

Chairperson: Supervisor Willie Johnson, Jr.
Clerk: Linda K. Durham, 278-4225
Research Analyst: Rick Ceschin, 278-5003

COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, January 21, 2010 - 9:00 A.M.

Milwaukee County Courthouse - Room 201-B

MINUTES

PRESENT: Supervisors De Bruin, Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair) – 6

EXCUSED: Supervisor Cesarz – 1

SCHEDULED ITEMS:

CHILD SUPPORT ENFORCEMENT – 2

Before the following items were addressed, Chairman Johnson welcomed Supervisor De Bruin, as the new Vice Chair of the Committee and Supervisor Larson to the Committee. He also reminded Departments that they should contact the Committee Clerk (Ms. Durham) relative to any changes to or late reports.

1. 10-48 From the Interim Director of Child Support Enforcement, requesting authorization to enter into and execute the 2010 State/County Contract for the period of January 1, 2010 through December 31, 2010.

APPEARANCE(S):

Janet Nelson, Interim Director, Child Support Enforcement (CSE)

Ms. Nelson reviewed the subject report. She advised that the amount on line 23 of the resolution should be changed to \$12,142,723.53

Questions and comments ensued.

MOTION BY: (DE BRUIN) Approve. (Vote 6-0)

AYES: De Bruin, Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair) – 6

NOES: 0

EXCUSED: Cesarz – 1

2. 10-49 From the Interim Director of Child Support Enforcement, requesting authorization to enter into and execute Children First Program contracts with United Migrant Opportunities Services, Inc. and Center for Veterans Issues, Ltd. for a period of January 1, 2010 through December 31, 2010.

SCHEDULED ITEMS (CONTINUED):

APPEARANCE(S):

Janet Nelson, Interim Director, CSE

Ms. Nelson reviewed the subject report.

Questions and comments ensued.

MOTION BY: (BRODERICK) Approve. (Vote 6-0)

AYES: De Bruin, Broderick, Jursik, Larson, Sanfelippo and Johhson (Chair) – 6

NOES: 0

EXCUSED: Cesarz – 1

SHERIFF'S OFFICE – 1

3. 10-37 From the Sheriff's Office, reporting on the Milwaukee County Sheriff's Office
(a)(a) and House of Correction Fourth Quarter Report. **(Also to be considered by the Committee on Finance and Audit) (INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

APPEARANCE(S):

Inspector Kevin Carr, Sheriff's Office

Inspector Richard Schmidt, Sheriff's Office

Rick Ceschin, Research Analyst, County Board

Holly Patzer, Wisconsin Correctional Services (WCS)

Greg Williams, WCS

Inspector Carr and Inspector Schmidt provided comments relative to the subject report.

Questions and comments ensued.

The Committee expressed concerns relative to job training and job seeking skills for the inmates, expansion of the MATC component of inmate programming at the County Correctional Facility South and if there is any diminishment of reading materials for the inmates.

Supervisor De Bruin requested that, as the Sheriff brings forth his inmate re-entry program, that he provide information to this Committee relative to other re-entry program models that the he is basing the development of this program on.

Ms. Patzer provided comments and clarification relative to the number of inmates assessed on page 18 of the Sheriff's report. Mr. Williams provided comments relative to inmate programs and public safety.

SCHEDULED ITEMS (CONTINUED):

Considerable discussion ensued, with additional questions and comments.

CORPORATION COUNSEL – 6

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION *(Note: Section 56.08 of the Milwaukee County General Ordinances authorizes the Judiciary Committee to settle all claims when the amount does not exceed \$5,000.00, and the action of the Committee is final and no further County Board action is required.)*:

4. 09-18 From Deputy Corporation Counsel, recommending payment in the amount of **\$4,234.68** to State Farm Insurance Companies in full settlement of all claims arising out of the May 26, 2009 motor vehicle accident, involving their insured, Gary Torke.

APPEARANCE(S):

Bob Andrews, Deputy Corporation Counsel

MOTION BY: (DE BRUIN) Approve items 4-8 together. (6-0)

AYES: De Bruin, Broderick, Jursik, Larson, Sanfelippo and Johhson (Chair) – 6

NOES: 0

EXCUSED: Cesarz – 1

5. 09-18 From Deputy Corporation Counsel, recommending payment in the amount of **\$997.88** to Jeff Hierlmeier in full settlement of any and all claims arising out of the May 9, 2009 incident.

SEE ACTION UNDER ITEM 4.

6. 09-18 From Deputy Corporation Counsel, recommending payment in the amount of **\$558.77** to Richard Mikorski in full settlement of the property damage portion of this claim.

SEE ACTION UNDER ITEM 4.

SCHEDULED ITEMS (CONTINUED):

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

7. 10-69 From Deputy Corporation Counsel, recommending the payment of an amount not to exceed **\$11,800.00** to Tomas Rocha and his attorneys in full settlement of all claims arising out of a motor vehicle accident on January 21, 2009.

SEE ACTION UNDER ITEM 4.

8. 10-58 From Deputy Corporation Counsel, recommending approval of payment in the amount of **\$6,500.00** to Amber Lussier in full settlement of any and all claims arising out of the May 9, 2009 motor vehicle accident.

SEE ACTION UNDER ITEM 4.

9. 09-J-10 From Corporation Counsel providing an update on the litigation commenced by Milwaukee County District Council 48 regarding the 35-hour work week .

MOTION BY: (DE BRUIN) Adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to item 9. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary: (Vote 6-0)

AYES: De Bruin, Broderick, Jursik, Larson, Sanfelippo and Johhson (Chair) – 6

NOES: 0

EXCUSED: Cesarz – 1

The Committee adjourned into closed session at approximately 11:25 a.m. and did not reconvene back into open session.

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board

SCHEDULED ITEMS (CONTINUED):

Bill Domina, Corporation Counsel
Bob Andrews, Deputy Corporation Counsel
Janet Nelson, Interim Director, Child Support Enforcement
Rick Ceschin, Research Analyst, County Board
Inspector Kevin Carr, Sheriff's Office
Inspector Richard Schmidt, Sheriff's Office

This meeting was recorded. Committee files contain copies of communications, reports and resolutions, which may be reviewed upon request to the Chief Committee Clerk. The official copy of these minutes, along with the audio recording of this meeting, are available in the County Board Committee Services Division.

Adjourned: 12:05 p.m.

Linda K. Durham

Linda K. Durham, Committee Clerk

DEADLINE

*The next regular meeting of the Judiciary Committee is Thursday, March 4, 2010
All items for the agenda must be in the Committee Clerk's possession by the end of the
business day on Thursday, February 18, 2010.*

*ADA accommodation requests should be filed with the Milwaukee County Office
for Persons with Disabilities, 278-3932 (voice) or 278-3937 (TTY), upon receipt of this
notice.*

Chairperson: Supervisor Willie Johnson, Jr.
Clerk: Linda K. Durham, 278-4225
Research Analyst: Rick Ceschin, 278-5003

COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, March 4, 2010

Milwaukee County Courthouse - Room 203-R

MINUTES (15 Items)

PRESENT: Supervisors De Bruin, Cesarz, Jursik, Larson, Sanfelippo and Johnson (Chair) – 6

EXCUSED: Supervisor Broderick - 1

SCHEDULED ITEMS:

RESOLUTION - 1

1. 09-475 A resolution by Supervisor Rice, creating a Redistricting Commission to be responsible for the independent drafting of supervisory Districts following the 2010 United States Census. (Recommended action: Refer to Corporation Counsel and County Board Staff)

Mr. Chairman advised that Supervisor Rice could not be present at this meeting and requested that the Committee lay this item over.

MOTION BY: *(DE BRUIN) Layover (Vote 6-0)*

AYES: De Bruin, Cesarz, Jursik, Larson, Sanfelippo and Johnson (Chair) – 6

NOES: 0

EXCUSED: Broderick - 1

APPOINTMENT – 1

2. 10-89 From County Executive, appointing Veronica Robinson to the Executive Director position of the Milwaukee County Ethics Board.

APPEARANCE(S):

Tom Nardelli, County Executive's Office

Veronica Robinson, Appointee

Mr. Nardelli and Ms. Robinson provided comments relative to the subject appointment.

SCHEDULED ITEMS (CONTINUED):

MOTION BY: (CESARZ) Approve the appointment. (Vote 6-0)

AYES: De Bruin, Cesarz, Jursik, Larson, Sanfelippo and Johnson (Chair) – 6

NOES: 0

EXCUSED: Broderick – 1

SHERIFF'S OFFICE – 4

3. 10-37 From the Sheriff's Office, reporting on a Jail Population Analysis conducted by the
(a)(b) Pretrial Justice Institute. Presentation by: John Clark, author of the study.
(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)

APPEARANCE(S):

Inspector Kevin Carr, Sheriff's Office

Chief Judge Jeffrey Kremers, Court Services

John Clark, Pretrial Justice Institute

Mr. Clark provided a summary of the power point presentation distributed to the Committee, a copy of which is contained in the subject file.

Considerable discussion ensued, with questions and comments relative to comparisons to other jurisdictions (taking into consideration race, gender, felony, misdemeanor, etc.); the average cost of a jail bed day; the price of universal screening; concerns regarding the lack of information in the report pertaining to individuals with mental illnesses and the criminal justice master plan.

Judge Kremers provided comments relative to the number of booking and filings going down and the length of stay average going up.

MOTION BY: (DE BRUIN) Receive and Place the analysis on File with a referral to the Criminal Justice Coordinating Council, asking for their recommendations on how to develop a comprehensive criminal justice system master plan. Recommendations should include the timing, what should be in it, what level of funding would be required for outside assistance and report back to this committee relative soon.

Sister Rose Stietz, MICAH, provided comments relative to the community's point of view. She advised that they are supportive of universal screening and also supportive of some funding that could continue to help the community justice council to do their work.

Vote on the motion by Supervisor De Bruin: 6-0

SCHEDULED ITEMS (CONTINUED):

AYES: De Bruin, Cesarz, Jursik, Larson, Sanfelippo and Johnson (Chair) – 6

NOES: 0

EXCUSED: Broderick - 1

4. 10-121 From the Sheriff's Office, requesting authorization to apply for and accept federal grant funds for a No Contact Interface. **(Also to the Committee on Finance and Audit)**

APPEARANCE(S):

Inspector Kevin Carr, Sheriff's Office

Inspector Carr reviewed the subject report.

MOTION BY: (SANFELIPPO) Approve. (Vote 6-0)

AYES: De Bruin, Cesarz, Jursik, Larson, Sanfelippo and Johnson (Chair) – 6

NOES: 0

EXCUSED: Broderick - 1

5. 10-122 From the Sheriff's Office, requesting authorization to apply for and accept federal homeland security funding that will be made available to Milwaukee County for specific projects. **(Also to the Committee on Finance and Audit)**

APPEARANCE(S):

Inspector Kevin Carr, Sheriff's Office

Inspector Carr reviewed the subject report.

Questions and comments ensued.

MOTION BY: (CESARZ) Approve. (Vote 6-0)

AYES: De Bruin, Cesarz, Jursik, Larson, Sanfelippo and Johnson (Chair) – 6

NOES: 0

EXCUSED: Broderick - 1

6. 10-123 From the Sheriff's Office, requesting authorization to enter into month-to-month contract extensions with Wisconsin Correctional Service (WCS) and ATTIC Correctional Services for inmate programming services at the County Correctional Facility South (CCFS); and also requesting authorization to pay WCS for inmate programming services for the months of January, February and March 2010 totaling \$87,342.

APPEARANCE(S):

Inspector Kevin Carr, Sheriff's Office

Inspector Richard Schmidt, Sheriff's Office

SCHEDULED ITEMS (CONTINUED):

Inspector Schmidt reviewed the subject report.

MOTION BY: (DE BRUIN) Approve. (Vote 6-0)

AYES: De Bruin, Cesarz, Jursik, Larson, Sanfelippo and Johnson (Chair) – 6

NOES: 0

EXCUSED: Broderick - 1

CORPORATION COUNSEL – 9

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION (***Note: Section 56.08 of the Milwaukee County General Ordinances authorizes the Judiciary Committee to settle all claims when the amount does not exceed \$5,000.00, and the action of the Committee is final and no further County Board action is required.***):

7. 10-18 From Deputy Corporation Counsel, recommending payment in the amount of **\$3,590.00** to Geico Direct in settlement of their subrogation claim for Ravi Kallepalli.

MOTION BY: (JURSIK) Approve items 7-14. (Vote 6-0)

AYES: De Bruin, Cesarz, Jursik, Larson, Sanfelippo and Johnson (Chair) – 6

NOES: 0

EXCUSED: Broderick - 1

8. 10-18 From Deputy Corporation Counsel, recommending payment in the amount of **\$3,500.00** to Goran Babic in settlement of his claim.

SEE ACTION UNDER ITEM 7.

9. 10-18 From Deputy Corporation Counsel, recommending payment in the amount of **\$3,317.25** to American Family Insurance Group as the subrogated carrier for Anthony D. Izydor.

SEE ACTION UNDER ITEM 7.

SCHEDULED ITEMS (CONTINUED):

10. 10-18 From Deputy Corporation Counsel, recommending payment in the amount of **783.18** to Ron Rouse in full settlement of his claim.

SEE ACTION UNDER ITEM 7.

11. 10-18 From Deputy Corporation Counsel, recommending payment in an amount not to exceed **\$2,500.00** to Robert Carter in full settlement of his claim.

SEE ACTION UNDER ITEM 7.

12. 10-18 From Deputy Corporation Counsel, recommending payment in the amount of **\$1,600.00** to Richard Mikorski to settle his bodily injury claim.

SEE ACTION UNDER ITEM 7.

13. 10-18 From Deputy Corporation Counsel, recommending payment in an amount not to exceed **\$1,257.70** to Kewonia Hogans.

SEE ACTION UNDER ITEM 7.

14. 10-18 From Deputy Corporation Counsel, recommending payment in the amount of **\$1,204.10** to Peter Kuehl to settle his claim.

SEE ACTION UNDER ITEM 7.

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

15. 10-111 From Principal Assistant Corporation Counsel, recommending payment in the amount of **\$7,500** minus appropriate payroll deductions to Dale Palkowski and **\$3,500** to Sweet and Associates for settlement in full of all claims arising from the discrimination complaint.

MOTION BY: (CESARZ) Approve. (Vote 5-1)

AYES: Cesarz, Jursik, Larson, Sanfelippo and Johnson (Chair) – 5

NOES: De Bruin – 1

EXCUSED: Broderick – 1

SCHEDULED ITEMS (CONTINUED):

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
Bob Andrews, Deputy Corporation Counsel
Rick Ceschin, Research Analyst, County Board
Inspector Kevin Carr, Sheriff's Office
Inspector Richard Schmidt, Sheriff's Office

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Adjourned: 11:15 a.m.

Linda K. Durham
Linda K. Durham, Committee Clerk

DEADLINE

***The next regular meeting of the Judiciary Committee is Thursday, April 8, 2010.
All items for the agenda must be in the Committee Clerk's possession by the end of the
business day on Thursday, March 25, 2010.***

ADA accommodation requests should be filed with the Milwaukee County Office for Persons with Disabilities, 278-3932 (voice) or 278-3937 (TTY), upon receipt of this notice.

Chairperson: Supervisor Willie Johnson, Jr.
Clerk: Linda K. Durham, 278-4225
Research Analyst: Rick Ceschin, 278-5003

COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, April 8, 2010

Milwaukee County Courthouse - Room 201-B

MINUTES

PRESENT: Supervisors Cesarz, Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair) – 6

EXCUSED: Supervisor De Bruin - 1

SCHEDULED ITEMS:

RESOLUTION - 1

1. 09-475 A resolution by Supervisor Rice, creating a Redistricting Commission to be responsible for the independent drafting of supervisory Districts following the 2010 United States Census. (3/4/10) Laid over. (Recommended action: Refer to Corporation Counsel and County Board Staff)

APPEARANCE(S):

Supervisor Joseph Rice, (6th District)

Supervisor Rice provided a summary of the subject resolution. He stated that he wants to ensure that the redistricting process is transparent and fair.

Questions and comments ensued.

Supervisor Cesarz requested to be added as a co-sponsor of this resolution. There being no objection, it was so ordered.

***MOTION BY: (CESARZ) Refer to Corporation Counsel and County Board staff.
(Vote 6-0)***

AYES: Cesarz, Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair) - 6

NOES: 0

EXCUSED: De Bruin - 1

SCHEDULED ITEMS (CONTINUED):

APPOINTMENT – 1

2. 10-125 From County Executive, appointing Attorney Marcia E. Facey to serve on the Milwaukee County Ethics Board for a term expiring January 30, 2016. Attorney Facey will fill a vacancy resulting from the resignation of Dr. Helen Sobehart.

APPEARANCE(S):

Sherry Hill, County Executive's Office
Attorney Marcia E. Facey, Appointee

Attorney Facey provided comments relative to her appointment.

MOTION BY: (JURSIK) Approve the appointment. (Vote 6-0)

AYES: Cesarz, Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair) – 6

NOES: 0

EXCUSED: De Bruin – 1

SHERIFF'S OFFICE – 3

3. 10-148 From the Sheriff's Office, requesting authorization to execute a contract with The G4S Wackenhut Corporation to provide inmate transportation services at the County Correctional Facilities Central and South.

APPEARANCE(S):

Inspector Kevin Carr, Sheriff's Office
Inspector Richard Schmidt, Sheriff's Office
Jon Priebe, Fiscal Administrator, Sheriff's Office
Kevin Johnson, Vice-President, G4S Wackenhut
Mark Schaefer, General Manager, G4S Wackenhut

Inspectors Carr provided comments relative to the subject request.

Inspector Schmidt introduced Mr. Johnson and Mr. Schafer from G4S Wackenhut. He explained the difference between the two resolutions submitted. One resolution (Option one) doesn't include the sale of the vehicles (six fully equipped vans) and the second resolution (Option two) does. Inspector Schmidt pointed out the following important factors about this contract: Relative to DBE, The Nisha Group, LLC will provide over 17% of contracted services involved in hiring individuals to fulfill this contract. All hiring by Wackenhut would be people that were in the Military, have prior law enforcement experience or correctional officers; There is a cap on the contract; the Sheriff's Office would still have on-site evaluation; and the safe and timely delivery of the inmates.

SCHEDULED ITEMS (CONTINUED):

Discussion ensued, with questions and comments relative to cost of vehicles, whether or not Wackenhut is comfortable with purchasing the vehicles, GS4 Wackenhut's change of name; military training and the RFP process.

Mr. Schaefer advised that the vehicles meet Wackenhut's standards and they are very comfortable purchasing them. Inspector Carr advised that if the vehicles are not sold, they would go to County auction.

MOTION BY: (LARSON) Layover until information can be provided relative to the exact figures on the number of local employees that Wackenhut will be hiring and currently hires within Milwaukee County.

The Committee was assured that Wackenhut is in no way affiliated or have any business dealings with Blackwater XE.

Supervisor Jursik requested that the information in the motion be provided before Board Day (April 22, 2010).

Chairman Johnson requested that an outline of transportation experiences from Wackenhut be provided before Board Day.

The following individuals provided comments:

Penni Secore - Against privatization.

Roy Felber – Concerns about the following: security and safety of Milwaukee County citizens and citizens of Wisconsin; liability; med runs;

Jerry Reider – Against privatization.

Chairman Johnson requested information pertaining to the history of the Milwaukee Rangers be provided ASAP. Inspector Carr advised that he would contact The Nisha Group, LLC and attain additional information about their security program for the past five years.

Discussion ensued relative to the RFP.

Inspector Carr advised that the RFP was posted on the website and that he would provide a copy of the RFP responses to Committee members.

Vote on the layover motion: 3-3

AYES: Broderick, Larson and Johnson (Chair) – 3

NOES: Cesarz, Jursik and Sanfelippo – 3

EXCUSED: De Bruin – 1

SCHEDULED ITEMS (CONTINUED):

Layover motion failed.

MOTION BY: (CESARZ) Approve Option two, with a request for additional information from G4S Wackenhut and the Sheriff's Office as soon as possible.

AYES: Cesarz, Jursik and Sanfelippo – 3

NOES: Broderick, Larson and Johnson (Chair) – 3

EXCUSED: De Bruin – 1

This item will go to the Board without a recommendation.

4. 10-J-1 From the Sheriff's Office, Submission of Agreement between the Office of the
10-161 Sheriff and the Chief Judge regarding the provision of bailiff services for 2010 and 2011 **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

APPEARANCE(S):

Inspector Kevin Carr, Sheriff's Office

Chief Judge Jeffrey Kremers, Court Services

Inspect Carr reviewed the subject report.

Discussion ensued, with questions and comments.

Chief Judge Kremers provided comments relative to the need for an adequate number of bailiffs to operate the courts.

MOTION BY: (JURSIK) Receive and place on file. (Vote 6-1)

AYES: Cesarz, Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair) – 6

NOES: 0

EXCUSED: De Bruin – 1

This item was taken out of order.

5. 10-J-2 From the Sheriff's Office, National Institute of Corrections Technical Assistance
10-162 Project Final Report, *A Focused Review of the Milwaukee Correctional Center-South Facility* prepared by Jeffrey A. Schwartz, Ph.D **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

APPEARANCE(S):

Inspector Kevin Carr, Sheriff's Office

Inspector Richard Schmidt – Sheriff's Office

SCHEDULED ITEMS (CONTINUED):

The Committee praised the Sheriff's Office staff for the job they have done.

Considerable discussion ensued, with questions and comments.

MOTION BY: (BRODERICK) Receive and place on file.

Discussion continued with questions relative to the concept of direct supervision.

Chairman Johnson requested a status report from the Sheriff's Office relative to Dr. Schwartz's recommendations due in the September cycle.

Supervisor Broderick amended his motion to include the request for a status report from the Sheriff's Office due in the September cycle.

Vote on the motion to receive and place on file, with a status report from the Sheriff's office regarding Dr. Swartz's recommendations due in the September cycle: 6-0

AYES: Cesarz, Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair) – 6

NOES: 0

EXCUSED: De Bruin – 1

CORPORATION COUNSEL – 4

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION (***Note: Section 56.08 of the Milwaukee County General Ordinances authorizes the Judiciary Committee to settle all claims when the amount does not exceed \$5,000.00, and the action of the Committee is final and no further County Board action is required.***):

6. 10-18 From Deputy Corporation Counsel, recommending payment in the amount of **\$3,841.00** to Robert Sevier in full settlement of his claim.

APPEARANCE(S):

Bob Andrews, Deputy Corporation Counsel

MOTION BY: (CESARZ) Approve items 6, 7 and 8 together. (Vote 6-0)

SCHEDULED ITEMS (CONTINUED):

AYES: Cesarz, Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair) – 6

NOES: 0

EXCUSED: De Bruin – 1

7. 10-18 From Deputy Corporation Counsel, recommending payment in the amount of **\$1,029.00** to the Village of Hales Corners in full settlement of their claim.

SEE ACTION UNDER ITEM 6.

8. 10-18 From Deputy Corporation Counsel, recommending payment in the amount of **\$868.56** to Edward & D’Anne Tonn in full settlement of their claim.

SEE ACTION UNDER ITEM 6.

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

9. 09-J-7 From Corporation Counsel, status report regarding the Christensen jail lawsuit.

APPEARANCE(S):

Bob Andrews, Deputy Corporation Counsel

John Schapekahn, Principal Assistant Corporation Counsel

MOTION BY: (CESARZ) Adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to Item 9. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary: (Vote 6-0)

The Committee adjourned into closed session at approximately 11:30 a.m. and did not reconvene back into open session.

STAFF PRESENT:

Rick Ceschin, Research Analyst, County Board

Bob Andrews, Deputy Corporation Counsel

John Schapekahn, Principal Assistant Corporation Counsel

Inspector Kevin Carr, Sheriff’s Office

Inspector Richard Schmidt, Sheriff’s Office

SCHEDULED ITEMS (CONTINUED):

This meeting was recorded. Committee files contain copies of communications, reports and resolutions, which may be reviewed upon request to the Chief Committee Clerk. The official copy of these minutes, along with the audio recording of this meeting, are available in the County Board Committee Services Division.

Adjourned: 11:40 a.m.

Linda K. Durham

Linda K. Durham, Committee Clerk

DEADLINE

***The next regular meeting of the Judiciary Committee is Thursday, May 13 2010.
All items for the agenda must be in the Committee Clerk's possession by the end of the
business day on Thursday, April 29, 2010.***

ADA accommodation requests should be filed with the Milwaukee County Office for Persons with Disabilities, 278-3932 (voice) or 278-3937 (TTY), upon receipt of this notice.

Chairperson: Supervisor Willie Johnson, Jr.
Clerk: Linda K. Durham, 278-4225
Research Analyst: Rick Ceschin, 278-5003

COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, May 13, 2010

Milwaukee County Courthouse - Room 201-B

MINUTES

PRESENT: Supervisors De Bruin, Cesarz, Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair) – 7

SCHEDULED ITEMS:

RESOLUTION - 1

1. 10-202 A resolution by Supervisor Jursik, Amending Chapter 56.30(6) of the Milwaukee County Code of General Ordinances to require that all contracts executed by Milwaukee County prohibit the contractor from undertaking class actions against Milwaukee County on any matter other than enforcement of the subject contract. **(Recommended Action: Refer to Corporation Counsel)**

APPEARANCE(S):

Tom Cannon, Executive Director, Legal Aid Society of Milwaukee County
John Schapekahm, Principal Assistant Corporation Counsel

Supervisor Jursik provided comments relative to the subject resolution and explained its intent.

MOTION BY: (JURSIK) Refer to Corporation Counsel, Risk Management and Procurement.

Questions and comments ensued.

Mr. Cannon provided comments. He stated that the Legal Aid Society is opposed to this resolution and has some ethical concerns.

Supervisor Jursik pointed out that the subject resolution bars only class action suits.

Supervisor De Bruin requested that information regarding the ethical concerns of the Legal Aid Society be addressed in the report back to the Committee. She also requested a position from the Legal Aid Society in writing.

SCHEDULED ITEMS (CONTINUED):

Vote on the referral to Corporation Counsel, Risk Management and Procurement:
7-0

AYES: De Bruin, Cesarz, Broderick, Jursik, Larson, Sanfelippo and Johnson (Chairman) – 7

NOES: 0

OFFICE OF THE SHERIFF – 3

2. 10-148 From the Sheriff's Office, requesting authorization to execute a contract with the G4S Wackenhut Corporation to provide inmate transportation services at the County Correctional Facilities Central and South. **(Referred back from 4/22/10 County Board meeting to the Committees on Judiciary, Safety and General Services and Finance and Audit)**

APPEARANCE(S):

Inspector Kevin Carr, Sheriff's Office
Inspector Richard Schmidt, Sheriff's Office
Kevin Johnson, Vice-President, G4S Wackenhut
Mark Schaefer, General Manager, G4S Wackenhut

Inspector Carr provided comments relative to a document provided to County Board Supervisors from the Sheriff's Office addressing questions and concerns from the 4/22/2010 County Board Meeting.

MOTION BY: (SANFELIPPO) Approve the resolution.

Questions and comments ensued relative to why this contract is before the Committee and also relative to the Sheriff's authority as to whether or not he can go forward with this contract without County Board approval.

Supervisor Broderick requested to go on record as saying that he has more confidence in our own (Milwaukee County's) deputies than with Wackenhut.

Considerable discussion ensued with additional questions and comments.

The following individuals provided questions/comments and spoke in opposition of the Wackenhut contract:

Richard Graber, Vice President, Milwaukee County's Sheriff's Association
Roy Felber, President, Milwaukee County Sheriff's Association

Vote on the motion to approve: 4-3

AYES: De Bruin, Cesarz, Jursik and Sanfelippo – 4

NOES: Broderick, Larson and Sanfelippo – 3

SCHEDULED ITEMS (CONTINUED):

3. 10-196 From the Office of the Sheriff, requesting authorization to execute a contract with Wisconsin Community Services, Inc. for the rental of remote alcohol monitoring equipment for inmates in the Electronic Monitoring Unit of the Milwaukee County Correctional Facility Central for an initial 24 month period.

MOTION BY: (BRODERICK) Approve. (Vote 6-0)

AYES: De Bruin, Cesarz, Broderick, Jursik, Sanfelippo and Johnson (Chair) – 6

NOES: 0

EXCUSED: Larson – 1

4. 10-197 From the Office of the Sheriff, requesting authorization to execute a contract with Justice 2000, Inc. for the rental of GPS and Voiceprint equipment for inmates in the Electronic Monitoring Unit of the Milwaukee County Correctional Facility Central for an initial 24 month period.

MOTION BY: (DE BRUIN) Approve. (Vote 6-0)

AYES: De Bruin, Cesarz, Broderick, Jursik, Sanfelippo and Johnson (Chair) – 6

NOES: 0

EXCUSED: Larson – 1

CORPORATION COUNSEL – 2

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

5. 10-198 From Corporation Counsel, recommending payment in the amount of **\$140,000 (\$109,599.08 out of pocket plus \$30,400.92 insurance proceeds)** to Baseman Brothers, Inc., in full settlement of its contract claim work and product replacing the storm damaged flooring at the Franklin Sports Complex.

Supervisor De Bruin read the “closed session” language in the event the Committee needed to go into closed session.

APPEARANCE(S):

John Schapekahn, Principal Assistant Corporation Counsel

Pam Bryant, Capital Finance Manager

SCHEDULED ITEMS (CONTINUED):

MOTION BY: (BRODERICK) Approve.

Ms. Bryant commented that Build America Bonds will be used and they are eligible to replace the flooring system at the Franklin Sports Complex. She also verified with Bond Council that this is an allowable expenditure.

Discussion ensued with questions and comments relative to the process used to move funds from one project to another when monies are left over in the Capital Projects Fund.

Ms. Bryant advised that this is done via transfer.

Vote on the motion to approve: 5-2

AYES: De Bruin, Cesarz, Broderick, Jursik and Larson - 5

NOES: Sanfelippo and Johnson (Chairman) – 2

6. 10-199 From Corporation Counsel, recommending payment in the amount of **\$80,000** to Legal Aid Society of Milwaukee, Inc., ACLU of Wisconsin Foundation and Law Offices Of Patrick O. Patterson, S.C. in settlement of the claims for attorney's fees incurred in representing plaintiff class in the Christensen Jail Lawsuit.

APPEARANCE(S):

John Schapekahm, Principal Assistant Corporation Counsel
Jason Gates, Risk Management

Mr. Schapekahm provided comments relative to the revised resolution. He stated that the revision isn't substantive, but is intended to be more inclusive to bring attorney fees up to date.

Supervisor Jursik requested a summary of everything we paid arising out of the Christensen lawsuit.

MOTION BY: (JURSIK) Layover to the call of the chair until the Committee gets sufficient information.

Mr. Schapekahm expressed concerns relative to the delay in taking an action today.

Discussion ensued at length, with questions and comments.

Mr. Gates commented that he supports the settlement.

Vote on the motion to layover: 3-4

SCHEDULED ITEMS (CONTINUED):

AYES: Jursik, Larson and Sanfelippo – 3

NOES: De Bruin, Cesarz, Broderick and Johnson (Chair) – 4

Motion failed.

Questions and comments continued.

MOTION BY: (DE BRUIN) Approve. (Vote 5-2)

AYES: De Bruin, Cesarz, Broderick, Larson and Johnson (Chair) – 5

NOES: Jursik and Sanfelippo – 2

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
John Schapekahm, Principal Assistant Corporation Counsel
Inspector Kevin Carr, Sheriff's Office
Inspector Richard Schmidt, Sheriff's Office
Jason Gates, Risk Management

This meeting was recorded. Committee files contain copies of communications, reports and resolutions, which may be reviewed upon request to the Chief Committee Clerk. The official copy of these minutes, along with the audio recording of this meeting, are available in the County Board Committee Services Division.

Adjourned: 11:00 a.m.

Linda K. Durham

Linda K. Durham, Committee Clerk

DEADLINE

***The next regular meeting of the Judiciary Committee is Thursday, June 10, 2010.
All items for the agenda must be in the Committee Clerk's possession by the end of the
business day on Thursday, May 27, 2010.***

ADA accommodation requests should be filed with the Milwaukee County Office for Persons with Disabilities, 278-3932 (voice) or 278-3937 (TTY), upon receipt of this notice.

Chairperson: Supervisor Willie Johnson, Jr.
Clerk: Linda K. Durham, 278-4225
Research Analyst: Rick Ceschin, 278-5003

COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Tuesday, June 15, 2010 – 1:30 P.M.

Milwaukee County Courthouse - Room 201-B

MINUTES

PRESENT: Supervisors De Bruin, Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair) – 6

EXCUSED: Supervisor Cesarz - 1

SCHEDULED ITEMS:

APPOINTMENT – 1

1. 10-212 From the County Executive, appointing Dr. Brian Peterson to the position of Medical Examiner for Milwaukee County.

APPEARANCE(S)

Chairman Lee Holloway, County Board
Supervisor Marina Dimitrijevic (4th District)
Kelly Rindfleish, County Executive's Office
Dr. Brian Peterson, Appointee

Mr. Rindfleish provided brief comments.

Questions and comments ensued.

Dr. Peterson provided comments and answers to questions raised by the Committee.

MOTION BY: (LARSON) Approve.

Chairman Holloway pointed out that Dr. Peterson does not reside in Milwaukee County. He asked if Dr. Peterson had any intention to move to Milwaukee County.

Supervisor Dimitrijevic thanked Chairman Holloway for bringing Dr. Peterson's residence information to the attention of the Supervisors.

Dr. Peterson commented that he doesn't have any intention at this time to move to Milwaukee County; however he advised that if residency becomes an issue, he would address it.

SCHEDULED ITEMS (CONTINUED):

Vote on the motion to approve: 6-0

AYES: De Bruin, Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair) – 6

NOES: 0

EXCUSED: Cesarz – 1

RESOLUTION(S) - 3

2. 10-232 A resolution by Supervisors Holloway, Mayo, West, Sanfelippo and Coggs, censuring Milwaukee County Supervisor Lynne De Bruin for breaching a confidence by making public certain comments that were made in a closed session meeting of a County Board standing committee.

APPEARANCE(S):

Chairman Lee Holloway, County Board

Supervisor John Weishan (16th District)

Supervisor Peggy West (12th District)

Supervisor Marina Dimitrijevic (4th District)

Bob Andrews, Deputy Corporation Counsel

Chairman Holloway provided comments relative to the subject resolution and explained its intent. He advised that he has great concerns relative to the ability for Committees to go into closed session.

MOTION BY: (LARSON) Refer to Corporation Counsel for a written legal opinion incorporating what the procedure is for censuring; if censuring is a proper function for this body and the cause for the censure. Also address what Corporation Council advised Supervisor De Bruin to do.

Considerable discussion ensued with comments provided by Supervisors, Wieshan West and Dimitrijevic.

Supervisor De Bruin provided comments as to why she did what she did. She advised that this is the first time she has spoken to her County Board colleagues about this matter.

Mr. Andrews advised that censure would be proper to consider.

Vote on the motion to refer to Corporation Counsel: 3-3

AYES: Jursik, Larson and Johnson (Chair) – 3

NOES: De Bruin, Broderick and Sanfelippo – 3

EXCUSED: Cesarz – 1

Motion failed.

SCHEDULED ITEMS (CONTINUED):

MOTION BY: (BRODERICK) Deny the resolution. (Vote 3-3)

AYES: De Bruin, Broderick and Larson – 3

NOES: Jursik, Sanfelippo and Johnson – 3

EXCUSED: Cesarz – 1

This item will go to the Board without a recommendation, due to a tie vote.

3. 10-202 A resolution by Supervisor Jursik, amending Chapter 56.30(6) of the Milwaukee County Code of General Ordinances to require that all contracts executed by Milwaukee County prohibit the contractor from undertaking class actions against Milwaukee County on any matter other than enforcement of the subject contract. **(5/13/2010 Referred to Corporation Counsel, Risk Management and Procurement)**

APPEARANCE(S):

Bob Andrews, Deputy Corporation Counsel

Tom Cannon, Legal Aid Society of Milwaukee

Supervisor Jursik provided comments relative to the subject resolution and the Legal Opinion from Corporation Counsel.

Considerable discussion ensued, with questions and comments.

Mr. Cannon commented that the proposed ordinance would be ineffective and that the Legal Aid Society would challenge it in court if it is enacted.

MOTION BY: (JURSIK) Layover to the call of the Chair. (Vote 6-0)

AYES: De Bruin, Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair) – 6

NOES: 0

EXCUSED: Cesarz - 1

4. 09-475 A resolution by Supervisors Rice and Cesarz, creating a Redistricting Commission to be responsible for the independent drafting of Supervisory Districts following the 2010 United States Census. **(4/8/2010 Referred to Corporation Counsel and County Board staff)**

MOTION BY: (BRODERICK) Layover to the next cycle. (Vote 6-0)

AYES: De Bruin, Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair) – 6

NOES: 0

EXCUSED: Cesarz - 1

SCHEDULED ITEMS (CONTINUED):

CHIEF JUDGE – 1

5. 10-221 From the Chief Judge, requesting authorization to receive additional grant funds in the amount of \$24,000 from the Office of Justice Assistance and to extend Justice 2000's 2009 Assess, Inform and Measure Program contract to June 30, 2010 to a total amount not to exceed \$265,982. **(Also to the Committee on Finance and Audit)**

APPEARANCE(S):

Holly Szablewski, Court Services

MOTION BY: (BRODERICK) Approve. (Vote 6-0)

AYES: De Bruin, Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair) – 6

NOES: 0

EXCUSED: Cesarz – 1

This item was taken out of order.

OFFICE OF THE SHERIFF – 1

6. 10-231 From the Office of the Sheriff, requesting approval to apply for and accept Edward Byrne Memorial Justice Assistance Grant funds for federal fiscal year 2010.

APPEARANCE(S):

Inspector Kevin Carr, Office of the Sheriff
Molly Pahl, Office of the Sheriff

Inspector Carr provided brief comments.

Questions and comments.

MOTION BY: (LARSON) Approve. (Vote 6-0)

AYES: De Bruin, Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair) – 6

NOES: 0

EXCUSED: Cesarz – 1

This item was taken out of order.

SCHEDULED ITEMS (CONTINUED):

CORPORATION COUNSEL – 11

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION (*Note: Section 56.08 of the Milwaukee County General Ordinances authorizes the Judiciary Committee to settle all claims when the amount does not exceed \$5,000.00, and the action of the Committee is final and no further County Board action is required.*):

7. 10-18 From Deputy Corporation Counsel, recommending payment in the amount of **\$5,000.00** to Justin Walls in full settlement of his bodily injury claim.

APPEARANCE(S):

Bob Andrews, Deputy Assistant Corporation Counsel

MOTION BY: (DE BRUIN) Approve Items 7-9 and 11-17. (Vote) 6-0

AYES: De Bruin, Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair) – 6

NOES: 0

EXCUSED: Cesarz - 1

- 8 10-18 From Deputy Corporation Counsel, recommending payment in the amount of **\$2,578.38** to Artisan and Truckers Insurance in full settlement of all claims arising out of the December 23, 2009 accident involving James E. Reeve.

SEE ACTION UNDER ITEM 7.

9. 10-18 From Deputy Corporation Counsel, recommending payment in the amount of **\$2,516.94** to Great West Casualty Company to settle in full the property damage claim of arising out of the January 7, 2010 incident.

SEE ACTION UNDER ITEM 7.

10. 10-18 From Deputy Corporation Counsel, recommending payment in the amount of **\$2,000.00** to Patrick Smith to settle his missing property claim.

APPEARANCE(S):

Bob Andrews, Deputy Assistant Corporation Counsel

SCHEDULED ITEMS (CONTINUED):

Mr. Andrews reviewed the subject claim.

Questions and comments ensued.

MOTION BY: (JURSIK) Approve.

AYES: De Bruin, Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair) – 6

NOES: 0

EXCUSED: Cesarz - 1

11. 10-18 From Deputy Corporation Counsel, recommending payment in the amount of **\$1,090.68** to Electric Services of Wisconsin, LLC in full settlement of its claim.

SEE ACTION UNDER ITEM 7.

12. 10-18 From Deputy Corporation Counsel, recommending payment in the amount of **\$987.96** to AFNI Insurance Services to settle in full all claims arising out of the February 10, 2010 incident.

SEE ACTION UNDER ITEM 7.

13. 10-18 From Deputy Corporation Counsel, recommending payment in the amount of **\$870.76** to Freight Runners Express for cleanup of vehicles that were damaged when struck by snow and ice from a County plow at GMIA.

SEE ACTION UNDER ITEM 7.

14. 10-18 From Deputy Corporation Counsel, recommending payment in the amount of **\$584.05** to Heather Blicharz to repair damage to her vehicle which was struck by a sign board at a GMIA parking lot.

SEE ACTION UNDER ITEM 7.

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

15. 09-479 From Milwaukee Transport Services, Inc. submitting a claim for the alleged damages incurred by a Milwaukee County golf cart. **(Corporation Counsel recommends payment in the amount of \$7,147.01 in full settlement of its claim arising out of the incident on July 16, 2009.)**

SCHEDULED ITEMS (CONTINUED):

SEE ACTION UNDER ITEM 7.

16. 10-138 From Integrity Insurance, submitting a claim under their subrogation rights of their insured, Rouse Trucking for reimbursement of payment made for alleged damages sustained to his automobile as a result of an accident occurring on November 5, 2009 involving a Milwaukee County-owned vehicle. **(Corporation Counsel recommends payment in the amount of \$7,132.63 to Integrity Insurance to settle in full the property damage claim arising out of the December 23, 2009 motor vehicle accident.)**

SEE ACTION UNDER ITEM 7.

17. 09-148 From Laura Cagle, submitting a claim in behalf of TLY, Inc. a/k/a The Learning Years for damages allegedly received due to the early termination of lease agreement by Milwaukee County. **(Corporation Counsel recommends payment in the amount of \$73,000 to TLY, Inc. a/k/a The Learning Years and its attorneys in full settlement of all its claims arising out of Milwaukee County's lease obligations relative to the Roosevelt School premises and in return for a dismissal of its pending lawsuit) (Also to the Committee on Finance and Audit)**

SEE ACTION UNDER ITEM 7.

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
Bob Andrews, Deputy Assistant Corporation Counsel
Inspector Kevin Carr, Sheriff's Office
Holly Szablewski, Court Services

This meeting was recorded. Committee files contain copies of communications, reports and resolutions, which may be reviewed upon request to the Chief Committee Clerk. The official copy of these minutes, along with the audio recording of this meeting, are available in the County Board Committee Services Division.

Adjourned: 4:30 p.m.

Linda K. Durham

Linda K. Durham, Committee Clerk

DEADLINE

The next regular meeting of the Judiciary Committee is Thursday, July 15, 2010. All items for the agenda must be in the Committee Clerk's possession by the end of the business day on Thursday, July 1, 2010.

ADA accommodation requests should be filed with the Milwaukee County Office for Persons with

SCHEDULED ITEMS (CONTINUED):

Disabilities, 278-3932 (voice) or 278-3937 (TTY), upon receipt of this notice.

Chairperson: Supervisor Willie Johnson, Jr.
Clerk: Linda K. Durham, 278-4225
Research Analyst: Rick Ceschin, 278-5003

COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, July 15, 2010 – 9:00 A.M.

Milwaukee County Courthouse - Room 201-B

MINUTES

PRESENT: Supervisors De Bruin, Cesarz, Broderick, Larson, Sanfelippo and Johnson (Chair) – 6

EXCUSED: Supervisor Jursik - 1

SCHEDULED ITEMS:

RESOLUTION(S) - 2

1. 09-475 A resolution by Supervisors Rice and Cesarz, creating a Redistricting Commission to be responsible for the independent drafting of Supervisory Districts following the 2010 United States Census. **(4/8/2010 Referred to Corporation Counsel and County Board staff) (6/15/10 Laidover to the July cycle)**

APPEARANCE(S):

Supervisor Joseph Rice, 6th District
Glenn Bultman, Research Analyst, County Board
Bob Andrews, Deputy Corporation Counsel

Supervisor Rice provided comments relative to the subject resolution. He advised the bottom line is that elected officials should not be allowed to draw and choose the people who vote for them and who they represent. This is an opportunity to send a message to the public that they can be reassured that the map-making process will not be undertaken by any individual or group for their personal benefit.

MOTION BY: (CESARZ) Approve the subject resolution.

Mr. Bultman advised that the resolution has a number of problems, some of which are discussed in the Corporation Counsel's opinion. He added that the biggest problem with the resolution is the time schedule. He doesn't believe that the process in the resolution can be done in 60 days. The statutes and the resolution require that it to go to the courts if it is not done within the 60 days.

Mr. Andrews provided comments relative to Corporation Counsel's opinion.

Questions and comments ensued.

SCHEDULED ITEMS (CONTINUED):

MOTION BY: (BRODERICK) Layover to the call of the Chair.

Discussion ensued relative to the layover motion.

Vote on the layover motion: 4-2

AYES: De Bruin, Broderick, Larson and Johnson (Chair) – 4

NOES: Cesarz and Sanfelippo – 2

EXCUSED: Jursik – 1

2. 10-278 A resolution by Supervisors Dimitrijevic, Lipscomb, Harris, Jursik, Weishan and Larson, authorizing and directing the Manager, Election Commission, to place campaign finance reports on the internet and to research the technology necessary so that candidates and County elected officials may file reports directly on-line.

APPEARANCE(S):

Supervisor Marina Dimitrijevic, 4th District

Supervisor Dimitrijevic provided comments relative to the subject resolution. She advised that Supervisors Broderick and Rice requested to be added as co-sponsors.

Supervisors De Bruin and Cesarz also requested to be added as co-sponsors. There being no objection, it was so ordered.

Questions and comments ensued.

MOTION BY: (LARSON) Approve the resolution. (Vote 6-0)

AYES: De Bruin, Cesarz, Broderick, Larson, Sanfelippo and Johnson (Chair) – 6

NOES: 0

EXCUSED: Jursik – 1

ORDINANCE – 1

3. 10-258 Ordinance by Supervisor Rice, amending Chapter 9, Code of Ethics, of the Milwaukee County Code of General Ordinances as it relates to confidential information, privileged communications and information acquired in meetings convened in closed session.

APPEARANCE(S):

Supervisor Joseph Rice, 6th District

Supervisor Rice provided comments relative to the subject ordinance.

MOTION BY: (CESARZ) Approve the ordinance.

SCHEDULED ITEMS (CONTINUED):

Questions and comments ensued.

MOTION BY: (DE BRUIN) Refer to Corporation Counsel for further review.

AYES: De Bruin, Broderick, Larson and Johnson (Chair) – 4

NOES: Cesarz and Sanfelippo – 2

EXCUSED: Jursik – 1

Supervisor De Bruin requested that Corporation Counsel also provide information relative to a vehicle by which closed sessions could have an official record.

CHIEF JUDGE – 1

4. 10-276 From the Chief Judge, requesting authorization to receive additional grant funds in the amount of \$60,843 from the State Department of Transportation for services provided by WCS in the Repeat Intoxicated Driver Intervention Program and to modify WCS' Repeat Intoxicated Driver Intervention Program contract to reflect total 2010 expenditures not to exceed \$460,952.

APPEARANCE(S):

Holly Szablewski, Court Services

Ms. Szablewski reviewed the subject request.

MOTION BY: (CESARZ) Approve. (Vote 6-0)

AYES: De Bruin, Cesarz, Broderick, Larson, Sanfelippo and Johnson (Chair) – 6

NOES: 0

EXCUSED: Jursik – 1

OFFICE OF THE SHERIFF – 3

5. 10-279 From the Office of the Sheriff, requesting authorization to execute a contract with Dr. James Schreier for the development of a Recruitment and Retention Program at the Milwaukee County Correctional Facilities Central and South in an amount not to exceed \$10,000 for a period of twelve months, July 1, 2010 to June 30, 2011.

APPEARANCE(S):

Inspector Richard Schmidt, Office of the Sheriff

Marlo Knox, Human Resources – Office of the Sheriff

Jon Priebe, Fiscal Administrator, Office of the Sheriff

Inspector Schmidt provided comments relative to the subject request.

SCHEDULED ITEMS (CONTINUED):

Questions and comments ensued.

Ms. Knox provided comments relative to Dr. Schreier's experience and familiarity pertaining to recruitment and retention programs.

Mr. Priebe provided comments relative to the fiscal aspect of the subject request.

MOTION BY: (DE BRUIN) Approve. (Vote 6-0)

AYES: De Bruin, Cesarz, Broderick, Larson, Sanfelippo and Johnson (Chair) – 6

NOES: 0

EXCUSED: Jursik – 1

6. 10-269 From the Office of the Sheriff, requesting authorization to execute a contract with Information Builder to provide a Business Intelligence software system for the Office of the Sheriff.

APPEARANCE(S):

Inspector Richard Schmidt, Office of the Sheriff

Captain Brian Barkow, Office of the Sheriff

Andrew Carrion, IMSD

Inspector Schmidt provided comments relative to the subject request.

Questions and comments ensued.

Mr. Carrion provided comments relative to consolidating real time information into one process. The report can be made available online and maps can also be pulled up.

Supervisor De Bruin had questions relative to funding.

MOTION BY: (DE BRUIN) Approve with a report back in nine months. She requested that staff review and work on the BE IT RESOLVED clause. (Vote 6-0)

AYES: De Bruin, Cesarz, Broderick, Larson, Sanfelippo and Johnson (Chair) – 6

NOES: 0

EXCUSED: Jursik – 1

7. 10-J-3 From Voces de la Frontera, a report related to Milwaukee County Office of the Sheriff collaboration with Immigration Enforcement. **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE.**

APPEARANCE(S):

Inspector Richard Schmidt, Office of the Sheriff

Captain Sylvia Rodriguez, Office of the Sheriff

SCHEDULED ITEMS (CONTINUED):

Inspector Schmidt read a statement from the Sheriff (a copy of which is contained in the subject file).

Questions and comments ensued.

The following individuals provided testimony relative to this item:

Christine Neumann-Ortiz, Executive Director, Voces de la Frontera

Jill Vonnahme, New Sanctuary Movement Coordinator, Voces Fe la Frontera
(works with families affected by immigration detention and deportation)

Davorin Odracic, Milwaukee immigration attorney

Sandra Sevilla-Garcia, domestic violence advocate (provided written testimony reflecting on the negative impact the Sheriff's Office collaboration with ICE has on victims of domestic violence) (copy of written testimony is contained in the subject file)

Leslie Davis, bi-lingual licensed clinical psychologist-works in free clinic on south side of Milwaukee

Dr. Tony Baez, Executive Director, Council for the Spanish Speaking

Melissa Tempel, bi-lingual MPS teacher

Angela Aranda, MPS teacher

Kenneth Greening, Voces de la Frontera

Jim Cusack, Voces de la Frontera, Interfaith Workers Justice

The following individuals registered in opposition of the Sheriff's Office collaboration with ICE but did not provide comments:

Harriet McKinney, Joanne Lange, William F. Lange, Seema Singh, Gustavo Amaro, Thomas R. Niebler, Melanie Benesh, Omar Damian Ortega.

Advocates for immigrants believe individuals in the country illegally are being targeted by law enforcement and deported.

Supervisor Sanfelippo requested that Ms. Vonnahme provide information relative to the individual she referred to who came to their office and advised that he was apprehended through the County jail. He stated he has legal residency in the United States but was stripped of his green card. He is now facing deportation.

Discussion ensued relative to the relationship between the Sheriff's Department and federal immigration authorities.

Inspector Schmidt advised that to his knowledge, there is no written agreement between the Sheriff's Office and ICE on detaining suspected illegal immigrants.

SCHEDULED ITEMS (CONTINUED):

Supervisor De Bruin requested that the Office of the Sheriff provide a report back addressing the following:

- The number of individuals being deported from Milwaukee County;
- If there is a written policy from the Office of the Sheriff regarding ICE holds;
- What the increase in cap funding related to incarcerating undocumented immigrants is based upon? (In 2009, the amount was about \$135,000; In 2008, it was about \$60,000);
- The number of illegal immigrants being processed through the jail on a yearly basis and how many are turned over to ICE;
- If there has been a change in the system relative to how the Office of the Sheriff handles illegal immigrants.

This item was taken out of order.

The Committee took no action on this informational item.

CORPORATION COUNSEL- 4

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION (*Note: Section 56.08 of the Milwaukee County General Ordinances authorizes the Judiciary Committee to settle all claims when the amount does not exceed \$5,000.00, and the action of the Committee is final and no further County Board action is required.*):

8. 10-18 From Deputy Corporation Counsel, recommending payment in the amount of **\$2,026.00** to Randy Slagle in full settlement of any and all claims.

APPEARANCE(S):

Bob Andrews, Deputy Corporation Counsel

MOTION BY: (DE BRUIN) Approve items 8, 9 and 11. (Vote 6-0)

AYES: De Bruin, Cesarz, Broderick, Larson, Sanfelippo and Johnson (Chair) – 6

NOES: 0

EXCUSED: Jursik – 1

SCHEDULED ITEMS (CONTINUED):

9. 10-144 From Cele Stepke, submitting a claim for damages allegedly sustained to garage as a result of the snow plowing on the expressway. **(Corporation Counsel recommends payment in the amount of \$3,150.00)**

SEE ACTION UNDER ITEM 8.

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

10. 10-271 From Deputy Corporation Counsel, requesting approval to accept the payment of all delinquent taxes for 2009 and before from Kaitlin Woods Condominium Association, Inc. for the property at 9164 W. Elm Court, Unit B in the City of Franklin and the reimbursement of all costs incurred by the County for a total payment of \$40,000 if paid by July 31, 2010 in exchange for the County providing the Condominium Association with a Quit Claim Deed for said property.

APPEARANCE(S):

Bob Andrews, Deputy Corporation Counsel

MOTION BY (DE BRUIN) Adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to Item 10). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary. (Vote 5-0)

AYES: De Bruin, Cesarz, Larson, Sanfelippo and Johnson (Chair) – 5

NOES: 0

EXCUSED: Broderick and Jursik – 2

The Committee adjourned into closed session at approximately 12:40 p.m. and reconvened back into open session at approximately 12:45 p.m. with Supervisors Broderick and Jursik excused.

MOTION BY: (DE BRUIN) Approve. (Vote 5-0)

AYES: De Bruin, Cesarz, Larson, Sanfelippo and Johnson (Chairman) – 5

NOES: 0

EXCUSED: Broderick and Jursik - 2

SCHEDULED ITEMS (CONTINUED):

11. 10-210 From Milwaukee County Transport Services, submitting a claim for damages allegedly sustained to a support beam at Milwaukee County Transit station on November 10, 2009. **(Corporation Counsel recommends payment in the amount of \$9,300.00 in full settlement of this claim.)**

SEE ACTION UNDER ITEM 8.

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
Glenn Bultman, Research Analyst, County Board
Bob Andrews, Deputy Assistant Corporation Counsel
Holly Szablewski, Court Services
Inspector Richard Schmidt, Sheriff's Office
Jon Priebe, Fiscal Administrator, Office of the Sheriff
Marlo Knox, Human Resources, Office of the Sheriff
Captain Brian Barkow, Office of the Sheriff
Andrew Carrion, IMSD
Captain Sylvia Rodriguez, Office of the Sheriff

This meeting was recorded. Committee files contain copies of the subject reports, communications, resolutions, and ordinances, which may be reviewed upon request to the Chief Committee Clerk. The official copy of these minutes, along with the audio recording of this meeting, are available in the County Board Committee Services Division.

Length of meeting: Approximately 9:09 a.m. until 12:50 p.m.

Linda K. Durham

Linda K. Durham, Committee Clerk

DEADLINE

The next regular meeting of the Judiciary Committee is Thursday, September 16, 2010. All items for the agenda must be in the Committee Clerk's possession by the end of the business day on Thursday, September 2, 2010.

ADA accommodation requests should be filed with the Milwaukee County Office for Persons with Disabilities, 278-3932 (voice) or 278-3937 (TTY), upon receipt of this notice.

Chairperson: Supervisor Willie Johnson, Jr.
Clerk: Linda K. Durham, 278-4225
Research Analyst: Rick Ceschin, 278-5003

COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, September 16, 2010 – 9:00 A.M.

Milwaukee County Courthouse - Room 201-B

MINUTES

PRESENT: Supervisors De Bruin, Cesarz, Broderick, Jursik, *Larson, Sanfelippo and Johnson (Chair) – 7

*Supervisor Larson was not present at the time of the roll call, however, he appeared shortly thereafter.

SCHEDULED ITEMS:

APPOINTMENT - 1

1. 10-313 From County Executive, appointing Jack Takerian, Director of the Department of Transportation and Public Works, to serve on the Milwaukee County Local Emergency Planning Committee as the County Public Works representative.

APPEARANCE(S):

Bob Nenno, County Executive's Office

Jack Takarian, Director, Department of Transportation & Public Works (DTPW)

Mr. Nenno provided comments relative to the subject appointment.

Questions and comments ensued.

Supervisor De Bruin requested that Mr. Takerian look into emergency planning as it pertains to people with special needs. She would like an update on information as to what specific plans are in place via the County if there is an emergency.

MOTION BY: (BRODERICK) Approve. (Vote 6-0)

AYES: De Bruin, Cesarz, Broderick, Jursik, Sanfelippo and Johnson (Chair) – 6

NOES: 0

EXCUSED: Larson – 1

SCHEDULED ITEMS (CONTINUED):

ORDINANCE – 1

2. 10-258 Ordinance by Supervisor Rice, amending Chapter 9, Code of Ethics of the Milwaukee County Code of General Ordinances, as it relates to confidential information, privileged communications and information acquired in meetings convened in closed session. **(7/15/10: Referred to Corporation Counsel)**

APPEARANCE(S):

Supervisor Joseph Rice, 6th District
Bob Andrews, Deputy Corporation Counsel

Supervisor Rice provided comments relative to the subject ordinance.

MOTION BY: (SANFELIPPO) Approve the following amendment:

AMEND Section 1 of the proposed ordinance, beginning on line 11, as follows:

9.02 Definitions

- (14) "Privileged information" means information obtained under government authority which has not become a part of the body of public information, including but not limited to information that has been acquired in a meeting convened in closed session under the provisions of Wis. Stats. 19.85, or information contained in a communication distributed in a closed session meeting that is labeled as privileged or confidential.

AMEND Section 2 of the proposed ordinance, beginning on line 152, as follows:

9.05 Standards of Conduct

(3) Violation of this section may be addressed by the use of such remedies as are currently available by law, including but not limited to, an investigation request or verified complaint may be filed as provided in Section 9.09(4) of this chapter, and shall be processed and disposed in accordance with the procedures contained herein.

- (4) No action authorized under subsection (3) above may be taken against a person, nor shall it be deemed a violation of this section, if:
- a. The disclosure of privileged information is part of a confidential inquiry or complaint to a district attorney concerning a perceived violation of law, including the disclosure of facts to a district attorney that are necessary to establish the illegality of an action taken by a public official or the potential illegality of an action if that action were to be taken by a public official;

SCHEDULED ITEMS (CONTINUED):

- b. The disclosure of privileged information is part of a legal proceeding or judicial action; or
- c. The County Board adopts a resolution authorizing the release of privileged information.

Questions and comments ensued relative to the amendment.

The Committee suggested that this item be temporarily laid over so that Corporation Counsel could address legal questions/concerns raised by the Committee.

The Committee requested that Corporation Counsel address the following: disclosure of confidential information being considered as classified information; who decides what is confidential and the legal impact of this legislation once it is adopted.

Supervisor Larson expressed his concern relative to having recorded notes in closed session meetings as to what actually happened.

Supervisor De Bruin commented that when the report from Corporation Counsel comes back to the Committee, she would like it to include a statement that clearly defines what is acceptable material for closed session.

MOTION BY: (JURSIK) Layover for one month.

Supervisor Jursik advised that she would like to see closed sessions recorded, documents kept and all of those documents kept in the possession of Corporation Counsel and no one else.

Supervisor Larson suggested that the Committee put their concerns/questions in writing and forward to Corporation Counsel for their report back.

Vote on the layover motion: 7-0

AYES: De Bruin, Cesarz, Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair)

– 7

NOES: 0

REGISTER OF DEEDS – 1

- 3. 10-307 From the Director of Register of Deeds, requesting authorization to create a Land Information Council and also to transfer positions funded by retained recording fees from the Department of Transportation and Public Works to the Register of Deeds (County designated Land Information Office).

APPEARANCE(S):

John LaFave, Register of Deeds

Mr. LaFave reviewed the subject report.

SCHEDULED ITEMS (CONTINUED):

Questions and comments ensued.

MOTION BY: (BRODERICK) Refer to County Board staff for additional information. (Vote 7-0)

Supervisor De Bruin requested that staff report back on the following: what requirements are under the legislature; why the State made this change; who decides whether contracts are let (County Board of independent constitutional officers?); what staffing model would be in place; conduct an independent analysis of where land information officers should be; what the County Executive is recommending; talk to the Department of Transportation and Public Works and the Register of Deeds to see what kind of options are out there and what the interests are of both departments.

Supervisor Jursik added that she would like for staff to also address the following in their report back: Access to information and how would the Register of Deeds registrar interpret a policy as opposed to that being under the purview of the policy makers of the County Board; who would have a right to this land information system – documents and information? make sure that there is free access to information when and where needed and how quickly it can be obtained.

AYES: De Bruin, Cesarz, Broderick, Jursik, Larson, Sanfelippo and Jonson (Chair) – 7

NOES: 0

INFORMATION MANAGEMENT SERVICES DIVISION (IMSD) – 1

4. 10-J-4 From the Interim Chief Informational Officer, IMSD, informational report regarding
10-333 800 MHz rebanding project. **(INFORMATONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

APPEARANCE(S):

Laurie Panella, Acting Chief Information Officer, IMSD
Hugh Morris, IT Director – Business Development
Rich Foscatto, IT Director – Applications

Mr. Foscatto reviewed the subject report.

Questions and comments ensued.

MOTION BY: (DE BRUIN) Receive and Place on File. (Vote 7-0)

AYES: De Bruin, Cesarz, Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair)

SCHEDULED ITEMS (CONTINUED):

- 7

NOES: 0

OFFICE OF THE SHERIFF – 2

5. 10-J-3 From Voces de la Frontera, a report related to Milwaukee County Office of the
10-334 Sheriff collaboration with Immigration Enforcement. **(7/15/10: Referred to the Office of the Sheriff for a report back)**

APPEARANCE(S):

Inspector Richard Schmidt, Office of the Sheriff

Inspector Schmidt reviewed the subject report.

Questions and comments ensued.

Considerable discussion ensued as to whether or not the Office of the Sheriff keeps track of people who are turned over to Immigration Customs Enforcement (ICE). The Committee expressed concerns relative to their disappointment regarding the report.

MOTION BY: (JURSIK) Reject the report as non-responsive.

Discussion continued relative to the report not providing relevant information regarding ICE holds and tracking information.

MOTION BY: (CESARZ) Layover to the next cycle, with the understanding that the Committee's concerns be addressed by the Office of the Sheriff in a revised report.

Supervisor Jursik indicated that she would not support the motion to layover but would rather vote on her motion to reject the report as non-responsive.

Supervisor Cesarz withdrew his motion.

Supervisor De Bruin requested that the Sheriff's Office provide clear substantive information as to how many people have been turned over to ICE (those that actually had detainers placed on them). Supervisor Broderick added that he'd like to see information as to how many people have been turned over to ICE over the last 12 months on a month-to-month basis and if that number has increased.

Vote on Supervisor Jursik's motion: 4-3

AYES: De Bruin, Broderick, Jursik and Larson – 4

NOES: Cesarz, Sanfelippo and Johnson (Chair) – 3

SCHEDULED ITEMS (CONTINUED):

6. 10-314 From the Office of the Sheriff, requesting authorization to apply for and accept state and federal homeland security funding that will be made available to Milwaukee County for specific projects.

APPEARANCE(S):

Inspector Richard Schmidt, Office of the Sheriff
Molly Pahl, Office of the Sheriff

Inspector Schmidt reviewed the subject report.

MOTION BY: (DE BRUIN) Approve. (Vote 7-0)

AYES: De Bruin, Cesarz, Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair)

– 7

NOES: 0

CORPORATION COUNSEL- 3

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION (*Note: Section 56.08 of the Milwaukee County General Ordinances authorizes the Judiciary Committee to settle all claims when the amount does not exceed \$5,000.00, and the action of the Committee is final and no further County Board action is required.*):

7. 10-18 From Deputy Corporation Counsel, recommending payment in the amount of **\$2,070.80** to Stanley Saltzberg in settlement of this claim.

APPEARANCE(S):

Bob Andrews, Deputy Corporation Counsel

MOTION BY: (DE BRUIN) Approve items 7, 8 and 9. (Vote 7-0)

AYES: De Bruin, Cesarz, Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair) –

7

NOES: 0

SCHEDULED ITEMS (CONTINUED):

8. 10-18 From Deputy Corporation Counsel, recommending payment in the amount of **\$797.56** to Adriana Macias in full settlement of any and all claims arising out of the February 10, 2010 motor vehicle accident.

SEE ACTION UNDER ITEM 7.

9. 10-18 From Deputy Corporation Counsel, recommending payment in the amount of **\$713.70** to Brian Temke in full settlement of this claim.

SEE ACTION UNDER ITEM 7.

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
Jack Takerian, Director, DTPW
John LaFave, Register of Deeds
Laurie Panella, Acting Chief Information Officer, IMSD
Hugh Morris, IT Director, Business Development, IMSD
Rich Foscatto, IT Director, Applications, IMSD
Inspector Richard Schmidt, Office of the Sheriff
Molly Pahl, Office of the Sheriff
Bob Andrews, Deputy Assistant Corporation Counsel
Inspector Richard Schmidt, Sheriff's Office

This meeting was recorded. Committee files contain copies of the subject reports, communications, resolutions, and ordinances, which may be reviewed upon request to the Chief Committee Clerk. The official copy of these minutes, along with the audio recording of this meeting, are available in the County Board Committee Services Division.

Length of meeting: Approximately 9:05 a.m. until 10:30 a.m.

Linda K. Durham

Linda K. Durham, Committee Clerk

DEADLINE

The next regular meeting of the Judiciary Committee is Thursday, October 21, 2010. All items for the agenda must be in the Committee Clerk's possession by the end of the business day on Thursday, October 7, 2010.

SCHEDULED ITEMS (CONTINUED):

ADA accommodation requests should be filed with the Milwaukee County Office for Persons with Disabilities, 278-3932 (voice) or 278-3937 (TTY), upon receipt of this notice.

Chairperson: Supervisor Willie Johnson, Jr.
Clerk: Linda K. Durham, 278-4225
Research Analyst: Rick Ceschin, 278-5003

COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, October 21, 2010 – 9:00 A.M.

Milwaukee County Courthouse - Room 201-B

MINUTES

PRESENT: Supervisors De Bruin, Cesarz, Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair) –
7

SCHEDULED ITEMS:

ORDINANCE - 1

1. 10-258 Ordinance by Supervisor Rice, amending Chapter 9, Code of Ethics of the Milwaukee County Code of General Ordinances, as it relates to confidential information, privileged communications and information acquired in meetings convened in closed session. **(9/16/10: Laid over for one month and referred to Corporation Counsel for additional information)**

APPEARANCE(S):

Supervisor Joseph Rice, 6th District
Mark Grady, Principal Assistant Corporation Counsel

Supervisor Rice reviewed the subject ordinance and requested the Committee's approval.

MOTION BY: (SANFELIPPO) Approve the following amendment:

9.05 Standards of Conduct

(3) Violation of this section may be addressed by the use of such remedies as are currently available by law, including but not limited to, an investigation request or verified complaint may be filed as provided in Section 9.09(4) of this chapter, and shall be processed and disposed in accordance with the procedures contained herein.

(4) No action authorized under subsection (3) above may be taken against a person, nor shall it be deemed a violation of this section, if:

- a. The disclosure of privileged information is part of a confidential inquiry or complaint to a district attorney concerning a perceived violation of law, including the

SCHEDULED ITEMS (CONTINUED):

- disclosure of facts to a district attorney that are necessary to establish the illegality of an action taken by a public official or the potential illegality of an action if that action were to be taken by a public official;
- b. The disclosure of privileged information is part of a legal proceeding or judicial action; or
 - c. The County Board adopts a resolution authorizing the release of privileged information.

Questions and comments relative to the amendment and the subject ordinance.

Vote on the amendment: 7-0

AYES: De Bruin, Cesarz, Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair)

– 7

NOES: 0

MOTION BY: (SANFELIPPO) Approve, as amended.

Considerable discussion ensued relative to the report from Corporation Counsel not addressing some of the concerns raised by the Committee at the September meeting. The Committee expressed the same concerns and asked again that they be addressed by Corporation Counsel in a written report. Concerns raised included information pertaining to keeping notes in closed session and a statement that clearly defines what is acceptable material for closed session.

Supervisors Jursik and Larson requested that Corporation Counsel provide a legal opinion regarding keeping/recording notes in closed session. Supervisor De Bruin requested that the report from Corporation Counsel contain a clear and specific definition of what is allowable information to be discussed in closed session.

Discussion ensued relative to temporarily laying over this item. So that staff can draft an amendment.

Mr. Grady advised the Committee that the County Board could make an amendment to Chapter 1 relative to recording closed sessions.

Supervisor Larson directed County Board staff to work with Corporation Counsel to draft recommendations as to how to amend Chapter I to address recording of closed sessions and report back to this Committee.

MOTION BY: (JURSIK) Layover until after the budget.

Questions and comments ensued relative to the layover motion.

SCHEDULED ITEMS (CONTINUED):

Vote on the layover motion: 5-2

AYES: De Bruin, Broderick, Jursik, Larson and Johnson (Chair) – 5

NOES: Cesarz and Sanfelippo – 2

CHIEF JUDGE – 1

2. 10-371 From the Chief Judge, requesting authorization to receive additional grant funds in the amount of \$16,986 from the State Department of Transportation for services provided by Wisconsin Community Services WCS in the Repeat Intoxicated Driver Intervention Program and to modify WCS's Repeat Intoxicated Driver Intervention Program contract to reflect total 2010 expenditures not to exceed \$490,872.

APPEARANCE(S):

Jim Smith, Chief Deputy Clerk, Court Services
Debbie Bachun, Fiscal Manager, Court Services

Ms. Bachun reviewed the subject report.

MOTION BY (DE BRUIN) Approve. (Vote 7-0)

AYES: De Bruin, Cesarz, Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair)
– 7

NOES: 0

ETHICS BOARD – 1

3. 10-J-6 From the Executive Director/Secretary, Ethics Board, informational Status report on
10-387 the Ethics Education Program. **(Also to be considered by the Committee on Finance and Audit) (INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

APPEARANCE(S):

Veronica Robinson, Executive Director/Secretary, Ethics Board

Ms. Robinson reviewed the subject report.

Supervisor Broderick complemented Ms. Robinson on her cost saving initiatives.

Questions and comments ensued.

MOTION BY: (DE BRUIN) Receive and Place on File. (Vote 7-0)

SCHEDULED ITEMS (CONTINUED):

AYES: De Bruin, Cesarz, Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair)
– 7
NOES: 0

ELECTION COMMISSION – 1

4. 10-278 (a)(a) An adopted resolution, 7/29/10, by Supervisors Dimitrijevic, Lipscomb, Harris, Jursik, Weishan, Larson, Broderick, Rice, De Bruin and Cesarz authorizing and directing the Manager, Election Commission, to place campaign finance reports on the internet and to research the technology necessary so that candidates and County elected officials may file reports directly on-line. **(Informational report from the Administrator, Election Commission, regarding Election Commission Electronic Campaign Finance Reporting) (Also to be considered by the Committee on Finance and Audit) (INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

APPEARANCE(S):

Lisa Catlin Weiner, Administrator, Election Commission
Suzette Emmer, Deputy Administrator, Election Commission

Ms. Weiner reviewed the subject report.

Questions and comments ensued.

Supervisor De Bruin requested that Ms. Weiner contact the Information Management Services Division (IMSD) to find out what they think their timeline would be as to when this might be completed.

MOTION BY: (DE BRUIN) Approve. (7-0)

AYES: De Bruin, Cesarz, Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair)
– 7
NOES: 0

REGISTER OF DEEDS – 1

5. 10-J-5 From the Director, Register of Deeds, informational report regarding recording of documents in the order received **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

APPEARANCE(S):

John LaFave, Register of Deeds

Mr. LaFave reviewed the subject report.

Questions and comments ensued.

SCHEDULED ITEMS (CONTINUED):

Supervisor De Bruin requested that this item be referred to Corporation Counsel for review and recommendation relative to the direction to take regarding recording documents in the Register of Deeds Office. She requested that Corporation Counsel contact Waukesha and Kenosha counties to find out what procedure they follow relative to recording documents.

There being no objection, since this is an informational item, it was so ordered.

CHILD SUPPORT ENFORCEMENT – 1

6. 10-368 From the Director, Department of Child Support Enforcement, requesting authorization to extend acceptance of a federal social improvement project grant and extend its contract for professional services related to the grant from September 1, 2010 through August 31, 2010.

APPEARANCE(S):

Lisa Marks, Director, Child Support Enforcement
Victoria Collins, Child Support Enforcement

Ms. Marks reviewed the subject report.

MOTION BY: (BRODERICK) Approve. (Vote 7-0)

AYES: De Bruin, Cesarz, Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair)
– 7

NOES: 0

OFFICE OF THE SHERIFF – 3

7. 10-334 Report referred back, 9/30/10, to the Committee on Judiciary, Safety and General Services, recommending adoption of a resolution **REJECTING AS NON-RESPONSIVE**, the report from the Office of the Sheriff regarding Immigration Customs Enforcement (ICE). **(A new report is due)**

APPEARANCE(S):

Inspector Richard Schmidt, Office of the Sheriff

Inspector Schmidt reviewed the subject report. He apologized for misinterpreting what the Committee wanted in his report submitted in September.

MOTION BY: (JURSIK) Withdraw her prior motion to REJECT AS NON-RESPONSIVE the first report from the Office of the Sheriff submitted at the September meeting and RECEIVE AND PLACE ON FILE the report submitted at this meeting. (Vote 7-0)

SCHEDULED ITEMS (CONTINUED):

AYES: De Bruin, Cesarz, Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair)

– 7

NOES: 0

8. 10-364 From the Office of the Sheriff, requesting authorization to apply for and accept State of Wisconsin Department of Health Services grant funding to be used for a Comprehensive STD prevention project in the Milwaukee County Jail in the amount of \$24,533.

APPEARANCE(S):

Inspector Richard Schmidt, Office of the Sheriff

Molly Pahl, Office of the Sheriff

Ms. Pahl reviewed the subject report.

MOTION BY: (JURSIK) Approve. (Vote 7-0)

AYES: De Bruin, Cesarz, Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair)

– 7

NOES: 0

9. 10-367 From the Office of the Sheriff, requesting authorization to apply for and accept state and federal homeland security funding of \$380,000 that will be made available to Milwaukee County for specific projects.

APPEARANCE(S):

Inspector Richard Schmidt, Office of the Sheriff

Molly Pahl, Office of the Sheriff

Ms. Pahl reviewed the subject report.

MOTION BY: (DE BRUIN) Approve. (Vote 7-0)

AYES: De Bruin, Cesarz, Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair)

– 7

NOES: 0

SCHEDULED ITEMS (CONTINUED):

CORPORATION COUNSEL – 3

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

10. 10-372 From Principal Assistant Corporation Counsel, recommending placement of Shannon Chachere-Mindingall into a Clerical Assistant I position in the Clerk of Circuit Court's division, the placement of her name on certification lists for Clerical Assistant 2 positions, excluding the Office of the Sheriff and a payment totaling \$32,500.00. Of this amount, **\$7,500.00** will be paid by the Wisconsin County Mutual Insurance Corporation and **\$25,000.00** will be paid by Milwaukee County in return for a dismissal of the pending discrimination complaint and a release of all employment claims against Milwaukee County.

APPEARANCE(S):

Mark Grady, Principal Assistant Corporation Counsel
Inspector Richard Schmidt, Office of the Sheriff

Mr. Grady reviewed the subject report.

Questions and comments ensued.

Inspector Schmidt commented that the Office of the Sheriff has some reservations about this settlement.

Mr. Grady advised that he has had discussions with the Office of the Sheriff and fully understands the Sheriff's position, however, Corporation Counsel believes that it is in the best interest of the County to settle.

***MOTION BY: (DE BRUIN) Approve Corporation Counsel's recommendation.
(Vote 7-0)***

AYES: De Bruin, Cesarz, Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair) – 7

NOES: 0

11. 10-J-6 From Corporation Counsel, an update regarding pending or possible litigation arising from incidents at the Mental Health Complex.

APPEARANCE(S):

Tim Schoewe, Interim Corporation Counsel
Mark Grady, Principal Assistant Corporation Counsel

SCHEDULED ITEMS (CONTINUED):

Mr. Schoewe provided his reason for wanted to go into "closed session" for this item.

MOTION BY: (DE BRUIN) Adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to items 11 and 12. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary, (Vote 7-0)

AYES: De Bruin, Cesarz, Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair) – 7

NOES: 0

The Committee adjourned into closed session at approximately 11:00 a.m. and reconvened back into open session at approximately 12:20 p.m. with all the same members present as before.

Mr. Chairman advised that there would be a Special Judiciary, Safety and General Services meeting on Thursday, November 4, 2010 at 8:30 a.m. to take up Item 11.

12. 10-J-7 From Corporation Counsel, an update regarding pending or possible litigation from the structural collapse at the O'Donnell Park parking garage.

SEE ACTION UNDER ITEM 11.

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
Mark Grady, Principal Assistant Corporation Counsel
Tim Schoewe, Interim Corporation Counsel
Jim Smith, Chief Deputy Clerk, Court Services
Debbie Bachun, Fiscal Manager, Court Services
Veronica Robinson, Executive Director/Secretary, Ethics Board
Lisa Catlin Weiner, Administrator, Election Commission
Suzette Emmer, Deputy Administrator, Election Commission
John LaFave, Register of Deeds
Lisa Marks, Director, Child Support Enforcement
Victoria Collins, Child Support Enforcement
Inspector Richard Schmidt, Office of the Sheriff
Molly Pahl, Office of the Sheriff

SCHEDULED ITEMS (CONTINUED):

This meeting was recorded. Committee files contain copies of the subject reports, communications, resolutions, and ordinances, which may be reviewed upon request to the Chief Committee Clerk. The official copy of these minutes, along with the audio recording of this meeting, are available in the County Board Committee Services Division.

Length of meeting: Approximately 9:05 a.m. until 12:22 p.m.

Linda K. Durham

Linda K. Durham, Committee Clerk

DEADLINE

The next regular meeting of the Judiciary Committee is Thursday, December 2, 2010. All items for the agenda must be in the Committee Clerk's possession by the end of the business day on Thursday, November 18, 2010.

ADA accommodation requests should be filed with the Milwaukee County Office for Persons with Disabilities, 278-3932 (voice) or 278-3937 (TTY), upon receipt of this notice.

Chairperson: Supervisor Willie Johnson, Jr.
Clerk: Linda K. Durham, 278-4225
Research Analyst: Rick Ceschin, 278-5003

**SPECIAL MEETING OF THE
COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES**

Thursday, November 4, 2010 – 8:30 A.M.

Milwaukee County Courthouse - Room 201-B

MINUTES

PRESENT: Supervisors De Bruin, Cesarz, Broderick, Jursik, Sanfelippo and Johnson (Chair) – 6

EXCUSED: Supervisor Larson – 1

SCHEDULED ITEMS:

CORPORATION COUNSEL – 2

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

1. 10-396 A resolution by Supervisor Jursik authorizing and directing the Corporation Counsel and outside counsel to provide the Director, Department of Audit, confidential and privileged access to the unreleased Behavioral Health Division patient security report.

APPEARANCE(S):

Tim Schoewe, Interim Corporation Counsel
Rick Ceschin, Research Analyst, County Board

Supervisor Jursik reviewed the subject resolution.

MOTION BY: (JURSIK) Approve.

Mr. Ceschin advised the Committee that Mr. Heer would not be present at this meeting because he is attending a meeting in Washington, D.C.

SCHEDULED ITEMS (CONTINUED):

Supervisor Jursik indicated that she had spoken to Mr. Heer relative to the subject resolution.

Questions and comments ensued.

Supervisor DeBruin requested that County Board staff consult with the Department of Audit and Corporation Counsel to provide recommendations relative to allowing the County Auditor privileged and confidential access to all records of County Government, whether it be through a statutory change, resolution, etc. She stated that she is also interested in knowing what concerns Corporation Counsel would have if this were to move forward

Discussion ensued relative to taking up Item 2 first and the possibility of Item 2 being a moot since the retainer agreement had already been provided by Corporation Counsel.

Supervisor Jursik advised that she would prefer voting on this item first and then Item 2 to get formal votes on each of them.

Vote on the motion to approve: 6-0

AYES: De Bruin, Cesarz, Broderick, Jursik, Sanfelippo and Johnson (Chair) – 6

NOES: 0

EXCUSED: Larson – 1

2. 10-397 A resolution by Supervisor Jursik, authorizing and directing the Corporation Counsel to release to the Milwaukee County Board of Supervisors the retainer agreement between Corporation Counsel and Reinhart Boerner Van Deuren S.C.

APPEARANCE(S):

Tim Schoewe, Interim Corporation Counsel

Supervisor Jursik reviewed the subject resolution.

MOTION BY: (JURSIK) Approve the resolution.

Questions and comments ensued.

Supervisor De Bruin noted that Corporation Counsel already provided a copy of the retainer agreement to the Committee Chair. She also stated that under the current statutes and provisions in which the Committees operates, the County Board Chairman does have the authority to order an audit by the Audit Department and it does not require a resolution by the County Board.

November 4, 2010

Judiciary, Safety and General Services

SCHEDULED ITEMS (CONTINUED):

This meeting was recorded. Committee files contain copies of the subject reports, communications, resolutions, and ordinances, which may be reviewed upon request to the Chief Committee Clerk. The official copy of these minutes, along with the audio recording of this meeting, are available in the County Board Committee Services Division.

Vote on the motion to approve: 6-0

AYES: De Bruin, Cesarz, Broderick, Jursik, Sanfelippo and Johnson (Chair) – 6

NOES: 0

EXCUSED: Larson – 1

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
Tim Schoewe, Interim Corporation Counsel

This meeting was recorded. Committee files contain copies of the subject reports, communications, resolutions, and ordinances, which may be reviewed upon request to the Chief Committee Clerk. The official copy of these minutes, along with the audio recording of this meeting, are available in the County Board Committee Services Division.

Length of meeting: Approximately 8:35 a.m. until 9:00 a.m.

Linda K. Durham

Linda K. Durham, Committee Clerk

DEADLINE

The next regular meeting of the Judiciary Committee is Thursday, December 2, 2010. All items for the agenda must be in the Committee Clerk's possession by the end of the business day on Thursday, November 18, 2010.

ADA accommodation requests should be filed with the Milwaukee County Office for Persons with Disabilities, 278-3932 (voice) or 278-3937 (TTY), upon receipt of this notice.

Chairperson: Supervisor Willie Johnson, Jr.
Clerk: Linda K. Durham, 278-4225
Research Analyst: Rick Ceschin, 278-5003

COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, December 2, 2010 – 9:00 A.M.

Milwaukee County Courthouse - Room 201-B

MINUTES

PRESENT: Supervisors Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair) – 5

EXCUSED: De Bruin and Cesarz - 2

SCHEDULED ITEMS:

APPOINTMENT - 1

1. 10-338 From the County Executive, appointing Mr. Mark A. Rohlfig, Chief-Milwaukee Fire Department to serve on the Local Emergency Planning Committee as HazMat Team representative. Mr. Rohlfig will be replacing Chief William Wentland.

APPEARANCE(S):

Bob Nenno, County Executive's Office
Mark A. Rohlfig, Appointee

MOTION BY: (LARSON) Approve. (Vote 5-0)

AYES: Broderick, Jursik, Larson, Sanfelippo and Johnson (Chairman) – 5

NOES: 0

EXCUSED: De Bruin and Cesarz – 2

ORDINANCE – 1

2. 10-258 Ordinance by Supervisor Rice, amending Chapter 9, Code of Ethics of the Milwaukee County Code of General Ordinances, as it relates to confidential information, privileged communications and information acquired in meetings convened in closed session. **(10/21/10: Laid over until after the budget)**

Supervisor Sanfelippo provided comments relative to the subject resolution.

MOTION BY: (SANFELIPPO) Approve.

After considerable discussion, Supervisor Sanfelippo withdrew his motion to approve.

(SCHEDULED ITEMS CONTINUED):

MOTION BY (SANFELIPPO) Layover

Discussion ensued relative to the layover motion, with questions and comments.

Vote on motion to layover: 3-2

AYES: Jursik, Larson and Johnson (Chair) – 3

NOES: Broderick and Sanfelippo – 2

EXCUSED: De Bruin and Cesarz – 2

OFFICE OF THE SHERIFF – 2

3. 10-J-9 From the Office of the Sheriff, an informational report on Transfer of Cellular 911
10-451 calls within the City of Milwaukee to Milwaukee Police Department for dispatch
(INFORMATONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)

APPEARANCE(S):

Rick Ceschin, County Board Research Analyst

Inspector Richard Schmidt, Office of the Sheriff

Jon Priebe, Fiscal Administrator, Office of the Sheriff

Inspector Schmidt provided a brief history relative to this item and reviewed the subject report.

Questions and comments ensued.

MOTION BY: (JURSIK) Receive and place on file. (Vote 5-0)

AYES: Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair) – 5

NOES: 0

EXCUSED: De Bruin and Cesarz – 2

4. 10-J-10 From the Office of the Sheriff, an informational report on proposed corrections
programming at the Community Correctional Facility - South entitled "Discipline,
Order, Training and Structure.

APPEARANCE(S):

Inspector Richard Schmidt, Office of the Sheriff

Inspector Edward Bailey, Office of the Sheriff

Captain Colin Briggs, Office of the Sheriff

Inspector Schmidt reviewed the subject report.

Captain Briggs provided comments. He advised that this program is not intended to be a military program, but rather a re-entry program. He reviewed handouts distributed to the Committee (copies of which are contained in the subject file).

(SCHEDULED ITEMS CONTINUED):

Considerable discussion ensued, with questions and comments relative to the Sheriff working with the courts on this.

The Committee took no action on this item.

ETHICS BOARD – 1

5. 10-406 From the Executive Director, Ethics Board & Executive Secretary, Personnel Review Board, requesting authorization to develop and implement a secure means of online financial disclosure filing via the Statement of Economic Interest form.
INFORMATONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)

APPEARANCE(S):

Rick Ceschin, Research Analyst, County Board
Laurie Panella, Interim Chief Information Officer, IMSD
Fran Flannigan, Business Analyst, IIMSD

Ms. Panella provided brief comments.

Ms. Flannigan reviewed the subject report.

Discussion ensued, with questions and comments relative to individuals who serve on boards and commission.

MOTION BY: (JURSIK) Layover.

Mr. Ceschin advised that his understanding is that it is the intent of Ms. (Veronica) Robinson to model what the State has done.

Ms. Flannigan advised that Committee members could view the State site via computer by going to wisconsinstateaccountabilityboard.com and clicking on the "Ethics" tab.

Vote on the motion to layover: 4-0

AYES: Broderick, Jursik, Larson and Johnson (Chair) – 4

NOES: 0

EXCUSED: De Bruin, Cesarz and Sanfelippo – 3

(SCHEDULED ITEMS CONTINUED):

CHILD SUPPORT ENFORCEMENT – 1

6. 10-408 From the Director, Department of Child Support Enforcement, requesting authorization to enter into and execute the 2011.State/County contract for the administration of the Milwaukee County Child Support program from January 1, 2011 through December 31, 2011.

APPEARANCE(S):

Lisa Marks, Director, Child Support Enforcement
Agnes Marcinowski, Chief Fiscal Manager, Child Support Enforcement

MOTION BY: (JURSIK) Approve. (Vote 4-0)

AYES: Broderick, Jursik, Larson and Johnson (Chair) – 4

NOES: 0

EXCUSED: De Bruin, Cesarz and Sanfelippo – 3

CORPORATION COUNSEL – 7

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION (*Note: Section 56.08 of the Milwaukee County General Ordinances authorizes the Judiciary Committee to settle all claims when the amount does not exceed \$5,000.00, and the action of the Committee is final and no further County Board action is required.*):

7. 10-18 From Deputy Corporation Counsel, recommending payment in the amount of **\$1,463.03** to Progressive Insurance on behalf of their subrogate, Maria Rios, in full settlement of all claims arising out of the July 10, 2010 incident at Jackson Park.

APPEARANCE(S):

Bob Andrews, Deputy Corporation Counsel

MOTION BY: (BRODERICK) Approve items 7, 8 and 9 together. (Vote 5-0)

AYES: Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair) – 5

NOES: 0

EXCUSED: De Bruin and Cesarz – 2

(SCHEDULED ITEMS CONTINUED):

8. 10-18 From Deputy Corporation Counsel, recommending payment in the amount of \$776.50 to Laressa Owens in full settlement of her claim.

SEE ACTION UNDER ITEM 7.

9. 10-18 From Deputy Corporation Counsel, recommending payment in the amount of \$635.50 to Douglas Slotke in full settlement of his claim.

SEE ACTION UNDER ITEM 7.

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

10. 10-407 From Principal Assistant Corporation Counsel, requesting authorization for litigation and retention of counsel regarding O'Donnell Parking structure.

MOTION BY: (SANFELIPPO) Adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to items 10, 11, 12 and 13. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary: (Vote 5-0)

The Committee adjourned into closed session at approximately 11:10 a.m. and reconvened back into open session at approximately 11:30 a.m. with the same members present as before.

Chairman Johnson advised that there will be a special meeting on Board Day (December 16, 2010) at 8:30 a.m. to address items 10 and 11.

MOTION BY: (BRODERICK) Approve items 12 and 13. (Vote 5-0)

AYES: Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair) – 5

NOES: 0

EXCUSED: De Bruin and Cesarz – 2

(SCHEDULED ITEMS CONTINUED):

11. 10-414 From Principal Assistant Corporation Counsel, recommending payment in the amount of **\$62,000.00** to Dewitt Webster in backpay minus the appropriate payroll deductions and **\$45,000.00** to the Cross Law Firm for attorney's fees to settle all claims arising out of Mr. Webster's lawsuit and the dismissal of said lawsuit.

SEE ACTION UNDER ITEM 10.

12. 10-415 From Principal Assistant Corporation Counsel, recommending payment in an amount not to exceed **\$44,800.00** to Charlie Tate, Jr. in full settlement of all claims arising out of his incarceration in the Milwaukee County Jail and dismissal of this lawsuit.

SEE ACTION UNDER ITEM 10.

13. 10-416 From Deputy Corporation Counsel, recommending payment in an amount not to exceed **\$23,000.00** to Jill M. Kawczynski in settlement of her claim arising out of a motor vehicle accident, wherein she was struck by a County vehicle.

SEE ACTION UNDER ITEM 10

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
Bob Andrews, Deputy Corporation Counsel
Inspector Richard Schmidt, Office of the Sheriff
Inspector Edward Bailey, Office of the Sheriff
Captain Colin Briggs, Office of the Sheriff
Laurie Panella, Interim Chief Information Officer, IMSD
Fran Flannigan, Business Analyst, IMSD
Lisa Marks, Director, Child Support Enforcement (CSE)
Agnes Marcinowski, Chief Fiscal Manager, CSE

This meeting was recorded. Committee files contain copies of the subject reports, communications, resolutions, and ordinances, which may be reviewed upon request to the Chief Committee Clerk. The official copy of these minutes, along with the audio recording of this meeting, are available in the County Board Committee Services Division.

Length of meeting: Approximately 9:15 a.m. until 11:33 a.m.

Linda K. Durham

Linda K. Durham, Committee Clerk

(SCHEDULED ITEMS CONTINUED):

DEADLINE

The next regular meeting of the Judiciary Committee is Thursday, January 20, 2011. All items for the agenda must be in the Committee Clerk's possession by the end of the business day on Thursday, January 6, 2011.

ADA accommodation requests should be filed with the Milwaukee County Office for Persons with Disabilities, 278-3932 (voice) or 278-3937 (TTY), upon receipt of this notice.

Chairperson: Supervisor Willie Johnson, Jr.
Clerk: Linda K. Durham, 278-4225
Research Analyst: Rick Ceschin, 278-5003

COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, December 2, 2010 – 9:00 A.M.

Milwaukee County Courthouse - Room 201-B

MINUTES

PRESENT: Supervisors Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair) – 5

EXCUSED: De Bruin and Cesarz - 2

SCHEDULED ITEMS:

APPOINTMENT - 1

1. 10-338 From the County Executive, appointing Mr. Mark A. Rohlfig, Chief-Milwaukee Fire Department to serve on the Local Emergency Planning Committee as HazMat Team representative. Mr. Rohlfig will be replacing Chief William Wentland.

APPEARANCE(S):

Bob Nenno, County Executive's Office
Mark A. Rohlfig, Appointee

MOTION BY: (LARSON) Approve. (Vote 5-0)

AYES: Broderick, Jursik, Larson, Sanfelippo and Johnson (Chairman) – 5

NOES: 0

EXCUSED: De Bruin and Cesarz – 2

ORDINANCE – 1

2. 10-258 Ordinance by Supervisor Rice, amending Chapter 9, Code of Ethics of the Milwaukee County Code of General Ordinances, as it relates to confidential information, privileged communications and information acquired in meetings convened in closed session. **(10/21/10: Laid over until after the budget)**

Supervisor Sanfelippo provided comments relative to the subject resolution.

MOTION BY: (SANFELIPPO) Approve.

After considerable discussion, Supervisor Sanfelippo withdrew his motion to approve.

(SCHEDULED ITEMS CONTINUED):

MOTION BY (SANFELIPPO) Layover

Discussion ensued relative to the layover motion, with questions and comments.

Vote on motion to layover: 3-2

AYES: Jursik, Larson and Johnson (Chair) – 3

NOES: Broderick and Sanfelippo – 2

EXCUSED: De Bruin and Cesarz – 2

OFFICE OF THE SHERIFF – 2

3. 10-J-9 From the Office of the Sheriff, an informational report on Transfer of Cellular 911
10-451 calls within the City of Milwaukee to Milwaukee Police Department for dispatch
(INFORMATONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)

APPEARANCE(S):

Rick Ceschin, County Board Research Analyst

Inspector Richard Schmidt, Office of the Sheriff

Jon Priebe, Fiscal Administrator, Office of the Sheriff

Inspector Schmidt provided a brief history relative to this item and reviewed the subject report.

Questions and comments ensued.

MOTION BY: (JURSIK) Receive and place on file. (Vote 5-0)

AYES: Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair) – 5

NOES: 0

EXCUSED: De Bruin and Cesarz – 2

4. 10-J-10 From the Office of the Sheriff, an informational report on proposed corrections
programming at the Community Correctional Facility - South entitled "Discipline,
Order, Training and Structure.

APPERANCE(S):

Inspector Richard Schmidt, Office of the Sheriff

Inspector Edward Bailey, Office of the Sheriff

Captain Colin Briggs, Office of the Sheriff

Inspector Schmidt reviewed the subject report.

Captain Briggs provided comments. He advised that this program is not intended to be a military program, but rather a re-entry program. He reviewed handouts distributed to the Committee (copies of which are contained in the subject file).

(SCHEDULED ITEMS CONTINUED):

Considerable discussion ensued, with questions and comments relative to the Sheriff working with the courts on this.

The Committee took no action on this item.

ETHICS BOARD – 1

5. 10-406 From the Executive Director, Ethics Board & Executive Secretary, Personnel Review Board, requesting authorization to develop and implement a secure means of online financial disclosure filing via the Statement of Economic Interest form.
INFORMATONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)

APPEARANCE(S):

Rick Ceschin, Research Analyst, County Board
Laurie Panella, Interim Chief Information Officer, IMSD
Fran Flannigan, Business Analyst, IIMSD

Ms. Panella provided brief comments.

Ms. Flannigan reviewed the subject report.

Discussion ensued, with questions and comments relative to individuals who serve on boards and commission.

MOTION BY: (JURSIK) Layover.

Mr. Ceschin advised that his understanding is that it is the intent of Ms. (Veronica) Robinson to model what the State has done.

Ms. Flannigan advised that Committee members could view the State site via computer by going to wisconsinstateaccountabilityboard.com and clicking on the "Ethics" tab.

Vote on the motion to layover: 4-0

AYES: Broderick, Jursik, Larson and Johnson (Chair) – 4

NOES: 0

EXCUSED: De Bruin, Cesarz and Sanfelippo – 3

(SCHEDULED ITEMS CONTINUED):

CHILD SUPPORT ENFORCEMENT – 1

6. 10-408 From the Director, Department of Child Support Enforcement, requesting authorization to enter into and execute the 2011.State/County contract for the administration of the Milwaukee County Child Support program from January 1, 2011 through December 31, 2011.

APPEARANCE(S):

Lisa Marks, Director, Child Support Enforcement
Agnes Marcinowski, Chief Fiscal Manager, Child Support Enforcement

MOTION BY: (JURSIK) Approve. (Vote 4-0)

AYES: Broderick, Jursik, Larson and Johnson (Chair) – 4

NOES: 0

EXCUSED: De Bruin, Cesarz and Sanfelippo – 3

CORPORATION COUNSEL – 7

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION (*Note: Section 56.08 of the Milwaukee County General Ordinances authorizes the Judiciary Committee to settle all claims when the amount does not exceed \$5,000.00, and the action of the Committee is final and no further County Board action is required.*):

7. 10-18 From Deputy Corporation Counsel, recommending payment in the amount of **\$1,463.03** to Progressive Insurance on behalf of their subrogate, Maria Rios, in full settlement of all claims arising out of the July 10, 2010 incident at Jackson Park.

APPEARANCE(S):

Bob Andrews, Deputy Corporation Counsel

MOTION BY: (BRODERICK) Approve items 7, 8 and 9 together. (Vote 5-0)

AYES: Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair) – 5

NOES: 0

EXCUSED: De Bruin and Cesarz – 2

(SCHEDULED ITEMS CONTINUED):

8. 10-18 From Deputy Corporation Counsel, recommending payment in the amount of \$776.50 to Laressa Owens in full settlement of her claim.

SEE ACTION UNDER ITEM 7.

9. 10-18 From Deputy Corporation Counsel, recommending payment in the amount of \$635.50 to Douglas Slotke in full settlement of his claim.

SEE ACTION UNDER ITEM 7.

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

10. 10-407 From Principal Assistant Corporation Counsel, requesting authorization for litigation and retention of counsel regarding O'Donnell Parking structure.

MOTION BY: (SANFELIPPO) Adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to items 10, 11, 12 and 13. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary: (Vote 5-0)

The Committee adjourned into closed session at approximately 11:10 a.m. and reconvened back into open session at approximately 11:30 a.m. with the same members present as before.

Chairman Johnson advised that there will be a special meeting on Board Day (December 16, 2010) at 8:30 a.m. to address items 10 and 11.

MOTION BY: (BRODERICK) Approve items 12 and 13. (Vote 5-0)

AYES: Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair) – 5

NOES: 0

EXCUSED: De Bruin and Cesarz – 2

(SCHEDULED ITEMS CONTINUED):

11. 10-414 From Principal Assistant Corporation Counsel, recommending payment in the amount of **\$62,000.00** to Dewitt Webster in backpay minus the appropriate payroll deductions and **\$45,000.00** to the Cross Law Firm for attorney's fees to settle all claims arising out of Mr. Webster's lawsuit and the dismissal of said lawsuit.

SEE ACTION UNDER ITEM 10.

12. 10-415 From Principal Assistant Corporation Counsel, recommending payment in an amount not to exceed **\$44,800.00** to Charlie Tate, Jr. in full settlement of all claims arising out of his incarceration in the Milwaukee County Jail and dismissal of this lawsuit.

SEE ACTION UNDER ITEM 10.

13. 10-416 From Deputy Corporation Counsel, recommending payment in an amount not to exceed **\$23,000.00** to Jill M. Kawczynski in settlement of her claim arising out of a motor vehicle accident, wherein she was struck by a County vehicle.

SEE ACTION UNDER ITEM 10

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
Bob Andrews, Deputy Corporation Counsel
Inspector Richard Schmidt, Office of the Sheriff
Inspector Edward Bailey, Office of the Sheriff
Captain Colin Briggs, Office of the Sheriff
Laurie Panella, Interim Chief Information Officer, IMSD
Fran Flannigan, Business Analyst, IMSD
Lisa Marks, Director, Child Support Enforcement (CSE)
Agnes Marcinowski, Chief Fiscal Manager, CSE

This meeting was recorded. Committee files contain copies of the subject reports, communications, resolutions, and ordinances, which may be reviewed upon request to the Chief Committee Clerk. The official copy of these minutes, along with the audio recording of this meeting, are available in the County Board Committee Services Division.

Length of meeting: Approximately 9:15 a.m. until 11:33 a.m.

Linda K. Durham

Linda K. Durham, Committee Clerk

(SCHEDULED ITEMS CONTINUED):

DEADLINE

The next regular meeting of the Judiciary Committee is Thursday, January 20, 2011. All items for the agenda must be in the Committee Clerk's possession by the end of the business day on Thursday, January 6, 2011.

ADA accommodation requests should be filed with the Milwaukee County Office for Persons with Disabilities, 278-3932 (voice) or 278-3937 (TTY), upon receipt of this notice.

Chairperson: Supervisor Willie Johnson, Jr.
Clerk: Linda K. Durham, 278-4225
Research Analyst: Rick Ceschin, 278-5003

**SPECIAL MEETING OF THE
COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES**

Thursday, December 16, 2010 – 8:30 A.M.

Milwaukee County Courthouse - Room 201-B

MINUTES

PRESENT: Supervisors *De Bruin, Cesarz, Broderick, Jursik, *Larson, Sanfelippo and Johnson (Chair)
- 7

*Supervisors De Bruin and Larson were not present at the time of the roll call; however, they appeared shortly thereafter.

SCHEDULED ITEMS:

CHILD SUPPORT ENFORCEMENT - 2

1. 10-466 From the Director of Child Support Enforcement (CSE), requesting authorization to execute extensions of the Children First Program contracts with United Migrant Opportunities Services, Inc. and Center for Veterans Issues, Ltd for a period of January 1, 2011 through December 31, 2011.

APPEARANCE(S):

Lisa Marks, Director, Child Support Enforcement

Ms. Marks reviewed the subject report.

MOTION BY: (BRODERICK) Approve.

Questions and comments ensued.

Vote on the motion to approve: 5-0

AYES: Cesarz, Broderick, Jursik, Sanfelippo and Johnson (Chair) – 5

NOES: 0

EXCUSED: De Bruin and Larson – 2

SCHEDULED ITEMS (CONTINUED):

2. 10-465 From the Director of Child Support Enforcement, requesting authorization to enter into a contract with Racine County Child Support from January 1, 2011 through December 31, 2011 to provide call center child support call center services.

APPEARANCE(S):

Lisa Marks, Director, Child Support Enforcement

Ms. Marks reviewed the subject report.

Questions and comments ensued.

MOTION BY: (JURSIK) Approve. 5-0

AYES: Cesarz, Broderick, Jursik, Sanfelippo and Johnson (Chair) – 5

NOES: 0

EXCUSED: De Bruin and Larson – 2

CORPORATION COUNSEL – 3

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

3. 10-472 From Principal Assistant Corporation Counsel, requesting approval for payment in the amount of \$25,000 to Berlydene Williams and Jameila Ellis to settle in full all claims arising out of this case.

APPEARANCE(S):

Roy Williams, Principal Assistant Corporation Counsel

Mr. Williams reviewed the subject report.

Questions and comments ensued.

MOTION BY: (JURSIK) Approve.

Supervisor Sanfelippo advised that he would not be supporting this item.

Vote on the motion to approve: 5-1

SCHEDULED ITEMS (CONTINUED):

AYES: Cesarz, Broderick, Jursik, Larson and Johnson (Chair) – 5
NOES: Sanfelippo – 1
EXCUSED: De Bruin – 1

4. 10-407 From Principal Assistant Corporation Counsel, requesting authorization for litigation and retention of counsel regarding O'Donnell Parking structure.

APPEARANCE(S):

Tim Schoewe, Interim Corporation Counsel
John Schapekahn, Principal Assistant Corporation Counsel

MOTION BY: *(CESARZ) adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to Item 4. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary: (Vote 6-0)*

AYES: Cesarz, Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair) – 6
NOES: 0
EXCUSED: De Bruin – 1

The Committee adjourned into closed session at approximately 9:15 a.m. and reconvened back into open session at approximately 9:23 a.m. with Supervisor De Bruin present.

MOTION BY: *(SANFELIPPO) Approve. (Vote 7-0)*

AYES: De Bruin, Cesarz, Broderick, Jursik, Larson, Sanfelippo and Johnson (Chair) – 7
NOES: 0

5. 10-414 From Principal Assistant Corporation Counsel, recommending payment in the amount of **\$62,000.00** to Dewitt Webster in back-pay minus the appropriate payroll deductions and **\$45,000.00** to the Cross Law Firm for attorney's fees to settle all claims arising out of Mr. Webster's lawsuit and the dismissal of said lawsuit.

APPEARANCE(S):

Roy Williams, Principal Assistant Corporation Counsel
Bill Mollenhauer, District Council 48

Mr. Williams reviewed the subject report.

SCHEDULED ITEMS (CONTINUED):

Mr. Mollenhauer advised that he does not agree with some of the specifics regarding Mr. Webster's placement back into the County.

Discussion ensued, with questions and comments relative to a negative impact on an employee who was next in line for a promotion. Concerns were raised relative to the union interfering with the County's ability to settle cases.

MOTION BY: (JURSIK) Approve. (Vote 4-2)

AYES: Cesarz, Broderick, Jursik and Sanfelippo – 4

NOES: Larson and Johnson (Chair) – 2

EXCUSED: De Bruin - 1

This item was taken out of order.

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
Lisa Marks, Director, Child Support Enforcement
Tim Schoewe, Interim Corporation Counsel
Bob Andrews, Deputy Corporation Counsel
Roy Williams, Principal Assistant Corporation Counsel
John Schapekahm, Principal Assistant Corporation Counsel

This meeting was recorded. Committee files contain copies of the subject reports, communications, resolutions, and ordinances, which may be reviewed upon request to the Chief Committee Clerk. The official copy of these minutes, along with the audio recording of this meeting, are available in the County Board Committee Services Division.

Length of meeting: Approximately 8:40 a.m. until 9:25 a.m.

Linda K. Durham

Linda K. Durham, Committee Clerk

DEADLINE

The next regular meeting of the Judiciary Committee is Thursday, January 20, 2011. All items for the agenda must be in the Committee Clerk's possession by the end of the business day on Thursday, January 6, 2011.

ADA accommodation requests should be filed with the Milwaukee County Office for Persons with Disabilities, 278-3932 (voice) or 278-3937 (TTY), upon receipt of this notice.