

**MAINTENANCE AND BOARD FOR
COUNTY JAIL PRISONERS**

THE COUNTY BOARD OF SUPERVISORS OF JEFFERSON COUNTY DOES
HEREBY ORDAIN AS FOLLOWS:

SECTION 1. MAINTENANCE AND BOARD FOR COUNTY JAIL PRISONERS.

(1) Authority and Intent.

(a) Pursuant to the authority provided by Wis. Stat. §302.372, 302.38, 302.381, 302.388, 302.425, 302.43, 303.08 and 303.19, it is the intent of these provisions that incarcerated persons be held responsible for paying some or all of the cost of incarceration and any related expenses, to the extent permitted by law.

(b) The Sheriff, or his designee, shall choose, for each prisoner, whether to seek reimbursement under this section as provided by law.

(c) Any money collected under this section shall be accepted by the Jefferson County Jail and deposited in the County treasury to help offset the costs of operating the Jefferson County Jail.

(2) Jail Processing Fee.

(a) A processing fee of Twenty and 00/100 Dollars (\$20.00) will be charged for inmates each time they are initially booked into the jail on a sentence (circuit court, municipal sentence) or probation hold.

(b) A Twenty and 00/100 Dollars (\$20.00) jail processing fee will be deducted from the account of a pretrial detainee who is sentenced while incarcerated. [Created 4-21-2009, Ordinance 2009-05]

(3) Daily Inmate Fee. [renumbered 04-21-09, Ord. 2009-05]

(a) For expenses incurred by the County in relation to the crime for which a person was sentenced to a county jail, or for which the person was placed on probation and confined in jail, the County Board hereby sets a daily per person jail rate of Six and 00/100 Dollars (\$6.00) for each day or any part of a day, pursuant to Wis. Stat. §302.372. [Amended 4-21-2009, Ordinance 2009-05]

(b) Reimbursement shall be sought from each person who is or was a prisoner sentenced to the Jefferson County Jail beginning January 1, 2005.

(4) Huber Law Prisoners. [renumbered 04-21-09, Ord. 2009-05]

(a) Every prisoner who is sentenced to the Jefferson County Jail under the provisions of Wis. Stat. §303.08(4), (Huber Law) and is gainfully employed, receives unemployment insurance or employment training benefits while in custody in the jail, shall be liable to Jefferson County for per capita maintenance and board costs at the rate of Seventeen and 00/100 Dollars (\$17.00) per day and shall reimburse the County for the same in accordance with the law. [Amended 4-21-2009, Ordinance 2009-05]

(b) Inmates granted release for purposes of child care or attending the needs of a person's family shall be liable to Jefferson County at the rate of Seventeen and 00/100 Dollars (\$17.00) per day for each day released from the jail and shall reimburse the County for the same in accordance with the law. [Amended 4-21-2009, Ordinance 2009-05]

(c) Inmates granted release to pursue educational studies, other than required high school attendance, shall be liable to Jefferson County at the rate of Seventeen and 00/100 Dollars (\$17.00) per day for each day released from the jail and shall reimburse the County for the same in accordance with the law. [Amended 4-21-2009, Ordinance 2009-05]

(d) Inmates subject to drug screening, initially, randomly or with cause, during incarceration shall be charged Six and 00/100 Dollars (\$6.00) for each test. [Amended 4-21-2009, Ordinance 2009-05]

(e) The Sheriff may require prepayment of the expenses set forth herein as a requirement for participation in the program.

(5) Electronic Monitoring Program (EMP). [renumbered 04-21-09, Ord. 2009-05]

(a) Inmates placed in the electronic monitoring program under Wis. Stat. §302.425 shall be liable to Jefferson County at a rate of Twenty and 00/100 Dollars (\$20.00) per day and shall reimburse the County for same in accordance with the law. [Amended 4-21-2009, Ordinance 2009-05]

(b) The Sheriff may require prepayment of the expenses set forth herein as a requirement for participation in the program.

(6) Medical Expenses. [renumbered 04-21-09, Ord. 2009-05]

(a) Inmates shall be responsible for the actual costs of medical expenses incurred by Jefferson County as set forth in Wis. Stat. §302.38 and the County may seek reimbursement for same in accordance with law.

(b) The Sheriff may establish a system of co-payments for the services of the Jail Nurse and Jail Doctor.

(7) Warrant Fee. [renumbered 04-21-09, Ord. 2009-05]

(a) The Sheriff may impose a fee of Twenty and 00/100 Dollars (\$20.00) for all criminal, ordinance and civil warrants, together with mileage at the IRS rate.

(8) Prisoner Reimbursement. [renumbered 04-21-09, Ord. 2009-05]

(a) Every person confined to the Jefferson County Jail shall complete a financial disclosure form containing the information set forth in Wis. Stat. §302.372(2)(b).

(b) Within 12 months after the release of a prisoner from jail, Jefferson County may commence an action in Circuit Court to recover the expenses for daily incarceration under this ordinance plus the costs to investigate the financial status of the prisoner and the expenses of collection not otherwise recovered or be barred, pursuant to Wis. Stat. §302.372(6).

(9) Institutional Accounts. [renumbered 04-21-09, Ord. 2009-05]

(a) The Sheriff may charge a prisoner the expenses set forth above, while he/she is a prisoner, plus the costs to investigate the financial status of the prisoner and the expenses of collection.

(b) If the Sheriff maintains an institutional account for a prisoner's use for payment of items from canteen, vending, commissary or similar services, the Sheriff may make deductions from the account to pay for the expenses set forth above. If the prisoner has a balance due for expenses under this ordinance, from prior incarcerations, any institutional account created as part of a subsequent incarceration may be used to recover the sums due from the prior incarceration.

(c) If the Sheriff maintains an account of a Huber prisoner pursuant to Wis. Stat. §303.08(3), the Sheriff may make deductions from the account to pay for the expenses set forth in this ordinance subject to the limitation of Wis. Stat. §303.08(5).

(10) Prisoner Cooperation. [renumbered 04-21-09, Ord. 2009-05]

(a) A prisoner in a jail shall cooperate with the County in seeking reimbursement under this section for expenses incurred by the County.

(b) A prisoner who intentionally refuses to cooperate may not earn good time credit under Wis. Stat. §302.43 or diminution of sentence under Wis. Stat. §303.19(3).

(11) No Duplication of Expenses. [renumbered 04-21-09, Ord. 2009-05]

Jefferson County shall not recover the same expenses twice.

SECTION 2. EFFECTIVE DATE. The daily inmate fee established in Section 1(2) shall be effective January 1, 2005. The remainder of the ordinance shall be effective upon passage and publication.

Originally Adopted: December 14, 2004

Last Amendment: April 21, 2009