



Testimony to the Illinois State Commission on Criminal Justice and Sentencing Reform

July 27, 2015

Chairman Heaton and members of the Commission,

Thank you for the opportunity to present testimony concerning the Commission's interim report of July 1, 2015. The Illinois Justice Project engages in criminal justice reform efforts that promote policies to make our communities safer and reduce recidivism among youth and adults.

We were encouraged by Governor Rauner's creation of this Commission and the establishment of the goal to reduce the state's prison population by 25 percent over the next 10 years. The optimism has been enforced by your work to-date and the issues addressed in the interim report. Meeting that goal, of course, will require maintaining the cooperative spirit of the Commission's early work and the willingness of state and local leaders to consider new ideas and embrace existing programs and approaches proven to reduce crime and recidivism.

In the interest of time, we will briefly mention several priorities that we believe should be adopted by the Commission. We are available to elaborate and provide more information to you and your staff as you begin to develop recommendations for policy changes.

Several of our partners in juvenile and adult justice reform are presenting testimony today, and we join them in urging you to review all sentencing statutes with an eye toward increasing diversion, reducing sentence lengths and providing effective rehabilitation for men and women after release from prison through the creation of jobs, stable housing, and educational opportunities. Those who have committed violent crimes should serve long sentences for their crimes, but Illinois law must make certain that those crimes which actually are "violent" are correctly classified and truly merit the longest sentences.

Community Safety and Justice

Today, we stress the importance of what has become known as "community corrections," which your interim report describes as including "services provided by community-based organizations as well as those provided by traditional criminal justice agencies, such as that available through deferred prosecution programs, probation, and parole."

This can only succeed if Illinois creates strong community capacity at the local level, building on the success of the Redeploy Illinois model—which has demonstrated the critical impact local communities can have on crime and rehabilitation when they have resources and assume responsibility for offender diversion.

Creating an effective community-based model may require functional and geographic realignment. Perhaps probation, parole, and specialized local diversion services should be consolidated and defined as the integrated community model. Probation and parole are now overseen by two separate branches of government, a cumbersome model if diversion and reduced recidivism are the responsibility of local government entities— given the authority to oversee the community work-- which would be answering to both branches for measurable outcomes. A streamlined model would provide the same type of services for those we are trying to divert away from prison as for those we are trying to keep from returning to prison because frequently the same providers are actually working with the same individuals before and after incarceration. Some jurisdictions have expanded this concept of truly integrated local responsibility for community justice. In Milwaukee, prosecutors are based in local communities, and in the New York Red Hook model, some court calls occur in the community.

Addressing the underlying causes of crime and violence in communities both early – before the problems grow into serious criminal activity and endanger others – and later -- for those returning from prison to keep them from recidivating – must be a key element of the state’s plan to reduce the prison population by 25 percent. Many of our communities do not currently have the capacity to deliver these services. If this is not addressed concurrently with the state’s efforts to reduce the prison population, the reduction will not be permanent and communities will not be safer. To achieve this, increased and sustainable state funding to local communities is essential to building that capacity. Money saved by reducing the number of men and women in prison must be devoted to community corrections,

What the Commission’s interim report describes as “community corrections” — a practice that we wholeheartedly support but—because it is not strictly “corrections” in the current sense of the term--- and may therefore need to be relabeled as “community justice” “community safety and justice” or “justice reinvestment” — is about equipping Illinois communities with the resources needed to provide residents with the supportive programs and services that are necessary to stop criminal behavior and make their neighborhoods safer.

Having good data about the outcomes of these programs is critical to their effectiveness. As is the case with Redeploy, communities and service providers must be required to report how successful they are in actually changing individuals’ lives, providing help to keep them safe and making them productive members of the communities.

We also highlight the following priorities for your consideration:

- Redeploy Illinois – for adults and for juveniles – is a successful community corrections program and should be in every community, a model of the “justice reinvestment” concept outlined above. The diversions and cost savings to the state have been significant for both programs, but even maintaining FY 2015 spending levels is uncertain. Any decrease in funding would be tragic and send Illinois in the wrong direction – back toward higher incarceration rates and costs to the state as local governments lose the incentive to rehabilitate offenders in their home communities where there is better opportunity for successful behavior change.
- The state has purchased and now needs to begin using RANA (Risk, Assets, and Needs Assessment), a uniform statewide validated risk and asset assessment tool to make better decisions about who belongs in prison and who belongs in the community – and also provide the appropriate treatment based on the outcomes of that tool. Classification and sound assessments – particularly of someone’s assets, those things that will make him a productive member of the community, like education, strong family support or vocational skills -- are critical components to determining which offenders are appropriate for treatment alternatives and for planning their reentry to society.
- The Illinois Department of Corrections should make better use of corrections’ funding so that programming within facilities is adequately supported and provides opportunity for inmates to take advantage of effective rehabilitative services aimed at producing positive outcomes. For example, the Sheridan Correctional Center, which was once a national model for successful substance abuse treatment in prison, seems to have lost its programmatic focus. This rehabilitative model should be sustained and we must ensure that adequate substance abuse treatment is available in communities once a person is released in order to prevent relapse and recidivism.
- Violent and dangerous sex offenders should be sent to prison and be placed on the sex offender registries. However, research shows treatment works for many sex offenders, and we should make certain they receive treatment. Only those most likely to reoffend should be on the state’s sex offender registry, which now treats all sex offenders the same. For those who can be successfully rehabilitated through treatment, especially juveniles, placement on the registry makes it hard to find jobs and housing due to the severe collateral consequences and stigma of being labeled a sex offender.

We believe that by shifting priority to these key areas, Illinois will be well on its way to achieving a 25 percent reduction in the prison population over the next 10 years.

Thank you for the opportunity to submit testimony. And thank you for all the work you have done and will do to ensure our safety while making Illinois the national model of a right-sized and effective corrections system.