

MINUTES OF MEETING OF JUDICIARY & LAW ENFORCEMENT COMMITTEE
on May 4th, 2022
KCAB 2ND FLOOR COUNTY BOARD COMMITTEE ROOM

Members Present: Zach Rodriguez, Brian Bashaw, Erin Decker, Mark Nordigian, John Franco, Jeff Wamboldt

Others Present: John Poole, Cpt. Justin Miller, Cpt. Tony Gonzalez, Mike Gravely, Clara Tappa, Ashley Lutterman, Heather Beasy, Angela Khabbaz, YIG Sam Arnold

Meeting Called to Order: 6:30 p.m. by Chairman Rodriguez

Citizen Comments: 6:30 None

Supervisor Comments: 6:30 None

Chairman Comments: 6:30 None

Appointment of 2nd Vice-Chair:

Motion by: Decker **Seconded by:** Franco **Approved:** unanimously

6:30: Chairman Rodriguez commented that it was discussed two County Board Meetings ago to appoint Supervisor Belsky as Second Vice-Chair of the Judiciary and Law Enforcement Committee. Chairman Rodriguez suggested waiting since Supervisor Belsky was not present, but Supervisor Decker requested to go ahead and vote, to which Chairman Rodriguez agreed. Supervisor Decker motioned to approve, seconded by Supervisor Franco. Motion passes unanimously with no further discussion.

Approval of the Minutes from April 6th, 2022: 6:31

Motion by: Wamboldt **Seconded by:** Nordigian **Approved:** unanimously

Resolution from the District Attorney's Office:

Approving the 2022 District Attorney's Office Proposal for Allocation of Federal ARPA Funds

Motion by: Decker **Seconded by:** Nordigian **Approved:** unanimously

6:31: District Attorney Michael Graveley, of the Kenosha County District Attorney's Office, presented along with Heather Beasy, the head of the Victim Witness program. Michael provided handouts to the committee with statistical information provided to the District Attorney's Office (DA's Office) by the State Court Statistician, prior to starting. The handout also included different counties for the purposes of comparison. Michael said there is a backlog of cases due to previous COVID restrictions over the last two years, which have delayed jury trials, etc. In Kenosha County there are an additional number of cases that other counties do not have because of the 94 cases that were charged specifically during the riots that occurred in 2020, and other counties do not have an equivalent.

The DA's Office was able to get two new prosecutors from the State out of the COVID funds, increasing from 19 to 21 prosecutors. The State fund does not provide support capabilities for these additional individuals. The DA's Office is hiring Law School graduates, just finishing Law School, to jump ahead and get two people hired to fill those additional positions. They are funded starting in late May of 2022. Once the two graduates pass the Bar Exam, the two additional positions will be filled. Other counties and DA Offices are still looking for people, but by promising jobs to people who have not graduated yet, promising to pay them, and offered them a job that they know is coming, those positions are now filled.

To deal with the backlog of 1100 cases as of January, the judges have indicated they want to increase the number of criminal branches of court by August 2022. Michael gave the example of cashiers at Woodman's, you want them to open more isles to get through quicker, and the same is true for criminal cases. Looking at the median in 2018 it took 127 days to deal with a typical felony case. This is jail and public safety cost, and the quicker you move the cases through the better in terms of public safety and moving people from jail to prison or out of jail. Post pandemic in 2021 this median is at 199 days. There are two lawyers coming in but there is no support for them. Michael returned to the Woodman's example, you can open as many cashiers

as you want, but if the support structure of people putting prices on things or stocking shelves, then there is no ability to have people get the food the need.

Michael commented that he is here to ask the county to look at the COVID monies and the awarded ARPA funds to fund the two support positions. One is a Paralegal, there is typically a ration of one Paralegal for every two lawyers. During the same two-year period that they have these two lawyers, the State funds are for two years for each of these lawyer positions, two lawyers, two years each, a finite time and then they are done at that point. Michael is asking for support staff through county ARPA funds that matches that in terms of time period. The Paralegal is the person who puts witnesses out, makes sure the calendar is appropriate, works through the electronic mail, makes sure the prosecutors are in the right place, are prepared appropriately for the hearings that come through, and are the crucial support structure for their lawyers.

Michael went on that because they are going from three criminal branches to four, the DA's Office needs one additional Victim Witness person to staff the additional branch. Marsy's Law mandated a whole set of restrictions for the DA's Office, where they must inform victims of cases before the case is even charged. From the day someone goes into custody, would have their initial appearance, the DA's Office would have to call ahead of time. The DA's Office is obligated to fully consult people and accompany them to court appearances for the victims who wish it and within the State Constitution. Victim Witness staff spend all day accompanying, consulting, calling and giving updates on branches to court to people. If there are not enough Victim Witness to do that, meet the demands of the branches of court, then they do not have the ability to make the calls and consult with people appropriately. Michael commented that the world we're in now, the victims are more afraid to participate in the court systems with social media being a factor in terms of people being fearful, because they are more publicly exposed. Michael added that it is a dangerous time in the community, particularly in the City of Kenosha, which had 18 homicides last year. We are in a time period where victims have never been more afraid to cooperate, so having a Victim Witness on top of the caseload is important. If a call comes in from a victim or a witness, they are responsible for them, accompanying them to court, and calls them for all updates. The current caseload for Victim Witness professionals is 828 cases each, and they have multiple victims. The Victim Witness is the person who is the crucial point of contact. In order to do public safety, you must have Victim Witness professionals to do this.

Michael went to Finance first and asked, "If I propose this our new County Executive, is there a source of funding?". He said they replied that there is money possible from ARPA. In the future, both calendar year 2023 and half of 2024, the funds are available to tap into. Michael is not asking for the levy to be changed in any way, or for these to be permanent positions but to have the same life as the Attorneys. Michael asked Finance to cost it out and met with the County Executive who is in support of the resolution.

Supervisor Nordigian asked if the two lawyers and the new Paralegal will be able to clear out and get back down to 127 days. Michael replied that it was the goal. Supervisor Nordigian asked if the evidence is based off the current workload. Michael replied that because they've increased by one extra branch, instead of three jury trials a week there will be four including felony sentencing. Michael referred back to his Woodman's example that the line would be reduced having four people do the work instead of three. Supervisor Nordigian clarified is this was the backlog. Michael replied that otherwise they were the backlog. If there weren't enough lawyers, now they would be the backlog. If there are not professionals to support the lawyers. Michael gave an example of preparing for a trial is like preparing for a final examination, you can only be prepared for so many, so without the back staff to support they would end up being the backlog.

Supervisor Nordigian asked if there was a high level of confidence that the funding would be over in two years. Michael replied the ARPA funding is a two-year grant, so has a high level of confidence. That's the difficulty in hiring as these are not permanent positions.

Chairman Rodriguez asked how many of the caseloads were from the riots. Michael replied 94 cases were drafted from the riots and of those 70 of them were felonies. Michael commented that at some point there was public interest in how many cases were riot related. It took a lot of labor and wondered if it was worth the time, but the public deserved to know.

Supervisor Decker asked about the median number of cases, 127 cases in 2018 and now up to 199, compared to other counties and if 127 is a good average. Michael replied he did not deep dive and check on those numbers, but the materials he looked at to get the figures has each county's numbers. Michael commented that as a county we are fairly aggressive in terms of moving cases, which his perception when venturing into other places, but we are also a county that tries a lot of cases which causes delays. He added that

he has never been to another county where there are as many jury trials as we have. They are an office that believes in trying cases when they are in dispute.

Supervisor Nordigian asked about the 127 days in 2018 and if this was common. Michael replied yes, and the reason he used 2018 is because it was a standard year prior to pandemic, riots, and none of the things that contracted them. Michael added that many of the board members were present and helped fund the DA's Office going paperless, but because they were paperless other counties, like Milwaukee or Racine, were basically frozen in place because they couldn't bring people into their courthouses. Having no idea that the pandemic was going to happen, the DA's Office had funded paperless two year prior, so they were able to carry on many of the cases that way, except jury trials. There was a clear divide in counties, those that are paperless and able to continue going with a lot of the work, and those that did not mightily struggled. Milwaukee is going through tremendous struggles because of that.

Supervisor Poole asked what the dollar total is on this. Michael replied that it is \$98k for the two positions or \$200k for the costing out. Michael commented that today he is talking about the first year, then half a year. The next calendar year would be \$200k, and then \$98k again in the last year. Supervisor Poole clarified that they are talking about \$300k total. Michael replied it was \$400k. First half year \$98k, \$200k for the next calendar year, last half year \$98k and none if it levies money. Supervisor Poole said that he would like a review of all the ARPA funds to see what is going on before he would jump in and say "yes". Supervisor Poole agreed it was a smaller amount and might be for a good purpose but would like to see where all the ARPA funds went to, he had heard there was \$30 million but has not seen the total yet. Supervisor Decker replied that a lot hasn't been allocated yet and a resolution was passed saying that any ARPA funds have to come to the board for approval and is not being hidden or anything.

Supervisor Bashaw asked how many Witness Advocates they have right now. Michael replied five in total. One is a supervisor who specializes in sexual assault and all homicides, supervises the staff, and is an extra person for all things where coverage is needed. The others are all branch connected. When discussing earlier the other three branches, one is juvenile and termination of parental rights, which is a full other branch of court not talked about. Supervisor Bashaw asked what the 828 of each is. Michael replied that was the number of cases they currently have on their caseload. Supervisor Bashaw clarified if that was 828 as a group or per each advocate. Michael replied it was per advocate assigned to them personally. Supervisor Bashaw asked if 581 was back logged felony cases as of now. Michael replied that number was in late January of 2022, a more recent figure heard was somewhere around 400, but 581 was the last firm figure given by the Statistician from State Court. Supervisor Bashaw asked how many misdemeanors, to which Michael replied over a thousand. Supervisor Bashaw asked if that was 614 right now. Michael replied he meant the two figures total. Supervisor Bashaw commented that was what he was trying to get his arms around. 828 is what can be handled, but they don't have the volume for that many people, with 5 support advocates put up against the case load supporting 50% of the potential. Michael replied they are counting the back logged cases. 828 accounts for the fact that they have higher caseloads than normal because of the backlog, as they reduce the backlog the caseloads would go down from 828. Supervisor Bashaw clarified that Michael said 828 per individual, essentially 4×828 (taking out the Supervisor) = 2400 cases. Michael asked Heather Beasy if they counted the Supervisor into the 828, to which she replied no, so Michael agreed with Supervisor Bashaw's figure. Supervisor Bashaw replied that the numbers did not mix for him. Supervisor Nordigian added that Michael had said there are 1600 cases based off the 828 instead of the 2400. Supervisor Bashaw commented that he was trying to justify if there was a need for another case advocate because of the caseload or because there would be another court room and two more people to support. Michael replied there was a need for both. Michael had mentioned the 828 so they would know the volume of business each advocate currently do and there is not a built-in time cushion that is available. One of the primary reasons is they need a Victim Advocate because there will be another branch of court. There will be more physical place where victims while be asking to be escorted and actively involved in cases and they do not have the personnel any longer to cover those courts simultaneously. Supervisor Bashaw asked that the primary focus of the 828 is to support the additional advocate. Michael replied that the 828 is just give an example. Supervisor Decker asked if the 828 is not the cases, but the 828 victims or witnesses and you could have more than one per case. Michael replied it was how many cases and that each case could have multiple witnesses. Supervisor Decker asked if that's why there was 2400, but only 1100 cases because a single case could have 2 or 4 per case. Michael replied that not all cases have victims, so the math is never going to be exact, for example an OWI might not have a witness. Heather Beasy commented that they have to work with the witnesses in some of those cases. It's Victim

Witness because statutorily, they have to work with victims as well as witnesses. Any normal case you could have 10 witnesses that you're also work with, but the 828 is an average. Each branch of court has a different amount of cases, the 828 is the average of the caseload they would have, and there are three attorneys per Victim Witness as well. Michael added that he had a homicide case last week that had 63 witnesses, of which 55 called saying "I didn't have anything to do with this, why do I need to be here?". That is one case where the Victim Witness Advocate had to call dozens of people to reassure them and make sure they came, because otherwise there's potential somebody gets out that committed a murder. Supervisor Bashaw said he had no problem with the need but was curious because the 828 didn't work for him.

Supervisor Bashaw asked what the rate of cases are, have they compared it to see if it is up or down, back at 94, and if we are closer to the volume of 2018 or if we are significantly above the run rate of the current volume. Michael asked if they were asking about felonies being charged this year and those kinds of things, because they are not in a position where they can quite tell that yet because they are coming out with all the rest of the pieces. Michael had not checked to see if the rate was substantially lower or higher. Supervisor Bashaw asked what his estimate was. Michael replied that its about the same as any typical year. As far as the rate of the cases, he thought it is about the same with exception that last year there were 18 homicides. A high year for Kenosha County is 8 and typical year over his career its been 5 or 6, making 18 a huge increase. Otherwise it's really about the same.

Supervisor Decker asked about the 1100 and if that was the number of backlog cases. Michael replied yes, and the number identified by the Statistician at State Court. Supervisor Decker asked what the 828 is. Supervisor Nordigian added that was current, not the backlog, and they have other cases not just the 1100. Michael replied that it was the total number of cases and merely how many more cases they have than they had in 2018. Supervisor Decker clarified that's why it was 828 versus the 1100. Michael replied that was the total number of cases in the office, the difference between 2018 and 2020.

Chairman Rodriguez commented that that he was excited they were adding another judge to fill in court. Doing what he does for work, he and his clients see the backlog and how long it takes. Across Kenosha County they want this is well and he is excited to see them get two new Prosecutors. Chairman Rodriguez added that without going into detail, both Mike and Heather knew in great depth that his family has benefitted immensely from the great work of their team. He is supported the resolution and this it is a good thing. He is excited to see new Victim Witness Advocates here. Alongside that, an Attorney cannot do the work without a Paralegal. Just like doctors and the rest cannot do it without their secretaries and their team. Chairman Rodriguez said he hopes the State looks more than two years from now and hopefully they won't need the additional prosecutors, but if they did with the growing county hopefully the State backs this up and continues the program, and the County Board would as well.

Supervisor Decker motioned to approve, seconded by Supervisor Nordigian. Motion passes unanimously with no further discussion.

Resolution from Kenosha County Board of Supervisors:

Approving the Appointment of Mark Nordigian to Serve on the Joint Service Board

Motion by: Decker ***Seconded by:*** Bashaw ***Approved:*** unanimously

6:54: Kenosha County Board Chairman Gabe Nudo presented. Chairman Nudo said this is one of his appointments, he did a lot of research and checked with quite a few people. He believes that Supervisor Mark Nordigian will be a great asset to join the Joint Service Board. Chairman Nudo believes Supervisor Nordigian will do a good job and everyone will be pleased with him. Chairman Nudo added that since he made the appointment he hoped the committee will support it. Supervisor Decker commented and thanked Chairman Nudo for appointing someone from the west end of the county, as long as she has been on the board there has not been someone on the Joint Services Board who lived west of the Interstate. Supervisor Nudo replied it was one of his considerations in choosing Supervisor Nordigian. Chairman Rodriguez added that the appointment would be until the end of the existing term, which is August 23rd, 2023. Supervisor Decker motioned to approve, seconded by Supervisor Bashaw. Motion passes unanimously with no further discussion.

Resolution from the Civil Service Commission:

Approving the Amendment of MCKC 4.01 the Civil Service Ordinance

Motion by: Decker **Seconded by:** Nordigian **Approved:** unanimously with amendments
6:57: Clara Tappa, Kenosha County Director of Human Resources, presented. Clara started with the first change on page 4-2, which allows commissioners to attend business meetings virtually if the need arose but would rule on candidate interviews. The second item on page 4-3 addresses the age of applicants to sit for deputy exams to 20.5 years old, as long as they are 21 years old by the date of higher. Clara added the intent is to try and capture candidates who are graduating from the associate degree program. They go from high school to their associate degree, that's right around the time they are graduating. They are hoping they will sit for their exams and consider being part of the department rather than moving on to other agencies while they're waiting to turn 21 to sit for the exams. The last change is on 4-10 and involves the eligibility to sit for the rank of Captain. Currently it requires a bachelor's degree and they are looking to change that in place of a bachelor's degree, there is four years of service on the department as a Lieutenant.

Chairman Rodriguez asked Chief Deputy Levin if the change on 4-10, moving from a four-year degree to service, how many Lieutenants would be eligible. Chief Deputy replied he could not honestly answer the question, but he knew that not all of them have bachelor's degrees. Cpt. Miller added that they will have associate degrees because that is a requirement to make the rank of Lieutenant. Without looking at a roster, Cpt. Miller can't do the equation of how many would be eligible for promotion after 4 years. Chairman Rodriguez asked if they definitely thought there were guys/gals eligible for promotion after this change, to which Cpt. Miller agreed. Supervisor Wamboldt asked how many Lieutenants were on the department and Chief Deputy replied 9.

Supervisor Decker asked why the change on page 4-2, "...allowing video conferencing or similar equipment...". Clara replied to allow flexibility if the need arises for a commissioner that if they cannot attend a meeting, they can attend virtually and be to vote on business matters. There are times when the Civil Service Commission meetings need to be timed to keep recruitment going and they are very involved in the recruitment process for the department and it allows as much participation for the commissioners as possible. Supervisor Decker asked if there are 5 commissioners, to which Clara agreed. Supervisor Decker asked what the quorum for those meetings, and Clara replied 3 for quorum.

Supervisor Decker commented that she has an issue because every other meeting we're requiring people to meet in person, this committee is required to meet in person, and meetings held virtually are not the same.

Supervisor Decker motioned to leave page 4-2, which allows commissioners to attend business meetings virtually, out of the amendments and not allow them to meet virtually. Motion was seconded by Supervisor Wamboldt but also requested more discussion following.

Supervisor Bashaw asked if there was concern, or requests, for teleconferencing up to this point or issues with attendance. Clara replied the need arose during COVID as an exception. Clara then gave an example of a commissioner who recently was out of state for the birth of a grandchild but would've liked to have been involved in business meetings even though they were unable to attend in person. Clara reiterated that this was for maximum flexibility. Clara gave another example of one of the commissioners who is an Attorney and spoke about their ability to have court and do trials virtually, so this would allow for maximum flexibility and participation while allowing to stay within the commissions needs and keep things moving along.

Supervisor Franco asked when the last time a quorum was. Clara replied that she couldn't tell when the last time they have not had a meeting, which are set by the availability of the commissioners. Supervisor Franco asked there hasn't been a point when three people were absent. Clara replied that they adjust the scheduling of the meeting to make sure there is quorum. Supervisor Franco asked if this happens frequently and Clara replied it can be challenging to schedule at times. Supervisor Bashaw commented that if they've been appointed they've already committed to the commission, but what are the reasons provided to be unable to attend, for example job related, personal, family, or other. Clara replied it can be any number of things and these are meetings are different than the committee's as they are generally held in the evenings. Supervisor Bashaw commented that he has been in outside sales and never directly engaged in the corporate office, but always across the country by airplane, but kept an office in the corporate building for face-to-face meetings. Supervisor Bashaw went on to quote an article related to meetings going remote as a trend "...we need guardrails in place to ensure that governing doesn't move further out of public view by doing remote

meetings...". Supervisor Bashaw commented if he wondered that by going webinars if that jeopardizes public views and takes them down the path of secret meetings. Clara replied that the language in the resolution indicates that it would be communication equipment by which means all persons participating in the meeting can hear each other, and she suggests it can be done successfully. Supervisor Bashaw said Kenosha Unified School District had issues conducting remote meetings and had to cancel several. Supervisor Bashaw quoted the same article again, "...reports from Massachusetts and Florida, for instance, highlight the difficulty of some residents trying to attend remote meetings...", and added he had been on many webinars where equipment, accessibility, jittery viewing, bad audio and video were all present. Supervisor Bashaw commented that he is not a fan or proponent of remote meetings and has concern with the language written in the resolution.

Supervisor Franco commented that he believes in maximum flexibility, but thought it was important to note there is specific reason to teleconference. If there is no specificity, he could possibly see commissioners suggesting to only meet virtually. While Supervisor Franco has no issue with teleconferencing, he does have concern about there being no reason stated whether it's a commissioner out of town, ill, or pandemic related for example, otherwise it could be for any reason including not wishing to drive to the meeting.

Chairman Rodriguez commented that he has seen corporate settings happen via Zoom over last couple years. It is a much more intimate setting and you hear stories from friends, relatives, coworkers. He also read a study that talked about group and board meetings, via Zoom or phone, and often times while they have been solved, they had problems coming up with solutions, less creative, less dialogue, people are more focused on their camera image, background distraction, etc. Chairman Rodriguez agreed with Supervisor Franco's point that it opens the door to examples of "I had a long day at work", "I don't want to leave, I am in the middle of something...". Chairman Rodriguez also agreed with Supervisor Bashaw that the commissioners signed up for this and doesn't feel it is warranted at this time and will support the motion to strike it from the resolution. Chairman Rodriguez went on that it is important that they meet the Deputy Sheriff Candidates and the work done on the Commission is equally important and return to setting where they met across a table where creativity flows. Chairman Rodriguez added that he thinks virtually shortens meetings too and as seen with the public County Board meetings, it's a nightmare and often times you run around in circles or don't get your thoughts in because you are not seen raising your virtual hand. Chairman Rodriguez reiterated that he would support the motion to strike this portion from the resolution.

Supervisor Wamboldt commented that he agreed with Supervisor Franco and wanted to throw in that the resolution could limit how many members were not present, such as one, or that there is an exception as to why they can't be present. Otherwise Supervisor Wamboldt also supports the motion to strike it from the resolution.

Supervisor Nordigian commented that he is on a Parish council that has two different meetings on Zoom, and he is trying to encourage them not to do that anymore. The synergy and group dynamics are gone, and you can see it in the group and are unable to feed off of each other. There are disturbances at home, and he would happily miss a meeting for a grandchild, because that is where he is at. Supervisor Nordigian agreed with Supervisor Franco and would be supporting the motion to strike this portion from the resolution.

Chairman Rodriguez added that as adults we have life going on and that's why there are excused absences. It has been seen in the past with other commissions, they might have an alarming absence, but to find out they have fallen ill and that's understandable because that's how life happens.

Chairman Rodriguez called for Supervisor Decker's motion to leave page 4-2, which allows commissioners to attend business meetings virtually, out of the amendments and not allow them to meet virtually, which was seconded by Supervisor Wamboldt. Motion passes to strike the amendment on page 4-2 of the resolution.

Chairman Rodriguez brought the discussion back to the proposed ordinance changes, as amended. Supervisor Decker referred to page 4-7 #9, "Except for unit numbers assigned a vehicle that may be brought home and for who residency in Kenosha County is required, the established residency boundary for all other unit members is fifteen *15) miles in any direction from the borders of Kenosha County. Any unit member who does not reside with fifteen (15) miles of the borders of Kenosha County within nine months of hire shall be deemed to have resigned.". Supervisor Decker stated that she had spoken with Clara previously on this and provided an example of her sister, a City of Milwaukee Police Officer and her husband who worked for Jefferson County as a Police Officer. Both persons had a residency requirement and the City of Milwaukee told her sister "Your husband was hired after you were married, he could have chosen not to take the job

there.” Supervisor Decker’s sister was removed from the payroll even though she was still doing her job, just because she lived outside the City of Milwaukee. Supervisor Decker commented that she has been against residency requirement for Police Officers and Sheriff’s Deputies, because you can’t break up families. A lot of times Police Officers marry other Police Officers, and Sheriff’s Deputies to other Sheriff’s Deputies, and they could have different residency rules and neither community will budge. Supervisor Decker said that she would like to not have any residency requirements and had a discussion with Clara on reasons. One of the reasons was for community policing because you need to know the community. Supervisor Decker asked Chairman Rodriguez, who has lived in Kenosha County his whole life, where Highway V, Highway JS, and Highway F are located, to which Chairman Rodriguez replied he did not know any of them. Supervisor Decker used this to illustrate that Chairman Rodriguez, who lived in the county is whole life, did not know where the roads are. She added that she also lived in the county her whole life and if asked where a KUSD grade school was, she could not you. These are things you need to learn if you live in the neighborhoods. If you live outside Kenosha County and work within Kenosha County, you are going to learn them. It is not because you live outside of the county that you don’t know them, because if you live in the county you don’t know them either. Supervisor Decker handed out a map to the committee, provided by Amy Buhler in Land Use, to show what 15 and 20 miles outside of Kenosha County looks like.

Supervisor Decker made a motion to change “...fifteen (15) miles in any direction...” and “...resides within fifteen (15) miles of the border of Kenosha County...” from 15 miles to 20 miles. Motion was seconded by Supervisor Wamboldt.

Supervisor Wamboldt commented that he is against residency to a degree as well, but for a different reason. Sometimes it is tough to live in an area where you work as a Law Enforcement Officer and then off-duty you run into people you have arrested. Supervisor Wamboldt said this has happened to him in his 30 years and it gets scary when your family is with you. Supervisor Wamboldt said that the motion is for 15 miles, but for him it is more about time than distance. There are times when there are emergencies and law enforcement officers are called in. If it’s a city environment that’s more than 15-20 miles away, it will take longer to get than taking a State highway or a county road in. Supervisor Wamboldt is supporting the 20 miles, but it cannot be so far that they are unable to respond if they get called in, for a civil unrest or something similar.

Supervisor Decker added that another reason for extending the miles, is they are having a hard time filling deputy positions. By possibly adding a 5-mile radius past the county line, they could pick up more people applying.

Supervisor Franco asked how long the residency has been on the books. Clara replied prior to higher and it was updated in 2019 to allow deputies to achieve residency nine months from hire, when before it was by date of hire. It was difficult getting people to move because they were given two weeks’ notice they were being hired and then had to establish residency. Supervisor Franco asked Chief Deputy what the general attitude is of residency requirements from the Sheriff’s deputies as well as himself. Chief Deputy responded that when he started back in 1990, you had to reside in Kenosha County at the time of hire and there were no exceptions of nine months, radius around the county of 5, 10, or 15 miles. Chief Deputy stated that its times have changed since then, and they needed the change. Chief Deputy has not heard pushback from rank or supervisors. Just recently, there was an individual that lived here, and they had to live somewhere else, but if they moved someone would lose their job. Chief Deputy said he could appreciate the situation and in his almost 33 years, this is the first someone has had difficulty with the living constraints, that he has heard of. Chief Deputy said that the 15 miles has changed over the years for the simple reason of getting people into the Sheriff’s Department because the pool was small, it had to be made larger. Chief Deputy agreed with Supervisor Wamboldt that they need people to respond in a timely fashion, so the 15-20-mile drive outside of the county line is significant. Deputies cannot drive at top speeds; they have to maintain traffic laws like everyone else. If they are responding for something storm related, not even civil unrest, and you need additional assistance beyond who is working on shift, that can take upwards of an hour to an hour and fifteen minutes for that person to get down to the Sheriff’s Department. Supervisor Franco asked if the vast majority of deputies live within the county itself. Chief Deputy replied that it was most likely a 50/50 split, with half living outside of the county.

Cpt. Miller commented that the deputy contracts are being renegotiated including the mileage, with the Sheriff’s Deputy Association. The contracts are currently in negotiations and they were discussing expanding the mileage to 19 miles, which Cpt. Miller guesstimated to be at Delavan. This would take a deputy almost 2

hours to get into work. Chairman Rodriguez replied that 2 hours seemed like a long time. Cpt. Miller said it's about 20 miles from the furthest west edge of the county to respond to the City of Kenosha. Supervisor Nordigian commented that at the Public Works Building, at Hwy-45 and WIS Hwy-50, that's where everyone would report to and the building is being prepared for that. Cpt. Miller replied that was for their west-end squads, for example if a squad is Area 11 (Somers) they would report to Public Safety Building downtown, so that location is for west-end squads. Supervisor Nordigian asked if it will be for the future, to which Cpt. Miller replied yes. Chairman Rodriguez asked if regardless of the situation and deputies are being called from home, are they being asked to come in for roll call or show up at the scene if they have take-home squads. Cpt. Miller replied it was dependent on the situation. For example, if a deputy lives in Mukwonago and gets called in for last minute overtime, it will take them time to even get on the road, which creates overtime for someone getting held over until that deputy gets called in. Cpt. Miller commented that he is not against it, just telling the Deputy Sheriff's Association side is negotiating miles, and the President informed him it was up to 19 miles, but they want to stay within 15 miles. Supervisor Franco asked who requested the 19 miles. Cpt. Miller replied nobody did, it was what they did a study on. Chairman Rodriguez asked if the contracts were ongoing and if the County Board takes prerogative and willing to go up to 20 miles, that leaves it to the administration and Deputy Sheriff's Union to negotiate.

Supervisor Bashaw asked Supervisor Decker if this was raised from one individual with specific needs. Supervisor Decker replied that she knows a lot of people don't like residency requirements and was looking to expand the area so we can possibly have more hires. Supervisor Bashaw said that two years ago there was a major incident in downtown Kenosha and traveling from Crystal Lake, IL to downtown Kenosha could easily exceed an hour to an hour and a half, depending on time of day, traffic, or weather factors. Supervisor Bashaw commented that he did not see a specific need for it. Supervisor Bashaw said he had been in outside for 30 years and gave the example of driving the route to Vernon Hills, IL and commented it can be an interminable amount of time. Supervisor Bashaw said to offer an additional 5 miles didn't believe it gave a tremendous benefit. Historically many roles require a limit, including Supervisor Bashaw's son who has to live within 30 minutes from the Corporate Office, even though he works from home, so feels it is not a hardship that is being extended. Supervisor Bashaw said at 15 miles they are being gracious, and can appreciate the hardship of having to live with people that a deputy may have arrested, but did not see a specific need at this time and does see it as something that could be a progressive slope to reach out a little further each time. Supervisor Bashaw commented he is resistant to the change and for the moment would say no.

Supervisor Wamboldt asked for clarification on the contract negotiations and if they wanted the residency expansion. Cpt. Miller replied that there was a discussion point where they were talking about expanding it to 19 miles. This was brought up because there was an incident where a person was outside the current boundary, so they were talking about expanding it to 19 miles. Supervisor Wamboldt commented that there is a situation like that on the Kenosha Police Department where an exemption was made, and maybe make that possible and write in that there could be an exemption for certain types of things.

Supervisor Wamboldt asked if Supervisor Decker wanted to table the idea and return to it later since the Sheriff's Deputy Association is in negotiation or if she felt strongly about and it should be voted on now. Supervisor Decker replied she had not known about the negotiations and she was fine with that but figured because it was up to do it now and be done with it, rather than bring it back later.

Supervisor Nordigian commented that one of the ancillary issues was difficulty finding housing in the area and it was only going to get more challenging with more people moving into the county. Supervisor Nordigian added that he knew the area where Supervisor Wamboldt and the areas where the deputies live and they're not expensive mansions, so if hiring somebody he wouldn't mind having the extra five miles. Supervisor Nordigian asked if there were a lot of Illinois residents on the payroll. Cpt. Miller replied some in the Lake County Area such as Antioch or Grayslake but not anything further. Supervisor Nordigian said that's not something they should be too concerned about because they're not going to come up to Wisconsin to work anyways. Supervisor Nordigian added that he does not like residency requirements and gave the example of West Allis which offered a 4% increase if you lived within the city and maybe that can try something like that.

Cpt. Miller said the hardship portion of this is a happy-medium but didn't know who would approve the hardship if it would be the Civil Service Commission or the Judiciary Law Enforcement Committee. The circumstances that bring the issue to table is a hardship and knows the committee doesn't like residency requirements. Cpt. Miller added that he did not like the residency requirement Kenosha County had when he

was hired but thought 15 miles is pretty gracious for what they do for a living and the need for an emergent response.

Supervisor Franco commented he is not inclined to support the amendment and would prefer it be amended to get rid of the residency requirement altogether. Still having a residency requirement and extending it 5 miles seems arbitrary but understands arguments to encourage more people to apply and the housing issues. If there was an inclination to say no to a residency requirement all, Supervisor Franco would be willing to have the discussion, but to if the amendment is going to stay as it is he will not be supporting it.

Supervisor Bashaw asked Supervisor Decker if she would be willing to amend, withdraw, or consider returning it to the team to review further and come back with alternatives. There are a lot of questions they barely tread the water yet. Supervisor Decker requested that it be voted on and bring it back later. Chairman Rodriguez commented that opening the residency for more applicants, that the number of applicants who live within 5 miles in each direction is astounding and opened up a pool of applicants. Chairman Rodriguez added that an applicant who lived in Crystal Lake, IL, for example, with the cost of living cheaper in Wisconsin they could look for a place in Kenosha County, closer to the Kenosha County Center, or even in the downtown city, and this provides more opportunities for deputies. Chairman Rodriguez thought it unlikely a deputy who lives in Kenosha County now would want to move out to Crystal Lake, IL. It gives the County Executive and the administration some additional room to negotiate with the Sheriff's Deputy Union and would be willing to support this amendment.

Returning to the original resolution, with amendments on striking the virtual conference and amending the residency mileage from 15 miles to 20 miles, Supervisor Decker motioned to approve, seconded by Supervisor Nordigian. Motion passes unanimously with no further discussion.

Resolution from the Kenosha County Sheriff's Office:

Approving the 2022 Grant Award (FY'21) – Homeland Security – Wisconsin Emergency Management/HS ALERT BOMB Explosive Breaching Training

Motion by: Franco ***Seconded by:*** Decker ***Approved:*** unanimously

7:36: Cpt. Tony Gonzalez, Kenosha County Sheriff's Captain of Operations, presented. Supervisor Nordigian referenced page 6 where it says "...this grant may be used until October 31, 2022..." and asked if he that was the correct date. Supervisor Decker asked about the funding date which started August 31, versus October 31st. Supervisor Decker found in the resolution that the grant period is from April 13th to October 31st, 2022. Cpt. Miller added that when the resolutions are brought to the committee, it is for upcoming training, which they estimate to be April or June of 2022. Supervisor Decker clarified if this was for an already planned event. Cpt. Miller replied it was for a planned event and they are asking the committee to send a Bomb Squad member. The grant funds everything but approval is required to accept the money in the Sheriff's Department budget. Supervisor Nordigian said he wasn't sure if the dates had to line up. Cpt. Miller replied that it needs to take place before it expires. Chairman Rodriguez added that if the training was prior to October, this is a moot point. Supervisor Franco motioned to approve, seconded by Supervisor Decker. Motion passes unanimously with no further discussion.

Discussion on Kenosha County Sheriff's Jail Population:

7:42: Chief Deputy Marc Levin of the Kenosha County Sheriff's Department answered questions from the committee. Chairman Rodriguez stated he wanted to put this on the agenda because he was curious what the current jail population is. It is often heard in the news that there is, or appears to be, more crime in Kenosha. Chairman Rodriguez also wanted to know without the previous Federal inmates what the population looks like. Chief Deputy replied that historically the jail population without ICE detainees waivered between 520 and 500. As of the day of the meeting there was 115 people at the Pre-trial Facility and 398 at the Kenosha County Detention Center. The maximum for the downtown Pre-trial Facility is 336 and at the Detention Center is roughly 600 people. If more accommodations were needed, they could do so with upwards of about 1,000. Chairman Rodriguez asked if these numbers included federal inmates. Chief Deputy replied it does include federal, which is the US Marshall. They have not had ICE detainees for quite some time and during that time those numbers were significantly higher, and they were able to house them all comfortably. Chairman Rodriguez asked what the numbers were with COVID protocols in place, to which Chief Deputy

replied that those restrictions had been lifted. Chairman Rodriguez asked if the drastic drop from ICE it lessened the brunt of quarantine and there is more space in jail. Chief Deputy replied they were able to disperse the inmates more evenly and use the staff more efficiently. Supervisor Decker asked for clarification that 1000 meant the total for both locations, to which Chief Deputy agreed it meant both. Supervisor Decker asked if currently for both locations the total was 936. Chief Deputy replied that was the maximum they can hold, but right now it is close to 520 inmates. Supervisor Decker clarified both jails can hold 936 with potential up to 1000 inmates, to which Chief Deputy agreed. No further discussion.

Discussion on 2021 Kenosha County Sheriff's Squad Vehicles:

7:44: Chief Deputy Marc Levin of the Kenosha County Sheriff's Department answered questions from the committee. Chairman Rodriguez said this was asked for by some of the committee members, in regard to purchasing the vehicles. The previous committee got an update and there was a delay due to production and 2022 had not been received. Chief Deputy responded that out of 13 vehicles ordered, 9 were outfitted and on the road, assigned to deputies. There are 4 vehicles waiting to be completely built and should be done in the 2-3 weeks for them to be fully operational and on the road. Supervisor Decker asked if these vehicles were from the 2020 or 2021 budget, and Chief Deputy replied from 2021. Supervisor Nordigian added that the 2021 is when the budget came out and the vehicles were ordered, but they're not getting them until 2022, over a year late. Supervisor Decker said they take a while to order, and they're approved in the 2022 budget, when is it anticipated getting those vehicles with the backlog. Cpt. Miller replied they were given a 6-8-month window after placing the order, so between June-September for the utility hybrids for 2022. There was an update from the corporate office that they are shipping without the microchips. Supervisor Decker clarified that the vehicles budgeted for 2022 should arrive in 2022, to which Cpt. Miller replied yes.

Cpt. Miller said the pieces missing, like the microchips, control the rear controls of the vehicle like air conditioning and heat to the back passengers. Chairman Rodriguez commented that he hoped the squads wouldn't be used for transport in the summertime. Cpt. Miller replied that Fleet Maintenance has a way to vent the air to the back until the missing microchips are received, but the vehicles will be safe for use in the meantime. This includes leaving the dividers open as much as possible to allow for airflow, they will not use the vehicles if they are going to cause harm to inmates.

Supervisor Franco asked how many vehicles were coming in 2022, and Cpt. Miller replied 13. Chief Deputy added that they are hybrid Explorer-type vehicles, they are not the pickup trucks used in the past. Supervisor Decker asked if they are electric. Cpt. Miller replied they are hybrid electric with both gas and electric for the engine. Chairman Rodriguez asked if there are any squads currently like that and Cpt. Miller replied they do not. Chairman Rodriguez asked what the motivation for hybrid engines was. Cpt. Miller replied Fleet Maintenance has had issues with the Interceptor/Explorer models the city received. The ones ordered have more reliable engines. Chairman Rodriguez clarified if the new models are Interceptors. Cpt. Miller replied they are, but they have different engines because of the hybrid portion of it and are allegedly more reliable. Chairman Rodriguez asked if we went back to pickup trucks for the 2022 order and Cpt. Miller replied the hybrids were the 2022 order.

Chairman Rodriguez asked about the vehicles we have not received yet, since we have 9 out of 13. Cpt. Miller replied they had been received, but were being built by Fleet, not at the factory at Ford. In 2021 they were pickup trucks and for 2022 they are hybrid SUV's.

Supervisor Bashaw asked if the vehicles had been used in a pursuit yet and about the reaction time from stop to go. Cpt. Miller replied they had been tested in a trade show, but otherwise no. The vehicles are being used in fleets as police interceptors and they are made for that use. Supervisor Bashaw asked Cpt. Miller if he had tested one himself and how the reaction time felt. Cpt. Miller replied at the tradeshow but not on the road, and the reaction time feels faster than what they have now. Chairman Rodriguez commented that he had worked for Ford years ago and people wanted to buy the Interceptors, but you can't even buy a decommissioned one, and he felt the Interceptor line was outstanding and a more powerful vehicle than typical commercial vehicle. Supervisor Bashaw said he was just curious about the engine because the engine does go to stall or drops 1-2 cylinders and then reactivates to go, so was curious about the reaction time. Cpt. Miller commented that the benefit would be patrolling in villages and municipalities and hoping to see a savings on gas. Supervisor Decker asked if Fleet Maintenance was equipped to repair a hybrid. Cpt. Miller replied they are, and the purchase was based on the recommendations to go with the hybrids. No further discussion.

Discussion on Kenosha County Sheriff's Municipality Patrols and Call Volume:

7:49: Chief Deputy Marc Levin of the Kenosha County Sheriff's Department answered questions from the committee. Chairman Rodriguez said there were some questions asked to him and would like to know how many deputies are currently not assigned to a municipality, say Somers for example, and would like to know what that number was 20 years ago. Chief Deputy offered a breakdown of the current 94 deputies. Other than contract leasing, 12 of those deputies are Conveyance Deputies so they are not on patrol, 2 are Court Officers, 3 are Process Servers, 2 are School Resource Officers, and 1 is a Dare Officer. That leaves 74 Patrol Officers and currently there are 11 deputies assigned to village contracts. This leaves a countdown total of 63 deputies on the road patrolling. 20 years ago, in 2002, the total number of deputies were 66. The breakdown was 12 Conveyance Deputies, 2 Court Officers, 3 Process Servers, 2 Community Relations Deputies, which left 47 deputies on patrol, 2 deputies on a single contract with Paddock Lake, leaving a total of 45 deputies patrolling the county. Chairman Rodriguez clarified that there are 18 more deputies on the road currently than 20 years ago, to which Chief Deputy agreed.

Chairman Rodriguez asked how many vacancies there are there for Deputy Sheriff's. Chief Deputy replied, that we have some over-hires and upcoming retirements, so maybe a couple. Chairman Rodriguez clarified that it was only 1-2 and Chief Deputy agreed. Chairman Rodriguez commented that the Sheriff's Department was doing better than the City of Kenosha, who were currently at 5. Chief Deputy added that there are people currently in the academy and training. Chairman Rodriguez asked if it was fair to say that at the Sheriff's Department, as far as deputies are concerned, they are fully staffed, and Chief Deputy agreed.

Chairman Rodriguez asked about the call volume and if the majority was coming from the City of Kenosha or from other municipalities. Chief Deputy replied that he did not monitor the city's calls. In the county the highest calls come first from Somers, then Salem Lakes, then Salem Lakes area, Bristol, then an equal disbursement between Paddock Lake, Wheatland, Paris, Brighton, Nippersink and Twin Lakes. Twin Lakes does have its own Police Department and Wheatland has a Constable.

Chairman Rodriguez inquired if there were any upticks in calls of service in any of the townships for violent crimes, traffic, or accidents. Chief Deputy replied he thought Somers was the highest, based on the populous increase, larger roads, and the industry coming into Kenosha County such as Sam's Club, Walmart, Uline, and Amazon.

Chairman Rodriguez asked how many deputies are assigned to traffic at Hwy 50 and Interstate 94. Chief Deputy replied that deputies are not assigned specific roadways, but there are Traffic Interdiction Units. These are deputies specifically to target traffic and they could work the Interstate, Hwy 50, Hwy 45, or any other county trunk highways, wherever citizens are reporting problems with speeders or we're targeting drug trafficking.

Chairman Rodriguez asked municipalities with contracts, for example Somers, if they ask the Sheriff's Department to focus on specific roadways there might be speeders. Chief Deputy replied that all village and county contracts are concerned about their roads and will indicate roads, based on their constituents coming to them about speeding concerns. Then squads will attempt to target those locations when they can, but they are also responsible for all other calls within that jurisdiction. Chairman Rodriguez asked if the squads were separate from the Traffic Interdiction Unit, as in they're not sitting doing traffic until they get a call, they're patrolling. Supervisor Decker asked how many Traffic Interdiction Units there are. Chief Deputy replied two, one on dayshift and one on second shift. Chairman Rodriguez asked if that rotates, as they might be on the interstate one day. Chief Deputy replied they are all over the county.

Supervisor Wamboldt asked if the county was divided up into areas and Chief Deputy replied yes, it was. Supervisor Wamboldt asked if the areas the deputies are assigned to are based on call volume or the size of the area. Chief Deputy replied the districts have not really changed in the last 30 years and there are districts that overlap. For example, Areas 11 and 12 are east-end cars, but Areas 11 and 12 are also inclusive of the Somers area. Similar to Areas 13 and 14 which are inclusive of Bristol, and Areas 15 and 16 are inclusive of Salem Lakes and Paddock Lake. The deputies do overlap the contract squad areas, but there is a lot of area to cover. Supervisor Wamboldt asked which area has the lowest call volume. Chief Deputy replied it was between Paddock Lake, Randall, Wheatland, Brighton, and Paris. Supervisor Wamboldt asked if Wheatland would then get one squad, whereas Somers might get three squads, to which Chief Deputy agreed.

Supervisor Bashaw referred to the previous ranking of call volumes, with Somers, Salem, Bristol, and then the rest, he asked how much demand Somers takes in the ranking. Chief Deputy replied it takes most of

the resources but could not give a specific number. It is a heavily utilized area and calls for service, in general, whether it's traffic, crime, or calls for service. Supervisor Bashaw commented that his question relates specifically to budgeting since they are contract services. Supervisor Poole asked if it was true that more people are travelling at 100 mph on the Interstate and Hwy 50, based on what the newspaper is reporting. Chief Deputy replied that reckless driving is a problem not only in Kenosha County, but all over. They do their best to address the individuals in the safest way possible without entertaining the idea of pursuits, which are dangerous not just to the public, but to themselves and the person they are chasing. Kenosha is one of the few counties that engage in pursuits in a safe manner. There are counties that do not engage at all and might be another reason why a person might drive excessive speeds when they're coming into Kenosha from Illinois, Racine, or Milwaukee counties. Supervisor Poole asked if there were plans to use technology for this. Chief Deputy replied that he would love to use technology as a way to deactivate speeders and with all the technology available you would think someone would be looking into something like that. The speeders wreak havoc on roadways not just at 3am but also at 2:30pm in the afternoon. In the city they do not think twice about going down 52nd Street at 85 mph blowing through red lights and school zones. It is seen every day and Chief Deputy is thankful for his deputies who are cognizant of what they're doing and know when enough is enough. Chief Deputy added that as long as Sheriff and himself where in their positions, they will allow the deputies to engage and stop people from this practice.

Supervisor Franco asked if Pleasant Prairie was the only village that had their own police force. Chief Deputy replied that Twin Lakes has their own also. Supervisor Decker added that Wheatland has a Constable.

Supervisor Bashaw asked if vehicles exit the county while in pursuit, specifically to the south, if deputies are able to pursue. Chief Deputy replied the southern borders are dangerous for deputies to pursue past them but would encourage deputies to continue in a pursuit if it was a serious felony. Deputies know they reach the Illinois border there will be little to no assistance given to them, as they have a hands-off approach. An Illinois State Trooper might find it necessary to engage, or a Lake County Sheriff, but historically, they let the vehicle go by. Supervisor Bashaw commented that he was concerned as to the reason why. Chief Deputy replied he wasn't sure if it was a political and safety issue, or a policy with their law enforcement agencies. Chairman Rodriguez asked if the neighboring agencies or communities mentioned that they do not engage. Cpt. Miller replied that on the interstate systems, specifically the IL State Police, have a no-engagement policy. Cpt. Miller added that he did not know how they do it with their own but has never seen an IL State Patrol in a pursuit even on the news. When Cpt. Miller first started there were 1-4 pursuits in a year, now there are 1-3 in a week. The topic could be covered for hours with a lot of different theories and philosophies. Supervisor Bashaw asked if they could provide a number of dropped or ended pursuits at the border, so they can quantify what is happening and perhaps publicize it. Chief Deputy replied that he can put together some sort of data, but there are other agencies besides the Sheriff's Department including State Patrol, Kenosha Police Department, and Pleasant Prairie Police Department, so the numbers might be slightly skewed only coming from the Sheriff's Department. No further discussion.

Any Other Business Allowed by Law:

8:03: Chairman Rodriguez spoke to the committee about letting him know about being absent. As long as an email or text is sent to him ahead of time, details are not required, and he knows you will be absent prior to walking into the Committee Room, that Supervisor will be marked as excused.

Meeting Adjourned: 8:03: on motion by Supervisor Nordigian; seconded by Supervisor Decker.

A recording of the meeting is available online at kenoshacounty.org

Respectfully Submitted,


Alyssa Werfelmann