

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
May 29, 2018**

The Law and Justice Committee of the DeKalb County Board met on Monday, May 29, 2018 at 6:30 p.m. in the Administration Building's Conference Room East in Sycamore, Illinois. Chairman Leifheit called the meeting to order. Those present were Ms. Askins, Mr. Jones, Mr. Luebke, Mr. Pietrowski, Mr. Plote, Mr. Whelan, and Chairman Leifheit. A quorum was established with all seven Members present.

Others that were present included Tom McCulloch, Sheriff Roger Scott, Chief Deputy Andy Sullivan, Chief Joyce Klein, Mari Gilmour, and Michael Venditti.

APPROVAL OF THE AGENDA

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

APPROVAL OF MINUTES

Mr. Whelan moved to approve the minutes of the April 23, 2018 Committee Meeting. Mr. Luebke seconded the motion and it was carried unanimously.

PUBLIC COMMENTS

There were no public comments.

The Sheriff's 2017 Annual Report was distributed to the Committee Members and it was noted that if the Committee would like he would return at a future meeting to review the report with them and answer any questions they may have.

SHERIFF'S DIGITAL RADIO PROJECT UPDATE

Sheriff Roger Scott and Chief Deputy Andy Sullivan joined the Committee to provide an update on the Sheriff's digital radio project. Chief Deputy Sullivan explained the project is currently a bit delayed due to an initial problem with one of the tower site locations. Originally there was going to be a tower near the Genoa-Kingston High School. The G-K School Board approved but they had a Public Hearing in front of the Genoa City Council that did not go well at all and due to so much oppositions from citizens, the Sheriff's Department withdrew the motion to construct a tower in that location. The Sheriff has since worked out another agreement with a farmer in the Kirkland area and there have been Public Hearings held for the Special Use Permits to construct towers at 31900 Irene Road in Kirkland and on County-owned land on Miller Road in Waterman. Both of those Special Use Permits were unanimously approved to be forwarded to the County Board and will be voted on at the June 20th Board Meeting, Chief Deputy Sullivan explained. The last tower is proposed to be on property in Sandwich and that Public Hearing will take place on June 12th but they think there is a favorable chance that location can be secured as well. Once all the tower locations are secure and the Federal Permits are in place (which is a lengthy process as well), the project can move into the construction phase.

Chief Deputy Sullivan noted that there are Memorandums of Understandings with the tower properties in Sandwich and Kirkland and state that if there are any revenues ever shared, there is a revenue sharing process that is outlined that will be between the County and the landowners. If there is no revenue generated the Sheriff's Department would pay \$5,000 per year to lease the land. The Sheriff noted that he anticipates there will be revenue generated that would cover the lease costs and they would not have to pay for these locations. It was reiterated though generating any type of revenue is not the goal of this project, it is to eliminate the radio frequency problems all law enforcement and first responders are experiencing.

He lastly informed the Committee that the procurement of all the radios for all police and Sheriff's Deputies have been secured. Unfortunately, it was shared that the E-911 Board paid for a grant writer to write a grant to FEMA in order to get the Fire Departments radios as well but it was just learned that grant was not awarded. The belief is that FEMA did not award many grants this past year due to the multiple hurricanes in the south and in Puerto Rico. The new digital system will always be available to the Fire Departments and they will still be able to utilize the current system and it will be better than it is right now. The Sheriff's Digital Radio Project is now estimated to be done by December 31st as long as everything from this point forward goes as planned.

PUBLIC DEFENDER'S REPORT

DeKalb County Public Defender Tom McCulloch presented and placed on file is monthly report. In addition, he talked with the Committee on what they may like to see or what they were most interested in learning from his monthly reports. He reported that the Saturday and Holiday Bond Calls were working well for them because his staff volunteers if they want to come in on those days or not so no one is forced into work if they don't want to. Another positive is that his staff has been stable for over a year now after having quite a bit of change over and absences last year. The Committee and Mr. McCulloch lastly discussed his staffing and their salaries compared to other offices and how he may be able to change up his monthly reports to better show that information to them.

COURT SERVICES REPORT

Court Services Director Margi Gilmour reported that the monthly Adult Report was standard for last month and there was nothing unusual to share. For the Juvenile Report, five youth were detailed in April and were all released as well so they went into May with none in detention. Right now though there are three juveniles in detention and due to striking issues in Kane County, local juveniles are being send to Joliet to be detained. She stressed to the Committee she had tried to find beds closer in Boone and Winnebago Counties but there was nothing available so unfortunately they have to make the drive to Will County in order to detain juveniles.

Lastly, Ms. Gilmour provided a couple updates to the Committee regarding her office. She shared that her office has finished mediation for their union negotiations and they currently have a verbal agreement for a four year contract. She also shared that the Kendall County Court Services Director resigned suddenly and she has been helping in the interim there but assured that it would only be for a very temporary basis. And with great sadness, she reported that her employee that she reported last meeting that was very ill unfortunately passed away last month. The Committee expressed their sadness and thoughts to Ms. Gilmour and her entire staff.

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PRETRIAL SERVICES ANNUAL REPORT

The Committee welcomed Mr. Michael Venditti, Supervisor of the Pretrial Services Department. Mr. Venditti shared that he was happy to join the Committee to present another report regarding Pretrial Services. He recapped that Pretrial Services consists of bond reports completed by pretrial services provide the budget information to help determine appropriate conditions of bond. An objective risk assessment provides guidance on which defendants can potentially be safely released pending trial verses those that pose a substantial risk to community safety. From a community safety standpoint, identifying those who pose a genuine risk is self-evident.

He posed the question why there is a need to try and identify those who can be released. Even short term pretrial incarceration has a toxic effect. Defendant lose jobs, homes, pro-social relationships, and put their family in hardship. An overwhelming majority are immediately released back into the community as soon as their case is resolved, but then find themselves in more desperate circumstances than prior to their arrest. Mr. Venditti noted that an individual that is incarcerated for up to 2-3 days is 17% more likely to commit another crime within two years. Individuals serving 4-7 days are 35% more likely and those serving 8-14 days are 51% more likely to commit additional crimes.

To date, data has been collected on 2,266 defendants after reaching disposition. Most defendants are immediately released into the community upon disposition of their case. Which is also reflected in the disparity of pretrial defendants in the jail versus sentenced offenders. Defendants released at bond call are less likely to be incarcerated as part of the sentencing, Mr. Venditti explained. Out of the 2,266 defendants, 77% were released post disposition with no additional time and 23% were released post disposition incarceration. Breaking down the 2,266 further, 86% were released pending trial and within 24 hours of their initial arrest and only 14% were ever sentenced to any time whatsoever. Those who were denied release at their initial bond call they found that 60% were immediately released on disposition of their case and 40% were required to spend additional time as part of their sentencing.

Mr. Venditti continued to share that in 2017, the average daily population in the DeKalb County Jail has increased from its prior decline over the last two years. Analyses in 2014 using data from over the 20 years prior to pretrial, predicted an average population over 154 defendants by 2017. Based on monthly jail reports from January to April 2018, the 2018 annual average is approximately 141 defendants. Several factors have been examined surrounding the recent growth. Further looking at DeKalb County statistics, the following information was shared:

<u>2016</u>	<u>2017</u>	<u>2018</u> <i>(January – April)</i>
<ul style="list-style-type: none"> • 69% of defendants released at first appearance. • 1158 defendants on bond call <ul style="list-style-type: none"> ➢ 585 Misdemeanor ➢ 573 Felonies • 164 domestic violence risk assessments • 983 Bond reports 	<ul style="list-style-type: none"> • 76% of defendants released at first appearance. • 1301 defendants on bond call <ul style="list-style-type: none"> <li style="text-align: right;">12% increase ➢ 624 Misdemeanor 7% increase ➢ 677 Felonies 18% increase • 200 domestic violence risk assessments 22% increase • 1134 Bond reports 15% increase 	<ul style="list-style-type: none"> • 80% of defendants released at first appearance. • 394 defendants on bond call <ul style="list-style-type: none"> ➢ 197 Misdemeanor ➢ 196 Felonies • 76 domestic violence risk assessments • 394 Bond reports

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Mr. Venditti reported that as of May 2018, 82% of defendants in the jail are pretrial defendants. Therefore the length of pretrial detention impacts average jail population as people enter the jail at a faster rate than are released. Averaging total days held by number of booking reported each month by the jail reveals a recent spike in average length of time pretrial defendants are held prior to sentence. From 2016 to present, the average length of non-sentenced detention per inmate increase 22%. Days held per booking fails to take into account that 80% of defendants currently are released within 24 hours, Mr. Venditti shared. Looking specifically at the average length of time defendants who are not released at bond call spent incarcerated prior to disposition in 2017 equaled 277 days.

Some additional statistics that were presented for January 1st through August 30, 2018 included: 82 defendants had their first appearance at weekend/holiday bond call (21% of all defendants appearing in custody). Approximately 80% were released. Prior to 2018, 49% (2017 average) of these defendants would have been held on average of two additional days for a re-hearing with representation by a Public Defender and a bond report. This extra detention time would have been estimated to be about 80 days.

Some potential solutions that were discussed were increasing the number of defendants identified for released (net widening). National experts claim 80-90% of defendants in most jurisdictions could be safely released with various levels of supervision. In 2017 and 2018, Pretrial advocated released of 85% of all defendants on bond call. The potential risk that going above this is that additional defendants that could be identified for release would be those identified as a higher community safety risk.

Mr. Venditti shared that the DeKalb County Pretrial Services is currently in the process of national accreditation through the Nation Association of Pretrial Services Agencies. If obtained, DeKalb County would be the first Pretrial Department to receive this distinction in Illinois. Lastly, he shared information on the impact of public safety with the Committee. 2,259 defendants were released from custody between June 1, 2014 and January 1, 2018 and have reached disposition. In that time: 89% appeared for all their court dates, 84% had no arrests while out on bond, and 4% were re-arrested for violent offences.

The Committee asked a few questions and thanked Mr. Venditti and all their guest for coming and updating them for the evening.

It was reminded that the Committee's next meeting date would be Monday, July 23rd due to the County Board's Summer Recess.

ADJOURNMENT

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

Respectfully submitted,

Chairman Dianne Leifheit

Tasha Sims, Recording Secretary

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DEKALB COUNTY SHERIFF'S OFFICE JAIL POPULATION REPORT

APRIL 2018

AVERAGE DAILY POPULATION

136

Average Number Housed Out

55

<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>
281	69	208	142	45	305	0	6

MONTHLY TRANSPORTS

	Number of Transports	Total Man Hours
<i>General</i>	30	72
<i>Medical – Mental</i>	15 / 0	79 / 0
<i>Jail Overcrowding</i>	52	81
<i>Juvenile</i>	6	18
<i>Totals</i>	103	250

DOC

	Male	Female
<i>Sentenced</i>	6	0
<i>Parole</i>	0	0
<i>Totals</i>	6	0

MONTHLY INMATE POPULATION STATISTICS

	NON-SENTENCED		REGULAR SENTENCED		WEEK-ENDERS		WORK RELEASE		EHM (ADULTS)	
	Number of Bookings	Total Days Held	Average For Month	Total Days Held						
<i>Male</i>	146	3238	20	277	0	0	5	88	-	-
<i>Female</i>	46	384	9	62	0	0	1	27	-	-
<i>Totals</i>	192	3622	29	339	0	0	6	115	77.5	2455

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 Pretrial Services



What is Pretrial Services?

Bond reports completed by pretrial services provide the judge with information to help determine appropriate conditions of bond.

An objective risk assessment provides guidance on which defendants can potentially be safely released pending trial versus those that pose a greater risk to community safety.

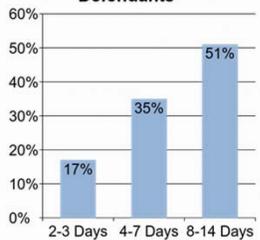
From a community safety standpoint, identifying those who pose a genuine risk is self evident.

But why the need to try to identify those who can be released?



Impact of Pretrial Incarceration on Community Safety

Increase in 2-Year Recidivism Low-Risk Defendants*



Pretrial Incarceration Duration	Increase in 2-Year Recidivism
2-3 Days	17%
4-7 Days	35%
8-14 Days	51%

Even short term pretrial incarceration has a toxic effect.

Defendants lose jobs, homes, pro-social relationships, and put their families in hardship.

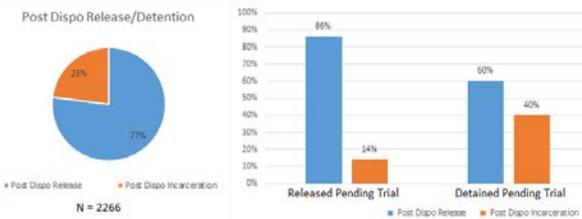
An overwhelming majority are immediately released back into the community as soon as their case is resolved, but then find themselves in more desperate circumstances than prior to their arrest.

*Lovenkamp, C.T., VanNostrand, M., & Holinger, A. (2013). *The Hidden Costs of Pretrial Detention*. Laura and John Arnold Foundation, New York, NY.

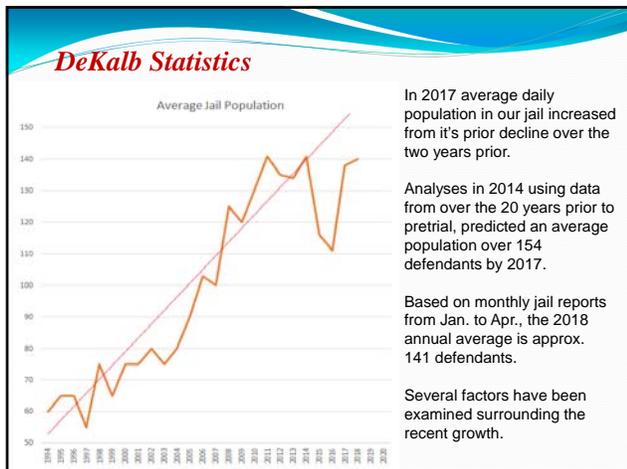
DeKalb Statistics

To date data has been collected on 2266 defendants after reaching disposition.

- Most defendants are immediately released into the community upon disposition of their case. Which is also reflected in the disparity of pretrial defendants in our jail versus sentenced offenders.
- Defendants released at bond call are less likely to be incarcerated as part of sentencing.

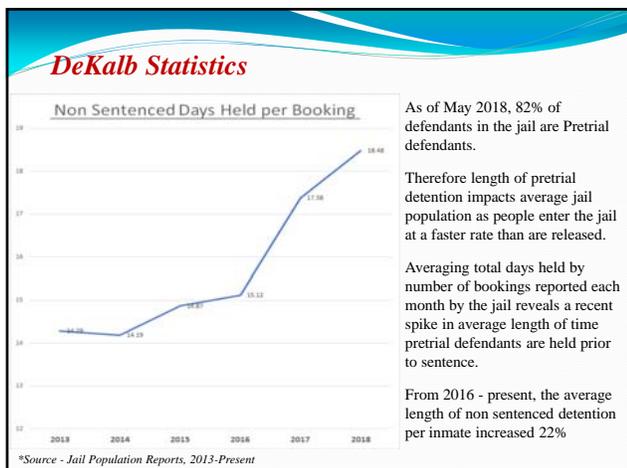


Disposition	Post Dispo Release	Post Dispo Incarceration
Released Pending Trial	86%	14%
Detained Pending Trial	50%	40%
Total (N = 2266)	77%	23%



DeKalb Statistics

2016	2017	2018 (January - April)
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DeKalb Statistics

Days held per booking fails to take into account that 80% of defendants currently are released within 24 hours.

Looking specifically at the average length of time defendants who are not released at bond call spent incarcerated prior to disposition

2017
~
277 days

*Source - In house data collection - Pretrial Services

DeKalb Statistics



January 1st – April 30th, 2018

82 defendants had their first appearance at weekend/holiday bond call (21% of all defendants appearing in custody).

Approx. 80% were released.

Prior to 2018, 49% (2017 average) of these defendants would have been held an average of 2 additional days for a re-hearing with representation by public defender and a bond report.

Extra detention time eliminated ~ 80 days

Potential Solutions

Increasing number of defendants identified for release (net widening)

National experts claim 80% - 90% of defendants in most jurisdictions could be safely released with various levels of supervision.

In 2017 & 2018 Pretrial advocated release of 85% of all defendants on bond call.

Potential Risk:
Additional defendants that could be identified for release would be those identified as a higher community safety risk.



Additional Considerations

NATIONAL ASSOCIATION OF PRETRIAL SERVICES AGENCIES



DeKalb County Pretrial Services is currently in process of National Accreditation

1st Pretrial department to receive this distinction in Illinois

Impact on public safety

2259 defendants were released from custody between June 1, 2014 and January 1, 2018 and have reached disposition.

In that time:



- 89% appeared for all of their court dates
- 84% had no arrests while out on bond
- 4% were re-arrested for a violent offense