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(ITEM) From the County Executive, requesting authorization to delay the transition of the County Correctional Facility - South to an appointed Superintendent until at least 4 months after legal clarity is secured, by recommending adoption of the following:

AN AMENDED RESOLUTION

WHEREAS, the 2013 Adopted Budget transfers management of the County Correctional Facility – South (CCFS) to a Superintendent, appointed by the County Executive, effective April 1, 2013; and

WHEREAS, the Office of the Sheriff has filed a law suit alleging constitutional authority over CCFS on December 12, 2012; and

WHEREAS, there are several services that require collaboration between the Office of the Sheriff and the Superintendent in order to operate the CCFS and the County Correctional Facility – Central (CCFC) in a manner that is both safe for inmates and the public and efficient with taxpayer resources; and

WHEREAS, access to facilities, operations and documents is not currently available to the Transition Team; now, therefore,

BE IT RESOLVED, that Milwaukee County hereby clarifies its intent, in the event the litigation is terminated in a manner that allows the transition to occur, to transition control of CCFS from the Office of the Sheriff to an appointed Superintendent by July 31, 2013; and

BE IT FURTHER RESOLVED, the Office of the Sheriff will operate and control CCFS until the transition to the Superintendent is complete; and

BE IT FURTHER RESOLVED, in the event the litigation is terminated in a manner that allows the transition to occur, the Office of the Sheriff will fully cooperate with the County Executive in implementing the CCFS transition to an appointed Superintendent, including leaving in place sufficient quantity and quality of staff to operate the CCFS in an effective and safe manner during the transition period; and

BE IF FURTHER RESOLVED, that the position of House of Correction Superintendent is created effective March 13, 2013 (instead of the April 1, 2013 position creation date listed in the 2013 Adopted Budget), and that the Office of the Sheriff will immediately grant, upon confirmation of the Superintendent by the County Board, the County Executive, Superintendent, and any appropriate county official he designates, access to the CCFS (House of Correction) and all CCFS records, including but not limited to classification and personnel records, in order to enable a smooth and secure transition of the facility.