

# **Adventures in Illinois Law, Part 2: Draconian Legislation at the County Level**

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## **Introduction**

When it comes to the federal government, most people expect draconian, freedom-destroying legislation. Although, it seems like most people don't understand that government is government, no matter what level.

Governments always expand, they always rob the citizens of more and more money over time, and they always restrict freedom, most of the time "for the common good", regardless of their "federal", "state", or "local" title.

In Part 1 of this article, I described what I saw when I attended the McLean County Board Meeting on May 19<sup>th</sup>, 2015. I also gave the readers a basic premise as to what kind of legislation this is from the Introduction of that first installment.

In Part 2, I would like to present to you a piece of draconian legislation coming right out of the local county government.

The document that we will be looking at today is titled, "Mental Health Action Plan", by the McLean County Board, released on May 19<sup>th</sup>, 2015.

## **Analyzing the Legislation**

As I began reading this, I immediately saw a major issue. In the "Background" section, it discusses multiple previous attempts to curve the "mental health & substance abuse" problem in McLean County.

I already knew what I was looking at, and it was a reform of a reform that will again, expand the size of government quite significantly. Government failed multiple times on this issue and now they want more money and more power because of their failure, much like how the [National Security Agency fails to increase national security](#).

It goes on to explain a rising trend of co-occurring mental health patients and drug offenders within the community, but the first significant part is the next few sentences:

"A team of Court Officers, led by [Chief Judge Elizabeth Robb](#) identified the opportunity to develop what was then an emerging philosophy of providing a specialized judicial proceeding to address the increasing challenges these co-occurring mental health patients

create. The Court worked in concert with the McLean County Board and community leaders to obtain *congressional support* for a *Department Of Justice (DOJ) Drug Court Grant*. This Grant was authorized in September of 2008 and *McLean County Became Of Illinois' First Drug Court.*” {*Emphasis added*}

In the article linked to Chief Judge Robb, it reveals that Governor Rauner named her to a State Reform Panel on improving the Illinois prison system. My assumption that this was a reform to another reform was proven correct.

In that excerpt from the document, it shows federal involvement (by the Department of Justice) and the granting of the first Drug Court in Illinois, headquartered in McLean County.

As I explained in Part 1, the War on Drugs is a complete and utter failure, and this piece of legislation is another governmental expansion, under the guise of the War on Drugs ([narcotics prohibition](#))—both in McLean County and also the federal government as well.

Moving along, the next example of federal involvement at the County level appears a paragraph down the page, and again, lead to a further expansion of government and even a new Council.

“In 2008, McLean County also requested that the National Institute of Corrections (NIC) complete a report on the Adult Jail System within McLean County. This report was completed in January 2009. The major outcome of this assessment was a recommendation to form a *Criminal Justice Coordinating Council.*”

In the following paragraph, we learn that the DOJ Drug Court grant expired in 2009. The McLean County Board then, through its Board of Health, appropriated local funding to continue the McLean County Drug Court. Subsequently, Illinois State law has mandated the provision of a drug court in all jurisdictions.

The previously mentioned Criminal Justice Coordination Council (CJCC) was established on July 1, 2009 and its’ tasks were to examine policies and procedures of the McLean County Criminal Justice System. In layman’s terms, they wanted to examine the most recent reform to see if a reform of the prior reform was needed.

I know that may sound redundant, but it was intentional.

It appeared that the federal government was proud of the success of the CJCC and in 2013, McLean County applied for a second DOJ Drug Court Grant, a Bureau of Justice Assistance (BJA) Mental Health Court Grant and Grants from the Substance Abuse and Mental Health Services Administration (SAMHSA) for both drug and Mental Health Court.

To recap, in just five years, McLean County has been involved with at least four federal governmental entities.

I think it’s worth a mention in passing that [the BJA has an abusive track record of unjust profiling of American citizens](#), and I’m not happy with their involvement in the McLean County government. Although, I would rather see government abolished, so I suppose that statement doesn’t mean much.

In the following couple of years, McLean County requested the NIC return twice to review various provisions and also to complete a number of reports.

In January of 2014, the McLean County Board issued a Request for Proposals for Jail Needs and Assessment & Pre-Architectural Design.

In February of 2014, the McLean County Board Executive Committee convened two interagency, public-private workgroups, one to identify community mental health needs and one to identify best practices.

The following month, in March of 2014, the Bloomington-Normal/McLean County Economic Development Council brought community leaders together and they traveled to Washington, DC to *meet with legislators and staff members from the Department of Health and Rehabilitative Services and the DOJ* to discuss community challenges.

To conclude, this Action Plan includes immediate and long term steps for the community and the County Board to consider and act upon.

Before I move forward, I think there is something important worth mentioning. The morning that I was going to the McLean County Board Meeting, I was conversing with a family member. He said that he thinks it's great that I am going to the meeting, as local government is easier to hold accountable.

I quickly told him that that is NOT why I am going, as reformism has proven time and time again to be a complete waste of time and a failure.

The questions that need to be asked are: if there is so much federal government intervention, is it really "local government"? Or is it just an extension of the federal government?

And lastly, wouldn't it be realistic to drop the entire notion of trying to "reform from the ground up", when the federal government's tentacles are so deep inside the McLean County Government? I would like to hear an answer to that question from the local "Libertarian" Party.

Moving along, the next part is titled, "Executive Summary." They give quite a few reasons as to why the prior reform was ineffective, ranging from a lack of inter-agency communication and data sharing, to the mental health support in jails and prisons not being sufficient, and lastly, the lack of mental health practitioners, to name a few.

Later on in the "Executive Summary", they mention that this Action Plan engages a varied group of organizations, including state and federal agencies, law enforcement, judicial and court officers, and other stakeholders.

In the following paragraph, it states, and I'm paraphrasing, that the Community is committed to a multi-step planning process *that can achieve concrete results*.

I bet that's what they said about the last reform too, but look at where we are now. In 5 years, they will be right back in the same position, reforming yet another reform.

Continuing on, if you're a McLean County resident, this next part should make your wallet hurt.

It states that, today, the majority of mental health funding comes from property taxes (another reason public schools in Illinois are millions of dollars in debt) and that the revenue funding streams need to be diversified to pay for this “community obligation”.

There were a couple of short-term goals that they have already “fulfilled”. In 2014, the Bloomington Federally Qualified Health Center (FQHC) provider Chestnut Health Systems was awarded \$500,000 to provide expanded mental health services. Next, the FQHC at the County’s Fairview Campus was expanded to provide more people treatment. Lastly, the State of Illinois Department of Human Services committed an *annual* \$700,000 investment to allow Chestnut to establish an adult mental health crisis and substance abuse detox program for McLean County.

Chestnut Health Systems made out quite well with this one—\$1.2 million in 2014, with another \$700,000 annually, in addition to the expanded facility at the Fairview Campus.

The next section is titled “County Board Action Objectives”. There are about 20 of them on the list, but for the sake of time, I’ll mention a couple. In the “Other Long Term Objectives” section, one of the goals is for McLean County to become the payer of last resort for Mental Health Services.

Another non-surprising one from the amount of federal intervention touched on briefly so far, is that the McLean County Board wants to continue to engage federal and state legislators regarding Community needs.

To conclude this section, you can clearly see this Action Plan is heavily focused on drug users. It is also easy to see that we can expect taxes to go up in McLean County to help pay for this costly reform. The amount of federal intervention and “assistance” is also highly prevalent.

It seems the mindset is constantly “one reform away from utopia”, or “one law away from utopia,” when both have been proven failures time and time again. Although, what can you really expect from a bunch of statisticians that believe in [the most dangerous superstition](#) known as government?

I’ve got the solution to this grievance. A good place to start, if the several American legislatures wanted to, would be to repeal the [Federal Controlled Substances Act \(1970\)](#), or for example, the [Texas Controlled Substances Act \(1989\)](#).

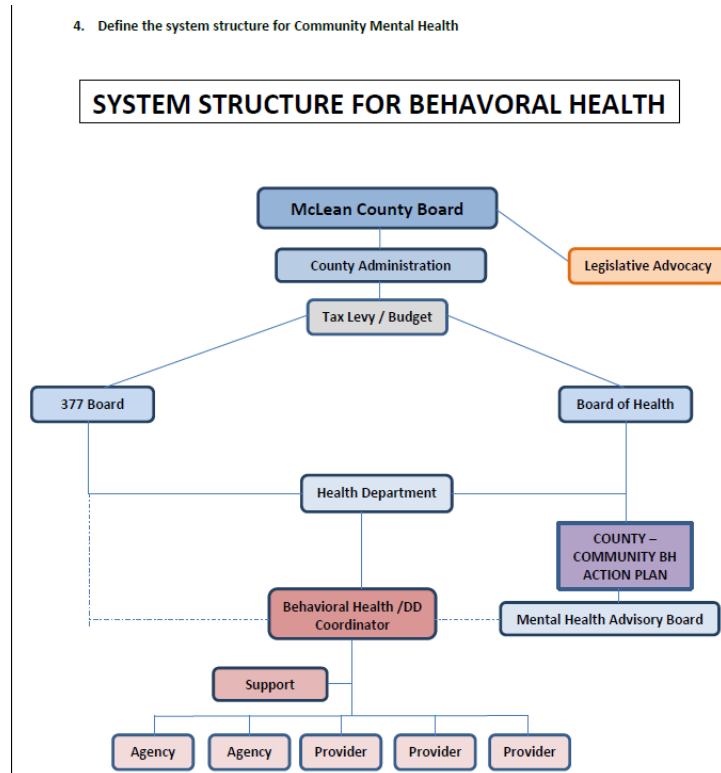
From reading the document, most of the crucial information has already been provided. The rest is bureaucratic jargon and quite a few tables and charts.

Yet, there are still some important parts to touch on.

The Criminal Justice Coordinating Council (CJCC) has been mentioned multiple times so far, but in addition to that, one of the tasks is to create a “McLean County Behavioral Health Coordinating Council” (BHCC). In short, the BHCC would be the umbrella for organizations in the behavioral health systems and will be a conduit for information sharing.

The members of the BHCC would be appointed by the Chairman of the McLean County Board, the current one being Matt Sorenson.

On page 18 of this document, there is a system structure for behavioral health. I am showing you this to provide an example of the bureaucracy that exists locally. The majority of residents in this county have surely never heard of any of these administrations, groups, boards, or coordinators. Note the “Tax Levy/Budget” section.



On page 19, the task is to “Appoint a Mental Health Advisory Board” and also calls for the expansion “of the role of Behavioral Health/Developmental Disabilities Coordinator”. On page 20, it calls for the development of “Standardized Data Collection Guidelines”, as well as McLean County becoming the payer of last resort. In other words, the poor sap taxpayers.

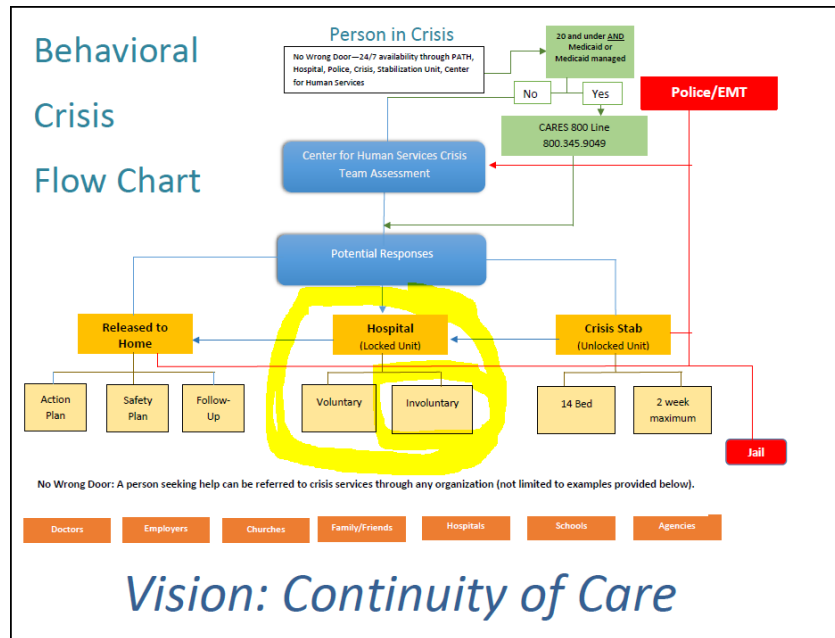
On page 21, they call for the exploration of “a grant writer/grant coordinator” and on page 23, they call for the creation of “interagency training.”

The next important section is titled “Housing” and starts on page 46. They call for an addition in size to the McLean County jail for numerous reasons. One of them being the need to provide a therapeutic environment for those incarcerated who cannot tolerate placement within the general population.

Next, is the expansion of the “welfare” state. In the section titled, “Short Term Action Plan”, they seek additional Federal housing vouchers and funding for construction of subsidized housing, and to work with rental groups for an additional housing option. I would imagine that

would be similar to the [U.S. Department of Housing and Urban Development's \(HUD\) Fair Housing/Equal Opportunity Program](#), only on a more local level.

In the section titled, "Crisis" on page 55, there is a behavioral crisis flow chart. There's nothing substantial about this chart except, there is a mention of involuntary commitment. There are no definitions, no procedural lists or charts, or anything, which is certainly interesting and something I need to dig further into.



The rest of the document is almost worthless, so that will conclude the analysis of the legislation.

## Conclusion

The War on Drugs has only brought with it: overflowing prisons, destroyed lives and families, contributed to the complete implementation of the police state, civil asset forfeiture (legalized highway robbery), and in this instance, draconian legislation that is passed under the guise of "solving the drug problem." If there is one thing that should have been learned by now, it's that tossing someone in a government dungeon for a vice does not work. It also creates a black market that increases violence, gang-activity, and overall crime.

The legislation that was analyzed in this article will not help solve a single aspect of the "drug problem". That is an easy hypothesis to make; just look at how many prior reforms have been implemented before this one.

There will be a few for sure ramifications from this legislation. The taxes will have to go up in McLean County to fund this. Also, the size and control of government will also increase, as that is what happens with every single reform.

There are a couple possibilities that could also occur. With the focus being on drug users, we could see an increase in civil asset forfeiture, as well as an increase in drug raids.

The mention of involuntary commitment without a definition is also a major issue.

The real people with mental deficiencies are not those that use vices. They are the ones that ignore all real statistics and empirical evidence and would rather waste time and taxpayer money on legislation that is bound to fail.

So what is the solution?

The first one is already semi in-motion and more states need to follow suit of Washington state and Colorado—the decriminalization/legalization of drugs.

The final solution is to look at all of the evidence of reformism failing throughout the history of government and stop wasting your time doing something that doesn't work. Withdraw all consent and make yourself as individually free as you possibly can. The first of those that I would recommend is [cancelling your voter registration](#).

Government is government. It doesn't matter what level. In this case, it was county level but with lots of assistance and grants from the federal government. All levels have the ability to pass irrational, illogical, draconian legislation.

The issue isn't the size of the government and it's not a failed system. It's working just as it is intended and it's about time we open our eyes and see that. If we don't, the [ramifications will be deadly](#).

**Note:** All of the sources are either linked in the article or can be found in the referenced document that will be uploaded along with the article.

### **Appendix/Statutory Citations**

1. [55 ILCS 5/Div. 5-25 County and Multi-County Health Departments](#)
2. [405 ILCS 20 Community Mental Health Act](#)