

Sheriff's Office Proposed Administrative Tow Fee Ordinance

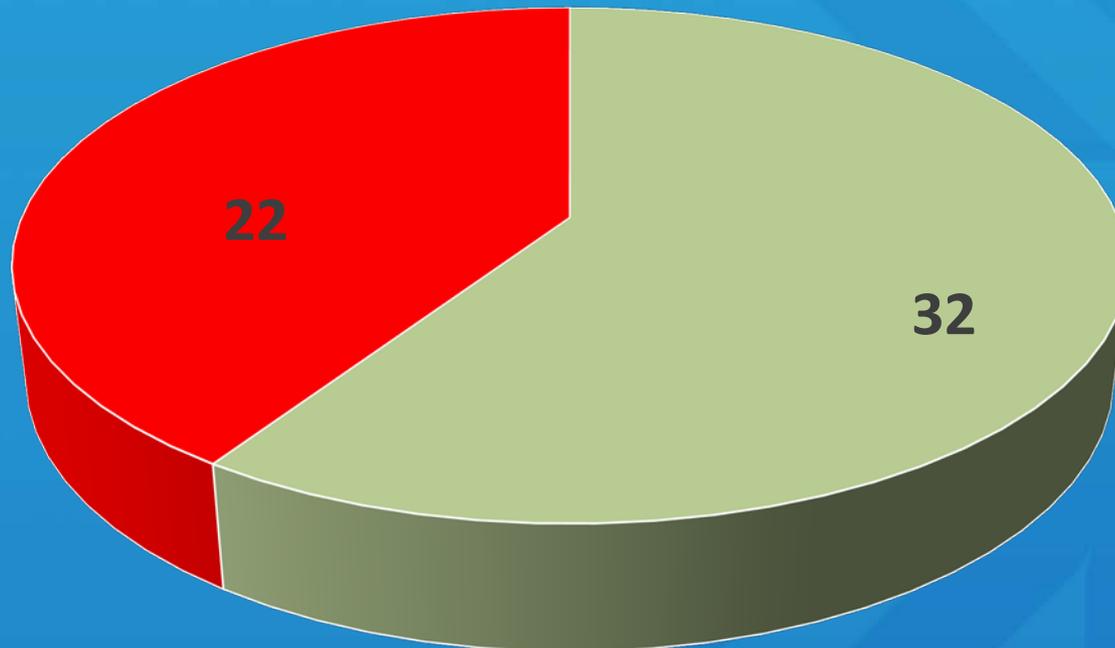


ADMINISTRATIVE TOW FEE ORDINANCE

LAKE COUNTY MUNICIPAL SURVEY



Lake County Municipalities with a Tow Fee Ordinance



■ Yes 60%

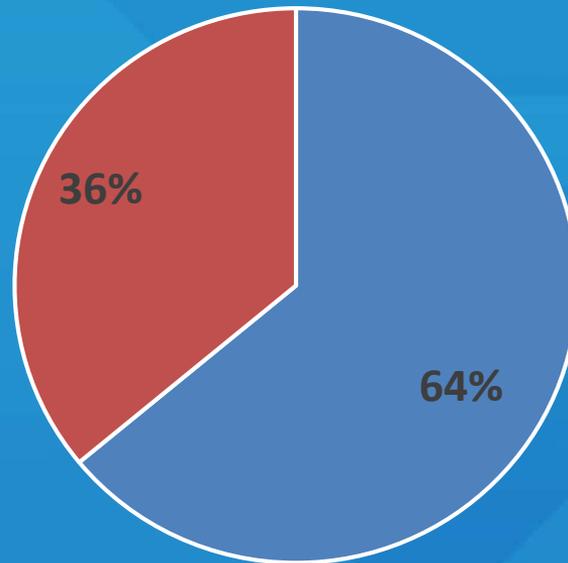
■ No 40%

ADMINISTRATIVE TOW FEE ORDINANCE

LAKE COUNTY MUNICIPAL SURVEY



Lake County municipalities without a tow fee ordinance who are provided police service from the Sheriff's Office



■ Sheriff - 14 ■ Non-Sheriff - 8

ADMINISTRATIVE TOW FEE ORDINANCE

CHICAGO COLLAR COUNTY SURVEY



Cook County

\$500

DuPage County

None

Will County

\$350

McHenry
County

None

Kane County

None

AUTHORITY: 625 ILCS 5/11-208.7
ADMINISTRATIVE FEE AND PROCEDURES FOR
IMPOUNDING VEHICLES FOR SPECIFIED VIOLATIONS



Any county may, provide by ordinance procedures for the release of properly impounded vehicles and for the imposition of a reasonable administrative fee related to its administrative and processing costs associated with the investigation, arrest, and detention of an offender, or the removal, impoundment, storage, and release of the vehicle.

QUALIFYING LAW VIOLATIONS

RECOMMENDATIONS FOR LAKE COUNTY ORDINANCE (IN YELLOW):



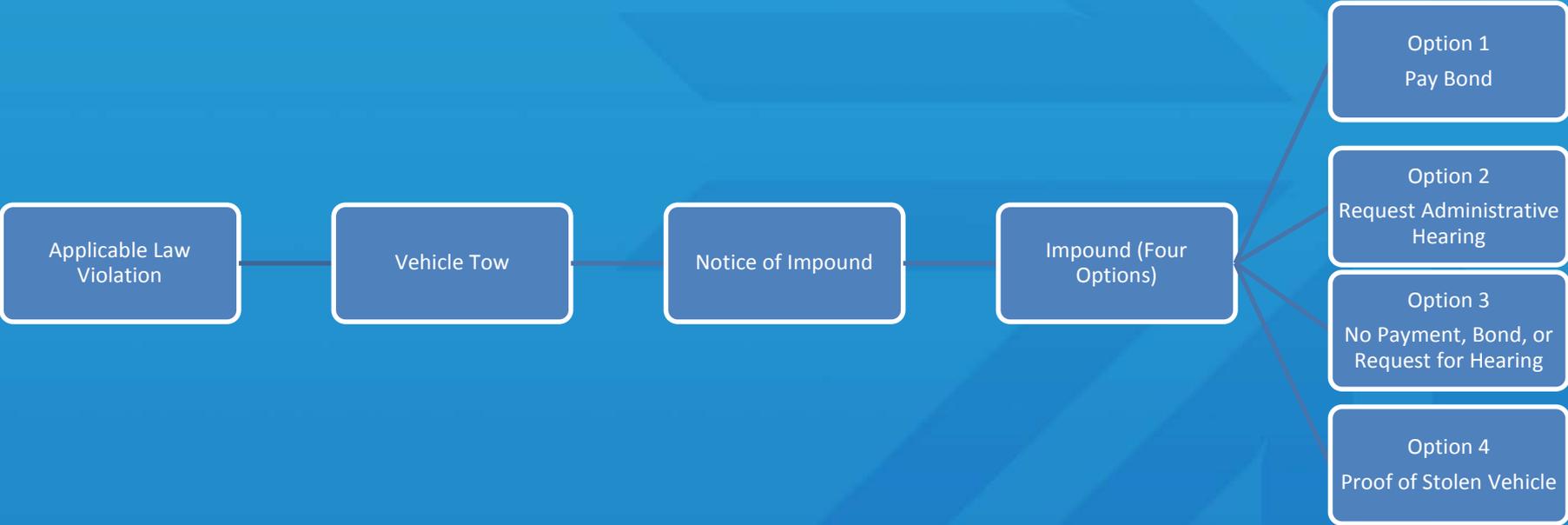
- An offense for which a motor vehicle may be seized or forfeited (§36-1) by law enforcement
- Driving Under the Influence of Alcohol, Drugs, Intoxicating Compounds or any combination
- Any felony offense
- A violation of the Cannabis Control Act
- A violation of the Controlled Substances Act
- Unlawful use of a weapon, reckless discharge of a weapon, unlawful possession of firearms or ammunition
- When the driver has a warrant for no drivers license, DUI, or a suspended or revoked drivers license
- A suspended or revoked drivers license
 - Except a suspension for unpaid citations (parking / moving) or for failure to submit to emissions testing
- Soliciting, possessing, or attempting to solicit or possess cannabis or a controlled substance
- An expired drivers license
 - Expired more than one year
- No drivers license
- Reckless Driving and Aggravated Reckless Driving while the vehicle is part of a funeral procession or in a manner that interfered with a funeral procession

ADMINISTRATIVE TOW FEE ORDINANCE

LAKE COUNTY SHERIFF'S OFFICE – RELEVANT STATISTICS



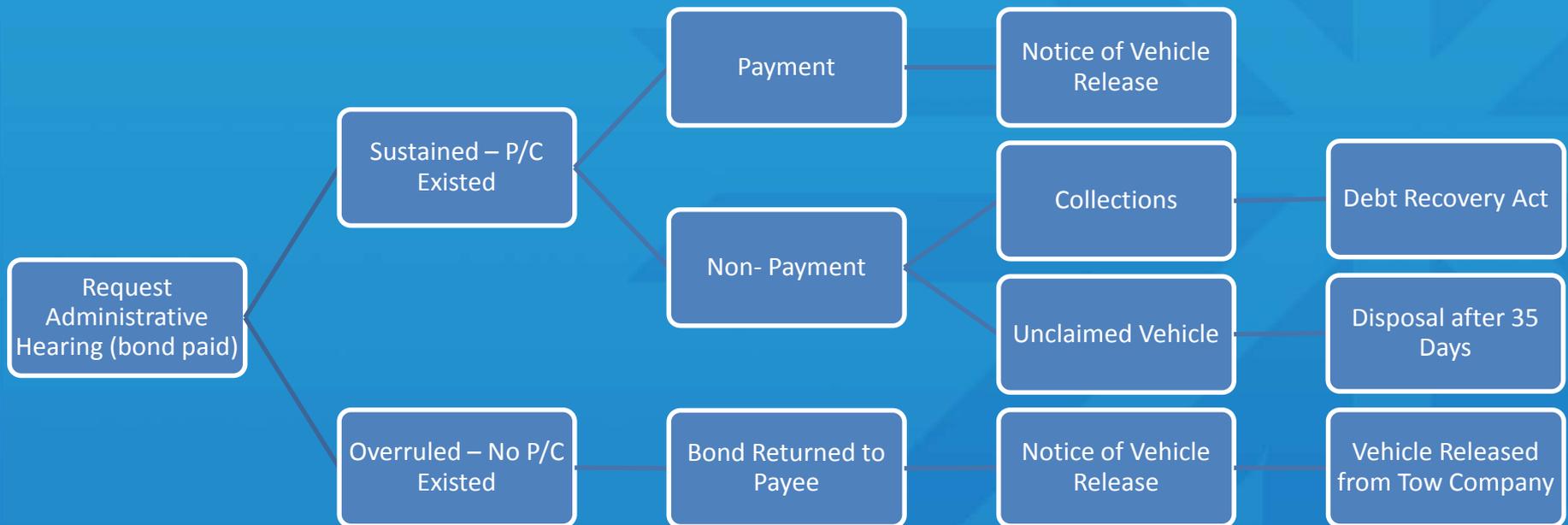
Administrative Tow Fee Process



Administrative Tow Process – Option One



Administrative Tow Process – Option Two



ADMINISTRATIVE TOW FEE ORDINANCE

ADMINISTRATIVE HEARING REQUIREMENTS



- Conducted by a hearing officer
 - An attorney license to practice law in Illinois for a minimum of three years
- The hearing officer shall issue a written decision sustaining or overruling the vehicle impoundment
- If sustained, any money posted will be forfeited to the county
- If overruled, bond will be forfeited or the administrative fee is owed to the county
- All decisions of the hearing officer shall be subject to review under the provisions of the Administrative Review Law.

Administrative Tow Process – Option Three



Administrative Tow Process – Option Four



ADMINISTRATIVE TOW FEE ORDINANCE

COMPLIANCE WITH STATE LAW



- The fee shall be imposed on the vehicles registered owner or agents of the owner
- The fee shall be in addition to:
 - Any court assessed penalties
 - Any towing and storage fees charges by a towing company
- The fees shall be uniform
- The administrative fee shall be collected and paid to the Sheriff
- The Sheriff shall provide the owner, lessee, or lienholder an opportunity for an administrative hearing to determine if the vehicle was properly impounded
- The Sheriff shall release the vehicle to the owner, lessee, or lienholder upon payment of all administrative fees.

Administrative Tow Fee Staff Cost of Service

Process Approximate Cost Analysis – LCSO Arrest	Hours	Rate	Total
Arresting Deputy			
Deputy observes applicable violation, stops vehicle, conducts investigation (may include field sobriety testing, drug identification, interviews, evidence collection, etc.), make arrest(s), vehicle inventory, vehicle tow, transport prisoner to jail, process prisoner, contact Felony Review, submit evidence to storage or crime lab, download squad video, and prepare case report(s).	2	\$124.39	\$248.78
Assisting Deputy			
Assist Arresting Deputy with stop and investigation/arrest	.5	\$124.39	\$62.20
911 Center Dispatcher			
Answer 911 call, dispatch deputy, answer and relay radio traffic from deputies, conduct checks of vehicles, driver's licenses, and criminal histories with LEADS, place computer "holds" in LEADS.	.5	\$83.24	\$41.62
Corrections Officer			
Prisoner booking and processing.	.5	\$91.80	\$45.90
Supervisor			
Review and approve case report and review arrest video. Serve Deputy with subpoena, etc.	1	\$134.21	\$134.21
Video/Photo Lab			
Make DVD Copies of Arrest Video for Prosecution and Defense	.5	\$80.38	\$40.19
Records Division			
Review each report for accuracy before submitting data entry. Processes report, submits reports for FBR, complies with FOIA requests, sends reports to SA's Office, and process related court subpoenas, etc	1.5	\$66.92	\$100.38
Court Appearance(s)			
Arresting and assisting deputy attend court for the arrested person (overtime rate at a minimum of 2 hours). *Based on one court appearance only. Some cases include several court appearances (grand jury, preliminary hearing, continuances, etc.)	4 (2/deputy)	\$186.59	\$746.36
Total	13		\$1,419.64

*Additional costs not included are cost of citations, cost of paper (copies), IT infrastructure, length of stay in the jail, etc.

ADMINISTRATIVE TOW FEE ORDINANCE

LAKE COUNTY SHERIFF'S OFFICE – FEE PROPOSAL



The approximate cost for an arrest:

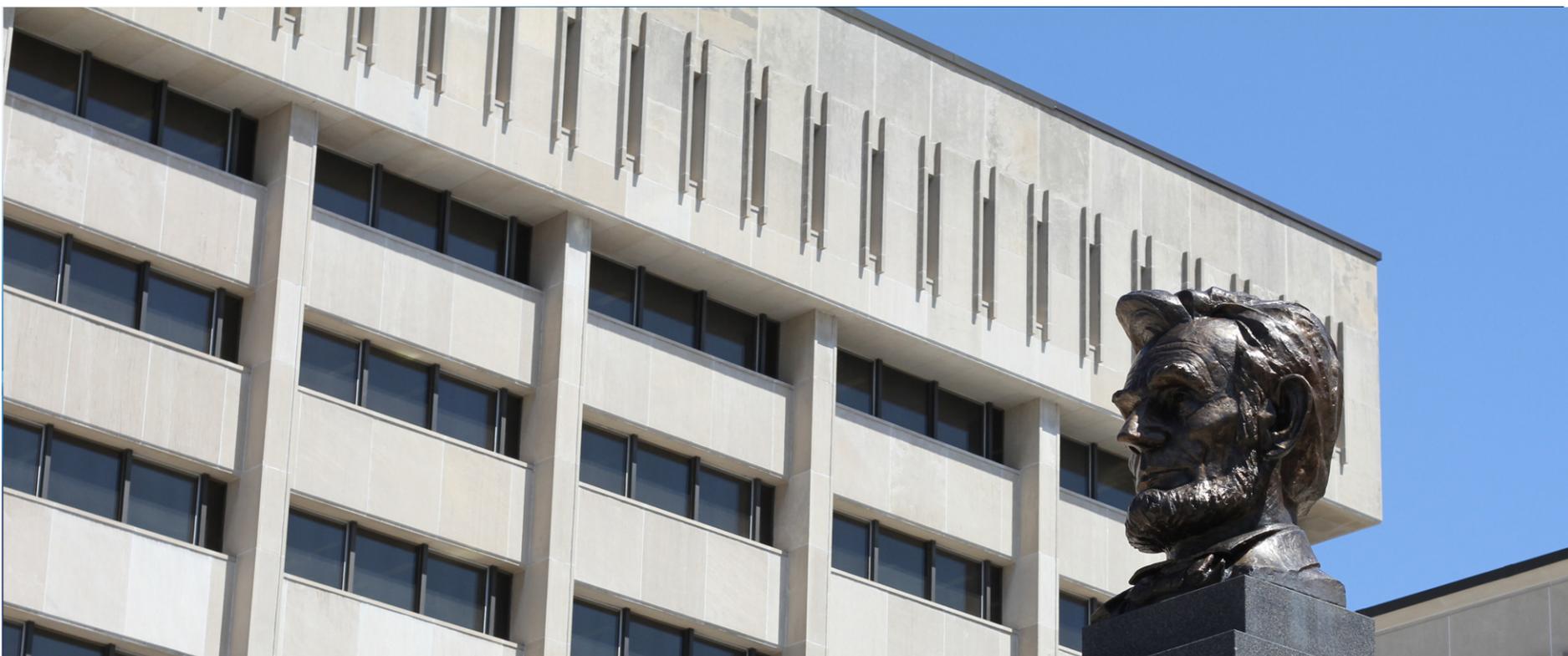
\$1,419.64

The Sheriff's Office recommends a fee of:

\$250

Estimated annual cost recovery:

\$250,000



Questions?

OF THE GREATEST ME
IN THE HISTORY OF ILLINOIS
ABRAHAM LINCOLN
ABRAHAM LINCOLN MADE HIS MARK IN HISTORY
AS ONE OF THE FINEST PRESIDENTS OF
STATES. IT IS FOR THE PRESIDENTS OF
TO ALL...