

Minutes of the Justice Committee

The Justice Committee of the McLean County Board met on Monday, November 6, 2006 at 5:00 p.m. in Room 400 of the Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Chairman Renner; Members Owens, Nuckolls

Other Members Present: Board Chairman Sweeney

Members Absent: Members O'Connor, Harding and Rackauskas

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

Department Heads/
Elected Officials
Present:

Ms. Beth Kimmerling, County Coroner; Ms. Roxanne Castleman, Director, Court Services; Mr. Dave Goldberg, Director, Juvenile Detention Center; Sheriff Dave Owens; Ms. Sandy Parker, Circuit Clerk; Ms. Beth Kimmerling, Coroner; Mr. Will Scanlon, Trial Court Administrator, 11th Circuit Court

Others Present: Ms. Phyllis Nelson, Chief Circuit Clerk; Ms. Kim Campbell, First Assistant State's Attorney

Chairman Renner called the meeting to order at 5:15 p.m.

Chairman Renner presented the October 2, 2006 minutes and the September 19, 2006 Stand-up Committee minutes to the Committee for approval.

Motion by Owens/Nuckolls to approve the Minutes of the October 2, 2006 Committee Meeting and the September 19, 2006 Stand-up Committee Meeting.
Motion carried.

Chairman Renner presented the September Monthly Caseload Report as submitted by Ms. Amy Davis, Public Defender. Chairman Renner asked if the Committee had any comments or questions. There were none.

Ms. Roxanne Castleman, Director, Court Services, and Mr. Dave Goldberg, Director, Juvenile Detention Center presented a request for approval of a Juvenile Accountability Incentive Block Grant (JABIG) to purchase twenty-five computers for the Juvenile Division of Court Services.

Ms. Castleman explained that this is a one-time grant to be used for equipment only. She indicated they would like to use the grant to purchase computers for the Juvenile Division staff.

Mr. Nuckolls asked if all of the computers would be at the Juvenile Detention Center. Ms. Castleman responded that some will be at JDC and some will be in Juvenile Probation.

Motion by Owens/Nuckolls to Recommend Approval to Apply for a Juvenile Accountability Incentive Block Grant (JABIG) to Purchase Twenty-five Computers for the Juvenile Division of Court Services.
Motion carried.

Ms. Castleman presented three requests that can be acted upon together, as follows:

- Request for approval of a Master Contract for Lease of Space in the McLean County Juvenile Detention Center between McLean County and the County of Livingston;
- Request for approval of a Master Contract for Lease of Space in the McLean County Juvenile Detention Center between McLean County and the County of Logan;
- Request for approval of a Master Contract for Lease of Space in the McLean County Juvenile Detention Center between McLean County and the County of Woodford

Ms. Castleman advised that there may be an additional Master Contract with Ford County. She noted that these Master Contracts are an attempt to alleviate the need to bring contracts back to the Committee every time there is a change.

Motion by Owens/Nuckolls to Recommend Approval of a Master Contract for Lease of Space in the McLean County Juvenile Detention Center between McLean County and the Counties of Livingston, Logan and Woodford.
Motion carried.

Ms. Castleman reported that Juvenile Detention has been extremely busy the past couple of months. Mr. Nuckolls asked if they are at capacity. Mr. Goldberg replied that they are not at capacity right now, but they have been the past four or five weeks.

Chairman Renner asked if the Committee had any further questions. There were none.

Mr. Bill Yoder, State's Attorney, reviewed his Monthly Caseload Report and the Asset Forfeiture Fund Report. He pointed out that the 2006 Caseload Report for October shows the highest felony numbers in any one month since he has been with the County, with 165 new felonies filed. Mr. Yoder noted that misdemeanor numbers were also very high for October. He indicated that part of that increase is that there was an additional reporting week in October, but the numbers are still extremely high. Mr. Yoder stated that he expects the numbers to revert back to more average monthly numbers in November and December. He noted that there is nothing extraordinary to report in the Asset Forfeiture Fund Report.

Mr. Yoder updated the Committee on the Drug Units workload for this calendar year. He stated that in 2005 there were 320 new felony drug cases filed. Currently, through October 31st, 346 new felony drug cases have been filed. Mr. Yoder projected that there will be 414 felony drug cases for the year, which is a huge increase over past years. Mr. Yoder predicted that felony drug cases will continue to increase in the future.

Chairman Renner asked if there were any questions or comments. There were none.

Chairman Renner presented the Monthly Statistical Report for the Children's Advocacy Center (CAC) and the CASA Report as submitted by Ms. Billie Larkin, Director, Children's Advocacy Center. He noted that Ms. Larkin was unable to attend the meeting.

Chairman Renner asked if there were questions or comments on the reports. There were none.

Ms. Sandy Parker, Circuit Clerk, presented the Third Quarter Statistical Reports and the September, 2006 Monthly Statistical Reports. She stated that statistics seem to be tracking fairly consistently to last year's figures.

Chairman Renner asked if there were any questions. There were none.

Sheriff Owens presented two requests that can be acted upon together. The first is a request for approval to accept a grant from the Edward Byrne Justice Assistance Grant, Application #2006-DJ-BX-1155. The second is a request for approval of the Interlocal Agreement between the County and the City of Bloomington for the 2006 Byrne Justice Assistance (JAG) Program Award.

Sheriff Owens explained that this grant was previously called the Block Grant, but is now called the Edward Byrne Justice Assistance Grant (JAG Grant). He stated that this is an equipment grant with no financial obligation to McLean County. Sheriff Owens explained that the grant is split between McLean County and the City of Bloomington, noting that it could have been shared with the Town of Normal as well, but they opted not to apply for the grant. He stated that the grant total is \$11,646.00 and the County's portion is \$5,823.00. Sheriff Owens indicated that they plan to use the grant to reimburse the General Fund for the cost of the cameras that were purchased for the Jail.

Mr. Sweeney asked why Normal decided not to accept the grant. Sheriff Owens replied that he did not know, but speculated that it may be because it is not a large amount of money and, perhaps, they did not have time to apply for the grant.

Motion by Owens/Nuckolls to Recommend Approval to Accept the Grant Award from the Edward Byrne Justice Assistance Grant, Application #2006-DJ-BX-1155 and to Recommend Approval of the Interlocal Agreement between the County of McLean, Illinois and the City of Bloomington for the 2006 Byrne Justice Assistance (JAG) Program Award.
Motion carried.

Sheriff Owens reminded the Committee that this is the last Justice Committee meeting he will attend. He shared the following update:

- The cameras that were recently purchased have been installed and are in operation in the Jail;
- Cost of installation of the cameras will be absorbed through the JAG Grant;
- The portable radios are being programmed and should be ready soon;
- Jail population report had the highest average in-house population at capacity for the month of October.

Sheriff Owens thanked the Committee for their support over the last eight years.

Chairman Renner thanked Sheriff Owens for his many years of service to the County.

Chairman Renner asked if there were any comments or questions. There were none.

Ms. Beth Kimmerling, Coroner, presented a request for approval of an Intergovernmental Agreement between the McLean County Coroner's Office and the Law and Justice Commission, MTU #8. She stated that this is the same Agreement that was submitted by the Sheriff's Department last month. Ms. Kimmerling explained that it is an Agreement with local Mobile Team Unit #8. She advised that this is the first time the Coroner's Office has signed an Agreement with MTU #8, though they have been members of the organization since she came into the Coroner's Office in 1998. Ms. Kimmerling stated that the Agreement was signed at the request of Mr. Walt Clark, Director of MTU #8.

Ms. Kimmerling explained that the Illinois Law Enforcement Training Standards Board was granted funds in excess of \$400,000.00 per year in order to provide standardized Coroner's training throughout the State. This means that some high quality courses are being offered locally through the MTU #8 rather than having to send staff members outside of the state for training. Ms. Kimmerling stated that Mr. Clark has been very helpful in asking for recommendations on courses the Coroner's Office needs. She assured the Committee that the Agreement is only binding as long as the membership fee is paid.

Motion by Nuckolls/Sweeney to Recommend Approval
of an Intergovernmental Agreement between the
McLean County Coroner's Office and the Law and
Justice Commission, MTU #8.
Motion carried.

Ms. Kimmerling reviewed her Monthly Report, noting that September was a busy month in the Coroner's Office. She pointed out that the September revenue figures show that they have surpassed the estimated revenue.

Ms. Kimmerling reported that the Death Certificate Surcharge Fund of \$1,361.47 is the grant monies allotted to the Coroner's Office from the Death Certificate Surcharge Fund for this year. She noted that this money has not yet been spent. Ms. Kimmerling advised that the Coroner's Office co-sponsored the McLean County Funeral Directors Association Fall Conference and any proceeds they make are donated to the Coroner's Office. She indicated that, this year, the Coroner's Office will receive \$1,000.00.

Ms. Kimmerling alerted the Committee that she is experiencing staffing problems. She reported that overtime expenses and part-time expenses may increase. Ms. Kimmerling stated that the Coroner's Office is staffed on a full-time basis, with

four investigators, including herself. She noted that one of the investigators is currently out on medical leave. Ms. Kimmerling indicated that the Coroner's Office responds to calls with a team of two people, and with the shortage of investigators, it is sometimes necessary to close the Coroner's Office for short periods of time. She stated that the hiring process this summer was very successful. Ms. Kimmerling noted that this was the first time the Coroner's Office employment process included a physical agility test. She advised that four people were hired at that time, one full-time and three part-time. Since that time, two of the part-time employees have resigned because the work was more difficult than they anticipated. Ms. Kimmerling stated that, of the two investigators remaining, one is her full-time person who is out on medical leave and one is a part-time person who has been restricted in terms of lifting. She pointed out that, as a result of these changes, there are fewer employees in the Office than she would like.

Ms. Kimmerling noted that she took advantage of the County's Human Resources with posting a job description for the vacant positions. She stated that there have been no responses, which is attributable to the fact that they are part-time staff positions. Ms. Kimmerling advised that she may begin advertising in the newspaper. She anticipates that some people will apply who expect the position to be the same as the television series CSI. Ms. Kimmerling reiterated her concern with the staffing problems she is experiencing. She also reminded the Committee that there may be increases in overtime and part-time expenses.

Mr. Owens asked if there has been any negative feedback when the Coroner's Office was closed. Ms. Kimmerling replied that a sign is posted on the office door and the calls are forwarded to MetCom. She noted that she has not heard any negative impact.

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

Mr. Terry Lindberg, Assistant County Administrator, introduced the review of the Fiscal Year 2007 Recommended Budget for the following departments:

Circuit Court – 0001-0016 can be found on pages 58-61 of the FY'2007 Recommended Budget and pages 73-75 of the Summary. Mr. Will Scanlon, Trial Court Administrator, 11th Circuit Court, extended the apologies of Judge Prall who was unable to attend the meeting. Chairman Renner pointed out that there is a 3.77% increase in the budget over last year and an 18.14% increase in Capital Outlay.

Mr. Scanlon explained that the Capital Outlay represents anticipated purchases, including replacement of old bench chairs for Judges.

Chairman Renner asked if there were any questions. Hearing none, he asked for a motion to recommend tentative approval.

Motion by Owens/Nuckolls to recommend tentative approval of the Circuit Court – 0001-0016 FY'2007 Recommended Budget as submitted.
Motion carried.

Circuit Court IV-D Child Support Enforcement Program – 0156-0016 can be found on pages 62-63 of the FY'2007 Recommended Budget and pages 76-77 of the Summary. Mr. Scanlon stated that the Child Support Budget is a program through the Illinois Department of Family and Healthcare Services, formerly the Department of Public Aid, and is for a flat amount of \$33,400.00, which is the same amount it has been since 2000. He noted that \$33,000.00 of that amount is set for a Hearing Officer who is an attorney employed on a contractual basis to hear child support cases in support of the Child Support Program through the State's Attorneys Office, and \$400.00 is for the phone line for that office.

Mr. Scanlon informed the Committee that the only caveat is that this contract is on its third and final renewal and he will not know if this position will be funded for the entire year until April or May. During the time the position is not funded, the caseload will have to be absorbed in the Circuit Court's existing judicial staff. He noted that none of the expense will be passed on to the County, except the phone line which will remain.

Motion by Nuckolls/Owens to recommend tentative approval of the Circuit Court IV-D Child Support Enforcement Program – 0156-0016 FY'2007 Recommended Budget as submitted.
Motion carried.

Circuit Clerk's Office General Fund – 0001-0015 can be found on pages 40-44 of the FY'2007 Recommended Budget Book and pages 78-82 of the Summary in the Agenda Packet. Chairman Renner reported that there is an overall increase of 4.55% over last year's budget. He noted that there is a 67.28% increase in Capital Outlay.

Ms. Parker advised that there is one change to the FY'2007 FTE Staffing level in the Circuit Clerk's Office for a 1.0 FTE Office Support Specialist I. She explained

that the volume of payments received through the mail has made it difficult for the office to keep current. The addition of a 1.0 FTE Office Support Specialist I will keep processing current, reduce inquiries from the public, and reduce overtime in the Traffic Division. Ms. Parker added that they encourage people to pay without entering the building for security and crowd control reasons.

Ms. Phyllis Nelson, Chief Circuit Clerk reported that the main increase is in Operating and Office Supplies, including toner, paper, letterhead, special printing, etc.

Mr. Nuckolls asked how much is budgeted for the new position. Mr. Lindberg replied that the salary is \$22,600.00.

Motion by Sweeney/Owens to recommend tentative approval of the Circuit Clerk's Office General Fund – 0001-0015 FY'2007 Recommended Budget as submitted.

Motion carried.

Circuit Clerk Operation & Administration – 0138-0015 can be found on pages 45-46 of the FY'2007 Recommended Budget and pages 83-84 of the Summary. Ms. Parker pointed out that this budget was established pursuant to a new State law providing for an additional fee to be assessed in certain Court cases. This new State law provided that a portion of the fee assessed be set aside in a new separate fund to pay for the administrative expenses incurred by the Circuit Clerk's Office. Since this is a new fee, the FY'2007 Recommended Budget reflects anticipated funding for the Fiscal Year. Any funds collected and deposited in this new Fund will be retained in FY'2007 in order to better determine how much fee revenue will be collected and how best to appropriate this new revenue in future years.

Ms. Parker indicated that this fund is comprised of \$.25 off the \$5.00 Drug Court Fee. Ms. Nelson added that, beginning next year, there is new legislation for adding a fee for Court Supervision cases. A portion of that fee will go to the arresting agencies, the Clerk's Office will receive \$4.50 of that fee and \$.50 will go to a State agency. Ms. Nelson indicated that this goes into effect on January 1st.

Motion by Nuckolls/Owens to recommend tentative approval of the Circuit Clerk Operation & Administration – 0138-0015 FY'2007 Recommended Budget as submitted.

Motion carried.

Circuit Clerk Court Automation – 0140-0015 can be found on pages 47-48 of the FY'2007 Recommended Budget and pages 85-87 of the Summary. Ms. Parker stated that this is a Special Revenue Fund established to assist the Circuit Court and the Circuit Clerk's Office to automate their respective offices. Through the collection of a Court Automation fee, the Circuit Court and the Circuit Clerk's Office have available funds which can be used to purchase operating supplies, contract for services, purchase capital equipment and fund staff in Information Services. Ms. Parker indicated that this is consistent with prior years.

Mr. Lindberg reported that the budget drops by 50%, which reflects the completion of the development, implementation and installation of the Civil Case Management phase of the Integrated Justice Information System (E*Justice) project.

Motion by Owens/Nuckolls to recommend tentative approval of the Circuit Clerk Court Automation Fund – 0140-0015 FY'2007 Recommended Budget as submitted.

Motion carried.

Circuit Clerk Document Storage – 0142-0015 can be found on pages 49-51 of the FY'2007 Recommended Budget and pages 88-90 of the Summary. Ms. Parker advised the Committee that this is the fund used to handle the records retention in the office, including microfilm expenses, IJIS development, supplies and other expenses associated with document storage fees. Chairman Renner pointed out that this also has a decrease of 56.54% in revenue. Ms. Parker concurred, noting that this is also due to the IJIS contribution dropping out.

Motion by Sweeney/Nuckolls to recommend tentative approval of the Circuit Clerk Document Storage Fund – 0142-0015 FY'2007 Recommended Budget as amended.

Motion carried.

Circuit Clerk Child Support Collection – 0143-0015 can be found on pages 52-54 of the FY'2007 Recommended Budget and pages 91-93 of the Summary. Ms. Parker indicated that this Special Revenue Fund was established to assist the Circuit Clerk's Office to collect and remit child support payments pursuant to the order of the Circuit Court. Through the collection of a Child Support Enforcement fee, the Circuit Clerk's Office has available funds which can be used to pay personnel expenses, purchase operating supplies, contract for services and purchase capital equipment.

Mr. Sweeney asked what percentage of child support payments is made. Ms. Parker replied that she cannot give him a percentage of child support payments that are made, but she noted that the portion the Clerk's Office processes has gone down since the State disbursement unit went into effect. Mr. Sweeney asked if the child support information is ever available. Ms. Parker replied that the Department of Public Aid tracks that figure to a certain extent on IV-D cases, which are the cases with which they are involved in assisting enforcement. However, there are a number of individuals who go through Divorce Court and have no involvement with the Department of Human Services. Ms. Parker added that the only way there is follow-up on non-payment of child support is if the recipient contacts the State's Attorneys Child Support Enforcement Unit as a IV-D client or if they hire private counsel or represent themselves before a Judge.

Motion by Owens/Nuckolls to recommend tentative approval of the Circuit Clerk Child Support Collection Fund – 0143-0015 FY'2007 Recommended Budget as submitted.

Motion carried.

Circuit Clerk IDPA IV-D Child Support Enforcement Program – 0156-0015 can be found on pages 55-57 of the FY'2007 Recommended Budget and pages 94-96 of the Summary. Ms. Parker explained that this is another Special Revenue Fund, similar to the one discussed by Mr. Scanlon. The Circuit Clerk is one of three offices which contract with the Illinois Department of Public Aid (IDPA) to administer the IV-D Child Support Enforcement Program. She noted that the grant has not increased since 2000. Ms. Parker stated that she has not heard anything to indicate the grant will be terminating. Chairman Renner pointed out that the grant has been at \$35,948.00 since 2000. This revenue continues to support one Office Support Specialist II in the Circuit Clerk's Office.

Motion by Nuckolls/Owens to recommend tentative approval of the Circuit Clerk IDPA IV-D Child Support Enforcement Program – 0156-0015 FY'2007 Recommended Budget as submitted.

Motion carried.

State's Attorneys Office – 0001-0020 can be found on pages 66-70 of the FY'2007 Recommended Budget and pages 97-101 of the Summary. Mr. Yoder introduced Ms. Kim Campbell, First Assistant State's Attorney.

Mr. Sweeney expressed his concern about the percentage of child support payments that are collected and how they are monitored. Mr. Yoder indicated that Child Support Payments are monitored by the State's Attorneys Office. Ms. Parker responded that this figure is only on child support payments paid to IV-D clients. Ms. Parker further stated that it would be difficult to get an aggregate number of spouses making child support payments. Mr. Yoder concurred, noting that the figures he can supply are for IV-D clients and do not include private attorneys and other collection methods. He added that he will provide the Justice Committee with these figures next month.

Mr. Yoder reported that the overall budget has increased from \$2,220,091.00 in the FY'2006 Adopted Budget to \$2,453,423.00 in the FY'2007 Recommended Budget, which is a 10.51% increase. He noted that, for the most part, the increase is in new personnel. Mr. Yoder indicated that the FY'2007 Recommended Budget includes a change in the FTE Staffing Level to add the following:

- 1.0 FTE State's Attorney III
- 1.0 FTE Legal Assistant II
- 0.5 FTE Office Support Specialist I

Motion by Owens/Nuckolls to recommend tentative approval of the State's Attorneys Office – 0001-0020 FY'2007 Recommended Budget as submitted.
Motion carried.

State's Attorneys Office Asset Forfeiture Fund – 0152-0020 can be found on pages 71-72 of the FY'2007 Recommended Budget and pages 102-104 of the Summary. Mr. Yoder reported that this fund was established to account for the receipt of funds derived from the seizure and sale of assets used in the distribution and sale of drugs. The State's Attorneys Asset Forfeiture Fund is a Special Revenue Fund that must be balanced within the Fund.

Motion by Sweeney/Nuckolls to recommend tentative approval of the State's Attorneys Office Asset Forfeiture Fund – 0152-0020 FY'2007 Recommended Budget as submitted.
Motion carried.

State's Attorneys IV-D Child Support Enforcement – 0156-0020 can be found on pages 73-76 of the FY'2007 Recommended Budget and pages 105-107 of the Summary. Mr. Yoder stated that this special revenue fund was established to account for the receipt of Illinois Department of Public Aid Funding and the expenditures for the Child Support Enforcement program in the State's Attorneys Office. Chairman Renner pointed out that this has been budgeted at \$303,788.00, which is the same amount appropriated in FY'2006.

Motion by Nuckolls/Sweeney to recommend tentative approval of the State's Attorneys IV-D Child Support Enforcement Program – 0156-0020 FY'2007 Recommended Budget as submitted.
Motion carried.

State's Attorneys Office – Multidisciplinary Domestic Violence Grant – 0160-0020 can be found on pages 77-79 of the FY'2007 Recommended Budget and pages 108-109 of the Summary. Mr. Yoder indicated that this is the final year of a three-year grant that will expire on August 31, 2007. He reported that the Multidisciplinary Domestic Violence Grant Fund 0160 is a Special Revenue Fund, which was established to account for the receipt and expenditure of a State Grant from the Illinois Criminal Justice Information Authority. This multidisciplinary grant was awarded to the State's Attorneys Office, Court Services, the Sheriff's Department and Community-based agencies to initiate a Multidisciplinary approach to domestic violence cases and issues within the community.

Motion by Owens/Sweeney to recommend tentative approval of the State's Attorneys Office – Multidisciplinary Domestic Violence Grant – 0160-0020 FY'2007 Recommended Budget as submitted.
Motion carried.

Children's Advocacy Center – 0129-0062 can be found on pages 225-228 of the FY'2007 Recommended Budget and pages 110-112 of the Summary. Chairman Renner reported that the total budget is up from \$462,274.00 in the FY'2006 Adopted Budget to \$464,174.00 in the FY'2007 Recommended Budget, which is an increase of 0.41%.

Mr. Lindberg stated that this is basically the same budget as last year. He noted that this budget is getting to a critical point in terms of not seeing any increases in State grant revenue, while expenses continue to increase.

Justice Committee
November 6, 2006
Page Thirteen

Mr. Owens noted that Ms. Larkin has shared her concerns regarding staffing to the Committee in the past.

There was some discussion as to whether it is appropriate to recommend the budget in the absence of Ms. Larkin. Mr. Lindberg assured the Committee that Ms. Larkin has no issues with the Administrator's Recommended Budget.

Motion by Owens/Nuckolls to recommend tentative approval of the Children's Advocacy Center – 0129-0062 FY'2007 Recommended Budget as submitted.
Motion carried.

Chairman Renner presented the October 31, 2006 Justice Committee bills for review and approval as transmitted by the County Auditor. The Justice Committee bills include a prepaid total of \$2,075,894.09 and a fund total that is the same.

Justice Committee
November 6, 2006
Page Fourteen

Motion by Nuckolls/Owens to recommend approval of
the Justice Committee bills as of October 31, 2006.
Motion carried.

Chairman Renner asked if there was any other business or communication for the
Justice Committee. Hearing none, the meeting was adjourned at 6:05 p.m.

Respectfully submitted,

Judith A. LaCasse
Recording Secretary