

## **Minutes of the Justice Committee**

The Justice Committee of the McLean County Board met on Tuesday July 6, 2010 at 4:30 p.m. in Room 400 of the Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Chairman Rackauskas; Members Wendt, Rankin, O'Connor, McIntyre and Wollrab (4:44 pm)

Members Absent: None

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. Lori McCormick, Director, Court Services; Mr. Don Everhart, Circuit Clerk; Ms. Judy Brucker, Director, Children's Advocacy Center; Sheriff Mike Emery

Others Present: Mr. Ron Lewis, Assistant Public Defender; Ms. Tammy Rogers, Adult Programs Coordinator, Chestnut Health Systems

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

Chairman Rackauskas presented the minutes from the June 1, 2010 Committee meeting and the May 18, 2010 Stand-up meeting for approval.

Motion by O'Connor/McIntyre to Approve the Minutes of the June 1, 2010 Meeting and the May 18, 2010 Stand-up meeting.  
Motion carried.

Ms. Lori McCormick, Director, Court Services, presented a request for approval of an extension of the Redeploy Grant. She advised that on Friday, June 25<sup>th</sup>, she was informed by the Illinois Department of Human Services (IDHS) that McLean County Court Services is once again eligible for continued funding of the Juvenile Redeploy Program. This extension begins with the State's fiscal year of July 1, 2010 and ends on June 30, 2011.

Ms. McCormick stated that the agreement was received in her office on June 28, 2010 and had to be executed by the County and delivered back to the State no later than June 30, 2010. She indicated that, with the advice of Mr. Lindberg, the agreement was executed in order for the redeploy services to continue.

Ms. McCormick advised that, at the present time, if the County accepts the funding, it will be in the amount of \$165,482. As with last year's extension, there is no match for these funds, and no personnel costs. Ms. McCormick indicated that private agencies will continue to subcontract with the County to provide services to target redeploy youth, as well as grant monies being budgeted to assist the Court Services Department in the day to day operation of the Redeploy Program.

Ms. McCormick indicated that the program has been very successful. She added that there are several agencies willing to work with the young people in the program.

Ms. McCormick stated that any money used for the Redeploy Program is money that has already been received from the State. No money is expended until it has been received.

Mr. McIntyre asked if Ms. McCormick was surprised that the Redeploy Grant was extended. She responded that she was not surprised that it was extended but she was surprised at the amount of the grant. Ms. McCormick noted that the State wants to reduce the commitments to juvenile prison as well as adult prison through the Redeploy Programs.

Ms. McCormick requested that the Committee recommend approval to extend the Redeploy Grant.

Motion by McIntyre/O'Connor Recommend Approval of  
an Extension of the Redeploy Grant.  
Motion carried with Mr. Wendt voting "no."

Ms. McCormick reviewed the Court Services Adult/Juvenile Division Statistics for May 2010, as well as the Juvenile Detention Center statistics.

Ms. McCormick informed the Committee that the Adult Redeploy Program came into existence in January 1, 2010 through the State. She noted that this program is the same premise as the Juvenile Redeploy Program where the State wants to reduce commitments to state prisons by giving more money to the communities to work with offenders.

Ms. McCormick stated that she received a phone call last week that there is Federal money available for a planning grant for McLean County in the amount of \$30,000. She noted that she received this information after the packets went out. Ms. McCormick indicated that a decision needs to be made by July 15<sup>th</sup> on whether the County wishes to accept the planning grant. The County would then have three months to use the \$30,000 to acquire information and work with a consultant to determine if the County wants to apply for the Adult Redeploy Grant. Ms. McCormick noted that receiving the \$30,000 Planning Grant does not mean that the County must have an Adult Redeploy Program in McLean County; rather it gives the County an opportunity to develop a local plan as to how the County can offer more services in the community for adult offenders who, by their offense, could go to prison. The difference between Adult Redeploy and Juvenile Redeploy is that with the Adult Redeploy Program the County is allowed to hire personnel or services. In addition, the County could ask for more social services in the community, such as counseling, drug treatment, etc. Ms. McCormick advised that the Planning Grant would provide the County with an opportunity to determine what target population to assist.

Chairman Rackauskas advised that, because of the deadline, it was necessary for Ms. McCormick to request the Planning Grant funds immediately.

Mr. Wendt expressed concern that by accepting grants from the State or Federal Governments we are enabling them. He stated that he believes the County should turn down all grants until the Federal and State government budgets are balanced. Chairman Rackauskas responded that by accepting these grants, the County is saving the community money that might otherwise have to be used for out-of-County prisoner housing.

Mr. Wendt indicated that he did some research on the Redeploy Program and was unable to find any confirmation that the program is successful. He noted that the re-arrest record of people in the program and those not in the program both ran about 89%. Mr. Wendt added that the research he reviewed stated that 24% of the people that were re-arrested who were in the program didn't get sent to jail, which brings up the question of whether these people are getting a third chance simply because they are in the program. He stated that he couldn't find any independent study that showed that more money was saved by having the program than not having the program. Mr. Wendt suggested that the money be diverted to programs that would assist the greater amount of people. Mr. Wendt pointed out that ten times more money per person is being spent on HIV research than Cancer research. He suggested that the County is not getting the cost benefit out the Redeploy Program and that the grant money might be more wisely spent by helping other people rather than the jail population.

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Chairman Rackauskas asked if there were any additional questions or comments. Hearing none, she thanked Ms. McCormick.

Mr. Don Everhart, Circuit Clerk, presented his May 2010 Statistical Reports. He noted that there was nothing significant in the report. Mr. Everhart pointed out that there has been an increase in mental health cases in the last few months.

Mr. Everhart advised that the credit card program has been very successful. He added that credit card payments of traffic tickets reached \$100,000. Traffic tickets produce 89% of the credit card payments.

Chairman Rackauskas asked if there were any questions. Hearing none, she thanked Mr. Everhart.

Ms. Judy Brucker, Director, Children's Advocacy Center (CAC), presented the CAC Monthly Statistical Report and the CASA Report. She noted that the Advocacy Center statistics are up 30% from this time last year. Ms. Brucker added that the CASA program is maintaining its numbers.

Ms. O'Connor asked if there is any particular reason for the increase in the statistics. Ms. Brucker replied that the increase may be due to the state of the economy. However, she indicated there are always ebbs and flows in the statistics.

Chairman Rackauskas asked if there were any other questions or comments. Hearing none, she thanked Ms. Brucker.

Chairman Rackauskas presented the Monthly Caseload Report and Asset Forfeiture Fund Report as submitted by Mr. Bill Yoder, State's Attorney. There were no questions on the reports.

Chairman Rackauskas presented the Six-Month Jury Commission Report as submitted by Ms. Cindy Brand, Jury Commission. There were no questions on the report.

Mr. Ron Lewis, Assistant Public Defender, presented five requests for approval of contracts with Special Public Defenders, namely Mr. John Wright Jr., Mr. Harvey C. Welch, Mr. David Rumley, Mr. John J. Bussan, and Mr. Keith Davis.

Mr. Wasson reminded the Committee that the contracts that Mr. Lewis is presenting are revisions of current contracts that are usually renewed in December. However, as part of the May expenditure budget reductions, the Public Defender's Office reduced contract service lines by approximately 5%. Mr. Wasson noted that this was accomplished by readjusting the contracts with Contract Attorneys.

Ms. O'Connor asked if these contracts can be voted on together. Mr. Wasson responded that they can be acted upon together unless there are specific conflicts or concerns about a specific contract.

Ms. Wollrab asked if the deduction is in compensation only and not in the services rendered. Mr. Lewis replied that some reductions are in payment and some in the number of cases.

Motion by O'Connor/Rankin to Recommend Approval of a Contract between John Wright, Jr., Special Public Defender, and the Public Defender's Office; to Recommend Approval of a Contract between Harvey Welch, Special Public Defender, and the Public Defender's Office; to Recommend Approval of a Contract between David Rumley, Special Public Defender, and the Public Defender's Office; to Recommend Approval of a Contract between John C. Bussan, Special Public Defender, and the Public Defender's Office; and to Recommend Approval of a Contract between Keith Davis, Special Public Defender, and the Public Defender's Office.  
Motion carried.

Mr. Lewis presented the Public Defender's Monthly Caseload Report.

Chairman Rackauskas asked if there were any additional questions. Hearing none, she thanked Mr. Lewis.

Chairman Rackauskas presented the Monthly Report as submitted by Ms. Beth Kimmerling, Coroner. There were no questions on the report.

Members of the Committee congratulated Sheriff Mike Emery on the reduction in out-of-County housing of inmates as reflected on the graph enclosed in the Packet. Sheriff Emery responded that one of the programs that helps control the adult jail population is the Court Services Department's Pre-Trial Release Program.

Sheriff Emery presented a request for approval of the Interlocal Agreement between the City of Bloomington, IL and the County of McLean, IL; 2010 Byrne Justice Assistant Grant (JAG) Program Award. He explained that these are funds provided by Congressional mandate that are to be used to purchase law enforcement equipment. Sheriff Emery noted that the City of Bloomington and McLean County were awarded \$57,307, which was divided equally. He noted that this will provide McLean County with \$28,654. If the County didn't take its share of the funds, the entire amount would go to the City of Bloomington.

Motion by Wendt/Rankin to Recommend Approval of the Interlocal Agreement between the City of Bloomington, IL and the County of McLean, IL; 2010 Byrne Justice Assistant Grant (JAG) Program Award.  
Motion carried.

Sheriff Emery presented a request for approval of the Radio Support Program Monetary Pass-Through Grant. He explained that this grant is a pass-through grant from McLean County to the Task Force 6 Program, which is a multi-agency drug force. Sheriff Emery noted that the County has no financial obligation. He added that the grant amount of \$2,862 has a matching fee of \$954 from Task Force 6. Sheriff Emery advised that several years ago the Illinois State Police converted to the STARCOM21 communication system so that all of the local entities in the Task Force 6 program can communicate. He noted that this grant will be used to pay the \$53 per month service fee to be connected into the County's STARCOM21 system.

Sheriff Emery reminded the Committee that McLean County is simply a pass-through to the Task Force 6 program.

Motion by Wendt/Wollrab to Recommend Approval of the Radio Support Program Monetary Pass-Through Grant.  
Motion carried.

Sheriff Emery reviewed the color graph on out-of-County Prisoner Housing Expense by Month and Year.

Chairman Rackauskas asked why the out-of-County housing expenses were so high in 2008. Sheriff Emery replied that there was a population explosion with an average population of 275 to 300 inmates. He stated that in August of 2008 meetings were held with the Criminal Justice Leadership to discuss population management. Sheriff Emery indicated that the Criminal Justice Coordinating Council (CJCC) was eventually developed to address the inmate population. He stated that many policies and procedures have been changed to control the inmate population, including adjusting the bond money requirements and the Pre-trial Release Program through Court Services. Sheriff Emery explained that if someone's bond is set at \$5,000 but they cannot pay more than \$3,000, the bond could be reduced to \$3,000.

Sheriff Emery advised that one of the goals of the CJCC is to define the use of the Jail. He stated that holding an individual in Jail on an Ordinance Violation warrant does not fit the definition of how the Jail should be used.

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

Mr. Terry Lindberg, County Administrator, informed the Committee that the information regarding the Mental Health Court Pass-through Grant for Chestnut Health Systems was included under the County Administrator rather than Court Services to differentiate the grant because it is of a different nature than the grants in Court Services. He explained that, like the Sheriff's pass-through grants, this is a Byrne Memorial Justice Assistance Grant. It is a total pass-through grant. Mr. Lindberg indicated that although counties need to be the mechanism by which the funds pass-through, 100% of the funds go to Chestnut Health Systems, which provides a number of essential services in support of the County's Drug Court. He noted that Tammy Rogers, Adult Programs Coordinator, Chestnut Health Systems and Ms. McCormick are available to answer any questions. Mr. Lindberg added that the County has no obligation or exposure. He noted that this pass-through grant will not be put into the Court Services budget; rather it will be a revenue item in and an expenditure item out within the County Board budget similar to many other pass-through grants.

Mr. Lindberg stated that this pass-through grant is \$452,000 for three years. The grant supports the clinical functions that assist the Drug Court and the offenders who go through Drug Court.

Mr. Wendt expressed concern with public perception of the actions of the County Board. As an example, he referred to the letter to the editor from an 18 year old who opposed the \$10 million the County Board approved for the East Side Highway when the City of Bloomington and the Town of Normal roads need to be repaired. Mr. Wendt stated that the public perception is that the County is spending that \$10 million on the East Side Highway when it could be better spent to fix existing roads, with which Mr. Wendt agreed.

Mr. Wendt also expressed concern that the money from this pass-through grant is all going to Chestnut Health Systems. He suggested that other providers in the community should be allowed to compete for that grant. Mr. Lindberg responded that the grant requires an organization that has a Drug Court and one that provides a wide-range of clinical services, which Chestnut Health Services can provide. He noted that the Center for Human Services cannot provide the same range of programs and they don't have any residential capability. Mr. Wendt suggested the grant could go to other social service organizations in Champaign County or Woodford County. Mr. Lindberg advised that organizations in Champaign or Woodford counties could not provide services to McLean County Drug Court as efficiently and effectively as Chestnut.

Chairman Rackauskas advised that any social service agencies can apply for these types of grants. The grant is not provided strictly to Chestnut Health Systems. Rather, Chestnut Health Systems applied for and received the grant.

Mr. Wendt recommended that the Committee and the Board be provided with financial statements of any organization for which the County is passing through funds. Mr. Lindberg responded that the County is not financially liable for any organization that may become bankrupt after accepting a grant. Chairman Rackauskas added that it is the responsibility of the grantor to determine the financial stability of any organization to which a grant is being considered.

Mr. Wendt stated that when the County passes through money on the Federal level, a conflict of interest can arise that pertains not only to one person but also applies to family members of that person. He noted that an example of a conflict of interest would be if the County approved a pass-through grant to an organization where his wife works. Chairman Rackauskas replied that in that type of case, Mr. Wendt would simply abstain from voting on that issue. Mr. Lindberg advised that the responsibility in such a case would be the responsibility of the agency receiving the grant, the Federal oversight agency, and any individual who believes they might have a conflict. Mr. Wendt stated his belief that, commonly, a perception of conflict of interest doesn't apply, but under the Federal law even the perception of a conflict of interest is cause for concern.

Ms. Wollrab commented that in order to have a conflict of interest on an item on the agenda one of the Committee members voting on the issue would have to determine if they a conflict and act accordingly. Mr. Wendt replied that the conflict could be with any employee of the County. Chairman Rackauskas pointed out that she has abstained from voting on medical and dental issues, noting that it is her responsibility to determine if there is a conflict of interest.

Chairman Rackauskas asked Mr. Wendt if he had a specific instance to which he is referring. Mr. Wendt replied that he is not referring to a specific issue. Mr. Rankin commented that this is not the appropriate place to debate the legitimacy of grants.

Ms. Wollrab asked if a five minute screening mentioned in the grant will determine whether someone can partake in the Mental Health Court Program. Ms. Rogers replied that there is a five minute screening up front to determine if someone is eligible to be in the program. She added that if an individual is eligible, a therapist will perform an in-depth assessment and make a recommendation to the team.

Ms. Wollrab asked if Ms. Rogers knows what percentage of people who need this program can or will be enrolled in the program. Ms. Rogers responded that this grant is for court involved people who might not otherwise be able to receive some of the treatment. Ms. Wollrab pointed out that even with Drug Court there is a much greater need than can be served. Ms. Rogers agreed, noting that they are pushing the numbers in Drug Court. If they had the capability, more people would be enrolled in Drug Court than are currently enrolled. She added that there are people sitting in Jail who have mental health issues who need to be in the program.

Mr. McIntyre pointed out that one of the goals listed on page 164 of the grant is to preserve jobs. Ms. Rogers responded that when the Federal Government put out this grant one of their goals was to save jobs and to start the Mental Health Court.

Chairman Rackauskas asked if there were any additional questions or comments. Hearing none, she thanked Ms. Rogers.

Ms. Wollrab asked if there is any chance that the Governor's budget vetoes would eliminate the Redeployment program. Ms. McCormick replied that, at this time, it would not eliminate the program. She noted that money was received for FY'2010 a couple weeks ago to complete that year.

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Chairman Rackauskas presented the June 30, 2010 Justice Committee bills for review and approval as transmitted by the County Auditor. The Justice Committee bills include a Pending Total of \$1,118.20 and a Prepaid Total of \$1,788,858.16 for a Fund Total of \$1,789,976.36.

Motion by McIntyre/Wollrab to Recommend Approval of the Justice Committee Bills as of June 30, 2010, as transmitted by the County Auditor.  
Motion carried.

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Chairman Rackauskas presented a transfer in Court Services of \$31,596.11, and a transfer in Metro Communications Center of \$5,650.00. Mr. Lindberg explained that the \$31,596.11 is being transferred from a Capital Improvement line to a Data Processing User Fee line. The \$5,650.00 in the Metcom Department transfers money from the Computer Equipment Data Processing and Educational Materials line to Computers that lost less than \$1,000.

Motion by Rankin/Wollrab to Recommend Approval a Transfer in Court Services of \$31,596.11 and a transfer in Metro Communications Center of \$5,650.00.  
Motion carried.

Chairman Rackauskas asked if there was any other business or communication for the Justice Committee. Hearing none, she called for a motion to adjourn.

Motion by Rankin/Wollrab to Recommend that the Justice Committee meeting be adjourned at 5:42 p.m.  
Motion carried.

Respectfully submitted,

Judith A. LaCasse  
Recording Secretary