

Justice Committee Meeting Minutes

The Justice Committee of the McLean County Board met on Monday, May 6, 2002 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 Sommer, Emmett, Johnson, Pokorney and Renner.

Members Absent: Member Kinzinger

Other Members

Present: Member Owens

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. Sandra Parker, Circuit Clerk; Ms. Beth Kimmerling, Coroner; Ms. Billie Larkin, Director, Children's Advocacy Center; Ms. Amy Davis, Public Defender; Ms. Roxanne Castleman, Director, Court Services; Mr. Charles Reynard, State's Attorney; Sheriff David Owens, McLean County Sheriff's Department; Chief Deputy Derick Love, McLean County Sheriff's Department; Mr. Bill Gamblin, E-911; Judge John P. Freese, Chief Judge, Eleventh Judicial Circuit

Members of the

Public Present: Ms. Barbara Stuart, League of Women Voters

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

Chairman Sommer approved and placed on file the minutes of the April 1, 2002 meeting.

Ms. Sandra Parker, Circuit Clerk, presented the Statistical Reports for the Month of March, 2002. Chairman Sommer asked if the Committee members had any questions. Hearing none, Chairman Sommer thanked Ms. Parker for her report.

Ms. Joan Naour, Correctional Health Services, was not present to discuss the Quarterly Statistical Report for the First Quarter, Fiscal Year 2002.

Ms. Billie Larkin, Director, Children's Advocacy Center, discussed the Monthly Statistical Report.

Ms. Beth C. Kimmerling, Coroner, presented the Monthly Report for March 2002.

Ms. Kimmerling informed the Justice Committee about the Training Certificates earned by Department Personnel. Ms. Kimmerling noted that she completed the 2002 Mid-States IAI

Divisions Educational Conference and earned 34 credit hours of Forensic Science Education. Mr. Tony Becker completed a 40-hour training course regarding Map Scenes Diagramming. Ms. Barbara Nafziger and Mr. Gary Morefield completed a 16-hour Law Enforcement training offered by the Railroad Police Agency.

Ms. Kimmerling stated that out-of-county autopsies were down mostly due to Champaign County performing there own autopsies.

Sheriff Dave Owens, Sheriff's Department, presented a request for approval of a Commercial Credit Card Agreement with Commerce Bank. Sheriff Owens stated that after he received permission from the Justice Committee and after consulting with the Auditor and the County Administrator, the Sheriff's Department applied for a Corporate Credit Card. Chief Deputy Derick Love, McLean County Sheriff's Department, explained that the credit card would be assigned to the Sheriff's Department' staff for use during extraditions and for investigative purposes. The credit card would also be used for reserving hotel rooms during conferences and for rentals of cars. The credit card would be used under strict control and guidelines. Sheriff Owens stated that he was requesting a total of four cards. All cards would be issued under the Sheriff's Department with Chief Deputy Love's name on one card and one card would be issued under his name. The other two cards would be used by Sheriff's Department personnel as the occasion granted.

Chairman Sommer asked what the limit on the credit card account would be. Sheriff Owens answered that there will be a \$5,000.00 limit for the two cards issued to Chief Deputy Love and himself and \$2,500.00 limit on the other two cards.

Motion by Renner/Pokorney to recommend approval of a Commercial Credit Card Agreement with Commerce Bank for the Sheriff's Department. Motion carried.

Sheriff Owens presented a request for approval of a Resolution to Obtain a Credit Card Account.

Motion by Pokorney/Renner to recommend approval of a Resolution to Obtain a Credit Card Account for the Sheriff's Department. Motion carried.

Mr. John Zeunik, County Administrator, recommended that the request being made by the Sheriff's Department for a Credit Card Account be viewed as a "pilot" program on a six-month trial period. Mr. Zeunik recommended that the Justice Committee not entertain any other requests, at this time, for other departmental credit cards. Mr. Zeunik explained that this time span would allow Commerce Bank to tighten the use of the card to the extent required by the County and properly assure that the controls are in place.

Chairman Sommer asked if there was software that would monitor and document the use of these credit cards. Mr. Zeunik answered that Commerce Bank will provide the County Auditor with the proper software to allow for monitoring and reporting.

Sheriff Owens requested permission to send out Specifications for Bids for a 400 MHz Radio System. Sheriff Owens noted that upon the advice of First Civil Assistant State's Attorney, Eric Ruud, the Sheriff's Department should seek permission to send out specifications for bids from area vendors to purchase a more reliable 400 MHz Radio System. Sheriff Owens explained that once the bids were returned and reviewed by the Sheriff's Department, he would bring a recommendation to the Justice Committee for purchase of a radio system that would meet the emergency communication needs of the McLean County Sheriff's Department. Sheriff Owens expressed his concern for the safety of his officers due to malfunctioning of the present 800 MHz radio system. Sheriff Owens explained that the bid requests would be sent out and within 2 or 3 months he would return to the Justice Committee with a bid recommendation.

Mr. Renner wondered if the Sheriff had an estimate of how long the 400 MHz system would be useful before requesting the purchase of an upgrade. Sheriff Owens guessed that the life span of the equipment should be between 10 to 15 years. Mr. Renner wondered when the 400 MHz system itself would need to be replaced. Sheriff Owens speculated the life span on most systems was about ten years. Sheriff Owens noted that until MetCom decides what approach they are taking with the radio system, the Sheriff's Department cannot make a long term decision.

Mr. Pokorney noted that the purchase of the 400 MHz equipment could be considered to be an interim step that relates to Agenda Item I-1-A, Request for a Resolution requesting that the Emergency Telephone Systems Board take immediate action to provide Law Enforcement Agencies in McLean County with Public Safety Radio Communication System that exceeds the minimum standards. Chairman Sommer stated that Mr. Pokorney was correct.

Mr. Emmett asked if there was a 400 MHz frequency in McLean County that would support this equipment at the present time and does the County have permission from the Federal Communications Commission (FCC) to operate on the 400 MHz frequency. Sheriff Owens explained that the County still has licenses for two 400 MHz frequencies, with one being used by the Facilities Management Department and the other still under the Sheriff's Department's name. Sheriff Owens noted that he would like three frequencies and he was informed that the Sheriff's Department should be able to obtain three frequencies without much delay. Sheriff Owens stated that the provision for the usage of three frequencies would be incorporated into the bid specifications thus letting the vendors decide which components would be necessary in order to meet the specifications. Sheriff Owens would like to reach a mandatory 95% coverage from the

400 MHz system for both portable and mobile radios.

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Mr. Emmett asked Sheriff Owens if he had any indication as to MetCom's future plans regarding their system. Mr. Emmett does not want to see the departments in the County purchasing their own 400 MHz system, thereby allowing MetCom to procrastinate further. Sheriff Owens explained that this was not a simple issue to deal with. Sheriff Owens noted that he did meet with Motorola which is the vendor for the StarCom 21 system for the statewide system under contract with the State Police.

Mr. Pokorney can not understand why this technical problem can not be solved. These days anyone can communicate across the United States, why should there be so much trouble communicating across McLean County. Sheriff Owens stated that there were not enough tower and receivers-transmitters resources purchased with the original system to make it work properly. Mr. Pokorney stated that those responsible for this system should be making recommendations to make the system work properly right now. Sheriff Owens stated that there was a recommendation on the table from E.F. Johnson that proposes a three-phase disbursement of \$1.8 million for receiver sites in about 8 to 10 different locations. If this recommendation does not work, E.F. Johnson has other suggestions that may fix the problem. Sheriff Owens noted that it would take a lot of money to fix this problem. Sheriff Owens mentioned that in the documentation presented by E.F. Johnson eight months ago they noted that the recommendation made to fix the system would provide "marginal" relief.

Mr. Pokorney stated that ETSB installed the present system. Since the present system is not working properly, they should shoulder some of the responsibility for fixing the problem. Mr. Emmett noted that at a minimum, some of the ETSB members should be present at these meetings in order to communicate with the Justice Committee. No one from the ETSB Board has made themselves available to this Board.

Mr. Renner stated that the Board of seven years ago purchased a system based on the advise from the consultant that it may not work properly. Chairman Sommer clarified that the County Board did not approve the purchase of the system seven years ago. Mr. Zeunik explained that the County Board approved the request that was presented to the Public Building Commission asking that \$3.1 million worth of bonds be sold to finance the purchase of the radio system and the construction of the MetCom building on East Empire Street. Mr. Renner commented that the contract for the 800 MHz was not presented to the Finance Committee seven years ago. Mr. Zeunik acknowledged that the contract never went in front of the Finance Committee. Chairman Sommer stated that the County Board was the recipient of all the complaints and requests for funding, but the County Board was not the body that made the mistake.

Mr. Renner wondered if the Sheriff knew an estimated cost for the purchase of the 400 MHz radio system. Sheriff Owens estimates the cost to be anywhere between \$350,000.00 to \$450,000.00.

Ms. Johnson clarified that it could cost the County between \$350,000.00 and \$450,000.00 to change from 800 MHz to 400 MHz system. Ms. Johnson asked if this figure would cover all the extras that may be needed. Sheriff Owens stated that if the Sheriff's Department transferred back to the 400 MHz system, they would be set for voice communication purposes for the next ten years. Sheriff Owens noted that this time span should provide enough time for MetCom and ETSB to decide on a long-term solution and start setting aside funds towards that purchase.

Motion by Pokorney/Johnson to give the McLean County Sheriff's Department permission to send out Bid Specifications for a 400 MHz Radio System. Motion carried.

Chairman Sommer stated his concern on the financing of the purchase of this 400 MHz system. Chairman Sommer asked if the ETSB was going to consider picking up this expense in the future. Chairman Sommer feels that the County Board should not be doing ETSB's work nor should the County Board be responsible for it. Sheriff Owens stated that ETSB, by a written opinion from the Attorney General's Office, can purchase radio equipment. Sheriff Owens believes that this would be one of the issues discussed at the proposed meeting with ETSB and MetCom.

Mr. Pokorney made reference to a Performance Guarantee clause. ETSB and MetCom need to make Performance Guarantee a specification demand. Sheriff Owens noted that Performance Guarantee will be a specification request in the 400 MHz bid document.

Sheriff Owens discussed the McLean County Detention Facility Population Report. Sheriff Owens stated that the jail population continues to be on the bubble. Numbers were down at the end of April, but the numbers are rising in the first week of May.

Chairman Sommer, Justice Committee, requested approval of a Resolution requesting that the Emergency Telephone Systems Board take Immediate Action to provide Law Enforcement Agencies in McLean County with Public Safety Radio Communication System that exceeds the Minimum Standards.

Motion by Pokorney/Emmett to recommend approval of a Resolution requesting that the Emergency Telephone Systems Board take immediate action to Provide Law Enforcement Agencies in McLean County with Public Safety Radio Communication System that exceeds the Minimum Standards. All Committee members asked to second this motion. Motion carried.

Mr. Bill Gamblin, Administrator, E-911, presented a Status Report for the E-911 System.

Mr. Gamblin distributed a monthly report. Mr. Gamblin stated that the attached report

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provides a "call total" and "break down" of the E-911 calls received during February and March. The end of May will see broader information in the error resolution data. This information was used to ensure that the Customer Data Base (CDB) and Master Street Address Guide (MSAG) continue to remain up-to-date. The information was also used to follow-up on errors and to validate telephone and address information. This is a requirement of the Illinois Commerce Commission (ICC).

Mr. Gamblin stated that the last error report that was received from Verizon indicated that E-911 errors level stood at 717, which translates to a database error percentage of .005. The .005% is well under the ICC requirements of less than 1%. Mr. Gamblin noted that the CAD system was operational. ANI/ALI dumps are being made and the map feature was being used by the TCs. The CAD Administrator is working on trying to place cell sites and radiation coverage areas on the map. This would include tower site facings, Latitude and Longitude of the tower site. Mr. Gamblin stated that work was being done on the wire line and wireless carriers to ensure the installation of the network and database are completed and tested.

Ms. Castleman presented the Court Services and the Juvenile Detention Center Monthly Statistical Report. No questions were asked by the Committee members.

Mr. Craig Nelson, Integrated Justice Information System Project Team, was not present to discuss the IJIS Status Report – Information Services.

Mr. Charles Reynard, States Attorney's Office, discussed a request for approval of the Receipt of a Collaborative Solutions Sub-Grant. Mr. Reynard stated that Collaborative Solutions receives funding for their Options Program. The State's Attorney's Office staff secures data for the Options Program. The Collaborative Solution Sub Grant provided a reimbursement for the services performed by the State's Attorney's Office in the amount of \$2,200.00. Mr. Reynard stated that the reimbursement needs to be deposited into a County revenue account. Mr. Zeunik clarified that a budget amendment would be needed in order to officially deposit these funds into the County's General Fund. Mr. Zeunik stated that the Justice Committee can acknowledge receipt of these funds at this time.

Mr. Zeunik recommended that a budget amendment resolution be approved at a Stand-Up before the County Board on May 21, 2002. Mr. Reynard stated that he would provide the County Administrator with some documentation regarding this Collaborative Solution Sub-Grant.

Mr. Reynard requested approval of a Crime Detection Network Grant. Mr. Reynard explained that this grant was a budgeted item in the 2001 Fiscal Budget for \$3,000.00. A grant application was submitted in March, 2001 by Mr. Reynard. The grant request was

submitted for considerably more than the \$3,000.00, it was submitted for \$9,900.00. The \$9,900.00 would provide funding for two Lap Top computers with software for

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development of training materials and support of presentation of such materials, all relating to the Community Prosecution Program, and the Victims and Witness Cooperation with regards to arrest and pending cases. Other items to be purchased with the money would include: three cell phones with a two-year service contracts to be used by Assistant State's Attorneys to respond to inquiries by agencies partnering with the State's Attorney's Office and/or victims and witnesses in need of services; Office supplies and equipment. Mr. Reynard noted that the funds have been deposited in the Crime Detection Network revenue line, but since the grant was not formally approved ahead of time, Mr. Reynard felt that the Justice Committee needed to be informed and have the Justice Committee approve receipt of the money. Chairman Sommer asked that Mr. Reynard provide the County Administrator with documentation of this grant. Chairman Sommer suggested that a budget amendment regarding this grant be handled as a Stand-Up also.

Ms. Amy Davis, Public Defender, discussed a request for Approval of Contract for a Special Public Defender with Mr. Anthony Tomkiewicz, Attorney at Law. Ms. Davis stated that the purpose of this professional service contract was to provide assistance to the Public Defender's Office in the handling of conflict cases. The Special Public Defender shall receive \$2,838.68 per month for his services.

Mr. Renner abstained from the voting in this motion because Mr. Tomkiewicz was a former student of Mr. Renner.

Motion by Johnson/Emmett to recommend approval of Contract
for a Special Public Defender with Mr. Anthony Tomkiewicz,
Attorney at Law. Motion carried.

The Honorable John Freese, Chief Judge, Eleventh Judicial Circuit, reported on the recommendations presented to the Justice Committee from the Criminal Justice Advisory Council.

As Chief Judge, Judge Freese initiated the appointments and invited people to serve in the Council. The action of the Council was the collaboration of a number of people who were very knowledgeable in their areas and submitted their reports. Chairman Sommer noted that one of the points he made was that members of the Council should not be hesitant to make recommendations on programs and services. Chairman Sommer was supportive of their efforts and gathering of data. The Council's responsibility was to be innovative and think outside the box, but it did not necessarily mean that it would be supported by funding. The Advisory Council was to make recommendations and have them submitted to the Justice Committee for consideration. The reports being submitted for consideration are:

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- (1) Pre-Trial Services
- (2) Electronic Monitoring
- (3) Diversion and Victim-Offender Program
- (4) Community Justice Advisory Council

Chairman Sommer stated Items Presented for Information consisted of Arrest and Booking Protocol Report; Post-Release Mentoring Program and Drug Court. Chairman Sommer explained that it was the Justice Committee's duty tonight to review the recommendations. The Justice Committee was not at a point where action should be taken regarding these recommendations, but was at a point to prioritize further research on these projects.

Judge Freese noted that the Criminal Justice Advisory Council was created with the goal to research other possible alternatives to the jail overcrowding issue. Judge Freese provided some background to the Council. The Council was convened about a year ago with a letter of invitation to about 15 community organizations and participants within the criminal justice system. The Council flowed out of the McLean County League of Women Voters study for Alternatives to Jail. The Council brought attention to some of the recommendations made by the League to evaluate which, if any, may have any application in McLean County and to perhaps make the proposal to the Courts and the County Board. The primary goal was to help the County Board in its consideration of the jail overcrowding issue.

Judge Freese asked that the names of the Criminal Justice Advisory Council members be made a part of the record. The members were: Eleventh Circuit Court Judge Donald Bernardi, Co-Chairman of the Criminal Justice Advisory Council, Mr. Joseph Sommer, Co-Chairman of the Criminal Justice Advisory Council and Chairman of the Justice Committee, Mr. Charles Reynard, McLean County State's Attorney, Ms. Amy Davis, McLean County Public Defender, Sheriff Dave Owens, McLean County Sheriff, Ms. Roxanne Castleman, Director of Court Services, Mr. Thomas Barr, Associate Executive Director Center for Human Services, Michael Benson, Crisis Team of McLean County Jail, Ms. Cristina Deutsch, Director of Hispanic Outreach Program Western Avenue Community Center, Mr. Thomas Ellsworth, Chairman, Department of Criminal Justice Illinois State University, Ms. Julie Dobski, Past President of the Economic Development McLean County Chamber of Commerce; Mr. Walt Heltman, Mayor of the City of Chenoa, Mr. Francis Irvin, member of the Bloomington Normal NAACP, Mr. Steven Mahrt, Corporation Counsel Town of Normal, Ms. Barbara Stuart, League of Women Voters, Mr. Richard Veitengruber, Member, Council of the City of Bloomington, Chief Judge John Freese, Eleventh Circuit Court, and Mr. Michael Sweeney, Chairman of the McLean County Board.

Chairman Sommer also acknowledged the excellent work provided by the members of the

Council. The Council member were not only involved in a monthly meeting as a Council, but also met as Sub-Committees in between the regular monthly meetings. Judge Freese

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acknowledged the Administrator and his staff for their staff services to the Council. Chairman Sommer opened the discussion to the Justice Committee members.

Mr. Pokorney made reference to the "Goals and Objectives" in Page 69. Mr. Pokorney noted that researching the jail overcrowding issue was the overriding factor of the Council. In Objective #2, the jail overcrowding issue was mentioned but it also states that " the Pre-Trial Program does not guarantee that the jail population would decrease."

Mr. Pokorney referred to Page 73, where an Appendix was listed, but none of the attachments were provided. Ms. Castleman clarified that the attachments were not included, because Ms. Castleman felt they were not necessary.

Mr. Renner commented on Objective #2, on Page 69. No one knows for sure if the Pre-Trial program would produce positive results. If at this point, given the option of not having to spend money on adding up to 440 jail cells, a lid could be achieved to keep the increase at a flat level, it should be considered a great accomplishment. Chairman Sommer referred to the last part of Objective #2, "it should assure that more appropriate offenders are released." Proper offenders should be imprisoned, and that may well relief the over crowding in the jails. Chairman Sommer noted that the study was good, but the results were not predictable in some instances.

Judge Freese stated that there are representatives from the Council present at the meeting tonight. Regarding the Pre-Trial Program being recommended, one of the things that the judges would like to know and often don't know is the background information of the offender. A scoring mechanism was established through the Council and the Pre-Trial Report that would identify routine criteria to be applied to each defendant, thus making it easier for the Judge to make systematic decisions based on variables that are applicable. Another component of the Pre-Trial program might be a monitoring program for certain people who are released before trial. These individuals would not be housed in custody, but would have a form of pre-trial monitoring through the Probation Office that would insure their appearance in court. Judge Freese stated that there also was an Electronic Monitoring issue described in the recommended reports. These reports do address the jail overcrowding issue because the recommendations allow the identification of offenders that may be able to be monitored outside of a jail setting, thus reducing expenses.

Mr. Pokorney stated that some of the criteria that Judge Freese mentioned are already in place within the system in McLean County. Judge Freese explained that there are statutory criteria that are clearly applied to every case and the State's Attorney provides for information regarding prior criminal history. There wasn't a lot of information from independent sources about the offender's community contacts and their employment. This information was all self-reported when the defendant fills out the financial affidavit asking for a public defender.

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Mr. Pokorney referred to the Pre-Trial Screening Instrument. Mr. Pokorney wanted to know where the Pre-Trial Instrument came from and how was the scoring decide.

Ms. Castleman answered that a sub-committee was formed to develop an instrument. The Committee looked at using an instrument that Tazewell County had developed plus instruments used in Kentucky and New York. Each instrument was reviewed for areas in the instrument that may be important to McLean County. Ms. Castleman explained that the areas highlighted on the report are areas that would indicate whether the defendant would return to court or are at risk not to appear. Time in the community, family or someone in the community are big issues that are looked at. Most studies show that if the defendant has some support in the community they will appear in court. Mr. Renner wondered if Ms. Castleman was aware, subsequent to the use of the report being presented, of research on people that don't appear in court with zeros, ones and twos. Ms. Castleman stated that as far as she was aware, there were no studies available regarding the proposed report. Ms. Castleman explained that the report being recommended was developed with the needs for McLean County in mind. Mr. Renner wondered who would monitor these programs. Ms. Castleman stated that the Pre-Trial Program would need two staff members to run the program.

Ms. Johnson noted that at the end of the memo, there was mention of continuing with an Advisory Committee. The Advisory Council would probably be the ones to track the programs.

Mr. Pokorney stated that he would be more comfortable with a Pre-Trial Instrument that scored individuals who were on the pre-trial release program vs. those who are not in the pre-trial release. That comparison would validate the instrument. Ms. Castleman stated that if the Pre-Trial Program was to be developed, the Criminal Justice System would have to decide if a defendant was categorized as minimum risk, what does it mean and are they going to be released with no monitoring. If the defendant was categorized as a medium risk, does it mean that they have partial monitoring. Some decisions still have to be made regarding the monitoring of individuals and what type of risk they may be to the community. Judge Freese noted that the Pre-Trial Program sub-committee performed a two-month sample of the jail population, in June of 2001 and in January of 2202. Based on the information available, the pilot compared which individuals would have been eligible for the Pre-Trial program under the bonding process. Some testing was done, based on the two-month pilot. Judge Freese agreed that it would be easy to test this Pre-Trial Program over a six month period of time and document appearances in court, subsequent criminal violations, violations of bond conditions, etc. Mr. Pokorney stated that normally, with a selective instrument, the validation process rates individuals without making any decisions on the basis of the instrument and then goes back and rates those individuals according to the instrument and compare the results. The numbers should

provide answers to whether these individuals would qualify for pre-trial release risks.

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Mr. Renner suggested that the Pre-Trial Program be adopted on a pilot basis for six months. The results should provide significant data.

Mr. Pokorney noted that there are circumstances where someone has committed a serious crime, but yet scores low in part of the instrument, ends up with a lower score and that person may be released based on the lower scores. Judge Freese stated that as someone who has been setting bonds for almost twenty years, bond setting is one of the most difficult decisions that Judges are called upon to do, because a Judge knows the least about the defendant on that first day when they appear in court. Ms. Johnson stated that the Pre-Trial Instrument was a guide, but not necessarily the key to the decision. Judge Freese commented that, ultimately, a Judge would make a decision based on subjective issues that the Judge would take into account in addition to the Pre-Trial Instrument.

Chairman Sommer tried to clarify the concerns of some of the members of the Justice Committee. Members may be more comfortable with some sort of validation of the pre-trial process and this validation may be accomplished with the personnel presently available. The proposal does recommend the addition of two employees. Ms. Castleman explained that was the intention of the Grad Assistants from Illinois State sought to develop and validate the instrument. They were trying to validate the Pre-Trial Instrument, but not all of the information necessary was available. Ms. Castleman informed the Justice Committee that at the present time, there would not be staff that could dedicate their time to this project for six months.

Ms. Barbara Stuart, League of Women Voters, mentioned that Tazewell County was the County that the League of Women Voters visited. Tazewell County presently has a Pre-Trial Electronic Monitoring Program that has been operational for three years. Tazewell County has reduced their jail population by 10% to 15%, and had reduced their Failure to Appear (FTA) to virtually nothing.

Mr. Pokorney would like to see further information on the cost of a "per pre-trial" release case. Ms. Castleman answered that she may be able to answer this question based upon how many people are placed in custody because two screening officers would screen everyone that was brought into custody. The supervision and the follow-up would depend upon the Court's decision. Mr. Pokorney stated that the supervision would then be performed by two other officers, so in reality, Ms. Castleman was suggesting the addition of four people.

Mr. Renner noted that there was some systematic evidence that suggest the Pre-Trial Program would work, and given this evidence and the reality of a \$57 million facility, some of these recommendations should be considered.

Ms. Johnson stated that not only will the Pre-Trial Instrument assist the Judges, but without the follow-up portion of the program, one without the other does not sound like it would work properly.

Judge Freese acknowledged that Tazewell County was a unique situation. They had a jail that was outdated and in danger of being closed down by the State. As a result of this, they released a lot of people into the Pre-Trial Program that were considered "marginal" for qualification of the program. This action made their statistics look great. Mr. Renner commented that even an 8% to 10% reduction in the jail population would be a cheaper action than bricks and mortar.

Chairman Sommer noted that these recommendations don't require action today. The Justice Committee needs to prioritize some of these recommendations and have more research done on those picked. As an example, Chairman Sommer noted that Item #4 under the Recommended Programs, Community Justice Advisory Council, should not delegate the responsibility for creating this Council and appointing the members to the County Board.

Mr. Pokorney wondered how the Criminal Justice Advisory Council would be of benefit because their objectives seem close to the objectives of the Justice Committee. Chairman Sommer answered that the Advisory Council could be viewed as a resource group.

Mr. Pokorney noted that if the County Board gets involved with this issue, some problems with policy and program oversight may arise.

Ms. Johnson asked for clarification. Ms. Johnson asked if Chairman Sommer was stating that the Justice Committee members agree that these recommendations are a good idea, but as a County Board the recommendations will not be adopted. Chairman Sommer answered that the County Board can not be responsible to a point. The County Board needs to be at arms-length on the Criminal Justice Advisory Council issue.

Judge Freese stated that if there was a desire to further study the issue, he would recommend that people from other Community Justice Advisory Council's be invited to McLean County.

Judge Freese stated that Ms. Stuart wanted to raise the subject of funding a coordinator that could act as a staff person. Ms. Stuart mentioned that one of the main reasons for looking at this type of Council is because the County Board has to look at the bottom line and policies. Department Heads have to look out for their departments. An Advisory Council can look at the overall picture and be more organized and impartial.

Mr. Renner stated that it would be fair to assume that there are some basis outside of

McLean County for the recommended programs, but it is not known how these programs are going to work in McLean County.

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Mr. Emmett agrees with Mr. Renner. It was apparent, after reviewing the recommendations, that there are responsible people telling the Justice Committee that these recommendations are worth the time and effort. The cost for some of these programs was not astronomical. Trying one or two of these programs, on a six-month basis, would not be a waste of money. In lieu of building a multi-million new jail facility, spending some money on some of these programs may be financially sound.

Mr. Renner noted that on any given day, a high percentage number of offenders in jail have not been convicted of anything. Mr. Zeunik clarified that the pre-trial detainee jail population percentage has decreased to approximately 50%. Mr. Zeunik informed the Committee that about 50% of the jail population are sentenced inmates. When the jail first opened, 80% to 85% of the detainees were pre-sentenced inmates. Now the jail is running at 45% to 50% sentenced inmates and the balance are pre-trial detainees.

Mr. Zeunik noted that this was one of the factors that the Sheriff and LZT Associates pointed out as having a dramatic impact on census and on the need to send inmates out-of-county. The inmates that are in the jail remain in jail until their sentence has been fulfilled.

Mr. Renner commented that some decision to move forward with some of these programs should be made today because the Justice Committee will have to make some form of decision of how to proceed with the jail in the near future.

Judge Freese stated that the Community Justice Advisory Council should be separate from the jail overcrowding issue because they are two separate issues. Judge Freese noted that the Criminal Justice Advisory Council requested that the Chief Judge consider convening an interim group that would move towards a Community Justice Advisory Council. Judge Freese stated that he would be willing to consider further study on this request, because bringing together some experts that could provide more information on these issues would be a smart move. The Advisory Council's work was to provide and propose programming that would have some impact on the jail overcrowding issue. The critical issues, from a budgetary point of view, are those that would allow a forward move on some of the recommendations that may need additional staffing. Judge Freese stated that he would be inclined to be present at any other Justice Committee meeting that discussed the recommended reports.

Ms. Stuart distributed a Cost Information Comparison Sheet for the Alternatives to Jail Proposals. The sheet also summarizes everything that was covered by the Criminal Justice Advisory Council.

Ms. Johnson commented that, as a member of the Justice Committee, she wished to

express her appreciation for all of the contributions made by participants of the Criminal Justice Advisory Council. The recommended reports have enlightened her to other options

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available.

Chairman Sommer suggested that the County Administrator work-through the financial aspects of the recommended reports and make a presentation to the Justice Committee at the June meeting.

Motion by Renner\Emmett to request that the County Administrator prepare a financial report pertaining to the Criminal Justice Advisory Council Pre-Trial and Electronic Monitoring reports presented to the Justice Committee today, for a trial period of six months.

Mr. Pokorney asked if Ms. Castleman could detail the two-month Pre-Trial Instrument Pilot of June 2001 and January 2002, including estimating the number of people released if the Pre-Trial Program was in effect. Ms. Castleman answered that she would work on that request.

Motion carried.

Mr. Renner requested that once the go ahead was given to implement these programs for a six-month trial, a monthly snapshot report be presented to the Justice Committee.

Chairman Sommer stated that there must be a willingness from the participants who are going to administer this program. The Justice Committee needs to know that those involved will see the program through.

Ms. Johnson asked what would happen to the last two reports recommended to the Justice Committee. Chairman Sommer stated that Item No. 4, Community Justice Advisory Council, would be referred back and No. 3, Diversion and Victim/Offenders Program, would be visited at a later time.

Mr. Reynard stated that the Diversion and Victim/Offenders Program represents a prevention component. It does not directly tie in with the notion that it would decrease the jail overcrowding. This program could intervene at an earlier time in an offender's life that would prevent him/her from entering the jail population. True prevention could be the least expensive thing to do. The Diversion and Victim/Offenders Program requires some monetary funding for the Justice Committee's consideration. Mr. Reynard suggested that the County Administrator analyze the budgetary request and include it in his analysis for presentation to the Justice Committee. Chairman Sommer stated that Mr. Reynard's suggestion may be deferred until July.

Mr. Renner asked for an estimated cost for the Diversion and Victim/Offenders Program. Mr. Reynard answered that based on an estimate of 200 cases, the cost could run around

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\$36,000.00. In the absence of moving on some form of subsidy this year, the program would not fall apart since most of the program would be paid for by the Offenders participating in the program.

Judge Freese thanked Co-Chairman Sommer and fellow Judge Bernardi for their participation in the Criminal Justice Advisory Council. Judge Freese asked if the Justice Committee had specific people who would need to be in attendance for the June Justice Committee meeting. Chairman Sommer answered that Mr. Zeunik will notify those participants if their attendance at the Justice meeting was necessary.

Chairman Sommer presented a transfer and bills for consideration by the Justice Committee.

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Motion by Pokorney/Johnson to recommend Payment of Bills and Transfers to County Board, as presented by the County Auditor. Motion carried.

There being nothing further to come before the Committee at this time, Chairman Sommer adjourned the meeting at 7:41 p.m.

Respectfully submitted,

Carmen I. Zielinski
Recording Secretary

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