

Minutes of the Justice Committee

The Justice Committee of the McLean County Board met on Tuesday, February 5, 2013 at 4:30 p.m. in Room 400 of the Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Chairman Caisley; Members Rankin, Schafer, Wollrab and Soeldner

Members Absent: Member McIntyre

Other County Board
Members Present: None

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

Department Heads/
Elected Officials
Present: Sheriff Mike Emery, Mr. Curt Hawk, Director, EMA; Mr. Jason Chambers, State's Attorney; Judge Kevin Fitzgerald, Eleventh Circuit Court; Ms. Beth Kimmerling, Coroner; Ms. Lori McCormick, Director, Court Services; Ms. Judy Brucker, Director, Children's Advocacy Center

Others Present: Ms. Cathy Waltz, Superintendent, Juvenile Detention Center; Mr. Ryan Gibson, Deputy Coroner, Coroner's Office

Chairman Caisley called the meeting to order at 4:35 p.m.

Chairman Caisley presented the January meeting minutes (held on December 31, 2012) for approval.

Motion by Soeldner/Rankin to Approve the Minutes of the January Meeting minutes held on December 31, 2012.
Motion carried.

Sheriff Mike Emery reviewed his Monthly Population Report, noting that the population has been trending a bit high over the past few weeks. He stated that the population has been managed through rotation to avoid having to house anyone out-of-County.

Sheriff Emery reviewed the NIC Jail Mental Health Assessment Report that was conducted in December 2012. He advised that the report is very extensive and should be reviewed carefully before any potential action is discussed. Sheriff Emery indicated that the Assessment offers a two-pronged process. One part of the assessment deals with the detention facility, including programs, housing, and services. The second part of the assessment is the community side of the mental health issue. Sheriff Emery stated that the County will need to meet with community providers to see what can be changed to make sure that services are being provided to community members with mental health issues. He indicated that, currently, the County Jail stabilizes inmates with mental health issues, returns them to competency and releases them from custody along with two weeks of medication. Sheriff Emery noted that the problem is that it takes six to eight weeks before the individuals can continue their treatment or therapy, which leaves a gap of about a month when they have no place to continue getting services.

Sheriff Emery advised that the mental health issue must go beyond looking at how to improve the Jail housing to include how these individuals can get help in the community. He pointed out that using the Booking Area to house inmates with mental health issues is not a preferred practice. He indicated that the County Board will eventually need to consider alternatives to house inmates with mental health issues.

Sheriff Emery stated that the Assessment Report is very complete and provides guidance and direction to continue the County's success as it moves forward.

Mr. Rankin pointed out that the report commended the County Jail and its staff for being one of the most professionally managed County Jails in the nation.

Mr. Rankin asked if the two-week supply of medication reduces the recidivism during that time and would there be a benefit to increase the amount of medication given to them to six weeks. Sheriff Emery replied that cost, as well as the possibility that the individuals might over-take the medication, lose the medication or sell the medication are all concerns. Sheriff Emery indicated that the amount of medication provided can be changed. He indicated that this issue and others are being discussed with the Program Director and the Jail Administration.

Mr. Rankin asked if it appears that the State of Illinois will continue to reduce funding for mental health issues statewide. Chairman Caisley replied that the State Senate says that the first priority is the Department of Children and Family Services and not mental health. Mr. Wasson added that he anticipates that there may be a risk of further decreases in service availability.

Ms. Schafer asked if there are enough professionals, such as psychiatrists and therapists, to handle the volume of people with mental health issues in McLean County. Sheriff Emery replied that there may not be the level of professionals necessary for a county the size of McLean County. However, he added that he believes that there are enough service agencies in the County to provide services for people with mental health issues.

After a continued discussion, it was determined that the mental health issue is one that would best be served by educating and involving the McLean County community, and by working with other counties, the state and the federal government.

Chairman Caisley asked if there were any additional questions or comments. Hearing none, he thanked Sheriff Emery.

Mr. Curt Hawk, Director, EMA, presented a request for approval to apply for a County Credit Card for the McLean County Emergency Management Agency. He noted that currently EMA is using the Auditor's credit card.

Chairman Caisley asked how many other departments have their own credit card. Mr. Wasson replied that a majority of County departments have their own credit cards. He indicated that a master plan was set up through the County Auditor's Office and the Auditor's Office oversees the credit card account. Mr. Wasson stated that It is basically one large account, with separate cards for each department.

Motion by Schafer/Rankin to Recommend Approval for
EMA to apply for a County-owned Credit Card.
Motion carried.

Mr. Hawk advised that Thursday, February 7th EMA is holding the third annual Great Central Illinois US Shakeout to practice earthquake preparedness. He indicated that they are working with the schools around the County.

Mr. Hawk reported that the Functional Needs Registry has been very successful. He noted that Information Technologies built a secured database. Mr. Hawk stated that information was distributed for people to sign up. He indicated that 442 individuals have registered in McLean County. Other counties offering this service have only 15-20 people registered. Mr. Hawk advised that the intent of the registry is to identify persons with special needs who first responders will seek out should there be an emergency event in the community.

Chairman Caisley asked if there were any additional questions or comments. Hearing none, he thanked Mr. Hawk.

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

Chairman Caisley asked why there are more felonies than misdemeanors. Mr. Chambers replied that there was a jump in felonies over the summer. He indicated that there is a combination of reasons for that increase including:

- Backlog of cases that were discovered last summer of unscreened non-custody cases;
- Change in practices, including changing the practice of charging a misdemeanor in traffic cases where someone has 7 or 8 offenses, which should have been charged as a felony.

Mr. Chambers stated that the practice in the past has been to offer someone to plead guilty to a misdemeanor for multiple traffic cases or it would be upgraded to a felony. He has changed that practice to charging it as a felony, but if an individual wants to come in with mitigating reasons why it should be a misdemeanor, it will be considered.

Mr. Soeldner indicated that he and Mr. Chambers attended the County Mayors Association meeting last week. He indicated that they identified things that the State's Attorney's Office can do to help the small towns with ordinance violation issues. Mr. Chambers stated that this effort is still in the "what if" stage. He noted that a lot of the small communities have trouble enforcing their ordinance violations because they would have to hire an attorney. Mr. Chambers indicated that it may be possible for the State's Attorney's Office to contract with them to enforce some of those ordinance violation. He added that the County would have to be compensated for the services.

Chairman Caisley asked if there were any additional questions or comments. Hearing none, he thanked Mr. Chambers.

Judge Kevin Fitzgerald, Eleventh Circuit Court, presented two requests that can be acted upon together. They are approval of the McLean County Court Guardian Ad Litem Contract for Ms. Brenda Temke for Fiscal Year 2013-Fiscal Year 2015, and request for approval of the McLean County Court Guardian Ad Litem Contract for Mr. Donald Bernardi for Fiscal Year 2013-Fiscal Year 2015. He advised that Mr. Brian Goldrich resigned to be appointed as an Associate Judge.

Judge Fitzgerald advised that Ms. Temke and Mr. Bernardi are well-qualified and will split the position between them 50-50 at \$40,000 each.

Motion by Soeldner/Wollrab to Recommend Approval of the McLean County Court Guardian Ad Litem Contract for Ms. Brenda Temke for Fiscal Year 2013-Fiscal Year 2015, and to Recommend Approval of the McLean County Court Guardian Ad Litem Contract for Mr. Donald Bernardi for Fiscal year 2013-Fiscal Year 2015.

Motion carried.

Chairman Caisley asked if there were any questions or comments. Hearing none, he thanked Judge Fitzgerald.

Ms. Beth Kimmerling, Coroner, introduced Mr. Ryan Gibson, the new full-time Deputy Coroner. She noted that Mr. Gibson is a transfer from the Metcom Department, and is also the Dale Township Fire Chief.

Ms. Kimmerling reviewed the December Monthly Report. She pointed out that 2012 ended with 588 autopsies, which is the combined total of out-of-County and County cases. Ms. Kimmerling indicated that the 2012 budget was based on a prediction of 173 cases. She pointed out that this is 415 autopsies over what was budgeted for. Ms. Kimmerling stated that this number is also reflected in the revenue. The predicted revenue was \$48,000 and \$154,000 was brought in. Ms. Kimmerling advised that next month there will be an end-of-year Emergency Appropriation of approximately \$50,000 to balance the 2012 budget.

Chairman Caisley asked if four suicides in a month are high. Ms. Kimmerling replied that 4 suicides are very high. She also pointed out that over 100 deaths were reported for the month of December. Generally, the average number of deaths in a month is 80 deaths. Ms. Kimmerling added that the number of deaths in January is extremely high.

Ms. Kimmerling indicated that the January 13th edition of the *Pantagraph* printed an article about the Coroner's Office.

Ms. Kimmerling advised that, because of the *Pantagraph* article and due to the outstanding reputation of Dr. Denton in forensic pathology, Mr. Jeff Harkey, a board certified forensic pathologist who has been working in DuPage County for 16 years is going to start working in Central Illinois with Dr. Denton and Dr. Youmans.

Ms. Kimmerling noted that between McLean County, Champaign County and Peoria County, autopsies services are being provided by three pathologists to more than 30 counties, or one-third of the state of Illinois.

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

Chairman Caisley presented the December 2012 and 4th Quarter 2012 Statistical Reports as submitted by Mr. Don Everhart, Circuit Clerk. There were no questions on the report.

Ms. Lori McCormick, Director, Court Services, presented her Monthly reports.

Ms. McCormick advised that the state and country is working on the Affordable Care Act which is going to bring about financial assistance for mental health as well as substance abuse through Medicare and insurance. She indicated that one of the major areas of the criminal justice system is to make sure that participants are signed up.

Ms. Wollrab asked when the Affordable Care Act will go into effect. Ms. McCormick replied that it begins in 2014.

Ms. Schafer asked if this Act is going to increase the number of people who can be put into Drug Court and Recovery Court. Ms. McCormick replied that it will assist with sustainability in both of those programs.

Chairman Caisley pointed out that there was a jump in occupancy of the Juvenile Detention Center. Ms. Cathy Waltz, Superintendent, Juvenile Detention Center, replied that the numbers fluctuate. She noted that over Christmas break, spring break, and summer break, the numbers go up with juveniles who are doing dispositional detention at a time when it doesn't disrupt their schooling.

Chairman Caisley asked if there were any additional questions or comments. Hearing none, he thanked Ms. McCormick and Ms. Waltz.

Ms. Judy Brucker, Director, Children's Advocacy Center, reviewed the Children's Advocacy Center (CAC) Monthly Statistical Report and the CASA Report.

Ms. Brucker advised that the 2012 year-end total number of children served by CASA volunteers was 160 children. These children received advocacy from 85 different CASAs for a total donation of advocacy hours of 9,746 hours, which is just shy of equaling five full-time employees. She added that the CASA volunteers throughout 2012 made 561 recommendations to the Court regarding the children they were serving and 515 of those recommendations were followed by the Court.

Ms. Brucker reported that the Children's Advocacy Center served 237 children in 2012, which is two more than last year. She noted that she expected that number to be higher.

Ms. Brucker reminded the Committee that the 16th annual Blue Kids Fundraiser benefit is February 16th. She stated that 425 seats out of the 500 capacity have been reserved. There are 75 tickets still available.

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

Chairman Caisley presented the Public Defender's Monthly reports as Ms. Kim Campbell, Public Defender, was unable to attend the Committee. There were no questions on the report.

Chairman Caisley asked the Committee to consider an appropriate time to tour the Law and Justice Center. After a discussion, the Committee decided to tour the Sheriff's Department, the Coroner's Office and the Jury Commission on Friday, February 22nd beginning at 1:00 p.m. The Committee will meet at the Law and Justice Center. Chairman Caisley asked the Administrator's Office to invite other County Board members to go on the tour, to notify the appropriate personnel in those departments about the tour, and to prepare a public notice of the tour.

Mr. Soeldner asked if there are guidelines for how the Asset Forfeiture Fund can be used. Mr. Wasson replied that the guidelines include use for materials, equipment, and training programs for drug enforcement. Mr. Soeldner asked why there is a State's Attorney and a Sheriff's Asset Forfeiture Fund. Mr. Wasson replied that when forfeitures take place, by statute, there is a distribution that goes to both the Law Enforcement Agencies that participate in the investigation and a percentage that goes directly to the State's Attorney.

Chairman Caisley presented the January 31, 2013 Justice Committee bills for review and approval as transmitted by the County Auditor. The Justice Committee bills include a Prepaid Total of \$1,358,347.25 and a Fund Total that is the same.

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Motion by Wollrab/Soeldner to Recommend Approval
of the Justice Committee Bills as of January 31, 2013,
as transmitted by the County Auditor.
Motion carried.

Chairman Caisley asked if there was any other business or communication for the
Justice Committee. Hearing none, the meeting was adjourned at 6:00 p.m.

Respectfully submitted,

Judith A. LaCasse
Recording Secretary