

**Illinois Sentencing Policy Advisory Council**  
**Regular Meeting Minutes**  
**August 7<sup>th</sup>, 2015 10:00AM – 1:30PM**

**Location: 20 S. Clark St., Suite 900**  
**Chicago, IL**

**Members Present** – Gino DiVito (Chairperson), Warren Wolfson (Vice-Chair), Kwame Raoul (Vice-Chair), John Anthony, John Maki, Anne Fitzgerald (for Tom Dart), Kathryn Bocanegra, Michael Glick, Stephen Baker, Nicholas Kondelis, Craig Findley, Jim Chadd (for Michael Pelletier), Alan Spellberg, Michael Tardy, Stewart Umholtz, Marcus Evans, and David Yellen.

**Members Present by Phone** – Gladyse Taylor

**Members Absent** – Jason Barickman

**Non-Members Present** – Kathy Saltmarsh, Michael Elliott, Mystik Miller, Nate Inglis Steinfeld, Robbie Minton, Sara Orlan, Mary Ann Dyar, Lindsey LaPointe, Randy Kurtz, Megan Alderden, Ben Ruddell, Chini Bose, Rick Veenstra, Margie Groot, Laura Brookes, Monica-Kaye Gamble, Paula Wolff, Era Laudermilk, Jean Snyder, Kathryn Simon, Daryl Jones, Bryant Jackson-Green, and Matt Rentschler.

**Non-Members Present by Phone** – Dave Olson

**Welcome and Introductions**

Chairperson DiVito called the twentieth regular meeting of the Illinois Sentencing Policy Advisory Council to order at 10:20 a.m. The Chairman gave opening remarks, including:

- Introduced new SPAC members, Rep. John Anthony (replacing Dennis Reboletti), Anne Fitzgerald (for Tom Dart), John Maki (replacing Jack Cutrone), and Craig Findley (replacing Adam Monreal).
- Introduced new SPAC staff, Michael Elliott (replacing Samantha Gaddy) and interns Robbie Minton and Sara Orlan.
- Gave an overview of the agenda and purpose of the meeting.

**Vote: Approval of holding three regular meetings annually, instead of four**

John Maki moved to change the annual regular meeting schedule to at least three regular meetings starting in 2015, seconded by David Yellen. Starting in 2015 SPAC will now hold at least three regular meetings annually, was approved by unanimous voice vote.

**Vote: Approval of the meeting minutes from the December 12<sup>th</sup>, 2014 SPAC meeting**

John Maki moved to approve the minutes, seconded by John Anthony. The minutes from the December 12<sup>th</sup>, 2014 SPAC meeting, were approved by unanimous voice vote.

**Illinois State Commission on Criminal Justice & Sentencing Reform Update**

SPAC members heard from commission Chairperson Rodger Heaton, who is Governor Rauner's Public Safety Director and Homeland Security Advisor. Chairperson DiVito noted that six SPAC members are on the commission. Mr. Heaton began with a hypothetical case with a variety of facts that could affect sentencing to

illustrate the kind of information that is important to making just and fair sentencing decisions, and to illustrate the work of the commission. He pointed out that Governor Rauner formed this commission to look at the criminal justice system and its sentencing structure to find ways to safely reduce the state's prison population by 25% over the next 10 years. That's about a 12,000 person reduction out of a population of approximately 48,000 (mostly men). We need to find ways to address, punish, correct, and improve the lives of those in prison so that they can safely function in our state, and so that they are not a burden on the taxpayer, but instead improve our communities. We spend approximately \$1.4 billion on adult corrections and approximately \$300 million on juvenile justice corrections in Illinois, and those figures don't include costs for police, probation, judges, or the fringe benefits paid for those who work in the system.

Mr. Heaton continued that the commission has roughly five months left to address this issue and report back to the Governor with recommendations for how to safely reduce the prison population to that significant degree. The commission started off by looking at the situation we are in. Who is in our prisons, what offenses did they commit, how long are their sentences, what's happening while they are in the department of corrections and how they are prepared to go back to society. Also, what are our communities doing to prepare to receive the 95% of those who are incarcerated when they return to our communities? This is a big task, but it's one the Governor believes we can achieve. So the commission needs input from all SPAC members. The commission has been meeting once a month and you can find all information on past and present meetings on its website (<http://www.icjia.state.il.us/cjreform2015/>). The commission has five sub-committees that focus on specific key aspects of the system: Law, Community Corrections, Budget & Capacity, Jail, and Implementation. Mr. Heaton stated that he intends to make sure that whatever the commission recommends to the Governor and the General Assembly is sustainable over time. Mr. Heaton strongly encouraged SPAC members to attend the regular commission meetings and sub-committees, and submit any ideas directly to him.

### **Updates from RANA, ARI, and the ICJIA**

Illinois Department of Corrections (IDOC) Acting Director Gladys Taylor gave a brief update on implementing the Risk Assets Needs Assessment (RANA) tool. Ms. Taylor related that the Department of Corrections is facing funding challenges that are a result of the FY16 budget crisis, which may or may not affect the hiring of the 120 available positions for RANA staff. She anticipates they will be able to have the first assessments once staff is hired and properly trained in late October or early November. IDOC has chosen the facilities at Pinckneyville and Sheridan to pilot RANA, where they will focus solely on the indeterminate sentencing population to satisfy ongoing litigation. She is glad they are over all the clinical hurdles and is eager to get things up and running.

Adult Redeploy Illinois (ARI) Program Director Mary Ann Dyar provided a brief update of funding, site statistics, and current site issues. Ms. Dyar began with alerting everyone that the current budget crisis is having a direct effect upon ARI, due to the fact that ARI sites still do not know what their FY16 funding level will be. They have learned that August is a critical month, after which most sites are unsure whether they will be able to continue operating without state funds. Chief Judges have been making sure that essential expenses are covered up to this point. While there have not yet been a lot of staff layoffs, sites have reported scaling back on clinical assessments, drug testing, treatment services, and recovery coaching – all of which are crucial to implementing evidence-based practices and achieving recidivism reductions. Ms. Dyer ended her update with the good news that Adult Redeploy Illinois was awarded the "Outstanding Criminal Justice Program-Midwest Region" award by the National Criminal Justice Association earlier this week at the National Forum on Criminal Justice in Atlanta, Georgia. ARI was one of five awardees from a pool of 50 applicant programs. This is an important "shot in the arm" for the program in these tough times.

Illinois Criminal Justice Information Authority (ICJIA) Executive Director John Maki introduced ICJIA's new Research Director Dr. Megan Alderden, who joined ICJIA in April. Dr. Alderden proceeded with a brief overview of what the research department at ICJIA has been working on. A research effort has begun to support gun violence reduction, involving program evaluations and data analysis to help determine where violent activities/incidents happen in communities, specifically those that are firearm related. They are also engaging in the development of what Dr. Alderden refers to as, "The State of the State Crime and Justice Issues in Illinois Dashboard" that will help determine what issues Illinoisans experience in their communities and at the state level. The dashboard will look at prevention measures, crime issues, and how the justice system responds to the issues developed by the dashboard. Users of the dashboard tool will be able to see a statewide analysis and will also be able to drill down into their own communities to see a ground level understanding of what is actually happening in those areas. Data will be broken up across important key indicators such as gender, race, and age. Dr. Alderden hopes that this will help facilitate discussions in Illinois at the state and local levels about our criminal justice system. She concluded that ICJIA is also looking at prison usage here in Illinois, another analysis it is doing at the state and local levels. It is also always engaged in supporting ARI, SPAC and the Illinois State Commission on Criminal Justice & Sentencing Reform.

### **The High Cost of Recidivism Report & Update**

Nate Inglis Steinfeld, SPAC's Research Director, provided a brief update on SPAC's first cost-benefit report: *Illinois Results First: The High Cost of Recidivism*.

Since the finalized draft of the cost-benefit analysis report on recidivism was finished, the Results First CBA model was updated to improve the calculation of recidivism costs. The update incorporates the long-term recidivism patterns apparent in the Illinois offender cohorts that SPAC and ICJIA produced using nine years of data. As a result, the cost of recidivism reflects the true cost of crime in Illinois—\$118,746 per recidivism event and \$16.7 billion over five years. The explanation of how recidivism costs were calculated has been updated in the supplement that fully explains our methodology. Our new figures remain consistent with what other states have found using the updated model. We also added a sentence on the first page making it clear that SPAC does not make recommendations, oppose, or support specific policy proposals. Mr. Steinfeld highlighted the key findings of the report and explained in more detail how SPAC arrived at the cost and benefit figures.

### **2015 Legislative Session Update**

Kathy Saltmarsh, SPAC's Executive Director, and Michael Elliott, SPAC's Senior Policy Advisor provided a brief overview of the criminal justice bills that passed during the Spring Legislative Session, several of which are significant, and also provided an overview of the bills upon which SPAC provided fiscal impact analysis. This was the first year SPAC included in the fiscal impact analysis an estimate of the victimization impacts of specific proposals. Bills that were discussed with additional commentary by Rep. Anthony and Sen. Raoul included: HB 1, HB 218, HB 1446, HB 2471, HB 3184, HB 3587, HB 3718, HB 3884, and SB 1304.

Ms. Saltmarsh and Mr. Elliott also reported that, since the last SPAC meeting, the SPAC-authorization statute was amended to extend SPAC's sunset to December 31, 2020.

## **New Business**

Chairperson DiVito confirmed the next two 2015 meeting dates: Friday, October 9 and Friday, December 18 with members.

Members discussed topics that the council would be interested in hearing about during the next two meetings:

- What the Illinois State Commission on Criminal Justice & Sentencing Reform is Recommending
  - Taking a closer look at what types of recommendations the commission is considering.
- Reform Measures in Other States
  - Invite appropriate members from a state that has completed the Justice Reinvestment Initiative (JRI) or Right on Crime recommendations to present on their experiences.
  - Possible states to look at are: Georgia (Omnibus Criminal Justice Reform Bill), Mississippi (JRI), North Carolina (Justice Reinvestment Act), Ohio (Omnibus Reform Bill), South Carolina (Omnibus Crime Reduction & Sentencing Reform Act), Texas (JRI).
- “The Untouchables:” Violent Offenders, Sex Offenders, Violent Sex Offenders
  - What criminal justice tools does the state have for:
    - Preventing these crimes (tangible and intangible costs of these victimizations are tremendous)
    - Rehabilitation options
      - Are they high risk?
      - Are they responsive to treatments?
    - Supervision post-release
      - Gate violators discussion
      - De facto life sentences with life supervision
- Probation: A front line view of what probation entails for felonies and misdemeanors, the use of the LSI-R, and pre-trial intervention programs.

## **Adjournment**

Upon proper motion and second, the twentieth regular meeting of the Sentencing Policy Advisory Council was adjourned at 1:20 p.m.