

Final Report and Minority Report Discrepancies

Findings:

Currently 118 secure beds in the jail

Ave. daily secure population has ranged from a high of 174 in 2006 to 166 in 2008

Current rate of increase is 3-4% per year (this is too high, would require an expansion too large)

A target rate of increase of "1 % per year is manageable" and should be the target for jail sizing.

Number of beds in the jail should be 20% greater than the number of prisoners expected in 20 years or 2028. This equates to 266 secure jail beds.

Core function size should be based on 330 secure beds to allow for secure population growth beyond 2028.

On site Options:

The on-campus design selected by the Committee was Design 21. It:

- Moves the jail as far to the south & west as possible
- Preserves the square pod design
- Reroutes 2nd avenue to maintain street connections Allows for jail expansion vertically
- Courts would expand on the second floor of the courthouse. Expansion beyond a sixth court would require relocating some departments.

The Minority Report says:

The proposed plan does not include a site for a new courts building.

Two sources state a new courts building is necessary:

- 1. Venture Architects says sectoring of populations cannot be accomplished through the remodeling of the current courthouse, but would require new construction. This avoids the passage of inmates through public hallways, which runs the risk of security breaches and witness intimidation.*
- 2. Judge Gabler's letter dated February 13, 2009 states the same concerns outlined in Supreme Court rule (SCR 70.38)*

CAJE believes the more expensive vertical expansion can be postponed through the same efficient safe pod design on a larger location off-site.

Off-site Options:

Minimum criteria established for off-site location:

1. Minimum of 15 acres
2. Located in or capable of being annexed to the City of Eau Claire
3. Access to municipal sewer and water
4. Good access to transportation routes
5. Willing Seller

26 sites were initially reviewed

3 sites determined suitable

1. Prairie Lane Site (preferred site)
2. Campbell Site (alternate site)
3. Galloway/River Prairie site (alternate site)

The Minority Report says:

Offsite locations were not introduced until the 11th meeting, on Feb. 19th (after the initial, Jan. 14, 2009 committee deadline). In that same meeting, 26 sites were pared down to six using criteria not applied to the onsite option. Considerable more time than the 3 meetings spent discussing off-site locations was spent trying to fit the 22 plans into the current location.

The current site is only 11.93 acres and this includes space for all other county government functions. Size limitations will continue to cause conflict between the County and the Community (unwilling sellers).

Final Recommendations:

Design 21 maintains relationships between the jail, courts, law enforcement and court services. "For alternatives to incarceration programs (advocated by the special committee) to be fully effective the jail and courts should be physically connected." "It is not realistic to expect a new Courthouse would be built adjacent to an outlying new jail within 10 to 15 years."

CAJE believes it can show how a justice center can be built off-site to keep the essential relationships intact.

Jail east of the courthouse satisfies NIC Jail Design Guide by:

1. Maintaining efficient and secure movement between jail and courts.
2. Maintaining close connection to law enforcement for interrogation, investigation, shared staff facilities, and back up.
3. Maintaining close relationship to services, lawyers, social services, healthcare, educational resources, spiritual communities.
4. Maintaining easy access to transportation.
5. Staying within a governmental area and adjacent to a commercial area, considered among the best locations by NIC criteria.

The Minority Report says:

The NIC Jail Design Guide also says:

1. *"In the absence of specific expansion plans, providing twice the area of the jail for expansion would not be unreasonable.*
2. *"The best locations are in government, light industrial or commercial areas. In general, the jail should not be near a school, a housing area, a church, or a recreation area.*

The current site is:

1. In a historic residential neighborhood with a small business district in its corner and populated with university students

2. Home to some of the oldest church communities in Eau Claire

3. In the middle of a major recreation hub that includes a park, and a riverfront bike trail connecting Phoenix Park, the Grand Avenue Business District, the Water St. Business District and the university

4. A unique parcel of land better put to use remaining in the tax base.

5. Too small to allow for a courtyard in the event of an emergency evacuation.

6. Better suited to a combined city/county government center not having to do with the jail/courts functions that will always need more space. One that brings together police, sheriff's, department and the school district into one facility.

Given its location near the Chippewa River and residential neighborhoods, special consideration should be given to the exterior design of the jail.

Exterior design does not correct for oversized poor placement.

Conforms to the recommendations of the City of Eau Claire Comprehensive Plan. It states, "Encourage expansion of the Courthouse facilities to be oriented east toward the river. Future building expansions should continue to be mindful of the importance of maintaining high-quality housing in this district."

The Minority Report says:

The proposed plan conflicts with more portions of the City Comprehensive Plan than the above statement.

Land Use:

Continue to update specific plans for residential neighborhoods and commercial districts to protect neighborhoods from such factors as: excessive traffic, blighted properties, or land use incompatibilities.

Encourage redevelopment and infill development in older traditional neighborhoods that respects the characteristics of those neighborhoods.

Follow a pattern of land use that takes advantage of the river views such as mid and high density housing, offices, parks, trails, hospitality businesses, such as restaurants, hotels, and of course marinas.

Prevent new land use incompatibilities through land use intensity guidelines regarding traffic generation and hours of operation. And building design guidelines regarding appropriate scale and materials.

Physical Character:

Protect the City's special places which include:

- The waterfronts*
- Historic residential districts-Randall Park*
- The West Grand Avenue Business District*
- The views of the city from the surface of the Chippewa River*

Locate parking lots to the side and rear of buildings, not in front. Building architecture should respect the neighborhood context, with building heights and massing that are compatible with the adjacent residential areas.

Riverfront views also raise the value of nearby development and can be a powerful catalyst for investment. They should not be used for parking lots or industries that do not use them. "

Downtown:

Generate day and night activity, and line streets with buildings without intervening parking lots. Line the riverfront with parks, walkways, and uses that benefit from the location, such as housing, offices, and restaurants.

Courthouse District:

Support the focus of the district on offices, retail, food establishments, and marketing of housing along the river to take advantage of the expanding trail use by providing "bed and breakfast" inns near the riverfront.

Guide the future direction and limits of the courthouse to create certainty for adjoining property reinvestment.

Sustainability:

Let the development on these riverfront blocks follow the principles of sustainability to improve our quality of life by meeting present environmental, economic, and social needs without compromising the ability of future generations to do the same.

Cost:

The Minority Report says:

The current site was chosen due to immediate financial consideration. Shortsighted planning has led to the current dilemma.

CAJE believes that following the example of other counties, it can show that a viable justice center can be built off-site.

The opposing minority was supported by a strong message from the community.