

Illinois Crime Reduction Act A Strategic Corrections Initiative for Illinois

The “Illinois Crime Reduction Act” will make our communities safer by handling criminal offenders smarter and thereby reducing their number. Fewer offenders means less crime and less cost. The Crime Reduction Act will produce individual and taxpayer savings across the board – reduced policing, prosecution and incarceration costs, reduced individual losses due to crime, eventually reduced insurance premiums and reduced loss to communities.

We have proven only one thing over the past generation of prison growth: punishment does not stop crime or take criminals off the street permanently, but the Illinois Crime Reduction Act is all about reducing the number of offenders on the street – plus it more than pays for itself in corrections and law enforcement savings.

Our growing felon population

The Illinois prison population continues to grow, with more than 40% confined for non-violent crimes. Many are substance addicted and/or mentally ill and – upon release – over half continue to commit crimes or violate conditions of parole and return to prison. Confining these individuals costs billions of dollars and does not reduce crime in the long run. Illinois policy makers need to redesign our criminal justice system so that it effectively reduces crime, keeps our communities safe, saves precious tax dollars, and increases the likelihood that offenders will lead productive lives. The way to do this is by developing a comprehensive and cost-effective Strategic Corrections Initiative for Illinois.

What is Strategic Corrections?

A comprehensive Strategic Corrections Initiative is based on the premise that crime can be reduced and the costs of the criminal justice system can be controlled by understanding and addressing the **reasons** why people commit crimes. Instead of continuing to increase penalties for crimes and locking people up over and over again for possession of drugs or stealing to support a drug habit, states are passing legislation to create Strategic Corrections policies and retraining its workers to better determine who should be placed in alternatives to prison.

The principle which underlies this concept is that individuals commit crimes for different reasons and, therefore, have different “risk factors” that can be identified and understood. The best way to reduce crime is to understand risk factors and deal with those factors that cause the criminal activity. Punishment and incarceration are the appropriate methods for dealing with most violent criminals, in order to keep the community safe. For some offenders who are non-violent, however, there are other correctional methods more effective than incarceration in reducing crime. These strategies include valid needs and risk assessments and programs designed to figure out how to stop their criminal behavior. This information must be coordinated throughout the state, so no matter where and when someone commits a criminal act, the punishment or treatment is designed to make sure that person does not commit another crime.

Illinois has already developed model programs that can anchor a Strategic Corrections Initiative. For example, the Sheridan Drug Prison, the nation’s first comprehensive drug treatment prison and reentry program, has the goal to treat inmates’ addictions and prevent their return to prison

and its graduates have been found to be 21% less likely to be rearrested, and 44% less likely to return to prison. Additionally, Sheridan program participants are more likely to be employed and maintain employment, compared to other parolees. Redeploy Illinois, a statewide initiative that provides financial incentives to local communities to rehabilitate their own juvenile delinquents and financial penalties if they do not meet the goal of reducing the number of youth sent to state prisons, has seen a reduction of 51% in the number of commitments to the Department of Juvenile Justice from the pilot sites, which represents an estimated cost avoidance to the state of almost \$19 million. We are adding more successful drug courts and mental health courts. Now we need to build on these isolated successes and develop a sound, effective and accountable overall Strategic Corrections Initiative for Illinois by enacting the Illinois Criminal Reduction Act.

The Act's **Illinois Strategic Corrections Initiative** will reduce crime, unnecessary incarceration and deploy tax dollars more wisely by recalibrating the criminal justice system so that:

- People arrested for crimes will be accurately identified and important individual characteristics with respect to their criminal histories, treatment needs, educational background, family support as well as their risk factors are collected as part of a statewide information system—used at each step of the process, from the police in the neighborhood to the probation office, judge or prison reception staff.
- There will be a statewide, tested assessment process used by the courts through pre-trial services, pre-sentence investigations and probation to evaluate which people can be – with a high probability of no further criminal behavior – diverted from the courts, through drug schools, drug courts or put on probation
- Offenders will to be held accountable, paying restitution to the victim and the community, and this should be part of an overall obligation for each criminal.
- For those who go to prison, the assessment results will be sent to the reception and classification centers, where additional evaluation can be done and each incoming prisoner is directed during prison to a program/regimen which will, based on the assessment, be most likely to result in a crime-free life after release
- The parole conditions for those released will be designed to require continuation of that plan or program; and violation of parole results in punishment consistent with the implementation of the individual plan – for some, that would mean immediate return to prison; for others, graduated sanctions such as residential drug treatment or home confinement.
- All programs administered for diversion, in-prison services and parole requirements would be of the highest quality and are regularly evaluated and demonstrated to be effective in crime reduction
- Local communities will receive resources to develop capacity to provide programs which effectively treat offenders to prevent relapse and reduce crime (an adult Redeploy Illinois)
- A state-level Sentencing Policy Advisory Council will be established to accumulate information on the costs and effectiveness of the elements of the criminal justice system by tracking how the present sentencing policies and practices, including incarceration and alternatives to incarceration, increase public safety and decrease crime rates.

ADDITIONAL INFORMATION ON THE STRATEGIC CORRECTIONS INITIATIVE

Strategic Corrections in Other States:

We can learn from the experiences that other states have had with strategic or community corrections policies and programs. Through use of an extensive pre-sentence assessment process, Virginia has reduced incarceration of non-violent offenders to less than 25% of the total prison population, whereas the national average – and Illinois' experience – is around 50%. In addition, providing Missouri judges with accurate information about offenders' risk factors and about effective sentences (e.g., treatment or incarceration, etc.) has led to a reduction in its prison population by 700 inmates. In the wake of these reforms, neither state has experienced an increase in crime. In total, 22 states have established commissions which monitor such activities, collecting information on effective sentencing practices and analyzing how the criminal justice system can improve the safety of communities while controlling costs.

Overall Principles of a Strategic Corrections program:

- Different people have different and individualized characteristics which have to be understood in order to preserve public safety and to punish or treat offenders effectively
- There are effective instruments to assess a person's strengths and weaknesses (e.g., what causes that person to commit a crime) and to provide guidance to the criminal justice system about how to keep him or her from committing more crimes
- These assessment tools can identify which people can effectively be treated and diverted, and which people should be incarcerated, in order to preserve public safety
- There are practices or treatments, certified after rigorous evaluations, that can be used to help some people stop their criminal behavior
- Some people can be diverted from the criminal justice system (never have to enter jail or prison) and because of effective probation and treatment (via drug school, drug courts, residential or out-patient substance abuse treatment or counseling of other kinds) will not commit crimes again
- Some people, through an effective in-prison program (like the Sheridan or Southwest prisons drug treatment programs), will not commit crimes again
- Many people, when they leave prison, will be able to lead crime-free lives if their parole programs include treatment and services which effectively support their strengths and help them manage their weaknesses.

Background on Illinois' Sprawling Criminal Justice System:

For decades policy makers have worked to preserve Illinois residents' public safety in the most efficient and economical way. Like the United States, which now leads the world in incarceration, Illinois has seen its prison population grow six-fold over the last forty years. While violent crime is decreasing, studies indicate that only about 25% of the decline can be attributed to increased incarceration.

Many of those arrested start in Cook County Jail, the largest facility of its kind in the country, which records 98,000 releases each year, of which between 13,000 and 15,000 cycle through the system, returning more than once in a given year. Virtually everyone who is imprisoned in Illinois gets out and comes back to our communities. Two-thirds of those released either violate

parole or are arrested for a new crime, and over half of those released return to prison within three years, making communities unsafe and driving up the costs of the criminal justice system.

The rise in the Illinois prison population is the result of longer sentences for violent offenders, as well as harsher penalties for non-violent drug-involved offenders. In Illinois, 40% of the prison population is comprised of non-violent offenders, and statewide the largest number of prison admissions each year is for people convicted of Class 4 offenses, the least serious type of felony. The majority of Class 4 offenders are in prison on low-level drug possession charges. While it is not fully documented, those who work in the criminal justice system indicate that almost none of the Class 4 prisoners are first-time offenders, but they have extensive arrest records and have been cycling through the system for years. They have limited education and employment skills, and many have untreated substance abuse and/or mental health problems. Data collected by IDOC at intake – self-reported by inmates and not validated – show that 60% of incoming prisoners can be described as chemically-dependent.

It is estimated that the cost of imprisoning those convicted of non-violent drug offenses in Illinois is nearly \$250 million per year. When someone is arrested, the state's attorney and judge have access to his or her criminal history, but little information beyond that. The Administrative Office of the Illinois Courts is soon going to use a new Presentencing Survey Instrument to gather important information; this will be a great step forward, but it will only be used in pre-sentencing. Cook County is also starting a process to do pre-trial assessment, but the same assessment tool is not being used. The current disjointed information-sharing system makes it difficult to accurately assess their risk factors – individually and in the aggregate – and to match offenders with the appropriate levels of supervision and services, including diversion to community-based treatment, to reduce their chance of re-offending.

Illinois has, in recent years, made some dramatic progress in the area of treatment and alternatives to prison. The Sheridan and Southwest Drug Prison programs, the statewide graduated sanctions for parolees, the Cook County Drug Courts and Drug Schools are some examples of effective and tested programs. In addition, models like the Safer Foundation/MacArthur Foundation "Safer Return" in East Garfield Park, as well as the new pilot pre-sentence investigation instrument for assessment which the Administrative Office of the Illinois Court intends to implement statewide, are encouraging innovations.

Yet the average prison sentence of an Illinois prisoner is a little over one year, with a large number of prisoners serving a matter of months (Twenty percent of those who leave prison have served 63 days or less, which is not long enough to participate in effective treatment, education or other correctional program. And of those serving 63 days or less, 86% are class 4 felons) Often the assessment information that is supposed to follow the offender does not even make it to the prison in time to be used in risk and needs planning..

Like most states, Illinois' criminal justice system is vast and complex. It encompasses officials from the local police and sheriffs – those on the ground who protect residents—to the Supreme Court justices, who apply the law made by our legislators and governor. Probation is a local function, overseen by the courts and run by the counties; jails which hold people not yet convicted are run by counties; state courts operate out of regional districts, with elected judges

and court personnel paid for by the counties; prisons and parole are state-operated but work closely with local and regional law enforcement officials and judges.

Currently, information on the individual is collected at every stage as he or she moves through the system. However, the type of information collected at each stage is different and is rarely shared among the various agencies in the system. The results are under-informed decisions and fragmented management of offenders' needs and risks. Pre-trial assessment (which is just now being reinstated) and matching individuals to effective services could reduce both the incoming population and recidivism.

An Illinois Strategic Corrections Initiative legislative package known as **The Illinois Crime Reduction Act** would require that the state create and implement the following elements:

1. A shared, validated assessment instrument, in a standardized format, available on a computerized system to local and state officials
2. Use of the assessment at the pre-trial diversion, probation, prison in-take and parole level
3. A computerized method to share information derived from the assessments
4. An adult Redeploy Illinois (performance incentive funding) to support creation of effective diversion services at the local level and standardized performance measurements to confirm the effectiveness of the services in reducing crime
5. Effective in-prison programs and services, designed to meet the needs identified in the assessment, including expanded drug prisons, strengthened education and job training programs. (Programs such as ABE would be repeated until passed, rather than having a time-limited window by which time a prisoner must pass)
6. Effective services at the local level – emphasizing graduated sanctions – to support the successful completion of parole, which would consist of realistic parole conditions consistent with the assessment findings (e.g., substance abuse treatment for those with a history of addiction) and standardized reports measuring crime reduction and positive outcomes
7. Creation of an independent Sentencing Policy Advisory Council to gather data from the various elements of the Strategic Corrections initiative and to analyze the effectiveness of sentencing and services in reducing crime.