

Minutes of the Justice Committee

The Justice Committee of the McLean County Board met on Tuesday August 7, 2012 at 4:30 p.m. in Room 400 of the Government Center, 115 E. Washington Street, Bloomington, Illinois.

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

Members Absent: Member McIntyre

Other County Board
Members Present: None

Staff Present: Mr. Bill Wasson, County Administrator and Ms. Judith LaCasse, Assistant to the County Administrator

Department Heads/
Elected Officials
Present: Mr. Don Everhart, Circuit Clerk; Ms. Judy Brucker, Director, Children's Advocacy Center; and Mr. Ron Dozier, State's Attorney

Others Present: Mr. Rusty Thomas, Chief Deputy Sheriff; Ms. Cathy Waltz, Superintendent, Juvenile Detention Center; Ms. Kim Wells, Executive Director, Corporate Alliance to End Partner Violence; Ms. Jennifer Carrillo and Sonny Garcia, Illinois Peoples Action

Chairman Rackauskas called the meeting to order at 4:34 p.m.

Chairman Rackauskas presented the minutes from the July 3, 2012 Committee meeting for approval.

Motion by Wollrab/Rankin to Approve the Minutes of
the July 3, 2012 Meeting.
Motion carried.

Chairman Rackauskas presented the Monthly Report for June 2012 as submitted by Ms. Beth Kimmerling, Coroner. There were no questions on the report.

Mr. Don Everhart, Circuit Clerk, presented a request for approval of E*Justice (EJS) Case Management enhancements. He advised that E*Justice is an integrated case management system (CMS) utilized by the McLean County Circuit Court, Circuit Clerk, State's Attorney, Public Defender, Sheriff, Jail, and other law enforcement agencies within McLean County.

Mr. Everhart indicated that the cost of the two work orders is \$13,972.50. He noted that recent statutes mandate that the Circuit Clerk split disbursement of specific fines to more than two payees. E*Justice currently limits splits to two payees. The two work orders are as follows:

- Work Order 00004067 would provide E*Justice with the functionality needed for the Circuit Clerk's Office to meet the statutory changes, improve efficiencies and reduce the risk of errors and keep a clear accounting audit trail;
- Work Order 00004066 would migrate necessary data as required from Gavel to E*Justice.

Ms. Wollrab asked if the contract for this program does not include a clause whereby the program would be updated to be compatible as new Legislative statutes or changes are made. Mr. Wasson replied that McLean County is the only county in the State of Illinois that uses this vendor, so it does not benefit the company to include in their agreements that they will adjust statutory changes. He noted that there may be companies that service a larger number of counties that could spread those cost increases through their normal contracting clause.

Mr. McKibbin recalled that there were questions regarding work orders that were approved last year. He asked if the County might be better served to look into purchasing a different system. Mr. Wasson responded that a new integrated justice system would cost upwards of \$13 million. He indicated that he is having discussions with the justice agencies about future needs in the justice system, but switching to another system will be a several year process. Mr. Wasson added that a revenue source needs to be identified for the purchase of a new system. He stated that some counties in Illinois passed bond issues or initiated a Public Safety Sales Tax, which has given them the flexibility to pay for those types of systems.

Mr. McKibbin asked what would be the comparison in operational costs of one of the other programs compared to the current program. Mr. Craig Nelson, Director, Information Technologies, replied that the operating cost for a system such as that can cost from 5% to 7% annually in purchase price which is substantially more than our current cost. He noted that there are not many products that do a good job of integrating the Circuit Court's office responsibilities with the rest of the justice system. Mr. Nelson indicated that it would likely require two separate acquisitions and implementations.

Motion by McKibbin/Rankin to Recommend Approval of
E*Justice (EJS) Case Management Enhancements.
Motion carried.

Mr. Everhart reviewed his June 2012 Statistical Reports. He stated that there was nothing unusual to point out in the report.

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

Ms. Judy Brucker, Director, Children's Advocacy Center, reviewed the Children's Advocacy Center (CAC) Monthly Statistical Report and the CASA Report. She stated that the CAC numbers continue to be up. Ms. Brucker noted that if this projector continues, there will likely be 300 interviews conducted this year.

Ms. Brucker reported that 118 children are being advocated for by 63 CASA volunteers. She added that a new CASA class will be starting in September.

Chairman Rackauskas asked if there are children who CASA does not have enough advocates to serve them. Ms. Brucker replied that CASA only advocates for about one-quarter of the McLean County children living in foster care. She indicated that in order to stay accredited nationally, CASA would have to have additional CASA Case Managers to supervise additional CASA volunteers.

Ms. Brucker noted that October 11th is the "Charm the Blue Kids" event at Jack Lewis Jewelers. Chairman Rackauskas encouraged the Committee to attend and to consider purchasing a Blue Kids bracelet.

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

Ms. Cathy Waltz, Superintendent, Juvenile Detention Center, presented a request for approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2012 Combined Annual Appropriation and Budget Ordinance Fund 0001, General Fund, Court Services Department 0022.

Ms. Waltz reminded the Committee that McLean County will receive FFY'2010 funds totaling \$10,575 to be used in the Juvenile Division to assist in implementing on-site mental health assessments for at risk youth. She noted that, as the funds will be available as of September 1, 2012, she has prepared an Emergency Appropriation Ordinance for four months of the funds, which is \$4,230. The remaining \$6,345 will be added to the 2013 Court Services General Fund Budget.

Motion by Wollrab/Schafer to Recommend Approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2012 Combined Annual Appropriation and Budget Ordinance Fund 0001, General Fund, Court Services Department 0022.
Motion carried.

Ms. Waltz reviewed the Juvenile Detention Center's National Commission on Correctional Health Care reports regarding their September audit of the McLean County Juvenile Detention Center's medical programming. She noted that the report shows that the Juvenile Detention Center continues to provide outstanding medical services to juveniles ordered to secure detention. Ms. Waltz reported that the National Commission on Correctional Health Care (NCCHC) determined that it will continue to accredit McLean County Juvenile Detention for its 100% compliance with NCCHC's *Standards for Health Services in Juvenile Detention and Confinement Facilities*.

The Committee congratulated Ms. Waltz and the JDC staff on this achievement.

Ms. Wollrab asked if this audit is mandatory or a voluntary process. Ms. Waltz replied that it is voluntary, but she feels it is very beneficial to the JDC.

Chairman Rackauskas noted that there is a potential that several Juvenile Detention Centers in the state may be closing. She asked if this will have any impact on the McLean County JDC. Ms. Waltz replied that the impact will be minimal.

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

Chairman Rackauskas presented the Public Defender's Monthly Caseload Report as submitted by Ms. Kim Campbell, Public Defender. There were no questions on the report.

Mr. Rusty Thomas, Chief Deputy Sheriff, presented a request for approval of the renewal of an Illinois Criminal Justice Information Authority Task Force 6 grant for expanding multi-jurisdictional narcotics units. He explained that this is a renewal of an annual pass-through grant. Mr. Thomas advised that the County has no financial obligation.

Mr. Thomas noted that this is the 16th year for this pass-through grant for Task Force 6, which is organized by the Illinois State Police covering McLean and DeWitt Counties.

Ms. Wollrab noted that some of the "Summary of Programs" provided outcomes of investigations and some did not. She asked if that information would be available. Mr. Thomas responded that a lot of investigative information is kept confidential, particularly those investigations that are state and federal that may go beyond the Task Force 6 district. Mr. Wasson noted that the statistics shown on the report are for Task Force 6 only and does not include arrests made by other entities such as the Sheriff's Department, City of Bloomington, Town of Normal, etc.

Motion by McKibbin/Rankin to Recommend Approval
the Renewal of an Illinois Criminal Justice Information
Authority Task Force 6 Grant for Expanding Multi-
Jurisdictional Narcotics Units.
Motion carried.

Mr. Thomas reviewed the Jail Population Report. He pointed out that, to date, no prisoners have been housed out-of-County.

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

On behalf of the State's Attorney's Office, Ms. Kim Wells, Executive Director, Corporate Alliance to End Partner Violence, presented a request for approval of a Resolution of the McLean County Board Proclaiming Tuesday, October 2, 2012 "*It's Time to Talk Day*" and the Month of October 2012 as "*Domestic Violence Awareness Month*" in McLean County.

Ms. Wells advised that this will be the eighth year that the County has signed this Resolution. She noted that CAC and CASA joined the Corporate Alliance to End Partner Violence in its efforts to promote domestic violence awareness this year. Ms. Wells indicated that the theme this year is "See Something, Say Something, Get Involved." She referred to the Penn State child abuse case as a prime example of the importance of talking about these types of abuses.

Motion by Wollrab/Rankin to Recommend Approval a Resolution of the McLean County Board Proclaiming Tuesday, October 2, 2012 "*It's Time to Talk Day*" and the Month of October 2012 as "*Domestic Violence Awareness Month*" in McLean County.
Motion carried.

Mr. Ron Dozier, State's Attorney, reviewed his Monthly Caseload Report and Asset Forfeiture Fund Report.

The Committee discussed the reasons why some criminal cases can be resolved quickly while others take a long time. Causes for delays include death penalty cases, complicated DNA testing, cases that need further investigation and attorney issues. Mr. Wasson added that if the defendant and the state are ready and want to proceed, cases can sometimes be resolved quickly.

Mr. Dozier referred to the recent drug arrests in Bloomington last week. He noted that over 50 search warrants and seizure forfeiture warrants were issued, which will increase the State's Attorney's July statistical report.

Mr. Dozier advised that the Legislature passed a law that in drug cases, with the consent of the State's Attorney and one party in a conversation, an "over-hear warrant" is no longer required. It is possible to send an informant in and tape a conversation without getting a judge's approval in advance. Mr. Dozier stated that he believes this legislation takes effect January 1, 2013.

Mr. Dozier reminded the Committee of the big drug sweep that was conducted in April on synthetic drug sales. In addition, he reminded the Committee that the Attorney General had introduced Legislation that would make it a felony to violate the Illinois Food, Drug and Cosmetics Act, 410 ILCS 620/1. It would be a Class 2 felony for a drug that is not on the control substance list to be sold without the manufacturers name and address on the package, as well as a list of the ingredients. He advised that this legislation went into effect on July 31st.

Mr. Dozier stated that he is working with the County Administration and Information Technologies to modify some of the County restrictions on access to websites such as Facebook for personnel engaged in investigative efforts.

Mr. Dozier expressed concern about several grants, including the Domestic Violence Grant, Child Support Grant and the Children's Advocacy Grant.

Mr. Dozier indicated that the Attorney General required that the State's Attorney's Office switch from their Children's Advocacy Center attorney who prosecuted people who sexually abused minors, to the Juvenile Court Abuse and Neglect attorney because the Attorney General's goal is the termination of parental rights. He stated that, apparently, the Assistant Attorney General thought that it was easier to switch the grant to the person who is working with abuse and neglect than it was for him to explain why our statistics don't match up to the statistics of other State's Attorneys whose grant funded ASA's are focusing on parental rights termination, while McLean County was focusing its efforts on convicting criminals.

Mr. Dozier noted that the Grant contract requires a quota of parental terminations per month. This would mean that McLean County may be required to have as many parental rights terminations as some much larger counties. He is concerned that if we don't meet that requirement the County may not receive the grant next year.

Mr. Dozier stated that the Child Support Grant that supports two attorneys and two staff was cut back 7% to 8% and the County is picking up more of these financial obligations.

Mr. Dozier indicated that there are two choices, as follows:

- Continue the effort on our own and ask the County to pick up the cost of the whole unit, which would be significant, or;
- Let the responsibility revert back to the Attorney General who has done it in the past for McLean County.

Mr. Dozier stated that if the Attorney General's office takes over this responsibility, it would mean that an attorney from the Attorney General's Office would likely come in twice a week to handle cases that normally take five days to complete.

Chairman Rackauskas stated that this appears to be another message from the State that they want the counties to take on more of the State's financial responsibility.

Mr. Dozier advised that he believes the Domestic Violence grants are safe because that money is earmarked from court fees.

Ms. Schafer pointed out that if the County discontinued receiving the Child Support grant and the Attorney General's Office would be responsible, which wouldn't save them any money at all. She noted that she didn't see the point in the Attorney

General taking the grant away from the County. Mr. Wasson responded that there is a cost effectiveness balance where the State has to figure out what is most effective for them, namely whether to pay us to do the work or to do the work themselves, or to choose to do the work but not nearly as well.

Chairman Rackauskas pointed out that the County would probably then pick up the slack and still shoulder some of the financial responsibility to see that it is done well.

Ms. Wollrab asked if we did not take the grant, would the County have more leeway to do things in a way we prefer they be done. Mr. Dozier replied that, to some extent that would be possible. Mr. Wasson stated that there would probably be some record-keeping functions that would not be required relative to the grant documentation that we have to supply to them. Mr. Dozier noted that it would be possible to cut back some.

Ms. Schafer asked what the impact would be to the County in the middle of the year if the grants were taken away. Mr. Dozier stated that he would not be in a hurry to fill an attorney position vacancy if he thought we were getting close to one of these grants coming to an end.

Mr. McKibbin expressed concern with the quota on parental termination. He questioned whether this effort would serve the interest of justice.

Mr. Wasson advised that we need to remember that the funding is not guaranteed for these grants and in the future we may need to make difficult decisions about whether we attempt to find ways to fund them internally or to leave the responsibility to others.

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

Chairman Rackauskas introduced Ms. Jennifer Carrillo and Mr. Sonny Garcia with the Illinois Peoples Action. She noted that Ms. Carrillo and Mr. Garcia intend to present a written request to speak to the Justice Committee next month about immigration.

Chairman Rackauskas presented the July 31, 2012 Justice Committee bills for review and approval as transmitted by the County Auditor. The Justice Committee bills include a Prepaid Total of \$906,162.28 and a Fund Total that is the same.

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Motion by Wollrab/Schafer to Recommend Approval of the Justice Committee Bills as of July 31, 2012, 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/Wollrab to Recommend that the
Justice Committee meeting be adjourned at 5:32 p.m.
Motion carried.

Respectfully submitted,

Judith A. LaCasse
Recording Secretary