

**JUSTICE COMMITTEE MEETING**  
**December 23, 2014**  
**3:00 P.M.**

**MEMBERS PRESENT**

Jay Dunn  
Gary Minich  
Jon Baxter (arrived @ 3:05 p.m.)  
Matt Brown  
David Drobisch  
Bill Oliver  
Merv Jacobs  
Greg Mattingley

**COUNTY PERSONNEL PRESENT**

Jerry Lord, DPBC  
Mike Baggett, State's Attorney's Office  
Rodney Forbes, Public Defender  
Ralf Pansch, Specialty Courts Administrator  
Lois Durbin, Circuit Clerk  
Pat Berter, Probation Director  
Jim Root, Sheriff's Dept - EMA  
Bill Hotwick – Sheriff's Dept  
Tony Brown – Sheriff's Dept  
Judge Griffith - Courts  
Jeannie Durham, County Board Office

**MEMBERS ABSENT**

This meeting was called to order by Chair Greg Mattingley at the Macon County Office Building.

**APPROVAL OF MINUTES OF PRIOR MEETING**

Matt Brown made a motion to approve the minutes from the November 25 meeting, seconded by Dave Drobisch and motion carried 7-0.

Matt Brown made a motion to approve the minutes from the October 23 meeting, seconded by Gary Minich, and motion carried 7-0.

**CLAIMS**

Dave Drobisch made a motion to approve sending the claims for the past two months to the full board, seconded by Bill Oliver, and the motion carried 7-0.

**REPORTS**

***Circuit Clerk -***

Lois Durbin reported that the Governor did not sign the jury fee bill which goes into effect June 1<sup>st</sup> which is \$25 for the first day they show up and \$50 for each additional day after that. They also put a limit on jurors as to 6 man, but from now until May 31<sup>st</sup> if someone comes in and pays for a 12 man person, they will get that 12 man person jury. This is going to really blow the budget out of the water. Lois said she took what was spent last year in jury fees, which was over \$48,000 in just jury fees alone and figured that if this would have been in effect last year, it would have been \$209,200. This is going to be a major impact. Bill Oliver asked if this request of 6 man or 12 man was going to be for a short period of time. Lois said it goes into effect June 1<sup>st</sup> when everybody gets 6 man, but for now, if they file a civil case and they want a 12 man person and it doesn't get hear until next December, they get that 12 man person if they pay for it between now and June 1<sup>st</sup>. Lois referred to a recent 8 day murder trial that cost a little over \$1,000 at the current rate, but it would have been over \$6,000 if this were in effect. The new rate is \$25 the first day & \$50 each additional day they are here. We are paying 10 cents a mile mileage, but the mileage has been

taken out of it. Matt Brown asked what the current rate is outside of mileage. Lois said \$10 a day and ten cents a mile.

Lois added that there is also a bill sitting on the Governor's desk now called "Sign and Drive" where if you get pulled over and get a ticket, you can sign and not have to surrender your license, but when it was written, the option of paying over the counter was taken away. So, as of right now, everything is a must appear and everybody will have to go to court. There is an amendment being worked on and if the Governor will sign the amendment, then people will be able to come in pay over the counter, but as it stands right now, for every ticket issued, you will have to go to court. The lobbyist talked with the governor today. He is aware that it is there. If he signs it by 12/31, people will be able to come in, but if not, our courts will be backlogged. Bill Oliver asked when it would take effect. Lois said January 1<sup>st</sup>. Greg Mattingley asked what kind of volume is paid over the counter. Lois said about 85%. The majority is paid over the counter. Greg said there are over 20,000 tickets issued annually. Mike Baggett clarified that it is a minimum of 16,000 a year, but on average, it pushes closer to 20,000 and if the first time DUI's are added in, it increases and this is all one courtroom and one judge. Greg said he hopes they'll realize it is an oversight.

***Circuit Court –***

Judge Griffith announced that they have a new Associate Judge, Phoebe Bowers. She is very well qualified and will be sworn in on January 23<sup>rd</sup>.

***Coroner –***

No report

***Court Services / Probation –***

***Macon County Board Resolution Amending the Probation's FY15 Budget***

Pat Berter explained that this is the supplemental funding received for the Drug Court Officer.

Dave Drobisch made a motion to pass the resolution on to the Finance Committee with recommendation for approval, seconded by Merv Jacobs and motion carried 8-0.

Mr. Berter also distributed a year-end review report and explained that currently there are 2,424 adult cases that are being supervised. This year there were 548 cases that successfully completed probation and 410 adult unsuccessful cases. Unsuccessful individuals went to the DOC and some could have gone to jail or they were just off probation. A lot of that is for not paying fines.

The Adult Redeploy program currently has 115 individuals being supervised. 140 cases were diverted through the program. That is important because for the grant, there has to be a reduction in Class III & Class IV felons by 63 individuals. This shows some real success as this is about a 200% goal that was met.

The Juvenile unit currently has 157 kids being supervised both on probation and conditions under supervision. 117 cases were successfully completed and 54 cases that were unsuccessful. The unsuccessful ones went to DOC or just moved on.

58 individuals were detained in 2014 in Peoria, Champaign, McLean, & Vermillion counties. We have 5 bed spaces contracted with Peoria County. Pat said he was very appreciative of the additional money that was given to the juvenile detention line. \$425,000 was spent to detain 58 individuals. That is a huge number. The Public Defender, States Attorney and Probation have been working together in an attempt to get the cases through the system. Currently there are 10 individuals in the detention centers.

104,000 Community Service hours have gone through the department. There is one individual that is responsible for handling those cases and prepares the paperwork for the judge. Jim runs crews and just out of our department, 34,000 hours were logged. On October 1<sup>st</sup>, a food donation program was started. There are a lot of individuals on community service that are working full time and do not have an ability to come in and perform the hours. Presiding Judge Webber worked with the Probation department in implementing this program For every \$5 spent, an hour of community service is credited. As of this date, \$2,467 in food items has been logged. Those food items are delivered to different food pantries throughout the community each month.

Bill Oliver asked about the \$425,000 that was spent on detaining juveniles. Mr. Berter explained that this was for individuals who are sentenced to the program with Class III or Class IV felonies. They typically would have gone to the Illinois Department of Corrections. This is a diversion program or probation. They go through programs such as MRT, Job Skills, Anger Management, Heritage, etc... This is a more intense case load. Currently, the field officers are supervising 150 to 180, but with this they supervise 35 to 40. So it is more intense. Bill asked where the money comes from. Pat said it is a grant that is provided by the State.

Bill Oliver asked again about the money being spent to detain minors and the possibility of the county taking over their own juvenile program. Chair Mattingley asked if he was speaking about having a detention facility again. Bill asked if the figure was for the entire year. Pat Berter said it was for the entire year. Mr. Mattingley said he thought the figure for running a county detention center for minors was about a million dollars a year. Mr. Berter said he thought it would be more than that. Mr. Mattingley said it was unfortunate that the number of juveniles this year was nearly double than budgeted for, but trying to establish our own facility would cost far more. Mr. Oliver said he was just wondering if any studies had been done. Mr. Mattingley said the best study would probably be the fact that we had one and we know what it costs. We have our own actual costs and those aren't even today's actual dollars. Obviously, today, it would cost even more. Mr. Oliver asked if some of the other county facilities were to shut down, what position would that put us in. Mr. Berter said we have a year to year contract with Peoria County and they are very good at working with us. We can also go to Madison or Adams County to house individuals. Last year, \$280,000 was spent. The year before that, it was \$211,000. This year, we experienced a higher number, but we've had very good luck in working with the other counties. Mr. Mattingley added that what they house for us is excess space that we help fund by using it, so it's not likely that they will go away.

Ralp Pansch, Specialty Courts Administrator since April, 2014, distributed reports and explained that as of December 17<sup>th</sup>, there were 42 active participants in Drug Court and 19 in DUI Court. For the first 17 days of December, there were 9 new referrals to Drug Court and 7 to DUI Court. There has been an influx lately in terms of the number of referrals to the court. When the Drug

Court was set up 3 years ago, the initial grant had a capacity of 40. With the Enhancement Grant that started October 1<sup>st</sup>, they are looking to increase the number by 50%. Two years from now, that number should be at 60. With the current number of pending referrals, we could be at 55 within the next month or so if all of those are approved and deemed admissible by the court.

This past year, 111 people have been served in the Hybrid Court. Some of them were only in for a month or two and then unsuccessfully discharged, but a lot of people in the county are being served. There have been 2 graduations of successfully terminated clients from the court. There were 12 in March and 13 more in October.

The Mental Health Court numbers are increasing too. In January, there were 12 participants in the program. As of today, there are 20. Three graduated in November and another 3 or 4 in the summer. Getting the word out to the community and local attorneys in terms of what is being offered has been successful.

Newsletters, also handed out, have been going out via email to approximately 1,000 local business owners via the local & Mt. Zion Chamber of Commerce directories. This helps in getting donations to help supplement the program with incentives and also gets the word out about the program for referrals.

#### ***EMA-***

Jim Root reported that the Macon County Emergency Management Agency received their accreditation which is received every 2 years. They are in process of revising the Emergency Operations Plan for Macon County which is also done every 2 years and is part of the requirement for the next accreditation. He encouraged members to bring things they might want to see addressed to his attention as he has to submit it to IEMA by March 23<sup>rd</sup>.

#### ***Public Building Commission –***

Jerry Lord had no report.

#### ***Public Defender –***

Rodney Forbes presented his monthly report for November where they had 72 new cases and closed a total of 85 felony cases. More were closed than were opened. This has been the trend over the last couple of months. Last month, however, more misdemeanor cases were opened than were closed. Looking at the total numbers, 244 cases were opened and 204 were closed. 40 more were opened for the month of November which were primarily misdemeanors or probation violations in juvenile cases.

Rodney reported that Mr. Pansch is doing an excellent job with Probation since he has come on. He is also getting involved with the Mental Health Court and the new Judge Bollinger since Judge McCarthy's retirement.

Mr. Forbes reported that he has just completed year-end employee evaluations.

Jail population has gone down to under 300 for the month of November and is hovering right around there now.

*Sheriff –*

***Macon County Board Resolution approving Agreement for Stellar Services, LLC Inmate Commissary Service Agreement***

Lt. Tony Brown presented the resolution. Chair Mattingley asked if Stellar would be the same one that has been used in the past. Lt. Brown said no, Stellar is the best option for the upcoming year. The proceeds go to a special account that is audited and it is then used for services for the inmates such as blankets, uniforms, etc... to assist in running the facility. Mr. Mattingley asked if the terms were remaining the same. Lt. Brown said yes, but percentages could be raised or lowered. Mr. Minich asked whether other vendors had been approached and what the criteria was. Lt. Brown explained that there had been others considered, but Stellar was, by far, the best option.

Lt. Brown said that recently the sheriff has had 3 senior officers announce retirement which triggers a buyout per contract. He said that there is about \$10,000 budgeted in this line. With 3 senior officers affected, it will probably come to about \$100,000. There is good and bad: the good is that new officer salaries will be lower and the bad is the buyout. Chair Mattingley asked if the committee might expect a future resolution asking for additional funds for the buyout and asked about timelines. Lt. Root added that the Sheriff had said there is a possibility that he might be able to encumber some of it. He wants to see what the actual buyouts come out to. It depends on whether or not the 3<sup>rd</sup> guy actually submits his papers. That probably won't be until March or May. Mr. Drobisch asked if there hadn't, at one time, been a line item in the budget for buyouts that had been cut. Jim said he thought there may have been at one time, but that is something they don't anticipate they will need, but this year two have left and a third is anticipated.

Lt. Brown said he wanted to add to Mr. Forbes' report on the jail numbers. About 35 of the 300 average inmate population are federal detainees which is very good for us.

Dave Drobisch made a motion to pass the resolution on to the Finance Committee with recommendation for approval, seconded by Gary Minich and motion carried 8-0.

***State's Attorney***

**Macon County Board Resolution Amending the FY2014 State's Attorney's Grant Fund Budgets for Teen Court and Truancy Court (Year-End Cleanup Resolution)**

Mike Baggett explained that a new line 069 had been created for the Truancy Court Grant that was originally incorporated within the Teen Court Budget, but in an effort to make the accounting easier, the grant funds are being kept separate. This is a cleanup resolution to assure the funds are in the correct line and it takes care of a \$4000 yearend contractual obligation by moving the funds from salary to contractual to cover that expense.

Dave Drobisch made a motion to pass the resolution on to the Finance Committee with recommendation for approval, seconded by Jay Dunn and motion carried 8-0.

**Macon County Board Resolution Amending the FY2014 State's Attorney's Grant Fund Budget for Juvenile Justice Council Grant (Year-End Cleanup Resolution)**

Mike Baggett explained that at the end of November 30, there was about \$4,630 received from the granting authority that had not been appropriated for. There were also additional expenses within the contractual and travel lines.

Dave Drobisch made a motion to pass the resolution on to the Finance Committee with recommendation for approval, seconded by Gary Minich and motion carried 8-0.

**Macon County Board Resolution Amending the FY2014 State's Attorney's Grant Fund Budget for 708 Board Mental Health Court Grant (Year-End Cleanup Resolution)**

Mike Baggett said this grant funds part of the salary for one of the Assistant States Attorneys who is assigned to the Mental Health Court. The last pay period in FY14 was one week in FY14 & one week in FY15. This cleans that up.

Dave Drobisch made a motion to pass the resolution on to the Finance Committee with recommendation for approval, seconded by Merv Jacobs and motion carried 8-0.

**Macon County Board Resolution Amending the FY2015 State's Attorney's Budget for Sexually Dangerous Person Evaluation Expenses**

Mike Baggett explained that this is to pay the invoices for evaluators that are mandated by statute.

Gary Minich made a motion to pass the resolution on to the Finance Committee with recommendation for approval, seconded by Matt Brown and motion carried 8-0.

**CITIZEN REMARKS – PUBLIC COMMENT** – None

**OLD BUSINESS** - None

**NEW BUSINESS** –

**Macon County Board Resolution Approving the Macon County Command Officers Contract**

Jay Dunn explained that he & Mr. Greenfield had attended the negotiations and said they felt they had it all worked out and didn't see any problems with. He thought Mr. Flynn would be at the Finance Committee and / or board meeting to answer questions if there any.

Jay Dunn made a motion to pass the resolution on to the Finance Committee with recommendation for approval, seconded by Dave Drobisch and motion carried 8-0.

**CLOSED SESSION** – None

**NEXT MEETING** – Thursday, January 22, 2015

**ADJOURNMENT**

Motion to adjourn made by Dave Drobisch, seconded by Matt Brown, motion carried 8-0, and meeting adjourned at 3:40 p.m.

Minutes submitted by Jeannie Durham, Macon County Board Office