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The Acting Chief Deputy of the Milwaukee County Sheriff’s Office requests approval to execute an Intergovernmental Cooperation Agreement (IGA) with Racine County for the temporary housing of Jail occupants from July 18, 2022, to December 31, 2022, and to transfer \$497,000 from the unallocated contingency to finance this item for the Milwaukee County Jail (MCJ), by recommending adoption of the following:

AN ENGROSSED RESOLUTION

WHEREAS, Milwaukee County (the County), as represented by its Inspector and Detention Operations Commander, Milwaukee County Jail (MCJ), has a need to transfer occupants (Transferee) of the MCJ, to an alternate facility to open up space within the MCJ for population management purposes; and

WHEREAS, sections 66.0301 and 302.44, Wisconsin State Statutes, permit the County and Racine County to enter into agreements for the cooperative establishment and use of jails for the detention and imprisonment of the Transferees before, during, and after trial, and for apportioning expenses; and

WHEREAS, the parties desire to enter into this Intergovernmental Cooperation Agreement (the Agreement) to establish procedures for requesting, assigning, and funding the use of space within the Racine County Jail (RCJ) for Transferees, as well as for defining their respective relative rights and responsibilities; and

WHEREAS, Racine County will, at all times during this Agreement, provide staffing to adequately manage the custody of its own occupants and the Transferees; and

WHEREAS, except as otherwise expressly provided herein, no Transferee will be removed from the RCJ once placed; and

WHEREAS, prior to Racine County accepting the placement of a Transferee at the RCJ, the County shall provide all records and details reasonably necessary for Racine County regarding the Transferee; and

WHEREAS, the County will be responsible for transporting all Transferees to and from the RCJ; and

WHEREAS, once accepted by Racine County, Transferees will remain in the custody and control of Racine County until released back to the County; and

WHEREAS, the daily rate charged by Racine County is \$70 for each Transferee housed at the RCJ, including partial days; and

46 WHEREAS, daily fees and any other costs owed by the County hereunder will be
47 invoiced to the County on a monthly basis, and will be due within 30 days after receipt
48 of such invoice and any documentation reasonably necessary for the County to validate
49 the charges; and

50
51 WHEREAS, the Committee on Judiciary, Law Enforcement, and General
52 Services, at its special meeting of September 14, 2022, recommended File No. 22-992
53 be received and placed on file (vote 3-2), but the recommendation is moot under
54 Section 59.52(31)(d), Wisconsin State Statutes, which states that only the County
55 Board's Finance Committee has jurisdiction over contracts; and

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57 WHEREAS, the Committee on Finance, at its meeting of September 15, 2022,
58 recommended adoption of File No. 22-992 (vote 6-1); now, therefore,

59
60 **BE IT RESOLVED, it is the policy preference of the Milwaukee County**
61 **Board of Supervisors (County Board) that the Office of the Sheriff (Sheriff) and**
62 **the House of Correction (HOC) make every effort possible to transfer Milwaukee**
63 **County Jail (MCJ) residents to the HOC, to ensure safe and secure care, in the**
64 **case of capacity overflow at the MCJ; and**

65
66 **BE IT FURTHER RESOLVED, the Department of Human Resources (DHR),**
67 **in collaboration with the Sheriff and the HOC, shall provide to the County Board**
68 **written reports each meeting cycle, as long as MCJ occupants are housed in the**
69 **Racine facility, detailing:**

- 70
- 71 • **The number of correctional officers hired in the past month, or since a**
72 **previous report**
 - 73 • **The number of correctional officers terminated, or that resigned in the past**
74 **month, or since a previous report**
 - 75 • **Measures taken to hire new correctional officers, and retain current**
76 **correctional officers in the past month, or since a previous report**

77
78 **; and**
79

80 **BE IT FURTHER RESOLVED, the County Board reaffirms the standards of**
81 **care outlined in the Christensen Consent Decree, including ensuring that resident**
82 **healthcare needs are met in a timely manner, and to an appropriate standard of**
83 **care; and**

84
85 **BE IT FURTHER RESOLVED, it is the policy preference of the County Board**
86 **that the Sheriff and the HOC do not enter into contracts for the transfer of**
87 **residents to facilities that do not adhere to the External Investigation Policy**
88 **established in Section 175.47, Wisconsin State Statutes, and outlined in File No.**
89 **22-913; and**

90

91 **BE IT FURTHER RESOLVED, at any time when Milwaukee County (the**
92 **County) residents are in care at facilities outside of the County, the Procurement**
93 **Division, Department of Administrative Services, shall provide a written report to**
94 **the County Board each meeting cycle, that may be included as a separate section**
95 **in the report from the DHR outlined above, detailing:**
96

- 97 • **The number of residents in the care of other counties**
- 98 • **The general health and wellness statuses of those residents**
- 99 • **When the most recent visit was made to those facilities by a County official**
100 **and a status update**
- 101 • **Timeline for residents to return to the care of the County**

102
103 **; and**
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105 BE IT **FURTHER** RESOLVED, the County Board hereby authorizes the Acting
106 Chief Deputy, Sheriff, to execute an Intergovernmental Cooperation Agreement (the
107 Agreement) with Racine County for the temporary housing of jail occupants, in an
108 amount not-to-exceed \$497,000, for the period of July 18, 2022, through December 31,
109 2022; and
110

111 BE IT FURTHER RESOLVED, the County Board authorizes and directs the
112 Department of Administrative Services, Office of Strategy, Budget, and Performance,
113 and the Office of the Comptroller to transfer funds in the amount of \$497,000 from Org.
114 Unit 1940-1945--Appropriation for Contingencies to the Sheriff, to provide funding for the
115 Agreement identified in this resolution.
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118 srb
119 09/22/2022
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