

MINUTES OF MEETING OF JUDICIARY & LAW ENFORCEMENT COMMITTEE
February 9, 2011
KCAB 2ND FLOOR COMMITTEE ROOM

Members Present: William Michel II, Bob Haas, Ronald L. Johnson, Ronald J. Frederick, David Singer, Emily Kenney (YIG), Alice Wei (YIG)

Others Present: Sheriff David Beth, Capt. Paul Falduto, Lt. Mark Krueger, Sgt. Ken Urquhart, Nancy Otis, Carol O'Neal, Gina Sulaj, Janet Hoff

Meeting Called to Order: 7:00 p.m. by Chairman William Michel II

Citizen Comments: None

Supervisor Comments: None

Chairman Comments: Supr. Michel commended law enforcement, the Courts, and Joint Services for a job well done considering the major snowfall. Calls were made and there were no major accidents. The community did well.

Minutes Read: November 16, 2010

Motion by: Singer **Seconded by:** Johnson **Approved:** unanimously

Resolutions from the Kenosha Co. Sheriff's Department:

1) 2011 S.E.A.D.O.G Multi-Jurisdiction Drug Task Force Grant

Motion by: Singer **Seconded by:** Johnson **Approved:** unanimously

Nancy Otis presented the resolution to accept our share of \$54,115 from the WI Office of Justice Assistance for Kenosha County's Drug Task Force. Sgt. Urquhart, head of the drug unit, also attended the meeting. Walworth County is the manager of the grant, we report to them, and they reimburse us. Money will be used to cover overtime, for drug buys, and to purchase equipment. Equipment to be purchased includes digital camera, small tracker, six sets of raid gear, tasers, and video cameras. Supr. Frederick asked if the grant is divided base on population. Sgt. Urquhart replied by the work they do and population. Racine is first and Kenosha is second.

2) Sole Source Contract for Siren Repair

Motion by: Johnson **Seconded by:** Singer **Approved:** unanimously

Nancy Otis presented the resolution to suspend the bid process and allow Fulton Technologies to begin refurbishment and installation of narrow band radio receivers on 35 outdoor warning sirens. The money was approved in 2010, however, the project did not commence so the money was carried over. Carryover into 2012 is expected as well. Michel asked what would happen if this was put to bid. Carol O'Neal explained that this would be difficult. Other companies would have to examine each siren to determine what they would have to bid on. The current company would not pass on their information. The current company already knows all the issues. There is only one other known potential company. The costs incurred examining each siren would have to be recouped and incorporated into their bids. Supr. Singer asked that then we do not know what the current company is doing? O'Neal replied that we have schematics and general information. Singer asked if any verification has been done to assure that work that has been done has been done reasonably. O'Neal responded yes; they do verify. Before they sign the contract they will know specifics. Haas asked how much the project will cost. O'Neal responded \$118,000 over three years. Haas commented that this is a lot of money not to bid. O'Neal stated that Fulton

was the only company that gave a full bid last time. Haas stated that possibly more vendors would come considering current economic conditions. Singer asked how much the maintenance agreement is. O'Neal said she would have to look this up and let him know. Singer stated that the contract should specifically state that the company must specify condition and give details so they are readily available. O'Neal said that companies generally do not trust information from other companies. Haas recalled that Ben Schliesman previously reported that sirens were in bad shape. He asked how much new ones cost. O'Neal said she was not asked to look into this so she does not know.

3) Cabaret License – El Fracazo Tavern

Motion by: Frederick **Seconded by:** Haas **Approved:** unanimously

Capt. Falduto presented the resolution for conversion from a probationary to a regular license. Falduto recapped that the tavern lost their license at one point and then was granted one with additional requirements. During the entire twelve month period there have been no violations and total cooperation. Haas asked the Captain if he felt the incidences reported were more than usual. Falduto replied that they were just typical occurrences that happen at bars. Michel stated that Capt. Apker should be commended because he made sure steps were in place to assure compliance. There were several issues that were resolved. Singer added that this is still not permanent; it could be revoked. Falduto concurred.

Resolutions from the Division of Emergency Management:

1) Vigilant Guard Exercise Collaboration Agreement Between WHEP and Kenosha County Sheriff's Department Division of Emergency Management

Motion by: Frederick **Seconded by:** Haas **Approved:** unanimously

Nancy Otis presented the resolution. She explained that Lt. VanTine is on assignment in Madison. This resolution is for \$5,000 from WHEPP to offset the additional costs of hospital/EMS participation in this exercise. We have grant money already for other costs. Table-top exercise has already been done. March 11 there will be a functional exercise and the full-scale exercise is scheduled for May 18.

2) Public/Private Partnership Grant

Motion by: Frederick **Seconded by:** Johnson **Approved:** unanimously

This grant is for \$3,200 to be used for training and meetings for Emergency Preparedness. Costs are incurred by established businesses that work together to identify resources and how they can be used and shared. Money is used for items such as marketing, consultant fees, materials for meetings, and food. Singer asked who organizes the meetings. Otis replied David Antino from David Insurance. Haas asked if Emergency Management oversees the group. Otis said that they submit for reimbursement but do not attend all meetings.

3) Radio Interoperability Grant

Motion by: Haas **Seconded by:** Johnson **Approved:** unanimously

This grant is to accept \$67,000 for the replacement of repeater, mobile, and/or portable radios for Twin Lakes Police, Twin Lakes Fire, Salem Fire, Silver Lake Fire, Bristol Fire Departments and Kenosha County. Each of these agencies will purchase their own radios and will be reimbursed 85% cost through the County. Emergency Management is the pass-thru agency. Michel asked if all radios are compatible with ours. Lt. Krueger replied yes. Michel asked if some of this money is for the Sheriff's Dept. Otis replied no, KSD is funded separately. Haas asked why some municipalities were excluded. Otis said she did not know. Sheriff Beth said he would check

with Lt. VanTine. Michel said the grant submission has to be before 2/24 so this needs to be checked quickly. Haas asked who wrote the grant. Otis replied probably Ben Schliesman.

Traffic Data Collection Presentation by Sheriff David Beth:

Sheriff Beth said he invited the Kenosha News. As of January 1, agencies are supposed to collect data as provided on the “Wisconsin Traffic Stop Data Collection Form” he distributed. Data includes location, vehicle data, driver and passenger information, search information, results, etc. They were originally told the form would be simple; however, it is very extensive and time consuming. This will deter deputies from making stops. A test was set up for supervisors and Aldermen to complete the form and after 15 minutes they gave up. If a stop for just a tail light was made this form would need to be completed for each person in the vehicle. Michel asked if this would be needed if only a warning was issued. Sheriff replied yes; even if a warning is not issued. The information then has to be give to clerical for compilation and forwarded to the State. The Sheriff has talked to the State and they say they still do not know what they are going to do with the data. Racine is not complying with completing these forms as well. There are safety concerns because deputies are trained to be aware of their surroundings, however, would be busy with this paperwork. This is not what they should be doing. 8,257 citations were given last year. There are already documents for each that includes ethnicities. There has been only one complaint in eight years where someone said they were pulled over due to their race. In this case it was also found out that the same complaint was filed in another jurisdiction. Five departments in Wisconsin are not complying. Sheriff Beth is making a point on this. Deputies would have to guess as to racial ethnicity and this is often guessed incorrectly. Depending on areas patrolled, there will be greater concentrations of certain ethnicities. Caucasians currently get 86% of the tickets. This data is captured without completing these reports. Supr. Frederick asked what the next step is. What can happen if we do not comply? Sheriff explained that he is going to testify in Madison next week. He is looking forward to and wants to testify. The State could deny some grants. Frederick stated that 86% to 14% is consistent with the demographics in this area. Haas stated that this problem originated in Milwaukee. If they have a problem they should keep it in Milwaukee. Haas writes citations and cannot imagine implementing this. Sheriff said there is no benefit. Singer asked who developed the form. Sheriff responded the Dept. of Justice. Sheriff said he thinks people would think we are crazy in Wisconsin if we ask everyone what race they are. Haas stated that people would be offended and feel that it is none of their business. Michel said he sees no advantage in doing this. Sheriff said that this was put in place because Milwaukee is pushing it. This information can be tracked through much easier ways. Singer asked for a copy of the law. Haas stated that he has spoken with Samantha Kerkman and it is already in the works to repeal. Singer asked if we can get an exemption. Sheriff replied no, however, expects that it will end soon.

Any Other Business Allowed by Law: None

Meeting Adjourned: 8:00 p.m. on motion by Haas, seconded by Johnson.

Respectfully Submitted,

Donna L. DeBree