



Lake County Illinois

Legislation Text

File #: 16-0898, **Version:** 2

Joint resolution authorizing an amendment to the Intergovernmental Agreement (IGA) (864-13, Modification 2) between the Federal Bureau of Prisons (BOP) and the Lake County Work Release Center.

- In 2013, an IGA with the BOP and the Lake County Sheriff's Office was entered into in order to establish responsibilities for providing secure custody, housing and safekeeping of adjudicated Board of Prison inmates.
- Most recently, the County approved amendments to the IGA (864-13, Modification 1) that require the implementation of additional policy and operational compliance procedures regarding the use of technology (cell phones) and that inmates be given access to Patient Protection and Affordable Care Act information and be allowed to enroll in health insurance prior to discharge from the facility.
- The IGA Modification (864-13, Modification 2) requires the county to cease collecting the subsistence payments from BOP inmates. The agreement outlines that this action is being taken in recognition that the process of re-entry following incarceration is very difficult especially financially due to long periods of unemployment.
- This has no financial impact to Lake County revenue. Under this new agreement, BOP will pay Lake County the full amount for inmates who transfer from BOP to Lake County administered home confinement.

RESOLUTION

WHEREAS, this Agreement made and entered into this 10th day May, 2016 by and between the County of Lake, a body politic and corporate hereinafter referred to as the "COUNTY", and the Federal Bureau of Prisons, hereinafter referred to as the "BOP."

WHEREAS, both the COUNTY and the BOP are governmental agencies charged with the responsibility and authority to provide secure custody, housing, and safekeeping of adjudicated Board of Prison inmates, and;

WHEREAS, the County, as a public agency of the State of Illinois, is authorized and empowered by the Constitution of the State of Illinois (ILL. Const. Art. VII § 10) and the Illinois Intergovernmental Cooperation Act (5 ILCS 221/1 *et seq.*) to enter into intergovernmental agreements with other public agencies on matters of mutual concern and interest such as the provision of adequate personnel and resources for securing custody of inmates within the jurisdiction of the County, and;

WHEREAS, the BOP is desirous of continuing their contracting with the COUNTY to obtain and provide services in and for the BOP and agrees to pay for any services of the COUNTY that occur under this agreement, and;

WHEREAS, the BOP seeks to amend Intergovernmental Agreement (IGA 864-13), to unilaterally modify the agreement to state that any inmate who transfers to the home confinement component of the Residential Reentry Center program is no longer required to pay subsistence while on home

confinement, and;

WHEREAS, the COUNTY will discontinue the practice of collecting subsistence payments from former inmates assigned to home confinement, and;

WHEREAS, this COUNTY and BOP are entering into an amended IGA for providing secure custody, housing, and safekeeping of adjudicated Board of Prison inmates, which is hereby amended.

NOW, THEREFORE, BE IT RESOLVED, in consideration of the foregoing, the parties hereby agree as follows:

1. The SHERIFF'S OFFICE will no longer collect subsistence payments from inmates assigned to home confinement.
2. This IGA shall be in full force and effect upon full execution.

IN WITNESS WHEREOF, the County of Lake, by a joint resolution duly adopted by the County Board of Lake County, causes this IGA to be signed by its Chairman and the Lake County Sheriff's Office and the BOP, has caused these presences to be executed by the Procurement Executive for the BOP.

DATED at Waukegan, Illinois, on October 11, 2016.