

**Illinois Sentencing Policy Advisory Council**  
**Regular Meeting Minutes**  
**January 10, 2014 10:00AM – 1:30PM**

**Location: Michael Bilandic Building**  
**160 N. LaSalle, Rm. N502**  
**Chicago, IL**

**Members Present** – Gino DiVito (Chairman), Warren Wolfson (Vice-Chair), Kwame Raoul (Vice-Chair), Stephen Baker, Robert Berlin, Jack Cutrone, Margaret Egan, Marcus Evans, Jr., Michael Glick, Margie Groot (via phone for Mike Tardy), Nicholas Kondelis, Adam Monreal, Dennis Reboletti, Alan Spellberg, Gladys Taylor, Pat Unsinn (for Mike Pelletier), Dave Yellen

**Members Absent** – Jason Barickman, William Clay III, Ronald Holt

**Non-Members Present** – Representative John Anthony, Khadine Bennett, Judge Paul Biebel, Jordan Boulger, Mary Ann Dyar, Samantha Gaddy (via phone), Rebecca Janowitz, Ashley Jenkins (via phone), Matt Jones, Steve Karr, Lindsey LaPointe, Bernie Murray, Mark Myrent, Dave Olson, Pam Rodriguez, Ben Rudell, Sharon Shipinski, Nate Inglis Steinfeld, Judge Michael Toomin

**Welcome and Introductions**

Chairman DiVito called the fifteenth regular meeting of the Illinois Sentencing Policy Advisory Council to order at 10:15AM. The Chairman gave opening remarks, including:

- Welcome to new member Stephen Baker who replaces Jeff Howard for the Cook County Public Defender's Office and is joining us for his first meeting. Mr. Howard has moved to a different position within Cook County.
- Welcome to our new Research Director Nathaniel Inglis Steinfeld who is joining us for his first meeting.

**Agenda Overview**

Chairman DiVito provided an overview of the agenda as follows:

The purpose of the meeting today is to accomplish three things:

1. Receive updates from our partners the Risk Assets Needs Assessment Task Force, Adult Redeploy Illinois, and the Illinois Criminal Justice Information Authority
2. To hear a statistical presentation from Steve Karr on the aging inmates in IDOC.
3. To discuss what sentencing outcomes and the average offender. What outcomes are we currently getting?

**Vote: Approval of the meeting minutes from the April 24, 2013 SPAC meeting**

Warren Wolfson moved to approve the minutes, seconded by Alan Spellberg. The minutes from the April 24<sup>th</sup>, 2013 SPAC meeting were approved by unanimous voice vote.

**Updates from Risk Assets Needs Assessment, Adult Redeploy Illinois and the Illinois Criminal Justice Information Authority**

Gladys Taylor provided an update of the Risk Assets Needs Assessment Task Force including efforts on the implementation of the SPIN tool. Ms. Taylor also gave an update on the new offender tracking system that

IDOC is using, Offender 360. The new system is real time and has been used to identify offenders for the granting of Sentence Credits for the last year. Shuttering of the mainframe is expected to take in about 4 months when all staff have been trained.

MaryAnn Dyar provided an update of Adult Redeploy Illinois (ARI). Ms. Dyar noted that ARI received an increase in funding this year at a total of \$7 million. ARI is now covering 34 counties across the state, including 19 problem solving courts and 10 intensive probation programs. Currently, ARI is serving 650 people and has diverted over 1000 people to date who were prison bound. Implementation and evaluation reports will be completed this year on the first 10 sites and their efforts in implementing evidence-based practices and other outcomes. ARI is also undergoing a strategic planning process with pro-bono assistance from the National Criminal Justice Association and has received a lot of good ideas from the group. By statute ARI must share its data with SPAC and will be providing the outcome information from their reports soon.

Jack Cutrone provided an update for the Illinois Criminal Justice Information Authority (ICJIA). ICJIA is primarily a grant issuing authority. Federal grant funds have been reduced this year.

### **Presentation & Discussion: Length of Stay and the Aging Prison Population**

Steve Karr from the Illinois Department of Corrections gave a statistical overview of his research on length of stay and its effects on the aging of the prison population. Over the past several years the average age of the offenders entering DOC has gone up from 32 to 34 years old.

Technical parole violators are growing at a considerable rate. This includes inmates who have completed a new crime (felonies or misdemeanors). Often times, particularly downstate, offenders are returned for technical violations in lieu of prosecution for new crimes. It is likely that the MSR term that they are required to serve out in prison is greater than the sentence they would receive for prosecution of the new crime that they've committed. When they are returned to IDOC for parole violations they must remain there until their MSR term expires.

The population of every Truth-in-Sentencing group is growing, particularly the group of inmates serving 75% and 85% of their sentences and those serving life without parole. If the mandatory minimum/penalty enhancement bill were to pass and go into effect, these numbers would grow by over 2000.

Older inmates, age 50 and older, have also grown 601% in the time period examined due to inmates receiving longer prison sentences. The age of 50 is used in the Corrections community for older inmates generally because the prison population ages significantly faster than persons in the general population. It is possible to look at older populations, such as 60, but IDOC is seeing increases in costs at the age of 50. A report from Georgia indicated that older inmates cost two to three times more than younger inmates. This calculation would include the per capita cost plus two to three times the marginal costs. Existing limits on nursing homes accepting prisoners or those released from prison limits the options available for geriatric inmate placement outside of the prison system.

A question was raised about disabled prisoners and the availability of accessible cells. Every facility has ADA beds and ADA cells.

Members of the public brought up a pending bill to allow inmates over the age of 50 who have served a minimum of 25 years of a long term sentence to petition the PRB for early release based on rehabilitation.

Members of SPAC raised questions and concerns about the lack of finality in sentencing were the bill to pass; the interests of victims in not having to relive the trauma of the crime repeatedly; and whether equal protection principles would be violated by the age requirement.

### **Discussion: Sentencing Outcomes and the Average Offender**

Nate Inglis Steinfeld, SPAC Research Director, gave an overview of the average offender profiles that he created using IDOC data. Offender profiles included drug, retail theft, weapons, property, violent crime offenders and murderers.

SPAC members and audience members provided the following feedback:

- We should drill down on prior offenses.
- How many times was the person diverted before they ended up in IDOC?
- Are geographic differences taken into account?
- Should we be focusing more on misdemeanants – getting them treatment before they become repeat offenders?
- SPAC should look into the potential for a centralized criminal justice data warehouse so we have consistent access to data on those that have been sentenced to prison, alternatives to incarceration and probation and can track what if any services were provided. ICJIA has been working on the issue of an integrated justice information system and Jack Cutrone reported productive discussions with the AOIC and some local jurisdictions on that issue.

### **Adjournment**

Alan Spellberg made a motion to adjourn, seconded by Warren Wolfson. The fifteenth regular meeting of the Sentencing Policy Advisory Council was adjourned at 1:36PM.