



City of Green River
City Council Meeting
Agenda Documentation

Preparation Date: 09/12/23	Department: Police
Meeting Date: 09/19/23	Dept. Head: Interim Chief Shaun Sturlaugson
	Presenter: Interim Chief Sturlaugson

Subject:

Consideration to Approve an Agreement with Sweetwater County Regarding Inmate Housing Costs

Background/Alternatives:

As part of their criminal procedures, the City of Green River Municipal Court will occasionally sentence offenders of City ordinance to terms in a detention center. As the City does not operate a detention center of their own, they maintain an agreement with Sweetwater County to use their detention facility to house these offenders. In turn, the City pays a fee in order for the County to house these offenders.

Over the last several years, the County has seen a rise in costs associated with housing inmates and, as such, needs to raise their housing rates to accommodate these rising costs. Currently, the rate for housing adult inmates is \$85.00 per day. The County is seeking to raise that cost to \$125.00 per day, which is consistent with average housing costs across the State of Wyoming and will help them cover their rising costs. They have drafted a new agreement reflecting this fee change.

Attachments:

The new agreement drafted by Sweetwater County is attached.

Fiscal Impact:

The fiscal impact of this rate change is dependent on several factors, including the number of offenders sentenced, and the length of their sentence, so it is difficult to estimate an exact increase in cost for Fiscal Year 2024. As the cost per day will increase by nearly a third, it should be expected that the cost per year will increase similarly. Overages for this account have been covered as needed from other areas within the same budget section over the past several years. Those same areas will be used to cover these additional costs for Fiscal Year 2024, with a plan to increase the budgeted amount for these costs for Fiscal Year 2025.

Staff Impact:

There will be no impact to staff.

Legal Review:

Pending legal review.

Suggested Motion:

I move to approve the Sweetwater County Detention Center Offender Detention Agreement, and authorize the Mayor to sign the agreement pending legal review.

Sweetwater County Detention Center Offender Detention Agreement

THIS AGREEMENT is made and entered into, on the date signed as indicated below, by and between SWEETWATER COUNTY, WYOMING and CITY OF GREEN RIVER, WYOMING.

WHEREAS, THE **City of Green River** may at times sentence people to incarceration for violation of City Ordinance; and

WHEREAS, THE **City of Green River** is unable to provide detention facilities for the sentenced people; and

WHEREAS, the detention facilities of **Sweetwater County** are modern and have available bed space for inmates from the **City of Green River**.

THEREFORE, IT IS MUTALLY AGREED AS FOLLOWS:

1. To provide offender housing, **City of Green River** may transfer prisoners to **Sweetwater County** and **Sweetwater County** agrees to accommodate same, dependent on the **Sweetwater County** prisoner population.
2. When prisoners are transferred to **Sweetwater County** under this agreement:
 - a. **City of Green River** shall pay Sweetwater County the sum of **(\$125)** per prisoner per day for the care, maintenance and welfare required by law, excluding medical, dental and psychological care.
 - b. **City of Green River** will provide transportation to the from the Sweetwater County facility as required for initial booking, and performance the necessary duties associated with either in-person or virtual municipal court proceedings.
 - c. **City of Green River** shall remain responsible for medical, dental, and psychological expenses of prisoners to the extent obligated by law. **Sweetwater County** shall notify **City of Green River** prior to providing expensive medical, dental, and psychological care to prisoners held under this agreement, whenever practical, unless the need to care is caused by the action or negligence of **Sweetwater County** agents or employees.
 - d. **City of Green River** shall provide **Sweetwater County** with a copy of the Judgement and Sentence, Mittimus, or Probable Cause Affidavit ordering or justifying the incarceration of any prisoners held under this agreement.
3. **Sweetwater County** shall use its best efforts to maintain it jail facility in compliance with the requirements for local detention facilities and agrees not to knowingly violate any prisoner's civil rights.
4. **City of Green River** agrees to hold **Sweetwater County** harmless from any claims by or on the behalf of any prisoners which is proximately caused by the actions or negligence of **City of Green River's** elected officials, officers, agents or employees. **Sweetwater County** agrees to hold **City of Green River** harmless from any claims by or on behalf of any prisoners which is proximately caused by the action or negligence of **Sweetwater County's** elected officials, officers, agents or

employees. Employees of **Sweetwater County** shall not be deemed to be agents or employees of **City of Green River**. Neither party by his agreement waives any statutory or other immunities.

- 5. No Waiver of any immunity or limitation of liability afforded by the Wyoming Governmental Claims Act is intended by either party.
- 6. Both parties agree that this agreement shall remain in effect subject to available funding and that either party may terminate this agreement upon thirty (30) days written notice to the other party.

THE BOARD OF COUNTY COMMISSIONERS
OF SWEETWATER COUNTY, WYOMING

ATTEST:

Keaton D. West, Chairman

Cynthia L. Lane, County Clerk

Taylor C. Jones, Member

John Grossnickle, Sheriff

Island Richards, Member

Robert D. Slaughter, Member

Mary E. Thoman, Member

DATE THIS _____ of _____ 2023

CITY OF GREEN RIVER,

By. _____
Pete Rust, Mayor

Attest:

City Clerk

DATE THIS _____ of _____ 2023

