


**KENOSHA COUNTY
BOARD OF SUPERVISORS
RESOLUTION NO. _____**

Subject: FY2018 Law Enforcement Justice Assistance Grant (JAG) Award			
Original <input checked="" type="checkbox"/>	Corrected <input type="checkbox"/>	2 nd Correction <input type="checkbox"/>	Resubmitted <input type="checkbox"/>
Date Submitted: September 18, 2018		Date Resubmitted	
Submitted By: Judiciary & Law Enforcement Committee & Finance/Administration Committee			
Fiscal Note Attached: X		Legal Note Attached <input type="checkbox"/>	
Prepared By: Robert Hallisy, Captain of Administration		Signature: 	

WHEREAS, the Kenosha County Sheriff's Department has been awarded \$12,710 from the federal Law Enforcement Justice Assistance Grant (JAG) program through the US Department of Justice, Bureau of Justice Assistance, and

WHEREAS, these funds have been made available to the Kenosha County Sheriff's Department through a Memorandum of Understanding (MOU) of an agreed upon 60/40 split of the amount awarded to the City of Kenosha totalling \$31,775, and

WHEREAS, the funds earmarked for the Sheriff's Department will be used to purchase twelve conductive energy devices (CED) to build our inventory of T.A.S.E.R. devices to eventually be able to equip each patrol squad on-the-road, and

WHEREAS, this purchase plan has been so designated by the Sheriff for law enforcement purposes and the spending period for this award will expire September 2021, and

WHEREAS, the City of Kenosha is the fiduciary of this grant program, responsible for the application and subsequent financial and programmatic reporting to the federal Bureau of Justice Assistance and will, upon request, reimburse the Sheriff's Department for the expenditures herein, and

WHEREAS, this grant will not require a local match of funds, and

WHEREAS, this budget modification will not require any additional tax levy dollars.

NOW, THEREFORE BE IT RESOLVED, that the Kenosha County Board of Supervisors accept the 2018 JAG grant award of \$12,710; modifying revenue and expenditure as per the budget modification form, which is incorporated herein by reference.

BE IT FURTHER RESOLVED, that any unobligated grant funds remaining available at year end be hereby authorized for carryover to subsequent years until such time as the grant funds are expended in accord with the JAG grant requirements, and that the administration shall be authorized to modify the grant fund appropriation among various budget and expenditure appropriation units within the Sheriff's Department budget in accordance with all Federal and State regulations of the JAG program and in compliance with generally accepted accounting principles.

Note: This resolution requires No funds from the general fund. It increases revenues by \$12,710 and increases expenditures by \$12,710.

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Date Submitted: September 18, 2018		Date Resubmitted	
Submitted By: Judiciary & Law Enforcement Committee & Finance/Administration Committee			

Respectfully Submitted,
JUDICIARY AND LAW ENFORCEMENT COMMITTEE

	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Excused</u>
Supervisor Boyd Frederick, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Supervisor Jeff Wamboldt, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Supervisor David Celebre	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Supervisor Monica Yuhas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Supervisor Zach Rodriguez	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

FINANCE/ADMINISTRATION COMMITTEE

	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Excused</u>
Supervisor Terry Rose, Chairman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Supervisor Ronald J. Frederick, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Supervisor Jeffrey Gentz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Supervisor Michael Goebel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Supervisor Ed Kubicki	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Supervisor John O'Day	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Supervisor Jeff Wamboldt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Kenosha County
Administrative Proposal Form

1. Proposal Overview

Division: Law Enforcement Department: SHERIFF

Proposal Summary (attach explanation and required documents):

A resolution to accept \$12,710 of grant funds offered through the federal Bureau of Justice Assistance Grant program (JAG).

This is an annual formula grant offered to the City of Kenosha whereby the County of Kenosha is considered a disparate jurisdiction and can share the grant funds awarded by and agreement between the City and County.

The total funds offered to the City of Kenosha is \$31,775

This resolution recognizes \$12,710, a 60/40 split of the funds to be used for Law Enforcement Equipment. This money will be used to purchase TASER devices.

Dept./Division Head Signature: Capt. [Signature]

Date: 8-21-18

2. Department Head Review

Comments:

Recommendation: Approval ☒ Non-Approval ☐

Department Head Signature: [Signature]

Date: 8-22-18

3. Finance Division Review

Comments:

Recommendation: Approval ☒ Non-Approval ☐

Finance Signature: [Signature]

Date: 8/27/18

4. County Executive Review

Comments:

Action: Approval ☒ Non-Approval ☐

Executive Signature: [Signature]

Date: 8/27/18

KENOSHA COUNTY EXPENSE/REVENUE BUDGET MODIFICATION FORM

DEPT/DIVISION: SHERIFF 2018

DOCUMENT #	G/L DATE
BATCH #	ENTRY DATE

PURPOSE OF BUDGET MODIFICATION (REQUIRED): Increase Expense and Revenue budgets by \$12,710 to acknowledge anticipated award for the 2018 federal Justice Assistance Grant; passed through the City of Kenosha.

(1) MAIN ACCOUNT DESCRIPTION EXPENSES	(2)						BUDGET CHANGE REQUESTED			(7) ACTUAL EXPENSES	AFTER TRANSFER		
	FUND	DIVISION	SUB- DIVISION	MAIN ACCT	PROJECT	SUB- PROJECT	(3) EXPENSE INCREASE (+)	(4) EXPENSE DECREASE (-)	(5) ADOPTED BUDGET		(6) CURRENT BUDGET	(8) REVISED BUDGET	(9) EXPENSE BAL A VAIL
Machy/Equip >\$100<\$5000	100	210	2130	530050	003273		12,710		0	11,804	24,514	12,710	
							12,710		0	11,804	24,514	12,710	
					EXPENSE TOTALS		12,710	0	0	11,804	24,514	12,710	

REVENUES	FUND	DIVISION	SUB-DIVISION	MAIN ACCT	REVENUE DECREASE (+)	REVENUE INCREASE (-)	ADOPTED BUDGET	CURRENT BUDGET	REVISED BUDGET
JAG-US Dept of Justice	100	210	2130	442795		(12,710)	0	{11,804}	{24,514}
REVENUE TOTALS					0	(12,710)	0	0	0

COLUMN TOTALS (EXP TOTAL + REV TOTAL)

PREPARED BY: Nancy Otis DIVISION HEAD: Scott Williams DATE: 0-21-18

DEPARTMENT HEAD: DAKES DATE: 8-22-12

FINANCE DIRECTOR: DM-T DATE: 8/27/18

Please fill in all columns:

(1) & (2) Main Account information as required

(3) & (4) Budget change requested

FINANCE DIRECTOR: W-17

(required)

DATE: 8/27/18

(3) & (4) Budget change requested

(5) Original budget as adopted by the board

COUNTY EXECUTIVE: [Signature] DATE: 8/2/18

SEE BACK OF FORM FOR REQUIRED LEVELS OF APPROVAL FOR BUDGET MODIFICATION.

2018 WISCONSIN LOCAL JAG ALLOCATIONS

Listed below are all jurisdictions in the state that are eligible for FY 2018 JAG funding, as determined by the JAG formula. For additional details regarding the JAG formula and award calculation process, with examples, please refer to the updated JAG Technical report here: <https://www.bja.gov/Jag/pdfs/JAG-Technical-Report.pdf> and current JAG Frequently Asked Questions here: <https://www.bja.gov/Funding/JAGFAQ.pdf>.

Finding your jurisdiction:

- (1) Disparate jurisdictions are listed in shaded groups below, in alphabetic order by county.
- (2) Eligible individual allocations are listed alphabetically below the shaded, disparate groupings.
- (3) Counties that have an asterisk (*) under the "Eligible Individual Allocation" column did not submit the level of violent crime data to qualify for a direct award from BJA, but are in the disparate grouping indicated by the shaded area. The JAG legislation requires these counties to remain a partner with the local jurisdictions receiving funds and must be a signatory on the required Memorandum of Understanding (MOU). A sample MOU is provided online at: <https://www.bja.gov/Funding/JAGMOU.pdf>. Disparate jurisdictions do not need to abide by the listed individual allocations, which are provided for information only. Jurisdictions in a funding disparity are responsible for determining individual amounts within the Eligible Joint Allocation and for documenting individual allocations in the MOU.

State	Jurisdiction Name	Government Type	Direct Allocation	Joint Allocation
WI	BROWN COUNTY	County	*	
WI	GREEN BAY CITY	Municipal	\$50,102	\$50,102
WI	DANE COUNTY	County	*	
WI	MADISON CITY	Municipal	\$87,781	\$87,781
WI	EAU CLAIRE COUNTY	County	*	
WI	EAU CLAIRE CITY	Municipal	\$12,491	\$12,491
WI	FOND DU LAC COUNTY	County	*	
WI	FOND DU LAC CITY	Municipal	\$13,037	\$13,037
WI	KENOSHA COUNTY	County	*	
WI	KENOSHA CITY	Municipal	\$31,775	\$31,775 ✓
WI	LA CROSSE COUNTY	County	*	
WI	LA CROSSE CITY	Municipal	\$11,536	\$11,536
WI	MARATHON COUNTY	County	*	
WI	WAUSAU CITY	Municipal	\$10,444	\$10,444
WI	MILWAUKEE COUNTY	County	*	
WI	MILWAUKEE CITY	Municipal	\$945,626	
WI	WEST ALLIS CITY	Municipal	\$22,457	\$968,083

WI	OUTAGAMIE COUNTY	County	*	
WI	APPLETON CITY	Municipal	\$21,058	\$21,058
WI	RACINE COUNTY	County	*	
WI	RACINE CITY	Municipal	\$35,768	\$35,768
WI	ROCK COUNTY	County	*	
WI	BELOIT CITY	Municipal	\$17,133	
WI	JANESVILLE CITY	Municipal	\$15,461	\$32,594
WI	SHEBOYGAN COUNTY	County	*	
WI	SHEBOYGAN CITY	Municipal	\$15,154	\$15,154
WI	WINNEBAGO COUNTY	County	*	
WI	OSHKOSH CITY	Municipal	\$15,495	\$15,495
	Local total		\$1,305,318	

Kenosha County Sheriff's Department
Application # 2018-H2719-WI-DJ
BJA FY2018 Edward Byrne Memorial
Justice Assistance Grant (JAG)
Project Title: Energy Device inventory improvement
Purpose Area: Law Enforcement
Type of Program: Equipment

Program Narrative

The federal Edward Byrne Memorial Justice Assistance Grant program provides critical funding for Kenosha County Sheriff's Department (KSD) to support law enforcement equipment. This round of funding will be used to purchase conducted energy devices (CED) to build our inventory to eventually provide one device for each squad. This funding opportunity will provide the department with cutting edge technology in the use of force continuum for non-lethal methods.

Kenosha County is located in the southeast corner of the State of WI with a population of 166,426 (2010 Census) and is positioned between two large municipalities: Milwaukee, WI to the north and Chicago, IL to the south, both within 1 hour travel. Kenosha County also is a part of the north-south corridor of Interstate 94, a major thoroughfare. The Kenosha County Sheriff's Department has patrol jurisdiction of the entire 272 square miles of the county.

In Kenosha County, the deputy sheriff is often alone in the patrol district and must assess a situation in order to keep safe and avoid escalation of aggression, as additional law enforcement assistance can be up to 10 minutes from the scene.

The Kenosha County Sheriff's Department has an approved use-of-force continuum policy to guide the decision making by the deputy in the suitable amount of force for a situation – higher levels of force in most severe circumstances and less force in other circumstances. It is the desire of the department and beneficial for the community to reduce incidents of police use of force, especially deadly force. The conducted energy device is one modern technology used by the K.S.D. as an alternative to deadly force and it can reduce injuries to officers, suspects and bystanders.

The conducted energy device (CED) has been an essential tool in the Sheriff's Department's force continuum since 2009. Deputies may have to use more force to gain control of a noncompliant suspect. Physical force measures carry an increased risk of injury for the deputy and the suspect(s). CEDs' allow deputies to control suspects from a distance without engaging in hand-to hand struggles that may result in injuries for the deputy as well as the suspect(s).

Less than lethal tools like the conducted energy device (CED) and OC spray allow officers to avoid up-close struggles. These are tools that can be deployed from a distance to gain control of a noncompliant suspect. The Kenosha County Sheriff's Department policy on force continuum includes the use of OC Spray, but it may not always be effective. The CED is another device available to the patrol deputy to gain control of a suspect.

The Sheriff's Department initiated the purchase and implementation of CEDs as part of its force continuum beginning in 2009 with funding through the 2009 ARRA Edward Byrne Memorial Justice Assistance Grant program. This initial 'stimulus' funding provided our department with (20) Taser® X26 devices with accessories and supplies (i.e. holsters, batteries, training cartridges).

Since then, utilizing the annual JAG program funding opportunity, we've purchased a total of fifty two (52) additional T.A.S.E.R.® devices under grant program years 2010, 2011, 2013, 2014, 2015 and 2016. In the latter years of this award program we purchased replacement devices to a newer model CED.

Four more devices were purchased in 2011 for the Sheriff's Drug Unit utilizing a grant through the WI Office of Justice Assistance.

Also, in late 2014 the department utilized a non-levy operating revenue source to purchase thirty-one (31) additional T.A.S.E.R.® devices/accessories.

In 2018, the Sheriff's Department had included in their operating budget to afford to purchase three (3) additional CED devices.

With the inclusion of this request for twelve (12) more CED devices we will continue the build of our inventory to provide enough devices for each squad on-the-road.

Goal: Increase the quantity of our inventory of T.A.S.E.R. X26P model CED's in order to provide enough devices to equip our on-the-road patrol vehicles.

As a disparate jurisdiction under the FY2018 JAG Byrne grant program, Kenosha County, will set-aside 3% (\$381.00) of our sub-recipient amount of \$12,710 toward expenses incurred in order for the Kenosha County Sheriff's Department to become NIBRS compliant by January 1, 2021.

Goal: To utilize the \$381.00 of 'set-aside' funds awarded in the FY2018 JAG grant program to cover costs of software/hardware/labor costs to implement the move from UCR data reporting elements to NIBRS reporting format for crime statistics.

Assessment/Evaluation

Performance measures will be dictated by accomplishing the tasks in the timeline document included in this proposal. It will include demonstrating procurement and inventory control and staff training, if necessary.

Training will be coordinated by the department Training Sergeant assigning department Certified T.A.S.E.R.® instructors. The Training Sergeant will coordinate on-site training for deputies who will be issued devices, including the functionality of the device and review of the department policy on use. A maximum of 20 hours of training is expected during the grant award period.

Evaluation of the project will include determining the number of CED devices that will still be needed to accomplish the goal of providing one device per patrol vehicle. Also, an assessment will be made as to the progress of the data conversion tasks that must be undertaken with our records management system to move from UCR crime reporting data to the NIBRS crime reporting data elements.

Sustainability

Adequate inventory of T.A.S.E.R.® devices is necessary to allow for periodic repairs of devices which require a damaged device to be shipped for maintenance and for adding district squads as our force expands. Also, the supply of holsters, batteries and cartridges is necessary in order to keep the devices deployed. Additional purchases may be required, once this funding expires, for

replacement of non-repairable devices and/or the replacement of devices that reach the end of useful life recommended by the manufacturer.

It is the intent of the Sheriff's Department to continue to utilize funds provided through the federal BJA Edward Byrne Memorial JAG annual formula grant to build our inventory of the T.A.S.E.R.® devices and/or sustain our inventory.

Annually, local levy funding and other non-levy revenue sources may be planned, through the Sheriff's operating budget process, to afford repairs and accessories for the current inventory of CED devices. It is estimated that that no more than \$1,800 per year will be necessary for repair/supply needs.

Project Identifiers

This program for spending activities can be associated with the following Project Identifiers:

- Equipment-General
- Conflict Resolution
- Less than Lethal

GMS APPLICATION NUMBER 2018-H2167-WI-DJ

BJA FY 2018 EDWARD BYRNE MEMORIAL
JUSTICE ASSISTANCE GRANT (JAG) PROGRAM
INTERGOVERNMENTAL AGREEMENT

COPY

By And Between

THE CITY OF KENOSHA, WISCONSIN,
A Wisconsin Quasi-Municipal Corporation

And

THE COUNTY OF KENOSHA, WISCONSIN,
A Wisconsin Quasi-Municipal Corporation

THIS AGREEMENT is made and entered into by and between the CITY OF KENOSHA, WISCONSIN, a Wisconsin municipal corporation organized and existing under the laws of the State of Wisconsin, and with offices located at 625- 52nd Street, Kenosha, Wisconsin 53140 (hereinafter "CITY"), and the COUNTY OF KENOSHA, WISCONSIN, a Wisconsin quasi-municipal corporation organized and existing under the laws of the State of Wisconsin, and with the offices located at 1010- 56th Street, Kenosha, Wisconsin 53140 (hereinafter "COUNTY").

WHEREAS, CITY AND COUNTY, maintain separate, and independent, law enforcement agencies in the performance of their respective governmental functions, which agencies are fully funded from current revenues legally available to the parties ; and,

WHEREAS, CITY has made application (NUMBER 2018-H2167-WI-DJ) for a Grant, under the 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) Program, administered by the United States Department of Justice, Office of Justice Programs; and,

WHEREAS, the proposed Grant, as provided by the United States Department of Justice, Office of Justice Programs, stipulates that funds are to be allocated to the CITY, and COUNTY, and that the award be approved and accepted by the respective governing bodies; and

WHEREAS, the CITY, and COUNTY, find the acceptance of the 2018 Edward Byrne Justice Assistance Grant in the amount of \$31,775.00 and the allocation of Grant funds to be in the public interest and best interest of all parties.

WITNESSETH:

NOW, THEREFORE, in consideration of the mutual undertakings and agreements herein set forth, CITY, and COUNTY agree as follows:

SECTION I

CITY agrees to pay COUNTY a total sum of Twelve Thousand Seven Hundred and Ten (\$12,710) Dollars of JAG funds.

SECTION II

COUNTY agrees to use a total sum of Twelve Thousand Seven Hundred and Ten (\$12,710) Dollars of JAG funds for the Law Enforcement Program for the period of October 01, 2018 to September 30, 2022.

SECTION III

Nothing in the performance of this Agreement shall impose any liability for claims against COUNTY other than claims for which liability may be imposed by the laws of the State of Wisconsin.

SECTION IV

Nothing in the performance of this Agreement shall impose any liability for claims against the CITY other than claims for which liability may be imposed by the laws of the State of Wisconsin.

SECTION V

CITY and COUNTY will be responsible for their own actions in providing services under this Agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

SECTION VI

The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

SECTION VII

By entering into this Agreement, CITY, and COUNTY do not intend to create any obligations, express, or implied, other than those set forth herein. Further, this Agreement shall not create any rights in any party not a signatory hereto.

SECTION VIII

CITY and COUNTY certify that they have authority under their respective organizational structure and governing laws to accept the Byrne Justice Assistance Grant and execute this Agreement. This Agreement was approved by the Common Council of CITY at a duly noticed and convened meeting held on the _____ day of _____, 2018. This Agreement was approved by the Board of Supervisors of COUNTY at a duly noticed and convened meeting held on the 18 day of September 2018.

IN WITNESS WHEREOF, the parties hereto have herein executed this Agreement on the dates below given.

CITY OF KENOSHA, WISCONSIN,

A Wisconsin Municipal Corporation

BY: _____

John Antaramian, Mayor

Date: _____

BY: _____

Debra Salas,

City Clerk/ Treasurer

Date: _____

STATE OF WISCONSIN)

SS.

COUNTY OF KENOSHA)

Personally came before me this _____ day of _____, 2018, John Antaramian, Mayor, and Debra Salas, City Clerk/ Treasurer, of the CITY OF KENOSHA, WISCONSIN, a municipal corporation, to me known to be such Mayor and City Clerk/ Treasurer of said municipal corporation, and acknowledged to me that they executed the foregoing instrument as such officers as the agreement of said City, by its authority.

Notary Public, Kenosha County, WI.

My Commission expires/ is: _____

COUNTY OF KENOSHA, WISCONSIN,

A Wisconsin Municipal Corporation

BY: 

Jim Kreuser, County Executive

Date: 8/16/18

BY: 

Mary T. Schuch-Krebs, County Clerk

Date: 8/16/18

BY: 

David Beth, Kenosha County Sheriff

Date: 8/16/18

STATE OF WISCONSIN)

: SS.

COUNTY OF KENOSHA)

Personally came before me this 16th day of August, 2018, Jim Kreuser, County Executive, and Mary T. Schuch-Krebs, County Clerk, and David Beth, Sheriff of the COUNTY OF KENOSHA, WISCONSIN, a Wisconsin quasi- municipal corporation, to me known to be such County Executive and County Clerk and Sheriff of said quasi- municipal corporation, and acknowledged to me that they executed the foregoing instrument as such officers as the agreement of said County, by its authority.



Edie LaMoine

Notary Public, Kenosha County, WI.

My Commission expires/ is: 09/28/22