

**LAW AND JUSTICE COMMITTEE
MINUTES
October 20, 2008**

The Law and Justice Committee of the DeKalb County Board met on Monday, October 20, 2008 @ 6:30p.m. in the DeKalb County Administration Building's Conference Room East. Chairman Richard Osborne called the meeting to order. Members present were Marlene Allen, Ken Andersen, Sally DeFauw, John Hulseberg, Howard Lyle, and Ruth Anne Tobias. Others present were Margi Gilmour, Gary Hanson, Dennis Miller, Sheriff Scott, Marilyn Stromborg and Regina Harris.

APPROVAL OF THE MINUTES

Moved by Ms. DeFauw, seconded by Mr. Lyle, and it was carried unanimously to approve the amended minutes from September 2008.

APPROVAL OF THE AGENDA

Chairman Osborne said that he would like to move the Jail Report before the Court Services discussion on the agenda.

Moved by Ms. Tobias, seconded by Mr. Hulseberg, and it was carried unanimously to approve the amended agenda.

PUBLIC COMMENT

None.

FY2009 BUDGET DISCUSSION

Appeal #6: ESDA Director Salary Increase

Appeal states: Reduce the salary increase for the ESDA Director by \$1,500 so that the salary would increase from \$37,000 to \$38,500 rather than to \$40,000.

The committee discussed the different types of performances that are involved in the ESDA Director's job, that is, emergencies, being a very stressful job, flooding, etc.

Mr. Dennis Miller, the DeKalb County ESDA Director also mentioned that there has been another disaster declaration that is going on now that he is dealing with, too. He said that the workload is not decreasing.

Ms. Tobias said that she feels that Mr. Miller does a fine job and that he deserves this raise.

Ms. Allen said that she also feels that Mr. Miller's job is a 24/7-type job and that he does a fine job.

Mr. Andersen said that the way the economy is now that he feels that we need to hold the line on expenses. He feels that he cannot justify to his constituents the pay increases this year. He is in favor of reducing the salary.

Ms. DeFauw said that the bottom line is \$1,500 and felt that it would be wise to go ahead with the raise.

Sheriff Scott said that thousands of dollars come into the county in Federal monies through Mr. Miller's office for other county offices with regards to equipment.

Ms. Tobias again stressed that Mr. Miller has a lot of responsibility in his job.

After a brief discussion it was moved by Ms. Tobias, seconded by Ms. Allen, to deny the appeal and to increase Mr. Miller's salary to \$40,000. There were three yes votes, Ms. Tobias, Ms. Allen and Ms. DeFauw, and 4 no votes, Mr. Andersen, Mr. Lyle, Mr. Hulseberg and Chairman Osborne. Motion failed.

It was then moved by Mr. Hulseberg, seconded by Mr. Andersen, and it was carried to approve the appeal to reduce the salary to \$38,500 and to forward it to the Finance Committee for consideration. There were 4 yes votes and 3 no votes, those being Ms. Tobias, Ms. Allen and Ms. DeFauw. Motion carried.

Appeal #15: Reassign a Deputy currently doing Electronic Home Monitoring to the proposed new Detective position; Electronic Home Monitoring assigned to Probation Department; savings of \$78,000 redirected to requested part-time Public Defender position.

Appeal #19: Reassign a Deputy currently doing Electronic Home Monitoring to this new Corrections position; Electronic Home Monitoring assigned to Probation Department; savings of \$70,000 redirected to requested Probation Officer position.

The committee discussed both appeal #15 and #19 together.

Chief Deputy Kevin Hickey, passed out a caseload summary sheet to the committee explaining the caseload per detective in the Sheriff's Department. He stated that sex crimes in the county have increased to 30 cases this year to date. Last year there were only 17 cases. He said that the Frauds and Financial Crimes are increasing and that they appear to be much more sophisticated. He feels that this is a needed position.

Mr. Andersen asked Chief Deputy Hickey if this position is not funded what would happen?

Chief Deputy Hickey said that the caseloads would continue to grow he feels. The detectives also work on cases from year's ago.

Mr. Hulseberg asked Chief Deputy Hickey about the sex crimes and what may have caused this increase?

Chief Deputy Hickey said that he does not know what to attribute the growing numbers to. He continued by stating that the cases that he has had for this year are bad.

The committee then discussed appeal #19 on Electronic Home Monitoring being assigned to the Probation Department.

Public Defender, Ms. Regina Harris, said that in other counties where the Probation Department handled the Electronic Home Monitoring it was not very efficient. In this county, by having the Sheriff's Department handle it, it moves much faster.

Mr. Andersen asked the Ms. Gilmour, Director of the Court Services Department and Ms. Harris, the DeKalb County Public Defender, if they were opposed to these two appeals?

Ms. Gilmour said yes.

Ms. Harris said that she was answering for her clients and that she felt that it worked better for her clients by the way it is handled here in DeKalb County currently.

Moved by Mr. Hulseberg, seconded by Mr. Andersen, and it was carried unanimously to deny appeals #15 and #19 and to maintain the status quo and to forward this to the Finance Committee for consideration.

Appeal #21: Deny the request for a half-time Public Defender at an annual cost of \$40,000, but substitute with a paid intern/law clerk position at a cost not to exceed \$7,000.

Ms. Harris, DeKalb County Public Defender, explained to the committee that she had discussed this appeal with Mr. Hulseberg and after this discussion decided to wait another year to request another half-time position. She explained that the felony level is where she is seeing the increase in caseload. The proposed attorney request would have the experienced attorney handling the felonies and the new ½ time attorney could handle the misdemeanors and lesser offenses. Her main concern though is that her office is seeing more serious crimes being committed here in the county. DeKalb County is seeing as many sex crimes as Kane County does now. It is not from the University. They are seeing incest crimes, date rape and car jackings, she explained. She said that the current law clerk that they have in the office is visiting the jail for her office now.

Moved by Mr. Hulseberg, seconded by Ms. DeFauw, and it was carried unanimously to deny the ½ time attorney request from the Public Defender's Office

and to approve the allocation of funds for the law clerk position, not to exceed \$7,000 in salary, and to forward this on to the Finance Committee for consideration.

Before moving on to another item on the agenda, Chairman Osborne, announced that he would like to move the calendar for annual reports next year to begin over the summer months. He feels that this will build a stronger link and better understanding of what the departments do and get prepared for the budget discussions.

JAIL REPORT

Chairman Osborne said that the monthly Jail Report shows the average daily population in the jail for the month of September was 122 inmates and the costs are still high for out-of-county housing.

PUBLIC DEFENDER'S REPORT

Ms. Regina Harris, DeKalb County Public Defender, said that they are maintaining the rate steadily regarding the number of cases in her office.

COURT SERVICES MONTHLY REPORTS

Ms. Margi Gilmour, DeKalb County Court Services Director, presented her monthly Juvenile and Adult Report to the committee. She stated that they are maintaining the status quo with adult cases. Regarding juvenile cases, Ms. Gilmour said that there was only 1 detention for the month of September and that there were 5 residential placements.

Proposed Safe House

Ms. Gilmour said that she is asking for the committee's support for the proposed safe house property off of Main Street in Sycamore. She said that the first step would be to get a special use permit through the City of Sycamore.

Mr. Andersen said that the City told him that they would get the public hearing notice in the paper as soon as possible for this project. He continued by stating that the zoning is in compliance and proper for that use but that we need to get a special use permit first to operate it. He felt that a good portion of the money from the Court Services budget and a portion from the Opportunity Fund would pay for this project. He feels that the committee should consider this proposal.

Ms. Gilmour said that the money in the probation fee fund have to be approved by Judge Klein and the Chief Judge to use these funds for this project.

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

Ms. Tobias commended Mr. Andersen on pursuing this issue.

Mr. Andersen then said that he would tell the City of Sycamore that it is the consensus of this committee that we are going to proceed with the project, but that it would take more time to go through the process.

The committee agreed to this.

ADJOURNMENT

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

Respectfully submitted,

Richard Osborne, Chairman

RO:mcs

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