

**Illinois Sentencing Policy Advisory Council**  
**Regular Meeting Minutes**  
**December 12<sup>th</sup>, 2014 10:00AM – 1:30PM**

**Location: 300 W Adams, 2<sup>nd</sup> Floor**  
**Chicago, IL**

**Members Present** – Gino DiVito (Chairman), Gladyse Taylor, Steve Baker, Kathryn Bocanegra, Stewart Umholtz, Ruth Coffman, Mike Pelletier, Michael Glick, Jack Cutrone, Adam Monreal, Nicholas Kondelis, Bernie Murray (for Robert Berlin), Dave Yellen, Alan Spellberg, Kelly Gallivan-Illaraza (for Mike Tardy)

**Members Absent** – Kwame Raoul (Vice-Chair), Jason Barickman, Marcus Evans, Jr., Dennis Reboletti, Warren Wolfson

**Non-Members Present** – Mark Kleiman, Mystik Miller, Nate Inglis Steinfeld, Kathy Saltmarsh, Rick Veenstra, Brandon Watson, Daryl Jones, Gail Smith, Mike Carter, Mary Ann Dyar, Samantha Gaddy, Mark Powers, Mark Myrent, Lindsey LaPointe, Rebecca Skorek, Katelyn Tye, Christine Devitt Westley, Pete Baroni, Laura Brooks, Simeon Kim, Lisa Stephens, Sodiqa Williams, Matt Epperson, John Carroll, Gail Smith, Jean Maclean Snyder, Laurie Jo Reynolds

**Welcome and Introductions**

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

- Noted the resignation of Chief Clay and the need to appoint a replacement for local law enforcement.
- Noted the need for a victims advocate.
- An overview of the agenda and purpose of the meeting.

**Vote: Approval of the meeting minutes from the October 24<sup>th</sup>, 2014 SPAC meeting**

Adam Monreal moved to approve the minutes as amended, seconded by Steve Baker. The minutes from the October 24<sup>th</sup>, 2014 SPAC meeting, as amended, were approved by unanimous voice vote.

**Improving Community Corrections – Getting beyond pilot programs, learning from our mistakes, implementing evidence-based strategies with capacity to do them right**

SPAC members heard from Dr. Mark Kleiman, a professor of public policy at the UCLA School of Public Affairs on ideas for improving community corrections. He began by framing the issue in crime and incarceration trends. The rate of serious crime has dropped more than 50%, back to 1965 crime levels; to reach that level of incarceration, we would need to release 80% of prisoners. While the US has 5% of the world's population, we have 25% of the world's prison population, making us the world's largest jailer. We are currently at the highest rate of imprisonment in our history.

Dr. Kleiman noted that we need to find effective ways to deal with mass incarceration while ensuring public safety. He gave several examples of effective programs, such as Sobriety 24/7 in South Dakota, Hawaii's Opportunity Probation with Enforcement (HOPE) program, and the spread of HOPE's swift and certain sanction model to other states like Washington.

Dr. Kleiman asserted that we can monitor and change almost any behavior with the swift and certain imposition of the right set of consequences. He gave the example of a 14-year-old told to clean his room or there is a 10% chance of a six-month grounding two years from now. Every parent knows that this will not result in a clean room, he stated.

He noted that it is not yet determined the appropriate size of punishments, but that very small consequences can work well. Exactly how small is still unknown. He provided the example of the HOPE program and the evaluation of different lengths of jail stay sanctions. The research indicates that any short length of stay was effective, demonstrating that punishment done right is incredibly potent. Dr. Kleiman shared that in the HOPE program those sanctioned viewed the program as a good program and recognized their personal responsibility when sanctions were clearly explained and fairly and consistently applied. He stressed that the element of certainty demonstrated that individual probation officers did not have the discretion to cut a deal so every offender got the same sanctions, supporting the conclusion that sanctions were fairly imposed. Dr. Kleiman also noted that true substance abuse disorders could be sorted from use as those who continue to use in the face of adverse consequences are the true definition of disorder. Most individuals will stop use in the face of certain sanctions.

Dr. Kleiman shared his idea for a probation model. He suggested that the list of conditions should be easily committed to memory, consisting of only a few items, rather than the long lists of items that typically accompany probation. All conditions should be directly related to public safety and nothing that the system is not prepared to sanction for every incidence of non-compliance.

Dr. Kleiman shared a model informally called “Training Wheels for Freedom.” In this model, he proposed that an offender with half of his sentence remaining be offered a new “cell” in the form of an efficiency apartment in the community. A cell phone, drug testing schedule, work schedule, and a GPS monitoring device would be provided as well. The offender works for the state at minimum wage until a real job is found. The state provides coaching, teaches offenders to cook and provide for themselves, does not allow visitors, and otherwise controls the offender’s schedule. Every two weeks that all conditions are met, the offender moves slightly closer to freedom. The offender concentrates on finding a job and takes the first that is offered. Through this type of supervision, employers are getting workers that will not be drunk or stoned, will show up on time and will be monitored by the state. Once the offender is employed, part of his or her wages goes to pay the rent so the state’s costs are reduced over time for each offender. This proposed system provides support and aids in the transition back to the community, a time when offenders are at a high risk of death due to homicide, suicide, and overdose.

The audience and board were very interested in the logistics of the program. Gladys Taylor and Ruth Coffman expressed interest and reservations in such a program. Questions about the cost of such a program were a concern, although Dr. Kleiman asserted it would be much less in comparison to the cost of a prison cell. There were concerns about what neighborhood, whether to group the apartments or spread them throughout the city, and who may be eligible for such a program. Dr. Kleiman cautioned that this program has not been tried, but he has high hopes for the success based on proven principles of behavioral psychology and his research in swift and certain sanctions.

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

MaryAnn Dyar gave a brief update of Adult Redeploy Illinois including funding, planning grants, the addition of new sites, and site programs. Additional funding has been obtained which allowed the addition of four sites:

Grundy County, Kankakee County, Will County, and expanding from St. Clair County and the 20<sup>th</sup> Judicial Circuit to Monroe and Randolph counties. Will County is the second highest committer of non-violent offenders to the Illinois Department of Corrections. With this addition, ARI has nine of the top 10 counties for incarcerating non-violent offenders. A recent Chicago Sun-Times editorial and Brennan Center publication praised ARI and suggested expansion of the program.

Gladyse Taylor gave a brief update on implementing the Risk Assets Needs Assessment (RANA) tool. The director of CMS recently signed off on the positions descriptions needed for posting. Ms. Taylor relayed that the Department of Corrections is facing funding challenges that will begin April 1<sup>st</sup> of this year, which may or may not affect hiring. She discussed a recent conference hosted by Bureau of Justice Statistics where the discussion suggested that three levels of risk classification (low, medium, high) are not sufficient. A need for a common scale of risk assessment to be shared across states and counties would aid in clear communication.

Jack Cutrone from the Illinois Criminal Justice Information Authority (ICJIA) shared efforts on the data warehouse, which he suggested would more appropriately be termed an information sharing environment. He announced that ICJIA's Rebecca Skorek recently published an evaluation of the River Valley Detention Center, looking at the influence of court-ordered evaluations on justice-involved youth. Mike Carter of ICJIA gave a presentation on current projects to promote data transfer and collaboration among criminal justice partners. Mr. Carter's remarks included updates on incorporating a number of counties onto one system. One county did not opt in as they have their own program, but will join when their system becomes obsolete. He estimated it would be one to one-and-a-half years for the county data to be reaching Department of Corrections. He is optimistic that the data-sharing programs are progressing at a positive rate.

### **The High Cost of Recidivism Report & Update on Our Cost-Benefit Model**

Joshua Watters, of the Pew-MacArthur Results First Initiative and Nate Inglis Steinfeld, SPAC's research director, presented on SPAC's acquisition and customization of a cost-benefit analysis tool that was developed by Washington State Institute for Public Policy (WSIPP).

Josh started by sharing his experience in Maryland state government where decisions were made based on the number of people served and/or anecdotal stories. There were limited evaluations and data on which to base decisions. He described the Results First approach in four steps: 1) comparing current programs to evidence on effectiveness, 2) conducting cost-benefit analyses to compare returns on investment, 3) targeting funds to various evidence-based programs, and 4) the goal of achieving dramatic improvements in outcomes without increased spending. He noted that program evaluations are essential to this process and described the WSIPP's list of effective programs based on meta-analysis of national programs. These meta-analyses are used in the cost-benefit model to predict outcomes. The model can produce a report that lists individual programs with their costs, benefits, return on investment and the likelihood that the expected return will be realized – the “consumer reports” of programs.

Nate Inglis-Steinfeld, SPAC's Research Director, described SPAC's acquisition and customization of the WSIPP tool. He noted that cost-benefit analysis (CBA) had been described in a letter from Benjamin Franklin to a friend as advice on how to make difficult decisions. CBA has been used in the private sector for many years, and is now becoming a tool for government and the public sector. The challenges with using CBA in government include deciding what benefits and costs to include and how to monetize these impacts.

SPAC's first use of the CBA tool has been to calculate the cost of processing an individual through the criminal justice system. This includes not only system costs but also the costs borne by victims and society as a whole. These costs combined can be considered the high cost of recidivism, which is the cost to the system of the individuals who cycle through without correcting their criminal behaviors. SPAC estimated that reducing recidivism by one percentage point would save the state \$83.3 million by avoiding 911 convictions. Reducing the recidivism rate by five percentage points would save the state \$416.7 million by avoiding 4,557 convictions.

**Adjournment**

Upon proper motion and second, the nineteenth regular meeting of the Sentencing Policy Advisory Council was adjourned at 1:30 p.m.