

OFFICE OF THE SHERIFF



MILWAUKEE COUNTY

SHERIFF DENITA R. BALL

File No: 23-248

DATE: December 30, 2022

TO: Supervisor Marcelia Nicholson, Chairwoman, Milwaukee County Board of Supervisors

FROM: Brian Barkow, Acting Chief Deputy, Milwaukee County Sheriff's Office

SUBJECT: Request to retroactively amend and extend an intergovernmental cooperation agreement with Racine County from December 31, 2022, to December 31, 2023, pursuant to Wis. Stat. §§ 66.0301 and 302.44 for the temporary housing of certain jail occupants.

BACKGROUND

The Milwaukee County Jail (MCJ) provides the safe and secure detention of all individuals arrested and housed there. As the largest jail in the state, MCJ processes and releases over 15,000 occupants annually. In 2021, for the first time in MCSO history, the Milwaukee County Jail attained accreditation from the blue-ribbon National Commission on Correctional Health Care.

The MCJ is a high-security detention facility with court ordered capacity for 960 persons in custody under non-pandemic public health conditions. Since the construction of the Milwaukee County Jail in 1992, the MCJ has not had the capacity to house all pretrial detainees in Milwaukee County due to infrastructure and capacity constraints. Historically, the Milwaukee County Community Reintegration Center (CRC) has accepted and housed a large portion of the incarcerated pre-trial population in Milwaukee County. The CRC has, in the recent past, housed a much larger portion of our pre-trial population than they are currently. Staffing shortages and COVID restrictions at the CRC have been cited as reasons for their inability to accept and house a sufficient portion of our population.

Since transfers to the CRC have slowed, the MCJ has experienced overcrowding which has created several challenges for our staff and our incarcerated population. The MCJ

has been consistently over the mandated capacity limit of 960 on many days. Due to the limited availability of beds at the MCJ, occupants are now spending a considerable amount of time in the booking room. This lack of bed space and overcrowding in the booking room has also created a situation where the Milwaukee Police Department (MPD) has had to maintain custody of their prisoners for a longer period of time than they had to in the past. In our current environment, MPD has been holding prisoners for up to 6 days before they are able to transport them to the jail. This is a concern for them as their facilities are not set up for long term care. They have no on-site medical resources, nor do they have an ability to provide conventional custodial food service, linen exchange, and a limited ability to provide routine hygiene amenities for their arrestees.

Milwaukee County needs to transfer MCJ occupants to an alternate facility to open up space within the MCJ for population management purposes. Racine County has capacity at the Racine County Jail (RCJ) to house transferees from the MCJ. In addition to any other costs or amounts expressly set forth in this Agreement, Milwaukee County will pay to Racine County a per diem fee of \$70.00 (the "Daily Fee") for each transferee housed at the RCJ, including partial days.

AGREEMENT DETAILS

The parties have agreed to the following:

1. Modifications to the provisions of this Agreement will be valid only upon execution of a written amendment to the Agreement signed by both parties.
2. The amendment 1 to intergovernmental cooperation agreement is entered into as December 31, 2022, and hereby extended for twelve months until December 31, 2023.

RECOMMENDATION

The Acting Chief Deputy of the Milwaukee County Sheriff's Office respectfully submits this action item to request the authority to retroactively amend and extend an intergovernmental cooperation agreement with Racine County from January 1, 2023, to December 31, 2023, pursuant to Wis. Stat. §§ 66.0301 and 302.44 for the temporary housing of certain Jail occupants

FISCAL NOTE

File 22-992 was approved by the County Board in the September cycle that included the intergovernmental cooperative agreement between Milwaukee County and Racine County for the temporary housing of Jail occupants.

Approved in the resolution in file 22-992 was a \$497,000 fund transfer from the unallocated contingency fund. MCSO does not anticipate spending the entire allotment of funds by December 31, 2022 and will carry the remainder over to 2023. The estimated carryover of funds to 2023 is \$192,870 and no other funds are being requested at this time. MCSO will continue to work with the CRC to transfer occupants as staffing levels improve.

Racine County Invoices Summary

July	\$34,020.00
August	\$88,340.00
September	\$51,380.00
October	\$40,390.00
November <i>Estimate</i>	<i>\$55,000.00</i>
December <i>Estimate</i>	<i>\$35,000.00</i>
	\$304,130.00

Contract Amount **\$497,000.00**

\$192,870.00 Balance

Amendment 1 amends and extends the intergovernmental cooperation agreement from December 31, 2022, to December 31, 2023. These costs were not anticipated in the 2023 Adopted Budget.

Brian Barkow

12/30/2022

Brian Barkow, Acting Chief Deputy

Milwaukee County Sheriff's Office

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Milwaukee County

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