

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

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 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. The allotment of funds
16 will be based on a formula that rewards local jurisdictions for
17 the establishment or expansion of local alternatives to
18 incarceration, and requires them to pay for utilization of
19 incarceration as a sanction. This redeployment of funds shall
20 be made in a manner consistent with the Juvenile Court Act of
21 1987 and the following purposes and policies:

22 (1) The juvenile justice system should protect the
23 community, impose accountability to victims and
24 communities for violations of law, and equip juvenile
25 offenders with competencies to live responsibly and
26 productively.

27 (2) Juveniles should be treated in the least
28 restrictive manner possible while maintaining the safety
29 of the community.

30 (3) A continuum of services and sanctions from least
31 restrictive to most restrictive should be available in
32 every community.

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

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

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

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

26 (1) Assessment and evaluation services to provide the
27 juvenile justice system with accurate individualized case
28 information on each juvenile offender including mental
29 health, substance abuse, educational, and family
30 information;

31 (2) Direct services to individual juvenile offenders
32 including educational, vocational, mental health,
33 substance abuse, supervision, and service coordination;
34 and

35 (3) Programs that seek to restore the offender to the
36 community, such as victim offender panels, teen courts,

1 competency building, enhanced accountability measures,
2 restitution, and community service. The local plan must be
3 directed in such a manner as to emphasize an individualized
4 approach to providing services to juvenile offenders in an
5 integrated community based system including probation as
6 the broker of services. The plan must also detail the
7 reduction in utilization of secure confinement. The local
8 plan shall be limited to services and shall not include
9 costs for:

10 (i) capital expenditures;

11 (ii) renovations or remodeling;

12 (iii) personnel costs for probation.

13 The local plan shall be submitted to the Department of
14 Human Services.

15 (c) A county or group of counties may develop an agreement
16 with the Department of Human Services to reduce their number of
17 commitments of juvenile offenders, excluding minors sentenced
18 based upon a finding of guilt of first degree murder or an
19 offense which is a Class X forcible felony as defined in the
20 Criminal Code of 1961, to the Department of Juvenile Justice,
21 and then use the savings to develop local programming for youth
22 who would otherwise have been committed to the Department of
23 Juvenile Justice. A ~~The~~ county or group of counties shall agree
24 to limit their commitments to 75% of the level of commitments
25 from the average number of juvenile commitments for the past 3
26 years, and will receive the savings to redeploy for local
27 programming for juveniles who would otherwise be held in
28 confinement. For any county or group of counties with a
29 decrease of juvenile commitments of at least 25%, based on the
30 average reductions of the prior 3 years, which are chosen to
31 participate or continue as pilot sites, the Redeploy Illinois
32 Oversight Board has the authority to reduce the required
33 percentage of future commitments to achieve the purpose of this
34 Section. The agreement shall set forth the following:

35 (1) a Statement of the number and type of juvenile
36 offenders from the county who were held in secure

1 confinement by the Illinois Department of Juvenile Justice
2 or in county detention the previous year, and an
3 explanation of which, and how many, of these offenders
4 might be served through the proposed Redeploy Illinois
5 Program for which the funds shall be used;

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

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

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

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

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

21 (d) (Blank).

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
27 modifications, or rejected. No plan shall be considered for
28 approval if the circuit or county is not in full compliance
29 with all regulations, standards and guidelines pertaining
30 to the delivery of basic probation services as established
31 by the Supreme Court.

32 (2) Monitoring on a continual basis and evaluating
33 annually both the program and its fiscal activities in all
34 counties receiving an allocation under the Redeploy
35 Illinois Program. Any program or service that has not met
36 the goals and objectives of its contract or service

1 agreement shall be subject to denial for funding in
2 subsequent years. The Department of Human Services shall
3 evaluate the effectiveness of the Redeploy Illinois
4 Program in each circuit or county. In determining the
5 future funding for the Redeploy Illinois Program under this
6 Act, the evaluation shall include, as a primary indicator
7 of success, a decreased number of confinement days for the
8 county's juvenile offenders.

9 (f) Any Redeploy Illinois Program allocations not applied
10 for and approved by the Department of Human Services shall be
11 available for redistribution to approved plans for the
12 remainder of that fiscal year. Any county that invests local
13 moneys in the Redeploy Illinois Program shall be given first
14 consideration for any redistribution of allocations.
15 Jurisdictions participating in Redeploy Illinois that exceed
16 their agreed upon level of commitments to the Department of
17 Juvenile Justice shall reimburse the Department of Corrections
18 for each commitment above the agreed upon level.

19 (g) Implementation of Redeploy Illinois.

20 (1) Planning Phase.

21 (i) Redeploy Illinois Oversight Board. The
22 Department of Human Services shall convene an
23 oversight board to develop plans for a pilot Redeploy
24 Illinois Program. The Board shall include, but not be
25 limited to, designees from the Department of Juvenile
26 Justice, the Administrative Office of Illinois Courts,
27 the Illinois Juvenile Justice Commission, the Illinois
28 Criminal Justice Information Authority, the Department
29 of Children and Family Services, the State Board of
30 Education, the Cook County State's Attorney, and a
31 State's Attorney selected by the President of the
32 Illinois State's Attorney's Association.

33 (ii) Responsibilities of the Redeploy Illinois
34 Oversight Board. The Oversight Board shall:

35 (A) Identify jurisdictions to be invited in
36 the initial pilot program of Redeploy Illinois.

1 (B) Develop a formula for reimbursement of
2 local jurisdictions for local and community-based
3 services utilized in lieu of commitment to the
4 Department of Juvenile Justice, as well as for any
5 charges for local jurisdictions for commitments
6 above the agreed upon limit in the approved plan.

7 (C) Identify resources sufficient to support
8 the administration and evaluation of Redeploy
9 Illinois.

10 (D) Develop a process and identify resources
11 to support on-going monitoring and evaluation of
12 Redeploy Illinois.

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

15 (F) Report to the Governor and the General
16 Assembly on an annual basis on the progress of
17 Redeploy Illinois.

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

21 (2) Pilot Phase. In the second phase of the Redeploy
22 Illinois program, the Department of Human Services shall
23 implement several pilot programs of Redeploy Illinois in
24 counties or groups of counties as identified by the
25 Oversight Board. Annual review of the Redeploy Illinois
26 program by the Oversight Board shall include
27 recommendations for future sites for Redeploy Illinois.

28 (Source: P.A. 93-641, eff. 12-31-03; 94-696, eff. 6-1-06.)