



CRIMINAL JUSTICE COORDINATING COUNCIL

*Note: This is a
Teleconference*

**THURSDAY, SEPTEMBER 17, 2020 — 3:00 P.M.
CALL: 1-312-626-6799
MEETING ID: 882 5211 4173**

Topic: CJCC Meeting

Time: Sep 17, 2020 03:00 PM Central Time (US and Canada)

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Agenda

1. Call to Order
2. Approval of the Agenda
3. Approval of the Minutes of July 16, 2020
4. Discussion regarding Criminal Justice System Racial and Ethnic Disparities Improvement Goals from CJCC Agencies
5. Support for TAD Grant Application
6. Support for TAP Grant Application
7. Discussion regarding Jail Response During Covid-19

8. YWCA Racial Justice Conference 2020
9. EBDM Update
10. Discussion regarding Law Enforcement Concerns
11. Consideration of Future Areas for CJCC Focus/Action
12. Citizen Participation and Announcements
13. Future Meeting Date: Thursday, October 15, 2020, 3 p.m., Location TBD
14. Adjournment

CRIMINAL JUSTICE COORDINATING COUNCIL
Minutes – July 16, 2020

Call to Order. Vice Chair Perry called the meeting of the Criminal Justice Coordinating Council to order at 3:00 P.M. via teleconference.

Committee Members Present: Faun Moses (alt. for Kelly Mattingly), Chief David Moore, Steve Howland, Bill Rankin, Supervisor Shirley Williams, Carol Wickersham, Ryan Trautsch, Marc Perry, David O’Leary, Sheriff Troy Knudson, Vicki Brown (alt. for Angela Moore), Billy Bob Grahn and Chief David Zibolski.

Committee Members Absent: Judge Daniel Dillon, Kate Luster, Lonnie Brigham and Troy Enger.

Staff Members Present: Dr. Kendra Schiffman, Analyst; Elizabeth Pohlman McQuillen, Justice System Manager; and Gina Koehl, Deferred Prosecution Director.

Others Present: Erin Davis, JM4C; Denise Peters-Kauihou, United Way; Ashley Morse, Matt Lantta, C. James Fitzgerald, Kevin Smith, and Michelle Brandemuehl, State Public Defender’s Office; Jonah Beleckis, Janesville Gazette; Lindsey Douglass and Lorin Cox, citizens.

Approval of Agenda. Mr. Grahn moved approval of the agenda, second by Ms. Wickersham. ADOPTED.

Approval of Minutes of June 18, 2020. Sheriff Knudson moved approval of the minutes, second by Ms. O’Leary. ADOPTED.

Update on County Board Resolutions on Racial Justice. Mr. Perry said the two resolutions regarding racial justice passed the Rock County Board, including the one from CJCC. It is possible more resources may be available as a result of the resolutions.

Follow-Up to Presentation on Disorderly Conduct Data and Discussion of Next Steps regarding Criminal Justice System Racial and Ethnic Disparities Data. Mr. Perry said he wanted to circle back around to this topic to discuss where the CJCC can have impact/influence.

Chief Moore said his department has been looking at discretionary arrests and 90% were from a call for service which ended up in an arrest. He said there are many factors that go into disparity and the study of disorderly conduct arrests is not the bellwether proof some individuals has made it out to be. Chief Moore presented data his staff put together on areas where law enforcement has little/no discretion. He thinks CJCC needs to look more closely into the issue and all of the factors that go into who is in the justice system.

Chief Zibolski said there are more calls for service to low income neighborhoods so there are more contacts in those neighborhoods and police there more often.

Ms. Morse asked if the chiefs are saying there is no racial bias in their departments. Chief Zibolski said there is bias everywhere but analyzing crime data compared to census demographics is not a valid comparison—there are systemic issues involved. He said the CJCC needs to look at all points in the justice system. He said soon Incident-Base Reporting Data will be able to be used as another source of information and it contains more comprehensive data.

Dr. Schiffman agreed looking at other points in the system is a good idea and suggested we establish baseline data and measure successes. Ms. Wickersham said the CJCC should be thoughtful about what it is looking at and where resources are expended. Dr. Schiffman said the CJCC does not have to have all of the data to act and needs to set priorities due to limited resources.

Chief Moore asked what “right” looks like. Mr. Perry said “right” looks like bringing disparities down to more equitable levels so it looks like a level playing field.

Mr. Trautsch said the youth justice system has been looking at racial disparity. He said total admissions to detention are going down. Several CJCC members said they would like to look at youth justice and prevention efforts. Ms. Pohlman McQuillen said there are groups already established looking at youth justice issues and the group should be sure it isn’t duplicating other efforts already underway.

Supervisor Williams said race was a factor in initiating this topic at CJCC and the group should not look away from this.

Dr. Schiffman said CJCC should organize next steps. She suggested that each agency should decide on goals for their agency they are willing to commit to and then report on them at the CJCC regularly. Mr. Perry challenged each CJCC member to think about this and bring this information back to the next meeting.

Discussion regarding new Pinehurst Building. Sheriff Knudson said the architects are getting some preliminary information together now. He is interested in input from CJCC on space needs and programming space ideas.

Sheriff Knudson added that he has staff looking at data during the Covid period and will bring that back to a future meeting.

EBDM Update. Ms. Pohlman McQuillen said pretrial assessment and monitoring services will begin on Monday, July 20th. Mr. O’leary said his Diversion program is still up and running and they are working to get Enhanced Deferred prosecution operating.

Discussion Regarding Law Enforcement Concerns. Sheriff Knudson said during Covid the jail was down to 170-180 inmates. When the safer-at-home order ended they have started to accept more and are at about 220 inmates. He said no inmates have tested positive for Covid. Sheriff Knudson, Chief Moore, and Chief Zibolski said they are still citing/booking and releasing whenever they can.

Consideration of Future Areas for CJCC Focus/Action (from current and past meetings).

- Chief Moore would like to track school violence
- EBDM presentation on Risk Assessment
- Mr. Perry would like to speak with Homeless liaisons in Beloit and Janesville to get an update on unaccompanied youth population
- Ms. Wickersham would like a conversation on AODA/Mental Health services in the Rock County jail and wrap around services in the community. Mr. Brigham would like to extend this to Rock County youth.
- Safe Families presentation

- Mr. Perry said there have been several studies that name Wisconsin as the most segregated state. He would like to have a conversation around solutions to this issue. He will forward the links to these studies for Ms. Pohlman McQuillen to distribute.
- Mr. Brigham would like to know the percentage of juvenile citations in schools and how this is working.
- Mr. Brigham would like a presentation on bullying in schools and carryover outside of school (at risk youth behavioral data)

Citizen Participation and Announcements. Ms. Morse said if you look at all the criminal justice decision points, you will find that disparity exists in all of them. She thinks it is a better use of resources/time to measure progress and think about what to do to improve all agencies. She wants people to be serious about change.

Chief Moore said he sees some areas for improvement and will be making changes outside of CJCC and Chief Zibolski agreed.

The group agreed to skip the August meeting due to a number of members being on vacation. It was encouraged that during this time between meetings that each agency think about what they can do to measure and address disparity.

Future Meeting Date: Thursday, September 17, 2020, 3:00 P.M., Location TBD

Adjournment. Mr. Grahn moved to adjourn at 4:21 P.M., second by Ms. Wickersham.
ADJOURNED.

Respectfully submitted,

Elizabeth Pohlman McQuillen,
Justice System Manager

NOT OFFICIAL UNTIL APPROVED BY COMMITTEE.

ROCK COUNTY SHERIFF'S OFFICE

COVID-19 RESPONSE FOR THE JAIL

MARCH THROUGH JULY 2020

PREPARED BY: COMMANDER ERIK CHELLEVOLD



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 - D. Graph and Table of Rock County Jail Inmate Population March 17- July 31, 2020
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 - F. Rock County Inmates on Electronic Monitoring March 17-June 19, 2020

Executive Summary

In late 2019, the World Health Organization (WHO) learned of an active viral pneumonia in Wuhan China. The Chinese authorities provided the WHO with additional information and the Coronavirus was confirmed. The following facts illustrate the timeline for COVID-19 response on a global, national and local level.

- 12-31-19 WHO learned of viral pneumonia in Wuhan China and asked for additional information
- 1-09-20 WHO confirms the Coronavirus
- 1-21-20 US Center for Disease Control (CDC) confirms 1st US case of COVID-19
- 1-31-20 WHO issues a Global Health Emergency
- 2-03-20 US declares a Public Health Emergency
- 2-20-20 Rock County Emergency Management sends out COVID-19 Guidance for Law Enforcement Officers
- 3-09-20 Rock County Sheriff puts out first advisory memo to staff
- 3-11-20 WHO declares COVID-19 a pandemic
- 3-12-20 State of Wisconsin declares a Health Emergency (Appendix A)
- 3-13-20 Rock County Emergency Management opens the EOC
- 3-16-20 Rock County declares a Local State of Emergency (Appendix B)
- 3-24-20 State of Wisconsin issues Safer at Home Order (Appendix C)

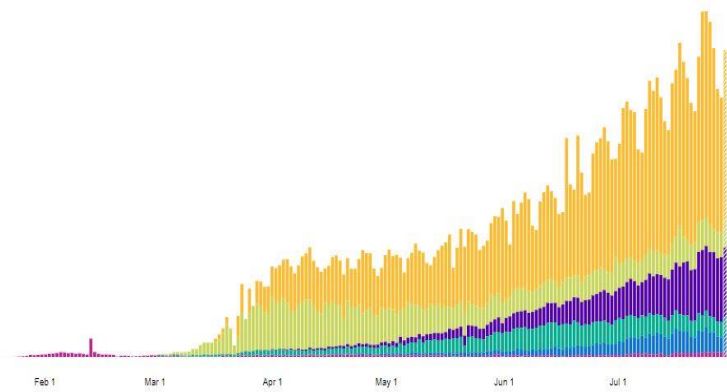
The following graphs represent the number of COVID-19 cases on all levels through the month of July 2020.

Situation by WHO Region

Daily Weekly Cases Deaths

Americas	8,980,181 confirmed
Europe	3,307,388 confirmed
South-East Asia	1,949,850 confirmed
Eastern Mediterranean	1,520,745 confirmed
Africa	754,390 confirmed
Western Pacific	299,460 confirmed

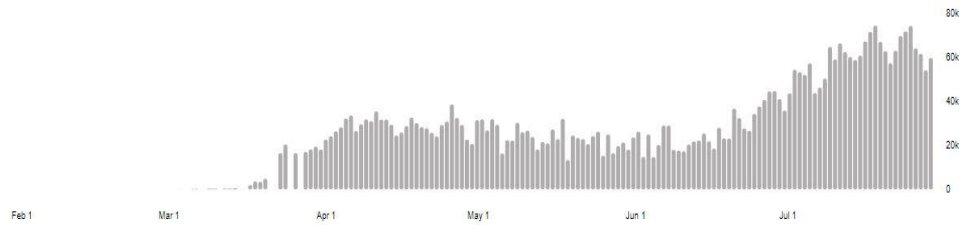
Source: World Health Organization
 Data may be incomplete for the current day or week.



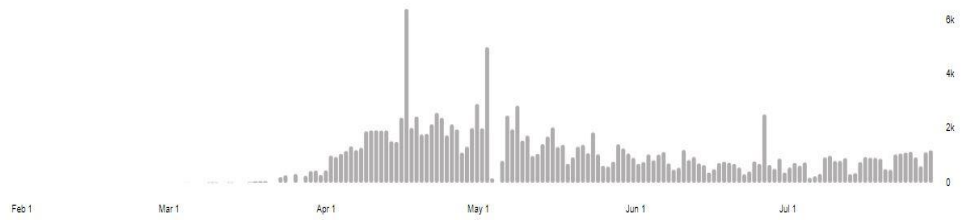
United States of America Situation

Daily Weekly

4,323,160
confirmed cases

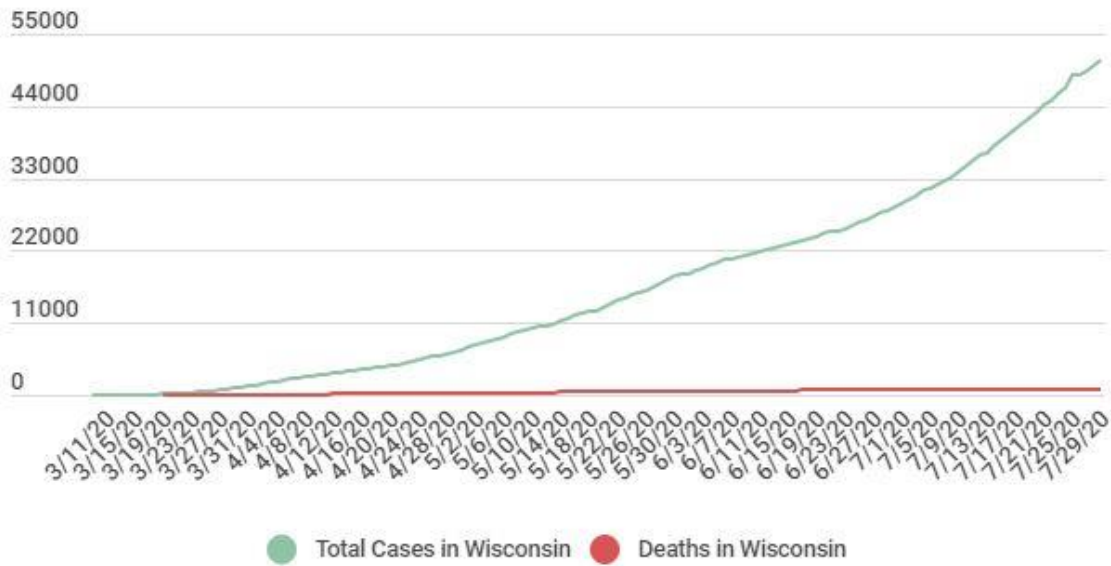


148,640
deaths

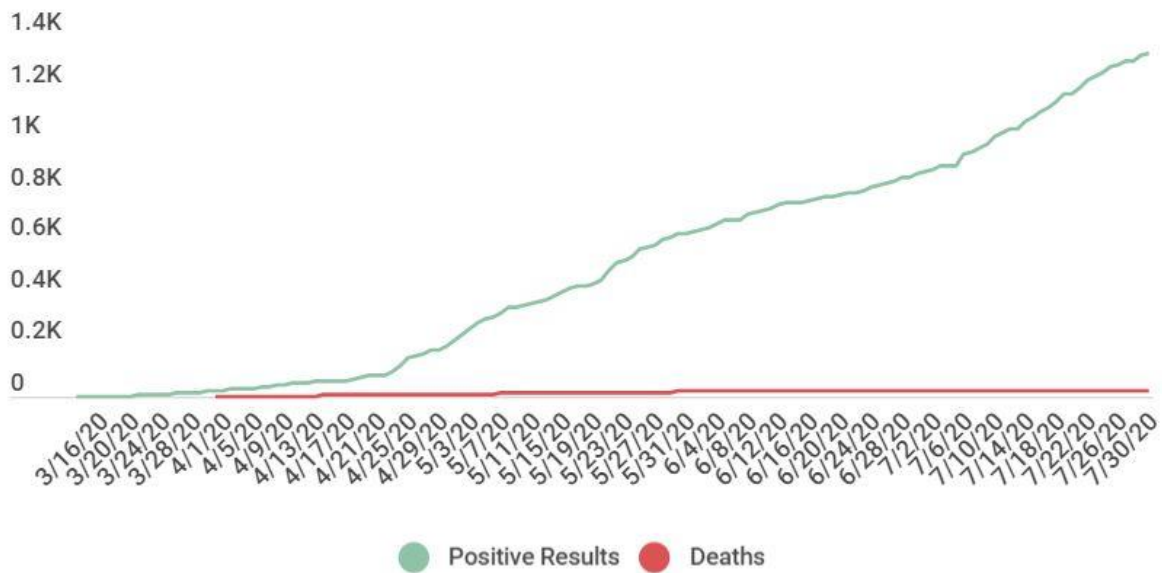


Source: World Health Organization

Cumulative Total Number of Confirmed Cases of COVID-19 and Deaths from COVID-19 in Wisconsin



Total Cumulative Number of Confirmed Cases of COVID-19 and Deaths in Rock County



As information became available on the severity of this disease the Rock County Sheriff's Office realized that our inmate population was uniquely susceptible to such viruses and drastic measures would need to be taken to protect them and staff members. Operational changes were carefully identified and executed to provide as much protection as possible while maintaining public safety.

At the request of Sheriff Troy Knudson, the Rock County Sheriff's Office Correctional Services Division developed this document that details the Sheriff's Office response to the COVID-19 Pandemic. Additionally, we will identify future impacts to Sheriff's Office operations and an analysis of alternatives. This document is not intended to be a replacement for established policy and procedure but will instead facilitate organizational responses to future challenges.

PROBLEM

The Correctional Services Division consists of the Jail, Community Corrections, Court Services, Civil Process, and Warrants. Each area within the division presented their own unique challenges with the overarching goal of reducing the amount of inmates in custody.

The most significant issue we faced was creating a coordinated response amongst all areas so that we could reduce the risk to staff, inmates, working professionals and the general public. Each bureau was able to draft and implement precautions and measures to reduce the threat of COVID-19 while maintaining at least minimal levels of service. The coordinated effort also required cooperation with law enforcement agencies, the court system and Wisconsin Probation and Parole

CORRECTIONAL SERVICES DIVISION

Issue Identification

In addition to close living quarters, the jail experiences an endless amount of inmate movement. It is common for inmates to pass one another in the hall or be in close proximity when transported by the Court Services to a court appearance. There is also a

considerable volume of foot traffic generated by trustees, kitchen workers, and laundry workers. The personnel required by the sheriff's office to efficiently manage a shift also adds to the formula for close interpersonal contact.

The most significant challenge for the jail was reducing the jail population thereby limiting the exposure for inmates and staff. The virus had displayed an ability to thrive in confined areas with large amounts of people. Before the COVID-19 pandemic, the Rock County Sheriff's Office Jail had an average daily population average of 407. Our efforts to reduce the jail population ultimately resulted in an average daily population of approximately 210 (Appendix D).

COVID-19 Response

To improve the sheriff's office operational response to the pandemic, additional practices were put in place. The procedures were implemented through a three-tier process. The tier level increased as the amount of positive COVID-19 cases increased in Rock County. To mitigate risks of potential exposure to personnel and inmates, the following directives were given:

Housing/Booking Procedures:

- All new inmates will be screened for Coronavirus by healthcare staff upon admission.
- New off-street bookings remained in booking holding cells for 48 hours.
- Once the arrestee has been removed from the holding cell, that cell was immediately cleaned and sanitized.
- Inmates were then transferred to a quarantine section where they remained for a minimum of 14 days before being transferred to general population.
- One inmate section was cleaned and remained empty for future medical overflow.
- One inmate section was cleaned and remained empty for future off-street bookings overflow.
- No arrestee could move anywhere in the Jail Proper without supervisor approval. Supervisors would determine if the inmate had any symptoms before allowing the moves.

Medical Procedures:

- Inmate temperature checks are completed 2-3 times per week.
- All inmates are provided with protective cloth masks.
- The standard seating was removed in the Medical waiting area. Additional room with social distancing could be utilized.
- Diabetic/Sick Calls were sent to Medical one at a time.
- Officers avoided stacking of inmates in Medical.
- As a rule, the Mental Health Specialist and Nurse would go-to units for checks and requests when possible.

Movement of Inmates:

- Rover calls were limited to one inmate at a time, by section. There was no grouping of inmates from different pods or sections.
- The rover who escorted the inmate ensured that the hallways were clear of any other inmates, trustees, or kitchen workers.
- Once the inmate reached their pre-determined location, another inmate was escorted.
- If an inmate was escorted to booking to use a phone, 24-hour cool-down, taken to a conference call or the law library, that area was sanitized after the inmate left the location.
- Personnel escorting inmates attempted to adhere to the six-foot distancing rule as much as possible.
- All inmate programming (AA, NA, Church, Pastoral Visits etc.) ceased.
- All inmate workers had temperature checked prior to their work shift.

Staff Reporting for Duty:

- All Jail assigned staff entered through one entrance and had their temperature checked before reporting to duty and crossing the threshold of the Jail.
- If a Jail assigned employee had an elevated temp of 100.3, they were sent home to self-isolate and get tested.

- Officers were required to utilize personal protective equipment including gloves and masks (Provided by Rock County Emergency Management).

Jail Court/Video Court Proceedings:

- Inmates were escorted to court by section, ensuring the hall was clear of any other inmates.
- Upon completion of court by section, the jail court/video court area was cleaned/sanitized before progressing to another section for court procedures.
- Personnel escorting inmates attempted to adhere to the six-foot distancing rule as much as possible.

The COVID-19 pandemic response also required the sheriff's office to rely on a professional working relationship with other law enforcement agencies throughout the county. To reduce the number of persons coming into the jail, Sheriff Knudson issued a request for all agencies in reference to fresh arrests. The instruction was released on March 12th, 2020. In the contents, Sheriff Knudson communicated with law enforcement partners and asked "all law enforcement agencies scrutinize custody decisions and order-in all cases deemed appropriate."

We also relied heavily on Wisconsin Probation and Parole to reduce the inmate population. They were asked to review all probationers situation and remove holds on all cases that they were comfortable. Probation and Parole also instructed their agents to alter their methods so as not to place holds on people unless absolutely necessary.

To alleviate the potential crisis of all staff becoming ill with the virus simultaneously, the jail command staff implemented a rotating reserve staffing plan. The staffing plan included all levels of the organization. The rotation cycle created allowed for staff to work their normal schedule for two weeks then work remotely for two weeks in an effort to remain healthy. This schedule allowed for the remote workers to report to duty in the event an employee fell ill.

The mental health and emotional well-being of the inmates were considered as well. Jail Captains had direct communication with inmates as to what the Sheriff's Office approach was to keep them safe. Communication was achieved by Correctional Officers passing

through the pods during security checks and having direct conversation at their cell. Tele-Health visits with a Licensed Professional Counselor, were also made available to inmates to provide psychological support. By the simple use of a tablet, an inmate could speak from the privacy of their jail cell.

Communication with staff occurred daily, typically through emails. Group briefings were temporarily halted to reduce the possibility of transmitting the virus through close contact. Captains made rounds on every shift to interact with as many personnel as possible. The staff could ask questions, express their emotions, and suggest ways the sheriff's office could improve measures to address the pandemic.

The cleaning and sanitizing of all areas of the jail were increased threefold throughout all shifts. Desk areas were wiped down when leaving and returning from breaks. Unit phones were cleaned at the beginning and end of each shift as well as elevators, door handles, and many other "high touch" surfaces. Floors were mopped routinely, social distancing, handwashing, and mask-wearing were all part of a systematic approach to keep the jail as safe as possible. Inmates were also given cleaning supplies to wipe down their cells and dayrooms two times daily.

Forecast Future Impacts

The jail, through intelligent planning, was able to implement a system of checks and balances to address the COVID-19 pandemic. For the months of March through July, a total of 10 inmates were sent out that displayed COVID-19 symptoms. All tested inmates tested negative. The most significant factor contributing to zero cases of COVID-19 amongst inmates was the reduction of the average daily jail population to approximately 200.

The two week rotation of staff helped with reducing the chance of an infection spreading through the entire workforce. The rotation policy also provided emergency staff relief, should a person or persons become infected and could not report for duty.

Our pandemic response focused on reducing the inmate population. What became quickly apparent was how important it was for us to have the ability to isolate inmates as

they came into custody. We would not have been able to accomplish this if our census had remained at over 400 inmates. We are currently in the beginning stages of planning for replacement of the Pinehurst Building. As we move forward, this experience will guide our decision making about number and style of inmate sections with the ultimate goal of being able to accomplish inmate isolation at higher population levels.

COMMUNITY CORRECTIONS BUREAU

Issue Identification

Before the COVID-19 pandemic, the Community Corrections Bureau Diversion Program had set criteria that all inmates had to meet to be eligible for the EMP (Electronic Monitoring Program). They are as follows (Appendix E):

- Sentenced with Huber
- Are the inmate's charges and criminal history appropriate for the program?
 - No drug-related felonies (other than THC)
 - No sex-related felonies
 - No sexual assault to children
 - No 6th or higher OWI
 - No contempt charges (including paternity unless employed)
- Is the inmate's domestic situation appropriate for the program?
 - No child neglect or abuse where the victim is living at the same address
 - No current domestic charges where the inmate is living with the victim of the domestic charge: No Restraining Orders or other Court ordered restrictions in place.
- Does the inmate live in Rock or surrounding Wisconsin Counties?
- Is the inmate's classification level appropriate for the program (Medium to very low)
- Is the inmate on Probation?

COVID-19 Response

As a response to the COVID-19 Pandemic, The Rock County Sheriff's Office created plans and protocols to assist with reducing the population in the Rock County Jail to decrease the possibility of COVID-19 from entering the facility.

The Electronic Monitoring Program (EMP) made every effort to release all inmates that were working Huber Inmates from the jail facility on March 17th, 2020. This measure lowered the jail population which significantly reduced the amount of traffic into and out of the facility. Shortly after those inmates were placed on EMP, the decision was made to release all inmates that were sentenced with Huber Privileges regardless of employment status.

Below is the number of inmates (total) that were put out on EMP from March 17th to June 19th, 2020. It also represents the number of inmates that went out during the COVID-19 pandemic, which would not have commonly been accepted on EMP based on the original set criteria.

- Total number of inmates Placed on EMP from March 17th-June 19th: 109
- Number that would typically not have met the EMP Criteria (including second chance participants): 71 (65.1%)
- Of those 71 inmates, the number that were returned to jail for rule violations or arrests: 12 (16.9%)
- Of the 109 inmates, the following is the break down by race:
- Caucasian- 84 (77.0%)
- African American- 23 (21.1%)
- Hispanic- 1 (0.9%)
- Asian- 1 (0.9%)

(More information available in Appendix F)

RECAP (Rock County Criminal Addictions Education Program) & Workender Program

As a result of the COVID-19 pandemic, the Rock County Sheriff's Office RECAP Program and Workender Program were suspended on March 13th, 2020. After RECAP was suspended, all sentenced and DOC (Department of Corrections) referred inmates that were in the program or scheduled to come into the program were released, except for a few sentenced inmates. Inmates assigned to the Workender Program were instructed not to come for Community Service and that we would contact them when it was safe to return and honor their commitment to the court.

Forecast Future Impacts

The COVID-19 pandemic required several changes to the operational requirements of the Community Corrections Bureau. The Rock County Sheriff's Office placed all working Huber inmates out on the EMP. A decision was made to allow all Huber inmates to meet the existing criteria or not, out on EMP. Up to this point, the percentage of those inmates that were returned to jail for violation of the jail rules or criminal offenses (16.9%).

Due to the relatively low disciplinary return rate, the amount of space dedicated in the Pinehurst replacement to Huber may be reduced. Present staffing can handle the approximate fifty (50) inmate increase in the EMP. The technology allows the EMP to monitor the participants on a twenty-four (24) hour basis and can give real-time locations as well as a tracking history. This would be a significant security benefit because under standard Huber practice, inmates are not monitored when they are signed out of the jail facility.

Alternatives Analysis

Because of the COVID-19 pandemic, the EMP has experienced some success in the variations it made with the criteria area. Below is listed two (2) alternatives for the future use of EMP:

Maintaining Present Listed Criteria:

Before COVID-19, the EMP had a set criterion that all participants had to meet to be eligible for the EMP. These measures have proven successful in lowering the in-house jail population while still maintaining community safety standards. The Rock County Sheriff's Office can return to these set criteria and continue operations as it has done in the past with an average of sixty (60) to seventy (70) participants.

This option allows the EMP to continue to function as it has in the past. However, it does not allow a particular portion of the inmate population, which does not meet the criteria, to be eligible for EMP. This reduces the number of participants in the EMP and maintains a certain quantity in the jail that is allowed to leave the Huber facility without being monitored.

Allowing All Sentenced with Huber Inmates out EMP:

During the COVID-19 Pandemic, the decision was made to allow all inmates with Huber on EMP, forgoing the set criteria for eligibility. The decision resulted in an approximate fifty (50) person increase in EMP participants. The addition allowed the in-house population to decrease and allow for protocols to be put into place for the COVID-19 pandemic (social distancing, quarantine space, isolation units, etc.) within the jail setting.

After changing these guidelines and reviewing the statistics of its success with only a small percentage being returned to the jail or removed from the EMP (16.9%). However, if the Rock County Sheriff's Office continues this practice, the Discipline Matrix will need to be changed and modified to be able to petition to revoke Huber privileges immediately upon any significant rule violations. If the participant gets their Huber privilege revoked, they do have the opportunity to petition the court for their Huber to be re-instated. In these cases, the Sheriff's Office will need to decide whether they are still eligible to participate in EMP. If not, they may not be allowed to exercise their Huber privilege for the remainder of their sentence. *This option allows us to open more jail space/beds for other inmate classifications and an opportunity to increase programming options.*

COURT SERVICES, CIVIL PROCESS & WARRANT BUREAU

Court Services

When Governor Evers mandated the 21 day stay at home order, the directive essentially halted all court proceedings including jury trials, preliminary hearings & restitution hearings. This resulted in no transportation of inmates to the courthouse for in person appearances.

Video capabilities were assembled to have as much court related activity as possible including Jail Court. This same equipment was utilized to conduct other court hearings as needed and allowed for some court processes to keep moving forward.

Civil Process

The federal government placed a three-month moratorium on all evictions and Sheriff Sales (foreclosures). This order resulted in no foreclosure sales and no evictions in Rock County. Additionally, the altered court process resulted in fewer subpoena's being served county wide.

Warrants

With less court proceedings, the amount of new warrants to enter into the TIME system (Transaction Information for the Management of Enforcement) was reduced. The confirmation of warrants also slowed down because law enforcement agencies were having less contact with persons and misdemeanor warrants were not accepted into custody.

Forecast Future Impacts/Alternative Analysis

The future impact for the jail is the realization that maintaining a low jail population would not be sustainable over a long period of time. Eventually the threat of COVID-19 will be lessened, societal activity will increase and more inmates will be brought/sentenced to jail. The onset of the COVID-19 impact has framed the need for a logical Pinehurst expansion. The expansion will address the identified necessities:

- Expansion of medical facilities to include more negative pressure rooms.

- Program rooms which would assist with inmate education. These would provide areas to address mental health wellness, religious programming as well as general education efforts that are needed in a time of crisis.
- Recreation rooms for inmates would be necessary for the mental health and overall physical wellness of inmates. This would allow for mental break from their thoughts during a stressful time, such as a pandemic.
- The ability to designate an area for quarantine overflow during future pandemics if the reduction of inmate population is not an option.
- The capabilities of additional video court rooms. Courtrooms which are exclusive to only courts are needed as well as video capabilities to assist other professional visitors. The Rock County Judicial staff has identified that video court appearances will now be a permanent part of the courtroom process.

The COVID-19 Pandemic has proven to be a significant challenge for all areas of public safety. Our efforts to this point have proven successful and we will learn as much as we can about this virus so that we can adapt our practices and protect both inmates and staff. The Rock County Sheriff's Office is fully invested in the fight against COVID-19.

"A TRADITION OF SERVICE"

**OFFICE OF THE GOVERNOR****EXECUTIVE ORDER #72****Relating to a Proclamation Declaring a Health Emergency in Response to the COVID-19 Coronavirus**

WHEREAS, in December, 2019, a novel strain of the coronavirus was detected, now named COVID-19, and it has spread throughout numerous countries including the United States;

WHEREAS, international organizations, the federal government, state government, and local governments are all working together to contain the further spread of the disease and treat existing cases;

WHEREAS, the World Health Organization has declared a Public Health Emergency of International Concern, and the United States Department of Health and Human Services has declared a Public Health Emergency;

WHEREAS, the State of Wisconsin has been working to protect all Wisconsinites from the spread of this disease, and to prepare for the impacts it may have on the state; and

WHEREAS, in order to protect the health and well-being of its residents, the State of Wisconsin must avail itself of all resources needed to respond to and contain the presence of COVID-19 in the State.

NOW, THEREFORE, I, TONY EVERS, Governor of the State of Wisconsin, by the authority vested in me by the Constitution and laws of this state, and specifically by Sections 100.305, 321.39, 323.10, 323.12, and 323.13 of the Wisconsin Statutes, hereby:

1. Proclaim that a public health emergency, as defined in Section 323.02(16) of the Wisconsin Statutes, exists for the State of Wisconsin.
2. Designate the Department of Health Services as the lead agency to respond to the public health emergency.
3. Direct the Department of Health Services to take all necessary and appropriate measures to prevent and respond to incidents of COVID-19 in the State.
4. Suspend the provisions of any administrative rule, if the Secretary of the Department of Health Services determines that compliance with that rule would prevent, hinder, or delay necessary actions to respond to the emergency and increase the health threat.
5. Authorize the Adjutant General to activate the Wisconsin National Guard as necessary and appropriate to assist in the State's response to the public health emergency.
6. Direct all state agencies to assist as appropriate in the State's ongoing response to the public health emergency.

7. Proclaim that a period of abnormal economic disruption, as defined in Section 100.305 of the Wisconsin Statutes, exists in the State of Wisconsin.
8. Direct the Department of Agriculture, Trade, and Consumer Protection to enforce prohibitions against price gauging during an emergency, as authorized under Section 100.305 of the Wisconsin Statutes and Chapter ATCP 106 of the Wisconsin Administrative Code.




IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison this twelfth day of March in the year of two thousand twenty.



TONY EVERS
Governor

By the Governor:



DOUGLAS LA FOLLETTE
Secretary of State

ROCK COUNTY, WISCONSIN



County Administrator
51 South Main Street
Janesville, WI 53545
(608)757-5510
Fax (608)757-5511

DECLARATION OF LOCAL STATE OF EMERGENCY

WHEREAS, in December 2019, a novel strain of the coronavirus was discovered to cause a respiratory disease now known as COVID-19; and

WHEREAS, COVID-19 has been discovered to be highly contagious and capable of causing severe adverse health consequences, including hospitalization and death; and

WHEREAS, COVID-19 has spread throughout numerous countries including the United States and numerous cases have been discovered in Wisconsin; and

WHEREAS, on January 30, 2020, the World Health Organization declared a Public Health Emergency of International Concern; on January 31, 2020, the United States Department of Health and Human Services declared a Public Health Emergency; and on March 13, 2020, the President of the United States declared a National Emergency concerning the COVID-19 outbreak; and

WHEREAS, on March 12, 2020, Wisconsin Governor Tony Evers declared the existence of a public health emergency with regard to the COVID-19 outbreak, pursuant to section 323.02(16) of the Wisconsin Statutes; and

WHEREAS, the spread of COVID-19 in Wisconsin, and particularly in proximity to Rock County, constitutes a condition in the County posing an imminent threat of a disaster within the meaning of Chapter 323 of the Wisconsin Statutes that impairs medical care, protection of health, and other critical systems of Rock County; and


WHEREAS, it is necessary and expedient for the health, safety, protection, and welfare of persons within Rock County, that reasonable and prudent steps be taken to treat those infected with COVID-19 and to prevent, limit, and contain the potential community transmission of COVID-19; and

WHEREAS, declaring a local state of emergency will facilitate and expedite the use of resources to protect persons from the impacts of the spread of COVID-19 while ensuring the continuity of critical operations of Rock County.

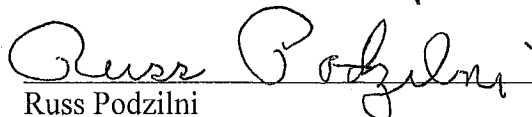
NOW, THEREFORE, IT IS HEREBY PROCLAIMED that pursuant to sections 323.11 and 323.14(4)(b) of the Wisconsin Statutes; in light of the imminent threat to the provision of medical care and public health that is posed by COVID-19; to protect public peace, health, and safety; and to preserve lives and property, economic stability; and insure cooperation and coordination, that a local state of emergency now exists within Rock County and shall be in place for a period of sixty days, or until modified by further proclamation or further action of the Rock County Board of Supervisors.

BE IT FURTHER PROCLAIMED that this written declaration shall be filed with the County Clerk on the first regular business day following the declaration, and the County Clerk shall present the written declaration to the board of supervisors for ratification at its first meeting following such a declaration.

Date this 16th day of March, 2020



Josh Smith
Rock County Administrator



Russ Podzilni
Chair, Rock County Board of Supervisors



State of Wisconsin
Department of Health Services

Tony Evers, Governor
Andrea Palm, Secretary

**EMERGENCY ORDER #12
SAFER AT HOME ORDER**

WHEREAS, in December, 2019, a novel strain of the coronavirus was detected, now named COVID-19, and it has spread throughout the world, including every state in the United States;

WHEREAS, on January 30, 2020, the World Health Organization declared COVID-19 to be a Public Health Emergency of International Concern;

WHEREAS, on March 12, 2020, Governor Tony Evers declared a public health emergency to direct all resources needed to respond to and contain COVID-19 in Wisconsin;

WHEREAS, Governor Evers designated the Department of Health Services as the lead agency to respond to the emergency and directed the Department to take all necessary and appropriate measures to prevent and respond to incidents of COVID-19 in Wisconsin;

WHEREAS, on March 13, 2020, President Donald Trump proclaimed a National Emergency concerning COVID-19;

WHEREAS, as of March 23, 2020, 332,930 people around the world have tested positive for COVID-19, including 33,404 in the United States and 416 in Wisconsin;

WHEREAS, as of March 23, 2020, within the past 72 hours, positive COVID-19 cases have risen in the United States from 15,219 to 33,404 (119% increase) and have risen in Wisconsin from 206 to 416 (102% increase). Five Wisconsinites have passed away as a result of COVID-19. Public health officials estimate that the actual number of Wisconsinites infected with COVID-19 is significantly higher and likely present in every county in the state;

WHEREAS, at the current growth in the number of people infected, the number of people needing medical care due to COVID-19 will significantly exceed the amount of available healthcare resources;

WHEREAS, the entire State of Wisconsin – including residents, businesses, community organizations, and government – need to take all possible actions to reduce further spread of COVID-19 to save lives;

WHEREAS, social distancing – the practice of keeping at least six feet apart from others and avoiding direct physical contact – is the only effective means of slowing the rate of infection. Despite prior emergency orders banning mass gatherings, the rates of infection continue to drastically increase, necessitating additional measures to slow the rate of infection and save lives; and

WHEREAS, this is a critical moment in Wisconsin and we must all do our part to cease non-essential travel, business, and social interactions;

NOW THEREFORE, under the authority of Wis. Stat. § 252.02(3) and (6) and all powers vested in me through Executive Order #72, and at the direction of Governor Tony Evers, I, Andrea Palm, Secretary-designee of the Wisconsin Department of Health Services, order the following:

1. **Stay at home or place of residence.** All individuals present within the State of Wisconsin are ordered to stay at home or at their place of residence, with exceptions outlined below. To the extent individuals are using shared or outdoor spaces other than their home or residence, they must at all times as reasonably possible maintain social distancing of at least six (6) feet from any other person consistent with Social Distancing Requirements as defined below, except that they do not need to maintain social distancing between family members in a single living unit or household members. All persons may leave their homes or residences only for the following functions as are defined in this Order:
 - a. **Essential Activities** (defined in section 11);
 - b. **Essential Governmental Functions** (defined in section 12);
 - c. To operate **Essential Businesses and Operations** (defined in section 13);
 - d. To perform non-essential **Minimum Basic Operations** (defined in section 14);
 - e. **Essential Travel** (defined in section 15); and
 - f. **Special Situations** (defined in section 8, 9, and 10).

Individuals experiencing homelessness are exempt from this Section, but are strongly urged to obtain shelter. Governmental and other entities are strongly urged to make such shelter available as soon as possible to the maximum extent practicable and to follow the Wisconsin Department of Health Services (DHS) and the U.S. Centers for Disease Control and Prevention (CDC) guidance on COVID-19 risk mitigation practices.

Individuals whose homes or residences are unsafe or become unsafe, such as victims of domestic violence, are permitted and urged to leave

their home and stay at a safe alternative location. For purposes of this Order, homes or residences include hotels, motels, shared rental units, dormitories, shelters, and similar facilities.

2. **Non-essential business and operations must cease.** All for-profit and non-profit businesses with a facility in Wisconsin, except Essential Businesses and Operations as defined below, are required to cease all activities at facilities located within Wisconsin, except:
 - a. Minimum Basic Operations, as defined below, and
 - b. Any operations consisting exclusively of employees or contractors performing activities at their own home or residences (i.e., working from home).

All businesses, including Essential Businesses and Operations, shall, to the greatest extent possible, use technology to avoid meeting in person, including virtual meetings, teleconference, and remote work (i.e., work from home). Businesses may not engage in door-to-door solicitation, regardless of its purpose or status as an Essential Business or Operation.

All Essential Businesses and Operations are encouraged to remain open. To the greatest extent feasible, Essential Businesses and Operations shall comply with Social Distancing Requirements as defined in this Order; in doing so, Essential Businesses and Operations shall, to the greatest extent possible, ensure that both employees and members of the public are maintaining six-foot social distancing, including but not limited to when any customers are standing in line.

3. **Prohibited activities.** All public and private gatherings of any number of people that are not part of a single household or living unit are prohibited, except for the limited purposes expressly permitted in this Order. Nothing in this Order prohibits the gathering of members of a single household or living unit. Landlords or rental property managers shall avoid entering leased residential premises unless emergency maintenance is required.

4. **Closures.** All of the following facilities shall be closed:

- a. **Public and private K-12 schools and public libraries.** Except for facilitating distance learning or virtual learning, public and private K-12 schools are closed for pupil instruction and extracurricular activities. Libraries shall close for all in-person services, but may continue to provide on-line services and programming. Schools and public libraries may be used for Essential Government Functions and food distribution. This

section does not apply to facilities operated by the Wisconsin Department of Corrections or the Department of Military Affairs including the Challenge Academy.

- b. Places of public amusement and activity.** Whether indoors or outdoors, including but not limited to amusement parks, carnivals, water parks, licensed public or private swimming pools, splash pads, aquariums, zoos, museums, arcades, fairs, children's play centers, playgrounds, funplexes, theme parks, bowling alleys, movie and other theaters, concert and music halls, country clubs, social clubs, and gyms and fitness centers.
- c. Salons and spas.** This includes, but is not limited to, hair salons, barber shops, nail salons, day spas, electrolysis providers, waxing salons, eyebrow-care establishments, tattoo parlors, body art establishments, and tanning facilities.

- 5. Prohibited and permitted travel.** All forms of travel are prohibited, except for Essential Travel as defined in this Order. Individuals riding on public transit must comply with Social Distancing Requirements to the greatest extent possible.
- 6. Follow DHS and CDC guidelines.** When taking any action permitted under this Order, all individuals, organizations, government bodies, and any other permitted group of individuals shall, to the extent possible, follow DHS guidelines located here:
<https://www.dhs.wisconsin.gov/covid-19/index.htm>.

All Essential Businesses and Operations and all businesses performing Minimum Basic Operations shall comply with DHS guidelines for businesses located here: <https://www.dhs.wisconsin.gov/covid-19/employers.htm>.

- 7. Elderly people and those who are vulnerable as a result of underlying health conditions should take additional precautions.** People at high risk of severe illness from COVID-19 and people who are sick are urged to stay in their home or residence to the extent possible except as necessary to seek medical care. Nothing in this Order prevents DHS and local health officials from issuing and enforcing isolation and quarantine orders pursuant to Wis. Stat. ch. 252 and local ordinances.

SPECIAL SITUATIONS

- 8. Healthcare and Public Health Operations.** For purposes of this Order, individuals may leave their residence to work for or obtain services at any Healthcare and Public Health Operations.

Healthcare and Public Health Operations includes, but is not limited to: hospitals; medical facilities; clinics; ambulatory surgery centers for response to urgent health issues or related COVID-19 activities; manufacturers, technicians, logistics, and warehouse operators and distributors of medical equipment, personal protective equipment (PPE), medical gases, pharmaceuticals, blood and blood products, vaccines, testing materials, laboratory supplies, cleaning, sanitizing disinfecting or sterilization supplies, and tissue and paper towel products; dental offices; pharmacies; public health entities, including those that compile, model, analyze, and communicate public health information; pharmaceutical, pharmacy, medical device and equipment, and biotechnology companies (including operations, research and development, manufacture, and supply chain); healthcare information technology companies; organizations collecting blood, platelets, plasma, and other necessary materials; obstetricians, gynecologists, and midwife practices; eye care centers, including those that sell glasses and contact lenses; home health agencies and providers; mental health and substance abuse providers; detoxification and alcohol or drug treatment programs and facilities; syringe access programs, and naloxone distribution programs; other healthcare facilities and suppliers and providers of any related or any ancillary healthcare services; entities that transport and dispose of medical materials and remains; personal care agencies; hospices; allied health providers; acupuncturists; massage therapists; chiropractors; and adult family homes.

Specifically included in Healthcare and Public Health Operations are manufacturers, technicians, logistics, and warehouse operators and distributors of medical equipment, personal protective equipment (PPE), medical gases, pharmaceuticals, blood and blood products, vaccines, testing materials, laboratory supplies, cleaning, sanitizing disinfecting or sterilization supplies, and tissue and paper towel products.

Healthcare and Public Health Operations also includes veterinary care and all healthcare services provided to animals. Non-essential veterinary care should be avoided.

Cafeterias and food service in health care facilities may remain open for staff and authorized visitors only, subject to the following restrictions:

- a. Self-service operations of salad bars, beverages stations, and buffets are prohibited.

- b. Customers are prohibited from self-dispensing any unpackaged food or beverage.
- c. Customers and staff shall comply with Social Distancing Requirements, including in seating areas and lines.

Healthcare and Public Health Operations shall be broadly construed to avoid any impediments to the delivery of healthcare, broadly defined. Healthcare and Public Health Operations does not include fitness and exercise gyms, hair salons, barber shops, nail salons, day spas, electrolysis providers, tattoo parlors, body art establishments, tanning facilities, and similar facilities.

- 9. Human Service Operations.** For purposes of this Order, individuals may leave their residence to work for or obtain services at any state, institutional, or community-based setting providing human services to the public.

Human Service Operations includes, but is not limited to: long-term care and assisted living facilities, as long as the facility follows all current DHS Recommendations for Prevention of COVID-19 in Long-Term Facilities and Assisted Living Facilities and all applicable U.S. Centers for Disease Control Recommendations; residential settings and shelters for adults, seniors, children, victims of domestic abuse, people with disabilities, people with substance use disorders, or mental illness; transitional facilities; home-based settings to provide services to individuals with physical, intellectual, or developmental disabilities, seniors, adults, or children; adult day care, adult day services, and supportive home care; field offices that provide and help to determine eligibility for basic needs including food, cash assistance, medical coverage, vocational services, or rehabilitation services; developmental centers; adoption agencies; businesses that provide food, shelter, social services, or other necessities of life for economically disadvantaged individuals, individuals with physical, intellectual, or developmental disabilities, or otherwise needy individuals.

Human Services Operations shall be construed broadly to avoid any impacts to the delivery of human services, broadly defined.

- 10. Essential Infrastructure.** For purposes of this Order, individuals may leave their residence to provide any services or perform any work necessary to offer, provide, operate, maintain, and repair Essential Infrastructure.

Essential Infrastructure includes, but is not limited to: food production, distribution, fulfillment centers, storage facilities, marinas, and sales; construction (including, but not limited to, construction required in

response to this public health emergency, hospital construction, construction of long-term care and assisted living facilities, public works construction, school construction, Essential Business and Operations construction, construction necessary for Essential Governmental Functions, and housing construction, except that optional or aesthetic construction should be avoided); building management and maintenance; airport operations; operation and maintenance of utilities, including water, sewer, gas, and electric (including power generation, distribution, production of raw materials, and Wisconsin Department of Natural Resources-certified and registered drinking water and wastewater testing laboratories); Wisconsin Home Energy Assistance, Low Income Home Energy Assistance Program, and Public Benefits Energy Assistance Program offices, customer service centers, and public intake centers; distribution centers; oil and biofuel refining; roads, highways, railroads, and public transportation; ports; cybersecurity operations; flood control; solid waste and recycling collection and removal; and internet, video, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services).

Essential Infrastructure shall be construed broadly to avoid any impacts to essential infrastructure, broadly defined.

DEFINITIONS

11. Essential Activities. Individuals may leave their home or residence to perform any of the following:

- a. Health and safety.** To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members, including pets, such as, by way of example only and without limitation, obtaining medical supplies or medication, seeking emergency services, or visiting a health care or behavior health care professional. Individuals should rely on telehealth options whenever feasible.
- b. Necessary supplies and services.** To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others, such as, by way of example only and without limitation: canned food, dry goods, fresh fruits and vegetables, gasoline, propane, pet supply, fresh meats, fish, and poultry, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences.

- c. Outdoor activity.** To engage in outdoor activity, including visiting public and state parks, provided individuals comply with Social Distancing Requirements as defined below. Such activities include, by way of example and without limitation, walking, biking, hiking, or running. Individuals may not engage in team or contact sports such as by way of example and without limitation, basketball, ultimate frisbee, soccer, or football, as these activities do not comply with Social Distancing Requirements. Playgrounds are closed.
- d. Certain types of work.** To perform work at Essential Businesses or Operations or to otherwise carry out activities specifically permitted in this Order, including Minimum Basic Operations and obtaining supplies needed to work from home.
- e. Take care of others.** To care for a family member, friend, or pet in another household, and to transport family members, friends, or pets as allowed in this Order.

12. Essential Governmental Functions. Essential Governmental Functions means all services provided by the State, tribal, or local governments needed to ensure the continuing operation of the government body and provide and support the health, safety, and welfare of the public. Each government body shall determine its Essential Government Function, if any, and identify employees and contractors necessary to the performance of those functions.

For purposes of this Order, all paid or volunteer first responders including law enforcement, EMS, and firefighters; first responder training academies; building inspectors; emergency management personnel; emergency dispatchers; court personnel, jurors and grand jurors; corrections personnel; hazardous materials responders; child protection and child welfare personnel; housing and shelter personnel; National Guard and military; and others working for or to support Essential Businesses and Operations are categorically exempt from this Order.

This section does not limit the ability or authority of the Wisconsin Supreme Court to use its constitutional supervisory authority over lower courts to limit or adjust court functions in response to the Public Health Emergency. This section does not limit the ability or authority of the Wisconsin Legislature to meet or conduct business.

Government bodies should continue to follow the Wisconsin Department of Justice's Office of Open Government guidance regarding

holding government meetings, and should consult directly with that office regarding specific open meetings questions. The guidance is available here: <https://www.doj.state.wi.us/news-releases/office-open-government-advisory-additional-information-regarding-covid-19-and-open>. Government bodies with additional questions about open meetings requirements should consult with the Wisconsin Department of Justice's Office of Open Government.

13. Essential Businesses and Operations. All entities described in this section shall meet Social Distancing Requirements between all individuals on the premises to the extent possible. Essential Businesses and Operations shall, to the greatest extent possible, use technology to avoid meeting in person, including virtual meetings, teleconference, and remote work (i.e., work from home). For the purposes of this Order, Essential Businesses and Operations means Healthcare and Public Health Operations, Human Services Operations, Essential Infrastructure, and Essential Governmental Functions, and the following:

- a. CISA List.** Any business or worker identified in the U.S. Department of Homeland Security, Cybersecurity & Infrastructure Security Agency (CISA), *Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response*, updated March 23, 2020, and any subsequent versions of this Memorandum.
- b. Stores that sell groceries and medicine.** Grocery stores, bakeries, pharmacies, farm and produce stands, supermarkets, food banks and food pantries, convenience stores, and other establishments engaged in the retail sale of groceries, canned food, dry goods, frozen foods, fresh fruits and vegetables, pet supply, fresh meats, fish, poultry, prepared food, alcoholic and non-alcoholic beverages, and any other household consumer products (such as cleaning and personal care products). Such establishments shall:
 - i. Close all seating intended for consuming food.
 - ii. Cease any self-service operations of salad bars, beverage stations, and buffets.
 - iii. Except for grocery stores, prohibit customers from self-dispensing all unpackaged food.
 - iv. Abide by Social Distancing Requirements.

This section should not be interpreted to provide an exemption for businesses engaged in the sale of food or beverage ancillary

to its primary purpose, such as those businesses required to close under Section 4 who also may engage in some food or beverage sales.

c. Food and beverage production, transport, and agriculture.

Food and beverage manufacturing, production, processing, transportation, and cultivation; farming, livestock, fishing, baking, and other production agriculture, including cultivation, marketing, production, and distribution of animals and goods for consumption; businesses that provide food, shelter, and other necessities of life for animals, including animal shelters, boarding, rescues, kennels, and adopting facilities; farm and agriculture equipment, supplies, and repair services.

d. Restaurants. Restaurants shall close, except as follows:

- i. Restaurants may remain open for food take-out or delivery service only.
- ii. Alcohol sales must comply with section 13.e. below.
- iii. Customers may enter the above establishments only for the purpose of ordering, pick up, and paying for food or beverage or both.
- iv. No seating may be provided.
- v. Food and drink may not be consumed on premises, either indoors or outdoors.
- vi. Establishments shall meet Social Distancing Requirements between all individuals on the premises to the extent possible.
- vii. Cease any self-service operations of salad bars, beverage stations, and buffets.
- viii. Customers are prohibited from self-dispensing any unpackaged food or beverage.

e. Bars. This includes breweries, brewpubs, wineries, distilleries, and alcohol beverage retailers. Such establishments shall close, except as follows:

- i. Carryout sales of alcohol beverages and food are allowed, if permitted by state law and municipal ordinance.
- ii. Delivery of alcohol beverages to retail customers is prohibited.
- iii. Wineries holding direct wine shippers' permits may make deliveries of wine in accordance with their permit.

- iv. Customers may enter the above establishments only for the purpose of ordering, pick up, and paying for food or beverage or both.
- v. No seating may be provided.
- vi. Food and drink may not be consumed on premises, either indoors or outdoors.
- vii. Establishments shall meet Social Distancing Requirements between all individuals on the premises to the extent possible.
- viii. Self-service operations of salad bars, beverage stations, and buffets are prohibited.
- ix. Customers are prohibited from self-dispensing any unpackaged food or beverage.

f. Child care settings. Secretary-designee Andrea Palm's Emergency Order #6 remains in effect, with the following amendments:

- i. Child care settings shall prioritize care for families as follows:
 - 1. Tier 1: employees, contractors, and other support staff working in health care;
 - 2. Tier 2: employees, contractors, and other staff in vital areas including but not limited to military; long term care; residential care; pharmacies; child care; child welfare; government operations; public safety and critical infrastructure such as sanitation, transportation, utilities, telecommunications; grocery and food services; supply chain operations; and other sectors as determined by the Secretary of the Department of Children and Families.
- ii. Child care settings include all licensed and certified child care providers who may provide care for any age or ages of children up to 13 years of age, unless specially licensed for children with disabilities up to 19 years of age.

g. Organizations that provide charitable and social services. Businesses and religious and secular nonprofit organizations, including prevocational group supportive employment, food banks and food pantries, when providing food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals, individuals who need assistance as a result of this public health emergency, and people with disabilities.

- h. Weddings, funerals, and religious entities.** Religious facilities, entities, groups, and gatherings, and weddings and funerals, except that any gathering shall include fewer than 10 people in a room or confined space at a time and individuals shall adhere to Social Distancing Requirements as much as possible.
- i. Funeral establishments.** Funeral establishments, as defined in Wis. Stat. § 445.01(6), except that any gathering shall include fewer than 10 people in a room or confined space at a time and individuals shall adhere to Social Distancing Requirements as much as possible.
- j. Media.** Newspapers, television, radio, and other media services.
- k. Gas stations and businesses needed for transportation.** Gas stations; auto and motorcycle supply, repair and sales; boat supply, repair, and sales; and bicycle supply, repair, and sales.
- l. Financial institutions and services.** Banks, credit unions, and other depository or lending institutions; licensed financial service providers; insurance services; personnel necessary to perform essential functions at broker dealers and investment advisor offices.
- m. Hardware and supplies stores.** Hardware stores and businesses that sell electrical, plumbing, heating, and construction material.
- n. Critical trades.** Building and Construction Tradesmen and Tradeswomen, and other trades including but not limited to plumbers, electricians, carpenters, laborers, sheet metal, iron workers, masonry, pipe trades, fabricators, finishers, exterminators, pesticide application, cleaning and janitorial staff for commercial and governmental properties, security staff, operating engineers, HVAC, painting, moving and relocation services, forestry and arborists, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, Essential Governmental Functions, and Essential Businesses and Operations.
- o. Mail, post, shipping, logistics, delivery, and pick-up services.** Post offices and other businesses that provide shipping and delivery services, and businesses that ship or

deliver groceries, food, beverages, goods or services to end users or through commercial channels.

- p. Laundry services.** Laundromats, dry cleaners, industrial laundry services, and laundry service providers.
- q. Supplies to work from home.** Businesses that sell, manufacture, or supply products needed for people to work from home.
- r. Supplies for Essential Businesses and Operations and Essential Governmental Functions.** Businesses that sell, manufacture, or supply other Essential Businesses and Operations and Essential Governmental Functions with the support or supplies necessary to operate, including computers; audio and video electronics; household appliances; IT and telecommunication equipment; hardware; paint; flat glass; electrical, plumbing, and heating materials; construction materials and equipment; sanitary equipment; personal hygiene products; food, food additives, ingredients, and components; medical and orthopedic equipment; firearm and ammunition suppliers and retailers for purposes of safety and security; optics and photography equipment; diagnostic; food and beverages; chemicals; paper and paper products; soaps and detergents.
- s. Transportation.** Airlines, taxis, transportation network providers (such as Uber and Lyft), vehicle rental services, paratransit, and other private, public, and commercial transportation and logistics providers necessary for Essential Activities and other purposes expressly authorized in this Order.
- t. Home-based care and services.** Home-based care for seniors, adults, children, and/or people with disabilities, substance use disorders, and/or mental illness, including caregivers or nannies who may travel to the child's home to provide care, and other in-home services including meal delivery.
- u. Professional services.** Professional services, such as legal or accounting services, insurance services, real estate services (including appraisal, home inspection, and title services). These services shall, to the greatest extent possible, use technology to avoid meeting in person, including virtual meetings, teleconference, and remote work (i.e., work from home).

- v. Manufacture, distribution, and supply chain for critical products and industries.** Manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitation, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications, and products used by other Essential Governmental Functions and Essential Businesses and Operations.
- w. Critical labor union functions.** Essential activities include the administration of health and welfare funds and personnel checking on the well-being and safety of members providing services in Essential Business and Operations, provided the checks are done by telephone or remotely where possible.
- x. Hotels and motels.** Hotels and motels, except that such establishments shall:
- i. Comply with requirements of 12.b, 12.d. and 12.e.
 - ii. Close swimming pools, hot tubs, and exercise facilities.
 - iii. Prohibit guests from congregating in lobbies or other common areas, including providing adequate space to adhere to Social Distancing Requirements while queuing for front desk services.
- y. Higher educational institutions.** Higher educational institutions, for purposes of facilitating distance learning, performing critical research, or performing essential functions as determined by the institution.
- z. WEDC designated businesses.** In the exceptional circumstance that a business is not listed in this Order as an Essential Business or Operations but believes that it should be included in that designation, the business should consult the information page on the Wisconsin Economic Development Corporation (WEDC) website, here: www.wedc.org/essentialbusiness. If a business still believes that it does not fall within the meaning of Essential Businesses and Operations, it may apply to the Wisconsin Economic Development Corporation (WEDC) using the provided form requesting designation as such.

14. Minimum Basic Operations. For the purposes of this Order, Minimum Basic Operations include the following, provided that employees comply with Social Distancing Requirements, to the extent possible, while carrying out such operations:

- a. The minimum necessary activities to maintain the value of the business's inventory, preserve the condition of the business's physical plant and equipment, ensure security, process payroll and employee benefits, or for related functions, including where these functions are outsourced to other entities.
- b. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.

15. Essential Travel. Individuals engaged in any Essential Travel must comply with Social Distancing Requirements to the extent possible. For the purposes of this Order, Essential Travel includes:

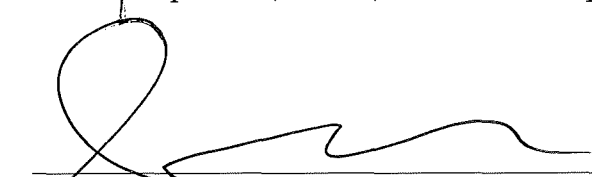
- a. Any travel related to the provision of or access to Essential Activities, Special Situations, Essential Governmental Functions, Essential Businesses and Operations, or Minimum Basic Operations.
- b. Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons.
- c. Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, or any other related services.
- d. Travel to return to a place of residence from outside the jurisdiction.
- e. Travel required by law enforcement or court order, including to transport children pursuant to a custody agreement.
- f. Travel required for non-residents to return to their place of residence outside Wisconsin. Individuals are strongly encouraged to verify that their transportation out of Wisconsin remains available and functional prior to commencing such travel.

16. Social Distancing Requirements. For purposes of this Order, Social Distancing Requirements includes maintaining social distancing of six (6) feet between people; washing hands with soap and water for at least

20 seconds as frequently as possible or using hand sanitizer; covering coughs or sneezes (into the sleeve or elbow, not hands); regularly cleaning high-touch surfaces; not shaking hands; and following all other public health recommendations issued by DHS and the U.S. Centers for Disease Control.

ENFORCEMENT

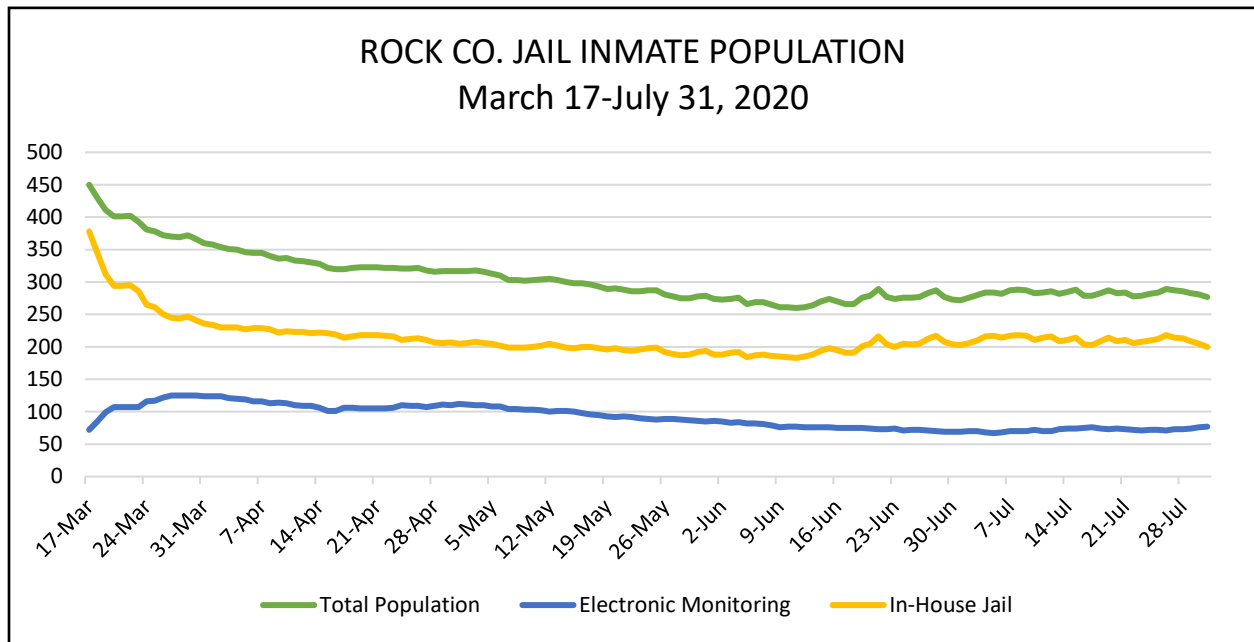
- 17. Enforcement.** This Order is enforceable by any local law enforcement official, including county sheriffs. Violation or obstruction of this Order is punishable by up to 30 days imprisonment, or up to \$250 fine, or both. Wis. Stat. § 252.25.
- 18. Severability.** If any provision of this Order or its application to any person or circumstance is held to be invalid, then the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.
- 19. Supremacy.** This Order supersedes any local order that is in conflict with this order.
- 20. Duration.** This Order shall become effective at 8:00 a.m. on Wednesday, March 25, 2020 and will remain in effect until 8:00 a.m. on Friday, April 24, 2020, or until a superseding order is issued.



Andrea Palm
Secretary-designee
Department of Health Services
State of Wisconsin

03/24/2020

Date



March 2020	Total Pop.	EM	In-House Jail	April 2020	Total Pop.	EM	In-House Jail	May 2020	Total Pop.	EM	In-House Jail	June 2020	Total Pop.	EM	In-House Jail	July 2020	Total Pop.	EM	In-House Jail
17	450	72	378	1	358	124	234	1	317	112	205	1	274	86	188	1	272	69	203
18	430	85	345	2	354	124	230	2	317	111	206	2	273	85	188	2	276	70	206
19	411	99	312	3	351	121	230	3	318	110	208	3	274	83	191	3	280	70	210
20	401	107	294	4	350	120	230	4	316	110	206	4	276	84	192	4	284	68	216
21	401	107	294	5	346	119	227	5	313	108	205	5	266	82	184	5	284	67	217
22	402	107	295	6	345	116	229	6	310	108	202	6	269	82	187	6	282	68	214
23	393	107	286	7	345	116	229	7	303	104	199	7	269	81	188	7	287	70	217
24	381	116	265	8	340	113	227	8	303	104	199	8	265	79	186	8	288	70	218
25	378	117	261	9	336	114	222	9	302	103	199	9	261	76	185	9	287	70	217
26	372	122	250	10	337	113	224	10	303	103	200	10	261	77	184	10	283	72	211
27	370	125	245	11	333	110	223	11	304	102	202	11	260	77	183	11	284	70	214
28	369	125	244	12	332	109	223	12	305	100	205	12	261	76	185	12	286	70	216
29	372	125	247	13	330	109	221	13	303	101	202	13	264	76	188	13	282	73	209
30	366	125	241	14	328	106	222	14	300	101	199	14	270	76	194	14	285	74	211
31	360	124	236	15	322	101	221	15	298	100	198	15	274	76	198	15	288	74	214
				16	320	101	219	16	298	98	200	16	270	75	195	16	279	75	204
				17	320	106	214	17	296	96	200	17	266	75	191	17	279	76	203
				18	322	106	216	18	293	95	198	18	266	75	191	18	283	74	209
				19	323	105	218	19	289	93	196	19	276	75	201	19	287	73	214
				20	323	105	218	20	290	92	198	20	279	74	205	20	283	74	209
				21	323	105	218	21	288	93	195	21	289	73	216	21	284	73	211
				22	322	105	217	22	286	92	194	22	277	73	204	22	278	72	206
				23	322	106	216	23	286	90	196	23	274	74	200	23	279	71	208
				24	321	110	211	24	287	89	198	24	276	71	205	24	282	72	210
				25	321	109	212	25	287	88	199	25	276	72	204	25	284	72	212
				26	322	109	213	26	281	89	192	26	277	72	205	26	289	71	218
				27	318	107	211	27	278	89	189	27	283	71	212	27	287	73	214
				28	316	109	207	28	275	88	187	28	287	70	217	28	286	73	213
				29	317	111	206	29	275	87	188	29	277	69	208	29	283	74	209
				30	317	110	207	30	278	86	192	30	273	69	204	30	281	76	205
				31				31	279	85	194					31	277	77	200
AVG.	390	111	280	AVG.	330	111	220	AVG.	296	98	198	AVG.	272	76	196	AVG.	283	72	211

ROCK COUNTY SHERIFF'S OFFICE
DIVERSION PROGRAM ELIGIBILITY WORKSHEET

Inmate _____

Name	S/R	DOB	Out Date
I.D. # _____	Booking DT _____	Sentence DT _____	Cell # _____

Name # _____

1. Is the inmate sentenced with Huber? **Yes/No**

2. Are the inmate's charges and criminal history appropriate for the program?
 - No drug related felonies (other than THC)
 - No sex related felonies
 - No sexual assault to Child
 - No 6th or higher OWI and no felony related OWI (all states)
 - No contempt charges (including paternity unless employed) **Yes/No**

3. Is the inmate's domestic situation appropriate for the program?
 - No child neglect or abuse where victim is living at same residence.
 - No current domestic charges where inmate is living with the victim of that domestic charge without victim's permission and no Restraining Orders or other Court Order restrictions in place. **Yes/No**

4. Does the inmate live in Rock or surrounding WI counties? **Yes/No**

5. Is the inmate's classification level appropriate for the program? (Medium to Very Low) **Yes/No**

6. Is the inmate on Probation? **Yes/No**

- Agent's Name _____ Date & Time Contacted _____

7. Gang Affiliation _____ **Yes/No**

If the answers to the above questions are yes, the subject is appropriate for a Diversion Program. Answer the following questions to determine which program to enroll him/her in. Note: The inability to pay program fees does not preclude him/her from participation in the program.

ELECTRONIC MONITORING PROGRAM

After determining monitoring methodology, evaluate need for alcohol monitoring.

1. Are the inmate's charges Alcohol or Drug related? **Yes/No**
 If YES, a TAD Monitor or Sobriotor is required.

2. Does the inmate's Medical Conditions require the use of a Sobriotor? **Yes/No**

ELIGIBILITY STATUS

Approved _____ Based on eligibility criteria.
Date

Denied _____ Reason _____

Eligible for reconsideration in 30 days or 60 days

Reviewed by: _____
Officer's Name/Employee # Date

Approval by: _____
Supervisor's Name/Employee # Date

Due to the recent COVID-19 Pandemic, The Rock County Sheriff's Office created plans and protocols to assist with reducing the population in the Rock County Jail to decrease the possibility of the COVID-19 Virus from entering the jail facility.

During this pandemic, the Electronic Monitoring Program (EMP) made every effort to release all inmates that were presently working under the Huber privilege from the jail facility on March 17, 2020. This was done to reduce the number of individuals entering and leaving the jail facility on a daily basis, therefore reducing the possibility that the COVID-19 Virus would be brought into the facility from inmates that were working in the community.

Shortly after those inmates were placed on EMP, the decision was made to release all Huber inmates that were able to be placed on the EMP to continue to reduce the Rock County Jail's daily population. This created space in the jail to implement COVID-19 protocols for isolation and quarantine units in preparation for a possible case(s) in the jail facility.

The EMP program started to place the additional inmates out that would not have normally meet the entry criteria for EMP. Listed below is the number of inmates (total) that were put out on EMP from March 17, 2020 to June 19, 2020. The following information represents the number of inmates that went out during the COVID-19 pandemic, which would not have normally been accepted on EMP based on an already established specific set of criteria.

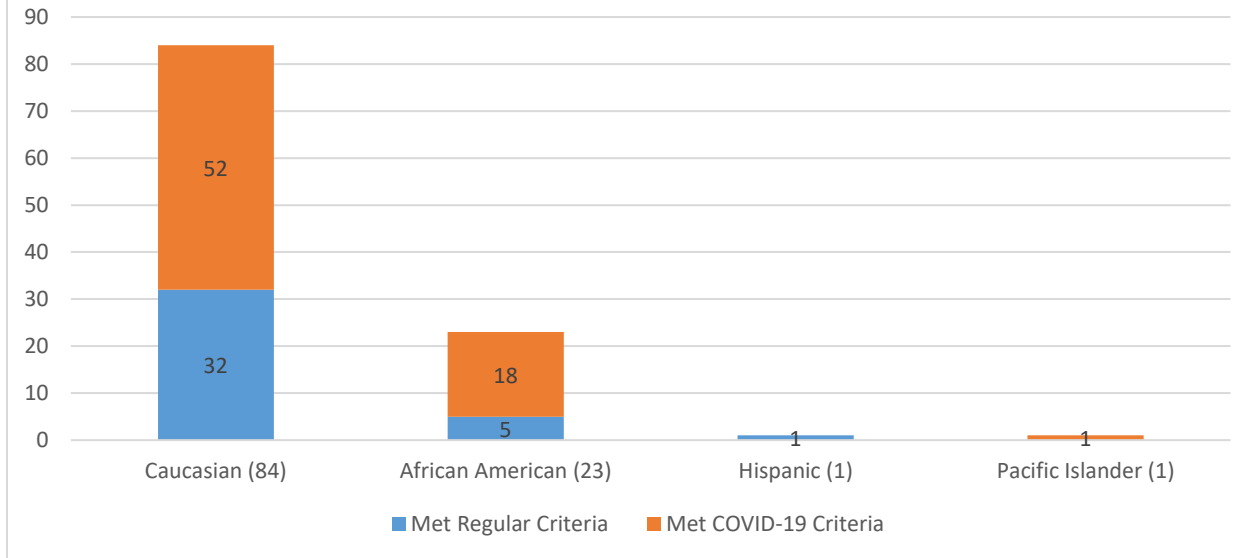
As an additional request, the EMP was asked to show the races of the inmate's that were allowed out on the EMP during this time frame.

Total number of inmates Placed on EMP from March 17th-June 19th, 2020-Under COVID-19 practices: **109**

Of the 109 let out, the number that would normally not have met the EMP Criteria (including second chance participants): **71** (65.1%)

Of those 71 inmates, the number that were returned to jail for rule violations or arrests: **12** (16.9%)

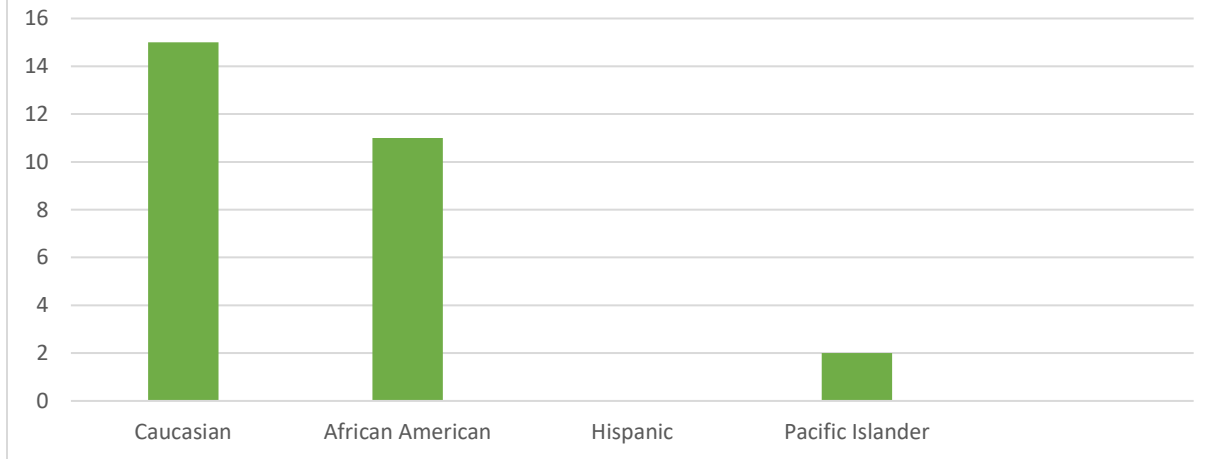
Inmates Sentenced with Huber and
Placed on Electronic Monitoring
Between 3/17/2020 - 6/19/2020 (109 Total)



The following chart represents a snapshot of the number of inmates who were sentenced with Huber, but were not on Electronic Monitoring on 6/26/20. These inmates were not on the bracelet for at least one of the following reasons:

- Limited Huber
- No residence in Rock County
- Sentenced on one charge, but had a cash bond on a different charge
- Probation Sanctions
- Restraining Orders
- Child Support
- Severe Charges and Not working (i.e. Felony Drug Charges, Sexual Assaults, Domestic Violence)
- Jail Behavior and Not Working
- Not Interested in Electronic Monitoring
- Had been on Electronic Monitoring but had been removed for violations
- Approved and are scheduled to go out the week of 6/29/20

A Snapshot of Inmates from 6/26/20 Sentenced with Huber not on Electronic Monitoring by Race (28 inmates)



Inmates returned to Jail between 3/17/20 and 6/19/20

Sex	Race	Reason for Incarceration (Charges)	Reason Returned to Jail	Fresh Charge if Applicable
M	W	OWI 4	Positive for Cocaine	N/A
M	B	Sexual Assault of a Minor	Fresh Charge of Escape (cut the bracelet off)	Escape
M	W	Possession of Amphetamines	Consumed Alcohol	N/A
F	W	Probation Modication	Theft	Retail Theft
M	W	Armed Robbery	Positive for Cocaine	N/A
M	W	Burglary, Theft	Positive for THC and Cocaine	N/A
M	W	Battery, Trespassing	Fresh Charges of Battery, DC, and Damage to Property	Battery, DC, Damage to Property
M	W	Burglary	Positive for Cocaine and Suboxone	N/A
M	B	OWI 3	Consumed Alcohol	N/A
M	W	Damage to Property / DV, DC/ DV/ Use of a Dangerous Weapon	Visitors at Residence (Visitors had controlled substances, negative UA)	N/A
F	W	Sentence after Revocation Retail Theft, Possession of Cocaine	Positive for Cocaine	N/A
M	B	First Degree Reckless Endangering Safety, Failure to Stop	Deviating (Leaving residence without permission) and Positive for THC	N/A