

DRAFT
LAW AND JUSTICE COMMITTEE
MINUTES

September 17, 2012

The Law and Justice Committee of the DeKalb County Board met on Monday, September 17, 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, and Anita Turner. Mr. Derek Tyson was absent. Others present were Judge Robin Stuckert, Marilyn Stromborg, Sheriff Roger Scott, Tom McCulloch, Rob Carlson, Richard Schmack and John Farrell.

APPROVAL OF THE MINUTES

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

APPROVAL OF THE AGENDA

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

SHERIFF'S REPORT: SHERIFF ROGER SCOTT

Jail Report: Sheriff passed out a report who is in our jail and why they are in there so that the committee members could get an idea of what is going on in the jail. It shows that for the average population number for the last 3 months was 137 and the average year-to-date is 133 inmates. Last year's average year-to-date number was 131. In August 2012 there was one day where there were 152 inmates housed in our jail.

Ordinance #2012-18: Hawkers, Peddlers, Itinerant Merchants & Transient Vendors.

Sheriff Scott presented an ordinance for a license that people will need to apply for who engages in the business of hawkers, peddler, itinerant merchants or transient vendors of merchandise. This ordinance helps to locally combat home repair frauds, high pressure sales, gypsies, etc. It is a preventative measure, he stated. This ordinance is authorized by the State of Illinois. This ordinance would apply to unincorporated areas only. This does not apply to roadside sales or farmer's markets. The State's Attorney's Office did review the ordinance already, he said.

Mr. Oncken asked if this would apply to kids who sell popcorn for fundraising purposes.

Sheriff Scott said no.

It was moved by Mr. Andersen, seconded by Mr. Oncken, and it was carried unanimously to forward this ordinance to the full board for approval.

JUDGE STUCKERT'S RESPONSE TO THE STATE'S ATTORNEY'S DRUG COURT EVALUATION

Chairman Allen said that she invited Judge Stuckert this evening to give a response to State's Attorney's Clay Campbell's Drug Court Evaluation Report that he presented to this committee last month. She said that after this meeting this issue is done. If you should have any questions about tonight's discussion or anything on Drug Court please ask her tonight or contact Judge Stuckert or Marilyn Stromborg after tonight's meeting at their offices.

Judge Robin Stuckert said that she was here this evening to answer any questions that the committee may have regarding her bound report.

Mr. Reid asked about the time flow for the writing of the grant, that is, that there was some problem.

Judge Stuckert said that the grant needed to go in at the end of May 2012. So Ogle County had been working on it with Dr. Stromborg. She continued by stating that all grants require the stakeholders of drug courts write letters of support for a grant, this is one of their requirements. Unless you have the stakeholders all on board with drug court and there are no issues, you are not even going to be considered for a grant. Drug court grants are coveted throughout the nation since money is scarce. There are certain requirements for grant writing, and the grant that we were writing, they had to have the State's Attorney's write a letter as well. As you can see by the letter from Greg Martin in my report, based on Mr. Campbell's not allowing any new applicant's in and not knowing when he would, we knew that we could not meet the deadline, she continued.

Mr. Reid said, then currently the drug court is getting a grant?

Judge Stuckert said that we had a grant that we were working on.

Mr. Reid, then asked Judge Stuckert, when does that grant expire?

Judge Stuckert said this month, we are done.

Mr. Reid said then for the future if we don't have a grant will the County be out of money.

Judge Stuckert said no we have never gone to the county and asked for operational money in the past. There are certain fees that we take from all fines on cases that are filed and thus far we have not had to ask for any funds from the county for operational funds.

Mr. Andersen asked then if the initial seed from the County at the beginning of drug court was in the amount of \$100,000 or \$200,000.

Ms. Stromborg said it was \$100,000 over two years. They still have \$134,000 in the account. They receive anywhere between \$7,000 to \$14,000 a month in fees that are generated from the state statute. The grants that they receive are federal grants.

Mr. Oncken said as a point of clarification, that Mr. Campbell seemed to indicate, when he came before the committee last month, that he is the gatekeeper for who gets into drug court and who does not. "I looked at the statute and it is pretty clear that the final approval rests with the court."

Judge Stuckert said that is correct it is with the court and not the State's Attorney.

Judge Stuckert then asked if the committee could place on the county's website her report for the public to see.

Mr. Oncken suggested placing the Judge's report and the State's Attorney's Evaluation under *Hot Topics*.

The committee thanked Judge Stuckert for her report.

PUBLIC DEFENDER'S REPORT

Interim Public Defender, Mr. Thomas McCulloch approached the committee about his report. Mr. McCulloch said that everything is pretty normal with the caseload. He did want to say that it has been a pleasure working with the various departments so far as there is great coordination between them. It is the best that he has worked with in moving cases along. He also mentioned that they hope to move into their new space in the courthouse expansion after October 1st.

COURT SERVICES REPORT

Chairman Allen briefly reviewed the Adult and Juvenile Court Services reports for the committee as Ms. Gilmour could not make the meeting tonight. Chairman Allen said that if anyone had any questions pertaining to her reports to please call Ms. Gilmour at her office.

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