

Minutes of the Justice Committee

The Justice Committee of the McLean County Board met on Tuesday September 7, 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, O'Connor and Wollrab

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: Mr. Don Everhart, Circuit Clerk; Ms. Kim Campbell, Public Defender; Sheriff Mike Emery; Ms. Lori McCormick, Director, Court Services; Ms. Cathy Waltz, Superintendent, Juvenile Detention Center

Others Present: Mr. Rusty Thomas, Chief Deputy Sheriff, Sheriff's Department; Ms. Elizabeth Barnhart, Project Coordinator, Domestic Violence, Multi-Disciplinary Team Program; Ms. Jane Foster, First Assistant State's Attorney

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

Chairman Rackauskas presented the minutes from the August 3, 2010 Committee meeting.

Motion by McIntyre/O'Connor to Approve the Minutes
of the August 3, 2010 Meeting.
Motion carried.

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

Mr. Everhart announced that credit card usage to pay fines topped \$150,000 last week.

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

Chairman Rackauskas presented the Children's Advocacy Center (CAC) Monthly Statistical Report and the CASA Report as submitted by Ms. Judy Brucker, Director, CAC, who was unable to attend the meeting. There were no questions on the reports.

Ms. Kim Campbell, Public Defender, presented a request for approval of a Contract between Jeff Brown, Special Public Defender, and the Public Defender's Office. She advised that Mr. Brown is replacing Mr. Harvey Welch who resigned. Ms. Campbell indicated that the contract remains the same, but with a different attorney. She noted that this will be in effect until December when all of the contracts are renewed.

Motion by McIntyre/O'Connor to Recommend Approval
of a Contract between Jeff Brown, Special Public
Defender, and the Public Defender's Office.
Motion carried.

Ms. Campbell advised that there was nothing unusual to point out on the Monthly Caseload Report.

Chairman Rackauskas commented that there appears to be an increase in felonies, juvenile crimes, and abuse and neglect cases. Ms. Campbell responded that there is no particular reason to explain the increase.

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

Chairman Rackauskas presented the Coroner's Monthly Report as submitted by Ms. Beth Kimmerling who was unable to attend the meeting. There were no questions on the reports.

Sheriff Mike Emery presented a request for approval of the renewal of the Multi-Disciplinary Domestic Violence Grant #607371 from the Illinois Criminal Justice Information Authority for 2010-2011. He explained that this is an extension of the grant that the County has been involved with for the past seven years.

Sheriff Emery introduced Ms. Elizabeth Barnhart, Project Coordinator, Domestic Violence Multi-Disciplinary Team Program, who was responsible for writing the grant.

In response to questions by Committee members regarding the “overmatch”, Ms. Barnhart explained that the grant requires a match of 30%-33%. The overmatch is the extra resources above and beyond that percentage that the County is already doing. For instance, if a Deputy is sent out on a domestic violence call that requires him to work overtime, that is considered part of the overmatch – and it is a call to which the Deputy is required to handle anyway.

Chairman Rackauskas asked Ms. Barnhart to explain the Bischoff Law. Ms. Barnhart stated that the Bischoff Law is in response to violation of Orders of Protection. This law was passed in 2009 after Cindy Bischoff was killed by her husband while under an Order of Protection. Ms. Barnhart indicated that the law gives judges the authority to require a risk assessment evaluation on a partner who violates an Order of Protection. Based on the assessment, judges can determine if the individual should be required to wear a GPS monitor.

Chairman Rackauskas questioned the gender use of “she” when describing a victim. Ms. Barnhart responded that the grant is for “violence against women,” which is true in 98% of the cases. However, she advised that the grant program can also be used when a man is the victim.

Sheriff Emery advised that this has been a very productive grant. He added that State’s Attorney’s Office and Court Services will have similar grant requests.

Motion by O’Connor/Wollrab to Recommend Approval
of the Renewal of the Multi-Disciplinary Domestic
Violence Grant #607371 from the Illinois Criminal
Justice Information Authority for 2010-2011.
Motion carried.

Sheriff Emery reviewed the McLean County Detention Facility Population Report for August 2010. He noted that there has been an increase in population over the last few weeks which necessitated housing inmates out of McLean County the first part of August. Sheriff Emery noted that all of the inmates have returned to the McLean County Jail. He indicated that approximately \$30,000 has been spent this year for out-of-housing expenses, which is significantly less than was spent in 2008 and 2009.

Chairman Rackauskas referred to the Illinois Department of Corrections McLean County Jail 2010 Inspection Report, noting that the only criticism they found was the amount of inmates in the Jail. Sheriff Emery suggested that the inspectors were required to find one negative aspect and this was the only one they could find.

Sheriff Emery advised that he is quite proud of the accomplishments that have been made in the Jail, including the updated educational programs. He stated that, with the assistance of the Criminal Justice Coordinating Council, it has been possible to manage the Jail population.

Chairman Rackauskas asked where the County Jail population falls compared with other jails in the state. Sheriff Emery replied that McLean County Jail is probably one of the largest in the state. He indicated that McLean County Jail is smaller than Peoria which has 420 beds, and recently had 80 inmates sleeping on the floor.

Mr. Rankin asked if the growing population in McLean County will have any bearing on the Jail population. Sheriff Emery responded that the growing population doesn't have an impact on the population of the County Jail. He noted that the Jail population is driven by the Criminal Justice system and the efficiency within that system.

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

Ms. Jane Foster, First Assistant State's Attorney, presented a request for approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2010 Combined Annual Appropriation and Budget Ordinance, IDPA Project Fund 0156, State's Attorney's Office 0020. Mr. Lindberg explained that, after the County was notified of the final IDPA IV D grant for this year, it was determined that the budget amount was less than the grant amount. He advised that the Emergency Appropriation Ordinance will adjust the budget amount up to the grant amount. Mr. Lindberg noted that the full grant amount is \$299,000.

Ms. O'Connor asked how this affects the County budget. Mr. Lindberg replied that the program is 100% funded by the grant with no expenses to the County.

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, IDPA Project Fund 0156, State's Attorney's Office 0020.

Motion carried.

Ms. Foster presented a request for approval of the renewal of the Multi-Disciplinary Domestic Violence Grant #609070 from the Illinois Criminal Justice Information Authority for 2010-2011. She indicated that in the State's Attorney's Office, this grant funds a full-time prosecutor who handles domestic violence cases only.

Motion by Rankin/Wollrab to Recommend Approval of the Renewal of the Multi-Disciplinary Domestic Violence Grant #609070 from the Illinois Criminal Justice Information Authority for 2010-2011.
Motion carried.

Ms. Foster presented the Monthly Caseload Report and Asset Forfeiture Fund Report.

In response to several questions regarding the number of individuals in Mental Health Court, Ms. Foster stated that there are currently only four individuals in the program at this time. Mr. Lindberg added that there are two or three grants pending that, if successful, will allow more individuals into the program.

Chairman Rackauskas asked what day Mental Health Court is in session. Ms. Foster replied that it is held on Thursdays at 1:00 p.m. in Judge Foley's courtroom. Chairman Rackauskas recommended that Committee members attend a session of Mental Health Court.

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

Ms. Lori McCormick, Director, Court Services, presented a request for approval of the renewal of the Multi-Disciplinary Domestic Violence Grant #608074 from the Illinois Criminal Justice Information Authority for 2010-2011. She indicated that Court Service's part of the grant supports the Project Coordinator's salary.

Motion by O'Connor/Rankin to Recommend Approval of the Renewal of the Multi-Disciplinary Domestic Violence Grant #608074 from the Illinois Criminal Justice Information Authority for 2010-2011.
Motion carried.

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

Mr. McIntyre asked what the status is on DUI's. Ms. McCormick responded that all individuals convicted of a DUI go through different treatments. The individuals are also subject to frequent breathalyzer tests. Ms. McCormick noted that individuals on DUI probation have had repeated DUI arrests.

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

Chairman Rackauskas announced that the Justice Committee will need to schedule an additional meeting in October to review departmental budgets. After a brief discussion, it was determined that the Justice Committee will meet at its regular meeting date, October 5th. However, the meeting will begin at 4:00 p.m. and continue until the budget review is completed. Chairman Rackauskas noted that if the time runs too long, the budget review will be completed at the November meeting.

Chairman Rackauskas presented a transfer in the Public Defender's Office of \$1,800 and a transfer in the Court Services Department of \$1,063.

Motion by McIntyre/O'Connor to Recommend Approval of a transfer in the Public Defender's Office of \$1,900, and a transfer in the Court Services Department of \$1,063, as transmitted by the County Auditor.
Motion carried.

Chairman Rackauskas presented the August 31, 2010 Justice Committee bills for review and approval as transmitted by the County Auditor. The Justice Committee bills include a Prepaid Total of \$2,440,173.37 and a Fund Total that is the same.

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Motion by Rankin/Wollrab to Recommend Approval of the Justice Committee Bills as of August 31, 2010, as transmitted by the County Auditor.
Motion carried.

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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/Wendt to Recommend that the
Justice Committee meeting be adjourned at 5:26 p.m.
Motion carried.

Respectfully submitted,

Judith A. LaCasse
Recording Secretary