

RE: Sheriff's Dept. Vehicles

Minutes-Vermillion County Commissioners Special Meeting August 14, 2006

The Vermillion County Commissioners met in the Commissioners Courtroom, Courthouse, Newport, Indiana.

President, Tim Wilson called the meeting to order and led in the Pledge to the Flag.

Roll call was taken: Present were President Tim Wilson, Commissioner Dennis Marietta, and Commissioner Harry Crossley. Also present were Attorney Jon Spurr, Auditor Sherrie Koma, and Deputy Auditor Amy Tolbert.

Prosecutor Nina Alexander was present to discuss the use of Sheriff's vehicles for extra patrol on the weekends. Prosecutor Alexander stated that Sheriff Kim Hawkins, without a policy in place regarding the use of County vehicles, did not want the officers participating in the weekend patrols that she has been funding. Prosecutor Alexander stated that she thought Sheriff Hawkins would have been present at this meeting. Commissioner Wilson asked Auditor Koma if she sent him a notice, she did not. Prosecutor Alexander thought Sheriff Hawkins would need to be present to get this issue resolved. Prosecutor Alexander ultimately needs the Commissioner approval in order to get Sheriff Hawkins approval. Commissioner Wilson asked how this is being paid for. Prosecutor Alexander stated that it is all paid out of Deferral Funds, she also stated that she re-pays the county for gasoline quarterly. Prosecutor Alexander stated that the officers have been calling it DUI Patrols, but that's not what it is. It's just that there is more crime during the summer and on the weekends during the evenings. Prosecutor Alexander stated that from Memorial Day through Labor Day she pays to have an extra car on the road, in the evenings on the weekends.

Commissioner Crossley stated that he has received several complaints from patrons of the VFW, The American Legion, The Eagles and The Moose Lodge. Commissioner Crossley stated they are non-profit organizations, clubs and the patrons come in for one or two beers, then they leave and get picked up by this extra DUI patrol, its going to kill their business. Prosecutor Alexander stated that if they are getting arrested for driving drunk, she doesn't care about that. There was some discussion on deferred prosecution and Prosecutor Alexander stated

that there is no deferred prosecution since July 1 on DUI's, by statute. Prosecutor Alexander stated that she used to do that, but State Law no longer allows it. Commissioner Crossley stated that he is just voicing opinions from the guys from the clubs. The way the paper read, the officers would be outside of these businesses just waiting on the patrons to leave. Prosecutor Alexander stated that they have been doing this since May, and that they are not sitting around waiting on people. She also stated that yes there are increased DUI arrests. She said they are certainly valid stops and certainly valid arrests.

A resident, who did not identify herself, asked why the Prosecutor is paying the Sheriffs department to do their job. Prosecutor Alexander stated that county is 40 miles long, they have 6 deputies, and one person cannot patrol the whole county. She offers this service because in the summer months, crime goes up. She said that the Sheriff's Department and their officers are doing their job; this just gives them one extra person on the road. Prosecutor Alexander stated that the Sheriffs department could not afford to pay the over time or the gas mileage. Commissioner Crossley thought that what upset the people in the area is that it's called DUI Patrol. Prosecutor Alexander stated that its Crime Patrol and does not understand why the people are upset over what it's called.

Prosecutor Alexander explained that she offers this service at no cost to the taxpayers. It is deferral money, money that is paid from defendants of people that are charged with traffic infractions or misdemeanors. She stated that it's a pretty common practice in other counties.

Commissioner Wilson did not see any problem with continuing this program if the Sheriff was willing and as long as it was within this county. Dave Bedwell expressed concern about whether or not they would be able to use the deputies and their cars at the Hillclimb, as they have in the past, for traffic control. Prosecutor Alexander stated that she received a letter from Sheriff Hawkins stating that she would no longer be able to use the vehicles until the Commissioners approved the use of the vehicles. She is asking for a resolution to continue the weekend patrol, so as not to violate any policies. Commissioner Wilson said that if the police cars are used for police business, then they should be able to use them within the county. Commissioner Wilson said that it should be up to the Sheriff. Commissioner Marietta said it goes back to the basic question, who benefits and in this case, the taxpayers benefit. Prosecutor Alexander again stated that it was at no cost to the taxpayers. Commissioner Wilson made a motion to make a resolution to allow Prosecutor Alexander to pay reserve and off duty deputies out of deferred prosecution and to use the county vehicles at the Sheriffs approval. All agreed.

Tim Wilson made a motion to adjourn the meeting, seconded by Dennis Marietta.

Meeting adjourned at 6:15p.m.

Read in full and approved by the Vermillion County Commissioners on the 5th of September 2006.

Attest: _____
Sherrie A. Koma, Auditor