

**DRAFT**  
**LAW AND JUSTICE COMMITTEE**  
**MINUTES**  
**February 25, 2013**

The Law and Justice Committee of the DeKalb County Board met on Monday, February 25, 2013 at 6:30p.m. in the DeKalb County Administration Building's Conference Room East. Chairman Julia Fullerton called the meeting to order. Members present John Frieders, Ruth Anne Tobias and Anita Turner. Anthony Cvek and Derek Tyson were absent. Others present were Sheriff Roger Scott, Lt. Joyce Klein, Mark Pietrowski, Kim Green, Margi Gilmour, Thomas McCulloch, Meera Al-Henaey, Richard Schmack and Greg Millburg.

**APPROVAL OF THE MINUTES**

Moved by Ms. Tobias, seconded by Ms. Turner, and it was carried unanimously to approve the minutes from January 2012.

**APPROVAL OF THE AGENDA**

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

Mr. Anthony Cvek arrived @ 6:35 p.m.

Mr. Derek Tyson arrived @ 6:36 p.m.

**PUBLIC DEFENDER'S REPORT – MR. THOMAS McCULLOCH**

Mr. McCulloch, DeKalb County Public Defender, introduced one of his new attorneys that he recently hired, Ms. Meera Al-Henaey. He said that she has been assigned 384 cases for her second month of practice. In the Sheriff's Jail Report that you will see later on, the numbers keep creeping up. The numbers of inmates that have been there in the Jail, over a year, are 11 inmates. His office is accountable for 5 of those inmates. Most all of them are close to closure. They are trying to move some of the older cases along.

**COURT SERVICES REPORTS – MS. MARGI GILMOUR**

Ms. Margi Gilmour, Director of the Adult and Juvenile Court Services Department, gave her monthly reports to the committee.

In the Juvenile Report, in January there were 3 minors detained with 1 kid for the 1<sup>st</sup> time, 1 kid for the 3<sup>rd</sup> time and 1 kid for the 6<sup>th</sup> time.

She said in the Adult Report they have 32 active cases with 7 cases being closed.

In January with the CRS hours, there were just under 9,000 hours ordered with a little over 6,000 hours completed. With the Juvenile CRS hours, there were 300 hours ordered with 260 hours completed.

She then presented a resolution for the Juvenile Justice Council By-laws that has had some revisions to it. The creation of the Council is really to be able to have collaboration and to seek grant monies and show that we are collaborating with other community based agencies and citizens of the community. Part of the Juvenile Justice Council is comprised of the Judiciary, the State's Attorney, the Public Defender, Court Services Department, law enforcement, Sheriff Scott, Regional Office of Education, and wide variety of people. We don't have the full Juvenile Justice Council in place yet, that's why she and State's Attorney Rich Schmack are here tonight with the resolution in hopes to get it passed to the full board.

Mr. Schmack mentioned that a few of the changes to the by-laws are: no longer will the State's Attorney automatically be named as the Chairman of the Council, the By-Laws need to be ratified and to make it perpetual.

The committee discussed that the Council shall have a total membership not less than 25 or more than 40 members.

Ms. Gilmour said that they are accomplishing things but the one area that they need to improve on is on grant writing.

The committee discussed whether there should be an amendment to the resolution under Article XIII to add: "The Council shall undertake a review of the by-laws every 4 years.

It was moved by Mr. Cvek, seconded by Mr. Frieders to add this amendment to the resolution. It was carried with 5 yes votes and 1 no vote, which was Ms. Turner.

**It was then moved by Ms. Tobias, seconded by Ms. Turner, and it was carried unanimously to send the amended resolution to the full board for approval.**

#### **UPDATE ON JAIL EXPANSION PROJECT**

Sheriff Roger Scott, Lt. Joyce Klein, and Mr. Gary Hanson, County Administrator, updated the committee on the Jail Expansion Project.

Sheriff Scott said the average population in January 2013 was 129 inmates.

He said tonight he was asked to give a brief overview of the Jail Expansion status. Some issues that continually come up, he said, will be discussed.

He said that the need for a jail expansion has been discussed and pushed the most over ten or 12 years now. He said that their staff works very hard to maintain their Jail standards. In 1980 there were 64 inmates in the Jail and they double bunked later on to bring the total to 89 inmates. The average annual population over the last 3 years is 136 inmates.

Funding has been the issue over the years, how to do it, how to fund an expansion, etc. Why stay at the current location has been an ongoing question. The easy answer to that is that the security and staffing is the key. When the courthouse is in Sycamore and you move the jail, they have talked to other places that have done that, you are adding: increased staffing costs, increased costs for transportation, etc. The County owns the property that we have to build another Jail. By expanding the current jail we utilize a significant portion of our beds. They talked about Regional Jails, but who controls the budget, who runs the Jail every day, who is accountable for what goes wrong in Jails, etc. Also, since we started talking about this a while ago, Boone, Kane, LaSalle, Winnebago, Kendall Counties all have new Jails.

Neighborhood input issues have come up. Back in 2004 we had open hearings and we received a lot of input. But those days have long past. In 2012 we had public hearings run by the City of Sycamore and their Planning Commission. Lots of citizens came and many of their ideas were heard by the Commission. The Commission was sympathetic to the neighborhood and a lot of that input was included in the final plan that was approved by the Planning Commission and the City Council of Sycamore. It was not a rubber stamp; we had to make some changes to get the approval. We wanted it to fit into the neighborhood with the drawings.

We have added alternatives to Jail to keep the numbers down, which are: Electronic Home Monitoring, Drug Court, Video Bond Calls, and Weekend Bond Calls. A lot of recommendations that were asked for are in place now. The County has spent \$1million a year in transports which is an issue for the County. Security and safety is the main problem that needs to be addressed. Danger goes up with transports and overcrowding in the Jail. The Jail never increased in square footage, we just moved walls and that. The Jail is overdue, he said. Today there were 132 inmates in the Jail today.

Lt. Klein said that 9 years ago they started with the housing problem. There are 100 to 150 inmates a year being transported. It is truly the operations; safety of the officers, inmates and the community that the need is there. They need holding cells are in place to put some people in for suicidal reasons, mental health problems, etc. The problems are growing with the closing of mental health facilities since 1980.

Mr. Gary Hanson, County Administrator, said that the Expansion will cost \$27 million expansion that will get you, in addition to the current 83 beds, another 80 beds when it opens. The wall space will be there for another 50 beds, but that will take additional funds to finish that off. To make it work at \$27 million from the bond issue, what is not included in there is \$435,000 for a kitchen (the space is there for one), \$450,000 for the office space (not finished out), and \$4 million for remaining 50 beds for a total need of \$32 million for the expansion. There is a big gap between the \$27 million and the \$32 million to fully finish it out, he said.

What we have spent so far is the bond issue for \$16 million of which \$15 million was spent for the courthouse expansion, with \$1 million left for the schematic designs for the jail expansion. We are on hold now until we are able to sell more bonds. Why we are on hold is because our revenue sources anticipate the host fee agreement that we have on the Landfill expansion is delayed. That delay and the lawsuits have cost us essentially projected to be about \$1 million a year in construction costs and we are continually spending the money to house prisoners off-site. But, the other thing that

has happened is that when the County Board approved the bonding and authority on those two projects it has a sunset on it. On March 25, 2013 we lose our authority to issue those bonds. So we will have to go through that whole process again, when we think that the Landfill expansion process will happen again. The lawsuit is awaiting the Supreme Court decision.

Ms. Tobias said that the Jail is not a good workable facility.

The committee asked Mr. Hanson that if the funding source does not come through from the landfill what happens?

Mr. Hanson said that we would look at a property tax referendum, which is the next step. It is time to move forward.

### **ADJOURNMENT**

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

Respectfully submitted,

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Julia Fullerton, Chairman

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Mary Supple, Secretary

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