



Rep. Fred Crespo

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LRB101 02898 KTG 57678 a

1 AMENDMENT TO HOUSE BILL 131

2 AMENDMENT NO. _____. Amend House Bill 131 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Access to Justice Grant Program Act.

6 Section 5. Legislative findings. The General Assembly
7 finds that:

8 (1) The Department of Homeland Security reported a 171%
9 increase in the arrest and detention of undocumented
10 immigrants with no criminal record over the last 2 years.

11 (2) In Illinois alone, 525,000 undocumented
12 immigrants, including 40,000 immigrants with temporary
13 protected status and 42,000 immigrants with DACA status
14 under the Deferred Action for Childhood Arrivals program,
15 are at risk of deportation and being separated from their
16 families.

1 (3) As of December 2018, about 71,000 adults and
2 juveniles were incarcerated in various facilities across
3 Illinois, including 40,872 individuals in Illinois
4 State-operated facilities and approximately 23,000
5 individuals incarcerated in local jails.

6 (4) On February 11, 2019, Governor Pritzker unveiled a
7 justice reform initiative and said, "It's time to reduce
8 the recidivism rate and reentry through a holistic approach
9 that addresses opportunity both inside and outside of our
10 prisons".

11 (5) Completing a prison sentence is only the first step
12 in a long road to reentry into society.

13 (6) Many formerly incarcerated adults struggle to find
14 jobs and housing because of their criminal history, even
15 when records are expungeable.

16 (7) Illinois' vulnerable communities of color also
17 experience mental health challenges at higher rates,
18 including depression, anxiety, acculturative stress, and
19 trauma.

20 (8) The mental health needs of this population are
21 high, yet many are unable to access mental health services
22 due to lack of health insurance, transportation, or
23 cultural or language barriers.

24 (9) These insecurities and challenges facing
25 low-income communities of color have a large effect on the
26 State's economy and on the ability of employers to find and

1 retain employees.

2 (10) In response to some of these challenges, the City
3 of Chicago established and funded a successful Legal
4 Protection Fund and Community Navigator Program. The
5 program has strengthened existing community-based
6 organizations and trained 400 community navigators (such
7 as majority immigrant women: Latinos, Asians, and
8 Africans.) who have reached over 50,000 individuals
9 through mass Know Your Rights trainings and have connected
10 immigrant families and persons classified as DREAMers
11 under the Development, Relief, and Education for Alien
12 Minors Act to free community-based legal services. The
13 community navigators were supported by attorneys.

14 (11) Chicago's Community Navigator Program increased
15 the rate of immigrants with legal representation from 30%
16 to 59% with \$1,300,000 while New York increased
17 representation from 50% to 61% with \$10,000,000 according
18 to an independent study conducted by Syracuse University.

19 (12) Adequate funding is necessary to ensure Illinois'
20 communities of color, including immigrants,
21 African-Americans, and returning citizens, know their
22 rights and have access to legal support and social and
23 mental health services.

24 Section 10. Definitions. As used in this Act:

25 "Legal services" means legal aid services rendered to

1 individuals, including legal consultations, representations at
2 expungement proceedings, and representation before the U.S.
3 Citizenship and Immigration Services, the National Visa Center
4 within the U.S. Department of State, the Executive Office of
5 Immigration Review within the U.S. Department of Justice, the
6 U.S. Immigration and Customs Enforcement, and any other
7 immigration related agency or office.

8 "Community navigator" means an individual formally trained
9 by a qualified nonprofit community organization to educate and
10 inform individuals on a specific subject matter.

11 "Grant Panel" means the Access to Justice Grant Program
12 Panel created under Section 15 to review and administer grant
13 applications.

14 Section 15. Access to Justice Grant Program.

15 (a) The Access to Justice Grant Program is created for the
16 purpose of issuing grants to 2 nonprofit, community-based
17 organizations to serve as fiscal agents and increase outreach,
18 education on legal matters, and access to legal services to
19 low-income communities of color, including immigrant and
20 African-American populations.

21 (b) There is created the Access to Justice Grant Program
22 Panel. The Grant Panel shall consist of the following members:

23 (1) 2 co-chairs, one each appointed by the Speaker of
24 the House of Representatives and the Minority Leader of the
25 House of Representatives;

1 (2) 2 members, one each appointed by the President of
2 the Senate and the Minority Leader of the Senate; and

3 (3) one member appointed by the Governor.

4 (c) The Department of Human Services shall provide staff
5 and administrative support to the Grant Panel. Members of the
6 Grant Panel shall not receive compensation for their service on
7 the Grant Panel but shall be reimbursed for necessary travel
8 expenses incurred in the performance of their duties.

9 (d) On or before July 1, 2019, nonprofit, community-based
10 organizations that meet the requirements outlined in Section 20
11 may apply to the Grant Panel for a grant under this Act.

12 (e) On or before August 1, 2019, the Grant Panel shall
13 award grant funds, in an amount to be determined by the Grant
14 Panel, to 2 nonprofit, community-based organizations.

15 (f) For State Fiscal Year 2020, the Governor shall include
16 in the annual State budget for the Access to Justice Grant
17 Program an appropriation of \$10,000,000 which shall generate a
18 one-to-one match from private employers and philanthropic or
19 non-profit groups.

20 Section 20. Grant application; grant review committee.

21 (a) Grant applicants shall use the grant application format
22 prepared and made available by the Grant Panel for this
23 purpose. The applications shall be available on the Department
24 of Human Services' website.

25 (b) To apply to be a fiscal agent and receive a grant under

1 this Act, an applicant must be a nonprofit, community-based
2 organization that provides legal services to meet the unique
3 legal needs of the targeted populations. A fiscal agent that
4 provides immigration services must:

5 (1) have previous experience in serving as a fiscal
6 agent;

7 (2) have an in-house community navigator program;

8 (3) have previously trained other organizations in the
9 community navigator program;

10 (4) have headquarters in a census tract where at least
11 75% of the population is from a minority group; and

12 (5) be recognized by the Department of Justice to
13 practice immigration law.

14 (c) Each fiscal agent must fund and train 10
15 community-based organizations throughout the State to recruit
16 and train community navigators to reach and inform 20,000
17 Illinois low-income and vulnerable individuals living in
18 communities of color on Know Your Rights, expungement
19 processes, mental health services, and immigration legal
20 services.

21 (d) Each fiscal agent must fund and train 10
22 community-based legal service organizations that will conduct
23 5,000 legal screenings for low-income and vulnerable
24 communities of color.

25 (e) At least one fiscal agent must be able to work with
26 mental health organizations to implement 4 pilot

1 community-based mental health programs.

2 (f) Each grant applicant shall:

3 (1) describe itself, indicate whether it is a
4 nonprofit, community-based organization, and provide its
5 legal status and a summary of its mission;

6 (2) be authorized to conduct affairs in the State of
7 Illinois;

8 (3) designate that it is applying for a grant to ensure
9 access to legal services in low-income communities of
10 color, including immigrant and African-American
11 populations; and

12 (4) have a partnership with business associations to
13 reduce barriers to employment, provide certified training,
14 and address labor shortage for Illinois employers.

15 (j) Each grant application shall include a detailed,
16 narrative statement describing the proposed use of the grant
17 funds. Each grant applicant shall also provide:

18 (1) the name and contact information of the Director of
19 the nonprofit, community-based organization;

20 (2) a description of the applicant's ability to
21 administer the grant;

22 (3) a project title;

23 (4) a project description;

24 (5) a description of the applicant's
25 request-for-proposals process and any other process used
26 for selecting sub-grantee organizations;

- 1 (6) the applicant's target audience and needs;
2 (7) a project schedule;
3 (8) methods for evaluating outcomes; and
4 (9) the applicant's proposed budget and a detailed
5 explanation of expenses.

6 Grant applicants must demonstrate in their grant
7 applications that they have satisfactorily met all
8 requirements set forth in this Section, and that they possess
9 the administrative capacity to perform the purposes of the
10 Access to Justice Grant Program and the fiscal and reporting
11 functions stipulated in this Section.

12 (k) The Grant Panel may deny a grant application if the
13 requirements of this Section are not met or are inadequately
14 met. The Grant Panel shall not discriminate on the basis of
15 race, color, religion, gender, age, national origin,
16 disability, marital status, sexual orientation, or military
17 status in the awarding of grants.

18 (l) Grant applications that are not submitted in the
19 required format by July 1, 2019, as set forth in subsection (d)
20 of Section 15, or that are not completed, shall not be
21 considered for funding by the Grant Panel.

22 (m) The grant application process shall be competitive. A
23 grant review committee shall review all grant applications and
24 make recommendations to the Grant Panel regarding the selection
25 of grant award recipients.

26 (n) The grant review committee shall consist of one

1 representative from the Department of Human Services, and, at
2 the discretion of the Grant Panel, any other additional
3 qualified reviewers. Any additional reviewers shall be
4 selected based on their academic qualifications and their
5 vocational and volunteer experience related to the subject
6 matter of the grant.

7 (o) No person shall serve on the grant review committee if
8 that person:

9 (1) is applying for a grant under this Act;

10 (2) is employed by any entity applying for a grant
11 under this Act;

12 (3) has an ownership interest in or receives income
13 from any entity applying for a grant under this Act; or

14 (4) is related more closely than the 5th degree of
15 consanguinity (second cousins) to an owner or employee of
16 any entity applying for a grant under this Act.

17 (p) Members of the grant review committee shall
18 independently consider the following criteria and assign
19 weighted scores up to the total amount of points indicated:

20 (1) Requirements. Does the nonprofit meet the
21 requirements as outlined in Section 20? (500 points)

22 (2) Abstract. Does the project overview appropriately
23 communicate the proposed project? (25 points)

24 (3) Administrative capacity. Does the applicant have
25 adequate experience and qualifications to accomplish the
26 proposed project? Is the applicant a known and trusted

1 voice in the community to be served? (100 points)

2 (4) Project description. Has the applicant provided a
3 comprehensive description of the project, including
4 details about methods, activities, and services to be
5 provided in light of the legislative findings under Section
6 5? (200 points)

7 (5) Connection to employers. Has the applicant stated
8 how this program will partner with trade and business
9 associations to reach the workforce and to increase the
10 pipeline of available workers to fill high and low skilled
11 employment positions? Does the application include at
12 least 3 letters of support from Illinois trade or business
13 associations? (100 points)

14 (6) Capacity building. Has the applicant described how
15 it will build capacity for smaller nonprofits to be able to
16 achieve their goals, including training, technical
17 assistance, and coordination with public and private
18 entities? (300 points)

19 (7) Target audience and need. Has the applicant
20 identified the intended audience and its need for services
21 proposed? Has the applicant set forth a plan for
22 identifying and reaching target communities? (500 points)

23 (8) Project schedule. Does the applicant's timeline
24 clearly illustrate appropriate scheduling of the proposed
25 actions and activities? (50 points)

26 (9) Evaluation. Is the methodology and strategy that

1 the applicant will use to evaluate the success of the
2 project reasonable? (25 points)

3 (10) Budget. Is the proposed budget reasonable,
4 necessary, appropriate, and adequate to perform the
5 proposed services? (100 points)

6 (q) For purposes of this grant application and review
7 process:

8 (1) Two organizations shall serve as fiscal agents.
9 Fiscal agents then must sub-grant as provided in this Act
10 and in with the approval of the Department of Human
11 Services.

12 (2) All grant applicants shall be notified whether or
13 not their application has been approved. The decision of
14 the Grant Panel regarding the award of grants under this
15 Section is final.

16 (3) The Grant Panel shall notify the submitting entity
17 when an application is approved. All approved applicants
18 shall enter into a grant agreement provided by the Grant
19 Panel before any grant funds are distributed.

20 Section 25. Grant reporting requirements.

21 (a) As stipulated by the grant agreement, the following
22 reports shall be completed and transmitted to the Department of
23 Human Services by each grant recipient:

24 (1) monthly narrative and financial reports that
25 identify by line item all expenditures made from grant

1 funds;

2 (2) a final financial report showing all expenditures
3 of grant funds and the return of any unexpended grant
4 funds; and

5 (3) a final narrative report evaluating the degree to
6 which the grantee achieved the goals and objectives of the
7 project.

8 The Grant Panel may request additional information and data
9 from any grant applicant.

10 (b) Grants awarded under this Section are subject to the
11 Grant Accountability and Transparency Act. The Grant Panel
12 shall not consider grant applications submitted by entities
13 that are included in the Illinois Debarred and Suspended List
14 maintained by the Governor's Office of Management and Budget.

15 (c) Grant recipients shall maintain books and records
16 relating to the expenditure of grant funds. Books and records,
17 including information stored in computer systems, shall be
18 maintained by the grant recipient for a period of 3 years from
19 the later of the date of the final grant payment or the
20 completion of the projects for which the grant was issued.

21 (d) Books and records required to be maintained under this
22 Section shall be available for review or audit by the
23 Department of Commerce and Economic Opportunity, the Attorney
24 General, or the Auditor General. Failure to maintain books and
25 records required by this Section shall establish a presumption
26 in favor of the Grant Panel for the recovery of any grant

1 funds, attorney's fees, and costs paid by the Grant Panel or
2 its designee.

3 (e) Grants made under this Section are subject to the
4 provisions of the Illinois Grant Funds Recovery Act. Actions
5 brought under that Act may include, but are not limited to, a
6 grant recipient's: (i) failure to spend funds in accordance
7 with the application or any approved amendment to the
8 application or (ii) failure to comply with reporting procedures
9 stipulated in this Section. If a provision of this Section
10 conflicts with a provision of the Illinois Grant Funds Recovery
11 Act, then the provision of the Illinois Grant Funds Recovery
12 Act controls.

13 (f) Obligations of the Grant Panel to fund the Access to
14 Justice Grant Program shall cease immediately without penalty
15 or further payment being required if the funds for the grants
16 are not available to the Grant Panel.

17 Section 99. Effective date. This Act takes effect upon
18 becoming law."