

Minutes from the Adult Redeploy Illinois Oversight Board (ARIOB) Regular Meeting
Monday, November 14, 2016, 1:30 to 3:30 p.m.
Thompson Center, Room 2-025, 100 W. Randolph, Chicago
Stratton Building, Room 621, 401 S. Spring, Springfield

ARIOB members present (CHI): Jordan Boulger (for Lavone Haywood), Walter Boyd, Emily Cole, Craig Findley, Patricia Hayden, Khari Hunt (for Secretary Dimas), Mark Ishaug, Randy Kurtz (for John Maki), Michael Pelletier, Lori Roper (for Amy Campanelli), Gladyse Taylor (for Director Baldwin)

ARIOB members present (SPI): Kathy Saltmarsh, Mike Torchia

ARIOB member on phone: Judge James Radcliffe

ARIOB members absent: Joseph Bruscato, Angelique Orr, Brent Stratton

Others in attendance: Lisa Castillo, Mary Ann Dyar, Esther Franco-Payne (phone), Kelly Gallivan-Illaraza, Yasmine El-Gohary, Lindsey LaPointe, Mary Ratliff (SPI), Jessica Reichert, Laura Scherckenbach, Nate Inglis Steinfeld, Judge Thomas Sumner (phone), Paula Wolff, and member of public

Call to order/Roll Call/Introductions

Chief Khari Hunt called to order at 1:35 p.m. Mary Ann performed roll call and it was determined there was quorum. Mary Ratliff introduced herself as a staff person at the Illinois Criminal Justice Information Authority (ICJIA) based in Springfield who currently directs the Illinois Family Violence Coordinating Councils and will be helping with Adult Redeploy Illinois (ARI).

The goals of the meeting were to:

1. Get an update on the status of ARI and discuss priorities for SFY17;
2. Learn about the findings from a recent ICJIA research report on clients' perceptions of ARI;
3. Take a vote on the eligibility expansion recommendation; and
4. Approve a possible supplemental funding opportunity.

Approval of minutes

Assistant Director Gladyse Taylor called for approval of the minutes from the August 8, 2016 regular ARIOB meeting. Upon a motion by Craig Findley, seconded by Pat Hayden, the minutes were approved.

Program director report

Mary Ann Dyar reported on program activities in the past quarter. A revised report was sent correcting discrepancies between the database and the quarterly paper reports. Participation rates were down slightly from the prior quarter: 1,259 from 1,305. This was due to reduced enrollments during the impasse; and some sites had not started up new enrollments until receiving their first SFY17 payments as well as full reimbursement for SFY16. Lindsey LaPointe noted that sites' ability to ramp operations back up vary, often depending on staffing levels. There were no discernable trends in either successful or unsuccessful exits from the program in the past quarter; but it is hoped that building research capacity in the program will improve understanding of the data.

Mary Ann noted that "exit interviews" were conducted with the three sites that left the network in the wake of the impasse (Kane, Kankakee, and McLean). She shared that McLean County is in the process of rejoining ARI this month with a scaled-back program.

In staffing news, ARI is working on filling a research manager position for the program, who will be part of ICJIA's Research & Analysis Unit (R&A). The position was posted, 23 applications were received,

and 11 are under review subject to a special skills test. In addition, ARI has a dedicated grant monitor overseen by a grant supervisor from the Federal and State Grants Unit (FSGU), which has also identified a program staff person (Mary Ratliff) to help with site monitoring, technical assistance, and training. This type of position, based out of Springfield, has been part of a proposed ARI organizational chart for years.

ARIOB committee reports

Lindsey provided a brief overview of the committee work from the past quarter. The Site Selection & Monitoring Committee met on November 7th about the planning grant process, which is key to the incremental growth of ARI. In the past, this has been a non-competitive process; however, with the new Grant Accountability and Transparency Act (GATA), interested jurisdictions must respond to a competitive Notice of Funding Opportunity (NOFO). ARI received two applications by the October 31st deadline, which was extended to December 14th to allow for more applicants. Initially funded are LaSalle County, an existing site wanting to explore starting a mental health court; and Adams County, also looking at a mental health intervention, which would be a new site and is in the top 20 counties committing ARI-eligible offenders to the Illinois Department of Corrections (IDOC). Two to four more applications are expected in the second round, an indication of continued interest in and need for ARI.

Planning grant funds are typically used to hire consultants to facilitate stakeholder conversations and analyze data. They are also used for training and travel to learn from other jurisdictions. ARIOB members were encouraged to promote the planning grant opportunity, and Craig Findley recommended notifying local legislators about planning grants. Mark Ishaug expressed interest in the development of mental health interventions and asked what sort of technical assistance is available. Mary Ann and Lindsey expressed staff's desire to provide more assistance during the planning process. Kelly Gallivan-Illaraza, Problem-Solving Coordinator for the Administrative Office of the Illinois Courts (AOIC), said she could help jurisdictions connect with those with problem-solving courts. Emily Cole noted the types of national conferences and training available. Jordan Boulger suggested developing a "knowledge bank" for those interested in starting or expanding a mental health court, for instance. Lindsey noted that stakeholders from potential sites are encouraged to attend the annual all-sites summit to learn and network. Kathy Saltmarsh asked how the planning grantees looking at mental health courts defined their target populations, and Lindsey mentioned that determination would be part of the planning process.

Lindsey discussed the importance of site monitoring activities, which were largely put on hold during the impasse. Site visits are resuming, with one upcoming on December 14th in Boone County, which operates a rural drug court. ARIOB members will be notified of site visits, with as many as eight planned in the next year, and given access to site visit reports.

There were questions about the impact of GATA on the granting and monitoring process, much of which remains to be seen as GATA is rolled out statewide. There will be a significant impact on ICJIA. Mary Ann said staff were concerned about jurisdictions being dissuaded by the extensive GATA application process. Randy Kurtz suggested that much of the burden on the grantee is one-time at the beginning.

Kathy Saltmarsh reported on the Outreach, Technical Assistance & Communication meeting in early November. The committee discussed a press release about the 2015 annual report and efforts to generate local media by going to editorial boards. ARI staff is working with the ICJIA public information officer, Cristin Evans. Kathy also reported on an initial review by the Sentencing Policy Advisory Council of ARI exit data to look at recidivism rates, which will be a primary focus of an eventual outcome evaluation.

Lindsey reported on the development of a community involvement toolkit for sites with the help of a part-time contractual staff person, which will provide concrete examples of engaging the broader community in diversion programs. Findings were based on in-depth discussions with five sites with innovative programming including with community restorative boards, family engagement, and peer/alumni support.

Nate Inglis Steinfeld gave a report on the Performance Measurement Committee (needs a chair), which reviewed information from the exit interviews (e.g., concerns with data gathering and reporting), discussed ways to invest ARI funds to support research and performance measurement, talked about research staffing needs and planning for an outcome evaluation, and looked at recidivism information.

Presentation on Learning about probation from client perspectives: Feedback from probationers served by Adult Redeploy Illinois-funded program models

Chief Hunt introduced Jessica Reichert, the Manager of the Center for Justice Research & Evaluation at ICJIA, who gave a brief presentation on the findings from one of the implementation evaluations done on ARI's pilot phase with the first 10 sites. Looking primarily at qualitative data, the purpose of the evaluation was to learn about client satisfaction with evidence-based services. Researchers conducted 108 face-to-face interviews involving more than 100 questions.

Respondents talked about conditions of probation and the findings were positive, regarding clear understanding of probation conditions, frequent drug testing for accountability, and development of individualized case plans with probation. In fact, there was a statistically significant relationship between having a case plan and providing positive feedback about the program. Clients were also interviewed about what services they received out of those they needed, e.g., transportation support was often provided upon request, but housing was a largely unmet need. Mary Ann noted that planning grant funds can be used by existing sites to explore how to better meet the needs of clients. Mark Ishaug expressed interest in the findings about housing; he would like to find about the sites that were able to provide housing, which is extremely difficult. Compliance was also measured, as well as, the use of sanctions and rewards. Jessica reported that overall, clients agreed that the program helped them and they had positive feelings toward their probation officers. Client feedback was also broken down by program type, and drug courts received the highest satisfaction rankings. She offered recommendations based on the findings. Mary Ann noted that these findings will be helpful in framing conversations about the impact of ARI, particularly in terms of procedural justice. There was a discussion about how interviewees were selected and whether there was a way to find out how they did after leaving the program. Mary Ann mentioned a developing idea to work with ARI clients on records relief including after they leave the program. Chief Hunt asked about accessing other state databases, e.g., at the Department of Labor, to measure performance and positive outcomes.

There was a question of whether any sites stood out from others, and whether there is any way to compare these findings with those from similar program around the country. Emily Cole asked if there were any actionable items with sites based on the research findings for program administration. The Performance Measurement Committee discussed replicating and updating the study beyond the pilot phase. Pat Hayden requested a citation of the research linking case planning with client success (National Institute of Corrections). Kelly Gallivan-Ilarraza asked whether the impact of probation conditions was measured as it related to client needs (e.g., stable housing), but this information was not available. Chief Hunt noted that research is helpful in terms of the questions it raises.

Vote on eligibility expansion

In addition to client feedback, Lindsey noted the importance of hearing from sites. She reported on information gleaned from site exit interviews and the implications for policy. Feedback included: concerns with the uncertainty of funding which in turn impacts the ability to hire and retain staff, and the paperwork burden (request for multi-year agreements); burden of submitting data and not getting feedback (need for ARI program staff capacity), and the restriction on funds to only be used with non-violent offenders (consideration of eligibility expansion to all probationable offenders). Sites also reported a "spillover effect" from ARI programs to larger culture change.

Regarding eligibility expansion, Director Taylor asked what changes would be needed in the Crime Reduction Act (CRA) in order to expand services beyond non-violent offenses. The recommendation is eliminate the “non-violent” restriction, opening up to all probationable offenses based on risk assessment and the discretion of the local stakeholders.

Emily Cole asked about the violent offenses that would be included in this expansion, and ARI staff gave the example of a person with a mental illness charged with battery of a family member. Staff noted that sites request clarification on eligibility question on a regular basis and that this change will put the discretion at the local level. Sites will not be mandated to change or expand their eligibility criteria; however, it will be an option. Emily Cole asked about how ARI will deal with inconsistency among sites in terms of eligibility criteria. It was noted that similar broad local discretion is part of the Illinois problem-solving court certification process. Lindsey affirmed that variation among sites is expected but they must focus on diverting a prison-bound population. Nate Inglis Steinfeld reported that SPAC had done an analysis in 2015 on the various definitions of violent crime in Illinois. Different problem-solving courts use different definitions of violent crime to determine eligibility.

Kathy Saltmarsh noted that historically the accessibility of alternatives to incarceration has been limited to those considered the least risky: low-level, non-violent offenders. Similarly, a political response to crime has been to make more offenses non-probationable (restricting local discretion). She said that expanding ARI eligibility to all probationable offenses, based on an assessment of risk, is an important step toward evidence-based practice. The Illinois State’s Attorneys Association was consulted and it supports increased local discretion. She urged the ARIOB to approve eligibility expansion, and the next step will be to get political approval and/or inclusion in the recommendations of the Governor’s Commission on Criminal Justice and Sentencing Reform.

Lindsey mentioned among the list of probationable crimes considered violent are aggravated battery, robbery, aggravated battery of a peace officer, aggravated fleeing police, aggravated domestic battery, unlawful restraint, etc. Local decisions to send offenders to IDOC on these probationable charges may be due to the lack of local resources to supervise and serve them in the community. The estimated number of IDOC admissions for violent probationable offenses is 3,700, effectively increasing the statewide ARI-eligible population to 15,000-16,000. Nate noted that some sites are already using more restricted eligibility at the local level.

Emily Cole expressed concern on behalf of the Cook County State’s Attorney’s Office about how expansive the list of newly eligible offenses would be, whether services would be available for these offenders in the community, and the public safety impact. She said it was a very big decision that required more analysis. Craig Findley asked how one can argue against giving more judicial discretion in a way that leads to successful rehabilitation and lower incarceration. He noted that this proposed changes is the beginning of the discussion: make it entirely permissive and let legislators negotiate.

Kelly Gallivan-Ibarra clarified that the change would only increase who is eligible but not who is guaranteed entry, as that is still a local decision. Chief Hunt noted the concerns expressed that the breadth of the change but asked about ARI’s role in opening up the capacity for diversion. Nate said that even if eligibility in the CRA is broadened, the more restrictive definitions in the problem-solving court legislation, for example, would still apply. Emily Cole said that inconsistency could be brought up on appeal. Kathy Saltmarsh stressed that ARI is not a sentencing scheme but a gateway to performance incentive funding. Expanding eligibility means funds would be available to be used by local jurisdictions for the population they want to target. This would be opening up a source of funding to support greater success with less incarcerative sentences. There would be no need for stakeholders and prosecutors to go outside of their comfort zones; local policy would be respected in the grant-making process.

Chief Hunt asked whether additional conversation was needed, and whether to table the topic until the next meeting. The group discussed timing in terms of the filing deadlines for statutory changes, ahead of the next ARIOB meeting. Kathy Saltmarsh noted that this issue has been debated by the Commission along with the desire to see ARI expanded, and there has been no significant push-back. She made the motion to expand eligibility to all probationable offenses, which was seconded by Craig Findley. Emily Cole voted in opposition; all others in favor. Motion carried.

Discussion of priorities for SFY17

Director Taylor asked staff to discuss plans for SFY17 with funds from the stopgap budget. Lindsey gave a brief overview of the funds available to ARI through the stopgap budget (some expire in December) and efforts of staff to encourage full use of these funds. ARI is using some administrative funds to provide training and technical assistance opportunities before the end of the calendar year on cognitive behavioral interventions, host two webinars and explore other technical assistance around the employment of people with criminal records, and look at increased data analysis.

ARI staff is also working with sites to repurpose any potentially unspent SFY17 funds, due to ramping back up. Unspent funds could be as much as \$900,000 in the first half of SFY17. Staff requested ARIOB approval to potentially reallocate these funds to other sites as part of a supplemental funding opportunity (e.g., for one-time purchases, investments) January-June 2017. Upon a motion by Pat Hayden, seconded by Walter Boyd, the ARIOB approved a supplemental funding opportunity up to \$400,000 contingent upon available funding, authorizing the Site Selection & Monitoring Committee to make such funding decisions between ARIOB meetings.

Old business/New business

There was no old business or new business.

Adjournment

Director Taylor called for a motion to adjourn, which was provided by Walter Boyd and seconded by Craig Findley. The meeting was adjourned at 3:44 p.m.

(Approved 2/21/17)