

Minutes of the Justice Committee

The Justice Committee of the McLean County Board met on Tuesday, July 1, 2008 at 4:30 p.m. in Room 400 of the Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Chairman Renner; Members Butler, Nuckolls, Harding, and Cavallini

Members Absent: Member Rackauskas

Other County Board
Board Members Present: None

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

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

Others Present: Mr. Rusty Thomas, Chief Deputy Sheriff; Ms. Michelle Anderson, Financial Reporting Specialist, County Auditor's Office; Rev. Tom Shea, Alternatives to Jail Committee; Ms. Lisa Pieper, Regional Vice President, Children's Home and Aid Society; Ms. Teresa Kelly, Children's Home and Aid Society

Chairman Renner called the meeting to order at 4:34 p.m.

Chairman Renner presented the June 3, 2008 Committee minutes and the May 20, 2008 Stand-up Committee minutes to the Committee for approval.

Motion by Cavallini/Butler to approve the Minutes of the June 3, 2008 Committee Meeting and the May 20, 2008 Stand-Up Committee Meeting.
Motion carried.

Ms. Beth Kimmerling, Coroner, presented a request for approval of an Emergency Appropriation Ordinance amending the McLean County Fiscal Year 2008 Combined Annual Appropriation and Budget Ordinance – General Fund 0001, Coroner's Office 0031. She explained that this is a request for permission to spend money that was donated to the Coroner's Office. Ms. Kimmerling indicated that \$1,565.00 was received from the Death Certificate surcharge fund, which was distributed to every Coroner throughout the State as a result of the extra fee superimposed on the filing of a death certificate. She noted that, in May, the Coroner's Office co-sponsored the McLean County Funeral Director's Association Conference, which is done every other year. As a result, funds received above the cost of the Conference are donated back to the Coroner's Office, which was \$1,000.00 this year.

Ms. Kimmerling advised that she would like to deposit the money in specific accounts. She noted that the Death Certificate Surcharge money must be used to purchase equipment. The Funeral Director's Conference funds are to be used for the betterment of the Coroner's Office. Ms. Kimmerling stated that the funds will be spent on two additional digital cameras, a power point projector, memory cards for the cameras and two software packages, namely Microsoft Streets and Trips, and Adobe Photo Shop.

Motion by Nuckolls/Harding to Recommend Approval of an Emergency Appropriation Ordinance amending the McLean County Fiscal Year 2008 Combined Annual Appropriation and Budget Ordinance – General Fund 0001, Coroner's Office 0031.
Motion carried.

Ms. Kimmerling presented her Monthly Report for May 2008. She pointed out that the total year-to-date numbers are about 75-76 deaths ahead of 2007.

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

Ms. Lori McCormick, Director, Court Services, and Ms. Cathy Waltz, Superintendent of the Juvenile Detention Center, presented the Court Services Department Monthly Report. Ms. McCormick noted that the report is status-quo from last month.

Chairman Renner advised that there will be a Stand-up Committee Meeting prior to the County Board meeting on Tuesday, July 22nd to consider a request for \$11,100.00 for the accreditation of the Juvenile Detention Center.

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Ms. Waltz reported that the Juvenile Detention Center (JDC) goes through a re-accreditation process every three years. She indicated that usually they know further in advance from the American Correctional Association when the accreditation will occur, but notification was just received yesterday that the audit has been set for August 18 and 19.

Chairman Renner reiterated that this contract for \$11,100.00 will be considered at a Stand-up meeting.

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

Chairman Renner presented the Monthly Caseload Report as submitted by Ms. Amy Davis, Public Defender.

Mr. Bill Yoder, State's Attorney reviewed his Monthly Caseload Report and Asset Forfeiture Fund Report. He indicated that the annual numbers will increase at almost the same pace as in the past.

Mr. Yoder reported that the State's Attorneys Office has had several major cases recently, with favorable verdicts. He expressed his appreciation of the support of the Justice Committee. Mr. Yoder noted that he has more major cases pending.

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

Chairman Renner presented the Monthly Statistical Report for the Children's Advocacy Center and the CASA Report as submitted by Ms. Judy Renner, Director, Children's Advocacy Center. He asked if there were any questions. There were none.

Chairman Renner presented the April 2008 Statistical Reports as submitted by Ms. Sandy Parker, Circuit Clerk.

Sheriff Mike Emery presented a request for approval of a Domestic Violence Multi-Disciplinary Team Grant extension of \$134,021.00 from the Illinois Criminal Justice Information Authority for Fiscal Year 2008-2009. He explained that this is an extension of the grant that the County has been involved with for the past four years. Sheriff Emery noted that this is the fifth year extension to continue the Domestic Violence Investigative Unit. He added that this program may continue into a sixth year.

Motion by Harding/Cavallini to Recommend Approval of a Domestic Violence Multi-Disciplinary Team Grant Extension of \$134,021.00 from the Illinois Criminal Justice Information Authority for Fiscal Year 2008-2009.

Motion carried.

Sheriff Emery presented a request for approval of a Crime Detection Network of McLean County Grant of \$6,248.00. He explained that the Crime Detection Network is an organization that was established with fine money ordered by the Courts upon conviction. A certain amount of those funds go to the Crime Detection Network and they distribute the funds to law enforcement agencies that apply for the funds. Sheriff Emery indicated that this grant does not require a match. The funds will be used to purchase a Digital Video System.

Motion by Nuckolls/Butler to Recommend Approval of a Crime Detection Network of McLean County Grant of \$6,248.00.

Motion carried.

Sheriff Emery presented a request for approval of an Adult Detention Facility Life Skills Contract between the McLean County Sheriff, the County of McLean and Ms. Mary Ann Tulley. He advised that this is a new program in the Adult Detention Facility to teach life skills. Sheriff Emery stated that this contract will be for five months beginning August 1, 2008 through December 31, 2008. Thereafter, it will be considered on a yearly basis.

Sheriff Emery indicated that the program is intended to teach inmates life skills including how to fill out job applications, build resumes, basic budgeting, typing, keyboarding, healthy eating habits, proper hygiene, etc.

Sheriff Emery advised that this program will be funded out of Inmate Commissary funds, which are funds generated through the sale of items in the Commissary. He added that the Commissary funds are intended to be used for programs to benefit the inmates. Sheriff Emery indicated that he will provide a report in the future on the success of the program.

Mr. Cavallini asked how long is the program designed to operate. Sheriff Emery replied that the inmates who will participate in the program will be individuals who are sentenced to the County Jail for a longer period of time.

Mr. Butler asked how long will the Commissary funds be available to fund the program. Sheriff Emery replied that the program can be funded indefinitely.

Motion by Nuckolls/Butler to Recommend Approval of an Adult Detention Facility Life Skills Contract between the McLean County Sheriff, the County of McLean and Mary Ann Tulley.

Motion carried.

Sheriff Emery noted that the jail population was extremely high last week, with over 130 new inmates. He added that the population in the jail yesterday reached 300, with many of them bonding out or housed out. Sheriff Emery reported that the Out-of-County Prisoner Housing line is overextended.

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

Mr. Will Scanlon, Trial Court Administrator – Eleventh Circuit Court, presented a request for approval of an Assessment of Filing Fee Increase of \$8.00 on all civil cases for the Family Visitation Center (“FVC”). The General Assembly passed a bill in the last Legislative Session, Public Act 91-117, allowing a filing fee of up to \$8.00 to be imposed on civil cases to support a Children’s Supervised Visitation Center. The Family Visitation Center is operated by the Children’s Foundation. The goal of the Center is to allow persons engaged in difficult custody situations to get to a point where they can safely manage their own visits or exchanges without outside intervention.

Chairman Renner introduced Ms. Lisa Pieper, Regional Vice President, Children’s Home and Aid Society and Ms. Teresa Kelly, Children’s Home and Aid Society who were in attendance to answer any questions by members of the Committee.

Chairman Renner advised that, since the program has been discussed at the previous two Justice Committee meetings, it would be appropriate to invite the Committee members to raise specific comments, questions and/or concerns.

Ms. Harding expressed her appreciation for the program and for the information provided by the Children’s Home and Aid Society to support the program.

Chairman Renner suggested that Ms. Pieper and Ms. Kelly be available at the Board Meeting, should the Justice Committee recommend the program for approval to the County Board. Ms. Pieper and Ms. Kelly indicated that they would attend the Board Meeting on July 22nd.

Motion by Nuckolls/Cavallini to Recommend Approval
of an Assessment of a File Fee increase of \$8.00 in all
Civil Cases for the Family Visitation Center.

Mr. Butler asked what is the anticipated revenue on the \$8.00 fee increase. Mr. Scanlon replied that the anticipated revenue is \$60,000.00 over the course of 12 months.

Mr. Butler commended Ms. Pieper and Ms. Kelly on the information provided, including the report on the number of visits.

Chairman Renner pointed out that, although this request does not go to the Executive Committee for a vote, it would be advantageous for Mr. Scanlon, Ms. Pieper and Ms. Kelly to attend the Executive Committee meeting on Tuesday, July 8th to answer questions.

Ms. Pieper asked for advice on how to prepare to defend their request for the fee increase. Mr. Butler replied that the report on the Purposes of Supervised Visits and Exchanges provides good information.

Chairman Renner cautioned that some members of the Board have concerns about using fees for this type of program. He noted that there will likely be some resistance to the request for a fee increase.

Mr. Cavallini asked how many different fees are levied by the County in different areas. Mr. Lindberg replied that there is a fees catalog that covers the fees that the Circuit Clerk assesses on all of the various types of offenses and fines that are charged. He noted that this fee would be on several classes of cases passing through the Circuit Clerk's Office. Mr. Lindberg indicated that Board Member Caisley has the 125 page catalog. He stated that every time a new fee is added, a new algorithm must be created. Mr. Lindberg noted that this is a very complex matrix.

Mr. Scanlon advised that there are three different categories of fees, namely:

- Fees assessed upon filing;
- Fees assessed upon disposition;
- Fees assessed upon the specific offense.

Mr. Scanlon pointed out that the Crime Detection Network fee, as discussed by Sheriff Emery, is a fee that is assessed in criminal cases, in most instances, upon disposition of criminal cases only. The fee for the Visitation Center applies upon filing in a broad category of civil cases. Mr. Scanlon noted that the only category that applies to every single case in every instance is the Law Library Fee and the Court Document Storage Fee. Chairman Renner summarized that other than those two, all other fees vary depending on the case category, offense, etc.

Ms. Harding asked if the Children's Foundation charges the families a fee for using the Visitation Center. Ms. Kelly replied that a \$25.00 intake fee is charged if the Court determines that there is a specific batterer. If there is no determination, the fee is waived. Ms. Kelly added that the visiting parent is charged \$5.00 per visit or exchange. However, a parent can apply for a waiver of that fee if they cannot afford it.

Chairman Renner asked for a vote on the motion.

Motion carried.

Ms. Kelly asked if it would be advisable to point out the filing fee that is in place to support the Children's Room at the Law and Justice Center that is staffed by the Children's Foundation for the County as a symbol of their good stewardship and good working relationship with the County. She expressed concern that, rather than demonstrating good stewardship, it would highlight the fact that they are asking for a second filing fee for another program. Members of the Committee felt it would not hurt their case, but would be helpful.

Chairman Renner asked if there were any additional questions or comments. Hearing none, he thanked Mr. Scanlon, Ms. Pieper and Ms. Kelly.

Chairman Renner presented the June 30, 2008 Justice Committee bills for review and approval as transmitted by the County Auditor, as well as a transfer of \$5,199.00 in the Circuit Clerk's Office from Purchase of Computer Equipment to Software License. The Justice Committee bills include a Prepaid Total of \$2,154,686.43 and a Fund Total that is the same.

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Motion by Nuckolls/Harding to Recommend Approval of the Justice Committee Department Transfers and the Bills as of June 30, 2008, as transmitted by the County Auditor.
Motion carried.

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Chairman Renner asked if there was any other business or communication for the Justice Committee. Hearing none, the meeting was adjourned at 5:13 p.m.

Respectfully submitted,

Judith A. LaCasse
Recording Secretary