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(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2005-06

(session year)

Assembly

(Assembly, Senate or Joint)

Committee on Corrections and the Courts...

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

Present: (9) Representatives Bies, Gundrum, Owens, Suder,
LeMahieu, Pope-Roberts, Wasserman, Seidel
and Parisi.

Absent: (1) Representative Underheim.

Moved by Representative Suder, seconded by Representative
LeMahieu that **Assembly Bill 36** be recommended for passage.

Ayes: (9) Representatives Bies, Gundrum, Owens,
Suder, LeMahieu, Pope-Roberts, Wasserman,
Seidel and Parisi.

Noes: (0) None.

Absent: (1) Representative Underheim.

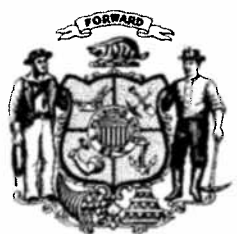
PASSAGE RECOMMENDED, Ayes 9, Noes 0



Andrew Nowlan
Committee Clerk



WISCONSIN STATE LEGISLATURE



Gary, Tim

From: Francis C. Springob [chief@gfpd.org]
Sent: Friday, February 04, 2005 3:24 PM
To: Rep.Friske
Cc: Douglas H. Pettit (E-mail)
Subject: LRB 0201 Public Notice Youthful Sex Offender

Dear Representative Friske:

Other duties will not allow me to be at the hearing for LRB 0201 on 9th February 2005.

Please add my name to the list of those in favor of this proposed legislation and let me know if I can be of any assistance to insure its passage.

Thank you for bringing this bill forward. fcs

F.C.Springob, Police Chief
PD Greenfield, Wisconsin
phone 414-761-5358 fax 414-761-5351
e-mail chief@gfpd.org
visit us at www.greenfieldpolice.org

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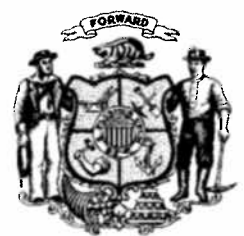
No virus found in this outgoing message.

Checked by AVG Anti-Virus.

Version: 7.0.300 / Virus Database: 265.8.5 - Release Date: 2/3/2005



WISCONSIN STATE LEGISLATURE



-----Original Message-----

From: Tomahawk Police Department [mailto:tomahawkpd@cji.net]

Sent: Monday, February 07, 2005 2:55 PM

To: Rep.Friske

Subject: LRB 0201

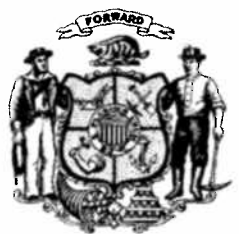
Dear Rep. Friske:

I am unable to attend the hearing on this bill set for Wednesday, February 9, 2005. I am most certainly in favor of passage of this bill. Unfortunately, the cause for this bill being introduced by you in 2003 was directly attributable to a situation that I faced here in Tomahawk. The individual from that incident has again been investigated for violations.

Sincerely,
Don Johnson
Chief of Police
Tomahawk Police Department



WISCONSIN STATE LEGISLATURE



Gary, Tim

Subject: AB 36 & AB 99

-----Original Message-----

From: DSteger@co.lanlade.wi.us [mailto:DSteger@co.lanlade.wi.us]

Sent: Monday, February 07, 2005 10:33 AM

To: Gary, Tim

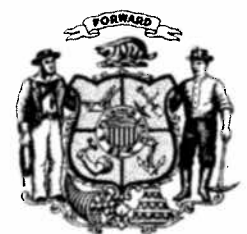
Subject: Re: Legislative Hearing

I would like to register in favor of the two proposed pieces of legislation as I will not be able to attend the hearing. I feel strongly that they are both very important and probably long over due. Keep up the good work.

Sheriff David C. Steger
Lanlade County.



WISCONSIN STATE LEGISLATURE





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MADISON, WI 53703
TOLL FREE: 1.866.404.2700
PHONE: 608.663.7188
FAX: 608.663.7189

MEMORANDUM

TO: Honorable Members of the Assembly Committee on Corrections and the Courts

FROM: Sarah Diedrick-Kasdorf, Senior Legislative Associate *SDK*

DATE: February 9, 2005

SUBJECT: Support for Assembly Bill 36 – Objective Jail Classification

The Wisconsin Counties Association (WCA) supports Assembly Bill 36, relating to classification of jail prisoners for determining prisoner housing assignments, the type of prisoner supervision, and the delivery of services and programs to prisoners.

Under current law, county jail inmates who have not been convicted must be kept separate from prisoners who have been convicted, prisoners who are mentally ill must be kept separate from prisoners who are not mentally ill and prisoners of different sexes must be kept separate. However, it has been proven that there are better ways to classify jail inmates. Studies produced by the National Institute of Corrections and other entities clearly show that more objective factors should be used to determine prisoner housing assignments, type of prisoner supervision, and the delivery of services and programs to prisoners. Thus, most counties across the state utilize some form of objective jail classification.

Over the past six years, the Department of Corrections, the Wisconsin Counties Association, sheriffs, jail administrators and others have been meeting to discuss the use of objective jail classification in the state of Wisconsin, crafting legislation that would allow for the use of objective jail classification and discuss training options to assist counties in utilizing an objective jail classification system.

The bill before the committee today is the first step in implementing objective jail classification on a statewide basis. Specifically, the bill provides that the sheriff, jailer or keeper of a jail shall establish a prisoner classification system that shall be used for the purpose of determining prisoner housing assignments, the type of prisoner supervision and the delivery of services and programs to prisoners. The prisoner classification system developed by each county shall be based on objective criteria, including a prisoner's

criminal offense record, gender, information relating to current offense for which the prisoner is currently in jail, history of behavior in jail and medical and mental health condition, as well as any other factor the sheriff, jailer or keeper of a jail considers necessary to provide for the protection of prisoners, staff and the general public.

Why is objective jail classification a good idea for county jails? First, objective jail classification increases safety for the general public, county jail staff and county jail inmates, especially in jails with capacity issues. Second, classifying prisoners based on objective factors, as opposed to whether or not they have been convicted, will limit a county's liability if an incident should occur in the jail. Third, objective jail classification allows for better decision-making and resource management within the jail, especially when determining housing assignments and inmate programming. Finally, an objective jail classification system will provide valuable data for county planners and jail administrators when developing new jail facilities.

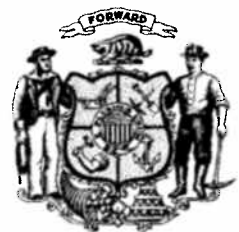
There are at least twenty counties currently utilizing objective jail classification, and another twenty-two counties that attended a recent NIC Jail Classification Training Session. For those counties that are not currently utilizing an objective jail classification system, the legislation provides for two years for county implementation. The implementation costs for a simple objective jail classification system is minimal; yet, in the end, counties will truly benefit by limiting liability claims and increasing safety within the confines of the county jail.

The Wisconsin Counties Association believes that the utilization of objective factors in the classification of jail inmates will go a long way in ensuring safety for all individuals in a county jail setting, as well as assist counties in meeting the needs of jail inmates. We strongly urge you to support this legislation.

Thank you for considering our comments.



WISCONSIN STATE LEGISLATURE



Remarks for Assembly Committee on Corrections and the Courts
Regarding AB 36 – Objective Jailing Classifications
By Representative Donald Friske
February 9, 2005

Thank you Chairman Bies and Committee members. I appreciate you having this hearing today and scheduling this important legislation for consideration. I will present to you today a brief explanation of where this legislation arose and its merits for passage.

Current law does not recognize using objective criteria to determine inmate-housing decisions in city and county jails. While it recognizes some objective standards such as criminal history, age and sex, it also relies on subjective standards such as self-reported health conditions.

Subjective standards increase the risk of mistakes and injury if an inmate is placed in an improper housing assignment. Wisconsin ought to be taking steps to ensure its laws reduce the risk of injury in its facilities. Communities around the state are doing that, outpacing the rate of change in our State laws.

County and city jailers around the state of Wisconsin are implementing purely objective criteria to determine their housing assignments. They are acting properly with pragmatic policy development that enhances the safety of both our inmates and our jailers.

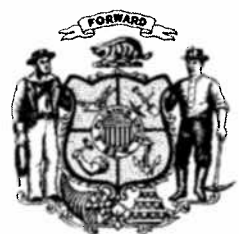
Reducing the risk of injury to inmates and jailers reduces the risk of lawsuits brought by inmates or their families; as well as the risk and real cost of compensating jailers injured in the line of work.

My bill, Assembly Bill (AB) 36 brings the state statutes up to date with the advances in jailing techniques already being used around the State.

AB 36 will protect our inmates, protect our jailers and protect our taxpayers.



WISCONSIN STATE LEGISLATURE



Testimony of Marty Ordinans on AB 36
Department of Corrections
February 9, 2005

Good Morning,

My name is Marty Ordinans and I work for the Department of Corrections. I'm the Director of the Office of Detention Facilities which is the unit of DOC that works closely with the sheriffs and county jails in the state. I'm here today to testify in favor of AB 36.

AB 36 provides for a change in how inmates are assessed once they come into the jail and throughout the course of their stay. The current law provides for very limited separations of inmates based on court status, mental illness and gender. Given the complex nature of today's inmate population, these separations do not adequately address the issues of violent behavior, special needs such as mental health and other health care problems, prior jail behavior, and prior offenses to name a few. Simply stated, jail classification is risk management and this bill provides counties with the tools to more accurately assess and manage their inmate population. The factors used are very similar to those used by the DOC in its management of the offender population.

There are approximately twenty counties statewide, both large and small, that have implemented jail classification, some for many years. Classification provides administrators with a process to make critical decisions for housing, programming and overall management.

There are several models that can be used for classification. The National Institute of Corrections teaches two models which many of the counties now use. Other counties

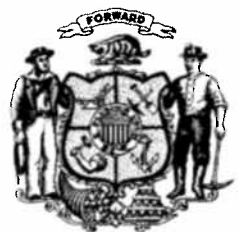
have chosen to create their own or have found different models.

The DOC will continue to work with the counties and the jails in this effort by assisting in the development of training opportunities and technical assistance. In 2003, we did a training in which over 50 jail staff representing 26 counties attended.

I appreciate this opportunity to speak on this bill.



WISCONSIN STATE LEGISLATURE



AB 36

2/9/03

- Most countries already employ this type of system. Just time to update statutes.
- Passed Assembly on a voice vote last session
- Allows administrators to better manage their pops.
- provides liability protection for counties utilizing objective classification
- Minimal burden on counties to implement system