



**JUSTICE COMMITTEE AGENDA
Government Center, Room 400**

Tuesday, June 2, 2009
4:30 p.m.

1. Roll Call
2. Chairman's Approval of Minutes – May 5, 2009
3. Appearance by Members of the Public
4. Departmental Matters:
 - A. Bill Yoder, McLean County State's Attorney
 - 1) Items to be Presented for Information:
 - a) Monthly Caseload Report 1
 - b) Asset Forfeiture Fund Report 2
 - c) General Report
 - d) Other
 - B. Curt Hawk, Director, EMA
 - 1) Items to be Presented for Action:
 - a) Request Approval of a Resolution Authorizing the McLean County Emergency Management Agency to Participate in the State of Illinois Federal Surplus Property Program 3-9
 - 2) Items to be Presented for Information:
 - a) General Report
 - b) Other

- C. Amy Davis, Public Defender
- 1) Items to be Presented for Information:
 - a) Monthly Caseload Report, April 2009 10-12
 - b) General Report
 - c) Other
- D. Judy Renner, Director, Children’s Advocacy Center
- 1) Items to be Presented for Information:
 - a) Monthly Statistical Report 13
 - b) CASA Report 14
 - c) General Report
 - d) Other
- E. Don Everhart, McLean County Circuit Clerk
- 1) Items to be Presented for Information:
 - a) Statistical Reports, April 2009 15-22
 - b) General Report
 - c) Other
- F. Lori McCormick, Director, Court Services
- 1) Items to be Presented for Action:
 - a) Request Approval of State of Illinois Intergovernmental Agreement between the Department of Healthcare and Family Services And McLean County regarding Medical and Behavioral Health Services 23-34
 - 2) Items to be Presented for Information:
 - a) Court Services Adult/Juvenile Division Statistics, April 2009 35-36
 - b) Juvenile Detention Center – McLean County Statistics, 2009 37-38
 - c) Juvenile Detention Center – Out of County Statistics, 2009 39-40
 - d) General Report
 - e) Other
- G. Mike Emery, McLean County Sheriff
- 1) Items to be Presented for Information:
 - a) McLean County Detention Facility Population Report, June 2009 41-45
 - b) General Report
 - c) Other

- H. Beth C. Kimmerling, McLean County Coroner
 - 1) Items to be Presented for Information:
 - a) Monthly Report, April 2009 46
 - b) General Report
 - c) Other

- I. Will Scanlon, Court Administrator, Circuit Court
 - 1) Items to be Presented for Action:
 - a) Request Approval of a Resolution of the McLean County Board Supporting the Recommendation to Form a Criminal Justice Coordinating Council and Appointing Members to the Same 47-61
 - 2) Items to be Presented for Information:
 - a) General Report
 - b) Other

- 5. Other Business and Communication

- 6. Recommend payment of Bills and Transfers, if any, to the County Board

- 7. Adjournment

McLean County State's Attorney's Office 2009 Case Load Report

2009 YTD 2008 YTD 2008 Total 2009 Projected

CRIMINAL

| | Jan. | Feb. | Mar. | April | May | June | July | Aug. | Sept. | Oct. | Nov. | Dec. | 2009 YTD | 2008 YTD | 2008 Total | 2009 Projected |
|------------------------|--------------|--------------|--------------|--------------|--------------|------|------|------|-------|------|------|------|---------------|---------------|---------------|----------------|
| Felony | 65 | 85 | 124 | 112 | 71 | | | | | | | | 457 | 595 | 1,419 | 1,143 |
| Misdemeanor | 159 | 169 | 256 | 193 | 191 | | | | | | | | 968 | 1,107 | 2,793 | 2,420 |
| Asset Forfeiture | 23 | 18 | 20 | 10 | 20 | | | | | | | | 91 | 65 | 132 | 228 |
| Mental Health | 15 | 12 | 20 | 29 | n/a | | | | | | | | 76 | 60 | 172 | 190 |
| Family Totals | 29 | 51 | 92 | 66 | 62 | | | | | | | | 300 | 288 | 687 | 750 |
| Family | 15 | 33 | 64 | 35 | 38 | | | | | | | | 185 | 178 | 429 | 463 |
| Order of Protection | 14 | 18 | 28 | 31 | 24 | | | | | | | | 115 | 110 | 258 | 288 |
| Juvenile Totals | 9 | 11 | 23 | 33 | 23 | | | | | | | | 99 | 136 | 309 | 248 |
| Juvenile | 1 | 0 | 0 | 0 | 0 | | | | | | | | 1 | 1 | 3 | 3 |
| Juvenile Abuse | 5 | 6 | 18 | 22 | 16 | | | | | | | | 67 | 70 | 151 | 168 |
| Juvenile Delinquency | 3 | 5 | 5 | 11 | 7 | | | | | | | | 31 | 65 | 155 | 78 |
| Traffic Totals | 1,719 | 2,420 | 3,486 | 2,559 | 3,275 | | | | | | | | 13,459 | 14,502 | 33,170 | 33,648 |
| Traffic | 1,646 | 2,344 | 3,374 | 2,483 | 3,195 | | | | | | | | 13,042 | 14,104 | 32,289 | 32,605 |
| DUI Traffic | 73 | 76 | 112 | 76 | 80 | | | | | | | | 417 | 365 | 881 | 1,043 |

CHILD SUPPORT

| | | | | | | | | | | | | | | | | |
|--------------------------------------|----|----|----|-----|-----|--|--|--|--|--|--|--|-----|-----|-------|-------|
| Paternity cases filed | 5 | 5 | 12 | 11 | 2 | | | | | | | | 35 | 46 | 90 | 88 |
| Paternity cases established | 6 | 2 | 8 | 4 | 6 | | | | | | | | 26 | 39 | 80 | 65 |
| Paternalities excluded | 0 | 0 | 0 | 0 | 0 | | | | | | | | 0 | 15 | 22 | 0 |
| Support Orders entered | 62 | 53 | 64 | 83 | 93 | | | | | | | | 355 | 423 | 929 | 888 |
| Modification proceedings filed | 28 | 31 | 29 | 29 | 24 | | | | | | | | 141 | 88 | 214 | 353 |
| Modification proceedings adjudicated | 19 | 20 | 29 | 27 | 24 | | | | | | | | 119 | 96 | 177 | 298 |
| Enforcement actions filed | 59 | 0 | 82 | 60 | 0 | | | | | | | | 201 | 293 | 610 | 503 |
| Enforcement actions adjudicated | 77 | 73 | 80 | 108 | 111 | | | | | | | | 449 | 560 | 1,225 | 1,123 |
| Hearings set before Hearing Officer | 84 | 81 | 97 | 97 | 75 | | | | | | | | 434 | 401 | 963 | 1,085 |
| Orders prepared by Hearing Officer | 84 | 81 | 97 | 97 | 94 | | | | | | | | 453 | 389 | 938 | 1,133 |

2009 Projected = (2009 YTD/Day of Year) x 365 Days

n/c= not calculable

ASSET FORFEITURE FUND

STATEMENT OF REVENUE, EXPENDITURES AND FUND BALANCE

May 26, 2009

STATE'S ATTORNEY:

| | |
|---|---------------------------|
| Beginning Balance 12/31/200: | \$ -10,713.39 |
| (Reflects \$80,000 transfer to General Fund 12/31/02) | |
| (Reflects \$30,000 transfer to General Fund 12/31/03) | |
| Revenue | <u>16,939.23</u> |
| Total Funds Available | \$ <u>6,225.84</u> |
| Expenditures | <u>2,915.94</u> |
| Fund Balance 05/26/09 | \$ <u>3,309.90</u> |

SHERIFF:

| | |
|------------------------------|----------------------------|
| Beginning Balance 12/31/2008 | \$ 39,183.42 |
| Revenue | <u>7,813.16</u> |
| Total Funds Available | \$ <u>46,996.58</u> |
| Expenditures | <u>24,739.72</u> |
| Fund Balance 05/26/09 | \$ <u>22,256.86</u> |

| | | |
|---------------------------|---------------------|---------------------|
| TOTAL FUND BALANCE | May 26, 2009 | \$ 25,566.76 |
|---------------------------|---------------------|---------------------|



EMERGENCY MANAGEMENT AGENCY
(309) 888-5020 FAX: (309) 888-5534
104 W. Front St., Room B10 P.O. Box 2400 · Bloomington, Illinois 61702-2400

May 26, 2009

To: Tari Renner, Chairman Justice Committee

From: *Curtis*
Curtis Hawk, EMA Director

Re: Illinois Federal Surplus Property Program:

At the June meeting I would like to present to the Justice Committee for their approval a Resolution and Application to reinstate our participation in the State of Illinois Federal Surplus Property Program.

This program will allow all County Departments to purchase items that are surplus in the State of Illinois through our approved account. The previous Resolution allowed ESDA/EMA, Highway and Sheriff's Departments and many of the local communities to purchase items utilizing this service through our account saving several dollars for the County and other local Communities.

That agreement has expired requiring us to update our records and reapply to ensure continuing eligibility.

Please feel free to contact me should you have further questions.

Thank you.

cc: Terry Lindburg

Enclosures (2)

MCH/dm

**RESOLUTION AUTHORIZING THE McLEAN COUNTY
EMERGENCY MANAGEMENT AGENCY
TO PARTICIPATE IN THE STATE OF ILLINOIS
FEDERAL SURPLUS PROPERTY PROGRAM**

WHEREAS, the Illinois State Agency for Federal Surplus Property, by authority of the Federal Property and Administrative Services Act of 1949, as amended, makes available Federal Surplus Personal Property to public agencies for public purposes and to non-profit tax-exempt health and educational institutions; and

WHEREAS, the County of McLean certifies that it is a public agency exempt from taxation under Section 501 of the U.S. Internal Revenue Code of 1954; and

WHEREAS, the State of Illinois' Federal Surplus Property Program offers a variety of Surplus Property at approximately 5-25 percent of the acquisition value, effectively reducing program costs by acquiring items that have been used to their life expectancy or property that must be replaced for safety or economic reasons; and

WHEREAS, the McLean County Emergency Management Agency agrees to the following terms and conditions: to use the surplus property only in the official program in which it represents; and upon receipt, agrees to place the surplus property into use within one year; and it agrees that the property shall be used for a period of one year (certain items, eighteen months); that it agrees it will not sell, loan, trade, or tear down the property without written consent from the State of Illinois; and

WHEREAS, the McLean County Emergency Management Agency understands that the surplus property must be used in an authorized program and that personal use or non-use of the surplus property is not allowed; now, therefore

BE IT RESOLVED by the McLean County Board that the McLean County Emergency Management Agency is authorized to participate in the State of Illinois Federal Surplus Property Program.

ATTEST:

APPROVED:

Peggy Ann Milton, Clerk of the County Board,
McLean County, Illinois

Matt Sorensen, Chairman
McLean County Board

ILLINOIS STATE AGENCY FOR FEDERAL SURPLUS PROPERTY

State and Federal Property Management
1924 South 10 1/2 Street
Springfield IL 62703
To Receive Federal Surplus Property (41 CFR 101-44-207)

APPLICATION FOR ELIGIBILITY

CURRENT FEDERAL SURPLUS ACCOUNT NUMBER: F064-E-012

I. LEGAL NAME & MAILING ADDRESS OF APPLICANT ORGANIZATION:

McLean County Emergency Management Agency E9994-9946-05
Name of Organization Federal Tax ID #

104 W. Front Street, Bloomington, IL 61702-2400
Mailing Address (P.O. Box #, Street, City & State) Zip Code

Street Address/ Location (if different from mailing address)

McLean (309) 888-5020
County Telephone #

II. APPLICANT STATUS (CHECK ONE):

- Public Agency including Public Schools Nonprofit, tax-exempt organization (Provide Evidence)
(check one) Nonprofit Health -OR- Nonprofit Education

III. TYPE OR PURPOSE OF ORGANIZATION:

- UPDATE REQUEST**
- State College or University Child Care Center
 County Secondary School Museum
 City/Village Elementary School Training Ctr.
 Education Program for Older Individuals Radio/TV Station
 Health Library Nursing Home
 Township Hospital Health Ctr/ Clinic
 Road Dist. School for Handicapped Assistance to Needy
 Public Safety Assistance to Homeless Other _____

IV. PROVIDE A WRITTEN DESCRIPTION OF PROGRAM OR SERVICES OFFERED, INCLUDING A DESCRIPTION OF FACILITIES OPERATED. (REQUIRED)

V. SOURCES OF FUNDING (ATTACH SUPPORTING DOCUMENTATION):

- Tax Supported Grant Contributions Other (Specify) _____

VI. HAS THE ORGANIZATION BEEN DETERMINED TO BE TAX EXEMPT UNDER SECTION 501 OF THE INTERNAL REVENUE CODE OF 1954: _____ (COPY REQUIRED)

VII. HAS THE ORGANIZATION BEEN APPROVED, ACCREDITED, OR LICENSED? YES (COPY REQUIRED) BY WHAT AUTHORITY? LEMA

VIII. 5/22/09 Curtis Hawk
Date Applicant Signature

ILLINOIS STATE AGENCY FOR FEDERAL SURPLUS PROPERTY

State and Federal Property Management
1924 South 10 1/2 Street
Springfield IL 62703

AUTHORIZED REPRESENTATIVES

I. LEGAL NAME & MAILING ADDRESS OF APPLICANT ORGANIZATION:

McLean County Emergency Management Agency Curtis Hawk
Name of Organization Administrative Head
104 W Front Street Bloomington, IL 61702-2400
Mailing Address (P.O. Box #, Street, City & State) Zip Code

Street Address/Location (If different from mailing address)
McLean (309) 888-5020
County Telephone #

Curtis Hawk (309) 888-5534
Send Correspondence to the Above Named Representative Fax #

(If you have an e-mail address and wish us to contact you in this manner, please specify address on line given below)
Federal Tax ID#:

II. THE FOLLOWING REPRESENTATIVES ARE DESIGNATED TO:

- A. Represent Donee Organization as its authorized agent; and
- B. Acquire Federal surplus property on behalf of the Donee Organization; and
- C. Obligate necessary Donee Organization funds for this purpose; and
- D. Execute Distribution Documents binding the Donee Organization to the terms, conditions, reservations, and restrictions applying to Property obtained through the agency.

UPDATE REQUEST

III. CURRENT DESIGNATIONS

(All previous authorizations will be deleted)

List all personnel who will be authorized to secure Federal Surplus property for this account.

IV. REPRESENTATIVES

| Name | Title | Signature |
|---------------------|---------------------------|-----------|
| <u>Curtis Hawk</u> | <u>Director</u> | _____ |
| <u>Robert Clark</u> | <u>Assistant Director</u> | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

V. CERTIFICATION

5/22/09
Date

Curtis Hawk
Signature of Authorized Official (Applicant)
DIRECTOR EMA
Title

LENGTH OF ELIGIBILITY GRANTED: _____ YEAR(S)
(FOR STATE AGENCY USE ONLY)

ILLINOIS STATE AGENCY FOR FEDERAL SURPLUS PROPERTY

State and Federal Property Management
1924 South 10 1/2 Street
Springfield IL 62703

NONDISCRIMINATION ASSURANCE

LEGAL NAME & MAILING ADDRESS OF APPLICANT ORGANIZATION:

McLean County Emergency Management Agency
Name of Organization

104 W. Front Street, Bloomington, IL 61702-2400
Mailing Address (P.O. Box #, Street, City & State) Zip Code

Street Address/ Location (If different from mailing address)

McLean (309) 888-5020
County Phone Number

McLean County Emergency Management Agency, the donee,
(Name of Organization)

agrees that the program for or in connection with which any property is donated to the donee will be conducted in compliance with, and the donee will comply with and will require any other person (any legal entity) who through contractual or other arrangements with the donee is authorized to provide services or benefits under said program to comply with all requirements imposed by or pursuant to the regulations of the General Services Administration (41 C.F.R. 101-6.2 and 101-B) issued under the provisions of Title VI of the Civil Rights Act of 1964, as amended, section 605 of Title VI of the Federal Property and Administrative Services Act of 1949 as amended, section 504 of the Rehabilitation Act of 1973, as amended, Title IX of the Education Amendments of 1972, as amended, section 303 of the Age Discrimination Act of 1975, and the Civil Rights Restoration Act of 1987, to the end that no person in the United States shall on the ground of race, color, national origin, sex, or age, or that no otherwise qualified handicapped person shall solely by reason of the handicap, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity for which the donee received Federal assistance from the General Services Administration; and hereby gives assurance that it will immediately take any measures necessary to effectuate this agreement.

The donee further agrees (1) that this agreement shall be subject in all respects to the provisions of said Federal statutes and regulations, (2) that this agreement obligates the donee for the period during which it retains ownership or possession of the property, (3) that the United States shall have the right to seek judicial enforcement of this agreement, and (4) that this agreement shall be binding upon any successor in interest of the donee and the word "donee" as used herein includes any such successor in interest.

5/22/09
Date

Curtis [Signature]
Signature of Authorized Official (Applicant)

FOR STATE AGENCY USE ONLY

This applicant has been determined: eligible ineligible conditionally eligible
as: a public agency nonprofit education nonprofit health

Account Number: _____ Eligibility Expires: _____

Date: _____ Director: _____

LENGTH OF ELIGIBILITY GRANTED: _____ YEAR(S)
(enter on Authorized Representatives page)

ILLINOIS STATE AGENCY FOR FEDERAL SURPLUS PROPERTY

State and Federal Property Management
1924 South 10 1/2 Street
Springfield IL 62703

INSTRUCTIONS FOR COMPLETING THE APPLICATION FOR ELIGIBILITY FORM

(Please type or print in blue or black ink only)

SECTION I: Provide the full legal name of your organization on the first line of this section. Provide the mailing address of your organization as recognized by the U.S. Postal Service. Include ZIP Code. Provide the street address if different from mailing address, or provide directions if located on a rural route or other remote area. List the county in which the organization is actually located and a business telephone number with area code.

SECTION II: Check the appropriate box which describes your organization. If you are unable to determine which status to check, please contact this office for assistance at (217) 785-6903.

SECTION III: Check the appropriate box or boxes (check all that apply) that indicates the type or purpose of your organization.

SECTION IV: A comprehensive written description of all programs or services provided is required. A description of the operational facilities should also be included. Be sure to include information of staff and staff qualifications, hours of operation, services and programs offered, population or enrollment, fees charged, etc. Include samples of pamphlets, catalogs, brochures or posters. If incorporated, include complete copy of Articles of Incorporation with all filing certificates and amendments, and a copy of your current bylaws.

SECTION V: Check the appropriate box which indicates the organization's sources of funding. Supporting documentation indicating the types and amounts of funding must be submitted with the completed application (copy of current budget and/or tax levy, if applicable, would be acceptable).

SECTION VI: All applicants making application as "nonprofit, tax-exempt organizations" must provide a copy of the IRS determination letter indicating tax exemption under Section 501 of the IRS Code of 1954. The name and address of the organization on this IRS letter must match the name and address provided in Section I of this application. If not, include sufficient evidence such as amendments to Articles of Incorporation, or Assumed Name filing certificates to establish as "audit trail" of names showing the legal connection.

SECTION VII: Applicants making application as "nonprofit, tax-exempt organization" are required to submit evidence that the applicant is currently approved, accredited, or licensed. Programs for older individuals must include evidence of funding under the Older Americans Act of 1965; Titles IV or XX of the Social Security Act; Titles VIII or X of the Economic Development Act of 1964; or the Community Services Block Grant Act. Providers of assistance to homeless individuals must include a letter from the mayor, county judge, city or county health offices or comparable authority which certifies that applicant is a "provider of assistance to the homeless". The certification must identify the service or assistance being provided and the number of individuals receiving such assistance.

SECTION VIII: Annotate date and provide an original signature of applicant's Authorized Official (President, Chairman of the Board, County Judge, Mayor, City Manager, Executive Director, Administrator, Fire Chief, or other comparable authorized official). Photo copied, rubber stamped, machine produced, carbon, or other facsimile-type signatures are not acceptable.

NOTE: INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED. USE THIS INSTRUCTION SHEET AS YOUR CHECK LIST TO ASSURE ALL REQUIRED INFORMATION AND DOCUMENTATION IS PROVIDED. IF YOU HAVE A QUESTION OR NEED ASSISTANCE CALL (217) 785-6903. PLEASE RETAIN A COPY FOR YOUR RECORDS AND SUBMIT THE ORIGINAL TO THE ADDRESS ABOVE.

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State and Federal Property Management
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June 9, 2009

McLean County Board
Justice and Public Safety Committee
Bloomington, IL 61701

Re: Monthly Caseload - MONTH ENDING April 30, 2009

Dear Committee Members:

Pursuant to statute, I am forwarding this report to your attention and I am causing a copy to be filed with the Circuit Clerk's office of McLean County.

During the above-mentioned time period, in the discharge of our duties to indigent persons in McLean County we have been assigned the following new cases in the area set forth. The activities in which we are involved differ in no substantial manner from those which have earlier been reported.

| CASE TYPES | MONTHLY TOTALS 2008 | MONTHLY TOTALS 2009 | YTD TOTALS 2008 | YTD TOTALS 2009 | % CHANGE YTD |
|----------------------------------|---------------------------|---------------------------|-----------------------|-----------------------|--------------------|
| FELONIES | 95 | 78 | 374 | 312 | <17%> |
| MISDEMEANORS | 131 | 119 | 455 | 442 | <3%> |
| DUI | 26 | 35 | 101 | 122 | 21% |
| TRAFFIC | 54 | 77 | 197 | 318 | 61% |
| JUVENILE | 23 | 14 | 81 | 46 | <43%> |
| (DELINQUENT) | 11 | 3 | 40 | 16 | <60%> |
| (ABUSE/NEGLECT) | 12 | 11 | 41 | 28 | <32%> |
| MENTAL HEALTH CASES | 8 | 5 | 24 | 23 | <4%> |
| Involuntary Commitment | 8 | 5 | 24 | 23 | <4%> |
| Medication Compliance Orders | 0 | 0 | 0 | 0 | 0% |
| POST-CONVICTION & SVPCA CASES | 1 | 1 | 1 | 4 | 300% |
| TOTAL | 338 | 329 | 1233 | 1267 | 3% |

Following are the caseload assignments to each of the full-time and contract attorneys for the reporting month of: **MONTH ENDING April 30, 2009**

| CASE TYPE | PUBLIC DEFENDER ATTORNEYS | NEW MONTHLY TOTALS | YTD TOTALS | NEW PTR/REVIEW TOTALS |
|-----------|---------------------------|--------------------|------------|-----------------------|
| F | RON LEWIS | 8 | 34 | 5 |
| F | JAMES TUSEK | 11 | 34 | 7 |
| F | CARLA HARVEY | 10 | 35 | 7 |
| F | BRIAN MCELLOWNEY | 7 | 30 | 4 |
| F | JOHN WRIGHT-C | 7 | 25 | NA |
| F | TERRY DODDS-C | 5 | 24 | NA |
| F | DAVID RUMLEY-C | 7 | 26 | NA |
| F | KELLY HARMS | 17 | 93 | 8 |
| F | JOHN BUSSAN | 5 | 5 | 0 |
| F | JENNIFER LOCKE | 1 | 3 | 1 |
| CM | JENNIFER LOCKE | 62 | 219 | 5 |
| F | AMY RUIPER | 0 | 0 | 0 |
| CM | AMY RUIPER | 57 | 223 | 0 |
| DUI | BARBARA BAILEY | 14 | 53 | 0 |
| TR | BARBARA BAILEY | 38 | 152 | 0 |
| DUI | RACHELLE ROTH | 21 | 69 | 0 |
| TR | RACHELLE ROTH | 38 | 164 | 0 |
| F | ART FELDMAN | 0 | 3 | 0 |
| JD | ART FELDMAN | 3 | 16 | 3 |
| JA | ROB KEIR | 8 | 22 | NA |
| JA | MATTHEW KOETTERS | 8 | 23 | NA |
| JA | ALAN NOVICK-C | 1 | 5 | NA |
| PC/SVP | KEITH DAVIS-C | 1 | 4 | NA |
| PVT | PRIVATE COUNSEL-CF | 20 | 56 | 0 |
| PVT | PRIVATE COUNSEL-CM | 16 | 42 | 0 |
| PVT | PVT COUNSEL-DUI/TR | 13 | 29 | 0 |
| W/D | WITHDRAWN-CF | 1 | 2 | 0 |
| W/D | WITHDRAWN-CM | 5 | 15 | 0 |
| W/D | WITHDRAWN-DUI/TR | 1 | 4 | 0 |

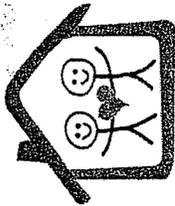
PTR= Petition to Revoke Probation
 F = Felony
 J = Juvenile
 O = Other
 P.C.=Post Conviction Remedy Cases

C= Contract Attorney (6-7 Cases per Month)
 DUI= DUI
 TR= Traffic
 M= Misdemeanor

April 2009 DISPOSITIONS

| DISPOSITION | FELONY | MISDEMEANOR | TRAFFIC / DUI |
|-----------------------------|--------|-------------|---------------|
| PLEA / ORIGINAL OFFER | 47 | 103 | 27 |
| PLEA / LESSER | 2 | 2 | 3 |
| BENCH TRIAL / WIN | 0 | 4 | 0 |
| BENCH TRIAL / LOSS | 1 | 4 | 0 |
| JURY TRIAL / WIN | 1 | 1 | 0 |
| JURY TRIAL / LOSS | 2 | 1 | 1 |
| DISMISSED / UPFRONT | 3 | 8 | 2 |
| DISMISSED / TRIAL | 2 | 4 | 3 |
| KNOCKDOWN | 0 | 0 | 0 |
| DISMISSED PER PLEA | 1 | 11 | 4 |
| PRIVATE COUNSEL | 20 | 16 | 13 |
| PLEA / BLIND | 9 | 0 | 0 |
| REFILED AS FELONY | 0 | 1 | 0 |
| WITHDRAWN | 1 | 5 | 1 |
| DIRECTED VERDICT | 0 | 0 | 0 |
| P.D. DENIED/NOT RECOMMENDED | 2 | 4 | 0 |

McLean County Children's Advocacy Center Monthly Statistics
April, 2009



| 2008 INTERVIEWS VIC/OTHER/TOT INT. | IST. INTERVIEW 2009 MONTH/YTD | JUV. SUSPECT INTERVIEW 2009 | SIB/WITNESS INTERVIEW 2009 | 2ND INTERVIEW 2009 | OUT OF COUNTY INTERVIEW 2009 | TOTAL MONTHLY INTERVIEWS | YTD TOTALS |
|------------------------------------|-------------------------------|-----------------------------|----------------------------|--------------------|------------------------------|--------------------------|------------|
| JANUARY | 10/1/11 | 0 | 4 | 0 | 1 | 17 | 17 |
| FEBRUARY | 22/6/28 | 0 | 2 | 0 | 1 | 15 | 32 |
| MARCH | 20/6/26 | 0 | 3 | 0 | 2 | 14 | 46 |
| APRIL | 17/11/28 | 0 | 2 | 2 | 1 | 19 | 65 |
| MAY | 21/6/27 | | | | | | |
| JUNE | 15/3/18 | | | | | | |
| JULY | 22/6/28 | | | | | | |
| AUGUST | 22/5/26 | | | | | | |
| SEPTEMBER | 24/6/30 | | | | | | |
| OCTOBER | 14/6/20 | | | | | | |
| NOVEMBER | 12/7/19 | | | | | | |
| DECEMBER | 7/3/10 | | | | | | |
| YEAR TO DATE TOTALS | 47 | 0 | 11 | 2 | 5 | 65 | 65 |

REPORT A
ACTIVITY OF ALL CIVIL CASES
DURING THE MONTH OF APRIL 2009
IN THE CIRCUIT COURT OF THE 11th JUDICIAL CIRCUIT
McLEAN COUNTY

| CATEGORY | BEGIN PENDING | CODE | NEW FILED | REINSTATED | DISPOSED | END PENDING 2009 | END PENDING 2008 |
|-----------------------------|---------------|------|-----------|------------|----------|------------------|------------------|
| Adoption | 34 | AD | 5 | 0 | 6 | 33 | 31 |
| Arbitration | 225 | AR | 74 | 9 | 69 | 239 | 267 |
| Chancery | 380 | CH | 22 | 0 | 26 | 376 | 342 |
| Dissolution of Marriage | 490 | D | 72 | 0 | 66 | 496 | 453 |
| Eminent Domain | 0 | ED | 0 | 0 | 0 | 0 | 0 |
| Family | 291 | F | 37 | 7 | 28 | 307 | 290 |
| Law => \$50,000 - Jury | 306 | L | 8 | 0 | 6 | 308 | 300 |
| Law = > \$50,000 - Non-Jury | 247 | L | 3 | 0 | 5 | 245 | 202 |
| Law = < \$50,000 - Jury | 2 | LM | 0 | 0 | 0 | 2 | 2 |
| Law = < \$50,000 - Non-Jury | 213 | LM | 84 | 3 | 86 | 214 | 236 |
| Municipal Corporation | 0 | MC | 0 | 0 | 0 | 0 | 0 |
| Mental Health | 15 | MH | 24 | 0 | 28 | 11 | 13 |
| Miscellaneous Remedy | 191 | MR | 29 | 0 | 16 | 204 | 156 |
| Order of Protection | 11 | OP | 34 | 0 | 30 | 15 | 41 |
| Probate | 1,282 | P | 29 | 0 | 16 | 1,295 | 1,167 |
| Small Claim | 905 | SC | 260 | 32 | 288 | 909 | 894 |
| Tax | 9 | TX | 0 | 0 | 0 | 9 | 39 |
| TOTAL CIVIL | 4,601 | | 681 | 51 | 670 | 4,663 | 4,433 |

REPORT B
ACTIVITY OF ALL CRIMINAL CASES
DURING THE MONTH OF APRIL 2009
IN THE CIRCUIT COURT OF THE 11TH JUDICIAL CIRCUIT
McLEAN COUNTY

| | BEGIN PENDING | CODE | NEW FILED | NO. OF DEFTS. NEW | REINSTATED | DISPOSED | END PENDING 2009 | END PENDING 2008 |
|-------------------------|------------------|------|--------------|-------------------------|------------|----------|------------------------|------------------------|
| CONTEMPT OF COURT | 3 | C.C. | 1 | 1 | 0 | 0 | 4 | 2 |
| CRIMINAL FELONY | 743 | CF | 124 | 124 | 6 | 119 | 754 | 901 |
| CRIMINAL MISDEMEANOR | 1,068 | CM | 208 | 208 | 5 | 244 | 1,037 | 934 |
| TOTAL CRIMINAL | 1,814 | | 333 | 333 | 11 | 363 | 1,795 | 1,837 |

REPORT C
 ACTIVITY OF ALL JUVENILE CASES
 DURING THE MONTH OF APRIL 2009
 IN THE CIRCUIT COURT OF THE 11TH JUDICIAL CIRCUIT
 McLEAN COUNTY

| CATEGORY | BEGIN PENDING | CODE | NEW FILED | NO. OF DEFTS. NEW | REINSTATED | DISPOSED | END PENDING 2009 | END PENDING 2008 |
|--------------------------|---------------|------|-----------|-------------------|------------|----------|------------------|------------------|
| JUVENILE | 9 | J | 0 | 0 | 0 | 0 | 9 | 8 |
| JUVENILE ABUSE & NEGLECT | 387 | JA | 27 | 27 | 0 | 11 | 403 | 457 |
| JUVENILE DELINQUENT | 247 | JD | 11 | 11 | 0 | 9 | 249 | 185 |
| TOTAL JUVENILE | 643 | | 38 | 38 | 0 | 20 | 661 | 650 |

REPORT D
ACTIVITY OF ALL DUI/TRAFFIC/CONSERVATION/ORDINANCE CASES
DURING THE MONTH OF APRIL 2009
IN THE CIRCUIT COURT OF THE 11TH JUDICIAL CIRCUIT
McLEAN COUNTY

| CATEGORY | BEGIN PENDING | CODE | NEW FILED | REINSTATED | DISPOSED | ADJUST | END PENDING 2009 | END PENDING 2008 |
|-----------------------------|---------------|------|-----------|------------|----------|--------|------------------|------------------|
| CONSERVATION VIOLATION | 8 | CV | 8 | 3 | 4 | 0 | 15 | 25 |
| DRIVING UNDER THE INFLUENCE | 437 | DT | 88 | 1 | 97 | 0 | 429 | 569 |
| ORDINANCE VIOLATION | 683 | OV | 150 | 1 | 241 | 0 | 593 | 850 |
| TRAFFIC VIOLATION | 11,063 | TR | 3,825 | 58 | 3,761 | 0 | 11,185 | 16,382 |
| TOTALS: | 12,191 | | 4,071 | 63 | 4,103 | 0 | 12,222 | 17,826 |

REPORT F
DISPOSITION OF DEFENDANTS CHARGED WITH FELONIES (1)
DURING THE MONTH OF APRIL 2009
IN THE CIRCUIT COURT OF THE 11TH JUDICIAL CIRCUIT
MCLEAN COUNTY

| | | NOT CONVICTED | | | | | CONVICTED | | | TOTAL DEFENDANTS DISPOSED OF |
|-------|--------|---------------------------|-----------|----------------------|----------------|---------------|----------------|----------------|---------------|------------------------------------|
| NOLLE | S.O.L. | REDUCED TO MISDEMEANOR | DISMISSED | OTHER (2) **** | ACQUITTED BY | | GUILTY PLEA | BENCH TRIAL | JURY TRIAL | |
| | | | | | BENCH TRIAL | JURY TRIAL | | | | |
| 8 | 0 | 6 | 0 | 11 | 0 | 1 | 86 | 4 | 3 | 119 |

(1) NOT NECESSARILY DIFFERENT DEFENDANTS

(2) INCLUDES COURT ACTION: NO BILL, TRANSFERRED/NO JURISDICTION, DEATH SUGGESTED/CAUSE ABATED, UNFIT TO STAND TRIAL, SEXUALLY DANGEROUS, TRANSFERS TO WARRANT CALENDAR, AND EXTRADITION PROCEEDING FILED AS A FELONY.

****TRANSFERS TO WARRANT CALENDAR

REPORT G
 SENTENCE OF DEFENDANTS CHARGED WITH FELONIES
 DURING THE MONTH OF APRIL 2009
 IN THE CIRCUIT COURT OF THE 11TH JUDICIAL CIRCUIT
 McLEAN COUNTY

TOTAL NUMBER OF DEFENDANTS CONVICTED OF FELONIES BY GUILTY PLEA, BENCH TRIAL,
 AND JURY TRIAL (FROM REPORT F). THIS TOTAL MUST EQUAL THE NUMBER OF FELONY
 SENTENCES ON THE FELONY SENTENCE TABLE BELOW

TOTAL NUMBER OF CONVICTED FELONIES: 93

FELONY SENTENCE TABLE

| | CLASS M | CLASS X | CLASS 1 | CLASS 2 | CLASS 3 | CLASS 4 | TOTALS |
|--------------|---------|---------|---------|---------|---------|---------|--------|
| 1. DEATH | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 2. LIFE | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 3. IDOC | 1 | 3 | 5 | 8 | 8 | 16 | 41 |
| 4. PROBATION | 0 | 0 | 1 | 9 | 19 | 18 | 47 |
| 5. OTHER | 0 | 0 | 0 | 1 | 2 | 2 | 5 |
| TOTALS: | 1 | 3 | 6 | 18 | 29 | 36 | 93 |

REPORT H
ORDERS OF PROTECTION ISSUED
DURING THE MONTH OF APRIL 2009
IN THE CIRCUIT COURT OF THE 11TH JUDICIAL CIRCUIT
McLEAN COUNTY

| | <u>EMERGENCY</u> | <u>INTERIM</u> | <u>PLENARY</u> |
|---------------|------------------|----------------|----------------|
| DIVORCE | 3 | 0 | 2 |
| FAMILY (OP) | 26 | 0 | 14 |
| CRIMINAL | 8 | 0 | 4 |
| TOTAL: | 37 | 0 | 20 |

Memo

To: Honorable Members of the Justice Committee
Cc: Chief Judge Elizabeth Robb
From: Lori A. McCormick
Date: 5/26/2009
Re: Medicaid Reimbursement for Placement Cost

Since State Fiscal Year 1999 McLean County has been able to utilize the State's automated claims processing system to facilitate Medicaid reimbursement for those youth whose guardianship is transferred to McLean County Court Services for placement purposes. I have attached the new Intergovernmental Agreement between McLean County and Department of Healthcare and Family Services for the Juvenile Rehabilitation Medicaid Matching Fund Program. By signing this agreement our office will be able to continue to receive reimbursement for a percentage of the medical and behavioral health services that youth receive while in placement.

McLean County presently expends approximately \$115,000 to \$125,000 annually for the placement of youth in residential treatment programs. The Public Aid program reimburses McLean County a certain percentage of the cost of the placement for these youth. For example, at the present time, a youth who is placed at a treatment program such as Arrowhead Ranch at a daily cost of \$127.91 per day, the county is reimbursed \$29.82 for every day the youth is in placement. The court services office has and will continue to be responsible for the data entry and filing the claims for the reimbursement.

I have attached the agreement for your consideration.

I will be at the upcoming Justice Committee meeting to answer any questions you may have on this issue.

State of Illinois
Intergovernmental Agreement
between the
Department of Healthcare and Family Services
and
McLean County
regarding medical and behavioral health services

Subject to the provisions of the *Illinois Public Aid Code* (305 ILCS 5/12-4.7 and 5/12-10.4), the State of Illinois, acting by and through the Department of Healthcare and Family Services ("Department"), and County of McLean ("County"), hereby enter into this intergovernmental agreement ("Agreement").

WHEREAS, the Department and the County are committed to a coordinated, effective, and responsive system of medical and behavioral health care services for adults and juveniles under their jurisdictions; and

WHEREAS, the Department is the single State agency that administers the Medical Programs under (a) the *Illinois Public Aid Code* (305 ILCS 5/1-1 *et seq.*) and Title XIX of the *Social Security Act* and (b) the children's health insurance programs established under the *Illinois Insurance Code* (215 ILCS 106/1 *et seq.* and 170/1 *et seq.*) and Title XXI of the *Social Security Act*; and

WHEREAS, the County is responsible for the provision of certain medical and behavioral health services for eligible adults and juveniles under county jurisdiction that are reimbursable under the Medical Programs; and

WHEREAS, the County makes expenditures for such services; and

WHEREAS, federal financial participation may be available for these expenditures; and

WHEREAS, only the Department is able to pursue this federal financial participation.

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein, the parties agree as follows:

Article I
INTRODUCTION

This Agreement defines the rights and responsibilities of the Department and the County regarding programs facilitated by these government agencies. It delineates the respective responsibilities, roles, resources and financial obligations associated with the administration of claiming for medical and behavioral health care services included within the Medical Programs.

Article II
DEFINITIONS

As used in this Agreement, the following terms have the following meanings:

- 2.1 "COS" means category of service, as defined by the Department for operation of its Medicaid Management Information System
- 2.2 "Clean Claim" means the submission of a request for payment for Covered Service (a) submitted by a Provider within twelve (12) months of the date upon which the Covered Service is provided to the

Client and (b) contains the information, appropriately coded, in the required form and format, that is necessary to adjudicate the claim.

- 2.3 "Claim Information" means the submission by the County to the Department, or its designee, of certification that the County has paid Clean Claims to Providers for Covered Services provided to Clients.
- 2.4 "Client" means an individual who has been committed by an Illinois court to a mental health facility and has received Covered Services from a Provider, and who is either: (A) under the age of 21, meets the eligibility requirements of the Medicaid State Plan pursuant to Title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) and is enrolled in the Medical Assistance program; or (B) meets the eligibility requirements of the State Plan pursuant to Title XXI of the Social Security Act (42 U.S.C. 1397 et seq.) and is enrolled in the State Children's Health Insurance Program.
- 2.5 "Covered Services" means services, as defined by the Department in the Title XIX State plan, *Handbook for Providers*, and notifications to providers, the *Illinois Administrative Code*, the Rule 132 Service Definitions and Reimbursement Guide, and, if applicable, the handbooks and notifications issued by other State agencies in support of the Medical Programs, to the extent that they are eligible for federal reimbursement under the Medical Programs.
- (a) COS 033 – Mental Health Clinic Option Services
 - (b) COS 034 – Mental Health Rehab Option Services
 - (c) COS 047 – Mental Health Targeted Case Management Services
- 2.6 "Provider" means a person, certified to provide Covered Services to Clients by and enrolled with the Department to do so, that has not been terminated, barred, or suspended from providing Covered Services.
- 2.7 "FFP" means federal financial participation, or federal matching funds, earned on eligible expenditures under a Titles XIX of XXI of the *Social Security Act*.
- 2.8 "HIPAA" means the federal *Health Insurance Portability and Accountability Act of 1996 (Public Law 104-0191)*.
- 2.9 "Medical Programs" means the health care coverage programs administered by the Department, including, but not limited to, those administered under Articles V and VI of the *Illinois Public Aid Code (305 ILCS 5/5-1 et seq. and 6/6-1 et seq.)*, the *Children's Health Insurance Program (215 ILCS 215/106)*, the *Illinois Insurance Code (215 ILCS 106/1 et seq. and 170/1 et seq.)*, and Titles XIX and XXI of the *Social Security Act (42 U.S.C. 1396 et seq.)*.
- 2.10 "SCHIP" means the State Children's Health Insurance Program authorized under Title XXI of the *Social Security Act (42 U.S.C. 1397aa et seq.)* and the *Children's Health Insurance Program Act (215 ILCS 106)*.

Article III MUTUAL RESPONSIBILITIES

- 3.1 The Department and the County shall assign responsibilities to senior staff from their respective entities to implement, supervise, and function as liaisons as it relates to the operation and evaluation of this Agreement.
- 3.2 The Department and the County shall coordinate internal and intergovernmental procedures to facilitate the necessary implementation of this Agreement and to include, as appropriate, those procedures in their respective policy manuals, handbooks and claiming guides.

- 3.3 Information contained in the databases of the respective agencies that identifies Clients is subject to the confidentiality provisions of federal and State statutes, rules, and regulations. When confidential information is exchanged by the Department and the County, the following rules shall apply: (a) the confidential nature of the information must be preserved; (b) the information furnished must be used only for the purposes for which it was made available; (c) assurance must be given that the proper steps shall be taken to safeguard the information; and, (d) access to such information shall be limited to personnel who require the information to perform their duties or for whom access is permitted by statute or regulation.
- 3.4 The Department and the County shall abide by all applicable federal and State laws that prohibit discrimination because of race, color, religion, sex, national origin, ancestry, age, marital status, or physical or mental disability.
- 3.5 Nothing contained herein serves to limit, alter, or amend either party's duties, rights or responsibilities as set out in applicable federal and State statutes, rules or regulations.
- 3.6 Nothing contained herein shall be construed as an agreement to perform any illegal act or to perform any act not permitted by the Department or the County. In the event that the Agreement is contrary to statute, regulation or rule, it shall terminate immediately. However, should any portion or portions of this Agreement be found to be contrary to statute, rule or regulation, said portion or portions shall be severed from the Agreement so as not to render the entire Agreement void.
- 3.7 The Department and the County shall comply with all federally mandated HIPAA requirements for privacy, security and electronic storage, and transfer of medical information.
- 3.8 The Department and the County shall comply with all manuals and guides that are applicable to this agreement, as amended from time to time and as approved by the Department.

Article IV
COUNTY'S RIGHTS AND RESPONSIBILITIES

4.1 Submission of Claim Information.

- (a) The County shall submit Claim Information to the Department or its designee, according to Department specifications, on a medium, in the format, and on a time frame specified by the Department.

By submitting Claim Information, the County certifies that the certified expenditure:

- (i) Was made for a Covered Service.
- (ii) Was made in support of the Medical Programs and provided to an individual who, on the date of service, was enrolled in one of the Medical Programs administered by the Department.
- (iii) Was provided by a health care provider qualified, under the provisions of 59 Ill. Adm. Code 132ff., to provide those services and was certified to participate in the HFS's Medical Programs.
- (iv) Was made in compliance with the applicable rules and policies of the Department and may be eligible for FFP.
- (v) Was not made from federal funding sources or the local dollars required to match federal funds.
- (vi) Is properly documented and that documentation is available for audit and review.

- (b) The County shall not submit Claim Information on any claim for payment that is not a Clean Claim; i.e. that was not submitted by the Provider within one (1) year after the Covered Service is provided to the Client, did not contain the information requested on the required form, or was not appropriately coded.
 - (c) Claim Information shall be submitted only in a form and format specified by the Department.
- 4.2 **Rejected Claim Information.** The County, or its agent, shall be responsible for correcting any claim determined by the Department not to be a Clean Claim and for resubmitting corrected Claim Information to the Department or its designee within the time period specified above.
- 4.3 **Time Limit.** The County understands that the Department cannot claim FFP for any claim that is not a Clean Claim, and that the Department can only submit a claim for FFP for any Covered Service within 637 days after the calendar quarter in which the expenditure was incurred, in order to be in compliance with Federal regulations.
- 4.4 **Audits.** To the extent applicable, the County shall comply with the requirements of *Office Management and Budget Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations*, including the requirement for an audit contained in Subpart B of that *Circular*.
- 4.5 **Other Duties.** The County, or its agent, shall perform all data preparation and entry functions, including, but not limited to, system maintenance and error resolution.
- 4.6 **Employees and contractors.** The County shall screen all current and prospective employees, contractors and subcontractors prior to engaging their services under this Agreement and at least annually thereafter, by:
- (a) Requiring that current or prospective employees, contractors or subcontractors to disclose whether they are Excluded Individuals/Entities; and
 - (b) Reviewing the list of sanctioned persons maintained by the Agency's Office of Inspector General (OIG) (available at <http://www.state.il.us/agency/oig>), and the Excluded Parties List System maintained by the U.S. General Services Administration (available at <http://epls.arnet.gov/>)
 - (c) For Purposes under this section, "Excluded Individual/Entity" shall mean a person or entity which:
 - (i) Under Section 1128 of the Social Security Act, is or has been terminated, barred, suspended or otherwise excluded from participation in, any program under federal law, including any program under Titles XVIII, XIX, XX or XXI of the Social Security Act;
 - (ii) Has not been reinstated in the program after a period of exclusion, suspension, debarment, or ineligibility; or
 - (iii) Has been convicted of a criminal offense related to the provision of health care items or services in the last ten (10) years.
 - (d) The County shall terminate its relations with any employee, contractor or subcontractor immediately upon learning that such employee, contractor or subcontractor meets the definition of an Excluded Individual/Entity, and shall notify the OIG of the termination.
- 4.7 **Ethics.** The County certifies that it is not currently barred, suspended; proposed for debarment, declared ineligible, or voluntarily excluded from participation in the transaction by any Federal or

State department or agency, or is currently barred or suspended from contracting with the State under Section 50-35(f), 50-35(g) or 50-65 of the Illinois Procurement Code, 30 ILCS 500/1-1 et seq. If at any time during the term of this Agreement, the County becomes barred, suspended, or excluded from participation in this transaction, the County shall, within thirty (30) days of becoming barred, suspended or excluded, provide to the Department a written description of each offense causing the exclusion, the date(s) of the offense, the action(s) causing the offense(s), any penalty assessed or sentence imposed, and the date any penalty was paid or sentence completed.

- 4.8 Vendor, as defined in Public Act 95-0971 and Executive Order 3 (2008), certifies that it has read, understands, and is in compliance with the Act and Order and will not make or solicit a contribution that will violate the Act or Order. In general, Public Act 95-0971 contains new registration and reporting requirements for certain Vendors, as well as limitations on political contributions by certain Vendors and their affiliates. These requirements shall be effective for the duration of the term of office of the incumbent Governor or for a period of 2 years after the end of the contract term, whichever is longer. Executive Order 3 (2008) establishes additional restrictions on political contributions and solicitations by certain Vendors and their affiliates.

Vendor further certifies, in accordance with Executive Order 3 (2008), that Vendor will not perform any prohibited act listed in Executive Order 3 (2008)(III)(B), and acknowledges a continuing duty to report to the appropriate State Agency any contributions made by Vendor, or its affiliated entities and persons, during the term of the Contract and for a period of two years after the end of the contract term.

Vendor further certifies, in accordance with Public Act 95-0971, as applicable:

- Vendor is not required to register as a business entity with the State Board of Elections.
- or
- Vendor has registered as a business entity with the State Board of Elections and acknowledges a continuing duty to update the registration as required by the Act. A copy of the certificate of registration is attached.

Article V DEPARTMENT RESPONSIBILITIES

- 5.1 **Federal Matching Funds.** The Department shall use Claim Information on paid Clean Claims to claim FFP and deposit the same into the appropriate State fund.
- 5.2 **Fund Disbursements.** The Department shall disburse monies to the County for reimbursement of Clean Claims paid by the County. Reimbursement shall not exceed the amount of FFP received by the Department for Clean Claims paid by the County. FFP shall be distributed as follows:
- 5.2.1 For counties that received FFP for these services under an intergovernmental agreement that was executed before April 1, 2009, the county shall receive 100% of the FFP received for such claims.
- 5.2.2 For any other county, the county shall receive 96% of the FFP received for such services and 4% will be retained by the Department to cover the State's administrative costs.
- 5.3 **Claim Information Processing.**
- (a) Certification and Claim Information on Clean Claims paid will be processed in the Department's Medical Assistance payment cycle.
- (b) Claim information that the Department, in its sole discretion, determines not to be a Clean Claim shall be rejected and the Department shall send the County a report regarding the

rejected Claim information. The Department will not submit a claim for FFP for any claim that the Department determines is not a Clean Claim.

Article VI
CONDITIONS FOR REIMBURSEMENT

- 6.1 The County agrees to bear the non-federal share of program costs necessary to claim and receive FFP under this Agreement.
- 6.2 The Department will notify the County of all federal disallowances and deferrals for claims submitted pursuant to this Agreement and all agreements, which incorporate this Agreement. The Department, in consultation with the County, shall prepare an appropriate response for submission to the appropriate federal agency. If there is a finding that requires repayment of FFP, the Department shall adjust future or final payments otherwise due to the County. If no payments are due and owing to the County, or if the repayment amount exceeds the amount otherwise due to the County, the County shall immediately refund all amounts that may be due to the Department.

Article VII
ADMINISTRATIVE COSTS

County administrative costs applicable to the Medicaid Program population served may be eligible for FFP. Certification of administrative expenditures is subject to the provisions of 89 *Ill. Admin. Code* 140.850.

Article VIII
PERIODIC REVIEW

This Agreement shall be periodically reviewed as follows:

- 8.1 **Periodic Review.** At the request of either agency, a formal review may be scheduled to modify, amend or terminate this Agreement.
- 8.2 **Change in the Agreement.** Any changes to this Agreement shall be subject to discussion and concurrence in writing, thereafter to be reduced to writing and incorporating this document by reference.

Article IX
TERM AND TERMINATION OF AGREEMENT

- 9.1 **Term.** This Agreement shall be effective on the first day of the calendar quarter during which both parties have executed this Agreement and shall continue in full force and effect for a period of time that equals the term of office of the administering County official that first executes the agreement. Thereafter, this Agreement shall automatically renew for an additional period of time that equals the term of office of each successor-administering County official, unless it is terminated as set forth herein.
- 9.2 **Availability of Funds.** This Agreement is subject to the availability of Department appropriation or the availability of federal funds for the purpose outlined in the Agreement. In the event funds are not appropriated or available for any fiscal period, the remainder of this Agreement shall be canceled without penalty to, or further payment being required by, the Department. The Department shall give the County notice of such termination for failure of funding as soon as

practicable after the Department becomes aware of the failure of funding. The County's obligation to perform shall cease immediately upon notice by the Department of lack of appropriated funds. The Department's obligations hereunder shall also be subject to immediate termination and cancellation at any time when there are not sufficient authorized funds lawfully available to the Department to meet such obligations.

9.3 **Other Termination Rights.** This Agreement shall automatically terminate on a date set by the Department for any of the following reasons:

- (a) If funds become unavailable as set forth in Section 11.2 of this Agreement.
- (b) If the County breaches any of the representations, warranties or covenants set forth in this Agreement, which breach inhibits the Department's ability to collect FFP.
- (c) If legislation or regulations are enacted or a court of competent jurisdiction interprets a law so as to prohibit the continuance of this Agreement.
- (d) If the parties fail to negotiate an amendment necessary for statutory or regulatory compliance as provided in this Agreement.

Article X GENERAL TERMS

10.1 **Amendments.** This Agreement may be amended or modified by the mutual consent of the parties at any time during its term. Amendments to this Agreement must be in writing and signed by the parties. No change in, addition to, or waiver of any term or condition of this Agreement shall be binding on the Department unless approved in writing by an authorized representative of the Department.

10.2 **Amendments Necessary for Statutory or Regulatory Compliance.** In the event any change in applicable law or regulation affects the validity of any portion of this Agreement, the parties agree to negotiate in good faith to amend this Agreement to comply with applicable law or regulation. If the parties are unable to agree upon a mutually acceptable amendment within sixty (60) days, this Agreement shall automatically terminate.

10.3 **Audits and Records.**

- (a) **Right of Audit.** This Agreement and all books, records, and supporting documents related therefore shall be available for review or audit by State and federal officials, including the Department and its representatives, the Department's Office of Inspector General, the Illinois State Police Medicaid Fraud Control Unit, federal auditors, and the Illinois Auditor General, and other State and federal agencies with monitoring authority related to the Medical Assistance Program ("Authorized Persons"), and the County agrees to cooperate fully with any such review or audit. Upon reasonable notice by any Authorized Person, the County shall provide, in Illinois or any other location designated by the Authorized Person, during normal business hours, full and complete access to the relevant portions of the County's books and billing records as they relate to payments under this Agreement. If the audit findings indicate overpayment(s) to the County, the Department shall adjust future or final payments otherwise due to the County. If no payments are due and owing to the County, or if the overpayment(s) exceeds the amount otherwise due to the County, the County shall immediately refund all amounts that may be due to the Department.
- (b) **Retention of Records.** The County shall maintain all business, professional, and other records in accordance with the specific terms and conditions of this Agreement and pursuant to generally accepted accounting practice. The County shall maintain, during the pendency of the

Agreement and for a minimum of six (6) years after the completion of the Agreement, adequate books, records, and supporting documents to verify the amounts, recipients, and uses of all disbursements of funds passing in conjunction with the Agreement. If an audit, litigation, or other action involving the records is begun before the end of the six-year period, the records must be retained until all issues arising out of the action are resolved. Failure to maintain the books, records, and supporting documents as required by this Section shall establish a presumption in favor of the Department for the recovery of any funds paid by the Department under the Agreement for which adequate books, records, and other documents are not available to support the purported disbursement.

10.4 **Choice of Law.** This Agreement shall be governed by and construed according to the laws and administrative rules of the State of Illinois. Any claim against the State arising out of this Agreement must be filed exclusively with the Illinois Court of Claims.

10.5 **Confidentiality.**

(a) **Confidentiality of Identified Information.** Each party shall protect the confidentiality of information provided by the other party, or to which the receiving party obtains access by virtue of its performance under this Agreement, that has been reasonably identified either as confidential by the disclosing party or by its nature warrants confidential treatment. The receiving party shall use such information only for the purpose of this Agreement and shall not disclose it to anyone except those of its employees who need to know the information. These nondisclosure obligations shall not apply to information that is or becomes public through no breach of this Agreement, that is received from a third party free to disclose it, that is independently developed by the receiving party, or that is required by law to be disclosed. Confidential information shall be returned to the disclosing party upon request.

(b) **Confidentiality of Program Recipient Identification.** The County shall ensure that all information, records, data, and data elements pertaining to applicants for and recipients of public assistance, or to providers, facilities, and associations, shall be protected by the County and its employees, by the County's corporate affiliates and their employees, and by the County's subcontractors and their employees, from unauthorized disclosure, pursuant to: 305 *ILCS* 5/11-9, 11-10, and 11-12; 42 *USC* 654(26); 42 *CFR* part 431, subpart F; and, *Illinois Rules of Court*.

10.6 **Notices.** All notices, requests and communications, unless specifically required to be given by a specific method, may be sent to the address or telecopier (facsimile) number set forth below by one of the following methods: (a) delivered in person, obtaining a signature indicating successful delivery; (b) sent by a recognized overnight delivery service, obtaining a signature indicating successful delivery; (c) sent by certified mail, obtaining a signature indicating successful delivery; or (d) transmitted facsimile, producing a document indicating the date and time of successful transmission. Either party may, at any time, give notice in writing to the other party of a change of name, address, or telephone or telecopier (facsimile) number.

To the County: County name _____
Address _____

Telephone: _____
Telecopier: _____
E-mail address: _____

To the Department: Department of Healthcare and Family Services
Bureau of Program and Reimbursement Analysis
201 South Grand Avenue East
Springfield, Illinois 62763-0001

Telephone: (217) 782-3953
Telecopier: (217) 524-2530
E-mail address: bpra@illinois.gov

Article XI Certifications

The County certifies it is under no legal prohibition on contracting with the State of Illinois, has no known conflicts of interest and further specifically certifies that:

- 11.1 The County, its employees and subcontractors will comply with applicable provisions of the U.S. Civil Rights Act, Section 504 of the Federal Rehabilitation Act, the Americans with Disabilities Act (42 U.S.C. § 12101 et seq.) and applicable rules in performance under this Contract.
- 11.2 The County will, pursuant to the Drug Free Workplace Act, provide a drug free workplace, and if an individual shall not engage in the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance in the performance of the Contract. This certification applies to contracts of \$5000 or more with: individuals; and to entities with twenty-five (25) or more employees (**30 ILCS 580**).
- 11.3 The County is not participating or shall not participate in an international boycott in violation of the U.S. Export Administration Act of 1979 or the applicable regulations of the U.S. Department of Commerce. This certification applies to contracts that exceed \$10,000 (**30 ILCS 582**).
- 11.4 The County complies with the Illinois Department of Human Rights Act and rules applicable to public contracts, including equal employment opportunity, refraining from unlawful discrimination, and having written sexual harassment policies (**775 ILCS 5/2-105**).
- 11.5 The County does not pay dues to, or reimburse or subsidize payments by its employees for, any dues or fees to any "discriminatory club" (**775 ILCS 25/2**).
- 11.6 The County complies with the State Prohibition of Goods from Forced Labor Act, and certifies that no foreign-made equipment, materials, or supplies furnished to the State under the contract have been or will be produced in whole or in part by forced labor, convict labor, or indentured labor under penal sanction (**PA 93-0307**).
- 11.7 The County certifies that no foreign-made equipment, materials, or supplies furnished to the State under the contract have been produced in whole or in part by the labor of any child under the age of 12 (**PA 94-0264**).
- 11.8 The County certifies that it is not in violation of Section 50-14.5 of the Illinois Procurement Code that states, "Owners of residential buildings who have committed a willful or knowing violation of the Lead Poisoning Prevention Act (**410 ILCS 45**) are prohibited from doing business with the State of Illinois or any State agency until the violation is mitigated."
- 11.9 The County warrants and certifies that it and, to the best of its knowledge, its subcontractors have and will comply with Executive Order No. 1 (2007). The Order generally prohibits vendors and subcontractors from hiring the then-serving Governor's family members to lobby procurement activities of the State, or any other unit of government in Illinois including local governments, if that procurement may result in a contract valued at over \$25,000. This prohibition also applies to hiring for that same purpose any former

State employee who had procurement authority at any time during the one year period preceding the procurement lobbying activity (EO No. 1 (2007)).

IN WITNESS WHEREOF, the parties have hereunto caused this Agreement to be executed by their duly authorized representatives.

For the
County of McLean

For the
Department of Healthcare and Family Services

County Authorized Representative (Date)
Title _____

Barry S. Maram (Date)
Director of Healthcare and Family Services

County's FEIN: _____

Attachment A
Taxpayer Identification Certification

- A. The County certifies that:
1. The number shown on this form is the County's correct taxpayer identification number (or Grantee is waiting for a number to be issued to Grantee); **and**
 2. The County is not subject to backup withholding because:
 - (a) The County is exempt from backup withholding, or
 - (b) The County has not been notified by the Internal Revenue Service (IRS) that Grantee is subject to backup withholding as a result of a failure to report all interest or dividends, or
 - (c) The IRS has notified the County that it is no longer subject to backup withholding, **and**
 3. The County is a U.S. person (including a U.S. resident alien).

B. County:

C. County's Taxpayer Identification Number:

D. Grantee's Legal Status (*check one*):

Governmental

THE UNDERSIGNED AFFIRMS, UNDER PENALTIES OF PERJURY, THAT HE OR SHE IS AUTHORIZED TO EXECUTE THIS CERTIFICATION ON BEHALF OF GRANTEE.

Signature of Authorized Representative

Printed Name and Title

Date _____

April 2009

COURT SERVICES ADULT/JUVENILE DIVISION STATISTICS

ADULT DIVISION

7 Officer Division –
Total caseload 790 (803 last month)
Average caseload per officer 113 (115 last month)

Presentence Reports Completed (3 officer unit) 30(38 last month)
50 reports pending

Intakes completed (1 officer) 61 (52 last month)

DRIVING UNDER THE INFLUENCE UNIT (Adult)

1 person unit with a maximum caseload of 40

Total Caseload –81 (81 last month)

INTENSIVE PROBATION UNIT ADULT

2 person unit with a maximum caseload of 40

Total Caseload – 47 (44 last month)

COMMUNITY SERVICE PROGRAM

Total Caseload Adult – 636 (606 last month)
Total Hours Completed **Adult** – 6695 (\$51,886 Symbolic Restitution \$7.75)
April New Hours ordered – 15,465
Total new intakes – 105 (Felony, Misd, DUI, Traffic, Ordinance)

DOMESTIC VIOLENCE PROGRAM

2 person unit

Total Probation Caseload – 99 (97 last month)
Intakes for month of February -19

PRETRIAL RELEASE PROGRAM

2 person unit

Total number bond reports submitted – 20 (20 last month)
Total number of defendants released -13 (9 last month)
Total number of defendants supervised – 39 (32 last month)

DRUG COURT

2 person unit

Total number in program – 35 active (35 last month)
Total number of screenings from state received in April: 9
1 no show for screening with Drug Court Coordinator, and 4 declined program after
interview/screening
Total accepted in month of April: 2 with 1 pending

April 09

JUVENILE DIVISION

4 Officer Division

Total Caseload – 172 (170 last month)
Average caseload per officer 43 (43 last month)

Social History Reports Completed – 9 (7 last month)

EARLY INTERVENTION PROBATION

2 Person unit with a maximum caseload of 30

Total caseload – 27 (last month 24)
Social History Reports – 10 (last month 2)

INTENSIVE PROBATION UNIT JUVENILE

1 ½ person unit with a maximum caseload of 15

Total Caseload – 15 (15 last month)

JUVENILE INTAKE

2 person unit

Total Preliminary Conferences – 25 (22 last month)
Total Caseload Informal Probation – 37 (28 last month)
Total Intake Screen Reports (juvenile police reports received) 164 (137 last month)

EXTENDED DAY PROGRAM

2 person unit

Total youth placed in program for month: 8
Total youth released from program for month: 6
Total youth in program beginning March: 10

COMMUNITY SERVICE PROGRAM

Total Caseload Juvenile – 84 (77 last month)
Total Hours Completed – 168 (\$1,302 Symbolic Restitution \$7.75)
April New Hours ordered – 465
Total new intakes – 11 (Delinquency, Traffic, Ordinance)

2009
 Juvenile Detention Center
 Out of County

| Ages of Minors Detained | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec |
|---|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 10 | 0 | 0 | 0 | 0 | 0 | | | | | | | |
| 11 | 0 | 0 | 0 | 0 | 1 | | | | | | | |
| 12 | 0 | 0 | 0 | 0 | 0 | | | | | | | |
| 13 | 1 | 1 | 1 | 0 | 0 | | | | | | | |
| 14 | 1 | 3 | 3 | 1 | 3 | | | | | | | |
| 15 | 1 | 1 | 1 | 1 | 4 | | | | | | | |
| 16 | 3 | 4 | 4 | 5 | 4 | | | | | | | |
| 17 | 0 | 0 | 0 | 0 | 2 | | | | | | | |
| 18 | 0 | 0 | 0 | 0 | 0 | | | | | | | |
| Sex of Minors Detained | | | | | | | | | | | | |
| Male | 6 | 6 | 6 | 4 | 11 | | | | | | | |
| Female | 0 | 0 | 3 | 3 | 3 | | | | | | | |
| Race of Minors Detained | | | | | | | | | | | | |
| Caucasian | 2 | 8 | 7 | 11 | | | | | | | | |
| African-American | 3 | 1 | 0 | 2 | | | | | | | | |
| Hispanic | 1 | 0 | 0 | 1 | | | | | | | | |
| Offenses of Which Minor was Detained | | | | | | | | | | | | |
| Dispositional Detention | 0 | 4 | 3 | 4 | | | | | | | | |
| Warrant | 0 | 1 | 2 | 0 | | | | | | | | |
| Aggravated Battery | 0 | 0 | 0 | 2 | | | | | | | | |
| Burglary | 2 | 0 | 0 | 0 | | | | | | | | |
| Court Ordered | 0 | 0 | 0 | 1 | | | | | | | | |
| Criminal Damage to Property | 1 | 0 | 0 | 0 | | | | | | | | |
| Domestic Battery | 0 | 0 | 0 | 2 | | | | | | | | |
| Escape | 0 | 0 | 0 | 1 | | | | | | | | |
| Home Confinement Violation | 0 | 1 | 0 | 0 | | | | | | | | |
| IDJJ | 0 | 1 | 1 | 0 | 2 | | | | | | | |
| Possession of Explosive Device | 1 | 0 | 0 | 0 | | | | | | | | |
| Probation Violation | 1 | 1 | 1 | 0 | | | | | | | | |
| Residential Burglary | 0 | 0 | 0 | 1 | 2 | | | | | | | |
| Resisting Arrest | 0 | 1 | 0 | 0 | | | | | | | | |
| Unlawful Use of Weapons | 1 | 0 | 0 | 0 | | | | | | | | |



McLEAN COUNTY SHERIFF'S DEPARTMENT
MIKE EMERY, SHERIFF
"Peace Through Integrity"
Administration Office
(309) 888-5034
104 W. Front Law & Justice Center Room 105
P.O. Box 2400 Bloomington, Illinois 61702-2400

Detective Commander (309) 888-5051
Patrol Commander (309) 888-5859
Patrol Duty Sergeant (309) 888-5019
Jail Division (309) 888-5065
Process Division (309) 888-5040
Records Division (309) 888-5055
Domestic Violence Division (309) 888-4940
FAX (309) 888-5072

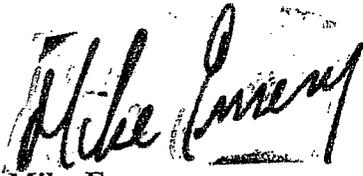
May 26, 2009

TO: Mr. Tari Renner, Chairman Justice Committee
FROM: Sheriff Mike Emery
RE: June 2, 2009 Justice Committee Meeting

I would respectfully request that the following items be placed on the June 2, 2009, Justice Committee Agenda for Information only.

INFORMATION

- 1) Mclean County Detention Facility Report: (Please see attached.)


Mike Emery
Sheriff

MCDF-Second Quarter
Population Report
May 2009

| Date | Total | | IN House | Female | | Male | | Spec Needs | | Str. Sent | | Work Rel/Weekend | | Other Fac | |
|----------|--------|--------|----------|--------|------|--------|------|------------|-------|-----------|------|------------------|------|-----------|------|
| | Pop | House | | Female | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female | Male |
| 1 | 229 | 215 | 28 | 201 | 6 | 15 | 5 | 42 | 16 | 6 | 0 | 1 | | | |
| 2 | 244 | 229 | 32 | 212 | 7 | 16 | 6 | 46 | 17 | 8 | 0 | 11 | | | |
| 3 | 243 | 229 | 31 | 210 | 8 | 15 | 6 | 41 | 17 | 8 | 0 | 11 | | | |
| 4 | 244 | 221 | 28 | 216 | 7 | 17 | 4 | 41 | 17 | 7 | 0 | 11 | | | |
| 5 | 242 | 221 | 31 | 211 | 8 | 18 | 7 | 43 | 15 | 6 | 0 | 11 | | | |
| 6 | 234 | 212 | 29 | 205 | 5 | 12 | 5 | 42 | 15 | 6 | 0 | 11 | | | |
| 7 | 229 | 207 | 25 | 204 | 3 | 13 | 4 | 41 | 15 | 6 | 0 | 11 | | | |
| 8 | 222 | 200 | 24 | 198 | 2 | 10 | 4 | 42 | 15 | 5 | 0 | 11 | | | |
| 9 | 228 | 210 | 29 | 199 | 10 | 12 | 4 | 40 | 15 | 6 | 0 | 11 | | | |
| 10 | 227 | 211 | 22 | 205 | 4 | 14 | 3 | 39 | 15 | 5 | 0 | 11 | | | |
| 11 | 224 | 205 | 21 | 203 | 4 | 9 | 3 | 37 | 12 | 5 | 0 | 11 | | | |
| 12 | 218 | 199 | 23 | 195 | 5 | 11 | 3 | 36 | 12 | 5 | 0 | 11 | | | |
| 13 | 209 | 196 | 22 | 187 | 4 | 10 | 3 | 39 | 12 | 5 | 0 | 5 | | | |
| 14 | 221 | 212 | 24 | 197 | 4 | 15 | 4 | 33 | 12 | 5 | 0 | 0 | | | |
| 15 | 219 | 210 | 25 | 194 | 5 | 12 | 3 | 45 | 11 | 5 | 0 | 0 | | | |
| 16 | 223 | 219 | 27 | 196 | 8 | 14 | 3 | 45 | 12 | 5 | 0 | 0 | | | |
| 17 | 228 | 225 | 26 | 192 | 7 | 19 | 4 | 45 | 12 | 5 | 0 | 0 | | | |
| 18 | 229 | 223 | 25 | 204 | 9 | 18 | 3 | 41 | 11 | 5 | 0 | 0 | | | |
| 19 | 223 | 217 | 26 | 197 | 10 | 15 | 3 | 44 | 11 | 5 | 0 | 0 | | | |
| 20 | 216 | 209 | 24 | 192 | 6 | 13 | 3 | 45 | 11 | 5 | 0 | 0 | | | |
| 21 | 213 | 206 | 23 | 190 | 7 | 12 | 3 | 42 | 11 | 5 | 0 | 0 | | | |
| 22 | 219 | 212 | 24 | 195 | 8 | 14 | 4 | 40 | 11 | 5 | 0 | 0 | | | |
| 23 | 227 | 223 | 27 | 200 | 6 | 15 | 6 | 38 | 12 | 5 | 0 | 0 | | | |
| 24 | 226 | 224 | 27 | 199 | 7 | 15 | 5 | 37 | 11 | 5 | 0 | 0 | | | |
| 25 | 234 | 228 | 28 | 206 | 6 | 15 | 5 | 42 | 16 | 6 | 0 | 0 | | | |
| 26 | 239 | 232 | 28 | 211 | 8 | 23 | 3 | 37 | 11 | 5 | 0 | 0 | | | |
| 27 | | | | | | | | | | | | | | | |
| 28 | | | | | | | | | | | | | | | |
| 29 | | | | | | | | | | | | | | | |
| 30 | | | | | | | | | | | | | | | |
| 31 | | | | | | | | | | | | | | | |
| Totals | 5910 | 5595 | 679 | 5219 | 164 | 372 | 106 | 1063 | 345 | 144 | 0 | 127 | | | |
| Averages | 227.31 | 215.19 | 26.12 | 200.73 | 6.31 | 14.31 | 4.08 | 40.88 | 13.27 | 5.54 | 0.00 | 4.88 | | | |
| May-09 | | | | | | | | | | | | | | | |

Population Report
6 Month 2008-2009

| | A | B | C | D | E | F | G | H |
|----|----------------------------------|----------|-----------------|----------|--------|--------|--------|---------|
| | Month | December | January 2009 | February | March | April | May | Average |
| 1 | Daily Total | 247.35 | 248.39 | 245.43 | 241.23 | 230.15 | 227.31 | 239.98 |
| 2 | In House | 208.29 | 222.97 | 218.11 | 215.58 | 215.26 | 215.19 | 215.90 |
| 3 | Female | 23.23 | 30.00 | 30.21 | 28.45 | 27.93 | 26.12 | 27.66 |
| 4 | Male | 224.13 | 218.29 | 215.21 | 212.77 | 202.33 | 200.73 | 212.24 |
| 5 | Special Needs-Females | 6.55 | 5.87 | 4.68 | 7.00 | 7.19 | 6.31 | 6.27 |
| 6 | Special Needs-Males | 14.97 | 19.61 | 17.11 | 17.81 | 15.59 | 14.31 | 16.57 |
| 7 | Straight Sent-Females | 10.45 | 15.94 | 12.43 | 9.48 | 6.30 | 4.08 | 9.78 |
| 8 | Straight Sent-Males | 47.10 | 52.97 | 50.82 | 54.26 | 46.11 | 40.88 | 48.69 |
| 9 | Weekender/Work Release-Female | 0.13 | 0.00 | 2.39 | 4.13 | 5.63 | 5.54 | 2.97 |
| 10 | Weekender/Work Release-Male | 28.52 | 22.74 | 26.57 | 25.74 | 20.11 | 13.27 | 22.83 |
| 11 | Other Facilities Female | 0.00 | 0.00 | 2.36 | 0.00 | 0.00 | 0.00 | 0.39 |
| 12 | Other Facilities Male | 21.94 | 12.67 | 12.11 | 13.81 | 4.11 | 4.88 | 11.59 |

**Office of the Coroner
McLean County
APR 2009 REPORT**

| | APR 2009 | APR 2008 | TYTD 2009 | LYTD 2008 |
|-----------------------------|-----------------|----------|------------------|-----------|
| <i>Cases</i> | 75 | 81 | 309 | 327 |
| <i>Autopsies</i> | 7 | 11 | 47 | 44 |
| <i>Out/County Autopsies</i> | 20 | 15 | 79 | 67 |
| <i>Inquests</i> | 0 | 0 | 1 | 4 |
| <i>Coroner Rule</i> | 2 | 7 | 18 | 21 |

BUDGET

ACTUAL REVENUE

| | | |
|--|-------------|-------------|
| <i>Copy Fees</i> | \$ 5,000.00 | \$ 3,056.00 |
| <i>Morgue Fee</i> | 35,250.00 | 8,937.00 |
| <i>Reim/Services</i> | 250.00 | 630.00 |
| <i>Paid to Facil. Mgt/Morgue Clean</i> | -0- | 3,304.00 |

DEATH INVESTIGATIONS THAT INCLUDE AUTOPSY AND FOLLOW-UP

Traffic Crash – 1
Medical/Sudden death – 3
Homicide – 0
Other (pending tox. & autopsy results and/or inquest ruling) – 4 (1 - no autopsy)

OPEN DEATH INVESTIGATIONS

Traffic Crash – 1 *Homicide* – 0
Medical/Sudden death – 3 *Other/Pending* - 9

OFFICE OF THE CHIEF JUDGE
ELEVENTH JUDICIAL CIRCUIT

Elizabeth A. Robb
Chief Judge

William Scanlon
Trial Court Administrator
Sandra Hoffman
Administrative Assistant



May 26, 2009

Law & Justice Center
104 W. Front Street RM 511
Bloomington, IL 61701
(309) 888-5254
(309) 888-5266 (TCA)
(309) 888-5602 FAX

Counties of:
Ford, Livingston, Logan,
McLean, and Woodford

TO: Tari Renner, Chair, McLean County Justice Committee
Bette Rackauskas, Vice Chair
Stan Hoselton
John McIntyre
Erik Rankin
George Wendt

FROM: Chief Judge Elizabeth A. Robb 

RE: Request by the McLean County Circuit Court, through the Chief Judge, for a resolution of support for creation of a Criminal Justice Coordinating Council

In September 2008, Sheriff Mike Emery, after consultation with State's Attorney William Yoder; Public Defender Amy Davis; County Administrator John Zeunik; and I, requested a review of the McLean County Adult Detention Facility by the National Institute of Corrections. In January 2009, Mr. Mark Cunniff and Robert Cushman conducted a site visit and completed a preliminary data analysis of the MCJ and detention policies and procedures. Their complete report was released to the McLean County Board for review in March. A summary of that report is attached to this memorandum.

In that report, the recommendations made expanded the scope of the study, and focused the attention of the Sheriff and other agencies on a number of issues. During the intervening months, the justice system agencies, including those offices mentioned above, and the Circuit Clerk's office and Court Services office have been meeting to review the report and consider the recommendations. Those recommendations are as follows:

1. Transition the Jail Population Management Task Force into a Criminal Justice Coordinating Council (CJCC)
2. Provide strong staff support to the CJCC
3. Adopt a formal planning process
4. Examine decision making at the seven key justice system decision points.
5. Establish a jail population analysis capability
6. Implement the recommended Data Analysis Plan
7. Complete a Sanctions and Services Matrix
8. Define the purposes of the jail
9. Promulgate a corrections strategy

10. Engage the public

11. Invest first in improving planning, management and information handling infrastructure.

Each of these recommendations is discussed further within the report, and summarized at the end of this memorandum.

The number one recommendation regarding the establishment of a Criminal Justice Coordinating Council echoes the recommendation made by the previous group studying this issue in 2002. That Council was formed by the Chief Judge through a resolution in 1999. The CJCC is designed to pull all the differing agencies and judicial system needs to the table, and begin solving systemic problems larger than, but including jail population management. As the 2009 NIC report states:

There is a tendency to look for solutions without understanding the issue. The focus is on daily operations and on projects. There is minimal attention to policy issues. Even with the Jail Population Management Task Force, the local justice system is not organized properly to deal with issues.

The task force is a misnomer in that it is not managing the jail population. There is little understanding of the dynamics driving the demand for jail beds or the options for managing those dynamics. In addition, the title of the task force subverts a system's perspective. Jail crowding is not a jail issue, but a justice system issue, where the decisions of various justice agencies play a major role in creating crowded jail conditions. Furthermore, the jail is not the only part of the system that is crowded. All of the agencies are experiencing workloads that severely tax their resources.

NIC Report, Page 12, Jan. 2009

To begin this process, the Sheriff and I have contacted the City of Bloomington, Town of Normal, their respective police departments, PATH, as well as others, and have garnered their support and cooperation in appointing a member to the Council.

I am asking on behalf of the justice system agencies that the McLean County Board do the same, and give their full support to this Council in two ways:

1. Endorse the formation of the Council by signing the attached resolution of support; and
2. Appoint the Chair of the Justice Committee as a member to the Council to serve on behalf of the County Board (in addition to the County Board Chair).

I appreciate your time in consideration of this resolution and the work of the justice system agencies to better serve the residents of McLean County.

I will be present at the June 2, 2009 Justice Committee meeting to further discuss this proposal and the resolution.

3. BACKGROUND

1. Explaining Jail Crowding: Analysis of the Source of Jail Crowding

Understanding the dynamic interaction between the number of bookings and average length of stay is important. The report, "Explaining Jail Crowding: Booking and Length of Stay Analysis," examines a 46 month period in which the jail population ranged from a low of 182 inmates to a high of 287 inmates. This analysis shows how changes in the number of bookings and length of inmate stays generate these fluctuations in the average daily jail population. This report provides a framework for managing the size and composition of the jail population of the future. The analysis also underscores the technical requirements for managing the jail population. The report also presents the task requirements that would be required to reduce the jail system population to its operational capacity and to make it unnecessary to house inmates out of county.

The basic message: the number of people in jail at any given time is a function of how fast they arrive at the jail (bookings) and how long they stay. This approach shows how data can be used to explain why and how jail population occupancy levels change. This information then provides a foundation for developing strategies on how the number of people in jail and the composition of that population can be managed and better controlled.

The booking/length of stay analysis provides a "template" with instructions for extending the data into the future. This approach permits McLean County to determine whether changes in jail occupancy levels are being driven by a change in the number of bookings or changes in the length of inmate stays or both. This is a tool that can be used to help manage jail occupancy levels.

2. Detention Facility Bed Utilization

The second analysis, titled "Detention Facility Bed Utilization Analysis," extended this notion that the number of bookings and average length of inmate stays drive the jail average daily population. The purpose of this analysis was to illustrate a basic, straightforward method for detecting changes in how the jail is being used. ¹³ The analysis examined the number of bookings and jail bed consumption of various categories of inmates. This analysis demonstrated how changes in the number of bookings and lengths of stay of these inmate subcategories have changed the size and composition of the daily jail population.

This report examined data on every inmate who left the jail during the September and October for the years 2003 and 2008. The analysis shows the jail is being used differently now than in 2003:

Persons who spent between 31 and 90 days in the jail increased substantially and were largely responsible for the increased demand for jail beds.

The most crime prone segment of the community (persons under 35) evidenced minor growth in the demand for jail beds. Instead, middle-aged (35 to 49 year olds) and seniors (50 or older) were the driving forces for more jail bed space.

Persons who had more than ten previous bookings into the jail (more of them and longer stays) and persons who received a minimum security risk classification also drove increased demand for jail beds. Despite a decrease in bookings originating from the Bloomington and Normal Police Departments, these departments were a major source for increased jail bed demand due to longer stays. "Fresh" arrests generated increased jail bed consumption due to more bookings and longer jail stays. Bookings involving warrants also required more jail beds due to a substantial lengthening in their jail stays.

Substantially longer stays for persons who bonded out or who were released on their own recognizance drove up demand for more jail bed space. A modest lengthening in jail stays for those going to IDOC led to an increased demand for jail beds. Transfers to agencies other than IDOC grew and their jail stays doubled, resulting in substantially increased demand for jail beds. Finally, the number of persons with dropped charges increased substantially resulting in increased demand for jail beds.

Increased demand for jail beds revolved around three offense categories: crimes against the person (more and longer), burglary/theft (primarily more); and persons with non-compliance charges (more and much longer). Bookings involving non-felony charges were the major force behind the demand for more jail beds due to much longer stays.

The basic message: The Jail Bed Utilization analysis shows that the number of bookings and lengths of stay of a large variety of inmate types have changed between 2003 and 2008. The jail is being used differently than before. Jail bed consumption patterns have changed.

3. Justice System Trends Analysis

The Criminal Justice Trends Analysis analyzed county population, crime, adult arrests, court filings and related trends over the past few years. The purpose of this analysis was to examine the growth of the jail population within a context of changes in these other justice system indicators and measures.

The analysis shows: The crime prone segment of the county's resident population has increased only modestly, but its growth rate will pick up in the next decade. The least crime prone segment of the population (those 50 years of age or older) has and will continue to make up a substantial portion of the county population. Part I offenses as defined in the F.B.I.'s Uniform Crime Reports (UCR) has decreased modestly. Adult arrests, on the other hand, have grown substantially, especially for traffic related offenses. Criminal case filings increased for misdemeanor and traffic matters but decreased for felony matters. Despite the decrease in felony filings, felony sentences increased due to a substantial growth in sentences to imprisonment (jail and prison). There was, however, only a modest increase in the jail's population in this time frame due to more bookings into the jail.

The basic message: While offender behavior is one factor that determines the demand for jail beds and other justice services, it is not the sole source driving that demand. The demand for jail beds is also driven by how the criminal justice system is responding to those with whom it comes in contact. Forecasting the future workload of the county's justice system requires estimating not only county resident trends but also justice system trends over the next 10 years

4. The ICJIA 2004 Report

In 2004, the Illinois Criminal Justice Information Authority (ICJIA) generated a report, "A Profile of the Bureau County Criminal and Juvenile Justice Systems regarding uniform crime reporting (UCR). UCR Part I offenses include crimes against the person (homicide, rape, robbery and aggravated assault) and property crimes (burglary, theft, motor vehicle theft). The time frame for the trends analysis (2001 to 2006) is different from the explaining jail crowding report (2003 to 2008) as well as the bed utilization report (2003 to 2008). The impact of changes in LOS and bookings can and does change over time as is reflected in these reports using different time frames. This report can be accessed at the ICJIA web site: www.icjia.state.il.us.

This report tracked a variety of statistical measures between 1994 and 2003 and compares a few key McLean justice system indicators with 29 other urban counties in Illinois. This report shows the McLean County crime problem to be less severe than the average of the other urban counties. In contrast, the county's workload between 1994 and 2003 grew more rapidly than in the other urban counties. There also was a shift in the proportion of the workload, with more involvement of felonies versus misdemeanors, a trend that also runs counter to the other counties. These data reinforce the notion that McLean County is operating differently than peer counties. These differences have workload and expenditure consequences. Furthermore, these differences are the result of policy choices that can be changed if local officials desire to do so. The process of framing these differences and understanding and evaluating them could be initiated by the preparation of a comparative analysis.

The analysis would compare McLean County to four to six counties most similar in size and circumstance. Comparisons would include crime, arrest, case filing, case disposition, and workload, that is, numbers of people and cases receiving various types and levels of correctional supervision: jail, probation, prison, etc. An example of the comparative analysis that could serve as a "template" to guide this process can be found at the web site:

[http://web.me.com/cushgen/Resources/Resources/pageA\(Presenters\)files/example%20Comparative%20Analysis.pdf](http://web.me.com/cushgen/Resources/Resources/pageA(Presenters)files/example%20Comparative%20Analysis.pdf)

E. Findings and Observations

The primary task of our consultancy is to help local officials restructure and re-conceptualize their perceptions of the nature of the problem. This is akin to asking the client to look at the current situation through a "new lens." The following discussion of consultant findings and observations is intended to foster this "new lens" perspective. Our recommendations that flow from these findings and observations appear in the subsequent section of this report.

1. Many good things are happening

The nature of the consultant assignment is to identify problems. However, there are lots of positives in McLean County. We begin, therefore, by citing some of these accomplishments:

The people who were interviewed were open, candid, asked good questions and seemed genuinely interested in improving the administration of the justice.

The participation of all twelve judges in the interview process as well as the Chief Judge's participation in the general meeting underscored the judiciary's interest in participating in efforts to examine local justice processes.

There has been a recent turnover in leadership among the various justice agencies as well as in general government which offers the prospect for taking a fresh look at how the local justice system operates. There have been recent initiatives to address efficiency issues in the justice system such as the use of video between the Detention Facility and the Public Defender's Office as well as the City of Bloomington's efforts to amend its Ordinance Codes to include selected misdemeanors so as to allow officers the opportunity to issue appearance tickets rather than having to book offenders into the jail. As indicated in the letter to NIC requesting assistance, local officials acknowledged the need for a systems approach to dealing with jail crowding, with the formation of the Jail Population Management Task Force being a useful first start in this approach.

The county is to be commended for keeping the Detention Facility population below its design capacity. The county has recently expanded the Detention Facility's capacity and has made renovations to its booking area to make that process more efficient, especially for local law enforcement agencies.

The IJIS computer system is very impressive, serving all of the justice agencies in the county both at the municipal level as well as the county level.

There is much pride in the community as well as community interest in justice operations as evidenced by the participation of the League of Women Voters in the interview process and participation in the general meeting.

Finally, it took courage to invite in a couple of independent NIC consultants to do this work. This is a sign of trust, of open and good government.

2. Current approach to jail crowding is flawed

There is a tendency to look for solutions without understanding the issue. The focus is on daily operations and on projects. There is minimal attention to policy issues. Even with the Jail Population Management Task Force, the local justice system is not organized properly to deal with issues.

3. Jail Population Management Task Force

The task force is a misnomer in that it is not managing the jail population. There is little understanding of the dynamics driving the demand for jail beds or the options for managing those dynamics. In addition, the title of the task force subverts a system's perspective. Jail crowding is not a jail issue, but a justice system issue, where the decisions of various justice agencies play a major role in creating crowded jail conditions. Furthermore, the jail is not the only part of the system that is crowded. All of the agencies are experiencing workloads that severely tax their resources

Although the county felt that it first had to get its house in order by limiting the task force membership to county agencies, the absence of municipal participation is a major deficiency of the task force.

The Jail Population Management Task Force is not the county's first effort to mount a multi-agency response to jail crowding. There have been previous multi-agency efforts to address jail crowding. This serial effort approach to jail crowding reveals a bias that considers jail crowding to be a problem that is to be solved rather than managed. Jail crowding, however, is a condition that has to be continuously managed.

4. Purpose of the jail is ill-defined

The county has not defined the jail as a limited purpose facility. Almost anyone can be admitted to the jail. Indeed, the county's IJIS computer system has a "vacuum cleaner" effect whereby law enforcement agencies feel compelled to bring all their arrests to the jail in order to have them entered into the IJIS database. The need to identify arrestees via IJIS is now co-mingled with admitting a person into the jail.

The jail houses a wide variety of inmates who may be: detained, but not convicted (pre-trial detainees); convicted; or in violation of a court order. There is a mixture of three distinct groups in the jail: people we are afraid of; people with whom we are upset; and people we do not know what to do with. This lack of definition in the purpose of the jail also feeds the lack of understanding of how the jail's beds are being used.

Finally, the local justice system has demonstrated its ability to fill jail beds once they become available. In the early 1990's when the county constructed two housing pods in the detention facility, the plan was to open one and to open the second several years later. Demand for jail beds grew so fast that the second pod had to be opened shortly after the first pod was put on line.

5. Lack of a Formal Planning Process

There is a lot of data about individual inmates, but there is difficulty turning that data into useful information that will explain how the detention facility is being used. There isn't a thorough understanding of who is in the jail, how they get there, how they exit or how long they stay. Without this basic information, there is no way to inform and engage the public in a process in which they can express their preferences for the use of jail bed space. There are similar impediments to engaging the public on other issues affecting the local justice system.

There are minimal analytic resources available within the local justice system. The analytic resources that do exist are used to provide basic administrative statistics to satisfy state reporting requirements to such agencies as the state police (Uniform Crime Reports on crime and arrests); Detention Facility reports to the Department of Corrections; etc. Although data is submitted to the state, this data rarely, if ever, finds its way back to the county where it could be used to discern issues of local concern. IJIS is an impressive system for meeting operational needs, but it is nearly devoid of any analytic applications. There is a lack of vision as to how the IJIS database can inform officials about how the justice system, not just jail operations, is functioning and changing.

Personnel who are responsible for jail operations do not have the tools needed to show how changes in the number of bookings and/or lengths of inmate stays are driving the jail population higher or lower. Until now, jail staff has not had the conceptual framework needed to perform these analyses. Consequently, the county's jail needs have not been well defined.

In effect, the county lacked a planning process that could facilitate:

- Identifying the purpose of the jail;
- Obtaining input from all segments of the local justice system; and
- Engaging the public on the role of the jail in the sanctioning process

6. Scope of Planning

The limited ability to analyze and define problems at the jail also extends to the rest of the justice system. There are distinct weaknesses in the ability to collect, analyze, and communicate information about the processing of cases and people through the seven key justice system points that were discussed during the group meeting (The seven key justice system decision points are: arrest; detain post arrest; release prior to adjudication; charging the offender; adjudication of charges; sentencing; and sentence modification.)

These weaknesses exist at several levels of government: at the agency level, the city and county level, and particularly at the systems level. No staff is presently dedicated to examining the overall functioning of the local justice system. Consequently, there is currently no one who can replicate and expand upon the types of analyses performed by the consultants for this Justice System Assessment.

Like all counties, the justice system operating within McLean County is composed of an array of independently elected and appointed officials of city, county, and state levels of government, operating within independent executive, judicial and legislative branches of government. The Jail Population Management Task Force represents an effort to enhance communication, cooperation and coordination across the various agencies comprising the local justice system, but it currently lacks municipal membership.

The consultants believe that the extent to which staff are consumed with exceptional cases that fall through the cracks (fire-fighting) is a direct indication of deficiencies in policy, program and operational planning processes.

The impact of decisions being made in one agency often affects many other agencies, but the external impact of these decisions is often overlooked. Many of the solutions to problems raised by the people who were interviewed require involvement from two or more independent agencies that often represent different levels of government.

At present, officials are forced to make decisions without empirical information that would suggest alternative courses of action, or to evaluate the results of their decisions. This leads to indecision, doubt and confusion about the true nature of the problems they are trying to address. This generates unnecessary friction between and among decision makers. Officials rely too heavily on anecdotal information, or an unusual case or event that will serve to justify and propel action

SUMMARY

The challenge before the local justice system is to determine how much bed capacity the county requires and can afford as well as how the jail fits in with the county's correctional strategy. National experience has demonstrated that simply building additional bed capacity without a concomitant

commitment to manage jail bed usage inevitably leads to increased demand for jail beds and a re-occurrence of jail crowding. The section on recommendations that follows provides a road map for how government and justice officials can organize themselves to determine future courses of action, not only for jail space, but the justice system as a whole.

RECOMMENDATIONS

There is the need to examine the jail in terms of its relationship to its many users. Jail crowding has system-wide causes and requires continuous management in the form of interagency and intergovernmental policy, program and operational planning and coordination. Furthermore, jail crowding is not a problem to be solved, it is a justice system condition that needs to be continuously managed. This notion leads to several interconnected recommendations.

The NIC consultants are recommending adoption of a new business model. The current predominant strategy is to attempt to outrun the workload by continually adding new resources. The new, proposed strategy involves managing the size and composition of the workload of the justice system within resource limits. This business model stresses development of the planning, management and information handling infrastructure, before adding more clerks, law enforcement officers, jail beds, and judges. There is the need, therefore, to:

- Enhance data handling and information reporting tools
- Develop mechanisms for managing the politics of change
- Effectively implement chosen courses of action.

This approach entails making choices and setting priorities. This is going to be difficult. This will require collaboration between and among agencies. The mechanisms needed to come to these agreements require further development. Furthermore, officials are not yet experienced at this priority-setting decision making process.

Successfully implementing these recommendations will not only help manage the current jail population but also help the county to forecast future correctional resources and manage them more effectively. These recommendations will also improve the administration of the entire justice system operating within McLean County.

Immediate Challenge

The Criminal Justice Coordinating Council needs to develop a plan that will bring the total jail population (in county and out of county) from current levels down to the operational capacity of the county's Detention Facility by some agreed upon future target date. This can be achieved by implementing a unique combination of three inter-related strategies. The three strategies are:

- increasing capacity;
- reducing admissions; and/or
- reducing length of stay (LOS).

1. Transition the Jail Population Management Task Force into a CJCC

The justice system operating within McLean County consists of various justice agencies, from all levels of government (city, county, state) and within the three branches of government: executive, judicial,

legislative. There is the need to broaden the task force membership to the county's municipalities – their law enforcement agencies as well as officials of general government.

The purview of the task force needs to be expanded to include the entire justice system, not just the jail. The purpose of the Criminal Justice Coordinating Committee (CJCC) should be to improve system-wide communication, cooperation and coordination. The group should serve as a kind of “board of directors” for the system of justice operating within McLean County. The CJCC should serve as a forum for: examining system policies and practices; identifying system problems; considering and selecting alternative courses of action; and evaluating justice processes.

Controlling the size and character of the workload can only be accomplished through increased communication, cooperation and coordination. This requires a “system” perspective that knits together the organizational “silos” that characterize the current approach. To be effective, this new perspective must preserve the constitutional independence and prerogatives of all the parties involved.

2. Provide strong staff support to the CJCC

The NIC consultants strongly recommend that the CJCC be provided adequate, independent staff support. It will not function well without skilled analytical/planner/facilitator support. The staff needs to be perceived as working for the CJCC, not for one of the participating agencies or units of government. One method for achieving this objective is to limit staff's action to only those activities sanctioned by the CJCC membership.

3. Adopt a formal planning process

A formal planning process will bring needed discipline to the policy, program and operational planning process. This process should: foster a systems perspective; consider system-wide impacts of new programs; and test assumptions before new programs are initiated. Planning should be a continuous management process that includes feedback loops permitting evaluation and refinement of justice processes.

4. Examine decision making at the seven key justice system decision points.

To accomplish the examination of decision making at the seven key justice system decision points the county will need to develop enhanced analytic capabilities. This will require developing the personnel and computer programs to convert existing data into information that can better support policy, program and operational decision making. These resources should be focused on illuminating, mirroring back, and understanding decision making at the seven key justice system decision points.

5. Establish a jail population analysis capability

McLean County should create and implement a jail population analysis system (JPAS) to document and explain how changes in the number of bookings and lengths of stay of subpopulations of prisoners combine to determine the number of people in jail. The County should give priority consideration that enables IJIS to produce electronic data extracts to support JPAS functions and analysis.

Managing the size of the jail system population will depend upon achieving agreements about changes in justice system policies. Changes in the size of the jail population are primarily the result of changes in the response of the justice system.

JPAS can help local justice system officials to manage the jail population. A JPAS approach can also be extended to other segments of the justice system enabling officials to manage the size and character of the justice system workload, and diminish the extent to which workload manages the system. The basic concepts and a description of what a jail population analysis system should look like can be found in the NIC publication: Preventing Jail Crowding: A Practical Guide.

6. Implement the recommended Data Analysis Plan

A major task in the analytic plan is the computation of system rates for the major decision points in the administration of justice. System rates can be obtained for six of the seven decision points in McLean County: booking into the jail; release from the jail; charging the defendant; adjudicating the charges; sentencing convicted offenders; and modifying sentences. This can be accomplished by creating a series of data extracts containing information about persons and cases leaving the six decision points. Tracking persons and cases as they flow through the justice system would be more complete, but time consuming and expensive to do. Information drawn from a series of extracts provides a valid illustration of case flow and can be accomplished relatively quickly and efficiently. Another task is to analyze the changes that have occurred in the jail population.

Both analytic tasks should have data from two different time frames that are at least five years apart. Data from one time period is useful for understanding how the system is operating at that time. However, the comparison of findings from two different time frames brings into focus how the justice system and the jail population may have changed over time. A full year's reference period would provide a robust data resource, but a shorter reference period could be used (no less than three months) if data collection costs become an issue.

Two other analytic tasks involve the use of readily available aggregate data. One of these tasks would replicate the trends analysis that was prepared in conjunction with the NIC technical assistance. All of the sources for the various criminal justice indicators are identified in the trends report and the county is encouraged to scan for other sources that might produce additional indicators. The Illinois Criminal Justice Information Authority is a valuable resource that the county should take advantage of in gathering the necessary data for a trends analysis.

The other analytic task using aggregate data would be a comparative analysis. This analysis would use the same data resources used in the trends analysis. Instead of examining changes in the county's justice indicators, this analysis would examine how the county compares with four to six counties that are similar to McLean County.

7. Complete a Sanctions and Services Matrix

Preparation of a sanctions and services matrix is another task that staff should undertake. The purpose of the sanctions and services matrix is to provide a big-picture view of all of the people under supervision on a given day. The exercise will also show the capacity of each sanction and program, and

the daily cost of each program and sanction. These three spreadsheets provide a graphic depiction of the existing system. They form the basis for identifying gaps in services and suggest where additional expenditures might make the most sense.

8. Define the purposes of the jail

Several of the previous recommendations will make it easier to tackle the difficult job of defining the purpose(s) of the jail. Better information about how the jail is currently being used will help officials define the gap between existing utilization and more desirable, preferred use of the bed space. Construction of the Sanctions and Services Matrix will make it easier for officials to determine the proper place of the jail sanction in context with other sanctions and services. Examination of decision making at the seven key justice system decision points will also help determine more appropriate and realistic utilization of jail beds.

9. Promulgate a corrections strategy

Completion of the Corrections Sanctions and Services Matrix and discussion of the purposes of the jail should gradually produce the dialogue needed to better define the McLean County corrections strategy, including custodial, residential, probation and other field based sanctions, services and options. In practice, this corrections strategy will be expressed by the decisions that are made to place people at various places on a continuum of sanctions and to assign them to a wide variety of well thought out correctional programs and services. These decisions will also be improved through the increased use of assessment and classification tools as they are developed in McLean County.

10. Engage the public

The general public is not yet sufficiently engaged. Citizens need to know that there is a problem and that officials need their help, and resources, to better manage the current challenge to public safety and the integrity of the law. The public cannot be counted on to support new jail space until they know there is a substantial problem and that any and all perceived excesses have been squeezed out of the current jail/justice system. Engaging the public is a collective responsibility but rests primarily with the Criminal Justice Coordinating Committee.

11. Invest first in improving planning, management and information handling infrastructure.

It should be clear from the forgoing recommendations that the consultants are recommending the McLean County justice system invest the next marginal dollar in improving the planning, management and information-handling infrastructure of the justice system as opposed to attempting to outrun the workload by hiring more correctional officers, probation officers, judges, adding jail beds, etc

We expect this recommendation to be initially resisted by officials who feel they are barely keeping their heads above water. However, the old strategy of trying to outrun the workload by adding resources is simply not going to work. A new business model is being suggested. It will require a dramatic change in approach and investment.

**RESOLUTION OF THE McLEAN COUNTY BOARD
SUPPORTING THE RECOMMENDATION TO FORM A
CRIMINAL JUSTICE COORDINATING COUNCIL
AND APPOINTING MEMBERS TO THE SAME**

WHEREAS, the McLean County Sheriff has undertaken a study of the management of the McLean County Adult Detention Facility from October 2008 to January 2009; and,

WHEREAS, the Chief Judge of the Eleventh Judicial Circuit, McLean County State's Attorney, McLean County Public Defender, McLean County Circuit Clerk and Director of the McLean County Court Services office have joined in that effort to review the management of the Adult Detention Facility and other elements of the criminal justice system within the County; and,

WHEREAS, the National Institute of Corrections has presented a Justice System assessment to the McLean County Sheriff on January 21, 2009; and,

WHEREAS, the National Institute of Corrections, in their report of January 21, 2009, recommended the creation of a Criminal Justice Coordinating Council to further examine the work of the justice system agencies, and through that study develop policies and procedures designed to benefit the citizens of McLean County through a more efficient and effective operation of said agencies; and,

WHEREAS, the above agencies and departments have agreed to further study the criminal justice system within the County and adopt the recommendation to form a Criminal Justice Coordinating Council for the above purpose; now, therefore,

BE IT RESOLVED by the McLean County Board, now meeting in regular session, as follows:

1. The McLean County Board hereby approves and adopts the Justice System Assessment provide by the National Institute of Corrections.
2. The McLean County Board hereby recommends and supports the establishment of a Criminal Justice Coordinating Council as described in the Assessment.
3. The McLean County Board hereby appoints the Chair of the County Board and the Chair of the Justice Committee to the Criminal Justice Coordinating Council.

4. The McLean County Board hereby directs the County Clerk to forward a certified copy of this Resolution to the McLean County Sheriff and the County Administrator.

ADOPTED by the McLean County Board this 16th day of June, 2003.

ATTEST:

APPROVED:

Peggy Ann Milton, Clerk of the County Board,
McLean County, Illinois

Matt Sorensen, Chairman
McLean County Board