

# CHAPTER 14

## JAIL FEES

### 14.01 Jail Fee Assessment.

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(1) **Charge for Maintenance and Board of County Jail Prisoners:**

- (a) *Authority.* This Ordinance is enacted pursuant to authority given under Wis. Stats. sections 302.372, 302.38(2), 303.08(4), and 800.095(6).
- (b) *Intent.* It is the intent of this Ordinance that persons incarcerated in the Trempealeau County Jail and municipalities shall, to the extent authorized by law, be responsible for paying for the cost of incarceration.
- (c) *Municipalities.* Municipalities shall pay for the costs of maintaining prisoners being held under Section 800.095 for non-payment of forfeitures, or being held under other statutes allowing for jail time for the non-payment of municipal forfeiture matters, at the rate of \$45.00 per day.
- (d) *Inmates Share of Maintenance.* The portion of the actual cost of maintaining a prisoner to be paid by the prisoner is as follows:
  - (i) \$53.00 for the first day and \$18.00 per day thereafter for Huber-Privilege Inmates; includes sales tax.
  - (ii) \$57.00 for the first day and \$22.00 per day thereafter for Huber-Privilege Inmates sentenced from another county; includes sales tax.
  - (iii) \$12.00 daily fee for sentenced inmates convicted of a crime who do not have Huber or Electronic Monitor privileges.
  - (iv) Medical costs including, but not limited to, dental, mental health, psychiatric services, and medications.
  - (v) \$0.25 per page for copies of records.
  - (vi) \$92.00 for the first day and \$22.00 per day thereafter for Electronic Monitor Participants, includes sales tax and alcohol monitor.
  - (vii) \$100 for the first day and \$30.00 per day thereafter for Electronic Monitoring Participants sentenced from another county, includes sales tax and alcohol monitor.

- (2) **No Duplication of Expenses.** Trempealeau County shall not recover the same expenses twice.

- (3) **Reimbursement Form.** Each person confined to the Trempealeau County Jail shall be required to complete a financial disclosure form provided by the Sheriff. This form shall be used by the Sheriff, the District Attorney and Corporation Counsel or designees 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 Trempealeau 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 Ordinance or from prior incarcerations, any institutional account created as part of subsequent incarcerations may be used to recover the sums due from the prior incarcerations.
- (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 Ordinance subject to the limitations of Wis. Stats. sec. 303.08(5).
- (5) **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) Necessary travel expense to and from work;
- (b) Court-ordered support of the prisoner's dependents, if any;
- (c) Expenses owed to the County under this Ordinance;
- (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, if payments are ordered by a court or approved by the inmate.
- (e) The balance, if any, to the prisoner upon the prisoner's discharge.
- (6) **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).
- (7) **Action for Reimbursement.** Within 12 months after the release of a prisoner from jail, Trempealeau County may commence an action in Circuit Court to recover the expenses under this Ordinance plus the cost to investigate the financial status of the prisoner and the expenses of collection not otherwise recovered.

- (8) **Proceeds.** Any sums collected under this Ordinance 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.

(History: Res. 02/14/1994; Res. 2004-02-09; Res. 2006-12-01; Res. 2009-07-03; Res. 2012-02-06; Res. 2016-06-06; Res. 2016-06-04)