

MILWAUKEE COUNTY BOARD OF SUPERVISORS FILE NO. 23-834

VERSION 1

INITIAL REPORT AND SUGGESTED PLANS REGARDING MILWAUKEE COUNTY CRIMINAL JUSTICE FACILITY OPERATIONS



By achieving racial equity, Milwaukee is the **healthiest county in Wisconsin.**



Version 1
Initial Response to Milwaukee County Board Resolution File No. 23-554

I. Report Overview and Plans.¹

Sheriff Denita Ball and the Milwaukee County Sheriff's Office ("MCSO"), with the coordination and guidance of the Office of Corporation Counsel ("OCC"), appreciate the opportunity to provide this initial report (the "Report"), to the Milwaukee County Board of Supervisors. MCSO is committed to public safety, accountability and respect for the human dignity of each and every person in the care of the Milwaukee County Jail ("MCJ"). MCSO trusts that the Report will help the Board and the public understand the complex operations of the MCJ and the challenges facing the MCSO at this particular moment in our County's history.

Preliminarily, while not the focus of the Report, the information provided must be read within the context of the COVID-19 pandemic and its aftermath, which severely impacted and continues to impact the Milwaukee County criminal justice system including the MCSO and persons in its care. *See*, "Under Pressure: The Milwaukee County Justice System's Recovery from COVID-19," the Wisconsin Policy Forum,² August 3, 2023 (report exploring various key points in the justice system "pipeline" to understand how the COVID-19 pandemic impacted Milwaukee County). These impacts include "a surge in homicides and, at least initially, in other types of violent crime," a tight labor market, which had a direct and negative impact on MCSO staffing levels, and a significant a felony case backlog leading to increased lengths of stays. *Id.* In addition, the number of individuals in the criminal justice system who suffer from behavioral health disorders, and whose cases may take longer to resolve as efforts are made to address their needs, has increased. *Id.* Evidence also demonstrates a precipitous rise in the numbers of death by suicides and substance use disorders, which increase began even before the peak of the pandemic. *See Suicide in Wisconsin: Impact and Response*, September, 2020 (produced by Prevent Suicide Wisconsin in partnership with Wisconsin Department of Health Services, Mental Health America of Wisconsin, and Medical College of Wisconsin).³

¹ The Report is the initial response to the subject Resolution. It is subject to the agency's modification, amendment, and correction as necessary and appropriate, given in the fluid, ever- and rapidly changing environment in which it is submitted.

² Wisconsin Policy Forum was created on January 1, 2018, by the merger of the Milwaukee-based Public Policy Forum and the Madison-based Wisconsin Taxpayers Alliance. "Throughout their long histories, both organizations engaged in nonpartisan, independent research and civic education on fiscal and policy issues affecting state and local governments and school districts in Wisconsin. The Wisconsin Policy Forum is committed to those same activities and to that spirit of nonpartisanship." *Id.* (Please contact the OCC if you would like a copy of the report and are not able to access it on-line.)

³ This two-part report presents (1) in-depth data explaining the people and populations in Wisconsin who experience self-harm injuries, as well as suicidal thoughts, behaviors, deaths, and associated risk factors, and (2) the Wisconsin Suicide Prevention Plan, described as an approach to reduce suicide attempts and deaths. (Please contact the OCC if you would like a copy of the report and are not able to access it on-line.)

With this background in mind, the three most significant challenges that MCSO is facing are staffing at the MCJ, the inability of the medical and mental health service provider, Wellpath LLC, to fully staff the MCJ, and overpopulation at the MCJ. Given the robust medical and mental healthcare monitoring provided by NCCHC Resources Inc. (“NRI”), no additional monitoring is necessary. The initial Report, which provides detailed information in narrative form with exhibits, supports these conclusions. The subjects addressed include: (1) the organizational structure of the MCSO including all staff positions and their respective roles; (2) population and staffing factors and challenges; (3) third-party vendor services including all medical and mental health care services; (4) external monitoring of the MCJ; (5) relevant policies, procedures and practices information; (6) discretion and legal requirements information; and (7) a summary about the MCSO budget including process, allocation of resources, and other information. As set forth below, supplemental reports will be submitted in future cycles, and the MCSO and OCC stand ready to review your requests for additional information.

The MCSO is dedicated to continual improvement in its processes and procedures, and will work in concert with all stakeholders as we move forward as One County. The following are suggested plans/next steps to solve for the identified challenges:⁴

A. Funding Request for Staffing Study.

The MCSO requests a staffing study and analysis to be conducted by a third-party to be funded by the County Board to determine the true needs of the agency including the extent of the understaffing. The National Institute of Corrections opines that the process to determine adequate staffing for a jail facility is to conduct a staffing analysis on a facility-by-facility basis. The MCSO cannot perform this study and analysis on its own; there are simply too many variables such as physical plant design, level of security, level of programs and activities, state and local standards and statutes, etc. to recommend a specific officer to occupant ratio. (A staffing study is currently being conducted at the CRC.)

The third-party staffing report would include: (i) historical staffing levels, (ii) current staffing levels, (iii) the staffing level required to satisfy all applicable legal standards and best practices, and (iv) a description of the standard, policy or reason for determining the recommended staffing level is requested. On May 18, 2023, the MCJ surveyed statewide Jail Administrators in Wisconsin regarding staffing levels and current occupant population (See Ex. 1).

Depending on the Staffing Analysis results, MCSO will likely be requesting additional funding to achieve the recommended staffing levels.

Timeline: In process.

B. Funding Request for Pay Increase for Correctional Officers.

MCSO would like to request an increase in pay for Correctional Officers to be in place by 2024. Currently, the Correctional Officer pay range is \$26.43-\$29.68 and almost all officers

⁴ See Resolution Items 3, 4, 5, and 6 (requests for plans).

start at the minimum pay range amount. The County does not fund a compensation system that budgets for any raises within the current pay range, other than an annual pay adjustment that has historically been between 0%-2%. Racine County's pay range for a Correctional Officer is \$29.55-\$34.10 and Kenosha County pay range is \$27.00-\$30.68, both of which also provide an annual step increase with the pay range.

The Wisconsin Department of Corrections recently raised starting wage for its Correctional Officers from \$23 per hour to \$33 per hour. They also provide incentive pay ranging from \$2-3 per hour for Correctional Officers who work in a maximum-security prison and \$5 an hour pay increase for Correctional Officers in prisons with an officer vacancy rate above 40%. There are at least 5 Wisconsin Department of Corrections Facilities within (1) hour of Milwaukee. To remain competitive with the Wisconsin Department of Corrections and neighboring county jails, we have proposed a \$6.06 per hour increase along with the anticipated 2% percent annual pay adjustment in April 2024. That will bring the MCSO's Correctional Officers pay to \$33 per hour, making us a competitive and desirable place of employment.

Timeline: In process.

C. Implementation of NRI Recommendations Concerning Wellpath LLC's Provision of Mental Health Services.

As set forth in detail the Report, in the report of NCCHC Resources Inc. ("NRI") dated June 2023, the third-party medical and mental health monitor and consultant for the MCJ and the CRC, made specific process recommendations to improve Wellpath's provision of mental healthcare at the MCJ. We will work with Wellpath and NRI regarding implementation of NRI's recommendations and use of best practices in suicide prevention using evidence-based tools for screening, assessment, treatment, and follow-up care, including review of comparable institutions.

Timeline: A update will be submitted for the December 2023 cycle.

D. Investigation of Wellpath's Staffing Challenges and Solutions.

Related to mental health care specifically, in its June 2023 report, NRI observed that Wellpath is understaffed. In fact, the MCSO understands that Wellpath, like the MCJ, is facing significant challenges in hiring and retaining mental health professionals due to the realities of the current job market.

We will work with the appropriate Wellpath and NRI including the utilization of current research studies to assess how best to address the difficulties in fully staffing the MCJ with nurses and mental health professionals. Solving the problem is likely to require an increase in compensation to attract and retain these professionals and therefore an increase in MCSO funding of the medical/mental health care contract, which Wellpath has requested on several occasions in an attempt to solve its staffing problems.

Timeline: A plan will be submitted for the December 2023 cycle.

E. Exploration of Potential for Capital Project to Expand Dedicated Space for Occupants with Mental Health Challenges.

Currently, as described in the body of the Report, the MCSO maintains special housing units for occupants suffering with mental illness. The current capacity is insufficient. In partnership with other relevant County stakeholders, the MCSO will explore the possibility that additional housing may need to be developed specifically for occupants with mental health challenges.

Timeline: If a proposed plan is necessary, it will be submitted during the third quarter of 2024.

F. OCC Legal Memorandum Regarding Disclosure of Information Regarding Ongoing Investigations.

The OCC will prepare a legal memorandum addressing disclosure of various documents and other items including audio or video recording during ongoing investigations, open records law, and the nature and scope of the Sheriff's powers and decision-making authority.

Timeline: Memorandum will be submitted in the first quarter of 2024.

G. MCSO's Budget.

The MCSO budget and all detail related to the budget is publicly available. However, MCSO is working with staff to create a streamlined, easy-to-understand explanation of not only the numbers, but the mission and goals underlying the fund allocation decisions that are made.

Timeline: A report will be submitted by the second quarter of 2024.

H. Milwaukee County Plan to Address Overpopulation at the MCJ.

All Milwaukee County and state criminal justice stakeholders are currently working to address the issue of exceeding the capacity of the MCJ.

Timeline: An update will be submitted by the second quarter of 2024.

II. Resolution Item 1: Report on Milwaukee County Criminal Justice Facility’s Organizational, System, and Monitoring Structure.

A. Item 1(a). Outline the organizational structure of the parties responsible for operation and monitoring of the facility and their roles, whether mandated by federal, state, local ordinance, or court order.

Information provided by Milwaukee County Sheriff’s Office (“MCSO”), Director Joshua Briggs.

1. MCJ Population and Staffing Challenges.

The MCJ is a 460,081 square foot facility located at 949 N. 9th Street, Milwaukee, Wisconsin 53233. This facility primarily houses pretrial occupants (male and female) with a current Consent Decree mandated population cap of 960.

A snapshot of the total population of individuals who were incarcerated in the MCJ as of June 1, 2023, with charges, is listed below. The MCJ population at the time of the report was 968 occupants.

Violent Felony Charges	Number Of Occupants Currently Charged
1 st Degree Intentional Homicide	75
1 st Degree Reckless Homicide	71
Armed Robbery	69
1 st Degree Reckless Endangering Safety	60
Possession of Firearm- Convicted of Felony in this state	43
1 st Degree Reckless Injury	36
2 nd Degree Reckless Endangering Safety	35
Robbery with Use of Force	25
Bail Jumping - Felony	24
Battery	25
1 st Degree Sexual Assault of a Child Under Age of 13	19
Strangulation and Suffocation	14
Charges Unknown Currently	23
2 nd Degree Reckless Homicide	16
Burglary-Building Dwelling	16

2 nd Degree Sexual Assault/Use of Force	11
Felony Murder	10
2 nd Degree Sexual Assault of a Child	10
Vehicle Operator Flee Elude Officer	10
Battery or Threat to Judge, Prosecutor, or Law Enforcement	9
1 st Degree Sexual Assault-Use of Dangerous Weapon	7
Child Abuse Intentionally Causing Harm	10
Resisting or Obstructing Officer	7
Violate/Harassment Restraining Order	10
Substantial Battery-Intend Bodily Harm	4
Arson of Building w/o Owners Consent	10
1 st Degree Child Sexual Assault-Intercourse with person under 12	3
Number of total charges associated with violent felony	652
Nonviolent Charges	299
No Charge Other Detainers	17

The MCJ houses occupants charged with some of the most violent crimes in the State of Wisconsin as shown above. Our population can make it challenging to maintain a safe and secure facility. The vast array of charges means there will be multiple occupants who need to attend numerous court appointments to include attorney visits and court proceedings. Attempting to safely move occupants throughout the facility, while facing staff shortages can be very difficult, but is necessary to ensure that each and every occupant is afforded constitutional due process.

There is a current Consent Decree that addresses the occupant population in the MCJ. The Consent Decree caps the MCJ population at 960 and requires the MCJ to assign a housing unit to each occupant within 24 hours of arrival. Any overflow of that cap makes it necessary that the Milwaukee County Correctional Reintegration Center (the “CRC”) receive and house individuals who would otherwise reside at the MCJ.

The Consent Decree also establishes health service mandates. Under the section for conditions of confinement: *Population and Overcrowding* (section II), an important part of the Consent Decree identified the below excerpt “(f) **Staffing; Throughout the life of the consent decree county defendants shall maintain or enhance the present staffing levels at the jail and shall ensure adequate training and supervision**”. Since the start of the Pandemic in March 2020, the MCJ has been unable to fulfill this requirement of the Consent Decree. The MCJ is severely understaffed. We are budgeted for 232 Corrections Officers, 21 Corrections Sergeants, 20 Corrections Lieutenants, 7 Corrections Captains and 1 Jail Administrator with an occupant population hovering between 900-960 daily. Our current staffing levels are as follows:

Corrections Officers: 148 of 231 budgeted positions, vacancy rate of almost 40%
Corrections Sergeants: 17 of 21 budgeted positions, vacancy rate of almost 20%
Corrections Captains: 7 of 7 budgeted positions, 0% vacancy rate

In 2021, due to severe staffing shortages the Sheriff ordered a temporary emergency assignment of personnel, transferring 14 deputies from other MCSO Divisions to the MCJ to assist with staffing shortages.

Due to the frequency of arrests in Milwaukee County, the MCJ booking room is required to be open 24 hours a day, 7 days a week, 365 days a year. At a minimum, the booking room requires 5 officers to operate. The preferred number of officers to operate the booking room is 8 officers. Due to low staff levels, we are able to fill only 50%, at most, of those positions on most days. When there are staffing shortages, MCJ supervisors must utilize overtime (voluntary/mandatory) to fill vacancies. The MCJ supervisor or shift commander must determine where they can cut staffing with the least amount of impact to both the operations and the safety and security of occupants and Jail staff in the building. In contrast, the CRC, with higher staffing levels and a similar occupant population, do not have to staff these positions. *See Exhibit 1.*

Exhibit 1 details our current officer to occupant staffing ratios. The data collected lists several counties and jails across Wisconsin, and the MCJ's officer to occupant ratio figures is much higher than most other jails. The MCJ has the highest number of intakes and releases in Wisconsin. The MCJ also has a high proportion of individuals with serious medical, mental health, and disciplinary needs that must be addressed in order to house them safely. (*See Ex. 2*)

The MCJ faces staffing vacancies for corrections staff like many other facilities across the state and even the nation. Exhibit 3 compares the MCJ staffing level to the CRC staffing and utilization numbers. Both facilities are in Milwaukee County and have similar number of occupants, so the comparison shows the dire situation the MCJ faces. The exhibit includes the numbers of posts for the facilities and staff available to fill the necessary posts. The schedules were provided by CRC and the MCJ for Sunday, June 4, 2023, for all three shifts. The MCJ staffed 60 positions on 1st shift this day to include 60 corrections officers and corrections sergeants. The optimal staffing level for this shift was 74 posts filled. MCJ first shift staff began the day unable to fill 14 positions. Out of the 60 positions staffed by corrections officers/sergeants, 25 officers were on mandatory/voluntary overtime. On the same day (1st shift) the CRC required 41 positions to be filled. They filled all 41 positions with only 7 officers on mandatory or voluntary overtime.

MCJ second shift staffed 53 corrections officers and sergeants and the optimal number of positions to be filled for this shift was 67. Second shift had 14 unfilled positions for the day. Out of the 53 officers assigned to second shift, 24 officers were on mandatory/voluntary overtime. CRC had 47 positions to fill on second shift. The CRC was able to fill all 47 positions and had no overtime. MCJ third shift staffed 32 officers out of the optimal 41 officers. Third shift was unable to fill 9 positions (to begin the shift) with 5 officers on mandatory/voluntary overtime. CRC schedule had 33 positions required for staffing. They were able to successfully fill all their positions and required no overtime. Adequate staffing at the Jail is required to maintain the safety of the persons in our care and all staff. This comparison displays the inability of the MCJ to staff positions needed to operate the jail safely and effectively.

2. Explanation of Need for Overtime.

Captains, Lieutenants, Sergeants, and Correctional Officers are responsible for the health and safety of occupants housed at the MCJ. Positions must be staffed 24 hours a day, 7 days a week, 365 days a year. As a result of the severe staffing shortages and population issues noted above, mandatory or “forced” overtime has become a standard procedure to maintain facility operations. In addition, staff sick call-ins, workplace injuries, extended leave such as FMLA, separations/terminations, and other reductions to staff can, and often do result in extensive mandatory overtime. Mandatory overtime assists in providing the health and safety of the MCJ’s occupants. It also places a burden on the MCJ staff. Presently, MCJ utilizes 8-hour shifts due to the requirement of mandatory overtime. The longest shift any staff member can work is a double (8 hours standard shift, 8 hours overtime), for a total of 16 hours. Staff often lose one of their two scheduled off days per week, based on the needs of the agency. A staff member may volunteer to work on their other off day but will not be mandated for their one off-day. This overtime puts immense stress on staff. The staffing vacancies, combined with mandatory overtime, have a cyclical effect. Vacancies produce forced overtime, and excessive forced overtime results in employee separations (resignations, retirements, etc.). Employee separations exacerbate the vacancy issue, and so on. In cases of mandatory overtime, higher ranked roles may need to fill in for lower ranked roles, resulting in a blended hierarchy and puts a strain on workforce efficiency and productivity. The focus of security staff is maintaining necessary daily operations. This often requires higher ranks (Captains, Lieutenants and Sergeants) to work as Correctional Officers to the detriment of more strategic planning related activities and initiatives. Due to the nature of corrections, some overtime is inevitable due to employee call-ins for illness or emergencies, holidays, vacations, and shift overlaps, or other unexpected facility or human needs. The MCSO strives to forecast overtime by anticipating issues and analyzing past trends to avoid mandatory or “forced” overtime. However, the current staffing shortage the MCJ faces is substantial. This shortage materially reduces the MCJ’s ability to forecast overtime and drives up the need for mandatory overtime.

3. MCJ Staffing Position Descriptions and Staffing Levels.

Attached as Exhibit 4 is the MCSO Organizational Chart.

- a) **Jail Commander**. The Jail Commander is responsible for the overall supervision

exercised over all sworn and civilian personnel within the MCJ. The position reports directly to the Chief Deputy and assumes an executive level position within the Sheriff's Office. The position includes providing leadership in attracting, retaining, and developing an engaged workforce in the delivery of superior services to residents and businesses. The Jail Commander directs the work assignments of the Assistant Jail Commander and the **Occupant Inspection and Compliance Captain** who oversees the day-to-day operations. The Jail Commander is responsible for high level discussions and decisions with the Sheriff and Chief Deputy for oversight of the jail. The Jail Commander oversees developing and administering the division's operating budget; authorizing expenditures in the division for activities, equipment, staff, or other operational needs in accordance with legal standards; evaluates grant or alternative funding opportunities. The Jail Commander ensures that policies, procedures, and employee training complies with established mandates for all personnel within the areas of responsibility. This role is responsible for reviewing, and managing all contracts for healthcare, food service, communications, and transportation contracts, including with Wellpath, Aramark, ICSolutions, and Allied Universal Transport. The Jail Commander serves on the committee for introductions to any new business needs for the facility to include any Requests for Proposals or Requests for Information. A facility the size of MCJ should operate with one (1) Jail Administrator or Commander.

- b) **Assistant Jail Commander (working title of Captain)**. The Assistant Jail Commander is responsible for the oversight of all day-to-day operations. The Assistant Jail Commander oversees attendance, scheduling, discipline, jail records, occupant property, occupant workers, facilities operations, and annual performance. The Assistant Jail Commander is involved in many high-level decisions regarding the MCJ. The Assistant Jail Commander is the final review on the appeal process for the occupants' grievances. The Assistant Jail Commander helps develop and administer the operating budget. They authorize any investigations for employees for attendance and non-attendance work violations. The Assistant Jail Commander supervises the Time and Attendance Compliance Captain and Occupant Inspection and Compliance Captain (*see below*). This position also reviews new jail employee backgrounds for employee security clearances. This position attends weekly meetings with the Jail Commander for contracted services to ensure vendors are being contractually compliant. Finally, the Assistant Jail Commander compiles reports and statistics for weekly review by Sheriff's administration. A facility of the MCJ's size ideally should have two or three assistant jail administrators and/or security director positions.
- c) **Time and Attendance Compliance Captain (Sworn)**. The time and attendance Captain is responsible for timesheet audits, staff management regarding attendance accuracy, compliance with the MCSO sick call policy, and FMLA reporting procedures with VOYA, Milwaukee County's FMLA vendor. The time/attendance Captain works with Milwaukee County Payroll to ensure accurate reporting of hours worked and time away. The time/attendance Captain acts as a liaison for the Professional Standards Division in creating employee activity documentation (EAD), and referrals for policy violations.

- d) **Occupant Inspection and Compliance Captain (Not Mandated)**. A Sworn Deputy Sheriff Captain has been assigned to the MCJ to ensure compliance with certain statutory requirements and provide additional oversight and review. The duties of the position include, but are not limited to, the following.
- i. Review of Schlage Transaction Reports to ensure that officers are completing their inspections in compliance with agency policy and statutory regulations. *See Wis. Admin. Code. § DOC 350.18(1)(a), (b).*
 - ii. Review of Jail log documentation to ensure policy compliance.
 - iii. Review of Jail video to ensure policy compliance.
 - iv. One-on-one coaching and counseling with jail officers.
 - v. Roll call training and coaching of jail officers.

Attached as Exhibit 5 is an example of a Schlage Transaction Report.

- e) **Shift Commanders (working title Captain)**. Shift Commanders monitor and direct daily activities of the jail and ensure adherence to all State and Federal laws and regulations. In addition, the Shift Commander supervises the security and care of the occupants and ensures the front-line supervisors are completing daily tasks. Shift Commanders complete a daily shift report detailing all the jail activity for the shift and forward it to all agency command staff. They are responsible for all activities and duties assigned for that shift. The Shift Commanders review all use of force incidents for compliance and accompanying paperwork and reports. The Shift Commanders allocate appropriate response and support personnel as needed on their shift. They also review and approve the Jail's Records Management Systems ("RMS") reports generated by front line supervisors. Shift Commanders complete and hear all due process disciplinary hearings for occupants that are in possible violation of MCJ rules. The Shift Commanders create Lieutenants' schedules, authorize timesheets, and complete their annual performance evaluations. They directly manage various assignments including: occupant programs, grievances, classification, special projects, K-9, CMS, Administrative Segregation, Protective Custody, and Field Training. Shift commanders must have the ability to operate tasers, OC spray, radios, handcuffs, keys, computers, and general office equipment. To complete assigned tasks and provide 24/7 coverage, there should be at least 6 shift commanders, with 2 per shift. The MCJ currently operates with 5, leaving one of the shifts short one commander. The CRC currently staffs 8 shift commanders (see Ex. 1).
- f) **Jail Records Commander (working title Captain)**. The Jail Records Captain has administrative and operational oversight of MCJ records, functions and employees including an office manager and approximately 40 civilian employees. The Jail Records Captain is responsible for implementation and oversight of all intake and release operations to ensure accuracy and efficiency relating to incoming and outgoing occupants. The Jail Records Captain performs HR functions which include creating and updating JEQs for all positions pertaining to Jail Records employees. They complete any warranted disciplinary action for both officers and clerical staff, train new jail

records personnel, both officers and clerical, and create schedules for Office Managers and Administrative Assistants. Additionally, the Jail Records Captain oversees the general operations of the Central Intake Unit (“CIU”) and works closely with the Milwaukee County Circuit Courts (the “Courts”) to develop effective and efficient processes and procedures. The Jail Records Captain acts as a liaison between the MCSO, the Courts, Public Defender’s Office, Department of Corrections (DOC) and all other internal or outside department agencies. The Jail Records Captain is the TIME⁵ agency coordinator for the MCSO and the Corrections Management System (“CMS”) coordinator. We currently operate with 1 Jail Records Captain.

- g) **Frontline Supervisors (working title Lieutenant.)** Under the general supervision of the Shift Commander, the Lieutenant directly supervises, mentors, coaches and recommends discipline for all officers in the MCJ. The Lieutenant ensures staff are accountable for the safety, security and health and wellbeing of all occupants in the entire facility. The Lieutenant is responsible for compliance with all Federal and State jail standards, as well as agency policies and procedures to ensure public safety. Lieutenants are responsible for ensuring that all housing units are cleaned and well managed and that officers are providing a safe and secure environment. The Lieutenant is also responsible for fair and equitable staff scheduling and creating and/or modifying the daily post assignments and daily off schedules for officers and sergeants. They check for and report on all maintenance and building issues. The Lieutenant reports, conducts initial investigations, and documents any Prison Rape Elimination Act (“PREA”) incident. The Lieutenant must have the ability to operate tasers, OC spray, radios, handcuffs, keys, computers, and general office equipment. The MCJ currently operates with 20 frontline supervisors, which is the minimum staffing level for a facility this size. The CRC currently has 24 frontline supervisors (see Ex. 1).

- h) **Lead Officers (working title Sergeant).** The Corrections Officer Sergeant (“Lead Officer”) position fills a supervisory gap that currently exists between Lieutenants and Officers. Lead Officers act as the primary mentors to new staff. Sergeants serve in lead roles in specialized work areas and respond to routine calls throughout the MCJ, which allows Lieutenants to focus more time on their primary administrative duties. Lead Officers mentor, train, and work with assigned staff in designated areas, to train staff on policies and procedures. They are responsible for counseling officers when necessary. They also recognize superior performance when appropriate by issuing positive Employee Activity Documentation (EADs). Lead Officers inspect areas of responsibility for safety, security, and maintenance issues. They respond to institutional emergencies and direct staff and perform all necessary work related to the emergency. In the absence of a Lieutenant, Lead Officers assume their duties when necessary. They determine occupant discipline when necessary (e.g., restrictions of privileges including placement in segregation, after the occupant is afforded a due process hearing by a Shift Commander). The Lead Officer must be trained and able to operate: tasers, OC spray,

⁵ Information about the TIME program can be found here: <https://www.doj.state.wi.us/dles/cib/time-and-technical-unit>.

radios, handcuffs, keys, computers, and general office equipment. The MCJ currently operates with 17 of 21 allocated Sergeants. The CRC currently has 25 Sergeants (see Ex. 1).

- i) **Corrections Officers.** Corrections Officers are assigned to supervise, interact with, and provide for the care and custody of all municipal, county, state and federal persons in the custody of the MCJ. They maintain security, order, discipline, and safety by enforcing the rules of the MCJ. They observe, monitor and evaluate the behavior of occupants and ensure their needs are met. Corrections Officers are trained to conduct electronic and physical searches of persons and buildings. They create electronic records and reports of day-to-day operations in the MCJ. Corrections Officers also facilitate daily processes including booking, identification, release, and classification of persons in custody. Corrections Officers monitor housing units and assess adherence to rules and regulations regarding officers and occupants. They respond to facility emergencies for medical needs, fire, and occupant disturbances. Corrections Officers must be trained and able have the ability to operate tasers, OC spray, radios, handcuffs, keys, computers, and general office equipment. The MCJ is budgeted for 231 officers. We currently have 148 positions filled, with a vacancy rate of almost 40%. The CRC currently has 170 Officers (see Ex. 1). Here are the positions that Corrections Officers fill:

- i. ***Prebook Officer.*** This officer is stationed inside the booking prebook area attached to the Sallyport. This officer is responsible to ensure that all paperwork from arresting agencies is completed accurately and timely. The Prebook Officer also ensures that an occupant has been screened by a medical nurse employed by the County's medical services provider, Wellpath, and has been cleared to be accepted into the MCJ.
- ii. ***Search Officer.*** This officer is stationed outside of the prebook area inside the search area. This officer is responsible to conduct a custodial search of all occupants who enter the MCJ to ensure that no weapons, drugs, or any other contraband is brought into the facility. The Search Officer also oversees the occupant's property and clothes and processes the occupant's cash so it placed into an individual occupant account at the MCJ. The search area should be staffed with two officers at all times to ensure safety and security of the occupants and security staff.
- iii. ***Photo ID Officer.*** This officer enters the Arrest-Detention-Report (ADR) information into the computer. The Photo Officer also ensures that this information is entered properly, and all physical attributes of the occupant are documented accordingly. The Officer will issue a wristband to the occupant with a picture attached for identification purposes while in custody.
- iv. ***Change Over Officer.*** This officer moves occupants from the Booking Room to the changeover area to facilitate MCJ issued clothing. All occupants must shower before changing into jail clothes. All occupant civilian clothing is stored in a property bag held in the MCJ Property Room during the occupant's residency at the MCJ. The officer then escorts the occupants through a metal

detector and to their assigned housing unit. All changeovers must be based on sexual identity, so we must staff a male and a female officer as a Change Over Officer 24 hours a day, seven days a week.

- v. **Floor Control Officer (3rd, 4th, 5th, and 6th Floors).** The Floor Control Officers use a vendor-provided system to open and close pod doors and monitor occupant intercoms and facility cameras. Floor Control Officers maintain an electronic log of all floor activities, to include, but not limited to, occupant movement, all visitors, med passes (medical passes), meal service, canteen service, haircut services, school, hearings, and professional visits. In the Pod Officer's absence, Floor Control Officers must conduct security inspections.
- vi. **Pod Officers (3rd, 5th, and 6th Floors, 4B).** The Pod Officers maintain a jail log of housing unit activities. Officers inspect the gym prior to opening, log the inspection, and any contraband found. The Pod Officer conducts inspections every 30 minutes using Schlage cards for verification.
- vii. **4A (Female Occupants) and 4D (Male Occupants) Segregation.** In these areas of the MCJ, Officers document all shift activities, occupant activities, inspections by Sergeants, Lieutenants, and Command staff personnel, emergency situations, unusual incidents, and other pertinent information and communicate with occupants via intercom when necessary. They conduct inspections of all sub pods using the Schlage cards as verification. Officers must observe occupants who are on suicide watches at least every 15 minutes. Officers must check locking devices, security doors and windows for proper functioning, tampering or destruction. Officers are required in both pods when open with 2 Officers on 3rd shift.
- viii. **4C Special Management.** The occupants in this housing unit are those who require an elevated level of treatment by the Wellpath Mental Health Services staff due to mental illness. The Officers staffing this unit must document all shift activities, occupant activities, inspections by Sergeants, Lieutenants, Captain, and other personnel, emergency situations, unusual incidents, and other pertinent information. They conduct inspections of all sub pods using the Schlage cards as verification. The Officers that are assigned to this unit also must be diligent as it pertains to sudden assault and hoarding of medication. Two Officers are required to be assigned to this pod when it is open. There are significant protocols in place when occupants are placed on suicide watch. Commonly these individuals are housed in either Pod 4D or the Mental Health Unit, discussed at point i., below. All occupants receive a comprehensive mental health screening upon intake. Medical professionals assess any immediate needs related to the safety of the occupant and determine whether immediate placement on suicide watch is necessary. If placed on suicide watch, an occupant is provided with a special gown instead of regular jail issued clothing as the material in the gown is very difficult to destroy and minimizes the risk of an occupant using it for self-harm. These occupants are given a mattress that is made of material different from a normal mattress, making it very hard to deconstruct and utilize the mattress to self-harm. All jail uniformed staff receive annual training related to the following: education on the Suicide

Prevention and Intervention Policy, identification of warning signs and risk factors, dynamics of suicide in custody environments, corrections and health care personnel communications, suicide watch referral procedures, observation and suicide watch procedures, and monitoring occupants who attempt suicide. In addition to this training, officers assigned to 4C or the mental health unit, commonly referred to as the Special Management Team (“SMT”) receive specialized training related to de-escalation, communication, observation, and identification of all mental health related issues. Mental health professionals (“MHP”) meet daily with these occupants and provide counseling and risk assessment. Only a MHP will remove an occupant from suicide watch.

- ix. ***Mental Health Unit.*** The occupants in this housing unit are those who require an elevated level of treatment and monitoring by the Wellpath Mental Health Services staff. The Officers work closely with Wellpath to assist the occupants in following their behavioral care plans. The Officers conduct inspections of all sub pods using the electronic jail log as verification. Occupants on suicide watch must be physically observed at least every 15 minutes. The Officer provides security for the Wellpath Mental Health Services staff. This post is staffed by two officers 24 hours a day.
- x. ***Special Medical Unit.*** The occupants in this housing unit require an elevated level of observation by Wellpath medical staff due to their chronic and/or acute medical conditions. The Officer must communicate with medical staff and provide updates as needed. They conduct inspections of the housing unit using the electronic jail log as verification and serve the occupant meals. This Officer also provides security for the medical staff. This post is staffed by 1 officer 24 hours a day.
- xi. ***Court Staging Officers.*** Officers assigned to this post work with the Milwaukee County Circuit Court Bailiffs and other court officials. They are responsible for court paperwork and a court list stating court times for the occupants. Court Staging Officers must conduct a search of the occupants who are transferred from the CRC and ensure that all occupants are picked up for court and that all court documents are delivered to the jail records department for proper dispositions. The Officers must also perform wellness checks every 30 minutes for occupants who are temporarily housed in Court Staging. There are 2 Officers assigned on 1st shift and 2 Officers assigned on 2nd shift to this post.
- xii. ***Clinic Officers.*** The MCJ Clinic is where occupants receive medical care from Wellpath Nurse Practitioners, Medical Doctors, Dentists or Physical Therapists. The Clinic Officer works with the Medical Movement Officer to assist occupants in getting to their appointments, and they document occupant movement, and occupant counts throughout this shift. This Officer is required to perform scheduled and random inspections at least every 30 minutes. There is 1 Officer assigned to this post on 1st and 2nd shift.
- xiii. ***Master Control.*** The Master Control Officers are responsible for the following:
 - All equipment testing and drills done by EPP Coordinator;
 - Inspections of Master Control controls;
 - Maintain a record of equipment stored in Master Control;

- Document key count;
- All unusual Incidents;
- Testing done by Facilities;
- All Alarms;
- Elevators status and testing;
- Security breaches in jail perimeter;
- Problems with doors, intercoms, cameras, or panels in Master Control;
- Problems with food service;
- Calls to facilities for repairs or clean up; and
- Any Notifications to Shift Commander.

Master Control Officers maintain and distribute the Emergency keys to officers when appropriate and under proper authority. They respond to emergency situations with appropriate action (dispatch staff, medical staff, shut down power to areas, order lockdowns, release cells and exits, contact communications for assistance or notification, contact facilities, etc.). They also coordinate the response of outside agencies upon the direction of the Shift Commander and notify appropriate supervisors of emergency situations. Two Officers are posted in this position on all shifts.

- xiv. **AFIS Officer.** The Automated Fingerprint Identification System (AFIS) officer is responsible for the identification of all individuals in the custody of the MCJ, other than those arrested by the Milwaukee Police Department (“MPD”) who have been identified by MPD. The AFIS officer utilizes a system for warrant checks and provides information to Wisconsin’s Crime Information Bureau (“CIB”) for identification purposes. The AFIS officer completes fingerprint comparisons to ensure those in custody are identified correctly. This is a 1 Officer post on all shifts.
- xv. **Jail Records Officer.** The Jail Records Officer is responsible for ensuring all booking information entered in the electronic record-keeping system is accurate. The Jail Records Officer adds, updates, and/or changes information as required by the courts. They process bail/bond payments. The Jail Records Officer is the liaison between other law enforcement agencies, court systems and federal entities. The Jail Records officer is responsible for ensuring that consulates are notified of occupants at the MCJ who are citizens of another country. This is a 2-Officer post on all shifts.
- xvi. **Records and Identification Officer.** The Records and Identification Officers conduct background criminal history checks on all non-MCSO staff requesting access to the MCJ. They are responsible for rectifying any identification errors and contacting the MCSO and CIB. The Records and Identification Officers are responsible for taking Milwaukee County employee photos and issuing Milwaukee County identification badges. This is a 2-Officer post on 1st shift.
- xvii. **Jail Transportation Officer.** The Jail Transportation Officer is responsible for ensuring all individuals eligible to be transferred to state facilities are scheduled. The Jail Transportation Officer is the liaison between federal agencies and the MCJ. They are responsible for ensuring that proper billing

- takes place for Milwaukee County's transportation vendor and federal agencies. This is a 1 officer post, eight hours a day, five days per week.
- xviii. **Special Projects Officers.** The Special Projects (SP) Officers are responsible for conducting interviews for potential new hires to the MCJ staff, including working with Human Resources. The SP Officers also attend job fairs and community engagement events to recruit for the Corrections Officer position. SP Officers ensure that occupants are able to view their legal discovery for court proceedings. The SP officers are responsible for video/audio recordings inside the MCJ for use during investigations. The SP Officers facilitate programming for occupants housed at the jail, including educational, religious, library, and counseling. The SP Officers help occupants to obtain legal paperwork. The SP Officers respond to all grievances and requests from occupants. The SP officers oversee more than 20 programs for the jail. Attached as Exhibit 6 is a list of programs offered at the MCJ.
- xix. **K9 Officer.** The K9 Officer works with his/her canine partner to ensure the safety and security of the MCJ. The K9 Officer may conduct safety inspections around the outer perimeter of the MCJ or assist his/her partner to support multiple tasks inside the MCJ, including screening mail and checking areas for drugs and other contraband. The K9 officer is also a trained weapons officer that will be asked to assist with hospital transports that a non-K9 partner would not be asked to perform. The K9 officer is asked to work in a floating position; however, due to staffing shortages, he/she is unable to work this post and must assist where vacancies exist in the facility.
- xx. **Kitchen Officer.** The Kitchen officer is assigned daily to work in the MCJ kitchen. His or her duties include monitoring the occupants who work as kitchen workers. The Kitchen Officer oversees security for the food services vendor, Aramark. The Kitchen Officer documents all kitchen activity including what meal is being served, what time the meal is served, and number of special trays distributed to each unit.
- xxi. **Central Intake Unit (CIU) Officer.** The CIU Officer helps facilitate occupants going to intake court. There are three positions in the CIU unit. Officers receive paperwork from the ADA/DA or law enforcement agencies for charging and manages and circulates the holdover list, indicating when an occupant is not able to get into court. The CIU Officer is responsible for ensuring occupants appear in intake court. CIU officers review and submit the paperwork to an available public defender or attorney prior to going into court. A CIU Officer is responsible for placing restraints on occupants prior to appearing in court. They also keep track of the courts list and document relevant events into the Jail's Corrections Management System ("CMS").
- xxii. **Occupant Worker Officer.** The Occupant worker officer oversees those occupants sentenced or awaiting trial who have been charged with nonviolent charges and are working in the kitchen or cleaning. The Occupant worker officer accompanies the occupants during their job assignments throughout the jail.

- j) **Property Room Clerk.** The Property Room Clerk creates and maintains an inventory and electronic record of the occupants' property. A property clerk works in the Booking Room to accurately inventory all personal belongings of the occupants entering the MCJ. The clerk releases property to the occupant upon release or transfer. The Property Room Clerks assign a location for the property and conduct audits to make sure everything is listed. The Property Room Clerk also creates schedules, trains and coaches staff. This task is completed in accordance with Wisconsin State Statutes, and requires 2 staff members on all 3 shifts.
- k) **Clerical Specialists.** Clerical Specialists are responsible for creating, updating and maintaining the occupant booking process for all persons who are brought into the custody of the Sheriff. They answer phone calls regarding occupant information, initiate the bail process and assist the in-person visiting public at the front window/public service area of the MCJ, and provide after-hours cashier coverage. The Clerical Specialists also handle entry and removal of all Milwaukee County warrants, stolen vehicles/items, missing persons, temporary restraining orders, injunctions, and other paperwork. They also validate entries into the electronic system, update all court appearance information for occupants at the CRC and MCJ, and staff in-person MCJ visits. Clerical Specialists enter all incoming and outgoing mail for MCJ occupants into CMS. These duties are performed on all 3 shifts as follows:
- i. ***Prebook Clerical Specialist.*** Complete occupant arrest data entry including name, demographics, charges, bonds, detainers, and notifications. Print applicable court paperwork, assign court dates, and make necessary photocopies for dissemination.
 - ii. ***Jail Records Clerical Specialist.*** Disseminate information via phone and direct public contact. Assist and work together with Jail Records officers. File, pull, purge, and scan occupant files. Enter into CMS all incoming and outgoing occupant mail. Liaise between the MCSO and other law enforcement agencies. Answer phone calls from the public and initiate the bail process for the public. Complete after-hours cashiering duties to include acceptance of bail.
 - iii. ***Dispositions Clerical Specialist.*** Responsible for updating booking records after court appearances for all CRC and MCJ occupants. Add charges when applicable and determine whether an occupant is eligible for release to include pulling the occupant packet and delivering it to Jail Records officers. Liaise between Jail Records and the Courts.
 - iv. ***Visiting Clerical Specialist.*** Assist occupants in registration of personal on-site video visits. Address questions from the public regarding occupant visitation. Perform want and warrant checks on all on-site visitors. Make necessary notifications for wanted individuals. Liaise between the MCSO and the visiting contractor. (The position is not currently staffed, but will be necessary when in person visitation resumes at MCJ.)
 - v. ***Warrants Clerical Specialist.*** Confirm all hit requests for Milwaukee County TIME System entries. Enters, cancels, and amends all warrants, stolen vehicles, missing persons, and TRO/Injunctions for Milwaukee County. Audits all Milwaukee County TIME System entries. Answers and addresses all phone

- calls and inquiries related to warrants.
- vi. ***Validation Clerical Specialist.*** In order to meet TIME System requirements imposed by the Department of Justice, it is necessary to validate all Milwaukee County TIME System entries based on data from the Department of Justice Crime Information Bureau. Monthly assignment of this position is generally required, but the position is not currently staffed or consistently being performed at this time.

4. Non-Medical and Mental Health Care Vendor Services.

- a) ***Food Services (Aramark).*** Aramark provides food service to the MCJ. They are responsible for preparing and delivering throughout the Jail approximately 960 meals three times a day. These meals consist of 2 hot meals and 1 cold meal. In addition, Aramark supplies the MCJ booking and open waiting area with approximately 300 bag lunches per day. The bag lunches are used for new arrivals to the Jail, transfers from other facilities, and occupants with certain medical needs. Aramark also tracks, prepares, and delivers special diet trays for occupants who have special nutritional needs or whose religious beliefs require specific dietary restrictions. This includes special lunches for those occupants with diabetes and pregnant female occupants.
- b) ***Commissary Services (Aramark).*** Aramark provides commissary services to the MCJ. Occupants may order a variety of food, snack and hygiene items using the kiosks located in the housing units. Commissary orders are filled offsite, delivered, and distributed throughout MCJ by Aramark staff. In addition, Aramark has a program that delivers hot food items not available on the normal meal rotation to occupants. These hot food orders are placed by the occupant's family or friends outside of the MCJ. Aramark calls this program "Fresh Favorites."
- c) ***Transportation Services (Allied Universal).*** Allied Universal provides transportation services for the MCJ. Transports take place for numerous reasons including but not limited to writs, warrants, occupants sentenced to prison or mental health facilities, transfers to the CRC, and local medical appointments. Allied may transport occupants from any of the remaining 71 counties in Wisconsin. Its logistics department schedules all off-site medical appointments and provides security escorts to the medical facilities. Their resources are as follows: 20 Drivers; 9 10-person vans; 1 6-person van; 3 50-person buses; 3 employees work in Logistics; and 1 Account Manager.
- d) ***Communication Services.*** The current vendor for occupant communications inside the MCJ is ICSolutions. The communications service vendor provides occupants communication options via the telephones in the dayrooms of the housing units and tablets within the occupants' respective cells. Overall, occupants at MCJ can choose to call, video-chat, text, or email messages to their loved ones. Also, through the MCJ supplies tablets, occupants have access to books, movies, and music, they have access to view their discovery, and they have additional reading material and other entertainment options. In 2021, due to severely challenging staffing levels, the MCJ had to suspend its normal operating procedures for many of the services provided at the MCJ, and the housing units currently cannot be opened for more than 8 hours per day due to extreme staffing shortages. The tablets provide entertainment and

educational options as well as the opportunity for occupants to communicate with family and friends.

5. Medical and Mental Health Care Services – Wellpath LLC.

- a) **Medical services (Wellpath).** Wellpath LLC (“Wellpath”) provides medical and mental health care services for each occupant in the care and custody of the MCJ, including preventive care, chronic care, and acute medical care. These services are provided at little or no cost to the occupant. Wellpath has several different medical personnel who work in the MCJ 24 hours a day, 7 days a week, 365 days a year. Wellpath’s current staffing levels for Medical/Mental Health are listed below. Any positions that are not filled by full-time Wellpath employees are filled by staff subcontracted through Wellpath.
- i. Medical Director (1)
 - ii. Chief Psychiatrist (1)
 - iii. Mental Health Director (1)
 - iv. Assistant Mental Health Director (1)
 - v. Health Services Administrator (1)
 - vi. Director of Nursing (1)
 - vii. Physician (1)
 - viii. Nurse Practitioner (16)
 - ix. Nurse Practitioner Psych (3)
 - x. Registered Nurse (43)
 - xi. Dentist (1)
 - xii. Dental assistant (1)
 - xiii. Discharge Planners (3)
 - xiv. Health Information Manager (1)
 - xv. Licensed Practical Nurse (24)
 - xvi. Certified medical assistant (4)
 - xvii. Psych Social Worker (13)
- b) **Wellpath Wellness Rounds (Not Statutorily Mandated).** When creating the RFP for comprehensive medical services for the County correctional facilities, we determined that an additional level of oversight was necessary to ensure that the needs of occupants with acute medical and mental health needs in our most sensitive areas of the MCJ were met, and that all occupants were properly cared for. Pursuant to the County’s contract with Wellpath to provide Medical, Mental Health, and Dental Services for the MCJ occupants, Wellpath is required to conduct Wellness Rounds (daily checks) of those who are considered to the MCJ’s “at risk” population, including all occupants housed on Pod 4D (segregation), the Mental Health Unit (MHU), Pod 4C (step-down mental health unit), the Special Medical Unit (SMU), and all occupants on a detox protocol. These rounds began just after the execution of the Wellpath contract in 2019 and continue to this day. See Exhibit 7.

- c) **Mental Health Rounds (Contractual Mandate and State Statutory Mandate – DOC 350).** The MCSO is required to “Provide or Secure” necessary medical and mental health treatment and emergency dental care for occupants in custody in accordance with Wis. Admin. Code § DOC 350.14(1). We have contracted with Wellpath to provide these services. In accordance with our contract with Wellpath, mental health clinicians are required to conduct regular mental health rounds in the areas with patients who have a need for mental health services. The frequency of these rounds is dependent upon the specific needs of the patient and their housing location in the MCJ.

B. Resolution Item 1 (b): Outline the system structure and system actors that impact the number of persons in the County’s care at the Jail and/or CRC.
Information provided by MCSO, Inspector Aaron Dobson.

The MCJ population is impacted by many different factors related to intakes, releases, and/or transfers of occupants in our care. It should be noted that the MCSO has little to no control over our daily population and we are reliant on others for population control. The MCJ is not nearly large enough to house all pre-trial arrestees in Milwaukee County’s care.

1. Intake Factors.

- a) The number of individuals arrested in Milwaukee County daily can range from 40 to 70 per day. It is challenging to predict how many people will be brought in on any given day. Pre-COVID, approximately 100 new arrestees were brought into the jail every day. We are statutorily obligated to bring these occupants into our jail. *See Wis. Stat. § 305.336(1).*
- b) Intake protocols are also a factor that affects our overall population. Pre-Covid, we allowed into the MCJ all summary and warrant arrests. This changed due to the pandemic and our need to control our population. Since March of 2020, we have not allowed most misdemeanor summary arrests to be brought to the jail. We also prohibited the arrest and housing of most Milwaukee County Misdemeanor warrant arrestees’ admittance into the facility. Now, there is a push by many local police agencies to go back to pre-COVID protocols. If this occurs, our population at the MCJ would expand by at least 200 occupants.

2. Court/Community Factors.

- a) Court cases can take a long time before concluding, especially for individuals arrested on very serious charges. The MCJ currently has over 160 individuals in custody on Homicide charges, and many with other very serious and challenging cases. These cases can take years to resolve, meaning that they will be in custody for a very long time if they can’t post or refuse to post bail.
- b) The Milwaukee County court system currently has a backlog of over 1,400 felony cases due to COVID, meaning that we currently have 1,400 more felony cases actively being worked on than we had pre-COVID. It will take years for the system to catch up. This means that more occupants in our care will be in custody, for longer periods of time waiting for their trial date.
- c) Crime has also risen in the community. In the city of Milwaukee last year, we experienced record numbers in both homicides and non-fatal shootings. This has led to more individuals being arrested on serious charges, which can take years to come to a point of disposition.
- d) The Public Defenders Office does not have enough attorneys to defend more serious felony charges at this time. At any given time, there can be up to 50 people in custody for over a month without having a defense attorney assigned

to their case. This can lead to adjournments of court hearings which, in turn, can prolong the case and the length of time that the occupant is in our care.

3. Release/Transfer Factors.

- a) It is hard to predict how many occupants will be given Personal Recognizance Bonds or be able to post bail.
- b) It is impossible to predict how many criminal court cases will be disposed of in a given day or week.
- c) We are reliant on the Milwaukee Secure Detention Facility (MSDF) accepting a transfer on all those with a Felony Violation of Probation case.
- d) We are reliant on the Department of Correction accepting those who have been charged and convicted of felony crimes whose confinement sentence is longer than 1 year.
- e) We are reliant on the CRC accepting our overflow when we have too many occupants in our care.
 - i. This can be a challenge due to the CRC's staffing challenges and their inability to increase their population.
 - ii. The CRC is unable to accept pre-trial occupants with serious charges.
 - iii. The CRC is unable to accept pre-trial occupants with serious custodial discipline issues.
 - iv. The CRC is unable to accept occupants with serious medical issues.
 - v. The CRC is unable to accept occupants with serious mental health issues.

**C. Resolution Item 1(c): External Monitoring of the MCJ.
Information provided by MCSO, Inspector Aaron Dobson.**

1. Department of Corrections (“DOC”) Facilities Specialists (Mandated by State Statute/Administrative Code).

All Wisconsin Jails are statutorily regulated in state statute and administrative code, commonly referred to as DOC 350. Amy Vaughn is the DOC Regional Specialist assigned to our area. DOC 350 contains mandates related to jail construction, jail policy, food service, sanitation, health care, mental health care, occupant mail, and many other facets of jail operations. (See Ex. 8). The MCJ is obligated to meet all requirements set forth in these state statutes/administrative codes. The MCJ is inspected by the DOC regional specialist annually to ensure that our agency meets or exceeds all obligations and requirements mandated by law. The MCJ regularly passes these inspections with no major violations. See Exhibit 9 for information on the last four DOC jail inspections.

2. Christensen Consent Decree (Mandated by Court Order).

In 2001, Milwaukee County entered into a settlement agreement with the class of plaintiffs (represented by the ACLU and LAS) in a class action lawsuit (96-CV-001835), filed against the County in 1996. This court action is still pending and the mandates of the settlement agreement referred to as the “Consent Decree” are set forth in italics followed by MCSO comments as follows:

- a) Section III (F) states: *“On each Monday during the life of the consent decree, the Sheriff shall mail to the Legal Aid Society of Milwaukee, Inc. the so-called “Daily Census Reports” (in the form of the copy attached hereto as Exhibit “B”) as well as the Milwaukee County Jail Population and Milwaukee County Occupant Population pie charts (in the form of the copy attached hereto as Exhibits “C-1 and C-2”) from the prior week.”* Although these specific reports no longer exist, we have gone above and beyond our obligations in complying with this portion of the agreement. The LAS and ACLU now have unlimited access to updated jail population and biographical information at any time through an online portal to which they were provided access by the MCSO and the Milwaukee County Office of Corporation Counsel.
- b) Section III (G) states: *“For the life of this consent decree, counsel for plaintiffs may conduct inspections upon request at reasonable times and upon reasonable notice to defendants’ counsel. Counsel for plaintiffs shall review population documents supplied by defendants and prepare semi-annual reports for the court indicating the status of County Defendants’ compliance with the provisions of this consent decree”.* The MCJ has complied with all requests by plaintiffs’ counsel to conduct inspections at the MCJ.
- c) Section III (H) states: *“Until the Court relinquishes jurisdiction in this case, the Legal Aid Society of Milwaukee, Inc., as plaintiffs’ counsel’s designee, shall have access to all plaintiffs at reasonable times and under reasonable circumstances. Plaintiffs’*

counsel and their experts shall have reasonable access at reasonable times to all staff and the jail, upon reasonable notice to defendants' counsel". The MCJ has complied with all reasonable requests of the plaintiffs' counsel as it relates to this portion of the agreement.

- d) Consent Decree Part II. Health Services: This portion of the consent decree addresses the medical, dental, and mental health monitoring portion of the Consent Decree. The court assigned a medical monitor, Dr. Ronald Shansky, who has been responsible for working with the County to assist in developing plans for medical care and services consistent with the Consent Decree. Dr. Shansky is a nationally respected professional in the field of correctional health care. The monitor was responsible for reviewing the MCJ's compliance with Part II of the Consent Decree and reporting to the Court compliance at the MCJ and House of Correction (now known as the CRC). In 2021, Dr. Shansky found the MCJ in substantial compliance in all areas of medical, mental health, and dental services addressed in the Consent Decree settlement. (*See also*, OCC Response to Item 1(c).)

3. National Commission on Correctional Health Care Resources Inc. (NRI) (Not Mandated).

Upon entering a contract with Wellpath LLC for the provision of Medical, Mental Health, and Dental Services for our occupant population, the County deemed it necessary to provide an additional layer of oversight over our contracted provider. We entered a contract with NRI to provide oversight and assistance as it relates to the medical contract. In accordance with the contract, NRI provides a Lead Monitor, Medical Monitor (Physician), and a Mental Health Monitor (Psychologist). These individuals inspect the Wellpath program regularly and provide quarterly reports to the County. The reports have proven to be critical in assessing areas in need of improvement and have helped in holding our vendor accountable. Their professional assistance helped the MCJ achieve NCCHC accreditation in 2021. (*See also*, OCC Response to Item 1(c).)

4. National Commission on Correctional Health Care (NCCHC) (Not mandated).

In 2021, we invited NCCHC into our facility to conduct an inspection of our Medical, Mental Health, and Dental Services for the purpose of obtaining accreditation. Following the inspection, the accreditation committee met on April 30, 2021 and voted to accredit the MCJ, finding it in compliance with NCCHC's *Standards for Health Services in Jails*. (*See Exhibit 10, NCCHC Health Services Accreditation Report dated April 30, 2021*). The benefits of accreditation are as follows:

1. Protects the institution by minimizing the occurrence of adverse events, thus avoiding healthcare related lawsuits and grievances, and often reducing liability premiums;
2. Promotes and documents an efficient, well-managed system of healthcare delivery with feedback from knowledgeable correctional health professionals;

3. Validates with objective criteria the areas in which the healthcare facility is doing well and areas for improvement;
4. Educates and trains staff on NCCHC standards, with the benefit of introducing new efficiencies and uniform practices;
5. Recognizes staff contributions and excellence, improves morale, and aids in recruitment and retention; and
6. Helps obtain community support and provides justification for budget requests.

(See also, OCC Response to Item 1(c)).

5. Milwaukee Fire Department Annual Fire Code Inspection (State Mandated)

Safety and Professional Services §314.01(13)(b), mandates that, “*The chief of the fire department shall be responsible for having all public buildings and places of employment within the territory of the fire department inspected for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire, or any violations of any law or ordinance relating to fire hazards or to the prevention of fires*”. We have annual inspections conducted by the Milwaukee Fire Department and are in full compliance with all laws and regulations.

**D. Resolution Item 1 (c), continued: External Monitoring of the MCJ.
Information provided by the Milwaukee County Office of Corporation Counsel
("OCC")**

**1. Wellpath LLC Provides All Medical, Mental and Dental Services for the
Milwaukee County Jail.**

Milwaukee County's two correctional facilities – the MCJ and the CRC – house the entirety of the adult pre-trial and sentenced occupant population in the care of the County. In July 2018, the County engaged in a robust RFP process to identify a medical, mental health, and dental services (collectively, "medical services") provider to cover all health care services for the occupants of the MCJ and CRC. Wellpath LLC ("Wellpath"), a correctional health care company, submitted the successful bid among multiple experienced and worthy correctional health care companies.⁶ The County mission in hiring Wellpath was to provide high quality care and achieve and maintain accreditation from the National Commission on Correctional Health Care ("NCCHC") in compliance with NCCHC standards. *See* Resolution File No. 19-192.

On February 7, 2019, the Milwaukee County Board of Supervisors (the "Board") unanimously adopted a resolution, authorizing the County to enter into a two-year contract for Wellpath's provision of medical, dental, and mental health services (the "Wellpath Contract" or the "Contract"). The Contract provides for a two-year term and eight optional one-year renewal options. The County and Wellpath executed the contract and Wellpath began as the County's correctional health care provider on April 1, 2019. On December 17, 2020, the Board unanimously adopted a resolution to extend Wellpath's contract for 5 years, followed by 3 optional 1-year extensions. *See* File No. 20-877.

The Wellpath Contract provides that Wellpath is the sole independent contractor for medical and mental health care services at the Jail and the CRC, and that it may subcontract with other medical, dental, and mental health providers as they deem necessary. The Wellpath Contract specifically acknowledges that the relationship between the County and Wellpath requires "the delivery of quality health care, including medical dental and mental health care to Occupants, in accordance with applicable law, the NCCHC Standards and the Consent Decree; . . .". Moreover, it is a core element of the contract, as it is also required in Part II, Section 1.B. of the Consent Decree (Health Services Program Structure; Medical Director), that Wellpath's provision of medical and health care services to occupants in the care of the County "shall at all times comply and remain compliant with the NCCHC Standards [National Commission on Correctional Health

⁶Wellpath is headquartered in Nashville, Tennessee, that does business in Wisconsin and throughout the United States. Wellpath operates over 200 correctional health care programs across the country and represented in its RFP response a 100% success rate at obtaining and retaining nationally accredited correctional health care systems for its clients.

Care] standards,” discussed below. Pursuant to the Contract, the services provided by Wellpath must comply with the June 2001 settlement agreement in the Milwaukee County Circuit Court case, *Christensen, et al. v. Sullivan, et al.*, Case No. 96-CV-1835. The settlement agreement is commonly known as the Consent Decree. With regard to the healthcare requirements (referred to as “Part II”), the Consent Decree requires that both the Jail and the CRC provide a specific level of professional medical, dental, mental health care and support services to occupants. (Ex. 11). Under the Consent Decree, Milwaukee County must comply with certain population caps and occupant healthcare requirements relative to the Jail and CRC.

The Contract also requires Wellpath to indemnify the County for, among other things, liability as a result of Public Records litigation, and claims of any kind related to the County’s alleged violations of its obligations under the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”) by the County and its employees, agents and subcontractors, except to the extent that such claims are proven to be caused by the negligence or willful misconduct of Wellpath. Wellpath is insured by its own professional liability or medical malpractice insurance for its health care staff, employees, agents and subcontractors.

2. Background regarding NCCHC.

NCCHC is an independent 501(c)(3) nonprofit organization established by the American Medical Association during the early 1970’s. As stated on its website, NCCHC is committed to the improvement of correctional healthcare quality by setting rigorous standards for health services in correctional facilities. ([About Us - National Commission on Correctional Health Care \(ncchc.org\)](https://www.ncchc.org)). Adoption and implementation of the NCCHC standards, as well as accreditation, is voluntary⁷ and are considered best practice in the establishment of a rigorous and effective system of correctional health care administration. *Id.* Generally, once a correctional facility applies to NCCHC to become an accredited facility, a site-survey is scheduled and an NCCHC survey team (as described below) tours the correctional facility and interviews to facility staff, occupants housed at the facility, and reviews occupant/patient records to ultimately determine whether the facility is compliant with the standards such that accreditation may be awarded. (*NCCHC Standards for Health Services in Jails* (2018)). The standards are used to optimize occupant access to healthcare, timely access to care deemed clinically necessary, and the continuity of care provided from the time occupants arrive at the facilities until they are either transferred or released.

In August 2021, NCCHC found that the MCJ and the CRC met the national standards for correctional facilities in medical and mental healthcare⁸ and each facility was awarded accreditation through 2024. NCCHC accreditation is a significant indicator of the constitutionally

⁷ Compliance with NCCHC standards is written into the Consent Decree and the Wellpath and NRI contracts, however.

⁸ Both facilities will be evaluated for accreditation again in the Spring of 2024, and every three years thereafter.

acceptable level of care provided at both the MCJ and the CRC. ([Accreditation – National Commission on Correctional Health Care \(ncchc.org\)](https://www.ncchc.org)).

Also, on August 2, 2021, Dr. Shansky, the Consent Decree Plaintiffs' retained expert during the active litigation and the Court's appointed medical monitor for purposes of determining compliance with Part II of the Consent Decree, concluded that the MCJ and CRC were in full compliance with Part II and opined that Part II could be considered closed.

3. NRI and their role in ongoing and consistent monitoring and evaluation of occupant healthcare services at the Jail.

During the County's RFP process for the provision of medical services at the MCJ and CRC, the County determined that an independent third-party capable of both fiscal and clinical oversight of the medical services contact was vital to the success of any contracted health care service. (*See* File No. 19-196). Thus, on September 21, 2018, the CRC's (then House of Corrections) Superintendent and the Sheriff issued an RFP for a contract monitor. NCCHC Resources Inc., as a subsidiary of NCCHC, was uniquely positioned to audit and monitor correctional health care and correctional care contracts to conform to NCCHC standards and to support the Jail and the HOC's goal of achieving accreditation. On February 7, 2019, the Board unanimously adopted a resolution to hire NRI for a 1-year term (through March 30, 2020) with 4 additional 1-year renewal options to monitor the Wellpath Contract and to consult Wellpath, MC, and CRC staff and employees to improve the provision of occupant health care and ensure compliance with NCCHC standards and sound fiscal performance relative to the Wellpath Contract. (*See* File No. 19-196).

NRI regularly consults with administrative staff and employees at Wellpath, the MCJ, and the CRC to perform the following tasks pursuant to its contract with the County:

- Provide contract oversight consultation services for the CRC and MCJ.
- Provide a licensed, Board Certified, medical physician or physicians with Correctional Medical experience and who are clinically active in the management of care for a variety of patients, including chronically ill patients and acutely ill or injured patients and who are capable of review and oversight of medical, mental health, and dental care provided to incarcerated individuals in a multi-facility contract.
- Provide an individual capable of review and control of financial aspects of the contract, including the collection of fines, oversight of cost-control measures and assessment of the measures' effectiveness, and proposal of other cost-savings measures as appropriate.
- Provide medical review of Wellpath's medical services for both facilities, specifically to ensure that requirements under RFP 98180020 and the Wellpath Contract are being met.
- Regularly work with the court-appointed monitor (Dr. Shansky) to address his Consent Decree related concerns and ensure compliance with the Consent Decree.

- Serve as advisor to Milwaukee County regarding medical services provided under the contract, raising any issues pertaining to quality of care, Medical Service Provider's ability to meet service requirements, status of contract compliance, and potential cost-saving measures.
- Attend meetings and participate in the Continuous Quality Improvement Committee.
- Review studies, methodology, and annual audit plans.
- Work closely with Wellpath's health administrator and review routine activities, including, but not limited to:
 - Reviewing and monitoring progress of NCCHC requirements for accreditation;
 - Monitoring monthly personnel position reports, specifically:
 - Tracking all clinical positions for vacancies and number of days unfilled monthly;
 - Tracking all clinical positions filled by agency and the number of days used per month;
 - Tracking all sick calls answered by position, per month;
 - Tracking resignations by class via exit interview; and
 - Tracking Wellpath-initiated terminations, by class.
- Perform reviews of all time-specific metrics and deliverables (for example, receiving screenings, initial health assessments, medical services provided, sick call responses) as described in RFP 98180020 and as required by the NCCHC standards and any associated contract to ensure compliance.
- Monitor all tracking and analysis of emergency medical transfers to evaluate clinical necessity.
- Monitor all tracking of time from specialty referral made until patient is seen by a specialist.
- Monitor tracking and analysis of the number of occupants hospitalized (by diagnosis).
- Monitor tracking and analysis of the number of days occupants are hospitalized, including, but not limited to, average length of stay.
- Monitor Wellpath's daily checks on health status of hospitalized occupants.
- Provide an additional review of medication administration records (MARs), to include patient refusals.
- Conduct a sampling of health records as per NCCHC standards.
- Review Wellpath's proposed cost containment procedures and management information system to determine whether it is capable of providing statistical data necessary for the self-evaluation and monitoring of health and mental health services. Oversee Wellpath's established measurable patient care and fiscal outcomes based on NCCHC standards.
- Work closely with Wellpath's staff to provide reports and documentation on an established basis including, but not limited to, the following:
 - Health record audit documentation for all disciplines;
 - Monthly statistics by discipline and category, including unsuccessful completions and wait times;
 - Staffing vacancies by position, hours, and FTE, reported weekly;

- Staffing disciplinary matters that directly impact patient care, reported weekly;
- Work hours on-site and coverage gaps;
- Recruitment efforts and list of eligible candidates;
- Monthly grievance log;
- Medication errors and pharmacy reports;
- Inpatient hospital and emergency reports;
- Utilization management reports;
- Suicide watches and special management placements;
- Intake receiving/screening timeline report.
- Receive and analyze the following Contract Management Reports from Wellpath:
 - Monthly utilization and administrative reports;
 - Monthly time reports;
 - Monthly off-facility transfer reports;
 - Monthly physician and advanced practitioner matrix reports;
 - Monthly nursing matrix reports;
 - Monthly position control and vacancy reports;
 - Monthly statistical reports;
 - Monthly fiscal reports, including pharmacy, of amount budgeted vs. actual;
 - Annual reports.
- Provide oversight and reporting regarding Wellpath’s compliance with contract terms as well as with the requirements of RFP 98180020: Correctional Medical Services.
- Provide regular performance assessments on Wellpath’s performance based on compliance with the above, and document performance over the life of the contract.
- Provide consultation and other services as specifically requested and authorized by the CRC Superintendent or the Sheriff.

Exs. 12, 13.

4. NCCHC accreditation and accreditation renewal in 2024.

In the Spring of 2024, NCCHC will consider the renewal of the Jail and the CRC’s NCCHC accreditation. The renewal process is identical to the initial accreditation process that took place in 2021, but the period of compliance reviewed by NCCHC is 3 years instead of the 1 year reviewed for the initial accreditation award.

The accreditation process generally consists of the following: (1) a NCCHC on-site survey team, generally comprised of 3 independent contractors who are correctional health care experts, is assigned to conduct the accreditation survey of each facility; (2) the survey team tours each facility, clinic areas, and occupant housing units; (3) the survey team interviews Wellpath medical staff; (4) the survey team reviews and analyzes all County and Wellpath policies and records related to occupant healthcare. (NCCHC Accreditation Standards, 2018 edition). The on-site survey will likely take 2 to 3 days to complete. The survey team’s focus is to gather all relevant,

objective information concerning healthcare and to submit a report based upon the information to the NCCHC Accreditation and Standards Committee (the “Committee”) for review. *Id.*

Next, this report is reviewed and analyzed by the Committee who evaluates the information, identify any additional information needed, and ultimately determine whether the standards for accreditation, described below, have been met. The Committee meets approximately every 2 months at which time they evaluate the survey report and potentially gather additional information, if necessary, to determine the facilities’ compliance with the standards. (NCCHC Accreditation Standards, 2018 edition). The Committee’s decision will read as one of the following announcements:

- 1) Accredited
- 2) Accredited upon verification
- 3) Provisional Accreditation
- 4) Probationary Accreditation, or
- 5) Denied Accreditation

Relative to NCCHC accreditation, there are 59 standards grouped under seven general categories:⁹ A. Governance and administration; B. Health Promotion, Safety, and Disease Prevention; C. Personnel and training; D. Ancillary Health Care Services; E. Patient Care and Treatment; F. Special Needs and Services; and G. Medical–legal issues. For each general category, the standards are identified as either essential (E) or important (I), and the Committee reviews and scores a facility’s performance against each standard to determine whether renewed accreditation is appropriate or whether certain areas of healthcare require improvement. For accreditation, the NCCHC must find 100% performance levels in all Essential standards applicable to each facility, and at least 85% achievement in the Important standards of care.

As set forth in NRI’s Second Quarter 2023 report, the accreditation committee’s 3-year review of performance at the MCJ and the CRC will capture the severe challenges that have been and continue to be experienced attributable, at least in part, to the impact of the COVID-19 global pandemic (January 2020 through May 2022 in the U.S.) on the County’s correctional facilities and throughout the country. (Ex. 14). NRI notes the following:

- Serious challenges in the recruitment and retention of corrections officers;
- Serious challenges in the recruitment and retention of health care professionals;
- These significant challenges have been consistently identified in correctional facilities across the United States.

⁹ The goal of the NCCHC standards is consistent correctional healthcare outcomes and reduced health risk to the community. (*See Accreditation - National Commission on Correctional Health Care (ncchc.org)*).

Still, NRI must perform its contractual duty to assess the readiness of the health care operations at both the MCJ and the CRC against the NCCHC standards ahead of their application for renewal of NCCHC accreditation. (Ex. 14). NRI is clear that not every NCCHC standard has been met by both facilities during the 3-year look back period, but that the accreditation committee places additional emphasis on whether non-compliant areas of performance were identified, corrected, and then consistently performed thereafter. (Ex. 14).

As part of its responsibility to provide continuous education and support to the MCJ and CRC in NCCHC standard compliance, NRI recently presented two virtual coaching sessions related to providing the required level of healthcare to all occupants, in light of the NCCHC accreditation standards. These sessions were open to all County and Wellpath staff. The presentation included an in-depth explanation of the intent of each accreditation standard, a review of all compliance indicators, and insights on how to deliver the best possible level of care. NRI will continue to provide intensive monitoring and consultation to the County up to and through the next accreditation review and going forward in order to continue to provide and to improve quality health care in the MCJ and the CRC.

5. NRI's Second Quarter 2023 Progress Report Relating to Occupant Healthcare at the MCJ and the CRC.

NRI's monitoring team continually assesses ongoing compliance with accreditation standards at the MCJ and CRC against the contractual requirements in place. The team reviews all health care operational reports, CQI reviews, and pharmacy and therapeutics meeting summaries prior to each quarterly MAC/CQI and pharmacy and therapeutics meeting, and provides observations, questions, and concerns either prior to or during those meetings.

NRI was most recently on-site at both the MCJ and the CRC in June 2023, and they've issued to MCJ, CRC and Wellpath administration their April 2023 through June 2023 quarterly report with their constructive observations, including the following:

- Both facilities have faced challenges when it comes to the timely escort of patients to the clinics. Both administrators are fully aware of these challenges and both have taken measures to improve the efficiency of patient movement. During our June site visit, the jail director reported a 36% vacancy rate in the officer staffing level. The County has had some success in filling that void using various creative and proactive recruitment techniques.
- Interviews with HSA, DON, medical director, NPs, dentist, and RN staff revealed improvement in the clinical services operation and a notable stabilization of staffing at the site. The medical director indicates that the addition of two new NPs and a dentist will greatly facilitate progress in the handling of sick call, chronic care visits, and dental services, and will allow him to focus on the training of the newly onboarded NPs as well as his active participation in the CQI program.

- While clinical services operations at both facilities has improved in the face of significant administrative and employee turnover the CQI nurse position has remained unfilled and staffing changes to the infectious disease RN and nurse educator positions will be made shortly. These positions need to be staffed for continued smooth functioning of the clinical services at both facilities.
- The functionality of Wellpath’s electronic health record system (“ERMA”) continues to be a source of frustration for health staff at all levels, and the CQI process at both sites must improve. The HSA continues to recruit a qualified and experienced CQI nurse.

NRI’s report includes dozens of observations and recommendations tailored to compliance with the NCCHC standards that will be the focus of the accreditation committee during the survey team’s tour of each facility in the first quarter of 2024, noting both improvements and areas of concern.

As the Board is aware, tragically, six individuals died by suicide in the MCJ within the past 3 years. (*See Ex. 15 - Notices of Injury and Claim*). NRI explained in its report that the primary focus of the most recent on-site review was the completion of documentation regarding suicide watches at the MCJ and the CRC. (*See Ex. 14*).

The following observations and recommendations related to mental health services at the MCJ were made by NRI based upon its on-site visit in June 2023:

Observation 1

The mental health structured progress note is often used for suicide watch follow-up appointments. When the appropriate box is checked, the form identifies the number of days since the patient was discharged from suicide watch. Mental health staff often complete a single progress note documenting multiple appointments.

Recommendation 1

If a separate mental health structured progress note was used at the time of all post-suicide watch follow-up encounters, it would be much easier to confirm that encounters were occurring at the required frequency.

Observation 2

HCD-100_B-05 Suicide Prevention and Intervention Program – Milwaukee MCJ and CRC, Section 6.56 identifies the frequency for follow-up encounters with patients following discharge from suicide watch status. The policy is significantly more exacting than compliance indicators 4 and 5 of the NCCHC Standard J-B-05, Suicide Prevention and Intervention. Compliance indicator 4 requires the development of a treatment plan

addressing suicidal ideation and its reoccurrence. Compliance indicator 5 requires that patient follow-up occurs as clinically indicated. The required treatment plan should be drafted and entered into the record prior to a patient's discharge from suicide watch.

Additionally, Wellpath Policy contains an algorithm based on clinical risk factors to determine the minimum follow-up requirements after a suicide watch. The schedule for the most acute patients is 1, 3, and 5 days post-watch; for others with fewer risk factors, the schedule is 3 and 5 days post-watch. The records selected for this review indicate that patients were assessed on a frequency of 1, 6, and 13 days post-watch.

Recommendation 2

The algorithm with separate schedules for each watch level appears to be dysfunctional in a system already stressed by understaffing and a substantial workload. Moving all suicide watch follow-ups to a 1, 3, and 5 days post-watch schedule will initially increase the workload. As the schedules fuse, however, the post-suicide watch interactions will meet the criteria set in policy.

As noted above, MCSO will immediately work with Wellpath to address the recommendations of the NRI.

III. Resolution Item 2: Provide Regularly Generated Reports by MCSO and MCJ Vendors. Information provided by MCSO and OCC.

The following chart identifies various reports prepared by and for the MCSO.

Regularly Generated Reports	Description
Milwaukee County Jail Daily Shift Briefs	Pertinent events that occur on each shift in the Jail are documented and reported to the Captains of the facility. Such events can include, but are not limited to staff absences, medical emergencies, and physical altercations. Examples of this report are attached as Exhibit 16. For confidentiality purposes, the identities of our occupants and staff absences have been redacted.
15 Minute Watch Observation Log	Each occupant placed on suicide watch must be monitored every 15 minutes. During each observation, the Officer is required to identify, from a list of 19 separate options, what that individual was doing at the time of observation. Attached as Exhibit 17 is a blank 15-minute Watch Observation Log that is completed for each occupant placed on suicide watch.
Linen Orders	Each weekday a lieutenant in the Jail orders clean clothing and bedding from the CRC. The CRC is equipped to handle large amounts of frequent laundry. Attached as Exhibit 18 is an example of this order.
Major Incident Reports	Any major event that takes place in the Jail results in a major incident report being generated. A major event can include things such as events causing great bodily harm or serious disciplinary actions. An example of a major incident report is attached as Exhibit 19. For confidentiality purposes, the identities of our occupant and staff have been redacted.
Jail Logs	All events that occur throughout the facility are documented in Jail logs. Such events can include common things such as medication distribution, meal service, and dayroom activities. Logs can also include more distinctive events such as fights or other disturbances in a housing unit. This record is not commonly generated as a report, but is maintained electronically.
Occupant Grievances and Requests	Any occupant can make request for items such as copies of paperwork, copies of specific cases, or other services or needs. Additionally, occupants can file grievances concerning their health, welfare, facility operation or occupant services. While not commonly generated as a report, such correspondence is maintained electronically and accessible by the occupants daily via the Aramark kiosk system.
Tablets	Each occupant housed in general population is assigned a tablet. Through these tablets occupants are able to correspond with loved ones, read books, or watch movies. In the month of July, occupants

	<p>messed or met via video with loved ones 472,077 times. Additionally, attached as Exhibit 20 is a list of all applications available to occupants free of charge. Attached as Exhibit 21 is a list of all e-books available to occupants free of charge.</p>
Intake Court Carry-Over Sheets - CIU	<p>Each day, occupants are brought to their initial court appearance, often referred to as Intake Court. However, for reasons outside of the control of the MCSO, the initial appearance may not occur. The names of these occupants are documented for return the following day. A sample of this report is attached as Exhibit 22.</p>
Barber Services	<p>Each week occupants are afforded the opportunity to request barber services. The names of those who requested are shared with the assigned stylist.</p>
Schlage Card Compliance Reports	<p>Each shift is responsible for a certain amount of inspections of occupants and their cells in each housing unit. These inspections are confirmed by an audit of each officer's Schlage card. A report of the results of the audit is generated weekly and shared with the Jail command staff, a sample of which is attached as Exhibit 5.</p>
JusticePoint Releasees	<p>Twice each day, a list of names who are eligible for release to JusticePoint, Inc. is provided to the MCSO by JusticePoint. Information about JusticePoint and the services it provides can be found here: https://justicepoint.org/about</p>
Aramark	<p>The MCJ utilizes Aramark as its third-party vendor to supply our occupants with their daily nutritional needs. Additionally, Aramark provides commissary options for the occupants to order. Examples of Aramark invoices for daily nutritional needs are attached as Exhibit 23.</p>
Volunteer Activity Schedules	<p>On a monthly basis, the dates and times of each volunteer and his or her organization is shared with the Jail's corrections staff. Sign-up sheets for these services are available for the occupants in each general population housing unit. Previously attached as Exhibit 6 is list of programs available to the occupants in the MCJ.</p>

IV. Resolution Item 3(a) and (b): Policies, Procedures, and Practices Research Plan to Help the County Board and Public Better Understand (a) Best-in-industry policies, procedures, and practices for facility intake processes, mental and physical health assessments at intake and throughout time in care, medication distribution, suicide prevention, monitoring high risk individuals, mental health treatment, and staff training (including training focused on individuals with serious mental health issues and behavioral disorders while in the County’s care), and (b) current MCSO policies, procedures, and practices regarding same including source documents.

Information provided by MCSO, Captain Sarah Wronski, Training Director.

A. Hiring and Training.

The Law Enforcement Standards Board (LESB) is set forth according to Wis. Stat. §§15.255 and 165.85 and Wis. Admin. Code Ch. LES. The LESB publishes their Policy and Procedure Manual which includes, but is not limited to, the requirements for hiring standards, preparatory training of law enforcement and jail officers, annual recertification and instructor certification and recertification. (*See Ex. 24.*) The MCSO’s Training Academy is certified by the LESB to conduct the preparatory training for law enforcement and jail officer certification. (*See Ex. 25.*) The Academy’s certification is reviewed biannually by the LESB after a thorough audit by the Wisconsin Department of Justice Division of Law Enforcement Services Training and Standards Bureau.

Focusing on the hiring and training of Correctional Officers (COs); upon hire, CO’s attend 56-hours training and orientation to include: MCSO Policy and Procedure review and acknowledgement, HR onboarding, uniform issuance, introduction to professional communication skills, introduction to Principles of Subject Control, introduction to fire safety, computer access, professional standards, CPR, TASER, radio communications, introduction to occupant supervision/jail security/cell searching, introduction to report writing, Pro-Phoenix Report Management System (RMS), and practical exercises. CO’s then attend 2-3 weeks of Field Training at the MCJ. (*See Ex. 26.*)

Within one-year of employment, according to LESB regulations, COs attend the preparatory Jail Officer training. The LESB approved curriculum for Jail Officer certification. (*See Ex. 27.*) Training is 200- hours and includes but is not limited to:

- 1) Admit and Release Inmates (facility intake processes)¹⁰

In this course, students learn principles, concepts, legal requirements and skills involved in the processes of admitting and releasing occupants from jail custody. Key issues include the steps involved in receiving prisoners for intake, completing admissions records, orienting new occupants to the jail environment, determining classification for housing assignments and other purposes, and releasing occupants from custody. Students practice key skills, including fingerprinting and

¹⁰The LESB course titles are reproduced verbatim here and use the term “inmates.”

completion of health screening forms. It is important to note, however, that **health screening is a function performed by Wellpath, not MCJ employees.**

- 2) Jail Health Care (mental and physical health assessments at intake and throughout time in care, medication distribution)

In this course, students learn basic concepts, guidelines and skills enabling them to fulfill the role and duties of an officer in assisting with provision of adequate health care to jail occupants. The legal duty to ensure provision of adequate health care to occupants is featured. Key issues include intake screening for occupant health care needs, responding to occupant health care needs or requests, and control and delivery of medications. *This is performed by Wellpath for the MCJ*, and identification and proper response to a variety of common health care problems or situations. Additionally, students learn key requirements and guidelines regarding maintenance of health care records and documents.

- 3) Supervision of Special Needs Inmate/Crisis Intervention (suicide prevention, monitoring high risk individuals, mental health treatment, training focused on mental health issues and behavioral disorders)

In this course, students learn concepts, guidelines, and skills for proper supervision of "special needs" occupants in a jail setting, primarily including those who are emotionally distressed, mentally disordered, suicide risks, and/or developmentally disabled. Key issues to be covered include intake screening, recognition of problem situations or possible disorders, guidelines for management and supervision of occupants, and documentation. Students also learn basic crisis intervention skills for responding to occupants undergoing various categories of crises. Students practice key skills in simulated situations.

The competencies and learning objectives as set forth by the LESB are located in Exhibit 24 and include but are not limited to:

- Supervise occupants undergoing normal emotional distress.
- Supervise occupants with known or suspected mental illness.
- Supervise occupants who are or may be suicide risks.
- Supervise occupants with apparent developmental or intellectual disabilities.
- Use Crisis Intervention Tactics.

In addition to the curriculum, there are also training hours dedicated to written exams, integration exercises, and training and testing scenarios. Successful completion of the 200-hour program is required to maintain employment.

After successful completion of the Jail 200-hour certification program, COs must attend 24-hours of annual recertification training. Recertification training is required by the LESB to maintain Jail officer certification. COs attend training including but not limited to the statutory required training on these topics: Fire Safety Equipment use (Wis. Admin. Code § DOC 350.19(2)(c)); Fire Safety Evacuation (Wis. Admin. Code § DOC 350.19(4)); Healthcare training on policies, procedures, medications, and health screens (Wis. Admin. Code § DOC 350.14(6));

High- Risk Supervision 2-hour training on suicide prevention/ID of risk factors (Wis. Admin. Code § DOC 350.17(11)); and Strip Searches Policy and Procedure Review (Wis. Stats. § 968.255(6)).

MCSO supervisors attend additional agency provided training within one-year of their promotion. All new supervisors complete 16 hours of online training in Lexipol's Police One Academy. Police One Academy provides online training courses designed by subject matter experts that MCSO uses to supplement the agency training for COs, supervisors, deputies, and civilian members. MCSO CO supervisors also attend a 24 hour, in-person supervisory training which consist of, but is not limited to: FMLA, Jail Grievances, legal updates, officer wellness, professional standards, substance abuse, supervisor expectations, oversight of employees, use of force, worker's compensation, time management and Pro- Phoenix RMS.

B. Development of MCSO Policies.

Milwaukee County's Risk Mitigation Insurance Provider, Wisconsin County Mutual Insurance Corporation (Ex. 28) purchased a subscription to Lexipol's Law Enforcement and Custody policy manual services for use by The Milwaukee County Law Enforcement Agencies (also used by CRC). This subscription was purchased to support the process of reviewing, changing, setting up and publishing a policy manual.

In 2018, MCSO began working with Lexipol to review and revise the Lexipol products for use by MCSO. Lexipol provides a policy framework developed by attorneys and subject matter experts written to set forth best practices for state and federal law compliance. Lexipol also provides a content developer as a consultant during the implementation process. Prior to this, MCSO developed its own written policies and procedures with its legal counsel and internal experts.

MCSO utilized several workgroups to accomplish the Lexipol review and revisions for all MCSO policies. First, a primary workgroup was established. The primary workgroup's goal was to review and make recommendations on how to amend the Lexipol framework policies to fit MCSO's specific operations. The primary workgroup was comprised of the Lexipol content developer, the MCSO training academy captain, the MCSO project manager, a supervisor from the Professional Standards Division, a Divisional captain, an attorney from the Milwaukee County Office of Corporation Counsel, the Chief Legal and Compliance Officer from the MCSO, at least one subject matter expert, and the Jail commander for Custody manual policies. The subject matter expert(s) were MCSO personnel invited for specific primary workgroup sessions dealing with their expertise. For example, the evidence custodian was one of the subject matter experts consulted when reviewing the Evidence policy.

The primary workgroup reviewed the Lexipol content, the existing agency policy, applicable training material, known best practices, controlling legal authority on the subject matter at issue, and current MCSO procedural operations. After review, the primary workgroup would amend the Lexipol framework to customize that policy to meet MCSO needs. This was done with every Lexipol policy. The primary workgroup also identified numerous areas/topics that Lexipol did not provide a framework policy for and created a draft recommendation policy. For example,

Lexipol does not have a Court services policy framework and the Lexipol Custody manual did not contain a notary services framework policy, so the primary workgroup created these. There have been to date, over 100 policies and procedures identified by the primary workgroup to supplement the Lexipol package.

Next, the draft policy was forwarded to the second workgroup. The second workgroup was legal review. Even though legal advisors were on the primary workgroup, MCSO ensured that a separate legal review was conducted. The goal of the legal review was to ensure Milwaukee County Ordinance, Wisconsin statutes, Federal regulations, and legal best practices were followed. The legal workgroup was comprised of the MCSO Chief Legal and Compliance Officer, the MCSO training academy captain, the MCSO project manager, and an attorney from the Milwaukee County Office of Corporation Counsel. The legal workgroup reviewed the suggestions from the primary workgroup. The legal workgroup could return a policy to the primary workgroup with additional questions or concerns to be answered and addressed, they could make further amendments to the draft, or make no changes to the draft, if deemed legally compliant.

Lastly, the policy draft was sent to the Chief Deputy for final review. The Chief Deputy reviewed all primary workgroup, MDSA if applicable, and legal suggestions in the draft. The Chief Deputy could return a policy to a workgroup with additional questions or concerns to be addressed, make changes to the draft, or approve the draft as it was suggested.

All policies and procedures were reviewed and approved at each workgroup meeting before moving to the next step. If a policy was returned for additional edits, it was re-approved at each applicable workgroup meeting before final approval. After the final draft was approved by the Chief Deputy, the policy was entered into and published in Lexipol's Knowledge Management System ("KMS"). KMS is the digital policy management program. There are currently over 400 policies when combining the MCSO Law Enforcement and Custody manuals. MCSO has completed 100% of the Law Enforcement and Custody manuals, customizing or revising approximately 44% of the Law Enforcement Manual and 45% of the Custody Manual. The first publication of the Law Enforcement Manual was released on January 31, 2020. The first publication of the Custody manual was released on March 31, 2020.

Lexipol sends out regular policy manual update recommendations to ensure compliance with any newly published laws or updates to best practices. MCSO reviews requests from within the agency for policy or procedure updates. Both internal and Lexipol policy revisions suggestions are reviewed. The MCSO Policy manual is managed by the Training Academy. The MCSO training academy captain and the MCSO project manager will convene a primary workgroup whenever necessary to review new suggested additions to the manuals. The MCSO convenes a monthly administrative workgroup meeting to review suggested updates from internal requests and advised Lexipol updates. The administrative workgroup is comprised of the MCSO Chief Deputy, Chief Legal and Compliance Officer, training academy captain, and professional standards division captain. The administrative workgroup also reviews any policies requiring a minimum of annual review.

KMS sends and tracks policy acknowledgements and updates to all MCSO users. KMS users are the MCSO sworn law enforcement and MCSO corrections staff who are required to read and acknowledge each update. KMS archives every policy publication, every acknowledgement, and every archived version of a manual. A manual is archived when a new version of a policy is published after its initial release. KMS also features Daily Training Bulletins (DTBs). DTBs are brief written scenarios that include a review of the relevant policy followed by a quiz. A few DTBs are selected from the Lexipol package each month and published for users. (See Ex. 29.)

In addition to the Lexipol procedure described above, the MCSO, in partnership with the OCC, regularly reviews the MCSO's policies, procedures and practices to ensure that they are in compliance with Federal, State, and local law and interpretative case law.

All substantive policy changes that impact jail operations are reviewed and approved by the state jail administrator in accordance with state mandates, Wis. Admin. Code. § DOC 350.09(2)(c).

- V. Resolution Item 4:** Discretion and Legal Requirements Research Plan to help the County Board and the public better understand the legal requirements and discretionary decisions, decision-making and operational processes, including timing, that relate to: (a) disclosure decisions about video or bodycam footage, disciplinary information, internal investigations, and external investigations; (b) internal disciplinary proceedings; (c) internal after-action analyses; and (d) third-party investigations.
- Information provided by MCSO, Chief Legal and Compliance Officer, and Captain James Novotny, Professional Standards Division**

As noted in the plans above, the OCC will be submitting a legal memorandum addressing issues relating to the following topics.

A. Disclosure of Information.

Decisions regarding disclosure of any video recordings created or obtained by the agency are governed by applicable state law regarding public records (Wis. Stat. §§ 19.31-39) and internal policy and procedure. The MCSO's policy and procedure manuals for both the Law Enforcement and the Custody sides of the agency address this topic. The subject of video release is most comprehensively addressed in the following Law Enforcement policies: *332 Public Safety Video Surveillance System*, *419 Mobile Audio Video*, *421 Portable Audio/Video Recorders*, along with the corresponding Custody policy *243 Portable Audio/Video Recorders*, while general public records disclosure information is covered in Law Enforcement policies *802 Public Records Unit*, *803 Records Maintenance and Release*, *804 Protected Information*, and *806 Public Records Request Procedure*. (See Ex. 30.)

In addition to policies relative to Public Records, requests for disclosure of disciplinary information, internal investigations, and external investigations are addressed in Law Enforcement policies *600 Investigation and Prosecution*, *1010 Personnel Complaints* and *1013 Personnel Records*, along with the corresponding Custody policies *109 Personnel Complaints* and *210 Personnel Records*. (See Ex. 31.)

B. Internal Investigation and Discipline.

The MCSO's process of initiating and conducting internal investigations regarding allegations of work rule violations on the part of MCSO employees are detailed in Law Enforcement policy *1010 Personnel Complaints*, and the corresponding Custody policy *109 Personnel Complaints*. (Ex. 31). Additionally, but related, this policy further describes agency supervisor responsibilities relative to misconduct allegations, case dispositions, administrative leave applicability, and records retention requirements of the Professional Standards Division.

MCSO's internal investigations are initiated for a variety of reasons. A complaint may be referred to the Professional Standards Division by an agency supervisor, an employee, or any member of the public. All allegations of workplace rules violations on the part of an MCSO

employee will be reviewed with agency policy, procedure, and civil service rule adherence in mind. If it is determined that the allegation may be substantive, the Sheriff or her designee – generally the Chief Legal and Compliance Officer – will authorize an internal investigation. The investigation will be issued an internal case number and assigned to a Professional Standards Division investigator.

The Professional Standards Division currently has three full-time sworn lieutenants assigned as investigators. Additionally, two part-time non-sworn investigators assist with investigations involving non-sworn staff. After receipt of an investigation, investigators generally work their case load chronologically; however, on a case-by-case basis, exigencies may impact the order in which cases are investigated.

Investigators gather all relevant information and documentation pertaining to their investigation; this may include hard copy documents, digital files, and video or audio recordings. Known and potential witness are identified and interviewed to obtain information related to the investigation. Upon contact by investigators, witnesses are advised that they are not the subject under investigation. In most instances, the subject of investigation will be interviewed last. Upon contact by investigators, the subject of the investigation will be informed that they are a subject; along with this they are given general information regarding the nature of the investigation, as well as advised that representation may accompany them to their interview with investigators, should they choose.

Upon its conclusion, the investigation will be classified with one of the following case dispositions:

1. “Unfounded” – The investigation disclosed that the alleged acts did not occur or did not involve agency members.
2. “Exonerated” – The investigation disclosed that the alleged act did occur, but that act was justified, lawful, and proper.
3. “Not Sustained” – The investigation disclosed that there is insufficient evidence to either sustain the complaint or exonerate the member.
4. “Sustained” – The investigation disclosed sufficient evidence to establish that the act occurred and constituted misconduct.
5. “Reviewed/Closed” – No action warranted other than directed by the Sheriff or her designee in closing the file.

The case is then referred to the Sheriff or her designee for a disciplinary determination. Prior to that determination, the subject member will be notified that they have the opportunity to conduct a case review. This review is optional for the member; however, it allows the employee the opportunity to review the entire investigative file. If the member chooses, they may also submit a memorandum containing anything further relative to the matter that they wish to say; such a memorandum would become part of the case file.

Disciplinary action as determined by the Sheriff, or her designee may include but is not limited to: employee activity documentation; written reprimand; suspension without pay; demotion (if applicable); termination; additional training; any combination of the above.

The Professional Standards Division is the primary liaison with the Milwaukee County Office of Corporation Counsel in matters of litigation claims, legal opinions, and general counsel. As such, the OCC is frequently consulted regarding matters under internal investigation.

Matters under internal investigation, which includes the entire investigative file and all documents and digital media contained therein, are not subject to release via public records request until the case has been closed. A matter is considered closed when an investigation is over, and discipline has been imposed by the Sheriff or the Milwaukee County Personnel Review Board (“PRB”) (see Wis. Stat §19.36 (10)(b)). Additionally, under **Wis. Stat. § 19.356 Notice to record subject; right of action**, the subject of a public records request must be given the appropriate opportunity to object to such release. (*Woznicki v. Erickson*, 202 Wis. 2d 178, 549 N.W.2d 699 (1996)).

Pursuant to Wis. Stat. § 63.10, the PRB has jurisdiction to hear charges for discipline for a suspension of eleven (11) or more days, the employee has received a second discipline notice of suspension within six (6) months of receiving a first disciplinary notice, discharge, or demotion. For the represented employees, they can arbitrate a suspension of ten (10) days or less, but for non-represented employees the Sheriff may impose a suspension of ten (10) days or less. Matters heard before the PRB are typically heard within 1 to 3 months of the filing of charges.

C. Review of Matters/Internal After-Action Analyses.

The MCSO has set procedures regarding both the mandatory and discretionary review of certain matters. Actions on the part of agency staff that initiate a mandatory review process include all use of force situations, all vehicle pursuits, and all squad crashes involving agency vehicles. These incidents are thoroughly documented and reported through the chain of command and are reviewed first by the involved member’s direct supervisor, followed by the member’s divisional commander. Finally, the incidents are reviewed by Professional Standards Division investigators. These reviews occur regardless of allegation of misconduct. In the event that an even more comprehensive review is necessary, the incident is reviewed by the Training Academy Director or designee.

Beyond the above, use of force incidents involving the discharge of a firearm, great bodily harm or death to another, or other at the discretion of the Sheriff, a use of force review board will be convened. This process is in addition to any other review or investigation that may be conducted internally or externally. The use of force review board consists of the Training Director or designee, the Professional Standards Division commander or designee, a supervisor from a division other than the involved employee’s division, a supervisor in the involved employee’s chain of command but not involved in the incident, an agency instructor in the type of force involved, and any member as selected by the Sheriff. The Chief Legal and Compliance Officer may be present as a non-voting observer.

The use of force review board will review all materials related to the incident and make one of the following recommendations: a) Administrative approval, b) Within policy, but tactics could be improved with additional training, c) No use of force violations, but other agency policy violations were noted, d) Policy or agency training issues review recommended, or e) Administrative disapproval. The final recommendation of the use of force review board will be forwarded to the Sheriff for final determination.

D. Review of In-Custody Deaths and Third-Party Investigation of Same.

The MCSO conducts an internal review of all in-custody deaths. In the occurrence of an individual's death while in the custody of the MCSO, an outside law enforcement agency is contacted via predetermined agreement to conduct a criminal investigation. Currently, the MCSO has entered into a Memorandum of Understanding with the Waukesha County Sheriff's Office relative to such investigations. (See Ex. 32.)

Upon the conclusion of their investigation, the outside agency submits their findings to the Milwaukee County District Attorney's Office for review. Once the District Attorney's Office completes its review, it informs the MCSO of their determination relative to the applicability of criminal charges. At this point, the MCSO Professional Standards Division begins a thorough review of the circumstances surrounding the individual's death from the perspective of potential workplace rules violations. This review will be documented in a report, and the findings of that report will determine if an internal investigation will be opened involving any MCSO employees.

E. Third-Party Investigation of MCSO-involved fatalities / great bodily harm.

MCSO and the Milwaukee Area Investigative Team (MAIT) are parties to a Memorandum of Understanding under which MAIT investigates incidents of MCSO-involved fatalities / great bodily harm. (See Ex. 33.) This team, created to ensure agency compliance with the requirements of 2013 WI Act 348 as defined in Wis. Stat. § 175.47, has the stated objective, "To ensure public trust by conducting accurate, objective, transparent, timely, and professional multijurisdictional investigations of major incidents, primarily officer involved critical incidents."

F. Disclosure of Information Regarding External or Third-Party Investigations.

External and third-party investigation will not be released if the matter is an active or pending criminal investigation or prosecution, and the release of that information would jeopardize the investigation/prosecution or if the release would subject and individual to threats of harm or intimidation. Those discretionary decisions are typically made by the investigating agency applying the public records balancing test. See *Linzmeier v. Forcey*, 254 Wis. 2d 306, 646 N.W.2d 811 (2002). However, once the investigation is completed, there may no longer be the need to maintain the confidentiality of the records, and the MCSO works with its legal counsel to assess the legal grounds related to its decision to release the records.

Milwaukee County Sheriff's Office Law Enforcement policies applicable to this section include *301 Use of Force Review Boards*, *307 Vehicle Pursuits*, *350 Use of Force Reporting Procedure*, and *703 Vehicle Use*. Custody policies include *511 Use of Force Review Boards*, *516 Reporting In-Custody Deaths*, and *530 Use of Force Reporting Procedure*. (See Ex. 34.)

VI. Resolution Item 5: Provide a suggested plan to help the County Board and the public better understand the budget of the Milwaukee County Sheriff's Office.
Information provided by MCSO, Public Safety Fiscal Analyst

As noted in the plans section above, the MCSO is working with its County partners to prepare a presentation that explains, simply and in visual form various aspects of its budget.

Attached as Exhibit 35 is a general summary that represents of the budget process and allocation of resources of the MCSO.