

Minutes of the Justice Committee

The Justice Committee of the McLean County Board met on Tuesday August 3, 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, McIntyre and Wollrab

Members Absent: Member O'Connor

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. Joan Naour, Director, Correctional Health Services; Mr. Don Everhart, Circuit Clerk; Ms. Judy Brucker, Director, Children's Advocacy Center; Ms. Cathy Waltz, Superintendent, Juvenile Detention Center Mr. Bill Yoder, State's Attorney; Ms. Beth Kimmerling, Coroner; Sheriff Mike Emery; Ms. Lori McCormick, Director, Court Services

Others Present: Mr. Rusty Thomas, Chief Deputy Sheriff, Sheriff's Department

Chairman Rackauskas called the meeting to order at 4:30 p.m.

Chairman Rackauskas presented the minutes from the July 6, 2010 Committee meeting.

Motion by Rankin/McIntyre to Approve the Minutes of the July 6, 2010 Meeting.
Motion carried.

Ms. Joan Naour, Director, Correctional Health Department, presented a request for approval of an Agreement with Dr. Eric Abreu, DDS, for the provision of dental services at the McLean County Adult Detention Center.

Ms. Naour advised that Dr. Abreu has provided dental clinician services at the McLean County Adult Detention Facility since September 2007. During that time, Dr. Abreu has provided on-site dental evaluation and treatment for inmates for approximately four hours each week. Ms. Naour stated that she has been very impressed with Dr. Abreu's practice style and his ability to work with the inmate population and the McLean County Detention Facility staff.

Ms. Naour recommended that the Agreement for Dental Clinician Services be renewed effective September 1, 2010 through December 31, 2011. In addition, she recommended that compensation during this timeframe be paid at an hourly rate of \$140.00 in addition to a monthly retainer of \$106.00. Ms. Naour indicated that Dr. Abreu has agreed to retain the 2008-2010 compensation rates; therefore, there is no increase in the rates at this time.

Ms. Naour advised that Dr. Abreu sees and treats approximately 270 inmates per year.

Chairman Rackauskas asked who covers when Dr. Abreu is out. Ms. Naour responded that usually an inmate will be sent to the Emergency Room if there is a dental emergency.

Mr. Rankin asked if this contract is bid out. Ms. Naour replied that this contract was bid out in 2007. She noted that the previous doctor was under contract for 12 years. Ms. Naour advised that it is very difficult to find a dentist who is willing to work in a detention facility.

Motion by Wollrab/McIntyre to Recommend Approval of
an Agreement with Dr. Eric Abreu, DDS, for the
Provision of Dental Services at the McLean County
Adult Detention Center.

Motion carried with Chairman Rackauskas abstaining.

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

Mr. Don Everhart, Circuit Clerk, presented his June 2010 Statistical Reports and the 2nd Quarter 2010 Reports. He noted that there was nothing significant in the reports.

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

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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 continue to increase. Currently, the statistics are up 23% compared to last year.

Ms. Brucker advised that the CASA program is doing well.

Chairman Rackauskas asked what the status is on CASA volunteers. Ms. Brucker responded that CASA is currently planning a new informational meeting and a CASA volunteer class is scheduled to start in September.

Chairman Rackauskas asked how long most CASA volunteers continue in the program. Ms. Brucker replied that an 18 month commitment is requested of the volunteers. However, she added that it is impossible to hold the volunteers to that commitment. Ms. Brucker stated that, as of June, there are 53 active CASA's but 47 other CASA volunteers that have been trained and remain active who could accept another case when they are ready. She noted that often volunteers take a case which lasts a couple of years and then they are ready to step away, but remain active.

Chairman Rackauskas asked if there are more cases for which volunteers are not available. Ms. Brucker responded that only a quarter of the cases of children living in foster care in McLean County have a CASA. She indicated that there are 412 McLean County children living in foster care through the Child Abuse and Neglect Court. As of June 30th, 118 children were being served. Chairman Rackauskas asked if 100% of these cases need a CASA volunteer. Ms. Brucker stated that the Court has always maintained that the goal is for every child to have a CASA.

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

Mr. Bill Yoder, State's Attorney, presented a request for approval of a Resolution of the McLean County Board Proclaiming Tuesday, October 5, 2010 "*It's Time to Talk Day*" and the Month of October 2010 as "*Domestic Violence Awareness Month*" in McLean County. He noted that this is an annual Resolution. Mr. Yoder advised that Corporate Alliance to End Partner Violence is one of the driving forces in this effort.

Motion by Rankin/Wollrab to Recommend Approval of a Resolution of the McLean County Board Proclaiming Tuesday, October 5, 2010 as *"It's Time to Talk Day"* and the month of October, 2010, as *"Domestic Violence Awareness Month"* in McLean County.
Motion carried.

Mr. Yoder presented his Monthly Caseload Report and Asset Forfeiture Fund Report.

Chairman Rackauskas asked if there were any questions or comments. Hearing none, she thanked Mr. Yoder.

Chairman Rackauskas presented the Public Defender's Monthly Caseload Report for June 2010 as submitted by Ms. Kim Campbell, Public Defender.

Ms. Beth Kimmerling, Coroner, presented a request for approval of an Emergency Appropriation Ordinance amending the McLean County Fiscal Year 2010 Combined Annual Appropriation and Budget Ordinance, General Fund 0001, Coroner's Office 0031. She explained that this Ordinance recognizes the receipt of a donation of \$1,000 from the McLean County Funeral Directors Association, which is to be spent for the betterment of the Coroner's Office without restriction. Ms. Kimmerling added that this donation is a result of the Funeral Directors Association conference that the Coroner's Office co-sponsors every other year.

Ms. Kimmerling requested that this \$1,000 donation be placed in the Coroner's Photo Supplies/Film Processing line for the purpose of purchasing digital photography equipment for the Morgue to photograph autopsies. She announced that she expects the project to move away from 35 mm cameras to digital cameras will be completed soon.

Mr. Rankin expressed some confusion with placing the funds in a Photo Supplies/Film Processing line rather than an equipment line. Ms. Kimmerling responded that the Photo Supplies line description says "...for the purchase of cameras and equipment." She added that Ms. Anderson, County Auditor, has concurred that this line item is the correct one to use.

Mr. Wendt expressed concern and confusion over why pictures need to be taken at all autopsies. Ms. Kimmerling responded that the number of pictures taken vary depending upon each case. Some cases only require pictures to document the identity of the individual and the cause death, while other cases involving questionable cause of death or homicide cases require many more pictures.

Mr. Wendt asked what the mandate is for taking pictures at an autopsy. Ms. Kimmerling replied that she will find out what the statute is on taking autopsy photographs and will report back to the Committee.

Motion by McIntyre/Rankin to Recommend Approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2010 Combined Annual Appropriation and Budget Ordinance, General Fund 0001, Coroner's Office 0031.
Motion carried.

Ms. Kimmerling presented her Monthly Report.

Mr. Rankin asked if the spike in out-of-County autopsies is continuing. Ms. Kimmerling replied that there continues to be a spike in out-of-County autopsies. Mr. Rankin asked if that spike will continue. Ms. Kimmerling stated that the increase will continue into the fall. She noted that Dr. Denton, McLean County Pathologist, has been assisting with autopsies north of I90 since the death of Dr. Mitchell who performed those northern autopsies. Ms. Kimmerling indicated that the northern counties have two individuals who are interested in taking over that case load beginning in September. She concluded that the influx in out-of-county autopsies may level off after September.

Ms. Kimmerling reported that the Coroner's Office is running behind in the number of autopsies performed this year, but the caseload is increasing. She noted that four cases were investigated during the month of June yet no autopsies were performed. Instead, the causes of death were determined through medical records.

Ms. Kimmerling advised that on July 21, 2010, Governor Pat Quinn signed Senate Bill 2529 which went into effect immediately. This Senate Bill provides fee increases for cremation permits from \$10.00 to \$50.00 each. Ms. Kimmerling advised that there is a potential of an \$18,000 increase per year in revenue due to this fee increase. She added that this increase went into effect on Monday, July 26, 2010.

Mr. Wendt asked if \$50.00 is the maximum fee that can be charged, or is the \$50.00 a mandated fee increase. Ms. Kimmerling replied that she is mandated to charge \$50.00 per cremation permit. She noted that the Coroner's Office signs all cremation permits.

Ms. Kimmerling advised that the new law requires her to deposit these funds into a special account in the County Treasury. Ms. Kimmerling stated that the Auditor and Treasurer will assist her in determining the best way to handle this situation.

Ms. Kimmerling noted that she has not yet deposited the fees that she has collected since the law went into effect. Mr. Lindberg advised that an account will be established to meet the statute. Ms. Kimmerling added that a separate account will assist in determining the income from the fee and how the money is spent.

Ms. Kimmerling stated that the new law also grants the Coroner the discretion to waive the cremation fee in certain situations. She noted that she has waived the fee on the following areas:

- Cremation of a person who is indigent and/or receiving state aid for funeral and burial services;
- In the event there is a case of a person who services are being paid for directly by the state;
- In cases where the Township or the County is helping to pay for funeral expenses.
- Cremation of fetal remains, although this waiver was not mentioned in the Bill.

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

Sheriff Mike Emery presented a request for approval of the renewal of the American Recovery Act Grant, Agreement Number 809120 to expand the Multi-Jurisdictional Narcotics Unit. He noted that this grant is in the amount of \$64,106.00 and no match is required. Sheriff Emery explained that this is the continuation of a pass-through grant for the Task Force Six, which is a multi-agency investigative unit. By passing the funds through McLean County Government, the Auditor's Office has the jurisdiction to audit the grant.

Sheriff Emery advised that the funds are used to relieve the participating agencies from having any financial commitment to Task Force Six. The funds cover operating expenses.

Motion by Wendt/Rankin to Recommend Approval of the Renewal of the American Recovery Act Grant, Agreement Number 809120 to Expand the Multi-Jurisdictional Narcotics Unit.
Motion carried.

Sheriff Emery presented a request for approval to purchase three Fleet Vehicles from Miles Chevrolet, Inc., namely three Chevrolet Tahoe PPV vehicles. He stated that the three vehicles that need to be replaced are a 2001 F150 Pickup truck that has in excess of 148,000 miles and two minivans that were purchased in 2006 that have over 80,000 miles.

Sheriff Emery indicated that he is bringing this before the Board now so that he can make the purchase using the Federal Asset Forfeiture Funds that were seized earlier this year. This will take the burden off the General Fund and reduce his request for the purchase of fleet vehicles out of the General Fund this year.

Sheriff Emery pointed out that these vehicles will not need to be replaced for at least four or five years because they will not be highly driven vehicles.

Motion by Wendt/McIntyre to Recommend Approval of
Fleet Vehicles from Miles Chevrolet, Inc.
Motion carried.

Sheriff Emery reviewed the McLean County Detention Facility Population Report for July 2010. He noted that there has been an increase in population over the last few weeks which necessitated housing ten inmates out of McLean County. Sheriff Emery stated that in one weekend 76 inmates were brought in to the Jail. He added that only 26 individuals were released. Sheriff Emery noted that, since that time, the population went down due to the efforts of everyone involved in managing the Jail population.

Chairman Rackauskas asked if crime is up due to the heat. Sheriff Emery replied that the trend has been drug related violence charges.

Sheriff Emery advised that he has been working with the judicial staff to decrease the geographic limitations issued on warrants to avoid travelling great distances to issue warrants. He indicated that it is very favorable that the judges on misdemeanor and ordinance violation warrants will support geographical limitations. Sheriff Emery stated that it is cheaper to send letters to the individuals than to send out two deputies to arrest them. He noted that he has been successful in encouraging people to turn themselves in.

Sheriff Emery indicated that there is a Judges' meeting tomorrow where they will discuss the geographic limitations.

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

Ms. Lori McCormick, Director, Court Services, advised that she will be presenting three agreements associated with the Juvenile Detention Redeploy grant. The first is a request for approval of a Contract between McLean County Court Services and Dr. Sessa Keithineni for consultant services to the Juvenile Redeploy Program. Ms. McCormick noted that Dr. Keithineni conducts interviews, compiles data, conducts research and evaluates the program.

Ms. McCormick noted that the other two agreements are with Chestnut Health Systems and Catholic Charities who continue to work with Redeploy Program.

Chairman Rackauskas, with the approval of the Committee, stated that the three agreements will be acted upon together.

Mr. McIntyre expressed concern with the after-hour crisis intervention costs to Catholic Charities. Ms. McCormick responded that the crisis intervention does not happen every day. She added that when an individual needs this assistance, it is important that they receive the help as soon as possible. Ms. McCormick indicated that, with the drastic cut in the Center for Human Services programs, this crisis assistance is critical.

Motion by Rankin/Wollrab to Recommend Approval of a Contract between McLean County Court Services and Dr. Sessa Keithineni for Consultant Services to the Juvenile Redeploy Program; Recommend Approval of a Redeploy Service Agreement between Chestnut Health Systems and the County of McLean; and Recommend Approval of a Redeploy Service Agreement between Catholic Charities and the County of McLean.

Motion carried.

Ms. McCormick reviewed the Court Services Adult/Juvenile Division Statistics for June 2010, as well as the Juvenile Detention Center statistics. She advised that the Juvenile Detention Facility population has increased. Ms. McCormick noted that the Juvenile Detention Center is a 26-bed facility and recently there have been 15-19 kids in the facility.

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

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Chairman Rackauskas presented the July 31, 2010 Justice Committee bills for review and approval as transmitted by the County Auditor. The Justice Committee bills include a Pending Total of \$796.24 and a Prepaid Total of \$2,008,119.71 for a Fund Total of \$2,008,915.95.

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Motion by Rankin/Wollrab to Recommend Approval of the Justice Committee Bills as of July 31, 2010, as transmitted by the County Auditor.
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 Wendt/Rankin to Recommend that the Justice Committee meeting be adjourned at 5:26 p.m.
Motion carried.

Respectfully submitted,

Judith A. LaCasse
Recording Secretary