

Minutes of the Justice Committee

The Justice Committee of the McLean County Board met on Tuesday, January 5, 2010 at 4:30 p.m. in Room 400 of the Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Chairman Renner; Members Wendt, Rankin, Hoselton, and McIntyre

Members Absent: Member Rackauskas

Other County Board
Members Present: None

Staff Present: Mr. Terry Lindberg, County Administrator; Mr. Bill Wasson, Assistant County Administrator; and Ms. Judith LaCasse, Assistant to the County Administrator

Department Heads/
Elected Officials
Present: Ms. Judy Renner, Director, Children's Advocacy Center; Mr. Don Everhart, Circuit Clerk; Mr. Bill Yoder, State's Attorney; Sheriff Mike Emery; Ms. Lori McCormick, Director, Court Services; Ms. Cathy Waltz, Superintendent, Juvenile Detention Center

Others Present: Ms. Michelle Anderson, County Auditor

Chairman Renner called the meeting to order at 4:35 p.m.

Chairman Renner presented the minutes from the December 1, 2009 Committee meeting for approval.

Motion by McIntyre/Rankin to approve the Minutes of the December 1, 2009 Committee Meeting.
Motion carried.

Ms. Judy Renner, Director, Children's Advocacy Center (CAC), presented the CAC Monthly Statistical Report and the CASA Report. She noted that there is nothing unusual in the reports.

Chairman Renner asked Ms. Renner to review a recent meeting the CAC held with State Representative Dan Brady and Ms. Billie Larkin, State Children's Advocacy Center.

Ms. Renner indicated that Ms. Larkin was invited to attend the meeting as she has the state-wide view of what is happening with funding for state Children's Advocacy Centers. Ms. Renner added that the funding situation is not good. She stated that all CACs have a contract through DCFS, and DCFS gets its money from the State. Ms. Renner noted that there are some CACs in Illinois that will be closing their doors in the next month or so if their payments do not come through from DCFS, as they depend solely on DCFS funds to provide services. She advised that the McLean County CAC is in a slightly different position because it has other funding sources. Ms. Renner added that CAC did not receive its first quarter funding from DCFS as was expected. She noted that word was received on New Year's Eve that the funds from DCFS would not be coming. Ms. Renner indicated that she then notified Mr. Lindberg and Mr. Wasson of the situation.

Ms. Renner stated that she talked to Ms. Larkin about the delay of funds from DCFS and asked for her suggestions. Ms. Renner indicated that Ms. Larkin recommended that the CAC "stay the course," because Springfield will provide the first available funding to the CAC's that might be closing their doors. Therefore, it is Ms. Larkin's opinion that the McLean County CAC would have to show excessive hardship before funds could be received. Ms. Renner added that she will talk with Mr. Lindberg and Mr. Wasson in the near future when it has been determined whether or not the CAC receives the second quarter payment from DCFS.

Chairman Renner asked if the funds are funds to which the state CACs are legally entitled. Ms. Renner replied that he is correct in that we have a contract with the State. She noted that the County CAC's requisition of funds is in the Comptroller's Office, but has not yet been paid.

Mr. Wendt asked if the CAC will come back to the Board for funding should the CAC not receive the funds from DCFS. Ms. Renner replied that she does not know what the next step will be. She indicated that she will confer with Mr. Lindberg and Mr. Wasson. Mr. Wendt asked how much money is due from DCFS. Ms. Renner replied that the CAC receives \$129,000 a year from DCFS, which is its major grant source. Mr. Lindberg advised that this is about 25% of the overall CAC budget. He noted that there is a \$33,056 fund balance in the fund as of December 31, 2008.

Chairman Renner noted that the CAC has private sources that help supplement the funds from DCFS. Ms. Renner responded that the CAC continues to do fundraising through the Child Protection Network. She added that the major fundraising event is February 20th, which is the Tip a VIP event.

Mr. Wendt asked if Ms. Renner has looked at possible budget cuts should the State not provide the \$129,000. Ms. Renner replied that budget reductions will be considered. She indicated that this issue was dealt with in June and July when she learned that contract renewal was going to be delayed. Ms. Renner stated that she met with the Administrator's Office at that time, and will meet with them again.

Chairman Renner asked what the status is of the volunteers for CASA. Ms. Renner replied that the volunteers deliver the services for CASA, but there are three people employed in the CASA program. She noted that the CASA program is primarily paid for by grants that come through the Child Protection Network. Ms. Renner added that the funding for CAC and CASA come from different sources.

Chairman Renner asked what the overall budget is for CAC. Ms. Renner responded that the CAC program is \$524,061, which includes everything. Chairman Renner pointed out that the \$129,000 DCFS funds represent a significant amount of money for the program. Ms. Renner replied that if the DCFS funds are not received, it will mean a cut in services and a cut in staff.

Chairman Renner asked if there were any additional questions or comments. Hearing none, he thanked Ms. Renner.

Mr. Don Everhart, Circuit Clerk, presented a request for approval of an Emergency Appropriation Ordinance amending the McLean County Fiscal Year 2009 Combined Annual Appropriation and Budget Ordinance, Circuit Clerk Court Automation Fund 0140.

Mr. Lindberg explained that, at the May 19, 2009 County Board meeting, the Board approved an Emergency Appropriation Ordinance in the amount of \$60,000 to transfer funds from the Circuit Clerk Court Automation Fund to pay for a portion of the project to install new Category 6 data cabling and other necessary related equipment in permanently installed cabling locations in the 3rd, 4th, and 5th floors of the Law and Justice Center.

Mr. Lindberg stated that the cabling project has been completed at a lower cost than budgeted, and the remaining budgeted funds in the amount of \$20,108.92 should be restored to the Circuit Clerk Court Automation Fund.

Motion by McIntyre/Hoselton to Recommend Approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2009 Combined Annual Appropriation and Budget Ordinance, Circuit Clerk Court Automation Fund 0140.
Motion carried.

Mr. Everhart presented his November 2009 Statistical Report. He noted that he had nothing to add to the reports.

Chairman Renner asked if there were any questions or comments. Hearing none, he thanked Mr. Everhart.

Chairman Renner presented the Jury Commission 2009 Year-end Report as provided by Ms. Cindy Brand, Jury Commission. Chairman Renner asked if there were any questions or comments on the report. There were none.

Mr. Bill Yoder, State's Attorney presented his Monthly Caseload Report and Asset Forfeiture Fund Report. He pointed out that felony cases are down 200 cases this year. Mr. Yoder indicated that he would like to attribute this trend to the success of the Drug Court, but he cannot make that assumption. However, he feels that the success of Drug Court has made some impact on the figures. Mr. Yoder stated that, in the past, felony cases increased approximately 50 cases per year.

Mr. Yoder advised that the Asset Forfeiture Fund continues to grow, and a significant effort has been made to develop that unit within the State's Attorney's Office.

Mr. McIntyre asked if there is any information the Committee should know about the Mental Health cases. Mr. Yoder responded that over the last two or three years there has been a huge increase in mental health cases, which are involuntary commitment cases that are handled by the State's Attorney's office. He advised that Chief Judge Robb convened a group of people involved in the system to meet and discuss the possibility of a Mental Health Court or other solutions to help those people and divert them out of the justice system. Mr. Yoder noted that often the police are not trained to deal with individuals with mental illness, which often escalates the situation resulting in arrests. He indicated that part of the initiative on mental health issues was Crisis Intervention Training (CIT). Mr. Yoder noted that the Town of Normal Police Chief Kent Crutcher has trained many of the local police and deputies in crisis intervention. This allows the officers a better understanding on how to divert individuals with mental health problems from the Jail.

Mr. Yoder advised that individuals with mental health issues continue to be a problem in the justice system, but efforts are being made to alleviate the situation.

Mr. Hoselton asked for an update on the DUI program. Mr. Yoder distributed a report on the Christmas and New Year's DUI arrests. He informed the Committee that, prior to the holiday season, he announced that there would be another "no refusal" weekend. Mr. Yoder advised that the program was conducted over New Year's Eve. He reported that there were several DUI arrests. Mr. Yoder noted that there was one arrest on Christmas Eve (1:11 a.m.), none on Christmas day, and several that fell between Christmas and New Year's. He pointed out that everyone on New Year's Eve consented to the breath test, except one person who refused, but later consented. Mr. Yoder added that there was one personal injury accident that was pretty severe, and, because it is a hospital blood case, he does not have the results of the test yet.

Mr. Yoder advised that the interesting statistic in the DUI arrests was the level of blood alcohol content. He stated that the average is .169, which is over twice the legal limit. Mr. Yoder added that some of the levels were over .200.

Mr. Yoder indicated that he will be sending this report in a press release to the media tomorrow. He noted that the report does not include dates that were part of the Law Enforcement Initiative that began December 18 and ended January 3rd or 4th.

Chairman Renner asked if there were any additional questions or comments. Hearing none, he thanked Mr. Yoder.

Chairman Renner presented the Public Defender's Monthly Caseload Report as submitted by Ms. Amy Davis, Public Defender. There were no questions on the report.

Chairman Renner announced that Ms. Beth Kimmerling, County Coroner, was unable to attend the meeting today. Chairman Renner presented the November 2009 Monthly Report as submitted by Ms. Kimmerling.

Sheriff Mike Emery presented a request for approval of a clothing bid with Ray O'Herron Co. for Police uniforms and equipment purchases from February 1, 2010 to January 31, 2011 for the Sheriff's Department. He explained that formal written bids were solicited from three vendors. At the formal bid opening, on December 18, 2009, three bids were received and opened.

Sheriff Emery recommended that McLean County accept the bid proposal received from Ray O'Herron Co., Inc., which include a 3% increase in cost on their total bid. He also recommended that the two other vendors, 10-8 Outfitters and Sam Harris Uniforms, be approved for specific items that may be of a lower cost, including the uniforms for the Jail.

Motion by Hoselton/Rankin to Recommend Approval of a Clothing Bid and Equipment Purchases with Ray O'Herron Co. for Police Uniforms from February 1, 2010 to January 31, 2011 for the Sheriff's Department.
Motion carried.

Sheriff Emery reviewed the McLean County Detention Facility population Report for December 2009. He pointed out that the total average daily in-house inmate population in 2009 was close to 220 inmates, which is down considerably from 2008. Sheriff Emery noted that the Jail can house 221 inmates. He added that the last three weeks there have been approximately 20-25 open beds a day in the Jail.

Chairman Renner asked if the decrease in population is due to the holidays. Sheriff Emery replied that the population generally decreases towards the end of the holiday season. He noted that January typically has a higher Jail population. Sheriff Emery stated that he looked at the roster for the next ten days and he does not expect any overcrowding. He advised that last year, at this time, the Jail was housing out 30-50 inmates.

Mr. Rankin asked to what he attributes the decrease in Jail population. Mr. Lindberg responded that sometimes when numbers are put under the microscope, the very fact that they are under the microscope causes them to move in the direction you were hoping. He advised that efforts are being done to develop some repeatable statistical analysis. Mr. Lindberg stated that some of the success may be due to the establishment of the Criminal Justice Coordinating Council (CJCC). He noted that, hopefully, in the future it will be possible to determine the variables of what drives the Jail inmate population.

Sheriff Emery announced that the next CJCC meeting is Thursday, January 7th at 1:00 p.m. in the County Board Room. He indicated the group will break down into sub-committees that will look at different alternatives. Sheriff Emery stated that department heads and elected officials in the Criminal Justice system had started tweaking some of their systems knowing that the CJCC is looking at potential methods for the different justice departments to provide alternatives to jail.

Sheriff Emery advised that last year at this time he was asking for a \$710,000 budget amendment to pay out-of-County prisoner housing for 2008. This year, only \$94,000 was needed for out-of-County housing.

Chairman Renner asked if there were any additional questions or comments. Hearing none, he thanked Sheriff Emery.

Ms. Lori McCormick, Director, Court Services, presented a request for approval of a CAM Systems Agreement for monitoring and associated services. She indicated that this agreement has been reviewed and approved by the State's Attorney's Office. Ms. McCormick advised that this agreement is for the continued use of the electronics/GPS monitoring equipment and services for both Adult and Juvenile Court Services. In addition, it will allow CAM Systems to use the most effective technology for each individual that is ordered to be monitored.

Ms. McCormick indicated that this agreement is in case the offender cannot pay. She noted that there have been more than 14 adults were monitored last year through the alcohol monitoring, electronic monitoring or GPS. One person's expense was paid for through Drug Court related funds. Ms. McCormick advised that no money came out of the General Funds for this expense. She indicated that monies for this expense would only come out of Drug Court money, Redeploy money or Probation funds. Ms. McCormick stated that the "offender pay" model has worked very well.

Motion by Rankin/Wendt to Recommend Approval of a
CAM Systems Agreement for Monitoring and
Associated Services.
Motion carried.

Ms. McCormick reviewed the Court Services Adult/Juvenile Division Statistics for November 2009, as well as the Juvenile Detention Center statistics. She reported that she continues to monitor the numbers. Ms. McCormick pointed out that the Court Services case loads continue at the same rate because, even though felony convictions may have gone down, Court Services continue to have the same people on probation for 18 months to two years, and up to five years in juvenile cases.

Mr. Hoselton asked if an effort is made to keep individuals on probation in the GED Program. Ms. McCormick replied that she works very closely with the Regional Office of Education or Heartland to keep those individuals in the GED program.

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Chairman Renner asked if there were any additional questions or comments. Hearing none, he thanked Ms. McCormick and Ms. Waltz.

Chairman Renner presented the December 31, 2009 Justice Committee bills for review and approval as transmitted by the County Auditor. The Justice Committee bills include a Prepaid Total of \$1,933,650.44 and a Fund Total that is the same.

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Motion by McIntyre/Rankin to Recommend Approval of the Justice Committee Bills as of December 31, 2009, as transmitted by the County Auditor.
Motion carried.

Chairman Renner presented a \$1,000 departmental Transfer in the Children's Advocacy Center transferring funds from one computer line item to another computer line item.

Motion by Hoselton/Wendt to Recommend Approval for the Children's Advocacy Center to Transfer \$1,000 from one Computer Line item to another Computer Line Item.
Motion carried.

Chairman Renner asked if there was any other business or communication for the Justice Committee. Hearing none, the meeting was adjourned at 5:05 p.m.

Respectfully submitted,

Judith A. LaCasse
Recording Secretary