

Minutes of the Justice Committee

The Justice Committee of the McLean County Board met on Tuesday, July 2, 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: Mr. Jason Chambers, State's Attorney; Ms. Judy Brucker, Director, Children's Advocacy Center; Ms. Kim Campbell, Public Defender; Sheriff Mike Emery; Ms. Beth Kimmerling, Coroner; Mr. Don Everhart, Circuit Clerk; Ms. Lori McCormick, Director, Court Services

Others Present: Mr. Pablo Eves, First Assistant State's Attorney, Civil Division

Chairman Caisley called the meeting to order at 4:33 p.m.

Chairman Caisley presented the June 4, 2013 Justice Committee Minutes for Approval.

Motion by Soeldner/Rankin to Approve the Minutes of the June 4, 2013 Meeting.
Motion carried.

Mr. Jason Chambers, State's Attorney, reviewed his Monthly Caseload Report and Asset Forfeiture Fund Report. He indicated that he will be available when Sheriff Emery presents the Reciprocal Reporting Agreement action item in case he can help answer any questions.

Mr. Chambers advised that the State's Attorney's Office recently expended some of the Asset Forfeiture Funds to purchase tablets through Information Technologies that can be used by State's attorneys to screen cases while they are waiting to go into Court.

Justice Committee
July 2, 2013
Page Two

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

Ms. Judy Brucker, Director, Children's Advocacy Center, reviewed the Children's Advocacy Center (CAC) Monthly Statistical Report and the CASA Report. She pointed out a correction on the CAC Report, namely on the bottom right hand corner of the report it says 104 and it should say 108. Ms. Brucker indicated that the statistics at the end of May are pretty consistent with the numbers last year.

Ms. Brucker stated that in the first five months, there was 3,547 hours of volunteer time from CASA's.

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

Chairman Caisley advised that Mr. Curt Hawk, Director, EMA, was unable to attend the meeting, and his action item will be postponed until next month.

Ms. Kim Campbell, Public Defender, presented two requests regarding hiring an additional Public Defender Attorney. The first request is for approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2013 Combined Annual Appropriation and Budget Ordinance, General Fund 0001, Public Defender's Office 0021 (to fund a new Public Defender Position). The second request is a request for approval of a Resolution Amending the Funded Full-time Equivalent Positions Resolution for 2013.

Ms. Campbell stated that the judges are very supportive of her request for an additional Public Defender Attorney. Ms. Campbell added that the case loads continue to increase in the Felony Courts Division. She indicated that the attorney currently assigned to those cases has a case load of 156 pending cases that are all open. In addition, approximately 15 new cases come in per week. Ms. Campbell indicated that in a good week, two or three cases can be closed, but they continue to accumulate more rapidly than that.

Ms. Schafer asked if the people whose cases are continued are then kept in the Jail. Ms. Campbell replied that cases involving someone in Jail will get addressed in a quicker manner because they have a speedy trial right. Most of the continued cases are with people who are not in Jail.

Ms. Campbell advised that the Public Defender's Office handles 80% of cases going to the Felony Court.

Mr. McIntyre thanked Ms. Campbell for the statistical material and rationale that was provided in the packet. He recommended that the two items be considered together.

Mr. Soeldner asked if additional personnel have been hired in the Public Defender's Office in the past four years. Mr. Wasson replied that personnel in the Public Defender's Office have been reduced in the past four years. He noted that the need to add an attorney has been discussed for almost a year and the Public Defender's Office has worked extensively to try to make adjustments to satisfy the caseload.

Chairman Caisley indicated that Sheriff Emery provided him with a Jail Committee Report and one of the principle complaints is the inability to get prompt conferences with the Public Defender. He noted that Ms. Campbell included in the material the standards that show that the Public Defender's Office is exceeding the standard caseloads.

Motion by McIntyre/Wollrab to Recommend Approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2013 Combined Annual Appropriation and Budget Ordinance, General Fund 0001, Public Defender's Office 0021 (to Fund a new Public Defender Position); and to Recommend Approval of a Resolution Amending the Funded Full-Time Equivalent Positions Resolution for 2013.

Motion carried.

Ms. Campbell reviewed her May Monthly report.

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

Sheriff Mike Emery presented a request for approval of a County-wide Reciprocal Reporting Agreement for McLean County and Law Enforcement to enter into with our school districts in McLean County. He stated that the purpose of the Agreement is to work in conjunction with school personnel on the reporting of different types of offenses and incidents and situations on and off school property where law enforcement and the school administration can share, openly, information that is somewhat protected through the Juvenile Court Act. Sheriff Emery indicated that Mr. Pablo Eves, First Assistant State's Attorney, Civil Division, has been working with the different entities, including the Unit 5 attorney,

several municipal town and city attorneys, as well as Mr. Mark Jontry, Director, Regional Office of Education, and Superintendents of Schools in McLean County to come to this Agreement putting the schools and law enforcement under one agreement. In McLean County there are 15 law enforcement agencies, not including the Illinois State Police, and ten different school districts in McLean County. Sheriff Emery stated that if every school district had its own agreement, it would create confusion in the system.

Sheriff Emery indicated that Mr. Eves has done extensive research on this through the Juvenile Court Act and the School Codes, and he is available to answer any questions.

Ms. Schafer asked if a student was arrested off school property for a violation such as underage drinking, could the Sheriff's Department contact the school and tell them. Sheriff Emery replied that specific to the Agreement, crimes that could jeopardize the safety and security of the school from gang activity, weapons, offenses, would be reported. Ms. Schafer asked if that would include a student arrested for having a bag of marijuana. Sheriff Emery replied that if there was the possibility the student was selling the drugs at school, it would be a reportable offense.

Mr. McIntyre asked if the reciprocal sharing of information between law enforcement and schools goes both directions. Sheriff Emery replied that it is reciprocal, as it will provide greater safety at the schools to have an open line of communication. He added that they have worked cooperatively together in the past, but the Statute specifically requires that the Agreement be in writing.

Mr. Eves stated that the Agreement calls for information to be shared by the schools to law enforcement and from law enforcement to the schools. He noted that there are numerous statutes in place that are incorporated in this Agreement. Mr. Eves indicated that some of the information that is shared may depend upon the age of the student. If the student is 17 years of age or older, there would be more sharing of information, and if they are under 17, it would be handled under the Juvenile Court Act.

Ms. Schafer indicated that her concern is that if a good student makes one bad decision and the information is shared with everyone, the student could be seen as a bad person.

Mr. McIntyre pointed out that the Agreement says that a representative will be appointed from each school district and will meet on a regular basis to share information. Mr. Eves responded that they will meet as needed. Mr. McIntyre

asked if the information on one student in one school district is shared with everyone. Sheriff Emery replied that the information is just shared between the law enforcement agency and the one school involved on an individual basis.

Chairman Caisley asked if Sheriff Emery and Mr. Eves agree that, with this Agreement, you still cannot do anything that violates a statute. Mr. Eves agreed. Chairman Caisley asked what this Agreement enables them to do that could not be done without the Agreement. Mr. Eves replied that it enables them to proceed forward in a partnership with the school districts and law enforcement agencies.

Mr. Chambers responded to the question of if we can do this without the Agreement, why have it. He advised that there is a statute that requires us to have these agreements to prevent potential lawsuits if the information is not shared and a student becomes a victim of a crime that could have been prevented.

Motion by Soeldner/Rankin to Recommend Approval
of a County-Wide Reciprocal Reporting Agreement.
Motion carried.

Sheriff Emery reviewed his June Detention Facility Population Report. He pointed out that the Jail continues to not house out any inmates. Sheriff Emery reminded the Committee that the last date that an inmate was housed out was August 2, 2011, which is very close to a two-year trend.

Sheriff Emery reported that from Tuesday, July 23rd to Thursday, July 25th, the National Institute of Corrections (NIC) will be in town to conduct a three-day assessment and on Friday, July 26th, they will present an exit meeting to release the information from their assessment. He advised that NIC will provide three options for a Mental Health Unit for the County Board to consider.

Ms. Schafer requested that the Committee receive an e-mail with the date and time of the meeting regarding the assessment. Sheriff Emery replied that he will provide that information. He informed the Committee that the full Criminal Justice Coordinating Council is July 11th at 1:00 p.m. at which time the details of the NIC assessment will be released.

Chairman Caisley asked if Sheriff Emery provided the Jail Committee report to all members of the Committee. Sheriff Emery replied that he only had two copies. Chairman Caisley stated that he would share his copy with Committee members should they wish to see the report. He pointed out that the comments in the report from inmates who have been in more than one jail, found the McLean County Jail to be superior to other jails.

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

Ms. Beth Kimmerling, Coroner, reviewed her May 2013 Monthly Report. She advised that May was a more typical month in terms of McLean County cases, with 90 deaths reported, ten autopsies conducted, and scene responses were more routine. However, the out-of-County caseload continues to increase at a large rate. Ms. Kimmerling noted that 24 out of 31 days in May out-of-County autopsies were performed.

Chairman Caisley pointed out that last year to date there were 412 deaths reported and this year there were 498 deaths reported.

Ms. Kimmerling reviewed some trends in reported deaths. She stated that one trend appears to be drug overdoses, and another trend is finding people deceased in their homes between the ages of 40-60 from medical events. Ms. Kimmerling noted that these are people who are either not seeking medical care, who cannot seek medical care or who do seek medical care but do not follow instructions.

Ms. Wollrab asked if the majority of drug overdoses are prescription drugs or illegal drugs. Ms. Kimmerling responded that she believes they are mostly prescription drugs.

Ms. Kimmerling advised that some rearranging was done in the Coroner's Office to provide office space for the forensic pathologists.

Ms. Wollrab asked if the long-term trend in increased deaths is caused by the Baby-Boomer generation and if it continues to increase will it be necessary to look at enlarging the facility. Ms. Kimmerling replied that she believes the trend will continue to increase. She added that she believes a potential new morgue facility should be included in the County's long-range plan. Ms. Kimmerling noted that Mr. Wasson put it in perspective when he referred to it as a business model and we need to decide what we are going to do in the future. She added that if we begin to put any limitations on revenue, which is out-of-County business, then we won't have enough business to keep the pathologists that we have.

Ms. Kimmerling cautioned that we do not want to get to a point where we have to go to another county facility for McLean County autopsies.

Mr. Wasson stated that it is important to maintain pathologist services here in McLean County for our own citizens. Because of that, as part of the market model, it is necessary to look at not only what the market will bear in Central Illinois, but also recognize that we need to meet a certain threshold in business to maintain our pathologist. Mr. Wasson advised that this issue will be carefully looked at as we go through the 2014 budget process and continue forward.

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 an Amendment to the Agreement between Mid-Central Community Action, Inc. (MCAA) and the McLean County Clerk's Office. He explained that reductions in the Circuit Clerk's FY budget necessitate a reduction of the annual payment to MCCA from \$10,000 to \$9,400.

Ms. Wollrab asked if this would also be a reduction in services. Mr. Everhart replied that it will not be a reduction in services.

Motion by McIntyre/Rankin to Recommend Approval of an Amendment to the Agreement between Mid-Central Community Action, Inc. (MCCA) and the McLean County Clerk's Office.
Motion carried.

Mr. Everhart reviewed his May 2013 Statistical Reports.

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

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

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

Chairman Caisley presented a request for approval of a Departmental Fund line item transfer of \$3,500 in the Children's Advocacy Center.

Motion by Rankin/Wollrab to Recommend Approval of a Departmental Fund Line Item Transfer of \$3,500 in the Children's Advocacy Center.
Motion carried.

Justice Committee
July 2, 2013
Page Eight

Chairman Caisley presented the June 30, 2013 Justice Committee bills for review and approval as transmitted by the County Auditor. The Justice Committee bills include a Prepaid Total of \$718,129.69 and a Fund Total that is the same.

Motion by McIntyre/Wollrab to Recommend Approval of the Justice Committee Bills as of June 30, 2013 as transmitted by the County Auditor.
Motion carried.

Justice Committee
July 2, 2013
Page Nine

Chairman Caisley asked if there was any other business or communication for the Justice Committee. Hearing none, he adjourned the meeting at 5:27 p.m.

Chairman Caisley noted that he will not be here next month for the Justice Committee meeting.

Respectfully submitted,

Judith A. LaCasse
Recording Secretary