

JUSTICE COMMITTEE MEETING
March 23, 2017 @ 3:00 P.M.

MEMBERS PRESENT

Jay Dunn
Jerry Potts
Dave Drobisch
Jon Baxter
Greg Mattingley
Bill Oliver

MEMBERS ABSENT

Grant Noland

COUNTY PERSONNEL PRESENT

Mike Baggett, State's Attorney's Office
Rodney Forbes, Public Defender
Lt. Jon Butts, Sheriff's Dept
Pat Berter, Probation
Jerry Lord, DPBC
Judge Webber
Sherry Doty, Circuit Clerk's Office
Lt. Jim Root, EMA
Jeannie Durham, County Board Office

Chairman Jay Dunn called the meeting to order at 3:00 p.m.

APPROVAL OF MINUTES OF PRIOR MEETING

Mr. Potts made a motion to approve the minutes from the January 26, 2017 (no quorum in February, so no minutes were approved), seconded by Mr. Oliver, and the motion carried 6-0

CLAIMS

Mr. Drobisch made a motion to approve the claims, seconded by Mr. Mattingley, and the motion carried 6-0.

REPORTS

Circuit Clerk –

Sherry Doty reported that they had training with the Bar Association on e-filing today and it went really well. They started a new system for court costs. The State's Attorney's Office is also involved so when a defendant leaves the courtroom, they know exactly what they are going to owe. This is still in the works.

Circuit Court – no report

Coroner – No report

Court Services / Probation –

Mr. Berter reported that they had done a yearly analysis of drug tests through the drug lab. There were 421 individuals tested. Some of them were tested more than one. Out of those tests, 310 individuals tested positive. That is a 73.6% of individuals on probation that are testing positive. 2,357 actual tests were run. There are some individuals that have been tested 20, 30 or 40 times. The highest number of positives was for cannabis. There are some for opiates which would be heroin. The 6AM is also heroin. There are individuals that are in the program that are in drug court that are on methadone, so they will usually show up positive, but they are looked at to see if they are using the methadone appropriately. There are cut off levels that are looked at. Synthetics, K2-2, had 13 positives. The EtG is an alcohol test. That will stay in your system up to 4 days. There were 137 individuals that tested positive. Ecstasy tests showed 30. Cocaine had 169.

Benzos, which is usually Xanax, had 29. Amphetamines, which are usually meth, had 31 positive tests. Mr. Berter explained that they are very fortunate to have the drug testing machine and very fortunate for the Howard Buffett Foundation and the Sheriff's Department for providing this. It has been very beneficial for the department in seeing what they need to do. He explained that he had heard that there are 1600 jobs available in Macon County, but they have problems with individuals failing drug tests. He said that maybe later on, they could set something up with employers because it takes someone that is testing positive for Cannabis 30 days for it to get out of their system. The machine can show if it is coming down. He said that if something could be set up with employers for an incentive to help get some of the individuals on probation employed. Chair Dunn asked about the 23,006 number in the totals column and Mr. Berter explained that when an individual comes in for the first time, almost 14 tests will be run testing for different drugs. Those are called chemical re-agents. 23,006 of the chemical re-agents have been tested. Chair Dunn asked if the numbers had surprised Mr. Berter. Mr. Berter said not really. The only thing that was surprising was the 6AM test that shows if there is really heroin. There are 13 of those and there are 135 opiates, any kind of prescription pills. With the current heroin epidemic, there are some individuals on probation and in drug court that we are trying to help. The Drug Court Officer reported yesterday that because of the lack of state funding, people who are going through the methadone program where the money is drying up are being taken off of it. Mr. Berter said he is hoping that they will not have a bunch of relapses.

EMA –

Lt. Root reported that the office has been moved out of the usual office and relocated into the center of the Law Enforcement Center. They are looking at a possible 6 months, or around September, before they can go back to their spot.

The Emergency Operations Plan has been submitted to the State of Illinois last week. Once approved, the plan will be copied and the old plans will be replaced.

Public Building Commission – No report

Public Defender –

Mr. Forbes passed out and reviewed the monthly report saying that a total of 247 felony cases were opened and 206 were closed. More were opened than were closed. The office has been able to keep their heads above water. This is something that has been cyclical. More were closed than opened in December and January, so this was not a surprise.

If the Public Defender's Office cannot represent somebody for a reason that one of the attorneys or staff members was a victim in a case or if there is a legal conflict, the case has to be assigned to a conflict attorney. A conflict attorney is an independent contractor who has no connection with the office. Dan Hassinger, currently serving as the conflict attorney, has indicated that he wants to terminate his contract. He no longer wants to work as a conflict attorney for the office. He has taken a position with the Fraternal Order of Police. He will be in-house counsel for that organization. We need to find a new conflict attorney. Mr. Forbes said he had reached out to Andrew Wessler and Christopher Amero, both former employees with the Public Defender's Office and who are now in private practice with Frank Byers firm. They have indicated that they are willing to do the work that Dan Hassinger was doing. It would not be for any more money. It would be for the same amount of money. Dan Hassinger was getting paid \$32,000 for the year. Both Andrew Wessler and Christopher Amero would each receive \$16,000. It is the same total

amount, but would be split between two attorneys. That is a benefit for the office in that there are now two conflict attorneys. Mr. Forbes said that he had been concerned about what they would do if Dan Hassinger had a conflict and they had nobody else to turn to. Now there will be two available to turn to. Dan Hassinger would like to end his service at the end of this month, so the desire is to get the other two on board by April 1st so there will not be an interruption of services. The office has 2 support staff members. One is the office manager, Terri Tate and the other is secretary, Elizabeth Nihiser. Ms. Nihiser is pregnant and will be going on a 3 month maternity leave this summer. We will need to find someone to replace her that can answer phone calls and do basic filing and stuff. Milliken has been contacted about a possible intern for the summer. There is already one intern in the office now. Externships through U of I are also being looked at.

Office space is being looked at as well. If another intern / extern are brought in, it would be nice to have a space for them. There is no extra space currently. Already, the Investigator and one attorney are located outside the locked office door. Every time they need a copy or something, they have to use a key to get into the office. More space is needed, so Mr. Forbes has contacted Doug Brackett with PBC and asked him to take a look at building a cubicle space somewhere for another person. Another attorney, Karen Root, who works outside of the office currently, pursuant to a Defense Services Grant that was received years ago has decided to give up her private practice to be a full time Public Defender this fall. She will need to move into the office if at all possible.

Sheriff –

Macon County Board Resolution Recognizing April 2017 as “National Donate Life Month”

Lt. Butts explained that this is to recognize the critical need to donate organs and tissues to an increasing number of Macon County citizens who donate organs, tissues, corneas, bone marrow and blood. Lt. Butts said he sits on the Macon County Life Goes On Committee which is a committee through the Secretary of State that promotes awareness and brings people knowledge about what this is all about and how they can get involved. Presently there are approximately 5,000 Illinois citizens who are on the waiting list for organ or tissue donation and approximately 100,000 nationwide.

Motion to approve forwarding the resolution on to the full board with recommendation for approval made by Mr. Potts, seconded by Mr. Oliver and the motion carried 6-0.

Macon County Board Resolution Approving Contract for Macon County Sheriff's Police Services for the Village of Argenta, Illinois

Lt. Butts explained that this is the 9th year for providing services law enforcement services for the Village of Argenta. The current contract is for 36 month and expires at the end of April. It provides one sworn deputy to patrol the Village. The Village provides the vehicle, the fuel. The County provides the officer and equipment. The current contract is \$210,000 over 36 months. The proposed contract would increase about \$6,300 over the 36 month term of the contract. This contract would be for \$217,257.03. It is a 3% increase. This contract would run May 1, 2017 through April 30, 2020. This goes to the Village of Argenta's board on April 3 which Lt. Butts said he would be attending. Mayor Luedke and other members of the Village Board are very happy with the services. Lt. Butts said they truly enjoy providing the services for the Village of Argenta. It is a good working relationship. The deputies that are assigned there work with the

Village on community projects and do a lot of things required by the Village such as ordinances. It has been a very good contract that allows the County to have another deputy. The 3% increase over the 36 months would cover the step increase for the deputy assigned there. Normally, Step 2, 3 or 4 deputies perform these duties. The contract will run through 2020.

Motion to approve forwarding the resolution on to the Finance Committee with recommendation for approval made by Mr. Drobisch, seconded by Mr. Mattingley, and the motion carried 6-0.

Lt. Butts went on to report that he had been in contact with Deputy Chief Walker from the Decatur Police and is working closely with him to provide auxiliary police training that the County does not have. There is some in-service training for our auxiliaries, but they have a very formal, standardized training that they provide for their auxiliary police officers. The County has several openings within the program. Lt. Butts explained that he has an IGA (Inter-governmental Agreement) that the City Manager has signed and Mr. Baggett has looked at.

Lt. Butts said that he wanted to let the committee know that they do have a couple of auxiliary deputies that would be going to this training, but due to being out of the office at training himself, he was unable to get a resolution ready for this agenda. He requested permission to take it straight to the Finance Committee because it does require some insurance coverage, workers comp, etc. for the officers if something were to happen while attending the training. The training is over a several month period, once a week on an evening from 6 – 9 p.m. The officers would go in and be trained with the City Police on the vehicle code, criminal code, firearms, traffic stops, etc. It is very good training. Jim Humphrey is an auxiliary deputy with the County Office and would serve as a liaison to make sure that the training that is provided is what we need. He is a former City Auxiliary and now a County Deputy Auxiliary.

Mr. Oliver asked that Lt. Butts' dissertation that was just given, be done at the full County Board meeting so that it might become public record as well as the resolution on Donate Life. He also asked that the Chairman remind folks when the resolution is presented that when they get their licenses renewed, they can also volunteer to be a donor at that time. It is listed on the license that they are a donor and it is one of the easiest ways to do this. Lt. Butts agreed that this is very important and expressed appreciation that Mr. Oliver had brought it up. He went on to say that it is something people take for granted and don't think about, but there is a true need. He commented about several people he knew that had received donations and that it makes a difference in a lot of people's lives.

State's Attorney's Office-no report

CITIZEN REMARKS – PUBLIC COMMENT – none

NEXT MEETING – April 27, 2017

ADJOURNMENT

Mr. Potts made a motion to adjourn, seconded by Mr. Oliver, the motion carried 6-0 and the meeting was adjourned at 3:25 p.m.

Minutes submitted by Jeannie Durham, Macon County Board Office