

Minutes of the Justice Committee

The Justice Committee of the McLean County Board met on Tuesday February 7, 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, Schafer, Rankin and McKibbin

Members Absent: Member Wollrab

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. Lori McCormick, Director, Court Services; Ms. Judy Brucker, Director, Children's Advocacy Center; Sheriff Mike Emery; Mr. Will Scanlon, Trial Court Administrator - Eleventh Circuit Court; Mr. Ron Dozier, State's Attorney; Ms. Beth Kimmerling, Coroner

Others Present: Ms. Cathy Waltz, Superintendent, Juvenile Detention Center; Mr. Ron Lewis, First Assistant Public Defender

Chairman Rackauskas called the meeting to order at 4:30 p.m.

Chairman Rackauskas presented the minutes from the January 3, 2012 Committee for approval.

Motion by McKibbin/Rankin to Approve the Minutes of the January 3, 2012 Meeting.
Motion carried.

Ms. Lori McCormick, Director, Court Services, presented a request for approval of an Agreement with Mid-Central Illinois Community Action, Inc.'s Program-Countering Domestic Violence Multi-Disciplinary Team (MDT) Grant.

Ms. McCormick reminded the Committee that the MDT Grant funded through the Illinois Criminal Justice Information Authority allowed for the amendment to modify the Grant Coordinator position (Elizabeth Barnhart) from full-time to 50% funding. The budget modification will allow Mid-Central Community Action Inc.'s Program

Countering Domestic Violence (CDV) to provide group and individual counseling for domestic violence victims that are court involved. She added that this program is an educational program for the victims to learn how to deal with what is going on in their lives and, hopefully, stop that cycle of violence.

Ms. McCormick noted that the agreement with CDV outlines the services and the cost to the grant. All funds expended are grant funds that have been appropriated through the grant for SFY'12.

Ms. Schafer asked if Ms. Barnhart's position was reduced to half-time. Ms. McCormick explained that Ms. Barnhart's position continues to be a full-time position; however, the position was reduced by 50% from this grant and increased by 50% from other grant funding.

Motion by Schafer/Rankin to Recommend Approval of
an Agreement with Mid-Central Illinois Community
Action, Inc.'s Program-Countering Domestic Violence
Multi-Disciplinary Team (MDS) Grant.
Motion carried.

Ms. McCormick reviewed the Court Services Adult/Juvenile Division Statistics for December 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. Judy Brucker, Director, Children's Advocacy Center, reviewed the Children's Advocacy Center (CAC) Monthly Statistical Report and the CASA Report. She stated that the CAC statistics are in step with last year's statistics.

Ms. Brucker reported that at the end of 2011, CASA volunteers provided 7,633 hours of advocacy for 147 children.

Ms. Brucker distributed copies of *Pastel Magazine* in which she had an article published.

Ms. Brucker advised that she discovered that the City of Bloomington put a donation request in the February edition of the City newsletter asking that donations be made to the Advocacy Center for items that children might need, such as items that were requested on the Blue Kid Tree.

Ms. Brucker reminded the Committee 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. Brucker added that there are 60 seats still available for purchase.

Chairman Rackauskas advised that she has a number of raffle tickets available for purchase for the \$3,500 necklace designed by Jack Lewis Jewelers from precious stones donated by Ms. Brucker. Ms. Brucker noted that the pendant is on display at *Specs Around Town* this week.

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

Mr. Ron Lewis, First Assistant Public Defender, advised that there was nothing of note to point out on the Public Defender's Monthly Caseload Report.

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

Sheriff Mike Emery presented a request for approval of the Clothing Bid with Ray O'Herron Co. for police uniforms and equipment purchases from February 1, 2012 to January 31, 2013 for the Sheriff's Department. He indicated that two bid requests were sent out, one to Ray O'Herron Co. and one to 10-08 Outfitters. Sheriff Emery stated that only one bid was returned, namely Ray O'Herron Co. He noted that there was a 3% increase due to the increase in the cost of cotton for the uniforms.

Sheriff Emery advised that the Sheriff's Department has used Ray O'Herron Co. for a very long time. He indicated that they provide a valuable service and a good product.

Sheriff Emery recommended that McLean County accept the bid proposal by Ray O'Herron Co., Inc. He added that McLean County reserves the right to use 10-8 Outfitters should they have an identical item at a lower cost.

Motion by Rankin/McIntyre to Recommend Approval of the Clothing Bid with Ray O'Herron Co., Inc. for Police Uniforms and Equipment purchases from February 1, 2012 to January 31, 2013 for the Sheriff's Department.
Motion carried.

Sheriff Emery reviewed the McLean County Detention Facility Population Report for 2010-2011 and the report for January 2012. He noted that the population is still under control. Sheriff Emery indicated that so far this year there have been no expenditures for out-of-County housing.

Chairman Rackauskas asked for an update on the issue of inmates with mental health issues. Sheriff Emery responded that the population of inmates with mental health issues continues to be a problem in McLean County as well as state-wide. He indicated that mental health and the state closing mental health facilities was a topic of discussion at the Sheriff's Conference he just attended. Sheriff Emery advised that he received a call from the state to inform him that the County's transportation of inmates with mental health issues to McFarland Institution was moved from 2nd to further down the list. He stated that Cook County has threatened to issue a warrant for contempt if the Department of Human Services doesn't start taking Cook County inmates.

Sheriff Emery advised that the County does not have the appropriate facility to treat inmates with mental health issues, nor is Jail the right environment for these people.

Ms. Schafer asked what the impact to the Jail will be if the state closes more mental health facilities. Sheriff Emery replied that any facility the state closes will have a negative impact on the County. He indicated that he may have more information later this week. Sheriff Emery noted that from all the literature he has read, Cook County Jail is the largest mental health facility in the state.

Chairman Rackauskas noted that there also seems to be a lack of psychiatrists available to help get some people through the Court system. Sheriff Emery stated that he has had conversations with Ms. Joan Naour, Director of Correctional Health at the Jail regarding the opportunity to move into some technology with psychiatry called "tele-psychiatry." Mr. Wasson advised that the Sheriff's Department and Correctional Health are exploring the possibilities. He concurred with Chairman Rackauskas that getting psychiatric services, especially for a correctional facility, is a challenge. Mr. Wasson added that the County has been challenged over the past several months in meeting that obligation. He indicated that they are looking at a wide variety of different options for the future, including tele-psychiatry. Mr. Wasson predicted that in the next three to four months, a plan may be brought to the Justice Committee for consideration for 2013.

Sheriff Emery stated that with the Jail signing on to Data Link through Mental Health, it allows them access to the state database so that inmates with mental health issues can be identified and steps can be taken to help them.

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

Mr. Will Scanlon, Administrator, Circuit Court, presented a request for approval of an Emergency Appropriation Ordinance amending the McLean County Fiscal Year 2011 Combined Annual Appropriation and Budget Ordinance. He expressed some concern that this process of transferring monies to balance the budget was previously done without having to come before the Committee with accounting. Mr. Wasson advised that, as part of the record-keeping process, the County Auditor has requested that departments go through this process of appropriating funds to balance areas that are needed at the end of the year. He concurred that this balancing effort was accomplished last year with an aggregate budget resolution. Mr. Wasson noted that several other departments will have these types of Emergency Appropriations for the previous fiscal year.

Mr. McIntyre asked why the Auditor is requesting that this process be implemented. Mr. Wasson replied that this is the most appropriate expedient way to handle this process.

Motion by McIntyre/McKibbin to Recommend Approval
of an Emergency Appropriation Ordinance Amending
the McLean County Fiscal Year 2011 Combined
Annual Appropriation and Budget Ordinance.
Motion carried.

Mr. Ron Dozier, State's Attorney, reviewed the State's Attorney's Office Case Load Report and Asset Forfeiture Fund Report. He distributed a report from the Drug Prosecuting Division, which he thought the Committee would find interesting.

Ms. Schafer asked what "overhear" means. Mr. Dozier replied that an Overhear is eavesdropping, such as a wiretap. He noted that most Overhears are done in the Drug Division. Mr. Dozier advised that Illinois has one of the strictest laws in the country on Overhears. He indicated that the Federal can get an Overhear with the permission of one party to the conversation without judicial permission, but since the state passed the Illinois Eavesdropping Act, you must have the permission of both parties or have a Court order. Mr. Dozier noted that there is legislation pending to change that Act. He stated that people are using their cell phones to record a police officer when they are stopped for a ticket. The police officer is recording the stop with a camera and sometimes a video in the police vehicle, which is legal for the police officer. Mr. Dozier indicated that citizens want to know why it is legal for the police officer to record the conversation and illegal for them to record the conversation.

Mr. Dozier advised that it is a felony to record any conversation, privately or publicly, if both parties do not give permission. He pointed out that technology is ahead of this statute and he anticipates there will be some changes in legislation in the future.

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

Ms. Beth Kimmerling, Coroner, presented a request for approval of an Emergency Appropriation Ordinance amending the McLean County Fiscal Year 2011 Combined Annual Appropriation and Budget Ordinance. She stated that this Appropriation Ordinance was prepared before the final reconciliation was done on accounts late last week.

Ms. Kimmerling stated that the Ordinance, prepared by the Auditor, is showing the additional revenues as well as applying some of the requested monies to offset the larger expense line items that went over budget. Ms. Kimmerling indicated that more "Copy Fee" revenue was collected than what it shows in the Ordinance, which skews the total in the December Monthly Report. She indicated that she feels it is important that you know why the numbers don't match. Ms. Kimmerling pointed out that the revenue numbers reflected on December's Monthly Report are accurate, but do not match the figures shown on the Emergency Appropriation, specifically on the Copy Fee Line Item.

Mr. Wasson advised that the County generally doesn't make adjustments in the revenue budget based solely on the fact that we take in more revenue than budgeted.

Ms. Kimmerling stated that the Coroner's Office went 3% over budget. She reported that over 1,000 deaths were investigated in Fiscal Year 2011, which is more than in any past year. Ms. Kimmerling indicated that 333 out-of-County cases were investigated, which is almost 70 more than predicted.

Ms. Kimmerling noted that the areas that went over budget by 3%, or \$17,000, were Supplies and Staff. She reported that the Coroner's Office also brought in \$45,000 more in revenue than predicted.

Ms. Kimmerling asked the Committee to recommend approval of the Emergency Appropriation Ordinance to balance the Coroner's budget.

Motion by Rankin/Schafer to Recommend Approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2011 Combined Annual Appropriation and Budget Ordinance.
Motion carried.

Ms. Kimmerling presented a request for approval for authorization to purchase, by Intergovernmental Purchasing, a replacement removal vehicle. She noted that the current vehicle required extensive and expensive maintenance in 2011. Ms. Kimmerling informed the Committee that she is asking to purchase a standard Ford Expedition with extended length. She added that the new vehicle will hold dual cots and the seats will fold flat.

Ms. Kimmerling advised that this type of vehicle is not on the state bid.

Mr. Wasson stated that the current vehicle has been a high cost vehicle for the last three years. He noted that the Coroner's Office has requested a new vehicle through two budget cycle. Mr. Wasson indicated that funds were included in the County Board's Fleet Budget for Fiscal Year 2012 to replace this vehicle.

Mr. Wasson advised that due to the low trade-in value on the vehicle, the maintenance investments made in the vehicle and the fact that EMA (Emergency Management Agency) is in need of a replacement tow vehicle, the vehicle will be moved to EMA. He added that the vehicle will not be used by EMA on a daily basis, but will be used as a tow vehicle during emergencies.

Motion by McIntyre/Schafer to Recommend Approval for Authorization to Purchase, by Intergovernmental Purchasing, a replacement Transportation Vehicle.
Motion carried.

Ms. Kimmerling reviewed the Coroner's Monthly Report for December 2011.

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

Chairman Rackauskas presented the December 2011 Statistical Reports and the 4th Quarter Statistical Reports as submitted by Mr. Don Everhart, Circuit Clerk. There were no questions on the report.

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Chairman Rackauskas presented the January 31, 2012 Justice Committee bills for review and approval as transmitted by the County Auditor. The Justice Committee bills include a Prepaid Total of \$594,899.53 and a Fund Total that is the same.

Motion by McIntyre/Rankin to Recommend Approval of the Justice Committee Bills as of January 31, 2012, as transmitted by the County Auditor.
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 Rankin/Schafer to Recommend that the Justice Committee meeting be adjourned at 5:15 p.m.
Motion carried.

Respectfully submitted,

Judith A. LaCasse
Recording Secretary