

**JUSTICE COMMITTEE MEETING
Macon County Office Building
Macon County Board Room #514
141 S. Main Street, Decatur, IL 62523**

October 28, 2021 @ 3:00 P.M.

MEMBERS PRESENT

Greg Mattingley – Chair
Debra Kraft – Vice Chair
Lloyd Holman
Jim Gresham

MEMBERS ABSENT

Dave Drobisch
Verzell Taylor
Bill Oliver

COUNTY PERSONNEL PRESENT

Sherry Doty, Circuit Clerk
Jon Perona, DPBC
Scott Rueter, State’s Attorney
Pat Berter, Probation
Michelle Sanders, Public Defender
Sheriff Root
Mike Day, Coroner
Jeannie Durham, County Board Office

The meeting was called to order by Chair Mattingley @ 3:00 p.m. at the Macon County Office Building.

APPROVAL OF MINUTES OF PRIOR MEETING

Mr. Gresham made a motion to approve the minutes from the last Macon County Board Justice Committee meeting (9/23/2021), seconded by Mr. Holman and the motion carried 4-0.

CLAIMS

Ms. Kraft made a motion to approve the claims as presented, seconded by Mr. Gresham and the motion carried 4-0.

REPORTS

Circuit Clerk

Macon County Board Resolution Approving a Decrease in the County Law Library Fee

Ms. Doty explained that until December 31st, it is \$21 per State Statute. On January 1st, it goes down to \$20. The State Statute is attached to the resolution. This will be effective January 1st, 2022.

Ms. Kraft made a motion to approve forwarding the resolution on to the Finance Committee with recommendation for approval, seconded by Mr. Holman and the motion carried 4-0.

Court Services / Probation –

Macon County Board Resolution Entering into an Agreement with Peoria County for the Sale of Juvenile Detention Bed Space

Mr. Berter explained that this is the annual contract that is done every year. The only change is the 3% increase which makes it \$7,814.87.

Mr. Gresham made a motion to approve forwarding the resolution on to the Finance Committee with recommendation for approval, seconded by Mr. Holman and the motion carried 4-0.

Macon County Board Resolution Entering into an Agreement with Champaign County for the Sale of Juvenile Detention Bed Space

Mr. Berter explained that he was notified in September that they are raising their rates \$10 per day. It was \$15 and now it is going up to \$25. The reason Champaign County is used would be that if Peoria County is full and we already have 5 individuals in that facility causing us to go to other detention facilities.

Ms. Kraft made a motion to approve forwarding the resolution on to the Finance Committee with recommendation for approval, seconded by Mr. Holman. Chair Mattingley asked, besides Champaign, do we use Sangamon County? Mr. Berter explained that we do not use Sangamon County. We use McLean County. McLean County is \$110 a day and we use Vermillion County which is about \$120 a day. The motion carried 4-0.

Mr. Berter went on to report that he had been notified today that the Mental Health Court has been recertified for another 3 years.

Emergency Management Agency – No Report

Public Building Commission – No report

Public Defender's Office –

Ms. Sanders reported that they have had a hard time finding any applicants for an open position. They have gotten to be a bit desperate over the situation. Ms. Sanders said that what she may do is contract some attorneys in the community to take over those court calls because it is traffic court and juvenile abuse neglect court. We can't just have a warm body fill in for those. Somebody that will actually be present every week is needed for those courts. This would be no additional cost to the budget. It would just be a temporary stop gap if somebody can't be found.

Chair Mattingley said he had a question on something he had recently seen. Who is defendant _____ and who is attorney _____? Ms. Sanders explained that that was a conflict situation that arose in the office. The attorney is a defense attorney out of Springfield, IL. This is a case that has four different co-defendants. They are all charged with Class X Home Invasions. The office was completely conflicted. The Conflict Attorneys were all conflicted. So, instead of trying to ask the County to pay a private attorney in town, some of the contract money that was already available was used. He got a few months into it and guy ended up hiring private counsel. So, what has been paid should be all that will be paid. Mr. Rueter added his office is also conflicted because he was one as well.

Circuit Courts – No Report

State's Attorney -

State's Attorney

Mr. Rueter reported that, as is the case with the Public Defender, he is still down two people officially because there is a lack of applicants for positions. Notices have been sent out to all the law schools, various recruiting agencies, etc and they have had nobody recently apply. Maybe that will change with the bar results coming out. He said they are still struggling with handling the load with the number of attorneys they have.

Mr. Rueter said his personal observation in regard to the numbers at the jail is that COVID along with the prior Bail Reform Act is doing no one any favors because there are a number of individuals, who, because they were out for COVID or because of bond reduction by law are out on the streets getting themselves involved in new crimes and now have like 5 or 6 cases built up. They have made it where our only reasonable offer is the Department of Corrections because of the number of offenses they have managed to accumulate. That is creating some back up because they don't want to go to DOC.

Sheriff's Department –

Sheriff Root reported that there are 310 inmates currently. It was relatively higher. There were about 50 sentenced inmates that were in the jail and now the Department of Corrections has taken those inmates. Sheriff Root said they had worked with them and taken half to Graham and the other half to Stateville and so were able to get rid of most of those inmates. Right now there are only 10 sentenced inmates. The numbers are coming down because most of the sentenced inmates have been shipped off. Chair Mattingley asked, out of the 310, how many are there because of the federal contract. Sheriff Root said 61. Mr. Mattingley said then around 250 is the current local population. Sheriff Root explained that current COVID protocols are able to manage the inmates that are there. There are only so many COVID quarantine or people that have newly entered into the jail and have to be tested before taken into the population. That is being managed very well.

Mr. Mattingley asked if it was anticipated that we would continue to get those sentenced to the Department of Corrections flowing instead of being warehoused here for months. Sheriff Root said they were taking them about 25. There are other counties that have pending lawsuits right now. Cook County currently has a lawsuit with the Department of Corrections because they are not taking inmates. We have been fortunate to have somewhat of a working relationship with them. They specifically said, "will you take them somewhere other than Graham?" and we said we would take them anywhere you want us to drive them provided it is in the State of Illinois and that they will receive them once we get there. So, we did ship the majority of them to Stateville.

Coroner

Macon County Board Resolution Approving Appropriation of Funds for Equipment Purchases for Coroner

Mr. Day explained that there is one computer setup in the office. That is the lifeline that they do all of the death certificate work per State Statute on the IBRS system which is managed by the Department of Vital Records for the State of Illinois.

The setup is nearly 10 years old. It is approaching its end of life and it won't be able to be updated much more to keep it active and productive. He said he is asking for up to \$4,500 from the DPBC

Surplus Rent Fund that were returned from the Public Building Commission to the County. He said they've never used this type of funding, but he understands it is permissible for conducting governmental business.

Mr. Gresham made a motion to approve forwarding the resolution on to the Finance Committee with recommendation for approval, seconded by Ms. Kraft and the motion carried 4-0.

Mr. Day continued to say that they appear to be online in the office for another record breaking year, tragically. Last year was the largest case number in the history of the Macon County Coroner's office. Apparently, it is on track to surpass that this year. That is a pretty sad undertaking. It is a 24 hour a day / 7 day a week job and they try their best to use the resources that are available and don't ask for a lot. They just buckle down and try to get the work done as best they can and try to serve the people.

Right now, the budget is on its last legs as we move on toward the end of the year. He said they will do their best to maintain the lines within the budget but may have to come back and talk to the committees about additional appropriations from the restricted fund lines.

Mr. Gresham asked what lines would be involved. Mr. Day explained that it would primarily be the Autopsy line which is a catch all. Every year, the cases number more and every year, there is a price increase in every avenue you look at. That's just the way it is.

The equipment line takes care of obligations with the Regional Communications Center where a fee has to be paid monthly to be a part of that group. The budget has not offered a lot over the last 8 to 10 years. When this first started, this was absorbed by the Sheriff's office and the City instituted this program of charging monthly for radio service, etc. So, that kind of snuck in and kind of makes things tight sometimes. If something goes down and needs to be replaced, some of that money may have already been used to pay that bill.

He said, so, there are a few lines that are teetering right now, but he did not think they would be seeing any type of massive financial crisis. He said he thinks they will have sufficient money in the restricted lines generated by the revenues. That has been accessed many times in the years past to cover shortages and that should be adequate. It will be just moving funds from restricted lines to budget lines. Hopefully, it won't happen, but it might. There is still a month to go.

Ms. Kraft asked about the autopsies and something about Peoria. Mr. Day explained that the Autopsy costs go up periodically. It costs \$900 just to have the forensic pathologist get his knife out and get ready to do his job. He has an assistant. So, every year, you will see where McLean County provides the laboratory services to a degree. Then autopsy samples are outsourced to a Pennsylvania lab and also for any blood that this office draws. He said that he tries to keep the autopsy issue as close to necessity as possible. It is a terrible process. It is not a very Christian process. It is very intrusive on a person and their family when they find out what that is all about. He said they try to do that only when there are necessary issues to resolve. A lot of times, for example, if there is a traffic crash and everybody involved has obviously sustained life ending injuries, the blood is drawn locally and sent off to the lab. A lot of counties, both smaller and larger, will autopsy all of those situations. A lot of them autopsy the drug related cases, and even

though the Buffett Foundation has been nice enough to give a quantity of money, those are only used in very limited protocol situations. He said he was not criticizing his fellow coroners, large or small, but he feels that if you are in perfectly good health and in a traffic crash, and you have suffered grievous injuries, it is pretty obvious that the crash was the cause of death. When the reports come back, it says, there was a 3 vehicle accident and injuries sustained in the 3 vehicle crash were the result of death. Mr. Day said he thinks he knew that already. It serves its purpose. Everybody makes their own decisions, but this office tries to be very responsible and he does appreciate the committee's and board's tolerance when it comes to this time of the year when they seem to run a little short. Things have calmed down on the criminal aspect here lately. Those autopsies have to be done. Some autopsies are mandatory under state law, but there are very few of them; in custody does – if you are in the County Jail or State Penitentiary or if you are arrested and in the custody of the Sheriff and something happens to you, that is all mandatory autopsy. Captains of Ships & Pilots of Planes are also mandatory autopsies under federal statutes. There are a handful that are required, such as children under the age of 2, and we do those. Mr. Day said he has extended that because if something happens to a young person and there is no pre existing medical history, there is a problem. It is either a medical issue the family wants to know about or we're dealing with something tragic beyond that. He said they try to be responsible, but he wanted to forewarn that he may be seen again before the end of the year.

New Business - None

CITIZEN REMARKS – PUBLIC COMMENT – None

Old Business None

Closed Session – None needed

NEXT MEETING November 18, 2021

The meeting was adjourned by Chair Mattingley @ 3:20 p.m.

Minutes submitted by Jeannie Durham, Executive Secretary, Macon County Board Office