

REQUEST FOR STATE LEGISLATURE ACTION TO STOP UNFUNDED MANDATES FROM THE STATE DEPARTMENT OF CORRECTIONS, OR INCORPORATE AND FUND THEIR IMPLEMENTATION

WHEREAS, Wisconsin Administrative Code, DOC 350.04, requires the construction and remodeling of county jails to be approved by the state Department of Corrections to ensure all state statutory requirements are met; and

WHEREAS, after the construction of county jails, the state Department of Corrections has used annual jail inspections to impose facility changes that are not supported by state statute and funded by state appropriations; and

WHEREAS, state jail inspections have required the expansion of jail medical treatment and examination rooms beyond their originally state approved designs without the statutory support or funding to do so; and

WHEREAS, state jail inspections have required the addition of jail programming staff and the expansion of programming rooms beyond the original jail designs without the statutory support or funding to do so; and

WHEREAS, state jail inspections have added quarantine requirements to jail cells that are not specified in state statute, which necessitate expensive facility redesign and expansion to accomplish; and

WHEREAS, state jail inspections have invoked a 30 year replacement criteria for county jails that significantly reduces the life expectancy of facilities designed to last over 50 years; and

WHEREAS, state jail inspections have imposed requirements to increase the number of jail receiving cells beyond the facility's state approved design that are not supported by statute or the funding to do so; and

WHEREAS, state jail inspections have imposed the inmate classification requirements of the federal Prison Rape Elimination Act before this act has been incorporated into state code, thereby forcing counties to make costly process changes without the state funding to do so; and

WHEREAS, the actions of state jail inspectors to mandate unfunded facility changes that are not supported by state statutory code places many millions of dollars of financial burden on the county tax levy and could cause the early retirement of facilities that are in compliance with state statutes.

NOW, THEREFORE BE IT RESOLVED, that the Jackson County Board of Supervisors considers it inappropriate for the state Department of Corrections jail inspectors to impose unfunded mandates not supported by state code to facilities previously approved by the State Department of Corrections to meet code; and

BE IT FURTHER RESOLVED, that the Jackson County Board of Supervisors calls on the state legislative oversight committee of the Department of Corrections to investigate the unfunded mandates being imposed by the Department of Corrections inspections division, in order to adopt the mandates into state statute and fund their implementation, and/or to restrain the department's mandates, as appropriate; and

BE IT FINALLY RESOLVED, that this resolution be submitted to the Wisconsin Association of Counties for evaluation and action by the Association during the 2024 convention.

JAN10190

Resolution dated, March 18, 2024

Respectfully submitted,

LAW ENFORCEMENT

Ron Carney

W. J. St.

Scott G. Gallucci

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EXECUTIVE & FINANCE

Jeff Am

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Alta St.

I HEREBY CERTIFY

RESOLUTION # 11-03-2024

WAS ADOPTED ON 3/18/2024

BY JACKSON COUNTY BOARD OF SUPERVISORS

Cindy Altman
CINDY ALTMAN, JACKSON COUNTY CLERK

YES 107 NO 0

Absent: 2