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Frank Lasee

State Representative • 2nd Assembly District

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Rep.Lasee@legis.state.wi.us

Thursday, January 21, 1999

Senator Gary George
118 S., Capitol Building
Madison, WI 53707

Dear Senator George:

This letter is to request an audit by the Legislative Audit bureau of the DNR's Nonpoint Source Pollution Program.

The problem that deserves an audit is the fact that many legislators receive continuous complaints from irate constituent farmers who are not receiving their contracted grants from the program. While the DNR claims they do not have the funding, DNR field agents continue to sign new contracts with farmers.

The audit should explore the reason behind this discrepancy and propose a solution that will allow farmers to receive the funding for this program as they have been contracted to receive.

Sincerely,



Frank G. Lasee
State Representative
2nd Assembly District

FGL/kah



WISCONSIN LEGISLATURE

P.O. BOX 8952 · MADISON, WI 53708

January 13, 1999

Representative Carol Kelso, Co-Chairperson
Joint Audit Committee
State Capitol, Room 16 West
Madison, WI 53708

Senator Gary George, Co-Chairperson
Joint Audit Committee
State Capitol, Room 118 South
Madison, WI 53707

Dear Representative Kelso and Senator George:

We are writing to you concerning the Community Relations-Social Development Commission (SDC) in Milwaukee County. Allegations of mismanagement and concern with agency governance were raised in late 1995. The Legislative Audit Bureau (LAB), in its June 1996 audit of SDC, indicated that these concerns resulted in many of SDC's local founders withholding over \$650,000 in administrative and program support. The LAB audit made forty recommendations, ranging from simple changes such as discontinuing the practice of allowing program staff to spend beyond their budgets, to more complex changes such as amending procurement policies and improved financial practices. A review is necessary to determine compliance with the 1996 audit and ensure state dollars (approximately \$1.7 million annually) are spent efficiently. A recent federal audit uncovered \$200,000 of discrepancies, making another look even more timely and appropriate.

Therefore, we are requesting that the Joint Audit Committee conduct a follow-up audit of SDC to determine if the Committee's recommendations were implemented and how successful SDC has been in correcting the problems identified in the original audit. A clear message of accountability needs to be sent to agencies like SDC that there is zero tolerance for carelessly wasting government funding. It may also be necessary to evaluate future state funding of this program in the context of the 1999-01 biennial budget.

Thank you for your attention to this matter. Please feel free to contact us if you would like to discuss this further.

Sincerely,

STEVEN M. FOTI
State Representative
38th Assembly District

MARC DUFF
State Representative
98th Assembly District

cc: Jan Mueller, State Auditor



November 30, 1998

Senator Gary R. George, 6th District
Co-Chair, Audit committee
11 East, State Capitol
P.O. Box 7882
Madison, WI 53707-7882

Senator Brian Burke, 3rd District
Co-Chair, Joint Committee on Finance
119 Martin Luther King Blvd.
Lower Level 1
Madison, WI 53707-7882

Senator Gwendolynne S. Moore, 4th District
Member, Joint Committee on Finance
Room 321 Northeast, State Capitol
P.O. Box 7882
Madison, WI 53707-7882

Dear Sens. George, Burke, and Moore:

Per the attached letter (mailed to your respective offices on November 25, 1998), I am formally asking that you request a comprehensive audit of the Minority Training Program (MTP) that is designed to prepare certified minority Alcohol and Other Drug Abuse (AODA) counselors. The Department of Educational Policy and Community Studies agreed, upon solicitation, to administer this program from July 1, 1998 until December 31, 1998. (However, we did not receive fiscal control until September 3, 1998.)

The Bureau of Substance Abuse Services, Division of Supportive Living, Department of Health and Family Services is the grantor for this program, and we have experienced serious differences of opinion as to the need for strict adherence to the implementation of state and federal fiscal guidelines (the funds for MTP are derived from the federal government and have been the subject of an earlier federal criminal investigation).



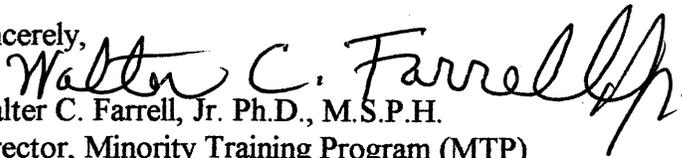
Senators' George, Burke, and Moore
November 30, 1998
Page 2

We have notified the state that we wish to discontinue our association with this program at the end of the current contract period (effective December 31, 1998). A third party evaluation of all fiscal disbursements would be in order to protect the fiscal integrity of the university. Prior and subsequent to the transfer of the program to UW-Milwaukee, we were given no financial records of MTP although we made repeated requests for such. Thus, we respectfully ask for this audit in order that our withdrawal from administering MTP is presented in an objective manner.

I am available to meet with each or all of you at your convenience to elaborate on this matter further. I can be reached at (414) 229-5626.

Thank you for your attention to this matter.

Sincerely,


Walter C. Farrell, Jr. Ph.D., M.S.P.H.
Director, Minority Training Program (MTP)
Professor and Chair, Department of
Educational Policy and Community Studies



STATE SENATOR GWENDOLYNNE MOORE

December 18, 1998

Senator Gary George
Co-Chair, Audit Committee

Senator Peggy Rosenzweig
Member of the Audit Committee

Senator Brian Burke
Co-Chair, Joint Committee on Finance

Senator Mary Lazich
Member of the Audit Committee

Senator Judy Robson
Member of the Audit Committee

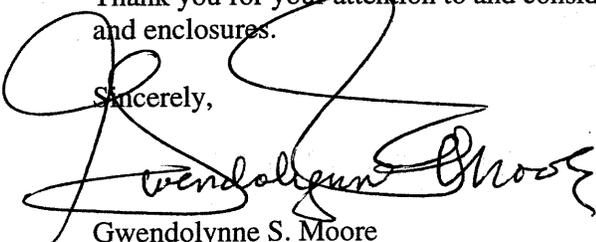
Dear Senators George, Burke, Robson, Rosenzweig and Lazich:

I am in receipt of a letter from Dr. Walter Farrell, Jr., Professor and Chair of the Department of Educational Policy and Community Studies dated November 30, 1998. Dr. Farrell requests a comprehensive audit of the Minority Training Program (MTP) housed within the Division of Supportive Services in the Department of Health and Family Services.

In Dr. Farrell's letter and accompanying correspondence, he relates a number of continuing problems with the Department of Health and Family Services in regard to their current and past operation of the Minority Training Program. Dr. Farrell has served as Director of the Minority Training Program since July 1998, under the auspices of the University of Wisconsin-Milwaukee. The University of Wisconsin-Milwaukee pursuant to the correspondence from Dr. Farrell will sever all ties with the MTP as of December 31, 1998 due to ongoing difficulties. In light of the problems delineated in Dr. Farrell's correspondence and the troubled history of the MTP program, I hope the Joint Committee on Audit will give his request your highest consideration.

Thank you for your attention to and consideration of the matters detailed in the text of this letter and enclosures.

Sincerely,


Gwendolynne S. Moore
State Senator
4th District

Enclosures

Cc: Secretary Joe Leann, DHFS
Jan Mueller, Executive Director, Legislative Audit Bureau

November 25, 1998

Mr. Phillip S. McCullough, Director
Division of Supportive Living
Department of Health and Family Services
P.O. Box 7851
Madison, WI 53707-7851

Dear Mr. McCullough:

Thank you for meeting with Bruce Maas and me on Monday, November 23, 1998, to discuss the status of the Minority Training Program (MTP) contract funding (for training minority alcohol and other drug abuse [AODA] counselors) that the Department of Educational Policy and Community Studies received from your office for the period, July 1–December 31, 1998. You may recall that I and your original contract administrator, Mr. Lowell Jenkins, Bureau of Substance Abuse Services, Division of Supportive Living, signed the papers on July 16, 1998. Due to a paper work delay as a consequence of his illness and surgery, the contract was not formally executed until September 3, 1998, after Mr. Vince Ritacca, Chief, Program and Systems Development Section, Bureau of Substance Abuse Services, Division of Supportive Living, assumed Mr. Jenkins' responsibilities for MTP.

After careful reflection about the overall process, structure, and progress of the MTP contract, and the relationship between our respective offices, it has become apparent that we have distinctly different views of the requirements for fiscal and managerial accountability according to state statutes and guidelines governing such. Thus, in order to maintain the University's fiscal integrity, we wish to discontinue our relationship with MTP, effective December 31, 1998. We shall work with you to close it out while continuing to serve students until that time.

We are requesting the aforementioned contract termination for the following reasons. **First**, during our meeting on November 23, 1998, you, Mr. Gordon Brandt, Program Resource Coordinator, Bureau of Substance Abuse Services, Division of Supportive Living, and Mr. Ritacca advised us that the Career Consultants and others had expressed dissatisfaction, at a recent meeting of the Wisconsin Council on Alcohol Abuse, with the direction of MTP under UWM's administration. We were puzzled by your seeming acceptance of these concerns without providing any opportunity for the University to respond. Your statement that no training was being done was contradicted by the processed invoices for such that we provided for your review on November 23rd. Other concerns expressed by you and your staff were also counter to the



information that we have provided you on a regular basis about the general non-responsiveness of the Career Consultants we inherited from the previous MTP administrator (Dr. Margaret Morris, Institute for Adult Education).

Second, be advised that the University was solicited to take over the MTP contract by Mr. Lowell Jenkins, who informed me in a series of meetings in May and June 1998 that, due to fiscal, managerial, and institutional problems of the previous contractor, the State was committed to bringing stability and accountability to MTP. On that basis, the University agreed to take over the project in mid-year, and the School of Education's Assistant Dean for Business Affairs, Bruce Maas, and I were intimately involved with MTP's transfer to UWM and in setting up—at the outset—tight fiscal and management controls. In early September 1998, he and I met with Mr. Brandt and Mr. Ritacca to apprise them of our concerns about MTP's fiscal issues and the controls we had put in place. We all agreed that there was a need for clearly communicated conflict-of-interest guidelines to MTP's Career Consultants as there had been past excesses in this regard. (That issue was discussed and explained in the September 18, 1998, meeting with that group and in a follow-up memorandum issued on September 22, 1998.)

Third, Mr. Brandt and Mr. Ritacca have repeatedly urged restraint in the University's execution of fiscal accountability. Moreover, they continually promoted MTP Career Consultants who were under-performing on and/or non-responsive to their contractual obligations. We expressed particular concern about their praise for a Career Consultant who committed a potentially fraudulent fiscal act, which we communicated to you, Mr. Brandt, and Mr. Ritacca orally, and in writing, on November 2, 1998. The fact that that individual was a full-time employee, in the alcohol and other drug abuse (AODA) area, with Milwaukee's Career Youth Development (CYD), which had already been investigated and found negligent by the Department of Health and Family Services (DHFS) for its use of AODA funding, was especially troubling.

Fourth, the University has been disappointed in your division's willingness to conduct side meetings with Career Consultants to discuss MTP business without our involvement. Just this morning, we have become aware that your secretary has attempted to schedule a December 4 or 17 meeting with the MTP consultants to again discuss MTP business without our being notified. These continued "end-runs," with your division's cooperation, serve to undermine our ability to manage this program. Mr. Jenkins, I might add, although allegedly formally uninvolved with MTP, was constantly directing the actions of Career Consultants and the program's previous contractor (Dr. Morris), which included disbursing monies from a contract that was supposedly under our fiscal control (see Mr. Sterlon White's October 26, 1998 correspondence to me which was copied to your office). In addition, we have been advised that other meetings have been held with Mr. Brandt, Mr. Ritacca, and with current MTP consultants in attendance, in order to plan for the award of the MTP contract to Mr. Lowell Jenkins, who has plans to retire from your division, under a new non-profit entity.

Finally, we have stopped payment for November 1998 to Mr. Ken DeFoe, an MTP Career Consultant whom we have never met and who has been completely unresponsive to our

numerous oral and written requests for accountability. Furthermore, as you indicated in our November 23rd meeting, a comprehensive audit of the federally funded Minority Training Program must be conducted to cover the last three years, lest the University be blamed for any fiscal excesses committed prior to our assumption of this contract.

It is all the more imperative that this audit be conducted because it has also come to our attention that, within this time period, two individuals associated with the Minority Training Program (Mr. Tommie Kidd and Ms. Brenda Cooks) were indicted by federal authorities for misuse/embezzlement of MTP-related AODA funds, that the related investigation was aimed at other Wisconsin government officials, and that it was only curtailed when the primary indictee (Mr. Kidd) passed away. Given that cloud over the program, we wish to have an objective assessment of the University's involvement.

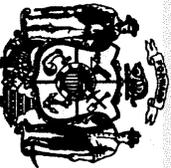
Thank you for your attention to these matters, and we shall schedule a meeting with you to begin phase-out operations.

Sincerely,



Walter C. Farrell, Jr., Ph.D., M.S.P.H.
Director, Minority Training Program
Chair, Department of Educational Policy and Community Studies

cc: Mr. Vince Ritacca, Division of Supportive Services
Mr. Gordon Brandt, Division of Supportive Services
Mr. Joseph Leean, Secretary, DHFS
Mr. Mark Bugher, Secretary, DOA
State Senator Brian Burke, 3rd District
State Senator Gwendolynne Moore, 4th District
State Senator Gary R. George, 6th District
Provost and Vice Chancellor Kenneth L. Watters, UWM
Assistant Chancellor Donald Melkus, UWM
Dean William B. Harvey, School of Education, UWM
Assistant Dean Bruce Maas, School of Education, UWM



GARY R. GEORGE
SENATOR

December 4, 1998

Dr. Walter C. Farrell, Jr.
Director, Minority Training Program (MTP)
Professor and Chair, Department of
Educational Policy and Community Studies
University of Wisconsin--Milwaukee
P. O. Box 413
Milwaukee, WI 53201

Dear Dr. Farrell:

Thank you for contacting my office regarding a comprehensive audit of the Minority Training Program (MTP) that is designed to prepare certified minority Alcohol and Other Drug Abuse (AODA) counselors. I appreciate the concerns you raised on behalf of your Department and the University.

Thank you for bringing this matter to my attention. Please let me know if you have any questions or if I can be of further assistance.

Most sincerely,

A handwritten signature in cursive script that reads "Gary R. George".

GARY R. GEORGE

State Senator
Sixth Senate District



STATE REPRESENTATIVE

Rick Skindrud

January 21, 1998

Committee Assignments:
Chair, State Affairs Committee

Member:
Agriculture Committee
Insurance Committee
Small Business Committee
Tourism Committee
Governor's Council on Tourism

*Senator Gary George
Representative Carol Kelso
Co-Chairs, Joint Committee on Audit
State Capitol
Madison, WI 53702*

Dear Senator George and Representative Kelso:

I am writing to request that the Joint Committee on Audit authorize a performance evaluation of the Department of Health and Social Services procedures as they relate to the criteria the agency follows in determining a family's suitability for adoption and/or foster parenting.

I recently had a family in my district that were foster parents to a set of twin girls for three years. The birth mother voluntarily terminated her parental rights in February 1997 with the knowledge that the foster parents wanted to adopt the girls. The prospective parents then began the adoption process. At that time, Green County Social Services told them that the adoption would take 90 days. Five and one half months later the State of Wisconsin notified them that they were not qualified to adopt.

There was a great deal of work in obtaining these records from the department, and after a thorough review of these records the reason the adoptive parents were rejected was because they had used spanking as a form of discipline at one time and there seemed to be a personality clash with the social worker that had done the assessment on the family.

Serving the Seventy-Ninth. New ideas for a new future...

Office: P.O. Box 8953, State Capitol • Madison, WI 53708-8953
(608) 266-3520 • Fax: (608) 266-7038 • Rep.Skindrud@legis.state.wi.us
District: 1261 LaFollette Road • Mt. Horeb, WI 53572 • (608) 832-4843

I feel that I must give credit where credit is due. Secretary Joseph Leaan and his staff were open to discussion and suggestions. In the end the departments' attorney drew up a contract addressing their concerns with regard to the girls. The adoptive parents and the department compromised and the girls are now adopted.

However, had I not intervened along with Governor Tommy Thompson, these twins would most likely have been removed from this home. Both girls are developmentally disabled. It is highly likely that they would have been separated if the state had removed them from this foster family.

This is just one example. Many other loving, caring couples and foster families have been denied the opportunity to adopt children for what appear to be questionable reasons. Are these decisions really being made with the best interests of the children in mind?

I would like to see the audit address the following topics:

- (1) the entire decision making process with regard to adoption*
- (2) continuity in the requirements for foster parents and adoptive parents*
- (3) continuity in County and State requirements as they relate to being a foster parent and adoptive*
- (4) the supervision and evaluation of social workers.*

The number of children in the foster care and adoption system today is increasing at an alarming rate. It is imperative that the statutes relating to foster care and adoption be updated to reflect this change.

Sincerely,



*Representative Rick Skindrud
79th Assembly District*

cc: Janice Mueller, State Auditor



OK as foster parents, but . . .

■ When they wanted to adopt the twin girls they had been caring for, a couple found that they were in a different game.

By Andy Hall
Wisconsin State Journal

NEW GLARUS — On Dec. 8, 1995, with just two hours' notice, foster parents Bob and Janice Howland welcomed scruffy, 3-year-old twin girls to their home in this picturesque community 25 miles south of Madison.

Green County social workers made a delivery that would change the Howlands' lives forever and would have repercussions in the state Capitol.

"The girls were in filthy clothes with holes in them," Janice Howland recalled last week. "We took them shopping the next morning to get some clothes. They didn't know how to eat with silverware at all. It was a lot of work."

The girls' birth mother, who'd been living with them in a car, eventually forfeited her rights to the children.

That cleared the path for the girls to be adopted earlier this year.

To the Howlands, who'd come to love the girls, the choice was simple: They should adopt Katie and Cathy because they wanted to raise children and were unable to have them biologically.

The Howlands felt qualified to cope with the girls' special needs, including Katie's vision problems and learning disabilities.

After all, Green County officials who oversee foster care had entrusted them to care for the twins for more than two years.

But state officials who oversee the adoptions of special-needs children had a different view: They could find better parents than the Howlands, whom they criticized for spanking the girls in violation of state foster care rules.

Katie and Cathy would be better off if they were moved to a different family, the state Department of Health and Family Services said in July.

That touched off a bitter, politically charged struggle for custody of the girls.

The Howlands, ignoring the advice of their attorney, took their case to the news media and

What do you think?

What makes a good parent?

That question is at the heart of the Howlands' story, which suggests that county standards for foster parents differ from state standards for adoptive parents.

Those varying standards, along with your views on this issue, will be explored in a future Your Forum section.

You can voice your opinion by:

■ Calling: Caller IDEas, 283-3123 in the Madison area or 1-888-696-8675 toll-free outside the metro area. 24 hours a day.

■ Writing: Wisconsin State Journal, P.O. Box 8058, Madison, WI 53708.

■ Sending an E-mail: wisjopine@madison.com

With all communications, please include your name, phone number and address.

"Quite frankly, I'd do anything for these two kids," Bob Howland says in explaining why he and wife Janice invested \$6,000, spent many sleepless nights and elicited the help of friends and State Rep. Rick Skindrud to adopt twins Katie (dancing with him at home) and Cathy.

Adoption in Wisconsin

Key facts about adoption in Wisconsin include:

■ Adoption creates a parent-child relationship with all the rights and responsibilities a birth parent has to a child. In contrast, foster care generally is intended for shorter-term situations in which there's still hope that a child can be reunited with a birth parent.

■ In 1997, adoptions in Wisconsin included: 294 children from abroad, 666 children placed by licensed agencies, 61 children from other states, 82 children placed in independent adoptions, 556 children adopted by a step-parent, and 46 children adopted by another relative.

■ In 1997, the Wisconsin Department of Health and Family Services placed 321 minority and special-needs children in adoptive homes. About 80 percent of them were adopted by foster parents. In addition, the Milwaukee County Department of Human Services completed 290 special needs adoptions. Licensed adoption agencies placed 12 special needs children with families throughout Wisconsin.

■ Child-care experts agree that most children in foster care should either be reunified with their families or adopted in a timely manner. In Wisconsin, 39 percent of children remain in foster care or other out-of-home care one year after entering the system. And 18 percent of children remain in foster care three years after entering the system.

■ Overall, in Wisconsin, about 31 percent of children who leave foster care and return to their families will spend additional time in foster care within three years.

— Source: Wisconsin Department of Health and Family Services

made headlines across the state. They enlisted the help of friends in New Glarus, where Bob, 44, is an auto mechanic and Janice, 39, runs an in-home day care. They received support from colleagues in United Commercial Travelers, a statewide fraternal group in which they've been active to raise money for charities.

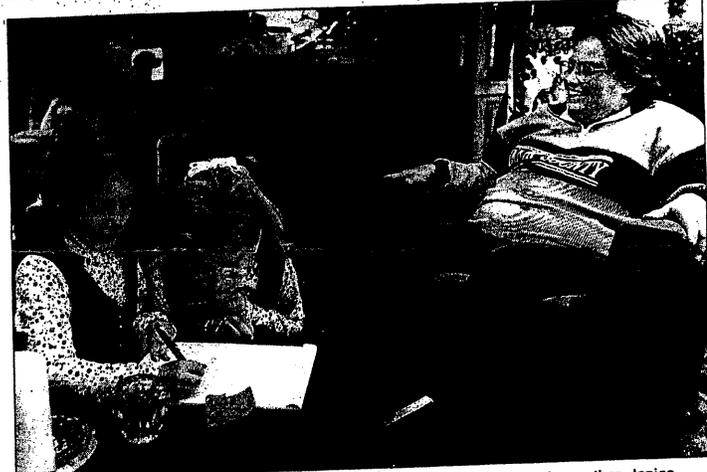
The result: Petitions with more than 1,000 signatures were mailed to Gov. Tommy Thompson. The governor was deluged, too, with letters and phone calls.

And the Howlands' friends persuaded Rep. Rick Skindrud, R-Mount Horeb, to look into the case.

Skindrud and his staff took the rare — and possibly unprecedented — step of securing the Howlands' permission to examine the state's entire file on the adoption case.

Skindrud read the papers and talked with

Please see ADOPT, Page 5B



Cathy, left, is first grade while her twin, Katie, attends kindergarten in New Glarus. The girls are proud to show their adoptive mother, Janice Howland, how they write their names.

FORUM

Skindrud said he's considering asking fellow legislators to seek a Legislative Audit Bureau review of whether foster parents who wish to adopt are treated fairly by the state Department of Health and Family Services.

When foster parents are approved by counties, but are rejected as being poor parents by the state when seeking to adopt, "there's something wrong with that system," said Skindrud, who has received calls from additional foster parents claiming they've been wronged by the state.

Skindrud said he played an important role by helping correct the agency's error — one that legislators occasionally need to fulfill with runaway agencies. He praised the Department of Health and Family Services for being "big enough, and smart enough" to give the Howlands another chance.

"I worked my butt off for this, and I'm very proud of it," Skindrud said.

"Well, whoo-ha for him," Linda Hisgen, director of the DHFS Bureau of Programs and Policies, which includes handling of adoptions, said when informed of Skindrud's remarks. She oversees 25 social workers and five supervisors.

Hisgen said that state laws bar her from revealing details of adoption cases such as the Howlands.

Hisgen said that her staff is willing to consider a new system that would open certain types of disputed cases to a review by outside independent experts — "as opposed to the court of public opinion."

Without such a change, Hisgen warned, future adoption cases are increasingly likely to become politicized. And the work of professional social workers is likely to be undercut.

The most important lesson from the Howlands' case, Hisgen said, is that "it's becoming more clear to me that courts and public opinion are tending to give greater credence to how long the children have been with the family they're with. That's compelling to a lot of people. That tells me we have to be working with our county partners to make those first placements the very best they can be."

Hisgen said that many counties face a severe shortage of foster parents, so "counties sometimes place children in families that might not be the ideal." Children in such cases are still protected if county social workers provide close supervision, she said.

Conversely, there's a strong supply of parents statewide who wish to adopt children, she said. "We probably do scrutinize more closely than some counties are able," Hisgen said.



State Journal photo/SARAH B. TEWS

"The whole (adoption) system needs to be changed," says Janice Howland, who's relieved that she and husband Bob prevailed Oct. 26 in their emotional battle to adopt twins Cathy (on her lap) and Katie.

To learn more about adoption

Information about adoption — including how to adopt children with special needs such as groups of brothers and sisters needing to be placed together; children age 10 or over; children with emotional or physical handicaps; and some minority children — is available from government and private agencies. Special-needs cases generally are handled by the state, while others are handled by private agencies.

Some examples:

■ Wisconsin Department of Health and Family Services offices in Madison (608) 243-2400, Green Bay (920) 448-5312, Fond du Lac (920) 929-2985, Rhinelander (715) 365-2500, Waukesha (414) 521-5100, Eau Claire (715) 836-2174, Wisconsin Rapids (715) 422-5080.

The agency's Internet site: <http://www.dhfs.state.wi.us/Children/adopt.html>

■ Madison-area licensed adoption service agencies such as Adoption Advocates Inc. (608) 246-2844 and Catholic Charities (608) 221-2900.

■ Special Needs Adoption Network, a statewide nonprofit organization based in Milwaukee, (800) 762-8063, www.wiadopt.com

■ Adopting.com, a comprehensive listing of Internet resources on how to adopt a child: www.adopting.com

And the standards for adoptive parents should be high, Hisgen said, because social workers won't have many opportunities to supervise the families after the adoptions are completed.

She defended the agency's strict ban on spanking and other corporal punishment of children. "To do otherwise leaves the door open for interpretation: Is a little spanking OK?" she said.

Hisgen said that she and many of her workers are parents and grandparents themselves and that they apply practical parenting sense in addition to their academic training.

She said that parents are, within reasonable limits, given an opportunity to improve their parenting skills before their adoption attempts are rejected.

But the Howlands just don't believe it.

While conceding they're not "superparents," they figure their parenting skills are similar to those of most Wisconsin parents.

"They contend they weren't given a chance to prove that they can become better parents and that when they raised questions

with agency officials, they were labeled as troublemakers.

"It's how you learn from those mistakes that makes you a better parent, I think," Bob Howland said.

The Howlands remain eager to continue prodding the Department of Health and Family Services.

They want it to handle foster parents with more respect.

They also retain a more personal quest.

Katie and Cathy have an older brother, 8, who's recently been adopted by another family. The Howlands unsuccessfully sought to adopt him, along with the twins.

Still, the Howlands hope to establish a way for the girls to have contact with him.

"Will we ever get to see him again?" Cathy asked a reporter.

"He used to be in our family," Katie said.

"We always got something from Christopher on Christmas," Cathy said.

State officials said it will be up to the Howlands, and Christopher's new family, to see if they can find a way to reunite the three siblings.

Wisconsin State Journal, Sunday, November 22, 1998

YOUR I

Adopt

Continued from Page 1B

agency officials — including Secretary Joseph Levan — to press his belief that the agency should reverse its July decision.

"We ended up with a personal-ity conflict between a social worker and a family," Skindrud said last week. He described Janice Howland as "a little bit tougher, more stern. And social workers don't like people like that anymore."

"As far as I'm concerned," Skindrud said, "they are upstanding citizens of this community and

I thought that they were being run over by the bureaucrats of this state."

In late October, the agency re-learned to adopt Cathy and Katie after all.

Skindrud said it was the proper outcome.

"Now we have two little girls who have a home," he said. "The children are loved, and I think they love their parents in return. They are a pair of cuties, them two little girls."

One day last week, when a reporter visited the family's three-bedroom mobile home, the children, now 6, snacked on leftover Halloween candy and described

their lives as happy. Cathy, a first grader, enjoys playing on the family's computer. Katie, a kindergarten, prefers playing Candyland, a venerable board game.

But while the adoption issue is settled, questions raised by the case continue to mount.

Surely, the Howlands, their supporters and the Department of Health and Family Services agree, there must be a better way to handle adoptions in Wisconsin than a fight between adoptive parents and state officials, a 1,000-signature petition, a stream of newspaper stories and the intervention of a state legislator with top state adoption officials.

But that's where the agreement



ROBERT W. WIRCH
STATE SENATOR TWENTY-SECOND DISTRICT

January 12, 1999

Cathy J. Allison
242 Coachlite Ct S
Onalaska, WI 54650

COPY

Dear Cathy:

Thank you for your letter of January 10, directed to me as Co-Chair of the Legislative Audit Committee.

I am no longer a Co-Chair or member of this committee. Therefore, I took the liberty of forwarding your letter to State Senator Gary George the current Senate Co-Chairman of that Committee.

I hope this information is helpful.

Sincerely,



ROBERT W. WIRCH
State Senator
22nd District

RWW/e

cc: State Senator Gary George
Co-Chair Joint Leg. Audit Committee
State Capitol 118-South
Madison, WI 53707-7882

January 10, 1999

Senator Wirch
Joint Legislative Audit Committee
Room 422
119 Martin Luther King Jr. Blvd.
PO Box 7882
Madison WI 53707-7882

Dear Senator Wirch:

I am not sure who I need to contact, I was advised to write to you and Mark Bugher the Secretary of Administration. Please allow me to explain.

I live in the City of Onalaska (pop. 14500) and have a serious concern regarding the finances and accounting of the city government. I worked for the city from June 1, 1998 to January 6, 1999 in the position of Deputy City Clerk. I chose to terminate my employment because of questionable accounting, employment practices and ethics.

There are not adequate checks and balances in place regarding city funds. The City Treasurer (previous deputy treasurer) will record the deposits, make wire transfers, do the bank reconciliations, invests the city's money, prepares journal entries, prepare the fund accounting and debt schedules, and the financial statements. He controls all the financial information given to the finance and personnel committee. In April of 1998, the city's independent accounting firm had advisory comments concerning that there should be an independent review and approval of the journal entries done by someone other than the preparer which is the treasurer. This still is not being done.

To complicate matters there have been some personnel issues that have affected the accounting procedures. The City Administrator, Rick Durst resigned under protest in June 98. The ex-administrator is still listed as being authorized to transfers funds for the city. I found this out shortly before I was leaving, when M & I Bank (where the city banks) had called city hall asking for Rick Durst to verify a wire out transfer. I told the bank that Rick was no longer with the city and asked if Fred Buehler (previous deputy treasurer now treasurer-see 2nd paragraph below) could help them. The bank said Fred had made the transfer and the only other person listed to make or verify a wire transfer would be Rick, so the person from the bank said she would contact her supervisor. Rick had been gone over 6 months and his name should have been removed and another added. Also, it appears that no one has been verifying the out going wire transfers for the last six months..

The City of Onalaska is in the process of building a new city hall and safety building apparently costing \$7.7 million, the last estimate I heard. They have not started building but did borrow \$4.4 million in bonds at 5.1% and \$3.7 million in notes at 4.6% for 20 years. I am not sure of the exact date but I think it was in June 1998. They borrowed more than what the taxpayers were being told the cost of the building was and there was not a referendum on this. Another concern is that repeatedly the residents were being told that the effect on their taxes would be \$75 per \$100,000 property value. The property tax

bills came out and the City of Onalaska had a 22% increase alone, not including other government entities (Schools, State, County, etc.) The treasurer made a pie chart showing that the tax increase attributed to the new building was \$116 per \$100,000 property tax value. That is a 55% increase from the \$75 that they previously stated. It was also noted that the debt service increase from \$975,038 to \$1.843 million because of the new building. If this is true where is the money that was borrowed? Isn't it invested? Shouldn't there be interest income on this new money to offset the interest expense on this new money? The numbers just don't add up. Or are they using the interest income to cover other cost on the new building so actually it is costing more? Also, it was explained that there was an error in the TIF district calculation last year of \$13 million dollars so this error had to be corrected on this years taxes.

Normally, I would ask the Finance and Personnel committee however, there is a question of ethics and fair labor practices. This past fall, the Common Council decided to change the structure of the city hall personnel. They eliminated the City Administrator position and decided to add a Treasurer/Finance Director and a Human Resource Director. At first then Deputy Treasurer (Fred Buehler) was told by an alderperson that the Treasurer position was his. Then it was decided that it should be advertised along with the Human Resource position. The Deputy Treasurer gave his resignation to the Mayor . The Mayor did not accept the resignation. The Mayor had solicited support from the alderpeople. I heard the Mayor tell the City Clerk that she shouldn't worry because he had talked with Jim Bialecki (the Common Council President and Chairman of the Finance & Personnel Committee) and Jim would support Fred. (I cannot swear for a fact that the Mayor spoke to Jim but the Mayor did say this to the City Clerk.) This was decided before any resumes and applications were received by other applicants. The personnel of the city clerk's office were told that any applications and resumes for the Treasurer and Human Resource positions should be placed in an envelope and sealed confidential and they would be review by the Finance and Personnel committee. The applications for the treasurer's position were reviewed and after three people (I believe) were interviewed Fred Buehler got the job. I do not know if he was the best candidate for the position because I did not see the applications of the other candidates. I do know that in the short period of time that I was employed by the city, early on I discovered an error on the 941 Quarterly Tax Report, that the then Deputy Treasurer had prepared - Federal Wages were incorrectly reported. Once I found this I never saw another 941 report. Another case, I was told to issue an accounts payable check to a retired employee for ½ of the remaining accumulated sick days, which is paid out as severance pay. I asked the Deputy Treasurer (at that time) shouldn't this be paid through payroll. He said no! I did what I was told. I was not comfortable with this, so that night at home, I e-mailed the IRS. Two days later I receive their reply and of course it should have been paid through payroll. I gingerly took the e-mail message to the Deputy Treasurer. He called the retired employee and she had already cashed the check. However, she did bring in a money order for the full amount and a payroll check was issued.

In just this last year, the Deputy City Clerk was given the City Clerk's job (April 98), with the support of the then Deputy Treasurer. The Deputy Treasurer was given the Treasurer/Finance Director position in December 98. The Mayor had circulated nomination papers for incumbent alderpeople, who ultimately approve personnel positions.

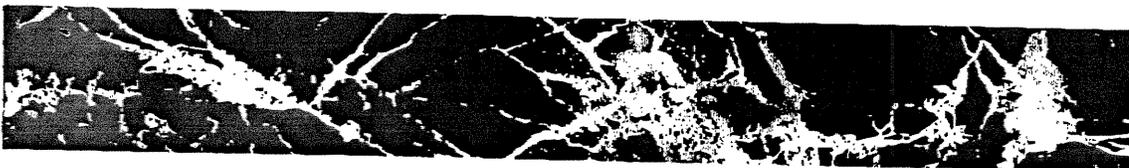
I was hired June 1st '98 as the Deputy City Clerk and made many corrections and observations which make me question if the taxpayers of Onalaska are being miss-lead and are the finances of the city correctly handled. I am kindly requesting that the State of Wisconsin conduct an audit into the city's finances and cash management practices.

If you would like to contact me, my address is 242 Coachlite Ct. S., Onalaska WI 54650. My e-mail address is mallison@lse.ff.net. I work during the day but if you want to leave a message my phone number is (608) 783-0371. Thank you for any assistance you can provide.

Sincerely,

A handwritten signature in black ink, appearing to read 'Cathy Allison', with a long horizontal flourish extending to the right.

Cathy Allison



DAVE TRAVIS
STATE REPRESENTATIVE



Draft

October 20, 2000

STATE CAPITOL
P.O. BOX 8953
MADISON, WISCONSIN 53708
266-5340

Senator Gary George, Senate Chair
Representative Carol Kelso, Assembly Chair
Joint Committee on Audit
State Capitol
Madison, WI 53702

Dear Senator George and Representative Kelso:

I am writing to you to request that the Joint Committee on Audit direct the Legislative Audit Bureau to conduct an audit to determine the number of local governments in Wisconsin which permit married couples who are both employed by that governmental unit to both select family coverage or allow one spouse to select single coverage and the other spouse to select family coverage under their employer's group health insurance plan. I believe that this results in unnecessary costs being borne by the taxpayers of that governmental unit. In addition, I believe that this could also have fiscal ramifications for the state budget insofar as these extra costs may impact on the amount of state aid provided to that governmental unit.

For example, it has recently come to my attention that the City of Madison has a policy for its employees which allows a married couple who are both employed by that City to both choose to have separate family coverage health insurance plans or for one spouse to elect family coverage and the other spouse to in addition elect single coverage. In contrast to this policy, the state would allow such a couple if they were state employees only two coverage options: (1) choose to have two single plans; or (2) have one spouse elect family coverage which would then also cover the other spouse and any dependents. In the case of the City of Madison, it has been estimated that prohibiting such dual coverage could save the City \$190,000 annually.

I believe that it is important for the Legislature to know the extent to which this same policy may be in effect in other municipalities and the statewide fiscal savings which might be realized by municipalities (and the state) if that policy were to be changed. It does not appear that centralized data on municipalities' (including school districts) practices in this area is readily available. Consequently, I believe that the type of audit that I am requesting is necessary to: (1) determine how many municipalities (including school districts) have such a policy; (2) ascertain

how many employes have elected such a coverage option; and (3) estimate the cost savings which could be realized if a policy were adopted to limit coverage options for such employes to the same options as allowed for state employes in a similar situation.

Please call me if you wish to discuss this issue further or need further information. Thank you for your attention to this request.

Sincerely,

DAVE TRAVIS
State Representative
81st Assembly District



Legislative Fiscal Bureau

One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

October 19, 2000

TO: Representative David Travis
Room 223 North, State Capitol

FROM: Terry A. Rhodes, Assistant Director

SUBJECT: Dual Health Insurance Coverage

You requested background information about the issue of "dual" health insurance coverage for state and local employees. Provided below is some background information that I have obtained about current policies regarding this issue.

Under current state policy as set by the Group Insurance Board, a state employee who is applying for coverage under the group health insurance plan for state employees, and whose spouse is also a state employee, has the following coverage options:

- Both the husband and wife may select (or retain) separate individual coverage; or
- Either the husband or wife may select (or retain) family coverage which will cover the employee, his or her spouse and any eligible dependents.

This same policy applies to those local governments who are participants in Public Employers' Group Health Insurance Program (the group health insurance program operated by the Department of Employee Trust Funds (ETF) for employees of those local governments which choose to participate in that health insurance program). However, this requirement may be waived at the request of any local government employer and a different policy may be established for the employees of that employer.

The Department of Employee Trust Funds has not compiled any data from its files regarding the number of local employees covered under its local government health insurance program who have a spouse who is also an employee of that employer and has elected separate health insurance coverage.

The Department has also not compiled any data from its files regarding the number of local employees who are covered under ETF's local government health insurance program who have a spouse who is a state employe and who has separate health insurance coverage from the state. In addition, ETF does not have any way of knowing for those state employes who have not elected to take health insurance under the state plan, how many did so due to separate spousal coverage.

Data on your primary question regarding the number of local employes who have a spouse who is employed by the same local government and who has elected separate health insurance coverage may be obtainable from ETF's insurance files but would presumably require some special data runs to obtain such information. However, ETF's local government health insurance plan covers only some 25 to 30% of local governmental employes (about 7,400 local government employes), primarily those employed by smaller municipalities. Further, only a very small number of school districts have elected coverage under that program. It is not clear at this point if there is any central database information available to provide this type of information for local governmental employes who are not participants in the ETF local government health insurance program. Assuming that no such central database exists, it would presumably be necessary to either survey all other local governmental employes to obtain such information or to do some type of sampling on which to base an estimate.

In addition to seeking information about the number of local governmental employes who might have such "dual" or "overlapping" health insurance coverage, you asked about the fiscal ramifications of this type of permissible coverage arrangement. Any estimate of the fiscal implications cannot be computed until a determination is made as to how many local employes have such "dual coverage". However, any cost savings that might be projected from a policy change regarding the allowability of such coverage would be dependent on not only what the change in policy was, but also on what employe selection behavior followed the policy change.

I inquired of the City of Madison how the \$190,000 savings figure quoted in the newspaper articles on this issue was calculated. The City Comptroller's Office indicated that a review of their employes' health insurance elections determined that there were 25 couples employed by the City where both husband and wife had elected family coverage and there were an additional four couples where one spouse had elected family coverage and one spouse had elected single coverage. Based on an assumption that a requirement would be imposed that would allow only one member to elect family coverage, the estimated premium reductions from the discontinued 25 family policies and four single policies were then calculated to total \$190,000 annually.

In addition to seeking background information on this subject, you requested that this office provide you with a draft letter than could be used to request that the Joint Committee on Audit direct that an audit be conducted by the Legislative Audit Bureau on this issue. A draft letter is attached to this memorandum.

TAR/sas
Attachment

STATE'S HEALTH COSTS LAVISH? COUPLES CARRYING DOUBLE INSURANCE

Madison Capital Times; Madison, Wis.; Oct 13, 2000; Judith Davidoff and Matt Pommer The Capital Times;

Sub Title: [All Edition]

Start Page: 1A

Abstract:

The state, through the Employee Trust Fund, also administers the Wisconsin Public Employers Group Health Program, which covers some 250 to 300 cities and municipalities around the state, said [Bill Kox]. The city of Madison is the largest employer covered under the group program.

To be eligible to switch coverage, [Chris Miller] had to first sign up for the state's standard plan - at the cost of \$142 a month to him - for three months before being eligible for the other state plans. (The HMO plans offered to state employees in Dane County in 2001 require no employee contribution, but the plans allowing a choice of doctors do.)

Kox said the premium rates set by insurance companies are predicated in large part upon the claims filed. If the premiums paid to an insurance company went down because dual coverage were prohibited - but claims stayed the same because the same number of people were covered - the rates for succeeding years would surely reflect it, he said.

Full Text:

Copyright Madison Capital Times Oct 13, 2000

State government's fringe benefit program encourages its workers to carry health insurance even if they could be - and in some cases are - covered by their spouse's insurance plans.

"It's a scandal," said Chris Miller, a 24-year veteran with the state Department of Health and Family Services.

The key incentive is the right of state workers to convert unused sick leave into post-retirement health insurance premiums for themselves and their spouses.

To be eligible, the state worker must be covered by the state employee health insurance programs at retirement. If the worker dies, the spouse is eligible for the conversion only if the deceased and the spouse had family coverage under the state health plan.

Miller said the system encourages double coverage.

Bill Kox, director of health benefits and insurance plans for the state of Wisconsin, said he has no data on the cost of double coverage or just how many of the roughly 64,000 state employees might have it.

But, he added, "I suspect there are quite a few. I'm sure in the thousands."

The state, through the Employee Trust Fund, also administers the Wisconsin Public Employers Group Health Program, which covers some 250 to 300 cities and municipalities around the state, said Kox. The city of Madison is the largest employer covered under the group program.

While married state employees must choose either one family plan or two single plans, no such rule exists for people covered by the municipal group health program, said Kox.

And, as The Capital Times reported last week, the city of Madison is expected to spend more than \$190,000 in 2001 alone for couples who have dual insurance coverage.

Miller said he found out the hard way the downside of not taking the state health insurance available to him.

A few years ago, Miller dropped his state insurance plan and went on his wife's health insurance policy. He and his wife, a teacher with the Madison Metropolitan School District, paid extra money for an indemnity plan, which does not limit coverage to a certain group of doctors.

But Miller said it soon became clear that he was going only to DeanCare-affiliated doctors and he decided to go back on a single plan with the state and have his wife drop him from her coverage. He said he wanted to save the state some money, if possible.

"I thought it was the right thing to do," he said.

It was at that point, he said, that the cost of not having state health coverage became clear to him.

To begin with, Miller found out that he would have to wait until the state's "dual choice" period - the three or so weeks in October when currently insured state employees are allowed to switch policies.

To be eligible to switch coverage, Miller had to first sign up for the state's standard plan - at the cost of \$142 a month to him - for three months before being eligible for the other state plans. (The HMO plans offered to state employees in Dane County in 2001 require no employee contribution, but the plans allowing a choice of doctors do.)

Kox said there are good insurance reasons for limiting enrollment opportunities. For instance, if an employee chose to be uninsured until he or she needed a heart transplant: "Think of the insurance risk that insurer would bear," he said. "The insurer would find it virtually impossible to price the product."

Tom Korpady, administrator of the Division of Insurance Services, said the state system is aimed at preventing "adverse selection" - people signing up for health coverage only when they need it.

But now that Miller is ready to sign up for DeanCare, he said that there is an additional systemic incentive for him to choose the most expensive plan: Should he die, his wife would only be eligible for the insurance benefits of his accrued sick leave if she, too, were covered under his.

So rather than choose a single plan, at a cost of \$283 a month to the state, Miller will choose family coverage, which costs Wisconsin taxpayers \$702 a month.

"The system forces you to scam this way," Miller alleged.

(His wife will not switch her non-HMO plan to the state from the school district because it would be more costly, he said.)

While Kox conceded that there might be some short-term savings in prohibiting dual coverage, he said the long-term savings are not guaranteed.

"It's simplistic to say - and simply not true to say - that we could be saving twice as much money," he said.

Kox said the premium rates set by insurance companies are predicated in large part upon the claims filed. If the premiums paid to an insurance company went down because dual coverage were prohibited - but claims stayed the same because the same number of people were covered - the rates for succeeding years would surely reflect it, he said.

"The insurer still needs to be able to cover claims and they have lost more in premium income," Kox said.

"If every state employee who has family coverage also had a spouse that did not have coverage through their employer, our premium rates would be much higher."

But the matter of dual coverage has nevertheless caught the eye of at least one state legislator, who is trying to get a handle on just how much money is spent statewide on such coverage.

Rep. Dave Travis, D-Madison, said that in preparation for requesting a state audit of the matter, he asked this week for some preliminary figures from the state Legislative Fiscal Bureau.

"I don't know what they're going to come up with, but I'm wondering just how much of this is going on out there," he said.

"That the city of Madison, which is in a pretty tight budget situation, is blowing away a couple hundred thousand dollars a year on this is absolutely ridiculous."

Travis also said that he wasn't aware that the sick leave conversion program might provide an incentive for state employees to take the most costly coverage available, whether they need it or not.

"That is something that should be looked at," he said.

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STATE REPRESENTATIVE
JON RICHARDS

REPRESENTING MILWAUKEE'S
EAST SIDE, DOWNTOWN AND
BAY VIEW NEIGHBORHOODS

September 13, 2000

Senator Gary George, Co-Chair Legislative Audit Committee
118 South
State Capitol

Representative Carol Kelso, Co-Chair Legislative Audit Committee
16 West
State Capitol

Dear Co-Chairs George and Kelso:

I am contacting you today to respectfully request that the Joint Legislative Audit Committee pursue action before the end of the year to audit the Department of Natural Resources Air Management Program. This provision was in the non-statutory section of the 1999-2001 biennial budget.

In my district there is an on-going air quality situation involving Aluminum Casting and Engineering Company (ACECo) in Milwaukee's Bay View neighborhood. Senator Grobschmidt and myself have been working with the Department of Natural Resources for a year and a half to try and pinpoint and resolve the odor issue in Bay View.

Over the past few years, Bay View residents have begun to raise concerns over often foul-smelling air coming from nearby factories. Many residents identified a large source of the problem to be coming from ACECo. The DNR has visited ACECo several times and determined that the odor neighbors had been complaining about was in fact coming from ACECo. Following a meeting earlier this summer with the DNR, ACECo officials, and Bay View neighbors, a concern about public health and safety was raised.

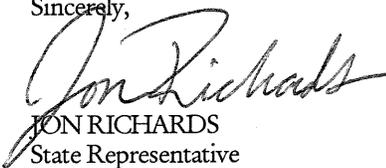
I am concerned with how long the investigation and DNR action is taking on this issue. The progress in resolving this issue has been very slow despite the undisputed fact that the DNR investigation has located the exact source of the very strong odor.

It is obvious to us that more needs to be done to address this health issue in Bay View and around the State of Wisconsin. I hope that you will begin an investigation and review of the Department of Natural Resources Air Management Program and report your findings as soon as possible.

I thank you in advance for your time and cooperation in this matter. If you need any further information on the situation in Bay View, please contact my office. We will be happy to provide you with more detailed information.

Thank you again.

Sincerely,


JON RICHARDS
State Representative
19th Assembly District

JR:tjv

CC: Joint Audit Committee Members

CAPITOL

P.O. Box 8953, Madison, WI 53708 • (608) 266-0650 • Fax: (608) 282-3619
Email: rep.richards@legis.state.wi.us Toll-free: 1-888-534-0019

DISTRICT

1823 North Oakland Avenue, Milwaukee, WI 53202 • (414) 270-9898

September 21, 2000

Senator Gary R. George
Room 118 South
State Capitol
P.O. Box 7882
Madison, WI 53707-7882

Dear Senator Gary R. George:

Subject: Request for Audit and evaluation

I write to you as a member of Council 24 Local 1195 of the WSEU. I also write as a taxpayer of Wisconsin that feels that certain Divisions and Bureaus need to be held accountable for the expenditure of state revenue. Local 1195 represents hundreds of state employees that are committed to public service and public safety, and it is this service which we believe is in jeopardy. The Division of Motor Vehicles Bureau of Field services is currently engaged in a plan to privatize several aspects of our jobs. It is this privatization and lack of oversight by this agency that dramatically affects all residents of this state. It is for this reason that we feel that this Bureau needs to be held accountable for any or all actions it undertakes. There are several points that we wish to make concerning this issue.

First, the efficient allocation of resources isn't being achieved. The Bureaus of Vehicle and Field Services have hundreds of trained employees that are being denied to opportunity to provide maximum customer service to the residents of this state. Field service stations that visit small communities are not being utilized to renew plates or provide registration for residents even though they are trained for the job and the computer equipment is in place and operational. It is a sad statement when employees want to do their job but the administration stands in the way.

Second, the quality of services provided by third party agents and oversight of these agents is minimal at best. Since 1997 the number of applications for registration (i.e. plates and titles) had grown seven fold. However, audits of the agents that perform these services have been sporadic at best or non-existent. The bureau of vehicle services, which perform the audits, has managed to audit only about one percent of the total applications submitted to the department. The problem here is that the agents receive far less training and are not familiar with policy or administrative rule changes like the pool of employees that our local represents. I think it does a disservice to the residents of this state to perform mediocre service and quality when the tools are available to get it done right the first time.

Finally, the fiscal impact for residents is significant. Currently, applications processed by agents are completed for a fee of \$17.50 per transaction. With the use of temporary plates, the department could do the transactions for just a fraction of that cost. Prior to the use of agents, applications were processed for \$5.00 per transaction at 5 day field service stations, or done free through the mail. We feel it unfair that the residents need have their hard-earned money funneled to an out of state software vendor for the application to get processed. In addition, agents employ workers for minimal wages and benefits whereas current state employees provide significant local economic benefits by reinvesting their disposable income in their local communities

With your help, we are confident that we can provide the levels of service, quality and commitment that the residents of this state deserve. Local 1195, and the employees that it represents, feel that it is the responsibility of all Senators, Representatives and residents so see that current resources are utilized to their maximum potential. No one should allow a marginally trained shadow workforce to undermine the confidence that the Wisconsin State Employees Union has worked hard to establish. It is to the

benefit of all residents that the legislative branch performs a proper evaluation of existing programs and determine if funds are spent in a constructive and cost effective way.

If you require additional information please feel free to contact the below listed individuals or myself.

- Nick Kass-Steward 608-269-3898
- Joe Heil- Steward 715-839-7089
- Thomas Lightfoot-Steward 608-269-4067

Respectfully,

A handwritten signature in black ink, appearing to read 'Thomas Lightfoot', with a large, stylized flourish at the end.

Thomas Lightfoot
Steward Local 1195 WSEU

State of Wisconsin



GARY R. GEORGE
SENATOR

October 26, 2000

Thomas Lightfoot
Steward Local 1195 WSEU
515 S K St.
Sparta, WI 54656

Dear Mr. Lightfoot:

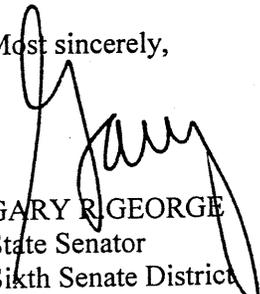
Thank you for writing to request that the Joint Legislative Audit Committee authorize a formal audit of the Division of Motor Vehicles Bureau of Field Services and its' plan to privaize several aspects of the services it provides. We appreciate your interest and concerns with the Board and its programs.

Normally, requests for audits come in from legislators. Typically, a concerned citizen or group of concerned citizens contacts their legislator and asks that the legislator request that the Joint Audit Committee authorize an audit. In this case, however we will make an exception and our office will be happy to pursue your request.

As is customary, we have referred your concerns to the State Auditor and asked her to review and comment on your concerns from the perspective of the Legislative Audit Bureau. When we have received a response from the State Auditor I will take your request up with Representative Kelso, the Assembly Co-Chair of the committee to discuss further committee action.

Thank you for bringing this issue to our attention. Please let our office know if you have any questions or if we can be of further assistance.

Most sincerely,



GARY R. GEORGE
State Senator
Sixth Senate District
Co-Chair, Joint Committee on Audit

State of Wisconsin



GARY R. GEORGE
SENATOR

November 2, 2000

The Honorable Robert Cowles
State Senator
Room 7 South, State Capitol
Madison, WI

Dear Senator Cowles:

A handwritten signature in cursive that reads "Robert".

Thank you for writing to request that the Joint Legislative Audit Committee authorize a formal audit of both the Department of Agriculture, Trade and Consumer Protection (DATCP) and the Department of Health and Family Services (DHFS) sanitary inspector positions. We appreciate your interest and concerns with these programs.

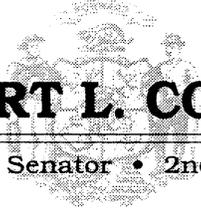
As is customary, we have referred your concerns to the State Auditor and asked her to review and comment on your concerns from the perspective of the Legislative Audit Bureau. When we have received a response from the State Auditor I will take your request up with Representative Kelso to discuss further committee action.

Thank you for bringing this request to our attention. Please let our office know if you have any questions or if we can be of further assistance.

Most sincerely,

A handwritten signature in cursive that reads "Gary R. George".

GARY R. GEORGE
State Senator
Sixth Senate District
Co-Chair, Joint Committee on Audit



ROBERT L. COWLES

Wisconsin State Senator • 2nd Senate District

October 31, 2000

Representative Carol Kelso, Co-Chair Joint Audit Committee
State Capitol
Room 16 West
Madison, WI 53708

Senator Gary George, Co-Chair Joint Audit Committee
State Capitol
Room 118 South
Madison, WI 53707

Dear Representative Kelso and Senator George:

I am writing to request a Legislative Audit Bureau audit of both the Department of Agriculture, Trade and Consumer Protection (DATCP) and the Department of Health and Family Services (DHFS) sanitary inspector positions.

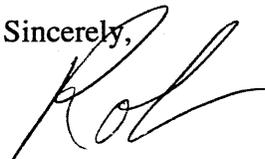
I am very concerned with the recent outbreaks of the E. coli infection that has occurred in Wisconsin this summer and now at a school district in the southern part of the state. With the health and safety of our citizens at stake, it is necessary to find out the adequacy of our inspections and to determine whether or not these sanitary positions are used to their potential. On the other hand, it is necessary to determine if these state sanitary positions are being over-stretched and are not able to provide enough routine and in-depth inspections. I would ask that in addition to reviewing the sanitary inspector positions, the Legislative Audit Bureau also cover the following issues:

- The adequacy and standards for local level inspections, if for example the inspection has been delegated to the local public health departments.
- Outline whether the penalties for failing to comply with state processing and preparation requirements are being enforced.
- Analyze both state license fees and local license fees that are administered by both DATCP and DHFS for commercial meat processing plants, restaurants and other establishments.
- Provide a summary of how DHFS and local public health departments work to isolate a source of infection and to determine the cause of the outbreak.

I hope that these issues can be reviewed by the Legislative Audit Bureau in a quick and expedient manner.

Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Rob", written over the word "Sincerely,".

ROBERT L. COWLES
State Senator

CC: Janice Mueller, Director Wisconsin Legislative Audit Bureau

State of Wisconsin



GARY R. GEORGE
SENATOR

November 2, 2000

The Honorable Alan Lasee
State Senator
Room 109 South, State Capitol
Madison, WI

Dear Senator Lasee:

Alan

Thank you for writing to request that the Joint Legislative Audit Committee authorize a formal audit of Brown County's 2001 budget. We appreciate your interest and concerns with the County and its programs. Such an audit would require approval by an affirmative vote of the committee.

As is customary, we have referred your concerns to the State Auditor and asked her to review and comment on your concerns from the perspective of the Legislative Audit Bureau. When we have received a response from the State Auditor I will take your request up with Representative Kelso to discuss further committee action.

Thank you for bringing this request to our attention. Please let our office know if you have any questions or if we can be of further assistance.

Most sincerely,

A handwritten signature in black ink that reads "Gary R. George".

GARY R. GEORGE
State Senator
Sixth Senate District
Co-Chair, Joint Committee on Audit



Senator ALAN J. LASEE
President Pro Tempore 1st Senate District

November 1, 2000

The Honorable Gary George
Co-Chair
Joint Committee on Audit
Room 118 South, State Capitol

The Honorable Carol Kelso
Co-Chair
Joint Committee on Audit
Room 16 West, State Capitol

Dear Co-Chairs George and Kelso:

On behalf of the Brown County Towns Association, I am writing to request an audit of Brown County's 2001 budget. The Association approved a resolution requesting the audit on October 24, 2000.

Although Brown County has an additional \$720 million in taxable property, the county executive's proposed budget is projecting a \$3 million debt. To cut costs, the county executive proposes, among other things, to close the Southwest Branch Library.

In addition, Brown County has had to borrow money to fix local roads. Although Brown County received \$2.4 million in state road aids, county officials have bonded \$1.5 million for normal road maintenance on several county truck highways. In addition, the county has cancelled plans to construct a southern bypass around De Pere and build a bridge in the area.

Of particular concern to the Brown County Towns Association is information in the proposed county budget that suggests that the cost per capita to operate Brown County is higher than other counties in Wisconsin. For example, Brown County's new jail will cost \$110 per inmate per day to operate and will be staffed at a ratio of one correctional officer per three inmates. These numbers appear incredibly high to members of the Association and we believe it needs to be examined by the State Audit Bureau.

OFFICE:

6 South, State Capitol
Madison, WI 53707-7882
608-266-3512 FAX: 608-266-7038
Toll-free Hotline: 1-800-362-9472

HOME:

2259 Lasee Road
De Pere, WI 54115
414-336-8830

COMMITTEES:

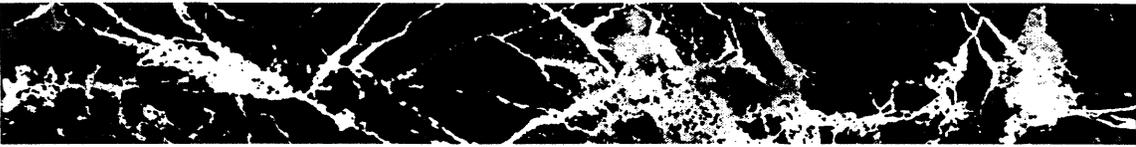
CHAIR, Transportation, Agriculture & Local Affairs
State Government Operations & Corrections
Human Resources, Labor, Tourism,
Veterans & Military Affairs

Thank you for your attention to my request for an audit of Brown County 2001 budget.

Sincerely,

A handwritten signature in cursive script, appearing to read "Alan".

ALAN J. LASEE
State Senator
1st Senate District



DAVE TRAVIS

STATE REPRESENTATIVE



STATE CAPITOL
P.O. BOX 8953
MADISON, WISCONSIN 53708
266-5340

November 14, 2000

Senator Gary George, Senate Chair
Representative Carol Kelso, Assembly Chair
Joint Committee on Audit
State Capitol
Madison, WI 53702

Dear Senator George and Representative Kelso:

I am writing to you to request that the Joint Committee on Audit direct the Legislative Audit Bureau to conduct an audit to determine the number of married couples working for either the state or local units of government who are both selecting family coverage or allowing one spouse to select single coverage and the other spouse to select family coverage under their employer's groups health insurance plan. I believe that this results in unnecessary costs being borne by the taxpayers. In addition, I believe that this could have fiscal ramifications for the state budget insofar as these extra costs may impact on the amount of state aid provided to local governments.

For example, it has recently come to my attention that the City of Madison has a policy for its employees which allows a married couple who are both employed by that city to both choose to have separate family coverage health insurance plans or for one spouse to elect family coverage and the other spouse, in addition, to elect single coverage. It has been estimated that prohibiting such dual coverage could save the city \$190,000 annually.

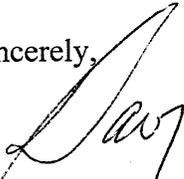
I believe it is important for the Legislature to know the extent to which this same policy may be in effect in other municipalities and the statewide fiscal savings which might be realized by municipalities (and the state) if that policy were to be changed. It does not appear that centralized data on municipalities' (including school districts) practices in this area is readily available. Consequently, I believe that the type of audit that I am requesting is necessary to: (1) determine how many municipalities (including school districts) have such a policy; (2) ascertain how many employees have elected such a coverage option; and (3) estimate the cost savings which could be realized if a policy were adopted to limit coverage options for such employees to the same options as allowed for state employees in a similar situation.

Senator George and Representative Kelso
Page Two

In contrast to some local policies, the state allows married couples who are state employees only two coverage options: (1) choose to have two single plans; or (2) have one spouse elect family coverage which would then also cover the other spouse and dependents. However, it has come to my attention that some couples without dependents choose family coverage, even though this may be costlier to the state than two single plans. Employees do this in order to ensure that in the event of the death of one of the state workers, the surviving spouse will have access to the other's accumulated sick leave credits. I believe a nonpartisan, objective analysis of all of the incentives at play for state workers is also needed to ensure that health insurance remains available to our state workers but at the same time is provided at the least amount of cost to the taxpayers.

Thank you in advance for your prompt attention to this audit request. Please call me if you wish to discuss the issue or need further information.

Sincerely,



DAVE TRAVIS
State Representative
81st Assembly District



BILL Boelcher BUICK - PONTIAC
CHEVROLET - CADILLAC - OLDSMOBILE
DOOR COUNTY

Thursday, November 2, 2000

- Go Green Bay
- Door County news
- Kewaunee County news
- Oconto County news
- Wisconsin news
- World & U.S. news
- National sports
- Special sections

- Front page
- Archives
- Arts/Entertainment
- Automobiles
- Births
- Classifieds
- Community sites
- Deaths
- Dotcom Magazine
- Editorial cartoons
- Editorial comment
- Employment
- Food/nutrition
- Forums
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- Our Town
- Packers' corner
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Sparks fly over budget audit request



Brown County Executive Nancy Nusbaum

Rep. Carol Kelso, audit co-chairwoman, says the letter will be taken under advisement

By Warren Bluhm
News-Chronicle

State Sen. Alan Lasee, who also serves as Rockland Town Chairman, sent a letter to the co-chairs of the Legislature's Joint Committee on Audit Thursday, asking for a state audit of the 2001 Brown County budget.

Brown County Executive Nancy Nusbaum fired back that Lasee's request contains "some things that are just plain not true" and questioned the timing of the request, days before Tuesday's election.

"There's an economic boom across the state and in Brown County, and yet we're \$3 million short of the revenues needed to run the county," Lasee said. "I find that when state auditors take a look at a situation, you get a real picture and an honest evaluation."

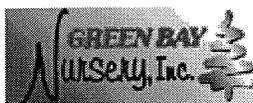
This year's budget has come under unusual scrutiny as the county grapples with what at one point was said to be a \$3 million to \$4 million deficit to maintain existing services. Nusbaum has blamed unfunded mandates by the state, reductions in state aid and a cap on the property tax levy.

Lasee said he was acting on behalf of the Brown County Towns Association, comprised of the 16 town chairmen in the county, following an Oct. 26 meeting of the group.

The association is skeptical about the deficit because

PACKERTAILGATE

- Sheboygan brats
- Wisconsin cheeses
- Door County cherries
- All-Pro Shop
- Hinterland beers
- Packer gifts
- The Jersey Store
- Taste of Wisconsin



the county's tax base grew by \$720 million this year, he said.

Among concerns listed in Lasee's letter are that the budget "suggests that the cost per capita to operate Brown County is higher than other counties in Wisconsin," including an estimate that the new jail will cost \$110 per inmate per day to operate.

"That figure is just plain wrong," Nusbaum said, adding that an analysis by the Wisconsin Taxpayers Alliance places Brown County at 62nd among the 72 counties in spending per capita.

Lasee questioned why the county bonded for \$1.5 million for "normal road maintenance" on several county highways after receiving \$2.4 million in state road aids for that purpose. Nusbaum said the bond issue was for projects designed to last 20 years or longer, "not filling in potholes."

The executive said she suspected the letter is being released now because Democratic Brown County Sup. Dave Hansen is involved in what she described as "a tight race" against Lasee's fellow Republican, state Sen. Gary Drzewiecki, R-Pulaski.

"It looks to me like a political attempt by someone with an agenda to make us look bad just before the election," Nusbaum said. "You've got these inaccurate allegations, but the audit process moves slowly, and by the time the actual facts come out, the damage will have been done."

She said she welcomes the audit because it would provide answers "once and for all" showing the county's financial bind.

Lasee said the audit request comes solely out of his role as a town chairman. "We're attempting to find out what the hell is going in our county," he said. "Drzewiecki doesn't even know that we're doing this."

Pittsfield Town Chairwoman Dawn Kelm said the towns association went through the budget document for several hours and passed the audit request unanimously.

"There was no mention whatsoever all night about anything to do with the election," Kelm said. "The towns don't operate that way. We are just concerned about what appears to be mismanagement in the county across the board."

State Rep. Carol Kelso said the request would be taken under advisement, and she plans to go over all of the pending requests with co-chairman Sen. Gary George, D-Milwaukee.

Kelso, R-Green Bay, said Lasee's will be the fourth pending request, and the committee likely would have to meet to consider which should have priority.

The question about the county's use of state road aids is not new, she said. "That's not the first time I've heard that," Kelso said. "A number of individuals have asked about it."



Email [The Green Bay News-Chronicle](#)

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Committee Assignments:
Chair, State Affairs Committee

Member:
Agriculture Committee
Insurance Committee
Small Business Committee
Tourism Committee
Governor's Council on Tourism

August 1, 2000

Senator Gary George
Representative Carol Kelso
Co-Chairs, Joint Committee on Audit
State Capitol
Madison, WI 53702

Dear Senator George and Representative Kelso:

I am writing to request that the Joint Committee on Audit authorize a formal audit of all financial aid programs at the state Higher Educational Aids Board (HEAB).

I am requesting the audit because I want to make sure that state financial aid programs are administered as effectively as possible. The audit could determine if the agency has the proper policies and procedures in place to ensure efficiency. Specifically, I would like the following HEAB programs to be audited.

Child Support Delinquent
Tuition Grant
Minority Retention Grant
Minority Teacher Loan Program
WHEAL
Medical and Dental Capitation
Indian Student Assistance Grant
Handicap Grant
WHEG Grant
Academic Excellence Scholarship
Old Loans (Non guaranteed Loans)
Tip Grant
Teacher Education Loan
Reciprocity Program
Paul Douglas Teacher Scholarship
Independent Student Grant
Refund from Schools
Nursing Student Stipend Loan

Serving the Seventy-Ninth. New ideas for a new future...

Office: P.O. Box 8953, State Capitol • Madison, WI 53708-8953
(608) 266-3520 • Fax: (608) 266-7038 • Rep.Skindrud@legis.state.wi.us
District: 1261 LaFollette Road • Mt. Horeb, WI 53572 • (608) 832-4843

All state programs need periodic review to ensure efficiency in state government. I hope you will take a good look at these financial aid programs. Should you have any questions about this matter, please do not hesitate to contact my office at (608) 266-3520.

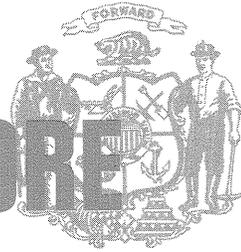
Sincerely,

A handwritten signature in cursive script, appearing to read "Rick Skindrud".

Rep. Rick Skindrud
79th Assembly District

State Senator

GWENDOLYNNE MOORE



Capitol Office:
P. O. Box 7882, Madison, WI 53707-7882
Phone: (608) 266-5810 Fax: (608) 267-2353
District Telephone: (414) 442-3080
Toll-free Legislative Hotline: 1-800-362-9472
E-Mail: sen.moore@legis.state.wi.us
Member: Joint Finance Committee
Board Member: Wisconsin Housing and Economic Development Authority

August 7, 2000

Senator Gary George and Representative Carol Kelso; Co-Chairpersons
Joint Legislative Audit Committee
State Capitol
Madison, WI 53202

Dear Senator George and Representative Kelso,

I am writing to you to request a compliance audit of the State's contracts with two private prison companies. This request includes the five facilities managed by Corrections Corporation of America (CCA) and one facility managed by McCloud Correctional Services. As you know, Wisconsin houses over 4,500 inmates in these six contract facilities. This audit should expand the ongoing audit of the health care services provided at these facilities.

I have enclosed a copy of a report created by my office. The report summarizes some of the violations that Department of Corrections' officials have observed during their monthly visits to the private facilities. The violations at these facilities are numerous and include reports of chronic understaffing and lack of training, gang problems tolerated by prison officials, and reports of sex being readily available at a facility.

In addition to the report, I have also enclosed a copy of my previous request for an audit of the private facilities. This letter is a reiteration of my request for an independent audit of the private prisons.

At the current inmate levels, the cost of our contracts with private prisons is over \$65 million for fiscal year 2001. For such a large expenditure, I believe a thorough compliance audit by the Legislative Audit Bureau is necessary. An audit will ensure the Department's monitoring efforts are adequate and the state is receiving the services it pays for.

Thank you for your consideration of this request. If you have any questions, please do not hesitate to contact me at (608) 266-5810.

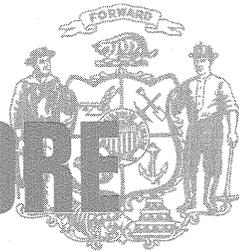
Sincerely,

A handwritten signature in black ink that reads "Gwendolynne Moore".

Gwendolynne Moore
4th District State Senator

Enclosure

State Senator GWENDOLYNNE MOORE



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District Telephone: (414) 442-3080

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E-Mail: sen.moore@legis.state.wi.us

Member: Joint Finance Committee

Board Member: Wisconsin Housing and Economic Development Authority

December 1, 1999

Senator Gary R. George and
Representative Carol Kelso, Co-chairpersons
Joint Legislative Audit Committee
State Capitol
Madison, WI 53702

Dear Senator George and Representative Kelso:

I am writing to request a compliance audit of the State's contracts with Corrections Corporation of America (CCA) to house inmates. As you know, Wisconsin currently houses over 4,000 inmates in out-of-state facilities, with nearly 3,000 of those inmates at facilities operated by CCA. Those figures are likely to continue to increase in the near future with additional contracting authority granted in the biennial budget.

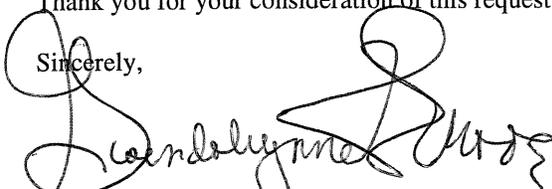
I have received a great number of complaints from constituents of mine who are inmates, or relatives of inmates housed at CCA facilities. In addition to the hardships imposed on inmates and their families by being housed out of state, these complaints relate to poor sanitation, inadequate medical care, structural problems leading to inadequate heat, and inadequate clothing. Furthermore, there have been multiple incidents of safety breaches at CCA facilities--the most recent occurring on November 30, 1999 when 15 staff members were taken hostage at CCA's Whiteville facility. Many of these health and safety issues are covered in the State's contract with CCA.

The Department of Corrections has staff which monitor compliance with the contracts, and the contract specifies action the Department may take if CCA does not comply with the contract provisions. However, I receive similar complaints repeatedly, and the contract monitors themselves have noted similar problems at the CCA facilities--though little appears to be done to seek remedies for potential contract breaches. These issues raise questions about how effectively the contracts are being monitored and whether sufficient action is being taken when CCA does not provide the services required.

The annualized costs of the CCA contracts is over \$45 million at the current inmate levels. For such a large expenditure, I believe independent oversight is important. Therefore, I believe a thorough compliance audit by the Legislative Audit Bureau is necessary to ensure the Department's monitoring efforts are adequate, and the state is receiving the services it is paying for.

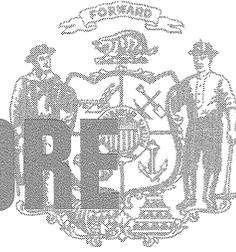
Thank you for your consideration of this request. I will be happy to answer any questions you may have.

Sincerely,


Gwendolynne S. Moore
4th District State Senator

cc: Jan Mueller, State Auditor

State Senator GWENDOLYNNE MOORE



Capitol Office:
P. O. Box 7882, Madison, WI 53707-7882
Phone: (608) 266-5810 Fax: (608) 267-2353
District Telephone: (414) 442-3080
Toll-free Legislative Hotline: 1-800-362-9472
E-Mail: sen.moore@legis.state.wi.us
Member: Joint Finance Committee
Board Member: Wisconsin Housing and
Economic Development Authority

To: Interested Persons
From: Lehn Fitzgerald, Office of Senator Gwendolynne S. Moore; Amanda Prestegard
Date: August 3, 2000
Subject: Inmate Transfers to Out of State Private Prisons

This memo summarizes findings concerning Wisconsin's policy of contracting for inmate beds at out-of-state private prisons. It encompasses the following areas: gang and drug activity, health and sanitation, food service, inmate mistreatment, safety issues, policy issues, and staffing issues. It covers the time period between January of 1999 to June of 2000.

• Background

The state of Wisconsin began contracting for out-of-state prison beds in September of 1996 due to overcrowding in its own state prisons. Currently, a majority of Wisconsin's out-of-state prisoners are housed with the Corrections Corporation of America (CCA). CCA operates 82 prisons with 73,000 total beds in the United States, Australia, Puerto Rico, and the United Kingdom. In the U.S., CCA has over 68,000 beds in 26 states and the District of Columbia. Wisconsin also sends inmates to a private prison in Oklahoma owned by McCloud Correctional Services (a subsidiary of Dominion Venture Group) and run by the Correctional Services Corporation.

The following table provides statistics about the private prisons that currently house Wisconsin inmates:

Wisconsin Inmates Housed in Private Prisons*

Name	Location	Capacity	WI Pop.
Central Oklahoma Correctional Facility	McCloud, OK	872	155
North Fork Correctional Facility	North Fork, OK	1,440	1,455
Prairie Correctional Facility	Appleton, MN	1,338	692
Tallahatchie County Correctional Facility	Tallahatchie, MS	1,104	340
West Tennessee Detention Facility	Mason, TN	600	377
Whiteville Correctional Facility	Whiteville, TN	1,536	1,511
Total		6,890	4,529

*as of July 28, 2000

The Contract Monitoring Unit of the Department of Corrections (DOC) is responsible for ensuring that the private prisons comply with the tenets of their contracts with Wisconsin. The unit was authorized in June of 1998 and began operating in December of 1998. The unit started functioning approximately two years after we first sent inmates to private facilities. The unit is composed of six contract monitors, one supervisor, and two medical monitors. The contract monitors inspect prison facilities to ensure that Wisconsin inmates are properly

supervised and housed. Several monitors are dispatched to conduct two to three day site visits on a monthly basis and file reports based on these inspections. During these site visits the monitors inspect the prison, talk with inmates, and observe activities. In addition, monitors meet with inmates who have contacted their office about problems they are experiencing. When the monitors are not conducting site visits, they work out of their office in Madison and respond to complaints from inmates and their relatives.

Site visit records have been obtained from both the Wisconsin DOC and from the Hawaii Department of Public Safety (HA DPS). Hawaii houses inmates in some of the same facilities that Wisconsin does including Central Oklahoma, West Tennessee, and Prairie. Hawaii monitors inspect the facilities twice a year. The following site visits have been documented by the WI DOC and HA DPS in 1999-2000:

Whiteville: 1999: 4/29-5/2, 6/1-6/4, 7/26-7/29, 8/28-/31, 10/16-10/19, 11/11-11/14
2000: 1/18-1/19, 2/7-2/9, 3/13-3/15, 4/4-4/6, 5/2-5/4, 6/4-6/5
North Fork: 1999: 1/28, 5/24-5/27, 7/19-7/22, 8/23-8/26, 9/14-9/17, 10/21-10/24, 11/30-12/2
2000: 2/28-2/29, 3/26-3/27, 4/26-4/27, 5/9-5/11
West Tennessee: 2000: 1/20, 2/9-2/10, 3/16, 4/3-4/4, and 5/5-5/6, 6/2-6/3
HA: 3/6/00
Central Oklahoma: 2000: 2/26, 3/28, 4/24-25, 5/18
HA: 3/15/00
Prairie: 2000: 1/11-1/12, 2/3-2/6, 3/20-3/22. 4/9-4/10, 5/17-5/19
HA: 2/25/99, 6/8/99, 1/27/00
Tallahatchie: None as of 6/15

The information presented in this memo was compiled from DOC site visits, complaint records, American Correctional Association (ACA) accreditation reports, and other sources where noted. Each facility had one ACA report that was obtained from the CCA office. Site visits are denoted by (sv) with a corresponding date and page number. If the report is from Hawaii, it is denoted by (HA sv) with a corresponding date and page number. Unless otherwise noted, any mention of contract monitors refers to Wisconsin contract monitors. Complaints are cited by a number beginning with a year, such as (98-01-11). There were no complaint records available for review after early 1999. The complaint records were physically obtained by a staff person and an intern working for Senator Moore.

- **Findings**

Gang Problems

More than any other facility, North Fork appears to have a number of gang related problems that have been tolerated by prison officials. At one site visit, monitors found that inmates had created a gang-related inmate newsletter in a computer class (sv 5/24, p.18). Staff was unaware of this activity and had been allowing the newsletter to be sent from inmate to inmate. According to a complaint, inmates were altering their clothing and hair, wearing gang colors, and charging others for protection (99-01-24). This complaint appears to be corroborated in a report filed by Captain Janel Nickel of Dodge Correctional Institution after a visit to North Fork on June 2, 1999. She was told by staff members at North Fork that gang members often iron gang symbols into their prison clothing using prison-provided irons. In

addition to the clothing alteration, DOC Contract Unit Supervisor Jeff Wydeven, in a letter to North Fork Warden Rick Hudson, also expressed concern that the irons could be used as weapons. The warden dismissed Wydeven's concerns and said that the irons add to the inmates' "quality of life."

In her report Captain Nickel noted a number of gang related behaviors occurring openly in the front of prison staff. Nickel observed that staff members did not react when inmates flashed gang signs in front of them. In addition, a staff member did not respond when an inmate displayed his ID card that had gang-colored beads hanging off of it. Nickel also reported that inmates were allowed to hold gang meetings in their cells. A group of inmates turned in a written request to the unit manager asking if they could hold a gang meeting. The unit manager allowed it so long as he could be present. In addition, instead of trying to separate and break up gangs, Nickel reported that North Fork staff was allowing inmates who belonged to the same gang to move into the same cell together.

Drug Problems

Within the past six months, there have been at least two documented cases of correctional officers introducing drugs into West Tennessee. Two officers were terminated on March 13, 2000, for bringing substances into the facility (sv 3/16/00, p.2). One of the terminated officers intended to sell a pint of whiskey to inmates while the other brought in a half ounce of marijuana to sell to inmates. Both correctional officers were charged with one felony count of introducing contraband into a penal institution. In another incident, an inmate reported that he had arranged payment with a correctional officer to bring drugs and alcohol into the prison. He gave prison officials a small amount of marijuana to support his claim (sv 4/3/00, p.2). The officer was terminated on April 7, 2000, and the case was referred to outside law enforcement.

Three other facilities had reports of drug problems. Inmates at Whiteville told contract monitors that drugs are prevalent in the prison (sv 10/16/99, p.9). Inmates at Central Oklahoma stated that drugs were easily obtainable at the facility (sv 2/26/00, p.9; 4/24/00, p.4). At the same facility, inmates reported that the pill line at Health Services was not supervised and that inmates frequently passed off their pills and saved them up (sv 4/24/00, p.4). West Tennessee's pill line also was not well staffed as the correctional officer monitoring the line didn't ensure that the prisoners actually swallowed their pills (sv 6/2/00, p.3).

Health and Sanitation Concerns

In early January of 1999, inmate complaints stated that Whiteville had extensive plumbing problems that resulted in inmates going without food and water for at least 24 hours. The wife of one inmate complained that her husband called and told her that the water had been broken for three days, the toilets were overflowing, and that there was human feces on the floor (99-01-010). A number of other similar complaints that were filed on the same day appear to corroborate this woman's allegations. When contract monitors contacted the warden at Whiteville, he stated the plumbing had only been broken for one day and that no feces was found on the floor.

Some of the facilities have had structural problems that raise serious health and sanitation concerns. Multiple site visit reports at Whiteville note the presence of large cracks in the walls that allowed cold air to flow into cells during winter. One woman who visited her son during Christmas of 1998 said that his cell was so cold that a candy bar and glass of water sitting by the window froze (98-12-033). Contract monitors continued to report the existence of these cracks for a number of months (sv 4/30/99, p.10; sv 6/1/99, p.12; sv 7/26/99, p.8). As of the July 1999 site visit, eight months after the initial complaints, repairs on the cracks were finally being completed (sv 7/26, p.8).

In addition to Whiteville, West Tennessee also had problems that took the prison a long time to repair. A number of inmates broke out the bottoms of the sinks in a unit in February (sv 2/9/00, p.7). The holes in the sinks grew larger over time. In an unrelated occurrence, the toilets started leaking when flushed (sv 3/16/00, p.1). The prison was still fixing both of these problems in the last site visit available for West Tennessee, four months after the problems had been originally reported (sv 6/2/00, p.3).

Food Service

In a Hawaii inspections report, a contract monitor explained the problems that a private prison was having with its food service by stating, "...it's generally acknowledged that food is one of the areas private corporations tend to squeeze in their all important drive towards profit," (HA sv 3/15/00, p.5). While the Hawaii contract monitor was not referring to conditions at a CCA facility housing Wisconsin inmates, the problems in the food service area appear to be widespread throughout most private prisons. The food service problems found in this report are divided into three categories: food sanitation/health, food boycotts, and lack of inmate training.

- **Food/Health Sanitation:** West Tennessee had numerous problems with food sanitation. An April visit by the contract monitors resulted in the immediate termination of the Food Service Administrator over unsanitary conditions in the kitchen. The monitors found significant evidence of mice in the dry storage area and roaches in the kitchen. Exterminators were brought in later in the month to remove the pest problem. Other minor problems that the monitors found led them to the conclusion that the Food Administrator was "running around trying to fix areas as we walked around" (sv 4/3/00, p.2). While there was no sign of infestations during their next visit, monitors reported that the food service area was still dirty and unorganized. They found food spilled on the floor and inmates and staff walking through it. A Hawaii contract monitor also found problems at the facility. He found that pans of food were placed on the floor while inmates were washing dishes (HA sv 3/6/00, p.3).

North Fork also had a number of problems with their food preparation. Inmates filed 48 grievances over spoiled meat served to them (sv 9/14/99, p.9). Inmates did not receive a response to their grievances until the monitors looked into the problem nearly a month later. On the same visit, monitors found that the food preparation was very unorganized and that the menu was highly repetitive.

Two other facilities also had problems with their food service. Inmates at Central Oklahoma stated that the meals were not balanced and the kitchen often ran out of food. Prison staff stated that part of the reason they run out of food is that the inmates often steal food. Monitors recommended an increase in staff supervision to solve some of these problems. Inmates at Whiteville stated that not a lot of food was served on their plates and that it would often sit around for half an hour before being delivered to them (sv 2/7/00, p.9).

- **Food Boycotts:** Issues such as the spoiled meat led to the inmates at North Fork planning a food boycott on September 18, 1999. Among the problems with the food service that inmates had were that the menu at the facility was very repetitive, pork was mistakenly served as turkey, and the spoiled meat issue. Inmates were hoarding food in their cells and were not going to eat at the dining hall for several days. While the line staff was aware of the planned food boycott, the administrators did not know about it until the monitors informed them of it. The contract monitors gave requests and recommendations regarding the food boycott to North Fork officials who did not appear to be very receptive to contract monitor's input (sv 9/14/99, p.10). The food boycott did not occur.

Another food boycott was threatened at Whiteville in early 1999. This food boycott did not appear to be about any particular food issue but rather about inmates being perceived by staff as money makers. A letter posted at the facility by an inmate stated that the food boycott would prevent the company from making money off of them when they ate (sv 4/29/99). This food boycott also did not occur.

- **Lack of Inmate Training:** At Central Oklahoma, contract monitors found a number of problems relating to inmates' lack of training in the food service area. At one site visit monitors found inmates handling food with ungloved hands and inmates eating in the dry storage area (sv 3/28/00, p.2). During another visit, inmates working in the kitchen did not know how many sandwiches were to be served (sv 4/24/00, p.2).

Medical Issues

Inmates had a number of complaints about their medical treatment. These complaints included the lack of medical care at the facilities, inappropriate protocol, and numerous medical position vacancies.

- **Lack of Medical Care:** At least three inmates at Whiteville stated that they were not receiving proper medical attention (sv 6/1/99, p.14; sv 8/28/99, p.9). One inmate told a monitor that it took a week for the facility to provide him with antiseptic he needed for injuries he sustained while trying to escape (sv 6/1/99, p.14). In another case, an inmate at Prairie was unhappy because he was housed with an inmate who had a positive skin test for tuberculosis (sv 3/20/00, p.4). West Tennessee also had a number of medical complaints. At least two inmates felt that the facility failed to provide proper medical care for them (sv 4/3/00, p.3). At Prairie, at least one inmate needed to be transferred out of the facility in order to receive the psychiatric care that he needed (sv 3/20/00, p.4).

- **Inappropriate Protocol:** The ACA accreditation report for West Tennessee found that officers did not regularly check on inmates who were on suicide watch. While the ACA recommends that guards watch over suicidal inmates continually, West Tennessee's written policy calls for a check to be done every fifteen minutes. According to documentation kept by the prison, the checks were being done even less often (ACA, p.17).
- **Medical Vacancies:** Some of the problems with medical care can be attributed to the numerous medical vacancies at these facilities. Medical positions at many of the facilities are often vacant for months at a time. For example, Whiteville lacked a dentist from early April to July of 1999 (sv 4/29/99, 6/1/99, 7/26/99). Numerous inmates complained about the dental treatment in this time period (sv 4/29/00, p.9). The most recent report from North Fork showed that they have lacked a psychologist since April (sv 4/26/00, 5/9/00). As of June 2000, Whiteville had six open nurse positions that had been open since early May (sv 5/2/00, 6/4/00).

Inmate Mistreatment

North Fork had a number of instances of inmate mistreatment. One of the monitors was told by an inmate that he had been beaten by a guard in his cell (sv 8/23/99, p.14). Another inmate stated that his Unit Manager was a racist and never looked into inmate issues (sv 5/9/00, p.4). A contract monitor reported that an inmate at North Fork was placed into protective custody due to calls his mother had made to a Wisconsin senator to report staff misconduct (sv 4/26/00, p.4). The inmate did not wish to be placed into protective custody and was confused why he was there.

Whiteville has had a number of cases of inmate mistreated. A CCA attorney was terminated after he threw a chair at an inmate. While the chair was aimed at the inmate, it instead struck an officer (sv 8/28/99, p.8). In another incident, a Captain was disciplined for becoming verbally abusive towards an inmate (sv 10/16/99, p.9). Another problem at Whiteville was that an inmate was sleeping on the floor because both the inmate and his cellmate had a lower bunk restriction (sv 6/4/00, p.3).

The ACA accreditation reports for the CCA prisons reported that West Tennessee, Whiteville, and North Fork all had many inmates who were idle. The ACA report for West Tennessee from July 22, 1999, found that there were not enough jobs for inmates to keep them constructively occupied. In addition, there was not enough recreational opportunities for the degree of idleness observed (ACA, p.7). The ACA report for Whiteville also found that inmates had a high degree of idleness due to the lack of work and recreation opportunities (ACA, p.7). The report mentioned that what work there was didn't occupy very much of the inmates' time. The ACA report for the North Fork facility also found a high degree of idleness (ACA, p.9). An inmate at North Fork stated that inmates had lots of idle time in the prison and that there was a lack of jobs to keep prisoners busy (sv. 5/9/00, p.4). Captain Janel Nickel's visit to North Fork appears to corroborate this. She found many inmates standing around idle on the unit because many of the prison's programs were not being conducted.

Safety Concerns

In two separate incidents, prison facilities left items that could have been used as weapons within easy reach of the prisoners. At Central Oklahoma, *three tool cribs were left unsecured in a garage* that inmates could access through an open garage door (sv 3/28/00, p.2). While an incident did not occur, the unsecured tool cribs and open garage door could have given inmates easy access to potential weapons. The problem of unsecured dangerous items was not exclusive to Central Oklahoma. Monitors found unsecured security equipment scattered across a unit at Whiteville. In addition, *a number of razors were left unsecured* in the area (sv 10/16/99, p.12). This same visit to Whiteville found an emergency exit door in segregation unsecured (sv 10/16/99, p.7)

For a number of months, North Fork *failed to prevent inmates from blocking the view into their cell*. Windows are generally the only way correctional officers can see into a cell without opening it. However, the staff at the facility did not prevent inmates at North Fork from covering their cell windows with a sheet (sv 2/28/00, p.11). The inmates did not refrain from this behavior until April (sv 4/26/00, p.2). The covering of windows began at a time when hostilities were rising in the facility. Four weapons had been found by staff the day before the monitors visited, the Ping-Pong table had been damaged, guards were doing more searches, and metal detectors were going to be used in the dining room.

Prison officials have also allowed other prohibited behaviors to go unpunished. Central Oklahoma officials allowed about 40 inmates to gather on the grass in the courtyard in a "sit down" protest. The protest was in response to a new movement policy that limited the amount of time inmates could leave their housing units on weekends. A prison official met with the inmates and, following this, they peacefully dispersed. No inmates were punished despite the fact that inmates are not allowed on the grass. At Whiteville, officers failed to prevent inmates from "fishing" into other inmate's cells. Inmates attempt to "fish" by throwing a piece of string with a hook-like instrument tied on the end (like a pencil) into another inmate's cell in order to steal an inmate's property. During a site visit, contract monitors observed that correctional officers were present on the cellblock and allowed this behavior to occur (sv 2/7/00, p.9).

Policy Issues

For several months *the inmate property room at Whiteville was reported as being a "disaster"* (sv 1/18/00, p.11). The room was unorganized and the warden of the facility ordered shelving units in order to sort through the property. A visit to the property room in March found numerous items lying around that were supposed to have been shipped back to Wisconsin the month before (sv 3/13/00, p.2). While improvements were finally being made to the system in April, there were still six outstanding property claims from January (sv 4/4/00, p.3).

During a site visit to Whiteville in April of 1999, *contract monitors encouraged the warden to form an emergency response unit* to deal with any incidents that could arise. The warden was unwilling to do so and felt that if something happened at the facility either the county law enforcement or a nearby CCA facility could respond (sv 4/29/99, p.13). The warden finally