

**JUSTICE COMMITTEE
MINUTES
JANUARY 13, 2009**

The Justice Committee met on Tuesday, January 13, 2009 in the Committee Room, located on the second floor of the Administration Building beginning at 2:28 p.m. Mr. Banning, Committee Chairman presided.

Members Attending:

William B. Banning, Sr., Chairman
George H. Smokey Davis
William C. Billy Derrick

James E. Kinard, Jr., V Chairman
Bobby C. Keisler

Also attending: Katherine Hubbard, County Administrator; Joe Mergo, Deputy County Administrator; Larry Porth, Finance Director/Assistant County Administrator; other staff members, citizens of the county and representatives of the media.

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, and posted on the bulletin board located in the lobby of the County Administration Building.

Violent Crime Task Force Grant Application - Solicitor's Office (Goal 3) - Rick Hubbard, Assistant Solicitor II - Mr. Hubbard presented a request to apply for the third and final year of funding for the Violent Task Force grant. The grant amount is for \$125,948 with a 25 percent match (\$31,487) funded by the Solicitor's office. Mr. Hubbard pointed out that the taser listed in the original material submitted by the Solicitor's office will not be purchased. He also pointed out that the grant overview had changed from what was submitted by his office and provided a revised Grant Summary Form. Mr. Derrick asked about the requirements at the end of the grant where it is stated that "It is recommended that the program continues after the grant has ended," and asked when will the grant end. Mr. Hubbard responded that this is the final year and the funds are for July 2009 through June 2010. Staff was requested to remove the requirement clause as Council is not pre-approving next year's budget. Revised Grant Summary Form attached.

A motion was made by Mr. Keisler, seconded by Mr. Kinard to recommend to full Council to approve staff's request to apply for the Violent Crime Task Force grant and remove the sentence "It is recommended that the program continues after the grant has ended" from the grant request.

The vote in favor was unanimous.

Approval of Minutes - Meeting of November 18, 2008 - A motion was made by Mr. Davis, seconded by Mr. Keisler to approve the November 18, 2008 minutes as submitted.

The vote in favor was unanimous.

Old Business/New Business - None.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Judy R. Busbee
Assistant to the Clerk

William B. Banning, Sr.
Chairman

Diana W. Burnett
Clerk

cc: [handwritten]

Tab D
Replacement

COUNTY OF LEXINGTON Grant Request Summary Form

Title of Grant: Violent Crimes Task Force

Fund: 2469 Violent Crimes Task Force Department: 141200 Solicitor
No. Title No. Title

Type of Summary: Grant Application Grant Award

Grant Overview: Continuation request for Violent Crime Task Force Grant implemented July 1, 2007. Grant administered by the South Carolina Department of Public Safety. The Violent Crime Task Force is a specialized group of prosecutors, case managers, and Investigators focused on prosecuting offenders charged with violent crimes as defined by South Carolina Statute. Since implementation of the Task Force; the time from arrest to adjudication of violent cases has dropped tremendously which correlates to the average inmate population at the Lexington County Detention Center to decrease by 22 % during FY 07-08. The Violent Crime Task Force has proven to be an efficient, and effective strategy to prosecuting offenders charged with violent crimes. Since inception, our success and strategy has been noted and mirrored as a model for other circuits in the state to implement.

Grant Period: 07/01/09 to 06/30/10

Responsible Departmental Grant Personnel: Deputy Solicitor Rick Hubbard

Date Grant Information Released: 05/01/09 Date Grant Application Due: 01/11/09

Grant Expenditures (Please attach a detailed budget with Excel spreadsheet, Overview, Line Item Narratives, etc.):

Personnel	\$	105,649.00
Operating	\$	18,049.00
Capital	\$	2,250.00
Total	\$	125,948.00

Local Match Required: Yes No

If Yes, What is the Percentage / Amount:	Solicitor Match	
	<u>25</u>	<u>\$ 31,487.00</u>
	<i>%</i>	<i>\$ Amount</i>

Requirements at the End of this Grant (please explain in detail):
It is recommended that the program continued after the grant has ended.

Dept. Preparer:	<u>LC</u>	<u>1/5/2009</u>
Dept. Approval:	<u>RH</u>	<u>1/5/2009</u>
Finance Approval:	<u>AD</u>	<u>1/6/2009</u>
	<i>Initials</i>	<i>Date</i>

**COUNTY OF LEXINGTON
VIOLENT CRIME TASK FORCE
Annual Budget
Fiscal Year - 2009-2010**

Object Code	Revenue Account Title	Awarded 2007-08	Requested 2008-09	Awarded 2008-09	Solicitor 08-09 100% Match	Requested 2009-2010
*Solicitor - Violent Crime Task Force 2469:						
Revenues (Organization: 000000)						
457000	Federal Grant Income	104,709	146,670	88,207	0	94,461
802611	Op Trm From Sol/State Funds	55,623	48,890	29,403	0	31,487
** Total Revenue		<u>160,332</u>	<u>195,560</u>	<u>117,610</u>	<u>3,900</u>	<u>125,948</u>
***Total Appropriation		<u>160,332</u>	<u>195,560</u>	<u>117,610</u>	<u>3,900</u>	<u>125,948</u>
FUND BALANCE		0				<u>13,374</u>
Beginning of Year						
FUND BALANCE - Projected		0				<u>13,374</u>
End of Year						

This grant is split 75% coming from SCDPS and 25% is the County's match.

**COUNTY OF LEXINGTON
VIOLENT CRIME TASK FORCE
Annual Budget
Fiscal Year - 2009-2010**

Fund: 2469
Division: Solicitor
Organization: 141200 - Solicitor

Object Expenditure Code Classification	<i>BUDGET</i>			Solicitor 08-09 State Funds	2009-2010 Applied
	2007-08 Awarded	2008-09 Applied	2008-09 Awarded		
Personnel					
510100 Salaries & Wages - 2	73,488	123,504	77,162	0	79,444
511112 FICA Cost	5,622	9,448	5,903	0	6,077
511113 State Retirement	3,420	7,473	3,974	0	3,304
511114 Police Retirement	4,151	4,363	3,974	0	4,488
511120 Insurance Fund Contribution - 2	11,520	17,280	11,520	0	12,000
511130 Workers Compensation	3,108	522	326	0	336
* Total Personnel	101,309	162,590	102,859	0	105,649
Operating Expenses					
522300 Vehicle Repairs & Maintenance	1,000	1,000	0	1,000	1,000
524100 Vehicle Insurance - 1	600	600	0	600	600
525000 Telephone	720	720	480	0	480
525020 Pagers and Cell Phones	10,200	1,800	600	0	2,400
525210 Conference & Meeting Expenses	10,000	17,600	9,820	0	4,993
525400 Gas, Fuel, & Oil	3,000	3,000	3,000	0	4,220
525041 E-mail Accounts	0	360	0	240	240
525600 Uniform Shirts and Clothing	0	350	351	0	700
525030 800 MHz Radio Service	0	1,560	500	1,060	1,560
52100 Office Supplies	0	0	0	0	1,000
521208 Police Supplies	0	1,600	1,600	0	800
524201 General Tort Insurance	0	56	56	0	56
** Total Operating	25,520	26,990	14,751	2,900	18,049
** Total Personnel & Operating	126,829	189,580	117,610	2,900	123,698
Capital					
540010 Minor Software	400	400	0	0	400
Lap-Top Computer					1,850
**Total Capital	33,503	5,980	0	1,000	2,250
*** Total Budget Appropriation	160,332	195,560	117,610	3,900	125,948

SECTION III. - PROGRAM OVERVIEW

Summary of Programs:

VIOLENT CRIME TASK FORCE

Objectives:

To retain and expand the newly created Violent Crime Task Force within the Solicitor's office to aggressively prosecute violent offenders, thereby reducing the growing backlog of violent crimes and bringing justice to the citizens of Lexington County who are the victims of these most egregious and heinous crimes.

This objective to aggressively prosecute violent offenders by reducing by 5% the time from arrest to adjudication by July 1, 2008 has been endorsed by County Council to meet the overall goal to provide public services to citizens of Lexington County.

Service Standards:

- a. To decrease the time a violent case is pending from arrest to adjudication.
- b. To decrease the time a violent offender is in pre-trial detention from arrest to adjudication.
- c. To minimize the trauma to victims of violent crime during the prosecution process.
- d. To increase the knowledge and skills of prosecutors and investigators on the Violent Crime Task Force.

SECTION III. - SERVICE LEVELS

Service Level Indicators (Objective Achievements)

Objective: To decrease the time a violent case is pending from arrest to adjudication.

On July 01, 2007, there were 484 violent case pending. During the course of the fiscal year (July 1, 2007 to July 1, 2008), an additional 350 new violent cases were added to the roster, for a total of 834 violent cases. During the same period of time, the Violent Crime Task Force disposed of 346 cases, ending the fiscal year with a total of 491 violent cases. In short, the Task Force moved approximately the same number of violent cases as it received during the July 1, 2007 to July 1, 2008 fiscal year. This was a major accomplishment for our office, considering the amount of time and work it takes to move violent cases. In addition, the Task Force accomplished this with one less prosecutor than the previous year.

Of the 346 cases disposed of by the Task Force, 207 cases were pending for more than one year, and the other 107 cases were six months to one year old. This is due to the priority the Task Force has placed on moving the oldest pending violent cases and having a dedicated team of Prosecutors and Investigators focused specifically on violent cases.

Of the disposed cases, 122 were handled by way of guilty pleas (71 cases plead as charged). An additional 16 were found guilty following a jury trial. Two hundred and two charges were dismissed, but the overwhelming majority of these were dismissed because the defendant pleaded guilty to other related, more serious crimes.

In time, the continued focus on disposing of the oldest pending cases will necessarily decrease the time the average violent case is pending from arrest to adjudication. Our accomplishments thus far would not have been possible without the grant which enabled us to form the Violent Crime Task Force

Objective: To decrease the time a violent offender is in pre-trial detention from arrest to adjudication.

Approximately 50% if all defendants charged with a pending violent crime are incarcerated in the Lexington County Detention Center, and the majority of these defendants remain incarcerated until their cases are handled in court. The Violent Crime Task Force has placed special emphasis on disposing of the cases of violent offenders who are incarcerated. During the July 1, 2007 to June 30, 2008 fiscal year, the Lexington County Detention Center experienced and unprecedented 22% reduction in their average daily inmate population. The Violent Crime Task Force is represented on Jail Overcrowding Committee which is presided over by the Chief Judge for Administrative Purposes. On August 26, 2008, the Lexington County Council was presented the County Achievement Award for the work done by the Jail Overcrowding Committee. The Lexington County Sheriff's Department, which manages the jail, attributes this large drop in inmate population primarily due to the Eleventh Circuit Solicitor's Office, and to the Violent Crime Task Force in particular.

Impact:

The Violent Crime Task Force has had a tremendous impact on the violent crime docket in Lexington County. As mentioned above, there were 484 cases pending as of July 1, 2007, and 350 violent cases added to the violent crime docket by June 30, 2008. During the same period of time, 346 violent cases were handled by the Task Force, leaving 491 cases pending. This was a major accomplishment considering the time, resources, and effort required to move these cases. As noted, 207 of these cases were more that a year old, and 107 cases were 6 months to a year old. The longest pending violent cases are clearly being dealt with by the Task Force.

A review of Homicide cases handled from July 1, 2007 to June 30, 2008 is illuminating. As of July 1st, there were 42 pending homicides. Fifteen more homicides were added to the docket during the course of the fiscal year for a total of 57 homicide cases. Twenty eight of these cases were handled by the Task Force during the year, leaving 29 homicide cases pending. The year prior to the Task Force being implemented the Solicitor's Office handled only 16 homicide cases. Of the 28 cases handled by the Task Force, all of them were over one year old, and all but one defendant was incarcerated.

With the Violent Crime Task Force, everyone fills a critical role. The senior prosecutors have a lead role. They review the cases and provide the necessary direction to the Investigators and Case Managers for the preparation of the cases. These prosecutors negotiate pleas, and they try the cases in court.

The Investigators follow up on the work done by law enforcement. Whereas law enforcement investigates a case in order to make an arrest, based on probable cause; Task Force Investigators work on finding the additional witnesses and evidence necessary to prosecute the case to a standard of "beyond a reasonable doubt". The involvement of Task Force Investigators at an earlier stage maximizes the prosecution of violent cases by reducing the problems associated with delay; degradation of evidence, loss of evidence, the inability to locate witnesses etc.

The case managers on the Violent Crime Task Force handle the tedious and time consuming task of organizing the case files, gathering and copying discovery for the defense, and preparing the file for prosecution.

SECTION IV. - SUMMARY OF REVENUES

A grant proposal has been submitted to South Carolina Department of Public Safety. Should the grant be awarded, 75% of the funds will be covered by the grant with a 25% match from the General Fund.

457000 – Federal Grant Income **\$125,948**

The total funds of the grant award = \$125,948. The grant will provide 75% of the total which = \$94,461.

802611 OTP TRN From Solicitor State Fund **\$ 31,487**

25% matching funds for the grant award of \$125,948 = \$31,487. Funds will come from the Solicitor's State Funds.

SECTION V. – LINE ITEM NARRATIVES

SECTION V. A. – LISTING OF POSITIONS

LISTING OF POSITIONS

Current Staffing Level:

<u>Job Title</u>	<u>Positions</u>	<u>Full Time Equivalent</u>		<u>Total</u>	<u>Grade</u>
		<u>General Fund</u>	<u>Other Fund</u>		
Investigator	1		1	1	13
Case Manager	1		1	1	9

Violent crimes are the most complicated and difficult to prepare and prosecute. With the Violent Crime Task Force, everyone fills a critical role. Investigators are necessary to follow up on the work done by law enforcement in order to get cases ready for trial. Case managers are necessary to organize case files, copy and prepare discovery, and preparing the case file for prosecution.

A deputy solicitor will continue to supervise the assignment and prosecution of the office's violent crime caseload. The cases focused on include all crimes involving intentional homicides, such as murder and voluntary manslaughter, but it also includes cases such as armed robbery, carjacking, burglary (first degree), arson (first degree), kidnapping, and assault and battery with intent to kill. Cases involving criminal sexual conduct (first degree) where the victim is an adult and where there is evidence of one or more additional violent crimes are also included.

SECTION V. - PERSONNEL LINE ITEM NARRATIVES

510100 Salaries and Wages	\$79,444
Investigator – Grade 13 – Calculated at 10% above the 2008-09 minimum of the grade = \$43,571	
Case Manager – Grade 9 – Calculated at 10% above the 2008-09 current salary = \$35,873	
51112 FICA	\$6,077
7.65 % of salaries of the new positions. $7.65\% \times \$79,444 = \$6,077$	
51113 State Retirement	\$3,304
9.21 % of the case manager's salary = 3,304	
51114 Police Retirement	\$4,488
10.3 % of the investigator's salary. $10.3\% \times \$43,571 = 4,488$	
51120 Employee Insurance	\$12,000
Calculated at \$6,000 per employee. $\$6,000 \times 2$ employees	
51130 Worker's Compensation	\$336
Calculated at .0423% of salaries	
524201 General Tort Insurance	\$65

SECTION V. B. - OPERATING LINE ITEM NARRATIVES

52100 Office Supplies	\$1,000
Items to be purchased including but not limited to pens, printer ink and paper, file jackets, folders, CD-RW disks, and other general items that are used daily.	
522300 Vehicle Repairs & Maintenance	\$1,000
Estimated repairs and maintenance costs for 1 vehicle.	
524100 Vehicle Insurance	\$ 600
Insurance for 2008 Chevy Impala, purchased during grant year 1. Estimate for one year.	
525000 Telephone	\$ 480
Estimated cost of phone service for 2 current employees $\$240 \times 2 = \480	
525600 Uniforms and Clothing	\$700
Uniform Shirts for the Investigator $\$25 \text{ per shirt} \times 14 = \350 Uniform Pants for the Investigator $\$50 \text{ per pant} \times 7 = \350	
525020 Pagers and Cell Phones	\$2,400
Nextel service for 2 phones at $\$50 \text{ per month} \times 12 \times 2 = \$1,200$ Air-Card Service for 2 cards at $\$50 \text{ per month} \times 12 \times 2 = \$1,200$	
525210 Conference and Meeting Expenses	\$4,993
For (2) Investigators to attend classes on Homicide and/or Violent Crimes: Registration: $\$500 \times 2 = \$1,000$ Air Fare: $\$781 \times 2 = \$1,562$ Lodging: $\$171/\text{night} \times 5 \text{ nights} \times 2 = \$1,710$ Per Diem: $\$30/\text{day} \times 6 \text{ days} \times 2 = \360 Parking: $\$15/\text{day} \times 6 \text{ days} \times 2 = \180 Car Rental $\$36.20/\text{day} \times 5 \text{ days} = \181 Total \$ 4,993	
525400 Gas, Fuel, and Oil	\$4,220
Estimated amount for fuel gas and oil for one vehicle; annual mileage 12,000 miles	
525041 Email Accounts	\$240
$\$10 \text{ per month} \times 2 \text{ employees} \times 12 \text{ months} = \360	
525030 800 MHz Radio Service	\$1,560
Service for (1) Motorola Radio for the Investigator	
521208 Police Supplies	\$800
Estimated amount to maintain and replenish police supplies assigned to the Investigator used in daily operations.	

SECTION V. C. - CAPITAL LINE ITEM NARRATIVES

540010 Minor Software **\$400**

Software will be needed for the new computer purchased for the Investigator. The estimated cost is \$400.

Lap-Top Computer **\$1,850**

One (1) Lap-Top Computer suitable for in-car use.

APPENDIX A. - LISTING OF VEHICLES

ITEM	ASSIGNMENT	COUNTY ID NUMBER
2008 Chevy Impala	Larry D. Crutchlow, Investigator	30614

APPENDIX B. - LISTING OF TELECOMMUNICATIONS EQUIPMENT

Current Equipment

- (1) Nextel Phone
 - (2) Office Lines
- Purchased during Grant Year one.
- (2) Sprint Air-Cards

ITEM	ASSIGNMENT	PHONE NUMBER
(1) Nextel Phone	Larry D. Crutchlow, Investigator	(803) 223-1584
(1) Nextel Phone	Geri L. Harrison, Case Manager	(803) 518-8073

ITEM	ASSIGNMENT	PHONE NUMBER
(1) Office Phone Line	Larry D. Crutchlow, Investigator	(803) 785-8316
(1) Office Phone Line	Geri L. Harrison, Case Manager	(803) 785-8286

ITEM	ASSIGNMENT
(1) Sprint Air Card	Larry D. Crutchlow, Investigator
(1) Sprint Air Card	Geri L. Harrison, Case Manager

APPENDIX C. - LISTING OF 800MHz RADIOS

ITEM	SERIAL NUMBER	COUNTY ID	ASSIGNMENT
Motorola XTS 5000	721CJD1284	31153	Larry D. Crutchlow, Investigator