

CHAMPAIGN COUNTY BOARD
COMMITTEE MINUTES

JUSTICE & SOCIAL SERVICES COMMITTEE

Monday, February 5, 2007

**Brookens Administrative Center, Lyle Shields Meeting Room
1776 E. Washington St., Urbana**

7:00 p.m.

MEMBERS PRESENT: Anderson (Chair), Carter, Gladney, Hogue, Hunt, James, Putman, Sapp, Tapley

MEMBERS ABSENT: None

OTHERS PRESENT: Chief Deputy Kris Bolt (Sheriff's Office), Kat Bork (Recording Secretary), Andrew Buffenbarger (Nursing Home Administrator), Investigator Shane Cook (Sheriff's Office), Denny Inman (County Administrator of Facilities & Procurement), Lt. Allen Jones (Sheriff's Office), Kathleen Liffick (Head Start Director), Sgt. Brian Mennenga (Sheriff's Office), Susan McGrath (Senior Assistant State's Attorney), Dan Walsh (Sheriff), Captain Tim Voges (Sheriff's Office), C. Pius Weibel (County Board Chair), Darlene Dallas, Brian Dolinar, Belden Fields, Durl Kruse, Martel Miller, Giraldo Rosales

CALL TO ORDER

Anderson called the meeting to order at 7:00 p.m.

ROLL CALL

The Recording Secretary called the roll. Anderson, Carter, Gladney, Hogue, Hunt, James, Putman, Sapp, and Tapley were present at the time of the roll call. Anderson declared a quorum and proceeded with the meeting.

APPROVAL OF AGENDA/ADDENDUM

MOTION by Carter to approve the agenda; seconded by James. **Motion carried.**

APPROVAL OF MINUTES

MOTION by Putman to approve the Justice & Social Services Committee regular session minutes of January 8, 2007; seconded by Carter. **Motion carried.**

PUBLIC PARTICIPATION

Anderson informed the public that due to the number of people who wished to speak, they should observe the rule allowing for five minutes per speaker. Anderson allowed the each member of the public to continue speaking when they exceeded the five-minute limit.

Brian Dolinar spoke about tasers in the County Jail. Dolinar said he thought the tasers could lead to abuse and were disproportionably used on African-Americans. Dolinar wanted inmates to be questioned

whether they had heart conditions prior to being tased. Dolinar mentioned incidents with tasers that have occurred in other states. He spoke about the Sergeant Myers case.

Belden Fields spoke about tasers and risks involved in their use. Fields requested the County Board refuse to include any money in the budget for the purchase, maintenance, or repair of tasers.

Durl Kruse spoke about tasers and how they are used. He said Sheriff's Walsh's opinion on tasers should be listened to, but the Sheriff speaks from the perspective of a law enforcement official and other perspectives should also be considered.

Giraldo Rosales, a Champaign City Council member, spoke about how the City of Champaign debated whether city police officers should use tasers. He is aware of an agreement between the Champaign and Urbana Police Departments and the Sheriff's Office that allows the cities to contact the Sheriff's Office to request the use of a taser. Rosales stated he has heard from many constituents who support the use of tasers. The City of Champaign has to pay high medical bills because police officers have been injured during arrests while trying to restrain the arrestees. Rosales recommended addressing the community's fears on this complex issue.

Martel Miller spoke about tasers in the County Jail. He said people should be safe once they are locked up in the jail and there should be a federal investigation into the deaths that have occurred at the County Jail over the last several years.

MONTHLY REPORTS

MOTION by Hogue to receive and place on file the Animal Control November 2006 & December 2006 reports, Circuit Clerk November 2006 report, Coroner July 2006, August 2006, September 2006, & October 2006 reports, Emergency Management Agency January 2007 report, and the Public Defender December 2006 report; seconded by Putman. **Motion carried.**

SHERIFF

Discussion About County Jail Policy & Procedure Regarding Tasers

Sheriff Walsh began his presentation with a statement from Darlene Dallas. Dallas told the committee about her experience with Sheriff's deputies and tasers. In April 2004, deputies used a taser in her home when her intoxicated ex-husband barricaded himself and the couple's two young children in a back bedroom. The Sheriff's deputies were called to disburse the situation at her request. The deputies attempted to talk the suspect into surrendering, but the suspect refused to leave the room and began using the children as a shield. The suspect then attempted to charge one of the deputies. Because of the taser, the deputies had an option other than a gun or a billy club to use in subduing the suspect. The deputies used a taser because of the suspect's size and intoxicated condition. Dallas supported the use of tasers because it enabled the deputies to subdue her ex-husband without harming her children. She asked the committee to continue to use tasers as an option for Sheriff's deputies because they can save lives and prevent serious harm.

The Sheriff distributed the Use of Force Policy and various memos given to his deputies regarding the instruction and use of tasers. The Sheriff pointed out that one of the instructions tells the deputies to not use a taser on a known pregnant woman. Walsh specified this instruction was due to the risk of the woman falling and injuring herself. A taser would not harm the unborn child. The statistics provided in the Sheriff's report were prepared by Sergeant Mennenga. There are about three incidents per year involving a taser at the County Jail. In 2006, there were sixteen incidents total (six displays and ten usages) involving a tasers in the Law Enforcement Division, which constituents the road deputies. A display is when a deputy removes the taser from the holster and shows it to a person to achieve their compliance without the use of force. In 2005, there were nine incidents total (six displays and three usages) involving a taser in the Law Enforcement Division. The Sheriff noted that both the Champaign Police Department and the Urbana Police Department have called for

Sheriff's deputies to use tasers in situations where the police thought that level of force was necessary. Sheriff Walsh expressed that the reality of arresting and incarcerating people is very different from what is portrayed in popular media. Lieutenant Jones showed two videos of situations (one in a courtroom and the other in a booking area) where a detainee attacked the deputies. Sheriff Walsh wanted to show the committee how quickly these situations could happen, the number of deputies it takes to restrain a violent detainee, and how a deputy can be injured in such an attack. The Sheriff stated a taser allows deputies to rapidly bring a violent situation under control without the deputies being seriously injured. Lieutenant Jones showed two videos of a volunteer being tased. The first video was from the camera attached to the taser (tasercam) and the second was from a separate video camera nearby. There is one camera at each of the jails that can be attached to the bottom of a taser. The sheriff has ordered two more cameras for each of the backup tasers. The separate video camera also showed the size of the taser barbs and the small hole left by the barb on the volunteer's skin. Sheriff Walsh explained a taser barb does not deeply penetrate a person's skin. Walsh provided the Justice & Social Services Committee minutes from May 2004 when tasers were previously discussed. At the 2004 meeting, the Danville Police Chief, Carl Alexander, spoke in support of tasers, which have been used in Danville for years. The Danville Human Relations Officer, Chris Clapp, also spoke at the meeting in favor of tasers based on Danville's experience. Shelley Daunis, who does presentations on Crisis Intervention Teams (CIT) throughout the state, also addressed the committee in 2004. CIT teaches deputies how to deal with individuals who have mental health problems, learning disorders such as autism, and other problems that the police were not previously dealing with on a large basis. Daunis supported deputies having tasers.

Sergeant Brian Mennenga addressed the committee as the CIT Coordinator and taser custodian for the Sheriff's Office. As the taser custodian, Mennenga maintains the taser records. He spoke about CIT training and described several incidents that have occurred since the Sheriff's Office purchased the tasers. These incidents involved violent individuals who resisted being taken into custody. By using a taser, the deputies were able to handle the violent individuals without serious injury and without the situation getting out of control. The alternatives to a taser are often lethal methods. Mennenga noted if a taser is used correctly then no one is harmed. There is a resolution in the General Assembly to form a task force to look into taser usage guidelines. Mennenga has spoken to Daunis who is working with the Illinois Law Enforcement Training and Standards Board on resolutions to ensure there are the guidelines requiring training with taser usage.

Tim Voges, a Captain in the Law Enforcement Division, spoke about some of his experiences. He has been with the Sheriff's Office since January 1986 and has worked his way through the ranks. He related two incidents that occurred when he was a Sergeant supervising the midnight shift. During one incident in June 1988, deputies were called to a trailer park because an out-of-control individual had punched out all the windows in a car after a domestic dispute. The individual was tall and muscular. The Sheriff's deputies tried everything in their power to get the individual to comply with their instructions so they could arrest him. The individual fought the four deputies that responded to the call. As a result, Voges's nose was broken, both his eyes were dotted, and he received multiple bruises. Captain Voges stated this situation could have been easily controlled with the use of a taser. Without a taser, Voges had to get into the individual's personal space to attempt to arrest him and was injured doing so. Because the individual's hands were bloodied from having punched in a car's windows when he attacked Voges, Voges had to undergo a year of blood tests to check if he had received a disease from the fluid transfer. Captain Voges described another situation that occurred in December 1999 on the midnight shift. He and other deputies were investigating a Rantoul home invasion that led them to a suspect in north Urbana trailer park. The suspect was in a bedroom with a shotgun in the room. Voges ordered the suspect out and the suspect responded by loading the shotgun and leveling it at Voges, so Voges was forced to shoot the suspect. If the Sheriff's Office had tasers at this time, Captain Voges said he had have covered the suspect while another deputy used the taser to subdue the subject. In both situations, the use of a taser would have protected both the deputies and the individuals they were arresting from serious or lethal harm. Captain Voges observed tasers make police work safer for the citizens, as well as the police officers. He supported tasers as a tool well-suited for law enforcement. Tasers can save the lives of mentally ill individuals determined to harm themselves, as well as safeguard deputies and suspects from potential injuries related to suspects resisting arrest.

Sheriff Walsh stated tasers have been used for years by thousands of agencies. Police in Rantoul, Vermillion County, and Danville use tasers. Piatt County is getting tasers. The Sheriff disagrees that tasers are dangerous or lethal weapons in general. He spoke with a local heart surgeon about use of tasers before his office purchased them. The Carle Trauma Center has been using tasers for their security staff before the Sheriff's Office. Sheriff Walsh explained he has been tased and completely recovered in a few minutes, though he admitted he is not a young man. He said a taser is a useful tool that gives law enforcement an alternative to a gun or a nightstick. Sheriff Walsh observed that any kind of weapon can be misused in the wrong hands. He reminded the committee and the public that the County Board and Sheriff's Office increased inmate mental health services at the County Jail at great cost in the last year. Sheriff Walsh felt Champaign County has the best jail mental health facility in the state. He has tried to maintain as much open access as possible at the County Jail. In the two instances when criminal charges were brought against deputies, the incidents were uncovered by other members of the department, not because of a citizen's complaint. The Sheriff's Office launched investigations and took steps to correct the situations as soon they were discovered, including bringing criminal charges against the deputies. Sheriff Walsh explained there is a computer record whenever a taser is used by a deputy. The record includes when the taser was fired, the length of time it was fired, and how many times it was fired. Deputies cannot tamper with these computer records. There are two primary tasers in each jail facility, both of which are equipped with a tasercam. Cameras have been ordered for the backup tasers.

When Sheriff Walsh took office, there were serious discussions taking place about building a new jail because the current facilities were overpopulated. Due to the combined efforts of the State's Attorney's Office, the Circuit Court, the Public Defender's Office, the Court Services/Probation Department, and the Sheriff's Office with the change to the continuous jury system, the jail population has been reduced to between 200-225 prisoners. If this trend continues, the Sheriff will not request a new jail because the present facility will be sufficient. He would like to replace the downtown jail facility because it is outdated. However, the current jail camera system does not record anything because the County took the cheapest bid when the jails were built. Sheriff Walsh proposed the County spend the money to implement cameras that record both video and audio at the jail facilities. A more comprehensive camera system might cost over \$200,000 to outfit the booking area with recording cameras, but it would be a way for the County Board and the public to see what actually happens at the County Jail. Sheriff Walsh stated his department has nothing to hide. He offered to take questions, but noted he cannot answer specific questions about pending criminal cases.

James stated that, based on what he has read and seen during his time as a County Board member, he thinks the Sheriff's Office does an excellent job, though there is always room for improvement. James hears from constituents who have concerns about the criminal element and what they are able to get away with. He felt the police have been forced to become more of a social agency than a policing agency.

Sheriff Walsh addressed the issue of hoods used at the County Jail because the term is mentioned in the report. The Sheriff brought a spit hood to show the committee. Spit hoods are made of white mesh. A wearer can see and breathe through a spit hood, but the wearer cannot spit on a deputy. The Sheriff's Office has the spit hoods because a fair number of inmates will spit on the deputies.

Sapp asked if the Sheriff's deputies have to document whenever a taser is removed from the holster and about the training. Sheriff said the procedure has been changed and now the deputies have to report whenever a taser is unholstered. The tasercam activates as soon as the taser is turned on. Shane Cook, the Investigator in charge of taser training, explained the deputies undergo four hours of training. Sapp commended the Sheriff's Office for their work in training and reviewing their policies to improve the use and documentation of tasers. Sapp commented the report shows the taser is used more as a deterrent. Sheriff Walsh stated he would be very happy if the tasers would only need to be displayed and never used by a deputy.

Putman requested copies of the May 2004 Justice & Social Services Committee minutes be provided to the County Board. Bork agreed to place copies in the Board members' mailboxes. Putman asked if a report was written every time there was a use of force. Sheriff Walsh confirmed any use of force must be reported.

Putman asked about continued training. The Sheriff said training is part of the deputies' control tactics and there are also periodic updates. Putman inquired further about the cost of outfitting the jail facilities with a comprehensive camera system. Sheriff Walsh said it cost over \$500,000 to implement a comprehensive camera system throughout the jail facilities when this possibility was last researched.

Gladney thanked the members of the Sheriff's Office and the public for their comments on the issue. Gladney asked if jail inmates are questioned about any medical conditions, such as heart conditions, when they are booked. Sheriff Walsh explained a medical and psychological screening takes place when inmates first arrive at the County Jail. Gladney asked how the staff is made aware of inmates' medical conditions. Sheriff Walsh stated the nursing staff and/or mental health staff are notified of any inmates' conditions that require treatment. Gladney asked about the taser records. The Sheriff explained the record is self-contained in the taser unit until it is downloaded by Sgt. Mennenga. The record is downloaded after every usage. Gladney asked how many times the tasers are drawn and deployed on a weekly or monthly basis. Sheriff Walsh said the tasers are drawn once every couple months, as shown by the statistics provided by Sgt. Mennenga. The Sheriff answered further questions about jail procedures and safety. He offered to give tours of the jail facilities to any County Board members or the members of public who make the request. Tours need to be scheduled to ensure there is enough staff available for security reasons.

Weibel thanked everyone for attending tonight's meeting. He asked if there is a range of injuries caused by the taser barbs. Sheriff Walsh was unaware of any situations in the County where someone has been tased that has required medical treatment. He noted most of his deputies have been tased for experience and none have required medical attention. The deputies are trained to not aim for the face, eye, groin, or neck when deploying a taser. Investigator Cook added that he has probably tased 350 individuals over the course of two years, mostly in training. Cook has tased six individuals while on duty in his years working as a police officer in Rantoul. The taser barbs are a quarter inch straight barb. The barbs do not over-penetrate an individual's skin. The barbs are usually pulled out harmlessly. Some individuals have a lot of capillaries at the top of their skin so they might bleed a little more than others, but it is not seriously damaging. In answer to a question from Anderson, Cook said the tasers are more likely to be used by road deputies than within the jail itself. James asked if, during the situations where Cook tased an individual in the line of duty, he would have had to use lethal force if he did not have a taser. Cook stated in two situations he would have had to use lethal force without the taser because the individual was armed. James noted a bullet makes a lot bigger hole than two taser barbs. Weibel said he wishes there was more data available on the effects of tasers, especially on pacemakers. Cook explained a defibrillator is rated at 150-400 joules and a taser is four-tenths of a joule. Cook noted defibrillators can be used on individuals with pacemakers.

Hogue asked how the deputies know whether an individual has health problems when the taser is used on the street. Sheriff Walsh explained the deputies are not able to get a medical history from someone in a situation where the individual physically fights the deputies when they are trying to make an arrest. Sheriff Walsh noted an average citizen can walk away from a bad situation and call 9-1-1. A deputy does not have the option of walking away from a bad situation; the deputy has to bring it to a successful conclusion one way or another.

Anderson thanked the Sheriff for coming to the meeting and noted he was very willing to make a presentation to the committee at the January meeting, but he was out of town that day due to previous obligations. The Sheriff encouraged the Board members to arrange to take a tour of the jail facilities and a ride on the road with a deputy.

Lack of DHS Mental Health Facilities Bed Space and the Effect on County Jail

This item was provided for information only. Putman thanked the Sheriff for writing his letter regarding the lack of DHS Mental Health Facilities bed space and the large number of incarcerated people who are mentally ill. Putman hopes the Presiding Judge will be more open to alternatives pertaining to the number of

mentally ill inmates, such as a Mental Health Court. Sheriff Walsh said the state has limited resources, but what needs to happen is for the state to reopen some of the mental health institutions that have been closed. If an inmate is actively suicidal, then a deputy can admit that inmate to Carle or Covenant. If an inmate is disturbed, but not actively suicidal, there is no place for the individual in this community. Sheriff Walsh encouraged publicity on this matter. James commented that the police departments have been burdened by the closure of state mental health institutions because the police are not designed to manage the mentally ill.

HEAD START
Monthly Report

MOTION by Hogue to receive and place on file the Head Start December-January report; seconded by Hunt.

Putman asked about the Child Plus Database. Liffick stated that Head Start was getting reports that they could not rely on as being accurate, so some information was being kept manually. She said they are very pleased with the quality and variety of reports from the Child Plus Database. Anderson announced Hogue would be returning to the Head Start Policy Council.

Motion carried.

NURSING HOME
Monthly Report

MOTION by James to receive and place on file the Nursing Home January report; seconded by Hogue.

Buffenbarger announced the move date has been set for February 28th. He will be notifying families about the move. Equipment and supplies are already being transferred into the new facility.

Motion carried.

Carter exited the meeting at 8:54 p.m.

JUVENILE DELINQUENCY GRANTS
Status Report from Peter Tracy & Marilyn Garmon-Starks

The report was distributed to the committee. Anderson announced that Tracy was unable to attend the meeting due to illness. The committee can contact Tracy in his office this week if they have any questions. Discussion was held over grant funding and how the criteria are much more defined since the Mental Health Board took over the grant administration. Hogue commended Tracy and Garmon on the quality of the reports.

Carter re-entered the meeting at 9:00 p.m.

CHAIR'S REPORT

Anderson announced there would be a County Board Study Session on February 13th to discuss the Nursing Home Operational Audit. Management Performance Associates, the firm who conducted the audit, will be making a presentation on their findings and answering questions. The full County Board has received copies of the final audit report. Buffenbarger and Anderson encouraged Board members to attend this study session.

OTHER BUSINESS

Discussion was held over jail issues and the presentation made by the Sheriff earlier in the meeting. McGrath stated the Sheriff is a constitutional officer with the authority to make the policies in his office. McGrath reminded the committee that a former Auditor, Laurel Prussing, brought a lawsuit against the County to bring forth a new precedent that is now reflected in state statutes, which states the County Board cannot tell elected officials how to spend the money in their budgets. The County Board can set the amount of an office's budget and not allow additional funding, but the Board cannot direct how it is spent. She encouraged caution because the County Sheriff is different from a Police Chief, who is an appointed official under the direct control of a city council. County government is a hybrid of appointed department heads and elected departments and there is a distinction between them. Anderson noted the Sheriff has been very open when the County Board has approached him with concerns. He has taken money from his budget to make changes to the jail, such as increased mental health services for inmates.

DESIGNATION OF ITEMS TO BE PLACED ON COUNTY BOARD CONSENT AGENDA

No items were designated for the consent agenda.

ADJOURNMENT

Meeting adjourned at 9:15 p.m.

Respectfully submitted,

Kat Bork
Recording Secretary

Secy's note: The minutes reflect the order of the agenda and may not necessarily reflect the order of business conducted at the meeting.