

## Minutes of the Justice Committee

The Justice Committee of the McLean County Board met on Tuesday, July 7, 2009 at 4:30 p.m. in Room 400 of the Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Chairman Renner; Members Hoselton, Wendt, Rankin, and McIntyre

Members Absent: Member Rackauskas

Other County Board  
Members Present: None

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

Department Heads/  
Elected Officials  
Present: Mr. Bill Yoder, State's Attorney; Mr. Don Everhart, Circuit Clerk; Ms. Ms. Lori McCormick, Director, Court Services; Ms. Cathy Waltz, Superintendent, Juvenile Detention Center; Sheriff Mike Emery; Ms. Beth Kimmerling, Coroner

Others Present: Ms. Mary Whitaker, Children's Advocacy Center; and Rusty Thomas, Chief Deputy Sheriff; Mr. Jack Moody, Director, Facilities Management; Ms. Michelle Anderson, Financial Reporting Specialist, County Auditor's Office; Rev. Tom Shea, Alternatives to Jail Committee

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

Chairman Renner presented the minutes from the June 2, 2009 Committee meeting and the May 19, 2009 Stand-up meeting for approval.

Motion by Hoselton/Rankin to approve the Minutes of the June 2, 2009 Committee Meeting and May 19, 2009 Stand-up Meeting.  
Motion carried.

Justice Committee  
July 7, 2009  
Page Two

Chairman Renner presented the Public Defender's Monthly Caseload Report as submitted by Ms. Amy Davis, Public Defender. There were no questions on the report.

Ms. Mary Whitaker, Associate Director of Operations, Children's Advocacy Center, presented a report on the Children's Advocacy Center funding issues. She indicated that the letter included in the packet informed the Committee that the Children's Advocacy Center received written notification that the contract the CAC has received on an annual basis for the last fourteen years from the Illinois Department of Children and Family Services would not be renewed as of July 1, 2009.

Ms. Whitaker stated that, since that time, the CAC received a letter from the Illinois Department of Children and Family Services advising them to continue the programs through Fiscal Year 2010. She noted that status for Fiscal Year 2011 is unknown.

Ms. Whitaker presented the Children's Advocacy Center Monthly Report and the CASA Report.

Chairman Renner asked if there were any questions or comments. Hearing none, he thanked Ms. Whitaker.

Mr. Don Everhart, Circuit Clerk, presented a request for approval of an ATM Machine Agreement by and between the County of McLean and the Bloomington Municipal Credit Union. He indicated that this is a renewal of a previous contract. Mr. Everhart noted that, previously, the County paid a \$100.00 monthly service fee. The new agreement has discontinued the fee. Mr. Everhart added that the only remaining fee is the fee for the phone line.

Motion by Rankin/Hoselton to Recommend Approval of  
an ATM Machine Agreement by and between the  
County of McLean and the Bloomington Municipal  
Credit Union.  
Motion carried.

Mr. Everhart reviewed his May 2009 Statistical Report Report. He indicated that there was nothing out of the ordinary in the report.

Chairman Renner asked if there were any questions or comments. Hearing none, he thanked Mr. Everhart.

Justice Committee  
July 7, 2009  
Page Three

Ms. Lori McCormick, Director, Court Services, reviewed the Court Services Adult/Juvenile Division Statistics for May 2009, as well as the Juvenile Detention Center statistics.

Chairman Renner asked if there were any questions or comments. Hearing none, he thanked Ms. McCormick.

Chairman Renner presented the Jury Commission Quarterly Report as submitted by Ms. Cindy Brand, Jury Commission. There were no questions on the report.

Sheriff Mike Emery presented a request for approval of an ATM Machine Agreement by and between the County of McLean and the Bloomington Municipal Credit Union. He indicated that this is the first ATM machine installed in the Sheriff's Department. Sheriff Emery stated that this is the same type of agreement as the one in the Circuit Clerk's Office.

Mr. Hoselton asked what is a "foreign transaction." Mr. Lindberg explained that a foreign transaction is a transaction with a bank other than the Bloomington Municipal Credit Union. Sheriff Emery added that a fee is charged to individuals who use the ATM machine who make a transaction with a different bank.

Motion by Rankin/McIntyre to Recommend Approval of  
an ATM Machine Agreement by and between the  
County of McLean and the Bloomington Municipal  
Credit Union.

Motion carried.

Sheriff Emery presented the McLean County Detention Facility Population Report for May 2009. He advised that it has been unnecessary to house inmates out-of-County for the past three months. Sheriff Emery noted that, on most days, there have been 21 extra beds in the Jail. He stated that the Jail was able to accommodate the surge of inmates over the holiday weekend.

Sheriff Emery reported that year-to-date, the County has paid \$52,000.00 for out-of-County prisoner housing as compared to \$350,000.00 year-to-date last year.

Mr. McIntyre asked if there is trend happening to explain the decrease in inmates. Sheriff Emery replied that there is not one definitive answer to the decrease in inmates. However, he advised that the Task Force, consisting of all of the criminal justice leadership, has made great strides in working together, communicating, and learning what each agency does. Sheriff Emery felt that this effort may have some influence on the decrease in inmates.

Sheriff Emery advised that there will be a Task Force meeting next Tuesday. At that time, the Task Force will disband and a schedule of meetings of the newly formed Criminal Justice Coordinating Council will be established. Sheriff Emery added that he is very optimistic that there will be a positive future in terms of Jail population.

Sheriff Emery expressed some concern with the Jail becoming a mental health facility or detox center when facilities such as PATH and Chestnut Health Center are closed down due to State budget cuts.

Mr. Wendt asked about the status on the electronic monitoring program that was approved in January. Sheriff Emery responded that Ms. McCormick, Director, Court Services, established an electronic monitoring program, based on the Bischoff Law which became effective January 1, 2009. Under this law, the judiciary has the ability to order electronic monitoring on individuals who have violated Orders of Protection. Sheriff Emery advised that there may be an opportunity for expansion on this program. He noted that an expansion would affect Court Services, probation, the judicial system, State's Attorney, etc.

Chairman Renner reported that the electronic monitoring has been a long-time County project. He stated that a 2002 Resolution was approved to make electronic monitoring a priority in the budget. Chairman Renner indicated that he expects that, with the establishment of the Criminal Justice Coordinating Council, additional electronic monitoring programs may be considered.

Chairman Renner noted that the institution of Drug Court and Mental Health Court may also have played a part in the decrease in Jail population.

Mr. Lindberg advised that, prior to next year's budget, an electronic monitoring program will be considered for approval. He indicated that the program will be funded by fees collected from participants on a sliding scale based on income. The vendor will take care of the fee collection. Mr. Lindberg noted that the County will front some money as a scholarship to people who might be eligible for electronic monitoring, but do not have sufficient funds to pay the fee. He stated that the State's Attorney is working on a program dealing with specific issues, such as DUI arrests. Mr. Lindberg informed the Committee that there is currently a special revenue account for potential electronic monitoring programs. He added that if there is little or no cost to the County for the electronic monitoring programs, the separate account will be eliminated.

Chairman Renner asked if there were any additional questions or comments. Hearing none, he thanked Sheriff Emery.

Ms. Beth Kimmerling, County Coroner, presented a request for approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2009 Combined Annual Appropriation and Budget Ordinance, General Fund 0001, Coroner's Office 0031. She explained that the Coroner's Office receives grant funds every year from the Death Certificate surcharge fund, which basically means that every time someone requests a copy of a death certificate a small amount of money is put aside. The State of Illinois then divides the money and distributes a portion to each coroner's office in the State. Ms. Kimmerling advised that the Death Certificate Surcharge money must be used towards either equipment purchases or updates in the lab.

Ms. Kimmerling announced that the Coroner's Office received \$4,415.00 this year, which was deposited at the beginning of the year. She indicated that there are four line items to which she would like to move the money, as follows:

- Clothing – to purchase OSHA approved rain gear -- \$815.00;
- Operational/Office Supplies – to purchase four badges (\$100.00 each) - \$400.00;
- Non-major Equipment – to purchase Two GIS devices, such as a Garmin - \$500.00;
- Software License/Maintenance Agreements – to purchase software and equipment to collect data from cell phones - \$2,700.00.

Ms. Kimmerling advised that several employees attended a cell phone forensic data class that teaches the mechanics of the information that can be obtained from a cell phone, not only in terms of location, but the actual information within the phone itself. This cell phone access would be helpful in gathering text messages, images or phone calls. Ms. Kimmerling indicated that she would like to purchase approximately 25 cables, with accompanying software that can be plugged into a variety of phones to download information from the phone. She stated that this is a forensic-based program. If the State's Attorney or a police agency should need to use the downloaded information, it is secured in a program manner. Ms. Kimmerling noted that the \$2,700.00 is for the equipment and a two-year maintenance and software update agreement. She indicated that she spoke with Mr. Craig Nelson, Director, Information Technologies who informed her that the software is compatible with the County's system.

Mr. Wendt asked if there is a County expense after the two-year agreement has been completed. Ms. Kimmerling replied that there would only be an expense if she wants to continue receiving software updates.

Mr. McIntyre asked if there are any privacy issues with collecting data from private cell phones. Ms. Kimmerling replied that the cell phone tower information would have to be obtained via subpoena. The information obtained from the software program will not tell them the type of information that would warrant a subpoena.

Motion by McIntyre/Rankin to Recommend Approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2009 Combined Annual Appropriation and Budget Ordinance, General Fund 0001, Coroner's Office 0031.  
Motion carried.

Ms. Kimmerling presented her Monthly Report. She indicated that the statistics are tracking very similar to last year at this time.

Chairman Renner asked if there were any additional questions or comments. Hearing none, he thanked Ms. Kimmerling.

Mr. Bill Yoder, State's Attorney, reviewed his Monthly Caseload Report and Asset Forfeiture Fund Report. He advised that the felony cases continue to be down, which may have some impact on the decrease in Jail population. Mr. Yoder agreed with Sheriff Emery's view that the system-wide effort of the justice system to work together has contributed to the decrease in Jail population.

Mr. Yoder indicated that he has received contracts from the Department of Children and Family Services (DCFS) regarding the Children's Advocacy Center (CAC) Attorney. The DCFS provides \$45,000.00 in funding towards a portion of that attorney's salary. Mr. Yoder warned that with the State in a financial crisis, there is a possibility that funding for this position may discontinue sometime in the future.

Chairman Renner asked if the salary for the CAC attorney is supplemented by the County. Mr. Yoder replied that this position was originally created by a grant through the DFSC. He indicated that the grant did not provide enough funds to staff the position. Mr. Yoder stated that the Child Protection Network provided supplemental funding for a limited time. The salary is now funded with the \$45,000.00 from DCFS and supplemented by the County for the last few years. Mr. Yoder noted that this is a very important, high-stress position.

Mr. Yoder expressed his concern with the DCFS funding going away. He informed the Committee that if the DCFS funding were to discontinue, he will come to the Committee asking for full funding for the CAC Attorney.

Justice Committee  
July 7, 2009  
Page Seven

Chairman Renner asked if there were any questions or comments. Hearing none, he thanked Mr. Yoder.

Mr. Lindberg recognized Mr. Jack Moody, Director, Facilities Management, who attended the meeting in case anyone had any questions about the Credit Union ATM agreements. He indicated that the County started with one ATM agreement that was originated by Mr. Moody. Mr. Lindberg thanked Mr. Moody.

Chairman Renner presented the June 30, 2009 Justice Committee bills for review and approval as transmitted by the County Auditor. The Justice Committee bills include a Prepaid Total of \$1,923,923.50 and a Fund Total that is the same.

Justice Committee  
July 7, 2009  
Page Eight

Motion by Hoselton/Rankin to Recommend Approval of the Justice Committee Bills as of June 30, 2009, as transmitted by the County Auditor.  
Motion carried.

Chairman Renner asked if there was any other business or communication for the Justice Committee. Hearing none, the meeting was adjourned at 5:00 p.m.

Respectfully submitted,

Judith A. LaCasse  
Recording Secretary