

Minutes of the Justice Committee

The Justice Committee of the McLean County Board met on Tuesday, May 4, 2021 at 4:30 p.m. in Room 400 of the Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Chairman Chuck Erickson (in person), Members Randall L. Martin, George Wendt, Susan Schafer, Sharon Chung, Hannah Beer (remote attendance); Logan Smith (in person)

Members Absent: None

Other County Board
Members Present: None

Staff Present: Ms. Camille Rodriguez, County Administrator, Ms. Cassy Taylor, Assistant County Administrator, Ms. Cathy Dreyer, Assistant County Administrator; Ms. Julie Morlock, Recording Secretary; (in person attendance); Chris Spanos, First Assistant State's Attorney – Civil Division; (via remote attendance)

Department Heads/
Elected Officials Present: Mr. Don Everhart, Circuit Clerk; Mr. Ron Lewis, Public Defender, Mr. Michael Donovan, Court Services; Ms. Molly Evans, Children's Advocacy Center; Mr. Don Knapp, McLean County State's Attorney (all via remote attendance).

Others Present: None

Chairman Erickson called the meeting to order at 4:30 p.m. and declared a quorum.

Chairman Erickson presented the minutes of the April 6, 2021 regular meeting for approval.

Motion by Chung/Smith to approve the minutes from the April 6, 2021 regular meeting.

Motion Carried. Roll call vote – all members present voted yes including the Chairman.

Chairman Erickson confirmed there were no members of the public present to appear.

Mr. Don Knapp, State's Attorney presented his monthly reports. Chairman Erickson asked if there were any questions, hearing none, he thanked him.

Mr. Michael Donovan, Director Court Services, presented for action a request to approve a modification of contract with Kevin Crutcher. He stated that they noticed there were more services being provided, but it is a budget neutral. Ms. Schafer asked if we could be reimbursed for this through COVID expenses. Mr. Donovan indicated he was not sure. Ms. Rodriguez indicated that the window to submit for those services has closed.

Motion by Schafer/Wendt to recommend approval of a modification of contract with Kevin Crutcher.

Motion Carried. Roll call vote – all members present voted yes including the Chairman.

Mr. Donovan presented his monthly reports. Chairman Erickson asked if there were any questions, hearing none, he thanked him.

Mr. Don Everhart, Circuit Clerk presented his monthly reports. Chairman Erickson asked if there were any questions; hearing none, he thanked him.

Mr. Ron Lewis, Public Defender, presented his monthly report. Mr. Lewis stated there was nothing unusual with the case load report. Chairman Erickson asked if there were any comments or questions; hearing none, he thanked them.

Ms. Molly Evans, Children's Advocacy Center, presented her monthly reports to the Committee. Chairman Erickson asked if there were any questions, hearing none, he thanked her.

Chairman Erickson indicated Jon Sandage, McLean County Sheriff was unable to attend the meeting tonight, but if they had any questions the Sheriff asked that they please contact him directly. Chairman Erickson then moved to the next item on the Agenda.

Chairman Erickson indicated Kathy Yoder, McLean County Coroner was not present, but her report was in the packet and stated if any member had any questions they should contact the Coroner. Chairman Erickson then moved to the next item on the Agenda.

Chairman Erickson presented for action a request to approve an Intergovernmental Agreement with Ford County and McLean County Court Services. Mr. Scanlon explained Susan Montoya was appointed as Interim Director of the Ford County Court Services and is to remain interim director while the potential candidate for the position gains the required supervisory experience. He stated Ford County will reimburse McLean county for any additional expenses McLean County incurs while Ms. Montoya is working with Ford County as Ms. Montoya is still employed with McLean County as the Assistant Director of Court Services.

Motion by Martin/Chung to recommend approval of an Intergovernmental Agreement with Ford County and McLean County Court Services.

Motion Carried. Roll call vote – all members present voted yes including the Chairman.

Chairman Erickson indicated County Administrator, Camille Rodriguez was next on the Agenda and asked if she had anything for the Committee. Ms. Rodriguez indicated she did not. Mr. Erickson asked if anyone had any questions for Ms. Rodriguez; hearing none he thanked her.

Chairman Erickson to read the attached statement into the record.

Chairman Erickson asked if there was other business or communication to come before the Committee, hearing none, he moved to payment of the bills.

Chairman Erickson presented bills for review and approval as transmitted by the County Auditor with a Prepaid and Fund Total of \$521,287.53.

MCLEAN COUNTY BOARD COMMITTEE REPORT

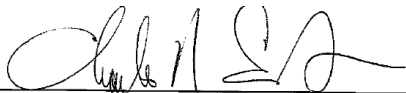
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AS OF 4/28/2021

EXPENDITURE SUMMARY BY FUND

Justice Committee

FUND	FUND TITLE	PENDING TOTAL	PREPAID TOTAL	FUND TOTAL
0001	GENERAL FUND		\$179,653.96	\$179,653.96
0129	CHILDREN'S ADVOCACY CNTR		\$20,303.40	\$20,303.40
0138	CIRCUIT CLK/OPER & ADMIN		\$4,738.70	\$4,738.70
0140	CIRCUIT CLERK AUTOMATION		\$5,281.46	\$5,281.46
0141	COURT SECURITY		\$12,898.13	\$12,898.13
0142	COURT DOCUMENT STORAGE		\$1,342.08	\$1,342.08
0143	CHILD SUPPORT COLLECTION		\$489.73	\$489.73
0146	ADULT PROBATION SERVICES		\$13,020.71	\$13,020.71
0152	ASSET FORFEITURE-SAO		\$982.97	\$982.97
0155	ASSET FORFEITURE-SHERIFF		\$2,610.00	\$2,610.00
0156	IDPA IV-D PROJECT		\$28,541.01	\$28,541.01
0170	NEUTRAL SITE CUSTODY EXCH		\$6,999.99	\$6,999.99
0171	CHILDREN'S WAITING ROOM		\$6,624.99	\$6,624.99
0450	ETSB SURCHARGE FUND/E-911		\$111,036.53	\$111,036.53
0452	METRO COMMUNICATIONS CTR		\$124,873.08	\$124,873.08
0506	LAW LIBRARY		\$1,890.79	\$1,890.79
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			\$521,287.53	\$521,287.53



COMMITTEE CHAIRMAN

Motion by Martin/Smith to approve the Justice Committee bills as transmitted by the County Auditor with a prepaid and fund total of \$521,287.53.
 Motion Carried. Roll call vote. All members present voted yes including the Chairman.

Chairman Erickson asked if there was any other business or communication for the Justice Committee; hearing none he adjourned the meeting at 4:49 p.m.

Respectfully submitted,
Julie A. Morlock
 Julie Morlock
 Recording Secretary

Statement by Chuck Erickson at the May 4, 2021 Justice Committee Meeting.

On February 22, 2021, I received an email from the McLean County Sheriff Jon Sandage supporting qualified immunity with an attached An Ordinance Guaranteeing Qualified Immunity to Employees of the Jefferson County Sheriff's Office for Jefferson County, Illinois. I ask the Sheriff if he had any issue with me presenting such an ordinance to the justice committee. I was advised that he did not.

After discussion with the McLean County State's Attorney's Office, the ordinance was modified to make it only an advisory resolution to be offered to the Illinois General Assembly.

I then presented the resolution to the Justice Committee in March 2021. Many questions were raised about the resolution and several members, a bipartisan request, was made to me that many members had questions about the resolution and these members would like to get their questions answered before voting.

I asked Chris Spanos of the McLean County State's Attorney's Office to answer those questions at the Justice Committee meeting at the April 2021 meeting, which he did.

I want to be clear what is qualified immunity and what it is not. It is not a defense in Illinois in a criminal proceeding filed against a law enforcement officer. It is a defense, with exceptions, to a civil tort case filed against a law enforcement officer in Illinois. Thus, if a law enforcement officer were charged with murder or manslaughter in an Illinois court, qualified immunity would not be a defense. Thus, if Derek Chauvin had been charged with murder or manslaughter in an Illinois court, he could not have used qualified immunity as a defense. Finally, as for qualified immunity being an absolute defense in an Illinois civil tort proceeding, it isn't. This is clear from reading the Local Governmental and Government Employees Tort Immunity. I still support qualified immunity for law enforcement officers.

I recently had a conversation with a retired college professor who I don't believe is of my same political party. This college professor said to me that Bloomington did not have the problems other communities faced because it does not try to take every national and state issue and make it a local one. Part of me agrees with that sentiment. Not every issue going on in Springfield, Washington, D.C. or nationally necessarily has to be addressed at a county board meeting. Ultimately, especially on an 11 - 9 board, every vote is critical and you have to get along with your colleagues regardless of what you think of them.

On the other hand, maintaining, training and providing an adequate police force is an issue that I think resonates with the residents of the City of Bloomington, if not all of McLean County. The last City of Bloomington municipal election confirms this. This community supports our police.

In any event, for the time being, I have decided to let Springfield and Washington, D.C. sort out the issue of qualified immunity. Thank you.