

Minutes of the Justice Committee

The Justice Committee of the McLean County Board met on Tuesday, May 3, 2011 at 4:30 p.m. in Room 400 of the Government Center, 115 E. Washington Street, Bloomington, Illinois.

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

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: None

Others Present: Chief Deputy Sheriff Rusty Thomas, Ms. Barb Nafziger, Chief Deputy Coroner; Mr. Ron Lewis, Assistant Public Defender; Ms. Cathy Waltz, Superintendent, Juvenile Detention Center

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

Chairman Rackauskas presented the Minutes from the Tuesday, April 5, 2011 Meeting.

Motion by McIntyre/Rankin to Approve the Minutes of the April 5, 2011 Meeting.
Motion carried.

Chairman Rackauskas stated that Mr. Everhart was ill and unable to attend the meeting. Chairman Rackauskas reviewed the Circuit Clerk's March 2011 Statistical Reports.

Ms. Schafer asked for an explanation on Case Number 04 L 141 which was filed in 2004 and a verdict was just reached in March 2011. Mr. Lindberg responded that he will find out what the case was and so advise her. He added that some cases can take many years to get through the courts.

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Chairman Rackauskas asked if there were any further questions or comments. There were none.

Chairman Rackauskas noted that Ms. Judy Brucker, Director, CAC, was unable to attend the meeting. Chairman Rackauskas presented the reports for CAC. There were no questions on the reports.

Chairman Rackauskas indicated that Ms. Kim Campbell, Public Defender, was unable to be at the meeting. Mr. Ron Lewis, Assistant Public Defender reviewed the Caseload Report for March 2011. He indicated that there is nothing significant to report as it is still early in the year.

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

Chairman Rackauskas stated that Sheriff Emery is in Springfield. Chief Deputy Rusty Thomas 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 the Criminal Justice Information Authority through the McLean County to the Task Force 6 Program, which is a multi-agency drug force. Chief Deputy Thomas noted that the County has no financial obligation.

Ms. Wollrab asked if the County has inter-operable radio communication between other law enforcement agencies. Chief Deputy Sheriff Thomas responded 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 indicated that there haven't been any problems with communication.

Chairman Rackauskas asked Chief Deputy Thomas to describe a pass-through grant. Chief Deputy Thomas explained that since this is a multi-jurisdictional project, the County sponsors and handles the money. The money is received by the County and then sent to the state to pay for equipment or service fees.

Mr. Lindberg advised that the grant amount of \$2,862 has a matching fee of \$954 from Task Force 6. 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. The County and the other agencies that are part of Metcom STARCOM system pay a lower fee. Mr. Lindberg stated that in order to support the small-town jurisdictions, the County built into its ten-year management agreement a much lower fee to help support 850 radio devices. The County's fee is \$40, which is paid as part of the

Metcom/ETSB budget and we charge the users \$100 a year. The reason a nominal fee of \$100 a year is set is to help maintain inventory control. Mr. Lindberg indicated that it costs the County a little less than \$500 per year per radio unit, and the County charges the end user \$100. The County absorbs the rest as a part of the on-going Metcom/ETSB expense.

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

Mr. Lindberg pointed out that, through the end of April, no money has been spent housing out prisoners. He noted that Sheriff Emery is in Springfield today because there is a Senate Committee looking at the benefits of having CJCC's.

Chairman Rackauskas asked if there were any questions. Hearing none, she thanked Chief Deputy Thomas.

Chairman Rackauskas indicated that Ms. Beth C. Kimmerling, County Coroner, was unable to attend the meeting. Ms. Barb Nafziger, Assistant Coroner, presented the March Monthly Report. She stated that in-County autopsies in March 2011 are the same as in 2010, and out-of-County autopsies are just one apart. Ms. Nafziger indicated that case numbers continue to climb as far as all cases reported to the Coroner's Office.

Ms. Nafziger noted that there were no Accidental Deaths reported in March. She added that there were nine natural deaths, which required five autopsies and four causes of deaths were determined through medical records.

Ms. Nafziger reported that the Coroner's Office recently did one Death Notification for Santa Clara County, CA. She indicated that frequently other agencies call and ask that the Coroner's Office provide death notifications for them.

Ms. Nafziger pointed out that, with the raise in Copy Fees last July, there has been a huge jump in revenues. She noted that the revenue almost equals the Morgue Fees revenue, which is what other counties pay McLean County for use of the Morgue.

Mr. McIntyre asked for an explanation of the "Medical Record Review." Ms. Nafziger responded that this is a case where an individual has been in the hospital for a period of time, tests have been conducted, and the health and cause of death of the individual has been determined. In such cases, it can be decided

that an autopsy is not necessary. She noted that Dr. Denton does not charge the County to conduct a review of medical records to determine the cause of death.

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

Chairman Rackauskas indicated that Mr. Bill Yoder, State's Attorney, was unable to attend the meeting as he is out of town for the week. Chairman Rackauskas presented his Monthly Caseload Report and Asset Forfeiture Fund Report.

Mr. Lindberg advised that there will be an article in the *Pantagraph* tomorrow regarding the Beaman case. He explained that the County has been required by a ruling of Judge Ford in Champaign County to publish a notice in the paper indicating that we plan to do "consumptive DNA testing" on materials that were in evidence storage for a number of years. Mr. Lindberg indicated that testing will probably begin sometime after July 1st and results won't be available until December.

Mr. Lindberg stated that Alan Beaman is seeking Executive Clemency from the Governor and a Certificate of Innocence, which would allow him to receive \$199,000 of State monies. He noted that the County's Civil Attorneys, after going through all of the material from the trial, requested that the testing be conducted.

Chairman Rackauskas asked if there were any additional questions. There were none.

Chairman Rackauskas noted that Ms. Lori McCormick, Director, Court Services, was unable to attend the meeting. Ms. Cathy Waltz, Superintendent, Juvenile Detention Center, presented the Court Services Monthly Reports. She pointed out that the Juvenile Detention Center is down on out-of-County juveniles, although March was up a bit. Ms. Waltz added that, overall, the Detention population has been low.

Chairman Rackauskas asked if there are any statistics on truancy in the County. Ms. Waltz responded that she doesn't have any statistics on truancy. She noted that there was a judicial order in 2006 that you could not detain truants.

Ms. Waltz provided an update from Ms. McCormick on questions from last month regarding synthetic drugs, such as K2 and Bath Salts. Ms. Waltz stated that Ms. McCormick did a Google search and found a Senate Hearing regarding the dangers of synthetic drugs. She recommended that Committee Members do a Google search on the dangers of K2 and Bath Salts. The Senate Hearing of April 7th is an hour-long video that contains a lot of information.

Chairman Rackauskas indicated that she has a communication from Ms. Brucker regarding the Champion for Children Walk on Saturday, May 14, which is a walk of Children's Advocacy Centers from across the state in their own communities. She announced that registration is on line at www.cacionline.org and you can choose CAC of McLean County. Chairman Rackauskas reported that check-in is at the Center on Saturday morning. She noted that Dan Brady and John Zeunik will be doing the ribbon-cutting.

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

Mr. Lindberg noted that Mr. Wasson checked on the EJS System and can provide information regarding Ms. Schafer's question about Case Number 04 L 141 which was filed in 2004 and a verdict was just reached in March 2011. Mr. Wasson explained that 04 L 141 is a civil lawsuit for over \$50,000 involving a student apartment landlord and a tenant. He indicated that the verdict called for restitution.

Mr. Lindberg noted that this will be his last Justice Committee Meeting. He stated that he has enjoyed his time with the Committee. Chairman Rackauskas thanked him for all of his help.

Chairman Rackauskas presented the April 30, 2011 Justice Committee bills for review and approval as transmitted by the County Auditor. The Justice Committee bills include a Prepaid Total of \$931,810.15 and a Fund Total that is the same.

Motion by McIntyre/Rankin to Recommend Approval of the Justice Committee Bills as of April 30, 2011, 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 Schafer/Wollrab to Recommend that the Justice Committee meeting be adjourned at 5:06 p.m.
Motion carried.

Respectfully submitted,

Judith A. LaCasse
Recording Secretary