

Minutes of the Justice Committee

The Justice Committee of the McLean County Board met on Monday, February 5, 2007 at 5:00 p.m. in Room 404 of the Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Chairman Renner; Members Owens, Rackauskas, Harding, Selzer and Butler

Members Absent: None

Staff Present: Mr. John Zeunik, County Administrator; Mr. Terry Lindberg, Assistant County Administrator and Ms. Jude LaCasse, Assistant to the County Administrator

Department Heads/
Elected Officials
Present:

Mr. Craig Nelson, Director, Information Services; Sheriff Mike Emery; Ms. Beth Kimmerling, County Coroner; Ms. Amy Davis, Public Defender; Ms. Roxanne Castleman, Director, Court Services; Mr. Bill Yoder, State's Attorney; Mr. Curt Hawk, Director, EMA;

Others Present: None

Chairman Renner called the meeting to order at 5:00 p.m.

Chairman Renner presented the January 8, 2007 Committee minutes and the December 19, 2006 Stand-up Committee minutes to the Committee for approval.

Motion by Owens/Butler to approve the Minutes of the December 4, 2006 Committee Meeting and the December 19, 2006 Stand-up Committee Minutes.
Motion carried.

Chairman Renner presented the Monthly Statistical Report for the Children's Advocacy Center (CAC) and the CASA Report as submitted by Ms. Billie Larkin, Director, Children's Advocacy Center. He noted that the CASA Tip A VIP dinner on Saturday evening was well attended.

Ms. Rackauskas requested clarification on the year to date totals for VIC/OTHER/TOT. Mr. Zeunik explained that VIC represents the victim and OTHER is other family members or other individuals interviewed as part of the case. TOT is the total number of people interviewed.

Ms. Rackauskas pointed out the large increase in the caseload. She recommended that Ms. Larkin address the issue at next month's meeting.

Chairman Renner asked if there were any other comments or questions. Hearing none, he presented the December, 2006 Statistical Reports, 4th Quarter Report and Annual Report as submitted by Ms. Sandy Parker, Circuit Clerk.

Ms. Rackauskas commented on the 25% increase in court cases from last year to this year. She asked that the year end report contain a summary with a comparison of cases over a five-year period. Ms. Rackauskas recommended that Ms. Parker include a year-end analysis, such as the analysis that Ms. Beth Kimmerling, Coroner, includes in her year-end report. This would give the Committee a more concise overview of how the statistics are changing. Chairman Renner replied that this type of report has been done on a sporadic basis and he agreed that a yearly summary would be helpful.

Ms. Rackauskas stated that this type of brief summary would assist in determining what long-term needs may be needed, such as more jail space, court space, etc.

Mr. Selzer suggested that the detailed reports as submitted by Ms. Parker may be more information than the Committee needs to receive. Mr. Zeunik stated that Ms. Parker is mandated, by law, to file these detailed reports on a monthly basis with the Administrative Office of the Illinois Court. He noted that she submits the same reports to the Justice Committee for their review.

Mr. Zeunik indicated that if the Committee would like a brief summary of yearly comparisons, it will be necessary to ask the Circuit Clerk to provide such a report. He noted that Ms. Larkin's monthly report is one that was established with the assistance of the Justice Committee after CASA was established.

Mr. Owens suggested Ms. Parker go through the various reports for new members of the Committee. Mr. Selzer stated that a summary of statistics would be more helpful to the Committee than reviewing the detailed reports. Chairman Renner agreed that an overview would be most helpful.

Chairman Renner asked if there were any additional comments or questions. There were none.

Mr. Craig Nelson, Director, Information Services presented three items for action. He noted that the first two can be acted upon together. The first is a request for approval of Integrated Justice Information Services (IJIS) Master Consulting Services Agreement – Amendment to Work Order #16. The second is a request

for approval of Integrated Justice Information Services (IJIS) Master Consulting Services Agreement – Amendment to Work Order #17. Mr. Nelson explained that these are no-cost extensions to contracts that were approved last year. There is no increase to the cost for these extensions. They are simply extending the deadline to make the contract reflect what is actually happening with the work. Mr. Nelson stated that one of the contracts is the implementation of the civil software that will load the Circuit Clerk's civil case into the new system. The second is the actual loading of that data.

Motion by Selzer/Harding to Recommend Approval of Integrated Justice Information Services (IJIS) Master Consulting Services Agreement – Amendment to Work Order #16 and Work Order #17.
Motion carried.

Mr. Nelson presented a request for approval of Integrated Justice Information Services (IJIS) Master Consulting Services Agreement – Amendment to Work Order #18. He advised that there was one requirement that was missed in the development of the software for the civil case filing date. Mr. Nelson stated that the cost of this change order can be absorbed into the contract funded by the Circuit Clerk, in which the extension was just approved above.

Mr. Owens asked what is the cost of the Change Over. Mr. Nelson replied that it is \$69,117.00. Mr. Selzer asked what is the overall cost of the project. Mr. Nelson replied that it is a multi-million dollar project.

Mr. Nelson noticed that there were two pages missing in the packet and left to retrieve the pages. Upon his return, a motion was made.

Motion by Selzer/Owens to Recommend Approval of Integrated Justice Information Services (IJIS) Master Consulting Services Agreement – Amendment to Work Order #18.
Motion carried.

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

Chief Deputy Rusty Thomas presented a request for approval of the Clothing Bid with Ray O'Herron Co. for Police Uniforms and Equipment Purchases from February 1, 2007 to January 31, 2008. He introduced Lt. Carl Boyd who was in charge of the bidding process.

Mr. Owens asked if we have used this company in the past. Chief Deputy Thomas replied that they have used this company in the past.

Ms. Rackauskas asked if badges or other equipment can be purchased from different companies if the cost is less. Lt. Boyd replied that it is possible to order from another company if the price is cheaper and the service is good. He stated that Ray O'Herron Co. has been used over the last several years because of their good customer service, fair prices and ability to provide all the necessary clothing and equipment in a timely manner.

Motion by Owens/Rackauskas to Recommend Approval of the Clothing Bid with Ray O'Herron Co. for Police Uniforms and Equipment purchases from February 1, 2007 to January 31, 2008.
Motion carried.

Chief Deputy Thomas presented the McLean County Detention Facility Report for January, 2007.

Chairman Renner asked if there were any comments or questions. Hearing none, he thanked Chief Deputy Thomas and Lt. Boyd.

Ms. Beth Kimmerling, Coroner, thanked the Committee for their positive comments on her year-end report. She reviewed her December Monthly Report. Ms. Kimmerling advised that she should have her year-end report by mid-year. She noted that there were more death investigations in terms of the total amount of number for 2006. Autopsies were slightly higher in 2006, but still less than the 100+ numbers from the past few years. Ms. Kimmerling reported that out-of-County autopsies are down primarily because we are not providing service for Peoria at this time. However, she noted that she is currently in discussions with Peoria about providing that service again.

Mr. Selzer asked where Peoria is going for their autopsy services right now. Ms. Kimmerling replied that Peoria built a facility, as many other Counties have done, but they do not have a Board certified pathologist. She noted Peoria has been using one doctor in the past who they thought would become their permanent pathologist, but that did not work out. Ms. Kimmerling noted Peoria is now considering contracting with a pathologist from Ohio. The pathologist will travel to Peoria once a week to perform autopsies, over the weekend. She indicated that she is in discussions with Peoria regarding doing autopsies for them during the week. Ms. Kimmerling advised that her office could provide services

to Peoria, but only with the approval of Dr. Mitchell. She stated that Dr. Mitchell is currently very busy, so she is leaving the decision to him.

Ms. Harding asked where does Dr. Mitchell come from. Ms. Kimmerling replied that he comes from a southern suburb of Chicago. She stated that Dr. Mitchell provides services for McLean, Kankakee, Grundy, Will and Kane Counties. Ms. Kimmerling indicated that he starts his day in the northern Counties and works his way south or starts in McLean County and works his way north on an almost daily basis.

Ms. Kimmerling informed the Committee that there are 400 board certified forensic pathologists across the country, but only 300 are practicing. In the State of Illinois there are 20 pathologists; 15 of those 20 pathologists work in Cook County, leaving only five board certified forensic pathologists to serve the remainder of the State. Ms. Kimmerling commented on how fortunate the County is to have Dr. Mitchell and also Dr. Denton, the interim Cook County Medical Examiner. She pointed out that without these two pathologists, the County would be in the same situation as Peoria.

Mr. Selzer suggested Ms. Kimmerling explore contracting with Peoria to hire a pathologist. Ms. Kimmerling replied that she was opposed to that type of contract as it would be necessary to agree on a specific dollar figure and a case amount. Currently, the County pays on a case by case basis.

Mr. Selzer asked how much is paid on each case. Ms. Kimmerling replied that the County pays \$750.00 per case for Dr. Mitchell, plus an additional \$125.00 for his assistant.

Ms. Kimmerling reiterated how fortunate the County is to have a board certified forensic pathologist that comes to the County to perform autopsies. She indicated that McLean County has very high standards and she hopes that this trend will continue.

Ms. Kimmerling noted that she had estimated revenue of \$35,000.00 for 2006 and, in fact, revenue was just over \$48,000.00.

Ms. Kimmerling reminded the Committee that she still has over 20 open death investigations due to the delay in receiving toxicology reports, which means the year-end report will be delayed as well.

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

Chairman Renner presented the December Monthly Caseload Report as submitted by Ms. Amy Davis, Public Defender. He stated that, again, it might be beneficial to ask Ms. Davis to supply an executive summary report to the Committee for easier clarification of her report.

Ms. Rackauskas pointed out the higher number of juveniles detained in Bloomington as compared to Normal.

Ms. Roxanne Castleman, Director, Court Services, presented her Monthly Report. She responded to Ms. Rackauskas' observation on the number of juveniles detained in Bloomington, noting that it has always been that way. Chairman Renner stated that some of that inconsistency is the population difference.

Ms. Castleman corrected two errors on page 80 of the packet as follows:

- Total Caseload Intensive Probation should be 172 not 1720,
- Total Intake Screen Reports should be 123 not 123182.

Ms. Castleman stated that she does not have her year-end report ready. She indicated that if the Committee would like her reports in a different format, please let her know. Chairman Renner asked that her year-end report include a brief summary of yearly comparisons.

Ms. Castleman announced that Court Services will be moving to the 7th floor of the Law and Justice Center building next month. She volunteered hosting the Justice Committee meeting next month in her new facilities.

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

Mr. Bill Yoder, State's Attorney, presented his Monthly Caseload Report and his Asset Forfeiture Fund Report. He noted that January has started off with a bang on felony offenses, though it is too early in the year to predict the future trend.

Mr. Yoder advised that he added a new category that he will be updating to the Committee this year, namely Mental Health. He indicated that this category will be broken down further next month. Mr. Yoder observed that mental health hearings have increased significantly. He noted that a group is exploring a Mental Health Court, similar to Drug Court.

Mr. Yoder stated that his office is involved in mental health cases when someone is picked up because they are risk to themselves or anyone else. They are detained at BroMenn and within a certain number of days they must be provided with a hearing if they do not voluntarily commit themselves. Mr. Yoder indicated that some cases proceed to an involuntary commitment hearing, some sign voluntary commitments and some are dismissed. He pointed out that because there is an enormous increase in these types of cases, he will continue to update the Committee.

Mr. Selzer asked if the Mental Health cases are part of a misdemeanor or felony cases. Mr. Yoder replied that most of these are not criminal cases, rather these cases result from people being picked up off the street. Mr. Selzer asked if they have felony cases that are also mental health cases. Mr. Yoder responded that he is correct. He noted that the level of the case will determine how the State's Attorneys Office will proceed. If it is a misdemeanor, they will likely not prosecute due to the expense of mental health treatment. If it is a felony level case, the prosecution and defense bring in experts and the person's mental health is diagnosed and different dispositions will result from that diagnosis. Mr. Yoder reiterated that these cases are different than the mental health category.

Mr. Yoder advised that there is legislation being proposed to raise the age of a juvenile from 17 years to 18 years. Currently a juvenile is considered an adult at 17, and the legislation will amend that to 18 years old. He stated that he and other State's Attorneys are opposed to the legislation. Mr. Yoder indicated that it will affect his office because there will be more juvenile cases. He noted that there is only one Assistant State's Attorney who does juvenile delinquency cases as opposed to 10 or 12 who do felony cases. Mr. Yoder expressed concern that this legislative change will use up a lot more resources.

Mr. Yoder expressed concern with court security. He reported that there have been three violent incidents in the courtroom within the last six months. Mr. Yoder pointed out several instances, including an instance when one of his female Assistants had to break up a fight between two women in a courtroom. Mr. Yoder stated that it appears there are more violent people in the courtrooms.

Mr. Selzer asked what he recommends be done. Mr. Yoder recommended that court security be increased to include an officer in each courtroom and in the hallways. He indicated that the Sheriff is most qualified to find a solution with the dollars that are available.

Ms. Harding asked how many courtrooms are in the Law and Justice Center. Mr. Yoder replied that there are 13 courtrooms and 8 court security officers, including Sgt. Galloway.

Mr. Yoder indicated that he believes that there should be a court security officer in all family law and criminal law courtrooms, but conceded that an officer would probably not be needed in simple civil cases.

After some discussion, the Committee asked that the Administrator request that the Sheriff prepare a report on court security, including his recommendations on alleviating the situation to the Committee. Chairman Renner recommended that the State's Attorneys Office and Public Defenders Office share their concerns and input with the Sheriff as well.

Chairman Renner asked if there were any further questions. Hearing none, he thanked Mr. Yoder.

Mr. Curt Hawk, Director, EMA, presented a request for approval of an Emergency Appropriation Ordinance amending the FY'2007 Combined Annual Appropriation and Budget Ordinance for the purchase of a used truck from the Richmond Fire Department. He advised the Committee that members of the Executive Committee expressed concerns regarding the purchase of this truck, as well as concerns with continuing the Rescue Squad component of EMA, which is why they asked that this request be returned to the Justice Committee for further review.

Mr. Hawk stated that the Executive Committee requested that EMA abolish any of the remaining services of the Rescue Squad. He advised that the Rescue Squad was discontinued as a separate operation in 2005 and combined into the Emergency Management Budget in 2006. Further, he noted that EMA has eliminated four areas of emergency response, namely extrication, hazardous materials, technical rescue and air-cascade.

Mr. Hawk informed the Committee that this vehicle will eliminate two obsolete rescue vehicles and will provide complementary services that are still needed in the community, but not services currently being provided by the local and rural fire departments.

After a lengthy discussion, some of the questions/concerns that remain are as follows:

- Why wasn't the purchase of the truck included as part of the budget?
- Is the purchase of this truck absolutely necessary and are we trying to recreate the Rescue Squad?
- How does this vehicle tie in with new Mobile Command vehicle?
- Concern that this is a duplication of equipment that is available in other agencies in the County.
- Was the need of the truck discussed prior to the availability of the truck or did the availability of the truck drive the need for the truck?

Mr. Hawk advised that other agencies provide fire and emergency medical services, while EMA provides Emergency Management services.

Chairman Renner recommended that Mr. Hawk prepare a summary of the needs of the vehicle and attend the Executive Committee meeting to answer any questions the Committee may have.

Ms. Rackauskas asked if the need for a vehicle was expressed before the vehicle actually became available. Mr. Hawk stated that there was discussion at one time of repairing the current vehicles, but the cost was prohibitive. Ms. Rackauskas asked the Administrator's Office to find the minutes associated with the cost of repairing the vehicles.

There was some confusion as to what Emergency Management entailed and how it differed from Emergency Rescue. Mr. Hawk explained that Emergency Management is the management of an overall incident. For example, if there is an incident in McLean County that involves fire departments, police departments, hazmat squads, etc., EMA would manage the coordination of all emergency agencies. The fire department would manage the fire department, the hazmat team manages the hazmat team, etc. and EMA would coordinate the entire operation in terms of communication and resources.

The Committee asked what will this particular vehicle do that the Mobile Command vehicle will not do. Mr. Hawk stated that the new truck will house the operational material, including pens and paper, electronic equipment etc. and will also have a GIS system of mapping. The Mobile Command vehicle is more the communication center.

Mr. Selzer asked what will be done with the vehicles that are being replaced. Mr. Hawk stated that the trucks will be disposed of in accordance with the County policy. He noted that the vehicles are unreliable and expensive to keep running.

After further discussion, the Committee recommended that Mr. Hawk be prepared with the following information:

- An explanation of the difference between the operational vehicle and the command vehicle;
- Have pictures of the vehicles available.

Mr. Hawk reviewed his Annual Report. He pointed out that the emergency management conducted by the EMA was essential to many situations over the past fiscal year, including the Heritage Manor fire and relocation of 140 residents from the Nursing Home to other locations and returning them the next day. Other situations where EMA participated are: COMLARA Triathlon and Fall Festival, Winter Storm Operations in McLean County, Search and Rescue, Macon County Humanitarian Support, etc.

The Committee members recommended that Mr. Hawk be prepared to explain exactly what is the intent of EMA and how is it different from other emergency agencies. Also, they advised Mr. Hawk to validate the need for the truck.

Motion by Rackauskas/Harding to Recommend
Approval of an Emergency Appropriation Ordinance
Amending the FY'2007 Combined Annual
Appropriation and Budget Ordinance for the Purchase
of a Vehicle for EMA.
Motion carried.

Mr. Hawk stated that he would like to dispose of the 1967 military Jeep Truck through E-Bay or a military collector's magazine. He noted that it is a fine piece of equipment. Mr. Hawk indicated that he believes he can get more money for the vehicle through this method.

Chairman Renner asked if there were any further questions. Hearing none, he thanked Mr. Hawk.

Chairman Renner presented the final December 31, 2006 Justice Committee bills for review and approval as transmitted by the County Auditor. The Justice Committee bills include a prepaid total of \$145,539.37 and a Fund Total that is the same.

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Motion by Owens/Selzer to recommend approval of the
Justice Committee bills as of December 31, 2006.
Motion carried.

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Chairman Renner presented the January 31, 2007 Justice Committee bills for review and approval as transmitted by the County Auditor. The Justice Committee bills include a pending total of \$1,288.60 and a prepaid total of \$1,864,643.03 for a fund total of \$1,865,931.63.

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Motion by Selzer/Butler to recommend approval of the
Justice Committee bills as of January 31, 2007.
Motion carried.

Ms. Rackauskas stated that she attended the Jail Review Committee and she wanted to call attention to the problem of inmates' telephone privileges. She noted that many people have cell phones rather than land lines, which is a problem because you cannot make collect calls to cell phones. Ms. Rackauskas recommended that the County sell telephone cards. She asked that the Committee address this further at next month's meeting.

Ms. Rackauskas indicated that the jail used to get 20 *Pantagraph* newspapers, but now they only receive 10 papers. She added that the papers cannot be delivered, so individuals on the Jail Review Committee are picking up the papers and delivering them. Ms. Rackauskas stated that they really need a minimum of 20 papers. Again, she would like this addressed at next month's meeting.

Chairman Renner asked if there was any other business or communication for the Justice Committee. Hearing none, the meeting was adjourned at 6:34 p.m.

Respectfully submitted,

Judith A. LaCasse
Recording Secretary