

COUNTY OF MILWAUKEE

INTER-OFFICE COMMUNICATION

Date: July 25, 2017

To: Milwaukee County Board Judiciary, Safety & General Services Committee Chairman Willie Johnson, Jr., Vice Chairman Anthony Staskunas and Committee Members Supervisor Deanne Alexander, Supervisor Eddie Cullen and Supervisor Peggy A. West

From: Michael Hafemann, Superintendent, Milwaukee County House of Correction (HOC)

Subject: Report as Requested by Judiciary, Safety & General Services Committee Item #17-545.

In response to the request from the Judiciary, Safety and General Services Committee of the Milwaukee County Board of Supervisor, item #17-545, this report has been submitted to comply with said request of the Board of Supervisors.

In general terms all House of Correction (HOC) operational policies, procedures, protocols and processes are developed based on, and adhere to, applicable state and federal laws, DOC Administrative Code 350, case law decisions and the voluntary jail standards promulgated by the American Correctional Association and the National Commission on Correctional Healthcare. Moreover, our operational policies and procedures are annually reviewed and approved as to content by the Wisconsin Department of Corrections and our complete up-to- date policy manual is on file with said Department of Corrections.

Attached to this report are the relevant written policies and procedures and interim directives that address the various subcategories of request #17-545.

Staff Drug Testing/Screening. As part of the pre-employment hiring process all correctional officer and support staff candidates are required to complete a questionnaire regarding past and recent alcohol and illegal drug use – and – the use of any narcotics prescribed by an attending physician. Candidates are drug screened/tested and candidates that test positive for current drug use are disqualified from employment as a correctional officer or support staff member. Once employed correctional officers and support staff who maintain CDL's are randomly tested/screened for alcohol and drug use as required for a CDL certification. All other HOC personnel are alcohol and drug tested as mandated by Milwaukee County Substance Abuse Procedure 02.04.02 (attached).

Search of HOC Personnel. Correctional staff, maintenance personnel and staff working in the Graphics Shop are not searched prior to being allowed access into the secure confines of the HOC. However, there are strict prohibitions regarding what correctional, maintenance and graphics personnel can bring inside the secure confines of the HOC and any violation or deviation in these prohibitions will result in adverse employment action up to and including termination – and – depending on the type of contraband, criminal prosecution. It is common practice for jail/correctional facilities to not search their

security/correctional staff prior to entering the secure confines of a jail facility. And, the equipment security/correctional staff have on their person upon entering the secure confines of jail facility makes a magnetometer search impractical. Maintenance personnel do not have unsupervised access to the inmate population and the equipment they have on their person also makes a magnetometer search impractical. The Graphics Shop is located on the HOC campus, but it is not within the secure confines of the HOC. And, inmates assigned to work in the Graphics Shop are searched after their work shift before they are allowed to reenter the secure confines of the HOC.

All other support staff (medical, laundry, kitchen, property and volunteers) are required to undergo a magnetometer search and any carry-ins are scanned for contraband prior to being allowed access into the secure confines of the HOC. Moreover, all carry-ins must be clear (i.e., see-through) and the contents easily observed by the searching correctional officer.

The relevant procedures regarding staff searches are included in the attached "Search" packet and the packet contains:

- 2-217 Civilian and Staff Searches;
- 3-312 Volunteers; and,
- HOC 16-01 Authorized Carry-in Bags, Baggage and Containers.

Contraband Control. All newly admitted inmates undergo a custodial search (tactile pat-down search, magnetometer search and clothing exchange). All Huber/work release inmates undergo a custodial search when they return to the facility from work, school or other approved activity. And, inmates undergo a tactile pat-down search when they return to their assigned dormitory from work assignments and programming activities within the HOC – and – when they return to their housing unit following a professional visit (i.e., a visit with an attorney, law enforcement office and other authorized court and/or legal staff).

The relevant procedures regarding contraband control are included in the attached "Contraband Control" packet and the packet contains:

- 5-504 Facility Inspections;
- 5-504 Inmate Searches and Shakedowns;
- 10-1010 Inmate Visiting;
- Directive #17-06 Canine (K9) Operations;
- Interim Directive Contraband Sharp Objects;
- Interim Directive Items allowed in with Probation and Parole Agents; and,
- Interim Directive Booking room protocol.

Drug Screening/Testing of Inmates. All newly admitted Huber/work release inmates are drug and alcohol tested upon admission to custody; Huber/work release inmates are then drug tested at least one time each month throughout their term of confinement. HOC inmates attending and participating in the Day Reporting Center Program are drug and alcohol tested at least one time each week. And, inmates supervised through the Electronic Monitoring (EM)/Home Detention Program are also drug and alcohol tested at least one time each week. Moreover, all inmates housed at or under the supervision of the HOC are drug and alcohol tested whenever there is a suspicion said inmates may have ingested alcohol

and/or drugs. Suspicion is predicated on observations of inmate behavior, inmate speech patterns and/or information provided by sources with potential knowledge of inmate alcohol and/or drug use.

Alcohol and Other Drug Abuse Treatment. Opioids are not used to treat inmates housed at the HOC. An inmate admitted to custody with opioids in his/her system is placed on a strict withdrawal protocol under medical supervision and once the protocol is completed it is anticipated the inmate will remain opioid free for the balance of their current confinement. Alcohol and other drug abuse (AODA) treatment is provided to all inmates housed at the HOC; treatment options include structured group and individual sessions as well as traditional step programs (i.e., AA, NA and faith based alcohol/drug cessation programs).

The relevant procedures regarding AODA treatment and programs are included in the attached “AODA Treatment” packet and the packet contains:

- 7-701 Access to Health Care;
- 7-702 Non-Emergency Health Care;
- 7-706 Transportation Of Inmates outside the Secured Facility;
- 7-712 Medical Screening;
- 7-716 Communicable Diseases;
- 7-725 Suicide Prevention and Intervention;
- 7-737 Pharmaceutical Operations;
- 7-724 Suicidal Inmates;
- J-G-07 Intoxication and Withdrawal;
- J-D-02 Medication Services;
- J-D-02.1 Prescribing Authority and Stop Dates;
- J-D-01.4 Storage and Control of Pharmaceuticals;
- Armor Brief – Re-entry (the participant numbers are from 2014, but the program procedures remain the same);
- Armor Brief – AODA Services (the participant numbers are from 2014, but the program procedures remain the same); and,
- Program Brief – Improving the Transition from Jail to the Community for Impoverished Women.

Inmate Housing. Inmates are assigned to housing dormitories based on their security classification as mandated by State Statute 302.36, Classification of prisoners.¹

The relevant procedures regarding inmate Housing are included in the attached “Housing” packet and the packet contains:

- 5-508 Inmate Classification;

¹ **302.36 Classification of prisoners.** The sheriff, jailer, or keeper of a jail shall establish a prisoner classification system to determine prisoner housing assignments, how to supervise and provide services and programs to a prisoner, and what services and programs to provide a prisoner. The prisoner classification system shall be based on objective criteria, including a prisoner’s criminal offense record and gender, information relating to the current offense for which the prisoner is in jail, the prisoner’s history of behavior in jail, the prisoner’s medical and mental health condition, and any other factor the sheriff, jailer, or keeper of a jail considers necessary to provide for the protection of prisoners, staff, and the general public. **History:** 1977 c. 7; 1983 a. 185; 1989 a. 31 s. 1651; Stats. 1989 s. 302.36; 1995 a. 201; 2005 a. 295. **Cross-reference:** See also ch. DOC 311, Wis. adm. code.

- 5-501 Institution Counts;
- 9-900 Food Services;
- 8-807 Inmate Hygiene;
- 5-502 Inmate Property;
- 10-1008 Inmate Correspondence;
- 6-601 Segregation;
- 5-512 Use of Restraints; and,
- Interim Guidance – New Segregation Unit Protocol.

Coordination with the Office of Emergency Management (OEM). Narcan has been deployed throughout the HOC and is available to be administered as needed by medical personnel (i.e., nurses, nurse practitioners and physicians). He are currently in the process of allowing correctional staff access to and the ability to use Narcan as needed; staff from the HOC and OEM have met and are working on the memorandum of understanding (MOU), procedures and staff training needed to allow HOC correctional personnel the use of Narcan while performing their duties within and at authorized activities away from HOC facilities. An issue that still needs to be resolved is Wisconsin Act 200 specifically mandates, which nonmedical staff can administer Narcan. The applicable sections of Act 200 are Section 3. 256.40 (b) and (c); 3 (b) appears to cover or allow HOC correctional officers the ability to use Narcan under the phrase “enforcement of laws or ordinances – but – section 3 (c) stipulates a law enforcement officer is someone with arrest powers, which appears to exclude correctional officers.² We will work with OEM and the Office of Corporation to resolve this point and then proceed, if we are allowed, with establishing the use of Narcan by correctional personnel at the HOC.

Respectfully;



Michael Hafemann, Superintendent
Milwaukee County House of Correction

cc: County Executive Chris Abele
Raisa Koltun, Chief of Staff, County Executive
Erica Hayden, Research Analyst, County Board
Allyson R. Smith, Judiciary, Safety & General Services Committee Coordinator

² **Section 3. 256.40 Opioid antagonists.** (1) In this section: ... (b) “Law enforcement agency” means an agency of a federally recognized Indian tribe or band or a state or political subdivision of a state, whose purpose is the detection and prevention of crime and enforcement of laws or ordinances. (c) “Law enforcement officer” means any person employed by a law enforcement agency who is authorized to make arrests for violations of the laws or ordinances that the person is employed to enforce.