



MINUTES

President and Board of Trustees
Village of Arlington Heights
Committee-of-the-Whole
Virtual Meeting
Arlington Heights Village Hall
33 S. Arlington Heights Road
Arlington Heights, IL 60005
August 10, 2020
7:00 PM

I. CALL TO ORDER

- A. **In response to the COVID-19 pandemic, this Committee-of-the-Whole meeting is closed to in-person, public attendance. The meeting will be held virtually, which permits the public to fully participate via their computers or by using their phones.**

To participate in the virtual meeting, please review these instructions.

If members of the public prefer, they can comment or ask a question pertaining to the meeting by emailing rhume@vah.com by 3 p.m. on the day of the meeting, August 10. Please limit your email to 200 words and if your question relates to a specific Agenda item, please note that in the email. Emails will be read at the meeting.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

President Hayes and the following Trustees responded to roll: Canty, Rosenberg, Scaletta, Baldino, LaBedz, Padovani, Schwingbeck, Tinaglia.

Also present were: Randy Recklaus, Robin Ward, Nick Pecora, Greg Czernecki and Becky Hume.

IV. NEW BUSINESS

- A. Proposed Purchase of DACRA and Expansion of Administrative Adjudication

Mr. Recklaus introduced the possible expansion with the Administrative Adjudication program and the DACRA ticket writing software. DACRA brings efficiencies that will save money and make training more expedient. NWCDS is moving to the use of this system for traffic tickets. It makes sense that the Village use the same software when issuing municipal tickets as well. This change will cut down on paperwork, eliminate errors and could contribute to a reduction in the number of positions required to manage these processes. DACRA makes citations viewable in real time for officers and allows for offender history to be seen. Adjudication is also streamlined.

At the same time, staff is proposing to add non-criminal offences to the Adjudication system. These offences are typically for truancy, curfew violations, tobacco sales to a minor, and serving alcohol to underage patrons.

Commander Greg Czernecki itemized DACRA's Key features: tow and impound management tools, record keeping, hearing process schedule, racial profiling stop reports, ERP integration, automated fine escalation, viewable to ticket receivers, violator tracking, local ordinance citations, shared violator history, compliance with State adjudication laws, batch processing and dispositions.

Most importantly, officers would only have one system from which to issue State and Local tickets. The ease of issuing a ticket is tremendous as they can swipe the driver's license and use a drop down menu for the violations, fines and instructions to offenders. This will make traffic stops safer for officers and cut down on paperwork.

Mr. Recklaus said in order to make best use of the software and to help pay for it, it the concept of moving more items to Administrative Adjudication came around.

Ms. Ward explained that four years ago the Board authorized the expansion of adjudication. The Health and Building inspectors can now write tickets. The violator comes to the Adjudication Hearing, the case is discussed and fines can be administered. Mostly the Village is looking for compliance from the violators. The problem is that the Village's court calls are very crowded so we want to move more out of the court system. The non-traffic violations are now being thrown out, or community service is given. The Village would like fines to be collected and determinations made. The ticket writer can decide if the person should go to adjudicative administration or to court. Underage possession of alcohol, tobacco, and minor retail theft cases are some of the kinds of cases this could go before adjudication. Ms. Ward clarified that traffic court is still for traffic tickets. Everything else is mostly moving to adjudication.

Mr. Recklaus said this proposal is part of the overall movement to get data integrated. This action would be a multi-department effort that yields efficiencies.

President Hayes asked which departments could see personnel reductions as a result. Mr. Recklaus said the likely opportunities are in the Police Department within the civilian ranks. There may be other opportunities in other departments too.

Trustee Canty asked if integration with our new ERP vendor will be a requirement. Mr. Recklaus said it isn't a requirement but DACRA is not an oddball. It's a web based dispatch and regional ticket writing system, it's more important for all of our tickets to be written in the system. Officers will be using DACRA anyways. Trustee Canty asked if DACRA can do racial profiling reports. Commander Czernecki said we already do racial profiling reports, but it would make the reports electronic versus by paper. Today, any stop is reported to the State manually. Our numbers sometimes lag behind. This would make that information searchable immediately.

Trustee Scaletta asked how many tickets would be issued under this plan. Commander Czernecki said he took an average over the past 3 years of cases that do, and could go to adjudication and came up with 16,000. Based on the cost model, adjudicated cases equal \$47,000. Ms. Ward said the cases included were parking citations, compliance issues and local ordinance tickets. State citations were handled differently. If the Village moved some of other things to adjudication, there may be more opportunities to write tickets. Staff is reluctant to write tickets because they know they will be thrown out in court. Some compliance issues have had fewer tickets. Having adjudication as an option might help bring these properties into compliance. The Village's take would also be higher than if cases went to the courts. For theft alone, an additional 2,000-3,000 cases might go before adjudication. For 2019's misdemeanor cases, 630 individual cases were on the docket and 468 were continued (75%).

Right now only parking, cell phone and code enforcement cases go before adjudication. 12,700 tickets were written for parking violations. Many cases are heard through the mail. Typically 20 people show up to a hearing. Mail cases are 10 per month. Many just pay the parking ticket. Trustee Scaletta asked if the Village would recoup the cost of DACRA. Commander Czernecki said if we expand adjudication, there will be costs received. Distracted driving will add to it. Today, fines for retail thefts do not come to the Village. After court costs, judges typically award community service. Even if people respond through mail, the Village gets the revenue. If cases go through the courts, we don't.

Trustee Scaletta asked if there is a convenience and credit card fee is charged through Paymentis. Mr. Recklaus said he will check. Paymentis may go away with the new ERP. DACRA has a list of ERP systems with whom they have integrated already. It's possible they will have a connection on the shelf, otherwise we may have to pay to write the software to connect. Trustee Scaletta asked that when the ERP proposals are being looked at, to please include this.

Trustee Scaletta worried about how we will handle criminal activity through an adjudication process. Ms. Ward gave an example of a first offender stealing a lip gloss and getting warning or ticket. If this same teen then steals a coke, the officer can see the warning in DACRA. This gives the Village the chance to intervene. The officer retains discretion to send them to criminal court. Today's discussion is only talking about the tickets that go to traffic court, not criminal. The goal is to get the minor offences to adjudication. Any quasi criminal case will still go to criminal court. The beauty of the program is that the data is stored, so officers will know if the person was cited previously.

Chief Pecora said the State's Attorney is redirecting resources. The State is not going to prosecute simple retail thefts anymore. It's a point of frustration with officers. A felony charge is not approved unless there is a criminal history. Adjudication provides a better opportunity to get first time offenders to seek behavior modification. The mandatory court cost is \$254.50 and the Village doesn't get any money. Citing retail theft is an effort in futility. Generally retail theft is someone who is supporting a substance misuse problem. If someone hits a \$500 threshold, and has a history, we have to seek approval from the State's Attorney. We can only charge a misdemeanor. They don't go to jail and the person typically does not modify their behavior.

Trustee Scaletta asked if drug seizure funds could be used. Chief Pecora said the program has a law enforcement connection so it is possible. DACRA could be self-sustaining as hearing fees could be added. Additional citations could have a mandatory appearance and the revenue would go to the Village. The other option would be to increase parking fines. Mr. Recklaus said there will be efficiencies internally to justify costs too. How will be looked at on a case by case basis. Every vacancy is put through the wringer. Staff is going without people in a lot of areas to see if we can make things work. The workload analysis will show if reduction is possible. Trustee Scaletta asked how long it would take for a reduction in staffing specifically because the memo stated that it would happen during attrition, the response was about 3 months.

Last year, there were 12,000 distracted driving tickets issued. Now that we have our own ordinance that would be \$30,000 of revenue we didn't see before. Trustee Scaletta said he was supportive of DACRA but asked for an updated list of all the items that could go before adjudication. Ms. Ward said a complete possible list is challenging to develop, but a historical list is possible. Trustee Scaletta said he wants to know exactly what would go before adjudication. Mr. Recklaus said a list of categories of offences can be sent to the Board.

Trustee Tinaglia said it doesn't make sense to hand over money to the County system especially when the system can't handle the cases. Additional Adjudication offers the ability to correct that. We're already getting \$30,000 more over last year because of distracted driving. Imagine what it could be with other pieces. It will, by far, pay for itself every year. With the additional efficiencies in how things get handled it's a no brainer. Trustee Tinaglia said

he was in favor of the program and increased adjudication. He said he had no fear about if we are being fair or unfair. He asked when Building or Health gets involved, will have to learn to use this program separately. Chief Pecora said yes, but it's a very easy system to learn. Other communities have had 20 minute training sessions, it is a very intuitive program and pre-loaded with certain violations and code sections. There are just a handful of inspectors who would need training.

Mr. Recklaus said there is lots of technology coming. The Police have to learn this anyway. Since the whole village is learning more, the program is just another part of the process. Chief Pecora explained that a swipe of the driver's license populates the citation and a drop down box populates the violation. We lose the ticket writing software for Downtown which costs \$25,000, so that is a savings. In 2019, 74 retail theft cases went to court. Of those, 61 received community service, were no shows, the witnesses didn't show, or they were non-suited. Trustee Tinaglia said there is nothing but work on our part, and no money to cover costs under the current system. He said the program had his vote.

Trustee LaBedz said she was in favor of the changes based on efficiencies and the ability to recoup costs. She asked if the person receiving the ticket could log in to the website. Chief Pecora said the website is managed by DACRA. The Village's website would have a link which takes you to DACRA. It still looks like your website. Trustee LaBedz said it is mission critical that this system can talk to the ERP.

Trustee Schwingbeck asked how residents would learn about the overnight parking feature. Mr. Recklaus said a social media campaign would occur. Desk operators at the Police Station would direct them when they call too. It will require some training of residents. Trustee Schwingbeck reiterated the need to look into credit card fees to ensure the Village is not charged the transaction fee. He asked if distracted driving will go to adjudication. The answer was yes.

Trustee Baldino said the program makes sense. He liked that it eliminates some of the paper records and consolidates things to make sure things happen when they should. If a ticket is sent to adjudication, it doesn't go into the court system so there is no court record for the individual. That could help a young person from having a record. Mr. Recklaus said adjudication supports the State's Attorney's goal of taking these cases out of the court system. Whatever relief we can provide will help us all. Trustee Baldino said he likes the idea of encouraging a learned correction rather than a permanent record.

Trustee Rosenberg asked if the Village paid credit card fees for payments through Paymentis. Mr. Recklaus said he would find out. Chief Pecora said there was no downside to DACRA, it will be an advantage. Moving violations still go to Cook County. Trustee Rosenberg asked if we had the capacity to handle this additional work load with our adjudication officer. Ms. Ward said our hearing officer's calls are not full. He is paid \$150 an hour. Trustee

Rosenberg asked if there were any legal cost savings. Ms. Ward said she was not sure. Mr. Recklaus said that will be looked at in an overall review. There are printers in the squad car that can be used for many functions including this new ticket. Trustee Rosenberg expressed a reluctance to raise fines. Mr. Recklaus said the Finance Department is reviewing fees and fines which will come up for review separately. If we needed to make up the cost difference, it could be looked at. Trustee Rosenberg said he was in support.

Trustee Padovani said DACRA parallels the electronic medical records process. Efficiencies will happen in many departments. Integration and automation are the right thing for the Village. Whatever ERP system is selected, ask if DACRA has a preprogram bridge between those systems. Then it makes the cost even less. Trustee Padovani is in support.

Tickets written outside the Village cannot be seen in DACRA .

Trustee Tinaglia said if more than \$250 of the fees are going to court, he would not be shy charging appropriately. This isn't a money making tool, but if someone incurs a cost and we handle it easier, faster and quicker for \$125, it makes sense to take the money instead of giving it to Cook County. The Village has never had a philosophy of using the Department as a money maker, but the cost could be a deterrent. It's a teaching compliance tool.

Keith Moens said DACRA is a good system. He expressed concerns about expanding adjudication. What if a person was innocent? If 80% of the people didn't end up convicted on retail theft, are they losing their representation going to this hearing versus a real court? Does it give incentive to our Police Department to write tickets? Go with DACRA but don't expand adjudication.

President Hayes said the offender has the ability to be represented by an attorney. They can appeal to the County Court if they do not like the outcome. Their due process is protected. Ms. Ward said the majority of retail theft cases are sentenced to community service, they are not criminal like proceedings. There is not some formal police record that follows them. They are taken out of the system. Chief Pecora said the court system is insufficient to deal with these issues. There has to be some venue to deal with these types of offences.

Trustee Padovani moved that the Committee of the Whole recommend to the Village Board that the Village enter into a software license agreement with DACRA to use in the administrative adjudication process and expand the adjudication process to include tickets written by police officers as appropriate. Trustee LaBedz seconded the motion.

Ayes: Baldino, Canty, Rosenberg, LaBedz, Schwingbeck, Padovani, Tinaglia, Scaletta, Hayes.

The Motion: Passed

V. OTHER BUSINESS

VI. ADJOURNMENT

Trustee Canty moved to adjourn at 8:38 p.m. Trustee Scaletta seconded the motion. The motion carried.