

Agenda

Eau Claire County
Committee on Judiciary and Law Enforcement
Wednesday, April 19, 2023 – 3:00 PM
County Courthouse, Room 3312
721 Oxford Avenue, Eau Claire, WI 54703
& Virtual via Cisco WebEx

Join via WebEx Online:

[Meeting Link](#)

Meeting Number: 2596 738 5690

Password: JudLaw

Join via Phone:

Dial In: 1-415-655-0001

Access Code: 2596 738 5690

Passcode: 583529

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

1. Call to Order
2. Confirmation of Public Meeting Notice
3. Call of the Roll
4. Public Comment
5. Approve Minutes from March 22, 2023 Meeting – discussion/action pg. 3
6. 4th Quarter/Year-End Fiscal & Performance Measures Review – discussion
 - a. TRY Mediation pg. 5
 - b. Circuit Court pg. 8
 - c. Clerk of Court pg. 12
 - d. Criminal Justice Services pg. 15
 - i. [Data Dashboard Link](#)
 - e. District Attorney pg. 17
 - f. Register in Probate/Clerk of Juvenile Court pg. 19
7. Sheriff's Office Updates – discussion
 - a. 4th quarter/year-end fiscal & performance measures review pg. 21
 - b. Jail population and COVID-19 response
 - c. Recruitment, retention, and other staffing challenges
 - d. Protective status for correctional officers (2023 Wisconsin Act 4) pg. 25
 - e. Jail holding cell remodel
8. Statewide Bail Reform (2023 Wisconsin Act 3 and 2023 Senate Joint Resolution 2) – discussion pg. 30
9. Committee Oversight Role in County Strategic Initiative Action Plan – discussion/action pg. 34

Posted: 04/17/2023

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

10. Ordinance 23-24/003 – *To Amend Section 2.04.445 A. of the Code: Committee on Judiciary and Law Enforcement* – discussion/action pg. 43

11. Set Future Meeting Date(s) – discussion/action
 - a. May 24, 2023 at 3:00PM

12. Set Future Agenda Item(s) – discussion/action
 - a. Sheriff's Office
 - i. Jail population and COVID-19 response
 - ii. Recruitment, retention, protective status, and other staffing challenges
 - iii. DHS investigation update
 - iv. Jail death investigation/review
 - v. Asset forfeiture policies and procedures

13. Adjourn

Minutes
Eau Claire County
Committee on Judiciary and Law Enforcement
Wednesday, March 22, 2023 – 3:00 PM
County Courthouse, Room 3312
721 Oxford Avenue, Eau Claire, WI 54703
& Virtual via Cisco WebEx

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

Others Present In Person: Supervisor Dane Zook, Captain Cory Schalinske, District Attorney Peter Rindal and Eric Huse.

Others Present via Cisco WebEx: Administrative Services Division Manager Katrina Ranallo and Risk Manager Sonja Leenhouts.

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.

Call of the Roll

The Clerk called the roll. Attendance is noted above.

Public Comment

No public comment was made.

Approval of Minutes from February 15, 2023 Meeting

Supervisor Russell moved to approve the minutes from the February 15, 2023. The minutes were adopted as published in the meeting materials via 4-0 voice vote.

Criminal Justice Services Data Dashboard

A link the dashboard website was included in the meeting materials. The Committee did not specifically review the dashboard.

Sheriff's Office Updates

- **Jail population & COVID-19 response**
 - Captain Schalinske reported there are currently 231 individuals in the care of the Eau Claire County Jail. Captain Schalinske reported that staff are working to identify the primary reasons why individuals are incarcerated in the jail and noted that mental health is a growing concern. COVID-19 mitigation is still on-going; the Sheriff's Office is working with the health department to provide vaccinations and plan for the anticipated end of the formal declaration of a public health emergency.
- **Recruitment, retention, protective status, and other staffing challenges**
 - Captain Schalinske provided a general update about on-going recruitments for Correctional Officer and Sheriff's Deputy staff. There are currently 13 vacant Correctional Officer positions, five vacant Deputy Sheriff positions, and various other vacant positions in the detective division. Captain Schalinske also reported that legislation establishing protective status for correctional officers has passed the Wisconsin Assembly (Wisconsin AB 28); the Senate has scheduled their companion legislation (Wisconsin SB 28) for a public hearing.

*Supervisor Pagonis arrived at this time.

Committee Oversight Role and Responsibilities

The Committee reviewed County Code section 2.04.445 and discussed potential changes which will be brought forth at a future meeting.

Future Meeting Dates

- The next regular meeting of the Committee on Judiciary and Law Enforcement was scheduled for April 19, 2023 at 3:00 PM.

Future Agenda Items

- Sheriff's Office
 - Jail population, staffing, & COVID-19 response
 - Recruitment, retention, protective status, and other challenges for correctional officers
 - DHS investigation update
 - Jail holding cell remodel
 - Jail death investigation/review
 - Asset forfeiture policies and procedures
- Proposed statewide bail reform
- Oversight departments' role in County strategic initiative action plan
- 4th quarter/year-end fiscal & performance measures review

Adjournment

The meeting was adjourned by Chairperson Wilkie at 3:50 PM.

Respectfully Submitted:

Eric Huse
Committee Clerk

TRY MEDIATION, INC.
Profit and Loss
December 2022

	Total	
	December 2022	January - December 2022 (YTD)
Revenue		
In-kind Rent/County	250.00	3,000.00
Revenue		
County - Revenue		
County - Buffalo	250.00	3,000.00
County - Chippewa	2,125.00	25,500.00
County - Eau Claire	11,134.92	133,619.04
County - Pepin	0.00	2,100.00
County - Dunn	1,458.37	17,500.00
County - Rusk	0.00	5,590.00
Total County - Revenue	\$14,968.29	\$187,309.04
Interest Income	33.67	194.07
Mediation Fees		
Mediation Fees - Buffalo	150.00	1,005.00
Mediation Fees - Chippewa	170.00	4,661.03
Mediation Fees - Dunn	375.00	1,575.00
Mediation Fees - Eau Claire	575.00	6,891.21
Mediation Fees - Pepin	0.00	300.00
Mediation Fees - Rusk	150.00	300.00
Mediation Fees - Other Counties	0.00	150.00
Total Mediation Fees	\$1,420.00	\$14,882.24
Parent Education	540.00	18,031.20
Total Revenue	\$16,961.96	\$220,416.55
Total Revenue	\$17,211.96	\$223,416.55
Gross Profit	\$17,211.96	\$223,416.55
Expenditures		
Advertising/Public Information	0.00	0.00
Bank Fees	0.00	0.00
Client Refunds	0.00	0.00
Credit Card Fees	252.34	3,153.34
Equipment and Furniture Expense	163.74	2,771.47
In-Kind Rent Expense-E.C.	250.00	3,000.00
Insurance - Liability	0.00	1,492.00
Insurance - Malpractice	0.00	0.00
Insurance - Workman's Comp.	0.00	1,084.00
Mediator Training	0.00	0.00
Membership Dues & Fees	130.31	2,583.25
Miscellaneous Expense	0.00	0.00

	Total	
	December 2022	January - December 2022 (YTD)
Payroll Expense	85.50	1,275.50
Employee Benefits		
Health Insurance Reimbursement	1,500.00	18,000.00
SEP retirement	1,216.33	14,839.28
Total Employee Benefits	\$2,716.33	\$32,839.28
Payroll Taxes		
FICA - Employer's Share	837.92	10,222.50
Medicare Tax -Employer's Share	195.96	2,390.74
State Unemployment	2.70	551.93
Total Payroll Taxes	\$1,036.58	\$13,165.17
Salaries & Wages		
Assistant's compensation	2,721.92	35,384.82
Director's Compensation	3,538.46	46,000.16
Salaries - Buffalo	0.00	0.00
Salaries - Chippewa	1,425.00	14,345.00
Salaries - Dunn	1,060.00	7,130.00
Salaries - Eau Claire	3,269.24	43,735.08
Salaries - Pepin	0.00	0.00
Salaries - Rusk	0.00	380.00
Salaries - Small Claims	0.00	0.00
Total Salaries & Wages	\$12,014.62	\$146,975.06
Total Payroll Expense	\$15,853.03	\$194,255.01
Postage	0.00	176.00
Printed Material	0.00	0.00
Professional Fees	0.00	500.00
Recognition	1,000.00	1,000.00
Supplies	112.96	1,275.11
Telephone	303.46	2,286.72
Travel and Conference	0.00	0.00
Total Expenditures	18,065.84	213,576.90
Net Operating Revenue	(853.88)	9,839.65
Net Revenue	(853.88)	9,839.65

TRY MEDIATION, INC.
Balance Sheet
As of December 31, 2022

	Total
ASSETS	
Current Assets	
Bank Accounts	
Cash - Savings	64,214.30
Cash in Bank - Checking	45,464.97
Charter Bank Savings	0.00
Petty Cash	50.00
Total Bank Accounts	\$ 109,729.27
Accounts Receivable	
Accounts Receivable	2,625.15
Total Accounts Receivable	\$ 2,625.15
Other Current Assets	
Payroll Refunds	24.82
Undeposited Funds	-140.00
Total Other Current Assets	-\$ 115.18
Total Current Assets	\$ 112,239.24
Fixed Assets	
Accumulated Depreciation	-13,755.26
Furniture	688.49
Office Equipment	13,066.77
Total Fixed Assets	\$ 0.00
TOTAL ASSETS	\$ 112,239.24
LIABILITIES AND EQUITY	
Liabilities	
Current Liabilities	
Account Payables	1,540.82
Payroll Liabilities	
Employer Contribution to 403(b)	3,977.17
Federal Taxes (941/944)	2,741.09
WI Income Tax	1,134.36
WI SUI Employer	848.72
Total Payroll Liabilities	\$ 8,701.34
Total Other Current Liabilities	\$ 8,701.34
Total Current Liabilities	\$ 10,242.16
Total Liabilities	\$ 10,242.16
Equity	
Retained Earnings	91,962.20
Net Revenue	10,034.88
Total Equity	\$ 101,997.08
TOTAL LIABILITIES AND EQUITY	\$ 112,239.24

Circuit Court – Q4 2022/ Annual Report

January - December

SELECTED PERFORMANCE MEASURES	
Use of State Certified Interpreters - Benchmark is 70%	67% fully qualified; 77% qualified
Number of languages requested	14
Total hours interpretation YTD	126.08
Cost for Interpreters:	\$26,758.20
Number of case appearances via remote (<i>Does not include hybrid hearings</i>)	5,516
Number of cases opened	17,385
Number of felony cases opened	1,384
Number of jury trials held	27
Number of jury trial days	52
Jury Management Benchmarks	86.96%
% send to jury selection (=>90%)	36.96%
% selected as jurors (=>30%)	77.29%
% used in voir dire (=>80%)	
SUMMARY OF CURRENT ACTIVITIES	
<ul style="list-style-type: none"> ▪ Mandated services <ul style="list-style-type: none"> ○ Court-Appointed Attorneys ○ Appointment of Guardian Ad Litem ○ Interpreter Program ○ Transcription Services ○ Court-ordered Medical Evaluations – process claims ▪ Treatment Courts (4) ▪ Reporting - State <ul style="list-style-type: none"> ○ CS-148 Quarterly Report for Interpreter Payment Request ▪ Reporting - County <ul style="list-style-type: none"> ○ Quarterly Report for Administration ○ Quarterly Report for Judiciary & Law Enforcement Committee ▪ Staffing <ul style="list-style-type: none"> ○ Court Commissioner Novak retired May 6, 2022 ○ Court Commissioner Wendy Sue Johnson was appointed June 6, 2022 ○ Two judicial assistants retired in June 2022. ○ Two new judicial assistants were hired in May 2022 to train prior to retirements. ○ The Circuit Court was fully staffed end of the year. <p style="text-align: center;"><i>Except for judicial assistant, mandated services are administered by Clerk of Courts/Probate All reports are completed by the Clerk of Circuit Court</i></p>	

ISSUES ON THE HORIZON AND SIGNIFICANT TRENDS

- Scheduling challenges with our new judge and the new Rusk County judge case loads smoothed out and is working well.
- A new judicial assistant position will begin in July 2023.
- The process of calling state certified interpreters for last-minute needs has been working fairly well, although, at times, there is still a need to use Language Line.
- The Courts are looking at additional security from the courtroom into chambers as well as exits to secure hallways in the form of security swipe locks. The request was moved from the Circuit Court budget request for 2023 into the Capital Budget for 2023. Currently awaiting final determination on approval.
- Committee inquired about the Age of Pending Summary report - attached is the summary for Eau Claire County. The number of days a case is open is based largely upon the type of case we are looking at - especially in Civil cases - as well as criminal cases which are pending for various reasons (non-appearance/warrant status; desire for jury trial; inability to retain an attorney; etc.).

CURRENT COLLABORATIONS (INTERNAL AND EXTERNAL)

- Committees
 - CJCC
 - EBDM
 - Security & Facilities Committee
 - Adult Treatment Court Committee
 - Juvenile Justice Collaborating Committee
 - Criminal Court Review Committee
 - Courts Stakeholders Committee

GOALS FOR NEXT QUARTER

Continue to work with Rusk County
Continue to schedule only state certified interpreters

Begin Date: 12-01-2022
 End Date: 12-31-2022

Age of Pending Summary by Responsible Court Official
 County Wide Report

County: Eau Claire - [18]
 District: 10

CATEGORIES	Pending Cases	0-90 Days	91-120 Days	121-180 Days	181-360 Days	361-420 Days	421-540 Days	541-720 Days	721 + Days	Median Age of Pending
Felony	1046	274 (26%)	85 (34%)	197 (53%)	269 (79%)	45 (83%)	69 (90%)	64 (96%)	43 (100%)	173
Misdemeanor	620	214 (35%)	66 (45%)	100 (61%)	156 (86%)	21 (90%)	30 (95%)	18 (98%)	15 (100%)	136
Criminal Traffic	223	56 (25%)	17 (33%)	34 (48%)	57 (74%)	12 (79%)	22 (89%)	12 (94%)	13 (100%)	189
TOTAL CRIMINAL	1889	544 (29%)	168 (38%)	331 (55%)	482 (81%)	78 (85%)	121 (91%)	94 (96%)	71 (100%)	165
Traffic (Contested)	298	190 (64%)	21 (71%)	9 (74%)	42 (88%)	9 (91%)	6 (93%)	12 (97%)	9 (100%)	53
Forfeiture (Contested)	58	33 (57%)	5 (66%)	10 (83%)	6 (93%)	0 (93%)	0 (93%)	2 (97%)	2 (100%)	71
Juv.-Ordinance (Contested)	4	4 (100%)	0 (100%)	0 (100%)	0 (100%)	0 (100%)	0 (100%)	0 (100%)	0 (100%)	68
TOTAL FORFEITURE	360	227 (63%)	26 (70%)	19 (76%)	48 (89%)	9 (91%)	6 (93%)	14 (97%)	11 (100%)	59
Civil -- Total	258	77 (30%)	17 (36%)	32 (49%)	58 (71%)	11 (76%)	17 (82%)	17 (89%)	29 (100%)	188
Pers. Injury/Prop. Damage	132	22 (17%)	6 (21%)	16 (33%)	44 (67%)	8 (73%)	10 (80%)	8 (86%)	18 (100%)	255
Contracts/Real Estate	99	38 (38%)	9 (47%)	13 (61%)	12 (73%)	3 (76%)	7 (83%)	9 (92%)	8 (100%)	125
Other Civil	27	17 (63%)	2 (70%)	3 (81%)	2 (89%)	0 (89%)	0 (89%)	0 (89%)	3 (100%)	41
Divorce	184	49 (27%)	21 (38%)	42 (61%)	42 (84%)	6 (87%)	9 (92%)	12 (98%)	3 (100%)	157
Paternity	36	27 (75%)	3 (83%)	3 (92%)	1 (94%)	1 (97%)	1 (100%)	0 (100%)	0 (100%)	45
Other Family	28	17 (61%)	4 (75%)	1 (79%)	0 (79%)	1 (82%)	1 (86%)	1 (89%)	3 (100%)	64
Small Claims (Contested)	7	5 (71%)	1 (86%)	1 (100%)	0 (100%)	0 (100%)	0 (100%)	0 (100%)	0 (100%)	68
TOTAL CIVIL	513	175 (34%)	46 (43%)	79 (58%)	101 (78%)	19 (82%)	28 (87%)	30 (93%)	35 (100%)	151
Estates	14	2 (14%)	0 (14%)	1 (21%)	3 (43%)	1 (50%)	1 (57%)	4 (86%)	2 (100%)	420
Informal	177	31 (18%)	15 (26%)	33 (45%)	64 (81%)	6 (84%)	10 (90%)	6 (93%)	12 (100%)	214
Trusts	1	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	1 (100%)	811
Guardianships	17	10 (59%)	3 (76%)	1 (82%)	3 (100%)	0 (100%)	0 (100%)	0 (100%)	0 (100%)	74
Commitments	3	3 (100%)	0 (100%)	0 (100%)	0 (100%)	0 (100%)	0 (100%)	0 (100%)	0 (100%)	4
Adoptions	3	3 (100%)	0 (100%)	0 (100%)	0 (100%)	0 (100%)	0 (100%)	0 (100%)	0 (100%)	10
Other Probate	23	4 (17%)	1 (22%)	4 (39%)	3 (52%)	0 (52%)	2 (61%)	2 (70%)	7 (100%)	276
TOTAL PROBATE	238	53 (22%)	19 (30%)	39 (47%)	73 (77%)	7 (80%)	13 (86%)	12 (91%)	22 (100%)	210
Delinquency	9	9 (100%)	0 (100%)	0 (100%)	0 (100%)	0 (100%)	0 (100%)	0 (100%)	0 (100%)	18
CHIPS	14	14 (100%)	0 (100%)	0 (100%)	0 (100%)	0 (100%)	0 (100%)	0 (100%)	0 (100%)	17
TPR - Voluntary	0	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0
TPR - Involuntary	3	3 (100%)	0 (100%)	0 (100%)	0 (100%)	0 (100%)	0 (100%)	0 (100%)	0 (100%)	47
Other Juvenile	4	4 (100%)	0 (100%)	0 (100%)	0 (100%)	0 (100%)	0 (100%)	0 (100%)	0 (100%)	5
TOTAL JUVENILE	30	30 (100%)	0 (100%)	0 (100%)	0 (100%)	0 (100%)	0 (100%)	0 (100%)	0 (100%)	17
GRAND TOTAL	3030	1029 (34%)	259 (43%)	468 (58%)	704 (81%)	113 (85%)	168 (90%)	150 (95%)	139 (100%)	152

Eau Claire County - Circuit Court

Quarterly Department Report - Summary

For Period Ending: Q4, 2022

Page: 1/1

Date Ran: 3/20/23

02 - Circuit Court

Fund	Revenue:	Orig Budget 2022	Adj Budget 2022	Q1 2022	Q2 2022	Q3 2022	Q4 2022	YTD 2022	% of Budget
100	01-Tax Levy	198,943	198,943	49,736	49,736	49,736	49,736	198,944	100.00%
	04-Intergovernment Grants and Aid	393,560	393,560	0	183,835	207,299	207,299	598,433	152.06%
	06-Public Charges for Services	506,034	506,034	44,677	116,152	247,275	61,546	469,649	92.81%
Total Revenue - Circuit Court		\$1,098,537	\$1,098,537	\$94,413	\$349,723	\$504,310	\$318,581	\$1,267,026	115.34%
Fund	Expenditures:	Orig Budget 2022	Adj Budget 2022	Q1 2022	Q2 2022	Q3 2022	Q4 2022	YTD 2022	% of Budget
100	01-Regular Wages	-345,988	-345,988	-61,528	-77,545	-91,824	-106,971	-337,867	97.65%
	02-OT Wages	0	0	-31	-37	-130	-58	-256	0.00%
	03-Payroll Benefits	-154,327	-154,327	-32,568	-115,174	-30,897	-34,236	-212,875	137.94%
	04-Contracted Services	-532,842	-532,842	-82,915	-152,624	-124,905	-278,455	-638,899	119.90%
	05-Supplies & Expenses	-65,380	-65,380	-10,411	-10,826	-11,331	-13,975	-46,541	71.19%
Total Expense - Circuit Court		-\$1,098,537	-\$1,098,537	-\$187,452	-\$356,206	-\$259,087	-\$433,693	-\$1,236,439	112.55%
Net Surplus/(-Deficit) - Circuit Court		\$0	\$0	-\$93,040	-\$6,483	\$245,223	-\$115,112	\$30,587	

MARCH 2023

Clerk of Courts – Q4 2022 / Annual Report

January – December

SELECTED PERFORMANCE MEASURES	
Total Collections:	\$3,668,257
Debt turned over to SDC:	\$1,671,821.18
Debt Collected from SDC:	\$1,436,240
Number of Court hearings clerked:	25,733 (excluding traffic)
Number of Traffic hearings clerked:	12,661
Number of docketed events:	254,488 (includes traffic)
SUMMARY OF CURRENT ACTIVITIES	
<ul style="list-style-type: none">▪ Mandated services<ul style="list-style-type: none">○ Deputy clerks (includes all positions within office)○ Fiscal○ Court-appointed attorneys○ Jury Management○ Receive electronic court reporter notes and keep them in a secure electronic file○ Administer mandated services for the Circuit Court ▪ Reporting - State<ul style="list-style-type: none">○ CS-147 Circuit Court Revenue and Expenditure Uniform Chart of Accounts○ Jury Evaluation○ Juvenile Legal Fees Report○ U.S. Attorney eFiling Fee Report ▪ Reporting – County<ul style="list-style-type: none">○ Quarterly Reports for Administration○ Quarterly Reports for Judiciary & Law Enforcement Committee ▪ Committees<ul style="list-style-type: none">○ CJCC○ EBDM○ Security & Facilities Committee○ Clerk’s Institute (virtual)○ WCCCA Spring Conference○ WCCCA Legislative Committee○ Criminal Court Review Committee○ Civil Forms Committee○ Criminal Forms Committee	

- Courts Stakeholders' Committee
- Staffing
 - We have had a huge shift in office positions due to a resignation - within the office we note promotions from within, as well as a lateral move, affecting seven staff positions. The dominoes effect resulted in three new hires in 2022.
 - The County Board approved an additional new hire to begin in January 2023.
- *The Brief* - publication sent to court partners regarding changes, procedures, and information related to the court system.

ISSUES ON THE HORIZON AND SIGNIFICANT TRENDS

- Training of staff/new staff in the office.
- Preparing for a newly created deputy clerk position with a start date of January 3, 2023. This includes assembling a cubicle where one used to be. IS and Maintenance are working on preparing the area.
- We will continue working on a large project of purging electronic cases that have met the retention period.
- We continue to work through minimal challenges as a result of our new Branch 6 and clerking our cases presided over by Rusk County Judge Barna.
- Child Support Interface - roll-out in Eau Claire County was scheduled to be implemented shortly. However, due to unforeseen glitches in pilot counties, this has been delayed. The interface will allow our office to provide documents requested from child support through the interface. We anticipated 4th quarter, but likely 1st quarter 2023.

CURRENT COLLABORATIONS (INTERNAL AND EXTERNAL)

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

GOALS FOR NEXT QUARTER

- Train deputy clerks holding new positions in the office.

Eau Claire County - Clerk of Courts

Quarterly Department Report - Summary

For Period Ending: Q4, 2022

Page: 1/1

Date Ran: 3/20/23

23 - Clerk of Courts

Fund	Revenue:	Orig Budget 2022	Adj Budget 2022	Q1 2022	Q2 2022	Q3 2022	Q4 2022	YTD 2022	% of Budget
100	01-Tax Levy	519,951	519,951	129,988	129,988	129,988	129,988	519,952	100.00%
	06-Public Charges for Services	562,500	562,500	85,201	173,673	131,151	125,221	515,246	91.60%
	08-Fines & Forfeitures	490,000	490,000	41,762	82,517	81,823	66,098	272,200	55.55%
	09-Other Revenue	600	600	28	167	547	963	1,705	284.12%

Total Revenue - Clerk of Courts

		\$1,573,051	\$1,573,051	\$256,978	\$386,345	\$343,509	\$322,270	\$1,309,103	83.22%
--	--	-------------	-------------	-----------	-----------	-----------	-----------	-------------	--------

Fund	Expenditures:	Orig Budget 2022	Adj Budget 2022	Q1 2022	Q2 2022	Q3 2022	Q4 2022	YTD 2022	% of Budget
100	01-Regular Wages	-1,014,981	-1,014,981	-186,126	-223,203	-269,759	-319,107	-998,195	98.35%
	02-OT Wages	-300	-300	0	-19	-10	0	-29	9.74%
	03-Payroll Benefits	-485,090	-485,090	-92,395	-96,565	-95,456	-123,309	-407,725	84.05%
	04-Contracted Services	-6,000	-6,000	0	-3,000	-1,500	-1,500	-6,000	100.00%
	05-Supplies & Expenses	-66,180	-66,180	-13,995	-22,278	-16,909	-24,402	-77,583	117.23%
	09-Equipment	-500	-500	0	0	0	0	0	0.00%

Total Expense - Clerk of Courts

		-\$1,573,051	-\$1,573,051	-\$292,516	-\$345,065	-\$383,634	-\$468,318	-\$1,489,533	94.69%
--	--	--------------	--------------	------------	------------	------------	------------	--------------	--------

Net Surplus/(-Deficit) - Clerk of Courts

		\$0	\$0	-\$35,538	\$41,281	-\$40,125	-\$146,048	-\$180,430	
--	--	-----	-----	-----------	----------	-----------	------------	------------	--



SELECTED PERFORMANCE MEASURES							
CTC Bed days diverted	2,325- jail bed days (Q3 2022) 6,843 – jail bed days (Q1-3 2022) 12,572 – jail bed days (2021) 21,356 – jail bed days (2020)						
1% Annual jail increase		2020	2021	Q1 2022	Q2 2022	Q3 2022*	Q4 2022
*Barland projection / ADP	Annual ALL jail	*294/199 -32.04%	297/186.2 -37.31%	300/181.1 -39.63%	300/207.1 -31.00%	300/212.4 -29.2%	300/176.88 -41.04%
	Annual Secure	162.8/159.6 -1.97%	164.4/167.3 1.76%	166/169.6 2.17%	166/190.7 14.88%	166/192.8 16.14%	166/160.86 -3.04%
	Annual Huber	129.9/27.6 -78.75	131.2/16.3 -87.58%	132.5/5.76 -95.65%	132.5/8.18 -93.83%	132.5/19.6 -85.21%	132.5/16.0 -87.92%
Pretrial holds in jail:		2020	2021	Q1 2022	Q2 2022	Q3 2022*	Q4 2022
	Felony Pre-Trial: Unpaid Cash Bond	25.44/ 14.99%	37.70/ 22.78%	47.61/28.06%	55.71/29.20%	56.87/27.19%	44.09/24.92%
	Misd. Pre-Trial: Unpaid Cash Bond	1.95/ 1.10%	3.14/ 1.86%	2.63/1.55%	3.00/2.23%	2.87/2.09%	3.76/2.12%
	*Q3 Data incomplete due to database failure.						
SUMMARY OF CURRENT ACTIVITIES							
	<ul style="list-style-type: none"> Verifying data integrity for internal dashboards Working with County Information Systems to access data Completion of a Sequential intercept mapping for diversion/deflection of mental health contact Discussion and initial work for community engagement connection 						
ISSUES ON THE HORIZON AND SIGNIFICANT TRENDS							
	<ul style="list-style-type: none"> Need for community supported stabilization center or like system Mental Health deflection and diversion Racial, Equity, Diversity 						
CURRENT COLLABORATIONS (INTERNAL AND EXTERNAL)							
	<ul style="list-style-type: none"> State EBDM/CJCC State Pretrial Stepping up Initiative IMPACT – Safety and Justice Challenge National – Pretrial executive Network National – National CJCC Network 						
GOALS FOR NEXT QUARTER							
	<ul style="list-style-type: none"> Creation of public facing dashboard - NEW National Center for State Courts Technical Assistance Award for mental health deflection for the courts 						
Performance Metrics							
	<ul style="list-style-type: none"> Jail population- digital dashboard Microsoft Power BI (powerbiouv.us) 						

Eau Claire County - Criminal Justice Services

Quarterly Department Report - Summary

For Period Ending: Q4, 2022

Page: 1/1

Date Ran: 3/20/23

18 - Criminal Justice Services

Fund	Revenue:	Orig Budget 2022	Adj Budget 2022	Q1 2022	Q2 2022	Q3 2022	Q4 2022	YTD 2022	% of Budget
100	01-Tax Levy	916,087	916,087	229,022	229,022	229,022	229,022	916,088	100.00%
	04-Intergovernment Grants and Aid	107,317	107,317	0	17,098	44,270	25,375	86,743	80.83%
	05-Intergovernmental Charges for Services	140,000	140,000	15,461	37,989	30,474	64,116	148,039	105.74%
	06-Public Charges for Services	10,000	10,000	2,055	2,920	2,225	1,475	8,675	86.75%
	11-Fund Balance Applied	0	354	0	0	0	0	0	0.00%

Total Revenue - Criminal Justice Services

\$1,173,404 \$1,173,758 \$246,538 \$287,029 \$305,991 \$319,987 \$1,159,545 98.79%

Fund	Expenditures:	Orig Budget 2022	Adj Budget 2022	Q1 2022	Q2 2022	Q3 2022	Q4 2022	YTD 2022	% of Budget
100	01-Regular Wages	-301,085	-301,085	-41,100	-67,792	-77,660	-91,320	-277,871	92.29%
	03-Payroll Benefits	-93,727	-93,727	-12,890	-21,891	-23,733	-26,289	-84,804	90.48%
	04-Contracted Services	-718,657	-718,657	-142,849	-181,544	-167,437	-212,491	-704,321	98.01%
	05-Supplies & Expenses	-56,982	-57,336	-1,200	-3,819	-5,902	-3,536	-14,457	25.21%
	09-Equipment	-2,953	-2,953	-738	-738	-1,238	-738	-3,453	116.93%

Total Expense - Criminal Justice Services

-\$1,173,404 -\$1,173,758 -\$198,777 -\$275,785 -\$275,970 -\$334,374 -\$1,084,906 92.43%

Net Surplus/(-Deficit) - Criminal Justice Services

\$0 \$0 \$47,761 \$11,243 \$30,021 -\$14,386 \$74,639

District Attorney

SELECTED PERFORMANCE MEASURES					
		2019	2020	2021	2022
Criminal Cases Filed (YTD)	Felony:	1,850	1,589	1,400	1,392
	Misdemeanor:	1,407	1,223	1,047	1,087
	Criminal Traffic:	435	366	413	451
	Total:	3,692	3,178	2,860	2,930
		2019	2020	2021	2022
Jury Trials (YTD)	Number:	25	5	17	23
	Result in Conviction:	17	5	13	17
	Conviction Rate:	68%	100%	76%	74%
SUMMARY OF CURRENT ACTIVITIES					
<ul style="list-style-type: none"> ▪ Hired, onboarded, and trained new Assistant District Attorney ▪ Began developing office-wide reorganization implementation plan ▪ Began drafting standard operating and training materials 					
ISSUES ON THE HORIZON AND SIGNIFICANT TRENDS					
<ul style="list-style-type: none"> ▪ Case referrals and filings are slowly to rising back to pre-pandemic levels ▪ Backlog of jury trials that have been postponed due to the COVID-19 pandemic 					
CURRENT COLLABORATIONS (INTERNAL AND EXTERNAL)					
<ul style="list-style-type: none"> ▪ Criminal Court Review Committee ▪ Circuit Court and Clerk of Courts Office ▪ Eau Claire County Law Enforcement Agencies ▪ Wisconsin District Attorney Association (WDAA) ▪ Bolton Refuge House, Family Support Center, Hmong Mutual Assistance Association ▪ Wisconsin Counties Association Judicial & Public Safety Steering Committee ▪ Wisconsin Victim Witness Professionals Association (WVWP) 					
GOALS FOR NEXT QUARTER					
<ul style="list-style-type: none"> ▪ Continue developing office-wide reorganization implementation plan ▪ Recruit and hire Criminal Trial Backlog Prosecutors ▪ Plan and conduct in-service training for Eau Claire Police Department 					

Eau Claire County - District Attorney

Quarterly Department Report - Summary

For Period Ending: Q4, 2022

Page: 1/1

Date Ran: 3/20/23

12 - District Attorney

Fund	Revenue:	Orig Budget 2022	Adj Budget 2022	Q1 2022	Q2 2022	Q3 2022	Q4 2022	YTD 2022	% of Budget
100	01-Tax Levy	564,456	564,456	141,114	141,114	141,114	141,114	564,456	100.00%
	04-Intergovernment Grants and Aid	393,586	393,586	56	39,468	95,850	79,003	214,377	54.47%
	06-Public Charges for Services	275,000	275,000	39,984	62,643	68,693	110,952	282,272	102.64%
Total Revenue - District Attorney		\$1,233,042	\$1,233,042	\$181,154	\$243,225	\$305,657	\$331,069	\$1,061,105	86.06%

Fund	Expenditures:	Orig Budget 2022	Adj Budget 2022	Q1 2022	Q2 2022	Q3 2022	Q4 2022	YTD 2022	% of Budget
100	01-Regular Wages	-760,231	-760,231	-140,289	-169,669	-203,601	-232,650	-746,209	98.16%
	02-OT Wages	0	0	-3	0	-3	-35	-42	0.00%
	03-Payroll Benefits	-275,235	-275,235	-56,158	-60,326	-65,036	-71,696	-253,216	92.00%
	04-Contracted Services	-122,917	-122,917	-1,999	-17,084	-36,602	-38,611	-94,297	76.72%
	05-Supplies & Expenses	-73,459	-73,459	-2,186	-16,195	-8,328	-14,601	-41,309	56.23%
	09-Equipment	-1,200	-1,200	-61	-61	-61	-61	-244	20.33%
Total Expense - District Attorney		-\$1,233,042	-\$1,233,042	-\$200,696	-\$263,335	-\$313,632	-\$357,655	-\$1,135,318	92.07%

Net Surplus/(-Deficit) - District Attorney		\$0	\$0	-\$19,542	-\$20,110	-\$7,975	-\$26,586	-\$74,213	
---	--	------------	------------	------------------	------------------	-----------------	------------------	------------------	--

Register in Probate/Clerk of Juvenile Court

SELECTED PERFORMANCE MEASURES	
Fees Collected YTD	Probate fees collected: \$53,796.21 out of \$36,000.00 budgeted (149%) Fees collected and deposited in the Circuit Court Budget: \$107,443.22
Number of Hearings Clerked YTD	2,171
Number of Events Docketed YTD	45,203
SUMMARY OF CURRENT ACTIVITIES	
<ul style="list-style-type: none"> ▪ Revising model record keeping guidelines for Chapter 48 cases ▪ Organizing the 2023 Fall WRIPA Conference hosted by the 10th Judicial District ▪ Preparing and distributing annual report and account form packets for guardians ▪ Increased cost of guideline packets for the public from \$3 to \$5 each 	
ISSUES ON THE HORIZON AND SIGNIFICANT TRENDS	
<ul style="list-style-type: none"> ▪ Training requirement for guardians becomes effective January 1, 2023 	
CURRENT COLLABORATIONS (INTERNAL AND EXTERNAL)	
<ul style="list-style-type: none"> ▪ Working with other county offices, attorneys, and self-represented litigants regarding case filings 	
GOALS FOR NEXT QUARTER	
<ul style="list-style-type: none"> ▪ Continue training new staff member ▪ Continue organizing 2023 Fall WRIPA Conference ▪ Update internal procedures and guidelines for the public regarding the new guardianship training requirement ▪ Assist guardians with filing their annual report and account paperwork 	

Eau Claire County - Register in Probate

Quarterly Department Report - Summary

For Period Ending: Q4, 2022

Page: 1/1

Date Ran: 3/20/23

03 - Register in Probate

Fund	Revenue:	Orig Budget 2022	Adj Budget 2022	Q1 2022	Q2 2022	Q3 2022	Q4 2022	YTD 2022	% of Budget
100	01-Tax Levy	255,268	255,268	63,817	63,817	63,817	63,817	255,268	100.00%
	06-Public Charges for Services	36,000	36,000	5,870	13,729	14,372	14,354	48,326	134.24%

Total Revenue - Register in Probate

		\$291,268	\$291,268	\$69,687	\$77,546	\$78,189	\$78,171	\$303,594	104.23%
--	--	-----------	-----------	----------	----------	----------	----------	-----------	---------

Fund	Expenditures:	Orig Budget 2022	Adj Budget 2022	Q1 2022	Q2 2022	Q3 2022	Q4 2022	YTD 2022	% of Budget
100	01-Regular Wages	-210,496	-210,496	-40,128	-48,154	-56,015	-67,211	-211,508	100.48%
	03-Payroll Benefits	-69,467	-69,467	-20,621	-23,227	-24,462	-27,160	-95,470	137.43%
	04-Contracted Services	-1,200	-1,200	0	-600	-300	-300	-1,200	100.00%
	05-Supplies & Expenses	-10,105	-10,105	-888	-1,375	-1,360	-2,303	-5,927	58.65%

Total Expense - Register in Probate

		-\$291,268	-\$291,268	-\$61,638	-\$73,355	-\$82,137	-\$96,974	-\$314,104	107.84%
--	--	------------	------------	-----------	-----------	-----------	-----------	------------	---------

Net Surplus/(-Deficit) - Register in Probate

		\$0	\$0	\$8,050	\$4,191	-\$3,947	-\$18,803	-\$10,510	
--	--	-----	-----	---------	---------	----------	-----------	-----------	--

Sheriff

SELECTED PERFORMANCE MEASURES	
Cases Handled	Q4:1970 YTD: 7475
Number of Bookings	2943
Number of Individuals	1997
SUMMARY OF CURRENT ACTIVITIES	
<ul style="list-style-type: none"> ▪ We honor the life of Eau Claire County Sheriff Ron Cramer and remember his legacy ▪ Undersheriff Cory Schalinske assumes the position and duties of Sheriff until January 2023 ▪ Hiring of 1 Deputy with continued interviews and eligibility lists ▪ National Drug Take Back Day October 29th ▪ Various patrol and jail staff participated in crisis intervention training ▪ Administrative Front Desk position filled and starting end of Q4 ▪ Continuation of Lexipol Roll-out ▪ ECSO attended the CVTC Career Fair in November ▪ Axon Implementation, Training, and Issuance of Equipment ▪ Peer Support Program continues and meets quarterly hybrid format. Regional Conference October 	
ISSUES ON THE HORIZON AND SIGNIFICANT TRENDS	
<ul style="list-style-type: none"> ▪ Identifying additional mental health resources and training in coordination with ECC DHS Crisis Network ▪ Staffing-Recruitment Opportunities-Continued Eligibility Lists: Growing number of CO Position vacancies in the jail. Focused on recruitment and retention in this area ▪ Secure Jail Population ▪ Security Services-continues to be at minimal staffing-many order-ins ▪ 2022 Fleet & Supply Shortages fulfilled by arriving in December. Increased Fuel Costs still an issue 	
CURRENT COLLABORATIONS (INTERNAL AND EXTERNAL)	
<ul style="list-style-type: none"> ▪ Chippewa Valley Votes - Incarcerated population for voter registration ▪ Racial and Ethnic Disparity Reduction Stakeholder Group ▪ Stepping Up Initiative - Continue to ask for Judicial System Assistance with Mental Health transition work. ▪ ECPD and Eau Claire County IS regarding integration of new squad and body cameras. ▪ EBDM - Evidence Base Decision-Making Program ▪ DEC - Drug Endangered Children / CART - Child Abduction Response Team ▪ CVRCFL-Chippewa Valley Regional Computer Forensics Lab 	

- Supervised Release Committee
- Aligned Law Enforcement Response Team Activations- Mutual Aid Responses
- CCI-Community Collaborations and Interventions
- Crime Stoppers-Confidential information sharing for community
- Parks & Forest-Assist with continued areas of concern
- County Emergency Communication Committee
- Alliance for Substance Misuse Prevention
- DHS-Crisis Response

GOALS FOR NEXT QUARTER

- Finalizing policy manuals for Patrol and Security through the contracted company Lexipol and therefore updating procedure manuals
- Peer Support Training
- Establish Deputy and Correctional Officer eligibility lists continue
- Continued grant funding for ALERT Program
- Hiring of staff in all divisions
- Participate in Continued Committee Assignments
- Continued Axon implementation
- Recruitment and Retention in Law Enforcement Trainings

Eau Claire County - Sheriff: General Fund

Quarterly Department Report - Summary

For Period Ending: Q4, 2022

Page: 1/1

Date Ran: 3/20/23

17 - Sheriff: General Fund

Fund	Revenue:	Orig Budget 2022	Adj Budget 2022	Q1 2022	Q2 2022	Q3 2022	Q4 2022	YTD 2022	% of Budget
100	01-Tax Levy	12,854,749	12,854,749	3,213,683	3,213,683	3,213,683	3,213,683	12,854,732	100.00%
	04-Intergovernment Grants and Aid	195,754	547,333	49,401	141,695	138,161	145,835	475,092	86.80%
	06-Public Charges for Services	793,600	793,600	50,154	61,845	159,281	217,320	488,600	61.57%
	09-Other Revenue	75,528	78,528	10,996	184,908	102,703	72,906	371,514	473.10%
	11-Fund Balance Applied	0	447,635	0	0	0	0	0	0.00%

Total Revenue - General Fund		\$13,919,631	\$14,721,845	\$3,324,234	\$3,602,131	\$3,613,828	\$3,649,744	\$14,189,937	96.39%
-------------------------------------	--	---------------------	---------------------	--------------------	--------------------	--------------------	--------------------	---------------------	---------------

Fund	Expenditures:	Orig Budget 2022	Adj Budget 2022	Q1 2022	Q2 2022	Q3 2022	Q4 2022	YTD 2022	% of Budget
100	01-Regular Wages	-7,269,643	-7,269,643	-1,328,732	-1,593,962	-1,836,424	-2,072,678	-6,831,796	93.98%
	02-OT Wages	-295,630	-295,630	-92,063	-102,872	-147,944	-200,136	-543,015	183.68%
	03-Payroll Benefits	-3,414,632	-3,414,632	-665,943	-725,493	-772,625	-857,816	-3,021,877	88.50%
	04-Contracted Services	-1,655,664	-1,655,664	-508,637	-372,473	-409,635	-434,815	-1,725,560	104.22%
	05-Supplies & Expenses	-642,667	-1,310,965	-166,012	-324,117	-194,649	-203,909	-888,687	67.79%
	07-Fixed Charges	-443,741	-443,741	-109,699	-109,699	-109,699	-109,699	-438,794	98.89%
	09-Equipment	-188,155	-322,071	-73,505	-98,230	-46,133	-151,009	-368,877	114.53%
	09-Grants, Contributions, Other	-9,499	-9,499	-3,173	-840	-4,779	-7,335	-16,127	169.77%

Total Expense - General Fund		-\$13,919,631	-\$14,721,845	-\$2,947,763	-\$3,327,685	-\$3,521,888	-\$4,037,396	-\$13,834,732	93.97%
-------------------------------------	--	----------------------	----------------------	---------------------	---------------------	---------------------	---------------------	----------------------	---------------

Net Surplus/(-Deficit) - Sheriff: General Fund		\$0	\$0	\$376,471	\$274,446	\$91,940	-\$387,652	\$355,205	
---	--	------------	------------	------------------	------------------	-----------------	-------------------	------------------	--

Eau Claire County - Sheriff: Anti-Drug Grant Fund

Quarterly Department Report - Summary

For Period Ending: Q4, 2022

Page: 1/1

Date Ran: 3/20/23

17 - Sheriff: Anti-Drug Grant Fund

Fund	Revenue:	Orig Budget 2022	Adj Budget 2022	Q1 2022	Q2 2022	Q3 2022	Q4 2022	YTD 2022	% of Budget
212	09-Other Revenue	108,499	108,499	0	0	0	0	0	0.00%
Total Revenue - Anti-Drug Grant Fund		\$108,499	\$108,499	\$0	\$0	\$0	\$0	\$0	0.00%
Fund	Expenditures:	Orig Budget 2022	Adj Budget 2022	Q1 2022	Q2 2022	Q3 2022	Q4 2022	YTD 2022	% of Budget
212	04-Contracted Services	-34,140	-34,140	-1,889	-3,661	-11,283	-4,878	-21,711	63.59%
	05-Supplies & Expenses	-49,310	-49,310	-810	-6,610	-11,453	-5,783	-24,656	50.00%
	07-Fixed Charges	-5,049	-5,049	-1,803	0	0	0	-1,803	35.71%
	09-Equipment	-20,000	-20,000	-18,983	-268	0	0	-19,252	96.26%
Total Expense - Anti-Drug Grant Fund		-\$108,499	-\$108,499	-\$23,485	-\$10,540	-\$22,735	-\$10,660	-\$67,421	62.14%
Net Surplus/(-Deficit) - Sheriff: Anti-Drug Grant Fund		\$0	\$0	-\$23,485	-\$10,540	-\$22,735	-\$10,660	-\$67,421	

State of Wisconsin



2023 Assembly Bill 28

Date of enactment: **April 6, 2023**
Date of publication*: **April 7, 2023**

2023 WISCONSIN ACT 4

AN ACT to renumber and amend 40.05 (2) (ar) and 40.73 (1) (am) 3.; **to amend** 40.02 (27), 40.02 (48) (b) 3., 40.02 (48) (c), 40.05 (1) (b) 1., 40.23 (3) (a) and 40.28 (1) (a) 2.; and **to create** 40.02 (17) (n), 40.02 (48) (am) 23., 40.02 (48) (b) 5., 40.05 (1) (a) 7., 40.05 (1) (b) 1a., 40.05 (2) (ap), 40.05 (2) (ar) 2., 40.23 (3) (c), 40.65 (4w), 40.73 (1) (am) 3. a. and b., 59.52 (8m) and 111.70 (4) (bn) of the statutes; **relating to:** classifying county jailers as protective occupation participants under the Wisconsin Retirement System and the treatment of county jailers under the Municipal Employment Relations Act.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 40.02 (17) (n) of the statutes is created to read:

40.02 (17) (n) Notwithstanding par. (d), each participant who is a county jailer and who is classified as a protective occupation participant shall be granted creditable service as a protective occupation participant for all covered service as a county jailer that was earned on or after the effective date of this paragraph [LRB inserts date], but may not be granted creditable service as a protective occupation participant for any covered service as a county jailer that was earned before the effective date of this paragraph [LRB inserts date], unless that service was earned while the participant was classified under sub. (48) (a) and s. 40.06 (1) (d) as a protective occupation participant.

SECTION 2. 40.02 (27) of the statutes is amended to read:

40.02 (27) "Employee required contribution" means the contribution made by an employee under s. 40.05 (1) (a) 1. to 4. and 7.

SECTION 3. 40.02 (48) (am) 23. of the statutes is created to read:

40.02 (48) (am) 23. A county jailer.

SECTION 4. 40.02 (48) (b) 3. of the statutes is amended to read:

40.02 (48) (b) 3. A "deputy sheriff" or a "county traffic police officer" is any officer or employee of a sheriff's office or county traffic department, except one whose principal duties are those of a telephone operator, clerk, stenographer, machinist or mechanic and whose functions do not clearly fall within the scope of active law enforcement even though such an employee is subject to occasional call, or is occasionally called upon, to perform duties within the scope of active law enforcement. Deputy sheriff or county traffic police officer ~~includes~~ does not include a county jailer, but does include any person regularly employed and qualifying as a deputy sheriff or county traffic police officer, even if temporarily assigned to other duties.

SECTION 5. 40.02 (48) (b) 5. of the statutes is created to read:

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

40.02 (48) (b) 5. A “county jailer” is an employee of a county whose principal duties involve supervising, controlling, or maintaining a jail or the persons confined in a jail, as assigned by the sheriff under s. 59.27 (1), regardless of whether the employee has been sworn regarding his or her duties or whether the employee serves on a full-time basis, provided the department receives notification of the participant’s name as provided in s. 40.06 (1) (d) and (dm). Notwithstanding par. (a), an employer may classify an employee who is a county jailer as a protective occupation participant under par. (am) 23. without making a determination that the principal duties of the employee involve active law enforcement or active fire suppression or prevention. A determination under this subdivision may not be appealed under s. 40.06 (1) (e) or (em). A county jailer is not a protective occupation participant if he or she so elects with the employer under s. 59.52 (8m) or 2023 Wisconsin Act (this act).

SECTION 6. 40.02 (48) (c) of the statutes is amended to read:

40.02 (48) (c) In s. 40.65, “protective occupation participant” means a participating employee who is a police officer, fire fighter, an individual determined by a participating employer under par. (a) or (bm) to be a protective occupation participant, county undersheriff, deputy sheriff, county jailer who is certified as a protective occupation participant, state probation and parole officer, county traffic police officer, conservation warden, state forest ranger, field conservation employee of the department of natural resources who is subject to call for forest fire control or warden duty, member of the state traffic patrol, state motor vehicle inspector, University of Wisconsin System full-time police officer, guard or any other employee whose principal duties are supervision and discipline of inmates at a state penal institution, excise tax investigator employed by the department of revenue, person employed under s. 60.553 (1), 61.66 (1), or 62.13 (2e) (a), or special criminal investigation agent employed by the department of justice.

SECTION 7. 40.05 (1) (a) 7. of the statutes is created to read:

40.05 (1) (a) 7. For a county jailer covered under subd. 3., the percentage of earnings equal to the total actuarially required contribution rate, as approved by the board under s. 40.03 (1) (e), for a participating employee whose formula rate is determined under s. 40.23 (2m) (e) 3., less the contribution rate paid by the employer for a county jailer under sub. (2) (a). Contributions under this section for an employee who first becomes a participating employee as a county jailer in a county that did not classify county jailers as protective occupation participants on the effective date of this subdivision [LRB inserts date], and is certified as a protective occupation participant on or after the effective date of this subdivision [LRB inserts date], shall be made by a reduction

in salary and, for tax purposes, shall be treated as employer contributions under section 414 (h) (2) of the Internal Revenue Code. Such a participating employee may not elect to have contributions required by sub. (2) (a) paid directly to the employee or make a cash or deferred election with respect to the contributions. Employees who are participating employees on the effective date of this subdivision [LRB inserts date], and who are first certified as protective occupation participants in a county jailer position on or after the effective date of this subdivision [LRB inserts date], in a county that did not classify county jailers as protective occupation participants on the effective date of this subdivision [LRB inserts date], shall make the contribution under this section on a post-tax basis. For employees who are employed as county jailers in a county that classified county jailers as protective occupation participants on the effective date of this subdivision [LRB inserts date], the county may at a subsequent date determine to categorize county jailers as general participating employees. In such instance, a county jailer who is employed by the county on the date the county determines to categorize county jailers as general participating employees may make a onetime irrevocable election to not be a protective occupation participant. A county jailer in such a county who opts to remain a protective occupation participant shall make the contribution under this section on a post-tax basis. A county jailer who is first hired as a county jailer by such a county after the date the county determines to categorize county jailers as general participating employees may make a onetime irrevocable election to not become a protective occupation participant. A county jailer who is first hired as a county jailer by such a county after the date the county determines to categorize county jailers as general participating employees and who opts to become a protective occupation participant shall make the contribution under this section on a pre-tax basis.

SECTION 8. 40.05 (1) (b) 1. of the statutes is amended to read:

40.05 (1) (b) 1. Except as otherwise provided in a collective bargaining agreement entered into under subch. IV or V of ch. 111 and except as provided in subd. 2., an employer may not pay, on behalf of a participating employee, any of the contributions required by par. (a). ~~The Except as provided in subd. 1a., the~~ contributions required by par. (a) shall be made by a reduction in salary and, for tax purposes, shall be considered employer contributions under section 414 (h) (2) of the Internal Revenue Code. A participating employee may not elect to have contributions required by par. (a) paid directly to the employee or make a cash or deferred election with respect to the contributions.

SECTION 9. 40.05 (1) (b) 1a. of the statutes is created to read:

40.05 (1) (b) 1a. Contributions under par. (a) 7. that are made by county jailers who are first certified as protective occupation participants on or after the effective date of this subdivision [LRB inserts date], and who are employed in a county that did not classify county jailers as protective occupation participants on July 1, 2022, shall be treated as employee contributions.

SECTION 10. 40.05 (2) (ap) of the statutes is created to read:

40.05 (2) (ap) The contributions under par. (a) that are required to be paid by a participating employer for a county jailer whose formula rate is determined under s. 40.23 (2m) (e) 3. shall be a percentage of earnings equal to one-half of the total actuarially required contribution rate, as approved by the board under s. 40.03 (1) (e), for an employee whose formula rate is determined under s. 40.23 (2m) (e) 1. This paragraph applies only to contributions paid for a county jailer who becomes a protective occupation participant on or after the effective date of this paragraph [LRB inserts date], and is one of the following:

1. Employed in a county that did not classify county jailers as protective occupation participants on the effective date of this subdivision [LRB inserts date].

2. Employed in a county that classified county jailers as protective occupation participants on the effective date of this subdivision [LRB inserts date], and the county subsequently determines to not classify county jailers as protective occupation participants and instead classify county jailers as general participating employees.

SECTION 11. 40.05 (2) (ar) of the statutes is renumbered 40.05 (2) (ar) 1. and amended to read:

40.05 (2) (ar) 1. Participating ~~Except as provided in subd. 2., participating~~ employers of employees subject to s. 40.65 shall contribute an additional percentage or percentages of those employees' earnings based on the experience rates determined to be appropriate by the board with the advice of the actuary.

SECTION 12. 40.05 (2) (ar) 2. of the statutes is created to read:

40.05 (2) (ar) 2. County jailers who are first hired as protective occupation participants on or after the effective date of this subdivision [LRB inserts date], in a county that did not classify county jailers as protective occupation participants on the effective date of this subdivision [LRB inserts date], may make the contribution under subd. 1. on a pre-tax basis, in lieu of their employers making the contribution. County jailers who are first certified as protective occupation participants on or after the effective date of this subdivision [LRB inserts date], in a county that did not classify county jailers as protective occupation participants on the effective date of this subdivision [LRB inserts date], shall make the contribution under subd. 1. on a post-tax basis, in lieu of their employers making the contribution. For employees who are employed as county jailers in a county that

classified county jailers as protective occupation participants on the effective date of this subdivision [LRB inserts date], the county may at a subsequent date determine to categorize county jailers as general participating employees. In such instance, a county jailer who is employed by the county on the date the county determines to categorize county jailers as general participating employees may make a onetime irrevocable election to not be a protective occupation participant. A county jailer in such a county who opts to remain a protective occupation participant shall make the contribution under subd. 1. on a post-tax basis. A county jailer who is first hired as a county jailer by such a county after the date the county determines to categorize county jailers as general participating employees may make a onetime irrevocable election to not become a protective occupation participant. A county jailer who is first hired as a county jailer by such a county after the date the county determines to categorize county jailers as general participating employees and who opts to become a protective occupation participant shall make the contribution under subd. 1. on a pre-tax basis.

SECTION 13. 40.23 (3) (a) of the statutes is amended to read:

40.23 (3) (a) Except as provided in ~~par. (b) and (c).~~ the initial monthly amount of any retirement annuity in the normal form shall not be less than the money purchase annuity which can be provided by applying the sum of the participant's accumulated additional and required contributions, including interest credited to the accumulations, plus an amount from the employer accumulation reserve equal to the participant's accumulated required contributions, less any accumulated contributions to purchase other governmental service under s. 40.25 (7), 2001 stats., or s. 40.285 (2) (b) to fund the annuity in accordance with the actuarial tables in effect on the annuity effective date.

SECTION 14. 40.23 (3) (c) of the statutes is created to read:

40.23 (3) (c) Under par. (a), for a county jailer described in s. 40.02 (48) (am) 23., the amount to be paid from the employer accumulation reserve is equal to the employer required contributions, including interest, paid for a county jailer under s. 40.05 (2) (a). This paragraph applies only to a county jailer who becomes a protective occupation participant on or after the effective date of this paragraph [LRB inserts date], and is one of the following:

1. Employed in a county that did not classify county jailers as protective occupation participants on the effective date of this subdivision [LRB inserts date].

2. Employed in a county that classified county jailers as protective occupation participants on the effective date of this subdivision [LRB inserts date], and the county subsequently determines to not classify county jailers as

protective occupation participants and instead classify county jailers as general participating employees.

SECTION 15. 40.28 (1) (a) 2. of the statutes is amended to read:

40.28 (1) (a) 2. The amount equal to 200 percent of employee required contribution accumulations reserved for a variable annuity as of the date the annuity begins. Except, for a county jailer described in s. 40.02 (48) (am) 23., the amount equal to the employee required contributions and the employer required contributions paid for a county jailer under s. 40.05 (2) (a), including interest, reserved for a variable annuity on the date the annuity begins. The amount applicable for a county jailer applies only to a county jailer who becomes a protective occupation participant on or after the effective date of this subdivision [LRB inserts date], and who is either employed in a county that did not classify county jailers as protective occupation participants on the effective date of this subdivision [LRB inserts date], or employed in a county that classified county jailers as protective occupation participants on the effective date of this subdivision [LRB inserts date], and the county subsequently determines to not classify county jailers as protective occupation participants and instead classify county jailers as general participating employees; and

SECTION 16. 40.65 (4w) of the statutes is created to read:

40.65 (4w) A county jailer who becomes a protective occupation participant on or after the effective date of this subsection [LRB inserts date], is not entitled to a duty disability benefit under this section for an injury or disease occurring before the effective date of this subsection [LRB inserts date].

SECTION 17g. 40.73 (1) (am) 3. of the statutes is renumbered 40.73 (1) (am) 3. (intro.) and amended to read:

40.73 (1) (am) 3. (intro.) Twice the employee required contributions, after first subtracting the accumulations under subd. 2., including interest on the accumulations. Except, for a county jailer described in s. 40.02 (48) (am) 23., the amount equal to the employee required contributions and the employer required contributions paid for a county jailer under s. 40.05 (2) (a), after first subtracting the accumulations under subd. 2., including interest on the accumulations. The amount applicable for a county jailer applies only to a county jailer who becomes a protective occupation participant on or after the effective date of this subdivision [LRB inserts date], and who is one of the following:

SECTION 17r. 40.73 (1) (am) 3. a. and b. of the statutes are created to read:

40.73 (1) (am) 3. a. Employed in a county that did not classify county jailers as protective occupation participants on the effective date of this subd. 3. a. [LRB inserts date].

b. Employed in a county that classified county jailers as protective occupation participants on the effective date of this subd. 3. b. [LRB inserts date], and the county subsequently determines to not classify county jailers as protective occupation participants and instead classify county jailers as general participating employees.

SECTION 18. 59.52 (8m) of the statutes is created to read:

59.52 (8m) EMPLOYMENT OF COUNTY JAILERS. (a) The board of an employer that did not classify county jailers as protective occupation participants on the effective date of this paragraph [LRB inserts date], shall provide to an individual who is employed as a county jailer the irrevocable option to elect not to be a protective occupation participant under s. 40.02 (48) (b) 5. when hired after the effective date of this paragraph [LRB inserts date], as a county jailer for the employer. An individual shall make an election under this paragraph within 60 days of being hired, in writing and on a form provided by the board.

(b) The board of an employer that classified county jailers as protective occupation participants on the effective date of this paragraph [LRB inserts date], and that subsequent to that date determines to classify county jailers as general participating employees shall provide to an individual who is employed as a county jailer on the date the board of the employer determines to classify county jailers as general participating employees the irrevocable option to not be a protective occupation participant under s. 40.02 (48) (b) 5. Such a board shall provide notice to county jailers of the board's determination and a jailer's opportunity to remain a protective occupation participant in writing, in a manner that the employer typically uses to provide notices to employees, and shall post such a notice where notices to employees are customarily posted. An individual shall make an election under this paragraph within 60 days after the determination by the board of the employer to classify county jailers as general participating employees, in writing and on a form provided by the board.

(c) The board of an employer that classified county jailers as protective occupation participants on the effective date of this paragraph [LRB inserts date], and that subsequent to that date determines to classify county jailers as general participating employees shall provide to an individual who is hired as a county jailer after the date the board of the employer determines to classify county jailers as general participating employees the irrevocable option to elect to not become a protective occupation participant under s. 40.02 (48) (b) 5. An individual shall make an election under this paragraph within 60 days after being hired, in writing and on a form provided by the board.

SECTION 19. 111.70 (4) (bn) of the statutes is created to read:

111.70 (4) (bn) *Public safety employee determination regarding county jailers.* 1. Except as provided under subd. 2., a county jailer, as defined in s. 40.02 (48) (b) 5., is a general municipal employee.

2. A county that treats a county jailer as a public safety employee on the effective date of this subdivision [LRB inserts date], shall continue to treat any person it employs as a county jailer as a public safety employee except that, if the county raises a question concerning the appropriateness of including county jailers in a collective bargaining unit that includes public safety employees, no person it employs as a county jailer may be treated as a public safety employee.

SECTION 20. Nonstatutory provision.

(1) COUNTY JAILER OPT OUT FROM PROTECTIVE OCCUPATION PARTICIPANT STATUS UNDER WISCONSIN RETIREMENT SYSTEM. No later than 60 days after the effective date of this subsection, if an individual employed as a county jailer on the effective date of this subsection who is not a protective occupation participant on the effective date of this subsection does not want to be a protective occupation participant under the Wisconsin Retirement System, the individual shall notify his or her employer in writing on a form provided by the employer. An election not to be a protective occupation participant is irrevocable.

SECTION 21. Effective date.

(1) This act takes effect on the January 1 after publication.

State of Wisconsin



2023 Senate Bill 75

Date of enactment: April 5, 2023

Date of publication*: April 6, 2023

2023 WISCONSIN ACT 3

AN ACT *to renumber* 969.001 (2); *to renumber and amend* 969.01 (1) and 969.035 (1); *to amend* 165.957 (4) (a) 1. and 2. and (c), 969.01 (4), 969.02 (3) (d) and 969.03 (1) (e); and *to create* 969.001 (2m), 969.001 (3) and 969.01 (1) (b) 2. of the statutes; **relating to**: statutory changes to implement the constitutional amendment relating to conditions of release.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 165.957 (4) (a) 1. and 2. and (c) of the statutes are amended to read:

165.957 (4) (a) 1. The person is ordered by a judge or by the department of corrections as a condition of bond, release under s. 969.01 (1) (a), probation or deferred prosecution, release to parole, or release to extended supervision, to totally abstain from using alcohol or a controlled substance, and whose participation in the program is ordered by the judge or by the department of corrections as a condition of bond, release under s. 969.01 (1) (a), probation, release to parole, or release to extended supervision.

2. The person agrees to totally abstain from using alcohol or a controlled substance while he or she is released on bond, on release under s. 969.01 (1) (a), on probation, participating in a deferred prosecution agreement, or on parole or extended supervision and agrees to participate in the program even though his or her participation is not ordered by a judge or by the department of corrections as a condition of bond, release pursuant to s. 969.01 (1) (a), probation or deferred prosecution, or release to parole or to extended supervision. This subdi-

vision does not apply to any person who meets the criteria under s. 343.301 (1g) (a) 2. b. and who is subject to an order under s. 343.301 (1g) (am) 2.

(c) The program informs a participant that, if he or she fails to appear for a scheduled test or if his or her test results indicate that the participant used alcohol or a controlled substance, he or she may be placed under immediate arrest and referred to the department of corrections and to the appropriate prosecuting agency for violating a condition of his or her bond, release under s. 969.01 (1) (a), probation or deferred prosecution, or of his or her release to parole or extended supervision.

SECTION 2. 969.001 (2) of the statutes is renumbered 969.035 (1) (a).

SECTION 3. 969.001 (2m) of the statutes is created to read:

969.001 (2m) "Serious harm" means any of the following:

(a) Personal physical pain or injury, illness, any impairment of physical condition, or death, including mental anguish or emotional harm attendant to the personal physical pain or injury, illness, or death.

(b) Damage to property over \$2,500 in value.

(c) Economic loss over \$2,500 in value.

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

SECTION 4. 969.001 (3) of the statutes is created to read:

969.001 (3) “Violent crime” means any of the following:

(a) A crime specified under s. 940.01, 940.02, 940.03, 940.05, 940.06, 940.07, 940.08, 940.09 (1), 940.10, 940.11, 940.12, 940.19 (1), (2), (4), (5), or (6), 940.195 (1), (2), (4), (5), or (6), 940.198 (2) or (3), 940.20, 940.201 (2), 940.203 (2), 940.204, 940.205 (2), 940.207 (2), 940.208, 940.21, 940.225 (1), (2), or (3), 940.23, 940.235, 940.24, 940.25, 940.285, 940.29, 940.30, 940.302 (2), 940.305, 940.31, 940.32, 940.43, 940.45, 941.20, 941.21, 941.28, 941.2905, 941.292, 941.30, 941.327, 941.38 (2) or (3), 941.39, 943.01 (2) (c), 943.011, 943.013, 943.02, 943.04, 943.06, 943.10, 943.23 (1g) or (1r), 943.30, 943.32, 943.87, 946.43, 947.013, 947.015, 948.02 (1) or (2), 948.025, 948.03 (2), (3), or (5), 948.04, 948.05, 948.051, 948.055, 948.06, 948.07, 948.08, 948.085, 948.095, 948.30 (2), 948.55, 951.02, 951.08, or 951.09.

(b) A felony violation of s. 941.26.

(c) A violation of s. 813.12, 813.122, or 813.125.

(d) The solicitation, conspiracy, or attempt, under s. 939.30, 939.31, or 939.32, to commit a Class A felony.

(e) A violation to which a penalty enhancer specified in s. 939.621 or 939.63 (1) may be applied.

SECTION 5. 969.01 (1) of the statutes is renumbered 969.01 (1) (a) and amended to read:

969.01 (1) (a) Before conviction, except as provided in ss. 969.035 and 971.14 (1r), a defendant arrested for a criminal offense is eligible for release under reasonable conditions designed to assure his or her appearance in court, protect members of the community from serious bodily harm, or ~~and~~ prevent the intimidation of witnesses.

(b) Bail may be imposed at or after the initial appearance only upon a finding by the court that there ~~any of the following is true:~~

1. There is a reasonable basis to believe that bail is necessary to assure ~~the defendant’s~~ appearance in court. ~~In determining whether any conditions of release are appropriate, the judge shall first consider the likelihood of the defendant appearing for trial if released on his or her own recognizance.~~

SECTION 6. 969.01 (1) (b) 2. of the statutes is created to read:

969.01 (1) (b) 2. If the defendant is accused of a violent crime, there is a reasonable basis to believe that bail is necessary based on the totality of the circumstances. The court, when considering the totality of the circumstances, may take into account whether the defendant has a previous conviction for a violent crime, the probability that the defendant will fail to appear in court, the need to protect members of the community from serious harm, the need to prevent the intimidation of witnesses, and the potential affirmative defenses of the defendant.

SECTION 7. 969.01 (4) of the statutes is amended to read:

969.01 (4) **CONSIDERATIONS IN SETTING CONDITIONS OF RELEASE.** If bail is imposed, ~~it only due to a finding under sub. (1) (b) 1., the bail amount shall be only in the amount found necessary to assure the appearance of the defendant. If bail is imposed due to a finding under sub. (1) (b) 2., the bail amount may not be excessive.~~ Conditions of release, other than monetary conditions, may be imposed for the purpose of assuring the defendant’s appearance in court, protecting members of the community from serious bodily harm, or preventing intimidation of witnesses. Proper considerations in determining whether to release the defendant without bail, fixing a reasonable and not excessive amount of bail or imposing other reasonable conditions of release are: the ability of the arrested person to give bail, the nature, number and gravity of the offenses and the potential penalty the defendant faces, whether the alleged acts were violent in nature, the defendant’s prior record of criminal convictions and delinquency adjudications, if any, the character, health, residence and reputation of the defendant, the character and strength of the evidence which has been presented to the judge, whether the defendant is currently on probation, extended supervision or parole, whether the defendant is already on bail or subject to other release conditions in other pending cases, whether the defendant has been bound over for trial after a preliminary examination, whether the defendant has in the past forfeited bail or violated a condition of release or was a fugitive from justice at the time of arrest, and the policy against unnecessary detention of the defendant’s pending trial.

SECTION 8. 969.02 (3) (d) of the statutes is amended to read:

969.02 (3) (d) ~~Impose any other condition deemed reasonably necessary to assure appearance as required bail following a finding under s. 969.01 (1) (b) or impose any nonmonetary condition deemed reasonably necessary to secure appearance in court as required,~~ protect members of the community from serious bodily harm, or prevent intimidation of witnesses, including a condition that the defendant return to custody after specified hours. The charges authorized by s. 303.08 (4) and (5) shall not apply under this section.

SECTION 9. 969.03 (1) (e) of the statutes is amended to read:

969.03 (1) (e) ~~Impose any other condition deemed reasonably necessary to assure appearance as required bail following a finding under s. 969.01 (1) (b) or any nonmonetary condition deemed reasonably necessary to secure appearance in court as required,~~ protect members of the community from serious bodily harm, or prevent intimidation of witnesses, including a condition requiring that the defendant return to custody after specified hours. The charges authorized by s. 303.08 (4) and (5) shall not apply under this section.

2023 Senate Bill 75

2023 Wisconsin Act 3

SECTION 10. 969.035 (1) of the statutes is renumbered 969.035 (1) (intro.) and amended to read:

969.035 (1) (intro.) In this section:

(b) Notwithstanding s. 969.001 (3), “violent crime” means any crime specified in s. 940.01, 940.02, 940.03, 940.05, 940.06, 940.07, 940.08, 940.10, 940.19 (5), 940.195 (5), 940.198 (2) (a) or (c), 940.21, 940.225 (1), 940.23, 941.327, 948.02 (1) or (2), 948.025, 948.03, or 948.085.

SECTION 11. Nonstatutory provisions.

(1) If, at the April 2023 election, only question 1 or question 2 of 2023 Senate Joint Resolution 2 or 2023

Assembly Joint Resolution 1 is ratified, the treatments in this act that are related to the question that was not ratified are void. If neither question is ratified at the April 2023 election, this act is void. The legislative reference bureau shall identify and delete voided treatments in enrolling this bill or when publishing the statutes.

SECTION 12. Effective date.

(1) This act takes effect on the day after publication or on the date that question 1 or question 2 of 2023 Senate Joint Resolution 2 or 2023 Assembly Joint Resolution 1 is ratified, whichever is later.

State of Wisconsin



2023 Senate Joint Resolution 2

ENROLLED JOINT RESOLUTION

To amend section 8 (2) of article I of the constitution; **relating to:** conditions for release prior to conviction, including the imposition of bail (second consideration).

Whereas, the 2021 legislature in regular session considered a proposed amendment to the constitution in 2021 Assembly Joint Resolution 107, which became 2021 Enrolled Joint Resolution 6, and agreed to it by a majority of the members elected to each of the two houses, which proposed amendment reads as follows:

SECTION 1. Section 8 (2) of article I of the constitution is amended to read:

[Article I] Section 8 (2) All persons, before conviction, shall be eligible for release under reasonable conditions designed to assure their appearance in court, protect members of the community from serious bodily harm as defined by the legislature by law, or prevent the intimidation of witnesses. Monetary conditions of release may be imposed at or after the initial appearance only upon a finding that there is a reasonable basis to believe that the conditions are necessary to assure appearance in court, or if the person is accused of a violent crime as defined by the legislature by law, only upon a finding that there is a reasonable basis to believe that the conditions are necessary based on the totality of the circumstances, taking into account whether the accused has a previous conviction for a violent crime as defined by the legislature by law, the probability that the accused will fail to appear in court, the need to protect members of the community from serious harm as defined by the legislature by law, the need to prevent the intimidation of witnesses, and the potential affirmative defenses of the accused. The legislature may authorize, by law, courts to revoke a person's release for a violation of a condition of release.

Now, therefore, be it resolved by the senate, the assembly concurring, That the foregoing proposed amendment to the constitution is agreed to by the 2023 legislature; and, be it further

Resolved, That the foregoing proposed amendment to the constitution be submitted to a vote of the people at the election to be held on the first Tuesday of April, 2023; and, be it further

Resolved, That the question concerning ratification of the foregoing proposed amendment to the constitution be stated on the ballot as follows:

QUESTION 1: “*Conditions of release before conviction.* Shall section 8 (2) of article I of the constitution be amended to allow a court to impose on an accused person being released before conviction conditions that are designed to protect the community from serious harm?”

QUESTION 2: “*Cash bail before conviction.* Shall section 8 (2) of article I of the constitution be amended to allow a court to impose cash bail on a person accused of a violent crime based on the totality of the circumstances, including the accused's previous convictions for a violent crime, the probability that the accused will fail to appear, the need to protect the community from serious harm and prevent witness intimidation, and potential affirmative defenses?”

Representative Robin J. Vos
Speaker of the Assembly

Senator Chris Kapenga
President of the Senate

Date

Michael J. Queensland
Senate Chief Clerk

Strategic Initiatives and Key Initiatives/Action Items (revised 11/7/2022)

STRATEGIC PRIORITY A

A Healthy, Safe Community

Enhance the health and safety of Eau Claire County community members.

Strategic Initiative

1. ***Explore and commit to community collaboration for proactive housing solutions***

Key Initiatives/Action Items

- Local government partners are continuing to look for ways to cooperatively address community issues—example housing. Leverage county resources to assist with addressing this problem.
- Jail community integration program to assist with services and housing (**Department of Human Services, Criminal Justice Services**).
- Joint Housing study to identify needed next steps and identify gaps (**Administration, Department of Human Services, City of Eau Claire, City of Altoona**).

Strategic Initiative

2. ***Invest to improve surface and ground water quality to provide safe drinking water and water for recreational activities.***

Key Initiatives/Action Items

- Perform mapping of groundwater flow (**Planning and Development/Land Conservation**).
 - Develop policies to protect county ground and recreational water (**Health Department, Planning and Development, Parks and Forest**).
 - Increase well testing of private wells, rural wells, commercial wells, septic, beaches, and water to cattle/livestock (**Health Department**).
-

Strategic Initiative

3. *Improve access to specific needed health services to rural portions of the county.*

Key Initiatives/Action Items

- Expand the Nurse/Family/Partnership and current nurse home visitation programs and AODA Prevention Services (**Health Department**)
 - Providing broadband in rural areas will increase opportunities for Teledoc or Telehealth options (**Broadband Committee**)
 - Next Gen 911 (**Planning and Development, Communications Center**)
-

Strategic Initiative

4. *Increase evidence-based solutions to drug and alcohol abuse.*

Key Initiatives/Action Items

- Develop opiate programming with a prevention focus (**Department of Human Services, Health Department, Criminal Justice Services**)
 - Expand Triple P (Positive Parenting Partnership) Extension programming to include drug education (**Extension**)
 - Utilize existing coalitions for drug and alcohol abuse (**Department of Human Services, Health Department, Sheriff's Department, Criminal Justice Services, Veteran Services**)
 - Resources and collaboration to support Community Health Improvement Plan initiatives for AODA prevention and outreach (**Department of Human Services, Health Department, Veteran Services, Criminal Justice Services, Aging and Disability Resource Center**)
-

Strategic Initiative

5. Individualize mental health services to vulnerable populations.

Key Initiatives/Action Items

- Trauma responsive care, peer support, culturally responsive, response to harm restorative justice (**Department of Human Services, Health Department, Sheriff's Department, Criminal Justice Services, Veteran Services**)
 - Create peer to peer mental health support groups with individual mentors (**Department of Human Services, Health Department, Sheriff's Department, Criminal Justice Services, Veteran Services**)
 - Resources and collaboration to support Community Health Improvement Plan initiatives for mental health (**Department of Human Services, Health Department, Sheriff's Department, Criminal Justice Services, Veteran Services**)
-

Strategic Initiative

6. Increase outreach and prevention services. Every member of the community has a right to voice and choice.

Key Initiatives/Action Items

- Create/improve wrap-around outreach prevention services (**Department of Human Services, Health Department, Veteran Services, Sheriff's Department, Criminal Justice Services, Aging and Disability Resource Center**)
 - Provide effective channels for interactions of channels (especially underserved sections of the community), examples include rural congregate settings, dorms, incarcerated, assisted living facilities. (**Department of Human Services, Health Department, Veteran Services, Sheriff's Department, Criminal Justice Services, Aging and Disability Resource Center**)
 - Current nurse home visitation programs including NFP and AODA Prevention Services (**Health Department**)
-

Strategic Initiative

7. Increase public safety

Key Initiatives/Action Items

- Identify resources for educating the public and making connections with community organizations (**Sheriff's Department, Department of Human Services, Health Department, Veteran Services, Criminal Justice Services, Aging and Disability Resource Center**)
-

STRATEGIC PRIORITY B

Quality and Meaningful Relationships

Grow meaningful relationships internally and externally

Strategic Initiative

1. *Pursue strategies to enhance fiscal resilience and operational effectiveness*

Key Initiatives/Action Items

- Increase detail what taxes are spent on with measurable outcomes **(All Departments)**
- Reduce debt based on plan by Finance Committee **(Finance, Administration, All other departments)**
- Evaluate how ARPA can be used for capital **(Finance, Administration, County Board)**
- Use continuous process improvement model. Employ tools such as data management, internal analysis, and audits as appropriate.

Strategic Initiative

2. *Identify opportunities to strengthen partnerships and collaboration*

Key Initiatives/Action Items

- Develop communication networks for partnerships with community Non-Profit Organizations with a common mission. **(All Departments, County Board)**
- Develop a community collaboration council to strengthen internal and external partnerships and to leverage and extend county goals. (Include Chamber of Commerce, Chippewa Valley Technical College, University of Wisconsin-Eau Claire, towns, cities, villages, and school districts) **(All Departments, County Board)**

Strategic Initiative

3. *Increase understanding of the roles and responsibilities of board supervisors of board supervisors with the staff and community members*

Key Initiatives/Action Items

- Board Members become ambassadors of county government **(All Departments, County Board)**
-

Strategic Initiative

4. *Enhance employment engagement and resilience*

Key Initiatives/Action Items

- Streamline hiring processes to ensure adequate staff is present to meet constituent needs and support a strong economic base (**Human Resources, All other departments**)
 - Working from home (county staff) and offering a flexible schedule where possible (**All departments as appropriate**)
 - Improve technology to allow for hybrid meetings to encourage increased access and participation (**IT/IS, Health Department**)
 - Perform wage classification and matrix review (**Human Resources, Administration, Finance, Department Heads**)
 - Job descriptions, revising performance appraisals form/process, adopting more proactive/progressive model of compensation
-

Strategic Initiative

5. *Create citizen engagement strategy that board members can proactively use*

Key Initiatives/Action Items

- Employee and community surveys were completed in February and March '22 and community engagement sessions were held in the same months. (**Human Resources and Administration**)
 - This will be a part of the ongoing **Communications Planning Team**
-

STRATEGIC PRIORITY C

Robust Infrastructure

Define, develop, and maintain essential Eau Claire County infrastructure

Strategic Initiative

1. ***Improve efficiency and performance of County operations through automation and data-driven decision-making***

Key Initiatives/Action Items

- Develop internal capacity and secure resources of subject matter experts as needed (**All Departments**)
- Improve data-driven processes that are measurable, and processes are accessible by the public (Improve performance metrics and reporting) (**All departments**)
- Board education/access of county informational resources (**All departments**)
- The **Performance Measurement Team** will develop metrics and methods for utilizing data-driven decision-making

Strategic Initiative

2. ***Grow revenue sources for investment in infrastructure and identify efficiencies in capital assets***

Key Initiatives/Action Items

- Board education on background of economic development history, current practices, and opportunities on the horizon. (**Finance, other departments as appropriate**)
 - Investigate using a regional approach for projects with a high capital startup (share the costs and benefits). (**Administration, Finance, other departments as appropriate, local government partners**)
 - Carbon Credits Program (**Planning and Development, Parks and Forest**)
-

Strategic Initiative

3. ***Expand renewable energy sources for County facilities***

Key Initiatives/Action Items

- Investigate clean energy solutions (**Facilities, Planning and Development, Highway**)
 - Fund and identify renewable energy sources for County facilities (**Facilities, Finance, Administration, Highway Department**)
 - The new Highway Facility will have a geothermal system serving the main building and a 100kW solar array on the roof of the Unheated Storage Building. (**Facilities, Highway, Finance**)
 - The County subscribes to both XCEL Energy's and Eau Claire Energy Coop's solar arrays. (**Facilities, Finance**)
 - Installing solar arrays on the Expo Center property, Courthouse roof, and Ag Center roof. (**Facilities, Finance**)
-

Strategic Initiative

4. ***Extend broadband internet service to areas identified as being underserved or unserved***

Key Initiatives/Action Items

- Support broadband committee with an emphasis on rural population (underserved and unserved). (**Administration, IT/IS, Planning and Development, Broadband Committee**)
 - Reallocate unused broadband matching funds to aid in broadband development in rural areas with low population densities. (**Broadband Committee**)
-

STRATEGIC PRIORITY D

Vibrant Communities

Provide and promote services and resources that enhance the quality of life and economic prosperity of community members

Strategic Initiative

1. ***Attract and retain businesses and industries that strengthen and diversify the local economy***

Key Initiatives/Action Items

- Identify opportunities to analyze the environment and promote to strengthen the local economy. (Continue collaboration with the Economic Development Corporation)
-

Strategic Initiative

2. ***Promote and increase environmental stewardship and sustainability in the county***

Key Initiatives/Action Items

- Work with local partners to provide educational opportunities on the environment (**Planning and Development, Extension, Beaver Creek**)
 - Continue collaboration with community partners/ to reduce waste/increase recycling (**All departments**)
-

Strategic Initiative

3. ***Work with county employers, realtors, and homebuilders to attract employees and businesses***

Key Initiatives/Action Items

- Work with community partners to develop 10x10x10– the thousand things to do that create a place where people choose to live. (**All departments**)
-

Strategic Initiative

4. Enhance equity and access in service delivery and representation in governance

Key Initiatives/Action Items

- Increase education to underserved communities on what the County Government and County Board does and add this information to the County Board Information Pages. **(All Departments, County Board)**
 - Talk to Lake Association, Town Boards, etc. **(Planning and Development, Highway, Administration)**
 - Use technology to provide flexible hours and services outside of normal venue’s offices. **(All departments as feasible)**
 - Departments push out to rural areas/offsite locations. Set up shop in rural underserved areas. **(All departments as feasible)**
 - Identify programming that encourages equitable access to park and recreational opportunities. **(Parks and Forest, Aging and Disability Resource Center)**
-

Strategic Initiative

5. Increase information and marketing of county services and programs

Key Initiatives/Action Items

- Dedicate more resources towards communication and marketing plan—have department’s review their communication strategies **(All departments)**
-

Strategic Initiative

6. Promote the cultural, recreational, and natural features of the county

Key Initiatives/Action Items

- Encourage funding for programming of activities/events **(All Departments where possible)**
 - Identify innovative services/amenities that appeal to a wide consumer base **(All departments)**
-

FACT SHEET

TO FILE NO. 23-24/003

County Ordinance 2.04.445 defines the responsibility of the Committee on Judiciary and Law Enforcement. This amendment is updating and correcting the county departments for which the Committee on Judiciary and Law Enforcement has oversight.

Fiscal Impact: \$0

Respectfully Submitted:
Connie Russell, District 13

1 Enrolled No.

ORDINANCE

File No. 23-24/003

2

3 TO AMEND SECTION 2.04.445 A. OF THE CODE: COMMITTEE ON JUDICIARY AND
4 LAW ENFORCEMENT

5

6 The County Board of Supervisors of the County of Eau Claire does ordain as follows:

7

8 SECTION 1. That Subsection A. of Section 2.04.445 of the code be amended to read:

9

10 A. The committee shall be responsible to the county board for the departmental
11 policy and oversight of the sheriff's ~~department office, the offices of the district attorney's office,~~
12 clerk of courts, register in probate/clerk of juvenile court, family court commissioner, circuit
13 court, and criminal justice services collaborating council.

14

15 ENACTED:

16

17 _____

18 _____

19 _____

20 _____

21 _____

22 _____

23 _____

24 _____

25 _____

26 Committee on Administration Committee on Judiciary and Law Enforcement

27

28 VOTE: _____ Aye _____ Nay VOTE: _____ Aye _____ Nay

29

30 Dated this _____ day of _____, 2023. Dated this _____ day of _____, 2023.

31