

Illinois Sentencing Policy Advisory Council
Regular Meeting Minutes
June 28th, 2019 10:00AM – 12:45PM

Location: Illinois Criminal Justice Information Authority
300 West Adams Street, Suite 200
Chicago, IL

Members Present – Meagan Alderden, Amy Campanelli, Jim Chadd, Gino DiVito (Chairman), Craig Findley, Annie Fitzgerald, Nathalina Hudson, Rob Jeffreys, Marcia Meis, James Piper, Alan Spellberg and Don Stemen.

Members Present by Phone – Steve McClure.

Members Absent – Kathryn Bocanegra, Marcus Evans, Margo McDermed, Stuart Palmer, Elgie Sims, Julian Thompson, Stu Umholtz, Warren Wolfson (Vice Chair) and Kristen Ziman.

Non-Members Present – Lindsey Baumgartner, Isabel Breit, John Carroll, Peter Coolsen, Ariana Correa, Yaacov Delaney, Chris Sav Felix, Aviva Futorian, Garien Gatewood, Jennifer Green, Tracy Buckley-Jones, Keely Kolis, Korynna Lopez, Fatoumata Mayassa, Sharone Mitchell, Dave Olson, Mark Powers, Amanda Pyron, Quinn Rallins, Kathy Saltmarsh, Gail Smith, Jean Snyder, Nate Inglis-Steinfeld, Michael Toomin, Christine Devitt Westley, Phil Whittington and Paula Wolff.

Non-Members Present by Phone – Jason Sweat.

Welcome and Introductions

Chairman DiVito called the thirty-first regular meeting of the Illinois Sentencing Policy Advisory Council to order at 10:02 a.m. Chairman DiVito gave the opening remarks, including a summary of the agenda and purpose of the meeting: introducing and welcoming new SPAC members.

- *Steve McClure, State Senator, 50th District* – replacing Sen. Jason Barickman. Steve was elected in November 2018 and sworn into office on January 9, 2019. He is a former prosecutor who was chief of the Juvenile Division and later served in the Felony Division in the Sangamon County State's Attorney's Office in Springfield. He graduated from Valparaiso University School of Law in Indiana, earned a master's degree from the University of Illinois at Springfield in political studies, and has two bachelor's degrees from Arizona State University in political science and history.
- *Nathalina Hudson, Deputy Attorney General, Criminal Justice Division* – replacing Michael Glick. Nathalina recently left the US Attorney's office where she served as an Assistant United States Attorney for 11 years, in the narcotics and gangs section, violent crimes section and the financial crimes section. Prior to the US Attorney's office, she clerked for a federal judge, worked as an Associate at Schiff Hardin for three years, and served as Corporation Counsel for the City of Chicago Police Department for two years. Nathalina is originally from Chicago and received her bachelor's degree from The University of Michigan in political science and then received her JD from Duke Law School.
- *Rob Jeffreys, Acting Director, Illinois Department of Corrections* – replacing Gladyse Taylor. Rob is a nationally-recognized criminal justice expert with correctional experience spanning more than two

decades. He spent 21 of his 24 years in corrections management at the Ohio Department of Rehabilitation and Corrections, where he most recently served as the agency's chief of staff. He began his career as a corrections class specialist in ODRC's Bureau of Research. Jeffreys received both his Master of Science and Bachelor of Arts in Criminal Justice from Marshall University in Huntington, West Virginia.

- *James Piper, Senior Policy Advisor, Illinois State Police* – replacing Margaret Wood, who replaced Nick Kondelis. Jim joined ISP after serving as an Assistant United States Attorney in the Southern District of Illinois where he was the Project Safe Neighborhoods Coordinator, focusing on gun violence in the East St. Louis Area.
- *Elgie R. Sims, Jr., State Senator, 17th District* – replacing Sen. Kwame Raoul. Senator Sims chairs the Senate Criminal Law Committee and is familiar to us from his work in the House where he chaired the Judiciary/Criminal committee.
- We will have one additional member, yet to be identified – the new Executive Director of ICJIA. Dr. Megan Alderden is leaving ICJIA to develop a criminology program at DePaul University.

Vote: Approval of the meeting minutes from the November 16, 2018 SPAC meeting

Alan Spellberg moved to approve the minutes, seconded by Craig Findley. The minutes from the November 16, 2018 SPAC meeting were approved by unanimous voice vote.

Overview of Spring Legislative Session – New & Old Themes

Michael R. Elliott, SPAC Intergovernmental Affairs and Communications Advisor, updated the Council on SPAC's current projects and touched on a few new measures approved by the General Assembly this Spring that may affect the sentenced population of Illinois:

Public Act 101-0027 (Cassidy, D-Chicago; Steans, D-Chicago) Creates the Cannabis Regulation and Tax Act. It decriminalizes possession of small amounts of cannabis and replaces it with a tax and regulation system. A resident of Illinois (21 or older) may purchase cannabis products and possess 30 grams of cannabis flower, no more than 500 mg of THC in cannabis-infused product, and five grams of cannabis concentrate. It creates an automatic expungement through the governor's clemency process for convictions up to 30 grams. For amounts of 30-500 grams, the state's attorney or the individual can petition the court to vacate the conviction. Makes other changes. ***Effective January 1, 2020.***

House Bill 3151 (Evans, D-Chicago; Sims, D-Chicago) Removes sunset date of December 31, 2020 and makes the Illinois Sentencing Policy Advisory Council permanent. Adds a new Sheriff, from outside of Cook Country to the Council. It also clarifies that the Council shall determine the qualifications for and hire the Executive Director. ***Effective Immediately.***

New Leaders, New Perspectives on Criminal Justice Reform:

This part of the meeting focused on hearing from those in leadership roles at our stakeholder agencies.

- *Tracy Buckley-Jones (Chief of Operations/Records Supervisor, Prisoner Review Board)*
- *John P. Carroll, Jr. (Deputy Chief of Staff, Attorney General's Office)*
- *Rob Jeffreys (Acting Director, Illinois Department of Corrections)*
- *James Piper (Senior Policy Advisor, Illinois State Police)*
- *Quinn Rallins (Director, The Justice, Equity & Opportunity Initiative, Lt. Governor's Office)*

Below is a summary of their perspectives on the directions their agencies are taking:

James Piper (Senior Policy Advisor, Illinois State Police)

1. What does Governor Pritzker’s commitment to criminal justice reform mean for ISP?
 - a. First, ISP must continue to strive to be a model of best practices for law enforcement throughout the State.
 - b. Increased Diversity
 - i. From 30% to 70% diversity in upper command in 5 months.
 - ii. Improved recruitment in diverse communities.
 - iii. More cadet classes to replenish ranks (down 400 troopers).
 - c. Prioritizing Forensics
 - i. Reducing backlogs through efficiency and more thoughtful submission of only probative evidence.
 - ii. Requesting a Forensics Commission.
 - iii. Increased transparency (tracking sexual assault kits).
 - d. Updating computer systems so data can be made available online to consumers of that data: local law enforcement, ICJIA, SPAC, etc., as well as creating a FOID information portal for law enforcement
 - e. Allocating patrol and investigative resources where there is the greatest need such as the East St. Louis area besieged by gun violence.
 - f. Provide independent, comprehensive investigations of officer-involved shootings.
 - g. “Task Forcepalooza” Acting Director Kelly will chair or sit on the Scott’s Law/Move Over Task Force, the Officer Suicide TF and the Cannabis DUI Task Force.
2. ISP is the keeper of significant data and the feds are now pushing for compliance with the National Incident-Based Reporting System (NIBRS) as opposed to the Uniform Crime Reporting (UCR) system – what does that mean for ISP and what does it mean for local law enforcement agencies?
 - a. ISP is well on its way to NIBRS implementation and compliance.
 - b. Anticipated online and in compliance by Fall 2020.
3. Expungement
 - a. Major John Rattigan, a licensed attorney, in the Division of Administration (DOA) will be the point of contact on expungement issues dealing with the Cannabis Act. DOA will become DJS the Division of Justice Services 1/1/20.
4. Cannabis
 - a. It’s a brave new world. but ISP feels very familiar as cannabis enforcement will mirror alcohol enforcement (age, transportation, DUI); can’t drive with a road buddy or blunt in your hand!
 - b. Focus will be on Cannabis DUI (investigating technologies that would be the equivalent of a cannabis breathalyzer).
 - c. Undoubtedly, just as there is in California and Colorado, there will be an enforcement component to deal with the black-market production and sale of cannabis.

Rob Jeffreys (Acting Director, Illinois Department of Corrections)

1. People
 - a. Investments for our most valuable asset. For corrections, that’s the IDOC staff.
 - b. Explain the why: communication plan to share information and make all transitions and plans understandable to everyone doing the work.
 - c. Provide the necessary tools to accomplish our mission:
 - i. Training – for our front-line staff, crisis management,
 - ii. Counselors – program delivery
 - iii. Technology – automated resources

- iv. Computers at each officer desk to have information to complete their assignment
 - v. Equipment to work smarter and not harder
 - d. Staff wellness: must develop and strengthen ways for staff to deal with the stress of the job.
 - e. Recruitment and retention plans: developing more strategies.
2. Physical Plant (Facility Operations)
- a. Infrastructure: lots of capital improvement is necessary to keep physical structures adequate.
 - b. Policy: consistency is needed.
 - c. Technology: computers, cameras, tablets (delivers education programs, not just music/entertainment).
 - d. Conditions of confinement: quality of life (20/28 days) issues need to be addressed
 - i. Cleanliness/sanitation
 - 1. Living area
 - 2. Showers
 - 3. Food service, dietary
 - e. Sound security practices that ensures safety for staff and offenders. Technology can assist.
 - f. Everyone wants the same thing: to feel safe!
3. Programs:
- a. Number 1 security measure.
 - b. Risk & Needs Assessment: transfer information from front end (county) to reception and facilities and to back end (parole).
 - c. Programs – Reentry – Parole (CBT/EBP)
 - i. Expand and enhance Cognitive Behavioral Treatment that is evidence based.
 - ii. Change their thinking to change their behavior.
 - iii. Thinking for a change, anger management, substance abuse disorders, mental health and addiction, education and secondary education.
 - d. Vocational Programs with certifications and licensures: vocational training needs to go beyond certificates and match the current job markets of technology and computer programming.
 - e. Developing relationships with community partners, state agencies, and employers.
4. 30 Day Assessment:
- a. Need to gain continuity in all IDOC program and reentry divisions
 - b. This is national paradigm shift, one that we want to be part of. One that we want to lead.

Quinn Rallins (Director, The Justice, Equity & Opportunity Initiative, Lt. Governor’s Office)

- 1. The Justice, Equity and Opportunity Initiative is really a vision from the Stratton/Pritzker campaign. We need to be thinking about the harm caused to communities of color and disenfranchised communities by the justice system, and we need to be thinking in a range of different ways. What are some of the front-end solutions to really divert and deflect individuals from the justice system altogether? What do we do with the institutions in terms of how we reform the core justice systems?
- 2. We're going to try to improve the communications across agencies. We want to make sure, for example, the Community College Board is collaborating with the Department of Corrections, making sure that individuals are getting the types of educational services they need. We want to be working collaboratively with the core justice institutions, the Department of Healthcare and Family Services and the Department of Human Services to make sure that people have healthcare access before any justice involvement and also upon any interaction with the justice system. These initiatives require some interagency coordination. I think the more important piece is this broader piece about how do we move policies within an equity framework? How do we make sure that the communities that have been most harmed, the communities that have been left behind are benefiting from the policies and decisions that we make?

3. We need to be rethinking our footprint around sentencing. We need to be rethinking our drug laws, we need to be rethinking our laws around retail theft, we need to be rethinking the way we deal with community corrections as people come out. But I think, even more importantly, when we talk about reforming the justice system, it means ensuring that people don't enter the justice system in the first place. In this context, what do interactions look like at the initial point of contact with law enforcement? It's very difficult for law enforcement to send people places when there aren't places to send them to. So, we need to be thinking about our social safety net to make sure that we have alternatives to incarceration.
4. This administration is intent on making sure everyone's collaborating together, and working with the JEO initiative. Our authorization includes convening authority of all agencies. Some of the agencies are directly under the purview of the lieutenant governor for the first time. For example, the Department of Juvenile Justice is under our purview. The Prisoner Review Board is under our purview. The Illinois Law Enforcement Training and Standards Board is under our purview. The Illinois Criminal Justice Information Authority is under our purview. But also, I believe that action outside of a relationship can be a nuisance. What does that mean? It means I come from a background in community organizing where you don't want to do things outside of relationships. We've been having those initial rounds of listening sessions, if you will, because we want to make sure we're not only getting people's ideas, that we're building relationships on the front end because we know we're all in the foxhole together.

Tracy Buckley-Jones (Chief of Operations/Records Supervisor, Prisoner Review Board)

1. IPRB Case Management Project – Before November 2017
 - a. Processing approximately 12-17,000 Conditions
 - b. File clerks pulled thousands of files a year.
 - c. Board reviewed each and every file with information made available by IDOC, including a Statement of Facts.
 - d. We lost all file clerks in the office.
 - i. No one to file information.
 - ii. IDOC heavily relied upon to give the information to help guide conditions.
 - iii. Many inconsistencies due to lack of information.
2. Some people were released without PRB-imposed conditions.
3. Errors in the processing of orders:
 - a. Duplicate orders
 - b. Entry errors
 - c. Missing or lost orders
4. IPRB Case Management Project – Since November 2017
 - a. Chairman Findley allowed me to request the ability to work on an enhancement in the IDOC system to add the Mandatory Supervised Release Condition forms into the O360 case-management system.
 - b. In 2018 we began the planning and were testing the initial e-MSR form by December 2018.
 - c. Out of that build, we began working on the following items as well:
 - i. Early Discharge Forms.
 - ii. Amended Order requests.
 - iii. The larger piece, preliminary hearing and final revocation processes.
5. Many hands make light work (we included several IPRB and IDOC staff):
 - a. Worked with the people who “do the work.”
 - b. Valuable input of Jason Sweat, the wonderful Dana Wilson and Diane Corso and IPRB Staff and Board Members.

6. Reporting capabilities:
 - a. Board will have move information to review directly in the system such as the Risk and Needs Assessments at their fingertips.
 - b. Data reporting for the Board will now be possible.
 - c. All data points in IDOC/O360 system will be able to tie directly into the decisions.
 - d. Reduce the manual input from staff and any input errors.
 - e. Reduce the valuable man hours of the IDOC and IPRB staff.
 - f. Give real time access to the Board's decisions.

7. System will be operable soon:
 - a. Before it can begin, final testing has been completed.
 - b. We look to have the full case system implemented this year.

John P. Carroll, Jr. (Deputy Chief of Staff, Attorney General's Office)

1. Violent crime is a senseless, often random act, and it is far too common in today's society. It is no longer enough to ensure that offenders receive the harshest punishment under the law. Victims and their families need support as they attempt to rebuild lives torn apart by tragedy. The Attorney General's Office has made it a priority to provide services to help victims meet their challenges and regain peace of mind. Programs administered by the Crime Victim Services Division include:
 - a. The Illinois Crime Victim Compensation Program provides direct financial assistance to innocent victims of violent crime to reimburse out-of-pocket expenses related to the crime.
 - b. The Domestic Violence Fund provides funding for legal advocacy, legal assistance, and legal services to victims of domestic violence who are or have been married or in a civil union. This fund is awarded from a portion of marriage license fees and a portion of civil union license fees. Any public or private not-for-profit agency that provides services to victims of domestic violence may apply to the Illinois Attorney General for funding from the Domestic Violence Fund.
 - c. The Violent Crime Victim Assistance (VCVA) Program provides grants to victim and witness assistance programs throughout the state.

2. To help combat and deter violent crime before it happens, the AG's office has been working diligently on the formation of a new Violence Prevention Division, that will be implanted within the coming months.

New Business

Chairman DiVito reminded all members that the next meeting will be held on September 20, 2019, at the same time and location.

Adjournment

Jim Chadd, moved to adjourn the thirty-first regular meeting of the Sentencing Policy Advisory Council, seconded by Megan Alderden. The thirty-first regular meeting of the Sentencing Policy Advisory Council was adjourned at 12:55 p.m. by unanimous voice vote.