

## Minutes of the Justice Committee

The Justice Committee of the McLean County Board met on Tuesday January 3, 2012 at 4:30 p.m. in Room 400 of the Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Chairman Rackauskas; Members McIntyre, Wollrab, Schafer and McKibbin

Members Absent: Member Rankin

Other County Board  
Members Present: None

Staff Present: Mr. Bill Wasson, County Administrator; and Ms. Judith LaCasse, Assistant to the County Administrator

Department Heads/  
Elected Officials  
Present: Ms. Cindy Brand, Jury Commission; Ms. Lori McCormick, Director, Court Services; Ms. Kim Campbell, Public Defender; Ms. Beth Kimmerling, Coroner; and Mr. Don Everhart, Circuit Clerk

Others Present: Ms. Margie Jordan, Children's Advocacy Center; Ms. Cathy Waltz, Superintendent, Juvenile Detention Center; Mr. Rusty Thomas, Chief Deputy Sheriff, Sheriff's Department; Ms. Jane Foster, First Assistant State's Attorney

Chairman Rackauskas called the meeting to order at 4:39 p.m. She introduced Ms. Sandy McGee, a retiree of the McLean County Extension Service, and six representatives from the 4-H Team Leadership Group who attended the meeting to learn how a committee is conducted.

Chairman Rackauskas presented the minutes from the December 6, 2011 Committee for approval.

Motion by McIntyre/Wollrab to Approve the Minutes of  
the December 6, 2011 Meeting.  
Motion carried.

Chairman Rackauskas presented the minutes from the November 15, 2011 Stand-up meeting for approval.

Motion by Schafer/Wollrab to Approve the Minutes of  
the November 15, 2011 Stand-up Meeting.  
Motion carried.

Ms. Cindy Brand, Jury Commission, presented the Jury Commission 2011 Year-end Report. She noted that, as shown in the Comparative Jury Trial Statistics, the number of jury trials held during 2011 was 101 as compared with 99 in 2010 and 111 in 2009. Ms. Brand stated that the number of trials held was similar to last year.

Ms. Brand indicated that very few long trials were held in 2011 and this is reflected in the total days served, mileage paid and total pay note in the Report of the Jury Commission.

Chairman Rackauskas asked Ms. Brand to provide an overview of the responsibilities of the Jury Commission to the students.

Ms. Brand advised that the Jury Commission calls people in for jury duty. She stated that if you are 18 years old or older, have a driver's license, a voter's registration card or state ID card, you are eligible to serve on a jury.

Chairman Rackauskas asked if there were any questions or comments. Hearing none, she thanked Ms. Brand.

Ms. Lori McCormick, Director, Court Services, informed the students that Court Services is the probation Department for adults and juvenile probation. She introduced Ms. Cathy Waltz, Superintendent, Juvenile Detention Center. Ms. McCormick stated that Court Services supervises over 1,500 individuals, both adult and juvenile, that have broken the law, been found guilty and placed on community supervision.

Ms. McCormick presented a request for approval of an Emergency Appropriation Ordinance amending the McLean County Fiscal Year 2012 Combined Annual Appropriation and Budget Ordinance, Fund 0001, General Fund, Court Services Department 0022. She stated that this is the federal SAMHSA Award, which is a three-year grant, with each year being \$394,288.00. Ms. McCormick indicated that she reapportioned that amount to be revenue as well as expenditures in certain areas of the budget.

Mr. McIntyre asked if there is a contract with Chestnut Health Services. Ms. McCormick replied that there is a contract with Chestnut as well as the Center for Human Services.

Ms. McCormick noted that this grant will allow Court Services to hire a Probation Officer to assist with Recovery Court and Drug Court. This also allows for a 50% position for a Project Manager, Ms. Elizabeth Barnhart, who also manages a number of other grants in the Court Services Department.

Motion by Wollrab/McIntyre to Recommend Approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2012 Combined Annual Appropriation and Budget Ordinance, Fund 0001, General Fund, Court Services Department 0022.  
Motion carried.

Ms. McCormick presented a request for approval of an Emergency Appropriation Ordinance amending the McLean County Fiscal Year 2012 Combined Annual Appropriation and Budget Ordinance, Fund 0001 General Fund, Court Services Department 0022. She explained that this is the Adult Redeploy Grant. The total amount for 18 months is \$138,123.00. Ms. McCormick indicated that an Emergency Appropriation was approved in 2011 for \$23,020.00, leaving \$115,103.00 for 2012. She added that this accounts for contracting for mentoring and advocacy for the adults as well as the electronic monitoring, and a Probation Officer for high-risk clients.

Motion by McIntyre/Schafer to Recommend Approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2012 Combined Annual Appropriation and Budget Ordinance, Fund 0001, General Fund, Court Services Department 0022.  
Motion carried.

Ms. McCormick presented a request for a sub-contract agreement for clinician services to provide needed assessment and clinical consultation for Drug and Recovery Court Clients to ensure that the clients get into the correct court. She stated that the Clinician, Mr. Mark Benson, will assist the Drug Court Coordinator and the Recovery Court Coordinator.

Motion by Schafer/McKibbin to Recommend Approval of a Sub-Contract Agreement for Clinician Services to provide needed Assessment and Clinical consultation for Drug and Recovery Court Clients.  
Motion carried.

Chairman Rackauskas asked Ms. McCormick to provide an explanation of Drug Court and Recovery Court to the students.

Ms. McCormick stated that Drug Court and Recovery Court are evidence-based programs, which means that they are research-driven. Research has proven that there are successful treatments and ways to deal with certain types of individuals. Ms. McCormick noted that Drug Court and Recovery Court are problem-solving courts, which have shown that it is necessary to work with clients with addiction or mental illness in different ways than with the normal population. This is a targeted population. Ms. McCormick indicated that there are two individuals who work with the Drug Court clients (45-46 clients currently). The clients are intensely monitored and supervised. Since 2006, when Drug Court started, there have been 67 graduations and 22 graduates, with perhaps two or three individuals who have relapsed, which is a very good percentage.

Ms. McCormick indicated that Recovery Court is the Mental Health Court where individuals are dually-diagnosed, which means they have a diagnosis of a mental illness as well as substance abuse issues. These clients also have intensely monitored supervision. Ms. McCormick stated that in both Drug and Recovery Court, the individuals go to court once a week and meet with a judge. She noted that there is a team approach where the State's Attorney, Public Defender, and Court Services all meet together once a week to discuss each of these clients. This group then decides when the clients can get out of the program. If a client violates the rules, the team decides what punishments should be imposed.

Ms. McCormick concluded that problem-solving court and regular court are completely different; problem-solving courts are a team approach and not just one person such as a judge.

Chairman Rackauskas pointed out that it can take as many as two years to graduate from Drug or Recovery Court. Ms. McCormick added that one individual was in Drug Court for three years.

Ms. McCormick reviewed the Court Services Adult/Juvenile Division Statistics for October 2011, as well as the Juvenile Detention Center statistics.

Chairman Rackauskas asked if there were any additional questions or comments. Hearing none, she thanked Ms. McCormick.

Ms. Margie Jordan, CAC, explained to the students that the Child Protection network is the umbrella organization for both the Children's Advocacy Center (CAC) and CASA (Court Appointed Special Advocates). She stated that CAC works with children who have been sexually abused. There is a multi-disciplinary team, consisting of a member of the State's Attorney's Office, a Police Officer, a DCFS representative, a case worker from CAC that works directly with the family, and an on-site counselor. Ms. Jordan stated that the CASA Program approves, trains and supervises volunteers to work with children who have been placed in foster care to make sure their needs are being met.

Ms. Jordan reviewed the Children's Advocacy Center (CAC) Monthly Statistical Report and the CASA Report. She stated that in 2011 the CAC conducted 170 victim interviews, 26 sibling interviews, 17 witness interviews and 16 courtesy interviews for a total of 235 interviews, which are nine more interviews than last year.

Ms. Jordan reported that in 2011, 75 CASA volunteers advocated for 147 children and ten new CASA volunteers were sworn in. She noted that the year-end hourly statistics should be available next month. Ms. Jordan indicated that it is anticipated that there will be well over 7,000 volunteer hours during 2011, which is the equivalent of over three full-time employees.

Ms. Jordan stated that CAC contacted local businesses to put up "blue kid" Christmas trees that were decorated with blue kids figures with Christmas gift needs listed in them. She noted that they received backpacks, sweatshirts, gas cards for the caregivers to bring in the children for counseling, gift cards for shoes, haircuts, gloves, hats and scarves.

Ms. Jordan announced that the Blue Kids Benefit (formerly TIPAVIP) event is scheduled for February 18, 2012 at the Marriott Hotel from 5:00 p.m. to 9:00 p.m. The tickets are \$65.00. Ms. Jordan added that there will be a silent auction and a live auction at the benefit.

Chairman Rackauskas asked if there were any questions or comments. Hearing none, she thanked Ms. Jordan.

Ms. Kim Campbell, Public Defender, advised that there was nothing of note to point out on her Monthly Caseload Report.

Ms. Campbell informed the students that the Public Defender's Office provides court-appointed lawyers to defend people who cannot afford an attorney.

Chairman Rackauskas asked if there were any questions or comments. Hearing none, she thanked Ms. Campbell.

Mr. Rusty Thomas, Chief Deputy Sheriff, presented a request for approval of an Intergovernmental Agreement between the County of McLean, Olympia Community Unit School District 16, and the McLean County Sheriff. He stated that this is a four-year continuation of an agreement with Olympia Community Unit School District 16 for a Sheriff's Deputy assigned to the school as a School Resource Officer for the School District.

Mr. Thomas pointed out that Olympia will fund 75% of the cost of the School Resource Officer and McLean County will provide 25%. He advised that the three months when there is no school, the Deputy will be assigned to the Olympia patrol area to continue contact with those students.

Mr. McIntyre asked if extra training is needed for this position. Mr. Thomas replied that there is additional training for this Resource Officer position. He indicated that this position is posted and Deputies who are interested will request the position. The Deputies are then interviewed, a selection is made and that individual goes to the training.

Mr. McIntyre asked if Olympia School is the only school where the County provides a Resource Officer. Mr. Thomas stated that Olympia School District is the largest school in the County and the only one with a Resource Officer.

Ms. Schafer asked if other schools have their own Resource Officers. Mr. Wasson replied that they do not have Resource Officers. He added that the Olympia High School is not within the corporate limits of any County communities.

Motion by McIntyre/Wollrab to Recommend Approval of  
an Intergovernmental Agreement between the County  
of McLean, Olympia Community School District 16, and  
the McLean County Sheriff.  
Motion carried.

Mr. Thomas reviewed the McLean County Detention Facility Population Report for December 2011. He reported that the Jail population went down in December. Mr. Thomas added that there will be an increase at the beginning of the year due to sentencing done after Christmas. He indicated that the increase in population is a planned increase and is being managed through Court Services and the Judges.

Mr. McKibbin asked Mr. Thomas to explain to the students about the Sheriff's Department philosophy on the population of the jail and who should be in jail. Mr. Thomas replied that the philosophy of the Sheriff's Department that the jail should only house those people who are unsafe or dangerous to the community and not punish people who have made a minor mistake. He stated that the Criminal Justice Coordinating Council and other entities of the Criminal Justice system work together to determine how to keep the population down and how to let people who should not be in jail bond out of jail.

Chairman Rackauskas asked if there were any further questions or comments. Hearing none, she thanked Mr. Thomas.

Ms. Jane Foster, First Assistant State's Attorney, reviewed the responsibilities of the State's Attorney's Office for the students. She advised that the State's Attorney's office is responsible for prosecuting all criminal offenses that occur within the County from traffic offenses to murder. Ms. Foster indicated that criminal prosecution takes up 90-95% of the State's Attorney's Office resources and manpower. She noted that there are other divisions within that office, including the Civil Division which provides guidance to the County Board, other elected County officials and other legal matters involving the County. Ms. Foster stated that there is also a Child Support Enforcement Division that is responsible for going after parents who do not pay their child support.

Ms. Foster reviewed the State's Attorney's Office Case Load Report and Asset Forfeiture Fund Report. She stated that the year-end totals show that they are down in felonies, which can be attributed to the early months of the year when there was a large federal investigation into drug sales. Ms. Foster said that people who would have normally been charged by the County were, in fact, handled in federal court. She noted that federal court has strict sentencing.

Ms. Foster indicated that Misdemeanors were down considerably, which can be attributed to the fact that 17 year olds are no longer being handled in adult court as misdemeanors, rather they are handled by the Juvenile Court system. She added that there has also been an increase of Ordinance Violations being written by Bloomington and Normal rather than misdemeanors. Ms. Foster advised that Bloomington and Normal view Ordinance Violations as a more efficient way to deal with more minor offenses.

Ms. Foster stated that any city or town can pass certain ordinances. These are usually passed for non-violent misdemeanor offenses, such as illegal consumption by a minor, possession of drug paraphernalia, and retail theft. Ms. Foster stated that an Ordinance Violation is like a ticket and is punishable by fines only.

Ms. Foster advised that a lot of communities have gone to Ordinance Violations as a way to save money and generate money. She noted that the State's Attorney's Office has some concerns with the number of Ordinance Violations that are being written.

Mr. McIntyre commented that it appears that a trend is being set for fewer felony cases.

Mr. McIntyre asked if a University student receives an Ordinance Violation, does it stay on their record for life. Ms. Foster replied that an Ordinance Violation is the same as receiving a speeding ticket, and is not an arrest and does not stay on someone's record. A misdemeanor or felony violation is an arrest and would stay on their record.

Chairman Rackauskas asked if there were any additional questions or comments. Hearing none, she thanked Ms. Foster.

Chairman Rackauskas introduced Ms. Beth Kimmerling, Coroner, to the students. She noted that the Coroner's Office provides an annual report to public and school libraries.

Ms. Kimmerling indicated that the Coroner's Office is the office that is responsible for investigating any sudden or unexpected and unattended deaths that happen in McLean County. She advised that the majority of unexpected and unattended deaths are natural deaths. Ms. Kimmerling explained that, unlike the popular television shows, her office does not investigate one murder after another. She said the Coroner's Office averages about five homicides per year in the County.

Ms. Kimmerling presented the Coroner's Monthly Report for November 2011. She pointed out that the number of deaths in November were slightly down. Ms. Kimmerling noted that there are usually about 80 deaths per month and there were 69 deaths in November.

Ms. Kimmerling advised that not every death that is reported needs an autopsy. She stated that of the 69 deaths only 6 cases warranted an autopsy.

Ms. Kimmerling informed the students that the Coroner's Office has a morgue and a forensic pathologist that performs autopsies in McLean County, and also provides that service to counties that don't have a facility or a forensic pathologist to perform those autopsies.



Ms. Kimmerling stated that, prior to 2007, the law required a jury rule on whether or not a non-natural death was a natural death, a homicide, a suicide, an accident or undetermined. She noted that in 2007 the law changed, giving her the authority to render an opinion on the death.

Ms. Kimmerling advised that next month her report will reflect that the County had more than 1,000 deaths in 2011.

Chairman Rackauskas asked Ms. Kimmerling to provide to the students her background and how she became the Coroner. Ms. Kimmerling informed the students that the position of Coroner is actually an elected position and requires no specific education or experience. She noted that the only qualifications that must be met are that you are of legal voting age, you must live in McLean County and you cannot have a felony record. Ms. Kimmerling stated that it is important that the public be educated to the needs of this office so that they will be informed voters.

Ms. Kimmerling advised that she has a Bachelors Degree in Business, a Bachelor's Degree in nursing and a Master's Degree in Forensic Science. She indicated that she uses all three of these degrees on a daily basis.

Chairman Rackauskas asked if there were any questions or comments. Hearing none, she thanked Ms. Kimmerling.

Mr. Don Everhart, Circuit Clerk, informed the students that the Circuit Clerk's Office is the official keeper of records for all judicial matters brought into the Circuit Court of McLean County. He added that the Circuit Clerk's Office is also responsible for gathering and collecting statistical data, and for receiving and disbursing the fines, fees and costs that are the result of court action.

Mr. Everhart reviewed his November 2011 Statistical Reports. He noted that there was nothing unusual in the reports.

Chairman Rackauskas asked if there were any questions. Hearing none, she thanked Mr. Everhart.

Mr. Bill Wasson, County Administrator, distributed an action item to be considered at a Stand-up meeting prior to the County Board Meeting on Tuesday, January 17<sup>th</sup>, namely a request for approval of a Contract for Consulting Services for the Criminal Justice Coordinating Council - Circuit Court. He explained that this is an annual contract with the Stevenson Center at Illinois State University to do research.

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Mr. Wasson stated that the rate is the same and the contract is identical to the one approved last year. He asked that the Committee members contact him if they have any questions about this contract.

Mr. Wasson indicated that this is the technical research side to the CJCC where Stevenson Center provides research information relating to the criminal justice system.

Chairman Rackauskas explained that a Stand-up Committee meeting is a Committee meeting that is held just prior to the County Board meeting to consider and recommend approval on action items that were not available when the Agenda was completed and sent out to members for the regular Committee meeting.

Chairman Rackauskas presented the December 31, 2011 Justice Committee bills for review and approval as transmitted by the County Auditor, as well as a transfer of \$11,950.00 within the Public Defender's Office. The Justice Committee bills include a Prepaid Total of \$459,195.73 and a Fund Total that is the same.

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Motion by McIntyre/Wollrab to Recommend Approval of the Justice Committee Bills as of December 31, 2011, as transmitted by the County Auditor, as well as the Transfer of \$11,950.00 within the Public Defender's Office.

Motion carried.

Chairman Rackauskas asked if there was any other business or communication for the Justice Committee. Hearing none, she called for a motion to adjourn.

Motion by Wollrab/McKibbin to Recommend that the Justice Committee meeting be adjourned at 5:15 p.m.

Motion carried.

Respectfully submitted,

Judith A. LaCasse  
Recording Secretary