

**Resolution** 12-0807

**RESOLUTION SETTING FEES FOR HUBER AND INCARCERATED  
PERSONS AT THE IOWA COUNTY JAIL**

**Whereas**, the Iowa County Board of Supervisors sets the fees for Huber and Incarcerated persons housed at the Iowa County Jail.

**Whereas**, this resolution is effective August 21, 2007 and will replace the prior Iowa County resolution dated January 1, 2000.

**Whereas**, the Sheriff has the authority to set these fees, per Wisconsin Statutes #814.705(1).

**1. MAINTENANCE AND BOARD FOR COUNTY JAIL PRISONERS:**

- A. **AUTHORITY:** This resolution is enacted pursuant to authority given to Iowa County under Wis. Stats. Sec. 302.382, 302.388, 302.372 and 302.38(2), and 303.08(4).
- B. **INTENT:** It is the intent of this resolution that persons incarcerated in the Iowa County Jail shall, to the extent authorized by law, be responsible for paying for the cost of their incarceration.
- C. **COST OF MAINTENANCE:** The actual per day cost of maintaining a prisoner is determined to be as follows:
  - 1. Huber-Privileged Inmates: The sum of \$18.00 per day, together with a one-time processing fee, per incident, of \$25.00.
  - 2. Electronic Monitoring Program: The sum of \$18.00 per day, together with a one-time processing fee, per incident, of \$25.00, plus tax.
  - 3. Medical Expenses: For medical expenses incurred by Iowa County for the actual cost of such medical expenses.

**2. NO DUPLICATION OF EXPENSES:** Iowa County shall not recover the same expenses twice.

**3. REIMBURSEMENT FORM:** Each person confined to the Iowa County Jail shall be required to complete a financial disclosure form provided by the Sheriff. This form shall provide for obtaining the Social Security number, age and marital status of a prisoner, the number and ages of children of a prisoner, the income of a prisoner, the type and value of real estate owned by a prisoner, the types and values of personal property owned by a prisoner, a prisoner's cash and financial institution accounts, the types of values of a prisoner's investments, and pension plans and annuities of a prisoner, and any other personal significant cash valued owned by a prisoner. This form shall be used by the Sheriff, the District Attorney, and

Corporation Counsel to make reimbursement and to investigate the financial status of the prisoner. The information on the completed form is not a public record except that Iowa County shall provide the information from the form in response to a request for information under Wis. Stats. Sec. 49.22(2m) made by the Wisconsin Department of Workforce Development, or under Wis. Stats. Sec. 59.53(5) made by the Child Support Agency.

4. **INSTITUTIONAL ACCOUNTS:** The Sheriff may charge a prisoner for 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.
  - A. If the Sheriff maintains an institutional account for a prisoner's use for payment of items from canteen, vending, 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 resolution, from prior incarcerations, any institutional account created as part of a subsequent incarceration may be used to recover the sums due from prior incarceration.
  - B. If the Sheriff maintains an account of a Huber prisoner pursuant to Wis. Stats. Sec. 303.08(3), the Sheriff may make deductions from the account to pay for the expenses set forth in this resolution subject to the limitations of Wis. Stats. Sec. 303.08(5).
5. **PREPAYMENT:** Because participation in a home detention program is discretionary with the Sheriff, the Sheriff may require prepayment of the expenses set forth above as a requirement for participation in the program.
6. **WAGES OF A PRISONER:** The wages, salary, and unemployment training benefits received by prisoners shall be divided by the Sheriff for the following purposes, in order stated:
  - A. Court-ordered support of the prisoner's dependents;
  - B. Necessary travel expense to and from work;
  - C. Expenses owed to the County under this resolution;
  - D. Payment, either in full or ratably, of the prisoner's obligations acknowledged by the prisoner in writing or which have been reduced to judgment;
  - E. The balance, if any, to the prisoner upon the prisoner's discharge.
7. **PRISONER COOPERATION:** A prisoner shall cooperate with the Sheriff in seeking reimbursement for expenses incurred for that prisoner. A prisoner who intentionally refuses to cooperate may not earn good-time credit under Wis. Stats. Sec. 302.43 or diminution of sentence under Wis. Stats. Sec. 303.19(3).

8. **ACTION FOR REIMBURSEMENT:** Within twelve (12) months after the release of a prisoner from jail, Iowa County may commence an action in Circuit Court to recover the expenses under this resolution plus the costs to investigate the financial status of the prisoner and the expenses of collection not otherwise recovered or are barred.
9. **PROCEEDS:** Any sums collected under this resolution shall be deposited with the County Treasurer, except to the extent that the portion of the sums collected for meals for Huber prisoners are subject to sales tax which shall be assessed and forwarded to the Department of Revenue.

This resolution shall take effect upon passage and publication as provided by law.

**Therefore,** the terms of this Resolution issued on August 21, 2007 shall continue until further notice.

8/14/07  
DATE

J W Cho  
JACOB LEHR, CHAIRMAN

8-14-07  
DATE

Dana Perry  
DANA PERRY

08-14-07  
DATE

Phil Roberts  
PHIL ROBERTS

\_\_\_\_\_  
DATE

Larry Steffes  
LARRY STEFFES

8/21/07  
DATE

Dwayne Hiltbrand  
DWAYNE HILTBRAND

Adopted this 21st day of August, 2007

August 22, 2007  
DATE

Mark Masters  
MARK MASTERS, IOWA CO.  
BOARD CHAIRMAN