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DeKalb County Government
Sycamore, Illinois

**Law & Justice Committee Minutes
October 24, 2016**

The Law and Justice Committee of the DeKalb County Board met on Monday, October 24, 2016 at 6:30 p.m. at the Administration Building's Conference Room East in Sycamore, Illinois. Chairman Frieders called the meeting to order. Those present were Ms. Askins, Mr. Cribben, Ms. Leifheit, Ms. Little, Mr. Stoddard, Mrs. Tobias and Chairman Frieders. A quorum was established with all seven Members present.

Others present were Gary Hanson, Mark Pietrowski, Edward Harvey, Judge Robbin Stuckert, Michael Douglas, a couple DeKalb County Drug Court graduates, Tom McCulloch, Margi Gilmour, Sheriff Roger Scott, Chief Deputy Andy Sullivan, Lt. Jim Burgh, Steve Reid, Greg Millburg, Pete Stefan, Richard Schmack, Anita Turner and Anthony Cvek.

APPROVAL OF MINUTES

Mrs. Tobias moved to approve the minutes of the September 26, 2016 Committee Meeting. Mr. Cribben seconded the motion and it was carried unanimously.

APPROVAL OF THE AGENDA

It was moved by Mr. Stoddard, seconded by Ms. Little and it was carried unanimously by voice vote to approve the agenda as presented.

PUBLIC COMMENTS

Mr. Matt Horowitz residing in DeKalb shared that he is a graduate of the DeKalb County Drug Court Program and was in attendance to speak in favor of keeping the Sober Living Home. He shared a brief history of himself and stressed the importance of having a safe and stable environment to go to after recovering from an addiction. Mr. Horowitz is now a sponsor and sees a lot of his sponsees struggle because there is no place for them to go at night. He added that having a center that is close to all the AA Meetings and programs that individuals are involved in are all very beneficial to the recovery process.

PUBLIC DEFENDER'S REPORT

DeKalb County Public Defender Tom McCulloch joined the Committee to present and place on file his monthly Public Defender's Report. The office was reported to still be moving along smoothly with minimal issues and that they are still closing more cases than are being opened.

COURT SERVICES REPORT

DeKalb County Court Services Director Margi Gilmour reported and placed on file her monthly Adult, Juvenile and Pretrial Reports. She additionally reported that unfortunately there are still a high number of juveniles being detained and her and her staff are looking at different programs and way to address this issue.

Ms. Gilmour additionally reported that she just received notice from the Illinois Department of Justice that the grant she wrote for the HOPE Probation Program was awarded to DeKalb County. The grant is for \$600,000 over a three year period and is going to be used to hire a Project Coordinator and be able to help the Sheriff's Department off-set costs of a Deputy for the program. Ms. Gilmour noted that she will be doing some budget revisions in order to reflect those forthcoming changes. It was additionally explained that the grant is for the Swift Certain & Fair Program (SCF).

The SCF programs deliver a sanction immediately upon detection of a violation, which is critical in changing behavior. Responding swiftly also supports perception of the fairness of the program, reinforcing that element of SCF programs. The consistency and predictability of punishments make the consequences of bad behavior clear to the offender, reinforcing the need to make better decisions and change behavior. An essential role is played by the clearly-defined behavioral contract with the offender—a tool that has repeatedly been proven to increase perceptions about the certainty of punishment. The clear demarcation of the offenders' new supervision conditions and the opportunity for a fresh start allow the offender to regain their sense of self-control. The contract enhances the perceived fairness of any subsequent punishment; this perception of fairness is further supplemented by the sparing rather than harsh level of punishment upon violation, which additionally limits disruption of employment and other non-criminal routines and relationships. This program is expected to begin by the beginning of January 2017.

ANNUAL STATE'S ATTORNEYS APPELLATE PROSECUTOR RESOLUTION

DeKalb County State's Attorney Richard Schmack presented a proposed resolution for the County Board to approve that calls for the continuation for the County to participate in the service program of the Office of the State's Attorneys Appellate Prosecutor for Fiscal Year 2017. He explained that this is an annual resolution and that the fee remains the same as it was for last year, \$24,000. This money for this purpose has already been budgeted for.

It was moved by Ms. Askins, seconded by Mr. Stoddard and it was approved unanimously to forward the resolution to the full County Board recommending its approval.

SOBER LIVING HOME

DeKalb County Administrator Gary Hanson reviewed a spreadsheet with the Committee that provided a breakdown of monies for the Sober Living Home completion plan. The spreadsheet ultimately displayed that is a \$17,511 deficit needed to fully complete the project. Drug Court Coordinator Michael Douglas added though that just this week they were able to secure a \$25,000 donation so that money would be covered.

Mr. Hanson continued that his goal with sharing this spreadsheet is to convince the Committee and the Board Members to honor their commitment to this program and to allow the Sober Living Home project to be completed. Mr. Hanson reviewed that the initial funding of the project totaled \$277,265. After the house was bought and renovations were started (which includes water damages) there has been a total of \$220,981 spend to date. Mr. Hanson continued that this leaves \$56,284 left in spendable monies available. There is still a significant amount of work to be done in order to bring the home up to code and Mr. Hanson clarified that all of the items except for flooring and painting all currently have firm bids.

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Mr. Hanson suggested that work such as water line, asbestos removal, radon remediation, and handicap ramp should be done soon because they are things that need to be done to the home regardless of them using it for this project or them trying to sell it. Mr. Hanson reiterated that the rest of the work that needs to be completed is estimated to cost \$153,684 and there is \$136,173 available for final work which leaves a deficit of \$17,511. Mr. Douglas added that Drug Court currently has donation pledges from four different donors to cover that deficit.

Mr. Reid brought up that he reviewed the home's inspection report very carefully and strongly suggested that an additional inspection be done. He himself identified a number of code-related issues while touring the home that were not addressed in the inspection report nor have been budgeted for. Some of the issues he expressed concern about were the soil pipe, lot drainage, basement dryness, gaps in the fascia in the attic which may lead to squirrel infestations and possible mold in the chimney flashing. Mr. Reid noted that those were just a few of the issues he was concerned about and thinks that the costs are going to rise higher than what is noted in the spreadsheet.

Mr. Hanson noted that the home has had an inspection done and there have been architects and multiple contractors that have gone through the house in a large degree and is not sure what else there is to inspect.

Mrs. Tobias questioned whether any of the work changes the design of the house and she noted how small some of the bedrooms are. Mr. Hanson noted that it is good to remember that this is not a house that many individuals would choose to live in but it is a safe environment, it is going to satisfy a need and this is a transitional home, not something someone is going to live in for the next five to ten years. It is also important to look at what the County is able to do with the resources that are available but to realize that this is probably a better situation than if someone is out on the streets trying to find any type of shelter they can.

Judge Stuckert also shared that in many halfway housing it is very normal to have 2-3 men in a dorm-style room and that these are transitional, safe environments and that this home is nicer than many other halfway/sober living homes out there. The Judge added that there are residents that would tour the home and say that they would never live there but there are also participants within their programs that would say that they wished they could live in a home like this one. It is a safe, transitional hope that keeps them out of the elements. Many participants now are living in their cars or at Hope Haven which is not a good environment in order to maintain their sobriety.

Board Chairman Pietrowski shared that at this stage everyone needs to weigh the positives and the negatives and questioned if it is worth it to keep going or what the losses would be if the Board were to stop the project at this point. He added that all County Board Members are in support of the program but many have been questing for a long time if they bought the wrong house. The Chairman expressed his disappointment in touring the home and echoed the same concerns that Mr. Reid previously expressed.

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Mr. Hanson reminded that in June the County Board approved an additional appropriation of \$75,000 to the project and to date nothing has changes from that commitment. No one is asking the County to put any more money into the project but in June the Board noted that this extra allocation would be money well spent to get this program going. He added that when you start looking at the economics of backing out there is going to be a substantial loss on the house but if you look at the positive he questioned what if one or more of the individuals in this program were to obtain a job and make \$25,000 or more a year. Not only are they not being paid for by the community, via jail or hospitals, but they are now contributing to the local economy. Mr. Hanson encouraged everyone to look at the total cost of the program.

Chairman Frieders noted that a long-time struggle with this project from the beginning has been obtaining information on the house and having project updates provided to the Committee. He added that he doesn't feel they would still have an understanding of the status of the house if they hadn't asked for a tour of it. Judge Stuckert noted that they spent all last summer waiting on architect documents and had no new information to provide to the Committee.

Mr. Stoddard shared that it is obvious that the Board thinks this is a worthwhile program and he is open to alternatives but agreed with Mr. Hanson that not going forward with this house will result in a substantial loss in what everyone has done already. A lot of work would have to be done to even resell the house if that is what the Board would choose to do and even then would have to find another house which may need work and would cost even more money and more time. Mr. Stoddard added that he would like to see the project with the current house move forward but would also be in favor of having some additional assurances in place. He suggested that Judiciary or Drug Court would come to report each month to the Law & Justice Committee in order for everyone to have continual updates on the project.

The inspection worries were raised again and Mr. Edward Harvey shared that the scope of the work that the architects last prepared has been submitted to the City of Sycamore already and they have approved the plans. That is all included in the costs that Mr. Hanson illustrated in his spreadsheet. The only exposure that there may be related to code would be anything that is undiscovered.

The estimated timeline for the continuation of the work is said to begin as soon as the contractors are ready. Swedberg & Associates will be doing the majority of the work and they have given a 90 day completion estimate.

Ms. Askins reviewed that the County made the initial purchase of the home and then allocated an additional \$75,000 in order to see the project completed. She expressed that she is hearing a lot of frustration from Members that the project has not gone as planned. Ms. Askins continued that given that the spreadsheet Mr. Hanson reviewed isn't asking any additional commitment from the County other than to see the project through as they originally wanted done, she is comfortable with giving an okay for the project to move forward. Especially hearing about the return on the investment of the program once it is finally up and running at full capacity.

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Many other Committee Members went around and expressed their frustrations and apprehensions on moving forward with the project because of the possible uncertainties of what else may be discovered along the way. Others tossed around the idea of tearing the current residence down and building a real dormitory-style building instead. A consensus among all Committee Members except Mr. Cribben was to agree that the County would not contribute any more money to the Sober Living Home Project but they would like to proceed with caution and see the project completed. Committee Members also reiterated that they would like additional, if not monthly, updates on the status of the project.

FY 2017 BUDGET

Sheriff's Office Budget Appeal

The original FY 2017 Budget Administrative Recommendation was as follows: "The Sheriff's Office has five cost centers in the General Fund and spends almost \$15,000,000 representing just over 50% of all General Fund monies. This significant piece of the General Fund pie translates into also receiving the largest dollar reduction of all departments. The 2017 budget calls for a staffing cost reduction of \$275,000 which equates to about 3 officers, depending on which unit is impacted. This budget reduction recommendation yields to the Sheriff to submit a plan as to where the actual cuts within his five budgets should occur. We ask that a plan be presented to the Law & Justice Committee and then to the November Finance Committee meeting with the specific cuts. We are committed to working with the Sheriff on the timing of any staff reductions in the hopes that retirements and natural turnover could prevent specific layoff of existing staff."

The Sheriff is proposing the adoption of two Ordinances, a Vehicle Seizure and Impoundment Ordinance and a Possession of Cannabis and Possession of Drug Paraphernalia Ordinance, to provide funding for two of the three positions he was requested to eliminate per the FY 2017 Budget Administrative Recommendation. The third position would be eliminated regardless.

Sheriff Scott shared that he reluctantly will reduce staff by one patrol deputy (traffic unit) saving \$95,700 thus leaving \$179,300 in reduction needed. The reduction of this patrol deputy position is not something that he endorses, but is putting forward out of necessity. He additionally requested that if through this budget process funds become available that for the good of the public and traffic safety County-wide, that this position be given priority for restoration.

The Sheriff further explained that in lieu of further staff reductions he proposes the adoption of two Ordinances. The first Ordinance being, a Vehicle Seizure and Impoundment Ordinance. This is an Ordinance used by Municipalities and Counties throughout the State and is authorized by various State Statutes. This authorizes law enforcement to charge an administrative fee to tow vehicles for specified criminal/traffic offenses. These tows occur currently as a natural occurrence of normal law enforcement operations. These new administrative fees are a user fee, to help defray the costs of time, training, and labor of law enforcement offices that is required because of the activity of individuals involved in these specific criminal/traffic offenses, thus shifting some of the costs of law enforcement from tax payers who are not involved in these activities, to those who are. In regards to the two administrative fee there is a required appeal process within the Ordinance. The proposed administrative fee is \$300 for a first offence, or \$500 for a second or subsequent offense on a registered owner or lessee of any motor vehicle impounded under this division.

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The second Ordinance the Sheriff proposed is a Possession of Cannabis and Possession of Drug Paraphernalia Ordinance. This Ordinance is based on, and is consistent with the passing and signing of SB 2228 into law on July 29, 2016. This law removed the criminal penalties for those found in possession of 10 grams or less of cannabis. The new law turned these previous violations into a civil offense rather than criminal. The proposed Ordinance would allow County Deputies to write the citation under the County Ordinance, thus sending any fine money into the County General Fund rather than the State of Illinois Treasury. More importantly, it would allow County Deputies to allow these vehicles to be towed thus improving overall traffic safety as well as allow for the Vehicle Seizure and Impoundment Administrative Fees to be applied.

Lastly, Sheriff Scott with the assistance of Chief Deputy Andy Sullivan and Lt. Jim Burgh, explained that passing the Two Ordinance, based on historical Sheriff's Office data from 2014-September 2016, will generate a very conservative estimated amount of \$135,000 in 2017. Another \$40,000 is again, very conservative, and would be generated by the passing of the Drug Paraphernalia Ordinance for 2017. With the passing of these Ordinances and generation of an absolute minimum of \$175,000 as resulted, combined with the elimination of one patrol position the Sheriff's Office would be shy of the goal set of \$275,000 by only \$4,000. The Sheriff's recommendation is that two administrative fees be directed into Law Enforcement Projects special account created for two administrative fee, and then transferred about November 1st to the appropriate General Fund account to provide the \$179,300 needed to supply the remaining financial needs.

It was moved by Ms. Askins, seconded by Mrs. Tobias and it was approved unanimously to forward the Sheriff's two proposed Ordinances to the full County Board recommending their approval and to additionally approve the Sheriff's FY 2017 Budget Appeal and forward it along to the DeKalb County Finance Committee.

After being questioned about it, Sheriff Scott noted that sometime after the first of the New Year he would like to report to the Law & Justice Committee to suggest retiring the protocol of deputizing 911 Dispatch Personnel/Telecommunicators (new hires only). He noted that it has been something he has fought for since 1985 but understands that it is something that he needs to be and will have a long-term financial benefit to the County.

Other Budget Appeals, if any

There were no other budget appeals.

Committee Questions & Review of Departments' FY 2017 Budgets

There were no other questions asked about any department's budgets that report to the Committee.

ADJOURNMENT

It was moved by Mr. Stoddard, seconded by Ms. Little, and it was carried unanimously to adjourn the meeting.

Respectfully submitted,

Chairman John Frieders

Tasha Sims, Recording Secretary

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**DEKALB COUNTY ADULT COURT SERVICES
MONTHLY REPORT
FISCAL YEAR 2016**

PROBATION

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	Total
PSI's Ordered	2	2	3	4	1	2	2	8	5				
PSI's Completed	1	1	3	3	3	3	1	3	6				
New Active Cases	23	27	27	23	28	26	26	28	28				
Felony	368	374	368	361	368	362	361	360	362				
Misdemeanor	136	134	133	136	135	142	144	148	141				
DUI	0	0	0	0	0	0	0	0	0				
Traffic	0	0	0	0	0	0	0	0	0				
Active Caseload	504	508	501	497	503	504	505	508	503				
Pending Intakes	76	72	63	87	80	83	74	72	73				
Total Active Caseload	580	580	564	584	583	587	579	580	576				
Administrative Cases	967	963	973	965	971	967	957	947	952				
Transfer In Cases	6	15	6	11	5	7	12	12	11				
Transfer Out Cases	9	8	9	9	8	8	9	5	15				
Tech Viol. Reported	32	44	49	25	25	28	27	43	23				
Crim. Viol. Reported	13	16	17	17	16	14	20	17	9				
Tech. - No Violation	0	0	0	0	0	0	0	0	0				
Tech. - Finding Viol.	6	2	3	6	1	1	3	5	1				
Crim. - No Violation	0	0	0	1	0	0	0	0	0				
Crim. - Finding Viol.	4	3	3	0	3	1	2	2	1				
Successful Terminations	16	16	17	26	13	14	16	22	17				

COMMUNITY RESTITUTION SERVICE

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL
# Adults Referred	81	66	88	75	68	62	78	66	58				
# Hours Ordered	8,525	7,110	7,780	9,359	7,839	5,133	6,961	8,134	7,537				
# Hours Completed	6,245	3,736	6,411	7,388	5,586	3,940	4,793	5,356	4,195				

# Juveniles Referred	5	1	7	6	6	5	4	4	15				
# Hours Ordered	120	30	340	170	175	220	190	150	495				
# Hours Completed	78	62	17	65	100	29	164	68	8				

FY 2016

JUVENILE PLACEMENT/DETENTION REPORT

PLACEMENT

	Jan	Feb	Mar	Apr	May	June	July	Aug.	Sept	Oct	Nov	Dec
Residential placements at beginning of mo.	2	2	1	1	1	1	0	0	0			
Minors placed during the month	0	0	0	0	0	0	0	0	0			
Minors released during the month	0	1	0	0	0	1	0	0	0			
Minors in residential placement at end of mo.	2	2	1	1	1	0	0	0	0			

DETENTION

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Minors in detention at beginning of month	3	1	3	4	3	2	7	3	4			
Minors detained during the month	7	5	6	7	10	16	9	11	12			
Minors released during the month	9	3	5	8	11	11	13	10	11			
Minors in detention at end of month	1	3	4	3	2	7	3	4	5			
Average daily population for mo.admissions	<1	2	1.5	1	1	3	2	1.5	3			
Average length of stay for mo. admissions	2.5 days	13 days	8 days	4.5 days	4 days	6 days	7 days	4 days	8 days			

2016 Pretrial YTD Information

	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Bond Investigations Completed												
Felony	28	39	52	39	46	48	34	59	46			
Misdemeanor	24	33	28	43	32	46	48	50	31			
Released on Pre-Trial Supervision												
Felony	19	20	27	26	24	20	27	27	28			
Misdemeanor	3	7	9	13	12	14	9	13	27			
Released with no Pre-trial Supervision (Including those who posted)												
Felony	13	29	31	27	26	36	15	44	25			
Misdemeanor	19	22	17	27	19	27	33	28	20			
Active Pre-Trial Supervision Cases												
Felony	122	136	155	171	185	196	210	222	234			
Misdemeanor	30	37	42	51	62	74	77	82	86			
Violations Reported												
Rules Violation	1	6	2	0	0	2	4	0	0			
Failure to Appear	0	0	0	0	0	0	0	0	0			
New Offense	3	8	6	6	9	18	15	21	26			
Violations Revoked												
Rules Violation	0	0	0	0	0	0	0	0	0			
Failure to Appear	0	0	0	0	0	0	0	0	0			
New Offense	0	2	0	0	0	1	0	1	1			
Successful Terminations	8	5	10	14	10	10	16	21	14			

10-24-2016	SOBER LIVING HOME COMPLETION PLAN		
	Description	Amounts	Totals
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A	Initial Funding		
A-1	County - House Purchase	157,737	
A-2	Drug Court	75,000	
A-3	Water Damage (Insurance & Self Insurance)	44,528	

A-99	Initial Money Available		277,265
B	Monies Spent to Date		
B-1	Acquisition	157,912	
B-2	Renovation	33,777	
B-3	Water Damage	25,138	
B-4	Utilities / Operating	4,154	

B-99	Spent to Date (10-24-2016)		(220,981)

C	Spendable Monies Available Until Full Funding Secured		56,284
D	Work to Complete while Securing Full Funding		
D-1	Water Line / Site Work	14,311	
D-2	Asbestos Removal	2,800	
D-3	Radon Remediation	2,500	
D-4	Handicap Ramp	7,500	

D-99	Interim Work Costs (Oct & Nov)		(27,111)

E	Spendable Money Available when Contract Work Begins		29,173
F	Monies Held Until Full Funding Secured		
F-1	County - Renovation		75,000
F-2	Donations - Received		25,000
F-3	Donations - Pledged		7,000

F-99	Monies Available for Final Work		136,173
G	Planned Expenses - once all funding is secured		
G-1	General - Base Work	69,016	
G-2	Added Compliance Work	55,168	
G-3	HVAC	17,000	
G-4	Flooring & Painting (work by Drug Court)	5,000	
G-5	Architect	2,500	
G-6	Contingency	5,000	

G-99	Planned Expenses - once all funding is secured		(153,684)

Z	Money Needed to Finish		(17,511)
			=====

DeKalb County Government
Sober Living Home

I. The scope of work required in Swedberg & Associates original signed contract

A. Exterior:

1. Remove concrete stairs and sidewalk and replace with wood-framed deck, stairs and ramp
2. Provide striping and signage for handicapped parking space
3. Re-support cantilevered window bay on east side of building
4. Re-support exterior wood stoop on north side of building.

B. Basement:

1. Provide fire alarm system with smoke detectors, pull stations, visual strobes and audio devices

C. First Floor:

1. Remove center island to create accessible Kitchen
2. Replace countertop and modify some base cabinets in the Kitchen. Install dishwasher and provide knee space at sink and adjacent to stove. Patch and paint related walls.
3. Completely reconfigure and replace all plumbing fixtures, wall and floor finishes in the Bathroom to make accessible.
4. Widen corridor and reconfigure entry door in the western most bedroom to make accessible.
5. Provide new interior doors at Bathroom and Bedroom 111.
6. Insulate and protect the underside of Bedroom 111, former Sunroom
7. Patch and paint all wall surfaces affected by work.
8. Provide handrail at interior stair to second floor
9. Provide exhaust fan at First Floor Bathroom
10. Provide receptacles and power feed for Bathroom fixtures and miscellaneous items in Kitchen and Corridor
11. Provide fire alarm system with smoke detectors, pull stations, visual strobes and audio devices
12. Patch and replace subfloor in Kitchen, Dining, Bedroom 112, Bedroom 108

D. Second Floor:

1. Provide fire alarm system with smoke detectors, pull stations, visual strobes and audio devices

Accepted Alternates:

- Provide Payment & Performance Bond
- Provide surface mounted fire alarm system
- Provide addressable fire alarm system

II. The latest drawings have added the following work to the contract:

A. Exterior: None

B. Basement:

1. Remove and re-build entire floor structure of Kitchen
2. Provide electrical hook up for two new furnaces and AC's
3. Provide 200 Amp electrical service and panel. Back feed up to second floor sub-panel. Place all wiring in conduit.
4. Replace all exposed Romex electrical feeds coming into waterlogged existing panel. (This affected all first floor power receptacles and lighting.)
5. Combine gas meters into one meter
6. Re-pipe water softener to be code compliant
7. Connect the plumbing into new service installed by County's contractor.

C. First Floor:

1. Remove lower portion of drywall around entire Kitchen, Living Room, Dining Room, Bedroom 112, Sun Room 111 to allow for electrical replacement. Patch and replace after electrical work completed.
2. Provide ducted exhaust hood at Kitchen and related soffit to hide ductwork.
3. Provide all new base cabinets and upper cabinets in Kitchen
4. Replace feed and receptacles below 24" AFF in Living, Dining, Bedroom 112, and Sunroom 111 due to water damage.

D. Second Floor:

1. Remove drywall at Bathroom to accommodate new exhaust fan. Patch and replace when complete.
2. Provide new exhaust fan at Bathroom and power feed.
3. Provide ducted exhaust hood at Kitchen and power feed.

III. Other Contracts/Work

A. Inside Work

1. Asbestos removal
2. Radon remediation
3. HVAC
4. Flooring
5. Painting

B. Outside Work

1. Water line replacement
2. Brickwork for parking area
3. Handicap ramp