

**DRAFT**

**LAW AND JUSTICE COMMITTEE**

**MINUTES**

**August 15, 2011**

The Law and Justice Committee of the DeKalb County Board met on Monday, August 15, 2011, at 6:30 p.m. in the DeKalb County Legislative Center's Gathertorium. Chairman Marlene Allen called the meeting to order. Committee members present were Ken Andersen, Anita Turner, Derek Tyson, and Steve Reid. Mr. Oncken was absent. Others present were Frank Beierlotzer, Margi Gilmour, Mr. Dennis Miller, Regina Harris and Clay Campbell.

**APPROVAL OF THE MINUTES**

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

**APPROVAL OF THE AGENDA**

Chairman Allen asked to include Mr. Frank Beierlotzer on the agenda under item #4.

Moved by Mr. Andersen, seconded by Mr. Reid, and it was carried unanimously to approve the amended agenda.

**ESDA AND CORONER'S UPDATE - MR. DENNIS MILLER**

Mr. Dennis Miller, DeKalb County Coroner and ESDA Director, gave a brief update to the committee on his department so far this year. Mr. Miller said that the ESDA Plan is updated. They held an exercise last month for a grant that his office received in the amount of \$25,000. The Federal Government and the State are making things more difficult as more demands are put on ESDA. They are managing things though. The Federal Government has passed their budget so their checks are coming to his department.

Regarding the Coroner's Department, Mr. Miller said that he has been extremely busy this past year. Last year he had a total of 551 cases, today he has 354 cases. The autopsies for this year, so far is 42 cases to date and last year they had a

total of 42 cases. Thirty-five of those 42 cases were 50 years old and under. He stated that there have been 8 heroin deaths so far this year.

Mr. Miller then informed the committee that he is over on his line item for autopsies for this year. He feels that he may wind up at the end of the year approximately \$20,000 over on this line item. He is seeing a lot of 20, 30 and 40 year olds.

Mr. Andersen asked if it is customary to take DNA?

Mr. Miller said yes, he has been doing it for 15 years. When a body comes in he takes a DNA sample and keeps it sealed for about 99 years, he believes. He said that he just got a request for a case from 3 or 4 years ago asking for a sample of it. So it does come in handy.

Mr. Miller said as far as how the major murder case has affected his budget so far this year was that he brought in two anthropologists from Indiana and he thought that they were pretty reasonable. He said that for the exhumation of the body at the cemetery for the major murder case, the cremation of the old casket, and the purchase of a new casket to bury the body again, could amount to around \$5,000.

He said that there have been 245 cremations so far this year and last year there was a total of 356 cremations. He reminded the committee that these cremations cost \$50.00 each now.

#### **LOCAL EMERGENCY PLANNING COMMITTEE – MR. FRANK BEIERLOTZER, CHAIRMAN**

Mr. Dennis Miller introduced Mr. Frank Beierlotzer, Chairman of the Local Emergency Planning Committee (LEPC).

Mr. Beierlotzer said that the LEPC committee was created by federal law and that it is not a county agency. This committee is comprised of all volunteers. They have worked well with the County in the last 12 years. There are 97 LEPC's in the State of Illinois. His feeling is that our County is in the top 20% of activity in the State. He used to get paid but now they get nothing. They need funding. They are seeking funding from the County in the amount of \$12,000 a year. They were spending under the premise of State guidelines. Those are no longer correct. He explained that they have excellent training programs for the last 4 years for firemen, policemen and first responders. Mainly it was for railcar training. He would like to do another exercise next year. He said that he is out of money for 6 months now. He needs funding to operate.

Mr. Miller said that Mr. Beierlotzer has done a great job. DeKalb is the most aggressive LEPC in the State, he feels.

Mr. Andersen asked Mr. Beierlotzer if he has thought of going to the voters through a referendum to help your agency?

Mr. Beierlotzer said that he doesn't know if he can. He will be going out and visiting with factories and facilities around the County to ask for help with donations.

His feeling is that if they don't get any funding they will fold up and won't be able to do anything more. He said that he averages about 60 to 70 hours a month for the committee and he doesn't get paid for it now.

The committee directed Mr. Beierlotzger to talk to Mr. Gary Hanson, DeKalb County Deputy Administrator about his request.

### **COURT SERVICES – MARGI GILMOUR**

Ms. Gilmour submitted her monthly reports. She said that her adult report is pretty standard. She said that they had 18 new cases and the CRS hours are busy with over 10,000 hours that have been ordered. They had 6 admissions last month.

Ms. Gilmour said that the placement costs are way under. She has one person left at Focus House and this person may go to the Department of Corrections. She foresees that next year residential placement should be down, too.

They are currently looking for staff for the Safe House.

She said that her office has not received any money from the Administrative Offices in Springfield yet. She should be receiving checks shortly from them totaling \$165,000. This is not unusual, she said.

### **STATE'S ATTORNEY'S UPDATE – CLAY CAMPBELL**

Mr. Clay Campbell, DeKalb County State's Attorney, said that he is currently working on his budget for next year.

He explained to the committee that his office is working on the double homicide at the intersection by the Jewel in Sycamore, 5 drug induced homicides, the Curl case and the Ridulph case. He said that heroin is a problem in DeKalb County now. They are seeing kids as young as 14/15 years old who are starting to use it. They are using the forensic anthropologists for the Ridulph case too. Mr. Campbell said that there are serious crimes in the County. Even though crime is down in DeKalb the crimes are now more serious. He feels that he needs more help in his office.

Mr. Campbell said that he is concerned about the amount of casework his attorneys are carrying especially the felony attorneys. He feels that he may have to ask for another attorney.

### **PUBLIC DEFENDER'S REPORT – Regina Harris**

Ms. Harris, DeKalb County Public Defender, said that she has 1500 open cases right now. The caseload for her office currently is steady. She sensed that things were shifting in her office so she went back to 2009 and found that in July of 2009 there were 1600 cases. The breakdown percentage wise of the cases are as follows: 28 % were juvenile, 55% were traffic and misdemeanor and 17% were felony cases. Now, in July 2011, the juveniles dropped to 23%, the traffic and misdemeanors have also dropped to 50% and the felonies have risen to 27%. The caseload of her felony attorneys were hovering around 60 to 70 cases and now they are at 120 cases each. She called a Kane County felony attorney and asked them what their attorneys' caseload is and they have around 30 to 35 cases. She also feels that there is a shift in the crime in the County. Because of this, her cases are more resource intensive and more time consuming.

Right now she has \$13,800 left in professional services for the rest of the year. She has a bill right now on her desk on a sexually violent person case that is for \$13,800, so this budget is blown. She does have some money saved in other places like \$7500.00 for not paying a law clerk, but the Curl case has to have a DNA expert, there are 2 sexual assault cases that will need DNA experts, etc. All three of these cases are being handled by the same lab. It's all of the same technician and they can't work on more than one case at a time because of the potential of cross-contamination, so he has to go on separate days, which will be more expensive. All of these things add up, she said.

Chairman Allen said that Ms. Harris has done a good job of trying to dive up the caseload and handling some more cases yourself.

Ms. Harris said things are very challenging now.

### **JAIL REPORT**

Chairman Allen said that the average daily population was 133 inmates housed in the jail in June 2011. In July 2011 the average daily population was 145 inmates. She said that this was not good either.

**ADJOURNMENT**

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

Respectfully submitted,

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Marlene Allen, Chairman

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