

MINUTES OF MEETING OF JUDICIARY & LAW ENFORCEMENT COMMITTEE
on July 6th, 2022
AT THE KENOSHA COUNTY DETENTIONS CENTER LOBBY

Members Present: Zach Rodriguez, Brian Bashaw, Laura Belsky, Mark Nordigian

Others Present: Chief Deputy Marc Levin, Cpt. Tony Gonzalez, Cpt. Horace Staples, Lt. Brian Easter, Sgt. Chris Hannah, Supervisor Zach Stock, YIG Alexa Didinsky, YIG Ben Rothove

Meeting Called to Order: 6:50 p.m. by Chairman Rodriguez

Citizen Comments: 6:50 None

Supervisor Comments: 7:51 None

Chairman Comments: 6:51 None

Approval of the Minutes from June 1st, 2022: 6:51

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

Resolution from the Kenosha Sheriff's Department:

A Resolution to Approve the Appointment of Brooks Litz to serve as a member of the Kenosha County Local Emergency Planning Committee (Group #4 – Community Group)

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

6:51: Sergeant Chris Hannah, of the Kenosha County Sheriff's Department, presented. Chairman Rodriguez reminded that a person up for a new appointment should be present to introduce themselves to the board, as Mr. Litz was not present at the meeting. Chairman Rodriguez said that tonight it was not an issue but moving forward ensure new appointments are present and reappointments are not required to attend. Supervisor Belsky motioned to approve, seconded by Supervisor Nordigian. Motion passes unanimously with no further discussion.

A Resolution to Approve the 2022 Walmart Foundation Grant – Discharge Planner Program

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

6:53: Sergeant Chris Hannah, of the Kenosha County Sheriff's Department, presented. There were no further questions or discussions on this resolution. Supervisor Nordigian motioned to approve, seconded by Supervisor Bashaw. Motion passes unanimously with no further discussion.

Discussion from the Kenosha Sheriff's Department:

Presentation and Review of the Kenosha Sheriff's Department Take-Home Squad Policy

6:53: Lieutenant Bryan Easter, of the Kenosha County Sheriff's Department Administration Division, presented. The Take-home Squad Policy was implemented back in 2018-2019. There are 87 total marked squads, of which 62 are issued to deputies who live both inside and outside of Kenosha County. One of the biggest issues with the policy, was the public safety aspect. People don't like to see squads parked in driveways, whether in the county or the surrounding neighborhood. Another issue is with squad longevity with wear and mileage on a squad over a lifespan, so squads will usually last longer thus costing less money. Another aspect was quick responses to emergency page-outs. When there is weather related or personnel shortages, a deputy would get called in to report to the Public Safety Building (PSB) regardless of where they lived. The typical response time could be 30 minutes to an hour to get down to the PSB to get a squad and then back out to the county to their respective areas. Now that has is alleviated, everyone that has a take-home squad goes directly from their house to wherever the personnel shortage is, which reduces response time. Lt. Easter commented that he felt it was a recruitment incentive. Every employer is trying to retain personnel, especially in law enforcement. When trying to compete with several different agencies it is a good incentive to have take-home squads. Squads stay in the area longer. When Lt. Easter was in patrol he was issued a general fleet car and you would have to leave the area 20 minutes prior to shift ending to come down to the

PSB and turn in the squad. Now those deputies with take-home squads stay in their area until the end of their shift before they can take their squads home.

Chairman Rodriguez said he spoke with some of the deputies that have take-home squads. The deputies said the squad has to stay in the driveway and cannot be parked on the street, and end of the shift all weapons must be removed from the squad. Lt. Easter replied that the instructions the deputies are given when issued a squad, if it is not going to be kept in a locked garage, is that they must bring in their AED's, squad rifle, and Narcan due to weather temperatures. These items must be brought into and secured in the home. The reason is because you don't want someone breaking into the squad and steal the equipment, they are required to be brought in. Chairman Rodriguez asked if there was street parking. Lt. Easter replied no, it is in the policy that there is no street parking unless approved by a supervisor, for example having their driveway redone. Then it would be up to the supervisor at the time to decide if it is authorized. The supervisor may tell the deputy to park at the PSB if the driveway is going to take several days to be redone, so the discretion is left to the supervisor.

Chairman Rodriguez asked what disciplinary action is taken for misplacing a key, which can cost several hundred dollars. Lt. Easter replied that everyone is responsible for their equipment. Disciplinary action can vary from something small like a training reference that goes into their personnel file. Lt. Easter agreed that the key fobs can cost several hundred dollars each, but since the implementation of the Ford F-150's and Explorers, they do not have key fobs. The key fobs only started coming with the newer trucks and to date that has not happened to Lt. Easter's knowledge. If that were to happen, it states in the policy that the deputy is required to report it to their supervisor immediately. It will then be up to the supervisor what kind of disciplinary action to take. It goes back to the disciplinary history within the department for that deputy, if they have a long list of disciplinary items maybe something more severe would be the outcome. If the deputy is a stellar employee and they just happened to lose their key fob, it could be something as small as a verbal warning or documentation in their training file for a period of a time.

Chairman Rodriguez asked if every deputy issued a take-home squad acknowledges the policy. Lt. Easter replied that they do and prior to his current position Lt. Easter's position included issuing out the squads. During his time, he would tell the deputies "If it is not garage kept, you must bring in your rifle, Narcan, and AED. You still have to do squad inspections". That is another briefing about the take-home policy, you have that accountability now. Sometimes with the general fleet damage will be found on squads and you're trying to go back in the log to see who it had, but you never really know how long that damage existed. Now photos are taken of the squads when they are issued to a deputy and when they are turned back in. There is a shared file all supervisors have access to. Chairman Rodriguez commented it was similar to renting a car, to which Lt. Easter agreed adding the accountability has gone up tremendously.

Supervisor Nordigian asked if a deputy can park on a neighbor's driveway if they offer it up, while the driveway repair is being completed. Lt. Easter replied he was uncertain and would be taken on a case-by-case basis. The department doesn't want the squad parked in someone else's driveway in case the house is hit with some kind of anti-police rhetoric. The department would not want to bring that onto a member of the public. That specific circumstance is not spelled out in the policy. To cover all instances would be difficult and Lt. Easter would tell error on the side of caution and ask the deputy to park in the street instead.

Supervisor Nordigian asked if a deputy on vacation leaves the squad parked in the driveway or if the department prefers they leave it at the PSB. Lt. Easter replied it depended upon the situation. If the deputy is on extended vacation for a week, or a couple of weeks, they might ask them to leave it at the PSB, so the department has access to the squad. Supervisor Nordigian commented that was his point, that access was needed but when it is 10 miles away the department does not have access to the squad. Lt. Easter said if the deputy goes out of town to Florida, for example, they do not turn in their car. They let their supervisor know they are out of town, so the supervisor knows where the squad is at their residence and it is easily accessible. This could be a code on the garage provided to the supervisor so someone can grab it.

Supervisor Nordigian asked if the outcomes had met the policy expectations. Lt. Easter replied yes, he believed so. Lt. Easter reached out to the Fleet Department to see what kind they are seeing with the squads in relation to mileage and accountability. Fleet Services are seeing less wear-and-tear on squads issued out to individual members. Mileage accrual on take-home squads, even those deputies working overtime and 3rd shift, versus those in the general fleet going out on 1st, 2nd, and 3rd shifts, see less mechanical writeups, wear-and-tear, and electrical and IT writeups.

Lt. Easter asked Fleet Services if there was a noticeable difference on fuel consumption, but Fleet Services was unable to answer that question. There are a few places to fuel up, so it was difficult to gather that

information prior to the meeting. Chairman Rodriguez asked where the locations for fuel are located. Lt. Easter replied there is the downtown location at the PSB, the gas pumps at the Kenosha County Center on Hwy 50, and there are a few Kwik Trip cards issued. The cards stay in the squads and is identified with that squad number. There are deputies that report directly from their home to the county and they are unable to come downtown to fuel up the squad, so they can stop at Kwik Trip for fuel. The deputies are informed that the PSB and Kenosha County Center are their primary gas pumps because that is what fleet uses to enter mileage and maintain their maintenance schedule.

Supervisor Nordigian asked if a deputy with a take-home squad is required to come in and cannot deny coming in because they have the squad at home or are there circumstances where that is allowed. This is opposed to a deputy being called in who has to be issued a squad, check everything out, and put their equipment in the vehicle. Lt. Easter replied that if a page goes out that there is a personnel shortage, or an abundance of calls, and 5 deputies are needed right now, under those circumstances and according to the policy that deputy with, or even those without, a take-home squad calls in. The supervisor would then tell them to report directly to the area since they already have all the equipment in the squad. Supervisor Nordigian used the riots as an example, when there was an all-call, and asked if it was expected that everyone is coming in regardless. Lt. Easter replied yes, but if they had just gotten off of a 16 hour shift it would not be expected for them to come back right away unless it was safe to do so. Lt. Easter tells deputies when issued a take-home squad that everyone has a life outside of employment, so if they are at a party and are intoxicated they would not force that deputy to come in under that circumstance. Under normal circumstance if the deputy is just at home and they have a take-home squad they are expected to respond to calls. Lt. Easter used to tell deputies it was a perk of the job, but it is also expected that when they are needed they must come in.

Supervisor Nordigian said that every three years there are maybe 3-4 squads turned in for new ones, possibly from less wear-and-tear, lower mileage and fuel consumption. Lt. Easter replied that it looks like the longevity of the squads is going to last longer than they used to. Lt. Easter spoke with the Sergeant now in charge of the squads prior to his leaving on vacation the week prior to the meeting. He sees on average 20k-50k miles on take-home squads every year. Lt. Easter looked at some of the vehicles and some of the Ford F-150's issued in 2019 versus 2020, around one squad a year, the report ran around July 1st. One of the first F-150's has 18,450 miles on it, others have 22k miles, 13k miles, and 24k miles. Some of those are issued to supervisors who are not on patrol as much as others. There is definitely a decrease in mileage so the longevity of the squads should last a lot longer.

Supervisor Nordigian asked if the decrease in mileage is because they are F-150's and not because of the take home policy. Lt. Easter did not think so because there is a combination of Explorers and F-150's. Supervisor Nordigian asked if they are seeing the same mileage and longevity on the deputy cars and Lt. Easter agreed. Supervisor Nordigian commented that looking at 2019 into 2022 it was good because the squads are at 25k miles, which is in a year normally, so should expect 2 or more years out of these squads depending.

Supervisor Belsky commented that she understood Chief Deputy was not a fan of the 15-mile radius outside of Kenosha County for residency but asked if that in place and have there been any inquires, and how many deputies reside outside of Kenosha County. Lt. Easter replied that out of the 63 vehicles issued to deputies and supervisors, 17 in total lived out of the county. There are 13 in Racine County, 1 in Walworth County, and 3 in Illinois. Lt. Easter went through the list and compared their addresses with the Kenosha County line, and all were under the 15-mile radius. Supervisor Belsky asked if the new radius was being advertised now. Chairman Rodriguez replied that it is in their contract which is currently under negotiations now, so they would have to update their contract first. Chief Deputy replied that the board approved up to 15-miles, but the Deputy Sheriff's Association had to agree to it, and they may say 10 miles. Supervisor Belsky asked when we would know, and Chief Deputy replied that negotiations were back in swing in September or October.

Supervisor Belsky asked how many deputies were needed to hire. Lt. Easter replied that they are currently over hired by 5 deputies. Supervisor Belsky asked if it was just Kenosha County Detentions Center that was short staffed and Chief Deputy replied it was Corrections personnel that were short staffed. Supervisor Rodriguez verified that the over hire in deputies was due to retirements coming up, to which Chief Deputy agreed.

Supervisor Bashaw asked when the take-home squad policy initiated. Lt. Easter was uncertain but believed it was in 2018 or 2019. Supervisor Belsky and Nordigian confirmed it happened in 2018 for the 2019 year. Supervisor Bashaw asked if Lt. Easter knew where the policy initiated from, if it was from the Sheriff's

Department or from the board. Lt. Easter said he did not know as it was before his time. Supervisor Nordigian said that it come from the Sheriff. Lt. Easter added that he was sure adjustments to policy had to be done when it was done.

Supervisor Bashaw asked how vehicles were assigned, if it came from the general pool when an officer is hired or by hierarchy because some squads are newer. Supervisor Bashaw also understood that electric vehicles were coming. Lt. Easter replied it was a case-by-case basis. It could be a new deputy that gets a car, sometimes playing musical cars when a deputy is coming off of probation, or when a deputy is going from Phase 4 into Phase 5 when they are by themselves, they'll get issued a squad. Sometimes hierarchy is given and they'll as the deputies if they want to upgrade their squad, especially those who have 50k-60k miles and it's been around for 7 years. Then they will give the new squad to that deputy who has show responsibilities over the years and their old one would be given to the new deputy instead. That doesn't happen all the time and sometimes there's another circumstances and its more trouble then its worth keeping track of who has the squad, why, when, and who had it before.

Supervisor Bashaw asked if the squads are all equipped equally tasked with different operations. Lt. Easter said they are equipped the same, the only different ones are the squads with automatic license plate readers (LPR). There are about 14 squads with LPR's for patrol. Chairman Rodriguez asked if it read plates while going down the road. Lt. Easter replied that it pulls information from the Wisconsin Department of Transportation, and it's called a "Hot List". Anything on the Hot List that is stolen, expired, or suspended plates, the system is constantly running. Sgt. Chase Forster mans-up the system and he can put in a plate they are look for and it will bring up a picture of it, where it was, and coordinates of where it was running. It is a critical system. Chairman Rodriguez asked if it ran all the time while deputies drove down the road and it would chime or notify them. Lt. Easter replied it does chime and say if it is stolen. It is up to the deputy to maintain awareness and think "maybe that was a car I just passed, let's try and find it."

Supervisor Bashaw asked if a squad ever got taken away from a deputy. Lt. Easter replied that it could happen but that would be up to the patrol supervisor or supervisor. If the deputy does anything wrong it could be a form of discipline. With the take-home squad program, the expectations are they take the squads home. So, if a deputy is not taking it home or found doing something they shouldn't have, for example in the policy it states the squad cannot be used for non-departmental functions like picking up groceries, going to other jobs or security jobs that the deputy is working. It has happened in the past and it was dealt with. Chairman Rodriguez asked if the department was really strict on that, for example a deputy gets off work and has to pick up their child. Lt. Easter replied that it was a case-by-case basis. It would be the deputy's responsibility to speak with their supervisor to see if it was a possibility. The department is strict on the fact that if they find a deputy is using the vehicle for non-departmental functions that action will be taken.

Resolution from the Kenosha Sheriff's Department:

A Resolution to Approve the NaphCare Inc., Second Amendment Health Service Agreement

Motion by: Belsky **Seconded by:** Nordigian **Approved:** Tabled to August 3, 2022 Meeting 7:17: Chief Deputy Marc Levin, of the Kenosha County Sheriff's Department, presented. Chairman Rodriguez requested that Chief Deputy to provide a brief overview of the program, as it was decided to Table the resolution until next Judiciary and Law Enforcement Meeting on August 3, 2022. Chief Deputy said that NaphCare is a company that we contract with for healthcare with our detention's facilities. NaphCare realized they need more staff to manage and provide care. NaphCare is requesting more full-time staff including a nurse and two LP's. This would increase the budget to \$30k a month. NaphCare requested this start July 1, 2022 but Chief Deputy deferred it to September 1, 2022 to allow time for investigation and feasibility research. If they were to pass on the \$30k increase the next closest bidder is \$1.2 million above NaphCare. NaphCare at \$30k a month for 12 months is an increase of \$360k a year and the next contender is substantially higher than that. A funding source has been located within the Sheriff's Department that is accessible to the Sheriff, that has monies to get through September to December of this year. Chief Deputy had spoken with Supervisor Nordigian about it and it will be addressed for the 2023 budget, not deal with general fund monies and putting undo pressure on the taxpayers towards the middle of the year but towards the end of the year.

Supervisor Belsky commented that when she was on Human Services, the Health Department and Human Services was staffed up with RPN's and LPN's due to COVID, which has dramatically backed off. Supervisor Belsky asked if there was a way to work with the Health Department to transfer or schedule staffing in Detentions. Chief Deputy replied that Sheriff Beth has been in contact with Dr. Freiheit about County Health taking over, which would be a large endeavor. Supervisor Belsky reiterated that they were

staffed up. Chief Deputy replied that getting those staff either today, tomorrow, or next would be a challenge. Chief Deputy commented that it could be looked at as he believed contracted healthcare had an out-clause. It needed to be vetted out on how to move forward in a responsible financial fashion.

Supervisor Belsky commented that they still needed to get the second half of the ARPA monies. A lot of staff in Human Services were budgeted through ARPA funding for additional staff. With COVID going down and the addition staff, Supervisor Belsky thought there was no reason ARPA funds couldn't be used, especially since Detentions sees active COVID cases in the facilities. Supervisor Belsky felt it was something to look into and talk about instead of getting into another contract, when there is an abundance of staff in the Health Department now. Chief Deputy replied that he did not disagree and worth the discussion to get over the gap. The Sheriff's Department has to act and between September and December they're looking at \$120k. In the grand scheme of things, it is significant, but the inmates needed to be taken care of and the Sheriff's Department cannot wait long.

Supervisor Rodriguez asked what the contract looked like and if they were monthly with the provider. Chief Deputy replied that they do pay monthly, but it is a 5-year contract that was entered into last year. Supervisor Rodriguez asked why they are already requesting more personnel. Chief Deputy replied that NaphCare drastically underestimated the ability to hire staff at the rate they are paying. Chief Deputy thinks they were comparing to southern wages, whatever that might be, but between Chicago and Milwaukee they are having a difficult time obtaining solid healthcare workers. Supervisor Belsky commented that it is similar to what Brookside is struggling with. Chief Deputy agreed it was everywhere and they could do in-house which he was all for. In total it comes to about 26 full-time employees with a lot of mental health, doctors, pharmacy, and it's similar to running a small hospital.

Supervisor Nordigian asked if the training would be different for the current health department employees if they were to fill the position. Chief Deputy replied he did not know if there was specific training but knew that two of the LPN's needed are overnight nurses but did not know if there was anything specific Detentions-wise.

Supervisor Bashaw added a position statement that at this point we are not discussing cancelling a contract, but they are asking questions, this is for public record, so it is not misconstrued. There is currently a service provider and they are working with them and looking at way to augment them.

Chairman Rodriguez stated that the rest of the discussion would be saved for the following month. Chairman Rodriguez asked Chief Deputy about the fact that we just entered into a 5-year contract and now they are demanding more money, which is a concern. Chairman Rodriguez asked if someone from legal could provide information or speak on the contract. Chief Deputy clarified if it was for the language itself. Chairman Rodriguez said they would like to see the contract and someone, to explore a hybrid approach. Chairman Rodriguez agreed there were county resources and doing a hybrid approach rather than putting more in and exploring other options.

Supervisor Belsky motioned to Table the resolution to August 3, 2022 meeting, seconded by Supervisor Nordigian. Motion passes unanimously with no further discussion.

Any Other Business Allowed by Law:

7:25: Chairman Rodriguez spoke about the detentions tour for the Pre-Trial Facility and asked Cpt. Staples if 6pm was appropriate or earlier. After some discussion it was decided to meet in the Public Safety Building at 5pm to tour the Pre-Trial Facility and the Emergency Operations Center. The Judiciary and Law Enforcement Committee would then meet in its normal place in the 2nd floor Committee Room in the Administrative Building at 6:30pm.

Meeting Adjourned: 7:27: on motion by Supervisor Belsky; seconded by Supervisor Bashaw.

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

Respectfully Submitted,



Alyssa Werfelmann