

WAUPACA COUNTY CODE OF ORDINANCES
Chapter 6
Law Enforcement

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6.01 SHERIFF'S OFFICE

A. POWERS AND DUTIES OF PEACE OFFICERS

The Sheriff and Deputy Sheriffs shall keep and preserve the peace in the County, suppress all riots and unlawful assemblies and for such purposes and for the service of process in civil and criminal cases and in the apprehending or securing of any person for a felony or breach of the peace they may call to their aid such persons or power of the County as they deem necessary.

B. NOT TO ACT AS ATTORNEY

Pursuant to § 59.30, Wis. Stats., neither the Sheriff, any Deputy Sheriff nor the Medical Examiner shall act as attorney in any court, draw or fill up any writ, pleading or proceeding for a party in any action, nor with the intent to be employed in the collection of any demand or the service of any process, advise or counsel any person to commence an action or proceeding.

C. LAW ENFORCEMENT COMPACT

1. As provided in §§ 66.0301 and 66.0513, Wis. Stats., the Sheriff is authorized and directed to negotiate with the Sheriffs of Wisconsin Counties a detailed plan to provide mutual assistance during emergencies of such magnitude that the law enforcement unit of one county finds it impossible to handle.
2. In the event of an emergency as described in (C)(1) above and when authorized by the Sheriff or his or her designee, members of the Sheriff's Office shall perform enforcement work and other work related to public health and safety beyond the territorial limits of the County.
3. Whenever County enforcement personnel are assigned to duty beyond the territorial limits of the County under emergency circumstances, the Sheriff shall make a report to the Board of Supervisors at its next regularly scheduled meeting.

6.02 SHERIFF

A. ELECTION AND TERM

Election and term as set forth in Section 1.01 of the Waupaca County Code of Ordinances and § 59.20(2), Wis. Stats.

B. DUTIES

The Sheriff shall perform such duties as are provided in § 59.27, Wis. Stats., and other applicable State Statutes and regulations, and County Ordinances and Resolutions.

6.03 CHIEF DEPUTY

A. RANK

The Chief Deputy shall outrank all other officers and deputies, sergeants, lieutenants and captains.

B. DUTIES

The Chief Deputy shall perform the following duties:

1. Act for the Sheriff in his or her absence.
2. Be the head administrative and personnel officer within the Office.
3. Direct investigations and internal operations.
4. Assign and review work of officers and employees within the Office.
5. Prepare and make recommendations to the Sheriff and the Law Enforcement Committee.
6. Keep records and make reports as directed by the Law Enforcement Committee and in accordance with Waupaca County Code of Ordinances Chapter 14, Public Records.

6.04 PER DAY COSTS AND BOOKING FEES, MEDICAL CARE OF INMATES, AND REIMBURSEMENT

Pursuant to the authority provided by §§ 302.372, 302.38, 302.381, 302.388, 302.43, 303.08 and 303.19, Wis. Stat., it is the intent of these provisions that incarcerated persons, including Huber inmates, be held responsible for paying the expense of incarceration (i.e., non-taxable lodging costs) to the extent permitted by law.

- A.** The Sheriff, or his or her designee, shall choose, for each inmate, whether to seek reimbursement under this section as permitted by law.
- B.** Any money collected under this section shall be (receipted) accepted by the Waupaca County Jail and deposited into the county treasury to help offset the cost of lodging inmates in the Waupaca County Jail.

C. DAILY INMATE AND BOOKING FEE

1. Inmates sentenced to the Jail shall be assessed an initial forty (\$40.00) dollar booking fee and a daily fee of ten (\$10.00) dollars per day for each day of incarceration in the Waupaca County Jail.
2. Defendants court ordered to submit to the booking process shall be charged a forty (\$40.00) booking fee.
3. Persons arrested for alleged criminal conduct may be subject to the booking process and, if so, shall be charged a forty (\$40.00) booking fee.
4. Inmates sentenced to the jail serving weekend sentences shall be charged a rate of twenty (\$20.00) dollars per day.

D. HUBER FEE

Inmates exercising privileges under the Huber Law (§ 303.08(4), Wis. Stats.) shall be charged a rate of thirty (\$30.00) dollars per day while exercising Huber Law privileges.

E. MEDICAL CARE

1. An inmate shall be responsible for the cost of his or her medical and dental care, prescriptions and other personal needs (such as eyeglasses) during incarceration.
2. In this subsection, “cooperate” means completion of a financial disclosure form containing a truthful account of the information set forth is § 302.372(2)(b), Wis. Stats.
3. An inmate of the Waupaca County Jail shall cooperate with the county in seeking reimbursement under this section for expenses incurred by the county.
4. An inmate who intentionally refuses to cooperate may not earn good time credit under § 302.43, Wis. Stat. or diminution of sentence under § 303.19(3), Wis. Stats.

F. INSTITUTIONAL ACCOUNTS

1. The Sheriff or his or her designee shall deduct the per day, booking fee, and/or medical costs incurred by the County for the inmate’s care and custody from the inmate’s institutional account used for payment of items from canteen, vending, commissary or similar services.
2. If the inmate has a balance due for expenses under this section from prior incarcerations, funds from any institutional account created as a part of a

subsequent incarceration may be used to recover the sums due from the prior incarceration.

3. If the Sheriff maintains an account of a Huber inmate, the Sheriff or his or her designee may make deductions from the account to pay for the expenses set forth in this ordinance subject to the limitation of § 303.08(5), Wis. Stats.
- G.** Within twelve (12) months of release, the Sheriff and/or the Sheriff's designee shall assess the costs incurred by the prisoner and may commence a civil action pursuant to § 302.372(6), Wis. Stats.
 - H.** No duplication of expenses. Waupaca County shall not recover for the same expenses twice.

6.05 CIVIL PROCESS SERVICE FEE

- A.** Pursuant to § 814.705(1), Wis. Stats., a County Board may establish a higher fee for collection by the Sheriff.
- B.** The initial fee for civil process of writ of restitution (eviction), writ of replevin and writ of assistance fees shall be \$100.00. Additional costs for mileage and investigative time may be charged if the facts and circumstances of individual cases increase costs.
- C.** The charge for civil service of process fees shall be \$75 per service of process and shall include three attempts at service regardless of location of service.