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## State of Wisconsin Department of Corrections

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December 11, 2007

Sheriff Robert Carlson  
Racine County Sheriff's Department  
717 Wisconsin Avenue  
Racine, WI 53403

**RE: Racine County Jail, 2007 Annual Inspection**

Dear Sheriff Carlson:

The Annual Inspection of the Racine County Jail was conducted on September 19 and September 20, 2007 pursuant to Wisconsin Statute 301.37(3). The inspection compared the facility and its operations to the Department of Correction Administrative Code, Chapter DOC 350, and to applicable state statutes. The facility has a maximum approved capacity of 650 inmates, and on the date of the inspection there were 789 inmates in custody (678 Male, 111 Female). This report summarizes the findings of the inspection and outlines some of the improvements and enhancements since the last annual inspection in 2006, as well as areas in violation of administrative code and those in need of improvement.

### INSPECTION SUMMARY

#### Summary of Progress from the Previous Year

The last *Annual Inspection* occurred in October 2006, and since that time there have been a number of changes and improvements at the facility. Some of these changes and improvements include the following:

- Construction of the addition to the Law Enforcement Center is nearing completion that will increase the rated capacity to 860. The facility is scheduled for completion in November, 2007.
- Remodeling of areas within the existing jail is scheduled to commence in November, 2007. Renovations will include a new medical area, enlarged kitchen, new laundry room, new staff locker room, and additional office and storage space.

- The Criminal Justice Coordinating Committee continues to meet on a monthly or bi-monthly basis to address areas of current and future need, including alternatives to incarceration.
- The ratio of Deputies assigned to the jail has continued to decrease as new vacancies are being filled with civilian Corrections Officers.
- The Children's First program has been expanded to encompass a number of areas involving employment such as training and preparation.
- New AED's have been purchased for the facility, with staff receiving training for their use during emergency situations.
- Tasers have been purchased for the facility. All staff will be receiving training on their use prior to implementation.
- The electronic physical security check system "Detex" is being replaced throughout the facility.

### Safety and Security Practices

There is a process in place to conduct regular security checks in the living units as stipulated in DOC 350.12. These security checks are recorded electronically via the "Detex" system, but are only being completed by staff working 3<sup>rd</sup> shift when all inmates are locked down in their cells. An electronic "Activity Log" is also utilized by staff to provide documentation of suicide watch, meal delivery, medication administrations, etc. However, these logs do not include documentation of physical security checks (other than suicide watch) for the housing units. Consequently, the frequency of physical security checks at the facility is in violation of administrative code DOC 350.07(7).

Lock and fire exit inspections are being conducted on a monthly basis by a Sergeant in accordance with DOC 350.12(5). An excellent form is being used to complete these checks and provides detailed information for each door and any problems that may arise so that maintenance can be notified immediately. There is also a system in place to conduct shakedown of the facility, including the Huber inmate "hot" lockers.

The last fire inspection was completed on 5/25/07 by the Racine Fire Department. An extensive fire/emergency disaster drill involving multiple county agencies and the local fire department is also conducted on an annual basis. Self-contained breathing apparatuses are being checked on a monthly basis and documented. There is also a system in place for contracted vendors to check the fire safety equipment on a regular basis as well.

### Records and Reporting

The Racine County Jail maintains records and logs pursuant to DOC 350.11. A review of procedures indicated that appropriate information is being obtained on each individual being booked into the facility. Policies and procedures are in place to inventory property, complete the

Intake Health Screen, and to prepare inmates for entry into the facility. Significant events and incidents are recorded in the CJMS.

The reporting requirements for unusual occurrences are outlined in DOC 350.11(4). Since the last annual inspection, your staff has contacted this office in a timely manner when significant incidents have transpired. Your staff has also provided any documentation requested by this office as soon as available and has cooperated fully with the Department of Corrections.

### **Inmate Management**

Pursuant to DOC 350.15(1), each individual admitted to the facility is provided with a copy of the inmate rules. Additionally, the rules of the facility have been placed onto transparencies and affixed to the glass in the living unit for inmate reference and to maintain visual observation by the Deputy/Officer. This is an excellent practice that is now being used by other county jails in the Southeast Region. There is a system in place to handle violations of the rules. There is a due process system which includes hearings if requested and a review process by supervisory staff.

An objective inmate classification system is in place at the facility and appears to be an area that has greatly assisted with curbing assaultive behavior at the jail despite the severe crowding being realized. Classification has recently played a role in the decision to combine level 3 rival gang members in the same dayroom. Concurrently, however, the extensive amount of overcrowding at the facility (121% of the rated capacity at time of inspection) has led to triple celling of inmates which in turn, limits the effectiveness of an objective classification system and increases security risks.

A critical component to effective inmate management involves the ability of line staff to communicate with inmates in a professional manner. Over the course of visits to the facility during the past year and the two day inspection, a number of staff was observed communicating with inmates in an inappropriate manner, either rebuking or cursing at those requesting discussion. This was also a central theme brought forth by inmates in a majority of the housing units as well. Given that no staff (line or supervisory) enter into the housing units during 1<sup>st</sup> and 2<sup>nd</sup> shift, communication with inmates is limited to the use of call buttons or inmates pounding on the glass, whereby inmates are often repudiated or locked down. This has led to many inmates verbalizing their frustration with staff over their inability to seek out answers to questions or concerns. These observations have led this office to recommend that all staff be provided with training in interpersonal communication skills in an effort to change the current culture of managing inmates at the jail.

### **Inmate Health Screening and Care**

Health care staff availability at the jail has increased over the past year with nursing coverage now at 24 hours per day via an amended contract with HPL. Although there has been some turnover with the nursing staff, it appears that staffing has stabilized. The physician is on site approximately 4 hours per week on Saturday, but is on call 24/7. A mental health provider is available to inmates during the weekdays from 8am-4pm, with a Psychiatrist at the facility for approximately 4 hours per week. Dental services continue to be provided through a local dentist.

Each inmate being admitted into the facility has a health screening form completed on them by the booking Deputy/Officer with a copy sent to nursing and mental health for review. Inmates who indicate "yes" to any of several questions (e.g., diabetic) are then seen by the nurse to receive a thorough assessment. Inmates also maintain the ability to request routine medical care by completing a form that is forwarded to health care. Routine care via sick call is typically completed on either 1<sup>st</sup> or 2<sup>nd</sup> shift, with inmates being seen within 24 hours of their request.

All medications entering the facility are verified and counted by a nurse. Nursing staff develop the Medication Administration Records (MARS) for each inmate taking a prescription. Medications are then sent to the units where they are passed to inmates by the Deputy/Officer. The MARS are checked by nursing staff once per month to ensure proper documentation.

Requests for special diets are also reviewed by health care staff and are provided if deemed medically necessary and verified. Food service is then notified of any special dietary needs for an inmate. There is also a system in place to complete a Health Transfer Form as is required in State Statute 302.388.

As noted in last year's inspection report, one area of concern involves the absence of proper documentation for stock medications being kept at the facility. Per discussions with the Health Care Administrator, it was recommended and agreed that log sheets be placed on the back of the stock medication blister packs so that these medications can be accurately tracked via documentation.

### **Suicide Prevention and Special Needs**

The identification of inmates with suicidal ideologies or other special needs is initially completed by the transporting/arresting officer and then by the booking officer when completing the inmate health screening form. Those identified as being suicidal or "at risk" are placed on a 15 minute watch. Upon the completion of the health screen, copies are sent to both mental health and medical for review and assessment if deemed necessary. A significant benefit to the facility is the presence of a mental health professional via contract through HPL that is available 40 hours per week. In comparison to last year's inspection, the documentation for security checks of inmates placed on suicide watch has significantly improved based upon a review of the activity logs.

### **Food Service**

A walk-through of the kitchen area showed it to be clean, well maintained and organized. Racine County continues to utilize a 5 week menu cycle which was found to offer a variety of meals and maintains appropriate caloric content. All menus are reviewed by a certified Dietician who also reviews the menus for the Juvenile Detention Center. Discussions with inmates over the course of the inspection revealed that most are satisfied with the meals, but desire greater portions. A number of inmate workers are utilized in the kitchen for food preparation and cleaning. Food temperatures are being taken by the cooks, with those for the freezers and coolers within the kitchen area being completed by maintenance. A detailed knives/sharps control log is now in place near the shadow board that tracks the time a knife was taken out and the time it was brought back.

Requests for special diets are initially screened by health care staff which will be honored if deemed medically necessary via external documentation. Upon approval, special diets are sent to the kitchen staff that then provides the meal.

### Programming

The Racine County Jail provides a number of programming opportunities to inmates while confined at the facility. In large part, the programs available to inmates have remained the same from the previous inspection in 2006, and include a Jail Alternative and Diversion Programs overseen by Zimmerman Consulting that involves Alternatives to Incarceration, AODA, Day Reporting Center, Employment Programs, Intensive Supervision, and Jail Literacy. GED and tutoring services are also available where many inmates have taken advantage and graduated from the jail. Additionally, two teachers from the Racine Unified School District provide educational services to eligible inmates. Other notable programs available include training in self-esteem, life skills, communications, and one-on-one mentoring. Women incarcerated at the jail are also offered the program "Celebrate Recovery" and domestic violence.

A range of services are available to inmates through the Jail Chaplaincy Program that includes Bible Study, Alcoholics Anonymous meetings, and anger management, among others. Worship services are also provided each week at the facility.

The unfortunate aspect of the programming at the facility involves the lack of space available to the many volunteers providing services. Much of the programming is currently being completed in the corridors of the jail. It is anticipated that the programming space designated for the jail expansion will provide some relief to this problem.

### Inmate Services

The inspection included a review of the facility's practices regarding inmate services. Policies and procedures are in place for inmate services such as mail (incoming/outgoing), visitation, reading materials, and canteen. Although recreational areas exist, the lack of staffing at the jail renders these areas vacant due to the operational problems moving inmates back and forth. However, the policies and procedures in operation indicate that all inmates are being provided reasonable access to these services.

An area of concern brought forth during the inspection by inmates in all housing areas involves the canteen service operated by TW Vending. In effect, inmate complaints were two-fold regarding canteen. First, many complained about the kiosks within the units deducting funds without ever receiving the item(s) paid for and then not receiving a refund. Second, others complained that they do not receive a copy of the canteen sheet or are able to review their order to ensure its accuracy. Staff also indicated that the issues with canteen were one of the primary complaints they receive from inmates. Some staff suggested a move back to passing out canteen during 1<sup>st</sup> and/or 2<sup>nd</sup> shift would resolve much of the second problem noted above. Discussions with TW Vending indicated that there was a problem with the software program to the extent that they were unable to track down lost funds from the kiosks, but that modifications were being made to resolve this problem. It is suggested that administrative staff review these concerns to determine the best course of action.

Another concern brought forth by inmates involved the lack of response to inmate grievances that they had filed. This was an area of concern brought forth in last year's inspection as well. As noted last year, inmates hand their complaints to the Deputy/Officer who is then responsible for either addressing the concern or disseminating to a supervisor if the issue remains unresolved. If a complaint is brought against the unit Deputy/Officer, inmates are encouraged to wait until the next shift. This process, however, compromises the integrity of the grievance procedure. One suggestion is to maintain a locked box either on the floor or in the units where supervisory staff would only have access. This procedure has been implemented in other facilities and has been shown to be effective. Issues that require immediate attention should not be filed via grievance, but rather should be verbalized to the unit Deputy/Officer for resolution.

### **Jail Maintenance, Sanitation & Physical Plant**

A review of the sanitation practices in place at the Racine County Jail was found to be satisfactory and meets the requirements set forth in DOC 350.08. Linens and uniforms are being exchanged at the proper rates per week. However, an area to be addressed involves the lack of available undergarments to indigent inmates.

Although the facility permits newly purchased undergarments to be brought in from the community and provides inmates with the ability to purchase underwear, t-shirts, and socks from canteen, it does not appear to maintain a stock supply of these items for those deemed indigent. Over the course of the two day inspection, a number of inmates indicated that they only possessed one pair of underwear and when they are being washed, they wear nothing under their uniform. In particular, there appears to be no procedure in place for inmates who only possess the pair of underwear that they wore at the time of admission who have no family in the area and no money to purchase from canteen. This is an area that should be reviewed by administrative staff.

On the first day of inspection, several inmates were found to be walking around the housing units without socks or sandals. When questioned by myself and the escorting Deputy, the inmates indicated that they had been barefoot for 3-4 days due to the lack of socks and sandals at the facility. A substantial number of other inmates had also requested another pair of sandals due to the current condition of the pair obtained at intake which were in disrepair. Administrative staff informed me that sandals were ordered but had not arrived yet. Fortunately, a supply of sandals had arrived at the start of the second day of inspection. Nevertheless, an adequate supply of socks and sandals should be maintained at the jail and procedures developed to contact another county, for example, in the event that an order of supplies has not arrived so that all inmates are provided with the necessary items during the intake process.

In consideration of the large number of inmates sleeping on the floors throughout the facility, staff should consider providing two mattresses to these individuals. Given that the size of each cell is not conducive to the use of a "boat" or other mechanism to keep inmates higher above the floor, a second mattress would, at a minimum, elevate them more than the current three inches above the floor. The issue is not a matter of comfort as those in the bunks are also sleeping on a mattress placed on concrete, but rather a sanitary matter by getting those inmates on the floor higher. This is a practice that has been used in other counties across the state.

The following are other areas of concern that were observed during the course of the two day inspection.

- The female intake cells are in need of cleaning as feces was observed on the walls.
- A number of blankets and newspapers were being placed across cell bars in an attempt by inmates to maintain privacy while going to the bathroom.
- The shower area in many of the housing units are in need of cleaning. Additionally, the shower floors in 3D and 4D are in need of repair.
- A number of cells in 3B are in need of painting due to the amount of graffiti present.

### Violations of Administrative Code/Recommendations

The 2006 Annual Inspection of the Racine County Jail identified a number of violations of Administrative Code. Many of these violations have been longstanding in nature and are a reflection of the crowding present at the facility. Again, it is hoped that, upon completion, the expansion of the jail will rectify some of the physical plant limitations currently existing. The areas that have been identified as being in violation are as follows:

#### DOC 350.07(7)

This section of the Administrative Code covers the double-celling provisions for county jails. In particular, the code requires that when inmates are locked in their cells jail staff shall physically observe each inmate in all areas at least once every 60 minutes at irregular intervals. These checks should be documented. As stipulated earlier, no physical security checks are being conducted by staff on 1<sup>st</sup> and 2<sup>nd</sup> shift.

#### DOC 350.05(3)(d)(1)

This section of the code requires that a rigidly constructed metal bed or one built of masonry be provided for each inmate at the facility. Many of the housing units have inmates sleeping on the floor. In those areas where double-celling occurs, three inmates were housed in one cell.

#### DOC 350.05(4)(b)

This section of the Administrative Code requires that all dayrooms have sufficient seating and tables for the number of occupants in these areas. When crowding exists, there is not sufficient seating and tables in the dayroom areas for the number of occupants housed.

In addition to the violations noted above, a number of suggestions/recommendations have been provided throughout this report and are based not only on the 2007 annual inspection, but also observations taken over the past year during visits to the facility. These recommendations are not requirements based on Wisconsin Administrative Code or State Statute, but are being provided to promote good correctional practice and to ensure the continued safety and security of the facility. It is hoped that these recommendations will receive serious consideration for future implementation.

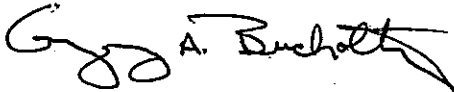
### Approval

It is clear that the crowding present at the Racine County Jail is having an adverse effect on the operation of the jail. Many of the administrative code violations found during the inspection are a direct result of crowding. The housing of 3 inmates per cell in many areas of the facility could potentially jeopardize the safety of staff and inmates. Although it is hoped that the expansion project will help to alleviate much of the crowding, it is not a panacea to this problem. As such, the idea of transferring inmates to other local facilities should not be dismissed.

The Racine County Jail is **conditionally approved** for operation by this department. This approval is based on the provision that steps will be taken to correct the violations identified in this report.

I would like to thank Captain James Scherff and the rest of your staff for their assistance and cooperation during the inspection. I would also like to extend a special thanks to Deputy Bill Brienstein who escorted me throughout the facility during the two day inspection. Please feel free to contact me should you have any questions, or if I can be of assistance to you and your department.

Sincerely,



Gregory A. Bucholtz, Inspector  
Office of Detention Facilities

Cc: William McReynolds, Racine County Executive  
Michael J. Miklasevich, Racine County Board Chairman  
James Scherff, Captain  
Marty Ordinans, DOC/ODF  
File