

Justice Committee Meeting Minutes

The Justice Committee of the McLean County Board met on Monday, March 4, 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, Pokorney, Renner and Johnson

Members Absent: Members Emmett and Kinzinger

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. Roxanne Castleman, Director, Court Services; Ms. Amy Davis, Public Defender; Mr. Charles Reynard, State's Attorney; Sheriff David Owens, McLean County Sheriff's Department; Chief Deputy Derick Love, McLean County Sheriff's Department; Ms. Billie Larkin, Director, Children's Advocacy Center; Ms. Beth Kimmerling, Coroner; Mr. Jim Wahls, Director, ESDA; Mr. Curtis Hawk, Assistant Director, ESDA; Mr. Craig Nelson, Director, Information Services

Members of the
Public Present: Dr. Thomas Ellsworth, Chairman, Department of Criminal Justice, Illinois State University; Mr. John Maher, LZT Associates.

Chairman Sommer called the meeting to order at 5:17 p.m.

Chairman Sommer approved and placed on file the minutes of the February 4, 2002 meeting.

Ms. Sandra Parker, Circuit Clerk, discussed a request for approval of a Contract with Creative Solutions for a Software Upgrade. Ms. Parker stated that Creative Solutions was the software product recommended by Guthoff and Company when court ordered Restitution Accounting was shifted from the Court Services Department to the Circuit Clerk's Office. The original software purchased was a DOS version. Ms. Parker explained that due to some decisions made by Microsoft, the DOS version will not be supported by Microsoft as of the end of 2001. Creative Solutions has advised her that they will cease support of the DOS version at the end of 2002. After consulting with the McLean County Director of Information Services, it has been determined that it is in the County's best interest to migrate to the Windows version at this time. Ms. Parker noted that the cost of the software would be covered through the Court Automation Fund.

Motion by Johnson/Pokorney to recommend approval of a Contract with Creative Solutions for a Software Upgrade for the Circuit Clerk's Office. Motion carried.

Ms. Parker referred to a request for approval of a Contract with MSCI/Lason System, Inc. for Microfilm Services. Ms. Parker stated that even though the Circuit Clerk's microfilm requirements are paid from the Court Document Storage Fund of the Circuit Clerk's Office, the County Administrator and herself believe that it is necessary for the Circuit Clerk to enter into a contractual agreement. Ms. Parker noted that the proposed contractual agreement would be the same as the agreement previously tendered and approved by the County Board through the Information Services Department. The earlier contract governs those County offices whose records management needs would be absorbed by the General Fund. Ms. Parker stated that the proposed contract had been reviewed by the County's legal department and deemed sufficient. The only difference in the Circuit Clerk's contract and the rest of the County relates to certain indexes and documents that the Clerk has that are of unusual size and require special filming.

Motion by Renner/Pokorney to recommend approval of a
Contract with MSCI/Lason System, Inc. for Microfilm Services
for the Circuit Clerk's Office. Motion carried.

Ms. Parker presented the Statistical Reports for the month of January 2002. Members of the Committee did not have any questions.

Mr. Renner referred to the three students from his State and Local Government Class in attendance tonight. Mr. Renner asked them to move up closer to the table so they could listen to the meeting better.

Ms. Roxanne Castleman, Director, Court Services, presented the McLean County Pre-Trial Supervision Services Report. Part I of the report relates to June 2001 Data and Part II relates to January 2002 Data. Dr. Thomas Ellsworth, Chairman, Department of Criminal Justice, Illinois State University, joined Ms. Castleman.

Chairman Sommer noted that he was a bit confused when reading the Pre-Trial Services Reports for June 2001 and January 2002. Chairman Sommer referred to the missing data in the June 2001 report. The missing data was substantiated by using the month of January 2002 data within the June 2001 scores. Because of this, Chairman Sommer asked if some of the scores would be skewed substantially. Mr. Ellsworth explained that it probably does not provide the most accurate picture because data that belongs elsewhere is being used to fill in areas. Lacking that information, January averages were used to fill in the missing data from June 2001.

Chairman Sommer noted that in the profile, 163 cases were mentioned and the same data was achieved. Ms. Castleman corrected that the 163 cases were used in the June 2001 data. Chairman Sommer noted that the January 2002 data was complete. Chairman Sommer asked if there some missing data in the June 2001 report to begin with. Ms. Castleman explained that when the IJIS System was used to retrieve information for

the profile, a lot of the family and employment information was not recorded at the beginning of the IJIS Program because it is not needed by the Jail for booking purposes. Ms. Castleman stated that she approached the Sheriff's Department and asked if staff could ask all of the offenders for the family and employment information when processed in booking. This "more complete" data was used in the January 2002 report.

Mr. Pokorney observed that within the "Frequency" Variable page, 163 observations were categorized as "valid." Mr. Pokorney asked what is the purpose of the "mean", "medium" "mode" and "percentiles" labels. Mr. Ellsworth answered that those categories relate to the total scores." Ms. Castleman distributed a sheet with a summarization of scores from the screening instrument. Mr. Ellsworth noted that these are scores for the 95 offenders for which there was an assessment done during the first two weeks of June 2001. The 8.7% figure represents the "mean" value for all of the data gathered for that particular variable.

Mr. Ellsworth explained that at the end of the report, this information has been compiled and collective scores were issued. Through these scores, it was possible to compute the different score levels, levels such as "high risk, medium risk or low risk." Mr. Ellsworth informed the Justice Committee that the instrument used for these two reports was developed in Tazewell County and has been in operation for a few years. A Committee comprised of Sheriff Owens, Roxanne Castleman, the State's Attorney, the Public Defender and himself gathered and researched the scoring instrument. The scoring instrument was ratcheted in order to capture the largest proportion of offenders at the high-risk category. Mr. Ellsworth stated that these reports should be regarded as an experiment to see what kind of impact the instrument would make. It is not a predictive document.

Mr. Renner asked what is the value of the "mean." Mr. Ellsworth answered that the value is the "mean" in the January 2002 data for 95 cases. Mr. Ellsworth explained that the "mean" from January 2002's 95 cases, was inserted as representative of the data into the June 2001 data. 56% of the cases were missing some data originally. The January "mean" was inserted into the June data for the purposes of computing. The bottom line was to find a way to evaluate offenders and categorize them into "high, medium or low risk" categories.

Mr. Ellsworth stated that the key legal factors being documented in the reports are prior criminal records, nature of the offense and Failure to Appear (FTAs). Other interests being documented in these reports are the large percentage of offenders that scored low-risk, whose bonds are set at a \$1,000 or less, and are not always employed. This leads to the conclusion that there is a large percentage of people, who, if given the right circumstances, such as help with getting employment, can be supervised in the community without risking public safety. The bottom-line is that the largest portion of the offenders are without means, without jobs, and have reasonable ties to the community.

Mr. Pokorney suggested that a work session be scheduled where the instrument and variables can be explained at a higher degree. Other issues to be discussed should include: PR Bonds, figures on population that actually passed through the system, jail population in regards to bond issuance, and Failures to Appear (FTAs).

Ms. Castleman summarized that the January 2002 data shows that the majority of offenders can be categorized under "minimum risk" and that the Judges are setting bonds appropriately. The problem may be that the offenders may not have the resources to get out of jail.

Mr. Renner wondered if the average for offenders that can't bond out because they don't have the means would be the same average throughout past years. Sheriff Owens answered that most of the inmates are misdemeanors and traffic offenses which are bondable offenses. Based on the intake figures for the weekend, a high percentage, 70% to 80%, of the offenders make bond.

Chairman Sommer noted that under the Failure to Appear (FTAs) Variable, one in five had two or more FTAs. Mr. Renner asked if there were any offenders that had only one FTA. Mr. Ellsworth explained that the way this variable was set-up reflects the belief that FTAs can be explained by features such as: the offenders inability or unwillingness to appear, issues with court notification, inadequate notice of change of court dates, etc. Any number of factors can be used here. When the Subcommittee discussed FTA issue, the possibility of giving the offenders one "free FTA" was recommended. So, within the "none" score, offenders with one FTA are included. Mr. Pokorney suggested that the labeling on the table be more specific in the reports used for the scheduled work session.

Chairman Sommer recommended that a narrative be provided at the work session. Mr. Renner suggested that the narrative clarify what happened to the June missing data; Clearly label categories within the variables, and highlight factors. Mr. Ellsworth reminded the Committee that all of the work performed to date regarding these reports has been done mostly on a volunteer basis.

Chairman Sommer thanked Mr. Ellsworth for his assistance and for the dedicated work donated to these issues. Chairman Sommer accepted and placed the two Pre-Trial Services Reports on file. Chairman Sommer suggested that Mr. Ellsworth coordinate the work session meeting with Mr. Zeunik. Mr. Zeunik suggested that a narrative and report be available for discussion and presentation to the Justice Committee by April 1, 2002.

Ms. Amy Davis, Public Defender, presented a request for approval of a Contract for Special Public Defender with Ms. Adele Saaf, Attorney at Law. Ms. Davis, explained that the purpose of the professional services contract was to provide assistance to the Public Defender's Office in the handling of misdemeanor cases between March 18th and March 31st, 2002, the date on which the new full-time assistant Public Defender begins her

employment. The County shall pay the Special Public Defender of \$1,719.30 for the term of this contract.

Motion by Johnson/Renner to recommend approval of a Contract for Special Public Defender with Ms. Adele Saaf, Attorney at Law. Motion carried.

Ms. Davis brought to the Committee's attention a draft resolution regarding the large expenditure devoted to the Public Defender's representation of offenders involved in sexually violent civil cases. Ms. Davis stated that the Public Defender's Office has protested and filed an action with the Supreme Court of Illinois in 1998. The suggestion has been made that the Illinois Guardianship and Advocacy Commission was more appropriate in handling these types of cases because they are charged with representing people with mental disabilities in all kinds of cases. Ms. Davis stated that at the last board meeting of the Illinois Public Defenders Association, she asked for approval of a resolution stating that the Public Defender's Office was not the appropriate department to handle these types of cases. In the interim, Ms. Davis has spoken with area legislative leaders, specifically, State Representative Dan Rutherford. Mr. Rutherford agreed to a meeting with the Public Defender and the Guardianship and Advocacy Commission, to try and work out the proper agency to handle these types of cases.

Mr. Charles Reynard, State's Attorney, presented the Asset Forfeiture Fund. The Committee had no questions for Mr. Reynard. Chairman Sommer stated that with the Asset Forfeiture Fund not showing a lot of growth the Committee needs to be aware for future budgetary issues.

Sheriff Dave Owens, McLean County Sheriff, discussed a request for approval of a Uniform and Equipment Bid. Sheriff Owens stated that formal written bids were solicited from Kiesler Police Supply, Jefferson, Indiana; Sam Harris Company, Peoria, Illinois; and Ray O'Herron, Danville, Illinois. Sheriff Owens noted that only Ray O'Herron replied to the bid. Ray O'Herron's complete bid package was enclosed in the agenda packet and it includes a 5.36% increase over last year's contract and the price was guaranteed until January 31, 2003. Sheriff Owens recommended approval of the bid from Ray O'Herron.

Motion by Pokorney/Johnson to recommend approval of a Uniform and Equipment Bid with Ray O'Herron for the Sheriff's Department. Motion carried.

Sheriff Owens informed the Justice Committee that he had recently received a letter from the Illinois Criminal Justice Information Authority regarding continued funding of the Domestic Violence Protocol Implementation Program. Sheriff Owens stated that \$85,296.00 had been designated to the Sheriff's Department for continuation of the program from April 2002 through April of 2003. This designation requires a local matching contribution of \$28,432.00.

Sheriff Owens referred to the Revised Daily Jail Population Projections prepared by LZT Associates. Mr. John Maher, LZT Associates joined in the discussion regarding the revised daily jail population projections.

Mr. Pokorney stated that he was comfortable with at least two of the regression lines in the latest LZT report. The charts on Page 162 and 163 show that the lines fit the data better. Mr. Renner noted that this report lowers the projection. Mr. Renner commented that it would have been nice if data from other communities had been included.

Mr. Maher commented that LZT wanted to make sure that the methodology and data was agreeable per the request of the County Board. Mr. Renner demonstrated a graph on the board in the County Boardroom. Mr. Renner noted that the data presented is based on eleven points, and those eleven points provide the projection the County Board needs to use to make its decision.

Mr. Pokorney stated for the usual technique of regression analysis work, plot points need to be known. Some decisions need to be made, such as whether a linear regression analysis should be done that would only allow a straight line drawing, or if some curvature is projected in the plot points.

Mr. Pokorney commented that the graph points should correspond to the same type of scale. It should not be assumed that the charts all correspond to the same value because they may not have the same scale value. Mr. Renner pointed out that Mr. Maher had made the recommendation that another 20% be added to the point estimate to reach the suggested level. Mr. Maher explained that LZT used the 270 bed figure as the low number. LZT developed a minimum option based on the 270 bed figure. Mr. Maher stated that the final summary report from LZT Associates would include all of the data discussed plus a couple of new options and cost summaries, so the County Board can see the ranges from the 270 bed figure all the way up to 460 bed figure. Mr. Maher suggested that a representative of LZT revisit with the County Board in order to answer any questions. Mr. Renner stated for the record, looking at the two straight-line models, the r^2 coefficient correlation is in the 70's. In the two-curvilinear power models, the coefficient of correlation rounds out the figure to around 92%. Mr. Renner noted that 92% range was a better fit to the projection based on 11 data points.

Mr. Maher stated that LZT's position is based on the fact that nothing from the past or present data shows that the jail population is going to decrease. The gentleman from Colorado, who worked on the data, explained that the numbers were reached based on his experience with other communities. Mr. Maher stated that LZT's main responsibility was to provide the County Board with options that would be flexible enough to allow a forward movement on this issue. The final summary should provide explanation of some of the outstanding issues, provide options for a forward movement and document a

systematic projection from a minimum to a maximum range. Sheriff Owens pointed out that LZT's lowest and most conservative projection does not change the fact that the jail was at capacity level at this time.

Chairman Sommer commented that the refinement of the figures addressed the County Board's request. Chairman Sommer stated that the final payment to LZT, of about 5%, would be paid once the final report has been received and reviewed by the Justice Committee.

Ms. Billie Larkin, Director, Children's Advocacy Center, presented the Monthly Statistical Report for January 2002. Ms. Larkin updated the Justice Committee regarding the Advocacy Center Grant that was applied for over three months ago. The grant is not here yet. The grant would provide money to use for the Advocacy Center. Ms. Larkin noted that the Illinois Criminal Justice Information Authority was not committed to the state budget because the grant is funded by white-collar crime money from the federal government. Chairman Sommer asked if the grant was fully funded or matched.

Ms. Larkin answered that the grant does not have a monetary match. Chairman Sommer clarified that the grant money would be spent on supplies, administrative costs, funding for a present staff person and part of the grant would be used to fund a new staff person.

Mr. Pokorney congratulated Ms. Larkin on the excellent turn out for the TIP a Vip function received.

Ms. Beth Kimmerling, County Coroner, discussed the Monthly Report for January 2002. Ms. Kimmerling commented that 2001 was a very busy year for the Coroner's Office and 2002 is looking like it may surpass 2001. Ms. Kimmerling noted that a typographical error was made on the monthly report. She corrected the figure under "Deposit" for "Reimbursement for Services", the actual amount should read \$0.00 instead of \$633.36. The \$633.36 figure was the total from the 2001 year.

Mr. Wahls, Director, E.S.D.A., updated the Justice Committee on the distribution of Tone Alert Storm Radios to schools, Nursing Homes, etc. Mr. Wahls distributed some documentation regarding the Weather Radio Distribution. Mr. Wahls stated that the grant received was for over \$6,500.00. On February 16th, schools started picking up the radios at the EOC. According to the chart, only about 14 school districts still need to pick up their radios. Mr. Curt Hawk demonstrated a weather radio. The weather radio has about six different settings. Mr. Wahls stated that the Olympia School District includes four counties. Because of this, the Olympia School District received three extra weather radios.

Mr. Wahls will follow up on the 14 school districts that have not picked up their radios with a letter.

Mr. Wahls noted that some McLean County Offices have received their weather radios.

The Nursing Homes have not received their weather radios as of yet, but ESDA would
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take care of this matter shortly.

Mr. Curtis Hawk, Assistant Director ESDA, updated the Justice Committee on the Justice Department Grant for Local Governments Assistance Fund for Local Response Agencies. Mr. Hawk stated that he had been busy researching and compiling a list of equipment to be purchased through the \$27,000 grant. Chairman Sommer suggested that Mr. Hawk provide a final itemized list to the Committee when his research was completed.

Chairman Sommer presented the bills as reviewed and recommended by the County Auditor, for the approval of the Committee.

Motion by Johnson/Renner to recommend payment of
the Bills for February 2002, 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 6:43 p.m.

Respectfully submitted,

Carmen I. Zielinski
Recording Secretary

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