

SB2243



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB2243

Introduced 2/14/2008, by Sen. John J. Cullerton

SYNOPSIS AS INTRODUCED:

730 ILCS 110/16.1

Amends the Probation and Probation Officers Act. Makes a technical change in a Section concerning the Redeploy Illinois Program.

LRB095 17560 RLC 43634 b

A BILL FOR

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 ~~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

1 communities for violations of law, and equip juvenile
2 offenders with competencies to live responsibly and
3 productively.

4 (2) Juveniles should be treated in the least
5 restrictive manner possible while maintaining the safety
6 of the community.

7 (3) A continuum of services and sanctions from least
8 restrictive to most restrictive should be available in
9 every community.

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

15 (5) Juveniles who pose a threat to the community or
16 themselves need special care, including secure settings.
17 Such services as detention, long-term incarceration, or
18 residential treatment are too costly to provide in each
19 community and should be coordinated and provided on a
20 regional or Statewide basis.

21 (6) The roles of State and local government in creating
22 and maintaining services to youth in the juvenile justice
23 system should be clearly defined. The role of the State is
24 to fund services, set standards of care, train service
25 providers, and monitor the integration and coordination of
26 services. The role of local government should be to oversee

1 the provision of services.

2 (b) Each county or circuit participating in the pilot
3 program must create a local plan demonstrating how it will
4 reduce the county or circuit's utilization of secure
5 confinement of juvenile offenders in the Illinois Department of
6 Juvenile Justice or county detention centers by the creation or
7 expansion of individualized services or programs that may
8 include but are not limited to the following:

9 (1) Assessment and evaluation services to provide the
10 juvenile justice system with accurate individualized case
11 information on each juvenile offender including mental
12 health, substance abuse, educational, and family
13 information;

14 (2) Direct services to individual juvenile offenders
15 including educational, vocational, mental health,
16 substance abuse, supervision, and service coordination;
17 and

18 (3) Programs that seek to restore the offender to the
19 community, such as victim offender panels, teen courts,
20 competency building, enhanced accountability measures,
21 restitution, and community service. The local plan must be
22 directed in such a manner as to emphasize an individualized
23 approach to providing services to juvenile offenders in an
24 integrated community based system including probation as
25 the broker of services. The plan must also detail the
26 reduction in utilization of secure confinement. The local

1 plan shall be limited to services and shall not include
2 costs for:

- 3 (i) capital expenditures;
4 (ii) renovations or remodeling;
5 (iii) personnel costs for probation.

6 The local plan shall be submitted to the Department of
7 Human Services.

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

1 Section. The agreement shall set forth the following:

2 (1) a Statement of the number and type of juvenile
3 offenders from the county who were held in secure
4 confinement by the Illinois Department of Juvenile Justice
5 or in county detention the previous year, and an
6 explanation of which, and how many, of these offenders
7 might be served through the proposed Redeploy Illinois
8 Program for which the funds shall be used;

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

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

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

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

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

24 (d) (Blank).

25 (e) The Department of Human Services shall be responsible
26 for the following:

1 (1) Reviewing each Redeploy Illinois Program plan for
2 compliance with standards established for such plans. A
3 plan may be approved as submitted, approved with
4 modifications, or rejected. No plan shall be considered for
5 approval if the circuit or county is not in full compliance
6 with all regulations, standards and guidelines pertaining
7 to the delivery of basic probation services as established
8 by the Supreme Court.

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

22 (f) Any Redeploy Illinois Program allocations not applied
23 for and approved by the Department of Human Services shall be
24 available for redistribution to approved plans for the
25 remainder of that fiscal year. Any county that invests local
26 moneys in the Redeploy Illinois Program shall be given first

1 consideration for any redistribution of allocations.
2 Jurisdictions participating in Redeploy Illinois that exceed
3 their agreed upon level of commitments to the Department of
4 Juvenile Justice shall reimburse the Department of Corrections
5 for each commitment above the agreed upon level.

6 (g) Implementation of Redeploy Illinois.

7 (1) Planning Phase.

8 (i) Redeploy Illinois Oversight Board. The
9 Department of Human Services shall convene an
10 oversight board to develop plans for a pilot Redeploy
11 Illinois Program. The Board shall include, but not be
12 limited to, designees from the Department of Juvenile
13 Justice, the Administrative Office of Illinois Courts,
14 the Illinois Juvenile Justice Commission, the Illinois
15 Criminal Justice Information Authority, the Department
16 of Children and Family Services, the State Board of
17 Education, the Cook County State's Attorney, and a
18 State's Attorney selected by the President of the
19 Illinois State's Attorney's Association.

20 (ii) Responsibilities of the Redeploy Illinois
21 Oversight Board. The Oversight Board shall:

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

24 (B) Develop a formula for reimbursement of
25 local jurisdictions for local and community-based
26 services utilized in lieu of commitment to the

1 Department of Juvenile Justice, as well as for any
2 charges for local jurisdictions for commitments
3 above the agreed upon limit in the approved plan.

4 (C) Identify resources sufficient to support
5 the administration and evaluation of Redeploy
6 Illinois.

7 (D) Develop a process and identify resources
8 to support on-going monitoring and evaluation of
9 Redeploy Illinois.

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

12 (F) Report to the Governor and the General
13 Assembly on an annual basis on the progress of
14 Redeploy Illinois.

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

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

25 (Source: P.A. 93-641, eff. 12-31-03; 94-696, eff. 6-1-06;
26 94-1032, eff. 1-1-07.)