

1 **GENERAL CODE OF SAUK COUNTY, WISCONSIN**
2 **ORDINANCE AMENDMENT #**
3

4 **Ordinance Amendment to Sauk County Code Chapter 5 to modify the section**
5 **pertaining to maintenance and board of prisoners, cost of maintenance for those**
6 **confined under home detention.**
7

8 **Ordinance Amendment offered by the Law Enforcement and Judiciary Committee**
9

10 **BACKGROUND:**
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12 Sauk County Code, Chapter 5 Section 5.06(3) sets the costs associated with housing
13 prisoners in both Huber and under home detention and bracelet monitoring, also referred
14 to as electronic monitoring (EM). The cost set by ordinance for EM has not changed
15 since 2006. Much has changed related to technological advancements, deputy wages,
16 and overall inflation in the following 17 years. The program can now implement home
17 breath alcohol monitoring at an additional expense. Neighboring and similarly sized
18 agencies currently charge an average of approximately \$25 per day for EM.
19

20 The exact daily fee for Huber inmates is no longer specified by ordinance. This allows
21 the sheriff the adjust the rate based on actual cost and can also consider the number of
22 hours the prisoner is employed. Having the same flexibility with the EM rate as the
23 Huber rate would be beneficial as it allows the rate to keep pace with program financial
24 and technological changes and be responsive to special circumstances. The ordinance
25 provides for Law Enforcement and Judiciary Committee oversight in the form of an
26 annual report related to the current rates.
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30 **NOW, THEREFORE, THE SAUK COUNTY BOARD OF SUPERVISORS DOES**
31 **ORDAIN AS FOLLOWS:**

32 Section 1. Any existing ordinances, codes, resolutions, or portions thereof in
33 conflict with this ordinance shall be and hereby are repealed as far as any conflict exists.

34 Section 2. This ordinance shall take effect the day after passage and publication
35 as required by law.

36 Section 3. If any claims, provisions or portions of this ordinance are adjudged
37 unconstitutional or invalid by a court of competent jurisdiction, the remainder of this
38 ordinance shall not be affected thereby.

39 Section 4. Section 5.06 of the General Code of Sauk County, Wisconsin, is
40 amended as follows [additions noted by underline, deletions noted by strikethrough]:
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42 Sec. 5.06. - Maintenance and board of prisoners.

- 43 (1) Responsibility of "Huber Law" prisoners. A "Huber Law" prisoner, Wis. Stats. §
44 303.08, who is gainfully employed or receives unemployment compensation or
45 employment training benefits while in the jail shall be liable for the cost of
46 maintenance and board as specified in subsection (3).
47 (2) Prisoners held for other agencies. Any other agency shall be liable for the costs of
48 maintenance and board, as specified in subsection (3), of all prisoners confined in
49 the Sauk County Jail at the other agency's request.
50 (3) ~~Costs. The costs of maintenance and board for prisoners are as follows:~~(a) The
51 cost of maintenance and board for prisoners confined under the "Huber Law" and

home detention and bracelet monitoring shall be established by the sheriff based upon the cost of maintenance and board per day for prisoners, and the number of hours the prisoner is working in remunerative employment. The sheriff shall provide an annual report to the Law Enforcement and Judiciary Committee regarding rates established under this section. The cost of maintenance and board per day for prisoners held at the request of other agencies may be negotiated and set by the sheriff but shall not be set at an amount that is less than the actual costs of maintenance and board for a single prisoner for one day. ~~(b) The cost of maintenance for a prisoner confined under home detention and bracelet monitoring shall be \$17.00 per day.~~

- (4) Special arrangements. The sheriff, with the approval of the Law Enforcement Committee, may arrange with other agencies for the maintenance and board of prisoners in the Sauk County Jail pursuant to terms other than those provided here, where such special arrangements are deemed necessary in the public interest. Report shall be made at the next County Board meeting of any such arrangements.

Approved for presentation to the County Board by the Committee this _____ day of _____, 2021.

Consent Agenda Item: ☐ YES ☐ NO

Fiscal Impact: ☐ None ☐ Budgeted Expenditure ☐ Not Budgeted

Vote Required: Majority = _____ 2/3 Majority = _____ 3/4 Majority = _____

The County Board has the legal authority to adopt: Yes _____ No _____ as reviewed by the Corporation Counsel, _____, Date: _____.

Offered and passage moved by:

Supervisor

Supervisor

Supervisor

Supervisor

Supervisor

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106 Fiscal Note: The current rate of \$17.00 per day does not incorporate the rise in prices for
107 the equipment or the staffing required for monitoring those out on the Electronic
108 Monitoring. The per day cost will be set based on the fixed and variable costs of the
109 program annually.

110

111 MIS Note: