

Note: These minutes are not official until approved by the Law and Justice Committee at a subsequent meeting. Please refer to the meeting minutes when these minutes are approved to obtain any changes to these minutes.

DeKalb County Government
Sycamore, Illinois

**Law & Justice Committee Minutes
April 21, 2014**

The Law and Justice Committee of the DeKalb County Board met on Monday, April 21, 2014 at 6:30 p.m. in the DeKalb County Administration Building's Conference Room East.

Chairman Fullerton called the meeting to order. Those present were Mr. Cvek, Mr. Frieders, Mr. Oncken, Mrs. Tobias, Mrs. Turner and Mr. Tyson. All Committee Members were present.

Others present were Gary Hanson, Richard Schmack, Sheriff Scott, Margi, Gilmour, Thomas McCulloch, Greg Millburg, Carol Zar, Pat McMahan, Janie Torma and Jeff Metzger.

APPROVAL OF MINUTES

Moved by Mr. Oncken, seconded by Mrs. Tobias and it was carried unanimously to approve the minutes from March 31, 2014.

APPROVAL OF THE AGENDA

Moved by Mrs. Turner, seconded by Mr. Tyson and it was carried unanimously to approve the agenda.

PUBLIC DEFENDER'S REPORT – MR. THOMAS McCULLOCH

Mr. McCulloch quickly noted to the Committee that the Public Defender's Office has lost another Assistant Public Defender to a neighboring County due to salary differences. The Committee decided they would address this reoccurring issue at one of their upcoming meetings.

COURT SERVICES AUGUST REPORTS – MS. MARGI GILMOUR

The Committee looked over Ms. Gilmour's adult and juvenile monthly reports amongst themselves. Ms. Gilmour additionally pointed out that they did have another juvenile placed in residential placement. The Committee very briefly discussed the per diem cost that is associated with the different residential placement centers.

COURT WATCH PROGRAM

Carol Zar shared with the Committee the mission of the DeKalb County Domestic Violence CourtWatch Program. She indicated that it is a non-for-profit volunteer organization working to help the DeKalb County Courts improve their handling of domestic violence cases. CourtWatch provides information and feedback to the county's criminal justice systems and other

organizations addressing domestic issues. She continued that CourtWatch volunteers participate in a variety of activities including attending courtroom proceedings, observing the handling of domestic violence cases, and recording observations of the proceedings. Their role is to serve as a voice for the residents of DeKalb County, and to provide information and feedback to other groups involved in the handling of domestic violence cases in the courts, as well as to the residents of the county.

Ms. Zar also shared some special events throughout the year that the CourtWatch program has been a part of and guest speakers that they have had at their monthly meetings. It was reiterated that these are all 100% volunteers who make up this program and they are completely independent from any other organizations in the county. She lastly went over the CourtWatch's 2013 Annual report and briefed the Committee on the history of the program.

Mr. Oncken asked Ms. Zar if they are finding anything problems or misconduct happening in the courtroom and also expressed that there are many other entities in the courtrooms present already and he wanted to make sure that the CourtWatch volunteers were not duplicating any services that are already being provided.

Ms. Zar shared that the CourtWatch group has a good relationship with the DeKalb County Judges and other Judicial Staff and meets to discuss issues and mutual interests with them and she had nothing discouraging to say regarding courtroom conduct. Ms. Zar also reiterated that they are present in the courtrooms to observe and provide feedback and are not there representing anyone or any entities like other groups that may be present for clients.

The Committee thanked Ms. Zar for coming and sharing information regarding the DeKalb County Domestic Violence CourtWatch and even commended them for being independent and a complete not-for-profit volunteer organization.

CHILDREN'S WAITING ROOM FUND

Janie Torma and Pat McMahon returned to the Law & Justice Committee to discuss raising the Children's Waiting Room Fee from \$5 to \$10 on all civil case filings. In the past it was discussed that it would take legislative action to be able to raise the civil filing fee for the Children's Waiting Room but was later discovered that in Illinois statute 705 ILCS 105/27.7 a fee of not more than \$10 can be charged. The representatives of the Children's Waiting Room requested that the County Board pass a resolution to increase the civil filing fee to \$10 in order for the Children's Waiting Room to become independent and not having to ask for more funding during budget time.

Mr. Cvek mentioned that the last visit the representatives had made to the Committee it was suggested to them that they participate in some self-fundraising opportunities and scale back some hours of operation in order to help themselves more.

Ms. Torma indicated that they have given up being open on Mondays and shared that besides their teachers and substitute teachers in the Waiting Room they rest of the staff are volunteers. Ms. McMahon also shared that their biggest expense like any other service organization is the payroll, workman's compensation for their paid teachers and liability insurance.

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The Committee further discussed and suggested to the ladies that they try and utilize more fundraising opportunities in order to raise more funding for the Children's Waiting Room.

Mr. Oncken expressed that his concerns with funding the Children's Waiting Room was when the last time the Committee broke down how many children were being served, no matter how long because that is hard to determine, the return on investment was pretty expensive per child per that service so it was his determination that the model that is currently being used is not working and they may want to cut back times they are open even more in order to take a step in the right direction.

The Committee made additional suggestions to the representatives in order to more utilize the funding they are already receiving. They also discussed the responsibility of the staff, the hours they are working, and how many children they are allowed to have in the Waiting Room at a time.

Mr. Oncken suggested that the representatives come back during the Budget Process and bring more detailed numbers of how many children are being served this year and the Committee can look at the information more at that time before making any further decisions regarding increasing the funding of the Children's Waiting Room.

SHERIFF'S ANNUAL REPORT

Sheriff Scott delivered his annual report to the Committee and indicated that if anyone had any questions regarding the report he would be happy to answer them now or at another time.

Mr. Cvek brought up the Communications Study and asked where they stood in finding a solution that will make everyone more at ease. The Committee discussed the issue briefly and Sheriff Scott indicated that during the Budget Process he would bring other alternative ideas for the Committee to investigate.

PROCESS FOR SOBER LIVING HOME

Chairman Fullerton explained that the purpose of this item was to layout the direction that the Committee would like to proceed with the issue of the Sober Living Home and whether or not they would be interested in purchasing the property for a Sober Living Home in DeKalb County.

Mrs. Tobias shared that within the last meeting some of her constituents questioned why the County was involved with a Drug Treatment Center at all. Mr. Oncken echoed he had been hearing the same thing from people and added that it is being questioned if this is an appropriate use of Opportunity Fund dollars and he stated that is the threshold questions that needs to be determined as a Committee and then as a Full County Board before any further steps are taken in the process.

Mr. Oncken continued that he has personally gone back in forth with the thought of purchasing property for the Drug Court but stated that he can see the County Board investing in real estate which is generally a good investment and if the Sober Living Home does not work out as planned, then the County owns real estate that they can turn around and sell. He did add that he would no way be in favor of purchasing a property and leveling it for any reason. He reiterated

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that the Committee really needs to determine if they have a support for a Sober Living Home and if so at what level (purchasing a property or matching funds from private donations to the Drug Court) are they willing to be involved.

The Committee along with State's Attorney Richard Schmack discussed the differences between Will County's Drug Court Program and DeKalb County's program. Mr. Cvek added that DeKalb County is not too far off the path of being able to recreate some of Will County's program and if they are able to come up with a sound plan this program should be able to be run without and tax dollars. He also shared other methods of funding including redeployment funds.

Mr. Hanson clarified that before the Committee and County Board talk about buying a house, he suggested it is clarified that the Committee is interested in even doing the Sober Living House Program because that is the main question to start with.

Chairman Metzger announced that his intend of bringing it to the Law & Justice Committee was to develop a process but also added that before you can develop a process you have to determine whether or not you support it.

Mr. Frieders stated that the Drug Court Program is operating right now as is without additional funding. Mr. Oncken addressed to Mr. Frieders' point that from what he has heard and has gathered from the Sober Living House Presentation that the Drug Court Program would work 100% better if there were a male Sober Living Home within DeKalb County.

The Committee discussed previous Sober Living Homes in the area and the failure rate with the resources that the program has now.

Chairman Fullerton asked the Committee to take a step back and answer if everyone agrees that one, they are all in support of the Drug Court and its current incarnation and two, they do think that a male Sober Living House is a good idea. The majority of the members were in agreement with both statements.

After lengthy discussion regarding a way of measuring success with the addition of a Sober Living Home, Mr. Oncken purposed a different way of looking at this. He continued that the Opportunity Fund is used for funding special projects and economic opportunities. Some investments that have been made they don't know the specific economic impacts of those investments but if the County were to purchase real estate with those funds, in theory that would be an appreciating asset. If the Committee were to potentially pitch purchasing a Sober Living Home as an idea, it should be pitched as they are purchasing an appreciating asset that will not have any ongoing maintenance costs by the County and could potentially be a revenue generator.

The Committee continued discussion as it relates to the order of the steps they should be taking and drafting a policy and come members not wanting to move ahead until it is determined that certain areas won't be looked upon to purchase real estate by the County.

Mrs. Tobias shared she would like to move that the County purchase a house for the Drug Court Program. There was no second to the motion and additional talk was had about the steps with moving ahead and setting parameters to buying a house or having the Drug Court staff come to the Committee with a suggestion of a house.

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The Committee's discussions continued to circle with thoughts. Mr. Oncken suggested that the Committee invite the Drug Court staff to come to the next meeting and let them know what they estimate what their cost would be, where they would ideally like to locate a Sober Living Home, and then with more information the Committee would be able to send forth the Drug Court team to look for a property.

Mr. Cvek noted that it would be more appropriate to say that they are all in support of a concept and open to contributing funds from the Opportunity Fund with the understanding that there will be some "skin in the game" from buy-in from the Drug Court as well and not just fund the entire project. The Committee agreed with Mr. Oncken's suggestion and a majority agreed with Mr. Cvek's comments.

The Committee and Mr. Schmack continued to talk about the Drug Court Program and what each entity expects or wants out of the other. Location was again a big topic of discussion and the zoning that the City of Sycamore has already set forth for where a Sober Living Home can be located.

Mr. Tyson questioned why the house even needs to be in the City of Sycamore and why it cannot essentially be in the City of DeKalb. Mr. Schmack answered that the previously discussed house needing to be five minutes from the Judicial Campus has nothing to do with the Drug Court members getting to court or probation it has to do with the Drug Court/Judicial/Probation staff being able to get to the Sober Living Home for adequate monitoring.

Chairman Fullerton announced that she believed the Committee had a policy determination that they everyone basically agrees they like the program and in principal would be willing to purchase a property but they would like to see some parameters because they don't really know all of the parameters until they meet with Judge Stuckert and another possibly presentation.

The Chairman then questioned how the Committee would like to continue forward. Mr. Cvek noted that he would like to see a better plan from the Judiciary and Drug Court Program as to what help they actually want from the County Board, if any. Mr. Oncken stated the Committee should address the Sober Living Home Process issue again at their next regularly scheduled meeting and invite Judge Stuckert to attend and help the Committee talk through how they are going to give parameters that are functional for her.

The Committee agreed to dedicate the next Law & Justice Committee Meeting to the process of a Sober Living Home.

ADJOURNMENT

It was moved by Mr. Oncken, seconded by Mrs. Turner, and it was carried unanimously to adjourn the meeting.

Respectfully submitted,

Chairman Julia Fullerton

Tasha Stogsdill, Recording Secretary

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DEKALB COUNTY SHERIFF'S OFFICE JAIL POPULATION REPORT MARCH 2014

AVERAGE DAILY POPULATION

142

Average Number Housed Out

52

<u>SEX</u>		<u>TYPE OF CRIME</u>		<u>COURT STATUS</u>		<u>PERIODIC IMPRISONMENT</u>	
<i>Male</i>	<i>Female</i>	<i>Felony</i>	<i>Misdemeanor</i>	<i>Sentenced</i>	<i>Pre-Sentenced</i>	<i>Week-ends</i>	<i>Work Release</i>
331	51	204	178	87	295	1	8

MONTHLY TRANSPORTS

	Number of Transports	Total Man Hours
<i>General</i>	21	81
<i>Medical – Mental</i>	6 / 0	22 / 0
<i>Jail Overcrowding</i>	70	138
<i>Juvenile</i>	11	31
<i>Totals</i>	108	272

DOC

	Male	Female
<i>Sentenced</i>	15	0
<i>Parole</i>	0	0
<i>Totals</i>	15	0

MONTHLY INMATE POPULATION STATISTICS

	NON-SENTENCED		REGULAR SENTENCED		WEEK-ENDERS		WORK RELEASE		EHM (ADULTS)	
	Number of Bookings	Total Days Held	Number of Bookings	Total Days Held	Number of Bookings	Total Days Held	Number of Bookings	Total Days Held	Average For Month	Total Days Held
<i>Male</i>	172	2918	52	907	1	3	4	206	-	-
<i>Female</i>	34	234	5	135	0	0	0	0	-	-
<i>Totals</i>	206	3152	57	1042	1	3	4	206	24	734

Average Daily Population: The average number of inmates in the jail for the month. Counts each day a person was in the Jail and includes all people booked into the jail.

Monthly Transports: "Jail Overcrowding" represents transports related to jail overcrowding which would include the transport to and from the other facility, transports for court if they are a pre-sentenced inmate, and any other transport which may be necessary.

DOC: 1) Sentenced: Represents the number of inmates transported to the Department of Corrections because they were sentenced to prison for a period of time.

2) Parole: Represents the number of inmates transported to the Department of Corrections because they were arrested on a new charge, on parole and returned to DOC to face their parole violation.

EHM: The numbers reflect only adults on Electronic Home Monitoring for the month. Juveniles would not be housed in the County Jail.

DeKalb County Domestic Violence CourtWatch

Annual Report 2013

Statement of Purpose

The DeKalb County Domestic Violence CourtWatch is a not-for-profit volunteer organization working to help the DeKalb County Courts improve their handling of domestic violence cases. CourtWatch provides information and feedback to the county's criminal justice system and other organizations addressing domestic violence issues.

CourtWatch volunteers participate in a variety of activities including attending courtroom proceedings, observing the handling of domestic violence cases, and recording observations of the proceedings. Our role is to serve as a voice for the residents of DeKalb County, and to provide information and feedback to other groups involved in the handling of domestic violence cases in the courts, as well as to the residents in our county.

The Year in Review

Members of CourtWatch spend many hours observing in court, engaging in continuing education, and doing the work required to make our organization function efficiently. Our nine board members include the usual officers of president, vice-president, secretary and treasurer. In addition, one board member serves as judicial liaison keeping track of felony cases to be watched by our members. Our training chair recruits and trains new members, our program chair provides the monthly continuing education programs, our outreach chair is tasked with keeping the community apprised of domestic violence issues, and our public relations chair is in charge of publicity.

We track the progress on felony domestic violence cases each year. This year 23 cases were followed and the average settlement time was 24 months. We understand that many factors affect the length of time it takes for a case to be completed. It appears that the average time has again risen.

<u>2011</u>	2012	2013
27 months	19.5 months	24 months

Court Watch Statistics Summary

	2011	2012	2013
CourtWatch Observers	27	25	21
Direct Hours of Observation	610	583	483
New Member Training & Continuing Education hours	454	414	354
Administrative Volunteer hours	360	350	280

Programs

Observers meet monthly to participate in ongoing education and discuss courtroom observations.

The 2013 educational programs included:

January – Judge Thomas Doherty

February – Tara King and Julie Cummings, alumni members of Drug Court

March – Duke Harris, 1st Assistant State's Attorney

April – Eugene Lowery, Police Chief, City of DeKalb

May – Jim Anderson, Head Bailiff

June – Andy Sullivan, discussing the FBI Academy

July – Sarah Frazier, Sheriff's Department detective dedicated to domestic violence cases

September – Marj Askins and Crystal Scott, Safe Passage

October – Richard Schmack, State's Attorney

November – Annual Meeting

December – Annual Holiday Luncheon

Special Events

DeKalb County Presiding Judge Robbin Stuckert, Judge William Brady, Judge Ronald Matekaitis, Judge Stephen Krentz, Judge Tom Doherty, and Judge John McAdams met for lunch with the CourtWatch Board in October. This is an opportunity for the judges to get to know members of the CourtWatch Board and for us to discuss issues of mutual interest.

Our Community Outreach Chair met with staff from Safe Passage to explain the mission of CourtWatch and to discuss matters of mutual concern.

Our Public Relations chair has begun the process of developing a video to be available to the court explaining the history and mission of CourtWatch. This project is being developed in cooperation with staff from Northern Illinois University.

CourtWatch members attended two Drug Court graduations this year. CourtWatch encourages all our members to attend Drug Court. We look very favorably on this effort and continue to support it.

CourtWatch members were invited to participate in the Citizens Police Academy sponsored by the DeKalb County Sheriff's Department. We encourage our members to avail themselves of this opportunity and many have done so. During 2013 two of our members participated.

To ensure that only current members of CourtWatch attend court and represent us, we have badges that have the year prominently displayed. Every current CourtWatch member will be wearing this color coded badge. Bailiffs are encouraged to check for these badges. We also encourage our observers to maintain confidentiality concerning what they hear in the court

room. While we understand that these are public procedures, we do not want our observers to become sources of information to others.

Volunteer Training

In 2013 CourtWatch trained five new members during two training sessions. A history of CourtWatch was given to each new member along with information on court room procedures. New members attend court with an experienced CourtWatch member to help the new members feel confident and able to record their observations accurately.

Publicity/Community Outreach

CourtWatch has had several articles and pictures about our monthly meetings and speakers published in the Daily Chronicle this year. CourtWatch continued to provide speakers for organizations interested in the work we do. Information about CourtWatch was also included in the 2013 DeKalb Community Directory.

Future Goals

- A. Encourage the Chief Judge to ensure that all judges serving in the 23rd Circuit receive training in the handling of domestic violence cases.
- B. Determine whether, within the new 23rd Circuit, there are opportunities for CourtWatch members to serve on committees relating to domestic violence.
- C. Continue to educate other organizations about domestic violence.

Respectfully Submitted,

March 2014

Illinois Compiled Statutes

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Information maintained by the Legislative Reference Bureau

Updating the database of the Illinois Compiled Statutes (ILCS) is an ongoing process. Recent laws may not yet be included in the ILCS database, but they are found on this site as [Public Acts](#) soon after they become law. For information concerning the relationship between statutes and Public Acts, refer to the [Guide](#).

Because the statute database is maintained primarily for legislative drafting purposes, statutory changes are sometimes included in the statute database before they take effect. If the source note at the end of a Section of the statutes includes a Public Act that has not yet taken effect, the version of the law that is currently in effect may have already been removed from the database and you should refer to that Public Act to see the changes made to the current law.

(705 ILCS 105/27.7)

Sec. 27.7. Children's waiting room. The expense of establishing and maintaining a children's waiting room for children whose parents or guardians are attending a court hearing as a litigant, witness, or for other court purposes as determined by the court may be borne by the county. To defray that expense in any county having established a children's waiting room or that elects to establish such a system, the county board may require the clerk of the circuit court in the county to charge and collect a children's waiting room fee of not more than \$10. The fee shall be paid at the time of filing the first pleading, paper, or other appearance filed by each party in all civil cases. No additional fee shall be required if more than one party is presented in a single pleading, paper, or other appearance. The fee shall be collected in the manner in which all other fees or costs are collected.

Each clerk shall commence the charges and collection upon receipt of written notice from the chairman of the county board together with a certified copy of the board's resolution. The clerk shall file the resolution of record in his or her office.

The fees shall be in addition to all other fees and charges of the clerks, shall be assessable as costs, and may be waived only if the judge specifically provides for the waiver of the children's waiting room fee. The fees shall be remitted monthly by the clerk to the county treasurer, to be retained by the treasurer in a special fund designated as the children's waiting room fund. The fund shall be audited by the county auditor, and the county board shall make expenditure from the fund in payment of any cost related to the establishment and maintenance of the children's waiting room, including personnel, heat, light, telephone, security, rental of space, or any other item in connection with the operation of a children's waiting room.

The fees shall not be charged in any matter coming to the clerk on a change of venue, nor in any proceeding to review the decision of any administrative officer, agency, or body.

(Source: P.A. 95-980, eff. 9-22-08.)