

## Justice Committee Meeting Minutes

The Justice Committee of the McLean County Board met on Monday, April 2, 2001 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, Members Emmett, Renner, Kinzinger, Johnson

Members Absent: Member Pokorney

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

Department Heads/  
Elected Officials

Present: Ms. Billie Larkin, Director, Children's Advocacy Center;  
Mr. James Wahls, Director, E.S.D.A.; Mr. Charles Reynard,  
State's Attorney; Mr. Bill Gamblin, Administrator, E-911;  
Ms. Amy Davis, Public Defender's Office;  
Ms. Roxanne Castleman, Court Services; Mr. Dave Goldberg,  
Superintendent of the Juvenile Detention Center;  
Ms. Jane Engblom, Jury Commission; Ms. Beth Carlson, Coroner

Chairman Sommer called the meeting to order at 5:18 p.m. Hearing no objections, the minutes of the March 5, 2001 meeting were approved and placed on file as presented.

Ms. Roxanne Castleman presented a request for Approval of Grant Application from the Council of Juvenile Correctional Administrators (CJCA). Mr. Dave Goldberg stated that the Council of Juvenile Correctional Administrators is working to improve conditions of confinement in detention facilities by developing and implementing performance-based standards. The project is funded by the Office of Juvenile Justice and Delinquency Prevention (OJJDP), in the Office of Justice Programs of the United States Department of Justice. Fifty-seven Juvenile Facilities across the country are currently participating in the performance-based standards project. McLean County Juvenile Detention is one of these facilities. The main goals of the projects are: 1) Develop a set of standards that individual facilities should strive to meet; 2) Create tools to help facilities attain these goals through regular self-assessment and self-improvement; 3) Allow facilities to evaluate their performance over time and in comparison to other facilities nationwide, and 4) Promote effective practices and help facilities support each other. As part of this project, CJCA has appropriated demonstration grant funds to be used for staff training, program materials\equipment, site visits and technical assistance. This grant is 100% funded by CJCA, requiring no matching funds from McLean County. Ms. Davis is requesting the approval to submit a grant application with the following brake down of money: Staff training \$7,927.00; Program materials and equipment \$5,979.00; and Site visits and technical assistance \$4,306.00, for a total of \$18,212.00.

Motion by Renner/Johnson to approve the Request for Approval of Grant Application from the Council of Juvenile Correntional Administration (CJCA) as presented by Court Services Department. Motion carried.

Ms. Castleman updated the Committee on the Court Services Monthly Statistical Reports and the Juvenile Detention Center Monthly Statistical Report.

Ms. Billie Larkin, Children's Advocacy Center, Children's Advocacy Center presented the Monthly Statistical Reports. No questions were presented by the Committee.

Mr. Charles Reynard, McLean County State's Attorney, presented a request for approval of extension of a contract for Professional Services with Attorney Teresa Phillips. Mr. Reynard explained that the contractor will provide legal services in the Felony Trial and Domestic Violence Units. While it is contemplated that the contractor will provide services equivalent of a Full-Time status, contractor retains the discretion to determine the actual hours and work location of her services, subject to the requirements of the Court and her professional responsibilities. The contractor will indemnify and hold harmless the State's Attorney, the County of McLean and their agents, employees and assigns against any and all claims arising out of or relating to the contractor's activities pursuant to this contract. The contractor will pay any and all current and applicable taxes, licenses and assessments, including those required by the Federal Insurance Contribution Act and State Unemployment Tax Acts. The County and the State's Attorney Office will compensate the contractor a total of \$12,000.00, paid in two increments due on April 6<sup>th</sup> and April 27<sup>th</sup>, 2001.

Chairman Sommer asked Mr. Reynard to provide the Committee with a monthly report of the number of attorneys working in each area of the State's Attorney's Office. Mr. Reynard will make this report available to the Committee in the near future.

Mr. Emmett wanted clarification on a grant passed two months ago for Domestic Violence that requested four full-time Assistant State's Attorneys working within Domestic Violence. Mr. Reynard explained that Ms. Phillip was not one of those four Full-Time Assistant State's Attorneys then, but she will be temporarily filling one of the four Full-Time positions that became vacant last week.

Motion by Kinzinger/Emmet to approve the Request for Extension of Contract for Professional Services with Assistant State's Attorney Teresa Phillips as presented by the State's Attorney's Office. Motion carried.

Chairman Sommer requested an addendum to the approved request. Mr. Sommer would like for Mr. Reynard to provide a report of the movement of a case through the court system. This would keep the Committee updated. Mr. Reynard agreed.

Mr. Reynard presented a County-wide Violence Prevention Policy for adoption into the County's Personnel Code. Mr. Reynard stated that this policy is being presented on behalf of the County's Workplace Violence Stakeholder's Group, which have representatives from every county department and office, and the Workplace Violence Prevention Policy Committee. The Workplace Violence Prevention Policy Committee comprises of the following individuals: Sheriff Dave Owens, County Clerk Peggy Ann Milton, Risk Manager Jennifer Ho, ROE Superintendent Gene Jontry, County Auditor Jackie Dozier, Health Department Director Bob Keller and State's Attorney Charles Reynard. The Committee was formed following a meeting of the stakeholders group of elected and appointed department heads on January 5, 2000, following the County Board's decision to become a member of the Corporate Alliance to End Partner Violence (CAEPV) in the Fall of 1999.

Mr. Reynard continued by stating that the proposed policy is a logical "next step" for the County since the State's Attorney Office, along with the Sheriff's Office, Clerk's Office, Court Services and numerous other working in cooperation with county government have been significantly invested in providing services to victims of criminal violence. Family violence is one of the most "equal opportunity" tragedies in the social repertoire of our employees, thus costing departments loss of effective job performance, lost wages and absenteeism due to these kinds of problems. Upon reviewing the broader issue of workplace violence, the Committee, the stakeholder group of elected and appointed department heads, in consultation with the County Administrator's Office, deemed it logical to incorporate domestic violence into a broader policy of workplace violence. Upon adoption of the proposed Workplace Violence Prevention Policy by the County Board, the policy will be implemented. Currently, under development are written guides for employees, department heads and supervisors to assist them in responding to problematic situations.

Chairman Sommer proposed that the Justice Committee hold any decision on the Workplace Violence Prevention Policy till the Finance Committee has a chance to review it.

Mr. Reynard discussed a new program being implemented by the Juvenile Division of Court Services. It is an informational panel for first-time retail theft offenders. This program is in lieu of informal probation or a court appearance. One or both parents are also required to attend. Each offender is required to write a 250 word essay on what they have learned at these meetings and the parents are required to sign-off on these essays.

All offenders are offered this opportunity one time only. These panels are held once a month. Mr. Reynard met with Judge Freese in regards to implementing a similar program for the Victim\Offender Juvenile Prosecution Program.

Mr. Renner asked if there is a report that shows how effective these programs are in reducing the pool of juvenile offenders in need of housing. Mr. Reynard explained that by law, an offender under the age of 17 is not allowed to be housed in the Jail. They belong in a Juvenile Detention Facility.

Mr. Renner stated that by definition, this is an investment in long term savings of jail space. This will reduce the amount of increase of jail space that has been estimated.

Chairman Sommer referred to a copy of the Juvenile Justice Bulletin he received from Mr. Zeunik. From this Bulletin he read, " On Lessons Learned: A large multi-site study of victim\offender mediation programs with juvenile offenders found the following: In cases referred to the four study-site programs during a 2 year period, 95% of mediation sessions resulted in a successfully negotiated restitution agreement to restore the victim's financial losses; Victims who met with offenders in the presence of a trained mediator were more likely to be satisfied with the justice system than were similar victims who went through the standard court process (79% versus 57%); After meeting offenders, victims were significantly less fearful of being re-victimized; Offenders who met with victims were far more likely to successfully complete their restitution obligation than were similar offenders who did not participate in mediation (81% versus 58%); Recidivism rates were lower among offenders who participated in mediation than among offenders who did not participate (18% versus 27%); furthermore, participating offender's subsequent crimes tended to be less serious."

Chairman Sommer asked if a variation of this program could be implemented for adults. Mr. Reynard stated that these programs are being considered at the adult level.

Mr. Kinzinger asked if these programs are implemented on a voluntary basis. Mr. Reynard explained that it is voluntary but it isn't. The Victim\Offender Mediation Programs are being provided under contract with a specific mediator. All of the mediator's compensation is being funded by the offenders who elect to participate in the program. The Mediator is drafting restitution agreements and providing educational services to the offenders. Similarly the Victim\Offender Conference envisions the mediator will be paid a fee by the offender. At some point there will be offenders who are indigent and the mediator may provide pro-bono services. As the caseload increases, the hope is that a group of trained volunteers will be available to help with these services.

Mr. Reynard presented the Caseload Report for the month of March 2001. He noted that there was an increase in case numbers in nearly all categories.

Chairman Sommer noted that the Asset Forfeiture receipts were down. Mr. Reynard assured the members that his budget projection would be met.

The Monthly Statistical Reports for the Circuit Clerk were approved without discussion.

Mr. James Wahls, Director, E.S.D.A., presented the Final Totals for Snow Declaration Report. On March 15<sup>th</sup>, the Federal Emergency Management Agency (FEMA) completed forty of the forty-two applicants. Two applicants withdrew because they did not meet the requirement of \$1,000.00. All entities named on the report have received their appropriate share. McLean County's overall total equaled \$312,696.23.

Mr. Wahls stated that E.S.D.A. kept records of the expenses incurred by FEMA for the telephone fax and equipment used. The FEMA Regional 5 Office will be billed around \$400.00 for reimbursement of these expenses.

Mr. Wahls informed the Committee that 111 attendees were present in this year's 2 hour Weather Spotters Class. Members Johnson and Kinzinger asked Mr. Wahls for early notification of this class for next year. They would like to participate.

The Sheriff's Department requested Approval of an Emergency Appropriation to recognize the receipt and expenditure of funds for a new Stalker Mobile Radar Gun for traffic enforcement purposes. The actual cost of the radar gun is \$231.00 above the IDOT Grant. The difference will be appropriated from the Sheriff's Department Police Equipment account.

Motion by Emmett/Renner to approve the Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2001 Combined Annual Appropriation and Budget Ordinance, Sheriff Department 0029 – Traffic Safety Grant. Motion carried.

Ms. Amy Davis discussed a request for Approval of Contracts for Special Public Defenders with David Butler and Julio Yarzagaray. Ms. Davis stated that there is a necessity to provide additional professional contract services for the Public Defender's Office. These Special Public Defenders will provide assistance to the Public Defender's Office in the handling of DUI cases. Ms. Davis stated that Mr. Butler and Mr. Yarzagaray would assist and perform duties that include the preparation and litigation of DUI cases. They will be responsible for all non-felony DUI cases having court-hearing dates of Monday and Tuesday and on alternate Wednesdays during the term of the proposed

contracts. McLean County will pay the Special Public Defenders a full payment for the professional services furnished under the proposed contract of \$1,422.69 per month.

The Special Public Defenders will pay all current and applicable city, county, state and federal taxes, licenses, assessments, including federal excise taxes. The proposed contracts will commence on May 20, 2001 and terminate on November 20, 2001.

Motion by Emmett\Renner to approve the Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2001 Combined Annual Appropriation and Budget Ordinance, Sheriff Department 0029 – Traffic Safety Grant as presented by the Public Defender's Office.  
Motion carried.

Ms. Davis briefly touched on the Monthly Caseload\Disposition Reports. Committee members had no questions for Ms. Davis.

Ms. Jane Engblom, Jury Commission, presented the Jury Statistics for the First Quarter of Fiscal Year 2001. Ms. Engblom informed the Committee that as of date, the number of trials for this year is already 19 cases above last year. This number will most likely keep increasing. The Judges are contemplating adding 6 more weeks of Civil Trials to the docket this year and 12 more weeks next year.

Ms. Engblom mentioned that they are working with the Coroner's Office to support legislation in regards to deleting deceased people out of the data base used to pick Jurors. There have been many instances when a juror picked turns out to be deceased and the family has to go through the distress of notifying us.

Ms. Beth Carlson, Coroner's Office, introduced Ms. Barbara Bach. Ms. Bach is one of the Full-Time Deputies in the Coroner's Office. Ms. Carlson presented a request for Approval of an Appropriation Transfer for Indigent Burial Expenses. Ms. Carlson explained that this transfer of funds from the County Board's Contingency Account is to pay for an indigent burial pertaining to Kent M. Wiseman. Mr. Wiseman, was a resident of Saunemin, IL., who died in Mclean County on February 8, 20001. BroMenn Regional Medical Center reported his death as one with no next-of-kin and no assets. The Bank of Saunemin, where Mr. Wiseman did business, confirmed that Mr. Wiseman had no assets. After Mr. Wiseman's death, his employer, Always Transportation, received an Order/Notice to Withhold Income for Child Support from the Illinois Department of Public Aid. This Order\Notice was forwarded to the Coroner's Office and as a result of receiving the Order, the Coroner's Office was able to make notification to Evelyn Wiseman, the ex-wife. Legal next of kin was identified as a grown daughter,

Lisa Schultz, who subsequently signed a Coroner's Disposition Release Form. This form allows the Coroner's Office to make final disposition arrangements with a local funeral home. The Coroner's Office requested assistance from Carmody-Flynn Funeral Home and the cremation took place on February 28<sup>th</sup> and the burial on March 2<sup>nd</sup>, for a total cost of \$1,225.00. The Illinois Funeral Directors Association 2001 Public Aid Guidelines state that the funeral director allowance is \$850.00, which includes any outside container, and cemetery expenses are reimbursed on actual cost, up to a maximum of \$425.00, for a total of \$1,275.00.

Ms. Carlson explained that additional financial contacts were notified. The Township Supervisor of Saunemin, Mr. Gary Swartz, was contacted and confirmed that Mr. Wiseman was not on their rolls, so no burial funds were available. The Livingston County Veteran's Assistance Program was contacted and stated that Mr. Wiseman was not eligible for funds. Mr. Sammy Ferrara, McLean County's Veteran's Assistance was contacted and confirmed that Mr. Wiseman was not a McLean County resident and did not hold membership status. Thus, no burial funds are available. The McLean County Veteran's Assistance is willing to pay for a burial marker. BroMenn Regional Medical Center began the Public Aid Application process while Mr. Wiseman was hospitalized, but he died prior to the application being approved. As of today, the application is pending. Ms. Carlson explained that the Coroner's Office received notification from Livingston County Veterans Service regarding their revisiting of Mr. Wiseman's case at their April 23rd meeting. Livingston County Veterans Services may decide to aid in the burial expenses for Mr. Wiseman. If Livingston County Veterans Services does provide some financial aid in this case, the funds received will be returned to the McLean County General Fund. At this time, Ms. Carlson is requesting reimbursement in the amount of \$1,225.00 to Carmody-Flynn Funeral Home.

Motion by Kinzinger/Renner to approve the Transfer Ordinance Amending the McLean County Fiscal Year 2001 Combined Annual Appropriation and Budget Ordinance – Indigent Burial Expense as presented by the County Coroner. Motion carried.

Mr. Bill Gamblin, Administrator, Emergency Telephone Systems Board, presented budgetary information as requested by the Committee. Mr. Gamblin explained that this report shows the expenses versus revenue per year through the existence of the organization. The Committee reviewed the presented report.

Mr. Gamblin also presented the Committee with an Addressing Status Report. Mr. Gamblin stated that he will be providing a Status Report to the Committee on a monthly basis. This Addressing Status Report provides a project status for the March 30<sup>th</sup> week and the April 6<sup>th</sup> week. Chart One shows that 100% of the "In Process" as of the 31<sup>st</sup> of March. The "Verified" column shows the percentage of addresses and phone

numbers verified by area. The "To Post Office" column shows that the Post Office has received the particular percentage of phone numbers and addresses shown. The "To Verizon" column shows the percentage of addresses and phone numbers that Verizon has verified and received. Mr. Gamblin stated that the number of homes not located is around 90 in the Bloomington area.

One of the changes on this sheet that occurred after the printing of the report is that two additional zip codes have been sent to Verizon; those are Saybrook and Stanford. Chart Two shows the anticipated progress by the end of April 6<sup>th</sup>. Everything under the responsibility of the E-911 System would be completed, with the exception of Bloomington, which is expected to be completed by next Tuesday.

Mr. Lindberg commented that there are about 100,000 telephones in the County-wide System. Mr. Gamblin explained that within McLean County there are 98,900 access lines. Access lines are any type of telephone service that reach voice circuit.

Mr. Renner asked if the deadline of September would be met. Mr. Gamblin answered that so far he does not foresee any impact on this deadline. There will need to be a "fall out" error resolution process. The phone company will run all of the telephone numbers in McLean County against their data base. Anything that does not match will "fall out." For example: if a street is called a different name than the normal reference of the street, anyone with that address will fall out. Once this name discrepancy is fixed the addresses will be reinstated into the database.

Mr. Gamblin will be giving Mr. Zeunik weekly reports of the updates on this system.

Mr. Terry Lindberg updated the Committee regarding the LTZ Space Study. Mr. Lindberg referred to a letter from Mr. John E. Maher, Criminal Justice Specialist for LTZ Associates which notes that LTZ Associates, Inc., has experienced some delays and complications which have pushed back the anticipated completion date for the Comprehensive Space Study for McLean County. Of particular concern are the 2000 census figures that show McLean County growing at a higher rate than projected. The projected jail population would be higher than previously expected and may be even higher. LTZ will ask the projection consultants to review their projection to make sure we are being as accurate as possible with the known statistics. Walter Sobel & Associates is reviewing the case file projection again. Developing options for the County at the current site to meet these projected space needs has become more complicated. This phase is taking longer than anticipated. Originally, LZT was informed that the current jail was constructed to accommodate a vertical addition (primarily inmate housing.) Unfortunately, the size of that addition will not satisfy the County's space needs either for now or the future. LZT believes that no one fully anticipated the population increase



for the next ten to twenty years. A new program, based on the current projections, will be necessitate a complete review of all jail spaces. A detailed examination of current building plans is underway in an effort to use as much of the current building as possible. LTZ also wants to give full consideration to alternatives to incarceration. Mr. Dennis Maloney visited the McLean County and discussed possible approaches to the alternative question. LTZ will contact Mr. Maloney to review their findings and suggestions in an effort to be as up-to-date as possible with developments in this area. LTZ expects to have their report to the County Board in early May.

Chairman Sommer commented that there is no extra charge for this delay with LZT.

Chairman Sommer presented the bills for the approval of the Committee.

Justice Committee Meeting Minutes  
April 2, 2001  
Page Ten

Motion by Renner/Kinzinger to approve the bills as presented by the Auditor's Office. 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