

Minutes of the Justice Committee

The Justice Committee of the McLean County Board met on Tuesday, September 2, 2014 at 4:30 p.m. in Room 400 of the Government Center, 115 E. Washington Street, Bloomington, Illinois.

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

Members Absent: Member Wendt

Other County Board
Members Present: Member Metsker

Staff Present: Mr. Bill Wasson, County Administrator; Ms. Hannah Eisner, Assistant County Administrator; Ms. Judith LaCasse, Assistant to the County Administrator; Mr. Don Knapp, First Civil Assistant State's Attorney

Department Heads/
Elected Officials
Present:

Ms. Beth Kimmerling, Coroner; Mr. Jeff Flanagan, Interim Public Defender; Ms. Judy Brucker, Director, Children's Advocacy Center; Mr. Jason Chambers, State's Attorney; Mr. Don Everhart, Circuit Clerk; Sheriff Mike Emery; Mr. Will Scanlon, Circuit Court Administrator; Ms. Lori McCormick, Director, Court Services

Others Present: Mr. Rusty Thomas, Chief Deputy Sheriff; Ms. Cathy Waltz, Superintendent, JDC; Ms. Patricia Marton, Community Member; Ms. Meri Meier, Administrative Assistant, Public Defender's Office

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

Chairman Caisley presented the Minutes of the August 5, 2014 Justice Committee Meeting and the July 15, 2014 Stand-up Meeting for approval.

Motion by Rankin/Schafer to Approve the Minutes of the August 5, 2014 Meeting and the July 15, 2014 Stand-up Meeting.
Motion carried.

Ms. Patricia Marton, community member, addressed the Committee regarding abuse and bullying. She indicated that, at the suggestion of a County Board member, she will clarify her goals in regard to the abusive treatment of young and old. The goals are as follows:

- Increasing awareness of such treatment in our communities;
- The identification of agencies that can be called upon for assistance;
- The amendment of existing laws and/or the creation of new ones to increase penalties for such treatment;
- More careful selection of administrator's and staff via in-depth background checks and periodic training and re-training sessions to make them aware of existing practices and laws.

Ms. Marton indicated that to increase awareness she has been attending and speaking at the City Council Meetings as well as the County Board meetings and she intends to continue doing this in conjunction with the National Bullying Awareness month in October. She advised that David Hales, Bloomington City Manager, is including sensitivity training for city employees, present and future. She noted that County Board member Katherine Metsker told her that she is interested in similar training for County employees. Ms. Marton added that Ms. Wollrab also suggested that she meet with the Health Department in the future.

Ms. Marton stated that Bloomington Police Chief Brendan Heffner will have an anti-bullying display on his website in October as will Normal Police Officer Amanda Street who lectures on bullying at various community sites. Ms. Marton indicated that she will be attending Chief Heffner's Focus Meetings, has joined the Public Safety Working Group of the McLean County Planning Commission and, hopefully, will be putting together projects there, too.

Ms. Marton indicated that she hopes to further her goals, with the County Board's encouragement and advice, and work with the board to resolve them. She noted that she is particularly grateful to Sheriff Emery for his support.

Ms. Marton stated that the effects of abusive treatment and bullying on victims young and old can be devastating even if there is no physical contact, resulting in actual physical pain. Other effects include headaches, tremors, nightmares and fear of the familiar, as well as the unknown, for many victims know their aggressors personally. Ms. Marton indicated that she has spoken to victims of various ages. She noted that she is also a victim, which is why she is speaking today.

Ms. Marton thanked the Committee for their time.

Ms. Beth Kimmerling, Coroner, presented a request for approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2014 Combined Annual Appropriation and Budget Ordinance (McLean County Funeral Directors Association Grant). She explained that the McLean County Funeral Directors Association and McLean County Coroner's Office co-hosted a "Forensic Science Seminar" on June 19th. This Emergency Appropriation Ordinance reflects the \$1,500 donation made by the Funeral Directors Association to the Coroner's Office for its efforts with this conference. Ms. Kimmerling noted that she placed those funds into the line items noted on the Emergency Appropriation, which will assist with the personnel changes in the department.

Motion by Wollrab/Rankin to Recommend Approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2014 Combined Annual Appropriation and Budget Ordinance (McLean County Funeral Directors Association Grant).

Motion carried.

Ms. Kimmerling reviewed her July 2014 Report. She stated that the month of July was the first month in a while where the out-of-County business kept them busier than in-County. Ms. Kimmerling noted that they are averaging 20-25 out-of-County cases per month.

Ms. Kimmerling advised that there have been more autopsies this year than last year for McLean County. She added that she is also signing more death certificates for people whose physicians did not want to sign and there are more deaths that do not result from natural causes.

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

Ms. Jeff Flanagan, Interim Public Defender, and Ms. Meri Meier, Administrative Assistant, presented the Public Defender's Office Monthly Report. Mr. Flanagan noted that there are slight decreases in felonies, misdemeanors, DUI's and traffic; and a big increase in the cases that are being referred to and handled in Mental Health Court. Mr. Flanagan stated that that increase is probably what affects the decrease in the other areas.

Mr. Flanagan indicated that things are going smoothly during this transition period. He noted that the Public Defender's Office is a very self-sufficient office and everyone is doing a good job during this period.

Chairman Caisley asked why the statistics are up on juvenile delinquencies. Mr. Flanagan replied that there are more young kids committing crimes, as well as cyclical and generational increases.

Ms. Wollrab asked if Mr. Flanagan is carrying a caseload. Mr. Flanagan replied that he is not carrying a caseload primarily because he will not be here long enough. Ms. Wollrab asked what happened with the caseload being carried by Ms. Campbell. Mr. Flanagan replied that Ms. Campbell was working on one murder case and her co-counsel took over the case. The rest of her 59 cases are Drug Court and someone else is handling Drug Court, meaning that these cases did not need to be reassigned.

Chairman Caisley asked if there were additional questions or comments. Hearing none, he thanked Mr. Flanagan and Ms. Meier.

Ms. Judy Brucker, Director, Children's Advocacy Center, presented the Children's Advocacy Center Report and the CASA Report. She indicated that CAC numbers are lower than this time last year. Ms. Brucker stated that CASA volunteers have donated just shy of 5,100 hours in the first seven months of the year. A new CASA training begins next week, which will result in six to eight new CASA volunteers.

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

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

Mr. Chambers elaborated on the question asked of Mr. Flanagan regarding the number of juvenile cases. He explained that in September 2013 there was a change in the way those cases were filed. For example, in adult criminal cases, if someone has five counts of burglary, it is all filed in one case; in juvenile cases, every count is now filed as a separate case, which increases the numbers significantly.

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

Mr. Don Everhart, Circuit Clerk reviewed his July 2014 Statistical Reports. He stated that there was nothing unusual in the reports.

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

Mr. Mike Emery, Sheriff, presented a request for approval of an Interlocal Agreement between the City of Bloomington, Town of Normal and the County of McLean for the 2014 Byrne Justice Assistance Grant (JAG) Program Award. He explained that this is notification that the City of Bloomington and the Town of Normal are receiving some funding from the Department of Justice. Sheriff Emery

noted that in past years he has presented the same information for approval for them to be able to collect their funds.

Motion by Rankin/McIntyre to Recommend Approval of an Interlocal Agreement between the City of Bloomington, town of Normal and County of McLean for the 2013 Byrne Justice Assistance Grant (JAG) Program Award.

Motion carried.

Sheriff Emery presented a request for approval for special services between McLean County Sheriff's Department and Illinois State University for extra patrols at ISU during ISU football games. He noted that Mr. Don Knapp, First Civil Assistant State's Attorney has reviewed this contract. Sheriff Emery added that this agreement is similar to the Intergovernmental Agreement with Lexington. He indicated that the rate of payment is the average overtime rate of \$45.50 per hour. Sheriff Emery stated that ISU normally hires Normal Police Officers and also utilizes the County's Volunteer Reserve Deputies for traffic control.

Motion by Soeldner/Schafer to Recommend Approval for Special Services between McLean County Sheriff's Department and Illinois State University for extra Patrols at ISU during ISU football games.

Mr. McIntyre asked why ISU needs to hire Sheriff's Deputies this year. Sheriff Emery replied that it is due to increased crowds, expanded tailgating areas, and increased parking lots. Mr. McIntyre asked if the Town of Normal provides officers. Sheriff Emery replied that the Town of Normal provides officers on a hire-back program.

After additional discussion, Chairman Caisley called for a vote on the motion.

Motion carried.

Sheriff Emery reviewed the August 2014 Detention Facility Population Report. He stated that the population has increased, but is manageable. Sheriff Emery stated that they continue to watch the population and plan release dates, entry dates, etc. to keep a manageable population flow in the Jail.

Sheriff Emery reviewed the Illinois Department of Corrections Inspection Report on the County Jail facility, which was done in mid-August. He stated that the Jail received a very favorable report. Sheriff Emery advised that the number one factor that helped in this inspection is the fact that the National Institute of Corrections, our consultants, has been addressing the mental health issue in the Jail. He noted that the consultants, Dewberry & Associates and Mark Goldman have been on-site

today and will make a report to the Property Committee on Thursday and the Executive Project Committee members tomorrow.

Sheriff Emery reviewed some of the programs that were identified by the Illinois Department of Corrections as improvements over last year, which are included in the report.

Sheriff Emery stated that the final inspection report will be issued in time for the October 8th full Board of the Criminal Justice Coordinating Council, and available for the full CJCC meeting. He added that he can also bring that report to the Justice Committee in November.

Sheriff Emery stated that this report is a reflection on the good job done by the Correctional Staff.

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

Ms. Lori McCormick, Director, Court Services, presented a request for approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2014 Combined Annual Appropriation and Budget Ordinance, Fund 0001 General Fund, Court Services Department 0022-0093 (SAMHSA Funding). She noted that this is for the remainder of the calendar year 2014 based upon the one-year no-cost extension of the Substance Abuse and Mental Health Services Administration Funding.

Motion by Rankin/Wollrab to Recommend Approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2014 Combined Annual Appropriation and Budget Ordinance, Fund 0001 General Fund, Court Services Department 0022-0093 (SAMHSA Funding).

Motion carried.

Ms. McCormick presented two requests that were acted upon together. The first is a request for approval of SAMHSA Grant, Sub-contract Agreement with the Center for Human Services, and the second is a request for approval of SAMHSA Grant, Agreement with the Center for Youth and Family Solutions.

Motion by Soeldner/Schafer to Recommend Approval of SAMHSA Grant, Sub-contract Agreement with the Center for Human Services; and to Recommend Approval of SAMHSA Grant, Agreement with the Center for Youth and Family Solutions.

Motion carried.

Ms. McCormick reviewed her Monthly Report.

Ms. McCormick advised that the Juvenile Detention Facility (JDC) had its yearly site visit by the Illinois Department of Juvenile Justice. The recommendation was to "continue to strive for excellence." Ms. McCormick stated that this is the seventh year in a row that they have been in complete compliance. She congratulated Ms. Cathy Waltz, Superintendent of JDC and her staff.

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

Ms. Hannah Eisner, Assistant County Administrator, reviewed the Justice Committee critical personnel position requests received by the County Administrator's Office through August 26, 2014. All positions listed below are budgeted and funded through the end of FY 2014.

Sheriff

1) Request to fill 1.0 FTE Deputy Patrol Officer

The Sheriff's has one vacant Deputy Patrol Officer Positions. The vacancy is the result of a resignation. The Sheriff cannot meet minimum staffing for all shifts with the current number of deputies and must require deputies to work overtime to fill any gaps. The Sheriff must have all positions filled to meet minimum staffing for all shifts. This position must be filled to insure public safety.

2) Request to fill 1.0 FTE Correctional Officer Position

The Sheriff has one vacant Correctional Officer position due to a resignation. The Sheriff's budget includes funds for 48 FTE correctional officers. There were 47 correctional officers on staff prior to this vacancy and this opening reduces the staffing to 46. The jail must have 48 correctional officers to maintain minimum staffing for all shifts. This position must be filled to maintain jail security.

Public Defender's Office

1) Request to fill 1.0 FTE Legal Assistant I

The recent termination of a Legal Assistant I staff member has left a vacated 1.0 FTE in the Public Defender's Office. The vacated position primarily assists two attorneys in the Felony Division.

Current personnel cannot redistribute or assume these duties due to current caseloads. Past reductions of two 1.0 FTE Legal Assistant I and one 0.43 FTE

Clerical Assistant remain vacant. This most recent vacated position has taken on a portion of the redistributed workload of these FTE reductions/vacancies.

Circuit Court

1) Request to fill 1.0 FTE Judicial Secretary

The McLean County Circuit Court has a vacant Circuit Court Secretary position. The Circuit Court currently has 10.0 FTE judicial secretaries who serve the 13 judges and one part-time hearing officer. The Circuit Court Secretary position is responsible for data entry in the case management system, coordinating scheduling for the judge, preparing orders and other legal memoranda, coordinating jury calendars with the other justice system offices, and providing information to the public and attorneys via phone, email and in person. Circuit Court secretaries are also tasked with assisting with the oversight of the judicial libraries, department budget, marriages and other administrative tasks. Current personnel cannot redistribute or assume these duties due to current staffing and caseloads of the Court.

Motion by Schafer/Rankin to Recommend Approval of
the Critical Personnel Hiring Requests.
Motion carried.

Mr. Wasson stated that, at this time, the Committee needs to schedule budget meetings for October. After a discussion, it was determined that the Justice Committee will address some of the Department Budget reviews on the Regular Justice Committee Meeting, Tuesday, October 7th at 4:30 p.m. and a second Budget meeting will be scheduled on Wednesday, October 8, at 4:30 p.m.

Mr. Wasson advised that the County Auditor provided a review of funds and transfers along with the bills. He stated that the Administrator's Office met with the Auditor's Office to try to clarify the process by which these will be handled in the future.

Mr. Wasson reviewed the items, as follows:

- The Jury Commission's \$20,000 was not budgeted in Capital Assets, but was budgeted in Software Maintenance for the purchase of software items. The Auditor determined that, under GFOA, it should go in the Capital Assets Line. This transfer will be considered at a Stand-up meeting.
- The State's Attorney and Circuit Clerk's IVD Grant Funds are running over-budget as we wait for the contracts from the State to come in. The County has been notified that the contracts will be received shortly.

- EMA has received an additional nuclear safety grant award from the State Emergency Management Agency. There are two purchased items, one for \$1,960 and one for \$10,825, which needed to be purchased before reimbursement could be received. EMA should be reimbursed before the end of the fiscal year.
- The Circuit Court is 105% over on Commodities, 102% over on Contractual and 124% over on Capital. Under Commodities, the Circuit Court has paid for Westlaw for all of the County judicial organizations. That cost needs to be allocated out to the group. An adjustment will be made before the end of the year. The Contractual line items are out of budget because the Court has spent \$85,000 this year in Special Defender expenses, and it was budgeted for \$5,800. In 2012 and 2013, no more than \$6,500-\$7,000 had been spent in those item lines, and in the last five years we have not come this close to this amount. This will require a budget amendment. The Circuit Court has gone a little over on Capital items, with \$4,500 budgeted and \$5,500 spent due to costs being higher than anticipated.

Mr. Will Scanlon, Circuit Court Administrator, stated that the Special Defender expenses are due to a number of conflicts in the Public Defender's Office revolved around a shooting and the aftermath of the shooting in 2013, which made it necessary to appoint a number of private attorneys for the various defendants. He noted that the expenditure was expected, but the bills were not submitted until the end of the case, which ended in April 2014.

Mr. Rankin asked how much longer the critical hiring requests will be required to be approved by committees. Mr. Wasson replied that this action item is currently included in the Budget Policy so it will be in effect for another year, unless the County Board wishes to discontinue the practice. Mr. Wasson noted that the Critical Hiring action item was instituted during the 2009 economic downturn and the requirement to reduce staff. From the perspective of the Board and the Administration at that time it was felt that it was desirable to have a control mechanism in place. Mr. Wasson added that it has also become a good source of information for the Committees as to turnover rates and personnel issues. He suggested that this be reviewed during the budget process next year.

Mr. Rankin asked if the bill's report comes from the Auditor's Office just before the meeting. Mr. Wasson replied that this month's bills came on Friday afternoon, but bills are usually received the week before meetings. He indicated a meeting was held with the Auditor and he believes that there is an understanding that the transfer sheets or budget amendments will be enclosed in the packet with the bills, and will be included in the County Board packet.

Chairman Caisley presented the August 31, 2014 Justice Committee bills for review and approval as transmitted by the County Auditor. The Justice Committee bills include a Prepaid Total of \$596,920.31 and a Fund Total that is the same.

Motion by Wollrab/Rankin to Recommend Approval of the Justice Committee Bills and transfers as of August 31, 2014 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, he adjourned the meeting at 5:27 p.m.

Respectfully submitted,

Judith A. LaCasse
Recording Secretary