

Minutes of the Justice Committee

The Justice Committee of the McLean County Board met on Tuesday, April 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 Rackauskas, Cavallini, Nuckolls and Harding

Members Absent: Member Butler

Staff Present: Mr. John Zeunik, County Administrator; Mr. Terry Lindberg, Assistant County Administrator and Ms. Jude LaCasse, Assistant to the County Administrator

Department Heads/
Elected Officials
Present:

Mr. Craig Nelson, Director, Information Technologies; Mr. Will Scanlon, Trial Court Administrator; Sheriff Mike Emery; Ms. Beth Kimmerling, Coroner; Ms. Roxanne Castleman, Director; Court Services; Mr. Bill Yoder, State's Attorney; Ms. Judy Renner, Director, Children's Advocacy Center

Others Present: Mr. Rusty Thomas, Chief Deputy, Sheriff's Department; Ms. Michelle Anderson, Financial Reporting Specialist, County Auditor's Office; Ms. Billie Larkin, Director of the Children's Advocacy Centers for the State of Illinois; Rev. Tom Shea, Alternatives to Jail Committee

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

Chairman Renner presented the March 5, 2008 Committee minutes and the February 19, 2008 Stand-Up meeting minutes to the Committee for approval.

Motion by Harding/Cavallini to approve the Minutes of the March 5, 2008 and the February 19, 2008 Stand-Up Committee Meetings.
Motion carried.

Chairman Renner presented a letter from Judge Robb expressing the gratitude of the Judges of McLean County to the members of the McLean County Board for their support of the construction of the Children's Waiting Room as submitted by Mr. Will Scanlon, Trial Court Administrator, Eleventh Circuit Court.

Chairman Renner presented the Jury Commission Quarterly Report as submitted by Ms. Cindy Brand, Coordinator, Jury Commission.

Sheriff Mike Emery presented a request for approval of a Maintenance Agreement with Identix. He explained that this is to extend the agreement that has been in place for several years. Sheriff Emery indicated that this agreement provides the fingerprint machine and printer that enables the Sheriff's Department to transmit fingerprints to the State for classification and identification. This year, Identix can access the machine remotely, which is why this year's agreement is \$1,100.00 less than last year.

Motion by Nuckolls/Rackauskas to Recommend
Approval of a Maintenance Agreement with Identix.
Motion carried.

Sheriff Emery presented a request for approval of a Multi-Jurisdictional Narcotics Unit Supplemental Equipment Grant from the Illinois Criminal Justice Information Authority in the amount of \$30,195.00. He advised that this is a Task Force Six Grant through the Illinois Criminal Justice Information Authority. Sheriff Emery stated that grant funding became available for the Task Force Six units throughout the State. He indicated that each unit was told to apply for \$10,000.00. Sheriff Emery stated that the Sheriff's Department applied for what they actually needed and was awarded \$30,195.00. He noted that there is a required match of \$10,065.00, which the Task Force can meet. There is no financial responsibility for McLean County.

Ms. Rackauskas asked how will the funds be used. Sheriff Emery replied that the approved expenditure for the funds is to purchase a sports utility vehicle, pickup truck, secure vehicle lock box and eight tactical vest carriers for members of the unit.

Motion by Nuckolls/Harding to Recommend Approval of
a Multi-Jurisdictional Narcotics Unit Supplemental
Equipment Grant from the Illinois Criminal Justice
Information Authority in the amount of \$30,195.00.
Motion carried.

Sheriff Emery reviewed the McLean County Detention Facility Population Report for March, 2008. He noted that there is nothing specific to point out on the population report. Sheriff Emery advised that he is still working with Information Technologies on formulating a percentage breakdown report.

Sheriff Emery presented the McLean County Sheriff's Office 2007 Annual Report. He stated that this report shows all of the Sheriff's Department activities, including programs such as the GED Program and Correctional Health services in the Jail.

Ms. Rackauskas noted that the report showed a decrease in DUI's from 205 in 2005 to 145 in 2007. Sheriff Emery replied that several factors contributed to the decrease, noting that the Sheriff's Department was down several deputies in 2007 which decreased the number of patrols out on the road.

Sheriff Emery announced that he will be bringing a Department of Transportation Grant to the Committee for approval next month. He announced that the Sheriff's Department was awarded \$22,500.00 through the Department of Transportation to increase DUI-type patrols.

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

Mr. Will Scanlon arrived at 4:45 p.m. to support the Children's Advocacy Center's fee increase request.

Ms. Roxanne Castleman, Director, Court Services, presented a request for approval for an Addendum to the Justice Benefits Contract to seek Title IV-E Administrative Claims funds for McLean County Court Services, Juvenile Division.

Ms. Castleman advised that the McLean County Board has approved a contract between the McLean County Sheriff's Office and Justice Benefits, Inc. to seek federal reimbursements funds for the Sheriff's Department. She stated that Justice Benefits is also able to seek Title IV-E Administrative Claims funds for McLean County Court Services, Juvenile Division. Through this contract, Justice Benefits would implement a time-keeping system and prepare and submit the Enhanced Title IV-E Administrative Claims for the Juvenile Probation Division.

Ms. Castleman indicated that currently there are four (4) Counties in Illinois that have been authorized to collect these federal funds. The Illinois Department of Human Services is the State fiscal agent for these funds though they do not currently have enough resources to add Counties. Ms. Castleman noted that the Illinois legislators are currently discussing adding funds to the Department of Human Services' budget to increase the number of Counties that would be able to seek Title IV-E funds. She noted that if funding is increased, McLean County may be able to collect these funds.

Ms. Castleman pointed out that when McLean County is able to collect Title IV-E funds, a third party, such as Justice Benefits, would be needed for the administrative paper work needed by the federal government.

Ms. Castleman stated that these funds are to reimburse the County for certain Probation Officer responsibilities and duties, which will require that a time study be done to show how much time is spent working with offenders in the County.

Motion by Nuckolls/Harding to Recommend Approval of an Addendum to the Justice Benefits Contract to seek Title IV-E Administrative Claims Funds for McLean County Court Services, Juvenile Division.
Motion carried.

Ms. Castleman reviewed her Monthly Reports, noting that, since it is the beginning of the year, it is difficult to see any trends.

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

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

Chairman Renner presented the Monthly Caseload Report and Asset Forfeiture Fund Report as submitted by Mr. Bill Yoder, State's Attorney.

Chairman Renner introduced Ms. Billie Larkin, former Director of the McLean County Children's Advocacy Center (CAC) and currently Director of the Children's Advocacy Centers of Illinois.

Chairman Renner acknowledged the leadership of Mr. John Zeunik, County Administrator, in his efforts on behalf of McLean County, as well as the State of Illinois. Chairman Renner advised that Mr. Zeunik worked with Ms. Larkin, Metro Counties and our legislative delegation to pass "Public Act 095-0103 which authorizes Counties in which a Children's Advocacy Center operates, to assess a mandatory fee ranging between \$5.00 and \$30.00, payable by the defendant on court cases where there is a judgment of guilty or a grant of supervision for any felony, misdemeanor, petty offense (including traffic), and business offense."

Ms. Judy Renner, Director, Children's Advocacy Center, presented a request for approval of an Ordinance by the McLean County Board setting a \$10.00 fee to be charged by the McLean County Circuit Clerk for the Children's Advocacy Center. She indicated that this will allow the CAC to have a direct funding stream. This would assist in providing a better budget for the County's CAC, since only one-quarter of its budget is guaranteed funding.

Chairman Renner asked Mr. Zeunik to clarify the statutory limits placed upon the CAC. Mr. Zeunik explained that in 1994 the citizens approved a referendum that authorized a Property Tax to support the Children's Advocacy Center at the maximum rate permitted under Illinois law. The current State law does not provide any mechanism for a County to go back to referendum to ask for an increase. Mr. Zeunik indicated that, beyond the Property Tax levy which represents a very small portion of the budget, the CAC is dependent upon grant funding, which will likely be reduced in the coming year, and fund raising activities. The Children's Protection Network, which is a 501c(3) not-for-profit, raises money to help support CAC.

Mr. Zeunik stated that two years ago Ms. Larkin hosted a meeting in McLean County of all of the CAC directors across the State as well as representatives from the State Legislature to talk about the funding crunch that CAC's were experiencing and to look for solutions to find a way to provide a more reliable, steady stream of revenue. This meeting was the starting point for drafting the legislation to provide a dedicated fee for the CAC.

Mr. Zeunik pointed out that the DCFS Child Welfare Grant in 2006 was \$117,929.00 and, two years later, it is still \$117,929.00. He advised that the CAC has lived with flat funding of grants for many years. This forces them to live off of the approximately 4% to 4½% increase in the Property Tax Levy each year and from fund raising. Mr. Zeunik reminded the Committee of the workload in the CAC and the staffing level that is available to deal with that workload.

Chairman Renner stated that, unlike many of the fees that we are sometimes asked to assess, the cases here relate to the function, which is important to understand. He reiterated that the fees can range from \$5.00 to \$30.00. Other Counties are assessing the following fees:

- DuPage and Cook Counties: \$30.00
- DeWitt County: \$15.00
- Woodford and Tazewell Counties: \$20.00

Ms. Rackauskas asked what court cases does this fee not apply. Ms. Renner replied that it does not include civil cases. Ms. Rackauskas asked what is the collection percentage on the fees. Ms. Renner responded that the collection estimate is 60%.

Mr. Cavallini asked for clarification on the fee, including the collection estimate. Ms. Larkin responded that this CAC fee is brand new. She noted that each County determines what it needs to charge. Ms. Larkin indicated she was surprised when Cook County went with the maximum fee of \$30.00. She pointed out that if the fee is \$10.00 and only 60% of the fee is collected, instead of \$10.00, CAC will only receive \$6.00. Mr. Zeunik added that these fees are court ordered and there is an obligation to pay the fees. He stated that the Court can have defendants appear before the Judge on fees that have not been paid. Mr. Scanlon advised that this fee is patterned after a similar fee that is imposed for Drug Court. He noted that Drug Court raised approximately \$41,000.00 in fees in Fiscal Year 2007. This fee is imposed on all criminal convictions and orders of supervision. Mr. Scanlon indicated that the collection rate is somewhat dependent upon criminals meeting their obligations. He pointed out that there are other sanctions that can be placed upon a criminal, including extension of supervision and community service.

Ms. Harding asked Ms. Renner why she only asked for a \$10.00 fee. Ms. Renner replied that she was trying to determine how the fee would be received by the Committee and the County Board. Ms. Larkin reiterated that grants are getting tighter. She reminded the Committee that, when she was the CAC Director, the Committee often asked what they can do for the CAC. Ms. Larkin indicated that approving this fee will be a positive way for the Committee to help the CAC.

Mr. Zeunik acknowledged that the \$10.00 fee was a conservative amount, but noted that he was concerned with the County Board members' reluctance to impose more taxes and extra fees. He advised that the law allows for an increase in the fee at a later time.

Ms. Rackauskas expressed concern that setting the fee at \$10.00 would not be sufficient to make up the loss in grant funding and provide funding to meet the increasing demands placed on the program. She suggested that the Committee consider increasing the fee to insure that adequate funding is provided to the CAC. Ms. Rackauskas asked Ms. Renner if she would support a higher fee. Ms. Renner replied that she would definitely support an increase of the proposed fee.

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Chairman Renner asked Ms. Rackauskas what amount would she recommend for the CAC fee. Ms. Rackauskas replied that she would recommend that the CAC fee be set at \$15.00.

Chairman Renner asked the other Committee members if they were willing to support an increase in the proposed CAC fee from \$10.00 to \$15.00.

After additional discussion, the Committee concurred that the fee amount should be increased from \$10.00 to \$15.00.

Motion by Rackauskas/Nuckolls to Recommend Approval of an Ordinance by the McLean County Board setting a \$15.00 Fee to be charged by the McLean County Circuit Clerk for the Children's Advocacy Center.
Motion carried.

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

Ms. Kimmerling indicated that she had a late phone call in the office and was unable to be at the meeting earlier. She reported that the February statistics reflect that business has picked up on the Coroner's Office, except for the inquest numbers.

Ms. Rackauskas asked what are the "sudden deaths." Ms. Kimmerling replied that typically they are people who die within 24 hours of going to the hospital and the deaths become automatic Coroner's investigations.

Ms. Kimmerling advised that the weekend of March 21-23, her part-time staff worked 74 hours for an approximate total of \$1,100.00. She noted that this entailed 14 deaths, six of which required Coroner's Office presence.

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

Chairman Renner advised that Ms. Sandy Parker, Circuit Clerk, was unable to attend the meeting today due to an illness in the family.

Mr. Craig Nelson, Director, Information Technologies presented a request for approval of an Emergency Appropriation Ordinance amending the McLean County Fiscal year 2008 Combined Annual Appropriation and Budget Ordinance, Circuit Clerk Document Storage Fund 0142 (to purchase a Storage Area Network [SAN] device), Circuit Clerk's Office.

Mr. Nelson advised that the SAN is listed on GSA Contract GS-35F-4342D at \$62,700.00. He noted that the contract holder is willing to provide an instant rebate of \$27,745.00 in order to clear inventory for newer offerings. Combined with three years of support, the final figure is \$41,700.00.

Mr. Nelson stated that both the Circuit Clerk's Office and the Recorder's Office have undertaken large-scale imaging projects that require significant storage. He indicated that this purchase, combined with an identical purchase by the McLean County Recorder, will allow Information Technologies to place one device in the Law and Justice Center and another in the Government Center. By allocating one-half of each device to the other's department, the data can be in a constant state of mirroring. This alleviates the need for a tape backup of the images.

Mr. Nelson reported that the SAN device is a strong opportunity to improve the storage capacity for the Circuit Clerk's Office and the Recorder's office. He asked that the Committee consider recommending approval of this request.

Mr. Zeunik advised that the Committee is being asked to approve an Emergency Appropriation. He explained that the Circuit Clerk has a Court Document Storage Fund, which is a dedicated, separate fund that can only be used for purposes of storing court records. Mr. Zeunik noted that this Fund has accumulated a significant fund balance. He stated that this proposal is to approve using funds from that fund balance to purchase this equipment. Mr. Zeunik reminded the Committee that Mr. Nelson was able to procure a significant savings on the equipment. He added that the Recorder's Office has budgeted to purchase this same equipment for the same purpose.

Ms. Harding asked if the data entry will include new entries or will previous data be scanned into the equipment. Mr. Nelson replied that both officials have contracted with imaging companies to image all of the records that need to be stored on this equipment.

Mr. Nuckolls asked what is the balance of the Court Document Fund. Mr. Lindberg replied that he will find that figure for the Committee.

Motion by Nuckolls/Cavallini to Recommend Approval of an Emergency Appropriation Ordinance amending the McLean County Fiscal Year 2008 Combined Annual Appropriation and Budget Ordinance, Circuit Clerk Document Storage Fund 0142 (to purchase a Storage Area Network [SAN] Device), Circuit Clerk's Office.

Motion carried.

Mr. Bill Yoder, State's Attorney, expressed his support of the Children's Advocacy Center fee. He noted that the CAC has been extremely busy, noting that he now has 1.5 attorneys dedicated to the CAC. Mr. Yoder stated that Ms. Larkin built a great Advocacy Center here in McLean County. He indicated that it is the best one in the State, if not in the Nation.

Mr. Yoder reported that his statistics are exactly where he expects them to be. He noted that historically felony cases are growing 50-60 cases per year.

Chairman Renner advised Mr. Lindberg reports that the balance in the Circuit Clerk's Court Document Storage Fund, as of December 31, 2006, was \$437,513.00.

Ms. Rackauskas commented that the Committee's recommendation to increase the fee from \$10.00 to \$15.00 sends the message to the CAC that the Committee validates what they are doing and represents our appreciation.

Mr. Zeunik pointed out that the Children's Advocacy Center Fund Balance as of December 31, 2006 is \$14,312.00, which is up from last year.

Chairman Renner presented the March 31, 2008 Justice Committee bills for review and approval as transmitted by the County Auditor. The Justice Committee bills include a Pending Total of \$31,679.19 and a Prepaid Total of \$1,883,319.39 for a Fund Total of \$1,914,998.58.

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Motion by Harding/Cavallini to Recommend Approval of the Justice Committee bills as of March 31, 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 5:28 p.m.

Respectfully submitted,

Judith A. LaCasse
Recording Secretary