

DRAFT
LAW AND JUSTICE COMMITTEE
MINUTES
July 16, 2012

The Law and Justice Committee of the DeKalb County Board met on Monday, July 16, 2012 at 6:30p.m. in the DeKalb County Administration Building's Conference Room East. Chairman Marlene Allen called the meeting to order. Members present were Ken Andersen, Riley Oncken, Anita Turner and Derek Tyson. Mr. Reid was absent. Others present were Robert Carlson, Margi Gilmour, Sheriff Roger Scott, Richard Schmack, Jill Olson, Jeff Whelan and Clay Campbell.

APPROVAL OF THE MINUTES

Mr. Andersen asked to amend the June 2012 minutes under the first paragraph on the first page for the location of the meeting. He pointed out that the committee met in the Gilbane Building Office.

Moved by Mr. Oncken, seconded by Mr. Tyson, and it was carried unanimously to approve the amended minutes from June 18, 2012.

APPROVAL OF THE AGENDA

Mr. Andersen said that he would like to amend the agenda to add discussion on a Regional Jail versus a County Jail. He would also like to discuss if this committee has any responsibility for Evergreen Village as far as helping the grant to go through because it has been titled a public safety project.

Chairman Allen said that she thought it was under the Planning and Zoning Committee.

He said that if there is something that we need to do, he does not want to "drop the ball" on this one.

He also would like to discuss what the procedure is in appointing a new public defender.

Chairman Allen said that she would place those three items under item #8, as a., b., and c.

Chairman Allen asked for a motion for the amended agenda. Ms. Turner seconded the motion. The motion carried unanimously.

CASA UPDATE – MS. JILL OLSON

Ms. Jill Olson, Executive Director of the CASA Program in DeKalb County approached the committee about her update on her department. She said that they are currently serving 155 children in their program. Roughly a year ago they have served about 201 children in the program. They are on target to serve just about the same amount of kids. They are now serving 100% of abuse and neglect cases. She further stated that DeKalb County is one of the few counties that are serving 100% of the neglect and abuse cases. She thanked the County and Committee again for the funding that her department receives from them. Their law clerk is their acting supervisor and they are exploring becoming more paperless. She anticipates, the way that the numbers are coming in right now, that they will meet the same number that they served in 2011, which was 214 children. She also said that most of the cases that they are seeing are primarily in the neglect area. They are seeing a number of educational neglect cases more.

Chairman Allen asked Ms. Olson what is the duration of a case normally.

Ms. Olson said that the average duration is around three and a half years, sometimes much longer. Educational neglect does not last too long usually as they are trying to fix the problem and find out what the problem is in the home. They have 27 local attorneys volunteering their time for these cases.

Mr. Andersen said as a CASA volunteer, he encouraged everyone in the room to look at their schedules to see if they can volunteer, as it is very rewarding.

Ms. Olson said that they do need more men to volunteer their time.

SHERIFF'S DEPARTMENT ANNUAL REPORT FOR 2011

Sheriff Scott presented his 2011 Annual Report to the committee members. He highlighted the following pages for the committee. On page 12 it talks about the Patrol Division. He mentioned that in 2011, through a cooperative agreement with the DeKalb County Forest Preserve District, additional forest preserve patrol was developed through a special assignment of Sheriff's Deputies. This resulted in a total of 120 extra designated patrol hours for the Forest Preserve District supplementing existing Sheriff's Office routine patrol in the forest preserves.

On page 33 of his report, it highlights Fatal Accidents for 2011. There were 5 fatal accidents in 2011 that resulted in 6 fatalities county-wide. The actual number of Driving Under the Influence related highway deaths remained the same at 3, as it has been in 2009 and 2010. Though each traffic fatality is tragic the continued downward trend in DeKalb County is good, and a continued goal for the future.

On page 35 under Criminal Investigations Division, he said that frauds and financial scams continue to demand additional investigative time and resources with 107 cases reported in 2011, which is an all-time high edging out the previous high of 106 cases in 2009. This included identity theft, forgery, deceptive practice, credit card fraud,

and contractor fraud. To illustrate the explosive growth of this problem, they investigated 69 cases in 2008, 54 cases in 2007, 52 cases in 2006, 58 cases in 2005, 57 cases in 2004, 36 cases in 2003 and a mere 15 cases in 2002. This represents a monumental increase of over 300% from 2002 through 2011.

Sexual assault and abuse cases remained down in 2011 with 19 as compared to 31 in both 2008 and 2009 but still above the 17 cases in 2007. Discussions with other agencies and social service provide point to this category as being an upward trend that transcends across all communities.

Sheriff Scott pointed out that the Jail's average daily population was 141 inmates last year. This year it is 131 average daily population. Today it was 138 daily population. Overall we are steadying out to 131, which was what we were in 2010. He said that they are seeing more and more people in the Jail with serious mental health issues. Right now there are 6 inmates with serious mental health issues.

New Horizons page he said that the future of the County Jail operations was a highlight for them in 2011 because the Jail expansion planning really began in earnest. We had a plan. We created an ad hoc committee. We were able to accomplish an agreement in the very beginning of this year with the City of Sycamore that allowed us to do the expansion that we needed to do across Locust Street. We are at the very end stage where we will be meeting with the ad hoc committee soon with a final plan that he believes will meet most of their needs and meet the budget that is anticipated from the landfill monies. Obviously we are still waiting for those funds, he said. We have been looking at the Jail issues since 1990 and we are still looking at two to three years down the road yet, but he feels that we have a solid plan and are closer to it than we have ever been before.

STATE'S ATTORNEY'S UPDATE

DeKalb County State's Attorney Clay Campbell, gave an update on his department. He said that what he has tried to do is not make incarceration the answer to a lot of these cases.

Mr. Campbell handed out his Evaluation of the Drug/D.UI. Court C.L.E.A.N. Program. He said that he would be posting this report on his webpage too. He said that he is a full supporter of the drug court. Treatment is an alternative to jail time. The State's Attorney has never been not in compliance with Drug Court legislation. It is the responsibility of the State's Attorney to allow people into the Drug Court program. He said that \$1.2 million has been spent for drug court. He said that not only do we have to be concerned with public safety, but we have to be careful with these very scarce taxpayers' dollars that they are spent wisely. Hopefully, this report will allow us to have a stronger drug court and that some of the issues that we addressed in the report we can clarify and fix.

As far as the Public Defender's selection process, he has not been apprised on it. As he understands that ultimately it is the Chief Judge of the Circuit's responsibility. So it is his guess that they will put together an interview process and a selection committee.

They just received a \$20,000 grant from the Attorney General's Office to help violent crime victims. They are one of a few counties in the State of Illinois that continues to get grant monies to help collect child support. They have discontinued that in most counties in the State, but the State was impressed with the amount collected here in DeKalb County that they continue to fund it here. It also funds one of the positions in his office.

Chairman Allen asked if the Judge recommends drug court, how does someone get into drug court.

Mr. Campbell said that an attorney makes a proposal to drug court for his/her client. That defendant is interviewed by Ms. Stromborg and members of the drug court team look at that application. They make a decision whether or not the defendant is a viable candidate for drug court. Once that happens, Ms. Stromborg hand delivers the files over to his office. Within his office they reach out to the arresting officer and agency because these are individuals charged with felony offenses. He said that the input from law enforcement means a lot to him because he wants an individual who really is meaningfully applying to drug court, he said. If they are approved then they come before the court.

Chairman Allen said then if a defendant goes through all these steps and it comes before you – you can still say no.

Mr. Campbell said absolutely, it is his obligation under the statute.

Mr. Andersen said that you mentioned that there are a certain amount of fees that come through when someone is found guilty. Are our fees through the whole court system adequate?

Mr. Campbell said that in some instances they are. We are all competing for scarce dollars. He doesn't think that they are ever going to have enough money. They will consistently come up with creative ways to resolve cases.

Sheriff Scott reminded the committee that many of our fees are statutory.

Mr. Oncken thanked Mr. Campbell for his report.

Chairman Allen also thanked Mr. Campbell for his report and invited him back to the committee for their meeting next month to answer any questions that the committee may have after reviewing it.

COURT SERVICES REPORT

Ms. Margi Gilmour, Director of DeKalb County Court Services Department, said that in her adult court services report they are seeing a drop in community service hours. In her juvenile court services report they had 5 admissions in June with 3 for the first time, 1 for the second time and 1 for the third time.

She reminded the committee about the Safehouse Meet and Greet event scheduled for July 26, 2012 from 4:00-5:30p.m. She also said mentioned that it is National Probation Week.

She then approached the committee about Resolution R2012-55 regarding the Intergovernmental Agreement where they added the date and that the average daily price per bed is increased from \$80.00 a day to \$100.00 a day. Everyone is being increased to this rate, she said.

Moved by Mr. Oncken, seconded by Ms. Turner, and it was carried unanimously to forward the recommendation to the full board for approval in August.

PUBLIC DEFENDER'S REPORT

Mr. Robert Carlson, Acting Public Defender, said that the office is running smoothly. They are one staff member down currently with Ms. Harris stepping down. There are funds eligible to hopefully get someone to start part-time in August.

He said that the public defender is appointed by the Judges. There will be an application process, interview process and then if the person is chosen after the circuit split, Judge Stuckert will select the new public defender. If the person is chosen prior to the split, then Judge Spence would appoint the new person now.

He said that his only concern is that they don't go too long short staffed. In the short range they are okay because people are willing to work longer hours. He sees a long term staff shortage. They have overworked people. They are one attorney down because he took the place of Ms. Harris. They do need another position.

Mr. Oncken said that as an observer if you ask for it, he would support it.

Ms. Turner said that their caseloads have been unbelievably high.

REGIONAL JAIL VERSUS A COUNTY JAIL

Mr. Andersen asked if the county board had ever given any consideration to having a Regional Jail?

Sheriff Scott said that regionally, most of the counties around us all have new county jails. It has been looked at before in the past.

Mr. Oncken said that no one wants that because you are transporting everyone back and forth to four or five different counties. Logistically, it would be a nightmare.

Mr. Carlson said that as the acting public defender, it would be difficult for him to visit his clients in other places.

EVERGREEN VILLAGE DISCUSSION

The committee said that Evergreen Village Mitigation is being handled by the Planning and Zoning Committee. Mr. Denny Miller from the ESDA Department will be part of the team along with Ms. Donna Moulton from the Community Services Department.

ADJOURNMENT

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

Respectfully submitted,

Marlene Allen, Chairman

Mary Supple, Secretary

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