

**DRAFT**  
**LAW AND JUSTICE COMMITTEE**  
**MINUTES**  
**FEBRUARY 14, 2005**

The Law and Justice Committee of the DeKalb County Board met on Monday, February 14, 2005 @ 6:30p.m. in the Administration Building's Conference Room East. Chairman Sue Leifheit called the meeting to order. Members present were Pat Vary, Anita Turner and Roger Steimel. Those absent were Eric Johnson, Richard Osborne and Pat LaVigne. Others present were Sheriff Scott, Dennis Miller, Ken Johnson and Greg Millburg

**APPROVAL OF THE MINUTES**

Moved by Mr. Steimel, seconded by Ms. Turner, and it was carried unanimously to approve the minutes from the January 2005 meeting.

**APPROVAL OF THE AGENDA**

Chairman Leifheit said that she would be adding item #8a. Annual Reports Schedule because it needed to be changed. Moved by Ms. Vary, seconded by Mr. Steimel, and it was carried unanimously to approve the agenda.

**JAIL REPORT**

Sheriff Roger Scott, reviewed his monthly jail report for the committee. He stated that there were 6 inmates that were shipped outside of the county for overcrowding issues for 107 days equaling a total of \$5300.00. As of January 2005 there were 11 inmates shipped outside of the county for the same reason for 217 days for a total of \$10,800. Last year they spent \$37,000.00. Their primary county for shipping inmates to is Boone County.

The daily population rate in the jail for the month of January 2005 was 98 inmates. In 2004 the average daily population during the referendum they informed the public that it was 77 and would continue to rise and it has. The average for 2004 will probably be around 80-82 inmates a day. As they try to keep the daily population rate down, they have implemented sentencing by appointment. They included in the report the number of people on EHM (Electric Home Monitoring), but only adults not juveniles, because the adults would only be the ones allowed in the jail. For the month of January 2005 was 21 adults, which counted for 855 days. As a side note, there were 15 juveniles that were on EHM at the same time, but does not affect the jail population rate.

Monthly transports with regards to overcrowding, has also been added to this report, said Sheriff Scott. They had 6 transports for a total of 10.75 man-hours involved in that.

Before closing, Sheriff Scott informed the committee that they are putting a new roof on the jail in the amount of \$130,000.

**PUBLIC DEFENDER'S REPORT**

Mr. Kenneth Johnson, DeKalb County Public Defender, reviewed his monthly report for the committee. He said that the felony numbers are a bit high for his

attorneys last month. What does still continue to disturb him is the seriousness of the crimes being committed.

He also said that they have received another state appellate grant this year for expert witness fees and he has already utilized it in the amount of \$10,000 for the murder case that he has.

The Public Defender system through the nation has been inadequately funded (see report attached to minutes). The focus is on a federal level not county level where they look at funding of the parody of the public defender's office vs. the parody of the funding of the State's Attorney's Office. Our state's attorney's salary is funded 66 2/3rds by the State of Illinois. The law in the State of Illinois states that they have mandated the public defender's salary at 66 2/3rds just like the State's Attorney's salary. However, they have yet to fund his salary.

Also, in the last couple of years our state's attorney has had the good fortune of having the State of Illinois fund 3 positions for his office, that is, a DUI attorney, with a Domestic Violence attorney and a Domestic Violence Investigator. Well, you can prosecute people as fast as you want, said Mr. Johnson. However, someone has to defend these same people, yet the federal and state government refuse to fund his office even though it is mandated. Ms. Turner said that since you are supposed to be funded, why are they not doing it? Mr. Johnson said, they just haven't put the money in the budget. Mr. Johnson said that our county board has been working very hard on his behalf to lobby for the public defender's funds to be included in the state's budget in the last few years.

Mr. Steimel asked, what percentage of the cases do you represent? Mr. Johnson said that his office today is representing 75% of people in the jail. He represents around 90% of the felony in this county too. The more serious the crime, his office will defend that person. State laws have changed some misdemeanor laws to felonies violations and that has also increased his workload. He also believes that the increase in the population in DeKalb County has also contributed to the increase in serious crimes.

The committee agreed that this item should be included in the next legislative agenda and to let the executive committee know that it needs to be included.

## **COURT SERVICES REPORT**

Chairman Leifheit said that Ms. Gilmour was out of town for this meeting and that she briefly explained the adult and juvenile court services report to the committee. She said that there was only one placement included in the juvenile report. She asked the committee to review Ms. Gilmour's annual report on the Intergovernmental Agreement with Kane County on the juvenile detention center. She said that Ms. Gilmour estimates that our county will run out of money in this agreement by early 2006. This is an item this year for budget discussions and that our County and Kane County are currently in negotiations on this renewal of this agreement. If the committee has any questions of Ms. Gilmour, Chairman Leifheit advised them to ask her questions at next month's meeting.

Ms. Turner also said that the committee wanted Ms. Gilmour to change her regular monthly juvenile report to reflect actual numbers served. Chairman Leifheit asked Ms. Supple to let Ms. Gilmour know that the committee would like her to review her Annual Intergovernmental Report and the change in her juvenile report.

**CORONER'S ANNUAL REPORT**

Mr. Dennis Miller, DeKalb County Coroner, reviewed his annual report for 2004. He said that there were 475 deaths investigated last year. He said that he responded to 85% of the cases himself. On page 11 it highlights that there were 9 alcohol/drug related deaths under motor vehicle deaths. There were 5 suicidal deaths last year and all of them were males.

There were 2 homicides last year. One of the cases involved a case that happened 10 years ago in Cook County and the patient was brought to Kindred Hospital in a coma. He died in 2004 and the case was re-opened and is now considered a homicide since the patient died. To date, there are 68 deaths reported, he continued.

There were 48 autopsies last year. He hires a forensic pathologist that charges \$700 for an autopsy.

He also issues cremation permits and there were 247 of them last year. He would still like to have them raised from \$10 to \$25 like he has stated in the past. It has come up on the legislative agenda, but when it gets to Springfield, it never makes it on the roster.

The committee agreed to tour the county morgue next month (March) and Mr. Miller will give his ESDA Annual Report then too. It was also agreed that the committee would meet in the Radio Room in the Public Safety Building next month too.

**REPORTS SCHEDULE**

Chairman Leifheit said that the report schedule needs to be changed to reflect the ESDA Annual Report to be given in March along with the Annual Intergovernmental Agreement Update by Ms. Gilmour. The Sheriff's Department Annual Report will be given in May of this year.

**ADJOURNMENT**

Moved by Mr. Steimel, seconded by Ms. Vary, and it was carried unanimously to adjourn the meeting.

Respectfully submitted,

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Chairman Sue Leifheit

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Mary C. Supple, Secretary