

# **RECOMMENDATIONS**

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## **CHAMPAIGN COUNTY COMMUNITY JUSTICE TASK FORCE**

**JUNE 21, 2013**

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With thanks to the initial Task Force with additional members Mark Driscoll, Sheila Ferguson and Benita Rollins-Gay, whose *Progress Report* laid a foundation for the recommendations presented in this report.

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## **EXECUTIVE SUMMARY**

The Community Justice Task Force (CJTF) met over the course of a year to fulfill its charges to: 1) research strategies to prevent incarceration, reduce recidivism and promote rehabilitation of prisoners of the Champaign County Jail; 2) identify existing and potential programs and strategies for reducing the risk of Champaign County youths becoming juvenile or adult offenders; and 3) work with the County's jail needs assessment consultant – Institute for Law and Policy Planning (ILPP) – in development of a final report.

Building on the core principles outlined by the previous Task Force, the group developed its vision for a humane and restorative justice system in Champaign County; and to realize these goals, the Community Justice Task Force proposes the following actions:

1. Integrate restorative justice principles throughout the justice system
2. Expand pre-trial services into a comprehensive pre-trial services program
3. Develop a coordinated system of care for behavioral health services (mental health/substance use)
4. Expand community diversion and sentencing sanctions
5. Establish a re-entry program for those returning from Illinois Department of Corrections
6. Identify adequate funding for recommended strategies, including an increase in the percentage of the public safety sales tax funds for preventive measures from 5% to 30%
7. Create a council to systematically plan, coordinate and evaluate services and sentencing options
8. Form a Racial Justice Task Force to address issues of disproportional incarceration
9. Collect data and measure outcomes to inform decision-making
10. Engage the public and criminal justice officials in system change

Each recommendation is briefly described in the following Summary Report, with a fuller explanation and research to assist with implementation given in the Full Report that follows. In addition, the CJTF notes that additional work is needed to assess improvements that can be made in the juvenile justice system.

# SUMMARY REPORT

## INTRODUCTION

### Background

In May, 2011 the National Institute of Corrections (NIC) conducted a study of the conditions in Champaign County's downtown jail. The NIC consultants pronounced the conditions "deplorable", recommending closure of the downtown jail and the expansion of the satellite jail. Their report precipitated a decision-making process likely unprecedented in county history. While initial proposals before the County Board put forward a plan for building new jail cells at the satellite, negative reaction from some board members and the public at large prompted a deep and thorough reflection. After months of debate, the board members concluded they needed to seriously study their options before deciding on any major expenditure on criminal justice construction.

In response, the Board put out a Request for Proposals (RFP) for a consultant to conduct a needs assessment for the county, which would explore not only facilities but the criminal justice system more broadly. This led to the Board contracting with the Institute for Law and Policy Planning (ILPP) for that purpose. In addition, the Board decided to appoint a citizens' group to conduct its own study. Thus, in March 2012, the Community Justice Task Force received its first appointment. After completing a draft report in November of 2012, the Task Force, with some new members, was re-appointed in January 2013, until June of the same year.

### The Work of the Task Force

The Task Force has spent over a year conducting research and hearing presentations from county officials and community members, as well as engaging with the ILPP and the public. This report is the final product of that work, consolidating the insights and experience drawn from the wide array of expertise from within the group and beyond. The Task Force attempted to chart some new directions for the county's criminal justice system. While some may describe the present time as a "crisis" in the county, the Task Force views it as a time of opportunity, a chance to join the County Board, officials and the public in reflecting on criminal justice and how the county should move forward.

This report consists of two major components: a summary report and a full report. The summary report outlines the essence of the

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### THE TASK FORCE CHARGE:

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**1) RESEARCH STRATEGIES TO PREVENT INCARCERATION, REDUCE RECIDIVISM AND PROMOTE REHABILITATION OF PRISONERS OF THE CHAMPAIGN COUNTY JAIL;**

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**2) IDENTIFY EXISTING AND POTENTIAL STRATEGIES FOR REDUCING THE RISK OF YOUTHS BECOMING JUVENILE OR ADULT OFFENDERS; AND**

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**3) WORK WITH THE COUNTY'S CONSULTANT (INSTITUTE FOR LAW AND POLICY PLANNING) ON A FINAL REPORT.**

ten recommendations being forwarded to the County Board for consideration. The full report has more detailed background and explanation on each of the recommendations as well as some additional documentation.

### **The Task Force Recommendations**

The recommendations of the Task Force broadly fall into three categories: (1) a change in philosophy of intervention; (2) an expanded array of sentencing options and services; and (3) systems administration. Essentially the Task Force recommends the Board consider the following:

- Moving toward a more restorative approach to justice practice, in particular through building on some of the successes such approaches have already achieved in the juvenile justice system in this county and other areas of the country;
- Supporting the initiation and/or development of services and sentencing options in key areas of criminal justice including: pre-trial services, community-based sanctions, behavioral health (mental health and substance abuse) interventions and re-entry; and
- Adopting a more systematic approach to planning and operations of criminal justice, including forming an overall coordinating body (which we have called a Criminal Justice Coordinating Council), improving data collection, evaluation and public engagement and establishing a Racial Justice Task Force.

Obviously, successfully carrying out such a broad program of change requires resources. Hence, the Task Force also recommends that the County Board prioritize:

- Identifying and acquiring adequate funds, including an increased allocation for preventive measures from the public safety sales tax – from the existing 5% to 30% (and later a higher percentage). In the medium and long term, the Task Force is confident that an investment in the recommended measures will result in significant cost reduction, both in terms of demands for jail bed space and resources for law enforcement.

While the Task Force covered quite a broad range of topics in its recommendations, there are at least three important areas, which it has not been able to address here fully. First, while the Task Force heard extensively debated issues of racial disparity in the criminal justice system and heard considerable public testimony on this issue, the Task Force has not covered the topic exhaustively. More study is required. Secondly, the Task Force also urges the County Board to consider gender implications regarding decisions made, since there is currently a disparity between facility conditions for women and for men in the county jail. Thirdly, the Task Force has not looked deeply at juvenile justice due to limited resources and short timeframe. Nonetheless, the Task Force believes that the County needs to explore this area further and find more ways to coordinate juvenile and adult justice more effectively.

The Task Force hopes that this report will precipitate further public participation in the decision-making process around the future of criminal justice in this county. The Task Force looks forward to a continuing dialog with the Board and the public on this report and its recommendations.

## **TASK FORCE RECOMMENDATIONS**

### **RECOMMENDATION #1**

#### **INTEGRATE RESTORATIVE JUSTICE PRINCIPLES THROUGHOUT THE JUSTICE SYSTEM**

The integration of restorative justice into a criminal justice system enables individuals who have committed a crime to truly understand the harm their crimes have caused and to redress that harm. Examples of goals of restorative justice include:

- Accountability of individuals for the harm their crimes have caused;
- Healing of those injured by crimes – victims, the family members of victims and those who broke the law, the community and the individuals themselves who committed a crime;
- Community involvement in the effort to negate the adverse past, present and future effects of a crime and avert future crimes.

Largely due to the leadership of the State’s Attorney’s Office, restorative justice practices such as the Regional Planning Commission’s victim-offender mediation program have become routine in the juvenile justice system in Champaign County, but are not yet integrated at the adult level. There are multiple mechanisms through which the adult criminal justice system could implement restorative justice, including:

1. **Victim-Offender Mediation:** A victim-offender mediation program offers a victim of a crime the opportunity to meet, in the presence of a trained mediator, with the individual charged with or convicted of that crime. Through one or more mediation sessions, the person who committed the crime can gain an understanding of the actual harm caused by it and both parties can gain some measure of closure as they develop through dialogue an agreement under which the person who engaged in criminal conduct will take prescribed steps to remediate the harmful effects of the crime.

2. **Family Group Conferencing and Other Mediation Modalities:** Other mediation modalities pull additional people, such as family members of the victim and the person who committed the crime, into the restorative and problem-solving dialogues.

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#### **BENEFITS OF RESTORATIVE JUSTICE PRINCIPLES:**

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- REDUCTION IN REPEAT OFFENDING
  - DIVERSIONS FROM CONVENTIONAL AND MORE EXPENSIVE JUSTICE SENTENCES
  - REDUCTION IN POST-TRAUMATIC STRESS SYNDROME IN VICTIMS
  - DECREASE IN VICTIMS’ DESIRE FOR REVENGE
  - GREATER FEELING THAT JUSTICE WAS SERVED THAN IN TRADITIONAL CRIMINAL JUSTICE OUTCOMES
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**3. Victim-Offender Panels:** A victim-offender panel is a restorative justice method using surrogate victims that can be utilized when a victim or the person who committed the crime is unable or unwilling to meet with the other individual.

**4. Restorative Sentences:** Restorative sentences expand the sentencing options available to judges in Champaign County so that sentences are more proportional to the severity of a crime and will be more cost-effective. One example would be to sentence a person to work in growing, preserving or distributing healthy, locally grown fruits and vegetables to poor people living in areas of the county affected adversely by high crime rates.

After examining existing staffing resources and the benefits of restorative justice, the County Board may allocate funds to hire a full-time restorative justice planner. The savings that researchers have reported through restorative justice processes should more than cover the costs of this staff person.

Economies could be achieved through the use of trained volunteers to staff many of the services delivered through restorative justice programs. For example, volunteers typically serve as mediators. In addition, a number of individuals strategically placed in the criminal justice system could be enlisted to play a leadership role in restorative justice initiatives without additional staffing costs. These might include the Community Service Coordinator in the Court Services and Probation Department and the Victim Advocacy Program Director based in the State's Attorney's Office. Use of experienced faculty at the University of Illinois as trainers could be another useful way to defray costs.

## **RECOMMENDATION #2**

### **EXPAND PRE-TRIAL SERVICES INTO A COMPREHENSIVE PRE-TRIAL SERVICES PROGRAM TO AVOID UNNECESSARILY INCARCERATING PEOPLE NOT CONVICTED OF A CRIME**

Most people incarcerated in the Champaign County Jail have not been convicted of the crime they have been accused of committing but are awaiting the further processing of their criminal case. In September 2012, for example, pretrial detainees comprised approximately 80% of the jail's population. Until found guilty of a crime, these individuals are presumed innocent.

A validated risk-assessment instrument is not currently employed to determine whether a person needs to be confined in jail to assure appearance in court or to protect the public. The criminal justice system in Champaign County also fails to afford judges the option of releasing an individual pre-trial with supervision conditions identified through a validated risk assessment instrument. To their credit, criminal justice officials in Champaign County have taken steps to limit the length of time that some presumptively innocent individuals are confined in the county jail.

One basic step to avert the unneeded incarceration of many people who are not yet convicted is the institution of a pre-trial services program. A long list of organizations with expertise on criminal justice has called for the integration of pre-trial services into communities' criminal justice programs, including



the Conference of Chief Justices, Conference of State Court Administrators, National Sheriffs' Association, American Jail Association, American Probation and Parole Association, Association of Prosecuting Attorneys, American Council of Chief Defenders, International Association of Chiefs of Police, National Association of Counties and American Bar Association. Pre-trial services are now prevalent throughout the United States and are becoming commonplace in Illinois. An Illinois statute, in fact, mandates that "[e]ach circuit court shall establish a pre-trial services agency . . .", but this mandate is largely unfunded by the state.

A pre-trial services program provides two types of services that are instrumental in avoiding incarceration of pre-trial individuals. First, the program performs a screening function both to determine who must be confined while awaiting trial and to identify more accurately the least restrictive condition(s) necessary for pre-trial release. This screening function adheres to evidence-based protocols and utilizes a validated risk assessment instrument. As part of this screening function, a pre-trial services officer verifies pertinent facts that bear on the release or detention decision, such as community or family ties that enhance the probability that a person will appear for trial.

The other key role of pre-trial services is to provide supervision of individuals who continue to reside in the community while awaiting trial. The level of supervision should be limited to what is necessary to provide reasonable assurance that the individual will attend court proceedings and will protect the public from physical danger.

Other jurisdictions have reported a marked decline in the size of their jail populations and significant financial savings as a result of adopting pre-trial services. In order to realize the financial, public safety and justice-related benefits of pre-trial services, Champaign County should move with dispatch to plan, fund and implement pre-trial services.

The precise cost of implementing pre-trial services would depend on several variables, such as the number of pre-trial services officers needed and the number of individuals who would require supervision in the community while awaiting the disposition of their case. With these variables in mind, based on cost information

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## **BENEFITS OF PRE-TRIAL SERVICES**

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- 1. AVOID THOSE BEING JAILED BECAUSE THEY ARE TOO POOR TO POST BAIL**

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  - 2. REDUCE COSTS TO TAXPAYERS, INCLUDING MEDICAL COSTS, THAT ACCOMPANY INCARCERATION**

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  - 3. PROVIDE A MORE RELIABLE PUBLIC SAFETY BY VALID ASSESSMENTS OF THE SUITABILITY OF RELEASE**

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  - 4. RESERVE JAIL SPACE FOR THOSE WHO RECEIVE JAIL SENTENCES THOSE WHO POSE A FLIGHT RISK OR DANGER PENDING TRIAL**

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  - 5. AVOID INTERRUPTION OF EMPLOYMENT, HOUSING AND EDUCATION FOR THOSE DETAINED**

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  - 6. AVOID DISLOCATION OF CHILDREN FROM THE HOME**

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  - 7. AUGMENT PUBLIC SAFETY BY MONITORING COMPLIANCE WITH RELEASE CONDITIONS**

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  - 8. ASSIST THOSE RELEASED WITH SERVICES THAT WILL INCREASE THE LIKELIHOOD OF COMPLIANCE WITH RELEASE CONDITIONS**
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the Task Force has secured from McLean County about its pretrial-services program and other feedback, the Task Force estimates that the County Board would need to allocate \$200,000-\$250,000 annually to cover the salaries and benefits of a program coordinator, two pre-trial services officers, secretarial support, mileage and other program-related expenses.

**RECOMMENDATION #3**

**DEVELOP A COMPREHENSIVE BEHAVIORAL HEALTH SYSTEM OF CARE THAT AVOIDS INCARCERATION, REDUCES RECIDIVISM AND PROMOTES REHABILITATION FOR PERSONS WITH MENTAL HEALTH AND SUBSTANCE USE DISORDERS**

**Mental Health System**

The large numbers of people with serious mental health diagnoses who are either in the county jail or at risk for incarceration following police contact is a major dilemma for this county's criminal justice system. A jail is not a setting conducive to treatment and prevention of mental illness-related crime. However, this is not only a humanitarian problem. It is a serious problem with respect to the safety of jail staff as well as those incarcerated in the jail. It exacts a heavy cost in staff time and diverts their attention, inviting security problems. In addition, people with serious mental illness problems who remain untreated are likely to offend again following release. Finally, studies in other jurisdictions have confirmed that diverting individuals with serious mental illnesses from jail can yield significant cost savings.

The County Board could provide leadership and support for community collaboration, which requires support from all sectors of the community: the social service and medical community (including the department of public health), the police, the cities and the jail administration as well as other units of county government.

In order to reduce the number of people with serious mental health problems that are placed in the county Jail the following system components are needed:

1. Increase crisis response and intervention in collaboration with local law enforcement that would include developing additional options to jail for persons in crisis, such as a Community-Based

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**BEHAVIORAL HEALTH SYSTEM IMPLEMENTATION PRIORITIES:**

- INCREASE CASE MANAGEMENT AT PRE-TRIAL AND RE-ENTRY
- OPEN A COMMUNITY-BASED BEHAVIORAL HEALTH CRISIS CENTER
- LEAD IN COLLABORATION OF GOVERNMENTAL UNITS AND COMMUNITY ORGANIZATIONS FOR OPERATING AND FUNDING A BEHAVIORAL HEALTH SYSTEM OF CARE
- MAINTAIN EFFECTIVE SUBSTANCE USE INTERVENTIONS SUCH AS DETOXIFICATION AND DRUG COURT

- Mental Health Crisis Center (possibly including detoxification services) or development of proactive psychiatric advance directives for times of individual crisis.
2. Train law enforcement officers on crisis intervention techniques and resources.
  3. Increase access to mental health services within the jail for all populations through screening, assessment and treatment.
  4. Connect the behavioral health services provided within the jail to pre- and post-incarceration services through common providers or through agreements
  5. Strengthen aftercare including support services and additional case management for the mentally ill who are repeatedly in legal jeopardy.
  6. Identify persons with intellectual disability/developmental disability or traumatic brain injury in the criminal justice system and evaluate the nature of the crimes or activity resulting in contact with law enforcement to determine if a diversion program is appropriate.
  7. Require use of evidence-based models or best practices with demonstrated effectiveness within jails and community programs and with appropriate staff training.
  8. Give high priority to appropriate space for delivery of behavioral health care in the jail.

### **Substance Use Disorder Services**

Substance abuse treatment plays an important role in any jail diversion system and the Substance Abuse and Mental Health Administration (SAMHSA) lists multiple ways treatment can be incorporated throughout the criminal justice process, including pre-trial. It points out that “nationally, 65 percent of all arrestees test positive for an illicit drug and seventy-nine percent of arrestees are ‘drug-involved,’ meaning they tested positive for a drug, reported that they had recently used drugs, had a history of drug dependence or treatment, or were in need of drug treatment at the time of their arrest” Detoxification is often the entry into treatment services. Given the large number of arrestees with chronic substance abuse disorders and the high need for detoxification services, a detoxification unit is an important component of any jail diversion strategy.

The Sheriff also has noted that at any given time, the number of people in the jail needing substance abuse or mental health care is roughly 50%. SAMHSA reports even higher national statistics: “Substance use disorders are common among inmate populations. At the time of arrest and detention, it has been estimated that 70 to 80 percent of all inmates in local jails and State and Federal prisons had regular drug use or had committed a drug offense and 34 to 52 percent of these inmates were intoxicated at the time of their arresting offense (Federal Bureau of Prisons, 2000).”

Champaign County Drug Court is a post-adjudication probation program. The core team includes much collaboration between Judge Jeffrey B. Ford, representatives from the State’s Attorney and Public Defender’s offices, probation, Prairie Center Health Systems, TASC (Treatment Alternatives for Safer Communities) and Community Elements. Drug Court in Champaign County has been shown to work. Admission criteria require participants to be people with addictions who have non-violent felony convictions. The U.S. Department of Justice Study examined the re-arrest rates for drug court graduates

and found nationally 84% had not been rearrested and charged with a serious crime in the first year. It also found 72.5% have no arrests at the two-year mark. In comparison, Champaign County's Adult Drug Court rate in the first year is 87%, 80% at two years and 66% after 5 years.

**RECOMMENDATION #4**

**EXPAND COMMUNITY SANCTIONS TO INCLUDE A FULL RANGE OF COMMUNITY-BASED DIVERSION, DEFERRED-ADJUDICATION AND SENTENCING OPTIONS**

Though county criminal justice officials have taken useful steps in regard to sentencing options and community corrections, we still require improvement and expansion in this area. Many individuals who presently receive jail sentences would not need to be incarcerated if other suitable penalties existed. Research from the Illinois Criminal Justice Information Authority reveals that 260 of the individuals from Champaign County serving prison sentences in fiscal year 2012 met the criteria to serve their sentences in the community. In addition, the ILPP prepared an overview of the county jail population, which reported that almost half of those in the jail on December 5, 2012, were accused or convicted of misdemeanors, and the majority were accused or convicted of non-violent crimes.

Increasing sentencing options would afford judges the opportunity to tailor a sentence to fit the gravity of a defendant's crime and circumstances. Without such options, judges must impose sentences that either do not adequately hold defendants accountable for their crimes or are unduly harsh to obtain the outcome of justice or wasteful of public funds. Community sanctions and case-disposition options are also significantly less costly than incarceration. These alternatives avoid the hardship to children and families, including the removal of children from the home that can ensue from the incarceration of a parent or family wage earner. Four initial implementation priorities are being proposed:

1. **An array of penalties that will not only limit the high costs and negative effects of incarceration but also costs of community supervision.** These penalties, if structured and implemented properly, would free up resources needed for those defendants for whom more expensive penalties (or services) are needed.

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**COMMUNITY SANCTION IMPLEMENTATION PRIORITIES:**

- **PENALTIES THAT AVOID UNNECESSARY SUPERVISION AND INCARCERATION COSTS**
- **RESTORATIVE SENTENCES TO ENABLE REPAIR OF HARM DONE**
- **RESTORATIVE JUSTICE CENTER ACTIVITIES (DAY REPORTING)**
- **INCREASED ELECTRONIC SUPERVISION SENTENCING**

2. **Restorative sentences.** This community-based sentencing option affords the opportunity for repairing harm ensuing from a crime.
3. **Restorative Justice Center(s).** Requiring a person convicted of a crime to attend a day reporting center (DRC) (or day incarceration center) is increasingly being imposed as a sentence across the United States. The operations of DRCs can be structured in many different ways. A DRC can, for example, be the location for programs and activities in which an individual has been required to participate as a condition of his or her sentence. Some examples of such programs and activities include: GED classes, life-skills training, anger-management classes, cognitive intervention programming, job-readiness training, job-placement programming, parenting classes, classes on fatherhood, drug testing, substance-abuse education, alcohol and drug treatment, and continuous remote alcohol monitoring. The day reporting center could also serve as the site for the restorative-justice initiatives, such as mediations.
4. **More Expansive Use of Electronic-Supervision Sentences.** Various forms of electronic supervision should be more readily available as sentencing options that can be explicitly imposed by judges when a sentence to electronic monitoring (EM) or electronic monitoring coupled with home detention (EHD) is deemed the least restrictive sentence necessary to achieve the sentence's purposes.

## **RECOMMENDATION #5**

### **ESTABLISH A RE-ENTRY PROGRAM FOR PEOPLE RETURNING TO THE COMMUNITY AFTER COMPLETING A SENTENCE IN AN ILLINOIS DEPARTMENT OF CORRECTIONS PRISON**

#### **I. Current Situation**

According to the Illinois Department of Corrections (IDOC) for the year ending June 30, 2012, Champaign County had 437 people on parole. At present, the 3-year recidivism rate for such individuals in the county is 44.8%. When people on parole are re-arrested, either for violating parole or for a new criminal offense, they go to the county jail. Therefore, if 44.8% of the 437 people on parole in our county are returned to custody within three years that equates to 196 jail admissions, 14 more than the capacity of the satellite facility. Obviously, reducing the recidivism rate could greatly reduce the demand for bed space in the jail. Addressing recidivism could have a significant positive impact on the racial disparity in the jail population as well. According to the IDOC figures, from 2010 to 2012, 67% of the people on parole in the county were African-American, despite the U.S. census (2011) estimating that the overall proportion of African-American in the county's population was just 12.7%.

At present, the facilities and programs available for men and women on parole in Champaign County are extremely limited. There are less than 50 transitional housing slots and very little by way of support services such as counseling or assistance with finding opportunities for employment, education or job training.

For many people on parole, their main source of support is an over-worked parole agent who has not been trained to provide supportive services and lacks the time to connect the person on parole to service providers. There is a desperate need for a one-stop, first-stop connecting point for those returning home, a place to communicate with people who understand their situation and are in a position to offer some assistance and a support group that will assist them to develop a life plan and carry it out. To this end, the Task Force recommends the creation of a re-entry program for Champaign County.

## **II. Next Steps**

The Task Force proposes a re-entry program founded on a partnership between Champaign County, the IDOC and a number of service providers in the community. We have based the proposal for this program on the study of best practice in a number of other parts of the country. Models for our work have been A New Way of Life in Los Angeles, Nova in San Francisco, Safe Return Home in Richmond, CA, the Safer Foundation Garfield Park Initiative in Chicago and Treatment Accountability for Safer Communities (TASC) here in Champaign-Urbana.

Under the Task Force proposal, the County would support a first-stop landing point for people paroling to the county. A County-funded program coordinator would develop and eventually drive the project with the support of an advisory board. The re-entry program would begin by working with IDOC to make contact with people inside prison who will be released to Champaign County within a defined period of time. A visit to soon-to-be-released individuals by a re-entry staff person would lay the groundwork for a life plan, which would be solidified once the person arrived at the First Stop facility. The program coordinator would be supported by a team of “peer mentors” or “success facilitators” - formerly incarcerated people trained to carry out this function.

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## **BENEFITS OF COORDINATED RE-ENTRY FROM IDOC**

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- 1. ENHANCE PUBLIC SAFETY BY PROVIDING LIFE ALTERNATIVES TO THOSE ON PAROLE SO THEY BECOME PRODUCTIVE MEMBERS OF THE COMMUNITY**
  - 2. REDUCE THE DEMAND FOR JAIL BED SPACE DUE TO RECIDIVISM**
  - 3. REDUCE THE RACIAL DISCREPANCY IN THE JAIL POPULATION, SINCE THE OVERWHELMING MAJORITY OF THOSE ON PAROLE IN THE COUNTY ARE AFRICAN-AMERICAN**
  - 4. CONTRIBUTE NEW DIRECTIONS FOR THE CRIMINAL JUSTICE SYSTEM, MOVING THE COUNTY TOWARD A RESTORATIVE PHILOSOPHY FOCUSED ON REHABILITATION AND COMMUNITY BUILDING**
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Peer mentors assist an individual in developing a life plan, using an approach, which builds on the individual's strengths, and helps create and/or enhance a web of family and community support. Peer mentors would promote the involvement of their client's family where possible and provide links to necessary resources. These resources would include employment opportunities, treatment programs, family counseling and housing access, as well as assistance with more personal things like acquiring IDs, finding clothes and printing out a resume.

**RECOMMENDATION #6**  
**IDENTIFY AND ACQUIRE ADEQUATE FUNDS TO IMPLEMENT BEST PRACTICE SERVICES AND**  
**COMMUNITY SANCTIONS**

Champaign County is at a crossroads. The County can take this historic opportunity to enhance public safety, save money and wisely allocate limited jail space. The Task Force recommends the development of a financing model that prioritizes funding the mental health, drug treatment and education programs to increase public safety. Instead of adding more jail space, Task Force recommends Champaign County focus on evidence-based alternatives that have been proven to reduce the need for bed space and reduce recidivism. The majority of costs noted in the Task Force recommendations are for staffing and associated fringe benefits and office expenses.

Champaign County has already identified potential funding for its criminal justice build-out through the Public Safety Sales Tax Fund. However, it continues to limit the use of the fund primarily to construction and systems costs, with little being allocated toward evidence-based alternatives to incarceration programs.

In determining funding priorities going forward, the Task Force proposes re-distribution of the Public Safety Sales Tax with an allocation plan that appropriates at minimum 30% of the tax toward alternatives to incarceration and later a higher percentage. When fund changes make it possible starting in 2019, the majority of Public Safety Sales Tax revenues should be dedicated to programming that keeps people out of jail, which will save the county even more money that can be used on programs to continue to reduce recidivism and incarceration (and crime in Champaign County).

In addition, the Task Force has prepared a preliminary list of possible other resources that may provide funding and in-kind contributions to leverage the County's investment. Different partners may have specific interests and restrictions applicable to their support, so it is important to develop a system approach to resource development. The table on the next page summarizes a beginning list of the estimated staffing needs for each recommendation and some possible methods to obtain funds to support these needs through re-direction of existing funds, writing grants and soliciting in-kind contributions from partners who have interest in these activities.

RECOMMENDATION	STAFFING /OFFICE/TRAINING	ESTIMATES	POSSIBLE RESOURCES/LEVERAGE
Restorative Justice	Mediators	\$10,000	Community Volunteers CCRPC – Youth Court Diversion University of Illinois
Pre-Trial Services	Program Coordinator 2 Officers Secretary	\$200,000 - \$250,000	Probation and Court Services Re-directed State's Attorney and Jail Funds Re-directed Sheriff's Funds
Behavioral Health Services	2 Crisis Counselors 2 Social Workers Program Coordinator Detox Staff Drug Court Coordinator and Part-time Deputy	\$120,000 \$120,000 \$80,000 \$400,000 \$85,000 - \$100,000	CCMHB CUPHD/CCPHD SAMHSA Medicaid Private Insurance Illinois Dept of Human Services
Community Sanctions	Economic Sanctions Consultant  Day Reporting Staffing (annual)	\$50,000  \$100,000  \$500,000	CCMHB Adult Redeploy Illinois Fine Collection Re-directed Jail Funds Illinois Dept. of Corrections Department of Justice
Re-Entry Program	Program Coordinator 3 to 6 Part-time Mentors	\$70,000 \$70,500 - \$155,000	Illinois Dept. of Corrections Quarter Cent Public Safety Tax HUD Local Workforce Area 17
Funding Support	Part-time Grant Writer/Administrator	(incl. in CJCC staffing)	County General Fund Quarter Cent Public Safety Tax
Criminal Justice Coordinating Council	Director/Coordinator Data Analyst Secretary	\$120,000 \$80,000 \$50,000	County General Fund Quarter Cent Public Safety Tax Cities
Racial Justice	Part-time Coordinator	\$12,000	County General Fund Quarter Cent Public Safety Tax Cities
Data Collection/Evaluation	Data Analyst Secretary	(incl. in CJCC staffing)	Bar Association
Training/Public Engagement	Part-time Coordinator Secretary Contracted Trainers	(incl. in CJCC staffing) \$10,000	University of Illinois Participant Fees Community Volunteers



**RECOMMENDATION #7**

**CREATE A COORDINATING COUNCIL TO PLAN AND COORDINATE STEPS THAT CAN BE TAKEN TO REDUCE RECIDIVISM IN THE COUNTY, FURTHER RESTORATIVE JUSTICE AND ENSURE THAT THE CRIMINAL JUSTICE SYSTEM OPERATES BOTH EFFECTIVELY AND COST-EFFECTIVELY**

Unlike in many other jurisdictions, no structure exists within this county to facilitate the kind of systemic planning, coordination and operational oversight required for an effective and cost-effective criminal justice system.

Criminal Justice Coordinating Councils (CJCCs) have now become commonplace across the country. Their names may vary, but in general they aim to ensure comprehensive system-wide planning in lieu of fragmented, ad hoc and sometimes resource-wasting decision-making. Just a few examples of CJCC benefits include: improved communication and coordination among the varying components of the criminal justice system and among criminal justice officials, the public and service providers; improved effectiveness of diversion programs, community sanctions and programs and services for individuals in the criminal justice system; and identification of the most cost-effective ways to allocate limited resources.

The National Association of Counties, Justice Management Institute and Pretrial Justice Institute have been working together to develop a National CJCC Network. In sharing insights about how to optimize a CJCCs effectiveness, one report observes: "While CJCCs have a wide variety of approaches to membership, those that seek to take a genuinely systemic approach to addressing criminal justice issues are often county/city collaborations – typically independent from direct control by either the county or city administrations but closely linked to general government through membership and liaison functions." This report furthermore explains why CJCCs should not be confined to criminal justice officials: "The breadth of representation on such a council will help to bring a comprehensive system-wide perspective to the work of the CJCC."

Just some examples of individuals (or, perhaps in some instances, their designees) who could bring both expertise and diversity to the CJCC include: the state's attorney; the public defender and/or another criminal defense attorney appointed by the local bar association; a circuit judge who handles criminal cases; a judge who oversees a problem-solving court, such as the drug court; the Director of Champaign County Probation and Court Services; the court administrator; the sheriff; a police chief in the county; the chairperson of the County Board, other member of the County Board who has criminal justice-related oversight responsibilities, and/or county administrator; a local mayor; the chair of the Mental Health Board or other expert on mental illness; an expert on substance abuse; an expert on educational and employment services, including vocational training, for at-risk adult populations; and representatives of the public, including a person formerly incarcerated.

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**THE TASK FORCE  
RECOMMENDS THAT  
CHAMPAIGN COUNTY BOARD  
INITIATE, PERHAPS THROUGH  
AN INTERGOVERNMENTAL  
AGREEMENT, THE FORMATION  
OF A SYSTEM COORDINATING  
BODY KNOWN AS THE  
CRIMINAL JUSTICE  
COORDINATING COUNCIL.**

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The ability of the Coordinating Council to perform its responsibilities will hinge on the members' ability to consider new ideas, research and findings from data collected and the provision of adequate staffing assistance to perform data collection and analysis, outcome evaluations, coordination of the projects spearheaded by the Council and grant writing.

The Task Force recommends hiring three staff persons to facilitate the work of the Criminal Justice Coordinating Council in policy and programmatic planning and coordination, data analysis and outcome measurement and secretarial support. Staffing the Criminal Justice Coordinating Council would require funding, but over time, the Council would yield significant savings of public funds and is likely to receive grants that can assist with planning and system improvement endeavors.

#### **RECOMMENDATION #8**

#### **FORM A RACIAL JUSTICE TASK FORCE TO IDENTIFY MEASURES NEEDED TO ADDRESS THE DISPROPORTIONATE NUMBER OF AFRICAN-AMERICANS IN THE COUNTY JAIL**

##### **I. Current Problem of Racial Disparity in the County Jail**

The jail population reflects a serious racial discrepancy. While African-Americans made up only 12.7 percent of the county's population in 2012, they have consistently comprised more than half of those in the jail. According to the county's figures, from 2007-2011, 54.7% of those admitted to the jail were African-American.

The causes of this racial disparity have not been fully examined nor has the county taken significant steps to address this problem. Consequently, as several community members have attested during Task Force meetings, a mistrust of the criminal justice system has emerged within many sectors of the African American community. Such fractured relations between African-Americans and authorities have been corrosive to the community and an impediment to effective criminal justice.

The problem of racial disparity in the incarcerated population is not unique to Champaign County. Furthermore, experience in other parts of the country has shown that racial discrepancies in jail populations do not emerge from one particular policy or the actions of a few errant individuals. As the American Bar Association's (ABA) Racial Justice Improvement Project explains "while there are some bad actors in the criminal justice system whose professional judgment is affected by racial bias, 'race neutral' laws that are fairly and evenly enforced across all racial groups can still have a disparate impact on minority defendants." For example, linking pre-trial release to the payment of money can lead to more African-Americans being incarcerated, since a disproportionate number of African-Americans are poor.

## **II. A Key Step to Address the Problem of Racial Disparity in the Criminal Justice System: Formation of a Racial Justice Task Force**

The County Board needs to develop a strategy for fully understanding the problem of racial disparity and taking appropriate action. The first step is to form a Racial Justice Task Force (RJTF). This group would include people with expertise in criminal justice as well as those with experience in racial justice analysis and equity policy. Ideally the RJTF should be at least 50 percent African-American but in any case must reflect a significant African-American composition.

The RJTF should draw on the experience of other jurisdictions that have addressed issues of racial justice. For example, the American Bar Association has instituted pilot projects that in four states have focused on a variety of points in the system where racial disparity emerges, including in pretrial detention, setting of bail, probation revocation and access to diversion programs.<sup>1</sup>

### **RECOMMENDATION #9**

#### **COLLECT DATA, SET PERFORMANCE STANDARDS AND MEASURE OUTCOMES THAT WILL ENABLE PROGRAMS TO MEET GOALS, BE MORE COST-EFFECTIVE AND BE MORE SUCCESSFUL IN REDUCING RECIDIVISM**

Primarily, current data collection within the criminal justice system in Champaign County centers on requirements for grant applications or annual reports that provide the justification for budget requests. Priorities for data collection are not determined from a systemic perspective, nor the effectiveness of criminal justice policies, procedures, practices and programs evaluated at a system level. Even when statistics are collected and reported, the soundness of the methodologies employed when collecting and reporting the data are not normally assessed.

Through the specification of goals and objectives, the development of performance standards and outcome measures, the carefully targeted collection of data, and the conducting of methodologically sound evaluations, criminal justice officials, other government officials, service providers and the public will be better able to ascertain the cost-effectiveness of criminal justice in the county. Systematic data collection and evaluation will also enable improvements in policies, procedures, practices and programs based on real outcomes.

### **RECOMMENDATION #10**

#### **PROVIDE TRAINING AND PUBLIC ENGAGEMENT OPPORTUNITIES TO FURTHER SYSTEMIC IMPROVEMENTS IN THE CRIMINAL JUSTICE SYSTEM**

While criminal justice officials in Champaign County presently receive some training in their respective spheres, there is no structure to provide the training required to evaluate and implement systemic

changes. At present, there also is no existing mechanism in Champaign County designed to ensure that the public understands the extent to which initiatives undertaken within the criminal justice system are cost-effective and successful in accomplishing goals such as the reduction of recidivism. In addition, there currently is no structure through which criminal justice officials regularly and collectively elicit and receive the public's ideas about how to improve the functioning of the criminal justice system.

The proposed Criminal Justice Coordinating Council or other responsible body should make sure that training is available for effective program and system improvements. The Council could also be at the forefront in integrating the public into the efforts to reduce incarceration, decrease recidivism and facilitate the re-entry of formerly incarcerated people returning to the community. The County Board can provide leadership to integrate the public into justice-related initiatives in Champaign County.

## **CONCLUSION**

The Task Force believes the recommendations outlined in this report can play an important role in promoting effective decision-making on the vital issues confronting the criminal justice system. The Task Force has suggested possible programs, services and system changes for consideration, and has identified several possible resources for funding such initiatives. The Task Force is encouraged that the County Board has opted to engage both professional and community expertise before making any major decisions and has avoided any temptation to address the existing criminal justice challenges by simply constructing new facilities. This participatory approach the County has employed in addressing the jail and criminal justice issues has set an important example for future governance in this county. We trust that our advocacy of new approaches, new administrative systems and the initiation of new projects as well as our recommendations for enhanced funding of measures to prevent incarceration, reduce recidivism and promote rehabilitation will find many receptive ears on the board and in the community.

Finally, we would like to note that the work of this Task Force would not have been possible without the support and efforts of many people. This has been part of a complex and innovative process of local governance and public engagement. The Task Force particularly thanks the county officials and members of the public who attended working sessions and provided us with invaluable information and perspectives and the county administrative staff, in particular Deb Busey and Linda Lane, who have kept the Task Force on track and provided much needed support every step of the way.