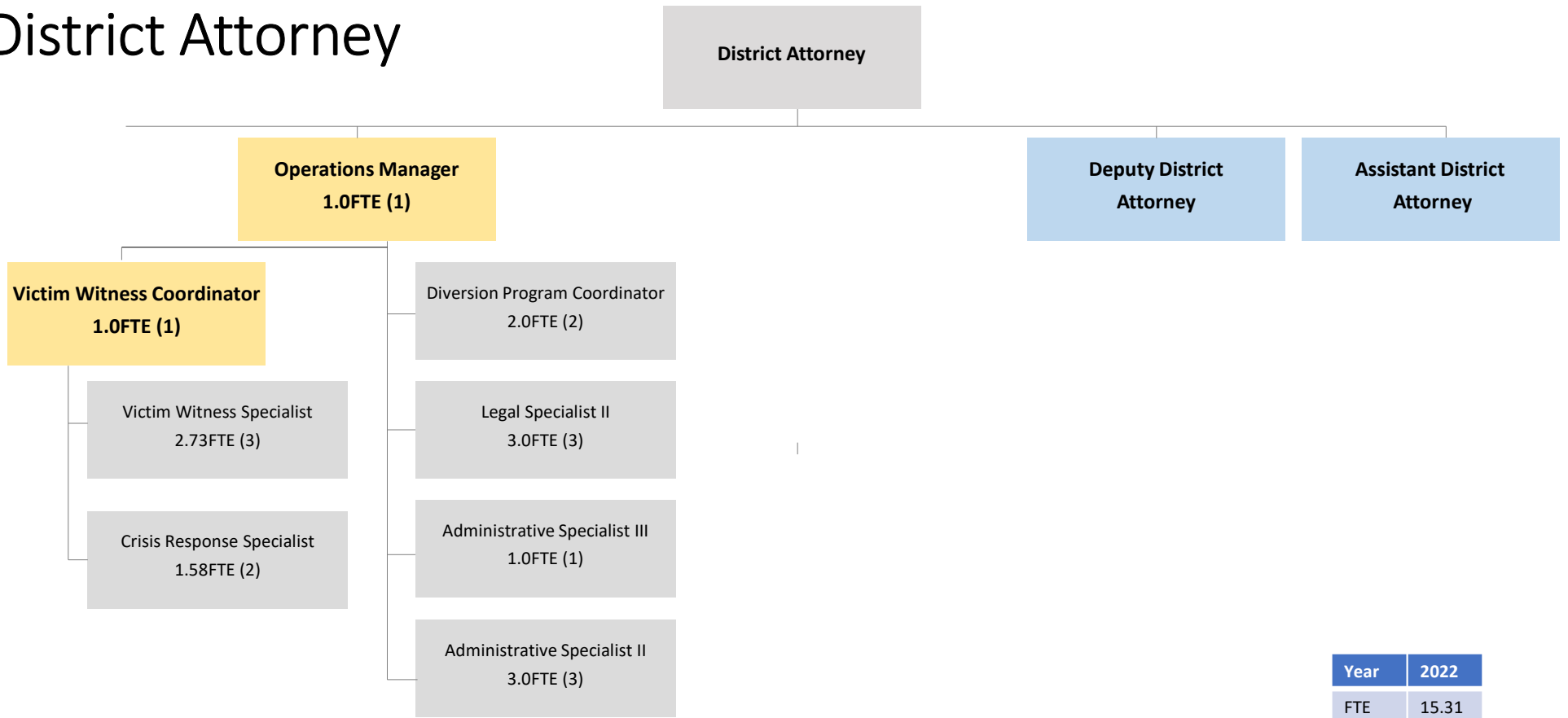
OPERATIONAL CHANGES – WITHOUT FISCAL IMPACT

- None foreseen.

KEY ASSUMPTIONS AND POTENTIAL RISKS

State aid in the form of reimbursement for statutorily required victim services has fluctuated significantly over the last two years. The 2023 budget assumes reimbursement slightly exceed the long-standing average reimbursement rate as a result of the return to more typical state collections that support the reimbursement fund and the allocation of state GPR funds in the most recent biennial budget meant to stabilize the reimbursement fund.

District Attorney



| Year | 2022 |
|------|-------|
| FTE | 15.31 |

General Prosecution

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 | | <u>2019</u> | <u>2020</u> | <u>2021</u> | <u>YTD* 2022</u> |
|---|------------------------------------|--------------|--------------|--------------|------------------|
| Cases Filed | Felony | 1,850 | 1,589 | 1,400 | 728 |
| | Misdemeanor | 1,407 | 1,223 | 1,047 | 551 |
| | Criminal Traffic | 435 | 366 | 413 | 235 |
| | Civil Traffic/Ordinance | 2,035 | 1,883 | 2,070 | 820 |
| | Total Cases Filed | 5,727 | 5,061 | 4,930 | 2,334 |
| Other Cases Processed | Juvenile Cases | 327 | 242 | 170 | 121 |
| | No Prosecution Cases | 580 | 380 | 381 | 204 |
| | Total Other Cases Processed | 907 | 622 | 551 | 325 |
| Total Cases Filed/Processed | | 6,634 | 5,683 | 5,574 | 2,833 |
| Total Number of Referrals | | 6,938 | 5,971 | 5,481 | 2,659 |
| Number of Jury Trials | | 30 | 5 | 17 | 10 |
| <i>*YTD indicates Jan-Jun Results</i> | | | | | |
| OUTCOMES | Benchmark | 2019 | 2020 | 2021 | YTD* 2022 |
| Average Number of Days for Prosecutorial Action at or under 15 days | 15 | 10.1 | 7.4 | 8.2 | 6.4 |
| Case Clearance Rate at or above 95% | 95% | 98% | 98% | 99% | ** |
| Jury Trial Conviction Rate at or above 75% | 75% | 68% | 100% | 76% | 70% |
| <i>*YTD indicates Jan-Jun Results **Data not available</i> | | | | | |

Worthless Checks/Financial Program

District Attorney employees review referrals from Eau Claire County citizens and merchants of possible worthless check matters, prepare and send pre-prosecution “dunning” letters, issue criminal charges in appropriate cases and process payments.

| OUTPUTS | <u>2019</u> | <u>2020</u> | <u>2021</u> | <u>YTD* 2022</u> |
|---------------------------------------|-------------|-------------|-------------|------------------|
| Worthless Check Payments Collected | \$24,489 | \$7,753 | \$13,227 | \$3,738 |
| Restitution Payments Collected | \$194,678 | \$125,355 | \$168,734 | \$150,582 |
| <i>*YTD indicates Jan-Jun Results</i> | | | | |

Victim Witness Services & Crisis Response

Victim Witness Staff 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 | | <u>2019</u> | <u>2020</u> | <u>2021</u> | <u>YTD* 2022</u> |
|--------------------------------|---|--------------|--------------|--------------|------------------|
| Victim Witness Services | Number of Victims Served | 2,284 | 2,426 | 1,641 | 919 |
| | Number of Witnesses Served | 279 | 390 | 282 | 59 |
| | Number of Other Case Parties Served | 203 | 235 | 176 | 63 |
| | Total Case Parties Served | 2,766 | 3,051 | 2,099 | 1,041 |
| | Initial Contact Letters Sent | 2,338 | 2,383 | 1,752 | 945 |
| | No Contact Orders in Place | 949 | 496 | 454 | 219 |
| | Number of Follow Up Contacts | 163 | 596 | 404 | 277 |
| Crisis Response | Total Number of Clients Served | 707 | 1,373 | 1,165 | 397 |
| | Number of Child Advocacy Center Interviews Attended | 100 | 151 | 119 | 36 |

**YTD indicates Jan-Jun Results*

Deferred Acceptance of a Guilty Plea (DAGP), Diversion, & Justice Reinvestment Initiative-OWI Early Intervention Programs

The Deferred Acceptance of a Guilty Plea Program (DAGP) involves informal supervision of defendants in criminal cases. The community benefits because defendants receive necessary domestic abuse, alcohol abuse or other counseling services that would often not otherwise occur.

The Diversion Program is a pre-charge program offered to first time, low risk offenders. The Diversion Program is designed to keep those offenders out of the Criminal Justice System and to reduce recidivism in order to preserve limited resources.

The Justice Reinvestment Initiative-OWI Early Intervention Program (JRI-OWI Program) provides for a more comprehensive disposition for impaired driving convictions that includes random drug/alcohol testing, incarceration, and other programming. Successful completion of the program results in reduced monetary penalties, and reduced incarceration time.

| OUTPUTS | | <u>2019</u> | <u>2020</u> | <u>2021</u> | <u>YTD* 2022</u> |
|--|-----------------------------------|-------------|-------------|-------------|------------------|
| DAGP Program | Number of Participants | 228 | 222 | 212 | 100 |
| | DAGP Fees Collected | \$56,068 | \$57,438 | \$53,058 | \$24,642 |
| Diversion Program | Number of Participants | 207 | 234 | 191 | 104 |
| | Diversion Program Fees Collected | \$59,240 | \$58,653 | \$48,920 | \$27,550 |
| Justice Reinvestment Initiative-OWI Program | Total Number of Participants | 22 | 17 | 32 | 23 |
| | Number of Successful Participants | 19 | 15 | 30 | 10 |
| | Jail Days Permanently Stayed | 707 | 646 | ** | ** |

**YTD indicates Jan-Jun Results*

***Data not available*

District Attorney

Overview of Revenues and Expenditures

| Revenues | 2021 | 2022 | 2022 | 2023 | % |
|--|--------------------|--------------------|--------------------|--------------------|------------|
| | Actual | Adjusted Budget | Estimate | Request | Change |
| 01-Tax Levy/General Revenue Allocation | \$554,096 | \$564,456 | \$564,456 | \$781,856 | 39% |
| 04-Intergovernment Grants and Aid | \$302,721 | \$393,586 | \$299,398 | \$403,586 | 3% |
| 06-Public Charges for Services | \$215,142 | \$275,000 | \$246,000 | \$285,000 | 4% |
| Total Revenues: | \$1,071,959 | \$1,233,042 | \$1,109,854 | \$1,470,442 | 19% |

| Expenditures | 2021 | 2022 | 2022 | 2023 | % |
|----------------------------|--------------------|--------------------|--------------------|--------------------|------------|
| | Actual | Adjusted Budget | Estimate | Request | Change |
| 01-Regular Wages | \$714,469 | \$760,231 | \$775,163 | \$902,781 | 19% |
| 02-OT Wages | \$10 | - | \$3 | - | |
| 03-Payroll Benefits | \$271,285 | \$275,235 | \$266,146 | \$355,304 | 29% |
| 04-Contractual Services | \$79,670 | \$122,917 | \$57,760 | \$129,997 | 6% |
| 05-Supplies & Expenses | \$32,108 | \$73,459 | \$44,210 | \$81,160 | 10% |
| 09-Equipment | \$1,126 | \$1,200 | \$1,200 | \$1,200 | 0% |
| Total Expenditures: | \$1,098,668 | \$1,233,042 | \$1,144,482 | \$1,470,442 | 19% |

| | | | | | |
|---|-------------------|------------|-------------------|------------|--|
| Net Surplus/(Deficit)- District Attorney | (\$26,709) | \$0 | (\$34,628) | \$0 | |
|---|-------------------|------------|-------------------|------------|--|

District Attorney

Budget Analysis

| | 2022 Adjusted Budget | 2023 Operational Change 1 | Add (2) Legal Specialist II (1.0 FTE) | 2023 Position Changes |
|---|-------------------------|---------------------------------|---|--------------------------|
| 01-Tax Levy/General Revenue Allocation | \$564,456 | - | \$166,334 | \$11,871 |
| 04-Intergovernment Grants and Aid | \$393,586 | - | | \$772 |
| 06-Public Charges for Services | \$275,000 | \$7,500 | | \$1,504 |
| Total Revenues | \$1,233,042 | \$7,500 | \$166,334 | \$14,147 |

| | | | | |
|-----------------------------------|--------------------|----------------|------------------|-----------------|
| 01-Regular Wages | \$760,231 | - | \$94,806 | \$12,366 |
| 02-OT Wages | - | - | | - |
| 03-Payroll Benefits | \$275,235 | - | \$71,528 | \$1,781 |
| 04-Contractual Services | \$122,917 | \$7,500 | - | - |
| 05-Supplies & Expenses | \$73,459 | - | - | - |
| 09-Equipment | \$1,200 | - | - | - |
| Total Expenditures | \$1,233,042 | \$7,500 | \$166,334 | \$14,147 |

District Attorney

Budget Analysis

| | Cost to Continue Operations in 2023 | 2023 Requested Budget |
|---|--|--------------------------------------|
| 01-Tax Levy/General Revenue Allocation | \$39,195 | \$781,856 |
| 04-Intergovernment Grants and Aid | \$9,228 | \$403,586 |
| 06-Public Charges for Services | \$996 | \$285,000 |
| Total Revenues | \$49,419 | \$1,470,442 |

| | | |
|-----------------------------------|-----------------|--------------------|
| 01-Regular Wages | \$35,378 | \$902,781 |
| 02-OT Wages | - | - |
| 03-Payroll Benefits | \$6,760 | \$355,304 |
| 04-Contractual Services | (\$420) | \$129,997 |
| 05-Supplies & Expenses | \$7,701 | \$81,160 |
| 09-Equipment | - | \$1,200 |
| Total Expenditures | \$49,419 | \$1,470,442 |

District Attorney Revenue Assumptions

| | 2021 | 2022 | 2022 | 2023 | | |
|----------------------------------|--------------------|--------------------|--------------------|--------------------|---|--------------------|
| Revenue Source | Actual | Budget | Estimate | Request | Assumptions | Confidence Level % |
| County Tax Levy | 554,096 | 564,456 | 564,456 | 781,856 | Levy request | 10000% |
| Vawa Grant | 62,617 | 109,297 | 39,320 | 109,297 | Guaranteed grant amount | 100% |
| Voca Grant | 145,655 | 184,289 | 161,578 | 184,289 | Guaranteed grant amount | 100% |
| District Attorney | 94,449 | 100,000 | 98,500 | 110,000 | Stable State reimbursement rate | 90% |
| Discovery Fees | 61,583 | 75,000 | 76,000 | 75,000 | Volume remaining stable | 90% |
| Dagp - Deferred Prosecution Fees | 53,438 | 75,000 | 55,000 | 75,000 | Increased participation | 85% |
| Da Restitution Surcharge | 50,708 | 50,000 | 60,000 | 60,000 | Increased ability to collect through electronic payment options | 85% |
| Da - Diversion Fees | 49,413 | 75,000 | 55,000 | 75,000 | Increased participation | 85% |
| TOTAL | \$1,071,959 | \$1,233,042 | \$1,109,854 | \$1,470,442 | | |

District Attorney

Grant Funding

| | 2021 | 2022 | 2022 | 2023 | |
|-------------------|------------------|------------------|------------------|------------------|-------------------------|
| Revenue Source | Actual | Budget | Estimate | Request | Grant Details |
| Vawa Grant | 62,617 | 109,297 | 39,320 | 109,297 | WI DOJ VAWA STOP #16983 |
| Voca Grant | 145,655 | 184,289 | 161,578 | 184,289 | WI DOJ VOCA #16760 |
| District Attorney | 94,449 | 100,000 | 98,500 | 110,000 | WI DOJ Victim Witness |
| TOTAL | \$302,721 | \$393,586 | \$299,398 | \$403,586 | |

District Attorney

Contracted Services Summary

| | 2021 | 2022 | 2022 | 2023 |
|---------------------------|-----------------|------------------|-----------------|------------------|
| Expenditure Type | Actual | Budget | Estimate | Request |
| Professional Services | 67,950 | 110,617 | 45,500 | 110,117 |
| Utility Services | 7,986 | 7,800 | 7,760 | 8,880 |
| Repairs And Maintenance | - | - | - | - |
| Other Contracted Services | 3,734 | 4,500 | 4,500 | 11,000 |
| Total | \$79,670 | \$122,917 | \$57,760 | \$129,997 |

District Attorney

Contracted Services Detail

| | 2021 | 2022 | 2022 | 2023 | | |
|--------------------------------|-----------------|------------------|-----------------|------------------|--|---------------------------|
| Expenditure | Actual | Budget | Estimate | Request | Description | Expenditure Type |
| D A/ Telephone | 5,520 | 5,280 | 5,280 | 5,760 | Telephone | Utility Services |
| D A/ Cellular Phone | - | - | - | 600 | Cellular phone | Utility Services |
| D A/ Transcription | 2,410 | 3,000 | 3,000 | 3,000 | Professional Court Report transcript preparation | Professional Services |
| D A/ Discovery Expenses | 2,695 | 2,500 | 1,500 | 8,000 | Digital discovery service | Other Contracted Services |
| D A/ Trial Expenses | 1,039 | 2,000 | 3,000 | 3,000 | Trial related expenses | Other Contracted Services |
| D A/ Paper Service | 7,036 | 6,000 | 5,500 | 5,500 | Civil process | Professional Services |
| Victim Witness/ Telephone | 1,200 | 1,200 | 1,200 | 1,200 | Telephone | Utility Services |
| V/W Crisis/ Telephone | 480 | 480 | 480 | 480 | Telephone | Utility Services |
| V/W Crisis/ Cellular Phone | 546 | 600 | 560 | 600 | Cellular phone | Utility Services |
| Vawa Stop/ Contracted Services | 58,504 | 101,617 | 37,000 | 101,617 | Grant prosecutor salary & benefits | Professional Services |
| Vawa Stop/ Telephone | 240 | 240 | 240 | 240 | Telephone | Utility Services |
| TOTAL | \$79,670 | \$122,917 | \$57,760 | \$129,997 | | |

Minutes
Eau Claire County
Committee on Judiciary and Law Enforcement
Wednesday, June 22, 2022 – 3:00 PM
County Courthouse, Room 1273
721 Oxford Avenue, Eau Claire, WI 54703

Members Present: Allen Myren, Stella Pagonis, Connie Russell, and Gerald Wilkie.

Members Absent: Brett Geboy.

Ex Officio Member Present: Nick Smiar.

Others Present: Corporation Counsel Sharon McIlquham, TRY Mediation Director Todd Johnson, Lieutenant Travis Holbrook, Captain Dave Riewestahl, Clerk of Court Susan Schaffer, Register in Probate/Clerk of Juvenile Court Susan Warner, Victim Witness Coordinator Jessica Bryan, District Attorney Peter Rindal, Avery Shanahan, and Eric Huse.

Call to Order

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

Confirmation of Public Meeting Notice

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

Roll Call

The Clerk called the roll. Attendance is noted above.

Public Comment

Supervisor Pagonis noted the Butterfly House at Beaver Creek Reserve is opening in early July.

Approval of Minutes from May 18, 2022 Meeting

Supervisor Russell moved to approve the minutes from the May 18, 2022 meeting. A correction to the spelling of Supervisor Geboy's name under the American Rescue Plan Fund Proposal roll call votes was noted. The minutes were adopted as corrected via 4-0 voice vote.

Corporation Counsel Opinion: "Can Eau Claire County Correctional Officers be granted protective status by County Board Action?"

Corporation Counsel Sharon McIlquham spoke to the memos attached to these minutes. The opinion of Corporation Counsel that Eau Claire County Correctional Officers cannot be granted protective status by County Board Action is unchanged since the November 2017 opinion as there has not been any change in the legislation or case law. The Committee engaged in general discussion. Captain Riewestahl will draft a resolution for the County Board's consideration urging the State legislature to take action.

1st Quarter Department Fiscal Updates

- **TRY Mediation**

- Director Todd Johnson provided an update. Director Johnson explained that a new contract with a county they service was unexpected when the annual budget was set and has resulted in increased revenue for the first quarter. TRY Mediation has also experienced other cost savings in mediator expenses. Technology fees are increasing but are manageable right now. Currently, nearly all mediations are done by Zoom and Director Johnson does not anticipate reverting back to in-person. The Committee engaged in general discussion.

- **Clerk of Court**
 - Clerk of Circuit Court Susan Schaffer provided an update. The department has recently gone through staffing changes but will be fully staffed at the beginning of July. The Committee engaged in general discussion.
- **Circuit Court**
 - Clerk of Circuit Court Susan Schaffer provided an update. Interpreter costs were discussed; despite interpreters appearing by Zoom, costs are still relatively substantial. The Committee engaged in general discussion.
- **Register in Probate/Clerk of Juvenile Court**
 - Register in Probate/Clerk of Juvenile Court Susan Warner provided an update. Expecting payroll line-item to be over budget this year due to a staff member unexpectedly selecting county offered health insurance benefits. The Committee engaged in general discussion.

District Attorney's Office

- **Marsy's Law Overview**
 - Victim Witness Coordinator Jessica Bryan and Operations Manager Eric Huse provided an overview of the 2020 Constitutional amendment "Marsy's Law." The Committee engaged in general discussion.
- **1st Quarter Fiscal Update**
 - District Attorney Peter Rindal and Operations Manager Eric Huse provided an update. It was noted that case filings and jury trial activity appear to be returning to pre-COVID-19 levels. The Committee engaged in general discussion.

Criminal Justice Services

- **Department Introduction**
 - Criminal Justice Services Director Tiana Glenna introduced her department and provided an overview of their roles and responsibilities. The Committee engaged in general discussion.
- **1st Quarter Fiscal Update**
 - Criminal Justice Services Director Tiana Glenna provided an update. The Committee engaged in general discussion.

Sheriff's Office

- **1st Quarter Fiscal Update**
 - Captain Dave Riewestahl and Lieutenant Travis Holbrook provided an update. The Committee engaged in general discussion.
- **Jail Population, Staffing, & COVID-19 Response**
 - Captain Dave Riewestahl and Lieutenant Travis Holbrook provided an update. Jail population is trending upward-highest population since March 2020. Jail bookings are also on the rise, approaching pre-COVID-19 levels. 10 total vacancies- 1 Patrol Deputy, 7 Correctional Officers, 2 Corporals.

Future Meeting Dates

The next meeting is scheduled as a joint meeting with the Committee on Finance & Budget on Wednesday, July 20, 2022 at 3:00 PM. The Committee also has a joint meeting with the Committee on Finance & Budget scheduled on Wednesday, July 27, 2022 at 3:00 PM. Department annual budget submissions will be reviewed at both meetings. The July 27, 2022 meeting will also serve as a regular meeting of the Committee.

Future Agenda Items

- System of Care overview
- Sheriff's Office
 - Jail population, staffing, & COVID-19 response
 - Update on DHS Investigation
 - Communications network / Digital radios

- Protective status for correctional officers
- Policies/procedures for proper execution of search warrants
- Policies/procedures for officer involved critical incidents
- Committee oversight duties and responsibilities review

Adjournment

The meeting was adjourned by Chairperson Wilkie at 5:34 PM.

Respectfully Submitted:

Eric Huse
Committee Clerk



OFFICE OF CORPORATION COUNSEL

EAU CLAIRE COUNTY
EAU CLAIRE COUNTY COURTHOUSE
721 OXFORD AVE., SUITE 3520
EAU CLAIRE, WI 54703

PH: (715) 839-4836 Fax: (715) 839-6243



ASSISTANT CORPORATION COUNSEL

*Richard A. Eaton
Charles R. Ellefsen, III
Jake Brunette
Sarah E. Brown-Jager*

CORPORATION COUNSEL

Sharon G. McIlquham

June 21, 2022

TO: Committee on Judiciary & Law Enforcement

FROM: Jake Brunette

RE: Updates on Protective Status for Civilian Correctional Officer

I was requested to research legal updates regarding the certification of civilian correctional officers to protective status. After reviewing past legal opinions of Eau Claire County Corporation Counsel as well as pertinent state statutes and judicial decisions, no recent legal updates were identified and I share in the analysis and opinion found in the attached memo dated November 7, 2017 from Corporation Counsel. In summary, the following information is pertinent to the classification of employees as protective occupation participants:

1. The employer (Eau Claire County) determines whether an employee is classified as a protective occupation participant based on the employee's principal duties pursuant to Wis. Stat. §40.02(48).
2. The employer shall notify the Wisconsin Department of Employee Trust Funds (ETF), through an ETF agent of the employer, of all employees certified as protective occupation participants pursuant to Wis. Stat. §40.06(1)(d).
3. For an employee to be classified as a protective occupation participant, an employer must determine the employee's principal duties meet **all** of the elements of the following three (3) part test:
 - a. An employee's duties are 51% or more spent on active law enforcement, which is an employee who is actively, currently, and directly involved in detecting and preventing crime and enforcing laws or the ordinances of a participating employer.
 - b. An employee's duties require frequent exposure to a high degree of danger or peril.
 - c. An employee's duties require a high degree of physical conditioning.
4. The benefits to an employee who is classified as a protective occupation participant include:
 - a. Option to retire at age 50.
 - b. Eligible to receive duty disability benefits if injured in the line of duty.
 - c. Option to collectively bargain wages, hours, and conditions of employment as a public safety employee pursuant to Wis. Stat. §111.70.

5. If an employer classifies an employee as a protective occupation participant, the employer is required to increase Wisconsin Retirement System (WRS) contributions for such employee compared to contributions for a general municipal employee (for example, for 2022, Eau Claire County's WRS contribution would increase by 5.8% (an additional 5.5% for retirement and 0.3% for duty disability)).

In addition to the potential exposure set forth on page 3 of the November 7, 2017 memo from Corporation Counsel, Eau Claire County has a fiduciary duty to correctly and accurately classify employees to ensure the integrity of the public employee trust fund. *County of LaCrosse v. Wisconsin Employment Relations Commission*, 508 N.W.2d 9 (1993). If the County were to classify employees as protective occupation participants, despite the fact the employee's principal duties do not meet the three (3) part test set forth above, the County could face liability for breaching its fiduciary duty and/or the employer's ETF agent could face potential criminal exposure pursuant to Wis. Stat. §943.395 for filing inaccurate information with the State.

Numerous bills have been proposed in recent years to change the law with regards to the test to determine whether correctional officers can be classified as protective occupation participants. For example, 2017 SB 577 and 2017 AB 676 proposed to eliminate the requirement that county jailers must have principal duties involving active law enforcement in order to be classified as protective occupation participants. Both bills failed. Duplicate bills were also introduced as part of the 2021-2022 legislative session (2021 SB 1036 and 2021 AB 1121) but both of these bills failed as well.

If you have any questions or need additional information, please let me know.

Sincerely,

Jake Brunette
Assistant Corporation Counsel

cc: Corporation Counsel Sharon McIlquham

Attachment: Corporation Counsel memo dated November 7, 2017 re: protective status

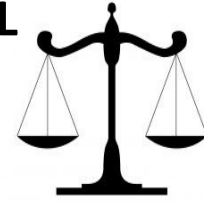
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MEMORANDUM

TO: COUNTY BOARD

FROM: KEITH R. ZEHMS, CORPORATION COUNSEL

DATE: NOVEMBER 7, 2017

SUBJECT: TO CERTIFY A CHANGE OF CIVILIAN CORRECTIONAL OFFICERS FROM
GENERAL STATUS TO PROTECTIVE STATUS REQUIRES THAT 51% OF
THEIR JOB DUTIES ARE ACTIVE LAW ENFORCEMENT

FACTS

Eau Claire County decided in the late 1980's to transition the jail staff from protective service deputy jailers to civilian correctional officers. The County and the Union negotiated an agreement that among other things allowed civilian correctional officers in the jail. A civilian bargaining unit was created effective January 1, 1990. None of the current correctional officers were ever classified as protective status and none have ever appealed their general classification status, which is specifically allowed by Wis. Stat. § 40.06(1)(e)1. The job duties of the Eau Claire County civilian correctional officers are essentially the same as the job duties considered by the ETF Board in its most recent decision signed in March 2016, but dated and mailed July 5, 2016. A copy of the Decision is attached. The hearing lasted 6 days, hundreds of pages of exhibits were introduced and the briefs of the parties exceeded 200 pages. The result was that the individuals in the case did not meet any of the 3 parts of the test to be treated as protective occupation participants. The decision was not appealed by the Union.

See **Conclusions of Law** beginning on page 7, paragraphs 33-55.

The test itself is to determine protective status as stated in paragraph 33. The "principal duties" that involve active law enforcement require that 51% or more of the employee's duties be spent in active law enforcement. "Active law enforcement" includes being "actively currently and directly involved in detecting and preventing crime and enforcing laws or the ordinances of a participating employer." *Mattila, 243 Wis. 2d 90, ¶ 14 n.3*. If the 51% requirement is met the duties must "require frequent exposure to a high degree of danger or peril and also require a high degree of physical conditioning". The Employee Trust Funds Board Decision found that the employees could not meet the 51% requirement nor did they meet the "frequent exposure to a high degree of danger or peril" requirement nor the "high degree of physical conditioning" requirement.

In memos to the Committee on Judiciary and Law Enforcement dated March 2, 2016 and November 11, 2016 I provided my legal opinion concluding "...it is my opinion that civilian correctional officers do not qualify as protective occupation participants since they do not meet the criteria for protective status as set forth in Wis. Stat. § 40.02(48)(a) as interpreted by Wisconsin appellate court decisions."

The ETF Board website in the Q&A specifically addresses the standard for determining whether an employee should be reported to WRS as a protective category employee. See etf.wi.gov/faq/jailers.htm.

DISCUSSION

Current Wisconsin law is summarized in the most recent ETF Decision. The decisions of the ETF Board and the court of appeals decisions affirming the Board's decisions have interpreted active law enforcement under Wis. Stat. § 40.02(48)(a) as follows:

to hold an office or public employment lawfully vested with a duty to maintain public order, being duly authorized to make arrests for violations of laws or ordinances the person is employed by the participating employer to enforce and (while in said office or employment) to be actively currently and directly involved in detecting and preventing crime and enforcing laws or ordinances of a participating employer.

Mattila v. Employee Trust Funds, Bd., 2001 WI App 79, ¶4, fn. 3, 243 Wis.2d 90, 626 N.W.2d 33.

The July 5, 2016 State of Wisconsin Employee Trust Funds Board **FINAL DECISION AND ORDER** set forth the statutory standard for "protective occupation participant" as well as the fact that the "principal duties test" requires that 51% or more of the employee's time be spent on active law enforcement. See attached **FINAL DECISION AND ORDER**, specifically the **CONCLUSIONS OF LAW**, paragraphs 33 through 37. The *Hoermann* case referred to in paragraph 37 cited with approval the 51% or more work time requirement in *County of LaCrosse v. WERC*, 170 Wis.2d 155, 167, 488 N.W.2d 94, 98 (Ct. App. 1992), *rev'd on other grounds*, 180 Wis.2d 100, 508 N.W.2d 9 (1993). In every decision by the ETF Board since 1986 the 51% law enforcement principal duties test for protective status by jailers or corrections officers has **not** been met.

All three parts of the test must be met to confer protective status. See **CONCLUSIONS OF LAW**, paragraph 38 which requires both parts of the test be met after meeting the law enforcement principal duties test which requires 51% or more of the employees work time be spent on active law enforcement. In the most recent decision the jailers did not meet the high degree of danger or peril, nor the high degree of physical conditioning tests, see **CONCLUSIONS OF LAW**, paragraphs 42 through 44.

POTENTIAL EXPOSURE

The potential financial exposure to Eau Claire County under Wis. Stat. § 40.06(1)(e) could be to pay the higher rate for protective status retroactively for a period of 7 years.

The potential criminal exposure is a Class I felony under Wis. Stat. § 943.395(2)(b) for a violation of Wis. Stat. § 943.395(1)(c) for presenting a false or fraudulent claim or benefit application to be paid under any employee benefit program created by Chapter 40 of the Wisconsin Statutes if the value of the claim or benefit exceeds \$2,500. The penalty is a fine not to exceed \$10,000 or imprisonment not to exceed 3 years and 6 months, or both. Wis. Stat. § 939.50(3)(i).

If protective status is granted and used as a tool to recruit civilian correctional officers and the decision is subsequently reversed by the ETF Board the County is exposed on the legal theory of promissory estoppel for damages in the amount of the difference between the payment made for protective status and general status retirement. The County may also be responsible for payment of attorney's fees and costs.

Wisconsin Courts have recognized the doctrine of promissory estoppel since *Hoffman v. Red Owl Stores, Inc.*, 26 Wis.2d 683, 698, 133 N.W.2d 267 (1965). Promissory estoppel has three elements: (1) the promise was one for which the promisor should reasonably expect to induce action or forbearance of a definite and substantial character on the part of the promisee; (2) the promise did induce such action or forbearance; and (3) injustice can be avoided only by enforcement of the promise. Under this theory the promisees who came to work as civilian correctional officers in Eau Claire County due to the benefits of protective status would, arguably, be able to show detrimental reliance. In granting the protective status benefit, the fact that the county board chose to ignore the ETF rulings and appellate decisions would strengthen a case brought under the theory of promissory estoppel.

Changing to protective status from general status also exposes the County to a potential taxpayer lawsuit.

In my opinion, a taxpayer does not have standing to appeal to ETF. See Chapter ETF 11.03(4)(e), 11.03(7) and 11.12(3). However, in my opinion, a taxpayer would have standing to challenge a decision made by the county board. Wisconsin courts have recognized the right of taxpayers to challenge decisions of governing bodies. "In order to maintain a taxpayers' action, it must be alleged that the complaining taxpayer and taxpayers as a class have sustained, or will sustain, some pecuniary loss; otherwise the action [can] only be brought by a public officer." *S.D. Realty Co. v. Sewerage Comm.*, 15 Wis.2d 15, 21-22, 112 N.W.2d 177 (1961). The loss alleged by taxpayers need not be a substantial amount, "[e]ven a loss which is infinitesimally small with respect to each individual taxpayer will suffice to sustain a taxpayer suit." *Id.* See also, *Thompson v. Kenosha County*, 64 Wis.2d 673, 680, 221 N.W.2d 845 (1974).

Finally, protective status is an employee benefit, which if granted, makes this group of employees “public safety employees” under Wis. Stat. § 111.70(1)(mm), conferring full collective bargaining rights on them under Wis. Stat. § 111.70(4)(mc). That function is reserved to the Committee on Human Resources under 2.04.440 and 3.03.020 of the county code.

CONCLUSION

In my opinion in order to certify civilian correctional officers as protective status, changing from general status requires that 51% of their job duties are active law enforcement. Further, it is my opinion based on the ETF Board decisions and the court of appeals decisions affirming the Board’s decisions that Eau Claire County Civilian Correctional Officers do not qualify for protective status as set forth in Wis. Stat. § 40.02(48)(a) since 51% of their job duties are not active law enforcement.