

Eau Claire Regional Jail Review

I. Full Disclosure:

It is of primary importance that we address this project with clarity and a full understanding of not only the immediate intent and direction being taken by the County but also all future plans related to this project. Specifically, we believe it is not the County's intention to simply rezone the properties in the immediate area of the courthouse in order to build a highly stylized, unobtrusive two-story jail. We need to understand how the County will proceed with its future needs and growth plans. We need to determine whether or not these future plans can work with the City Comprehensive Plan. We need to recognize concerns of the neighborhood and immediate surrounding communities that will evolve as the expected growth of the jail occurs over the next 30 to 60 years and beyond.

Let us make no mistake about the design of the proposed structure. The proposed "neighborhood friendly" jail is actually being built to eventually house up to 785 inmates or more as part of a Regional Jail Complex. **The neighborhood homes on Lake Street that exist on the current rezoning footprint will be removed and replaced by a courts building in the very near future.** In addition, the Oxford Avenue parking lot will need to be enlarged to handle the additional parking demands and may eventually become a two to three story parking ramp. *(See Appendix A: Site Footprints 1,2 &3).*

It is the duty of the Plan Commission and the Eau Claire City Council to understand, consider, and fully evaluate all future impacts of the Regional Jail Complex and future Court Building expansion plans and make certain these effects will not harm or undermine the future of the city and the community. Imagine explaining 30 years from now .. how Eau Claire ended up with a regional rent-a-bed jail in downtown Eau Claire alongside our bike trail, our riverfront, next to Owen Park & the University student housing district? Is this the legacy we wish to leave for our city to contend with?

II. Comprehensive Plan Conflicts:

The award-winning Eau Claire City Comprehensive Plan was created by a conscientious, diligent, and committed committee of community representatives and stakeholders and approved by the Plan Commission and City Council in 2005. **Nowhere within the text of the Eau Claire City Comprehensive Plan is there any reference, indication, or implication to a 785 bed Regional Jail Complex in the "Courthouse District" area of downtown.** In fact, there was no mention of the construction of a new jail of any size in any section of the plan. I might note, the County was invited and was represented during the development of the plan.

(See Appendix B: Language of the Eau Claire Comprehensive Plan for a complete copy of ALL comments from the Plan that reference the "Courthouse District".)

The following excerpts from the Comprehensive Plan identify the goals & objective of the Courthouse District:

Goal: *Reestablish the Downtown as a regional mixed-use activity center integrating civic and government uses, professional and corporate offices, health care, meeting and entertainment facilities, arts and culture, housing, and specialty retail.*

Objective 10 – Courthouse District

Encourage the development of the Courthouse District as a government activity center area emphasizing government and professional offices, personal services, and convenience retail and food establishments, serving primarily residents of the neighborhood and employees and users of the Courthouse campus.”

It appears that the County failed to take the goals of the City into consideration and clearly is now attempting to create something that goes against the City Comprehensive Plan and will ultimately be detrimental to the future of the city of Eau Claire. If the City’s Comprehensive Plan had intended for this area to eventually house a 785-bed Regional Jail Complex in the Courthouse District, such a large facility would clearly have been spelled out due to the significant impact and changes a structure of such magnitude would have on the future of the county, city, and the community.

III. Conflict with the Department of Justice National Institute of Corrections Assessment

In March of 2008, the US Department of Justice National Institute of Corrections completed an Assessment of the Eau Claire County judicial system. This assessment offered numerous recommendations, suggestions, and useful research that should be considered and applied to Eau Claire County’s jail overcrowding dilemma. **Although a number of recommendations were offered, the US Department of Justice did not specifically recommend that expanding the size of the jail as a solution.**

In the National Institute of Corrections report, the Consultants point out that current jail data is not well organized and officials are forced to make decisions without the benefit of adequate analyses. They say that without doing this analysis, the jail will remain full no matter how much we try to “outrun growth by adding capacity.” The Consultants conclude that we must change our policies and way of thinking: We cannot “*build our way out*” of the problem. We need to complete this analysis before embarking on a huge building project that may turn into Eau Claire’s largest boondoggle.

The Consultants note “*The possibilities for doing things differently are much greater than imagined, recognized, or acknowledged.*” We need to recognize and acknowledge this and plan for the future, now.

We have spent a large amount of time reviewing this NIC Analysis and have extensive commentary in the Appendix. We feel is important because it is the horse that will direct the cart. We also feel that it should have been in place and an active part of our considerations before the current course was selected.

Some of the findings from the Justice System Analysis indicate: *The current strategy is not working There is dissatisfaction with the current state of affairs The nature of the problem needs to be better understood. Jail crowding is really just a symptom. It is a symptom of problems within the larger justice system. Success requires a system-wide approach. One must literally go outside the perceived “problem” in order to solve it. If the “solution” is to try to outrun jail crowding, to “build our way out” experience shows it cannot be done.*

In summary, the current situation needs to be viewed through a new lens: It is not helpful to define crowding as a “jail problem”. Nor is it helpful to describe jail crowding as “the Sheriff’s problem”. It is not even appropriate to describe it as a “County” problem. Managing jail crowding requires, first, an understanding of the rate at which the various types of offenders enter the jail and their lengths of stay. This is followed by the need to make choices – that is, to make deliberate, well planned, well thought out policy choices that manage these two factors to maximize public protection within the resources that are available or can be garnered in the future.

SEE Appendix D for a SYNOPSIS OF THE EAU CLAIRE COUNTY LOCAL JUSTICE SYSTEM ASSESSMENT BY THE NATIONAL INSTITUTE OF CORRECTIONS

(For a complete copy of the Justice Department Analysis & Assessment visit the web site:
http://www.co.eau-claire.wi.us/Construction_files/NICReport.pdf)

IV. Conflict with the US Department of Justice National Institute of Corrections Jail Design Guide

Astoundingly, the County was able to hit all four areas where a jail should not be located. It also should be noted that the Jail Design Guide was referring small & medium size Jails of up to 200 beds ... not a Regional Jail Complex of 785 beds.... which most surely is even more reason for not being in those areas. Chapter 3 of the Design Guide deals with Major Design Considerations >> Item #1 (pg 38) talks specifically to site location..... On page 44 >

“SURROUNDINGS (3-8): It is important that the jail be located in appropriate surroundings. If it is in the right type of area, conflicts with different types of functions will be avoided. The best locations are in government, light industrial or commercial areas. In general, the jail should not be near a school, a housing area, a church, or a recreation area.”

There is also a section in the Jail Design Guide that talks about determining needs ... establishing costs (including operations) ... involving community etc... *To read the entire document:*
http://www.cdcr.ca.gov/Divisions_Boards/CSA/CFC/docs/Jail_Design_Guide_A_Resource_for_Small_and_Medium_Sized_Jails_1998.pdf

V. Regional Jail Complex Plan

The current proposal calls for a facility that can house 345 inmates. Venture Architects projects that this facility will be at capacity by 2027, based on historical data from the Sheriff's Department (*see Appendix D – Growth Projections*). We can assume that a new addition would be required at that time.

The building is planned to expand upward, adding two 2-story pods in the first expansion. Each pod is capable of housing 110 inmates, bringing total capacity with the first addition to 565 inmates. The next addition would be, again, two 2-story pods, bringing the total capacity of the building to 785 inmates. The county has also indicated it could expand northward, taking out the historic home that is currently being spared. The county has said that expansion to the north is not expected to occur for 50-60 years, yet it is anticipated. (*see Appendixes A*)

Information and charts regarding operational costs of this new facility were provided at public meetings in January and May of 2007. To balance costs the charts indicated the county would capture revenue from renting spaces to house inmates from other counties. Projected costs have been reduced in the most recent figures, largely by cutting projected staff, but this strategy to alleviate costs remains a concern.

The practice of renting spaces has been shown to be problematic in other communities. The concern is that this facility will become a Regional Jail Complex. Sauk County has resorted to renting spaces not only to other counties for housing jail inmates, but also to the state to house prison inmates.

The increased population can be expected to impact city and county services. More trucks providing increased supplies will impact traffic. Visitors will add to the traffic and parking demands.

How will this large and expanding facility impact the character of this quiet, slow-moving, historic riverfront neighborhood? What will happen to this unique area that reflects our community's heritage?

Regarding site location for a jail, the U.S. Department of Justice, National Institute of Corrections publication, Jail Design Guide: A Resource for Small and Medium-Sized Jails (p. 3-8), says:

"It is important that the jail be located in appropriate surroundings. If it is in the right type of area, conflicts with different types of functions will be avoided. The best locations are in government, light industrial, or commercial areas. In general, the jail should not be near a school, a housing area, a church, or a recreation area."

This is not an appropriate site for the proposed facility.

VI. THERE ARE OTHER ALTERNATIVES THAT WOULD MEET THE NEEDS OF OUR COMMUNITY

There are several very viable alternatives to this proposed Jail Project that will serve our jail population needs very well and meet all State requirements. It is not the responsibility of the Plan Commission nor the City Council to find appropriate solutions for the County, nor to be concerned if the applicant has properly searched out their own solutions. We make no claims to have answers, nor the definitive alternatives. Putting knowledgeable heads together with a corrected directive will result in a better solution than the current re-zoning request. It is our contention that the attempted solution being presented is in need of concern for how it will affect the community.

We are only presenting a few ideas below in order to assure the commission and council that in turning down this re-zoning request, they are not leaving the county without workable solutions. Rest assured this proposed plan for the Regional Jail location is not in the best interest of the City and other more viable alternatives will be found and brought back for consideration once the blinders that brought us to this point are removed and a new directive is applied.

- **Remodel of the Huber Facility and the Human Services Building** to provide smaller facility with state approved Secure beds and dormitory semi-secure beds for county prisoners. According to a 1998 Department of Corrections Exemption report, inmates could be housed in the facility with a medium & minimum classification. These additional beds when added to the current secure beds in the existing jail could be used to return out of county inmates and take the immediate pressure of the *"need to build"* mind set that has been in effect. The additional beds that we can have in the current facility are not being utilized to meet our current needs. By remodeling the facility and removing current Huber Inmates we may be able to service our current needs in a much moiré cost effective manner when combined with current secure facilities.

By implementing a stronger bracelet system for Huber Inmates and re-designing the current facility we may have a potential to increase secure state approved beds above our current and future needs. Along with the implementation of some of the suggestions from the recent NIC analysis and the efforts of the new Criminal Justice Collaboration Council we may find that we do not have to build our way out of an over crowding situation as the National Institute of Corrections Analysis of the Eau Claire Criminal Justice System indicated in one of it's findings.

The appropriate use of existing resources in light of new ways to operate our justice system is one of the most cost effective corrective measures we could explore.

- **Modified Split Campus concept** and growth potentials not previously explored. We are not jail designers but we find that whenever a split-campus concept is mentioned it is said to be impossible because we would have to move everything across town, incur enormous transportation costs and increase safety issues beyond acceptable levels. There are very manageable alternatives that can be established that would allow the current City/ County shared facility, daily booking, short term beds and beds for inmates that are in-court or soon to be scheduled for court appearances to be housed in the current facility. We could even remodel the current facilities to work better for this limited inmate use. Then as a part of the off campus approach, a less costly, smaller scale jail can be constructed on the west side in an industrial type area. (The Technical College offers officer training and opportunities for in-service police and security office training, as well as providing educational service to the longer term inmates has been suggested and not fully explored as a viable option)

The jail outside of the downtown area would not have to be concerned with appearance and décor costs nor located on such costly and valuable land.. It could be built small and expanded as needed,

allowing for flexible growth in an area that would be less controversial and harmful to existing neighborhoods and current downtown directives.

Some of the savings from less costly design and land purchases could be returned to the tax base and might also be used to provide additional prisoner service facilities in the facility as well as an outside area for inmates that are incarcerated up to 18 months with no outside exercise areas at present..

With intelligent coordination of court appearances and group transport of prisoners who will be temporarily housed in the present updated jail facility adjacent to the present courts building, the costs that are implied to be unmanageable could easily result in a great cost savings. The fear statements on security and safety are unfounded and should not be used to disallow proper review of this type of alternative.

- **Remodeling of the west side of the current County Building** to include additional jail space as well as updating the current Huber facility and the Health & Social Services facility also has not been fully explored. The vacant building that H&SS had previously occupied in downtown Eau Claire is still there.... The same vacated desks that had been used previously may even still be in place.

The closing of Oxford Street has been said to have been rejected by the neighbors so it was not considered ... yet the rejection of the current plan is ignored. If we are truly looking at alternatives we cannot selectively pick which community rejection we are going to accept so we can move forward using that as a basis for why we did not explore one alternative in favor of the current community rejected plan.

- **OTHER ALTERNATIVES**

VIII UWEC Student Senate Opposition Resolution ...

The University of Eau Claire Student Senate unanimously passed a resolution 28-0 on Monday March 31, 2008 requesting that the County Board re-evaluate the proposed plan for their new Jail and to do so with more input from the community and the university. The resolution expressed the Student Senate's opposition to the current plan and pointed out some of the alternatives as well as the findings of the NIC Justice System Analysis that should lead to a better informed decision than the current jail. They also pointed out that the current location of the proposed facility is detrimental to the community and the adjacent student neighborhood. The full text can be read in APPENDIX E

IX. Community Opposition Signatures.

In order to fully understand the position that Eau Claire County residents are taking on the County's desire to expand the current judicial campus into a Regional Jail Complex facility, a petition was created in 2006 requesting that the county look into cheaper, more effective alternatives to incarceration rather than simply creating additional space for inmates. As was illustrated in the US Department of Justice National Institute of Corrections report, Eau Claire cannot "build its way" out of its overcrowding problem, and the petition echoed this sentiment. In 2006, over the course of two months, more than 1,000 Eau Claire County residents signed the petition to express their strong desire against the County plan and to look at other alternatives. In the first few months of 2008, the petition has been recirculated and has quickly garnered more than another 2,000 names bringing the total to well over 3,000 signatures, marking one of the greatest collections of public opinion on a petition in Eau Claire County history. More signatures are continually being added, furthering the notion that Eau Claire County residents do not support the County's Regional Jail Complex expansion plan.

(see APPENDIX __F__)

- X. The Call for additional community discourse** on solutions that respect the needs of the City and the Neighborhood in mind while planning for the future. This project as proposed does not meet the needs of the City of Eau Claire and is opposed by the majority of the citizens of the City & the County. As it does not meet the current Comprehensive Plan, we would recommend the City Council send it back to the County to re-design and take a second look at alternatives.

The voters and citizens of Eau Claire County will not let this slide past them again. With the City's recommendation to redesign the plan, the County can take a second look and in some cases a fresh first look at viable alternatives to serve the County's need less costly and less intrusively than the current proposal.

QUESTION ALL ARGUMENTS & ASK FOR FULL DISCLOSURE

- **The Jail has always been there and must be a part of the court system.**

NOT TRUE ... The little one room jail that existed in 1873 is a far cry from the County's large Regional Jail Complex that is planned. There are many successful Jail / Courts / County Government Facilities that are operated separately and under split-campus arrangements

- **The EC Comprehensive Plan indicates that the area east of the Courthouse is planned for County Facilities.**

NOT TRUE ... the plan clearly states: Courthouse District: *"government activity center area, emphasizing government and professional offices, personal services, and convenience retail and food establishments, serving primarily residents of the neighborhood and employees and users of the courthouse campus."*

A County Jail by its nature and according to County projections will be an expanding facility. There are several viable alternatives other than locating it downtown. It is time for the County to split its facilities and make other plans.

- **The Jail will be built to look nice & compliment the downtown area and will be set back 135 feet from the river with 30 feet of green space before the bike trail.**

TRUE .. But future needs will expand this facility and a JAIL is a Jail is a Jail ... no matter how many extra dollars are spent to put on a decorative skin & windows no one can see through. The long term projections for the Regional jail Facility is to be able to handle up to 900 beds. This is not the appropriate location for this structure

- **With the new National Institute of Corrections Analysis of our Justice System and the implementation of the Criminal Justice Collaboration Council (CJCC) we will never need the full capacity of the jail so there should not be any concern about future growth.**

It is true that the NIC Analysis and the creation of the CJCC as well as the new programs that the County has been implementing will reduce the enormous growth percentages that our county has had in Jail population growth. It is also true that the decision to build this was based on the growth factors being in place. Which is it? If we do not need the facility because our growth is under control then maybe we should be looking at something less expensive that we can afford to do what we need.

On the other hand, the old adage >> *If we build it they will come....* Can easily be modified for this facility to >> *If we build it we will fill it.* The tendency to want to operate at near full capacity to ensure maximum returns will and budget short falls will make using the empty cells for a rent-a-bed program an all too easy fall back.

- **If we were forced to choose a Split Campus System ... all the lawyers and workers that use downtown will move out and downtown will suffer.**

NOT TRUE This one is so bad we will not use more space to refute it. We could actual move the Social workers back downtown and help fill an empty building... The old Farmer's store may only need to have the desks dusted in order to get ready. One good story deserves another.

- **Transportation, increased staff and safety will be a major problem if the jail is located remote from the courts and daily processing and booking.**

NOT TRUE .. Well there may be some additional costs and inconveniences but they are far offset by better use of the proposed areas. Our Sheriff is a good administrator .. He can handle it. It will not take any more staff to cross a bridge on foot than it will to drive a small van. With good coordination those in court processing can be housed in the remodeled 3rd floor leaving long term prisoners and those currently out of county to be housed at an expandable facility close to corrective services and assistance. We could even look into placing the jail out by CV Technical School where they have training programs for corrections & security officers that might be of some value, and near trade facilities and a bus line. The NIC study found that those in short term processing, even though in large numbers use the least amount of bed space and those in longer term confinement use the largest number of beds. Now that we are starting to finally get some substantial data regarding our needs and are

seeing the results of collaborative efforts to get a handle on our criminal justice system we will find that we do not need the new facility. Putting heads together with a new directive will find new answers.

- **If this does not pass the City Police will have to find a new home.**

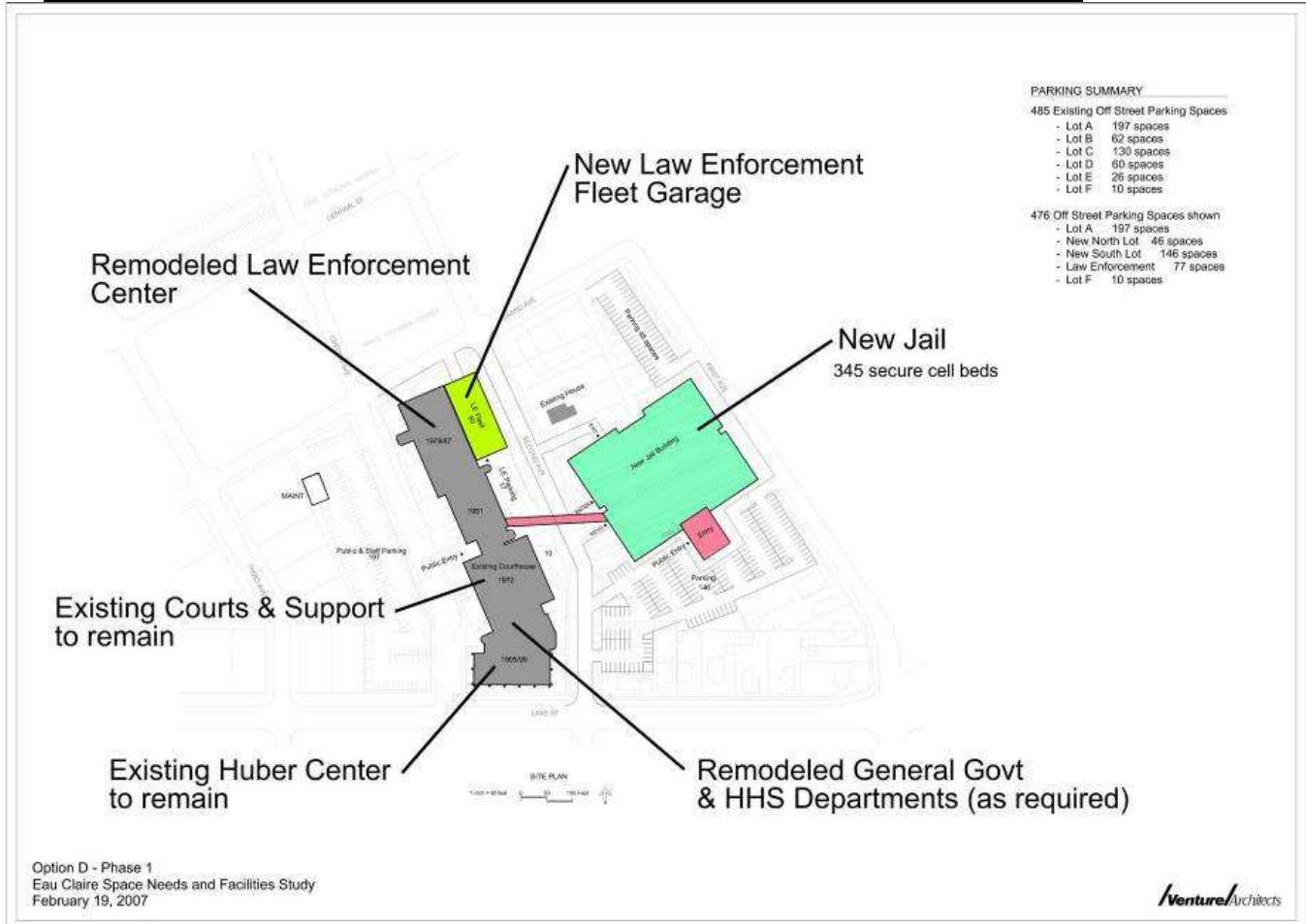
This is almost too foolish to respond to. Granted, if nothing were done the City would be forced to find a new facility but the county and the city both know that the combined operations are a major benefit to our community. Other viable options exist that will not be as detrimental to the City of Eau Claire and this options will be explored rather than brushed aside once a new directive is given to the planning process.

- **The Huber facility is not designed to hold the steel cell bars and heavy cement required for maximum security by the State. We cannot do anything different with our current population and our Huber prisoners.**

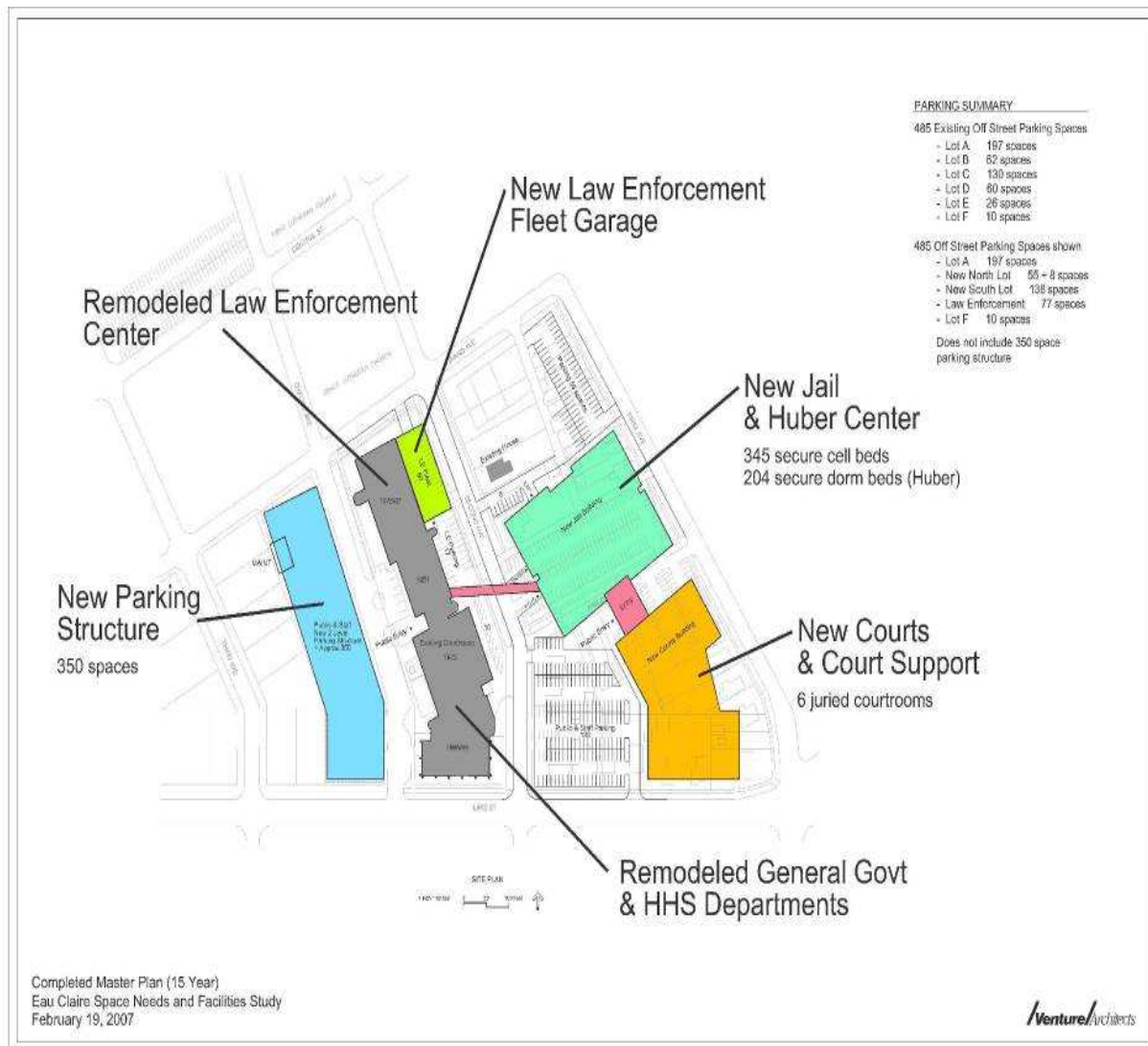
There are alternatives to how we handle our Huber prisoners that we have not implemented that would free up space in the Huber facility. According to the State of Wisconsin Department of Corrections documentation, since 1998 the Huber facility with moderate alteration, has been available to house medium, minimum and dormitory type secure beds. We will need to handle Huber differently to allow this space to serve our needs better. Between the mix of secure beds we already have and the medium and dormitory beds available in the Huber wing, we may have enough space to allow us to house prisoners within the current confines that we already have and plan for a more reasonable and more affordable alternative to the present proposed project. This alternative for some reason has not been fully explored.-p

APPENDIXES

APPENDIX A : PROPOSED INITIAL PLAN SITE FOOTPRINT 1



APPENDIX A2: FUTURE EXPANSION 2



ADTL. FUTURE EXPANSION FOR 900 BED REGIONAL FACILITY



APPENDIX B: LANGUAGE OF THE EAU CLAIRE CITY COMPREHENSIVE PLAN

The following excerpts are taken directly from the Eau Claire City Comprehensive Plan and include all mention of the Courthouse District.

Courthouse District – The Courthouse District is bordered by Fulton Street on the north, the Chippewa River on the east, Lake Street on the south, and Fifth Avenue on the west. The district includes the County government campus, the West Grand Avenue Business Improvement District, a large number of historical houses and structures, several churches, and the surrounding residential neighborhood.

In 1994-95, the Courthouse was expanded by 50,000 square feet with additional surface parking. The Courthouse campus serves as the key anchor for this district and should be designed to take better advantage of its riverfront setting and provide suitable transition to the surrounding neighborhoods.

The Grand Avenue pedestrian bridge, closed to automobile traffic in 1980, provides a connection to the Historic Waterfront District, on the east bank of the Downtown. A pedestrian pathway and riverfront park connect this district to the state bicycle trail and the North Barstow District.

Goal and Objectives

Reestablish the Downtown as a regional mixed-use activity center integrating civic and government uses, professional and corporate offices, health care, meeting and entertainment facilities, arts and culture, housing, and specialty retail

Objective 10 – Courthouse District: Encourage the development of the Courthouse District as a government activity center area emphasizing government and professional offices, personal services, and convenience retail and food establishments, serving primarily residents of the neighborhood and employees and users of the courthouse campus.... Expand county facilities with respect to the neighborhood.

Policies:

1. Economic Orientation: Support the focus of the Courthouse District on professional office, personal service firms, and convenience retail and food establishments, primarily oriented to serve the residents and employees of the district and County complex users. The district commercial area should be actively marketed as a unique, pedestrian-oriented business district serving area residents, area employees and county complex users. The City should also encourage marketing of housing along the river bicycle trail to take advantage of expanding trail use by providing “bed and breakfast” inns near the riverfront.

2. Neighborhood Preservation: Guide the direction and limits of future courthouse expansion to create certainty for adjoining property reinvestment. Commercial and office uses should not be allowed to encroach into the nearby residential area. Business properties should continue to be well maintained. The City will encourage the preservation of existing homes and neighborhood character and continue to work with the Historic Randall Park Neighborhood Association and property owners in ensuring compliance with applicable property maintenance codes and securing continued reinvestment and upgrading of residential properties in the area.

3. Courthouse Expansion: Encourage expansion of the Courthouse facilities to be oriented east toward the river. Future building expansions should continue to remain mindful of the importance of maintaining high-quality housing in this district.

4. West Grand Avenue BID: Support the efforts of the West Grand Avenue Business Improvement District to represent and enhance the businesses and commercial properties in the area.

Objective 2 – Police and Fire Services

Continue to provide a high level of police and fire services.

Police and fire services are two fundamental and highly expensive services provided by the City of Eau Claire. Since the surrounding counties and the adjacent City of Altoona also provides these services, Eau Claire will seek economies through cooperation.

Policies:

1. Community Policing: Investigate funding opportunities that would enable the reestablishment of the Community Policing Program within the Water Street area and the North River Fronts Neighborhood, as well as other neighborhoods abutting Downtown.

2. Fringe Fire and Security Protection: Continue the practice of evaluating the cost of providing additional police and fire protection against the long-term benefits of annexation.

3. Police Headquarters: Continue to jointly study the feasibility of an expanded County building that includes space for a new Eau Claire Police Department.

The *City Center Plan* (1995) and the *Historic Randall Park Neighborhood Plan* call for expansion of the County building to the east of the existing facility along Ann Street, away from the existing neighborhood to the west. The County has acquired land and provided parking lot expansion to the east of the courthouse consistent with these plans. An expansion feasibility study was initiated in 2004, and a new building is needed by 2007.

Primary Community Facilities

The primary focus of this section of the Comprehensive Plan is on city services of police, fire, cemeteries and library and on the Eau Claire School District's facilities for public education. This report will also list college and vocational school services within the city.

Police

The major issue facing police services as it pertains to facilities is the need for a new law enforcement facility by the year 2007. The City's CIP states the following as it pertains to this issue:

In 2002, \$90,000 was appropriated to fund an evaluation of a combined public safety facility. The contract with Eau Claire County for law enforcement operations expires in June 2007. The proposal may include the operations of the police department, fire department and county sheriff's department. Funding for design of the new facility has been budgeted in 2004 at \$300,000. Construction and furnishing the new facility will be financed by a bond issue in 2005. No included in this projection is the acquisition of property. After the evaluation is concluded and the location determined, a cost for the acquisition will be developed and added to the project cost. In addition, reuse of any abandoned space will be evaluated and the cost to renovate the space will be determined.

City and County Buildings

The following are other City and County facilities with the status of their present planning considerations noted:

Eau Claire County Courthouse

The County Courthouse was last expanded in 1997 with the Huber Center addition and in 1993 with the Health and Human Resources addition. The *City Center Plan* and the *Historic Randall Park Neighborhood Plan* call for expansion of the courthouse to the east along Ann Street, away from the existing neighborhood to the west. The County has acquired land and provided parking lot expansion to the east of the courthouse consistent with these plans.

Major Downtown Issues

The following are the major questions that were identified during the preparation of the Downtown Action Agenda.

1. City Support: What degree of financial and other support will the City be willing to provide for Downtown redevelopment?

The City has shown strong support for Downtown through its role in the North Barstow district redevelopment project and other efforts over the years, either through direct financial participation or by providing public infrastructure.

2. Institutional Master Plans: What geographic limits should be planned for the County government center and the medical center in order to protect the quality of nearby residential neighborhoods?

Public Access to the Riverfront: To what extent should there be public access to the riverfront in Downtown? Should such access be provided strictly through by public parks or should there be a combination of parks and easements across private property?

Many downtown locations do not allow public riverfront access but there have been great additions to the riverfront open space during the past ten years. Many cities have discovered the economic and civic benefits of providing continuous public access along waterways in their downtowns. This access is publicly owned, privately owned with a public easement, green space or hard plaza.

Courthouse

The Courthouse District has several land uses:

- The County government center
- a large number of impressive, high-quality historic houses and apartment buildings, and a compact commercial area centered around Grand and First Avenues
- a portion of the Chippewa River State Trail, including a beautiful plaza and promenade lined with historic houses.

The Courthouse District is part of the West Side Neighborhood and represented by the Historic Randall Park Neighborhood Association and the West Grand Avenue Business Improvement District. The adopted plan for the neighborhood calls for limiting the outward spread of the County government facilities, rehabilitating housing, redeveloping or infilling with architecturally-compatible housing, and disallowing the construction of apartment buildings in the midst of single-family housing.

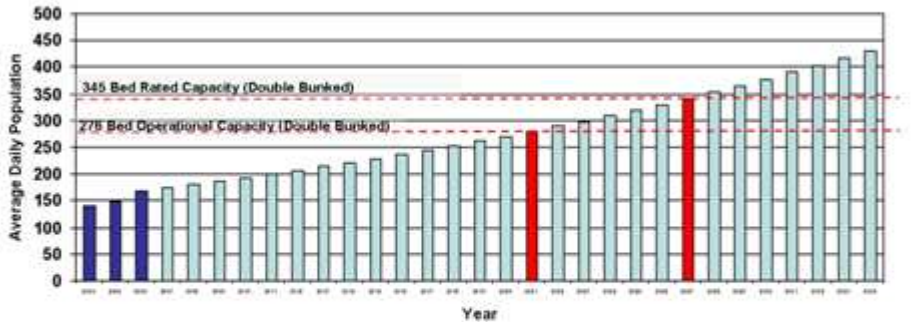
The commercial portion of the Courthouse District could be strengthened with additional professional offices, personal service firms and convenience retail and food establishments (to primarily serve County employees). The county complex is in need of expansion but the County should remain mindful of the importance of maintaining or improving the quality of the housing in the vicinity. The commercial area along Grand Avenue could be marketed as a quaint, walkable historic district with specialty and convenience shops serving West Siders and County employees. In 2003, the City purchased the Mundt Funeral Home, located on the riverfront near the foot of Grand Avenue, as an expansion of the Chippewa River State Trail. That was the last non-public land use along the west riverbank between Madison Street and Owen Park

Grand Avenue

Grand Avenue is a compact and well-maintained collection of mostly turn-of-the-century commercial buildings with small shops, offices and upper-story apartments. Locations such as these give cities a sense of charm, tradition and place. Every effort should be made to keep the businesses vital and the public spaces attractive. The pedestrian promenade element of the Chippewa River State Trail along First Street, to which Grand Avenue connects, is a marvelous complement to the commercial district.

APPENDIX C: VENTURE GROWTH PROJECTIONS

EAU CLAIRE COUNTY JAIL Secure Bed Capacity 345 Bed Rated Capacity - 276 Bed Operational Capacity



Notes:

- Projections are based on previous study recommendation (3.4% per year increase)
- Secure Jail population is projected to exceed operational capacity in the year 2027
- Secure Jail population is projected to exceed rated capacity in the year 2034
- 2006 historical data is January – June 2006
- Secure operational capacity is based on 80% of rated capacity

■ Historical Data per Eau Claire Co. Sheriff's Department
■ Projection

Revised October 10, 2006

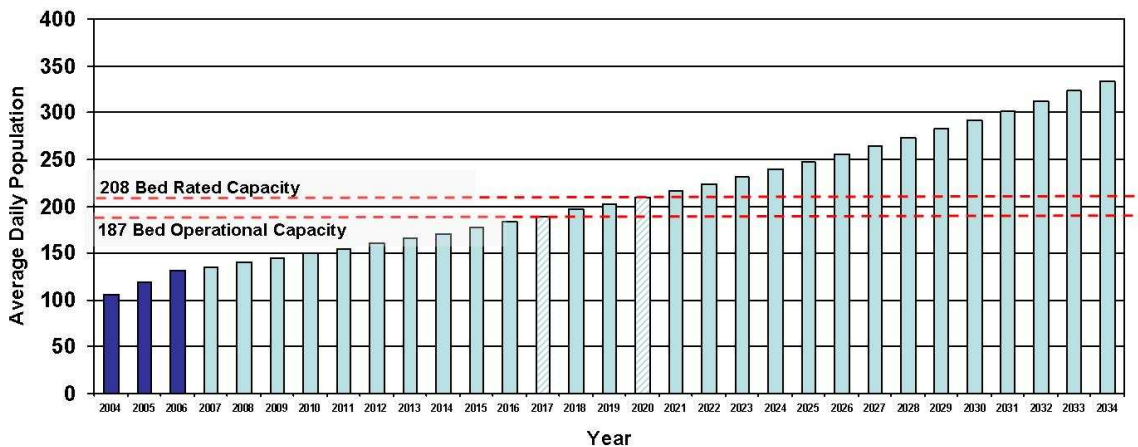
Venture Architects

Eau Claire Space Needs and Facility Study

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February 13, 2007

EAU CLAIRE COUNTY JAIL Huber Bed Capacity per Program



Notes:

- Projections are based on previous study recommendation (3.4% per year increase)
- Huber Jail population is projected to exceed operational capacity in the year 2017
- Huber Jail population is projected to exceed rated capacity in the year 2020
- 2006 historical data is January – June 2006
- Huber operational capacity is based on 90% of rated capacity

■ Historical Data per Eau Claire Co. Sheriff's Department
■ Projection

September 13, 2006

Venture Architects

APPENDIX D: SYNOPSIS OF THE EAU CLAIRE COUNTY LOCAL JUSTICE SYSTEM ASSESSMENT BY THE NATIONAL INSTITUTE OF CORRECTIONS

In the report, the NIC Consultants give many examples and templates for analyzing Justice System data to determine how best to manage our current problems. They point out that current jail data is not well organized and officials are forced to make decisions without the benefit of adequate analyses. The report shows trend analyses and compares Eau Claire to other counties which demonstrates why we have “substantially elevated” incarceration rates. The Consultants conclude that we must change our policies and way of thinking; we cannot “outrun growth by adding capacity.” We cannot “build our way out.”

We recommend you read the full NIC report which is concise, extremely readable and enlightening.

http://www.co.eau-claire.wi.us/Construction_files/NICReport.pdf

Missing Analyses, Poor Information

The report does not fully analyze the data, but explains how Eau Claire can and should use their analyses as templates of “analysis work that should be replicated in Eau Claire County.” Throughout the report the Consultants stress that the leadership does not have the information needed to make good policy and resource decisions.

“Utilization of the Jail bed space resource is not well understood by justice system officials, general officials of county and city governments, or the public. The jail data was not organized to permit analysis. It was difficult to determine how the jail space is being used.”

“At present, officials are forced to make decisions without empirical information that would suggest alternative courses of action, or to evaluate the results of their decisions.”

The consultants conclude that “much better analyses are needed to support the policy-oriented planning process.”

The reason officials are not able to make good decisions, they say, is lack of analysis. They point out that bookings and length of stay of the various inmate types are not being analyzed. The county has not developed aggregate statistics about groups of inmates, or classes of offenders, to look at them by “most serious charge”, and so forth. They label the classification system “a mystery.”

“The prior studies that have been done have been uniformly weak in detailing and describing the various subtypes of inmates in jail and how much space they occupy.”

The report states that “Additional technical assistance might be requested to help strengthen the inmate classification system” noting many different resources to draw from including the University of Wisconsin.

Policy, Not Crime, Driving Jail Crowding

The NIC report repeatedly refers to policy as the reason for Eau Claire jail crowding. They say “The increase in the demand for criminal justice services appears to stem from changes in the response of the criminal justice system. It appears that a larger number of people have been placed under correctional supervision, under more stringent behavioral requirements, and for longer periods of time.”

The analysis shows that, historically, changes in the number of bookings have driven of changes in the number of people in the jail system. The increase in booking is not due to an increase in crime, it is due to policy decisions that the Consultants say need changing if we are to get control of the problem.

“Managing the size of the jail system population will depend upon achieving agreements about changes in justice system policies. This is because changes in the size of the jail population are primarily the result of changes in the response of the justice system.”

While crime rates in Eau Claire and statewide have been dropping arrests in Eau Claire County increased by 24%. This is primarily the result of changes in the response of the justice system. It seems that the jail is being used differently in 2007 than it was in 2003. The Consultants were unable to determine if these changes were planned or purposeful.

Justice System Trend Analysis

The Consultants analysis revealed past trends and offered future demographic data. They found increasing incarceration rates “in sharp contrast to the declining Index crime rates in the County.”

- Between 2002 and 2006, the Number of Index Crimes Reported to law enforcement in Eau Claire County decreased -14%;
- Total Person Crimes reported decreased – 7% over this period, while property crimes decreased -15%.
- Adult arrests in Eau Claire County increased by 24% during this period. This is in sharp contrast to the declining Index crime rates in the County, and in contrast to the statewide adult arrest trends.
- Total Criminal filings in the Eau Claire Circuit Court increased 10.6% between 2003 and 2006, compared to a - 5.6% decrease statewide;
- Felony filings in the Eau Claire Circuit Court increased 21.6% over the three years, 2003-2006;
- The Eau Claire County Jail average daily population has increased 38% during the ten-year period 1997-2007. During this same period the number of bookings has increased by 35%, while the average length of stay has increased only 2.2%.
- The Eau Claire County crime prone age group (age 15-24) can be expected to peak in 2010, then decline substantially by the year 2020. This age cohort is expected to grow at about one half the rate of the general county population through 2030;
- The adult arrest profile of the Eau Claire Police Department differs markedly from the arrest profile of the Sheriff's Department

The Comparative Analysis

The consultants completed an analysis which compares Eau Claire County crime and criminal justice indicators with six other Wisconsin counties. This analysis provides basic justice system diagnostics.

The analysis showed that Eau Claire County justice system rates are extreme weigh against other counties or the state.

“The basic message: Most of the Eau Claire system rates are substantially elevated above the six county average rates and the statewide rates.”

While the NIC Consultants say the jail is undersized and should be replaced, the also note that:

“Eau Claire County would have sufficient jail bed space if the justice system operating within Eau Claire County had system rates (arrest, case filing, case disposition, and jail utilization rates) similar to the six county average rate or the statewide rates.”

In other words, the jail is undersized only if we continue with business-as-usual elevated system rates.

Findings and Observations

The NIC consultants found “many good things are happening” such as the establishment of the Criminal Justice Collaborating Council. They said the staff is doing a good job managing a safe and secure facility in a difficult jail situation, and noted that Eau Claire is a safe community. The metropolitan area ranks 4th safest among 344 metropolitan areas of its size.

The NIC consultants also found many “Problem Areas.” Listed first was the county’s “very active justice system”. They note that this is a reflection of the policy choices made by officials who operate the local justice system and that these choices “have workload and expenditure consequences.” In other words, if we choose to lock up many more people than

other counties, then we will have to pay more as well. They note “This condition is straining the community’s ability to finance buildings, staff and programs.”

They say the jail is aging, poorly designed and undersized for the way in which we are using it. They do not focus on the jail size so much as how it is used.

“The jail is used to house a wide range of inmate types. It is attempting to do too much. Almost anyone can be admitted.” [...] “It is a mixture of three distinct groups: ‘people we are afraid of, people we are upset with and people we do not know what to do with.’ ”

The report repeatedly points out that jail crowding is “really just a symptom”, and that the problem lies in our policy choices. They conclude “a new jail, by itself, may not change very much.”

The need to do things differently

The interviews conducted by the consultants revealed dissatisfaction with the way the justice system currently operates, but noted the agency-based leadership does not sense the possibilities for change. We should have a “flexible, efficient, effective, integrated system of custodial, residential, and field-based sanctions and services,” but now have a failure to “perceive, or to accept, jail as one sanctioning option within a graduated continuum of appropriate sanction and services.”

The consultants focus on the need to do things differently. They say “The current strategy is not working.”

“The predominant view, the predominant strategy for coping with the growing workload has been to seek additional resources, add jail beds, and add program capacity. This represents a near singular strategy aimed at trying to outrun growth by adding capacity. [...] When coupled with the notion that the workload is ‘a given’, it leads to a perception that the ‘solution’ is to try to outrun the workload increase. Or, in the case of jail crowding, to ‘build our way out’. Experience shows it cannot be done.”

The report concludes that a new jail will not solve many of the current system problems and that the current issues will continue unless the system changes. The consultants repeatedly urge that the public be engaged in this process of define the jail - “Policy choices need to be embedded in community sentiment.”

“The size, location, the programs within and outside of the facility, the alternatives, who pays for what --- all of these will be empirical expressions of the community’s correctional philosophy.”

The consultants ask us to consider these questions:

- What do we want our justice system to look like in five years?
- What is the purpose of the jail?
- What programs and philosophy?
 - Jail-located vs. community-located offenders?
 - Jail-based vs. community-based programs?
 - Punishment vs. treatment?
 - Prevention vs. intervention vs. correction?

The following excerpts from the study of Eau Claire County’s judicial facilities offer a clear indication that the current system and plan for addressing Eau Claire County’s jail overcrowding issues are undeniably misguided, short-sighted, and completely contradictory to the US Government’s recommendations, as follows:

Under “**Findings and Observations:**”

6. The current strategy is not working. The predominant view, the predominant strategy for coping with the growing workload has been to seek additional resources, add jail beds, and add program capacity. This represents a near singular strategy aimed at trying to outrun growth by adding capacity. But the system is up against substantial resource limits and the strategy is coming under increased scrutiny because, to some, it does not seem to be working.

7. There is dissatisfaction with the current state of affairs. The interviews revealed dissatisfaction with the way the justice system currently operates, but the agency-based leadership does not sense the possibilities for change. They operate independently and, individually, they feel unable to affect substantial change.

9. The nature of the problem needs to be better understood. A first conceptual trap has been the view that jail crowding is “the problem.” A related notion is the view that jail crowding is “the Sheriff’s problem”. It turns out that **jail crowding really just a symptom**. It is a symptom of problems within the larger justice system. **Success requires a system-wide approach. One must literally go outside the perceived “problem” in order to solve it.**

In summary, the current situation needs to be viewed through a new lens: It is not helpful to define crowding as a “jail problem”. Nor is it helpful to describe jail crowding as “the Sheriff’s problem”. It is not even appropriate to describe it as a “County” problem. Managing jail crowding requires, first, an understanding of the rate at which the various types of offenders enter the jail and their lengths of stay. This is followed by the need to make choices – that is, to make deliberate, well planned, well thought out policy choices that manage these two factors to maximize public protection within the resources that are available or can be garnered in the future.

APPENDIX E: PETITION FOR ALTERNATIVES TO INCARCERATION

Citizens of Eau Claire County Oppose County Board's Plan for Courthouse and Jail Expansion.

We the citizens of Eau Claire County urge the Eau Claire County and City Boards to consider the long-range needs of our county and city and to hear and respect the concerns of its people.

We oppose the current plan to expand the courthouse and jail between First Avenue and Second Avenues and between Lake Street and Grand Avenue.

To more effectively serve the immediate and long-term needs of the people of Eau Claire County, we demand that the County and City Boards examine:

- **Alternatives to the Demolition of Homes** (historical, family and affordable rental housing) in the Courthouse District neighborhood and request that the board re-examine Recommended Plan #2 (split campus)
- **Alternatives to Housing Prisoners Next to Court** such as Video TeleConferencing for all communication except final sentencing (**secure and saves inmate transportation costs**)
- **Alternatives to Incarceration:** more research into the economic and social benefits of treatment and social services for non-violent offenders.
- **Suggestions Previously Dismissed by the County** that meet the financial, logistical and security demands of the county and city.

Name	Address	Signature
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APPENDIX F UWEC STUDENT SENATE RESOLUTION

Passed-28-0-0
04/07/08

51-R-35

UNIVERSITY OF WISCONSIN-EAU CLAIRE STUDENT SENATE RESOLUTION

IN SUPPORT OF A COMMUNITY-FRIENDLY JAIL AND COURTHOUSE

1 WHEREAS, the expansion project will cost a minimum of \$59.1 million
2 dollars for construction, not including upkeep, maintenance, and staffing;
3 and

4 WHEREAS, this price will cause a significant property tax increase for
5 the citizens of Eau Claire County over the next twenty years; and

6 WHEREAS, the students of UW-Eau Claire comprise a large portion of the
7 downtown and Randall Park Neighborhood community; and

8 WHEREAS, the community, including the students of UW-Eau Claire, have
9 not been allowed adequate say in the decision to approve this expansion; and

10 WHEREAS, the community has openly expressed their disapproval of this
11 project; and

12 WHEREAS, it is a great disservice to the public to not collect public
13 input through a referendum for a decision of this magnitude; and

14 WHEREAS, the current plan to expand the jail to the riverfront would
15 force local businesses, home owners and renters to move; and

16 WHEREAS, there exist alternatives to the expansion that would allow for
17 all of the threatened buildings to remain where they stand, preserve the
18 riverfront land, and retain the integrity of the City of Eau Claire's
19 recently approved and award-winning comprehensive plan; and

20 WHEREAS, in February, 2008, the U.S. Department of Justice's National
21 Institute of Corrections (NIC) performed an assessment of the jail's capacity
22 and occupancy; and

23 WHEREAS, part of the NIC report stated "Eau Claire is a safe community,
24 the metropolitan area ranks 4th among 344 metropolitan areas of its size,
25 according to the 13th Annual Quinto Awards rating. The number of people in

26 the crime prone age group is increasing at a rate that is about half the
27 growth of the general population. People are pretty well behaved;" and

28 WHEREAS, the jail expansion does not reflect the safety or needs of the
29 community; and

30 WHEREAS, the proposed jail expansion will not fix the county's
31 problems, as stated in the NIC report: "In fact, a new jail, by itself, may
32 not change very much. New bed space may be filled quickly. It is also
33 possible that the new emerging programs will expand the total number of
34 people under correctional supervision, also fill to capacity, and have very
35 little impact on the number of people in jail;" and

36 WHEREAS, a problem within the corrections system cannot be fixed
37 through expanding the jail; and

38 WHEREAS, the university supports more communication and interaction
39 with the community; UW-Eau Claire is currently undergoing strategic planning,
40 which includes a plan to "create a 'front door' to connect the university and
41 community, and inventory and communicate community engagement activities and
42 resources;"

43 WHEREAS, money spent on a jail will reduce the amount of money
44 allocated to treatment, education and alternatives to incarceration;

45 BE IT THEREFORE RESOLVED that the students of UW-Eau Claire oppose the
46 current plan to expand the courthouse and jail east of the current county
47 building into the riverfront region; and

48 BE IT FURTHER RESOLVED that the students of UW-Eau Claire encourage the
49 county to properly and thoroughly examine the other expansion options,
50 including alternative to incarceration programs; and

51 BE IT FURTHER RESOLVED that the University of Wisconsin-Eau Claire be
52 more involved in decisions regarding the jail expansion, as encouraged in the
53 NIC report; and

54 BE IT FUTHER RESOLVED that the University of Wisconsin-Eau Claire
55 encourages the County Board to study the recommendations of the National
56 Institute of Corrections (NIC), by analyzing data and information to

APPENDIX G - ALTERNATIVES

http://www.wisinfo.com/northwestern/news/local/stories/local_21470685.shtml

County jail develops new programming

By Jim Collar

of *The Northwestern* (Winnebago County, Wisconsin)

Posted June 19, 2005

Winnebago County Sheriff Michael Brooks sees the future of local corrections extending beyond the bars and guards of the county jail.

➡ The sheriff's department is developing programs that replace simply warehousing those who violated the law with a system focused on reforming offenders with the hope that they won't return.

If it works according to plan, it will all to come at a far lesser cost for the taxpayers footing the bills.

"We can't just lock people up and warehouse them," Brooks said. "We need to give them the opportunity and the motivation to address their underlying problems."

The Winnebago County Jail in upcoming months plans to extend its program offerings to inmates in an effort to complement efforts taking place at the courthouse through proposed drug and alcohol courts. The sheriff's department is still working to hire a coordinator solely for the purpose of maintaining jail programs.

Brooks said the goal of upcoming efforts will be to reduce the jail population and associated costs both immediately and in the long term.

County inmates are already gaining opportunities through basic education and faith-based programming. In the months ahead, the jail administration hopes to increase alcohol treatment options and offer courses designed to improve decision-making. As part of the programs, a greater number of inmates would be released to day reporting programs and global positioning bracelets based on their successful participation in the jail programs.

Programs under development in Winnebago County are being modeled after successes in La Crosse County and Dakota County, Minn.

In La Crosse County, officials are close to closing down the jail's work release center based on their success with bracelet and day reporting programs. If Winnebago County could reach a similar point, taxpayers would certainly take notice.

Winnebago County's bracelet program now has 29 participants, and from them, the county makes a total of \$5,000 per year after fees for participation. If those 29 people were incarcerated for a year, it would cost the county \$541,528.

Dakota County is more than twice the size of Winnebago County, but its jail population averages one third fewer inmates at any given time. The county uses a number of programs in its jail from basic education to drug

and alcohol treatment and faith based groups for those willing and interested in participating. Program topics include parenting, anger management, Bible study and outpatient chemical dependency treatment.

Phil Drazkowski, coordinator of jail programs for Dakota County, said those in his jail who want to improve have every opportunity, and the county saves money as a result.

Jim Collar: (920) 426-6676 or jcollar@thenorthwestern.com

Drug Policies in the State of Michigan: Economic Effects

<http://icyf-ftpwebsvr.icyf.msu.edu/icyf/pdf/Drug%20Policies%20in%20the%20State%20of%20Michigan%20-%20Economic%20Effects.pdf>

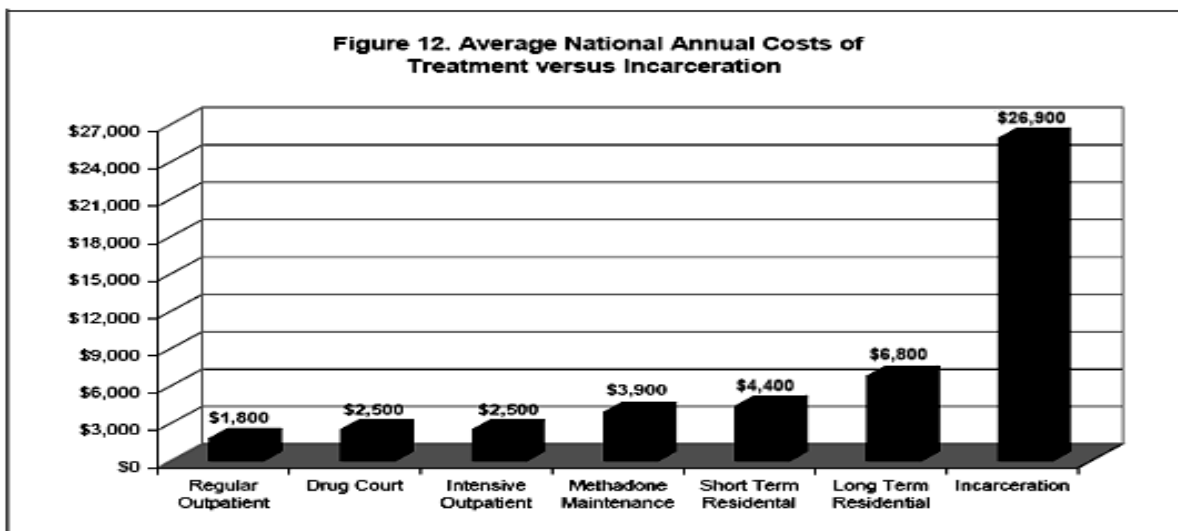
Drug Treatment Called Key to Cutting Recidivism

Deseret News (Salt Lake City, Utah) Aug 10, 2004 by Andrew Kirk

Deseret Morning News

http://findarticles.com/p/articles/mi_qn4188/is_20040810/ai_n11468116

Average National Annual Costs of Treatment versus Incarceration



Source: Research done by James W. Langenbucher, Ph.D., Rutgers University. Available at: http://center.butler.brown.edu/plnp/Newsroom/Press_Releases/PR2/pr2.html

APPENDIX G - STUDENT SENATE RESOLUTION