

JUSTICE COMMITTEE MEETING
November 24, 2015
3:00 P.M.

MEMBERS PRESENT

Jon Baxter
Jay Dunn
Dave Drobisch
Matt Brown

MEMBERS ABSENT

Greg Mattingley
Grant Noland
Bill Oliver

COUNTY PERSONNEL PRESENT

Lt. Jon Butts, Sheriff's Dept
Sheri Wallace, HR
Judge Webber, Courts
Mike Baggett, State's Attorney's Office
Carol Reed, Auditor
Pat Berter, Probation
Rodney Forbes, Public Defender
Lt. Tony Brown, Sheriff's Dept

Jeannie Durham, County Board Office

The meeting was called to order by Vice Chair Jon Baxter at the Macon County Office Building.

APPROVAL OF MINUTES OF PRIOR MEETING

Mr. Dunn made a motion to approve the minutes from the September 24, 2015 meeting, seconded by Mr. Brown, and the motion carried 4-0.

CLAIMS

Mr. Drobisch made a motion to approve the report of the claims as submitted, seconded by Mr. Brown and the motion carried 4-0.

REPORTS

Circuit Clerk –

Macon County Board Resolution Adding Expense Line in the Circuit Clerk E-Citation Fund for FY16

Lt. Butts explained that the Circuit Clerk, the Sheriff's Department, the City Police Department and the Mt. Zion police have all agreed to enter into an agreement to provide an E-Citation Fund where each department, within 4 to 6 months, will write citations electronically. The Circuit Clerk has submitted paperwork to the Chief Judge and has applied to the State of Illinois for approval. Mr. Baggett has reviewed the agreement with the vendor. There is another jurisdiction in Illinois that is using this vendor and are very happy with them. The expenditure line would be for \$39,000.

Mr. Drobisch made a motion to approve forwarding to the Finance Committee with recommendation to approve, seconded by Mr. Dunn, and the motion carried 4-0.

Circuit Court –

Judge Webber alerted the committee that the budget problems in Springfield are starting to affect some of the diversion programs such as Redeploy Illinois – both adult & juvenile, and also some vendors supplying services to Specialty Courts such as the Mental Health, DUI / Drug Court &

Hybrid Court. Some of the providers of services are not being paid and they are making some indications that they may not wish to participate in the program any longer because of this. This is going to cause a problem for our specialty courts. Also, the Administrator Office of the Illinois Courts has proposed to become more involved in those programs with various rule changes which could make them somewhat more difficult to administer. He said that they had earlier placed a limit of 88 participants in the Specialty Court Program and did not think we would meet that. We are now at that and right now cannot fit in all the persons who would otherwise be eligible for the program. The spaces are now all full and we do not have resources to expand the program. There is nothing that can be done by the committee. It is all beyond our control, but Judge Webber said he did want to point it out that these have been successful programs, but developments both financial and otherwise down the line, may put them in jeopardy.

Coroner – No report

***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 they are currently contracting with Peoria for detention bed space. He said that they are very happy with Peoria County. There has been great success in working with them. They were helpful this last year in contract negotiations when we were looking at our overtime budget. We had an on-call schedule for our Juvenile Officers. Mr. Baggett has reviewed the contract. We have housed 86 kids this year in Peoria & Champaign Counties. That is higher this year than last year, but last year we paid more because of the seriousness of the offenses. Currently there are 8 juveniles in the detention facility. Six are in for attempted murder or murder.

Mr. Dunn made a motion to approve forwarding to the Finance Committee with recommendation to approve, seconded by Mr. Drobisch, and the motion carried 4-0.

EMA- no report

Public Building Commission – no report

Public Defender –

Mr. Forbes distributed the October report and explained the case load totals went up. Total cases opened was at 242 and closed were 229.

The Drug Court capacity, as Judge Webber mentioned, is at 80. We are currently not accepting any more participants or applicants for that program. The same with Mental Health Court. For the month of October there were 35 participants. Jail population remains low. Currently it is at 270. It has been under 300 almost all year and that is including the federal inmates. We have not had the jail populations concerns that we have had in previous years.

They are trying to keep juror costs low. Juror fees have gone up. There is an effort to try to resolve cases before they end up on the trial calendar.

With the latest budget, Mr. Forbes said he has been forced to eliminate one contract attorney, one of the conflict attorneys. There was about \$60,000 allocated to pay two contract attorneys. Each contract attorney was getting \$32,000. Mr. Forbes said he was afraid to go down to just one contract attorney because if that is done, they might end up having a need for that additional conflict attorney and it might end up costing the county a lot of money. He said he has offered both contract attorneys the same contracts at less money – half price. They are both being offered a contract at \$16,000 instead of \$32,000. He said they would try to keep the number of cases that go to those attorneys down. He said he is still working on it and is not sure whether they will accept it or not. If they do not accept it, he will have to try to find someone else that will meet those contractual obligations. He said he felt that this is the best way of dealing with the conflict attorney reduction at this time.

Mr. Forbes went on to update the members about how the office space is becoming very limited. It is full. The office has lost one of the attorneys who was located outside of the office building, Randy Baker. The replacement has been brought into the office as a full time attorney. That person has had to be placed in an office that is outside of the locked area. It is one of the two offices that are adjacent to the lobby. This has become a safety hazard. Appellate Court Justice Lisa Holder White was in yesterday and commented about the short space we have. In doing this, an interview room was also lost. This has become a concern.

Evaluations were done to implement the raises for the office. Mr. Forbes said he has asked the attorneys to offer suggestions for improvement and that was the one concern that kept coming up over and over again.

Mr. Baxter asked if the Coroner's area might be a solution. Mr. Forbes said they have discussed it. That seems most obvious, but Mr. Day is opposed to it. He does not want to be located in the Sheriff's office where he was once before and it did not work.

Mr. Dunn requested the minutes from this meeting be sent to Mr. Lord with a request to give a review of the space issue more priority. Mr. Forbes added that one more attorney, Karen Root, is located outside of the office building and when she retires in a year or two, he would be asking to move that position into the office full time as well. He said his intern is working at the lunch table.

Sheriff –

Macon County Board Resolution Amending the Sheriff's Office FY2015 Budget

Lt. Butts explained that this is a bucket transfer to increase three lines and decrease another.

Motion to approve forwarding to the Finance Committee with recommendation for approval made by Mr. Dunn, seconded by Mr. Brown and motion carried 4-0.

State's Attorney's Office-

Macon County Board Resolution Designating the Illinois State's Attorney's Appellate Prosecutor as its Agent to Administer the Operation of Appellate Offices and Process Appellate Cases for Macon County during FY2016

Mr. Baggett explained that there is no change in the fee from last year which was the first increase in quite a few years. It is \$24,000. This would allow the Appellate Prosecutor to handle all appeals as well as stand in as Special Prosecutor in cases where the State's Attorney's Office has a conflict.

Motion to approve forwarding to the Finance Committee with recommendation for approval made by Mr. Dunn, seconded by Mr. Brown and motion carried 4-0.

Mr. Baggett went on to address the committee and expound upon Judge Webber's earlier comments on the Adult Illinois Redeploy situation with the state. After this committee met last month, Mr. Baggett said he met with Mr. Dunn, Chairman Greenfield, the Auditor and Mr. Berter with respect to the Adult Redeploy and Juvenile Redeploy Programs. At that time, the consensus view was that Macon County could not continue to float the ARI program or the Juvenile Redeploy programs while the State was unable to pay its bills. At that point, the County had been floating the ARI program for the months of July, August, September, and October. The group reached an agreement where the county would continue to float until the end of November. Ultimately, the County does expect reimbursement from the State when the budget impasse is resolved. There is no guarantee that that will happen, but that is the expectation and the hope. After that meeting, Mr. Baggett said he had sent a letter out on behalf of the State's Attorney to the contractors that work with the county on the ARI Program informing them that effective December 1, ARI would be suspended temporarily and until such time as the state resumed paying its bills. Subsequent to that letter, we had an opportunity to meet with the multi-disciplinary team which consists of the vendors and contractors involved. They very graciously offered to provide services to the people who are already enrolled and participating in the ARI Program for the foreseeable future on a month to month basis. At this time, beginning December 1, they will provide those services pro-bono to the county with the hope that if the State does reimburse down the road that they will charge their normal fees and expect reimbursement, but if that does not happen and the State cuts the grant amount or ultimately refuses to pay, they are agreeable, at least on a very temporary basis to provide services pro-bono from December 1 until such time as they tire of that agreement. The end result is that, at this time, the State's Attorney's Office is not making offers to criminal defendants of ARI, which is unfortunate, but necessary because we cannot keep funneling people into a program which may not be there in a couple of months. However, the people who were sentenced to ARI probation are not being kicked out of the program nor are the services they need being taken away from them. Hopefully, that will continue long enough for the state to get everything taken care of. Mr. Baggett said he couldn't address Juvenile Redeploy because that is a different situation.

Mr. Berter added that as part of the Adult Redeploy grant, there are three Probation Officers who are paid out of that grant. He said he met with them last month. He said he has a little bit of money in the budget for next year to float them to the end of February. His hope is that by then a budget will be in place. If that budget is not in place, there will be 3 staff members laid off. This will affect the Specialty Courts as far as Drug Court and Mental Health Court because those two officers will be laid off. He said they would be able to manage the caseloads, but in looking at the process, it will become difficult. One of the things Mr. Berter said he would be doing is making sure he can sustain his staff without grants. There are some retirements coming this year which will leave a little room with money. As far as Juvenile Redeploy, Mr. Berter said he had met with

Karrie Rueter who is the fiscal agent and talked with her about their plan. He also met with the service providers and explained to them the November 30th date. He sent the State a letter which Mr. Baggett drafted for him. That Probation Officer position is not covered under a grant. They will still be able to see the kids and provide some sort of services, but the services provided will be in-house. Heritage will be providing the mental health and substance abuse counseling, hopefully through Medicaid. Right now they are just looking at what is going on in the department and making sure that the needs of the court and the community are still being met. He said he expects them to be able to do so, but it is going to be tight.

Judge Webber added that he could give a broader perspective from where he is looking at the programs. They are essentially a diversion with intensive supervision and treatment facets. The point is to avoid, if possible, for the right people, felony convictions which can be very disabling and to keep people out of the Department of Corrections. If we don't have these programs, there will be more felons and more people going to the Department of Corrections which costs the State more in the end. By not funding these programs now, the net result could be more persons in DOC and when there time is done, they will come back home with problems they would not have otherwise.

CITIZEN REMARKS – PUBLIC COMMENT –None

OLD BUSINESS - None

NEW BUSINESS –

Judge Webber reported that Kelly Geisler, Court Reporter Supervisor, will be retiring at the end of December. She is an over 34 year employee of Macon County. Judge Webber said that in speaking with Chief Judge Flannel because of case loads and population, assuming her position is filled, it is a state position as court reporters are state employees, if it is filled, it will be filled in Champaign County, not Macon County, so we will be down one reporter. He said they will be able to cover the courtrooms, but will not have as much flexibility in scheduling.

CLOSED SESSION – None

NEXT MEETING – Wednesday, December 23, 2015

ADJOURNMENT

Motion to adjourn made by Mr. Brown, seconded by Mr. Drobisch, the motion carried 4-0, and meeting adjourned at 3:25 p.m.

Minutes submitted by Jeannie Durham, Macon County Board Office