

**SHERIFF EARNELL R. LUCAS**

## **Communication to the Board of Supervisors**

**DATE:** October 18, 2021

**TO:** Committee on Finance

**FROM:** Chief of Staff Theodore Chisholm

**RE:** **Informational Report to the Committee on Finance**

The following report addresses questions posed in the October 12, 2021 meeting of the Committee on Finance at which the Milwaukee County Sheriff's Office presented items related to the 2022 requested and recommended budgets. The report answers each successive question posed by members of the Committee on Finance.

### **Where the 3 additional positions in Administration and Compliance are allocated.**

As stated explicitly during the October 12 budget presentation, the County Executive's recommended budget includes four new operational positions whose funding will be structured, given the relevant job responsibilities, within the Administration and Compliance strategic program area. The creation of these new positions was offset by the elimination of a never-filled managerial post (created in the 2020 operating budget) that would have provided additional supervision within the Office of Legal Affairs and Compliance.

The four new positions include the three deputy sheriffs previously approved by the Board for the Crisis Assistance and Response Teams (CART) Unit. These positions were not included in the 2021 adopted budget but added mid-year and need to be re-approved for inclusion in the upcoming budget. As I directly supervise this unit, its members are included in the Administration and Compliance strategic program area despite their operational roles. The fourth position is a deputy sheriff director, or senior executive, required to address executive-level challenges impacting court and detention operations. All director-level positions are housed in the Administration and Compliance strategic program area, even though the duties of this position will pertain to operations.

References were made during the budget hearing to the six positions created within this organizational unit since 2019. In the 2020 operating budget, a deputy sheriff was moved to this organizational unit to serve in the Specialized Security Assignment (executive protection for the sheriff); the aforementioned management post in the Office of Legal Affairs and Compliance, now slated for elimination, was also created at this

time; and an externally funded Jail Population Analyst position was created, at the request of the Milwaukee County Community Justice Council, to advance decarceration efforts in Milwaukee County. Because this position plays a role in policy development, it is housed in this strategic program area and not in the jail's strategic program area. Added to the four positions slated for creation and one position slated for elimination in this strategic program area in the present budget, these past creations account for the six positions referenced in the budget hearing.

Other references were made during the budget hearing to internal investigations. The Professional Standards Division (formerly the Internal Affairs Division), while housed within the Administration and Compliance strategic program area, is only one component of this strategic program area. The MCSO requested budget details all functions of the Administration and Compliance strategic program area in the "Department Description" section, the pertinent paragraph of which is copied here for reference:

*An organization of MCSO's mission and size requires supporting strategic, administrative, and regulatory compliance infrastructure. These services are located within organizational unit 4002 ("Administration and Compliance"), including the executive office of the elected Milwaukee County Sheriff, the Office of Legal Affairs and Compliance, the Office of Public Affairs and Community Engagement, and the Fiscal Operations Division. The specialized service areas housed within Administration and Compliance are responsible for devising and implementing agency policy; coordinating the agency's operations with commanders in the field and in the jail; ensuring the agency's adherence to all applicable laws and regulations, to include the provision of training services, the oversight of internal investigations, and the management of public records requests; directing the strategic, financial, and clerical functions that support agency operations; managing agency communications and intergovernmental relations; advancing correctional and criminal justice reform; and maintaining constant engagement in the life of our greater community. Multiple specialized units, including the Internal Affairs Division, Public Records Unit, Crisis Assessment and Response Teams, and Jail Population Analysis Program are housed within Administration and Compliance.*

(2022 Milwaukee County Requested Budget, Office of the Sheriff, pp. 1-2)

**The \$8.8 million budgeted in 2022 but anticipation of fewer citations, fewer calls for service, and fewer accidents. Would like the metrics being used to project future needs.**

Expressway Patrol Division calls for service in 2019, 2020, and 2021 are detailed below:

MCSO Patrol Division CAD CFS Calls (Jan - Oct 17, 2019-2021 YTD)			
	2019	2020	2021

January	5066	5156	5055
February	4317	4887	4526
March	5284	4663	5927
April	4460	5063	5260
May	5390	4885	4719
June	5490	3233	4122
July	5449	4557	4239
August	5392	4274	3962
September	5203	5226	4150
October	2729	1750	2430
<b>Grand Total</b>	<b>48780</b>	<b>43694</b>	<b>44390</b>

As the above table indicates, enforcement data (in total) is relatively consistent between 2020 and 2021, with just under 700 more calls for service reported thus far in 2021 compared to the comparable period of 2020, and with month-to-month comparisons alternating. The monthly increases and decreases denoted above are not of a level suggestive of a need for staffing level changes between 2020 and 2021. Of note, the agency has experienced significant staffing shortfalls in 2020 and 2021, but continues to provide a highly proactive presence on the expressway system.

While numbers overall have decreased compared to 2019-specific data, the number of firearms recovered during expressway patrol operations increased from 103 in 2019 to 122 in 2020 to 171 in 2021, possibly suggesting an elevation in the risk and intensity of encounters. In context, such an increase would be consistent with countywide trends in which increases are observed in certain high-level offenses while decreases have been noted in other offenses, as well as the elevated proportion of high-level offenses facing individuals detained in the Milwaukee County Jail.

Of note, state revenue accounts for the significant majority of funds budgeted within the Police Services Bureau strategic program area. Of the \$8,846,478 budgeted in this strategic program area, only \$2,434,486, or 27.5%, implicates county tax levy. The state analyzes Milwaukee County's needs yearly and has determined that the present amount is appropriate to meet documented activity levels and operational challenges. Of note, the Police Services Bureau strategic program area houses the personnel

deployed for park patrol operations, as well, and is not exclusively an expressway patrol division.

**The hours and dollars spent on investigating violent crime and homicides last year.**

We do not track the hours and dollars spent on a given investigation any more than the Comptroller's Policy and Research Division tracks the hours and dollars spent drafting a given budget amendment. After all, like their fellow project-oriented professionals in Milwaukee County government, detectives and deputy sheriff investigators are not attorneys who bill at an hourly rate but county employees who work an assigned shift, and often multiple assignments – or, within the Sheriff's Office, cases – each shift.

Thus far in 2021, the Investigative Services Bureau has opened 251 new investigations, including 25 investigations of highly sensitive crimes (homicides and sexual assaults). Of note, these investigations pertain to the county's exclusive patrol jurisdiction. The Milwaukee Police Department and surrounding municipalities are not prepared to undertake the responsibility of investigating criminal acts occurring within Milwaukee County's primary jurisdiction, given staffing shortfalls and the volume of incidents to which they are responding within their own jurisdictions.

In 2021 alone, three of MCSO's investigations have been non-expressway homicide cases. Historically, the Investigative Services Bureau has gone entire years without a non-expressway homicide, although this trend has changed in recent years with one in 2019, three in 2020, and three in 2021, marking a significant upward trend corresponding with countywide homicide rate increases. The Sheriff's Office employs four detectives and eight deputy sheriffs responsible for general and specialized investigative operations and related tasks (including jail security, supplementary park and transit patrols, specialized data-driven policing operations, official misconduct investigations, and other tasks distinct from day-to-day investigative operations). Additionally, the two personnel in the Law Enforcement Analytics Division and eight personnel assigned to federal task forces could be drawn upon to assist with these investigations should more intensive personnel needs arise.

The \$2,863,061 in tax levy set aside for the Investigative Services Bureau budget aligns almost precisely with the 28 full-time-equivalent positions assigned to the bureau (which include the agency's hourly background investigators, who, while reporting to this bureau, conduct employment background checks and are not engaged in criminal investigative operations).

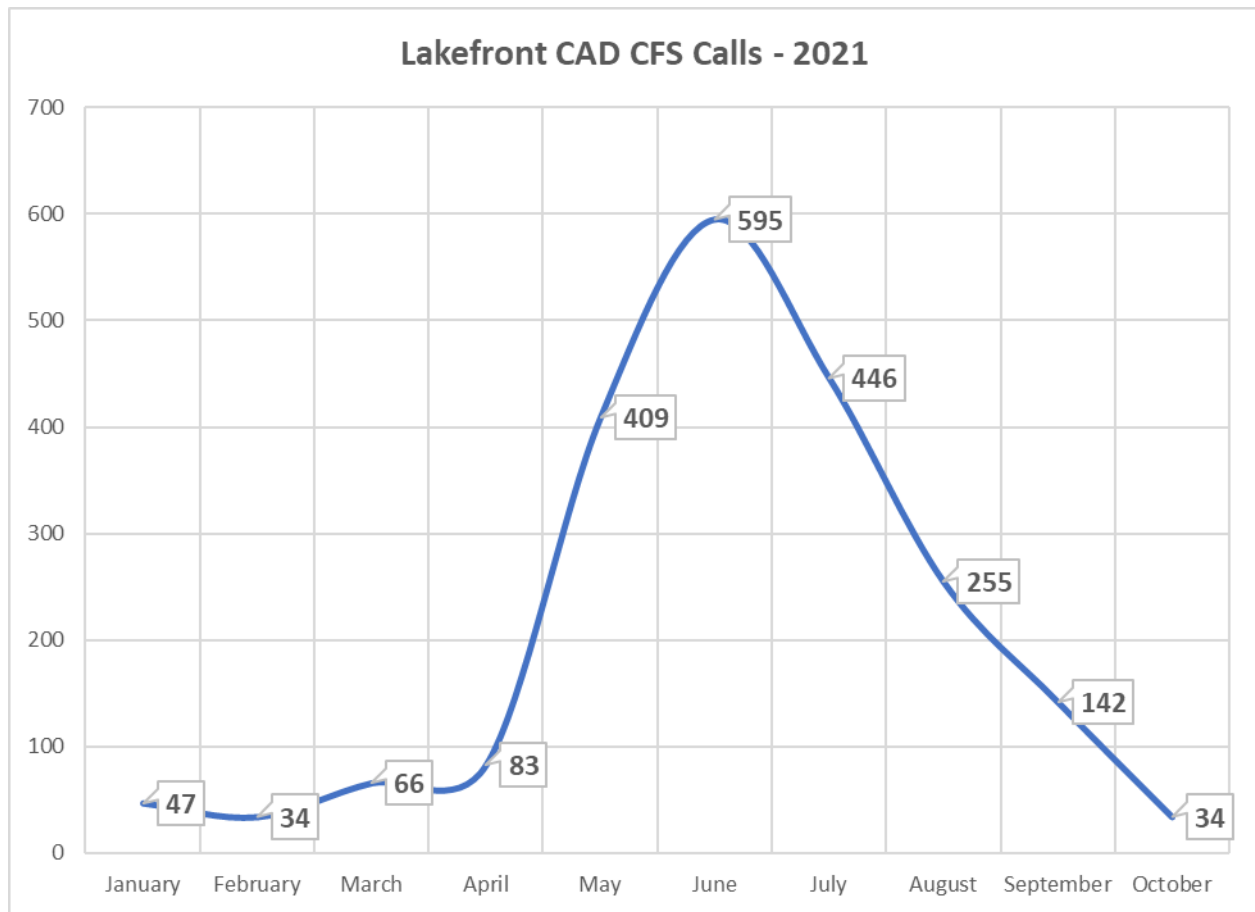
**Supervisor Clancy requested the number of cameras that were purchased with the \$700,000 for the Lakefront.**

To date, no expenditures have been made in relation to this project, which has been requested by the Sheriff's Office (in consultation with, and with the support of, the Parks Department), evaluated and endorsed by the Capital Improvements Committee, and recommended for Board approval by the County Executive. Should this project meet

with Board approval, then 15 pan-tilt-and-zoom cameras will be installed along the lakefront and adjacent portions of Lincoln Memorial Drive. Temporary pole cameras have been utilized at various junctures, not only at the lakefront but also at parks, county buildings, and court facilities throughout Milwaukee County whenever needed.

This proposal seeks to achieve greater efficiency and effectiveness in crime prevention and response. Milwaukee County's lakefront is among our busiest parks and among the more challenging to patrol in a resource-efficient manner, given that agency personnel must cover a lengthy expanse of terrain on foot or in all-terrain vehicles rather than in the squad cars normally utilized for park patrols. The geographic scope and bustling activity at the lakefront during the summertime means that the 10-12 member Parks Unit is often of insufficient size to meet operational public safety challenges. The most significant challenge observed here are traffic violations, but other challenges observed include property crimes associated with county vendor locations, medical or mental health emergencies, fights, and crowd disturbances. The Sheriff's Office has also responded to significant acts of violence at the lakefront, including a homicide at Bradford Beach in August 2020 and a non-fatal shooting at the intersection of Lincoln Memorial Drive and Water Tower Road in July 2021. In turn, intensive amounts of overtime are utilized to facilitate both a preventive and responsive patrol presence during the summer months, leaning heavily on personnel who work lengthy days in the Courts Division to extend their shifts into the evening hours.

The following table provides a monthly total of calls for service at the lakefront ("Computer Assisted Dispatch Calls for Service"), reflecting the significant elevation in activity at the lakefront during the summer months, and the accordant need for additional MCSO personnel to respond to calls for service. Of note, not every call for service results in the issuance of a traffic or ordinance violation citation; however, calls for service almost always require the deployment of deputies.



2021 CAD CFS Calls		2021 Traffic and County Ordinance Citations			
	CAD CFS Calls		Co Ord	Traffic	Total Citations
January	47	January	0	1	1
February	34	February	0	2	2
March	66	March	2	14	16
April	83	April	1	3	4
May	409	May	9	119	128
June	595	June	35	223	258
July	446	July	4	234	238
August	255	August	2	79	81
September	142	September	1	35	36
October	34	October	1	0	1

A deterrent effect is but one of several advantages afforded by the installation of the 15 cameras presently proposed. While the installation of these cameras will not eliminate the law enforcement presence required for either preventive or responsive purposes, it will decrease the number of law enforcement officers (and overtime hours) required for preventive patrols, as county dispatchers or deputies working on straight-time hours would be able to periodically check camera feeds for signs of disturbances, acts of violence, or vandalism after hours (challenges evidenced by the above data) – not, to be clear, to monitor peaceful goings-on when no activity of concern is observed.

The operational (responsive) value of the camera system will derive from the ability it will afford officers to assess a challenging situation and deploy resources accordingly. Congregate outdoor environments like Milwaukee's lakefront are locations of note from a homeland security standpoint, given their inherent accessibility to armed individuals with ill intentions. Among the primary duties of deputy sheriffs stationed at the lakefront is to keep watch for any such individuals and react accordingly, a process that, as stated above, will be eased significantly through the installation of the camera system. But should an incident of concern arise, the camera system will allow dispatchers and supervisory officers real-time monitoring abilities to direct the assignment of personnel and their activities on-scene, increasing the likelihood of a swift and safe outcome for all present at the lakefront should a concerning scenario develop.

**The amount of people trained on the drones, the cost of the drones, and how much are they projected to cost each year in terms of staffing and maintenance.**

The Milwaukee County Sheriff's Office Drone Unit is independent in mission and distinct in scope from the disaster recovery drone program operated by the Office of Emergency Management. The Office of Emergency Management does not operate a law enforcement drone program and its drone-qualified personnel work five days per week during normal business hours. The primary purpose of this unit, according to Director Cassandra Libal, is the assessment of damage following natural disasters. Its last use in any law enforcement capacity was to perform flyovers during the on-site portions of the 2020 DNC.

The Milwaukee County Sheriff's Office Drone Unit affords the agency critical operational capabilities that protect members of the public and agency employees, ensure efficient operations and investigations, and minimize physical risk and personnel-related expenditures during certain operations. Instances in which a drone might be deployed include crashes on the expressway system, searches for armed fugitives, monitoring dynamic crowd activities (e.g. festivities or demonstrations that could impact motor vehicle traffic), tactical entrances into barricaded homes or buildings, or searching for missing subjects in wooded areas or in the water (for instance, the drone's heat-seeking capabilities were used to help find individuals who had fallen or jumped into the Milwaukee River during the Milwaukee Bucks championship series).

Each of the above capabilities requires near-instantaneous activation of the drone at any time. Eight deputies are trained as part-time drone operators and spotters and are



assigned to day-to-day posts in separate work locations and on separate schedules to achieve the closest possible approximation of around-the-clock coverage. They perform eight hours of training each per month aside from operational activations, which can be of indeterminate length but rarely more than one shift.

Drone costs are detailed below. The Sheriff's Office owns and operates two drones, purchased at a base cost of \$7,403 and \$5,996, respectively, in 2019 and 2020. Between equipment and training hours, 2020 drone program costs amounted to approximately \$17,256.94. The Drone Unit was not activated at an operational level until 2021, and personnel and equipment costs year-to-date amount to \$14,519.27.

<b>Drone Costs</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>Total</b>
<b>Straight Time and Overtime Hours:</b>				
Drone Operator Labor Hours-Straight Time		50.25	343.00	393.25
Drone Operator Labor Hours-Overtime		19.17	91.10	110.27
		69.42	434.10	503.52
<b>Straight Time and Overtime Dollars:</b>				
Drone Operator Labor Dollars- Straight Time		\$3,398.83	\$10,027.47	\$13,426.30
Drone Operator Labor Dollars- Overtime		\$1,663.11	\$3,325.80	\$4,988.91
<b>Other Expenditures:</b>				
Two day training- 9 operators		\$4,000.00		\$4,000.00
1 Drone with 5 year storage agreement	\$7,403.00			\$7,403.00
Maric-2 Drone Repair			\$266.00	\$266.00
Maric-2 Drone w/extensive extra equipment		\$5,996.00		\$5,996.00
Extra controller, w/ shipping		\$759.00		\$759.00
Unmanned Aircraft Drone Training		\$1,440.00		\$1,440.00
Annual Fee to connect Drone to Evidence.com			\$900.00	\$900.00
<b>Total Cost</b>	<b>\$7,403.00</b>	<b>\$17,256.94</b>	<b>\$14,519.27</b>	<b>\$39,179.21</b>

**Supervisor Rolland requested information on how much money could be saved in the Court Security overtime budget if we committed to virtual courts in 2022 and beyond?**

It is difficult to answer this question without having conducted a comprehensive staffing analysis of the Circuit Court from a security perspective. By way of context, this year alone, approximately 11.8% of the overtime hours accrued by the agency were worked in the Court Services Division. The number of hours worked, 10,077.10, is equivalent to more than 1,259 eight-hour shifts, although it is important to note that overtime in the Courts Division is often worked in increments of fewer



than eight hours at one time.

It is not likely that the creation of video court would entirely eliminate the use of overtime as a day-to-day operational necessity; however, it is almost certain that the expansion of video court services would reduce the need for full-time security staffing. The commander of the Court Services Division estimates that, assuming a sample size of approximately eight felony courts, sixteen deputy sheriff positions would be assigned within each of these courts under current staffing practices. If each of these courts were to operate on a video-court model, only six deputy sheriff positions would be required to provide security for any in-person aspects of the proceedings. Accordingly, a very rough estimate, again assuming hypothetical conditions that do not exist at present, namely a comprehensive and exclusive shift of all criminal court operations to video court, suggests an approximately 62% decrease in the number of positions needed. As, currently, approximately 46% of deputy sheriff positions budgeted in the courts are filled on overtime, this would allow an additional 16% of the currently budgeted positions (15 deputies) – positions currently filled on straight time – to be redeployed to posts elsewhere in the agency currently covered through the use of overtime.

I must clarify, very emphatically, that the aforementioned scenario is not possible or even under discussion at present, that the Sheriff's Office has minimal decision-making power in this process, and that a hybrid model of in-person and video court operations is likely to remain the norm, with more and more proceedings shifting back to an in-person footing. In any event, many proceedings could not be conducted under a video court model due to the right of defendants in criminal cases to confront their accusers. Accordingly, the above projections are rough estimates tied to a purely hypothetical scenario, and any reduction in overtime or personnel allocations at this point would be unaligned with the reality on the ground, and could result in severe operational complications.