

2003 Joint Committee on Audit

2003 Audit Request Letters

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**DAVE TRAVIS**  
STATE REPRESENTATIVE

January 7, 2003

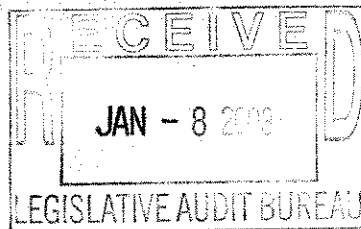
Senator Robert Cowles, Senate Chair  
Representative Suzanne Jeskewitz, Assembly Chair  
Joint Committee on Audit  
State Capitol  
Madison, WI 53702

Dear Senator Cowles and Representative Jeskewitz:

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 at least \$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.



STATE CAPITOL  
P.O. BOX 8953  
MADISON, WI 53708  
(608) 266-5340  
rep.travis@legis.state.wi.us

Senator Cowles and Representative Jeskewitz  
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  
81<sup>st</sup> Assembly District

cc: Jim O'Keefe  
Jan Mueller  
Bill Graf

# DON FRISKE

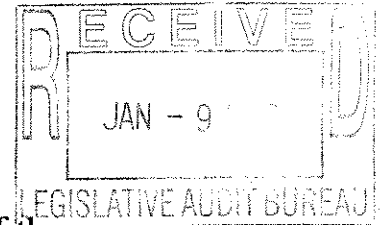
State Representative



Wisconsin State Legislature  
Joint Committee on Audit  
Madison, Wisconsin 53708

January 8, 2003

Co-chairs Jeskewitz and Cowles,



Congratulations on your recent appointment as co-chairs of the Legislative Joint Committee on Audit.

I am writing to you today to request that your committee examine the possibility of initiating an audit of the Department of Health and Family Services Specialized Medical Vehicle Program. The funding provided to these critical transportation providers has become less and less secure as the Department has implemented policies that make retention of earned Medical Assistance by the providers unstable.

It is with great interest that I seek to find out from an independent and non-partisan agency how much funding is actually being provided to Specialized Medical Providers in comparison to the funding that is being used in the administration of the program.

Thank you again for your consideration of this request. I look forward to working with you on this and other issues over the course of the next session.

Sincerely,

**Donald R. Friske**  
**35<sup>th</sup> Assembly Representative**  
[www.FriskeNet.net](http://www.FriskeNet.net)



# INMATE

Continued from Page A1

ill?" Wasserman asked. "How can a male prison guard escort a female prisoner to a supposedly secluded area, have sex with her with no one watching, and then walk out? For her to be penalized ... is wrong."

Other than Wisconsin, only Alabama, Oregon and Vermont do not make such actions a crime, according to Amnesty International.

"There is no legislation to cover this and regardless of whether you are a Republican or Democrat, this bill will right a wrong," Ladwig said. "The guard is the one who has authority and control and really holds an inmate's destiny in his hands."

Noyes, 24, confessed to having four sexual encounters with the guard in the staff break room of the mental health unit where she was receiving treatment, the newspaper reported.

Guard Matthew Emery, 24, confessed to two sexual encounters with Noyes, records show. Both called the relationship consensual. Emery refused the

newspaper's request for an interview.

She had been held in solitary since her confession Nov. 12, records show, and Noyes was ordered placed in solitary confinement Dec. 3, the day her pregnancy test came back positive.

The warden cut her sentence to 180 days Friday, authorities said.

Noyes was transferred back to the prison's mental health unit Thursday after Todd Winstrom, an attorney with the Wisconsin Coalition for Advocacy, protested to Steve Casperson, administrator of the Division of Adult Institutions.

"The initial disposition was not appropriate, and therefore it was modified," Casperson said Tuesday. "This is something we are going to have ongoing discussion and education about."

The Fond du Lac Police Department investigated the case. Chief Duane Johnson said his department would have referred the case to the district attorney's office on a charge of misconduct in public office, but neither Noyes nor the prison officials wanted to pursue criminal action against Emery.



Duane Johnson



Gary Pucker

Fond du Lac County Sheriff Gary Pucker said if a similar incident happened at the penal institution he oversees (the Fond du Lac County Jail) that it's likely disciplinary actions on the part of the guard would be looked into. Since TCI isn't in his jurisdiction, he spoke in hypothetical terms.

Pucker said if it is not a crime for a prison employee and a prisoner to have sex, then it would be taken into consideration in the guard's job performance.

Wisconsin Department of Corrections spokesperson Bill Clausius said there's no law against a guard having sex with a prisoner, but it is a violation of prison rules for an inmate to have sex.

"The discipline is consistent with past practices," Clausius said. The guard will probably not be prosecuted, Clausius said, because the inmate didn't wish to press charges.

"Without a complainant, you can't file charges," Clausius said. Regarding the issue of anyone in an authority position having sex with a person who is mentally ill, Clausius said he could not comment on a prisoner's mental state.

The Fond du Lac County District Attorney was not available for comment this morning, but a secretary said the report had not reached that office yet.

Jon Reddin, a Milwaukee County deputy district attorney, said that type of charge would not have held up in court because of a 1983 court decision that dismissed misconduct in public office charges in a similar case.

Noyes has been in prison since 1999 after being convicted of forgery, bail jumping, intimidating a victim and battery charges. Her mandatory release date in February 2005.

# Fired guard impregnated mentally ill TGI prisoner

## Inmate placed in isolation after pregnancy news

By Lee Reinsch  
THE REPORTER  
reinsch@dtreporter.com  
AND WIRE REPORTS

**MILWAUKEE** — A mentally ill inmate impregnated by a prison guard was punished by serving nearly a year of solitary confinement while the guard was fired but avoided prosecution, according to a story moved today by the Associated Press.

Wisconsin is one of four states nationwide that does not explicitly prohibit sexual contact between prison staff and inmates, according to the story.

State Rep. Bonnie Ladwig, R-Mount Pleasant, said she would introduce legislation to make such contact a felony. Rep. Sheldon Wasserman, D-Milwaukee, called the situa-

### The parties involved

Jackie Noyes has been in prison since 1999 after being convicted of forgery, bail jumping, intimidating a victim and battery charges. The case was investigated by the Fond du Lac Police Department. Her mandatory release date is in February 2005.

Taycheedah Correctional Institution guard Matthew Emery, 24, confessed to two sexual encounters with Noyes (she says there were four encounters), records show. Both called the relationship consensual. Emery was fired in November.

### tion tragic.

Legislators describe prisoner Jackie Noyes as a victim. Noyes, an inmate at Taycheedah Correctional Institution in Fond du Lac, told her family she believed the prison guard loved her.

"How could this have happened, especially to a woman who is mentally ill?"

**DAVE TRAVIS**  
STATE REPRESENTATIVE

January 23, 2003

Senator Carol Roessler, Senate Chair  
Representative Suzanne Jeskewitz, Assembly Chair  
Joint Committee on Audit  
State Capitol  
Madison, WI 53702

Dear Senator Roessler and Representative Jeskewitz:

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.

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FEB 03 2003



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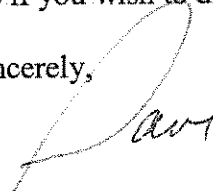
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Senator Roessler and Representative Jeskewitz  
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DAVE TRAVIS  
State Representative  
81<sup>st</sup> Assembly District

cc: Jim O'Keefe  
Jan Mueller  
Bill Graf

**DAVE TRAVIS**  
STATE REPRESENTATIVE

FEB 03 2003



January 23, 2003

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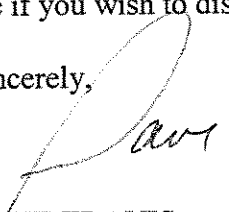


Senator Roessler and Representative Jeskewitz  
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Sincerely,



DAVE TRAVIS  
State Representative  
81<sup>st</sup> Assembly District

cc: Jim O'Keefe  
Jan Mueller  
Bill Graf



WISCONSIN STATE LEGISLATURE  
Joint Audit Committee

Committee Co-Chairs:  
State Senator Carol Roessler  
State Representative Suzanne Jeskewitz

February 20, 2003

Representative Dave Travis  
Room 223 North  
State Capitol

INTER DEPARTMENTAL

Dear Representative Travis;

We received the request that you recently submitted to the Joint Audit Committee. This letter serves as confirmation of that request.

Each request submitted receives serious consideration. As conscientious legislators, we all welcome new ways to do things less expensively or more efficiently. We, as co-chairs of the committee, aim to meet once a month to discuss all requests. Shortly after the meeting, one of us will call you directly to let you know the status of your request.

Thank you again for your request and we will be in touch soon.

Sincerely,

Senator Carol Roessler  
Co-chairperson  
Joint Legislative Audit Committee

Representative Suzanne Jeskewitz  
Co-chairperson  
Joint Legislative Audit Committee

Dane Co. 2003

Dean Hlth Plan

\$ 346 /mo single

\$ 857.<sup>70</sup> /mo family

# SUGGESTION FORM

Fill out this form completely.



Submit your idea on this form to your Agency/Campus Suggestion Program Coordinator to be considered for a cash award and/or a Certificate of Commendation in recognition of your idea. If you do not know the name of your agency/campus coordinator, contact your Personnel/Human Resources Office or the Web site: [suggest.state.wi.us](http://suggest.state.wi.us)  
Any state or university employee (part-time, full-time, temporary, permanent, classified, unclassified) can submit his or her suggestions for improvement in any area of state government operations.

Agency Tracking Number:

## EMPLOYEE INFORMATION

Name of Suggester(s): Christopher F. Miller	Job Classification Title: Research Analyst 4	
Agency: Dept. of Health and Family Services	Division/Institution/Unit: Health Care Financing/ Bureau of Health Information	
Work Address: 1 W. Wilson St., Room 172	City, State, Postal Code: Madison, WI 53701-0309	
E-Mail Address: millecf@dhfs.state.wi.us	Telephone Number: (608) 266-8745	FAX Number: (608) 261-6380
Name of Supervisor: Patricia Guhleman	Supervisor's Work Address (if different from above):	

## SUGGESTION INFORMATION

**State the Problem, Concern, or Issue:** *(Describe in detail. If more space is needed, attach separate sheet.)*

The problem is the cost of duplicate health insurance policies currently carried by State and municipal employees whose retirement accounts are managed by the Wisconsin Department of Employee Trust Funds. My wife (a Madison School District teacher with an ETF-managed retirement account) and I are essentially carrying three health insurance plans, her single and my family plan, at an additional cost to Wisconsin taxpayers of \$420 per month. We are caught in this situation simply because of statutory guidelines that dictate how health insurance premiums will be computed after the employee's retirement (or death). Because ETF manages retirement plans for many municipalities in Wisconsin, as well as for all State employees, many people ("probably in the thousands," according to an ETF administrator in October) unfortunately fall into the same situation as my wife and I do, with the State paying a significant amount of money for a family plan we neither want nor need.

**Describe Your Proposed Solution:** *(Attach examples, photos, charts, etc., as needed to explain.)*

First of all, ETF needs to undertake a study to determine exactly how many employees and their spouses both participate in the Wisconsin Retirement System through ETF-managed accounts with separate employers. In today's computer age, this should be relatively inexpensive and simple to do. (Unduplicating accounts by Social Security Number is one possibility.) When the total number of such cases is accurately determined, the cost to taxpayers of all additional health insurance policies (my family plan being a prime example) should be easily ascertained. An informed decision could then be made about: 1) how to effectively address this situation to reduce the number of unnecessary insurance plans and 2) whether changing current statutes, which encourage duplicate insurance coverage merely to protect employee health insurance and death benefits, would be cost-effective. In my case alone, State taxpayers could save over \$5,000 per year if this suggestion was implemented.

**Benefits of Your Suggestion:** *(Check all that apply.)*

- |  |   |  |  |
|--|---|--|--|
| <input checked="" type="checkbox"/> Monetary Savings | <input type="checkbox"/> Safety/Health      | <input type="checkbox"/> Process Improvement | <input type="checkbox"/> Improved Morale |
| <input type="checkbox"/> Customer Service            | <input type="checkbox"/> Working Conditions | <input type="checkbox"/> Product Improvement | <input type="checkbox"/> Other: _____    |

**If Monetary Savings, show amount over each of next five years (include calculations and how savings are determined):**  
Total savings to be determined by proposed study.

Has the suggestion been implemented?  YES  NO

Suggester's Signature:

Date:  
10/31/00

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Madison, Wisconsin

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## State's health costs lavish?

*Couples carrying double insurance*

By Judith Davidoff and Matt Pommer

October 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.

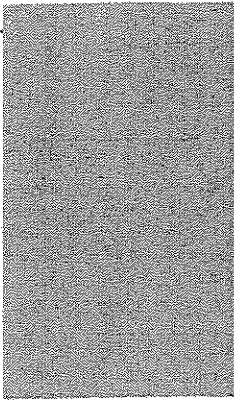
To begin with, Miller found out that he would have to wait until the state's "dual choice" period -- the three or so weeks in October when currently insured state employees are allowed to switch policies.

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 if he was enrolled in the state's family plan.



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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9 Susan Circle  
Madison, WI 53704  
Dec. 12, 2001

*Wisconsin State Journal* Editorial Staff: please accept the following for consideration as a "Letter to the Editor."

An Associated Press report on December 10<sup>th</sup> indicated that "Wisconsin's state budget crunch is so severe that the options being considered to ease it could mean major, long-lasting changes in the way the state provides services." Wisconsin legislators have found plenty of time in the past three months to argue about the Pledge of Allegiance, patriotism, and other non-fiscal issues. We've also seen their "leadership" devise a self-serving, back-room scheme to stick taxpayers with all legal bills related to the ongoing caucus scandal. But when it comes to initiatives that might actually save the state some money, there appears to be much less urgency. In fact, the Legislature has chosen to ignore one such initiative for over a year.

In the fall of 2000, both Madison dailies ran a series of articles regarding the issue of duplicate health insurance policies covering governmental employees in Wisconsin. Subsequent to this media coverage a state legislator submitted a request to the Joint Legislative Audit Committee for an audit of the state's health insurance program. One year later that request remains "under consideration," which in layman's terms means that it's still collecting dust.

Wisconsin statutes require state employees to be enrolled in a family health insurance plan in order to preserve separation-from-service benefits that would otherwise be unavailable to their families. This requirement essentially forces employees into accepting family coverage, even if they have a spouse employed by another governmental unit and carrying a separate health insurance policy through his or her employer, as I do.

The bottom line is this: the cost to the state in 2002 for my HMO's family plan will be \$790 per month, compared to \$320 per month for single coverage—which is all I want and need. This is a difference of \$470 a month, or \$5,640 a year, for one employee! And how many governmental employees statewide find themselves in a similar situation? A high-ranking official with the Wisconsin Department of Employee Trust Funds (ETF), the agency which administers the state's benefits programs, admitted in a *Capital Times* story last year that he had no idea, but estimated that statewide the total was probably "in the thousands." Anyone can do the math and see that addressing this issue could potentially save state taxpayers millions of dollars. At a minimum, it might be useful to everyone if ETF and the Legislature had some hard data to help make an informed decision about the cost-effectiveness of the current program.

During tough economic times, with rising unemployment and more and more people losing their health insurance, the last thing the state needs to be doing is paying for excess health insurance coverage for its own employees. Maybe the embarrassment of a \$1.3 billion dollar deficit, a recently passed budget already shot full of holes, and a lowered bond rating, resulting in even higher costs to taxpayers to finance the state's debt, will finally convince the Legislature to do its intended job.



Chris Miller  
Phone: (608) 249-9105



**From:** Christopher Miller  
**To:** Janice.mueller@legis.state.wi.us  
**Date:** 7/25/01 12:17PM  
**Subject:** Duplicate Health Insurance Coverage Among State Employees

Ms. Mueller:

Last October the *Cap Times* ran a front-page story on the issue of duplicate and often unnecessary health insurance policies covering government workers in Wisconsin. This situation occurred especially among employees and spouses working for different units of government. I happened to be the poster child for that story, which ran subsequent to a similar chain of events involving the City of Madison and its firefighters' union. (In its latest contract, the union offered a remedy to this problem, saving the City a considerable amount of money.)

After the *Cap Times* story ran, Rep. Travis made a big deal about getting to the bottom of this (one year after I first mentioned it to a member of his staff--in his office) and requested that the LAB look into this issue. I am contacting you to see if you have any information regarding that request.

From a personal standpoint, my wife (a Madison teacher) and I (a state employee) are each carrying health insurance policies, with mine a totally unnecessary "family plan" costing state taxpayers an extra \$420 per month! This absurdity was documented in the newspaper story; also noted was an estimate from a top ETF administrator that "probably thousands" of employees statewide are doing the same thing as my wife and I.

With the State facing a \$3/4 billion-dollar deficit, this situation would seem to be a no-brainer in terms of addressing a small percentage of that budget shortfall--and at no burden to government employees. I would think that it would also be an easy issue for bipartisan agreement. Any information you have regarding this issue and the progress of Rep. Travis' audit request would be greatly appreciated.

Sincerely,

Chris Miller

**From:** Mueller, Janice  
**To:** Miller, Christopher  
**Date:** 7/25/01 2:50PM  
**Subject:** Audit of State Employee Health Insurance

Mr. Miller:

I appreciate your continuing interest in this issue. I agree that, on first glance, the issue of duplication in the State's health insurance plan should be a fairly easy issue to address. However, if approved, you should be aware that a comprehensive audit may take some time to complete because of the complexities of both the State's health insurance program and the sick leave program.

Representative Travis has submitted a request to the Joint Legislative Audit Committee for an audit of this issue. Representative Travis' request is currently under consideration by the co-chairpersons of the Audit Committee, along with several other pending audit requests. I will relay your continuing interest in this issue to the co-chairpersons of the Audit Committee, and will ensure that you are notified of any public hearing scheduled on it.

I share your interest in the cost-effective operations of Wisconsin state government. Please let me know if I can be of any further assistance.

Janice Mueller  
State Auditor  
Legislative Audit Bureau  
22 East Mifflin, Suite 500  
Madison, Wisconsin 53703  
(608) 266-2818  
janice.mueller@legis.state.wi.us



# Joseph K. Leibham

STATE REPRESENTATIVE

*City of Sheboygan Wards 1-3, 5,6,9, 11-16; Town of Sheboygan; Village of Kohler;  
City of Sheboygan Falls; Town of Sheboygan Falls Ward 4*

April 4, 2002

Mr. Chris Miller  
9 Susan Circle  
Madison, WI 53704

Dear Mr. Miller,

I write to provide you with an update on the state health insurance issues that we discussed a few weeks ago. Your interest in bringing the issues to my attention is very much appreciated. I always appreciate common sense ideas that can help us save taxpayer money.

I was pleased to offer an amendment to the Governor's Budget Correction Proposal (AB 1) that would have provided state employees the option to choose a single person health insurance plan and maintain sick leave and separation from service benefits. As you know, these benefits are only currently available to a spouse if the state employee is enrolled in a family plan.

Unfortunately, the amendment was not approved as a part of the Assembly budget amendment package. A separate bill has been drafted to address the concern and I have enclosed it for your review. I plan to introduce the bill for consideration during the next legislative session.

Thank you again for bringing the issue to my attention. Please contact me with any additional thoughts, ideas or concerns.

It is an honor serving the residents of our state in the State Assembly!

Sincerely,

  
Joseph K. Leibham  
State Representative  
26th Assembly District

**\*\* Please note Rep. Leibham's new Sheboygan address: 3618 River Ridge Drive \* Sheboygan, WI 53083 \*\***

**T** needed for the classifications of Research Analyst and Economist. After surveying members of the bargaining unit, union leaders are aware that professional experience does not lead to progression in the pay scale. The discussion with DER covered the various options for changing a classification series.

The classification series for RAs and Economists, last modified more than 18 years ago, require a classification for any employee to advance. This is a cumbersome process for employees. A simple progression series also requires a reclassification in order to advance.

However, a **semi-automatic progression series** moves an employee up the pay scale over a pre-determined time period as s/he acquires new skills and performs satisfactorily. DER staff said this type of system is preferred for professional employee classifications where employees operate more independently as more skills are acquired.

The next step is that DER staff will review the possible options for these two PERSA series in light of our preference for a semi-automatic progression. After an internal review, there will be another meeting for more discussions. Stay tuned for more information or contact Carol.

## Health insurance warning

**T**his is a warning to anyone who has a spouse employed outside of state government. If your spouse has good health insurance coverage for both of you (and your children), you may be tempted to drop your state employee health insurance. **STOP!** Get all the facts before you make this decision.

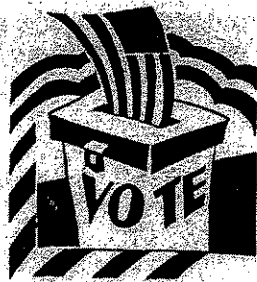
Recently, a PERSA member did this, thinking he might save the state some money since he wasn't using his state health coverage. His wife's coverage was adequate for both of them. Two years later, he decided to return to his state health insurance and was shocked to discover that his only alternative was to enroll in the Standard Plan for three months, paying **\$142 per month** in premiums. (Family coverage would cost \$339 per month.) Only by enrolling in the Standard Plan prior to October 1<sup>st</sup> was he eligible to participate in the "Dual Choice" selection of health plans (in October).

The Group Insurance Board has set up these rules and the unions cannot bargain them. The rules get even more complicated under other circumstances. Call PERSA if you need help.

**Bottom line:** Be very sure before you drop your health insurance coverage!

## Steward training

**P**ERSA and the Wisconsin Science Professionals will have a joint Steward Training in early 2001. The two days of training will be in pay status under an agreement with DER. If you want to know more about how the union can protect and advocate for your rights on the job and at the bargaining table, please contact any one of the PERSA officers or stewards (listed on page 2).



This newsletter is going to all members of the bargaining unit, both union members and nonmembers. As your representative in bargaining, the union officers believe it is important that all employees be informed about decisions affecting their work life. The voice of union members will direct actions of the union. Join PERSA to have your voice heard.

**I**mmenent on October 8, this includes both a 0.7% increase and a seniority-based increase. To figure your new hourly wage, multiply your current hourly wage by 1.007, then add the seniority amount that applies to you from the table below. Use your years of seniority as of October 8, 2000.

Years of Seniority	Increase
0-3	\$0.10
4-6	\$0.15
7-9	\$0.25
10-12	\$0.35
13-15	\$0.45
16-18	\$0.55
19-21	\$0.65
22 or more	\$0.75

## Getting sick on vacation

**Y**our PERSA contract says, in Article 6/6/3, "Should an employe become ill or injured immediately before or during a scheduled absence period, he/she may cancel such scheduled time off credits as charged and utilize sick leave under the provisions of Article 12/4/2 A., commencing with the date he/she informs the Employer."

This means that if you are unfortunate enough to get sick or injured while on vacation, you can call your supervisor to report that you are sick and then use sick leave instead of vacation time (also called annual leave).

In order to not abuse this option, use sick leave only when you are sick or injured. If you recover while still away from the office, use vacation time for the period when you are not sick or injured.

Payroll

Oh yeah, that's just  
the way it is.

Employees

I didn't know that. That  
doesn't make much sense.  
Shrug shoulders +  
Move on.

Chapin (Division Administrator)  
congratulated me!

Others: Aren't you worried  
about getting fired?

Culture created in state  
govt, unfortunately.

employees accepting + often  
somewhat intimidated + for  
the most part apathetic/estranged  
no sense of collectivism w/ employ

ETF's sure resistance

aversion to a  
rules & policies in place for a  
reason: cherry picking, adverse  
selection (heart transplant, cost control  
staff & \$ shortage to conduct  
a review

v.s opposition by anecdote, worst  
case scenario, these are the  
"rules" & they've been in place  
for a long time

HMO lobby - these policies are free \$ to them

Response (in Cap Times letter):

obvious potential to save \$ because  
they allow duplication / double-dipping

No one should be allowed to state  
their opposition - as noted above -  
without having some hard data  
available to substantiate their  
position. How do they know  
whether the current program is cost-  
effective?

Kox: 10/14/00 Cap Times - "no data"  
admission

Erpenbach 11/14/00

The State's own system (State Statutes 40.51 (2)) forces you into these expensive & unnecessary choices — \$702.90/month vs. \$283.90

Knowing how the system works & knowing the rules works to the detriment of the taxpayer w/no discernible benefit to the employee.

Inertia of bureaucracies Δ at glacial pace but red flag when Bill Kox says they have "no data", but probably in the thousands." So what is ETF basing its argument on if they have no data? In my case alone, it's costing \$5,000 a year extra. Refer to "Suggestion Form."

I'm not interested in anecdotes or "worst case scenarios" (heart transplants). Make a decision based on data & facts. Besides, what I suggested is very straightforward:

How hard would it be to underwrite this stuff based on Soc Sec tt or having spouses simply delete Co-insurance or insured on another qualified city/ETF administered plan.

adverse selection  
anecdote  
outlier  
worst case scenario  
insufficiently  
to det. policy  
current policy

How <sup>Soundbite</sup> can the State allow  
this waste when there's a  
Budget Case shortfall +  
so many people out there  
walking around uninsured  
or w/ very minimal coverage?

The HMO's should be happy w/ this setup, but  
State taxpayers ought to be upset. Taxpayers  
are already subsidizing a lot of corporations  
w/ employees who have spouses working for  
the State, the School District, etc.

Paul Keyel DHCFA auditor w/ wife at Oscar Mayer  
& who makes more \$ than he does - Oscar's  
is off the hook for any <sup>employee</sup> insurance payment

Earl

Lu Ann, Kitty, Kim working for insurance

Why do you have to have any insurance at all through  
the State in order to convert your sick leave?  
Why do you need to be enrolled at all? You should  
be able to take advantage of the sick leave you've  
rightfully earned - & the benefits it provides at  
retirement (or employee death) - w/o having to play  
this silly game.



STAN MILAM

# 'Double' insurance targeted

Rep. Dave Travis, the veteran Madison Democrat, is continuing to pursue the issue of "double insurance."

At issue is millions of taxpayer dollars spent around the state for couples to carry two family group health insurance policies. Travis wants to use state government as a model.

The 240,000 state government employees, retirees and their dependants are prohibited from carrying two family plans in the same family. A couple can have two individual plans or one family plan, and that's it, no exceptions.

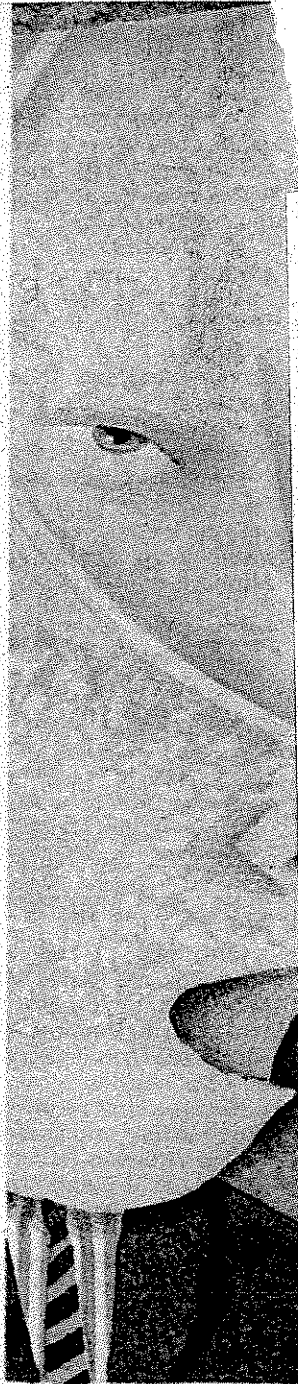
The state monitors the policy closely and has conducted occasional audits. Even when spouses have different last names, the state can usually determine the insurance plan status through the dependants listed for each spouse.

Officials admit the policy can cause hardships. In the case of a couple in which both spouses have children from a previous marriage and court orders to provide health insurance, one spouse is forced to obtain a family plan separate from state government.

If each spouse wants a different HMO, one spouse can have a plan for his or her HMO, but the other must purchase a state fee for service plan which is very costly, or go with a separate policy.

If one spouse works for local government and the other for the state, however, both can carry family plans as far as the state is concerned. Travis is working with Madison city government to determine how much can be saved by limiting family plans to one per family.

In an earlier column, I reported on savings estimates (about \$78,000 annually) by the city of Madison. Mayor Sue Bauman said the estimate "is probably a bit understated."



"Mr. Milam's analysis fails to distinguish between the city's past policy, and our evolving new policy and the state policy," Bauman said in a letter to Travis. "It uses a list, provided by city staff, of remaining married couple employees in which both employees are covered by family health plans."

"Unfortunately, the approach relies on a list of married couples, albeit one furnished by city sources, that is likely incomplete because it identifies only those in which the spouses share the same last name," Bauman said. "Moreover, it doesn't account for married couples covered by a combination of single and family coverage health plans. The more complete data necessary to account for these factors has not yet been compiled."

Bauman said that "duplicative" health policies were costing the city about \$200,000 a year when the issue was first broached during preparations for the 2000-02 contract negotiations. Since that time, some city employee unions, including Firefighters Local 311, have agreed to limit family plans to one per family.

The shift has saved taxpayer dollars, but Bauman did not provide a dollar amount. Travis said he's received favorable reaction from the co-chairs of the Legislature's Joint Legislative Audit Committee to his request for an audit of family health coverage.

He said the issue of duplicate family plans is becoming more important.

"This has enormous potential to save money at the local level," Travis said. "The cost of shared revenue and running local governments directly affects the state budget. This is a way to effectuate savings that can be passed along to the state."

*Stan Milam, of Capitol News Service, has covered state government since 1983. He can be reached at (608) 251-8585; send e-mail to [cns@chorus.net](mailto:cns@chorus.net).*

Bi  
the I  
Workload, eco

FOR IMMEDIATE RELEASE  
Wednesday, February 12, 2003

### TRAVIS SEEKS AUDIT TO REDUCE HEALTH INSURANCE COSTS

In an effort to reduce overall health care costs for public employees, State Representative Dave Travis (D-Waunakee) has requested the Joint Committee on Audit direct the Legislative Audit Bureau to review the practice of allowing "double insurance" for municipal employees around Wisconsin.

Currently, there are municipalities where both the husband and wife have taken family insurance coverage, or one takes family coverage and one takes single coverage; hence double insurance. "If one spouse's insurance covers the entire family, why should taxpayers pay for another policy to do the same thing?" Travis asked.

Travis has called for the Audit Committee 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. "We need to understand how employees are using these insurance plans," Travis said. "If a state employee is receiving family coverage from the state and their spouse is also getting family coverage from another governmental unit, money is being wasted that could be used more wisely," said Travis.

According to Travis, "We need to know how widespread this practice is across the state and how much it is costing taxpayers. Without this information, we don't have a handle on how big a problem this is, but I suspect it is substantial".

The City of Madison has begun to resolve this problem through collective bargaining agreements in recent years. Although not all bargaining units have come on board yet, the city believes by rough estimates that they were paying about \$200,000 for duplicative health policies.

For the past couple of years, the Assembly Republicans have blocked an audit of this problem by the Legislative Audit Bureau. "Hopefully, this will change this year in light of the budget crisis, and an objective audit will provide an outline for cost savings,"

Travis noted. "The issues associated with double insurance are complex, but once identified, significant public savings can be obtained without harming employees".

-End-



## WISCONSIN LEGISLATURE

P.O. BOX 8952 • MADISON, WI 53708

January 31, 2003

Representative Sue Jeskewitz  
Joint Committee on Audit, Co-Chair  
314-North, State Capitol  
Madison, WI 53708

Senator Carol Roessler  
Joint Committee on Audit, Co-Chair  
8-South, State Capitol  
Madison, WI 53707

HAND DELIVERED

Dear Rep. Jeskewitz and Senator Roessler:

The Wisconsin Veterans Home at King has been the crown jewel of long-term care facilities in our state for many years. This facility, supported by both the federal government and the State of Wisconsin, is home to 745 members. These veterans and their spouses receive excellent care. There is a waiting list for admission to the Home.

However, we have a growing concern with several aspects of the Home's current situation. Evidence suggests that a top-heavy management structure and unfilled vacancies in direct care staffing slots may be putting a strain on operations. While recruitment efforts have increased, retention of staff has been difficult to maintain.

We are asking for an audit to be conducted that would focus on the health care delivery system currently in place in the facility. Emphasis should be placed on direct care staffing, scheduling, retention and recruitment, and organizational structure.

It is our hope that the results of this audit will reinforce the positive aspects of the care that is being given, and provide insight to improvements that can be made to the system.

Thank you for giving this request your most serious consideration.

Sincerely yours,

Jean Hundertmark  
State Representative

Robert Welch  
State Senator

Terry Musser  
State Representative

Julie Lassa  
State Representative

Original URL: <http://www.jsonline.com/news/metro/feb03/115494.asp>

## Inmate punished after reporting sex

### Fired guard linked to second woman; prisoner called liar for saying so

By MARY ZAHN  
[mzahn@journalsentinel.com](mailto:mzahn@journalsentinel.com)

Last Updated: Feb. 2, 2003

A woman who tried to report sexual misconduct between a guard and inmate at Taycheedah Correctional Institution was branded a liar and punished with a year in solitary confinement, and she remains there even though the guard has been fired after impregnating another prisoner.

Since then, another guard has quit rather than face an investigation into possible sexual misconduct with female inmates, and the inmate he regularly arranged to be alone with was punished with 120 days in solitary.

"We cannot allow this to continue," said state Rep. Sheldon Wasserman (D-Milwaukee) reacting to the new revelations. "The women are punished even more severely for coming forward. And the guard walks out scot-free and at the worst loses his job. I think it's shocking."

Wasserman, a member of the Assembly's Committee on Corrections and the Courts, said he would call for an immediate review of prison disciplinary policies that punish women for reporting sexual abuse or for personal relationships initiated by guards - a review a top state prison official said he would support.

Unlike most other states, Wisconsin does not have a law specifically banning sexual contact between guards and inmates. Legislators from both parties renewed calls for a law to make sexual contact between prison employees and inmates a felony after the Journal Sentinel reported last month that inmate Jackie Noyes, 24, was impregnated by guard Matthew Emery. Prior attempts to pass such legislation failed after the state union representing prison guards objected.

Emery was fired in November, and Noyes, who is mentally ill, was sent to solitary confinement for one year. That sentence was cut in half recently, but she remains in segregation in the prison's mental health unit, authorities said. Officials said last week she was "being transitioned" to the general population.

"Women are actually the victims and are punished for reporting, and this is something that is widespread throughout the country," said Sheila Dauer, director of Amnesty International USA Women's Human Rights program. "That's why we're calling for a law that holds the correctional officer responsible, not the inmate."

Steve Casperson, administrator of the Division of Adult Institutions, said Friday that he would support a review of prison disciplinary procedures and that increased staff training is needed from the warden on down.

"To my mind, it is an education and training issue, because the disciplinary code allows the warden to modify for mitigating circumstances whether it be the situation in your article or mental health issues," Casperson said.

He confirmed that Noyes' solitary confinement sentence was modified only after he became aware of the situation last month and told Taycheedah Warden Jodine Deppisch that it needed to be changed. Deppisch could not be reached for comment.

### Taycheedah Correctional Institution



Photo/File

Noyes: Transitioning out of solitary confinement

### Quotable

“ The message is: If you become involved with a guard, you will be punished, and if you try to tell us about it, you will be punished. There is a real failure to understand that the guards hold the power. ”

- Todd Winstrom,  
attorney for  
Wisconsin Coalition  
to Advocacy

### Recent Coverage

Mentally ill: Inmate punished for sex with guard

about her treatment.

Kollman, 24, was suspended from duty Nov. 11 pending completion of the investigation and submitted his resignation by letter Nov. 29 just before a hearing in the matter, Clausius said. He said that the investigation of Kollman's behavior is "still open" and that he has not been interviewed. Kollman could not be reached for comment.

Asked why Shepherd was punished, corrections officials responded in an e-mail: "The inmate's own statement indicated that she was a willing participant."

Nicole Catlin, an inmate released in December, said in an interview that she too had a close relationship with Kollman, but she denied there was sexual contact. She had planned to meet him after she was released, she said.

"Brian was just a really nice guy," Catlin said. "He did special favors for a lot of girls, like letting them out of their room when they were on 24-hour room confinement."

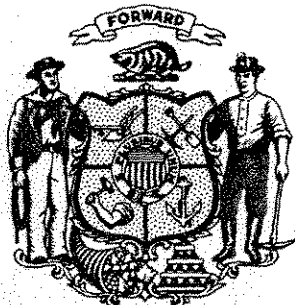
Prison officials last week said they didn't know Kollman was encouraging friendships with other inmates.

However, several weeks before Catlin's release in December, prison officials were told that she and Kollman had been seen "passing notes back and forth," Catlin said. She initially lied about the relationship, she said, but then confessed because her roommate had already told prison staff about it. She was not charged with soliciting and is upset that Shepherd was.

"She has no control over whether her door opens," Catlin said. "We are obligated to do whatever they tell us to do. . . . If we're going to be punished for soliciting staff, the officers need to be punished also because we have no control over the situation. And if the officer says it didn't happen, you end up in the hole anyway. You can't win. That's why we just leave it alone."

A version of this story appeared in the Milwaukee Journal Sentinel on Feb. 3, 2003.

WISCONSIN  
STATE  
ASSEMBLY



SHELDON  
WASSERMAN  
STATE REPRESENTATIVE

February 3, 2003

Senator Carol A. Roessler and Representative Suzanne Jeskewitz  
Co-chairs, Joint Committee on Audit  
State Capitol, interdepartmental mail

Dear Senator <sup>Carol</sup> Roessler and Representative <sup>Suzanne</sup> Jeskewitz:

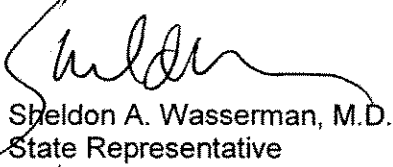
I am writing to request that the Joint Committee on Audit direct the Wisconsin Legislative Audit Bureau's program evaluation division to conduct an audit of prison disciplinary policies regarding fraternization between inmates and correctional officers generally, and more specifically, policies on sexual contact between inmates and officers within the State of Wisconsin correctional system.

You are most likely familiar with the story of Jackie Noyes, the mentally ill Taycheedah inmate who, after becoming pregnant in the state's custody due to a sexual relationship with a prison guard, was ordered to serve a year in solitary confinement. The fact that the guard could not be charged with a crime in this case shocked many, but not those of us who have been working to pass legislation that would add Wisconsin to the list of 46 states with criminal sanctions for guards who abuse their trust for sexual gain.

Today's *Milwaukee Journal Sentinel* reports that a Taycheedah inmate who tried to report sexual misconduct between the guard in the Noyes case and a different inmate was branded a liar and punished with a year in solitary confinement. She remains there even though the guard was subsequently fired for impregnating Noyes. Unfortunately, legislation to criminalize guards who engage in sexual relations with inmates would do little to address the problem of disciplinary policies that punish women for reporting sexual abuse, in addition to disproportionately disciplining prisoners for personal relationships initiated by guards. These problems first came to light in the Noyes case and are more fully described in the enclosed *Milwaukee Journal Sentinel* article.

I believe that the tragic events involving Jackie Noyes and others require us to investigate the current disciplinary policies within Wisconsin's prisons and jails. While it is encouraging that DOC administrators have publicly stated a willingness to conduct an internal investigation, I believe that an external, independent audit is also needed. Thank you for your consideration of my request. I look forward to hearing from you.

Sincerely,

  
Sheldon A. Wasserman, M.D.  
State Representative  
22<sup>nd</sup> Assembly District

SW/jph

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PRINTED ON RECYCLED PAPER

# Taycheedah guard quits rather than face probe

THE ASSOCIATED PRESS *AK 2/13*

An inmate who tried to report sexual misconduct between a guard and another inmate at a Taycheedah Correctional Institution was branded a liar and punished with a year in solitary confinement, a newspaper reports.

The inmate remains in solitary, while the guard has since been fired after administrators discovered he had impregnated the other prisoner, the Milwaukee Journal Sentinel reported in today's editions.

The newspaper also said another guard at the prison has quit rather than face an investigation into possible sexual misconduct with female inmates — and the inmate he regularly arranged to be alone with was punished with 120 days in solitary.

"We cannot allow this to continue," said state Rep. Sheldon Wasserman, D-Milwaukee.

"The women are punished even more severely for coming forward. And the guard walks out scot-free and at the worst loses his job. I think it's shocking."

Wasserman, a member of the Assembly's Committee on Corrections and the Courts, said he will seek an immediate review of the prison's disciplinary policies.

Wisconsin has no law specifically banning sexual contact between guards and inmates.

After the recent case involving the guard's firing was first reported last month, legislators from both parties renewed calls for a law to make sexual contact between prison employees and inmates a felony.

Steve Casperson, administrator of the Division of Adult Institutions, said he would support a review of prison disciplinary procedures and that increased staff training is needed from the warden on down.

The newspaper quoted the prison's investigation report as showing that inmate Angela McKnight tried to alert prison staff that the guard might be involved with another inmate, but prison officials thought she was lying and ordered her confined to solitary for 360 days.

The relationship was discovered about a month later and the guard has been fired, but McKnight remains in solitary, according to Todd Winstrom, an attorney with the Wisconsin Coalition for Advocacy.

"There is ample reason now to believe she maybe wasn't lying," Winstrom said.





## WISCONSIN LEGISLATURE

P.O. BOX 8952 • MADISON, WI 53708

February 4, 2003

Senator Carol Roessler, Co-Chair  
Joint Legislative Audit Committee  
8 South, State Capitol  
\*\*Hand Delivered\*\*

Representative Suzanne Jeskewitz, Co-Chair  
Joint Legislative Audit Committee  
314 North, State Capitol  
\*\*Hand Delivered\*\*

Dear Senator Roessler and Representative Jeskewitz:

We are writing today to request the Joint Committee on Audit to conduct an audit focused on issues of governance, oversight, and accountability relating to Southeastern Wisconsin Regional Planning Commission (SEWRPC).

As an entity created by the State and funded in part by state and local taxes, taxpayers need to be fully briefed on operations of SEWRPC—particularly in the light of recent criticism that SEWRPC has failed to adequately reflect the needs of citizens it is supposed to represent. The public also deserves a closer look at SEWRPC's proposed multi-county \$6.25 billion, 127-mile-freeway expansion construction plan that falls most heavily and negatively on the densely-populated City and County of Milwaukee—in the face of substantial local opposition decrying the project as fiscally and politically irresponsible and harmful to neighborhoods in the I-94 corridor.

A major fiscal issue that should be reviewed by the Audit Bureau is SEWRPC's 2001 move from downtown Waukesha to Pewaukee. Claiming it had outgrown leased space in the old Waukesha Courthouse, SEWRPC paid approximately \$3.4 million to buy a building constructed by a Waukesha consulting firm, Ruckert & Mielke, which R & M had built for itself. The financing was arranged through Industrial Revenue Bond's issued by Pewaukee.

The Audit Bureau needs to ask the following questions—both relating to these particular transactions and extending beyond—of SEWRPC for the taxpayers of Wisconsin.

1. Was the entire 2001 move and costs associated with furnishing the new offices necessary, given that in the 2003 SEWRPC budget now being debated, costs and staffing are being reduced significantly as the freeway expansion is winding down?

2. Should SEWRPC and public agencies buy buildings and take them off the tax rolls? Aren't SEWRPC taxpayers paying three times for SEWRPC office space: once to pay rent that was still owed to Waukesha, again to make the required 20 years of IRB payments that will total \$5 million, and once in Pewaukee property taxes foregone on the acquired property because SEWRPC is tax-exempt?
3. Was this an arm's length transaction, given that SEWRPC did not issue an RFP or bids for new offices and because R & M has multiple contracts with SEWRPC?

Additional questions include:

4. A transit line doesn't serve the new Pewaukee headquarters. Getting there by car is mandatory. The new offices are further from SEWRPC's major urban population centers of Racine, Kenosha, Milwaukee and Waukesha. Is this in the public interest or was it more for the convenience of the SEWRPC staff?
5. SEWRPC has a recurring \$60,000 budget line for vehicle purchase. It recently purchased a \$26,000 Buick primarily for its executive director. Is this an appropriate use of taxpayer dollars?
6. Its vehicles are purchased at local dealerships. SEWRPC does not participate in state volume purchases, claiming in part, an MBE objective. Has SEWRPC indeed met MBE goals or as with the office purchase, is this another example of purchasing that was more for the convenience of SEWRPC and also gives select vendors an advantage?
7. It has signed an annually renewable consulting contract since 1996 with its former executive director, Kurt Bauer, paying \$42,000 annually and providing an office and "appropriate vehicle", currently a \$22,000 Ford Crown Victoria. Does everyone in the engineering or planning consulting field have an opportunity to win this contract, and are the terms of the contract appropriate? Again, as with the vehicles and the building acquisition, is SEWRPC favoring staff (current and former) or specific vendors in its spending, not the taxpayers?
8. SEWRPC's 11-member senior staff is all white. Is the agency, which has an all-white 21-member board, adhering to an affirmative action/diversity plan? Does the agency have a mission statement that links hiring to its work?
9. SEWRPC spent a total of almost \$900,000 contracting with HNTB to study regional freeway expansion, to conduct a public awareness and hearing program using a regional advisory committee, and to pay for public relations for the study. When it did not like the anti-expansion input it was getting at the hearings, it suddenly found \$42,000 to spend on a survey asking for more input. And WisDOT put up another \$40,000 to pay for more public relations support for the project. The City of Milwaukee's Director of Public Works, Mariano Schifalaqua, who attended the advisory committee meetings, has said the committee never authorized using a survey tool. The survey came with an obviously biased cover letter and questions that were leading. Was the study funding spent fairly and wisely, and was the study expenditure, including the WisDOT payment for public relations, fair and necessary?

10. Other states when crafting long-range comprehensive plans submit them to peer review. Such a review of the regional freeway expansion plan was suggested to SEWRPC in formal comment from Edward Beimborn, a professor of civil engineering at the University of Wisconsin-Milwaukee and Director of the Center for Urban Transportation Studies. Should peer review be required of plans as big as a \$6.25 billion expansion plan—a plan that may grow to more than \$7 billion if the I-94 segment through Waukesha and Milwaukee Counties is widened to ten lanes. Mr. Beimborn has also said in public testimony that SEWRPC is using planning techniques not updated since the 1970's. Is this correct and if so, should the legislature require SEWRPC to meet certain methodological standards so its forecasts are accurate and its plans not counter-productive.
11. Former WisDOT planner Michael Maierle, the original author of the regional freeway transportation study now known as the freeway expansion plan, claims that SEWRPC narrowed the study scope from a comprehensive transportation plan to a freeway-only plan. There are no explicit companion plans for transit, pedestrian and bike routes, or recognition of the sprawl implications of the highway expansion plan it has preliminarily recommended. Is SEWRPC meeting its original charter and statutory obligations by recommending such a disproportionately-highway heavy expenditure given the urban majority of its residents and the region's demographic and economic diversity?
12. Is SEWRPC meeting the objectives of Wisconsin's Smart Growth plan?

As you can see, the breadth and scope of these questions are significant and demand clarification and answers. The taxpayers of Wisconsin deserve no less. As Co-Chairs of the Legislative Audit Committee, we hope you can appreciate the importance of these issues and will implement an audit as soon as possible.

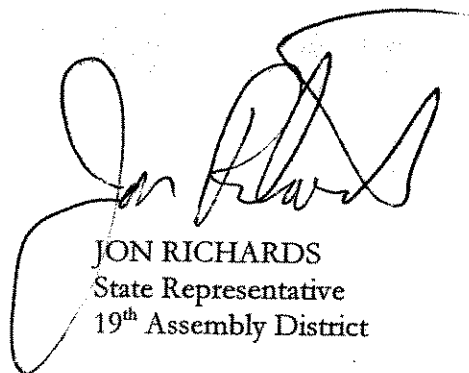
We would be happy to discuss this matter in detail with you and other committee members at a time that is convenient for you. Please feel free to contact us at anytime to talk about the issues brought forth in this letter.

We look forward to your reply.

Sincerely,

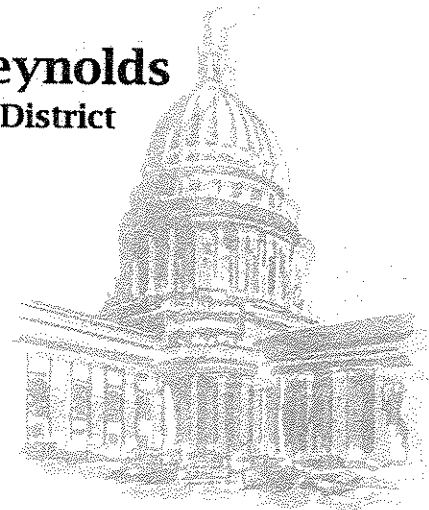


DAVID CULLEN  
State Representative  
13<sup>th</sup> Assembly District



JON RICHARDS  
State Representative  
19<sup>th</sup> Assembly District

**State Senator Tom Reynolds**  
5th Senate District



February 5, 2003

The Honorable Carol A. Roessler  
Co-Chair, Joint Committee on Audit  
Room 8 South, State Capitol  
Madison, WI 53707

The Honorable Suzanne Jeskewitz  
Co-Chair, Joint Committee on Audit  
Room 314 North, State Capitol  
Madison, WI 53708

Dear Co-Chairs Roessler and Jeskewitz:

I am writing to respectfully request that the Joint Audit Committee direct the Audit Bureau to conduct a thorough review of the state's Public Benefits program.

As you know, the Public Benefits program is funded in part by fees collected on Wisconsin's utility ratepayers. Monies collected in this way are used both for energy conservation programs as well as energy assistance efforts for the less fortunate.

I have received feedback from constituents of mine who administer certain initiatives under the Public Benefits program. Those citizens have expressed concern that these dollars are not being utilized in a way that is consistent with the goals of the program. Given that recent price increases have made utility bills even more burdensome for Wisconsin families, I believe that it is incumbent upon the Legislature to assure that Public Benefits dollars are being expended frugally and wisely.

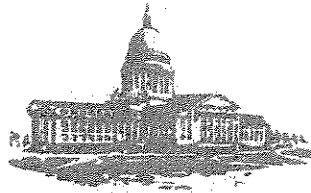
Thank you for your consideration of this request. Please feel free to contact me if you have any questions or if I may be of any assistance.

Sincerely,

Tom Reynolds  
State Senator  
5<sup>th</sup> District

TGR:swk

cc: Janice Mueller, State Auditor



Al Ott

State Representative • 3rd Assembly District

February 6, 2003

Senator Carol Roessler  
Co-Chairperson  
Joint Legislative Audit Committee  
Room 8 South, State Capitol

Representative Suzanne Jeskewitz  
Co-Chairperson  
Joint Legislative Audit Committee  
Room 314 North, State Capitol

Dear Senator Roessler and Representative Jeskewitz:

I respectfully request that the Joint Legislative Audit Committee direct the Audit Bureau to review the use of funds in various state agencies and programs, which are derived from pesticide and fertilizer fees. In particular the Environmental Fund in the Department of Natural Resources; Agricultural Chemical Clean-up Program and Agrichemical Management Fund at the Department of Agriculture, Trade and Consumer Protection; and other programs and agencies benefiting from those funding sources.

Last session we drafted Assembly Bill 800, a proposal to adjust funding for the Agricultural Chemical Clean-up Program (ACCP) and Agrichemical Management Fund (ACM), keeping both programs solvent in anticipation of a deficit. During the process, questions arose on the legitimate use of the funds and the effectiveness of this funding in the programs. Since the agrichemical industry contributes more than \$9 million a year from pesticide and fertilizer sales, and now programs are facing a shortfall, an audit of how industry dollars are being utilized would provide better understanding of their contribution and justify the funding from pesticide and fertilizer fee sources.

Thank you for your time and attention to this matter. Your consideration of this request is greatly appreciated.

Sincerely,

State Representative Al Ott  
Chair, Assembly Committee on Agriculture

cc: Janice Mueller, State Auditor

AO:bk



REPRESENTATIVE GARY E. SHERMAN  
74th Assembly District

FEB 10 2003

State Capitol  
P.O. Box 8953  
Madison, WI 53708  
(608) 266-7690  
Toll-free: 1-888-534-0074  
Fax: (608) 282-3674  
E-mail: rep.sherman@legis.state.wi.us

District Address:  
11800 Sherman Road  
P.O. Box 157  
Port Wing, WI 54865  
715-774-3691

7 February 2003

Senator Carol Roessler  
Co-Chairperson  
Joint Legislative Audit Committee  
PO Box 7882  
Madison WI 53707-7882

Representative Suzanne Jeskewitz  
Co-Chairperson  
Joint Legislative Audit Committee  
PO Box 8952  
Madison WI 53708-8952

re: audit suggestion

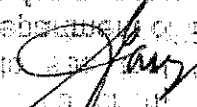
Dear Senator Roessler and Representative Jeskewitz:

I am pleased to have been afforded the opportunity to suggest an area I believe requires an audit. Upon coming to the legislature, after over 20 years of private law practice, where I maintained health insurance for my family of four and one employee, I was surprised and puzzled to see that the health insurance premiums paid for by the State through the Department of Employee Trust Funds were far higher than what I had been paying for a group of only two. Not only were the premiums through the State higher, the coverage provided was far less than what I had been able to acquire as a small business.

This incongruity flies in the face of logic. How can it be that such a huge pool as that of state and local government employees would have health insurance costs at least two times as high as a mere pool of two? I suggest that the issue of the cost of health insurance for government employees needs to be addressed, particularly in light of our current budget crisis, and that an audit is the appropriate place to start.

I hope that you will give this request serious consideration. If you would like any further information or input from me, please let me know.

Very truly yours,

  
Gary E. Sherman

et



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# Prison guard is suspended weeks after report of sex

## Inmate had been placed in solitary confinement

By MARY ZAHN  
[mzahn@journalsentinel.com](mailto:mzahn@journalsentinel.com)

Last Updated: Feb. 12, 2003

A sergeant at Taycheedah Correctional Institution was suspended weeks after an inmate who reported sexual contact with him was branded a liar by prison investigators and placed in solitary confinement.

The inmate, Amber Bell, 32, passed a lie-detector test last week regarding her claim that Sgt. Luke Kulibert asked her to expose her breasts and perform oral sex.

Meanwhile, Kulibert has been placed on paid leave pending the outcome of an investigation, authorities said. Kulibert, who worked third shift, has denied the allegations, records show. He could not be reached for comment.

Steve Casperson, administrator of the state Division of Adult Institutions, said Wednesday that at least one other inmate had been questioned about her relationship with Kulibert. In addition, he said investigators were trying to determine whether other guards knew about possible sexual contact between Kulibert and Bell and failed to report it.

### Taycheedah Correctional Institution

#### Quotable

“ I have a lot at stake here, so no, I'm not going to lie about it. ”

- Amber Bell, prisoner

#### Recent Coverage

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"We are in the midst of reviewing our disciplinary policies," Casperson said. "There are going to have to be some changes as a result of not only information that has come to light through your investigation but also things being discovered internally."

Kulibert is the third prison guard to be investigated for possible sexual misconduct with an inmate at Taycheedah since November. One guard was fired and the other resigned as a result of the investigations.

Wisconsin is one of only four states that do not specifically ban sexual contact between guards and inmates. Two attempts to make such contact a felony have failed after the union that represents prison guards opposed the efforts.

Bell is at least the fourth inmate to be placed in solitary confinement for having a personal relationship with guards overseeing them or for trying to report sexual misconduct. All were released from solitary after reports in the Journal Sentinel about their plight.

Bell, who is in prison for forgery and theft convictions, told prison officials Dec. 26 that she had had a sexual relationship with Kulibert. She was placed in solitary pending the outcome of an investigation, records show. Her mandatory release date is in March 2006.

"I did a terrible thing, I don't want to get in trouble," a prison report quotes Bell as telling the officers Dec. 26.

A conduct report charging Bell with "lying about staff" was issued Jan. 22.

Prison investigators spent most of their time trying to convince her that she was lying, Bell said in a telephone interview this week. She said they "were yelling at" her and kept pointing to what they claimed were inconsistencies in her story. She said she was threatened with two years in solitary confinement and delayed parole if her story could not be confirmed.

"I told them I'm not going to change my story because you don't want to accept what has happened," Bell said in the telephone interview. "I said, 'I have a lot at stake here, so no, I'm not going to lie about it.' They didn't ask the laundry workers what they knew. They asked about my character."

According to the report, Bell first confessed her sexual relationship with Kulibert to a Sgt. Benzel. Casperson said Kulibert later chose Benzel to be his union representative during the investigation.

"Under the union contract we can't prohibit who they want as a representative," Casperson said.



In addition, Bill Clausius, spokesman for the state Department of Corrections, said that under the union contract he was prohibited from releasing the names of any guard and would not provide Benzel's first name. He also declined to provide Kulibert's age, again citing the union contract.

### **Prison conduct report**

Bell's statement to Benzel is extensively quoted in the prison conduct report, which states that there were "contradictions" in her story. It also states that Bell could not provide the names of witnesses to corroborate her story - something Bell disputes.

Bell said she provided investigators with the names of nine other inmates, including her roommate, who were aware of her relationship with Kulibert.

Because she has no regular contacts with family, Bell said she welcomed the attention from Kulibert and was initially flattered that he sought her out last fall.

"He made me feel good about myself," Bell said. "Even though he was asking me to do all these things and I was doing them, it was kind of like a trade-off. I said to myself it was OK because I didn't want him to stop liking me. But sometimes you feel also that if you turn them down, what will they do?"

Beginning in October, Kulibert came to her cell door on multiple occasions and asked Bell to show him her breasts, she said. She did so. Then on Dec. 20, he approached her in the back room of the laundry, where she was working alone, and rubbed his body against hers. When she tried to kiss him, he said no and unzipped his pants, indicating he wanted her to perform oral sex, Bell said.

She said she was humiliated, angry and embarrassed, but complied briefly and then walked out of the room.

"He told me, 'Don't you tell anybody. This is my life,' " Bell said.

Later the same day, Bell said, she told her roommate what had happened and then told prison officials. "When I read the ticket and it said 'lying on staff' I got really scared," she said.

### **Investigation 'not handled well'**

A second investigation into Bell's allegations began Jan. 30 - the same day Todd Winstrom, an attorney with the Wisconsin Coalition for Advocacy, requested investigative records in the case. A Journal Sentinel reporter had also begun asking questions about the case. Kulibert was placed on administrative leave Jan. 31, authorities said.

"This investigation was not handled well," Casperson said. "There were some errors in the adult conduct report."

He credited Taycheedah Warden Jodine Deppisch for ordering a second investigation and said she suspended Kulibert when it became clear Bell's story was credible.

"I am sure they were well aware that this was being looked at by the Wisconsin Coalition for Advocacy and your investigation," Casperson said. "You certainly have raised our sensitivity level in terms of dealing with these offenses."

Three days after she passed the lie-detector test, Bell was transferred to the John C. Burke Correctional Center in Waupun, a minimum-security facility.

"It's a no-win situation," Bell said of the investigation. "If you tell, you go to segregation for soliciting staff or they say you are lying about staff. If you don't tell and they find out, you still get a year in the hole (segregation.) I am held accountable for my actions, and I think they should be held accountable too, but their union is going to protect them."

Legislators from both parties have renewed calls for a law to make sexual contact between prison employees and inmates a felony, after reports in the Journal Sentinel.

In addition, state Rep. Sheldon Wasserman (D-Milwaukee) this month asked the Joint Committee on Audit to authorize an audit into prison disciplinary policies.

A version of this story appeared in the Milwaukee Journal Sentinel on Feb. 13, 2003.

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WISCONSIN STATE LEGISLATURE

Joint Audit Committee

Committee Co-Chairs:  
State Senator Carol Roessler  
State Representative Suzanne Jeskewitz

February 19, 2003

Representative Gary Sherman  
Room 320 West  
State Capitol

Dear Representative Sherman:

We received the request that you recently submitted to the Joint Audit Committee. This letter serves as confirmation of that request.

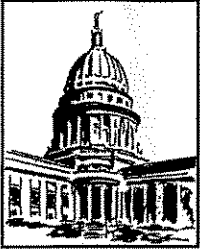
Each request submitted receives serious consideration. As conscientious legislators, we all welcome new ways to do things less expensively or more efficiently. We, as co-chairs of the committee, aim to meet once a month to discuss all requests. Shortly after the meeting, one of us will call you directly to let you know the status of your request.

Thank you again for your request and we will be in touch soon.

Sincerely,

Senator Carol Roessler  
Co-chairperson  
Joint Legislative Audit Committee

Representative Suzanne Jeskewitz  
Co-chairperson  
Joint Legislative Audit Committee



WISCONSIN STATE LEGISLATURE

*Joint Audit Committee*

Committee Co-Chairs:  
State Senator Carol Roessler  
State Representative Suzanne Jeskewitz

February 20, 2003

Representative Sheldon Wasserman  
Room 111 North  
State Capitol

INTER DEPARTMENTAL

Dear Representative Wasserman;

We received the request that you recently submitted to the Joint Audit Committee. This letter serves as confirmation of that request.

Each request submitted receives serious consideration. As conscientious legislators, we all welcome new ways to do things less expensively or more efficiently. We, as co-chairs of the committee, aim to meet once a month to discuss all requests. Shortly after the meeting, one of us will call you directly to let you know the status of your request.

Thank you again for your request and we will be in touch soon.

Sincerely,

Senator Carol Roessler  
Co-chairperson  
Joint Legislative Audit Committee

Representative Suzanne Jeskewitz  
Co-chairperson  
Joint Legislative Audit Committee



WISCONSIN STATE LEGISLATURE

**Joint Audit Committee**

Committee Co-Chairs:  
State Senator Carol Roessler  
State Representative Suzanne Jeskewitz

February 20, 2003

Matthew Frank, Secretary  
Department of Corrections  
3099 East Washington Avenue  
P.O. Box 7925  
Madison, WI 53707-7925

Dear Secretary Frank:

The Joint Legislative Audit Committee recently received a letter from Representative Sheldon Wasserman requesting an audit of prison disciplinary policies and procedures, in particular those concerning fraternization between inmates and correctional officers.

This request is especially pertinent in light of the recent occurrence at Taycheedah Correctional Institutions where a mentally ill inmate, Jackie Noyes, was impregnated by a prison guard. As a punishment, Ms. Noyes was sent to solitary confinement. In addition, another inmate who tried to report another sexual relationship with this same prison guard was also sent to solitary confinement for a year.

Currently there are legislative efforts to explicitly prohibit copulation between prison personnel and inmates. Until that legislation passes, however, Wisconsin's will remain one of four states that does not prohibit sexual contact between inmates and staff.

A decision on a Representative Wasserman's audit request has not yet been finalized. To aid in this decision, we are requesting that the Department of Corrections supply to us, as co-chairs of the Joint Legislative Audit Committee, the disciplinary procedures currently in place within Wisconsin's prisons and jails. Further, we are interested in any new policies that are being considered for implementation and the timelines and implementation procedures for those policies.

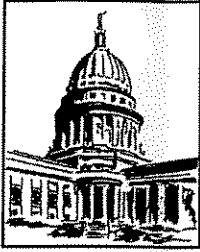
Please feel free to contact either of us with any questions. We look forward to hearing from you.

Sincerely,

Senator Carol Roessler  
Co-chair  
Joint Audit Committee

Representative Suzanne Jeskewitz  
Co-chair  
Joint Audit Committee

cc: Representative Sheldon Wasserman



WISCONSIN STATE LEGISLATURE

**Joint Audit Committee**

Committee Co-Chairs:  
State Senator Carol Roessler  
State Representative Suzanne Jeskewitz

February 20, 2003

Representative Don Friske  
Room 312 North  
State Capitol

INTER DEPARTMENTAL

Dear Representative Friske; *Don*

We received the request that you recently submitted to the Joint Audit Committee. This letter serves as confirmation of that request.

Each request submitted receives serious consideration. As conscientious legislators, we all welcome new ways to do things less expensively or more efficiently. We, as co-chairs of the committee, aim to meet once a month to discuss all requests. Shortly after the meeting, one of us will call you directly to let you know the status of your request.

Thank you again for your request and we will be in touch soon.

Sincerely,

Senator Carol Roessler  
Co-chairperson  
Joint Legislative Audit Committee

Representative Suzanne Jeskewitz  
Co-chairperson  
Joint Legislative Audit Committee



WISCONSIN STATE LEGISLATURE

Joint Audit Committee

Committee Co-Chairs:  
State Senator Carol Roessler  
State Representative Suzanne Jeskewitz

February 20, 2003

Representative David Cullen  
Room 216 North  
State Capitol

INTER DEPARTMENTAL

Dear Representative Cullen;

We received the request that you recently submitted to the Joint Audit Committee. This letter serves as confirmation of that request.

Each request submitted receives serious consideration. As conscientious legislators, we all welcome new ways to do things less expensively or more efficiently. We, as co-chairs of the committee, aim to meet once a month to discuss all requests. Shortly after the meeting, one of us will call you directly to let you know the status of your request.

Thank you again for your request and we will be in touch soon.

Sincerely,

Senator Carol Roessler  
Co-chairperson  
Joint Legislative Audit Committee

Representative Suzanne Jeskewitz  
Co-chairperson  
Joint Legislative Audit Committee



WISCONSIN STATE LEGISLATURE

*Joint Audit Committee*

Committee Co-Chairs:  
State Senator Carol Roessler  
State Representative Suzanne Jeskewitz

February 20, 2003

Representative Jon Richards  
Room 6 North  
State Capitol

INTER DEPARTMENTAL

Dear Representative Richards;

We received the request that you recently submitted to the Joint Audit Committee. This letter serves as confirmation of that request.

Each request submitted receives serious consideration. As conscientious legislators, we all welcome new ways to do things less expensively or more efficiently. We, as co-chairs of the committee, aim to meet once a month to discuss all requests. Shortly after the meeting, one of us will call you directly to let you know the status of your request.

Thank you again for your request and we will be in touch soon.

Sincerely,

Senator Carol Roessler  
Co-chairperson  
Joint Legislative Audit Committee

Representative Suzanne Jeskewitz  
Co-chairperson  
Joint Legislative Audit Committee



## Lawmakers call for audit of planning commission

By **LARRY SANDLER**  
lsandler@journal sentinel.com

Two state legislators called Tuesday for a state audit of the Southeastern Wisconsin Regional Planning Commission's planning efforts and internal operations.

Reps. Dave Cullen and Jon Richards, both Milwaukee Democrats, have been critical of a commission study's preliminary recommendation to rebuild the region's freeways with 127 miles of new lanes, at a cost of \$6.25 billion.

Their request to the Legislature's Joint Audit Committee focused on a variety of points raised by other freeway-widening opponents.

The Milwaukee County Board will meet today in a committee of the whole session to hear public comments about the freeway plan, starting at 6:30 p.m. at the Washington Park Senior Center.

Cullen and Richards said it was important to review how public agencies spend public dollars, regardless of their

position on policy issues.

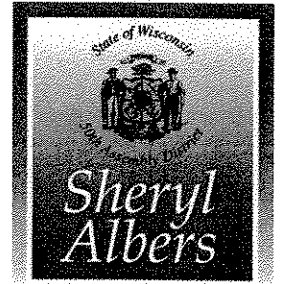
Phil Evenson, executive director of the planning commission, said he would welcome an audit.

He said his agency had nothing to hide and would be interested in auditors' recommendations on how to improve its operations.

In their letter to the audit panel, Cullen and Richards questioned the professionalism of the freeway study.

They said a survey "came with an obviously biased cover letter and leading questions."

The lawmakers also asked auditors to review how the agency moved its offices from downtown Waukesha to Pewaukee; how it buys cars for its staff; how it gave a \$42,000-a-year consulting contract to former Executive Director Kurt Bauer; and why it has no minorities among its 21 commissioners — appointed by the governor and county officials — and its 11 top staffers.



February 26, 2003

Janice Mueller  
Wisconsin Legislative Audit Bureau  
22 E. Mifflin Street, Suite 500  
Madison, WI 53703

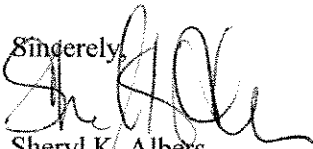
Dear Janice:

I am contacting you to request that your office explore some of the changes in the Wisconsin Works (W-2) program proposed by Governor Jim Doyle in his 2003-2005 budget.

My first area of concern pertains to the creation of a subsidized transitional job option within W-2. I would be interested to know not only the fiscal ramifications of such an expansion, but also the accounting of these subsidized employees when overall state government employment is considered. Gov. Doyle has drawn considerable attention with his proposal to eliminate positions in state government. I would like to know how these new state-subsidized employees are to be accounted for by the Department of Workforce Development. His proposal also allows for people leave one transitional job slot for another slot after six months – in essence, providing the potential of unlimited subsidized employment for employees who are unable to find an unsubsidized position in the private sector. Such transitional programs have existed in the past, and I would also be curious to know if any data regarding the effectiveness of those programs can be extrapolated and applied to this new program.

Additionally, many technical colleges, like Madison Area Technical College, offer remedial classes in job skills, such as how to prepare a resume, apply for jobs and improve your interview skills. I would be interested to know if Gov. Doyle's proposed expansion of job training programs would be in any way duplicative of established programs already in existence. If so, are there partnerships that could be formed with existing programs so as to prevent a full-blown reinvention of the wheel that would put government in competition with existing private and public/private programs?

Thank you for your attention to this matter. I look forward to hearing about your findings in the near future. If you should have any questions, please feel free to contact me.

Sincerely,  
  
Sheryl K. Albers  
State Representative  
50<sup>th</sup> Assembly District

cc: Sen. Carol Roessler, Co-Chair, Joint Legislative Audit Committee  
Rep. Suzanne Jeskewitz, Co-Chair, Joint Legislative Audit Committee