

DRAFT
LAW AND JUSTICE COMMITTEE
MINUTES

October 15, 2012

The Law and Justice Committee of the DeKalb County Board met on Monday, October 15, 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, Steve Reid, Derek Tyson and Anita Turner. Others present were Janie Torma, Tom McCullough, Rob Carlson, Sheriff Scott, Dennis Miller, Margi Gilmour, John Hulseberg, Greg Millburg and Lt. Joyce Klein.

APPROVAL OF THE MINUTES

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

APPROVAL OF THE AGENDA

Moved by Mr. Turner, seconded by Mr. Reid, and it was carried unanimously to approve the agenda as presented.

ESDA AND CORONER'S UPDATE REPORT – MR. DENNIS MILLER

Mr. Miller, DeKalb County ESDA Director, said that there have been a few unfunded mandates still coming down. A couple of years ago their office received a T.I.C. Plan Grant that went to most of the fire departments. This was a \$25,000 grant that was awarded to DeKalb County, said Mr. Miller. This grant should be done this month. He also mentioned that he has held 4 or 5 training programs at the Community Outreach Building for I.E.M.A.

Mr. Miller then discussed the update on the Coroner's Department as he is the Coroner for DeKalb County. He mentioned that there have been 38 autopsies performed this year versus 56 autopsies that were performed last year. Total cremations were 566 last year and to-date is 461, which he feels they will surpass the 566 number before the end of this year. He has seen a lot of drug overdoses and drug death. There have been 8 deaths so far for drug over doses. Heroin is very big in this area. There were two suicides this year so far. He said that they will be over budget this year.

Mr. Oncken asked by how much will you be over budget?

Mr. Miller said about \$23,000.

PUBLIC DEFENDER'S REPORT – MR. TOM McCULLOUGH

Mr. Tom McCullough, DeKalb County's Interim Public Defender, said that they have closed more cases than opened caseload, so they are staying ahead of the game. They have moved

into their new space. They have begun addressing the long term older cases in the jail that are more than a year in there. There are 13 cases in the jail that are older than a year. He said that five of those inmates are represented by the Public Defender's Office. Others are represented by private council. His office is trying to move these cases along.

COURT SERVICES REPORT

Ms. Gilmour, Court Services Director, said that they have added 17 new cases to their caseload last month. Those cases are the cases that the officers in her department have completed their intake on. They have discharged 22 cases. The CRS hours had 93 cases added last month. There were 12,420 CRS hours ordered by the court with 4,435 hours completed last month. In the Juvenile Courts they added 14 cases for 540 hours ordered with 112 hours completed.

In their English as a Second Language (ESL) classes have been working out very well. They just started the program in June of this year. Between June and September they have a total of 275 hours completed. That was between 7 clients that they referred, which is half of the referrals. We are very encouraged by these numbers, she said.

In the Juvenile Court Services Report they had only 1 person in the placement. For the first time in a very long time, they only had 1 youth detained for one day in the month of September 2012.

They have 2 kids in the Safehouse. They are down from the 4 kids. One kid went home and one kid went to job corps, she said. They also received a \$600.00 check from Sycamore Township for a new computer for the Safehouse.

The Circuit has split and they designed the new seal for the 23rd Official Seal.

Ms. Gilmour informed the committee that they will be holding their second Juvenile Justice Council Meeting next week. They are trying to get the new comprehensive plan in place so that they can start looking at receiving federal grants.

JAIL REPORT – SHERIFF SCOTT

Sheriff Scott said that the monthly average daily population report showed 149 inmates in the jail for the month of September. Last year's average population was 141 inmates. So far this year the average population is 135 inmates. The closing of the mental health facilities could have an effect on our Jail, he said.

BUDGET APPEALS:

Sheriff's Department: Appeal – Restore the position of Corrections Offices lost in a previous year budget cut at a cost of \$84,000. Monies to come from the Contingency Pool of tax monies identified in Budget Narrative Item #40 (Hulseberg, Scott) or from savings as identified in Appeal 1710-6000 as outlined in the Administrative Budget Recommendations. (Newport)

Sheriff Scott said that it has become more dangerous in the jail to handle more mental health inmates. They could see numbers increase with the closing of the mental health facilities. It is vitally important, he said.

Lt. Klein said that one of their biggest areas of need on the day shift is transportation. They have so many officers going in so many different directions, going on the transports to other counties (Kendall, Boone, etc.), more court calls, more trials happening,

Sheriff Scott also pointed out that next year they will be adding a second felony courtroom with a second felony judge which means they could have at least 2 felony trials going on at the same time, which requires officers to be in those courtrooms. Felons are usually the ones in our jail.

Mr. Reid asked the Sheriff if it will reduce over time? Are we better off to pay overtime instead of hiring someone else with full benefits?

Sheriff Scott said that he does not know what the numbers are but he thinks that the hidden danger with overtime is that people do get tired, it is hard on them, and they don't want the overtime. He feels that it lessens their ability to do their job in law enforcement properly.

Chairman Allen said that it is a safety issue.

Mr. Reid said that it would help the committee if Sheriff Scott gave them some numbers to help justify the request other than safety.

Sheriff Scott said that he could look at that.

Mr. Hanson said that \$65,000 is projected for overtime.

Sheriff said that they could be over that.

Would Sheriff decrease his budget by \$84,000, no he could not do that, Sheriff said. Not with the increase in "x" number of holidays and the increase in the court call that may continue. They try to do a good job to keep it at only what is needed, said Sheriff Scott.

Lt. Klein said that they have been impacted in their budget with a lot of inmates that have had medical needs this year. They had to sit in the hospitals waiting for them to be seen. That is an impact that they can't control either, she continued.

Mr. Hulseberg said that he is not in favor of Mr. Newport's appeal and he feels that it would be irresponsible to eliminate that position and this one. This one stands on its own merits.

Mr. Hanson said that if the committee votes to restore this position, it would raise the taxes by \$2.70 per household.

It was moved by Chairman Allen, and seconded by Ms. Turner, and it was carried to forward this recommendation to the Finance Committee, and to not include this position with the Planning and Zoning budget.

Mr. Oncken said that he would like to hear all three budget appeals and then vote on the motions.

Public Defender – Appeal: Increase in staffing of the Public Defender's Office. One appeal requests two new entry level attorneys (\$73,000 each) and restoration of the Investigator to full-time status (\$37,000) for a total cost of \$183,000. Monies to come from the temporary help allocation of \$50,000 and the balance from reserves. (McCullough – Public Defender) An additional appeal requests the hiring of just one

entry level attorney at a cost of \$73,000. Monies to come from the Contingency Pool of tax monies identified in Budget Narrative Item #40. (Oncken, Vary, Brunschon)

Mr. Tom McCullough, Interim Public Defender, said that they are seeking the increase of staffing for the Public Defender's Office for 2 new entry level attorneys at \$74,000 each and the restoration of the Investigator to full-time status (\$37,000) for a total cost of \$183,000.

The committee asked Mr. McCullough what if the board did not fund this request?

Mr. McCullough said that someone could sue the County, mostly inmates in the Jail.

Children's Waiting Room – Appeal: Establish an additional funding source for the Children's Waiting Room so that hours of operation do not need to be cut. New monies to come from the Contingency Pool of tax monies identified in Budget Narrative Item #40 (Hulseberg)

Ms. Janie Torma, Director of the Children's Waiting Room, said that they have seen 3,715 kids since they opened in 2006. They have 2 full time people on staff. They get \$5.00 from every civil case filed in the County to support their room. They have 8 kids maximum a day. Hopefully, they will move into the old Public Defender's space soon. They have \$36,000 in salaries and they bring in \$22,000 in revenues from the civil cases. DeKalb County does not have enough civil cases to support them. There is a state law whereby they could raise their rate from \$5.00 to \$10.00. They are contacting the state legislators about raising the rate currently. If they don't get this money they will have to shut down their services.

It was moved by Mr. Tyson, seconded by Mr. Reid, and it was carried to approve the appeal and to forward this recommendation to the Finance Committee. They are to fund the \$14,000 from the Opportunity Fund for one year. There were 5 yes votes and 1 no vote. The no vote was Mr. Oncken.

Mr. Ken Andersen suggested that the new county board and new committee members on the Law and Justice Committee to write letters to their State Senators and State Representatives to change the fee at the State level.

The committee returned to the Sheriff's budget appeal and the Public Defender's request.

There was a motion from **Mr. Oncken, seconded by Mr. Reid, to re-instate the Investigator position in the Public Defender's Office to full time at a cost of \$37,000. Monies will come from the Contingency Tax Pool. There were 5 yes votes and 1 no vote. The no vote was Mr. Ken Anderson. Motion carried.**

It was moved by Ms. Turner, seconded by Mr. Reid, for the 2 entry level full-time attorneys to be restored at \$73,000 each for a total of \$146,000. The monies are to come from the Contingency Tax Pool. There were 3 yes votes and 3 no votes. Tied motion.

It was moved by Ms. Turner, seconded by Mr. Reid, for the 1 entry level full-time attorney to be restored at \$73,000. The monies are to come from the Contingency Tax Pool. The motion was carried with 5 yes votes and 1 no vote. The no vote was from Mr. Ken Anderson.

Chairman Allen returned to the Corrections Officer appeal with the Sheriff's Department Budget. She said that there was a motion on the floor by Chairman Allen and seconded by Ms. Turner, to restore the position of the Corrections Officer lost in a previous year budget at a cost of \$84,000 to come from the Contingency Tax Pool, at no cut to the position in the Planning & Zoning Budget. There were 5 yes votes with 1 no vote. The one no vote was Mr. Anderson. Motion carried.

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