

## MINUTES

### REGULAR MEETING ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY HELD IN CONJUNCTION WITH A BUDGET COMMITTEE MEETING OF THE WHOLE

March 2, 2007  
120 S. Riverside Plaza, 21<sup>st</sup> Floor  
Chicago, Illinois

#### Call to Order and Roll Call

Chairman Sorosky convened the regular meeting of the Illinois Criminal Justice Information Authority and asked Jack Cutrone, the Authority's General Counsel, to call the roll.

In addition to the Chairman, other Authority members in attendance were:

Chief David Bradford, Glen Carbon Police Department  
Hon. Dorothy Brown, Clerk of the Circuit Court of Cook County  
Hon. Thomas Dart, Sheriff of Cook County  
Hon. Jerry Dawson, Sheriff of Macon County  
Ms. Barbara Engel  
Norbert Goetten, Director, State Appellate Prosecutor  
Hon. Becky Jansen, Circuit Clerk of Effingham County  
Ellen Mandeltort, Attorney General Designee  
Ms. Maryana Spyropoulos  
Mr. John Toscas  
Director Roger Walker, Illinois Department of Corrections

#### Approval of the Minutes of the June 2, 2007 Authority Meeting

*{Mr. Toscas made a motion to approve the minutes of the regular meeting held on March 3, 2006. Director Goetten seconded the motion which was passed by unanimous voice vote.}*

#### Executive Director's Remarks

Director Levin announced that the United States Senate and House and the President signed a joint resolution for fiscal year 2007, which funded most programs at the same levels as FY2006. JAG and COPS were both increased. JAG was increased \$109 million to \$520 million and COPS by \$70 million to \$542 million. Earmarks were eliminated and the monies were given to the Department of Justice to be distributed by competitive grant. The Director indicated that it was uncertain what portion Illinois would receive.

Ms. Levin attributed that to the good work of many individuals including the letters sent by Authority Board members and many groups, including the National Criminal Justice Association. The Director stated that she had contacted members of the Illinois delegation either through staff, or in some instances, had direct contact with members of the delegation and that she had been assisted in that regard by the Governor's Washington office.

*(Mr. Toscas made a motion, seconded by Dir. Walker, that Authority staff draft model letters for next federal fiscal year. The motion carried by unanimous voice vote.)*

Director Levin apprised the Board that she had been working with Congressman Jackson's office, with the City of Chicago Department on Aging and the Director of the state's Department on Aging to develop a pilot program dealing with elder abuse. The Director also noted the continuing efforts to get approval from the Governor's office for the hiring of the selected candidate to head the Research and Analysis Unit, but that as to this interim period, kudos should be given to the entire R&A unit for rising to the task of performing the functions of the unit without a regular unit head. Ms. Levin made special note of the efforts of Tracy Hahn and Jessica Ashley.

Because of the short staffing, the Authority has had to contract out for some research projects. There is a current RFP out for an evaluation of the Jail Data Link Program whereby the Cook County Sheriff receives information from the Department of Mental Health as to whether new jail arrivals have severe mental health issues, the diagnosis and the treatment. That Authority has also funded the same program for three other counties and the proposed evaluation would examine the entire program.

Director Levin also discussed the issue of possible lapses of VOI/TIS funds by the Department of Corrections. Director Walker will be speaking with Ms. Levin about that subject. Dir. Levin noted that great progress that had been made; whereas several years previously, the unallocated funds totaled about \$40 million, currently that figure is between \$7 million and \$10 million. The Director recognized the work of Marilyn Mazewski, Steve Bernstein and Jack Cutrone who have been working with DOC on an almost daily basis and further stated that she too had frequently been involved in the VOI/TIS spending issues. Dir. Levin also noted the assistance of the Director of the Bureau of Justice Assistance who had personally assisted in helping the Authority and DOC allocate approximately \$15 million.

Director Levin also addressed the matter of the spin-off of the police information systems from the Authority to a private, not-for-profit corporation, IPSAN. The process of laying off affected Authority employees was a painful one, but that was ameliorated to a degree by IPSAN's hire of many of the laid-off employees.

The Authority, Governor's Staff and OMB had met with IPSAN twice in the past fall. At those meetings, OMB agreed to transfer \$100,000 to IPSAN for initial operating capital on the assumption that IPSAN would be off Authority premises by the end of 2006. Among the difficulties that the Authority has encountered is that IPSAN is still operating

from the Authority's offices and IPSAN has not yet signed a lease for new space. The Director has even had to turn to Authority Board members and former members for assistance in getting information from IPSAN. The Authority succeeded in getting a conference call with IPSAN on February 13, 2007. At that point, IPSAN owed the Authority approximately \$100,000 for unpaid rent of Authority space and for telecommunication line charges. During the conference call, the Director informed IPSAN representatives, Rose Rossi, Sheriff Gib Cady and former Sheriff Mel Messer, that the Authority expected that IPSAN would make up at least 25% of the past due bills by a firm deadline of 30 days, that the Authority would put IPSAN on a payment plan as to the balance of the overdue bills and that IPSAN would stay current on their obligations to the Authority. Currently, IPSAN owes the Authority \$117,000. The Director noted that Sheriff Dart, both an Authority Board member and an IPSAN subscriber, has offered his assistance.

The Authority has been trying to be reasonable as the system has been near and dear to the Authority, but there is a concern that the Authority might be subject to an audit finding because of the unpaid bills. The Director was not comfortable with OMB's decision to turn over \$100,000 of the fund to IPSAN. Ms. Levin also thanked Chief Bradford for his assistance in getting IPSAN, at least, to speak with the Authority. IPSAN still has not told the Authority why it is not paying its bills, even though they have indicated they are not contesting the validity of the charges. Nor has IPSAN given the Authority notice of their actual departure date. IPSAN recently notified the Authority that their negotiations toward a lease fell through and that they hoped to have another site within two weeks. The Authority is hoping to avoid having to take collection actions, but, the Director noted, the Authority is getting dunning notices from CMS for bills that are attributable to IPSAN but which are not being paid by them.

Clerk Brown inquired as to whether a bill from IBM had been paid which was for service to IPSAN equipment and which had been ordered by IPSAN without the Authority's knowledge or approval. Acting CFO Trick indicated that the Authority had not paid the bill and that the Authority did not know whether IPSAN had done so. Director Levin noted that the bill from IBM was for a relatively small amount but that the rent owed and the amounts owed to CMS for telecommunication line charges were substantial. Ms. Levin also noted that the Authority was still holding a small amount, about \$14,000, from the police information systems fund but that the Authority was trying not to deplete that but if it became necessary, IBM could be paid out of that money.

Clerk Brown inquired as to whether IPSAN team had coordinated the transition with the Authority and Ms. Levin stated that it has been difficult at best to get IPSAN to communicate. The Director also stated that the Authority has had a little more success in getting IPSAN to discuss some items, like the disposition of the equipment than as to others like fiscal matters. We know from the Sheriff of Cook County that Cook County's bill has been paid and so IPSAN has money coming in. The Director stated that Chief Bradford was assured by one of the Chiefs on the IPSAN Board that they do have money in the bank and that they could pay their bills. Chief Bradford confirmed that he had been told that. The Director also indicated that there is a concern based on that fact

that IPSAN has been mentioning the \$300,000 that was swept in relation to the monies owed the Authority but that in the Authority's view the one should have nothing to do with the other. Because we are hand delivering bills to Ms. Rossi and sending them certified return receipt requested to Chief Swanson who had been handling their fiscal matters, the Authority knows that the IPSAN Board has been getting these bills.

Director Goetten inquired as to whether IPSAN has left the Authority's premises and Ms. Levin stated that IPSAN had not. Dir. Goetten stated that the current situation is therefore that the Authority is paying for IPSAN's rent and Ms. Levin agreed but noted that the Authority had been billing IPSAN. When Dir. Goetten inquired as to whether IPSAN was going to stay at the Authority offices, Dir. Levin suggested that the question be directed to Ms. Rossi who had just entered the room.

Ms. Rossi introduced herself as the Executive Director of IPSAN. She stated that IPSAN is currently in the building as before and that the Authority has set a rent schedule. She further stated however, that conversations had occurred with the Governor's office, and that an audit was going to be conducted and at the end, a settlement would be made. Ms. Rossi also indicated that IPSAN was positive it would be leaving Authority premises by June 30. She stated that IPSAN's original location did not pan out and so there was a delay but they have settled on an alternative site and that although it is a large task to make such a move, they plan to be out by June 30<sup>th</sup>. Ms. Rossi stated that she did not know when the audit was going to be completed because the Governor's office was working on that currently.

Clerk Brown inquired as to whether the audit was related to the rent. Ms. Rossi replied that the audit is related to everything, monies that transpired back and forth between the trust fund and the regular funds, the rent that IPSAN owes, the telecomm charges that IPSAN owes, that it is related to everything. Clerk Brown inquired as to whether the Authority was being billed by CMS and Dir. Levin answered affirmatively.

Clerk Brown questioned why the Governor's office would agree to an audit of itself. Ms. Rossi replied that such was the case and stated that because the trust fund was separated from the regular funds, the Governor's office was of the opinion that an audit would be the best way to settle the monies.

Clerk Brown inquired as to whether there had been a transition plan in place, a matter of concern to herself and to the entire Authority because it hurts everyone. The Clerk went on to state that even if there are financial aspects, the Authority needs to have a transition plan in place.

Director Levin affirmed that the Authority expects IPSAN to pay 25% of the overdue bills within thirty days of February 13<sup>th</sup>. Ms. Levin also requested that, as the sponsoring agency, the Authority be informed when IPSAN attempts to have contact with other branches of the state and the Governor's office. To this, Ms. Rossi replied that it was all in the hands of the Governor's office.

Clerk Brown stated that as the responsibility for the data was still with the Authority that the Board would like to see a transition plan. Ms. Rossi stated that the data was in IPSAN's control. She also stated that efforts had been made in terms of identifying which equipment is going to IPSAN and which is staying with the Authority.

Clerk Brown observed that it appeared that the financial part was not transitioned properly and Ms. Rossi agreed. When Clerk Brown inquired as to whether IPSAN had a transition plan that the Authority Board could see with IPSAN's plans for the movement of the systems themselves, Ms. Rossi replied that IPSAN had a list of things that needed to be done.

Ms. Rossi then added however, that there were fund sweeps that took place and that that would come out in the audit. Clerk Brown observed that the Authority had nothing to do with the fund sweeps. Director Walker agreed and Ms. Brown added that the Authority Board had nothing to do with the fund sweeps.

Chairman Sorosky asked Ms. Rossi if there was any particular reason why the bills have not been paid and what is IPSAN using its money for. Ms. Rossi answered that IPSAN thought it would be getting more money from the fund than it had. Chairman Sorosky asked if IPSAN did not have enough money to pay the bills and Ms. Rossi replied that that was absolutely correct. Ms. Rossi further stated, in response to Chairman Sorosky's question, that IPSAN was going to try to get more money from the Governor's office. She further indicated that IPSAN was using its existing funds to keep operating and for support of the system.

Ms. Levin responded to Dir. Goetten's question that once IPSAN moves out, the Authority does not need all the space it has and that the Authority was looking for new space through CMS.

In response to a question, Ms. Rossi stated that IPSAN was adding more customers and that IPSAN hoped to be able to build up the fund to the levels it had been in the past and that while she had not been at the Authority during that time, the IPSAN Board was trying to determine what happened. Sheriff Dawson urged patience on the part of the Authority.

Chairman Sorosky noted that while IPSAN has been weak in explaining what their financial problems were, the Authority is put in the middle and the Authority has a responsibility to the taxpayers.

Clerk Brown suggested that the matter be forwarded to the Authority's Information Systems Committee for further exploration.

*{Clerk Brown made a motion to transfer the matter to the Information Systems Committee, which was seconded by Ms Engel and passed by unanimous voice vote.}*

In response to a question from Mr. Toscas, Ms. Rossi stated that if an audit showed that

IPSAN was not entitled to the return of any money, that by that time, perhaps IPSAN would have enough money to pay its bills to the Authority.

There followed a discussion of who should be contacted at CMS in order to stop any dunning notices from being sent to the Authority for IPSAN related expenses.

In response to a question from Chief Bradford, Ms. Rossi stated that while IPSAN has money for its operating expenses, IPSAN has no more than can cover the operating expenses and that IPSAN was very low on funds. Ms. Rossi also replied to Chief Bradford's inquiry and stated that IPSAN was not contesting the validity of the bills from the Authority. Ms. Rossi stated that IPSAN understood its obligation under the interim agreement signed with the Authority. Chief Bradford suggested that if IPSAN was not contesting the validity of the bills, that IPSAN should at least make some token payment to the Authority.

Director Walker echoed Sheriff Dawson's suggestion that a little patience was called for.

Chairman Sorosky suggested that the various departments that are using the police information systems are funded by the taxpayers and that perhaps, IPSAN is not charging those departments enough for the services. Ms. Rossi replied that because of the studies that had been done by IPSAN, IPSAN did not believe it to be the case that a rate increase was needed.

Director Goetten made a motion to approve of the budget committee report, which was seconded by Mr. Toscas. Dir. Levin however pointed out that such action was not necessary since under the Authority's rules, if no member of the Authority objects within ten days, the budget committee's actions stand. Dir. Goetten therefore withdrew his motion.

Mr. Toscas requested that the Budget Committee reports be sent out with the packets mailed to the Authority Board members in advance of the meeting and Dir Levin indicated that she would ensure that such would be done.

Chairman Sorosky called upon Associate Director Chojnacki to present certain FSGU materials.

### **Presentation by John Chojnacki**

Assoc. Dir. Chojnacki reported that in May, 2005, \$280,363 of ADA A funds was designated for integrated justice initiatives and that to date, none of those funds have been expended. He also reported that IIJIS has identified an opportunity for a summit meeting in Springfield in May, 2007. Staff therefore recommended that \$32,000 of those funds be designated for use by IIJIS in defraying costs of that summit. As to the balance of the designated funds, Mr. Chojnacki suggested that the next Budget Committee meeting address the use of those funds.

*{Mr. Toscas made a motion to accept those recommendations and the motion was seconded by Dir. Goetten. The motion passed by unanimous voice vote.}* Chairman Sorosky noted that the motion was adopted by the Board acting as a Budget Committee of the whole.

Ms. Engel inquired as to the balance of those funds, the grant for which will be expiring shortly. Dir. Levin answered those concerns and stated that staff is considering some other quick projects. Ms. Levin noted that the State Police had come forward with two projects which could be accomplished quickly. Ms. Engel expressed concern about the integrated justice work. Clerk Brown replied that the Authority had hired Herbert Johnson and that Mr. Johnson had really put things back on track. Clerk Brown noted that there have been many IJIS subcommittee meetings over the last five months and that those meeting had been very productive.

Dir. Levin discussed the particulars of some of the committees and also noted the recent involvement of Sean O'Brien of the legal staff in assisting Robert Boehmer.

Ms. Engel expressed that any situation in which grant monies are returned is troubling to her and to other Board members, and that perhaps the money should be redesignated. Ms. Levin responded that the matter would be raised at the April Budget Committee meeting.

*{Ms. Engel made a motion that the \$280,363 of ADAA FY03 funds should be examined at the April Budget Committee meeting for possible redesignation if necessary. Mr. Toscas suggested that because \$32,000 had already been designated for the IJIS Summit that the figure should be \$248,363. With that amendment, the motion was seconded by Sheriff Dawson and was passed by unanimous voice vote.}*

Clerk Brown noted that the Summit was planned for May 24 for the Springfield Hilton.

Chairman Sorosky called upon Authority staff member Jessica Ashley to make a presentation on a Needs Assessment Survey that had been conducted by the Authority.

#### **Presentation by Jessica Ashley**

Ms. Ashley introduced herself and noted that Authority staff member Tracy Hahn had coordinated the project but could not be present.

Ms. Ashley stated that the survey had been funded by ADAA funds and that the survey had been initiated in the fall of 2005. The goal of the research was to determine the needs of the Illinois criminal justice system. The survey focused on issues such as work, training, information sources and improvements with the hope that it would assist in planning and policy decisions. Responses were solicited from eight groups in the criminal justice system: clerks, detention, judges, police chiefs, probation, public defenders, state's attorneys and victim service providers. The response rate was 39%. The response rates were highest for detention centers and the lowest for judges, that is,

the Chief Judges of the 20 judicial circuits.

Ms. Ashley summarized the results. The responses of the police chiefs stated that over half of their work load was attributable to property thefts, domestic violence situations and juvenile cases. One department stated that calls had increased by 30 per cent in the last five years but that staffing levels had not been increased in 18 years. Seventy-five per cent of the responding chiefs stated that that drug use and violence could be reduced by more offender monitoring, by youth prevention programs and by severe punishments, arrests and prosecutions. Of the types of crimes that were getting worse, most named identity theft, followed by alcohol and drug use, drug dealing and juvenile crime.

Turning to courts, clerks, state's attorneys, public defenders and judges, Ms. Ashley reported that 22% of clerks reported having a specialized court, such as a drug court, a mental health court, a domestic violence court or an arbitration program. The clerks attributed the following to their workload problems: criminal cases, traffic cases, small claims and civil cases, in that order.

Public defenders said that the major contributors to their workload were drug possession and sale case, domestic violence case and juvenile cases. Similar to police, public defenders are suffering from increased workloads and low resources. In terms of case processing contributors to their workload, public defenders cited plea bargaining, overcharging by police and mandatory sentencing. Eighty-two percent said that high workloads increase their plea bargaining. Public defenders felt that a reduction in drug use and violence could be accomplished by educational and employment opportunities, youth prevention programs, drug treatment and offender monitoring. Over half felt that there was a need for major improvement in diversion and sentencing alternatives.

State's attorneys' major workload contributors were plea bargaining and jury trials. Fifty-six per cent also felt that high caseloads contributed to plea bargaining. They felt that mental health and drug treatment were the types of diversion programs most needed.

Judges cited a need for more day reporting centers, balanced and restorative justice programs and short-term community incarceration. Judges also felt that evidence based practices in probation programs were needed.

As to probation officers the two most commonly cited workload contributors were intake and pre-sentence reports. They too felt that drug use and violence could be reduced by more drug treatment and youth prevention programs.

Of victim service providers, major workload contributors were thought to be child sex abuse, sexual assault and domestic violence. These providers also felt that more drug treatment and youth prevention programs would help reduce drug use and violence.

Largely, the criminal justice system agreed on what problems are getting worse: drug and alcohol use, drug dealing and juvenile crime.

At the conclusion of Ms. Ashley's presentation, Ms. Engel observed that she saw a big gap in funding of youth prevention programs. She expressed delight that the need for such programs was so widely recognized.

Clerk Brown requested that the results might be put into a spreadsheet to give the Budget Committee a snapshot of needs.

Chairman Sorosky's solicitation for new or old business was unanswered.

*{Ms. Engel's motion to adjourn was seconded by Mr. Toscas and passed by unanimous voice vote.}*