

## Minutes of the Justice Committee

The Justice Committee of the McLean County Board met on Tuesday, June 4, 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

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: Ms. Lori McCormick, Director, Court Services; Mr. Jason Chambers, State's Attorney; Ms. Kim Campbell, Public Defender; Sheriff Mike Emery; Ms. Beth Kimmerling, Coroner; Mr. Don Everhart, Circuit Clerk; and Mr. Curt Hawk, Director, EMA

Others Present: Ms. Cathy Waltz, Superintendent, Juvenile Detention Center; Ms. Connie Johnson, Accounting Specialist, Auditor's Office

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

Chairman Caisley advised that the agenda will proceed out of order so that the *Executive Session* can be addressed first. Chairman Caisley called for a motion to go into *Executive Session*, with the Committee Members and Administration Staff to discuss Personnel Matters related to specific employee(s).

Motion by Soeldner/Schafer to Recommend the Justice Committee go into *Executive Session* at 4:32 p.m. to discuss Personnel Matters Related to Specific Employee(s) with the Committee Members and Administration Staff.

Motion carried.

Motion by Schafer/Wollrab to recommend the Justice Committee return to *Open Session* at 4:49 p.m.

Motion carried.

Chairman Caisley presented the May 7, 2013 Justice Committee Minutes for Approval. Hearing no additions or corrections to those minutes, Chairman Caisley advised that the minutes would stand approved as presented.

Ms. Lori McCormick, Director, Court Services, presented two requests for approval. The first is to renew the Illinois Criminal Justice Information Authority (ICJIA) Juvenile Redeploy Grant for SFY'2014, and the second is a request for approval to renew the Illinois Criminal Justice Information Authority (ICJIA) Adult Redeploy Grant for SFY'2014. She indicated that the Juvenile Redeploy Grant is expected to be \$165,482 and the Adult Redeploy Grant is \$168,480.

Chairman Caisley advised that these grants are the same as we have had in the past. He asked Ms. McCormick how many years these grants have been in existence. Ms. McCormick replied that the Juvenile Redeploy grant has been received for five years, and this is the second renewal for the Adult Redeploy grant. She indicated that the first Adult Redeploy Grant was an 18 month program and this one is a 12 month program for the same amount of money.

Ms. McCormick pointed out that the difference between the Adult Redeploy and the Juvenile Redeploy is that Juvenile Redeploy does not allow for personnel, but Adult Redeploy does. She stated that ICJIA has agreed to increase the personnel to two adult probation officers rather than one, which will assist with Recover Court and Drug Court.

Mr. Soeldner asked if Court Services is prepared for a time when the grants end. Ms. McCormick replied that this is a program that the State has indicated that it is continuing because it is reducing commitment to the Department of Corrections and to the Department of Criminal Justice.

Motion by Soeldner/Rankin to Recommend Approval to renew the Illinois Criminal Justice Information Authority (ICJIA) Juvenile Redeploy Grant for SY'2014, and to Recommend Approval to renew the Illinois Criminal Justice Information Authority (ICJIA) Adult Redeploy Grant for SY'2014.

Motion carried.

Ms. McCormick reviewed her Monthly reports.

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

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

Chairman Caisley asked if Mr. Chambers has plans on how to use the balance in the Drug Asset Forfeiture Fund. Mr. Chambers replied that some funds have been spent on travel and training related to drug prosecutions, which has allowed them to spend less from their budgeted travel line. He reminded the Committee that these funds can only be used for drug enforcement related expenses, such as computer replacement, and recording video equipment.

Mr. Chambers advised that there is one pending forfeiture seizure of \$2.1 million that would provide the State's Attorney's Office with \$220,000. He noted that a lot of these settle for a far smaller amount, so he cannot accurately predict the amount of funds that will come in. Mr. Chambers added that the bulk of the seizure was cash or bank accounts.

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

Chairman Caisley presented the Children's Advocacy Center (CAC) Monthly Statistical Report and the CASA Report as submitted by Ms. Judy Brucker, Director, Children's Advocacy Center, who was unable to attend the meeting. There were no questions on the report.

Ms. Kim Campbell, Public Defender, presented her April Monthly report. She stated that the PD's Office continues to be very busy. Ms. Campbell advised that the attorney in the third felony courtroom resigned due to the caseload. She added that she moved a misdemeanor attorney up to that position, and moved a traffic attorney to misdemeanor. Ms. Campbell indicated that the Public Defender's Office is now short one attorney in the traffic division, which is a high volume area. She stated that the Public Defender's Office currently has a part-time 7-11 law student this summer to assist with cases.

Mr. Wasson advised that Ms. Campbell has been very patient for many months in an attempt to see if other alternatives could be found or to see if there are any changes in the trends, which has not occurred. He indicated that it is likely that it will be necessary to come back to the Committee in July with a proposal to add an additional attorney position.

Ms. Schafer asked if most of the attorneys being interviewed are attorneys coming right out of law school. Ms. Campbell replied that she is hiring mostly new graduates or ones with very little experience.

The Committee continued to discuss the attorney needs in the Public Defender's Office.

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

Sheriff Mike Emery presented his April Detention Facility Population Report. He pointed out that the Jail continues to not house out any inmates. The last date that an inmate was housed out was August 2, 2011, which is almost a two-year trend.

Sheriff Emery announced that he was notified that the funds for the grant from the National Institute of Corrections and Department of Justice for the Mental Health Assessment have become available. He indicated that the assessment specialist contacted him and has tentatively scheduled the assessment for the third week of July. Sheriff Emery noted that, prior to their arrival, several pre-site visit responsibilities must be done, including aerial photos and schematics of the outside recreation area, which is the potential site for the Mental Health space. Sheriff Emery added that they will look at two or more areas within the Jail that can be considered as other options.

Sheriff Emery indicated that there are currently five individuals being housed in the booking area who have mental illnesses as they wait for placement by the Department of Human Services. Two have been waiting 94 days for a state bed and the other has been waiting 67 days. Sheriff Emery stated that these delays are problematic for the process through the court system. He noted that there are 12 other individuals in some phase of competency restoration being held in other sections of the jail.

Ms. Wollrab asked what State hospital these individuals will be placed who are awaiting assessment. Sheriff Emery replied that they will go to McFarland Hospital in Springfield, IL.

Ms. Wollrab asked how long it takes to be treated before the individuals will be ready to stand trial. Sheriff Emery replied that it usually takes 30 days of treatment to get them to where they will be fit to stand trial. He noted that when they send the individuals back, it is up to the Jail to keep them fit for trial. Sheriff Emery noted that the County cannot force medications, but the State can enforce medications.

Sheriff Emery advised that they are working with the Department of Human Services to allow their staff to come to the McLean County Jail to provide the services that they would provide at the hospital as long as the Jail has a unit capable of housing these individuals.

Mr. Soeldner referred to the survey conducted by the Jail Assessment Review Board and asked how the Sheriff handles the issues brought up on the survey. Sheriff Emery replied that this survey is given to the inmates in the County Jail every couple of years. He cautioned that this is a survey of complaints made by inmates who ask for unreasonable requests, such as their own private televisions, and other special treatment. Sheriff Emery noted that he addressed the Jail Review Committee and told them that he appreciates their efforts on behalf of the inmates. He indicated that the Jail follows all of the Jail standards set forth by the Illinois Department of Corrections.

Chairman Caisley asked if it would be appropriate to invite our State Senators and State Representatives to the report session for the Mental Health Assessment Review. Sheriff Emery replied that he will invite the State Senators and State Representatives. He noted that he has had individual conversations with them and they understand the issues.

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

Ms. Beth Kimmerling, Coroner, presented a request for approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2013 Combined Annual Appropriation and Budget Ordinance, General Fund 0001, Coroner's Office 0031. She explained that the State provides the Coroner's Office with a percentage of the funds from a year's worth of Death Certificate Surcharge funds. The amount of funds received this year is \$4,625, which may be used to purchase equipment for the Coroner's Office. Ms. Kimmerling noted that the Emergency Appropriation Ordinance is to show that the Coroner's office received and deposited those funds.

Ms. Kimmerling stated that the funds will be used to purchase two additional storage tables for the cooler and to revamp the Evidence Room and Personal Property Room to be more amenable to storage.

Mr. Wasson indicated that the reason these funds are not budgeted under revenue is because there are times when the funds were not made available by the state.

Motion by Soeldner/Rankin to Recommend Approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2013 Combined Annual Appropriation and Budget Ordinance, General Fund 0001, Coroner's Office 0031.  
Motion carried.

Ms. Kimmerling reviewed her April 2013 Monthly Report. She pointed out that the Coroner's Office is still running above average. Ms. Kimmerling indicated that the average number of deaths is 80-85 per year, but this year it is running closer to 100. She added that scene responses are 20-25 on average, but there were 47 responses in April. Ms. Kimmerling stated that McLean County autopsies average between 8-10 per month, but 17 were conducted in April. She indicated that there were only five or six days in the Month of May when an autopsy was not performed.

Mr. Wasson advised that Ms. Kimmerling kindly allowed over 100 index books to be stored in the freezer for about a week which were water damaged when a water pipe burst in the Government Center Building. He indicated that it was recommended that the books be frozen until they could be transported for restoration.

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

Mr. Don Everhart, Circuit Clerk, presented a request for approval of a Renewal of the Intergovernmental Agreement between the Department of Healthcare and Family Services and the Circuit Clerk's Office, Agreement #2014-55-007-KJ, Title IV-D Child Support Enforcement Grant.

Chairman Caisley indicated that this is the third item in the three State IV-D Child Support Enforcement Grants. The other two items were approved last month for the State's Attorney's Office and Circuit Court.

Mr. Wasson advised that this Agreement is not the same as previous agreements with the Circuit Clerk's Office.

Mr. Everhart stated that previously the grants were fixed amounts, but this grant is based on a \$36.00 case by case fee basis.

Ms. Schafer asked if that amount would be less or more than the fixed grant amount. Mr. Everhart replied that this would be approximately 40% less than the fixed amount. He indicated that they based this amount on last year's filings.

Mr. Wasson stated that this is not significantly different than the majority of the fee revenue that we project annually when preparing the budget. It is necessary to make an educated projection on what we estimate will be received. Mr. Wasson indicated that there is a personnel component that had been previously funded by this grant. He noted that if the Committee and the County Board approve this agreement, a budget amendment will be brought to the Committee in July that will move Funding from the 143 Child Support Enforcement Fund. Mr. Wasson stated that there are sufficient funds in the unencumbered fund balance in the Fund to allow for this expense. He recommended that a modification to the 143 Fund budget and FTE resolution be considered in July.

Mr. Everhart advised that the services the Circuit Clerk's Office provides to the State are mandatory requirements whether the grant is received or not. He noted that the Circuit Clerk's Office is allowed, by statute, to charge a \$36 fee to process the Child Support payments. Mr. Wasson pointed out that the allocated IV-D revenue per case filing is also \$36 per case.

Ms. Wollrab expressed concern that the Agreement, "section 7.14 Nondiscrimination," does not include certain categories of persons who should not be discriminated against, such as military status and sexual orientation. She suggested that the entire State and Federal laws be cited within the Agreement or that additional wording be included with these additional categories. Mr. Wasson responded that it would be appropriate to include a memorandum stating that in review of the contract we noted the absence of that specific language. Mr. Wasson pointed out that the Agreement does cite the appropriate statutes, but does not specifically address all categories.

Motion by Schafer/McIntyre to Recommend Approval  
of a Renewal of the Intergovernmental Agreement  
between the Department of Healthcare and Family  
Services and the Circuit Clerk's Office, Agreement  
#2014-55-007-KJ, Title IV-D Child Support  
Enforcement Grant.  
Motion carried.

Mr. Everhart reviewed his April 2013 Statistical Reports.

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

Chairman Caisley presented the May 31, 2013 Justice Committee bills for review and approval as transmitted by the County Auditor. The Justice Committee bills include a Prepaid Total of \$492,559.88 and a Fund Total that is the same.

Motion by McIntyre/Rankin to Recommend Approval of the Justice Committee Bills as of May 31, 2013 as transmitted by the County Auditor.  
Motion carried.



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Ms. Schafer asked if it is necessary to change the Credit Card Policy to address the issue that was discussed in Executive Session. Mr. Wasson replied that it would be a discussion for the Finance Committee.

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

Motion by McIntyre/Wollrab to Recommend that the  
Justice Committee meeting be adjourned at 5:35 p.m.  
Motion carried.

Respectfully submitted,

Judith A. LaCasse  
Recording Secretary