

Minutes of the Justice Committee

The Justice Committee of the McLean County Board met on Monday, August 14, 2006 at 5:00 p.m. in Room 400 of the Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Members Owens, Harding, Rackauskas and O'Connor

Members Absent: Chairman Renner and Member Nuckolls

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

Department Heads/
Elected Officials
Present:

Ms. Barb Nafziger, Chief Deputy Coroner; Mr. Will Scanlon, Trial Court Administrator, 11th Circuit Court; Ms. Roxanne Castleman, Director, Court Services; Mr. Dave Goldberg, Director, Juvenile Detention Center; Mr. Bill Yoder, State's Attorney; Ms. Billie Larkin, Director, Children's Advocacy Center; Sheriff Dave Owens

Others Present: Ms. Kimberly Wells, Executive Director, Corporate Alliance to End Partner Violence; Circuit Court Judge Ron Dozier, Director, Law Library; Mr. Seth Reynolds, Deputy Coroner, Coroner's Office; Mr. Tom Phares, Jail Superintendent, Sheriff's Department

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

Acting Chairman Owens presented the July 3, 2006 minutes to the Committee for approval.

Motion by O'Connor/Rackauskas to approve the Minutes of the July 3, 2006 Committee Meeting.
Motion carried.

Ms. Kimberly Wells, Executive Director, Corporate Alliance to End Partner Violence, presented a request for approval of a Resolution of the McLean County Board proclaiming Thursday, September 21, 2006 as "*It's Time to Talk Day*" and the month of October, 2006, as "*Domestic Violence Awareness Month*" in McLean County.

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Ms. Wells reported that October is National Domestic Violence Awareness Month and local community agencies, employers, community law enforcement agencies and many others will be hosting events promoting awareness that domestic violence is an issue in McLean County. She stated that Thursday, September 21st has been declared "It's Time to Talk Day" throughout the United States. People are urged to talk about this issue in schools, workplaces and homes.

Ms. Wells indicated that this is the third year McLean County will participate in "It's Time to Talk Day." She asked that the Board approve this Resolution.

Motion by Rackauskas/Harding to Recommend Approval of a Resolution of the McLean County Board Proclaiming Thursday, September 21, 2006 as "*It's Time to Talk Day*" and the month of October, 2006, as "*Domestic Violence Awareness Month*" in McLean County.

Motion carried.

Acting Chairman Owens asked if there were any questions or comments. Hearing none, he thanked Ms. Wells.

Ms. Barb Nafziger, Chief Deputy Coroner, presented the Coroner's Monthly Report for June 2006 and July 2006, noting that there is not much difference in the June Report as compared to the prior month. However, there was a significant jump in July. The difference is due to 29 out-of-County autopsies performed in July for Peoria County while their pathologist was away.

Ms. Nafziger introduced Mr. Seth Reynolds, a new full-time employee in the Coroner's Office. She added that three new part-time employees have been hired.

Mr. Reynolds indicated that he spent four years with Clinton Ambulance and a year with State Farm before coming to McLean County as a Deputy Coroner. Ms. Nafziger added that Mr. Reynolds will perform death investigations, manage the Morgue and will do the out of County billing.

Mr. Will Scanlon, Trial Court Administrator, Eleventh Circuit Court, presented three requests for approval, noting that the first two are similar requests. He explained that the Illinois General Assembly approved two separate bills setting fees for Drug Court, namely Public Act 094-0980 and Public Act 094-0862. Mr. Scanlon stated that the two Acts work in tandem with each other to fund Drug Court.

Mr. Scanlon indicated that Public Act 094-0980 places an additional \$5.00 fee on a grant of supervision or a plea of guilty under the Illinois Vehicle Code, and Public Act 094-0862 places an additional \$10.00 fee on a conviction under the Illinois Criminal Code. He indicated that they anticipate 11,000 violations -- 8,000 traffic and 3,000 criminal violations. The revenue anticipated to fund Drug Court with these increases is estimated at \$72,000.00-\$80,000.00 per year.

Mr. Scanlon presented the first item, which is a request for approval of an Ordinance by the McLean County Board setting a \$5.00 Fee to be charged by the McLean County Circuit Clerk pursuant to Public Act 094-0980.

Motion by Harding/O'Connor to Recommend Approval of an Ordinance by the McLean County Board setting a \$5.00 Fee to be Charged by the McLean County Circuit Clerk pursuant to Public Act 094-0980.
Motion carried.

Mr. Scanlon presented a second request for approval of an Ordinance by the McLean County Board setting a \$10.00 Fee to be charged by the McLean County Circuit Clerk pursuant to Public Act 094-0862.

Motion by O'Connor/Rackauskas to Recommend Approval of an Ordinance by the McLean County Board setting a \$10.00 Fee to be charged by the McLean County Circuit Clerk pursuant to Public Act 094-0862.
Motion carried.

Mr. Scanlon presented a request for approval of a Resolution of the McLean County Board amending the Resolution setting Jurors' mileage reimbursement. This is a request to increase the amount a juror receives for mileage reimbursement. In 2001, the Board approved an increase to 32 ½ cents when the price of a gallon of gasoline was averaging \$1.70 per gallon. It is currently \$3.03 per gallon nationally. Mr. Scanlon stated that they are asking for an increase to 38 cents. Mr. Scanlon noted that since jury duty is a civic duty, the Circuit Court and the County have never asked for the mileage reimbursement rate to be set at the IRS business travel mileage rate.

Motion by Harding/Rackauskas to Recommend Approval of a Resolution of the McLean County Board Amending the Resolution setting Jurors' Mileage Reimbursement.
Motion carried.

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Mr. Scanlon advised that he will likely return, in the future, with a request for approval to increase the per diem reimbursement rate for jurors.

Circuit Court Judge Ron Dozier presented a Request for Approval of an Amendment to the Resolution Establishing the Law Library Fee. He explained that the fee had previously been increased from \$6.00 to \$10.00 this increase scheduled to expire at the end of this year. Judge Dozier asked the Committee to continue the \$10.00 fee.

Motion by O'Connor/Harding to Recommend Approval
of an Amendment to the Resolution Establishing the
Law Library Fee.
Motion carried.

Judge Dozier indicated that he will present a request to the Committee at their September meeting regarding the \$6,000.00 annual fee which is to be paid by the McLean County Bar Association to the Law Library. He stated that the Bar Association would like to have the contract be decreased to \$1,800.00, which is similar to what the State's Attorney, Public Defender and the Circuit Court now pay for the use of the electronic law library. Judge Dozier indicated this is a reasonable request.

Acting Chairman Owens asked if there were any questions or comments for Mr. Scanlon or Judge Dozier. Hearing none, he thanked them for attending the meeting.

Acting Chairman Owens presented the Monthly Caseload Report for June, 2006 as submitted by Ms. Amy Davis, Public Defender. He asked if there were any comments or questions on the Public Defender's Monthly Caseload Report. There were none.

Ms. Roxanne Castleman, Director, Court Services, and Mr. Dave Goldberg, Director, Juvenile Detention Center, presented a request for approval of an Emergency Appropriation Ordinance amending the McLean County Fiscal Year 2006 Combined Annual Appropriation and Budget Ordinance, General Fund 0001, Court Services Department 0022, Juvenile Detention Center 0022. Ms. Castleman explained that this request is the result of receiving funds from the Illinois Criminal Justice Information Authority for Fiscal Year 2006 in the amount of \$2,615.00 to fund training expenses at the Juvenile Detention Center.

Motion by Rackauskas/O'Connor to Recommend Approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2006 Combined Annual Appropriation and Budget Ordinance, General Fund 0001, Court Services Department 0022, Juvenile Detention Center 0022.
Motion carried.

Ms. Castleman presented a request for approval of a Contract with Livingston County for Lease of Bed Space in the McLean County Juvenile Detention Center. Ms. Castleman explained that Livingston County has used up the beds leased from the County and is asking to lease more beds at the Juvenile Detention Center.

Motion by Harding/O'Connor to Recommend Approval of a Contract with Livingston County for Lease of Bed Space in the McLean County Juvenile Detention Center.
Motion carried.

Ms. Castleman reviewed the Monthly Statistical reports and the report on the cost per bed per day at the Juvenile Detention Center, which was requested at the last meeting.

Acting Chairman Owens asked if the Committee had any questions. Hearing none, he thanked Ms. Castleman and Mr. Goldberg for attending.

Mr. Bill Yoder, State's Attorney, presented his Monthly Caseload Report and the Asset Forfeiture Fund Report. He noted that there was nothing unusual on the reports. Mr. Yoder advised that the felony drug caseload is anticipated to average 400 cases this year.

Ms. Rackauskas asked how Drug Court will affect these figures. Mr. Yoder indicated that Drug Court will not immediately reduce the number of drug cases, but will, hopefully, affect the number of cases over a matter of years.

Mr. Yoder stated that research indicates that Drug Court is most beneficial to people who have been through the system many times and who are ready to make a change in their lives. He noted that it is less beneficial to the young offenders who do not understand the gravity of their situations. Mr. Yoder also stated that Drug Court is only for those people who plead guilty and ask for assistance through Drug Court.

Ms. Rackauskas asked if Drug Court will also be open to juveniles. Mr. Yoder replied that this is an adult Drug Court. He advised that it is anticipated that a Juvenile Drug Court may be considered in the future. Mr. Yoder added that he believes that changing a juvenile's conduct is more difficult than an adult who wishes to change. He stated that if it is possible to stop the juvenile drug problem through Drug Court, it would be a great accomplishment and his office looks forward to the challenge of helping the youth through a juvenile Drug Court.

Acting Chairman Owens asked if there were any other comments or questions. There were none.

Ms. Billie Larkin, Director, Children's Advocacy Center, presented her Monthly Statistical Report for the Children's Advocacy Center (CAC) and the CASA Report. She indicated that the CAC has been extremely busy, noting that, through today, they have seen a total of 207 children. Ms. Larkin stated that this is only four less than all of last year and there are more than four months left this year.

Ms. Larkin advised that Friday she is having a Legislative Breakfast to share issues with the Legislators as to the CAC needs in the State and Nationally. One point she intends to share is the amount of time that a child victim's case is in the court system. Ms. Larkin noted that juvenile cases often last for several years and the appearance of the children change, which can sway many things in the court system. Ms. Larkin stated that it is necessary to push for legislation to strengthen the rights of the victims, as well as some funding issues.

Ms. Larkin distributed a program booklet called *Seven Steps*, which is about adults taking responsibility for abuse against children.

Ms. Rackauskas asked how is the overload being handled. Ms. Larkin replied that manpower is very difficult. She noted that CAC had a summer intern and has an adult volunteer to help with paperwork. Ms. Larkin indicated she is concerned with staff burnout. Ms. Rackauskas asked what the Board members can do to help. Ms. Larkin responded that she does not know the answer at this time, but that, right now, it is a matter of getting through these busy periods. She hopes that there will be a lull in the next couple of months.

The Committee members discussed various methods of getting additional manpower and funds for the CAC. Ms. Larkin advised that for the CAC to add another caseworker, funds need to be found through on-going grants or other kinds of monetary sources.

Ms. Larkin indicated that she is going to hold a Roundtable with grantors/funders to educate them on the needs of CAC. Ms. Harding asked who are the major funders. Ms. Larkin listed the following funders:

- Illinois Department of Children and Family Services
- Illinois Criminal Justice Information Authority
- United Way
- National Children's Alliance
- Illinois Attorney General

Ms. O'Connor pointed out that the County is growing and suggested that the numbers of cases may not go down. Ms. Larkin replied that she is hopeful the numbers will at least stabilize.

Mr. Zeunik stated that this is a situation where so much is dependent upon the State of Illinois. When the referendum question was placed on the ballot to create a Property Tax Levy for the CAC, it was created at the maximum that is permitted under the Law. The only way that can be changed is through a Legislative change, which may be an avenue the County Board needs to pursue. That change can be made by encouraging the Legislature to give Counties the ability to go back to the voters and make the same case made when the referendum was originally placed on the ballot. Mr. Zeunik indicated that the State grant funding, which funds a large part of the CAC budget, has been flat year after year. The annual State funding is not increasing.

Mr. Zeunik advised that, during the budget meeting with Ms. Larkin last week, a number of issues were discussed. At that time, he asked Ms. Larkin how many of the Metro Counties, which is McLean County's lobbying group, have Children's Advocacy Center's in place and how many are facing the same issues. The current situation with CAC may be alleviated if the Metro Counties group went to the Legislature asking for flexibility in the maximum statutory rate for the Property Tax or to put pressure on the State funders to increase their contributions using a case formula, so that a County with an increase in cases gets more money than a County that is not experiencing an increase.

Ms. Harding asked how many caseworkers are there in CAC. Ms. Larkin replied that there is one for McLean County and one for Livingston and DeWitt Counties. Ms. Harding asked if it was possible to bring in trained caseworkers on an as-needed basis. Ms. Larkin replied that it would need to be on a temporary, all-year long basis as it is difficult to determine the busy times. She noted that one more caseworker would be very helpful. Ms. Larkin stated that she expects it would take approximately \$50,000.00 to add a caseworker.

Acting Chairman Owens recommended that Mr. Sweeney approach IACO and Metro Counties for their assistance in addressing the funding issue for CAC. He also recommended that this issue be on the Legislative agenda for next year.

Acting Chairman Owens noted that, nationally, there are very few Children Advocacy Centers. He indicated that NACo is asking Congress to increase Federal funding to states for Child Advocacy Centers. Ms. Larkin advised that there are less than 500 Child Advocacy Centers in the nation.

Ms. O'Connor suggested that we look for local funding to add another caseworker. Ms. Rackauskas concurred and noted that there may not be time to go through the legislative red tape. Ms. Larkin assured the Committee that the children are receiving everything they need through CAC.

Ms. Rackauskas asked what is a reasonable time period to get a response from Metro Counties or the Legislature. Mr. Zeunik responded that the Legislature next convenes in January after the election, which is when Metro Counties will have their Legislative program ready to present.

Ms. Larkin indicated that she is looking for a long-term solution to the problem. She stated that, since the budget meeting, she has been looking at different ways to approach the issue. Ms. Larkin assured the Committee that they will get through this busy time and that they are taking care of the children.

The Committee members expressed their appreciation to Ms. Larkin.

Acting Chairman Owens asked if there were any further questions or comments. Hearing none, he thanked Ms. Larkin.

Acting Chairman Owens presented the June, 2006 Monthly Statistical Report as submitted by Ms. Sandy Parker, Circuit Clerk. Acting Chairman Owens asked if there were any comments or questions. There were none.

Sheriff Dave Owens presented a request for approval of an Emergency Appropriation Ordinance Amending the McLean County Fiscal Year 2006 Combined Annual Appropriation and Budget Ordinance for the Sheriff's Department 0029. He stated that research was done to determine how best to immediately detect an attack against a jail staff person. Based on that research, Sheriff Owens asked that the Committee approve the purchase of twenty-two (22) Kenwood VHF radios with officer-down sensors and four (4) surveillance cameras in order to address the overall safety of correctional officers in the McLean County Jail.

Sheriff Owens explained that the radios will have a man-down feature so that when an officer goes down, an automatic alert on the radio will send out a tone to the Control Room in the jail. Mr. Phares indicated that the radio can be set to go off within seconds of an officer going down.

Ms. Rackauskas asked what other entities use this radio. Mr. Zeunik responded that fire departments commonly use this type of radio. The radio contains either mercury or a gyroscope mechanism so that when a fire fighter goes down, the radio will automatically send a signal back to the command post. When the radio gets to a certain angle, it will send the signal back. Mr. Phares indicated that some false alarms can be expected, but noted that training will be given to the officers.

Sheriff Owens advised that the request also calls for four additional cameras to be placed in the jail.

Motion by Harding/Rackauskas to Recommend
Approval of an Emergency Appropriation Ordinance
Amending the McLean County Fiscal Year 2006
Combined Annual Appropriation and Budget Ordinance
for the Sheriff's Department.
Motion carried.

Sheriff Owens presented a request for approval of a Change Order for the Sheriff's Department to add a SimplexGrinnel Ultrasonic Man-Down System to the Adult Jail renovation project. He explained that this is a system that can be installed during the renovation of the Law and Justice Center. Sheriff Owens advised that this is a more sophisticated man-down system than the radio system. This system will allow the Control Operator within the jail to determine exactly where a Correctional Officer is if they go down within the facility. Sheriff Owens indicated that receivers would be placed in various spots throughout the facility that would tell exactly where in the facility an officer went down.

Sheriff Owens stated that if this is approved, the system would take 30% of the Renovation Project Contingency Funds. He asked, therefore, that this request be amended to state that it be considered only if there are sufficient funds available in the Contingency Fund after the renovation project is completed.

Mr. Zeunik explained that the Construction Contingency Account has approximately \$575,000.00 that is built into the total cost of the renovation project. This money is to be used for unforeseen events and change orders during the renovation. The Sheriff's area is the last piece of the renovation project.

Mr. Zeunik indicated that, by the time the work begins in the Sheriff's Department, there will be a record of approved change orders and a record of how much money is left in the Contingency Account. Mr. Zeunik stated that he suggested to Sheriff Owens that, rather than go to the PBC today to commit 30% of the Contingency Account before the renovation has even begun, that he put this request in a pending file. As the project goes forward, it will be possible to determine if there are sufficient funds available to purchase and install this system. He noted that, as a change order, there will also be additional fees for the general contractor, architect and engineer.

Ms. Harding asked when Mr. Zeunik anticipates the renovation will begin in the Sheriff's Department. Mr. Zeunik replied that he expects the work will begin by spring of next year.

There was some discussion on wording the request. Mr. Zeunik suggested that it say "pending review of funding in spring of 2007." He recommended that, if the funds are available, the PBC be asked to include the system in the renovation. If the PBC does not have the funds, the Committee could make a decision that the County will pay for the system or will pay the difference from what the PBC has available and the cost of the system.

Acting Chairman Owens informed the Committee that the renovation of the 7th floor of the Law and Justice Center will begin two weeks from today. He suggested that the Committee be apprised of change orders every few months.

Motion by Rackauskas/O'Connor to Recommend Approval of a Change Order for the Sheriff's Department to add a SimplexGrinnell Ultrasonic Man-Down System to the Adult Jail Renovation Project Pending Review of Available Funding in the Contingency Account in the spring of 2007 prior to completion of the Sheriff's Department Renovation.
Motion carried.

Sheriff Owens advised that he has applied for a grant to purchase fifteen MDC's (Mobile Data Computer) through the Information Services Department. These are computers that are placed in the squad cars. The County would pay for 25% of the computers and 75% would be paid by the Federal Government.

Acting Chairman Owens thanked Sheriff Owens.

Mr. John Zeunik, County Administrator, advised that the September Justice Committee meeting falls on Labor Day and he asked the Committee members what date they would prefer to schedule the September Justice Committee meeting. He noted that the Administrator's Office suggested meeting on Wednesday, September 6th. Ms. O'Connor indicated that she will not be available on that date. Members Harding, Owens and Rackauskas indicated they would be available. After a brief discussion, it was decided that the Administrator's Office will contact the other members of the Committee, confirm a date and notify all members.

Acting Chairman Owens presented the July 31, 2006 Justice Committee bills for review and approval as transmitted by the County Auditor. The Justice Committee bills include a prepaid total of \$2,708,330.63 and a fund total that is the same.

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Motion by Harding/O'Connor to recommend approval of
the Justice Committee bills as of July 31, 2006.
Motion carried.

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

Motion by Rackauskas/Harding to recommend that the meeting be adjourned at 6:20 p.m.
Motion carried.

Respectfully submitted,

Judith A. LaCasse
Recording Secretary