Sub ___ to 2022 RES-393 (PROPOSED-WRIGHT)
~~REVOKING THE SHERIFF'S AUTHORITY~~
~~TO HOUSE FEDERAL DETAINEES IN THE DANE COUNTY JAIL~~

RETIRING THE HOUSING OF FEDERAL DETAINEES IN THE DANE COUNTY JAIL

In January 2023, JFA Institute, who had been retained by the Dane County Board, released "Assessment of the Dane County Jail Population Control Options". The report included several recommendations, including to discontinue the federal contract to house federal detainees. According to JFA, there is no local, state, or federal mandate that requires the County to house such individuals in the County jail. Removal of these federal detainees would have no impact on the Public Defender, District Attorney or the Courts because they are under the jurisdiction of the federal court system. JFA estimates that discontinuing the practice of housing federal detainees would decrease the jail population by 48.

Under Wis. Stat. §59.54(16), the Dane County Board can authorize the Sheriff to enter into a contract with the United States to house federal detainees. In 1991, the County Board approved RES-45, 1991-92, that authorized an agreement with the US Marshal's Service (USMS) for partial funding of the Public Safety Building (PSB) in exchange for housing Federal detainees. Since adoption of RES-45, the Sheriff has executed a series of contracts with the USMS for housing federal detainees. The current contract can be terminated by either party upon 30 days written notice.

The 2023 Dane County budget includes revenue of $2,241,500 from the board of federal detainees. Cancelation of the contract as of ~~July~~ November 1st would reduce the contract revenue to ~~$1.12 million~~ $373,580. However, the current per diem rate being paid by the U.S. Marshal's Service does not cover the per diem cost to house the federal detainees. The most recent (2021) calculation of "Per Diem Resident Cost Per Day" by the Dane County Sheriff's Office was $181.67, twice the cost being paid per federal detainee under the current contract with the U.S. Marshal's Service. Freeing up bed space currently occupied by federal detainees would also enable Dane County jail residents currently incarcerated in other county jails to return to Dane County, saving transportation and boarding costs.

NOW, THEREFORE, BE IT RESOLVED that the ~~Dane County Board of Supervisors revokes its~~ authorization under Wis. Stat. §59.54(16) to contract with the U.S. Marshal's Service to house federal detainees in the Dane County jail is no longer in effect and

~~**BE IT FINALLY RESOLVED** that~~ the agreement between the US Marshal's Service and the Sheriff is hereby terminated effective ~~July 1, 2023~~ November 1, 2023.