

**ILLINOIS
CRIMINAL JUSTICE
INFORMATION
AUTHORITY**



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Meeting Notice

Budget Committee
Monday, May 4 – 10:00 a.m.
Illinois Criminal Justice Information Authority
The Michael A. Bilandic Building
160 N. LaSalle Street
Room N502
Chicago, IL 60601

Agenda

► Call to Order and Roll Call

Budget Committee

Eugene E. Murphy, Jr.
Chair

Hon. Anita Alvarez
Vice Chair

David P. Bradford

Barbara L. Engel

Thomas J. Jurkanin

Hon. Lisa Madigan

1. Approval of the Minutes of the February 19, 2009 Budget Committee Meeting
 2. Approval of the Minutes of the March 24, 2009 Budget Committee Meeting
 3. Justice Assistance Grants / American Recovery and Reinvestment Act Planning Issues and Regular Plan Adjustments
 4. Victims of Crime Act / American Recovery and Reinvestment Act Designations
- Old Business
- New Business
- Adjourn

**Illinois Criminal Justice
Information Authority**

Sheldon Sorosky
Chair

Hon. Anita Alvarez
Vice Chair

Lori G. Levin
Executive Director

This meeting will be accessible to persons with disabilities in compliance with Executive Order #5 and pertinent State and Federal laws upon anticipated attendance. Persons with disabilities planning to attend and needing special accommodations should contact by telephone or letter Mr. Hank Anthony, Associate Director, Office of Administrative Services, Illinois Criminal Justice Information Authority, 300 West Adams Street, 7th Floor, Chicago, Illinois 60606 (telephone 312/793-8550). TDD services are available at 312-793-4170.



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MINUTES

**Illinois Criminal Justice Information Authority
Budget Committee Meeting**

Thursday, February 19, 2009

10:00 a.m.

Illinois Criminal Justice Information Authority
300 West Adams Street, Eighth Floor Conference Room
Chicago, Illinois

Call to Order and Roll Call

The Budget Committee of the Illinois Criminal Justice Information Authority met on Thursday, February 19, 2009, in the Eighth Floor Conference Room at 300 West Adams Street, Chicago, Illinois. Budget Committee Chairman Eugene E. Murphy, Jr. called the meeting to order at 10:18 a.m. Other Authority members and designees present were Bridget Healy Ryan for State's Attorney Anita Alvarez, Waisu Fashina for Clerk Dorothy Brown (via teleconference), Elaine Romas for Sheriff Tom Dart, Director Pat Delfino (via teleconference), Barbara Engel, Cynthia Hora for Attorney General Madigan, State's Attorney Bill Mudge (via teleconference), Mariyana Spyropolous, Colonel Michael Snyders for Director Larry Trent, John Z. Toscas (via teleconference), Tony Small for Director Roger Walker (via teleconference), and Rachel Johnston for Superintendent Jody Weis. Also in attendance were Director Polly Poskin of the Illinois Coalition Against Sexual Assault, Rick Krause of the Illinois Department of Corrections, Authority Executive Director Lori G. Levin, Authority Associate Director John Chojnacki, and other Authority staff members. Budget Committee members present constituted a quorum. Only members and designees physically present at the meeting were permitted to vote.

Executive Director's Comments

Director Levin noted that an Authority Regular meeting would be held on March 6, 2009. She said that some budgetary items would be added to the agenda for that meeting. She said that the Authority would soon apply for funds from a new federal program called the Sexual Assault Services Program (SASP).

Director Levin announced that Congress had passed the American Recovery and Reinvestment Act of 2009 (ARRA). She said that the anticipated Victims of Crime Act (VOCA) funds probably would not be sufficient to replace all of the funds that had recently been cut. However, she said that Violence Against Women Act (VAWA) and especially JAG funds under ARRA were expected to be substantial. She said that meetings would be held in the near future to address planning issues relating to these funds.

Director Levin said that her understanding at the time of this meeting is that the ARRA funds would first be made available 30 days after the date that the Act was signed by President Obama and the funds would be available for use through September 30, 2010. She also said that many questions remain about rules regarding the use of ARRA funds

Director Levin said that the expenditure of ARRA VAWA law enforcement funds would likely be a concern, as that has historically been problematic. She also said that the anticipated ARRA VOCA award would likely be approximately \$1.3 million.

In response to a comment by Ms. Engel, Director Levin said that the forthcoming planning meetings would include reviews of each program's priorities. Director Levin added that the meetings would not entail designation recommendations, but instead they would serve as broad-ranging reviews of the programs in general. She also said that the idea of eliminating matching funds requirements in an effort to expedite the expenditure of ARRA funds was raised.

Chairman Murphy said that a meeting would be planned for some time in the next two weeks. He said that the board has upheld its mandate to do more with less. ARRA funds provide an opportunity to make up some ground. Determining priorities for these funds will be a difficult task. There are many good causes and programs and perhaps it will not be necessary to choose one over another, but priorities should be established in any event.

In response to a question by Ms. Romas, Director Levin said that any ideas that board members have regarding priorities could be submitted to Mr. Chojnacki. She also said that the planning meetings would not entertain specific funding proposals. She added that these funds represent a temporary infusion of money, but it should not be expected that the funds will be sustained beyond the end of the ARRA performance periods and that entities receiving ARRA funds should plan accordingly; for example, if ARRA funds are used to start a new program, fund recipients should understand that they would need to assume the fiscal responsibilities for that new program once ARRA funds expire. Chairman Murphy emphasized project sustainability. Director Levin said that perhaps sustainability itself might qualify as a valid priority for ARRA funds.

Director Levin said that she would investigate the possibility of using ARRA funds to effectively support current programs for a one-year period. She said that it is possible the FFY09 awards might be higher than awards made in recent years, but it would also be reasonable to expect significant decreases in FFY10 awards.

Ms. Engel said that there is an obvious emphasis on job creation with ARRA funds. She said that there is a lot of downtime when new programs start; job descriptions must be written, individuals must be interviewed for new positions, etc. She suggested making it a priority to reinstate funds to programs that were forced to cut staff due to the recent cuts to their funding. The services provided by those individuals who were laid off were valued by their respective constituencies and those laid off individuals represent trained and talented candidates for reinstated positions. A secondary priority might be to build on or add to existing programs, she said.

Director Levin said that if programs are to be reinstated, they should have proven records that they had worked and met their goals in the past and they should be sustainable.

Chairman Murphy said that the concept of doing less with more will not be abandoned. He said that while the Budget Committee considers what to do with an infusion of money this year, in the near future it will revert back to managing budget cuts. He reiterated that the programs must be sustainable. He said that there would be no bigger waste of money than to start a new program and then, once it is up and running, to have to shut it down for a lack of sustainable funding.

Director Levin said that the federal government would enforce accountability for ARRA funds. She said that they want to be able to prove in a transparent fashion that ARRA funds are creating jobs. She said that in the event that ARRA funds are eventually used to purchase equipment, grantees would need to show how that purchase created a job.

Chairman Murphy said that it is important to set goals that can reasonably be met for the use of ARRA funds. He said that it will be important to show that the Authority has spent the funds wisely and has produced desired tangible results.

Ms. Engel requested that information on ARRA funding streams be made available on the Authority's website.

Minutes of the November 12, 2008 Budget Committee Meeting

Ms. Johnston moved to approve the minutes of the November 12, 2008 Budget Committee Meeting contained at Tab 1 of the meeting materials. Ms. Hora seconded the motion and the minutes were approved by unanimous voice vote.

Approval of the FFY05 and FFY06 Justice Assistance Grants (JAG) Plan Adjustments

Program Supervisor Mike Carter, referring to the memo at Tab 2 of the meeting materials regarding FFY05 and FFY06 JAG Plan Adjustments, said that since the last Budget Committee meeting on November 12, 2008, \$403,322 in JAG FFY05 funds and \$53,810 in JAG FFY06 funds had been returned to the Authority. He said that staff recommended designating \$30,000 in FFY05 funds to the Illinois Integrated Justice Information System (IIJIS) to host its biennial conference. He said that this year's conference will showcase integration successes and systems from various Illinois counties and that the conference is expected to host more than 250 attendees.

Mr. Carter said that staff recommends designating \$120,000 in FFY05 funds to the Illinois Department of Mental Health (DMH) for the purpose of expanding DMH's Jail Data Link (JDL) project. He said that this will assist in establishing new JDL services and MHC programs.

Director Levin said that the Authority has funded JDL programs before and that this would nearly double the number of counties participating in the JDL program. She said that the DMH provides daily downloads to jails to cross-match inmates with individuals who have documented mental health histories and the program provides information on individuals' treatments and / or prescriptions. This allows jail staff to properly treat inmates. The JDL programs will also employ coordinators so that mental health services can be coordinated with incarceration, parole, or probation. The JDL programs would be connected to local mental health courts. She said that once the initial \$40,000 is expended to get these programs up and running, Medicaid will provide the future funding. She said that these three programs were proposed by the DMH, so it is reasonable to assume that they will be viable.

In response to a question by Chairman Murphy, Director Levin said that in the event that any one of these programs closed down, the funds would be returned to the Authority.

In response to a question by Ms. Engel regarding the \$314,248 returned by the Illinois Department of Corrections (IDOC), Mr. Krause of the IDOC said that staff vacancies were the primary cause of the lapsed funds. He said that the IDOC had a significant amount of money allocated to transitional housing for juveniles, but the IDOC did not secure the needed housing. Therefore, funds were reallocated away from juvenile transitional housing and they went toward adult juvenile housing. He said that this resulted in eight staff vacancies; one coordinator and seven case managers. He said that the program is now fully staffed.

Ms. Engel said that if this issue illustrates that these inmates have no place to go once their sentences are finished, then that is a problem that needs attention. She said that the fact that this money didn't help solve the problem doesn't mean that the problem doesn't exist. This issue needs attention because effective re-entry programs have a lot to do with whether or not an individual recidivates.

Mr. Carter said that staff recommends designating \$60,000 in FFY05 funds to the Illinois Department of Mental Health (DMH) for the purpose of contracting with a technician to establish a statewide mental health court (MHC). This would be in addition to the JDL programs.

In response to a question by Ms. Hora, Director Levin said that there is a MHC association, which began in Cook County. She said that currently there were approximately 10 MHC's either planned or in existence.

Mr. Carter said that staff recommends designating \$140,500 in FFY06 funds to the Illinois State Police's Crimes Against Seniors Program (CASP). He said that the Authority has funded this program for the last three years at \$170,500 each year. During the last funding year, CASP lapsed approximately \$64,000 and is on pace to lapse the same amount in this funding year. The reason for these lapses was an inability to get the hiring of an investigator approved by the State of Illinois's Central Management Services. He said that staff recommends reducing CASP's designation from its FFY06 level by \$30,000 (from \$170,500 to \$140,500) with the expectation that funding may be restored, as needed, at the end of this 12-month period. Col. Snyder said that the paperwork for the hiring approval had been submitted to the governor's office so that hire should take place in the near future.

Mr. Carter said that staff recommends designating \$81,000 in FFY06 funds to the Macon County Public Defender's Office for its specialized defense initiatives program.

Mr. Carter said that staff recommends designating \$70,000 in FFY06 funds to the Cook County Social Services Department for its Community-Based Transitional Services for Female Offenders program.

Mr. Carter said that assuming the approval by the Budget Committee of the designations proposed in the memo, there would be \$294,591 remaining in JAG FFY05 and \$104,285 remaining in JAG FFY06.

Director Levin said that funding recommendations regarding JAG FFY05, which expires in September of 2009, would be proposed at the March 6, 2009 Authority Regular meeting. She said that a request for proposals (RFP) for law enforcement equipment was

about to be issued. The RFP was for approximately \$600,000. She said that these funds need to be expended quickly.

Ms. Engel moved to approve the FFY05 and FFY06 plan adjustment recommendations contained at Tab 2 of the meeting materials. Ms. Spyropoulos seconded the motion and the minutes were approved by unanimous voice vote.

New Business

None.

Old Business

None.

Adjourn

Ms. Healy Ryan moved to adjourn. The motion was seconded by Ms. Engel and passed by unanimous voice vote. The meeting was adjourned at 10:57 a.m.



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MINUTES

**Illinois Criminal Justice Information Authority
Budget Committee Meeting**

Tuesday, March 24, 2009

10:00 a.m.

James R. Thompson Center

100 West Randolph Street, Room 9-040

Chicago, Illinois

Call to Order and Roll Call

The Budget Committee of the Illinois Criminal Justice Information Authority met on Tuesday, March 24, 2009, in Room 9-040 of the James R. Thompson Center, 100 West Randolph Street, Chicago, Illinois. Budget Committee Chairman Eugene E. Murphy, Jr. called the meeting to order at 10:23 a.m. Other Authority members and designees present were Bridget Healy Ryan for State's Attorney Anita Alvarez, Waisu Fashina for Clerk Dorothy Brown, Elaine Romas for Sheriff Tom Dart, Director Pat Delfino (via teleconference), Barbara Engel (via teleconference), Clerk Becky Jansen, State's Attorney Bill Mudge (via teleconference), Dan Coughlin for President Todd Stroger, Colonel Michael Snyders for Director Jonathan E. Monken, Tony Small for Director Roger Walker (via teleconference), and Ted O'Keefe for Superintendent Jody Weis. Also in attendance were Lieutenant Arthur Clark of the Oak Lawn Police Department, Director Kurt Friedenauer of the Illinois Department of Juvenile Justice, Corey Anne Gulkewicz of the Illinois Attorney General's Office, Cheryl Jackson of the Chicago Urban League, Authority Executive Director Lori G. Levin, Authority Associate Director John Chojnacki, Associate Director Mark Myrent, Authority General Counsel Jack Cutrone, and other Authority staff members. Prior to the meeting, Authority Chairman Sheldon Sorosky designated all attendees to the Budget Committee for the duration of the meeting, thus constituting a quorum. Only members and designees physically present at the meeting were permitted to vote.

Executive Director's Comments

Director Levin said that staff has submitted the application for the American Reinvestment and Recovery Act (ARRA) Victims of Crime Act (VOCA) funds. She said that the Justice Assistance Grants (JAG) program application is a work in progress and it

is due in early April. She also said that the Authority would be applying for three competitive federal grants: the Transitional Housing Assistance program, the application for which would be submitted in conjunction with the Illinois Coalition Against Domestic Violence (ICADV); the Rural Law Enforcement program competitive grant; and the Byrne competitive grant. She said that she and General Counsel Cutrone were now regularly meeting with staff from the governor's office regarding ARRA funding.

Director Levin said that the General Accounting Office (GAO) had selected 16 states, including Illinois, that it will levy added scrutiny upon with regard to stewardship of ARRA funds. She also said that the Victim Services Ad Hoc Committee (VSAHC) had recently met to discuss ARRA funding. She complimented General Counsel Cutrone on crafting an outstanding and highly detailed legal document requesting a possible waiver of Violence Against Women Act (VAWA) matching funds. The document was sent to United States Attorney General Eric Holder.

Minutes of the March 5, 2009 Budget Committee Meeting

Ms. Healy Ryan moved to approve the minutes of the March 5, 2009 Budget Committee Meeting contained at Tab 1 of the meeting materials. Mr. Fashina seconded the motion and the minutes were approved by unanimous voice vote.

Recap of ARRA Funding Issues

General Counsel Cutrone reiterated Director Levin's comment that the GAO, in an effort to make public efforts to enforce accountability, intended to closely monitor Illinois's (and 15 other states') expenditures of ARRA funds. He said that the GAO would conduct bi-monthly site visits to Illinois to ensure that Illinois is meeting its goals and its processes result in expenditures for appropriate purposes. He said that under ARRA, federal reporting, including subgrantee information, must be completed within 10 days of the close of each quarter. He said that failure to comply with this requirement could result in the Department of Justice (DOJ) freezing all of the Authority's funds.

General Counsel Cutrone said that the Authority had received a degree of clarification with regard to supplanting in terms of efforts to maintain jobs that would otherwise be lost – specifically, documentation would need to be provided to support the saving of grant-funded jobs that would otherwise be lost. He said that given his interpretation of the federal financial guide, reasonable efforts to that end should be sufficient to meet ARRA requirements. He said that one of the ARRA requirements would be to track the number of jobs created or saved by any ARRA spending. He said that this is easy to do for grants that support personnel, but it is much harder to quantify job creation when the funds are

used to purchase supplies or equipment. He said that the Department of Justice (DOJ) has promised to provide further guidance on this matter.

Chairman Murphy said that it is important to remember that President Obama is from Illinois and for that reason alone Illinois might be subject to more intense scrutiny than many other states. The Authority will be under a microscope.

ARRA Funding Process

Director Levin, referring to the memo at Tab 2 of the meeting materials regarding the ARRA Funding Process, said that the Authority would receive \$50,198,081 in JAG funds, and according to the DOJ the Authority would have four years to spend. She also said that the Authority would receive \$1,353,000 in VOCA funds, which would be available for use for the federal fiscal year of the award plus the three following years. She said that while \$1.3 million is a lot of money, it is less than the Authority's annual award. She said that the Authority would receive \$5,094,365 in VAWA funds, which would be available for two years. She said that the Office of Violence Against Women (OVW) has issued confusing directives for the use of ARRA funds. She said that orally and via email, OVW had directed ARRA recipients to expend VAWA funds on a competitive basis. She said that the VSAHC, at its meeting on March 11, 2009, discussed ARRA funding issues under the assumption that allocations needed to be determined competitively.

Director Levin highlighted the following points:

1. Funding will be awarded on a competitive basis. OVW has indicated that ARRA funds may be used to continue existing programs.
2. ARRA funds should be distributed based upon JAG Purpose Areas and Priorities or VAWA or VOCA Priorities.
3. Programs considered for funding must support one or more of the priorities adopted by the Budget Committee, as appropriate per federal program.
4. Preference for funding should be given to proposed programs that demonstrate a projected viability beyond the expected life of the ARRA funds.
5. Program outcomes and program abilities to create or maintain jobs must be quantifiable.

6. ARRA funds must be expended within their respective federal fund time allotments.
7. Programs must be able to provide required quarterly fiscal and programmatic data reports.
8. Under current guidelines, recipients must obtain a Dunn and Bradstreet (DUNS) number and register with the federal Central Contractor Database to be eligible for funding.
9. A governing body such as the Budget Committee or the Authority Board must approve the JAG application within a 30-day window once the ARRA funds are made available. Therefore, it will be necessary to convene another meeting soon for the purpose of approving the JAG application.

Director Levin said that this was the general process by which ARRA funds would be distributed.

Ms. Healy Ryan moved to approve the ARRA Funding Process as described in the memo contained at Tab 2 of the meeting materials. Clerk Jansen seconded the motion and it was approved by unanimous voice vote.

Victim Services Recommendations

Program Supervisor Ron Reichgelt, referring to the memo at Tab 3 of the meeting materials regarding the ARRA Victim Services Funding Recommendations, said that the VSAHC met on March 11, 2009. He said that many details regarding conditions for the use of ARRA funds had not been conveyed to the Authority from the federal government at the time of that meeting. He said that staff was awaiting written approval from the Office of Victims of Crime (OVC) regarding whether ARRA funds could be used to effectively reinstate the recent funding cuts that had been made to VOCA programs. Because of the drops in the FFY07 and FFY08 VOCA federal awards, all VOCA programs recently experienced a 27.8 percent cut. He said that staff plans to use the ARRA VOCA funds to reinstate at least part of that reduction and that staff expects an increase in the VOCA FFY09 federal award to the Authority.

Mr. Reichgelt said that VAWA funds would be more difficult to administer. He said that OVW had indicated to Authority staff that VAWA ARRA funds must be distributed via a competitive process. The VSAHC suggested that these funds be utilized in a competitive fashion across certain areas that fall under the five VAWA categories (law enforcement,

prosecution, victim services, courts, discretionary), with emphases on training, increasing personnel, and coordinated efforts.

Director Levin said that at the VSAHC meeting, and especially regarding VOCA funds, the consensus was that funding should only go toward programs that operate at optimum levels. She said that she examines every new contract to determine if the programs are meeting their stated goals and if a program on our so-called “watch list” proves to have been underperforming for two or more years, that program would not receive any of the ARRA funds.

Mr. Fashina moved to approve the ARRA Funding Process as described in the memo contained at Tab 3 of the meeting materials. Mr. O’Keefe seconded the motion and it was approved by unanimous voice vote.

JAG Priorities and Purpose Areas

Director Levin said that no designations would be considered at this meeting. She also said that the memo’s text read that \$1 million should be set aside for law enforcement equipment, but in the time since the memo was written it had been determined that no specific amount should be set for that purpose so that sentence should be disregarded. She said that of the \$50,198,081 that the Authority would receive in JAG funds, the Authority would set 8.5 percent of those funds aside for administrative purposes. She said that this would leave \$45,931,245 for programming and of that, 65.51 percent (\$30,089,558) must be allocated to local units of government and the remaining 34.49 percent (\$15,841,686) would be available for state or local use at the Authority’s discretion.

Director Levin said that at the last JAG Planning Meeting (on March 5, 2009) Chairman Murphy had requested that staff collect suggestions for Priorities from grantees and those suggestions are included in the materials for this meeting. She also said that many people submitted funding requests instead of priority suggestions and those funding requests were set aside to be considered at the appropriate time. She said that Program Supervisor Mike Carter had assembled an excellent memo.

Mr. Carter, referring to the memo at Tab 4 of the meeting materials regarding the JAG Priorities and Purpose Areas, Suggested Priorities by Purpose Area, and Recommendations for ARRA funds, introduced the suggested Priorities by Purpose Area:

1. Law Enforcement Programs Priorities:

Support programs which pursue violent and predatory criminals.

Support efforts with law enforcement, prosecution, and probation to combat and disrupt illegal drug use, violent crime, illegal gun and gang activity and test drug users.

Support programs which provide law enforcement agencies throughout the state with necessary means to prevent, deter, or investigate crime through staffing, training, special projects or equipment in order to improve public safety and quality of life.

2. Prosecution and Court Programs Priorities:

Support prosecution efforts which focus on prosecuting violent and predatory criminals and drug offenders.

Support programs which contribute to the effectiveness and efficiency of the criminal justice court system at state and county levels in all facets: the judiciary, clerks, prosecution, defense and probation.

3. Prevention and Education Programs Priorities:

Support proven or innovative prevention or intervention programs for juveniles identified as at risk for involvement or already involved with the criminal justice system to provide services aimed to mitigate risk factors that are recognized as contributing factors of violent crime, drugs, gangs, guns or other criminal behavior.

4. Corrections and Community Corrections Programs Priorities:

Support juvenile and adult re-entry programs and programs that enhance jail or correctional facility security and safety.

Support proven or innovative programs for those already involved in the criminal justice system, those incarcerated, or those on probation which are targeted to address recognized risk factors for recidivism by mitigating risk factors that contribute to criminal behavior.

5. Planning, Evaluation and Technology Improvement Programs Priorities:

Support efforts to implement integrated justice information systems throughout the state to ensure that each component of the criminal justice system has access

to timely, complete and accurate information necessary to informed decision-making at each state of the criminal justice process.

6. Drug Treatment and Enforcement Programs Priorities:

Support programs which combat and disrupt criminal drug networks and programs which provide substance abuse treatment.

Ms. Gulkewicz, representing Cynthia Hora of the Illinois Attorney General's Office (AGO), requested on behalf of the AGO that the seventh Purpose Area (Crime Victim and Witness Programs, other than compensation) be made eligible for funding, given that the memo text indicated that JAG funds would not be put toward that Purpose Area. She said that while there would be approximately \$7 million in ARRA funds for victim services, only about half of the VAWA funds would be slated to go directly to victim services. She said that this is still a relatively low amount compared to the amount of money that ARRA will provide for JAG use.

Ms. Engel said that there had been past talk of channeling prevention funds for juvenile justice into communities.

Director Levin said that such funding would fall under Purpose Area 3.

Ms. Engel said that she disagreed with the proposition to disallow JAG funds from being used for victim services, as described in Purpose Area 7.

Director Levin said that the reason why staff suggested disallowing JAG funds from being used to support Purpose Area 7 was that even though only part of the VOCA and VAWA funding would go to directly supporting victim services programs, the other VOCA and VAWA programming would support victim services indirectly. She said that the roughly \$50 million in ARRA funds that would support JAG programming is actually not a lot of money. Unlike most other states, Illinois has always used JAG funds for more than just law enforcement. The Authority has used JAG funds for re-entry programs, juvenile justice, and to alleviate shortfalls in victim service funding. She said that, for reasons unrelated to this discussion, a letter had been sent to all of Illinois's law enforcement agencies encouraging them to apply for JAG funds. Staff didn't want to give victim services short shrift with regard to JAG funding, but when considering re-entry, juvenile justice, integrated justice, and other issues, staff is trying to create an environment where all interests would be considered for funding with the knowledge that victim services has its own dedicated funding streams. She said that these staff recommendations would only apply to the ARRA JAG funds, not the regular JAG federal award funds; the regular priorities would remain for the JAG FFY09 award. Even excluding Purpose Area 7, the ARRA JAG award will not stretch very far, she said.

Ms. Engel said that she had a process concern, which was that this issue had not been raised at any prior meeting. This suggestion was generated by staff, not by another source, she said. She also said that some other states, such as Ohio and Florida, also use JAG funds for victim services. She added that the combined VOCA and VAWA ARRA funds would not adequately make up for the losses in funding that victim services programs have experienced in recent years.

Mr. Coughlin said that the other six Purpose Areas provided a broad enough range of funding options that virtually any program, including many victim services programs, would fall under at least one of them if they are approached creatively. He said that he agreed with Ms. Engel's concerns, but it shouldn't be too difficult to interweave victim services needs with the other six Purpose Areas, if that becomes necessary.

Ms. Jackson, representing the Chicago Urban League, said that Ms. Engel's points lead to a broader question; that if victim witness protection programs can be folded under other categories, then this raises issues of transparency because categories that had specific intents now could be interpreted more broadly.

Chairman Murphy said that ultimately, every penny would be accounted for. He said that *transparency* is a big buzzword right now and all of the politicians love it, but rhetoric is for politicians; the Authority has to deal with the nuts and bolts. Transparency is really another word for accountability. Every dollar will be accounted for. However, the way some politicians use the term transparency is a joke because the more important terms are responsibility and accountability. Every dollar the Authority spends will be part and parcel of a line item. He said that there is no better way to maintain responsibility among the Authority's grantees than to have them report because then the public would be able to see first-hand how the stimulus funds are being spent.

Ms. Jackson said that she did not intend her comments to be viewed in the context of creating a sort of "gotcha" accountability, but rather in terms of how the Authority would determine what programs are worth investing in. She said that she was interested in the process being transparent before the fact. There is one category that is broadly interpreted to include a number of programs and that is a cause for concern with regard to transparency, she said.

Ms. Gulkewicz reiterated the Attorney General's position that Purpose Area 7 not be excluded from funding opportunities. She said that this would enable the Authority to provide funding under that Purpose Area in the future should such funding become prudent. She said that there is no reason to eliminate it right at the beginning.

Director Levin said that staff did not intend to disqualify programs that fall under Purpose Area 7 from future funding. These ARRA funds are intended to create jobs. Years ago, the Authority was receiving approximately \$20 million per year for Byrne programs, then the federal award was reduced to \$14 million (FFY05), followed by another reduction to \$8 million (FFY06) before it went up to \$12 million (FFY07), and the most recent award was for only \$4.4 million (FFY08). Illinois is okay right now because the Authority operates in arrears and the most recent award (FFY08) has not yet been touched and the FFY09 award is expected to be somewhat higher than the FFY08 award was. She said that when funds were needed to supplement cuts to victim services programs recently, staff used JAG funds to cover some programs that regularly received VOCA funds. The funding fell under a JAG Purpose Area, but the board approved this funding despite the fact that it did not fall under a JAG priority. The board decided to carry victim services for a year using JAG funds, and this was after the law enforcement programs had all received cuts. Director Levin said that the primary reason why staff suggested not funding program under Purpose Area 7 was that victim services would already have dedicated funding. However, that is simply staff's recommendation; any action is up to this panel, she said.

Chairman Murphy said that included in the concept of job creation are job maintenance and job recall; that is the prevention of layoffs and the re-hiring of people who have been recently laid off. Job creation does not necessarily mean a completely new position.

Ms. Gulkewicz said that Attorney General Madigan wanted to make clear that victim witnesses and advocates would fall under Purpose Area 7, so it would be in keeping with the goals of job creation and maintenance to allow Purpose Area 7 to be used for victim services.

Ms. Healy Ryan said that victim services would certainly be included under Purpose Area 2. Victim services are an important priority for state's attorneys.

Chairman Murphy said that prosecutors have vested interests in maintaining healthy relationships with crime victims because crime victims wear two hats, so to speak; they are victims, but they are also witnesses who can help put criminals away. He said that it doesn't do a prosecutor's office much good to have poor relationships with witness. Instead, they want witnesses who are cooperative, willing, well taken care of, and, ultimately, who feel safe. One of the most important aspects of getting witnesses to cooperate is making them feel safe, he said. While serving as a witness is routine for law enforcement officers, it can be daunting for civilians.

Ms. Engel suggested adding language to Purpose Area 2 to include victim / witness programs. She said that when there is a blanket statement that victim services will not be funded, especially without this prospect having been discussed at earlier meetings, it

raises a red flag. As this discussion has revealed, prosecution becomes very difficult without good input from witnesses. She said that it is incumbent upon prosecutors to have careful, thoughtful, and sympathetic programs for victims for the benefit of the larger criminal justice system. It should be noted that without victims there would be no criminal justice process.

Ms. Healy Ryan proposed adding the *italicized* text to the second Priority listed under Purpose Area 2 in the memo:

Support programs which contribute to the effectiveness and efficiency of the criminal justice court system at state and county levels in all facets: the judiciary, clerks, prosecution, defense, probation, *and victim services*.

Ms. Engel said that such a change would help.

Mr. Coughlin asked if any part of any of the six Purpose Areas in question specifically prohibits using funds for victim services.

Clerk Jansen said that, having worked in the court system for 20 years, she could interpret many of the Purpose Areas in many different ways and nowhere is any exclusion suggested or implied.

Ms. Engel said that she appreciates that JAG has been used fairly exclusively for criminal justice, but that hasn't been a source of debate. She said that it has been understood that such an arrangement is in keeping with the Authority's overall priorities. She said that it would not be appropriate for the language of the priorities to specifically exclude the use of JAG funds for any purpose.

Ms. Romas moved to amend (amendment *italicized* below) the second Priority listed under Purpose Area 2 in the memo, as proposed by Ms. Healy Ryan:

Support programs which contribute to the effectiveness and efficiency of the criminal justice court system at state and county levels in all facets: the judiciary, clerks, prosecution, defense, probation, *and victim services*.

The motion was seconded by Clerk Jansen and it was approved by unanimous voice vote.

Ms. Healy Ryan moved to adopt all of the Purpose Areas and their respective priorities, as amended. The motion was seconded by Clerk Jansen and it was approved by unanimous voice vote.

JAG Recommendations

Director Levin said that with respect to the JAG Recommendations, it is important to bear in mind that the Recommendations are not to be associated directly with any proposed designations, but they are to serve as guides as the designation process proceeds.

Metropolitan Enforcement Groups (MEGs), Multi-Jurisdictional Task Forces, and Drug Prosecution

Director Levin said that assuming that a method can be found to quantify job creation / retention, staff recommends the continued funding of MEGs, Task Forces, and Drug Prosecution programs (all of which are Authority core programs) at their current levels for another year. These and most other JAG programs had recently received 25 percent funding reductions. Funds for these programs would come from the local portion of the ARRA JAG award.

Multi-Component Applications

Director Levin said that per DOJ formula guidelines, there is approximately \$15.1 million available for statewide programs. In order to establish broad, statewide transformational job programs, collaboration should be encouraged. Joint multi-faceted applications allowing different component participants to receive separate grants in order to provide a broad range of cohesive programs serving in concert with one another should be allowed up to \$5 million in funding each. Each component should submit its own separate funding application as part of the total joint package. Such applications and programs should include at least one state agency. All programs should be based on evidence-based practices or best practices and should include an evaluation component.

Director Levin said that a number of state agencies are interested in JAG funding. To facilitate the application process, teams consisting of state agency personnel would be assembled. For example, in the event of an application by the Authority, the Illinois Department of Corrections (IDOC), the Illinois Department of Juvenile Justice (IDJJ), and the Illinois Department of Human Services (DHS) might review the Authority's application. The representatives of the various agencies would then discuss the programs to determine which ones to fund. The only issue with such an arrangement would be that the IDJJ and IDOC would not judge each other's applications because they have some shared staff. She said that there would likely be funds remaining after this selection process and although these designations would be capped at \$5 million, they would be allowed to be made for less. This would be especially accommodating to the transformational programs such as re-entry, juvenile justice, or mental health-related

programs. She said that the idea would be to get diverse partners in various communities to work with state agencies.

Local-Use Funds

Director Levin said that with respect to the JAG local-use dollars, staff requested that the board determine the funding parameters. The governor's office will be contacted to ensure that it approves of whatever plans this panel makes for the Authority's use of ARRA JAG funds.

Director Levin again instructed the committee to disregard the sentence in the memo that read, "*A total of \$1 million should be reserved for that (law enforcement equipment) funding.*" She said that she did not want to create the appearance that a designation of any sort was being made. She said that designations would be allowable for up to \$25,000 for equipment or vehicles and designations for other programs would fall into one of three tiered categories:

- \$100,000 and under.
- \$100,001 to \$250,000.
- \$250,001 to \$500,000.

Director Levin said that while this might make scoring more difficult, this would also help to prevent applicants from thinking that they would have to apply for the entire half-million dollars; applicants would be able to apply for what they would actually need instead of a large predetermined lump sum.

Matching Funds

Director Levin said that staff had originally wanted to create a sort of system of tiered match. She said that after much consideration, however, staff recommended that match not be required, but this no-match condition would apply to ARRA JAG funds only.

Ms. Engel said that the same caveat, that programs should be carefully examined before funds are designated, which was applied to the victim services programs, should also apply to the MEGs and Task Forces. She said that priority should be given to those programs that have met their goals and objectives and have consistently reported in a timely manner. She said that another concern is that drug interdiction efforts have focused on small-time cannabis users and dealers and this has been a majority of what the MEGs and Task Forces are doing. She said that such a focus may be at the expense of the fight against crack cocaine and other harder drugs.

Col. Snyders said that Ms. Engel's first point alluding to program accountability is very valid. He said that he would be happy to educate the board members or anybody else on the accountability processes that go beyond simple reporting to the Authority. The COPS (Commanding Operational Policing) program involves a strategy that has commanders performing monthly reviews to determine accountability and resource deployment issues. Col. Snyders said that, regarding Ms. Engel's second point, law enforcement is targeting the more serious drug offenders, particularly methamphetamine and cocaine offenders, as well as an increasing heroin problem. He said that there is very strong intelligence-based command oversight governing the deployment of resources as needed. He said that he closely monitors the outcomes some of these units. He said that low-level cannabis users and dealers are definitely not being targeted in place of more serious offenders.

Ms. Engel said that she appreciated Col. Snyders's comments and she fully supports the efforts he described. However, she said that she found troubling a report that staff had presented within the last year that showed that street-level cannabis offenses constituted a significantly higher proportion of MEG and Task Force outcomes than did more serious drug offenses.

Director Levin said that staff had issued a report indicating that some high-level cannabis dealers had been targeted. She said (to Ms. Engel, who was participating by teleconference) that Research and Analysis Unit Director Mark Myrent (who was present) indicated that he agreed with Director Levin's statement. She said that the focus was not on individual small-time users.

Col. Snyders said that he appreciated Ms. Engel's concern and he would be happy to communicate to any interested parties further information regarding resource deployment and management oversight. He also said, however, that there are often times when a local police chief or mayor has a nuisance situation that involves cannabis and the local authorities ask for help. Often, that which begins as a cannabis interdiction will lead to the discovery of more serious offenses.

Director Levin, in response to a question by Ms. Healy Ryan, said that at this point staff was recommending that the MEGs and Task Forces be funded for an additional year, assuming such a use of ARRA funds would be allowable per rules set forth by the Bureau of Justice Assistance (BJA). Col. Snyders suggested that there may be additional initiatives proposed that would supplement these efforts. Director Levin said that a priority for staff is to maintain the Authority's core programs. She said that in the context of ARRA funding, the cases would probably have to be made that, but for ARRA-funded grants, jobs would be lost. Indications from the BJA at this point are that funds can be used for these purposes, but staff would need to figure out reporting mechanisms that would be acceptable to BJA and to the General Accounting Office if the Budget Committee approves these recommendations.

Chairman Murphy said that the Authority is currently operating a very conservative budget. To the extent that there is more money than is currently allocated, that is wonderful, but the Authority cannot put itself in a position where it over-commits or promises too much to too many parties only to one day discover that the Authority is unable to honor said commitments and promises.

Director Levin, in response to a question by Mr. Coughlin, said that \$25,000 had been selected as a cap for law enforcement equipment and vehicle grants, and grants would be restricted to counties not already receiving JAG funds in an effort to ensure that some of the smaller agencies throughout the state could reasonably be included in the request-for-proposals (RFP) process. She said that this would mean that jurisdictions in over 90 counties would be eligible.

Mr. Coughlin said that in his experience, \$25,000 would only purchase about four radios and that is not much money when its intended use is for law enforcement equipment. He suggested raising the cap to allow for more effective grantee purchasing power.

Associate Director Chojnacki said that the \$25,000 was originally intended to allow grantees to purchase a vehicle. Certainly, larger amounts could be considered, he said.

Mr. O'Keefe said that if the cap is \$25,000, then that indirectly assumes that the grantee must spend money in a matching fashion. This is because \$25,000 will purchase a basic vehicle, but more must be spent to outfit the vehicle with police-specific accessories such as lights and other electronics in order to make the vehicle work-ready.

Col. Snyders said that with regard to the Illinois State Police's (ISP) cruiser purchases, new legislation will direct funds from registration fees toward that purpose, so new vehicle purchases should not be an issue for the ISP in the near future. He said that once a new car, which usually costs approximately \$19,000, is outfitted with lights, a radio package, audio/video recorders, a mobile data terminal, and any other accessories, the total cost can easily top \$30,000.

Chairman Murphy suggested raising the cap to \$40,000. Mr. Coughlin and Mr. O'Keefe agreed that \$40,000 would be a sufficient amount to cover total costs for a new work-ready car.

Col. Snyders said that a \$40,000 cap would allow agencies two options: 1) purchase an entirely new work-ready vehicle; or 2) purchase two base model vehicles and outfit them with the existing equipment that had been in the vehicles that the new vehicles would replace.

Mr. Coughlin moved to raise the JAG law enforcement equipment RFP grant cap to \$40,000. The motion was seconded by Ms. Healy Ryan and it was approved by a voice vote that included one “no” vote.

Mr. Fashina explained his “no” vote: He said that if the intent is to issue an RFP, keeping the cap at \$25,000 would make the RFP more competitive. By raising the cap to \$40,000, applicants will be inclined to apply for the full \$40,000, whether they really need the whole amount or not. Keeping the cap at \$25,000 would cause grantees to put downward pressure on the sale prices of vehicles and equipment as they negotiate with vendors.

Mr. Coughlin said that in this instance, a new vehicle is really multiple pieces of equipment, not just a vehicle. He said that currently the statewide bid for a new (Ford) Crown Victoria is approximately \$18,500. Adding the equipment necessary to make the car ready for service significantly raises the total cost. \$40,000 is not an unreasonable estimate for the total cost of a new vehicle. He said that with a \$40,000 cap, the RFP would be sufficiently competitive.

Chairman Murphy said that the purchase of vehicles is just one example of things these funds could be used for. He said that pressure should be put on vendors to negotiate the lowest possible sale prices for whatever equipment is needed. Everyone should be looking for ways to do more with less, he said.

Lt. Arthur Clark of the Oak Lawn Police Department said that, having researched some of the items that a smaller police department would desperately want, \$25,000 would buy approximately 10 rifles or 15 tazers. He said that for a department with 100 officers, this would work out to about one rifle for every four officers.

Chairman Murphy said that every agency would have different needs. However, not every agency will get everything that they want. He reiterated that the key goal here is job creation and retention and overall economic stimulus.

In response to a question by Lt. Clark, Director Levin said that the proposed tiered funding structure was intended for program grants as opposed to equipment grants. She also said that, historically, the Authority has issued law enforcement equipment RFPs specifically for items such as vehicles, radios, and mobile data terminals, but not for weapons.

Ms. Engel asked what valence should be given to grants that would support jobs directly versus equipment grants that would support jobs indirectly. She asked what priority, if any, should be assigned to job-supporting grants versus equipment grants.

Chairman Murphy said that the mandate from BJA is that ARRA funds are intended to stimulate jobs via job creation, maintenance, or re-hiring laid-off workers. Jobs are the top priority.

Director Levin said that in the cases of equipment grants, job support would need to be quantified. A process for doing this would need to be developed.

Chairman Murphy said that ARRA funds are not going to be doled out just because the Authority has those funds, as the parameters for expending ARRA funds are being determined at this meeting. For example, if a potential grantee asked for \$40,000 to buy 40 radios, but could not demonstrate how such a purchase would stimulate the jobs component of ARRA, the Authority's response would likely be to deny the grant, despite the need for the equipment or the equipment's demonstrated utility and importance.

Col. Snyders moved to adopt the staff Recommendations described in the memo, as amended (see below). The motion was seconded by Ms. Healy Ryan and it was approved by unanimous voice vote.

Three amendments to the Recommendations presented in the memo were made as follows:

- 1) Law Enforcement - raise the recommended amount available for vehicle and / or equipment purchases from \$25,000 to \$40,000;
- 2) Law Enforcement - remove the recommendation that \$1 million should be reserved for Law Enforcement Equipment funding; and;
- 3) Local-Use Funds - deny a staff request that the board assign funding percentages to the JAG Priorities so that staff would be able to determine appropriate dollar amounts for funding per Priority.

Further Discussion

In response to a comment by Director Levin, Chairman Murphy said that he did not want to establish any sort of weighting system to be applied to the priorities. He said that it would be premature to set such parameters at this time.

Director Levin said that the JAG application must be submitted by April 9, 2009. As part of the application process, a public comment period will begin soon. The Authority Board must approve of the application and BJA will hold the Authority's ARRA funds until the board formally approves the application. She said that the Authority staff has been putting forth an extraordinary effort to meet deadlines. She said that Authority staff member Linda Taylor has been doing a phenomenal job of managing applications to

many different federal programs and she has gotten some assistance from staff member Maureen Brennan regarding transitional housing program applications. Director Levin said that VOCA ARRA funds would likely be the first ARRA funds that the Authority distributes.

Director Levin said that a Budget Committee meeting date would need to be selected in the near future, probably some time in May.

Ms. Engel asked if at the federal level any instructions had been given regarding how to distinguish between supplanting and maintaining jobs that would be lost, but for an influx of (ARRA) grant funds.

General Counsel Cutrone said that the general rules per the federal financial guidelines are that reasonable documentation must be supplied to clarify that jobs would be maintained via the use of ARRA funds.

Ms. Engel requested that such rules be posted on the Authority's website.

New Business

None.

Old Business

None.

Adjourn

Clerk Jansen moved to adjourn. The motion was seconded by Ms. Healy Ryan and passed by unanimous voice vote. The meeting was adjourned at 11:50 a.m.



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300 W. Adams Street • Suite 700 • Chicago, Illinois 60606 • (312) 793-8550

MEMORANDUM

TO: Authority Members

FROM: John C. Chojnacki, Associate Director, Federal & State Grants Unit

DATE: April 30, 2009

RE: **Justice Assistance Grants (JAG) American Recovery and Reinvestment Act (ARRA) Planning**

This memo describes staff recommendations for proposed adjustments to plans for the expenditure of JAG ARRA funds. These proposed adjustments are in light of clarifications from the Bureau of Justice Assistance (BJA) and the Office of the Governor. These proposed adjustments are in keeping with the Governor's Office's recommendations that JAG ARRA funds be used to maintain jobs currently funded by this year's state budget, but not contained in SFY10's budget as well as Governor-supported initiatives aligned with authorized Byrne JAG purposes. Additionally, in light of further guidance from BJA that the ARRA JAG funds need not be disbursed on a competitive basis, the Authority has requested a change in Illinois's ARRA JAG plan and will submit changes consistent with Budget Committee action at this third planning meeting. In many cases, ARRA JAG funds may be used to restore recent funding cuts to existing programs, thereby allowing the programs to retain or re-hire laid-off personnel.

As previously indicated, the Authority's ARRA JAG award is \$50,198,081, 8.5 percent of which (\$4,266,836) will be used for administrative purposes, leaving \$45,931,245 for state and local funding. Up to 34.49 percent of the ARRA JAG award (\$15,841,686) may be used for statewide programs, however, a minimum of 65.51 percent of the ARRA JAG award (30,089,558) must be allocated to local units of government.

JAG Purpose Areas and ARRA-Related Priorities

Staff recommends that the Budget Committee consider the following priorities within the ARRA JAG purpose areas. Additions or modifications to the language of the priorities approved at the last Budget Committee ARRA JAG planning meeting are italicized.

1. Law Enforcement Programs Priorities:

Support programs which pursue violent and predatory criminals.

Support efforts with law enforcement, prosecution, and probation to combat and disrupt illegal drug use, violent crime, illegal gun and gang activity and test drug users.

Support programs which provide law enforcement agencies throughout the state with necessary means to prevent, deter, or investigate crime through staffing, training, special projects or equipment in order to improve public safety and quality of life.

2. Prosecution and Court Programs Priorities:

Support prosecution efforts which focus on prosecuting violent and predatory criminals and drug offenders.

Support programs which contribute to the effectiveness and efficiency of the criminal justice court system at state and county levels in all facets: the judiciary, clerks, prosecution, defense, probation, and victim services.

3. Prevention and Education Programs Priority:

Support proven or innovative prevention or intervention programs for juveniles *and adults* identified as at risk for involvement or already involved with the criminal justice system to provide services aimed to mitigate risk factors that are recognized as contributing factors of violent crime, drugs, gangs, guns or other criminal behavior.

4. Corrections and Community Corrections Programs Priorities:

Support juvenile and adult re-entry programs and programs that enhance jail or correctional facility security and safety.

Support proven or innovative programs for those already involved in the criminal justice system, those incarcerated, or those on probation which are targeted to address recognized risk factors for recidivism by mitigating risk factors that contribute to criminal behavior.

5. Planning, Evaluation and Technology Improvement Programs Priority:

Support efforts to implement integrated justice information systems throughout the state to ensure that each component of the criminal justice system has access to timely, complete and accurate information necessary to informed decision-making at each state of the criminal justice process.

6. Drug Treatment and Enforcement Programs Priority:

Support programs which combat and disrupt criminal drug networks and programs which provide substance abuse treatment.

7. Crime Victim and Witness Programs Priority:

Restore state-use funds to victim services programs that have been cut out of the state's budget.

State-Use Funds

Up to 34.49 percent of the JAG ARRA award (\$15,841,686) may be used for statewide programs. Staff recommends, based on the Governor's Office's request, that ARRA JAG state-use funds can be issued to continue, restore, and/or support statewide delinquency prevention, violence prevention and intervention, victim services, and juvenile and adult re-entry and "no-entry" diversion programs in conjunction with the Illinois Department of Human Services (DHS), Illinois Department of Corrections (IDOC), and the Illinois Department of Juvenile Justice (IDJJ).

Local-Use Funds

A minimum of 65.51 percent of the JAG ARRA award (\$30,089,558) must be allocated to local units of government. Staff recommends that \$4.4 million be set aside to support multi-jurisdictional narcotics units, consisting of Metropolitan Enforcement Groups (MEGs) and Task Forces, and multi-jurisdictional drug prosecution programs.

This would leave approximately \$25.6 million for other programming. Staff recommends that this \$25.6 million be distributed throughout the state, serving diverse communities and populations. In light of the state's 9.1 percent unemployment, staff recommends maintaining effective evidence-based programs subjected to state and/or local budget cuts. In order to distribute these dollars equitably across the many areas of criminal justice, staff recommends that this \$25.6 million allocated in accordance with the following percentages:

Law Enforcement	30 percent
Prosecution and Court Programs	30 percent
Corrections and Community Corrections	8.33 percent
Drug Treatment and Enforcement Programs	8.34 percent
Prevention and Education Programs	8.33 percent
Planning, Evaluation, and Technology Improvement	15 percent

Although JAG ARRA funds will not generally be awarded on a competitive basis, JAG funds in support of law enforcement in the form of an equipment purchase request for proposals (RFP), either work-ready squad cars or LiveScan machines, will adhere to the \$40,000 per entity funding cap that was agreed to at the March 24, 2009 Budget Committee meeting.

Additionally, in order to expedite the benefits of integrating information systems, staff recommends that a third of the funds for technological improvements be allocated through an RFP to local law enforcement agencies with the goal of allowing them to interface with the Illinois State Police's I-CASE system and another third be allocated through an RFP to local law enforcement agencies for the purchase and operation of Starcomm radios to allow the agencies to interface with the Illinois State Police. The final third would be available for other integrated justice projects.

Staff will be available at the meeting to answer any questions.



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MEMORANDUM

TO: Authority Members

FROM: John C. Chojnacki, Associate Director, Federal & State Grants Unit

DATE: April 30, 2009

RE: **Justice Assistance Grants (JAG) Plan, General Adjustments**

Staff recommends eliminating the four-year limit on the State's Attorney's Appellate Defender's Office's and the State's Attorney's Appellate Prosecutor's Office's Systemic Sentencing Issues Appeals Project programs. Staff is making this recommendation in an effort to ensure that essential criminal justice services provided by these agencies are maintained. These agencies have received Byrne Anti-Drug Abuse Act or JAG funds for over ten years. Staff recommends that these agencies now receive funding on an annual basis in the same manner that the multi-jurisdictional narcotics units (the Metropolitan Enforcement Groups and Task Forces) receive their funding.



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MEMORANDUM

TO: Authority Members

FROM: John C. Chojnacki, Associate Director, Federal & State Grants Unit

DATE: April 30, 2009

RE: **Victims of Crime Act (VOCA) American Recovery and Reinvestment Act (ARRA) FFY09 Planning History and Introduction**

VOCA Planning History

At the October 9, 2007 Victim Service Ad Hoc Committee (VSAHC) meeting, members voted to recommend to the Budget Committee a 20 percent reduction from then-current funding levels for future designations made using VOCA funds. The VSAHC also recommended that all then-existing VOCA programs continue to receive funding. Reductions appeared to be necessary in order to continue funding for all programs because of a reduction in the Authority's FFY07 VOCA federal award and anticipated reductions in FFY08 and other future federal awards. As an addendum, staff recommended that 20 percent be the *maximum* reduction if fund levels stayed the same, i.e. a slightly smaller reduction across the board would be necessary if the FFY08 award was equal to the FFY07 award.

At that meeting, the VSAHC also recommended that staff exercise discretion in determining funding levels of future VOCA designations prior to recommending those designations to the Budget Committee. The VSAHC recommended that such discretion be influenced by future VOCA federal award amounts and/or analysis of individual grantees' budgets and/or lapsing funds.

At the October 24, 2007 Budget Committee meeting, the committee approved the recommendations set forth by the VSAHC, with the understanding that the recommendations were in anticipation of a reasonably expected VOCA FFY08 federal award reduction. The VOCA FFY08 award was smaller than was expected and as a result, all designations proposed reflected an award reduction of approximately 27.8 percent, relative to each program's prior designation.

VOCA ARRA FFY09 Introduction

On March 11, 2009, the Victim Services Ad Hoc Committee (VSAHC) met to discuss funding issues relating to the American Recovery and Reinvestment Act (ARRA) of 2009. The VSAHC made the following recommendations for the use of the VOCA ARRA funds:

- A. Use ARRA funds for program restoration. Proportionately restore current grantees to make up for the last funding cut.
- B. Restore funding proportionally across VOCA grantees per funding history. Offer restoration on the basis that applicants would be able to effectively use the funds.
- C. Require applicants to indicate retention of jobs, creation of jobs, or other stimulation of the economy.
- D. Emphasize return on investment to potential grantees as opposed to simply giving money away. Use (or perhaps provide funding for) cost / benefit analyses.
- E. Require applicants to demonstrate program impact that ARRA funding would generate.

These recommendations were approved by the Budget Committee on March 24, 2009.

Following the recommendations of the VSAHC, approved by the Budget Committee, staff recommends using the VOCA ARRA funds, in addition to the FFY09 VOCA award, which is expected to be increased by approximately 18 percent over the FFY08 award, to partially reinstate the cuts made under the FFY08 award. To do this, staff recommends partially reinstating funding cuts described above for the two largest VOCA designations, the Illinois Coalition Against Domestic Violence (ICADV) and the Illinois Coalition Against Sexual Assault (ICASA) for their existing programs.

The FFY09 VOCA ARRA award to Illinois is \$1,353,000. After deducting the five percent set aside for administrative costs (\$67,650) there is \$1,285,350 available for grants. At this time, staff recommends designating the entire \$1,285,350 to partially reinstate funding cuts described above for the two largest VOCA designations, belonging to ICADV and ICASA, for their existing programs. Staff recommends designations of \$559,387 and \$725,963 to ICADV and ICASA, respectively. These designations from the FFY09 VOCA ARRA award would reflect an approximately 20 percent increase in funding for these two programs.

The FFY09 VOCA award is expected to be roughly 18 percent higher than the FFY08 award. Staff is planning to recommend increases once the FFY09 award is received to all VOCA grantees in accordance with the percentage increase of the FFY09 award relative to the FFY08 award and in accordance with staff discretion per reviews of individual

program performances. Since the coalitions would have already received their increases in the forms of ARRA funds, they would not see increases in their designations made from FFY09 funds, thus allowing those funds to be distributed proportionally among the other VOCA programs to make up the difference between the expected 18 percent federal award increase and the planned 20 percent program award increases. In the event that the FFY09 federal award represents an increase over the FFY08 award of more than 18 percent, the coalitions would receive increases to their FFY09 designations to the extent that those increases, coupled with the ARRA designations, would be in keeping with other programs' total percentage increases

Assuming Budget Committee approval of these proposed designations, there will be no FFY09 VOCA ARRA funds available for further funding.

Staff will be available at the meeting to answer any questions.