

## Justice Committee Meeting Minutes

The Justice Committee of the McLean County Board met on Monday, April 7, 2003 at 5:15 p.m. in Room 700 of the McLean County Law and Justice Center, 104 W. Front Street, Bloomington, Illinois.

Members Present: Chairman Renner, Members Rodgers, Johnson and Rackauskas

Members Absent: Members Nuckolls and Kinzinger

Staff Present: Mr. John Zeunik, County Administrator; Mr. Terry Lindberg, Assistant County Administrator; Mrs. Carmen Zielinski, Administrator's Office

### Department Heads/ Elected Officials

Present: Ms. Beth C. Kimmerling, Coroner; Ms. Roxanne Castleman, Director, Court Services; Mr. William Yoder, State's Attorney; Ms. Amy Davis, Public Defender; Ms. Jane Engblom, Jury Commission; Ms. Cindy Brandt, Jury Commission; Mr. Bill Gamblin, Director, E-911

### Members of the

Public Present: Ms. Barbara Stuart, Alternatives to Jail Committee, League of Women Voters and Ms. Carol Reitan, Collaborative Solutions Institute

Chairman Renner called the meeting to order at 5:20 p.m.

Chairman Renner placed the Justice Committee minutes of March 3, 2003 on file as presented.

Sheriff Dave Owens, McLean County Sheriff, was not present this evening.

Chairman Renner noticed that the jail population leveled off in January and February and has started to creep up in March. Ms. Rodgers informed the Committee that she toured the Jail facility and was able to see, first hand, that the jail population had increased and that bed space was scarce. The Committee did not have any further questions at this time.

Ms. Beth C. Kimmerling, McLean County Coroner, discussed the Coroner's Monthly Report for February 2003. Ms. Kimmerling noted that section "Death Investigations that include Autopsy and Follow-Up" should equal the actual number of autopsies performed for the month. There is a case listed on the statistics that was inquested, but was not autopsied. This particular case involved an elderly gentleman who fell at home and was hospitalized for a 24-hour period, so his medical file documented everything that was medically wrong with him. The Coroner's Office subpoenaed the medical records, issued

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a death certificate and conducted an inquest based solely on the medical records and the follow-up investigation. The Committee members had no further questions at this time.

Ms. Sandra Parker, Circuit Clerk, presented for information a Resolution Amending the Fiscal Year 2003 Funded Full-Time Equivalent Positions Resolution for the Circuit Clerk's Office.

Ms. Parker explained that this request was presented to the Finance Committee before it was presented to the Justice Committee only due to the calendar and how the meeting cycle fell. Ms. Parker is requesting that the Circuit Clerk's Office be increased by one full-time equivalent position in order to process Small Claims case data entry in a timely manner as required by Court procedures. Ms. Parker has identified other areas within the Circuit Clerk's Office where part-time and seasonal full-time equivalent positions can be reduced to offset the costs of the new position and its corresponding benefits costs. Thus, the Part-Time Office Support Specialist I position and the Clerical Assistant Seasonal position are being reduced. This will provide funding for a full-time Office Support Specialist I in the Circuit Clerk's Office Small Claims Division. This division has been staffed with four people since 1980 and there has been about a 58% increase in filings during this period of time without an increase in staff. Ms. Parker explained that most of the cases in the Small Claims division do not settle promptly. They average four or five supplemental proceedings after the initial hearing, where the Circuit Clerk's Office is responsible for preparing all of the paperwork and initiating the due process.

Chairman Renner referred to the seasonal staff being consolidated. Chairman Renner asked how long have these positions been filled at this level. Ms. Parker answered that the seasonal positions were established well before she became Circuit Clerk.

Ms. Johnson asked if the Finance Committee had any objections and did the Finance Committee approve it. Mr. Zeunik confirmed that the Finance Committee did recommend approval.

Ms. Billie Larkin, Director, Children's Advocacy Center, was not present to discuss the Monthly Statistical Report. Committee members did not have any questions regarding the Children's Advocacy Center Monthly Statistical Report.

Ms. Amy Davis, Public Defender, presented a request for approval of a Juvenile Justice Grant Application to the Illinois Juvenile Justice Commission. Ms. Davis explained that this proposal was brought to Ms. Davis' attention by Ms. Roxanne Castleman. At this time, Ms. Davis is informing and asking the Justice Committee to approve the application and receipt of these funds. Ms. Davis stated that this is a non-matching grant so the County does not have to provide any local match funds. The proposal asked that information be provided regarding some facet of juvenile justice that would be addressed by the McLean County Public Defender's Department. Fortunately for McLean County,

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there were three grant slots available and only three grant applications were received by the Illinois Juvenile Justice Commission, so it was granted by default. The Public Defender's Office plans to hire a full-time Social Worker for the Juvenile Division with these funds. This Social Worker will focus on the Juvenile Detention Center and interact with the new juveniles in the detention. The Social Worker will gather information for the Delinquency Attorney, who currently has to go to the first hearing in delinquency matters unprepared, because there isn't time to get the information before the hearing. This Social Worker would also have some duties within the office flow such as facilitating the client appointments with agencies that can help them with substance abuse, psychiatric treatment, learning disabilities, etc. The Social Worker can also assist the clients with social needs, in ways that attorneys cannot offer.

Ms. Davis asked Mr. Terry Lindberg, Assistant County Administrator, to explain the position classification and grade for this position. This grant is an open-ended grant that has no established budget requirement when the application was submitted. The \$176,000.00 available through the grant will be disbursed among three grantees. Mr. Lindberg stated that the Social Worker position could be classified as a Grade 8 or Grade 9 position. Under a Grade 8 position, the starting salary would be \$28,188.00. With benefits that figure jumps to \$34,258.00. A Grade 9 position would have a \$30,301.00 base. With benefits that figure would jump to \$36,631.00. The decision to make this Social Worker's position a Grade 8 or Grade 9 would depend on the job description that will be developed. Ms. Davis informed the Committee that she is not requesting someone with a Master Degree in Social Work to fill this position, which should produce some savings for the County.

Ms. Rodgers asked how much of the \$176,000.00 will be allotted to McLean County. Ms. Davis responded that she will be attending a meeting where the allocation of the \$176,000.00 will be decided. At this time, she does not know how the funds will be allocated.

Ms. Rackauskas asked what is the term of this grant. Ms. Davis answered that this grant is a one-year grant, but the information packet did not provide information on whether this grant is renewable. The last grant the Public Defender's Office applied for was renewable for three additional years.

Ms. Rackauskas asked if the new hiree will be made aware that this grant may be for only one year, so the position may not be around after that time. Ms. Davis answered that would be one of the factors mentioned during the interview process.

Motion by Rackauskas/Johnson to recommend approval and authorize the Public Defender to apply for a Juvenile Justice Grant Application

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from the Illinois Juvenile Justice Commission.

Motion carried.

Ms. Davis presented the Monthly Caseload Report for the month of February 2003. Ms. Davis pointed out that the felony case numbers have decreased and the misdemeanors numbers have increased. This is basically due to the new State's Attorney's plan for Deferred Prosecution.

Ms. Jane Engblom, Jury Commission, informed the Justice Committee that she is retiring on April 17, 2003. Ms. Engblom introduced Ms. Cindy Brandt, former Secretary to Judge Donald D. Bernardi, as her replacement.

Ms. Engblom presented the Statistical Report for the First Quarter of 2003. Ms. Engblom noted that the Jury Commission is presently three trials ahead of the trial numbers for 2002. The Committee had no further questions for Ms. Engblom.

Ms. Roxanne Castleman, Director, Court Services, presented the Monthly Statistic Report. Ms. Castleman noted that the count in the Juvenile Detention Center has decreased. The number of out of County detainees has also decreased. This pattern is not unique to McLean County. The Committee had no further questions for Ms. Castleman.

Chairman Renner informed the Committee that at the May's Justice Committee meeting, the jail population and alternatives to incarceration will be further discussed. Ms. Castleman stated that Judge John P. Freese will be attending the May Justice Committee meeting.

Mr. Zeunik referred to Page 36 of the Justice Agenda. Towards the bottom of the page there is a line that reads, "AOIC workload standards indicate an additional – 76 juvenile officers are needed. (0.08 last month)." Mr. Zeunik asked if this was a correct statement. Ms. Castleman stated that this was a typographical error. The sentence should read "... negative .76 juvenile officers are needed..."

Mr. Bill Yoder, State's Attorney, presented a request for approval of an Interagency Agreement for a Grant from the Illinois Criminal Justice Information Authority for Implementation of Law Enforcement and Prosecutor-Based Victim Assistance Services. Mr. Yoder stated that this grant would support a position that would work with the State's Attorney' Victim/Witness Service. Mr. Yoder informed the Committee that this grant has already been awarded to McLean County, Mr. Yoder is requesting approval from the Justice Committee to accept the grant. This position will assist the victims of violent crimes in participating in the criminal justice proceedings and obtaining compensation for losses suffered as a result of victimization. This grant will provide financial assistance for

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one (1) Legal Assistant II and two (2) Witness/Victim Liaisons. Mr. Yoder informed the Committee that this grant requires a \$12,000.00 matching fund from McLean County.

Under the current structure there is no soft money that can be attributed to this grant, so the County would have to provide \$12,000.00. Mr. Yoder stated that he has contacted the Illinois Criminal Justice Information Authority and found out that if the proper steps had been taken when this application was first submitted last year, McLean County could have used soft-matching funds as a portion of the matching money. So, at this time, the State's Attorney's Office will resubmit the proposal with the proper information provided and request soft-matching funds.

Mr. Yoder informed the Committee that the State's Attorney's Office does have some funding that can be directed towards the matching money needed for this proposal. Mr. Yoder reminded the Justice Committee that in the past the Committee approved a Children's Advocacy Center attorney position that was funded by a grant. The position approved for the Children's Advocacy Center was never filled, and that contract with DCFS expires June 30<sup>th</sup>. Because of an attorney who is on maternity leave, the office can use a portion of the salary savings that can be applied towards this grant position. Mr. Yoder is very confident that he can redirect money towards this proposal. Mr. Yoder informed the Committee that he plans to fill the Legal Assistant II position from in-house. The grant that is funding this staff member at the moment will be expiring soon.

Ms. Rackauskas looked through the document and was not able to find the qualification requirements for the Legal Assistant II position. Mr. Yoder referred to Page 86 of the Justice Committee Agenda. Mr. Yoder informed the Committee that the two (2) Witness/Victim Liaisons will be filled by students from Illinois State University or Illinois Wesleyan University.

Ms. Johnson noted that the document lists \$21,750.00 as the figure for matching funds needed from McLean County. Mr. Yoder explained that the \$21,750.00 amount reflects a two-year term. The Federal Government will pay \$86,999.00 and McLean County will pay \$21,750.00 over a two years period.

Motion by Johnson/Rodgers to recommend approval of an Interagency Agreement for a Grant from the Illinois Criminal Justice Information Authority for Implementation of Law Enforcement and Prosecutor-Based Victim Assistance Services.  
Motion carried.

Mr. Yoder presented the Case Load and the Asset Forfeiture Reports. Mr. Yoder noted that felonies increased to 143, but that number includes 18 individuals that were arrested during a major drug sweep. The drug sweep that occurred may have had an impact on

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the jail population because these cases are high bond cases, so most of those arrested were not released. Drug arrests for 2003 have increased dramatically. The new felony policy in place, where the offenders appear in court within seven to fourteen days after

arrest, and have the option to waive preliminary hearings, is working very well. As of April 4<sup>th</sup>, there have been 101 felony cases. Sixty of these cases have been indicted by the time they appeared in court. Thirty two of these offenders waived preliminary hearings and nine refused to waive, reflecting about 75% taking advantage of the new system.

Ms. Johnson referred to the Asset Forfeiture Fund Report and asked if the negative \$47,383.18 balance is correct. Mr. Yoder answered that it is a correct statement. Mr. Yoder explained that in February 2003 there was a balance of \$53,000.00 in the Asset Forfeiture Fund. In the 2002 budget, there was an \$80,000.00 interfund transfer budgeted from the Asset Forfeiture Fund to the General Fund. That transfer occurred last month, which makes the figure, on paper, a negative \$47,383.18.

Mr. Bill Gamblin, Director, ETSB, apologized for the statistics not making it into the Justice Committee agenda. Mr. Gamblin informed the Committee that the testing for wireless 911 is under way. Verizon Wireless tested last week and failed the test due to failures on two tower sites. Verizon Wireless will retest later on this month. Sprint Wireless is scheduled to test tomorrow. The Sprint Wireless profiling test went well. Nextel Wireless is scheduled to test on April 20, 2003. Once these three companies pass, six of the eight wireless carriers will be on board and moving forward towards the completion of Phase II.

Mr. Gamblin noted that Phase I and Phase II have been underway simultaneously. With Phase II, longitude and latitude data is achieved when the call is placed. This information is entered into the CAD system where the location of the call is pinpointed. Team Mobile Wireless has been able to provide the longitude/latitude data. Verizon has updated the selective route program for the 911 calls helping complete the process for the dispatchers. Once all of the carriers have completed Phase I, they will immediately move towards completing Phase II.

Mr. Gamblin informed the Committee that on Wednesday, April 9<sup>th</sup>, the Illinois Commerce Commission will hold a meeting regarding the 725 Rewrite of the State's Oversight of the 911 Running Security issues. There was hope that the State would grant some grandfather clauses. The grandfather clauses being allowed just extend the deadline period for the revisions, it does not exempt any agency.

Mr. Gamblin also noted that Southwestern Bell has proposed legislation that would increase the surcharges to the 911 system on PBS and Cemtrex Systems. At the same time, Southwestern Bell filed a tariff for passing wireless 911 calls across their network. These two new fees cancel each other out.

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Ms. Rackauskas asked for some clarification on tariffs and surcharges. Mr. Gamblin explained that a surcharge is what the 911 System is allowed to collect on the telephone access line. In McLean County, this surcharge is \$1.25. Of the \$1.25, the 911 System receives \$1.21, the rest goes to the phone company. The \$1.21 is used by the 911 System

to pay for the services provided by the telephone companies for the 911 network. In this case, the legislation increased the surcharges on business PBX systems and Centrex telephone based lines. At the same time, the tariff, which is a charge placed by the telephone companies on the 911 System, was increased.

Mr. John Zeunik, County Administrator, had no items to present to the Justice Committee at this time.

Chairman Renner presented the bills and an appropriation transfer, as transmitted and recommended by the County Auditor, for review and approval by the Justice Committee.

Chairmn Renner stated that an Appropriation Transfer Request has been presented. Mr. Zeunik explained that these transfers were approved by the MetCom Board at their March 14, 2003 meeting. Mr. Zeunik stated that this transfer will cover an unexpected HTE bill, and the final invoice from TRW on the TriTech Contract. There is no increase in the total expense of the overall budget.

Motion by Rackauskas/Johnson to recommend approval of an Appropriation Transfer for MetCom.  
Motion carried.

Motion by Johnson/Rackauskas to recommend approval of the bills, as presented by the County Auditor. Motion carried.

There being nothing further to come before the Committee at this time, Chairman Renner adjourned the meeting at 6:05 p.m.

Respectfully submitted,

Carmen I. Zielinski  
Recording Secretary

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