

MINUTES

REGULAR MEETING ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

September 3, 2010 at 9:03 am.
300 West Adams Street, 2nd Floor Conference Room
Chicago, Illinois

Call to Order and Roll Call

Vice Chairman Anita Alvarez welcomed Board Members and guests to the third quarterly Board Meeting of the Illinois Criminal Justice Information Authority. She then convened the meeting and asked General Counsel Lisa Stephens to call the roll.

In addition to Vice Chairman Alvarez, Authority Board members in attendance were:

Chief David P. Bradford
Director Bradley Demuzio
Mr. Felix M. Gonzalez
Ms. Cynthia Hora
Acting Director Jonathon E. Monken
State's Attorney William A. Mudge
Mr. Eugene E. Murphy, Jr.
Director Michael J. Pelletier
Sheriff Patrick B. Perez
Mr. John Z. Toscas
Superintendent Jody P. Weis

Approval of Minutes of June 4, 2010 Regular Meeting

With a quorum in place, Vice Chairman Alvarez asked for a motion to adopt the minutes of the June 4, 2010 Authority Board Meeting.

{Mr. John Z. Toscas moved that the minutes of the June 4, 2010 Authority Board Meeting be adopted. Ms. Cynthia Hora seconded the motion, which was adopted by unanimous voice vote.}

Budget Committee Report by Eugene E. Murphy, Chair

Vice Chairman Alvarez then said that she was changing the order of the agenda to allow Budget Committee Chairman Eugene E. Murphy to give the Budget Committee Report earlier because of his need to make a court appearance. Mr. Murphy reported that the Budget Committee was meeting often. He complimented the Committee members for possibly setting a record this year for the number of meetings held, the amount of money that has been distributed, and only having an exception of \$11.00 for 07 and 08, which he said would be distributed so that the budget could be closed.

He referred to a hand-out summarizing Budget Committee actions taken at its August 26, 2010 meeting, concerning distributions of funds from the following awards: Violence Against Women Act (VAWA) American Recovery and Reinvestment (ARRA) 2009, Violence Against Women Act FFY05 through FFY08, Victims of Crime Act (VOCA) FFY07 through FFY10, and Justice Assistance Grants (JAG) FFY07 and FFY08. Mr. Murphy then asked if there were any questions. With no response, he reminded Board Members that all are welcome to attend Budget Committee meetings, saying that everyone's input is very important.

Vice Chairman's Remarks

Vice Chairman Alvarez then turned to the regular agenda, reporting that there were four resolutions to be presented for approval, and proceeded to read them:

the first, recognizing fallen Chicago Police Officer Thor Soderberg, whose life was needlessly taken on July 7, 2010, after completing his shift safeguarding at-risk children through the Chicago Police Department's Operation Protect Youth Program;

the second, recognizing Chicago Police Officer Michael Bailey whose life was needlessly taken on July 18, 2010, outside his home in a robbery attempt after an overnight shift guarding the home of the Mayor of Chicago;

the third, recognizing Larry R. Rogers, Sr., who served as the Chairman of the Authority from December, 2009 to June, 2010, for his contributions, commitment and dedication to the advancement of public safety and improving the quality of criminal justice information, research and grant programs in Illinois;

and the fourth, recognizing J. David Coldren, who passed away on May 2, 2010, and was the Authority's founding Executive Director from 1983 to 1992, under Governor Thompson, for providing much valued input to creating the mission of the Illinois Criminal Justice Information Authority, focusing on improving the administration of criminal justice in Illinois.

Chairman Alvarez then asked for a unified motion to adopt the four resolutions.

{Mr. Felix Gonzalez moved that the four resolutions be adopted. Acting Director Jonathon Monken seconded the motion, which was adopted by unanimous voice vote}

Vice Chairman Alvarez then presented the resolutions recognizing the fallen Chicago Police Officers to Superintendent Jody P. Weis, who thanked the Authority Board.

Executive Director's Remarks

Next, Vice Chairman Alvarez called on Executive Director Jack Cutrone for his remarks.

Mr. Cutrone said that he was going to address the status of the Authority's grants, and how they have been doing in terms of the amount of the awards that the agency has been receiving. He reported that the Juvenile Accountability Block Grants (JABG) award is down to \$1,660,000 from \$1,743,000; the Byrne Justice Assistance Grants (JAG) award is down from \$12,242,000 to \$11,877,000; and the Violence Against Women Act award also was down from \$5,094,000 to \$4,846,000. He went on to say that because none of the reductions were significant, they could be handled.

He then reported on a number of grants received that were increased. He said one was the Residential Substance Abuse Treatment (RSAT) Program, which grew from \$284,000 last year to \$827,000 this year. Mr. Cutrone added that the RSAT award increase was very important because it allows more beds for treatment of people with substance abuse issues and he suggested that by treating them, public safety would be increased and crime and recidivism reduced. Next, he mentioned the National Forensic Science Improvement Act award of \$687,000, which was a slight increase.

He pointed out a significant increase in the Victim's of Crime Act (VOCA) award which went from \$14,583,000 to \$16,464,000, almost 13 percent higher. He stated that with that increase, the Ad Hoc Victim Services Committee, which met for a day and a half and is chaired by Vice Chairman Alvarez, was able to restore some of the cuts made in prior years when funds were reduced significantly. Mr. Cutrone said that a number of service providers in the victims' area that had been suffering reductions had not been able to give their staff even cost of living increases for the last four or five years, even though they worked hard and were deserving.

He next discussed the National Instant Criminal Background Check System (NICS) Act Record Improvement Program grant of \$1,200,000 that was received. He said it will be used to improve the system by which the state police can do an instant check or assist in an instant background check for someone who wants to purchase a firearm. He reviewed how originally it appeared that the Authority did not qualify for the award based on a discussion he had with the Chief Legal Counsel from the Bureau of Alcohol, Tobacco and Firearms about meeting the federal requirements as he reported at an Authority Legislation and Regulations Committee Meeting. Mr. Cutrone then related how upon receiving further information from the Illinois State Police which indicated that the Authority was certified for a grant, he went back to the ATF Chief Legal Counsel and as a result, it was awarded, adding that a grant had not been received last year.

He next mentioned receipt of a post-conviction DNA testing program award of \$687,000, and then returned to a discussion of the meeting of the Ad Hoc Victim Services Committee. He said it was a very productive session, effectively facilitated by staff member Dr. Lisa Braude, with many good ideas outlined and new goals and priorities set. He noted that traditionally, for the most part, the Authority has been continuing funding programs that had been funded in the past, and will continue that mode for the next three-year cycle. But he stated that after that time,

programs will be put on notice that they will be up for reconsideration. He explained that it is not because they have not been good programs, but the Authority wants to be able to fund additional ones that may be deserving but have been overlooked because they have not already been funded.

Moving on in the area of grants, Mr. Cutrone said that he wanted to discuss with the Board the Edward Byrne Memorial Justice Assistance Grant (JAG). He called attention to a chart indicating JAG awards received over the last few federal fiscal years, excluding FFY10, which appeared as an award of \$11,877,102 in another section. He said that traditionally the Authority only has taken 8.5 percent for administrative fees even though JAG allows taking 10 percent, with the difference between those two percentages reflected in that chart: at 8.5 percent the administrative fee would be \$1,009,544, and at 10 percent, \$1,187,710.

He then asked the Authority Board to consider authorizing the Authority to use the full 10 percent, and detailed the reason for his request. He started by reviewing the state and federal grants for the last six fiscal years that appeared on the chart. He pointed out the reductions and the percentage reduction which he said reflects a reduction in the money that is given to the Authority by the state for match for the federal grant money. He then detailed how match money from the state was dropped entirely in state fiscal year 08 and highlighted the match funding pattern since then with mainly decreases and a decrease to be expected for this year's budget. He said that is why he is asking the Board for authorization to increase the amount of the administration fee from JAG to 10 percent which would yield approximately \$180,000 that could make up at least in part the funding that can be cut from the General Revenue Fund, given the state's horrendous fiscal condition.

At that point Vice Chairman Alvarez called for a motion, with Mr. Cutrone asking that the Board authorize increasing the amount of administrative fees that the Authority will take under the Edward Byrne Memorial Justice Assistance Grant from 8.5 percent, which had been taken in the past, to 10 percent, which is the full amount allowed under the Byrne JAG.

{Mr. Felix Gonzalez moved that the motion be adopted. Mr. Eugene Murphy seconded the motion, which was adopted by unanimous voice vote.}

Mr. Cutrone thanked the Board and then reported that a bill pending to increase the Authority Board from 21 members to 23 by adding a Cook County public defender and a downstate public defender, which he had discussed previously, was passed. He said that it was signed by the Governor and will be effective January, 2011; thus as of January 1, two additional members will be on the Board.

Next, he called attention to the resignation of Board Member Michael Randle as Director of the Department of Corrections, effective September 17, which was reported in the press the day before. He said that at a future time a Board Resolution recognizing Mr. Randle for his service will be requested. He went on to say that Mr. Randle had been a great friend to the Authority, a very valuable asset to the State of Illinois and will be missed. He announced that Gladyse Taylor of the Department of Corrections, who was present, was appointed Acting Assistant Director

and will be named Acting Director, upon Mr. Randle's resignation. He said that the Authority looked forward to working with her.

Mr. Cutrone also called attention to the new Anti-Violence Commission recently appointed by the Governor, with which the Authority has been involved. He noted that one of the Commission Members is the widow of Officer Soderberg, and said that her work for the Board of Education in its violence prevention area makes her an asset to violence prevention, but is ironic and doubly sad for her. He said it also is sad that almost everyone on the Anti-Violence Commission has lost a family member through violence, and that when you witness the effect on them of what might just be a newspaper headline it is heart wrenching.

Approaching the end of his report, Mr. Cutrone mentioned the upcoming Summit that the Authority is hosting and urged Board Members to attend. He noted that it will bring together many people with vast knowledge about the criminal justice system and ways that practices can be improved, which is the direction the Authority hopes to be taking over the next few years. He said therefore it is vital that the Authority Board Members are there showing strong support.

In conclusion, Mr. Cutrone said he is asking the Board for permission to do something the Authority has never done before, and that is to establish a Lifetime Achievement Award, given from time to time, to recognize people who have made significant contributions over the course of their professional careers to the cause of criminal justice. He continued to say that he is asking the Board to approve presenting such an award at the Summit to the Presiding Judge of the Cook County Circuit Court Criminal Division, Paul Biebel. He proceeded to give Judge Biebel's background, highlighting many of the important roles he has played in supporting programs that the Authority has strongly supported. Mr. Cutrone mentioned Judge Biebel's expansion of the existing Drug Court Program, his creation of the first Mental Health Court in Illinois, his work to begin a Veterans Court, and his efforts to institute a Prostitution Court, providing women, who have been charged and who are basically victims, with services to avoid further involvement with the criminal justice system.

He added that throughout Judge Biebel's career, he has been a visionary and an extremely hard worker, dedicated to the cause that the Illinois Criminal Justice Information Authority addresses. He said that State's Attorney and Vice Chairman Alvarez has had very significant experience working with Judge Biebel and asked whether she would want to comment. In response, she said she thought the Award would be appropriate, and that Judge Biebel was deserving, complimenting him on the implementation of the Veterans' Court and his day-to-day work. She then called for a motion to establish a Lifetime Achievement Award, with the first one to be presented to Judge Paul Biebel at the ICJIA 2010 Criminal Justice Planning Summit.

{Mr. John Z. Toscas moved that the motion be adopted. Acting Director Jonathon Monken seconded it, which was adopted by unanimous voice vote.}

Mr. Cutrone thanked the Board, and Vice Chairman Alvarez then called on Mr. Ronald Litwin, Acting Chief Fiscal Officer, for the Fiscal Report.

Fiscal Report by Ronald Litwin, Acting Chief Fiscal Officer

Mr. Litwin said he was presenting variances to budget comments on the fiscal results for the period July 1, 2009 through the July 31, 2010 Lapse Period for Agency Operations and also Awards and Grants activities. He directed attention to Exhibit 1 in the handout materials which is a comparison of the fiscal year to date expenditures and obligations through the July 31, 2010 Lapse Period to the total fiscal year budget for the General Revenue Fund.

He stated that total expenditures and obligations for the period were at a 77 percent level for the fiscal year primarily due to favorable variances in the Personal Services, Contractual and Electronic Data Processing line items. Mr. Litwin pointed out that the personal services line item and FICA are favorable due to open, unfilled budgeted positions; the contractual line item is favorable due to a timing difference in the CMS rent billing, which was received and processed in August 2010; and the EDP line item plus the rest of the line items are favorable due to the implementation of Cost Cutting Measures and Guidelines as directed by Governor Pat Quinn.

Mr. Litwin then turned to Exhibit 2, which he said also is a comparison of the fiscal year to date expenditures and obligations through the July 31, 2010 lapse period to the total fiscal year budget for the Awards and Grants activities. He said that the expenditures in the Federal Criminal Justice Trust fund are at a 47 percent level primarily due to a later start of the American Recovery and Reinvestment Act spending than was budgeted. Mr. Litwin also stated that the General Revenue Matching Funds and Other Category are at an 88 percent level due to an overestimated of the expenditure level.

Continuing, he said that the Criminal Justice Information Projects Fund had a \$400,000 authority to spend level, but the funding obtained from non-federal government entities, private sources, and not-for-profit organizations was less than \$6,000 for the period. He went on to say that the expenditures for the Juvenile Accountability Incentive Block Grant Fund are at a 36 percent level primarily due to an overly optimistic budget. In conclusion, he indicated that the Overall Total Expenditures and Obligations for the Awards and Grants Activity is at a 46 percent level for the period represented by \$56,122,000 in expenditures, and then asked if there were any questions.

Chief David Bradford asked with regard to the budgeted open positions, how many there were, in what areas, and if there were plans to fill them. In response, Mr. Litwin said there were about four including one to replace the Authority's late Chief Fiscal Officer and a Public Information Officer, with Mr. Cutrone adding that several Grant Monitors were to be funded by the Recovery Act money but in the interest in trying to save expenditures have not been filled. He reported that a candidate has been identified for the CFO position and the process is working its way through the Governor's Office, which can be lengthy.

Vice Chairman Alvarez thanked Mr. Litwin and then asked if there were any other questions. With no response, she introduced Dr. Lisa Braude, the Authority's Assistant Research Director, for a preview of its upcoming strategic planning initiative.

Preview of the 2010 ICJIA Criminal Justice Strategic Planning Summit by Dr. Lisa Braude

Before beginning, Dr. Braude reiterated that it was important for Board Members to attend the Summit. She said that hotel stipends were still available, and urged members who had not already registered to please do so. She then discussed the background and rationale as to how the Authority came to develop its agenda and its major theme focusing on evidence-based practices. She also described the structure of the strategic plan that the Authority will produce, based on the Summit and post-Summit follow-up working groups, which will guide Illinois criminal justice and related health and human services policy, funding initiatives, and the justice research agenda for the next several years.

Dr. Braude then called attention to a new Summit website that has a link to the Authority home page, and showed it. She gave an overview of the topics that were chosen as a result of a needs assessment that was undertaken last year. She said a wide range of criminal justice stakeholders were asked what the most pressing challenges were either related to their communities or within their professional fields. She said that input also was solicited from an advisory group of Illinois agency directors who work with, and implement public policies for, criminal justice-involved populations. Dr. Braude added that the chosen topics were designed to offer solutions that would produce the broadest impact to the criminal justice system and not just be compartmentalized programs.

She continued to say that one of the issues that increasingly arose, particularly from those in law enforcement, was the difficulty in relating to community members and working with the community at large concerning public safety issues. Dr. Braude said that was the reason the first panel presentation will address why the neighborhood is needed and will be looking at broad community participation in public safety areas.

She then outlined some of the speakers and other subjects that would be covered including Michael Thompson, Director of the Justice Program Office for the Council of State Governments. She said that he will address reducing spending on corrections through justice reinvestment, which is a broad scale approach to looking at cost reduction strategies where costs can be offset from corrections and invested into community programs. At that point, Mr. Cutrone added that the process is based on taking some of the money spent on criminal justice and investing it in the community in ways that will prevent crime.

Dr. Braude went on to mention additional areas to be discussed including drug abuse and mental illness in the justice system and announced that the keynote speaker will be Cynthia Capporizzo, Senior Policy Advisor for the White House Office of National Drug Control Policy, the Executive Office of the President. She said that other panels and break-out sessions would talk about funding sources other than the Office of Justice Programs, Violence Against Women Act, and Victims of Crime Act funds, to be facilitated by the Executive Director of the National Criminal Justice Association. She remarked that the various aspects of evidence-based practices would include presentations by Candice Kane, former Authority Director; Judge Robb of the 11th Circuit in McLean County; and Dennis Rosenbaum of the University of Illinois Chicago. For more complete program information, she directed the Board to the Summit website.

She then turned to activities after the Summit, stating that working groups will convene to develop strategies to address state and local justice-related challenges, including evidence-based or promising practices, cross-disciplinary and cross-jurisdictional partnerships, and professional development and training strategies to conserve resources and share information. She said that the working groups over a period of months would formalize the strategic plan based on these broad areas within the Authority's broad statutory responsibilities.

At that point, Mr. Cutrone reiterated that from the beginning of planning for the Summit, the goal was to find out what issues are important to the criminal justice community and center the presentations on them. He said that the speakers on evidence-based practices from Illinois and from across the country are experts on evidence-based practices. He went on to say that those practices that have been shown to work will be part of the Summit webpage and that once the Summit is over, it will be a permanent aspect of the website so that people throughout the system who want answers to particular problems can find out what has been shown to be effective.

Continuing, he said that collaborative efforts will be discussed at the Summit to highlight ways to save money in times of fiscal constraints by avoiding duplication, and also will focus on programs that are most cost effective. He said that this is an approach that will be part of the strategic plan and why it is important to have Board Members participate. Mr. Cutrone added that strong attempts have been made to assure attendance by members of the legislature who serve on criminal justice committees because the strategic plan cannot be implemented simply by practitioners but must have legislative support. He further added that this is a direction in which the Authority is moving in the future, to be used more of a resource, noting that the Authority has great capabilities to assist people not only in the grant field, but also in policy and practice.

In conclusion, Dr. Braude remarked that the Authority's Research and Analysis Unit worked very hard on developing a compendium of evidence-based practices that as mentioned by Mr. Cutrone will be a permanent part of the Summit website. She said that she also wanted to call attention to a number of write-ups on the subject that the Research and Analysis Unit produced, which also will be on the website. As an example, she pointed to problem-oriented policing, which summarizes the most recent research literature and gives an overview and some resources for where to get information for implementing those strategies. She then thanked everyone and said that she looked forward to seeing them at the Summit.

Vice Chairman Alvarez thanked Dr. Braude and asked if there were any old or new business to discuss. With no response, she called for a motion to adjourn, but first wished everyone a good Labor Day weekend and said that the Summit should be very effective.

{Ms. Cynthia Hora's motion to adjourn was seconded by Sheriff Patrick Perez and adopted by unanimous voice vote.}