

**LAW AND JUSTICE COMMITTEE
MINUTES
December 18, 2006**

The Law and Justice Committee of the DeKalb County Board met on Monday, December 18, 2006 @ 6:30p.m. in the DeKalb County Administration Building's Conference Room East. Chairman Richard Osborne called the meeting to order. Members present were Sally DeFauw, Marlene Allen, John Hulseberg and Howard Lyle. Mr. Ken Andersen and Ms. Ruth Anne Tobias were absent. Others present were Margi Gilmour, Ken Johnson, Ray Bockman and Sheriff Roger Scott.

APPROVAL OF THE MINUTES

Moved by Ms. Allen, seconded by Mr. Hulseberg, and it was carried unanimously to approve the minutes for November 2006.

APPROVAL OF THE AGENDA

Moved by Ms. Allen, seconded by Ms. DeFauw, and it was carried unanimously to approve the agenda as presented.

DUTIES AND MISSION OF THE COMMITTEE

Chairman Osborne reviewed from the County Code what the duties and responsibilities are of the committee for the members and which county departments report to the committee.

PUBLIC DEFENDER'S REPORT

Mr. Ken Johnson, DeKalb County Public Defender, introduced himself to the new committee members and informed them of what his department's duties are. He said that he has been the public defender in DeKalb County for seven years.

Mr. Johnson then reviewed his monthly report for the committee. He stated that the trend for the caseload in his office has been very steady, where they are closing out as many cases as they are opening up over the last few years.

Mr. Johnson then addressed the jail overcrowding issue and stated that with some of his clients being housed in out-of-county facilities, it is very time consuming for his office as far as traveling goes because they are not housed here in our County Jail.

He also said that they have been seeing more bench and jury trials over the last few months. Their felony and misdemeanor cases have remained constant.

He then said that his budget for this year would be between \$10,000 to \$11,000 under budget. He did point out that they have paid a substantial amount of money on travel and training for his office. The Supreme Court mandates now that attorneys have specific amount of hours in training every two-year recording period.

COURT SERVICES REPORT

Ms. Margi Gilmour, Director of DeKalb County Court Services, introduced herself to the committee and informed them what her department's duties are. She explained that her reports would be running one month behind.

Her Adult Report shows 22 new active cases were opened for November and the numbers are going up a little bit. Her office handled 327 felonies and 109 misdemeanor cases for the month of November. The average caseload for each adult officer is between 100 to 125 active cases a month.

She noted that the CRS hours are handled by the Community Restitution Service Coordinator. She handles both adult and juvenile cases that are ordered to do community restitution service hours by the court. These are people who are on probation, court supervision, conditional discharge, juvenile offenders, anyone who has been ordered to do community service hours. Community Service hours would be a hands-on type of situation. They would be going to a non-profit worksite and work there for free for the amount of hours that the court has ordered. The CRS Coordinator has a high caseload but she only sees them once or twice and follows up with the worksite on their progress, said Ms. Gilmour. She can handle a lot more cases than the probation officers can.

In her Juvenile Report, Ms. Gilmour, said that the County pays \$80 a day for juveniles to be housed at Kane County Juvenile Justice Detention Center. Anyone who is 16 years and under cannot be housed in the jail so they need to go to the center. The Sheriff's Department transports these kids from Kane County to here for court. The residential placement homes are long-term group homes for kids who are deemed by the court to be in need of removal from their homes. These are not secured custodies, more like group home situations that focus on therapeutic issues and school. The average per diem rate for most of these places is \$120.00 per day. They currently have 4 kids in various placement homes in November and it adds up pretty quickly. The members can find these charges under her Board and Care Line in her budget.

They had 7 kids that were detained in the month of November with one kid detained twice. Two young men that are in detention pending adult charges are eating up their budget right now. One has been in there since March 2006 and the other has been there since August 2006. As their cases proceed through the court system, it is not unusual to see them there for nine to twelve months.

Finally, Ms. Gilmour said that the county is way over in the detention costs from 2005 vs. 2006 and for residential placement costs, too.

Mr. Hulseberg asked Ms. Gilmour that under the CRS Hours – is it typical to see the transfer in and transfer out numbers with such differences? Ms. Gilmour said that yes, it is very typical, we get a lot of transfer in cases.

JAIL REPORT

Sheriff Scott said that the Jail Report for the month of November shows that the average daily population in the jail was 111. He said that 97 inmates were in the jail as of today. Out of the 97 inmates, 17 of them were housed elsewhere.

Mr. Lyle asked Sheriff Scott what the capacity is in the jail? Sheriff Scott said that there are 89 technical or actual beds and 72 beds are considered functional beds.

Ms. Allen asked when they house mentally challenged inmates do they stay here in our jail or do they get transferred to a mental institution?

Sheriff Scott said that they do try to admit them into mental institutions if they can get them in. If they have felony charges against them, they can't be admitted to a mental institution because they will not accept them. Otherwise, they will have to stay in our jail.

MEDICAL REIMBURSEMENT FOR PRISONERS ORDINANCE

Sheriff Scott then approached the committee about a Medical Reimbursement Ordinance for the inmates in the County Jail. He said that this would allow his office to have medical services be charged to the County Jail at Public Aid rates. The County would realize a 40% to 50% savings. An example of savings would be if an inmate needs to have major surgery then this would help reduce the rate.

Chairman Osborne asked Sheriff Scott if using this service would be elective? Sheriff Scott said yes it would.

Moved by Ms. Allen, seconded by Mr. Lyle, to forward the Medical Reimbursement Ordinance for Prisoners to the full board for approval. Discussion followed.

Ms. DeFauw asked if there would be any ramifications by adopting this ordinance? Sheriff Scott said that they have a doctor and nurse on contract so this would not be used very often, it would be used for major surgery and emergency room visits mainly. He does not feel that we will upset the medical people here in the county with this.

Sheriff Scott also said that the State's Attorney's Office has reviewed the ordinance and found nothing wrong with it.

The committee voted unanimously to forward this Ordinance to the full board for approval.

TELECOMMUNICATOR'S INTERGOVERNMENTAL AGREEMENT

Sheriff Scott then approached the committee about a Telecommunicator's Intergovernmental Agreement Resolution. This is based on anti-terrorism issues where law enforcement agencies that are part of ILEAS (we are a member) will respond upon request to an agency particularly designed for State declared emergencies. If they are so declared and we respond - the State government will reimburse us for our expenses. This is optional, he reminded the committee.

Moved by Mr. Hulseberg, seconded by Ms. DeFauw, and it was carried unanimously to forward this resolution to the full board approval.

2007 REPORT SCHEDULE

Chairman Osborne reviewed the 2007 report schedule for the committee and explained that this will give everyone an opportunity to see what is coming up in the future.

ADJOURNMENT

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

Respectfully submitted,

Richard Osborne, Chairman