

Illinois Sentencing Policy Advisory Council
September 30, 2011 Regular Meeting Minutes

Meeting Location:

James R. Thompson Center, Room 2-025
Chicago, IL

Members Present: Gino DiVito (Chair), Warren Wolfson (Vice-Chair), Kwame Raoul (Vice-Chair), Shauna Bolliker (for Alan Spellberg), Jack Cutrone, Mike Hood, Jeff Howard, Nick Kondelis, John Millner, Adam Monreal, Mike Pelletier, Gladys Taylor, Patricia Watkins, David Yellen

Members Present by Phone: Mike Tardy, Mike Waller

Members Present via Video Conference: None

Members Absent: Tom Callum, William Clay III, Cynthia Cobbs, Tom Dart, Jim Durkin, Ronald Holt

Non-Members Present: Pete Baroni, Lindsay Bostwick, Laurie Brooks, Mary Dixon, Mary Ann Dyar, Samantha Gaddy, Harvey Grossman, Mark Myrent, Dave Olsen, Lori Jo Reynolds, Kathy Saltmarsh, Jenny Scheck, Julianna Stratton, Lisa Stephens, Sarah Sullivan, Paula Wolff

Non-Members Present by Phone: Margie Groot, Matt Jones

Welcome, Introductions, and Agenda Overview

Chair DiVito called the eighth meeting of the Sentencing Policy Advisory Council to order at 10:10 a.m. He opened the meeting by noting that Mike Tardy is now the Acting Director of the Administrative Office of the Illinois courts and that Samantha Gaddy has recently joined SPAC as the Senior Policy Advisor. SPAC is still looking for a Research Director. The Chair gave a short overview of the Agenda:

- The Executive Director will be discussing Drivers of the Population Analysis questions and provided a written progress report in lieu of an oral report.
- Lindsay Bostwick will give a report on a probation study that CIJA recently completed.
- Juliana Stratton, Executive Director of the Cook County Judicial Advisory Council will report on the Council's progress.
- The working lunch will include updates from RANA, Adult Redeploy, and CJIA
- Dave Olsen will give an update of the Retrospective Analysis

Approval of Minutes from June 10, 2011 meeting

Jeff Howard requested clarification of President Preckwinkle's comments regarding the resources needed for public defenders to argue more effectively for pre-trial release. Upon a motion by Jack Cutrone, seconded by John Millner, the minutes of the June 10, 2011 meeting as amended were unanimously approved.

Update and Progress Report from Executive Director

Kathy Saltmarsh noted that she is setting up meetings to speak with each of the members of SPAC for her one year anniversary to discuss the future of SPAC, the challenges, and what projects members would like to see SPAC participate in.

Ms. Saltmarsh and Mr. Howard reported on a meeting they attended on the Common Justice Program; a program that involves victims in a restorative justice process.

Ms. Saltmarsh discussed a letter from Senate President John Cullerton requesting that SPAC complete an analysis of what is driving the sentenced population. She reached out to ICJIA and Dave Olsen and Don Stemen at Loyola for their feedback on the types of analysis that can be done.

Ms. Saltmarsh asked the members for questions that they think should be included in an analysis of the drivers of the prison population. Questions may include urban myths that they would like to see proven true or debunked. The following ideas were discussed:

- Violent vs. non-violent crime - Is it true that 70 percent of inmates at DOC are incarcerated for non-violent crimes? If so, how are we going to address this? Do we have a true definition for non-violent crime?
- Geographical disparities – Do we see significant geographical disparities in the length of sentences imposed? How are probation violations handled differently from county to county? Is it possible to begin talking about a loose, advisory version of sentencing guideline for consistency?
- Reintegration – How much recidivism is a result of the failure to find places to reintegrate? Licensure is prohibited for persons who have been convicted of crimes that have no relevance to the licensing field. Should we look at the inability to get licensure through IDFPR for unrelated crimes? Is it true that 55 percent of Adult Black males have a record?
- Victimization – To what extent does known harm to a victim influence the defendant's sentencing?

Update on Cook County – The Judicial Advisory Council, Adult Redeploy and JRI Applications

Juliana Stratton, Executive Director of the Cook County Judicial Advisory Council gave a brief overview and follow-up to President Preckwinkle's discussion at the June 10, 2011 SPAC meeting. Her update included Cook County's progress on its Public Safety reforms and criminal justice initiatives.

The goals of the Justice Advisory Council include:

1. Reducing the jail population, thereby reducing cost
2. Increasing public safety

3. Reducing recidivism by increasing reintegration
4. Improving the fair and equitable access to Justice

Justice Reinvestment Initiative - Ms. Stratton discussed the application that Cook County submitted to the Bureau of Justice Statistics' (BJS) Justice Reinvestment Initiative. Cook County's application for the first phase was denied in part because BJS was looking for a greater collaboration among the stakeholders and had concerns about the lack of data sharing among the stakeholders in Illinois. Cook County was encouraged to apply again in the future and Ms. Stratton indicated that they plan to do so.

Adult Redeploy - Cook County Adult Redeploy Oversight Board approved a 1 million dollar grant to begin using an Adult Redeploy model in Cook County. They will be using the Hawaii Hope Model which includes swift and certain sanctions for probation violators. They are waiting to obtain approval to accept the grant from the Cook County Board. The Cook County State's Attorney, Public Defender, and Chief Judge Evans are in support of the program. They are expecting Judge Alm from Hawaii to visit in a few weeks to provide some guidance on implementation.

CJIA Probation Study Report

Lindsay Bostwick reported on a study of probationer characteristics and probation outcomes in Illinois that was recently completed by ICJIA. This study, using a sample of 3,519 probationers from across the state, was completed through a National Institute of Corrections grant based on NIC's interest in implementing evidence based practices in probation programs.

From their sample, Ms. Bostwick reported that 78 percent of probationers were male and 62 percent were white. The study found overall that females, whites, those who were employed, older, or had a high school diploma or GED as well as those who were students, on disability or receiving a pension had a higher rate of probation completion. The study also found that those who were married or who had a high school diploma or GED were two times more likely to successfully complete their probation terms. When looking at outcomes - income, gender, marital status, and living arrangements were more significant indicators for successful completion than was race. Those who successfully completed were half as likely to be rearrested. The study had a few limitations including the lack of complete information on treatment attendance and revocation.

Working Lunch – Updates from RANA, Adult Redeploy, and CIJIA

RANA – Gladys Taylor reported that they are still going through the approval process for the RFP. They plan to begin implementation in May 2012 and it will be at full implementation in 2013.

Adult Redeploy – Mary Ann Dyer reported that as of last month there are 10 pilot sites, 5 of which are up and running. Those sites have committed to reducing the commitments to DOC by 400 or 25 percent collectively, though DuPage and Macon are on track to exceed that percentage.

Ms. Dyar reported on the Performance Incentive Funding Conference that was hosted in Illinois. Ten states that have currently implemented, or are on the verge of implementing, programs like Adult Redeploy attended this conference. Illinois is a leader in the movement. Attendees were able to discuss the progress in their states regarding performance incentive funding and benefit from the experience of other states.

ICJIA – Jack Cutrone reported that ICJIA is working with the Justice Mapping Project and the Department of Corrections to geocode data for Illinois to help determine where prisoners return to when they are released from DOC. This will help to target more resources to those areas.

Update on Retrospective Analysis

Dave Olsen provided an update of the SPAC Retrospective Analysis of Trends in Crime and Sentencing that incorporated 2010 and 2011 data. The data continues to show that crime is decreasing, admissions to the Department of Corrections are decreasing, but the length of stay in the Department of Corrections is increasing.

Resource Model Overview

Ms. Saltmarsh reviewed the WSIPP cost-benefit analysis model and explained the reasons for using this model for SPAC Resource Statements:

- The model has been tested over a number of years.
- It has been used in other states and is nationally recognized.
- A preliminary test of a small sample of its fiscal data indicates that Illinois costs are in line with the costs used in the model.
- Use of the model will provide access to software and technical support at no cost.
- SPAC could build on this model for a full cost benefit analysis.

Upon a motion by John Millner and seconded by Mike Hood, use of the WSIPP model for the SPAC resource statement was unanimously approved by voice vote.

Other Business and Next Steps

The next meeting scheduled for November 4, 2011 has been rescheduled for Thursday December 1, 2011.

Adjournment

A motion was made by John Millner and seconded by Mike Hood. The eighth meeting of the Illinois Sentencing Policy Advisory Council adjourned at 1:15 p.m.