

Minutes of the Justice Committee

The Justice Committee of the McLean County Board met on Tuesday, January 4, 2011 at 4:30 p.m. in Room 400 of the Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Vice Chairman McIntyre; Members Rankin, Wollrab, Schafer and McKibbin

Members Absent: Chairman 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: Sheriff Mike Emery; Ms. Lori McCormick, Director, Court Services; Ms. Cathy Waltz, Superintendent, Juvenile Detention Center; Mr. Don Everhart, Circuit Clerk; Ms. Judy Brucker, Director, Children's Advocacy Center; Ms. Kim Campbell, Public Defender Ms. Beth Kimmerling, Coroner; Ms. Cindy Brand, Jury Commission; and Ms. Michelle Anderson, County Auditor

Others Present: Mr. Rusty Thomas, Chief Deputy Sheriff, Sheriff's Department; Ms. Jane Foster, First Assistant State's Attorney

Vice Chairman McIntyre called the meeting to order at 4:32 p.m.

Vice Chairman McIntyre presented the Minutes from the Tuesday, December 7, 2010 Meeting and the November 16, 2010 Stand-up Meeting.

Motion by Wollrab/Rankin to Approve the Minutes of the December 7, 2010 Meeting and the November 16, 2010 Stand-up Meeting.
Motion carried.

Sheriff Mike Emery submitted a request for approval of the clothing bid with Ray O'Herron Co., Inc. for Police uniforms and equipment purchases from February 1, 2011 to January 31, 2012 for the Sheriff's Department. He indicated that formal written bids were solicited from three vendors. Sheriff Emery advised that, at the formal bid opening on December 17, 2010 at 10:00 a.m., two bids were received.

Sheriff Emery stated that Ray O'Herron Co., Danville, Illinois, submitted a complete bid on all categories. In addition, 10-8 Outfitters, Normal, Illinois, provided a partial bid on some categories. Sam Harris Uniforms, Peoria, Illinois, did not return a bid package.

Sheriff Emery advised that the Sheriff's Department has used Ray O'Herron Co. for a very long time. He indicated that they provide a great service and a great product.

Sheriff Emery recommended that McLean County accept the bid proposal by Ray O'Herron Co., Inc. He added that McLean County reserves the right to use 10-8 Outfitters should they have an identical item at a lower cost.

Ms. Wollrab asked what is the cost of outfitting a Deputy. Sheriff Emery responded that it costs approximately \$2,100. which includes uniforms and equipment. He noted that there is an equipment room in the Sheriff's Department with some uniforms or uniforms that were ordered that are common sizes that are distributed as needed.

Mr. McKibbin asked what is the usual duration of the equipment and uniforms. Sheriff Emery responded that uniforms regularly worn by Deputies lasts about a year to two years, with shirts being the most often replaced. He explained that Deputies receive three full uniforms.

Ms. Schafer asked if the Deputies contribute to the cost of their uniforms. Sheriff Emery replied that they do not contribute to that cost, per their union contract.

Motion by Wollrab/Rankin to Recommend Approval of
the Clothing Bid with Ray O'Herron Co., Inc. for Police
Uniforms and Equipment purchases from February 1,
2011 to January 31, 2012 for the Sheriff's Department.
Motion carried.

Sheriff Emery submitted a request for approval of a Data Link Project Agreement between the McLean County Detention Facility, Illinois Department of Human Services, and McLean County Center for Human Services.

Sheriff Emery stated that Data Link is a system that the Sheriff's Department can connect into that is managed by the Illinois Department of Human Services for their mental health patients they serve on the state level. He indicated that the benefit to the Sheriff's Department and the Recovery Court Program is the access to the state database. If a new inmate is brought into the Jail with obvious mental health issues, Data Link provides access to the state database and if that person has received treatment from the state, it will be possible to get the person back on treatment medications in a timely manner.

Sheriff Emery advised that McLean County will be only the eighth county in Illinois to go on Data Link. Other counties include Cook, Rock Island, Peoria, and Sangamon counties.

Sheriff Emery stated that there is no expense to this system and no monthly fees.

Ms. Wollrab commented that it is like an electronic medical record system for mental health. She asked what protection is in place so that someone can't just get on the system and start searching people. Sheriff Emery replied that only one person in the Sheriff's Department has authorized access to the Data Link, namely Ms. Jackie Mathias who is an Assessment Specialist and former staff member for the Center for Human Services. Sheriff Emery added that there is a security system in place with an audit to see who has been researched. Also, the system will only search those individuals that are brought into the jail.

Vice Chairman McIntyre asked if there is an alternate individual who can do the research. Sheriff Emery responded that the backup person is Melinda Fellner, the Senior Assessment Specialist.

Sheriff Emery asked that the Committee recommend approval of this Agreement.

Motion by Rankin/McKibbin to Recommend Approval of
a Data Link Project Agreement between the McLean
County Detention Facility, Illinois Department of Human
Services, and McLean County Center for Human
Services.

Motion carried.

Sheriff Emery reviewed the McLean County Detention Facility Population Report. He distributed an updated copy of the Report. He pointed out that the average population for December was 195 inmates. Sheriff Emery noted that the Jail is a 224 bed facility.

Mr. Rankin commented that the December population seems unusually low. Sheriff Emery explained that in November and December the population decreases because people are not being sentenced to serve in the County Jail over the holiday season. The population, historically, increases in January and February. However, Sheriff Emery stated that he doesn't expect such an increase in the future due to the hard work of the Criminal Justice Coordinating Council (CJCC) in managing the population of the inmates. He indicated that he expects to see substantial savings in the future.

Sheriff Emery advised that there are still some expenses to come out of the 2010 Jail budget, but he believes there may be a savings of \$506,000 in his Corrections budget, which is 5% of the total Corrections budget.

Ms. Wollrab asked if the Population Report is prepared for other purposes or specifically for the Justice Committee. Sheriff Emery responded that this report is prepared for the Justice Committee. He added that a Population Report is prepared every day specific to that day for his information. Ms. Wollrab asked if there is an existing report that would be appropriate for the Committee so that the Sheriff wouldn't have to do extra work. Sheriff Emery responded that, in the age of computerization, the Report almost generates itself and is not an extra burden. He noted that the difficult issue about a daily report is that it is a snapshot of that very second.

Mr. Lindberg stated that the reports presented to the Justice Committee Meeting are the result of several years of fine-tuning that include helpful information for the Committee members.

Ms. Jane Foster, First Assistant State's Attorney, presented a request for approval of a Resolution Approving McLean County's continued participation with the State of Illinois Appellate Prosecutor's Office. She noted that this is an agreement that has been in place for several years with the Appellate Prosecutor's Office. Ms. Foster advised that, once approved, the Appellate Prosecutor's Office will handle all cases that go on appeal and cases where there is a conflict in handling local criminal cases. In addition, they will help with local drug prosecutions and provide training that is normally free of cost.

Motion by Rankin/Schafer to Recommend Approval of
a Resolution Approving McLean County's Continued
Participation with the State of Illinois Appellate
Prosecutor's Office.
Motion carried.

Ms. Foster reviewed the Monthly Caseload Report and Asset Forfeiture Fund Report. She indicated that there is nothing unusual in the reports.

Vice Chairman McIntyre asked if there were any questions or comments. Hearing none, he thanked Ms. Foster.

Ms. Lori McCormick, Director, Court Services presented a request for approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2011 Combined Annual Appropriation and Budget Ordinance, Fund 0001, Court Services Department 0076. She explained that this Emergency Appropriation Ordinance is based upon the acceptance on October 19, 2010 of the Department of Justice Award of \$600,000 for Recovery Court. It is anticipated that the funds received for 2011 will be in the amount of \$300,000.

Vice Chairman McIntyre asked if the \$600,000 grant is split between two years. Ms. McCormick replied that the grant is split between 2010 and 2011.

Mr. Rankin asked if this funds 1 FTE for two years. Ms. McCormick replied that it funds the Recovery Court Coordinator who has been working since November. Mr. Rankin asked if the Schooling and Conference expense is for the Recovery Court Coordinator. Ms. McCormick responded that it is training for that individual as well as other conferences that Court Services personnel are required to attend.

Mr. Lindberg explained that the Federal Government does a lot more monitoring, advising and directing on how the grant money is to be utilized.

Mr. Rankin asked what is non-employee clothing. Ms. McCormick replied that it is a clothing allowance to provide appropriate clothing to clients for job training.

Ms. Wollrab asked if drug testing is done in-house. Ms. McCormick replied that drug testing is done in-house. She noted that this will be more technical because these individuals need to be taking their medications and it is necessary to make sure they are taking the correct types and the correct levels.

Mr. Rankin asked if the breakdown of expenses is an estimate. Ms. McCormick responded that it is an estimate. She added that the funds can be shifted around up to 10%, as necessary.

Ms. McCormick pointed out that most of the Contractual Services funds will go to Chestnut Health Systems due to the fact that this is a co-occurring grant. Someone with a substance abuse issue and who has been diagnosed with mental health issues will be referred to Chestnut Health Systems.

Mr. Rankin asked if the salary included benefits. Ms. McCormick replied that it does include benefits.

Motion by Wollrab/Rankin to Recommend Approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2011 Combined Annual Appropriation and Budget Ordinance, Fund 0001, Court Services Department 0076.
Motion carried.

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

Ms. Wollrab asked if the reports are generated specifically for the Justice Committee. Ms. McCormick replied that that Court Services is required to prepare a statistical report on a monthly basis for the Administrative Office of Illinois Courts. She indicated that, from that report, she pulls every department's statistical information to prepare the Justice Committee report. Ms. Cathy Waltz, Superintendent of the Juvenile Detention Facility, stated that she prepares the JDC report in the same way. She added that the information is useful for her as well.

Ms. McCormick advised that the 2010 Annual Report should be available in March.

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

Mr. Don Everhart, Circuit Clerk, reviewed his November 2010 Statistical Reports. He noted that there was nothing significant to report.

Vice Chairman McIntyre asked if there were any questions. Hearing none, he thanked Mr. Everhart.

Ms. Judy Brucker, Director, CAC, presented the Children's Advocacy Center (CAC) Monthly Statistical Report and the CASA Report. She stated that the CAC ended the year with almost a 20% increase over 2009 in terms of the number of children being seen. Ms. Brucker added that the CASA statistics are always a month behind because they are reported from the volunteers. As of the end of November, the number of volunteer hours were equivalent to 2½ full time employees.

Justice Committee
January 4, 2011
Page Seven

Ms. Brucker announced that the 14th TIP A VIP is Saturday, March 5th at the Marriott Hotel in Uptown Normal. She extended an invitation to everyone to attend this event.

Vice Chairman McIntyre asked if there were any questions. Hearing none, he thanked Ms. Brucker.

Ms. Kim Campbell, Public Defender, reviewed the Public Defender Caseload Report for November 2010.

Ms. Wollrab asked if this report is prepared specifically for the Justice Committee. Ms. Campbell replied that the report is prepared for the Justice Committee, but is also used in-office.

Mr. Rankin commented that the DUI and traffic numbers are way down. He asked if there is any particular reason for this decrease. Ms. Campbell responded that the DUI numbers are misdemeanors that are down. She indicated that the decrease may be due to these charges being upgraded to felonies, which are up a little bit.

Vice Chairman McIntyre asked if there were any additional questions. Hearing none, he thanked Ms. Campbell.

Ms. Beth Kimmerling, Coroner, reviewed the Coroner's Monthly Report. She stated that November was a typical month. Ms. Kimmerling indicated that the year will end with McLean County autopsy numbers down and out-of-county autopsy numbers up.

Ms. Kimmerling reported that the yearly revenue estimate was met and even surpassed by approximately \$20,000.

Ms. Kimmerling noted that the number of inquests is down. She explained that cases that go to inquest are cases that are multi-faceted. Ms. Kimmerling stated that the reason for an inquest is to determine the manner of death, namely a homicide, accident, suicide, natural or undetermined. The process of an inquest is a jury being convened to hear the facts of the case. Ms. Kimmerling noted that she presides over the inquest and witnesses testify. She noted that she cannot enter her opinion during an inquest. The jury determines how to categorize the death.

Ms. Kimmerling advised that the inquest number is getting smaller because the inquest law changed in 2007, which allows the Coroner to determine the cause of death. She indicated that up until 2007, the Coroner was a neutral party and could not express an opinion during the investigation process. Ms. Kimmerling stated that she does not need to hold as many inquests due to the change in the law. Those cases that go to inquest include those that are multi-faceted such as multiple deaths or if the family doesn't agree with the Coroner's ruling and wants a jury to decide.

Ms. Kimmerling stated that there will probably be fewer inquests in the future.

Vice Chairman McIntyre asked if there were any questions or comments. Hearing none, he thanked Ms. Kimmerling.

Ms. Cindy Brand, Jury Commission, presented the Jury Commission 2010 Year-end Report. She noted that, as shown in the Comparative Jury Trial Statistics, the number of jury trials held during 2010 was 99 as compared with 117 in 2009 and 144 in 2008. Ms. Brand added that while there were fewer trials, several cases were 4-6 weeks in length.

Ms. Wollrab asked if it is true that half of the jurists called are sent home without serving on a jury. Ms. Brand replied that, last year, approximately 45% of the jurists went home without serving. She explained that the jurors call in the night before so that as few jurors as possible come in. Ms. Brand indicated that there may be four Judges who expect to hold a trial on a specific day. However, when the trial day comes, sometimes a plea is reached at the last minute or someone is sick, which cancels the trial. Ms. Brand noted that it costs almost \$500 to send a group of jurors home without going to the courtroom. She stated that she continues to work with the Judges to try to alleviate these situations.

Ms. Brand stated that the Jury Commission is able to account for 100% of the people who are summoned to jury duty. If they do not respond, the Jury Commission follows up until they have established that the person has moved away or is no longer available.

Ms. Brand advised that fewer jurors came in this past year, but they served more days. She indicated that this is due to a cycle of asbestos trials. Ms. Brand indicated that these trials take four to six weeks. She added that there will be four big asbestos cases this year in February, April, June and October.

Ms. Schafer expressed her appreciation with the system of calling in or checking the website to determine if and when a jurist needs to show up for court.

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

Ms. Michelle Anderson, County Auditor, indicated that Mr. Hawk was unable to attend the meeting today. She presented his request for approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2010 Combined Annual Appropriation and Budget Ordinance. Ms. Anderson stated that E.M.A. received a number of grants this year that were not anticipated when the 2010 budget was completed.

Mr. Lindberg explained that the McLean County E.M.A. is very professional and full-time. Smaller counties have less developed E.M.A. functions. Mr. Lindberg noted that there are state appropriations made to be shared by local E.M.A.s. However, some of the smaller county E.M.A.s aren't using their funds. Mr. Lindberg indicated that Mr. Hawk applies for those additional monies that were not used and is able to get more funds for the County.

Motion by Rankin/Wollrab to Recommend Approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2010 Combined Annual Appropriation and Budget Ordinance.
Motion carried.

Vice Chairman McIntyre asked if there were any questions or comments. Hearing none, he thanked Ms. Anderson.

Vice Chairman McIntyre presented the December 31, 2010 Justice Committee bills for review and approval as transmitted by the County Auditor. The Justice Committee bills total of \$657,393.49. There was also a departmental transfer of \$2,200 within the Public Defender's Office.

The Approval of Bills for Payment Memorandum from the County Auditor is attached to these minutes.

Motion by Schafer/Rankin to Recommend Approval of the Justice Committee Bills as of December 31, 2010, as transmitted by the County Auditor, as well as a departmental Transfer of \$2,200 within the Public Defender's Office.
Motion carried.

Justice Committee
January 4, 2011
Page Ten

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

Motion by Wollrab/Rankin to Recommend that the
Justice Committee meeting be adjourned at 5:30 p.m.
Motion carried.

Respectfully submitted,

Judith A. LaCasse
Recording Secretary