

Minutes of the Justice Committee

The Justice Committee of the McLean County Board met on Tuesday, December 4, 2007 at 4:30 p.m. in Room 400 of the Government Center, 115 E. Washington Street, Bloomington, Illinois.

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

Members Absent: None

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:

Ms. Joan Naour, Director, Correctional Health Services; Mr. Will Scanlon, Trial Court Administrator, Circuit Court; Mr. Curtis Hawk, Director, E.M.A.; Ms. Judy Renner, Director, Children's Advocacy Center; Sheriff Mike Emery; Ms. Beth Kimmerling, Coroner; Ms. Roxanne Castleman, Director, Court Services; Mr. Dave Goldberg, Director, Juvenile Detention Center; Ms. Amy Davis, Public Defender; Mr. Bill Yoder, State's Attorney

Others Present: 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 4:36 p.m.

Chairman Renner presented the November 6, 2007 Committee minutes to the Committee for approval.

Motion by Butler/Cavallini to approve the Minutes of the November 6, 2007 Committee Meeting.
Motion carried.

Ms. Joan Naour, Director, Correctional Health Services, presented a request for approval of the annual compensation to OSF HealthCare System and Kenneth Inoue, M.D., for physician services at the McLean County Adult Detention Facility. She explained that the current contract for the MCDF Physician for the McLean

County Adult Detention Facility is in effect from January 1, 2007 through December 31, 2008. However, the annual compensation is subject to negotiation and approval by OSF HealthCare System and McLean County prior to the beginning of the second year of this Agreement.

Ms. Naour recommended that the rate of compensation for the 2008 contract year be increased by 4% from \$50,076.00 to \$52,079.00, effective January 1, 2008. She noted that this figure was negotiated with representatives of OSF HealthCare System, and is within the parameter of the approved Fiscal Year 2008 Budget for the McLean County Adult Detention Facility Physician.

Motion by Harding/Rackauskas to recommend Approval of the Annual Compensation to OSF HealthCare System and Kenneth Inoue, M.D., for Physician Services at the McLean County Adult Detention Facility.
Motion carried.

Ms. Naour submitted a request for approval of the second amendment to the Exclusive Preferred Provider Agreement between McLean County and OSF HealthCare System. She stated that the Exclusive Preferred Provider Agreement between OSF HealthCare System and McLean County has been in effect since 1997 and provides McLean County with a discount for services rendered to individuals who are referred to OSF HealthCare System while they are in the physical custody of the Sheriff of McLean County.

Ms. Naour recommended an amendment to the Exclusive Preferred Provider Agreement between OSF HealthCare System and McLean County. She indicated that this amendment removes Eastland Medical Plaza SurgiCenter from the original Agreement, expands language regarding HIPPA compliance, and increases the discount from 20% to 25% for services provided by OSF HealthCare System to McLean County.

Ms. Rackauskas asked how was Ms. Naour able to get the discount increased to 25%. Ms. Naour replied that she simply requested an additional discount.

Motion by Rackauskas/Harding to recommend Approval of the Second Amendment to the Exclusive Preferred Provider Agreement between McLean County and OSF HealthCare System.
Motion carried.

Ms. Naour presented a request for approval of the Exclusive Preferred Provider Agreement between McLean County and Eastland Medical Plaza SurgiCenter. She explained that the Exclusive Preferred Provider Agreement between OSF HealthCare System and McLean County, which has been in effect since 1997, originally included services performed at Eastland Medical Plaza SurgiCenter. Ms. Naour stated that, at the request of representatives from OSF HealthCare System, Eastland Medical Plaza SurgiCenter has been removed from the original Agreement, necessitating a separate Exclusive Preferred Provider Agreement with Eastland Medical Plaza SurgiCenter.

Ms. Naour recommended approval of an Exclusive Preferred Provider Agreement between Eastland Medical Plaza SurgiCenter and McLean County. She advised that this Agreement will provide an increase in the County's discount from 15% to 20% for services provided to the McLean County Adult Detention Facility by Eastland Medical Plaza SurgiCenter.

Motion by Butler/Cavallini to recommend Approval of the Exclusive Preferred Provider Agreement between McLean County and Eastland Medical Plaza SurgiCenter.
Motion carried.

Ms. Naour submitted a request for approval of the Contract with McLean County Center for Human Services for the Provision of Mental Health Services for the McLean County Adult Detention Facility. She indicated that this contract will provide mental health services for the inmate population. These services include on-site counseling for twenty-four hours each week, weekly two-hour sessions by the Psychiatrist, and crisis intervention whenever necessary.

Ms. Naour advised that, in the past, all services provided by the McLean County Center for Human Services were billed on an hourly basis. However, in 2008, cost for all services rendered by McLean County Center for Human Services will be \$78,000.00 annually, billable on a monthly basis. Ms. Naour stated that this figure was negotiated with representatives of McLean County Center for Human Services, and is within the parameter of the approved Fiscal Year 2008 Budget for mental health services. She noted that, with the rise in population, this figure is a fair and equitable amount.

Ms. Naour noted that there are no other additions or deletions in the contract language, and mental health services provided for individuals incarcerated in the McLean County Detention Facility remain the same.

Motion by Nuckolls/Harding to recommend Approval of the Contract with McLean County Center for Human Services for the Provision of Mental Health Services for the McLean County Adult Detention Facility.
Motion carried.

Mr. Will Scanlon, Trial Court Administrator, Circuit Court, presented a request for approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2007 Combined Annual Appropriation and Budget Ordinance, General Fund 0001, Circuit Court 0016. He explained that the County policy changed this year when the Auditor's Office requested that an Emergency Appropriation Ordinance be prepared whenever a department exceeded a department budget classification. Mr. Scanlon requested approval of an Emergency Appropriation from the unappropriated fund balance of the General Fund 0001 in the amount of \$71,500.00. This will bring the budget back into balance to the November 30th percentage of 92% and also provide sufficient funding to get through December.

Mr. Scanlon reviewed the overages, noting that the Schools/Conferences line item increased from the Adopted amount of \$2,500.00 to \$5,700.00 for an increase of \$3,200.00. He stated that this overage was due to travel associated with a Judge attending a Drug Court Seminar and the fees associated with the seminar.

Mr. Scanlon indicated that the Court Appointed Attorney line item increased from \$40,000.00 to \$57,200.00 for an increase of \$17,200.00. This excess was due to expenditures in the Juvenile Abuse Court. The budget for this line item in 2008 will remain at \$40,000.00 as this overage does not constitute a pattern that would necessitate increasing the budget for this line item. Mr. Scanlon stated that the six line items, namely Court Appointed Attorney, Special Defender Expense, Psychiatric/Psychological Expenses, Juror Expenses, Juror Meals and Juror Parking all fall in the same category. The expenses go up and down each year and there is not a particular trend that would necessitate increasing the budgeted line items.

Chairman Renner asked for an explanation on the juror expenses. Mr. Scanlon indicated that there has been an increase in juror expenses. He indicated that, for the FY'2008 Jury Calendar, they have tried to reduce the number of weeks jurors are available to hold the line on juror expenses. Mr. Scanlon advised that special cases, such as the Jeff Pelo case, will require a larger jury pool for initial examination, which usually costs about \$1,000.00 per day. He stated that it is anticipated that next year a 4%-5% increase in budget will be requested in those line items.

Mr. Scanlon explained that the Non-Contractual Services line item increased due to the expense of interpreters, including Spanish and sign language, which constitutes the largest need in the Courtroom.

Motion by Cavallini/Rackauskas to recommend Approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2007 Combined Annual Appropriation and Budget Ordinance, General Fund 0001, Circuit Court 0016.
Motion carried.

Mr. Scanlon reviewed the Westlaw® Subscriber Agreement. He indicated that this was initially discussed during the budget process. Mr. Scanlon stated that \$7,500.00-\$8,000.00 has been saved in the Law Library Budget by changing the on-line legal research provider. He noted that this is a three-year agreement, Fiscal Year 2008-2010, between the McLean County Law Library and Westlaw®. Mr. Scanlon advised that it also impacts the Circuit Court, State's Attorney and Public Defender's Office as the attorneys and judges in those offices have access to the Westlaw® on-line research system through the payment of this contract to the Law Library.

Mr. Curt Hawk, Director, E.M.A., presented a request for approval of a Resolution of the McLean County Board authorizing participation as a member in the Illinois Emergency Management Mutual Aid System Response pursuant to an Intergovernmental Agreement by and between the County of McLean and the Illinois Emergency Services Management Association. He noted that this is similar to the Fire Department's Mutual Aid Box Alarm System and the Police Department's Law Enforcement Alarm System.

Ms. Rackauskas asked who is the Intergovernmental Agreement between. Mr. Hawk replied that it is between Counties that may request help from us or we may request help from them in an emergency, such as a tornado.

Motion by Nuckolls/Harding to recommend Approval of a Resolution of the McLean County Board Authorizing participation as a member in the Illinois Emergency Management Mutual Aid System Response pursuant to an Intergovernmental Agreement by and between the County of McLean and the Illinois Emergency Services Management Association.
Motion carried.

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

Ms. Judy Renner, Director, Children's Advocacy Center, presented the Monthly Statistical Report for the Children's Advocacy Center (CAC) and the CASA Report. She stated that the numbers continue to increase for the Children's Advocacy Center. Ms. Renner advised that, at the end of October, 271 total interviews were conducted as compared to 281 interviews at the year-end of 2006. She noted that the November numbers have already surpassed 281 interviews.

Chairman Renner asked, on any given day, how many children are in the Child Welfare System. Ms. Renner replied that there are about 375-400 children in the system.

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

Sheriff Mike Emery presented a request for approval of the Illinois State Police Task Force Six Multi-Jurisdictional Narcotics Unit Grant #405220. He indicated that McLean County is the host agency for the Illinois State Police Task Force Six Multi-Jurisdictional Narcotics Unit, which is partially funded by an Edward Byrnes Justice Assistance Grant. This grant is a monetary pass-through grant and McLean County has no financial obligation. Sheriff Emery stated that, as the host agent, this grant is monitored and managed by the McLean County Auditor's Office and falls under the ordinances enacted by the McLean County Board that regulates all grants received by McLean County Government.

Motion by Nuckolls/Cavallini to recommend approval of the Illinois State Police Task Force Six Multi-Jurisdictional Narcotics Unit Grant #405220.

Motion carried.

Sheriff Emery reviewed the Memorandum of Understanding with the Children's Foundation. He advised that the equipment listed in the Memorandum, including a big screen television, a DVD player and a home theatre receiver, was property seized and filed for Forfeiture during a drug investigation. The Court honored the Forfeiture, giving the Sheriff's Department possession of the equipment. Sheriff Emery indicated that he has the authority, under statute, to donate the equipment to the Children's Foundation to be put in the Children's Waiting Room in the Law and Justice Center. He indicated that if the equipment should fail, the Sheriff's Department does not have any obligation to repair or replace the equipment.

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

Ms. Beth Kimmerling, Coroner, presented her Monthly Report for October 2007. She pointed out that the Autopsy numbers for both McLean County and Out-of-County are extremely high. Ms. Kimmerling advised that, for 2007, she had predicted 80 autopsies for McLean County and 150 autopsies for Out-of-County autopsies. She noted that we are well above those predictions.

Ms. Kimmerling indicated that the inquest numbers are down. She explained that they are down due to a change in the inquest law at the beginning of the year regarding the Coroner's discretion. Ms. Kimmerling stated that she now has authority to make "manner of death" rulings on her own as opposed to going through an inquest process. She advised that she has made that ruling 38 times, so the inquest number is truly a total number between 26 and 38 to compare to the 42.

Ms. Kimmerling reported that at the end of October the Coroner's Office has met and surpassed its revenue prediction for 2007.

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

Ms. Roxanne Castleman, Director, Court Services presented a request for approval of a Contract Amendment with OSF HealthCare System for physician services with the McLean County Juvenile Detention Center. She indicated that this contract is a three (3) year contract, with 2008 being the second year of the contract. Ms. Castleman pointed out that the 2008 contract amendment indicates a 4% increase. This increase is consistent with the contract at the Adult Detention Center. She noted that both facilities utilize the same physician.

Ms. Castleman advised that OSF HealthCare System provided excellent medical services the past year.

Motion by Nuckolls/Rackauskas to recommend approval of a Contract Amendment with OSF HealthCare System for Physician Services with the McLean County Juvenile Detention Center.
Motion carried.

Ms. Castleman submitted a request for approval of a Contract for Counseling Services with Ms. Cathy Vogel for the McLean County Juvenile Detention Facility. She noted that Ms. Vogel has held that contract for several years. Ms. Castleman stated that the contract is identical to last year's contract, with the exception of a 3% increase for services for 2008.

Motion by Rackauskas/Cavallini to recommend approval of a Contract for Counseling Services with Ms. Cathy Vogel for the McLean County Juvenile Detention Facility.
Motion carried.

Ms. Castleman submitted the Court Services Monthly Reports.

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

Ms. Amy Davis, Public Defender, presented for approval five (5) contracts between Special Public Defenders and the County.

Chairman Renner recommended that all of the contracts be considered together. The requests are as follows:

- Request for approval of a contact between John Wright Jr., Special Public Defender, and the Public Defender's Office.
- Request for approval of a contact between Terry Dodds, Special Public Defender, and the Public Defender's Office.
- Request for approval of a contact between David Rumley, Special Public Defender, and the Public Defender's Office.
- Request for approval of a contact between Alan Novick, Special Public Defender, and the Public Defender's Office.
- Request for approval of a contact between Keith Davis, Special Public Defender, and the Public Defender's Office.

Ms. Davis indicated that the contract attorneys have not had a raise in many years. She noted that the Board approved, during the budget process, a raise for the attorneys. Ms. Davis advised that Keith Davis does not receive a raise as his caseload has gone down over the years and he is handling fewer cases. She noted that she has discussed this with Mr. Davis.

Motion by Nuckolls/Cavallini to Recommend Approval of a Contract between Mr. John Wright, Jr., Special Public Defender, and the Public Defender's Office; to Recommend Approval of a Contract between Mr. Terry Dodds, Special Public Defender, and the Public Defender's Office; to Recommend Approval of a Contract between Mr. David Rumley, Special Public Defender, and the Public Defender's Office; to Recommend Approval of a Contract between Mr. Alan Novick, Special Public Defender, and the Public Defender's Office; and to Recommend Approval of a Contract between Keith Davis, Special Public Defender, and the Public Defender's Office.

Motion carried.

Ms. Davis submitted her Monthly Caseload Report for October 2007.

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

Mr. Bill Yoder, State's Attorney, distributed a Drug Court Update Report, as well as an In-House Statistical Report related to Drug Court. He reported that the Drug Court currently has 30 participants. Mr. Yoder reviewed the process used to screen individuals for the Drug Court program. Mr. Yoder advised the Committee that, to determine who might be a good candidate, the following individuals were screened between July 1st to October 31st, 2007:

- 400 candidates screened for Drug Court;
- 75 candidates are referred to Drug Court;
- 18 candidates are eligible to Drug Court;
- 9 clients are accepted into Drug Court.

Mr. Yoder indicated that a lot of work goes into the Drug Court Program and it has been very successful.

Ms. Harding asked what makes a candidate ineligible for the program. Mr. Yoder replied that there are certain cases that are excluded, by statute, including violent crimes, domestic violence, and DUI felonies. He noted that there is a screening form and each attorney doing screenings follows the same sheet.

Mr. Yoder indicated that those 9 clients accepted into Drug Court increased the total number of individuals in the program to 30 individuals.

Mr. Nuckolls asked how long does the review process take to reduce the amount of individuals screened to the number of individuals accepted, such as October's figures of 83 original candidates to 2 clients accepted. Mr. Yoder replied that every day new cases are screened, such as 5-10 new felony cases per day. He noted that, perhaps, one or two of those cases will be deemed eligible. Mr. Yoder stated that the State's Attorneys job is done the morning it receives the report of new felonies and goes through its screening process. From there, the candidates are screened by Ms. Jody Cooper, Drug Court Coordinator, who does a more intense screening to determine addiction and a willingness to be part of the program. Mr. Yoder indicated that Ms. Amy Davis, Public Defender, also becomes involved in the process as she needs to talk with the candidates as well. The entire process takes one to two weeks.

Mr. Yoder stated that it is important to make contact with the individuals as soon as possible after their arrest to discuss the program. Mr. Yoder advised that it is a complicated process. He indicated that the two-year planning process was very beneficial. Mr. Yoder noted that during the process, they were able to learn what to do and what not to do from other programs' errors. He added that some things within the County's program have been changed to make it run more smoothly. Mr. Yoder advised that the results of the program have been very positive.

Ms. Rackauskas asked if all of the available positions are being filled. Mr. Yoder responded that the program is not full. He noted that the program needs to grow gradually so that individuals can phase in and out of the program at different times.

Mr. Yoder indicated that, initially, when there was no funding for the program, Chestnut Health System came forward and offered to get the program started on a limited basis, allowing seven or eight individuals to receive treatment.

Mr. Yoder advised that the program is maintaining statistics and can show incredible results.

Ms. Rackauskas asked if Chestnut Health System is providing treatment at a discounted price. Mr. Zeunik replied that the fee is negotiated between the Board of Health and Chestnut Health System and is based on the number of referrals into the program and the number of hours that their professional staff is expected to spend on each case. He stated that right now the fee is a fixed fee in the budget. Mr. Zeunik indicated that once there is more history with the Program, the Health Department may renegotiate the fee so that it is not a fixed fee, but based on the actual services being delivered.

Ms. Rackauskas asked if this would be to the advantage of the County to pay based on actual service. Mr. Zeunik stated that it may be to our advantage. He indicated that Chestnut Health System wanted to go with a fixed fee in the beginning because of the start-up cost that they incurred to ramp up to run the program. Also, Chestnut did not know going into the project what their level of service would be in terms of the demands placed on them.

Mr. Yoder indicated that one of the problems with treatment, historically, is that there may not be a bed available for three to six weeks for someone who needs treatment. He advised that the Drug Court clients are given treatment and a bed at Chestnut right away.

Mr. Yoder presented his Monthly Caseload Report and Asset Forfeiture Fund Report. He stated that Felony cases continue to go up.

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

Chairman Renner announced that the first Tuesday in January falls on January 1st. He requested recommendations on a time and date for the January meeting. After a brief discussion, it was determined that the January 2008 Justice Committee meeting will be held on Monday, January 7, 2008 at 4:30 p.m. Ms. Rackauskas will not be able to attend.

Chairman Renner presented a Jury Commission transfer of \$2,410.00. These funds are being transferred from the following line items: School/Conferences, Computer Repair, Equipment Rental and Telephone, and transferred into Printing.

Motion by Cavallini/Butler to Recommend Approval of a transfer of \$2,410.00 from Line Items 0718.0001, School/Conference; 0750.0003, Computer Repair; 0790.0004, Equipment Rental; and 0795.0003, Telephone to Line Item 0629.0001, Printing in the Jury Commission, as recommended by the County Auditor.
Motion carried.

Chairman Renner presented the November 30, 2007 Justice Committee bills for review and approval as transmitted by the County Auditor. The Justice Committee bills include a pending total of \$13,644.94 and a prepaid total of \$1,809,408.81 for a Fund Total of \$1,823,053.75.

Justice Committee
December 4, 2007
Page Twelve

Motion by Rackauskas/Nuckolls to Recommend
Approval of the Justice Committee bills as of November
30, 2007, as transmitted by the County Auditor.
Motion carried.

Justice Committee
December 4, 2007
Page Thirteen

Chairman Renner asked if there was any other business or communication for the Justice Committee. Hearing none, the meeting was adjourned at 5:19 p.m.

Respectfully submitted,

Judith A. LaCasse
Recording Secretary