

DRAFT

LAW AND JUSTICE COMMITTEE

MINUTES

APRIL 18, 2011

The Law and Justice Committee of the DeKalb County Board met on Monday, April 18, 2011, at 6:30 p.m. in the DeKalb County Legislative Center's Freedom room. Chairman Marlene Allen called the meeting to order at 6:35 p.m. Committee members present were Riley Oncken, Anita Turner, Derek Tyson, Ken Andersen, and Steve Reid. All members were present. Others present were Probation Director Margi Gilmour, Judge Kurt Klein, Circuit Clerk Maureen Josh, Drug Court Coordinator Marilyn Stromborg, and Public Defender Regina Harris

APPROVAL OF THE MINUTES

Moved by Ms. Turner, seconded by Mr. Tyson, and it was carried unanimously to approve the minutes from March 2011.

APPROVAL OF THE AGENDA

Moved by Mr. Andersen, seconded by Mr. Reid, and it was carried unanimously to approve the amended agenda with the addition of a judicial update by Judge Klein and Circuit Clerk Josh.

DUI Court Report

Marilyn Stromborg provided the committee with an update on the DUI Court. She provided specific information on the existing participants in the program. The program has been in operation for approximately one year. The program isn't growing like the Drug Court program because of the specific requirements for participants. Participants must have received their third felony DUI charge. She advised the committee that, even if the participants are successful in completing the program, their DUI charges are not dismissed. To date, she has interviewed 32 applicants to the program. She has experienced difficulty with applicants who suffer from acute alcoholism and have difficulty maintaining sobriety, keeping appointments, and working with the program. The committee has obtained the services of Chrystal Knight, a private attorney, who is working with participants to assist them in re-acquiring driving privileges from the Secretary of State. She also informed the members that the probation officer assigned to the Drug Court and DUI Court would be leaving the County and they would be seeking a replacement.

Judicial Report

Judge Klein gave the committee an update on the progress with the courthouse expansion. Construction has begun and, after a brief delay due to labor issues, the project should be back on schedule within one week. The most important news is the possibility that Kendall and DeKalb Counties

may be combining to form a new judicial circuit, separate from Kane County. Kane County's population is now approximately 535,000. Kendall and DeKalb County have a combined population of approximately 220,000. This will be done by the Illinois Legislature and Rep. Tom Cross is backing the effort, provided there is no detrimental impact on the State's budget. Kane County's population and legal challenges are very different than DeKalb County and Kendall County and each of the respective counties thinks this will be beneficial. There have been problems with the judicial politics between the three counties, since Kane County has a total of 14 Circuit Judges and DeKalb and Kendall Counties combined only have 5. One major benefit to the County will be that we will save on probation administrative fees which we have been paying to Kane County. If the change occurs, it will likely be effective December 4, 2012.

Judge Klein also stated that the Chief Judges of the three Counties have reviewed Regina Harris and Vicky Chuifo, the Public Defenders of DeKalb and Kendall Counties. Ms. Harris' evaluation and review was completed and she satisfied the Judges with her performance.

Ms. Josh advised the committee that the server room had been moved in order to facilitate the courthouse expansion. The move was paid for with funds collected from those in the court system and IMO and Facilities Management did an excellent job facilitating the transfer. She was extremely complementary about the job that IMO and Facilities Management did.

Ms. Josh stated that the DeKalb County Circuit Clerk has applied to the Administrative Office of the Illinois Courts (AOIC) for the County to accept electronic filing. She also indicated that she had negotiated agreements with the libraries in the County to allow residents to complete emergency orders of protection at library facilities when the clerk's office is closed. Mr. Tyson asked how the public was being informed about the ability to complete orders of protection at libraries. Ms. Josh responded that she had issued press releases and has been publicizing the information when she speaks at various engagements throughout the County. Ms. Josh also advised that the County's contract with Harris & Harris to assist in collecting outstanding fines and court costs has been productive and successful.

Discussion of Concealed Carry Legislation

The County Board received a letter from the Brown County Board Chairman, encouraging the County to support the pending concealed carry legislation, HB148. The text of the proposed legislation can be found here <http://ilga.gov/legislation/97/HB/PDF/09700HB0148lv.pdf> The Committee felt it would be beneficial to discuss the legislation and whether to take a position in support of or against the proposed bill. Mr. Oncken spoke in favor of the legislation and pointed out that Illinois is one of 2 states in the US that does not have some sort of concealed carry permitted. He explained that the statistics have shown that states that institute concealed carry legislation see a decline in crime. Mr. Reid questioned that concealed carry would really decrease crime and explained that he felt that there were too many guns on the street and that gun control should be increased. He felt that closing the gun show loophole, restricting assault style weapons and more strict background checks would help decrease crime more than concealed carry. Ms. Turner agreed with Mr. Reid in opposing the legislation, although she has

owned and shot guns in the past. Several members asked questions about the specific provisions and restrictions of the legislation and Mr. Oncken attempted to answer questions about where and when people would be able to carry.

Mr. Oncken made a motion to send a resolution in support of the proposed legislation to the full board for consideration. Mr. Tyson seconded the motion. A voice vote was taken. Mr. Oncken, Mr. Tyson, Ms. Allen, and Mr. Andersen voted yea. Mr. Reid and Ms. Turner voted nay. The resolution passed 4-2.

PUBLIC DEFENDER'S REPORT – Regina Harris

Ms. Harris submitted her monthly report. Her office closed 336 cases in March, but opened 362 new cases. She expressed that she is always disappointed when her office closes less cases than are opened in a given month. She and her assistants have been working with the State's Attorney's office to more effectively communicate and work to negotiate plea deals which are more reasonable and acceptable to defendants.

COURT SERVICES – Margi Gilmour

Ms. Gilmour submitted her monthly reports. March was the first month that her office was utilizing the new software for tracking cases. As a result, her report shows a huge increase in administrative cases, from 236 in February to 640 in March. This is not actually such a drastic increase, just a change in how the data is reported. She updated the committee that the remaining juvenile in placement at Onarga Academy may be transitioned out of the facility and to a new facility which is less expensive, now that the juvenile's sex offender treatment has been completed. She and Judge Klein complimented the intensive juvenile probation officers for reducing the need for placement and detention drastically decreasing the costs to the County. Judge Klein commented that there has been an increase in the number of offenders receiving sentences of conditional discharge, which is straining the probation office without any compensation in probation fees being paid by defendants. He commented that there would be changes instituted within the judicial system to address the problem. Unfortunately, the parents residing in the juvenile safehouse have turned in a letter of resignation. They are resigning effective in June. She will be continuing to search for a replacement family for the safehouse. On May 12, the probation department will be having a Making a Difference reception and awards event. They will be presenting awards to members of the community who have been making a difference in the lives of juveniles. She invited the members of the Board to attend.

JAIL UPDATE/SHERIFF'S REPORT

Sheriff Scott was not present. His report was submitted to the committee. The Average Daily Population for the jail in March was 141. The jail is still beyond capacity.

State's Attorney

State's Attorney Clay Campbell was not present.

ADJOURNMENT

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

Respectfully submitted,

Marlene Allen, Chairman

MA:rno