

Minutes of the Justice Committee

The Justice Committee of the McLean County Board met on Tuesday, March 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 McIntyre, Soeldner, Rankin, Schafer, and Wollrab (arrived 4:40 p.m.)

Members Absent: None

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: Mr. Jason Chambers, State's Attorney; Ms. Beth Kimmerling, Coroner; Mr. Don Everhart, Circuit Clerk; Ms. Lori McCormick, Director, Court Services; Ms. Judy Brucker, Director, Children's Advocacy Center; Ms. Kim Campbell, Public Defender; Sheriff Mike Emery; Mr. Will Scanlon, Trial Court Administrator-11th Circuit Court

Others Present: None

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

Chairman Caisley presented the February 5, 2013 Justice Committee Minutes for Approval.

Motion by Rankin/Schafer to Approve the Minutes of the February 5, 2013 Meeting.
Motion carried.

Mr. Jason Chambers, State's Attorney, reviewed his Monthly Caseload Report and Asset Forfeiture Fund Report. He stated that February had a significant jump in felony cases with 153 cases. Mr. Chambers advised that January was high compared to some months. However, he noted that reviewing past years statistics, many months had large fluctuations. Mr. Chambers indicated that one of his prosecutors had charged several drug cases in February that were the result of traffic stops.

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Mr. Chambers distributed a report showing that drug charges in past years fluctuated significantly. He noted that there has been no drug charges made in March so far.

Mr. Chambers advised that the increase in drug charges accounts for the increase in the Asset Forfeiture Fund.

There was a brief discussion on the Asset Forfeiture Fund. Mr. Chambers explained that the Asset Forfeiture monies are divided up between the different agencies involved in an arrest. He noted that the State's Attorney's office receives 20% of the funds. Mr. Chambers indicated that the funds can only be used for drug related expenses, such as equipment, drug training, etc.

Mr. McIntyre asked if there is a legal process when there is a seizure of assets from a drug arrest. Mr. Chambers replied that a notice is sent to everyone who might be the claimant of the seized property and they have a time period in which they can contest the seizure or do nothing. He stated that if the claimant does nothing, the seizure progresses. If the claimant contests the seizure, the State's Attorney must file a civil action asking to have it declared seized.

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

Ms. Beth Kimmerling, Coroner, reviewed her January 2013 Monthly Report. She advised that the McLean County Coroner's Office is now providing services to 23 counties in addition to McLean County. The most recent additions are Brown, Green, Menard and Hancock counties. Ms. Kimmerling stated that she has been told that some of these counties are traveling long distances to McLean County because their other option would be to go to St. Louis, which is charging Illinois counties \$2,000 to \$3,000 per autopsy.

Ms. Kimmerling advised that the Coroner's Office averages 80-85 deaths reported to them a month. In the month of January there were an additional 50 deaths reported. Ms. Kimmerling stated that the Coroner's Office is down one employee, so the office is understaffed and overworked, but will continue to provide services. She pointed out that despite the high number of deaths; it was possible to keep the autopsy numbers down to an average number.

Ms. Kimmerling reminded the Committee that last year the Coroner's Office provided almost 600 total autopsies, which is far more than the 400-450 to which she is accustomed. She reported that in the first week of February, the Coroner's Office had already recorded its 100th autopsy.

Mr. Soeldner asked if the Coroner's Office is running into storage issues. Ms. Kimmerling replied that storage has been a substantial issue.

Mr. Rankin asked if this large number of deaths is an anomaly or if it is a preview of things to come. He asked if it will be necessary to deny services to some counties. Mr. Wasson replied that two years ago we talked about the potential of reduced budgets and the need to go out and recruit "business" from other counties. We now have potentially more business that the current office can handle. Mr. Wasson pointed out that the Budget Amendment request on the Agenda reflects that more revenue has been collected than was expected, and there are also increased expenditures. Mr. Wasson indicated that the Coroner will need to continue to assess her staffing and availability of facilities relative to who the County can serve and the numbers that can be served.

Mr. Soeldner asked why so many counties are coming to McLean County for autopsies. Ms. Kimmerling replied that there aren't enough forensic pathologists available and it is difficult to draw students into forensic pathology. She added that most of these counties do not have access to a forensic pathologist and/or they do not have a facility in which to perform autopsies.

Mr. Soeldner asked if it will be necessary to consider charging more for autopsies in order to lower the demand. Ms. Kimmerling responded that it is a cost benefit analysis. She indicated that there was some consideration to raising the rates this year, but because the pathologists did not raise their rates, it was determined that the charges would not be raised. Ms. Kimmerling added that a rate increase will be considered for 2014. She cautioned that we must be careful not to price ourselves out of competition.

Ms. Schafer asked what other counties charge for autopsies. Ms. Kimmerling replied that McLean County is very competitive with Will County, Champaign based their cost on our cost, and Peoria County is lower, but their facilities are not as good.

Chairman Caisley pointed out that the revenue that comes into the Coroner's Office goes into a revenue line and the cost comes out of an expenditure line, so the revenue does not pay for the expenditure.

Mr. McIntyre suggested that it will be necessary to look at more staffing and facility needs, while keeping in mind that the numbers can fluctuate significantly. Mr. Wasson indicated that if we decide to investigate expanding facilities and staffing, it would be necessary to look at formal, long-term agreements that would guarantee that we would have clients.

Ms. Kimmerling stated that she believes McLean County should be the hub for this part of the state. She noted that Mr. Wasson is aware that she would like more space. Ms. Kimmerling pointed out that this will be a long process. She indicated we need to decide what McLean County should be in the world of death investigation/forensic services and proceed from there. Ms. Kimmerling added that the federal government is focusing on death investigation and forensic sciences. She noted that the federal government wants dollars to go towards getting more forensic pathologists who can work out of accredited facilities.

Ms. Schafer asked that Ms. Kimmerling include in her report the number of autopsies performed for each county and keep a running total each month. Ms. Kimmerling replied that she will add that information to the report.

There was additional discussion on the need for staff and budget. Mr. Wasson advised that with no commitment from the counties, it is difficult to forecast on a long-term basis.

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

Mr. Don Everhart, Circuit Clerk presented January 2013 Statistical Reports. He indicated that there was nothing unusual in the reports.

Chairman Caisley asked for an explanation of the "End Pending 2012" number and the "Begin Pending" number. Mr. Wasson explained that the "End Pending 2012" is where pending cases ended in January 2012 and the "Begin Pending" is the end of January 2013.

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

Ms. Lori McCormick, Director, Court Services, presented her Monthly reports. She noted that she would be glad to answer any questions.

Ms. Wollrab referred to the section "High Risk-Intensive Probation Supervision (IPS)/Adult Redeploy Illinois (ARI) on pages 25-26 of the Packet. She asked if there is a tracking system to determine if the Adult Redeploy Program is effective. Ms. McCormick replied that the Adult Redeploy Program is very effective. She indicated that she keeps detailed data for the Illinois Criminal Justice Information Authority. Ms. McCormick stated that she can provide that information. She noted that the Adult Redeploy program has only been in existence for a short period of time, but they are tracking those individuals. The

purpose of the Adult Redeploy Program is to limit inmates being sent to the Department of Corrections. Ms. McCormick indicated that, in the long-run with all of the services being provided, it reduces not only prison time, but jail time as well. She stated that she can send the committee the website address for the Adult Redeploy Oversight Board who recently reviewed the program.

Chairman Caisley reminded the Committee that every time someone is sentenced to probation, it saves the state money.

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

Ms. Judy Brucker, Director, Children's Advocacy Center, reviewed the Children's Advocacy Center (CAC) Monthly Statistical Report and the CASA Report. She noted that the new CASA training class will be starting soon.

Ms. Brucker stated that the February 16th Annual Blue Kids Fundraiser Benefit was very successful. She reported that the Benefit netted \$116,000 and reached the goal for the CASA program.

Ms. Brucker announced that April is Child Abuse Awareness Month. She noted that yard signs are available in the Administrator's Office or in the CAC Office.

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

Ms. Kim Campbell, Public Defender, presented her Monthly report. She advised that the Public Defender's Office is busy due to the increased case loads. Ms. Campbell noted that they are up in every category except mental health. She noted that the largest increase is in the felony courtroom that channels a lot of the traffic offenders. Ms. Campbell added that due to some changes in policy they are being filed much more frequently than last year and the year before. She indicated that she has met with Ms. Eisner to discuss personnel issues in that courtroom.

Ms. Campbell advised that she now has a full caseload in addition to her administrative responsibilities.

Mr. Wasson stated that, based upon discussions over the last two months, it is prudent for Ms. Campbell to report to the Committee on a monthly basis on the staffing level issues in the Public Defender's Office. He recognized that this is one

area that needs to be closely monitored. Mr. Wasson noted that contract attorneys may be the best solution to address intermittent needs.

Ms. Wollrab asked if Ms. Campbell had a case load previously. Ms. Campbell replied that she has always had cases, but not a full caseload.

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

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

Sheriff Emery thanked the Committee for touring the Jail facilities and observing the facility needs to accommodate inmates with mental health issues. He noted that the Property Committee also toured the Jail facilities. Sheriff Emery added that the NIC Mental Health Assessment provided information related to facility needs.

Sheriff Emery advised that he would like the Committee to consider options to address the issue of the mental health situation in the Jail and the housing of those individuals.

Mr. Rankin asked if there are statistics available on the number of inmates with mental health issues. Sheriff Emery replied that Jail report does not provide statistics on individuals with mental health illnesses. He indicated that the Stevenson Institute is running data specific to those individuals who receive some type of medication related to their mental health illness. Sheriff Emery stated that sometime in the near future it will be possible to extract that information out and put it in a report for the Committee. He indicated that while NIC was here doing its assessment, there were 64 individuals receiving some type of psychotropic medication related to mental illness, which was 28% of the population on that day. Mr. Rankin noted that this would be good information to have.

Sheriff Emery advised that he has asked the Jail staff to start collecting data on veterans who enter the Jail. He noted that there is a tab in the booking process to capture military service.

Mr. Rankin asked what the next steps are that need to be taken to accommodate inmates with mental health issues. Mr. Wasson responded that the next step is a meeting to include the Chairmen of Justice and Property Committees, as well as

Board Chairman Sorensen to discuss strategies to move this forward, to discuss strategies to move this forward, to discuss responsibilities, and how it is going to progress. Chairman Caisley noted that he contacted Property Committee Chairman Segobiano today who indicated that he is willing to meet and would be amenable to having a joint meeting of the two committees in the future.

Chairman Caisley advised that it will also be necessary to involve the Public Building Commission because the Law and Justice Center is not a facility that the County owns.

Mr. Wasson stated that from the standpoint of the facility and any evaluations going forward, it is apparent that there are issues that need to be evaluated and addressed relative to mental health. He added that the overall population numbers continue to be a concern. Mr. Wasson indicated that even with the work that all of the Justice agencies have done together to manage that population, the population numbers will continue to be a challenge. He advised that it is not just important to address the mental health issue, but the overall population needs. Mr. Wasson stated that NIC has offered some opportunities for facility planning. Sheriff Emery indicated that he communicated with NIC today and they will not only send in technical assistance to help with the design part of the plan, but they would also send in technical assistance to train staff in how to work in a mental health facility.

There was a discussion on the various possibilities to add on to the Jail facility, including enclosing the outside exercise area, or potentially adding another floor to the building.

There was a discussion on available mental health treatment for people outside of the Jail and how that assistance might impact the Jail population.

Sheriff Emery reminded the Committee 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. He 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. Mr. Wasson stated that the United Way and many community partners have recently engaged in a community assessment process and, hopefully, information from that report will benefit not only the County but also the other service providers within McLean County.

Sheriff Emery added that he provided the United Way with the NIC assessment report for their assistance.

Chairman Caisley requested that Mr. Wasson ask the Health Department for a report on what they are doing with the County's Mental Health funding.

Ms. Wollrab asked if there might be federal monies available to assist with the mental health issue. Sheriff Emery replied that Curt Hawk, Director of EMA and also with Veteran's Affairs, is currently in Washington, D.C. lobbying our Illinois delegation for funding as it relates to veterans. He indicated that the big push for them is mental health funding specific to veterans.

Sheriff Emery stated that there is the potential of receiving some non-financial help from the state. He explained that with the facilities that the state has closed and the staff retained from those facilities, the state may send their psychiatrist, their forensic counselors and counselors to McLean County. He noted that it is cheaper for the state to provide that type of assistance than to open another facility. Sheriff Emery indicated that they have been working with the state for a few months to get that assistance, and a proposed agreement may be forthcoming. Sheriff Emery advised that the County cannot force medication on inmates; however, the state does have that authority. Mr. Wasson noted that the individuals who voluntarily accept medication are generally individuals who can live in general population.

Ms. Wollrab asked when the community-wide assessment is scheduled to be finished. Mr. Wasson replied that he believes it will be about a year.

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

Mr. Bill Wasson, County Administrator, presented a request for approval of seven Emergency Appropriation Ordinances for the Fiscal Year 2012 Year-End Adjustments that occur every year. The First one is a request for approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2012 Combined Annual Appropriation and Budget Ordinance (Coroner's Office General Fund 0001 – Coroner's Office 0031). He noted that this is the result of the large number of autopsies that the Coroner's Office has experienced.

Motion by Soeldner/Schafer to Recommend Approval of An Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2012 Combined Annual Appropriation and Budget Ordinance (Coroner's Office General Fund 0001 – Coroner's Office 0031).
Motion carried.

Mr. Wasson presented the next three Ordinances which can be acted upon together. He noted that these are the DV Fund Grants which require a budget amendment because they are only budgeted for .66% of the year because we don't know if the grant will be authorized for the next year. If the grant has been fulfilled and extended for another year, the budget appropriations have to be made for the remaining balance. They are: DV Grant Fund 0160 – Court Services/Court Services 0022/0024; DV Grant Fund 0160 – Sheriff/Administrative Services 0029/0029; and Multidisciplinary DV Grant Fund 0160 – State's Attorney/Administrative Support 0020/0020

Motion by Wollrab/Rankin to Recommend Approval of An Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2012 Combined Annual Appropriation and Budget Ordinance (DV Grant Fund 0160 – Court Services/Court Services 0022/0024); to Recommend Approval of An Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2012 Combined Annual Appropriation and Budget Ordinance (DV Grant Fund 0160 – Sheriff/Administration Services 0029/0029); to Recommend Approval of An Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2012 Combined Annual Appropriation and Budget Ordinance (Multidisciplinary DV Grant Fund 0160 – State's Attorney/Administrative Support 0020-0020).
Motion carried.

Mr. Wasson presented a request for approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2012 Combined Annual Appropriation and Budget Ordinance for the General Fund 0001 – State's Attorney/Administrative Support 0020/0020. He explained that the States Attorney had a wide range of item lines that he had not expended funds from and a large expenditure for Contract Legal Services. Mr. Wasson noted that we do have balancing savings in the General Fund to address this expenditure.

Motion by Wollrab/Soeldner to Recommend Approval of An Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2012 Combined Annual Appropriation and Budget Ordinance (General Fund 0001 – State’s Attorney/Administrative Support 0020/0020).

Motion carried.

Mr. Wasson presented a request for approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2012 Combined Annual Appropriation and Budget Ordinance for the General Fund 0001 – EMA 0047, EMA Operations 0052. He stated that this is an addition for expenditures related to grants. Mr. Wasson explained that when EMA receives grant funding, the funds must be expended before the funds are received.

Motion by Schafer/Rankin to Recommend Approval of An Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2012 Combined Annual Appropriation and Budget Ordinance (General Fund 0001 – EMA 0047, EMA Operations 0052).

Motion carried.

Mr. Wasson presented a request for approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2012 Combined Annual Appropriation and Budget Ordinance for the McLean County Law Library 0506 – Circuit Court/Law Library 0016/0015. He stated that this is the Westlaw contract distribution. Mr. Wasson advised that there was a change in the way the funds were distributed based upon who uses and how Westlaw is used, which caused a change in the amounts. He indicated that this will be addressed in future budgets. Mr. Wasson stated that this is a large encompassing contract that includes all Justice Agencies and their access to Westlaw on line.

Motion by Rankin/Wollrab to Recommend Approval of An Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2012 Combined Annual Appropriation and Budget Ordinance for the McLean County Law Library 0506 – Circuit Court/Law Library 0016/0015.

Motion carried.

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Chairman Caisley presented the February 28, 2013 Justice Committee bills for review and approval as transmitted by the County Auditor as well as a transfer of \$287.96 in the Fund 0145-0015 Child Support-Circuit Clerk and a transfer of \$990 in Fund 0001-0021 Public Defender. The Justice Committee bills include a Prepaid Total of \$1,354,366.87 and a Fund Total that is the same.

Motion by McIntyre/Wollrab to Recommend Approval of the Justice Committee Bills as of February 28, 2013 and two transfers, 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 6:15 p.m.

Respectfully submitted,

Judith A. LaCasse
Recording Secretary