

MINUTES

REGULAR MEETING ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

June 3, 2005
120 S. Riverside Plaza, 21st Floor
Chicago, Illinois

Call to Order and Roll Call

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

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

Cook County Circuit Court Clerk, Dorothy Brown
Mr. Brad Demuzio
Cook County State's Attorney Richard Devine
Ms. Barbara Engel
State's Attorneys Appellate Prosecutor Director Norbert Goetten
State Appellate Defender Theodore Gottfried
Attorney General Designee Ellen Mandeltort
Mr. John Piland
Cook County Board President John Stroger
Director Larry Trent

Approval of the Minutes of the March 4, 2005 Authority Meeting

{Director Goetten made a motion to approve the minutes of the regular meeting held on March 4, 2005. State's Attorney Devine seconded the motion, which passed by unanimous voice vote.}

Chairman's Remarks

Chairman Sorosky noted that the Chicago Police Department presentation scheduled for today's meeting had been cancelled and will be rescheduled.

Executive Director's Report

Director Levin noted that Sheriff Bukowski's appointment to the Authority had expired and that Macon County Sheriff Jerry Dawson has replaced him. Chairman Sorosky then read a draft Resolution of Commendation acknowledging Sheriff Bukowski's contributions to the Authority.

{State's Attorney Devine made a motion to adopt the Resolution of Commendation. The motion was seconded by Director Trent and adopted unanimously.}

Director Levin introduced Jan Cichowlas as the new Associate Director for Research and Analysis, and noted that Ron Reichgelt had been promoted to a supervisory position in the Federal and State Grants Unit.

Director Levin highlighted several items that were contained in the mailing. She noted that we have issued some publications including one to highlight methamphetamine in Illinois communities. She noted that new Iowa strangulation legislation was passed as a result of research findings of the Authority's Chicago Women's Health Risk Study. She reported that we are finalizing profession-specific balanced and restorative justice guides and continuing to support the operation and evaluation of the Sheridan Correctional Center through the process and impact evaluation. She also indicated that we have applied for a series of grants to conduct research in the areas of

homicides of infants and toddlers, as well as the impact on methamphetamine in Illinois we have also collaborated with the Administrative Office of the Illinois Courts for a grant from the National Institute of Corrections.

Director Levin reported that ALERTS is continuing to be migrated from the HP3000 platform and the PIMSNet rollout continues. She noted that Authority staff met with the PIMS and ALERTS advisory board and indicated that while we would not seek a rate increase during the current billing cycle, we are reserving the right to raise the rates in six months due to the financial condition of the Criminal Justice Information Systems Trust Fund. She said that we continue to make improvements to the systems and will try to continue to work with the users.

Director Levin noted that two VOI/TIS awards for local jail construction were designated in April 2005. She indicated that these were awarded as a result of a request for proposals. She reported that we are now at the maximum amount of local money for VOI/TIS but have asked for discretion from the federal government to provide more funds to local jails.

Director Levin noted that the IJIS Summit will be held on June 9th. Clerk Brown added the IJIS Summit was doing very well. Ms. Brown invited all of the Authority members to attend the Summit and noted that Secretary of State Jessie White will be the keynote speaker.

Director Levin said that staff has internally been meeting to try and suggest how to proceed with planning for Justice Assistance Grants (JAG) once our award is received. She said that we are updating the trends analysis data and reviewing the 2000 plan. She indicated that Congress is contemplating a significant reduction in JAG funds for federal fiscal year 2006. She said that she and Robert Boehmer visited with various members of congressional staff to explain the impact of JAG reductions.

President Stroger said that he had spoken to Director Levin regarding the possibility of obtaining funds for Cook County for a day care center on the grounds of the boot camp for women. He indicated that the county is half of the population of the state. He said that when money is coming in, it is the county board's responsibility to see that the funds are allocated properly. He said that they have a large number of parole violators in the Cook County Jail at all times and that he needs to make things easy on the taxpayers of Cook County. Director Levin noted that in response to the request for proposals, Cook County requested cameras in the jail, and not the day care center. President Stroger said that as president of the county board he needs to make sure that all of the county officials work collaboratively. He said that the county board is responsible for funding these criminal justice activities and that they need to know where funds are being allocated. Director Levin said that she will make sure in the future that President Stroger's office is notified of any requests for proposals.

In response to a question from Director Gottfried, Director Levin said that we are working with the National Criminal Justice Association to make sure that Illinois' and other states' concerns regarding the reduction of JAG funds are being communicated to Congress. She suggested that Authority members may also want to contact members of Congress regarding this issue. Mr. Boehmer noted that the NCJA put together a website that provides some background material regarding the impact of JAG cuts. In response to a comment by Ms. Engel, Director Levin noted that we wrote a letter to media outlets expressing our concern about justice funding cuts.

Budget Committee Report

Associate Director Milano reported that the Budget Committee met on May 10th and considered and approved many actions under several federal programs. Actions included ADAA adjustments for fiscal years 97 through 04, which included continuation funding for several programs. Over one million dollars in continuation funding was approved to move programs to the end of their 48-month funding cycle. She indicated that the most significant actions were related to criminal history improvement funds. She reported that nearly 8 million dollars has been designated in funding for CHRI purposes. The Authority staff expects to fund the purchase of approximately 150 to 200 new Livescan machines or slightly more than five million dollars for local law enforcement agencies. The Budget Committee also approved two million in funding for the second and third phases of the Illinois State Police enhanced automated fingerprint identification plan.

She also indicated that funds were designated for the CHRI audit center, for integrated justice projects, and for two sets of actions intended to enhance officer and public safety at a local level. This includes an additional \$1,156,211 in Byrne funds to increase the number of proposals we are able to fund for this year's LLEBG RFP. It also will include \$380,000 for equipment grants to various MEGs and task forces. Associate Director Milano noted that the RFP is being prepared for those funds.

Associate Director Milano said other significant funds being designated include the Attorney General's Sexual Assault Nurse Examiner (SANE) certification program, and the Chicago Police Departments responses to domestic violence program. Finally, she reported that Winnebago and Moultrie Counties were awarded funds for local jail construction projects.

Chairman Sorosky then asked Associate Director Ted Miller to provide a brief financial overview of the Authority's financial operations. Mr. Miller explained the exhibits contained in the mailing and discussed the Authority's fiscal year 2006 budget. He indicated that the budget was passed as expected and included an additional appropriation of \$150,000 in general revenue funds for the cost and expenses related to the Capital Punishment Study Reform Commission. He also noted that there were fund transfers from the Motor Vehicle Theft Prevention Trust Fund, the Criminal Justice Projects Fund, and the Criminal Justice Information Systems Trust Fund. Director Levin reported that we will figure out a way to make due with the fund transfers. She reported that there is a borrowing mechanism that we can use if there are cash flow issues in those funds.

Director Gottfried reported that he has learned that the Illinois State Police will not seal certain felonies unless they receive funding for that purpose. In response to a question from Director Gottfried, Director Trent indicated that the Illinois State Police did not receive funding for that purpose and therefore will not be sealing those records.

In response to a question from Clerk Brown, Illinois State Police Deputy Director Bouche indicated that the process to seal certain records under certain circumstances is incredibly complex. He said that the fee people pay for sealing records covers the steps it takes to walk through the process, but about a half of a million dollars of programming is needed to create an environment where the Illinois State Police can actually seal a record for some people but not for others because the law calls for the sealing to occur but allows law enforcement and school officials to see the record under certain conditions. He said that their current system does not have the capacity to do that. Because of that, the General Assembly agreed that the sealing would only take effect one year after they have received the funding.

Deputy Director Bouche noted that it is a two-stage process. The first process is taking the legacy system and moving it to a more advanced platform. This will cost \$800,000 and will be funded with NCHIP funds through the Authority. In response to a question from Clerk Brown, Deputy Director Bouche reiterated that the Illinois State Police can seal records, however they do not have the ability to make only some of those available under certain circumstances. He indicated that manual checks of the hundreds of thousands of records would be impossible for the state police to accomplish.

Clerk Brown reminded members that we will have to accept the implications of this – the judge can order records sealed, but the records will not be sealed. She said that someone will need to let those people know that their records are not sealed. Deputy Director Bouche indicated that the Illinois State Police has been working with the State Appellate Defender on a bulletin that they could issue which would relay this information to the counties. In response to a question from Clerk Brown, Deputy Director Bouche said that there is a specific exemption in the legislation that authorizes the Illinois State Police to comply only if they receive funding to do so.

Director Gottfried expressed his concern that there is a tremendous interest in this whole area. He said that their phone lines are constantly filled with requests for information about expungement and sealing. He said that it is a huge issue because there is now a standard practice for companies to do background checks and seek law enforcement records. He was concerned that some companies are operating on the assumption that if a person is arrested for something, that means they are guilty. He indicated that people go through the expungement/sealing process in order to have a clean record to obtain a job. He said that it is a concern that people go through the process but their records are not sealed. Clerk Brown indicated that this issue needs to be fixed this veto session.

State's Attorney Devine noted that he and others would be attending a town meeting later this month which will also

involve some of the congressional delegation. He said that this issue should be discussed and that we should let our legislators and the governor know that a gap has been created that seems to null a well-intentioned law. President Stroger reiterated that this issue has to be brought to the attention of the legislature. In response to a question from Mr. Piland, Deputy Director Bouche said that as opposed to expungement, sealing allows certain people to review a record. In the past, it has mostly been law enforcement who was allowed to view a sealed record. He said that for sealing there are conditions that could return it to the permanent record. With an expungement, the record is permanently gone. He said that the Illinois State Police can seal records now and can expunge them, but cannot seal records and then make them viewable by distinct non-law enforcement agencies under certain circumstances.

New Business

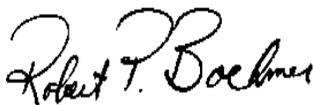
Director Levin noted that the Information Systems Committee met on May 2nd. She noted that a report on the meeting would be distributed later but there is one piece of business that needs to be discussed now. She then called on Karen Levy-McCanna to present information about the criminal history records improvement plan to the Authority. Ms. McCanna noted that the last tab in the mailing included the version of the plan which was recently approved by the Information Systems Committee. She said that the plan is required by the Bureau of Justice Assistance as a condition of spending criminal history record improvement set-aside funds. She indicated that there were some last minute edits that need to be brought to the Authority's attention. While most of the edits are grammatical, she said that the objective for the Illinois State Police to hold county-wide meetings has been removed from the plan at the request of the Illinois State Police. She indicated that other training initiatives are still included in the plan. In response to a question from Ms. Mandeltort, Deputy Director Bouche indicated that very few people attended the meetings and that other methods of training such as regional meetings, newsletters and field staff visiting sites that are having difficulties are more effective. He also said that a website will be developed for more interactive assistance as well.

{A motion to adopt the Criminal History Records Improvement Plan, as amended, was made by Ms, Brown, seconded by Mr. Demuzio and passed unanimously.}

Adjourn

{Upon a motion by Mr. Piland, seconded by Ms .Mandletort, and adopted by unanimous voice vote, Chairman Sorosky adjourned the meeting.}

Respectfully Submitted,



Robert P. Boehmer
Secretary and General Counsel