

## CHAPTER 5

### LAW ENFORCEMENT

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**5.01 LAW ENFORCEMENT COMMITTEE.** (1) ESTABLISHED. There is hereby established a County Law Enforcement Committee for the Sheriff's Department with duties, functions and authorities as set forth in this chapter.

(2) COMPOSITION. Such Committee shall consist of 5 members of the County Board, who shall be appointed by the County Board Chairman annually.

**5.02 SHERIFF'S DEPARTMENT.** (1) NUMBER OF DEPUTIES AND SALARY. The number of full-time, regularly employed deputy sheriffs to be appointed in the County shall be determined by the Sheriff and Law Enforcement Committee and their salary shall be determined through negotiations with the County Professional Police Association or other appropriate procedures.

(2) QUALIFICATIONS. Minimum qualifications for the office of deputy sheriff shall be set by the Law Enforcement Committee after consultation with appropriate experts. The Law Enforcement Committee shall provide for screening to determine whether applicants meet the minimum qualifications.

(3) EXAMINATIONS. Competitive examinations referred to in 59.21(8)(a), Wis. Stats., shall be conducted by the Department of Employment Relations (formerly known as the Department of Administration).

(4) INTERVIEWS. The top scoring candidates, whose number shall be determined after administration of the written examination, shall be brought before the Law Enforcement Committee for an oral interview. Any union contract requirements for interviewing of union members shall be followed.

(5) FINAL DECISION. The names of the top 3 candidates shall then be given to the Sheriff for his final decision. The Sheriff may reject candidates and in such case the next highest ranking candidate shall be given to him.

- (6) EXEMPTIONS. Any regularly employed deputy sheriff acting as deputy sheriff at the time of the effective date of this section shall be eligible to an appointment as deputy sheriff without the examination provided herein. All deputy sheriffs so employed are hereby so appointed.

**5.03 CHILD SUPPORT PROGRAM.** (1) Pursuant to 59.07 997), Wis. Stats., the County Child Support Agency shall be the County designee to implement and administer the child and spousal support and establishment of paternity and the medical support liability programs provided for in Title IV of the Federal Social Security Act.

- (2) The County Human Services Board shall be the County Board's supervising authority for the County Child Support Agency with those powers as enumerated in the rules of the Board and such other resolutions and ordinances that may be applicable.

**Section 5.04 Revised 10/23/01**  
**Revised 02/20/06**  
**Revised 09/15/08**

**5.04 PRISONER LIABILITY FOR COST OF BOARD.** (1) Pursuant to the provisions of 303.08(4), Wis. Stats., which provides that every prisoner gainfully employed under the Huber Law provisions of the Wisconsin Statutes shall be liable for his/her board in the jail as fixed by the County Board after passage of appropriate County ordinance, the County Board hereby establishes the cost of \$15.00 per day for the purposes of that statutory section.

- (2) The above is the maximum rate and the Sheriff may reduce such rate when Huber Law prisoners do not eat their meals at the jail. Such reduction shall not be more than the current established cost per meal as approved by the County Board.
- (3) The Sheriff is further authorized to accept Huber Law prisoners from other counties when space is available in the Jackson County Jail. When such acceptance is made for the convenience of the Huber Law prisoner, the cost per day for their board in the jail is established at twice the rate for a Jackson County sentenced prisoner.

- (4) In lieu of being incarcerated in the County Jail, the Sheriff may allow prisoners to participate in an electronic monitoring program. The prisoner shall pay the costs of such program. The County Board hereby authorizes and directs the Law Enforcement Committee of the Jackson County Board of Supervisors to set and/or amend a reasonable fee for the various services available in the electronic monitoring program.
- (5) The amount specified in (4) shall be the maximum rate and the Sheriff may reduce such rate for prisoners with special extreme financial hardships. Such reduction shall not result in a rate lower than the rental and monitoring costs billed to the County.

**Section 5.05 Revised 02/25/03**

**5.05 HOUSING OF PRISONERS FROM NEIGHBORING COUNTIES.** The County Board has determined that the Law Enforcement Committee of the Jackson County Board of Supervisors shall be authorized to set a reasonable fee for receiving prisoners from other counties or the State of Wisconsin into the Jackson County Jail and the Sheriff is authorized to contract with other counties or the State of Wisconsin for providing such service when space is available in the Jackson County Jail.

**5.06 ABUSE OR INTERFERENCE WITH DOGS USED BY THE SHERIFF'S DEPARTMENT.**

- (1) **PROHIBITED.** No person shall willfully or maliciously torture, harass, tease, torment, beat, kick, strike, mutilate, injure, disable or kill any dog used by the Sheriff's Department in the performance of the functions of the Department; or interfere with or meddle with any such dog while such dog is being used by the Department or any other police officer in the performance of any of the functions or duties of the Department or of such officer.
- (2) **PENALTY.** Any person who violates this section shall be subject to a forfeiture of not more than \$500 for each offense, together with the costs of the action.

**5.07 PROVISION FOR CHIEF DEPUTY.** (1) (a) There is hereby created the position of Chief Deputy within the Sheriff's Department. The Chief Deputy shall be appointed by the County Law Enforcement Committee in conjunction with the Sheriff and approval of a majority of the County Board and shall be subject to the provisions of the rules and regulations set by the Law Enforcement Committee which are not inconsistent with the provisions of this section.

- (b) The procedure to be used for the selection of the person to fill the position and the qualification for the office of Chief Deputy shall be determined by the Law Enforcement Committee.
- (c) The duties of the Chief Deputy shall be those as set forth in the General Statement of Duties adopted by the Law Enforcement Committee. It is the intention, in connection with the office of Chief Deputy to provide a continuity in law enforcement as it relates to the Sheriff's Department and to provide an incoming sheriff with a working organization and to relieve the sheriff of many details in connection with the responsibilities of that office. It is the further intent that the position of Chief Deputy is to be compared to that of an Executive Vice President responsible for the operation of a business organization. It is to be understood that the general policy and top direction will still ultimately come from the Law Enforcement Committee working in conjunction with the Sheriff, but that the chief Deputy, with the authority herein, will furnish the necessary leadership and administration on a continuing basis so as to provide a more efficient operation of the department.
- (d) The Chief Deputy appointed in conformity with this ordinance shall hold office in the same manner as any other deputy.
- (e) The Chief Deputy shall outrank all other personnel of the Sheriff's Department except the Sheriff. In addition to being the highest ranking officer of the department it is the intention of this ordinance that he shall be the head administrative officer of the department.
- (f) The tenure of the Chief Deputy shall be subject to all the provisions of the rules and regulations of the Jackson County Law Enforcement Committee and hold the office in good behavior subject to suspension or removal by the County Board for cause.
- (g) The salary of the Chief Deputy shall be negotiated by the Personnel Committee in conjunction with the Law Enforcement Committee and finalized.

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- (2) SEVERABILITY. The provisions of this ordinance are hereby declared to be severable. All provisions or sections which may hereinafter be declared to be illegal or unconstitutional shall be declared to be severable. All provisions or sections which may hereinafter be declared to be illegal or unconstitutional shall be declared repealed and the remainder shall not be affected thereby.
- (3) CONFLICTS. All ordinances or parts of ordinances in conflict with any provisions of this ordinance are hereby repealed.

**5.08 PROCESS OF SERVICE FEE SCHEDULE:** (1) It is the responsibility of the Sheriff's Office to serve or execute according to law, all processes, writs, precepts, and orders issued or made by lawful authority according to Wisconsin Statute § 59.27(4). The Sheriff's Office shall charge for the service of Civil Process, legal notices, and other actions except where prohibited by law. The following list of fees may require prepayment and shall be charged for the designated services performed by the Jackson County Sheriff's Office:

<b>Type</b>	<b>Service or Good</b>	<b>Fee</b>
Sheriff Sales	Processing sale	\$150.00
Civil Process Service	3 attempts, Fee includes mileage	\$75.00
Additional defendant/same address	3 attempts, Fee includes mileage	\$55.00
Additional defendant/different address	3 attempts, Fee includes mileage	\$55.00
Additional service attempts	Per attempt	\$25.00
Stand by time	Deputy hourly rate of pay	Depends on Deputy assigned
Mileage	On rare instances, mileage may be included as an additional cost.	Established by County Code
Evictions	All parties at one address, includes mileage and one hour of standby cost	\$150.00 or the actual costs incurred in performing the eviction, whichever is less.
Writs of Assistance	All parties at one address, includes mileage and one hour of standby cost	\$150.00
Writ of Replevin	All parties at one address, includes mileage and one hour of standby cost	\$150.00 or the actual costs incurred in performing the seizure of property, whichever is less.
Execution of Judgment	All parties at one address, includes mileage and one hour of standby cost	\$150.00

This ordinance shall be effective upon passage and publication as required by law. This ordinance supersedes and replace any conflicting or previous ordinances related to this matter.

**Added 06/02**

SECTION ONE: Section 5.09 of the Jackson County Code of Ordinances is created as follows:

**5.09 JAIL EXPENSE REIMBURSEMENT POLICY AND CHARGES.** (1) The Sheriff of Jackson County is authorized and directed to implement a program for obtaining reimbursement of the costs of maintaining prisoners who are incarcerated in the Jackson County Jail, regardless of whether the prisoner is in jail serving a sentence after conviction or as a condition of probation. The Sheriff is directed to recover, where practical, the costs of maintaining prisoners in the Jackson County Jail pursuant to the terms and conditions of Section 302.372 of the Wisconsin Statutes as presently enacted or as from time to time may be amended.

(2) The actual per day cost of maintaining a prisoner in the Jackson County Jail is set at \$20.00 for the first day and \$5.00 for the second day and each day of incarceration thereafter. The Sheriff is authorized to recover those costs of incarceration from inmates in the Jackson County Jail pursuant to Section 302.372 of the Wisconsin Statutes as presently enacted or as from time to time may be amended, and in addition shall seek to recover other costs allowed in that Section.

(3) This fee shall not be charged to inmates paying full Huber or Electronic Monitoring daily fees.

(4) Warrant Fees

A. A person picked up on a warrant by or on behalf of the Jackson County Sheriff's Office shall be charged a fee of \$50 or 10 percent of the amount of the bond(s); whichever is greater.

B. A person picked up on a warrant shall also be charged a transportation fee for the round trip miles in picking up the person and delivering them to the Jackson County Jail. The transportation fee shall begin at the \$.400 per mile and shall increase and decrease in the same amount as the mileage rate reimbursed to Jackson County employees.

SECTION 2: This ordinance shall be effective upon passage and publication as required by law. This ordinance supersedes any ordinance in conflict with it.