

MINUTES OF MEETING OF JUDICIARY & LAW ENFORCEMENT COMMITTEE
February 14, 2007
KCAB 2ND FLOOR COUNTY BOARD COMMITTEE ROOM

Members Present: William Michel II, Joseph Clark, Bob Haas

Others Present: Judge Mary K. Wagner, Judge David Bastianelli, Chief Deputy Charles Smith, Lt. Paul Falduto, Robert Zapf, Kathy Kemen, Rebecca Matoska-Mentink, Bethany Lofgren, Susan Marcinkus, Dolly Brennan, Rufus McNealy, Sharon Morgan, Anthony Nudo, Karyn Nudo, Gary Kunich

Meeting Called to Order: 7:45 p.m. by Chairman William Michel II

Citizen Comments: Judge Bastianelli spoke regarding video conferencing. He said he has been on a sub-committee for P-PAC, a committee for the Supreme Court that sets policy for the court system. They have done essentially two things. The first is bridging the gap regarding court layouts, equipment and specs. One of the current drawbacks is not the equipment and technology but the statutes, when a defendant is required to be present and how the Constitution may or may not fit in terms of communication between attorney and client not being in the same location. They are at the final stages of the sub-committee and will be issuing a report advocating legislative changes. Some opinions are for a narrow approach and others favor a very broad use of videoconferences. If statutes are changed to allow use for hearings not currently allowed, he believes you would find a greater cost saving for counties overall and greater use by the courts. A majority/minority will be presented some time in March. Remodeling done to the Kenosha Courthouse has allowed the capability; they just need the legislation to go through. More judges will be receptive with state statute changes.

Supervisor Comments: None

Chairman Comments: Supr. Booth was excused from the meeting, Supr. Arrington was not.

Minutes Read: January 10, 2007

Motion by: Joseph Clark **Seconded by:** Bob Haas **Approved:** Unanimously

Resolutions from the Kenosha County Executive:

1) Appointment of Mr. Anthony Nudo to the Kenosha County Traffic Safety Commission

Motion by: Bob Haas **Seconded by:** Joseph Clark **Approved:** Unanimously
Mr. Anthony Nudo was in attendance at the meeting.

2) Appointment of Lieutenant Paul Falduto to the Kenosha County Traffic Safety Commission

Motion by: Joseph Clark **Seconded by:** Bob Haas **Approved:** Unanimously
Lt. Paul Falduto was in attendance at the meeting.

Resolution from Joint Services, Information Services and Finance:

1) Resolution for a 911 Wireless Grant Budget Modification

Motion by: Joseph Clark **Seconded by:** Bob Haas **Approved:** Unanimously
Susan Marcinkus and Sharon Morgan presented the resolution. Morgan said this resolution authorizes budget modifications to move forward on the 911 Wireless Project. It utilizes grant funds and they must move forward to meet grant deadlines. In essence, money spent past years on projects

that were 911 wireless eligible is going to pay for additional work needed this year. They implemented a fiber broadband and are getting reimbursement for this. They purchased a 911 CML system in 1999 that is now eligible for ½ the cost. Supr. Michel asked if this project would be affected if dispatch moved. Morgan replied that the program is not site specific and that none of this relates to location. Clark asked what is going to be done this year and if this were the program that would allow tracking of the cell phone system. Morgan reported work to be completed as upgrading 911 equipment and software, GIF database, and interface programming between 911 and the CAB system. These are needed to track cell phone calls. Supr. Haas asked if this system would last 10-15 years. Morgan said that software is updated usually every 2-3 years but the capability will last long-term. The next big jump may be voice over IP. Clark asked if the expenditures are compatible with the equipment not related to site location. Morgan said yes.

Resolutions from the Kenosha County Sheriff's Department:

1) BOTS – Traffic Enforcement Grants

Motion by: Joseph Clark ***Seconded by:*** Robert Haas ***Approved:*** Unanimously
Lt. Falduto presented the resolution. He explained that the \$70,000 is a total of 3 different grants. \$20,000 will go to alcohol saturation patrols in Somers and Salem. \$20,000 will go towards speed enforcement in Somers and Salem. \$30,000 will be for a Corridor Enforcement grant that is basically speed and traffic regulation on I-94. They are trying to decrease the number of accidents on the interstate. Clark asked if Racine County has a different program. Falduto said that Racine County has a traffic enforcement unit that they have up there full-time. They run this on straight time and are basically able to fund the unit based on revenue generated. Our grant money would be used for deputy overtime to go to specific areas. Clark said that Racine enforcement is very visible and asked if this has resulted in fewer accidents in Racine County. Chief Deputy Smith said that the State would have this information but expects that the presence would help. They do slow traffic but he has no specific numbers. Clark asked if they would be able to get numbers comparing Racine to Kenosha. Falduto said they should be able to get this. He said that Sheriff Beth is very strong when it comes to traffic law enforcement and he routinely requests that the patrol division go to the interstate whenever possible. Chief Deputy said they would request the numbers from the State and should have the information by the next meeting. Haas asked if this patrol is voluntary. Falduto replied yes, overtime is not forced.

2) WI DOT TRaCS Expanded Use Program Grant

Motion by: Bob Haas ***Seconded by:*** Joseph Clark ***Approved:*** Unanimously
Lt. Falduto explained that this grant of \$25,000 is to expand the Wisconsin Incident Based Reporting System pilot program dealing with electronic submission of citations and accident reports issued by laws enforcement officers in the field. This allows more spots where the deputy can sign on and off the system. Clark asked what TRaCS is. Falduto responded Traffic and Criminal Software that writes tickets on the computer and prints them out in the car. This is more efficient and can tie into the network Downtown. Michel asked if the program is compatible with the State Patrol. Falduto said yes. Rebecca Matoska-Mentink added that all the information is electronically transmitted to various levels and departments.

Discussion Regarding Kenosha District Attorney Diversionary/Accountability Worthless Check Program:

District Attorney Robert Zapf, Kathy Kemen and Rufus McNealy (who will be operating as the point-guard out of Milwaukee with the Financial Crimes Services) attended the meeting for the presentation. Zapf said that after discussions and information they are now ready to announce and promote this program publicly. The program is an effort to dedicate a specific program for purposes of

enforcing worthless check restitution/prosecution. They hope this will be countywide. The plan is to divert out of the system first time low-level offenders (under \$2,500). The concept is to add an educational component. The offender gets the opportunity to divert by getting education and paying the check amount together with the \$30 statutory processing fees. The merchant benefits because there is a dedicated program. In the past it was not worth it to pursue low level checks because of the cost of collection agencies or a private attorney. Law Enforcement was found to spend an inordinate amount of time on this process. The database will be exclusively for worthless check offenders and will be compiled for six years. If a person returns to the program they will have the information.

McNealy said he does investigations for financial crimes. They try to weed out low profile, non-habitual, and not put them through the criminal system. His job is to see that there are no cases elsewhere. If they are habitual they accumulate the information. The offenders fund the program by paying a \$100 class fee. If resolution is not acquired through the program, the file is sent to the District Attorney for prosecution. Education includes classroom presentation and interaction, not just a booklet. The business has to forego the \$30 NSF fee. Zapf said that they would be monitoring the program. They set standards and guidelines. If there are other charges against the offender they may be brought into the criminal system. There is no cost to the merchants and merchants will be encouraged to report all incidences so the program can keep track of offenders. Supr. Haas asked if the \$100 fee was per check. Mc Nealy replied no, it is a one-time charge for the class. Haas asked what classifies someone as habitual. Zapf said they would have to work this out and may eventually set a specific level. If someone is writing checks on a closed account we could have a more serious problem. The merchant will be asked to make two good faith attempts to collect the money. Clark asked how this would be communicated to merchants. Zapf responded that they met with the Kenosha Area Chamber of Commerce in conjunction with the Kenosha Area Visitors Bureau and they will be sponsoring and supporting this effort. They will also be having another law enforcement meeting followed by a collective community-wide business meeting that will be announced to the public.

Discussion Regarding Judicial Needs Assessment 2006:

This was discussed in the earlier joint meeting.

Discussion Regarding Videoconferencing:

This was discussed during Citizen Comments and Supr. Michel will stay in contact with Judge Bastianelli.

Any Other Business Allowed by Law: None

Meeting Adjourned: 8:30 p.m. on motion by Clark, seconded by Haas.

Respectfully Submitted,

Donna L. DeBree