

**Minutes from the Adult Redeploy Illinois Oversight Board (ARIOB) Regular Meeting**  
**Monday, August 10, 2015, 1:30-3:30p.m.**  
**Thompson Center, 100 W. Randolph Street, Room 2-025, Chicago, IL 60601**

ARIOB members present (CHI): Acting Director Gladyse Taylor, Secretary-designate James T. Dimas, Joseph Antolin, Lavone Haywood, Dave Kurlinkus (on behalf of Joe Bruscato), Randy Kurtz (on behalf of John Maki), Patricia Hayden, Thomas Mahoney, Angelique Orr, Michael Pelletier, Lori Roper.

ARIOB members present (SPI): Kathy Saltmarsh, Craig Findley

ARIOB members by phone: Hon. James M. Radcliffe (Ret.)

Non-ARIOB participating (CHI or SPI): Lisa Castillo, Reshma Desai, Mary Ann Dyar, Esther Franco-Payne, Kelly Gallivan-Illaraza, Shai Hoffman, Rebecca Janowitz, Cindy Puent, Judge Thomas Sumner (Ret.).

**Call to order/Roll call/Introductions**

Director Taylor called the meeting to order at 1:37 p.m. Mary Ann Dyar called roll, and it was determined there was quorum. Mary Ann Dyar briefly introduced James T. Dimas, Secretary-designate for the Illinois Department of Human Services and new co-chair of the Adult Redeploy Illinois Oversight Board.

Director Taylor informed the group of the four goals for the meeting:

1. Review sites' progress toward their SFY15 reduction goals and determine a response to Kankakee's failure to meet goal.
2. Discuss the impact of the SFY16 budget crisis on ARI sites and determine if any action is needed.
3. Renew approval for ARI staff and Site Selection & Monitoring Committee to revise downward sites' grants as needed upon the enactment of the SFY16 budget in between ARIOB meetings.
4. Vote on funding recommendations for three grants (two new sites and one site expansion) coming in as a result of the Request for Applications.

**Approval of the minutes of May 18, 2015 regular meeting minutes**

Secretary Dimas requested that members review the minutes from the May 18, 2015 meeting. Joseph Antolin motioned to approve the minutes, and Lori Roper seconded the motion. All in favor, none opposed, minutes approved.

**Program director report**

Director Taylor asked Mary Ann Dyar to provide a report on the last quarter. Data were collected from the 22 sites for the quarter April 1-June 30, 2015, closing SFY15. Highlights:

- 1,397 people were served last quarter, a significant increase over last year at this time. 38 were unsuccessful and sent to the Illinois Department of Corrections (IDOC) meaning a total of 1,359 people were diverted.
- 94 successfully completed their programs, which is a higher number than last quarter due to program graduations at sites as clients complete intensive two-year interventions.
- Estimated cost avoidance to the state for the quarter is \$6 million with ARI (\$4,400/year) compared to incarceration (\$22,200/year per capita in FY14). ARI's cumulative impact since January 2011 is estimated at \$57.85 million in potential correctional savings. The average cost of an ARI intervention remains below the marginal cost of incarceration.
- ARI staff is closely monitoring the impact of the lack of a state budget on the sites. All grant agreements except one are executed and ready to officially commence once the budget is passed.
- ARI conducted a webinar with TASC's Center for Health & Justice called "Maximizing the Affordable Care Act (ACA) in Your ARI Site," which is archived on the ARI website.
- ARI staff is providing input to Illinois Commission on Criminal Justice and Sentencing Reform, and recently presented to the Commission's Community Corrections and Implementation subcommittees.

Kathy Saltmarsh gave a brief report on the work of the Illinois State Commission on Criminal Justice and Sentencing Reform, on which she serves along with other ARIOB members including John Maki, Michael Pelletier, and Gladys Taylor. ARI has been highlighted several times in front of the Commission as a model program in terms of data collection and use of evidence-based practices. The Commission has four committees to develop a plan to reduce the state prison population by 25% by 2025. The Commission is preparing a report by end of the year and may result in legislation in 2016. Mike Pelletier hopes the Commission will support statewide expansion of ARI.

Mary Ann shared with the board that ARI won the National Criminal Justice Association's Outstanding Criminal Justice Program Award-Midwest Region. She expressed her appreciation for former ICJIA Director Jack Cutrone's support of ARI and the continuing support of current Director John Maki. She also thanked Lindsey LaPointe for her dedication and leadership in the program, and Cindy Puent, Reshma Desai, Lajuana Murphy and Lisa Castillo for program support during her leave.

### **Progress toward reduction goals**

Secretary Dimas called on Mary Ann to report on how sites ended the last fiscal year according to their 25% reduction targets. In SFY15 all but one site (Kankakee) met or exceeded their 25% reduction goals. Many sites exceeded their renewal "stretch" goals, as well, which include the number of clients carried over in the program from the previous year when calculating the current year's diversion goal.

Joseph Antolin inquired whether sites (like DuPage and Peoria) that far surpass their reduction goals are encouraged to revise their numbers upward. Mary Ann noted that the Performance Measurement Committee should take a closer look at sites that fall short or far exceed their goals. Sometimes the discrepancy is due to the difficulty some sites have in accurately estimating their target populations (such as probation violators), and therefore their reduction goals, using available data. Pat Hayden noted that DuPage is interested in expanding its target population. She agreed that an increase in community capacity supports the site's success.

### **Kankakee County**

There followed a more in-depth discussion of Kankakee County, which failed to meet its pro-rated reduction goal for SFY15 of diverting seven individuals. Kankakee County received a six-month implementation grant January-June 2015 after completing a planning grant process last year. Mary Ann noted that six months is a very short time to start a new program, and Kankakee was not able to hire necessary program staff due to county delays and the governor's executive order in January freezing spending. As such, it never really implemented its program.

Of its SFY15 award of \$89,273, Kankakee spent approximately \$10,000 for commodities (equipment and database modules) in preparation for program onset. Staff has been identified for hire in SFY16 once a state budget is approved.

Mary Ann stated that the Oversight Board should determine what, if any, actions should be taken with Kankakee in response, regarding the SFY15 goal and possible penalty, and any conditions for the SFY16 grant which was approved at the May ARIOB meeting. Based on not meeting the pro-rated reduction goal of seven, the ARIOB could assess a penalty of up to \$17,500 (seven multiplied by the penalty cap of \$2,500). The Performance Measurement Committee did not feel a penalty is appropriate because the program had not gotten started; however, it did not prepare a formal recommendation.

Director Taylor asked for recommended actions. Thomas Mahoney stated he understood the effect of the January executive order in delaying the hiring of dedicated probation officers; however, he inquired why other non-ARI probation officers were not able to take ARI clients into their caseloads in order to meet the reduction goal. Mary Ann responded that this inquiry was made to the site, and they reported they were unable to due to already high caseloads. Mary Ann mentioned Kankakee County is having major fiscal issues. She noted that Kankakee is the 17<sup>th</sup> highest committing county of ARI-eligible offenders to IDOC and is therefore an expansion target. (Note: Kankakee County stakeholders attempted to call into the meeting, but were unable to due to technical difficulties.)

Joseph Antolin agreed that a penalty does not seem appropriate, but he said the SFY16 grant amount of approximately \$178,000 seems high for the number of people to be served by the program. Since the SFY16 grant has already been approved by the ARIOB for that amount, it was suggested that Kankakee be evaluated after six months to determine whether the contract amount should be reduced. Mary Ann noted that changing the terms of the grant agreement now could cause further implementation delays.

Secretary Dimas asked how LaSalle County was dealt with when it failed to meet its reduction goal last year, and Mary Ann described the penalty waiver based on mitigating circumstances and the resulting corrective action plan process, which has been successful. Joe Antolin noted that the Performance Measurement Committee's bias is not to exact a penalty but to enact corrective action to improve operations.

ARI staff was directed to arrange a site visit to Kankakee to meet with stakeholders as soon as possible to gather more information. Angelique Orr suggested the site should engage in some unfunded "good-faith" activities to demonstrate commitment in lieu of full implementation without a state budget. Kathy Saltmarsh stated that she does not think it is fair to penalize based upon mitigating circumstances but recommended a staff assessment of Kankakee's readiness to implement and community capacity, and Randy Kurtz noted the importance of obtaining an update on the county's fiscal situation on the site visit.

Regarding moving forward in SFY16, Director Taylor summarized the plan for a site visit and then a meeting of the Performance Measurement Committee to evaluate the situation and provide a recommendation to the full Oversight Board. Kathy Saltmarsh motioned to delay a board decision on SFY16 until after a site visit and recommendation from the Performance Measurement Committee, seconded by Joseph Antolin. All in favor, none opposed. Motion passed.

Regarding SFY15 and a possible penalty, Joe Antolin noted options are to: waive the penalty, penalize to the extent of the county's SFY15 spending, or penalize a smaller amount as a message. Mary Ann mentioned that there is also the option of exempting Kankakee from the penalty because they did not get started. Secretary Dimas stated concerns over the site spending grant dollars even though they did not implement the program. ARI staff informed the group that purchases of officer supplies and case management software were in anticipation of hiring staff, but Joe Antolin questioned the appropriateness of these expenditures prior to implementation. Angelique Orr motioned that the discussion regarding assessing a penalty for SFY15 grant be postponed until after the site visit and Performance Measurement Committee meeting, which was seconded by Thomas Mahoney. All in favor, none opposed. Motion passed.

#### **Update on SFY16 implementation and budget**

Director Taylor called upon Mary Ann to provide information on the SFY16 state budget, noting that there is still not a SFY16 state budget in place. Mary Ann reported that ARI staff has polled sites and been in high communication as to the impact of the budget crisis on their local programs. In acknowledgement of the importance of the program, Chief Judges in several jurisdictions have used other funds temporarily to cover essential program expenses on a month-to-month basis assuming reimbursement once a state budget is passed. The retired judges who provide technical assistance (Judge James Radcliffe, Ret. and Judge Thomas Sumner, Ret.) noted that August is a critical month according to many sites. Sites have avoided lay-offs so far, but there have been reductions in staff hours, vacancies that have not been filled and staff working temporarily without pay. ARI staff at sites are often specially trained. Sites have cut services including treatment. Expanded Medicaid coverage through the Affordable Care Act has provided some relief. The group discussed ARI's efforts to assist sites in leveraging the ACA. Secretary Dimas noted the difficulty of navigating the system. Other cutbacks have been in assessments, drug testing and probation officer contacts, all of which impact fidelity to evidence-based practices and the ability to get positive outcomes in the long term. Mary Ann discussed the usefulness of the "performance matrix tool" (approved previously by the ARIOB) to assess impact on evidence-based practices.

Randy Kurtz inquired as to the current levels of spending for the first two months of SFY16. Mary Ann estimated that sites are spending around the 75% level, and it is anticipated that more spending decreases will come in the near future. Three distinct budget scenarios were discussed by the group. In order to fund current sites at

maintenance levels, add new sites and cover administrative costs, ARI would need a SFY16 appropriation of approximately \$8.5 million which was the amount in the House budget vetoed. The Governor's budget included \$10.75 million. The third scenario is at a flat \$7 million, which would require reductions in grant amounts (which *might* reflect decreased spending patterns in effect). Joe Antolin asked about the possibility of a surplus of funds at the maintenance level of \$8.5 million based on decreased spending patterns. To offer flexibility to respond to whatever budget might be passed, Mary Ann requested reauthorization for the Site Selection & Monitoring Committee to modify grant amounts between ARIOB meetings. Joseph Antolin moved to authorize the Site Selection & Monitoring Committee to negotiate grant amounts proportionally through November. Angelique Orr seconded. All approved, motion passed.

**Discussion and approval of SFY16 Request for Applications (RFA) responses (contingent upon funding)**

Secretary Dimas called upon Mary Ann and committee chair Angelique Orr to report on the recent meeting of the Site Selection & Monitoring Committee meeting to review responses to the SFY16 Implementation Request for Applications (RFA) that was released in June. The committee met on July 24<sup>th</sup> to review the RFA responses from three counties. Angelique Orr presented the following committee funding recommendations which are contingent upon adequate funding becoming available in the SFY16 state budget once it is passed.

**DeKalb County – to add a mental health court track to the existing Drug/DUI Court:**

The committee initially recommended funding up to the full amount requested of \$127,655.00, contingent upon additions and revisions to the application before the August ARIOB meeting. DeKalb County submitted revised materials which were reviewed by ARI staff and a committee member. The additional information provided detail on the duties of the Clinical Counselor position, information on treatment available in the community, details on how the new proposed mental health court track integrates with the existing Drug/DUI Court, and clarification on the program capacity and reduction goal.

**Recommendation:** Fund up to the full amount requested of \$127,655.00, contingent on justification of a full-time equivalent (FTE) Clinical Counselor position outlined in a formal job description. This recommendation is based on the need to maintain cost-effectiveness, the proposed caseload for the budgeted FTE Clinical Counselor position and the possibility of leveraging existing services and treatment available in the community.

**DuPage County – to expand ARI program to other drug-involved offenders:**

**Recommendation:** Fund up to the full amount requested of \$89,348.00, contingent on the use of IDOC data to define the reduction goal.

**Kendall County – to create a new drug court:**

**Recommendation:** Fund up to the full amount requested of \$149,865.00, contingent on cost-effectiveness, an articulation of program capacity and the maximum use of the ACA.

Joseph Antolin motioned to approve the three RFA responses, contingent upon available funding, which was seconded by Thomas Mahoney. All in favor, Patricia Hayden abstained, and none opposed. Motion passed.

**Old Business/New business**

As part of old business/new business, Mary Ann made the following announcements:

- The 2014 Annual Report will be shared with ARIOB members upon completion. Final edits are welcome.
- The Cook Access to Community Treatment (ACT) Court will be having its first graduation ceremony on Thursday, September 3rd at 2:30 p.m. Lori Roper noted this is a big achievement.
- The next ARIOB meeting is scheduled for Monday, November 2<sup>nd</sup>.

**Adjournment**

Angelique Orr made a motion to adjourn, which was seconded by Patricia Hayden. All in favor, none opposed, meeting adjourned at 3:04 p.m.

**(Approved 11/2/15)**