

Justice Committee Meeting Minutes

The Justice Committee of the McLean County Board met on Monday, January 6, 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 Nuckolls, Kinzinger, Rodgers, Johnson and Rackauskas

Members Absent: None

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

Department Heads/
Elected Officials

Present: Ms. Jane Engblom, Director, Jury Commission; Ms. Billie Larkin, Director, Children's Advocacy Center; Ms. Beth C. Kimmerling, Coroner; Ms. Sandra Parker, Circuit Clerk; Mr. Bill Gamblin, Director, E-911/ETSB; Ms. Roxanne Castleman, Director, Court Services; Mr. Jim Wahls, Director, E.S.D.A./Civil Defense; Mr. Curt Hawk, Assistant Director, E.S.D.A./Civil Defense; Sheriff David Owens; Chief Deputy Derick Love, McLean County Sheriff's Department; Mr. Craig Nelson, Director, Information Services; Mr. William Yoder, State's Attorney

Members of the
Public Present: Ms. Barbara Stuart, Alternatives to Jail Committee, League of Women Voters

Chairman Renner called the meeting to order at 5:16 p.m.

Chairman Renner placed the Justice Committee minutes of December 9 and December 17, 2002 on file as presented.

Ms. Barbara Stuart, Alternatives to Jail Committee, League of Women Voters, addressed the Committee regarding the Pre-Trial Release/Electronic Monitoring Program. Ms. Stuart briefly discussed some of the background regarding the Criminal Justice Advisory Council formed by Chief Judge John P. Freese to study and discuss the Alternative to Jail Issue.

Ms. Stuart listed some of the key factors regarding Pre-Trial Release/Electronic Monitoring Program. First, the McLean County Judges have expressed a supportive stance for the Pre-Trial Program as long as no present and established programs are cut or lost and that the Pre-Trial Program being proposed utilizes a good Pre-Trial Screening Process protocol. Second, the daily cost of housing inmates outside of McLean County is \$50.00 per day. The Pre-Trial Release/Electronic Monitoring Program has the potential to reduce the jail population by 15 to 20%, thus creating some potential savings for McLean County. Third, the cost for Electronic Monitoring is estimated at \$16.00 per day. This figure includes the cost of renting the equipment and the services needed to run the system. Of the three

kinds of Pre-Trial Release Programs, Electronic Monitoring has been shown to have the fewest re-arrest numbers. Not all offenders are eligible for Electronic Monitoring.

Ms. Stuart noted that presently the Pre-Trial Screening is conducted by the State's Attorney's Office. The proposed Pre-Trial Release/Electronic Monitoring Program would be screened by Probation Officers.

Ms. Stuart distributed an invitation to a Public Forum being sponsored by the McLean County League of Women Voters regarding the Pre-Trial Release/Electronic Monitoring Program in Tazewell County. The Forum will be held on Wednesday, January 22, 2003 at 7:00 p.m. in the Bloomington Public Library Community Room.

Ms. Jane Engblom, Jury Commission, stated that in 2002, there were 47 weeks of scheduled juror service. The Circuit Court, the State's Attorney and the Coroner of McLean County utilized jurors in 2002. In 2002, jurors were seated for 120 trials. The increase in costs included the full impact of additional weeks of trials and the length of trials. The statistics include trials that were declared mistrials, settled or otherwise disposed of after the jury was selected. Ms. Engblom noted that in 2002, the statistics include an additional Judge assigned to hear jury trials and 12 additional weeks of civil trial calendar. A computer upgrade has assisted in increasing efficiency.

Ms. Billie Larkin, Director, Children's Advocacy Center, presented the monthly statistical report for the Children's Advocacy Center. Ms. Larkin noted that the end of the year statistics show a 10% increase in first review of children cases over 2001. Ms. Larkin briefly described the duties of the volunteer Court Appointed Special Advocates (CASA). The Committee had no further questions at this time.

Ms. Beth C. Kimmerling, Coroner's Office, presented a Staffing Appointment Letter regarding the resignation of Chief Deputy Tony Becker. Mr. Becker is now working for the State of Illinois.

Ms. Kimmerling noted that the Coroner's Monthly Statistical Report shows a Death Investigation and an Open Death Investigation category. Ms. Kimmerling explained that in November 2002, 59 deaths were reported to the Coroner's Office. Of the 59 deaths, 5 warranted autopsies and additional investigative follow-ups.

Ms. Sandra Parker, Circuit Clerk's Office, discussed the Statistical Reports for the Month of November 2002. The Committee had no questions at this time.

Mr. Bill Gamblin, E-911/ETSB, distributed the 911 Briefing Book and the 911 Reference Manual to the Justice Committee members. The 911 Briefing Book will provide information on the legislation and administrative ICC Rules that govern 911 Systems in Illinois. The 911 Reference Book provides information about upcoming projects that will be facing the Emergency Telephone System Board in the next several years.

Mr. Gamblin noted that the first wireless 911 through Cingular is now operational. The

number is obtained and the address of the cellular tower being used to direct the call is provided. The next system to be tested will be Verizon in the next two weeks.

Mr. Gamblin stated that in Phase II, the longitude and the latitude of the call will be provided. Communication Companies are now willing to provide services for Phase II at this time, because the cost recovery issue has been resolved thanks to State legislation that allows the company to make cost recovery.

Mr. Gamblin informed the Committee of two future projects being discussed for the public. One, is the GPS Emergency Wristwatches for children that would monitor the whereabouts of a child. This watch cannot be removed from the wrist without the proper key. The second project is in the field of "Smart Clothing" through Telemetrix. This type of clothing would monitor physiological conditions and forward a warning to the proper medical agency.

Ms. Amy Davis, Public Defender, was not present at this time.

Ms. Roxanne Castleman, Director, Court Services, presented the Monthly Statistical Report. The Committee had no questions regarding the monthly statistics at this time.

Chairman Renner asked Ms. Castleman to give a brief outline of the duties and responsibilities within Court Services. Ms. Castleman explained the make-up of the Court Services Department's Adult and Juvenile Divisions and the Juvenile Detention Center.

Mr. Jim Wahls, Director, E.S.D.A./Civil Defense, requested approval of the McLean County Emergency Operations Plan. Mr. Wahls introduced Mr. Curt Hawk, Assistant Director. Mr. Wahls explained that E.S.D.A. is responsible for responding to any disaster, man-made or natural, that occurs in McLean County. Mr. Wahls stated that the State of Illinois and the Federal Government mandate that McLean County have an Emergency Operations Plan in place. This plan has established guidelines to follow in case of any disaster such as an accident at the Clinton Power Plant in DeWitt County. This plan is updated every two years and more comprehensive plans on terrorism and bioterrorism have been incorporated due to September 11th.

Motion by Kinzinger/Rodgers to recommend approval
of the McLean County Emergency Operation Plan.
Motion carried.

Sheriff David Owens, Sheriff's Department, presented a request for approval to bid for equipment compatible with the Clear Talk 800 MHz System for the Sheriff's Department. Sheriff Owens stated that after approximately two months of extensive testing, the best solution is the Clear Talk System, which is owned and operated by Corn Belt Electric and two other co-ops in Central Illinois. This is an 800 MHz trunked system that uses the Smart Zone Technology to provide countywide coverage and through five tower sites. The best

results were noted with the use of an in-car repeater system that allowed deputies to talk in and out of structures, especially in rural McLean County.

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The McLean County Sheriff's Office would need to lease access to the system, based on the number of radios used on the system. The maximum rate, for access to all the tower sites owned by Clear Talk, is \$35.00 per month per radio. Representatives from Clear Talk have indicated that the actual cost is negotiable. Additional equipment would need to be placed in the Law and Justice Center, MetCom and in the backup center to make the system operational. The costs associated with these expenses, monthly access fees and the purchase of mobile and portable radio equipment will be presented to the Justice Committee after the bids have been received and evaluated. Sheriff Owens noted that by putting bids out on this equipment, more favorable pricing for equipment and associated costs with going on-line can be obtained. The next step, after the bid opening, would be to identify funding for this purchase. With the purchase of mobile radios that can operate on both digital and analog systems, the Sheriff's Department will have more flexibility to access the Star Com 21 System in the future. Motorola is currently building StarCom 21 for the Illinois State Police. Sheriff Owens mentioned that there are two other Sheriff's Departments in Illinois that currently operate on the Clear Talk System, LaSalle County and Edgar County.

Sheriff Owens noted that the McLean County Sheriff's Department has experienced major problems with the E.F. Johnson Radio System. The Normal Police Department and Bloomington Police Department have gone back to the old 400 MHz radio system because of the problem experienced. After careful consideration, the Sheriff's Department has decided that the Clear Talk System is best suited for McLean County's needs.

Sheriff Owens requested permission to seek competitive bids on equipment that will allow the Sheriff's Department to operate on the Clear Talk System.

Mr. Kinzinger wondered if the process of bidding could be approved without a commitment to purchase anything, more like a fact-finding mission. Ms. Rackauskas asked if the County would be legally committed to make a purchase from the bids received. Mr. Zeunik explained that what the Sheriff wants to purchase is a specific commodity. There are a number of companies that manufacture this commodity, basically radio equipment and supporting equipment for the Clear Talk System. According to an opinion received from Mr. Eric Ruud, First Civil Assistant State's Attorney, a Request for Bid has to be prepared for this commodity. A Request for Proposal would ask vendors to propose designs for a system that would service the McLean County Sheriff's Department and that system would be an all encompassing system, which is not what is being requested by the Sheriff at this time.

Mr. Kinzinger asked if the County could legally reject any bid presented for any reason. Mr. Zeunik answered that the County can reject any and all bids per the stipulation stated within the bid specifications.

Mr. Nuckolls asked what the estimated price for this equipment was. Sheriff Owens answered that the amount of \$465,000.00 has been estimated. Sheriff Owens thinks that

this figure can be lowered by revisiting the hardware list and reducing it to just what is absolutely needed. Also, based on conversations with other vendors, some of the prices mentioned have been overly inflated, so there is room to do some bargaining in order to

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reduce this figure. Sheriff Owens noted that with the present E. F. Johnson system, by design, only E. F. Johnson equipment can be purchased and used. It is the Sheriff's understanding that the only two companies that make the equipment that is compatible with the Clear Talk System are Motorola and E. F. Johnson. Sheriff Owens noted that Clear Talk has not been able to find any equipment from E. F. Johnson in order to do testing to see what the compatibility level would be, so the only equipment tested, that is compatible with Clear Talk is Motorola's.

Ms. Johnson stated that before a \$500,000.00 investment is made for radio equipment, some testing should occur to determine the compatibility between E. F. Johnson and Clear Talk. Sheriff Owens answered that E. F. Johnson is a proprietary system. For example, the batteries used in the E.F. Johnson System for the portable radios are \$114.00 and these batteries aren't found anywhere else. Sheriff Owens noted that after testing the Clear Talk System within McLean County, the results are much better than the present system. Another point is that the utility co-op use the Clear Talk System to conduct their operations, so they will fix the system as quickly and as efficiently as possible.

Sheriff Owens expressed concern on the funding for this project since it is not a budgeted item in the 2003 County Budget. However, a solution won't be found until steps are taken to find answers to the questions at hand.

Ms. Johnson referred to a past discussion where Ms. Shawn Walker, Former MetCom Director, indicated that by moving forward with the Clear Talk System, numerous changes would need to be made within MetCom to accommodate this move. Mr. Zeunik clarified that Ms. Walker's concern was in regards to the number of frequencies that the dispatchers would be responsible for. Mr. Gamblin further explained that the present consoles have two speakers that handle selected frequencies and unselected frequencies. The dispatcher has one speaker that transmits one department and another speaker that transmits other departments' frequencies. When another frequency is added, another speaker should be added to accommodate the new frequency. Sheriff Owens explained if more agencies use the Clear Talk System, the service would be less expensive because the costs of the additional purchase of equipment can be shared.

Sheriff Owens stated that this is a "phased-in" approach to a serious problem, so there is plenty of time to plan and allocate funds and, hopefully, MetCom and ETSB can help cover some of the expenses. After 2005, additional funds will be made available because the Public Building Commission debt since payment contract for the building will be paid off. That would open up around \$300,000.00 that can be allocated to upgrades of equipment.

Mr. Nuckolls wondered if by seeking competitive bids the County is committing to any purchase. Mr. Zeunik answered that no funds have been appropriated in any budget to cover any purchase or leasing. In a normal process, funds are allocated for a project

before the bidding process begins. Mr. Zeunik noted that under the law, the ability to solicit bids has language in the bid specification that allows the County to reject any or all bids.

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Ms. Johnson wondered if bid specifications are sent out, clearly knowing that there is no funding allocated for this project, could the County be in some sort of legal problem.

Mr. Zeunik stated that the bid specifications can require that the bids be held firm for a specified amount of days. Also included in the bid specification can be language that refers to the fact that the County is looking at different financing options for the project, thus notifying the vendors that if the County decides to award the bid, the award may include financing through a third party.

Motion by Nuckolls/Kinzinger to recommend seeking competitive bids, with a 120 day price guarantee, for Equipment Compatible with the Clear Talk System for the Sheriff's Department.
Motion carried.

Sheriff Owens presented a request for approval of an Intergovernmental Agreement between the McLean County Sheriff's Department and the Illinois Law Enforcement Alarm System. Sheriff Owens stated that Law Enforcement agencies in the State of Illinois are working closely together to create a statewide Law Enforcement Mutual Aid Plan. This is very similar to what the fire services have been doing for years. The collar communities in Northern Illinois have had such an agreement for many years with great success. The Mutual Aid Plan, also called Illinois Law Enforcement Alarm System (ILEAS) provides immediate extra law enforcement manpower and equipment at the scene of emergencies; automatic and systematic response of law enforcement manpower teams; contractual responsibilities and liabilities; broad area coverage; foster a cooperative spirit of law enforcement emergency planning, and access to specialized manpower and equipment that no one department could afford to maintain. Sheriff Owens stated that this plan has come about since the events of September 11th and it will assist local law enforcement with receipt of pre-planner assistance for terrorist related events, as well as natural and other emergencies, where additional manpower and equipment may be needed. This intergovernmental agreement has been reviewed by legal counsel with no objections or concerns.

Motion by Kinzinger/Rodgers to recommend approval of an Intergovernmental Agreement between the McLean County Sheriff's Department and the Illinois Law Enforcement Alarm System.

Motion carried with Member Rackauskas voting No.

Sheriff Owens presented a request for approval of a Contract for Inmate Chaplain Services for the McLean County Detention Facility. Sheriff Owens stated that Chaplain Bennett has

been the inmate Chaplain for the past 6½ years and has done an excellent job in that position. The new contract is for one year, beginning January 21, 2003 and will expire December 31, 2003. The contract is the same as last year with the exception of a 3.5% increase in salary.

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Members of the Committee thanked the Sheriff for providing sufficient information to answer all the questions raised by Board Members.

Motion by Kinzinger/Rodgers to recommend approval of a Contract for Inmate Chaplain Services for the McLean County Detention Facility. Motion carried.

Ms. Johnson suggested that the minimum number of working hours be specified in the next contract. The Committee members agreed.

Sheriff Owens presented a request for approval to award a Uniform Bid to Ray O'Herron Company, Danville, IL. Sheriff Owens stated that formal written bids were solicited, from November 5, 2002 through December 20, 2002, for Police Uniform and Equipment purchases that will occur from February 1, 2003 through January 31, 2004. At the formal bid opening, once bid was opened with no vendors present. After reviewing the bid, the Sheriff recommended awarding the bid to Ray O'Herron Company of Danville, Illinois. The 2003 bid does represent an increase of 9% over 2002. Partial reason for the increase is due to the cost of sewing being added directly into the cost of the clothing.

Motion by Johnson/Kinzinger to recommend approval to award a Uniform Bid to Ray O'Herron Company, Danville, IL. Motion carried.

Mr. Craig Nelson, Information Services, presented an Integrated Justice Information System (IJIS) Powerpoint Presentation. Mr. Nelson stated that the Original Vision for pursuing a Countywide Integrated Justice Information System (IJIS) was to improve the County's public safety; improve the product quality and operational efficiency while controlling growth in staffing; address intra-office workflow reengineering; proactively redesign current business processes; to replace an existing collection of individual office manual and automated information systems; and participants in the criminal and civil justice system can receive timely and accurate information necessary to fulfill their individual legal responsibilities. Mr. Nelson noted that IJIS is being used by multiple agencies such as: Bloomington Police Department, Sheriff's Department, Normal Police Department, State's Attorney's Office, the 11th Judicial Circuit, Circuit Court, MetCom, Chenoa, the Jail, Illinois State Police, Domestic Violence Unit, Danvers, Lexington Police Department, etc.

Mr. Nelson listed some of the aspects achieved thus far within IJIS: Fields arrests and police reporting; Detective Case Management; UCR/NIBRS Crime Reporting; Digital lineups

and mug shots; Proactive workflow; Bookings; Jail Management; Warrant Service System; State's Attorney Intake System; Filing of cases by State's Attorney; Generation of cases by Circuit Clerk; Summons and Subpoenas Systems; Cash Management; Criminal and Traffic Processing.

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Mr. William A. Yoder, State's Attorney's Office, wished to discuss Personnel/Employment Issues in an Executive Session.

Chairman Renner asked for a motion to enter into an Executive Session to discuss Personnel/Employment Issues in the State's Attorney's Office.

Motion by Rodgers/Kinzinger to enter into Executive Session to discuss Personnel/Employment Issues in the State's Attorney's Office. Motion carried.

The Justice Committee entered Executive Session at 7:20 p.m.

Motion by Kinzinger/Nuckolls to exit Executive Session and return to open session. Motion carried.

The Justice Committee resumed open session at 7:26 p.m.

Motion by Kinzinger/Rodgers to recommend approval of the State's Attorney's request for advancing certain Assistant State's Attorneys IV along the salary grade in the State's Attorney's Office. Motion carried.

Mr. Bill Yoder, State's Attorney, briefly discussed the Case Load Report and the Asset Forfeiture Report for the State's Attorney's Office.

Ms. Johnson asked for an update on the vacant attorney position previously discussed for the Children's Advocacy Center. Mr. Yoder answered that interviews have taken place and a perfect candidate for the position has been found. This candidate is well known and previously worked for the Public Defender's Office Juvenile Division. An offer has been made to this candidate, but it would require that he relocate back to McLean County. He has been offered the positions at \$45,000.00 without benefits. Mr. Zeunik noted that the County agreed to pay the benefits for this position when this issue was first brought up. Mr. Zeunik explained that under the grant, the County of McLean will pay the employee's benefits and the full \$45,000.00 will be used for salary only. Mr. Yoder stated that he will revisit this issue with the candidate and let the Justice Committee know.

Chairman Renner presented bills, as presented by the County Auditor, for review and approval by the Justice Committee.

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Motion by Kinzinger/Rodgers 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 7:35 p.m.

Respectfully submitted,

Carmen I. Zielinski
Recording Secretary

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