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Filed: 5/29/2008

09500SB1013sam001

LRB095 05874 RLC 50973 a

1 AMENDMENT TO SENATE BILL 1013

2 AMENDMENT NO. _____. Amend Senate Bill 1013 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Probation and Probation Officers Act is
5 amended by changing Section 16.1 as follows:

6 (730 ILCS 110/16.1)

7 Sec. 16.1. Redeploy Illinois Program.

8 (a) The purpose of this Section is to encourage the
9 deinstitutionalization of juvenile offenders by establishing
10 ~~pilot~~ projects in counties or groups of counties that
11 reallocate State funds from juvenile correctional confinement
12 to local jurisdictions, which will establish a continuum of
13 local, community-based sanctions and treatment alternatives
14 for juvenile offenders who would be incarcerated if those local
15 services and sanctions did not exist. It is also intended to
16 offer alternatives, when appropriate, to avoid commitment to

1 the Department of Juvenile Justice, to direct child welfare
2 services for minors charged with a criminal offense or
3 adjudicated delinquent under Section 5 of the Children and
4 Family Services Act. The allotment of funds will be based on a
5 formula that rewards local jurisdictions for the establishment
6 or expansion of local alternatives to incarceration, and
7 requires them to pay for utilization of incarceration as a
8 sanction. In addition, there shall be an allocation of
9 resources (amount to be determined annually by the Redeploy
10 Illinois Oversight Board) set aside at the beginning of each
11 fiscal year to be made available for any county or groups of
12 counties which need resources only occasionally for services to
13 avoid commitment to the Department of Juvenile Justice for a
14 limited number of youth. This redeployment of funds shall be
15 made in a manner consistent with the Juvenile Court Act of 1987
16 and the following purposes and policies:

17 (1) The juvenile justice system should protect the
18 community, impose accountability to victims and
19 communities for violations of law, and equip juvenile
20 offenders with competencies to live responsibly and
21 productively.

22 (2) Juveniles should be treated in the least
23 restrictive manner possible while maintaining the safety
24 of the community.

25 (3) A continuum of services and sanctions from least
26 restrictive to most restrictive should be available in

1 every community.

2 (4) There should be local responsibility and authority
3 for planning, organizing, and coordinating service
4 resources in the community. People in the community can
5 best choose a range of services which reflect community
6 values and meet the needs of their own youth.

7 (5) Juveniles who pose a threat to the community or
8 themselves need special care, including secure settings.
9 Such services as detention, long-term incarceration, or
10 residential treatment are too costly to provide in each
11 community and should be coordinated and provided on a
12 regional or Statewide basis.

13 (6) The roles of State and local government in creating
14 and maintaining services to youth in the juvenile justice
15 system should be clearly defined. The role of the State is
16 to fund services, set standards of care, train service
17 providers, and monitor the integration and coordination of
18 services. The role of local government should be to oversee
19 the provision of services.

20 (b) Each county or circuit participating in the Redeploy
21 Illinois ~~pilot~~ program must create a local plan demonstrating
22 how it will reduce the county or circuit's utilization of
23 secure confinement of juvenile offenders in the Illinois
24 Department of Juvenile Justice or county detention centers by
25 the creation or expansion of individualized services or
26 programs that may include but are not limited to the following:

1 (1) Assessment and evaluation services to provide the
2 juvenile justice system with accurate individualized case
3 information on each juvenile offender including mental
4 health, substance abuse, educational, and family
5 information;

6 (2) Direct services to individual juvenile offenders
7 including educational, vocational, mental health,
8 substance abuse, supervision, and service coordination;
9 and

10 (3) Programs that seek to restore the offender to the
11 community, such as victim offender panels, teen courts,
12 competency building, enhanced accountability measures,
13 restitution, and community service. The local plan must be
14 directed in such a manner as to emphasize an individualized
15 approach to providing services to juvenile offenders in an
16 integrated community based system including probation as
17 the broker of services. The plan must also detail the
18 reduction in utilization of secure confinement. The local
19 plan shall be limited to services and shall not include
20 costs for:

21 (i) capital expenditures;

22 (ii) renovations or remodeling;

23 (iii) personnel costs for probation.

24 The local plan shall be submitted to the Department of
25 Human Services.

26 (c) A county or group of counties may develop an agreement

1 with the Department of Human Services to reduce their number of
2 commitments of juvenile offenders, excluding minors sentenced
3 based upon a finding of guilt of first degree murder or an
4 offense which is a Class X forcible felony as defined in the
5 Criminal Code of 1961, to the Department of Juvenile Justice,
6 and then use the savings to develop local programming for youth
7 who would otherwise have been committed to the Department of
8 Juvenile Justice. A county or group of counties shall agree to
9 limit their commitments to 75% of the level of commitments from
10 the average number of juvenile commitments for the past 3
11 years, and will receive the savings to redeploy for local
12 programming for juveniles who would otherwise be held in
13 confinement. For any county or group of counties with a
14 decrease of juvenile commitments of at least 25%, based on the
15 average reductions of the prior 3 years, which are chosen to
16 participate or continue as ~~pilot~~ sites, the Redeploy Illinois
17 Oversight Board has the authority to reduce the required
18 percentage of future commitments to achieve the purpose of this
19 Section. The agreement shall set forth the following:

20 (1) a Statement of the number and type of juvenile
21 offenders from the county who were held in secure
22 confinement by the Illinois Department of Juvenile Justice
23 or in county detention the previous year, and an
24 explanation of which, and how many, of these offenders
25 might be served through the proposed Redeploy Illinois
26 Program for which the funds shall be used;

1 (2) a Statement of the service needs of currently
2 confined juveniles;

3 (3) a Statement of the type of services and programs to
4 provide for the individual needs of the juvenile offenders,
5 and the research or evidence base that qualifies those
6 services and programs as proven or promising practices;

7 (4) a budget indicating the costs of each service or
8 program to be funded under the plan;

9 (5) a summary of contracts and service agreements
10 indicating the treatment goals and number of juvenile
11 offenders to be served by each service provider; and

12 (6) a Statement indicating that the Redeploy Illinois
13 Program will not duplicate existing services and programs.
14 Funds for this plan shall not supplant existing county
15 funded programs.

16 (d) (Blank).

17 (d-5) A county or group of counties that does not have an
18 approved Redeploy Illinois program, as described in subsection
19 (b), and that has committed fewer than 10 Redeploy eligible
20 youth to the Department of Juvenile Justice on average over the
21 previous 3 years, may develop an individualized agreement with
22 the Department of Human Services through the Redeploy Illinois
23 program to provide services to youth to avoid commitment to the
24 Department of Juvenile Justice. The agreement shall set forth
25 the following:

26 (1) a statement of the number and type of juvenile

1 offenders from the county who were at risk under any of the
2 categories listed above during the 3 previous years, and an
3 explanation of which of these offenders would be served
4 through the proposed Redeploy Illinois program for which
5 the funds shall be used, or through individualized
6 contracts with existing Redeploy programs in neighboring
7 counties;

8 (2) a statement of the service needs;

9 (3) a statement of the type of services and programs to
10 provide for the individual needs of the juvenile offenders,
11 and the research or evidence that qualifies those services
12 and programs as proven or promising practices;

13 (4) a budget indicating the costs of each service or
14 program to be funded under the plan;

15 (5) a summary of contracts and service agreements
16 indicating the treatment goals and number of juvenile
17 offenders to be served by each service provider; and

18 (6) a statement indicating that the Redeploy Illinois
19 program will not duplicate existing services and programs.
20 Funds for this plan shall not supplant existing county
21 funded programs.

22 (e) The Department of Human Services shall be responsible
23 for the following:

24 (1) Reviewing each Redeploy Illinois Program plan for
25 compliance with standards established for such plans. A
26 plan may be approved as submitted, approved with

1 modifications, or rejected. No plan shall be considered for
2 approval if the circuit or county is not in full compliance
3 with all regulations, standards and guidelines pertaining
4 to the delivery of basic probation services as established
5 by the Supreme Court.

6 (2) Monitoring on a continual basis and evaluating
7 annually both the program and its fiscal activities in all
8 counties receiving an allocation under the Redeploy
9 Illinois Program. Any program or service that has not met
10 the goals and objectives of its contract or service
11 agreement shall be subject to denial for funding in
12 subsequent years. The Department of Human Services shall
13 evaluate the effectiveness of the Redeploy Illinois
14 Program in each circuit or county. In determining the
15 future funding for the Redeploy Illinois Program under this
16 Act, the evaluation shall include, as a primary indicator
17 of success, a decreased number of confinement days for the
18 county's juvenile offenders.

19 (f) Any Redeploy Illinois Program allocations not applied
20 for and approved by the Department of Human Services shall be
21 available for redistribution to approved plans for the
22 remainder of that fiscal year. Any county that invests local
23 moneys in the Redeploy Illinois Program shall be given first
24 consideration for any redistribution of allocations.
25 Jurisdictions participating in Redeploy Illinois that exceed
26 their agreed upon level of commitments to the Department of

1 Juvenile Justice shall reimburse the Department of Corrections
2 for each commitment above the agreed upon level.

3 (g) Implementation of Redeploy Illinois.

4 (1) Oversight of Redeploy Illinois Planning Phase.

5 (i) Redeploy Illinois Oversight Board. The
6 Department of Human Services shall convene an
7 oversight board to oversee the ~~develop plans for a~~
8 ~~pilot~~ Redeploy Illinois Program. The Board shall
9 include, but not be limited to, designees from the
10 Department of Juvenile Justice, the Administrative
11 Office of Illinois Courts, the Illinois Juvenile
12 Justice Commission, the Illinois Criminal Justice
13 Information Authority, the Department of Children and
14 Family Services, the State Board of Education, the Cook
15 County State's Attorney, and a State's Attorney
16 selected by the President of the Illinois State's
17 Attorney's Association, the Cook County Public
18 Defender, a representative of the defense bar
19 appointed by the Chief Justice of the Illinois Supreme
20 Court, a representative of probation appointed by the
21 Chief Justice of the Illinois Supreme Court, and
22 judicial representation appointed by the Chief Justice
23 of the Illinois Supreme Court. Up to an additional 9
24 members may be appointed by the Secretary of Human
25 Services from recommendations by the Oversight Board;
26 these appointees shall possess a knowledge of juvenile

1 justice issues and reflect the collaborative
2 public/private relationship of Redeploy programs.

3 (ii) Responsibilities of the Redeploy Illinois
4 Oversight Board. The Oversight Board shall:

5 (A) Identify jurisdictions to be included in
6 the invited in the initial pilot program of
7 Redeploy Illinois.

8 (B) Develop a formula for reimbursement of
9 local jurisdictions for local and community-based
10 services utilized in lieu of commitment to the
11 Department of Juvenile Justice, as well as for any
12 charges for local jurisdictions for commitments
13 above the agreed upon limit in the approved plan.

14 (C) Identify resources sufficient to support
15 the administration and evaluation of Redeploy
16 Illinois.

17 (D) Develop a process and identify resources
18 to support on-going monitoring and evaluation of
19 Redeploy Illinois.

20 (E) Develop a process and identify resources
21 to support training on Redeploy Illinois.

22 (E-5) Review proposed individualized
23 agreements and approve where appropriate the
24 distribution of resources.

25 (F) Report to the Governor and the General
26 Assembly on an annual basis on the progress of

1 Redeploy Illinois.

2 (iii) Length of Planning Phase. The planning phase
3 may last up to, but may in no event last longer than,
4 July 1, 2004.

5 (2) (Blank). ~~Pilot Phase. In the second phase of the~~
6 ~~Redeploy Illinois program, the Department of Human~~
7 ~~Services shall implement several pilot programs of~~
8 ~~Redeploy Illinois in counties or groups of counties as~~
9 ~~identified by the Oversight Board. Annual review of the~~
10 ~~Redeploy Illinois program by the Oversight Board shall~~
11 ~~include recommendations for future sites for Redeploy~~
12 ~~Illinois.~~

13 (3) There shall be created the Redeploy County Review
14 Committee composed of the designees of the Secretary of
15 Human Services and the Directors of Juvenile Justice, of
16 Children and Family Services, and of the Governor's Office
17 of Management and Budget who shall constitute a
18 subcommittee of the Redeploy Illinois Oversight Board.

19 (h) Responsibilities of the County Review Committee. The
20 County Review Committee shall:

21 (1) Review individualized agreements from counties
22 requesting resources on an occasional basis for services
23 for youth described in subsection (d-5).

24 (2) Report its decisions to the Redeploy Illinois
25 Oversight Board at regularly scheduled meetings.

26 (3) Monitor the effectiveness of the resources in

1 meeting the mandates of the Redeploy Illinois program set
2 forth in this Section so these results might be included in
3 the Report described in clause (g) (1) (ii) (F).

4 (4) During the third quarter, assess the amount of
5 remaining funds available and necessary to complete the
6 fiscal year so that any unused funds may be distributed as
7 defined in subsection (f).

8 (5) Ensure that the number of youth from any applicant
9 county receiving individualized resources will not exceed
10 the previous three-year average of Redeploy eligible
11 recipients and that counties are in conformity with all
12 other elements of this law.

13 (i) Implementation of this Section is subject to
14 appropriation.

15 (Source: P.A. 93-641, eff. 12-31-03; 94-696, eff. 6-1-06;
16 94-1032, eff. 1-1-07.)".