



## Illinois Traveler Survey shows multimodal support

While the majority of Illinois residents who commute to work rely on their personal vehicles, there continues to be strong support throughout the state for public transportation and passenger rail, according to the Illinois Department of Transportation's latest Illinois Traveler Opinion Survey. Conducted every year, the survey seeks feedback on travel habits, driver behavior, preferences for funding transportation and IDOT performance.

"These survey results show that our residents understand and appreciate that Illinois is the transportation hub of North America and the various modes operate as one system," said Illinois Transportation Secretary Randy Blankenhorn. "Feedback from you is important to us. In 2017, we are striving to set the bar even higher for IDOT while trying our best to deliver the world-class transportation system that Illinois expects and deserves."

### Key feedback received:

- 83 percent of respondents who commute in Illinois say they drive, but 95 percent support IDOT contributions to the building, maintenance and operations of public transportation systems in Illinois.
- 94 percent of respondents indicated they strongly support or somewhat support passenger rail, with 92 percent saying they support increasing the amount of service.
- 69 percent believe the condition of the state highway system is good or very good.
- 32 percent of 18- to 34-year-olds reported using a cellphone while driving at least twice in the previous month. The 35- to 59-year-old age bracket reported they engaged in the same behavior 20 percent of the time.
- 83 percent rate IDOT's overall performance as very good or good.

The 2016 Illinois Traveler Opinion Survey, as well as data collected from past years, can be viewed at [idot.illinois.gov](http://idot.illinois.gov).

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## President's Message

by Deborah Sims, Cook County Commissioner



I hope this note finds everyone well during this Spring 2017, following the recent holidays and spring breaks for the state's many educational institutions.

As the Spring 2017 session of the General Assembly enters its final days, Illinoisans and units of local government remain optimistic that the governor and legislators will reach an agreement to end the state's two-year budget impasse. The impasse has prevented the enactment of a complete budget and resulted in only incomplete or stop-gap budgets being approved to provide for a minimum level of governmental functioning. As a result, state and local projects dependent on state funding are stalled, as well as payments to

vendors and departmental operating funds to provide critical constituent services. The matter has led to the downgrading of the State's credit rating, an uncertain business climate and an overall decrease in economic activity.

These budgetary and legislative stalemates require that counties become more creative and flexible in developing solutions to minimize the impact of the crisis on the residents and communities we serve. I encourage all members to continue to communicate their concerns to their state legislators and work with them to find a solution to this crisis before the damage to our state becomes irreparable.

If you are not a member already, I strongly encourage all ICA members to join and participate in the National Association of Counties (NACO) and make use of the organization's many benefits. NACO provides services, information and support to county-level governments, totaling 3,069 across the country. The organization's resources facilitate information-sharing among counties of all sizes, ensuring that all are aware of their colleagues' efforts, best practices in service delivery, and much more.

If you haven't already done so, I hope you will choose to register for and attend the NACO 2017 Annual Conference and Exposition. The event will be held July 21-24, 2017, in Columbus, Ohio. It provides a great opportunity for our members to meet and learn with their colleagues from across the nation. You can find additional information on the conference and schedule at [www.naco.org/events/annual/registration](http://www.naco.org/events/annual/registration).

It has been both rewarding and a pleasure to serve ICA and the people of Illinois. I look forward to our continued collaboration as we work to make Illinois a great place to live, work and raise a family.



## Peoria County Juvenile Detention Center is first PREA compliant juvenile facility in Illinois

The Peoria County Juvenile Detention Center (JDC) is pleased to announce the facility is the first juvenile facility in Illinois to be certified as being compliant with the standards of the Federal Prison Rape Elimination Act (PREA). PREA was passed in 2003, to "provide for the analysis of the incidence and effects of prison rape in Federal, State, and local institutions and to provide information, resources, and recommendations and funding to protect individuals from prison rape." (Prison Rape Elimination Act, 2003)

In June 2016, the JDC underwent an audit conducted by a Department of Justice Certified Auditor. In addition to pre-audit documentation, the auditor spent four days at the facility observing the physical environment, reviewing documentation, and interviewing staff and residents. The JDC was found to be in compliance with 31 standards and exceeded the requirements for six of those standards.

The certified auditor submitted the final audit report to the Department of Justice on January 7, 2017. The auditor wrote, "The Peoria County Juvenile Detention Center, the Court, and County are obviously committed to implementing and maintaining a zero tolerance threshold regarding sexual abuse and sexual harassment within the facility and they are to be commended for their commitment to providing a safe environment for youth. The Superintendent, PREA Coordinator, and the staff are totally committed to implementing all requirements of PREA to ensure the sexual safety of residents. The PREA Coordinator did an exceptional job of preparing for the audit and ensured that all policies and procedures, as well as secondary documentation, were available for the auditor. The auditor was impressed with the level of awareness of PREA by residents and staff during the interview process and it was apparent that ample training and education are provided to both groups."



## Vermilion County Courthouse renamed in honor of Justice Garman



The Vermilion County Courthouse has been renamed to honor Illinois Supreme Court Justice Rita B. Garman following a vote by the Vermilion County Board. The courthouse, located in Danville, will now be known as the Rita B. Garman Vermilion County Courthouse.

"I am humbled by this great honor. When Gill and I came to Danville almost 50 years ago to start our careers and our family, I had no idea that I was taking the first step in a career that would take me all the way to the Illinois Supreme Court," Justice Garman said. "I want to thank the entire community for its confidence in me over the years

and for this generous gesture. The Vermilion County Courthouse was my judicial 'home' for over 20 years, and I am gratified to think that my name will always be linked to the place where I learned so much and made so many friends."

Illinois Supreme Court Chief Justice Lloyd A. Karmeier commended the County Board for its well-deserved recognition of his colleague, Justice Garman. "When speaking to new lawyers," noted Chief Justice Karmeier, "Justice Garman often recalls an experience she had as a law student. When she first enrolled, women law students were still a relative rarity and it didn't set well with everyone. In fact, one of her law professors scolded her for taking a spot in the class that, he felt, should have gone to a man. 'You know you'll never practice law,' he told her. 'You're just here to catch a husband.' This recognition shows just how wrong that professor was.

"Courthouses have occupied a unique and important role in American society," Chief Justice Karmeier continued. "They remind us of the enduring power of the law, its stability in an ever-changing world, and most importantly, its promise of equal justice for all without regard to position or privilege. Justice Garman's career as a lawyer and a judge has been devoted to ensuring that the law delivers on that promise. She has embodied the highest principles of American justice, and her name on the Vermilion County Courthouse should be an inspiration to all who enter its doors."

Justice Garman, who served as Chief Justice from 2013 to 2016, started her career as a legal aid attorney in 1968 before becoming an Assistant State's Attorney in Vermilion County. She would go on to serve as Presiding Circuit Judge in the Fifth Judicial Circuit and Appellate Judge in the Fourth District before being appointed to the Supreme Court in 2001 and elected to the Court in 2002.

## McHenry County launches substance abuse treatment program

On May 1, 2017, the McHenry County Substance Abuse Coalition, in cooperation with the McHenry County Sheriff's Department, Centegra Health System, McHenry County Mental Health Board, McHenry County State's Attorney's Office, and Not One More – McHenry County, began accepting participants into the A Way Out Program – McHenry County.

"This is a multi-disciplinary approach to a public health problem with criminal justice implications," said Patrick Finlon, Chief of the Cary Police Department. "By addressing the addiction issue, it is hoped that a reduction in criminal activity is also achieved."



A Way Out – McHenry County offers substance abuse treatment 24/7 to anyone in McHenry County that wishes to seek recovery. All a participant needs to do is walk through the main doors of any of the participating police departments and tell the clerk at the reception window that they are here to participate in A Way Out – McHenry County.

The participant will be able to turn over to police any drugs or contraband in their possession without being arrested or charged. An officer then transports the participant to Centegra Hospital – Woodstock for an evaluation. From Centegra, the participant is placed in a participating treatment facility. "This program will save lives, reduce crime, and restore those struggling with addiction to their families and communities," said Patrick Kenneally, McHenry County State's Attorney. "I have been floored by the wonderful reception this program has received from local police departments and their officers' sincere desire to help those in need."

A Way Out – McHenry County is designed to ensure that nearly everyone that wishes to participate has the opportunity to do so. There are, however, a few exceptions. First, anyone under the age of 18 must have a parent or guardian's consent. Second, some police agencies may not accept those who do not live in the County. Third, an active warrant/deportation order may be deemed a disqualifier at the discretion of police and/or the State's Attorney's Office.

For more information on A Way Out – McHenry County, please visit [www.co.mchenry.il.us](http://www.co.mchenry.il.us).

## DeKalb County earns national achievement award for its "Business Incubator Project"

DeKalb County Government has been recognized with an Achievement Award from the National Association of Counties (NACo). The awards honor innovative, effective county government programs that enhance services for residents.

NACo recognized DeKalb County Government for its program titled "Business Incubator Project" in the category of Community and Economic Development.


County Board Chairman, Mark Pietrowski, Jr., noted, "We are very proud of our Business Incubator initiative and we are excited that we can be a springboard to helping new businesses be successful. This recognition by NACo is a true honor and we are glad to be able to share our program logistics with other counties throughout the United States as they consider starting a similar program."





### Peoria County Juvenile Detention Center *continued*

The Peoria County Juvenile Detention Center Superintendent, Brian Brown, attributes the successful audit to the management and staff members who embraced the goals and concepts of PREA and the Center for Prevention of Abuse for their commitment to providing advocates and support services to all residents. Brown said, "Our employees worked diligently to implement the standards and facilitate the operational changes needed to become PREA compliant. This was truly a team effort and I want to thank everyone for their support and dedication to maintain the highest level of service for the juveniles in our care."

For more information on this accreditation, please call Brian Brown, Juvenile Detention Center Superintendent, at (309) 634-4200.



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## AND WHO DOESN'T LIKE TO SAVE MONEY?





## Will County Board members tour new public safety complex

### Construction ahead of schedule and under budget due to an accelerated contract

Will County Board members recently decided to check the progress of one of the county's biggest capital improvement projects. Will County Board speaker Jim Moustis and Board members Gloria Dollinger and Don Moran visited the new Public Safety Complex in Joliet, which is now ahead of schedule and under budget thanks to an accelerated contract.

"It was rewarding to see the construction of the Public Safety Complex coming along so well," said Board Speaker Jim Moustis. "The project has been a great example of the county board leadership's efforts to make the lives of Will County residents safer."

Construction on the Public Safety Complex began in October 2016, and was initially estimated to be completed by March 2018 at a cost of \$29.5 million. The building should be completed three months early, in December 2017, thanks to an accelerated contract.



*"The completion of the Public Safety Complex is just the beginning of a number of capital improvements projects that will meet the county's long-term capital needs," said Don Moran. "I look forward to seeing the Public Safety Complex completed, as well as the start of construction on the new courthouse and health department buildings."*

"The new Public Safety Complex will provide state-of-the-art facilities for the Sheriff's office, allowing them to grow and operate more efficiently," said Dollinger. "It is gratifying to see the great job our building tradesmen are doing to move construction along and keep us on track. I appreciate the effort everyone is making."

The new Public Safety Complex will house the Sheriff's Office, 911 Dispatch Center, and Emergency Telephone System Board (ETSB). The 85,000 sq. ft. facility is located in Joliet on Laraway Road and Route 52. It will replace the existing Sheriff's Office next door and provide a new administration and training building, evidence storage, and space for a consolidated 911 Dispatch Center that will serve 30 communities, as well as ETSB. Currently, there is a need for a central location for these functions that are now spread throughout the county. Once the new complex is complete, the old Sheriff's Office will be torn down.

In August of 2013, after many years of deliberation, the Will County Board approved a comprehensive plan for major capital improvement projects throughout the county. Completion of the Public Safety Complex will herald the construction of a judicial complex in downtown Joliet on the southwest corner of Ottawa and Jefferson Streets.



Above: Will County Board member Gloria Dollinger and Board speaker Jim Moustis visit the new Public Safety Complex. Below center: Will County Board member Don Moran checks out construction on the facility.



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## Jury Composition Pilot Program underway

The Illinois Supreme Court has agreed to implement the Jury Composition Pilot Program in the counties of Peoria, Rock Island, St. Clair, Sangamon, and Winnebago. The pilot program, which will be implemented with the assistance of the Administrative Office of the Illinois Court (AOIC), is designed to test a new geographical method of creating jury master lists.

The pilot program began on April 1, 2017, with a six month data collection "baseline" period where jurors will be summoned pursuant to existing laws and local summoning practices. When jurors arrive for jury duty during the first six months, they will be asked to complete a confidential survey which requests demographic information. During the subsequent six month "implementation" period, a local sub-master jury list developed by the AOIC will be utilized to summon jurors. This sub-master jury list will be developed geographically by zip code where the population of each zip code within the county shall be proportionately represented in the sub-master jury list as those zip code populations are proportionately represented in the most recent decennial U.S. census statistics. Potential jurors will be randomly selected from this sub-master list for jury duty. Pilot counties will also mail a juror qualification form/summons to a new prospective juror having an address within the same zip code to which any undeliverable or non-responding juror qualification form/summons had been sent. During the implementation period, jurors will again be asked to complete confidential surveys requesting demographic information.

At the conclusion of the pilot program, the AOIC will compare the jury pool demographic information from the initial six month "baseline" period and the six month "implementation" period to the U.S. census demographic statistics for the pilot sites. The Administrative Director will report the results to the Court.

### DID YOU KNOW?

On February 17, 1859 Ford County became the 102nd and last county to be established in the State of Illinois.

[www.fordcountycourthouse.com](http://www.fordcountycourthouse.com)





## BAIL REFORM IN ILLINOIS

**What happens when a suspect is arrested in your county on suspicion of a felony crime committed?**

by Ruth Anne Tobias and Michael Venditti, Pretrial Services Officer, DeKalb County

They are taken to the county jail by the Sheriff's deputy, and booked on the charge or charges for which they are suspected to have committed a crime. At the bond call, they will be assessed bail suitable for the offense. If they can pay, they are out until trial; if they can't pay, they are put in jail until trial.

On any given day, as many as 60% or more people in Illinois jails have not been convicted: they are pretrial prisoners because they cannot pay the bail they have been assessed. In cases around the country, this practice has been declared unconstitutional and reforms are underway. It is time for change.

### Turning point

After arrest and booking, the suspect is placed in the county jail until daily bond call, usually within 24 hours of being arrested. At the arraignment the judge will determine, based on the severity of the crime and the danger that the defendant poses to the community, the likelihood that the suspect will return to Court for the hearing or trial. This indicates whether to assign bail and how much. This has been a relatively subjective process. There is often little information and not much time to make the bail decision, and jail for inability to pay bail is very common.

**Illinois is a 'no commercial bail bondsmen' state and all payments are handled through the county. Traditionally, if the defendant can post bail, he or she is free to leave the jail until the first court appearance, without any type of supervision.**



Illinois is heading toward change in this process. The State Supreme Court is leading the charge for bail reform. Going to jail for non-payment of bail denies the presumption of innocence, and posting bail does not always lead to better public safety. Several cases in other states have now been litigated to the point where cash bail cannot be required and in 2015, the U.S. District Court for the Southern District of Mississippi, stated that "No person may...be held in custody after an arrest because the person is too poor to post a monetary bond".

In a court filing in August of 2016 the U.S. Justice Department said that holding defendants in jail because they can't afford to make bail is unconstitutional. The State of New Jersey adopted statewide bail reform effective January 2017. The Pretrial Justice Institute works to ensure that bail practices are changing, and Illinois is a part of that movement. Evidence-based pretrial risk assessments are the tools being used to release suitable arrestees either under electronic monitoring, supervision, or on their own recognizance until

the trial date, without the cash bail requirement. However, there is resistance to changing the bail system, partly for financial reasons and partly for fears of community safety.

### Why is cash bail a problem?

Back to the arrest and current bail process: More severe crimes or those with previous criminal history get higher bail; in any case, defendants will have to pay a percentage of the bail amount – usually 10% – to be able to leave the jail while awaiting trial. So, in vicious crime cases, like murder, there may be no bail set at all. With bail, if the defendant shows up for the court date, the bail payment is returned; if he/she is a no-show, the bail payment is forfeited. Then the county gets to split the payment between the circuit clerk and the court system.

Illinois is a 'no commercial bail bondsmen' state and all payments are handled through the county. Traditionally, if the defendant can post bail, he or she is free to leave the jail until the first court appearance, without any type of supervision. On the other hand, if the defendant cannot afford to pay the bail percentage, he/she is sent to jail until the first court appearance. This can lead to several problems.

The **FIRST PROBLEM** is that inability to pay bail can be considered 'unreasonable search and seizure', a violation of a citizen's constitutional right granted in the 4th amendment. There can also be a violation of the 14th amendment right to equal protection and due process of law to be considered when imposing a cash bail bond. And, because people are presumed innocent until proven guilty.

According to *Bail Fail: Why the U.S. Should End the Practice of Money for Bail*, a 2013 report from the Justice Policy Institute, "Current policies and practices around money bail are among the primary drivers of growth in our jail populations. On any given day, 60 percent of the people in U.S. jails are not convicted but are being held as they await the resolution of their charge. This time in detention hinders them from taking care of their families, jobs and communities while overcrowding jails and creating unsustainable budgets."

When a defendant has to stay in jail because they can't pay bail, a job can be lost, the family can be affected by the absence of the parent and lost income, education can be disrupted and positive community ties can be broken. These all make it more difficult for the defendant to get back into the rhythm of community life upon release and may lead to more problems in the future. Also, since the majority of people in American prisons are people of color, and they are more likely to be poor rather than rich enough to pay bail, the burden falls disproportionately on this group.

The **SECOND PROBLEM** is that many of our county jails are overcrowded and have to double bunk prisoners or send them to a facility in another county. Both situations are very costly to the counties affected, not only in dollars but also in staff time.

When Kane County's brand new 600 bed jail opened some years ago, it opened full, but their pretrial release program is working to change that status. It costs about \$60,000 a year to house an inmate in a county jail. Just two years ago, DeKalb County was budgeting a million dollars a year to house prisoners out of the county.

Jails are big business! A large percentage of the jail residents are pretrial prisoners, and of that number many are there for non-payment of bail. They could likely be released and cause no community safety issues.

Across the U.S. in 2016, nearly 500,000 pre-trial defendants were in U.S. jails awaiting trial, at an annual cost of nearly \$14 billion. Some prisoners spend more time in jail, pretrial, than their actual prison sentence would be. Again, inability to pay bail is not a good reason to keep someone in jail while another prisoner with similar characteristics who poses a similar, or higher, risk level can pay money and be released from jail.

County officials are beginning to think about using jails for people who pose risks and not use tax dollars and jail space for people who can't come up with \$100 or \$500 dollars.

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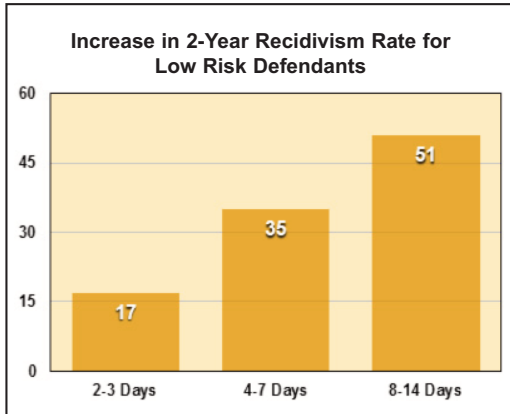
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The **THIRD PROBLEM** is that any time spent in jail can contribute to greater criminal problems. Even short term incarceration has a toxic effect. Research from the Laura and John Arnold Foundation shows that as little as three days in jail can destabilize the things we know that make people low-risk out in the community. Two to three days spent in jail increases the risk of recidivism – going back to jail within two years – by 17%. Four to seven days in jail has a 35% risk of being reincarcerated and 8 to 14 days has a 51% increased risk. And this is just being in jail for nonpayment of bail.

**Any time spent in jail can contribute to greater criminal problems. Going to jail for being unable to post bond is a practice with many negative results.**



Even though the defendants are released back into the community as soon as their case is resolved, they often find themselves in much more desperate circumstances than before they were arrested. If they've lost a job, any time in jail may make it harder to get another job. Counties want citizens who are contributing to the community, not sitting in a county jail.

The Pretrial Justice Institute reports that when defendants are held for the entire pretrial period, the consequences are severe. There is a 4x greater likelihood of being sentenced to jail; a 3x likelihood of longer jail sentences; a 3x greater likelihood of being sentenced to prison, and 2x longer prison sentence. Going to jail for being unable to post bond is a practice with many negative results.

**What is changing in Illinois?**

Illinois is one of the handful of states and some cities working over the last decade to change the bail system to make it fair for all. There is no guarantee that just because someone can afford to pay a bond it will assure that defendant will appear in court or will not commit some crime while they are free and awaiting trial. Keeping someone in jail because they can't post a bond does not work, either for the accused or for the county. Improvements on the bail system that are being used and evaluated are Pretrial Risk Assessment programs.

The Honorable Rita B. Garman, Chief Justice of the Illinois Supreme Court, has stated that the "Court is committed to adopt practical changes, abandoning reliance on cash bail and focusing on individualized risk assessments." The Court works with Judge Robin Stuckert, Chief Judge of the 23rd Illinois Circuit, along with others involved in these pretrial programs, to educate the Judiciary and County Board members in other Illinois counties and the State Legislature about their value. Not only do Pretrial Assessment and Release programs help to ensure a defendant's civil rights, release programs can provide some cost savings to county governments, without impacting community safety.

One third of Illinois' 24 Judicial Circuits are testing the benefits of these programs in place of bail bonds. The state of Illinois, with all three branches of government cooperating, is participating in the 3Days Count initiative of the Pretrial Justice Institute, a campaign to apply commonsense solutions to widespread pretrial justice challenges, making our country safer and ensuring the best possible outcomes ([www.pretrial.org/3dayscount](http://www.pretrial.org/3dayscount)). The 3Days Count program has 4 goals: to improve state statutes and court rules (there are no judicial standards on bail); to improve state constitutions; to implement statewide evidence-based tools; and to empower and mobilize community. With just a few states participating, their goal is to have 20 states in the program by 2020.

**Just what is pretrial assessment and release?**

Several Illinois counties are actively participating in using and assessing the value of evidence-based pretrial risk assessment and release programs in our state. Pretrial risk assessments are programs where the arrestees' records are searched and set against a list of standardized evidence-based criteria to help determine whether this person is likely to commit a crime while on release awaiting trial. The results provide the judges with enough verified information to assist in the decision to release or incarcerate the defendant until trial. Judges are not giving up their discretion, but they now have more real information to assist in making these decisions.

Using these standardized protocols means that the same questions are being asked in the same way across jurisdictions, no matter who does the asking. There is no subjective judgement by the pretrial service officers. These factors are based on the ability to predict FTA (failure to appear) and likelihood of committing another crime while out awaiting trial. Factors that are consistent indicators of risk have been identified through careful research and investigation and include: the nature of the charge(s) pending at time of arrest, history of criminal arrests and convictions, active community supervision at time of arrest, history of failure to appear, history of violence, residence and employment stability, community ties and substance abuse.

A simple count of the numerical values assigned to each indicator marks a defendant as low risk, moderate risk, high risk, or highest risk. Obviously higher risk individuals are not likely to be released before trial. Low and moderate risk defendants can be released with or without supervision or electronic home monitoring. These assessments are conducted by pretrial program officers early in the day using electronic criminal records searches and verifying residential and employment records so that good intelligence can be presented to the judge to make a good decision on bail.

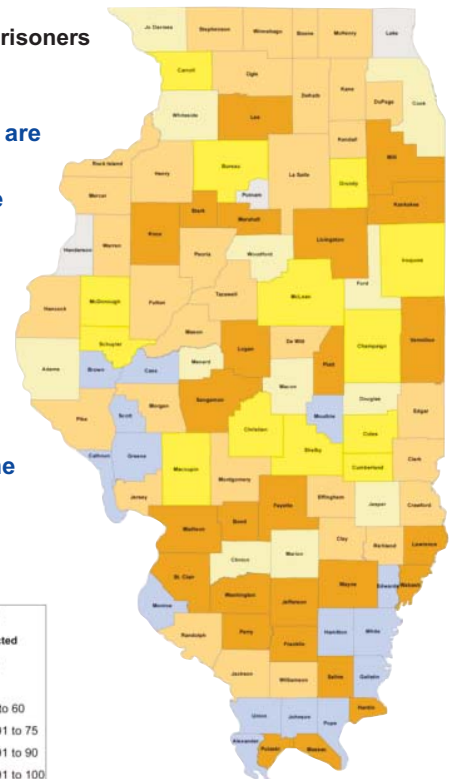
The record is good on defendants appearing for court dates and not committing more crimes. In DeKalb County from 2014 to 2016, more than 600 defendants were released from jail and of those 92% made all mandatory court appearances and 95% had no new arrests while out. The jail population declined by 25%. It seems that pretrial risk assessment programs can have a more positive effect than warehousing people in jail who don't need to be there.

**Local picture in pretrial risk assessment and release**

County Explorer data from the National Association of Counties website shows that the share of unconvicted populations in Illinois county jails in 2013 ranged from 0 to 100%, as seen in Figure 2. This is the most recent relevant data readily available. Several of the smallest counties had no data available, possibly because they do not have their own jails. Twelve Illinois counties had 100% of their inmates as unconvicted jail populations; only eleven counties had less than 50% unconvicted jail residents. We do not know what proportion of these were not given the opportunity for bail because of the seriousness of their crimes. Even DeKalb County usually has one or two murderers in residence at any one time. So, unconnected people in county jails are a significant problem that bail reform will help to alleviate.

**Percent of Unconvicted Prisoners in County Jails 2013**

**Several Illinois counties are actively participating in using and assessing the value of evidence-based pretrial risk assessment and release programs. The results provide the judges with enough verified information to assist in the decision to release or incarcerate the defendant until trial.**



**Figure 2**  
Source: NACo County Explorer and Bureau of Justice Statistics.  
N/A: Some counties do not have jails or have no data reported.

Cook County, with the state's largest jail population, has been working with pretrial programs for more than 40 years; Kane, McHenry, McLean, and DeKalb counties are also among those working with pretrial risk assessment. In DuPage County there is a Pretrial Diversion program for non-felony cases where a citizen panel hears the defendant and decides on a release strategy. In McHenry County, the Pretrial services department provides initial bond reports on remanded (non-capital) felons to the judges and these officers supervise defendants released into the community pending disposition. In McLean County, the Pretrial Services Unit provides the court system with verified criminal and social history bond reports about persons who have been arrested and charged with a crime, and assists the court in determining whether the defendant can be released on a personal recognizance or reduced bond. The report includes background information such as residence, employment, education, prior criminal history, prior mental health history and driving record if arrested for a DUI or felony traffic offense.

These pieces of information have all been statistically proven a link to success or failure to maintain good behavior while on release and awaiting trial. The report is read by the Judge at arraignment court to help the court determine what type of bond is appropriate for that defendant, whether that be a recognizance bond, cash bond, or released on bond with supervised conditions.

Still there are concerns about community safety from law enforcement and victims of crimes, partly because they don't realize the effectiveness and general safety of these assessments. Some county officials and judges are also concerned that the dollars accruing to the county from the bail process will be detrimental to their budgets, which are already in stressed conditions.

*An article on the 'DeKalb County Pretrial Experience' will be featured in the next edition of Illinois County Review.*



## Wait and see: Plans still not firm to fix Len Small Levee in Alexander County

by Isaac Smith, The Southern

When the rain wouldn't quit earlier this month and the Mississippi continued to rise, Alexander County officials looked at what is left of the Len Small Levee and knew one thing — water was going to come through. And it did.

Alexander County Engineer Jeff Denny said about a mile of the levee is gone as a result of last year's flood in January. Denny said The New Year's flood breached the levee, leaving the hole that water is currently moving through, damaging farms, homes and public roads.

Denny said it shouldn't be this way. The county participates in Public Law 84-99, which is a rehabilitation program through the Army Corps of Engineers.

"If there's a flood, you have damage to your levee system, they come in afterwards and make whatever repairs you need," Denny said.

**Alexander County officials have been working with the Illinois Department of Natural Resources and the Office of Water Resources on how to fix the levee and they have essentially designed a new levee that would be set back from the original, with its ends tying into the existing levee system. However, new issues may exist with more damage being caused by recent floodings.**

He said to even be considered for this program, which pays about 80 percent of the costs for repairs, the levee district has to make regular repairs and inspections, all of which are paid for through levee district funds. He said while they have made sure to meet these standards, the Corps still denied to help them make repairs to the Len Small Levee.

Denny said before any money is allocated, the project has to pass a cost benefit analysis. He said after the Corps surveys an area damaged by flooding, they have to come up with a score above 1. The Len Small levee and the surrounding area scored around 0.8 — just under the threshold to receive aid.

Denny and others in the county weren't pleased.

"It's pretty frustrating," Denny said. "You go through these hoops and do all these things the Corps says and then when you really need their help they tell you, 'You're out of luck.'"

He said typically there has not been a big issue in getting funding for repairs through PL 84-99. However, he suspects the size of the breach and the cost to repair it threw off the needed ratio.



A breach in the Len Small Levee last year in Alexander County flooded thousands of acres in and around Horseshoe Lake State Fish and Wildlife Area. The flooding created a nightmare scenario for wildlife as well as residents of the area. Photo provided by the Illinois Department of Natural Resources.

The cost to repair the levee, Denny said, would come to \$15 million, or nearly 200 times the yearly allotment the levee district receives from its tax base.

Alexander County Treasurer Jerry Smith said on 2015-payable 2016 tax records, the Len Small Levee District received about \$74,005.

According to Jim Tafflinger, treasurer for the Len Small Levee District, this figure comes from the \$3 per acre tax on property within the district. This rate is less than half, Tafflinger said, of the \$7.50 that the East Cape Levee District to the north charges. He said the district may consider raising the rate to help offset the cost of repair, but no decisions have been made.

Smith said because the levee district is a private, taxable entity the county would likely not contribute to the repair effort.

This all leaves a question mark over the future of the Len Small Levee and its surrounding land and homes. Denny said the county has been working with the Illinois Department of Natural Resources and the Office of Water Resources on how to fix the levee and they have essentially designed a new levee that would be set back from the original, with its ends tying into the existing levee system.

However, one thing stands in its way.

"The problem we have now is, with the water flowing back through there, we don't know what we are looking at as far as, like, additional scouring of the ground," Denny said, adding that it could be weeks before the water recedes enough to know how much more damage was caused by this year's flood. He said it could mean going back to the drawing board and struggling even more to find funding.

Tafflinger said part of the problem with PL 84-99 is its scoring system. He said the Army Corps looks at damage to utilities, roads and homes — but not farmland, which makes up most of the district.

He said there has been talk of getting out of the group all together, as Tafflinger said it doesn't make sense to do all the work jumping through the Corps' hoops to not get help in the end.

He said it may be up to levee district residents to fix the levee.

"It's farmer built from the beginning," he said.

In the past, Tafflinger said, the levee district has worked out a plan with local farmers to pay a percentage of the repair costs and reimburse for fuel in exchange for them repairing the levee with their own equipment. That reduces the cost of repairing the levee, especially when compared to what Tafflinger described as the "out of touch with reality," estimates the Corps gives.

This plan, combined with low interest loans, Tafflinger said, may be the route they take this summer. However, he said, it is dependent on when grounds get planted and farmers have time to do it.

Denny said the hole in the levee flooded about 20,000 acres in Alexander County, which is far worse than had there been a proper levee in place, forcing residents and officials alike to realize the need to repair the wall.

"Everyone sees the effects now of not having a levee in place," Denny said. How this repair shapes up is still up in the air, though. "We will just have to wait and see," Tafflinger said.

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## Sangamon County approves rezoning for power plant

On May 9, the Sangamon County Board approved a rezoning request to the developer of a proposed natural-gas power plant to be built on an 80-acre site south of Pawnee. Houston based company, EmberClear, has proposed a 1,100-megawatt gas-to-electric powerplant at an estimated project cost of \$1.2 billion with the goal of feeding power into the Ameren grid.

Prior to construction, the Illinois Department of Commerce and Economic Opportunity and the City of Springfield must first approve an enterprise zone expansion to give the company property and sales tax exemptions. Federal, State and environmental sign-offs will be required as well.

## Cook County earns national award for transportation initiative

Cook County has been recognized with an Achievement Award from the National Association of Counties (NACo) for the Cook County Department of Transportation and Highways' innovative call for projects, called *Invest in Cook*. NACo President Bryan Desloge said, "Counties overcome complex challenges, provide essential services and constantly do more with less. We applaud these Achievement Award-winning counties for outstanding efforts to improve residents' quality of life."

"I am grateful to the National Association of Counties for recognizing the important work our Department of Transportation and Highways is spearheading," said Cook County Board President Toni Preckwinkle.



**"The goal of *Invest in Cook* is to ensure that transportation investments are made wisely to encourage economic growth and make Cook County communities more livable...." said Cook County Board President Toni Preckwinkle.**

Earlier this year, Cook County launched *Invest in Cook*, an \$8.5 million program to help cover the cost of planning, engineering, right-of-way acquisition and construction associated with municipal and private transportation improvements that support the five priorities of its long-range transportation plan, *Connecting Cook County*.

More than 100 local governments applied for program funds seeking an aggregate total of \$40.5 million. Cook County transportation experts will evaluate and score the proposals using publicly available, performance-based criteria and a qualitative assessment to determine which projects will receive awards this year.

NACo's annual Achievement Award Program is designed to recognize innovative county government programs. Awards are given in 18 different categories. Each nominee is judged on its own merits and not against other applications received. NACo will recognize award-winning counties at its 2017 Annual Conference and Exposition July 21-24 in Columbus, Ohio.

## Boone County Health Department to assess emergency preparedness

Boone County Health Department is overseeing a first-of-its-kind survey that will look at how prepared local communities are for potential disasters. Through the month of May, the Community Assessment for Public Health Emergency Response (CASPER) survey will take place in neighborhoods around Boone County.



Boone County is the fourth county in Illinois to utilize the CASPER survey model. The Centers for Disease Control and Prevention's Division of Environmental Hazards and Health Effects, Health Studies Branch developed CASPER to enable government at all levels to rapidly assess a community's health needs after a disaster, as well as to measure household preparedness for disasters or emergencies.

The CASPER double randomization process chooses seven housing units within each of 30 selected Boone County census tracts. Survey teams will visit those selected neighborhoods looking to locate seven respondent households willing to complete the survey. Learn more at [www.cdc.gov](http://www.cdc.gov).

## DuPage Care Center dedicated in honor of Judge Kenneth Moy



**Left to right: Rep. Christine Winger, County Board member Amy Grant, County Board member Paul Fichtner, Chairman Dan Cronin, former judge Ken Moy, County Board member Jim Healy, County Board member Janice Anderson, County Board member Bob Larsen, and Sen. Michael Connelly attended the dedication ceremony for the Ken Moy DuPage Care Center.**

DuPage County officials dedicated the DuPage Convalescent Center as the Kenneth Moy DuPage Care Center, in honor of the retired judge and former DuPage County Board member. The DuPage Care Center hosted a ceremony to unveil the new sign on the side of the building, located at 400 N. County Farm Road.

"Ken Moy knows and deeply understands the mission of the DuPage Care Center. He has spent his life in pursuit of community service from the time he grew up in Elmhurst, through his work on the DuPage County Board and Forest Preserve Commission and finally as a County judge. We salute his dedication to others and to his community," said County Board Chairman Dan Cronin.

Ken Moy became the first Asian-American elected to county government in the state of Illinois when he won a seat on the DuPage County Board in 1984. He won re-election to the Board in 1988 and 1994. During that time, he also served as a DuPage Forest Preserve Commissioner. He then served as a member of the 18th Circuit Court for 11 years from 1996 to his retirement in 2007.

In May 2016, Judge Moy announced he was making a \$2 million gift to the Convalescent Center, prompted by his "deep desire to help seniors and disabled adults," related to his own experience with his wife, who is battling Alzheimer's disease.

"We know Judge Moy's generosity and his community spirit will be infectious as we explore ways to fully leverage his gift and increase donations and support for our five-star rated Kenneth Moy DuPage Care Center. We are thrilled to know Judge Moy and our hundreds of volunteers and donors recognize the importance of high-quality care for all DuPage residents, especially the elderly and disabled," DuPage County Board Member and Health and Human Services Committee Chairman Bob Larsen said.

The DuPage Care Center has been in operation since 1888, providing quality care to elderly and disabled residents. Approximately 75 percent of its residents receive Medicaid funding.

## Managing Disasters at the County Level: A Focus on Flooding

Last year, the federal government declared major disasters in 878 counties, the resulting damage of which totaled an estimated \$46 billion. This is significant as county governments support the operation of nearly 1,000 hospitals and the construction and maintenance of 45 percent of public roads and 40 percent of bridges throughout the United States. Each year counties spend almost \$83 billion on community health and hospitals, \$22 billion on sewage and solid waste management and \$122 billion on building public infrastructure and maintaining and operating public works. In the case of a disaster, county services and infrastructure investments may be interrupted or put at risk, costing the county time and money it might not have to spare. In order to protect these investments, counties must develop preventative plans to mitigate risk and determine how to respond if a disaster unfolds.

This report focuses on emergency management for flooding, the most common natural hazard. County leaders can use this report to better understand the emergency management cycle and the breadth of resilience strategies available as they work to make their counties more resilient, healthy and safe for residents.



Download the publication at [www.naco.org](http://www.naco.org)





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# SWALCO celebrates growth in Lake County food scrap collection programs



The Solid Waste Agency of Lake County (SWALCO) is leading an effort to divert food scraps from the landfill with the goal of achieving a 60% recycling rate in Lake County by 2020, the current rate is approximately 48%. Of its 43 municipal members 15 have programs to divert food scraps, with Lake Bluff and Highwood leading the way with year-round programs.

“With Lake Bluff and Highwood, we have the first towns in the State that have included year-round food scrap collection programs in their municipal hauling contracts,” said SWALCO Executive Director Walter Willis. “In addition, North Barrington has nearly 150 homes with year-round service and 12 other towns can mix food scraps with yardwaste during the 8 month yardwaste season.”

SWALCO Chairman and Mayor of Wadsworth Glenn Ryback said these programs are only the beginning of the growth of food scrap diversion programs in Lake County. “We recognize it will take several years for residents and businesses to begin to change the way they manage their food scraps by shifting them from the garbage container to the composting one,” Ryback said. “The nice thing is that Lake County is fortunate to have a robust composting infrastructure in the county which includes 9 composting facilities that managed over 115,000 tons last year or 11% of the waste stream,” Willis added.

As with any new recycling program education will be key to its success. The residents and businesses need to make sure they are diverting food scraps that are acceptable to the composting sites. “We have been working closely with member towns, the haulers and compost sites accepting the material to provide a consistent message on proper food scrap diversion, from how to collect food scraps in your kitchen to putting them out for collection,” Willis said. “By following the guidelines, residents will be helping reduce costs at the composting sites and increasing the value of the final product.”

## St. Clair County creates neuter and release program

St. Clair County Board members have approved the creation of a cat trap, neuter and release program in an effort towards limiting the amount of animals that are euthanized in the county. As reported by the *Belleville News-Democrat*, under the program, people will be able to trap cats, have them spayed or neutered and then release them in unincorporated parts of the county. The purpose of the program is to reduce the feral cat population in the county.

“This is an essential step if we’re going to go no-kill,” said County Board Chairman Mark Kern. When a feral cat is trapped, it has to be sterilized, have its ear tipped while under anesthesia, and vaccinated for rabies, the county has planned. The removal of a quarter-inch of a cat’s ear would signify the cat has been sterilized and vaccinated for rabies. The ordinance and program approved by the county board allows cat caregivers to handle the program, rather than county employees.

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