



## **LOMBARD POLICE DEPARTMENT**

TO: Lombard Public Safety and Transportation Committee

FROM: Roy Newton  
Chief of Police

SUBJECT: Local DUI Prosecutor Proposal

PSTC Members:

As you may or may not know, the Village of Lombard contracts with a local attorney firm to prosecute our DUI arrests. We have had this system in place for the past 12 years. This is much the same as our traffic court prosecution system. The advantage of having a system in place such as this, is that we have some flexibility over the fines, penalties, and sentencing on a DUI offense. Generally, our officers who make the actual arrest can speak with the prosecutor as opposed to a States Attorney who may not have direct knowledge of the case. Many times, this results in a greater return of fines to the Village, rather than to the County. To be sure, this prosecutor only handles first time offenders, and those who have had previous convictions are handled by the DuPage County States Attorney.

Given the time frame in which we have had our current local prosecutor and the significant changes and technical aspects of a DUI arrest, we felt it time to conduct a request for proposal to ensure we are employing a prosecutor that meets our current needs.

I have attached a memo from Deputy Chief Grage that outlines the interviews and makes a recommendation to the Law Office of Michelle Moore. It should be noted that Michelle Moore currently handles our traffic court local prosecutions and as such this will be a seamless transition. I concur with Deputy Chief Grage and his interview panel to employ the services of Michelle Moore.

As the memo calls for an August 20<sup>th</sup> start, due to COVID and the current courthouse delays, this date will be pushed backed to later in 2020. I would ask that the PSTC approve the recommendation so that we may begin to formalize the change of our local DUI prosecutor.

Thank you for your participation in the PSTC and should you have any questions, please do not hesitate to contact my office. Please stay well and take care of each other.

Sincerely,

Chief Newton

# VILLAGE OF LOMBARD POLICE DEPARTMENT



**Roy Newton**  
Chief of Police

**Thomas Wirsing**  
Deputy Chief of Operations

**Joe Grage**  
Deputy Chief of Administrative Services

TO: Chief Newton  
FROM: Deputy Chief Grage  
DATE: 04/13/20  
SUBJECT: Local DUI Prosecutor RFQ Panel Recommendation

At your direction and consistent with village policy, I generated a Request For Qualifications (RFQ) for the role of local ordinance DUI prosecutor. This notice was sent via US mail to a number of legal firms as well as posted on the Illinois Municipal League's classified section. Submissions for the process opened on February 1<sup>st</sup>, 2020 and were due by March 1<sup>st</sup>, 2020 at 4 PM.

Four legal firms submitted RFQ responses for consideration:

- Odelson & Sterk
- Lamp Law, LLC
- Smith & Fuller
- Moore Norton Law Group Ltd.

Once submissions were complete, I asked for volunteers to staff a panel to interview the firms that submitted RFQ's. The following participants volunteered and were selected:

- Lieutenant Mike Chudzinski
- Officer Andy Stern (DRE)

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**235 E. Wilson Avenue Lombard, Illinois 60148**

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- Officer Evan Boros (DRE)
- Officer Alex Martino
- Sergeant Jason Chudzinski
- Myself

As you are aware, I held the participation of drug recognition experts (DRE) in this process to be of high importance due to the legalization of recreation cannabis in Illinois this year.

Interviews with each of the firms were set for the morning of March 23<sup>rd</sup>. Governor Pritzker issued his executive “Stay At Home” order prior to the interviews. As a result, I asked each participant if they would participate in a remote interview via GoToMeeting in lieu of an in-person interview. All of the firms agreed to participate remotely.

Prior to the interviews, all officers participating in the interview panel were provided with the RFQ submissions for content and to generate questions they may have for the firms.

On March 23<sup>rd</sup>, all four firms participated in a remote video interview process. They were asked questions that related to the content of their RFQ submission, so not all questions were the same. All four firms were also asked questions to related to their training and experience in relation to their prosecution of drug impaired DUI cases as well as their use of ARIDE/DRE trained officers. Additionally, each firm was asked what their philosophy/methodology was in relation to driver’s license rescissions and plea bargains. The panel engaged in extensive discussion at the conclusion of the interviews. As a result of the discussion, the interview panel is recommending that our department begin

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utilizing the Moore Norton Law Group for local ordinance DUI prosecutions. Among the reasons for this recommendation are:

- Michelle Moore Norton is trained in ARIDE and demonstrated proficiency in the prosecution of both alcohol and drug impaired driving offenses.
- She demonstrated a proficiency in the use of DRE's in drug impaired driving cases.
- Her proposed pricing was approximately \$5,000 less per year than our current prosecutor and is based on a flat fee with the exception of search warrant review services after hours.
- The department has used her for a number of years as local ordinance/traffic prosecutor and is familiar with her experience and the quality of her work.

In addition to the recommendation, references for the Moore Norton Law Group were contacted and gave fully positive reviews of her services.

After consulting with Assistant Village Manager Aranas and our own files, it is apparent that no written agreement with set terms exists between Smith & Fuller and the Village of Lombard. Based on this, I recommend that we begin utilizing the Moore Norton for local ordinance DUI prosecution beginning August 20<sup>th</sup>, 2020.

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