



ILLINOIS STATE COMMISSION
ON CRIMINAL JUSTICE AND SENTENCING REFORM

Regular Meeting Minutes
Thursday September 29, 2016
1:00 pm to 5:00 pm

TASC
700 S. Clinton
Chicago, Illinois

Commissioners present: Rodger Heaton (Chairman), Jerry Butler, Andy Leipold, John Maki, Dave Olson, Honorable Elizabeth Robb, Gladys Taylor, Senator Kwame Raoul, Kathryn Bocanegra, Kathy Saltmarsh, Pam Rodriguez, Greg Sullivan, Representative Elgie Sims, Howard Peters

By Conference Call: Mike Tardy, John Baldwin, Representative Brian Stewart, Representative John Cabello, Senator Michael Connelly

Staff: Lisa Desai, Jennifer Paswater, Ben McCauley

Call to Order: Chairman Heaton called the meeting to order at 1:00 pm. A quorum was determined to be present as indicated above. A special thanks to Pam Rodriguez and the staff of TASC for hosting the meeting.

Approval of the Minutes

Motion to adopt meeting minutes from June 8, 2016, July 7, 2016 and August 25, 2016 Commission meetings.

Motion to adopt: Senator Kwame Raoul

Seconded: Pam Rodriguez

Motion Carried

Women in Prison – Gender Specific Interventions

Commissioner Peters introduced Alyssa Benedict. Ms. Benedict is the Founder and Executive Director of a program called Core Associates who work directly with state and federal organizations to develop and implement gender responsive programs in Corrections. She has been a federal partner with the National Criminal Justice Women's Resource Center and a national consultant for the US Office of

Juvenile Justice and delinquency prevention as well as the co-founder of the National Institute of Corrections gender informed practice assessment.

Ms. Benedict provided information focused on female offenders. The female offender profile is different than for male offenders. They tend to enter the criminal justice system for non-violent crimes (often drug and/or property related). They do not tend to commit serious or violent crimes against people.

- Most women in the CJ system come from impoverished neighborhoods lacking in viable systems of social support.
- High numbers have experienced serious physical or sexual abuse.
- Many of these women are plagued with physical, mental and substance abuse problems.
- Majority are far more likely to be the sole support and caregivers of their children.

Many of the theories and evidence-based correctional approaches are based on research connected with male offenders. There has been a chronic inattention to women in corrections. Ms. Benedict shared the ten truths as defined by research.

- Women are the fastest growing criminal justice population, yet they pose a lower public safety risk than men.
- Women follow unique pathways into crime and present risk factors that signal different intervention needs.
- Women's engagement in criminal behavior is often related to their relationships, connections and disconnections with others.
- Traditional criminal justice policies and practices have largely been developed through the lens of managing men, not women.
- Justice-involved women often report histories of sexual victimization and trauma, and continue to be vulnerable within correctional settings.
- Traditional prison classification systems tend to result in unreliable custody designations for incarcerated women.
- Gender responsive assessment tools can enhance care management efforts with justice-involved women.
- Using a comprehensive case planning process that attends to evidence-based, gender responsive and trauma-informed principles improves outcomes.
- Incarceration and re-entry are particularly challenging for justice-involved mothers with minor children.
- The cost factors of overly involving women in the criminal justice system are high.

Research shows that failure in analyzing women's crime or the intervention designed for them has created a situation where their involvement is increasing. The goal is to interrupt the flow. How we work with women can increase their capacity and offer critical opportunities for healing.

Ms. Benedict shared information on how to build more effective systems and develop policies that improve outcomes for women. Examination of best practices around the country may help Illinois best serve this population in the community and reduce the overall population in prisons. This will help to create more stability in the community.

As one example, Massachusetts pioneered implementation of a training program for correctional staff on trauma-informed care. Staff was trained in how to adjust their approaches with women given the

high instances of trauma in their lives. Indications show there was significant improvement over a short period of time not only with justice-involved women, but with staff as well.

Based on the data and presentations, Commissioner Rodriguez provided four potential recommendations that were identified for discussion:

1. Implement a Gender Responsive Risk Assessment Tool:

- Reduces population by increasing diversion opportunities at local level and state level. Without it, women are *over-classified* and such opportunities to divert or reduce lengths of stay are missed.
- While more women could be identified for alternatives upon admission to IDOC, our laws allow for a system to be developed whereby women can be diverted to them before they are sent to IDOC - especially mothers. Increased emphasis on alternatives to incarceration should be explored, supported by the Risk Assessment and gender responsive community based treatment services.

IDOC reported that its senior leadership would be meeting tomorrow (9/30/16) to discuss implementation of a gender responsive tool.

2. Implement the Women Offender Case Management Model (WOCM):

- Reduces population primarily by reducing recidivism.
- Links prison/diversion staff to probation/parole staff and evidence-based community services to training and a process that is based on gender responsive, trauma-informed practices.

In terms of the case management tool, IDOC has an option. It is a different tool than that of the current male offender case management tool; however, IDOC is looking into alignment that will make the two compatible.

3. Adopt Model Disciplinary Policies:

- Reduces population primarily by halting practices in prisons that lengthen the number of days women stay in state prisons.
- The approaches are rooted in trauma-informed practices and could also be linked to parole violation challenges. The NRCJIW and NIC worked together to build a Discipline Guide that should be adopted by IDOC.

4. High Impact Evidence Based Programming:

Develop a model program, like the Sheridan and SWICC concepts, focused on best practices for women with regard to institutional programming and reentry supports:

- 1) A trauma-informed environment throughout the entire institution;
- 2) Risk, need and asset based assessment, programming and family supports, including health care, mental health and substance use treatment, supported visitation, etc.
- 3) Model disciplinary practices and earned accelerated release,

- 4) Continuum of reentry supports, family reunification, housing, employment, treatment continuity in the community, and
- 5) When needed, a form of Halfway-Back styled program linked to high admission county jails and IDOC parole to serve as a trauma-informed intervention or sanction in an environment that improves outcomes and is an alternative to returning people to prison.

Illinois was one of the six states selected to participate in training on gender informed programming.

The Logan facility is being reconfigured with separate “community” units.

- The first series of units will be behavior-mental health community units.
- Second will focus on programming for trauma informed care
- Third will be the introduction of Life Skills and re-entry with focus on family reunification for women returning to the community,

IDOC is also considering revisions to its step down program. For example, Decatur’s minimum security has done an exceptional job of changing culture, removing 25 females who have spent their entire stay in custody in the Moms and babies program. The moms and babies program is a family unification that allows moms to keep their child if they are pregnant when sentenced and will be serving 18 months or less. The value of the program is when mothers understand they will not be separated from their child; the likelihood of them doing anything to jeopardize separation from that child in itself reduces recidivism.

Commissioner discussion

Commissioner Peters noted that the separation of women going to prison can become the gateway of those children becoming delinquents and offenders. It may not be the focus of our work, but in addition to the impact it would have on female offenders, it could have a significant impact on the reduction of the children ultimately going to corrections.

Commissioners discussed the context of institutional discipline. In many states, codes and disciplinary policies do not account for women’s unique behaviors; therefore, they tend to get disciplined more than men in general. Data indicates although women represent smaller numbers in the system, they receive most of the infractions in prison and with that longer time served in segregation, revocation of good time, etc. There is a disproportionate discipline of women in many institutions around the country.

Most of the commission’s reforms will disproportionately benefit the female population in a positive way. By nature and policy, Illinois will have a bigger impact on women population.

Commissioners agreed that administrative changes in IDOC are moving in the right direction. Such changes must be institutionalized, so that years down the road new administrations will not unravel what has been accomplished.

Budget and Capacity

Ms. Saltmarsh provided a presentation from the Budget and Capacity Subcommittee outlining the system, baseline projections and budget information. There is a gap between policy and practice and practice and budget. The best analysis of government priority is what we choose to spend money on.

Ms. Saltmarsh asks two important questions of the Commissioners:

- What do we want to pay for?
- What will we want to know about cost and capacity five years from now?

Commissioner's responses included:

- State government policies that reduce victimization individuals and communities.
- In 5 Yrs. - Outcome evaluations that are meaningful.

- Funding direct to communities. Tailor local programs that suit that community.
- In 5 Yrs. - Successful program and information on which programs did best.

- Trauma intervention at the community level.
- In 5 Yrs.- The extent resources were targeted

- Researchers to design it.
- In 5 Yrs. - Is the commitment still there?

- Pay for the programs we know will work that evidence shows will work.
- In 5 Yrs. - A process to know the impact of the changes.

- Understand the variation of admissions to the system. Understand reasonable allocation of the use of incarceration on a jurisdictional basis.
- Measurement of who is doing it best and educate the players to order to get to a state of balance and minimize cost shifting.

- Concerned about a plan that is too dependent on \$. Better programming in the prisons.
- In 5 Yrs. - Know all that has worked. Programs that have created effective recidivism reduction.

- Evaluate programs and abandon those that do not work and expand the processes that support what we have.
- In 5 Yrs. - Use the information we have learned.

- Pay Public Safety – to educate on social disparity. Violence doesn't have anything to do with gun crimes, it's about economics.
- In 5 Yrs. - That across Human Services and Public Safety, we are sharing information. That there is interdisciplinary collaboration.

- Community Center Decarceration using the platform of Adult redeploy which has shown incredible results. Research developed localized plans
- In 5 Yrs.- Sufficient capacity built on a localized level in terms of shift cost

- Effective programming (pre to post)
- In 5 Yrs. - Safe, secure institutions, effective re-entry, effort for those who have a criminal record; elevation of civil rights.

- A system that works. That doesn't turn individuals who are ill into criminals. That provides treatment instead of incarceration. Adequate programming. Invest on the front end so they never enter – Prevention and treatment
- In 5 Yrs. – see measurable decreases.
- Address cause & effect. Substance abuse and mental health treatment. In California community providers made community correction partnerships to determine what would work best for their individual counties and invested funding in those areas.
- In 5 Yrs. – A constitutionally protected, sustainable funding source for this.
- Entities other than criminal justice to provide mental health treatment.
- A workable sustainable Community Corrections that is not dependent on government funding.
- Better programming in prisons that is designed to truly change criminal behavior.
- A well-trained work force-develop professional workers/practitioners.
- Supports content and the principles. Would like to see better technology leading to better data- an online automated case specific database has been deficient in probation. There should be a better method of looking at individuals and the specifics they present to find programs that work. If there is not an appropriate system to support the analysis –in 5 years the struggle may be with the same issues faced now.
- In 5 Yrs. - Data illustrating what works with whom and what is the cost. Do not continue to apply the same formula- based on charge – apply a formula based on the offender. With the switch to individual assessments would like to know that has made progress.

Ms. Saltmarsh invited anyone who would like to answer the two questions and/or contribute action steps for the suggestions given to email comments to Kathy.Saltmarsh@illinois.gov.

A comprehensive set of recommendations that reflect the consensus of this commission in 2016 will be compiled and presented at a future meeting.

Public Comment:

A representative of the Women's Justice Initiative stated that youth do not get access to services until they have done something wrong. We do not offer services early enough.

A representative of Restore Justice Illinois has received many letters from inmates and suggested a model penal code-like review.

A John Howard Association representative noted the need for training prosecutors and public defenders so that they have an understanding of where offenders come from and why they offend.

A Roosevelt University representative noted:

- The importance of understanding addiction, treatment and support.
- Use of Effective evidence based treatment.
- Training of system players re real drug treatment.
- Educate prosecutors on addiction and Good Samaritan behavior.

A representative of Brother's Keeper Outreach Church noted their work with a program for sex offenders. The program is both safe for offenders and community safe: a program that develops a strategic plan of family reunification and work productivity.

A representative of the ACLU noted their support for Representative Curry's HB 6595, which addresses concerns with penalties for drug offenses. He pointed out that reducing sentences by 1 or 2 classes and rolling back enhancements could save \$360M in costs and decrease the Department of Corrections population by approximately 4000 inmates.

A citizen recommended the need of a systems change model, which would bring to the table people of all different skills working together collectively, not in silos. A system committed to seeing it through to the end. Relationships are what sustain change. There are 123 community providers seeing an individual once they have entered Sheridan. Treatment can work. We all must have a commitment to make it work.

Matt Bush spoke in favor of making judicial review retroactive. This would allow the benefit of increased wisdom to fix prior mistakes. He argued that we will not reach equity unless we readdress sentences that were inappropriate.

Adjournment

The meeting adjourned at 5:00 pm.