

MINUTES OF MEETING OF JUDICIARY & LAW ENFORCEMENT COMMITTEE
on March 1st, 2023
KCAB 2ND FLOOR COUNTY BOARD COMMITTEE ROOM

Members Present: Zach Rodriguez, , Laura Belsky, Mark Nordigian, Erin Decker, Jeff Wamboldt, YIG Ben Rothove, YIG Alexa Didinsky

Members Excused: Brian Bashaw, John Franco

Others Present: Supervisor John Poole, Sheriff David Zoerner, Chief Deputy Justin Miller, Cpt. Tony Gonzalez, Cpt. Eric Klinkhammer, Clara Tappa, Jennifer Kopp, Ashley Lutterman, Pam Drummond

Meeting Called to Order: 4:14 p.m. by Chairman Rodriguez

Citizen Comments: 4:14: None

Supervisor Comments: 4:14: None

Chairman Comments: 4:14 None

Approval of the Minutes from February 1st, 2023: 4:14
Motion by: Decker **Seconded by:** Nordigian **Approved:** unanimously

Resolution from Corporation Counsel:

Resolution In Support of the Intergovernmental Mutual Aid Agreement for Transportation of Chapter 51 Detainees by Wisconsin Law Enforcement from Wisconsin to Lake Behavioral Hospital in Illinois

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

4:15: Attorney Jennifer Phan, for Corporation Counsel, presented. Jennifer stated that she had been with Corporation Council for about a year and handles all of the Chapter 51's. There is a lot of overcrowding in Mental Health facilities and they have been looking for alternative resources, which brought them to Lake Behavioral Hospital in Illinois, which is just over the border and closer to home. The resolution allowed Wisconsin law enforcement to cross over the state line into Illinois, bringing a person to Lake Behavioral Hospital. Since this would require law enforcement to leave Wisconsin and go through other jurisdictions there needs to be a mutual aid agreement. The Wisconsin law enforcement would retain their authority going into Illinois and there would no shift in liability in any way. The resolution has already gone through several approvals including Department of Health Services for Illinois and Wisconsin, and the Department of Justice. Multiple agencies have looked it over and approved it and municipalities are going through their own approval processes. Part of the Mutual Aid Agreement is to allow community members in need of mental health services to receive them closer to home, and their families, and it cuts down on travel time for law enforcement. It is approximately four hours to the Wisconsin state facility, Winnebago. It is approximately two hours round trip to Lake Behavioral Hospital, cutting time in half and allows law enforcement to be on the roads protecting the community.

Supervisor Rodriguez asked how many beds the agreement opened up. Jennifer replied that she did not specifically, they are working on the contract with Lake Behavioral Hospital but believed it to be around 120 beds. Supervisor Belsky stated that she was the Chair for the Human Services board and the team did a great job of presenting what they wanted to do and there is significant savings at the Sheriff's Department more than just four hours, it also includes the number of deputies required to go. Supervisor Belsky said that it would be nice at some point to see how much money was saved on that specific line item once it goes through. Supervisor Belsky stated that she encourages the committee to vote 'yes' on the resolution.

Supervisor Wamboldt asked if there were any other local jurisdictions using Lake Behavioral Hospital as well. Jennifer replied not that she knew of locally but there are other municipalities up north doing it through Minnesota. Supervisor Wamboldt asked if there was any oversight from Lake Behavioral Hospital. Jennifer replied that it was in the contract and things that are mandated. Jennifer commented they she thought they would be the first county in Wisconsin that is doing something like this and expects others to follow, as it is a pretty uniform problem. Jennifer added that there is a sustain of service contract and they used their standard

service contract with Lake Behavioral Hospital. Lake Behavioral Hospital has the same reporting, sharing of information, and confidentiality requirements like Winnebago. Supervisor Nordigian asked if maintaining responsibilities meant law enforcement would not be answering calls in Illinois and if it was just for the deputies to maintain responsibility, but once the service ended they would come straight back to Wisconsin, the deputies would not be assisting Lake or Waukegan Counties in Illinois. Jennifer said this was correct and it was written in the agreement as well. Supervisor Wamboldt asked what a deputy would do if they see something. Jennifer replied that they would report it, and they are currently having conversations with Illinois police agencies who are aware of the situation and that is their expectation as well. Chairman Rodriguez asked when the contract will be completely signed. Jennifer replied that it began circulating that month and have some signatures from Municipalities. Jennifer added that the resolution will go through the County Board meeting approval and hope to have it completed by the end of the month.

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

Resolution from the Supervisors Rose and Rodriguez:

Ordinance: Amendment To Chapter 4, Municipal Code Of Kenosha County, The Civil Service Ordinance

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

4:35: Clara Tappa, Director of Kenosha County Human Resources, presented. Clara stated that the goal is to expedite the hiring of former Kenosha County Deputy Sheriffs that left in good standing and want to return to the Kenosha County Sheriff's Department and the hiring of candidates who have completed Law Enforcement Academy and are either lateral transfers in the department or those who are certifiable in the State of Wisconsin. Those in the latter categories save the county time and expense of putting a recruit through the academy. The Finance and Administration Committee was cancelled in the last two weeks due to recent weather conditions. This resolution was on their agenda and their meeting was rescheduled to the Monday following this meeting, so the resolution is being seen by Judiciary and Law Enforcement Committee first. Just before the first meeting of Finance and Administration Committee, scheduled for February 16th, they were conducting a final review of the proposed amendment, when a question arose about whether the amendment conflicts with a State Statute. Corporation Council consulted with outside council and the version of the amendment provided to the Judiciary and Law Enforcement Committee was believed to conflict with State law. Clara then provided packets of the new version of the resolution for consideration to the Judiciary and Law Enforcement Committee. Clara said the new version of the resolution comprises with State law, which assists the Sheriff's Department and expedites former deputies in good standing, and those certified or certifiable candidates. The county has a county civil service and are therefore required to hold a competitive exam and hire an eligible candidate, using the Rule of Three or the top three candidates on that list. This means the Sheriff appoints the top three candidates from the eligibility list. On the previous amendment, the one provided to the Judiciary and Law Enforcement Committee prior to that evening, it was creating two lists. It also allowed in the case of former deputies for their previous passing score to be used and if they were going to change exams, they would no longer have an even playing field among the competitive candidates.

Supervisor Decker motioned to provide a substitute amendment, as provided by Clara Tappa, seconded by Supervisor Belsky. Motion passed unanimously.

Clara referred to "3. Candidates for Deputy Sheriff.", under subsection "(d.) Examinations", paragraph '1'. When they are conducting a recruitment for Deputy Sheriff, they get approval from the Civil Service Commission to post and set a date for the exam portion. The amendment would allow them to run a job posting for certifiable and certified candidates. This includes either current law enforcement from other agencies looking to move or those that have passed the academy and ready to be certified and hired by an agency. These applicants would sit for an exam on as-need basis and would be the same exam as other candidates. Those who pass would be consolidated into the current eligibility list based on their test score. The County ordinance allows for consolidation; thus, they would have one eligibility list.

Clara moved on to section "3. Candidates for Deputy Sheriff.", under subsection "(d.) Examinations", paragraph '3'. A candidate must have a passing score to be placed on the eligibility list. The current County ordinance allows for preference points to be applied to the candidate's raw passing score. If a candidate has a passed score on the exam and qualifies for preference points, those get added for a higher ranking on the eligibility list. Points are currently placed for veterans, certified law enforcement in the state of Wisconsin, and current Kenosha County corrections professionals. The amendment would provide additional preference points

to former Kenosha County Deputy Sheriffs who resigned in good standing and added clarifying language for certifiable candidates as well as certified law enforcement outside the state of Wisconsin, who received reciprocity. Supervisor Nordigian asked if the order defined “in good standing”. Clara replied it was in the document.

Clara referred to section “3. Candidates for Deputy Sheriff.”, under subsection “(f.) Appointments.”, paragraph ‘6’. Once the candidates are on the eligibility list, the amendment allows for expedited hiring by eliminating two steps in the process. The Multiple Interview Assessment and the (MIA) and the Civil Service Commission interviews, both of the steps are designed to evaluate a candidate’s likely success in law enforcement. By foregoing the two steps, they would expedite the process by 6-8 weeks, getting candidates out on the road in a shorter time. The candidates will still need to undergo a background investigation, a job trait assessment, which is more in line with a psychological assessment, and a medical examination.

Supervisor Belsky asked if it was complete with the amendment that they made and if they need to have the full Chapter 4 resolution listed. Chairman Rodriguez stated that it was his understanding that they just need the changes, which is what they have now. Supervisor Belsky stated she wanted to make sure since they amended the original posted resolution. Supervisor Decker stated that they did not amend the original posted one, it was substituted with the new one from Clara. Supervisor Nordigian asked if the new substituted amendment would go on to Finance. Chairman Rodriguez replied that it would. Supervisor Belsky asked Sheriff Zoerner if he was okay with the new amendment, to which he agreed. Clara added that Chairman Nudo was aware of the newly presented amendment.

Chairman Rodriguez asked if the Sheriff’s Department wanted to add anything. Chief Deputy Miller replied they met with Human Resources and Corporation Council who helped with the amendment and the department is fully behind it. Chairman Rodriguez clarified that the new amendment would offer lateral transfers, which are not currently available. Chief Deputy replied that they have lateral transfers, but they don’t receive expedition during the process.

Jennifer Kopp, of Corporation Council, commented that what they are trying to accomplish is to try and figure out a way to streamline the process and how to make it simpler for lateral transfers or previous employees and stay within the confines of what Chapter 59 and Chapter 53 say, which is you somehow have to come up with a list and pick from that list. They are trying to make it easier for those that have worked in law enforcement in good standing or been employed before. They have to be careful with the contents of the statute, but it is the least that they could do.

Sheriff Zoerner commented that they were in favor of the previous version of the amendment. The goal is to have the candidates that they lost and get them before Kenosha Police Department and Pleasant Prairie Police Department. This is because Kenosha County Sheriff’s has a lengthier process. Sheriff Zoerner added that they met with Corporation Council and Human Resources to discuss the amendment and this is the closest version they could get to and the Sheriff’s Department is in favor of not missing out on particular candidates. Supervisor Wamboldt asked about seniority when a candidate is rehired. Clara replied that it was addressed in the contract.

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

Any Other Business Allowed by Law: 4:37 None

Meeting Adjourned: 4:37: on motion by Supervisor Nordigian; seconded by Supervisor Wamboldt.

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

Respectfully Submitted,



Alyssa Werfelmann