



Sen. Heather A. Steans

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LRB097 18721 RLC 66399 a

1 AMENDMENT TO SENATE BILL 2899

2 AMENDMENT NO. _____. Amend Senate Bill 2899 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Probation and Probation Officers Act is
5 amended by changing Section 16.1 as follows:

6 (730 ILCS 110/16.1)

7 Sec. 16.1. Redeploy Illinois Program.

8 (a) The purpose of this Section is to encourage the
9 deinstitutionalization of juvenile offenders by establishing
10 projects in counties or groups of counties that reallocate
11 State funds from juvenile correctional confinement to local
12 jurisdictions, which will establish a continuum of local,
13 community-based sanctions and treatment alternatives for
14 juvenile offenders who would be incarcerated if those local
15 services and sanctions did not exist. It is also intended to
16 offer alternatives, when appropriate, to avoid commitment to

1 the Department of Juvenile Justice, to direct child welfare
2 services for minors charged with a criminal offense or
3 adjudicated delinquent under Section 5 of the Children and
4 Family Services Act. The allotment of funds will be based on a
5 formula that rewards local jurisdictions for the establishment
6 or expansion of local alternatives to incarceration, and
7 requires them to pay for utilization of incarceration as a
8 sanction. In addition, there shall be an allocation of
9 resources (amount to be determined annually by the Redeploy
10 Illinois Oversight Board) set aside at the beginning of each
11 fiscal year to be made available for any county or groups of
12 counties which need resources only occasionally for services to
13 avoid commitment to the Department of Juvenile Justice for a
14 limited number of youth. This redeployment of funds shall be
15 made in a manner consistent with the Juvenile Court Act of 1987
16 and the following purposes and policies:

17 (1) The juvenile justice system should protect the
18 community, impose accountability to victims and
19 communities for violations of law, and equip juvenile
20 offenders with competencies to live responsibly and
21 productively.

22 (2) Juveniles should be treated in the least
23 restrictive manner possible while maintaining the safety
24 of the community.

25 (3) A continuum of services and sanctions from least
26 restrictive to most restrictive should be available in

1 every community.

2 (4) There should be local responsibility and authority
3 for planning, organizing, and coordinating service
4 resources in the community. People in the community can
5 best choose a range of services which reflect community
6 values and meet the needs of their own youth.

7 (5) Juveniles who pose a threat to the community or
8 themselves need special care, including secure settings.
9 Such services as detention, long-term incarceration, or
10 residential treatment are too costly to provide in each
11 community and should be coordinated and provided on a
12 regional or Statewide basis.

13 (6) The roles of State and local government in creating
14 and maintaining services to youth in the juvenile justice
15 system should be clearly defined. The role of the State is
16 to fund services, set standards of care, train service
17 providers, and monitor the integration and coordination of
18 services. The role of local government should be to oversee
19 the provision of services.

20 (b) Each county or circuit participating in the Redeploy
21 Illinois program must create a local plan demonstrating how it
22 will reduce the county or circuit's utilization of secure
23 confinement of juvenile offenders in the Illinois Department of
24 Juvenile Justice or county detention centers by the creation or
25 expansion of individualized services or programs that may
26 include but are not limited to the following:

1 (1) Assessment and evaluation services to provide the
2 juvenile justice system with accurate individualized case
3 information on each juvenile offender including mental
4 health, substance abuse, educational, and family
5 information;

6 (2) Direct services to individual juvenile offenders
7 including educational, vocational, mental health,
8 substance abuse, supervision, and service coordination;
9 and

10 (3) Programs that seek to restore the offender to the
11 community, such as victim offender panels, teen courts,
12 competency building, enhanced accountability measures,
13 restitution, and community service. The local plan must be
14 directed in such a manner as to emphasize an individualized
15 approach to providing services to juvenile offenders in an
16 integrated community based system including probation as
17 the broker of services. The plan must also detail the
18 reduction in utilization of secure confinement. The local
19 plan shall be limited to services and shall not include
20 costs for:

21 (i) capital expenditures;

22 (ii) renovations or remodeling;

23 (iii) personnel costs for probation.

24 The local plan shall be submitted to the Department of
25 Human Services.

26 (c) A county or group of counties may develop an agreement

1 with the Department of Human Services to reduce their number of
2 commitments of juvenile offenders, excluding minors sentenced
3 based upon a finding of guilt of first degree murder or an
4 offense which is a Class X forcible felony as defined in the
5 Criminal Code of 1961, to the Department of Juvenile Justice,
6 and then use the savings to develop local programming for youth
7 who would otherwise have been committed to the Department of
8 Juvenile Justice. A county or group of counties shall agree to
9 limit their commitments to 75% of the level of commitments from
10 the average number of juvenile commitments for the past 3
11 years, and will receive the savings to redeploy for local
12 programming for juveniles who would otherwise be held in
13 confinement. For any county or group of counties with a
14 decrease of juvenile commitments of at least 25%, based on the
15 average reductions of the prior 3 years, which are chosen to
16 participate or continue as sites, the Redeploy Illinois
17 Oversight Board has the authority to reduce the required
18 percentage of future commitments to achieve the purpose of this
19 Section. The agreement shall set forth the following:

20 (1) a Statement of the number and type of juvenile
21 offenders from the county who were held in secure
22 confinement by the Illinois Department of Juvenile Justice
23 or in county detention the previous year, and an
24 explanation of which, and how many, of these offenders
25 might be served through the proposed Redeploy Illinois
26 Program for which the funds shall be used;

1 (2) a Statement of the service needs of currently
2 confined juveniles;

3 (3) a Statement of the type of services and programs to
4 provide for the individual needs of the juvenile offenders,
5 and the research or evidence base that qualifies those
6 services and programs as proven or promising practices;

7 (4) a budget indicating the costs of each service or
8 program to be funded under the plan;

9 (5) a summary of contracts and service agreements
10 indicating the treatment goals and number of juvenile
11 offenders to be served by each service provider; and

12 (6) a Statement indicating that the Redeploy Illinois
13 Program will not duplicate existing services and programs.
14 Funds for this plan shall not supplant existing county
15 funded programs.

16 In a county with a population exceeding 2,000,000, the
17 Redeploy Illinois Oversight Board may authorize the Department
18 of Human Services to enter into an agreement with that county
19 to reduce the number of commitments by the same percentage as
20 is required by this Section of other counties, and with all of
21 the same requirements of this Act, including reporting and
22 evaluation, except that the agreement may encompass a clearly
23 identifiable geographical subdivision of that county. The
24 geographical subdivision may include, but is not limited to, a
25 police district or group of police districts, a geographical
26 area making up a court calendar or group of court calendars, a

1 municipal district or group of municipal districts, or a
2 municipality or group of municipalities.

3 (d) (Blank).

4 (d-5) A county or group of counties that does not have an
5 approved Redeploy Illinois program, as described in subsection
6 (b), and that has committed fewer than 10 Redeploy eligible
7 youth to the Department of Juvenile Justice on average over the
8 previous 3 years, may develop an individualized agreement with
9 the Department of Human Services through the Redeploy Illinois
10 program to provide services to youth to avoid commitment to the
11 Department of Juvenile Justice. The agreement shall set forth
12 the following:

13 (1) a statement of the number and type of juvenile
14 offenders from the county who were at risk under any of the
15 categories listed above during the 3 previous years, and an
16 explanation of which of these offenders would be served
17 through the proposed Redeploy Illinois program for which
18 the funds shall be used, or through individualized
19 contracts with existing Redeploy programs in neighboring
20 counties;

21 (2) a statement of the service needs;

22 (3) a statement of the type of services and programs to
23 provide for the individual needs of the juvenile offenders,
24 and the research or evidence that qualifies those services
25 and programs as proven or promising practices;

26 (4) a budget indicating the costs of each service or

1 program to be funded under the plan;

2 (5) a summary of contracts and service agreements
3 indicating the treatment goals and number of juvenile
4 offenders to be served by each service provider; and

5 (6) a statement indicating that the Redeploy Illinois
6 program will not duplicate existing services and programs.
7 Funds for this plan shall not supplant existing county
8 funded programs.

9 (e) The Department of Human Services shall be responsible
10 for the following:

11 (1) Reviewing each Redeploy Illinois Program plan for
12 compliance with standards established for such plans. A
13 plan may be approved as submitted, approved with
14 modifications, or rejected. No plan shall be considered for
15 approval if the circuit or county is not in full compliance
16 with all regulations, standards and guidelines pertaining
17 to the delivery of basic probation services as established
18 by the Supreme Court.

19 (2) Monitoring on a continual basis and evaluating
20 annually both the program and its fiscal activities in all
21 counties receiving an allocation under the Redeploy
22 Illinois Program. Any program or service that has not met
23 the goals and objectives of its contract or service
24 agreement shall be subject to denial for funding in
25 subsequent years. The Department of Human Services shall
26 evaluate the effectiveness of the Redeploy Illinois

1 Program in each circuit or county. In determining the
2 future funding for the Redeploy Illinois Program under this
3 Act, the evaluation shall include, as a primary indicator
4 of success, a decreased number of confinement days for the
5 county's juvenile offenders.

6 (f) Any Redeploy Illinois Program allocations not applied
7 for and approved by the Department of Human Services shall be
8 available for redistribution to approved plans for the
9 remainder of that fiscal year. Any county that invests local
10 moneys in the Redeploy Illinois Program shall be given first
11 consideration for any redistribution of allocations.
12 Jurisdictions participating in Redeploy Illinois that exceed
13 their agreed upon level of commitments to the Department of
14 Juvenile Justice shall reimburse the Department of Corrections
15 for each commitment above the agreed upon level.

16 (g) Implementation of Redeploy Illinois.

17 (1) Oversight of Redeploy Illinois.

18 (i) Redeploy Illinois Oversight Board. The
19 Department of Human Services shall convene an
20 oversight board to oversee the Redeploy Illinois
21 Program. The Board shall include, but not be limited
22 to, designees from the Department of Juvenile Justice,
23 the Administrative Office of Illinois Courts, the
24 Illinois Juvenile Justice Commission, the Illinois
25 Criminal Justice Information Authority, the Department
26 of Children and Family Services, the State Board of

1 Education, the Cook County State's Attorney, and a
2 State's Attorney selected by the President of the
3 Illinois State's Attorney's Association, the Cook
4 County Public Defender, a representative of the
5 defense bar appointed by the Chief Justice of the
6 Illinois Supreme Court, a representative of probation
7 appointed by the Chief Justice of the Illinois Supreme
8 Court, and judicial representation appointed by the
9 Chief Justice of the Illinois Supreme Court. Up to an
10 additional 9 members may be appointed by the Secretary
11 of Human Services from recommendations by the
12 Oversight Board; these appointees shall possess a
13 knowledge of juvenile justice issues and reflect the
14 collaborative public/private relationship of Redeploy
15 programs.

16 (ii) Responsibilities of the Redeploy Illinois
17 Oversight Board. The Oversight Board shall:

18 (A) Identify jurisdictions to be included in
19 the program of Redeploy Illinois.

20 (B) Develop a formula for reimbursement of
21 local jurisdictions for local and community-based
22 services utilized in lieu of commitment to the
23 Department of Juvenile Justice, as well as for any
24 charges for local jurisdictions for commitments
25 above the agreed upon limit in the approved plan.

26 (C) Identify resources sufficient to support

1 the administration and evaluation of Redeploy
2 Illinois.

3 (D) Develop a process and identify resources
4 to support on-going monitoring and evaluation of
5 Redeploy Illinois.

6 (E) Develop a process and identify resources
7 to support training on Redeploy Illinois.

8 (E-5) Review proposed individualized
9 agreements and approve where appropriate the
10 distribution of resources.

11 (F) Report to the Governor and the General
12 Assembly on an annual basis on the progress of
13 Redeploy Illinois.

14 (iii) Length of Planning Phase. The planning phase
15 may last up to, but may in no event last longer than,
16 July 1, 2004.

17 (2) (Blank).

18 (3) There shall be created the Redeploy County Review
19 Committee composed of the designees of the Secretary of
20 Human Services and the Directors of Juvenile Justice, of
21 Children and Family Services, and of the Governor's Office
22 of Management and Budget who shall constitute a
23 subcommittee of the Redeploy Illinois Oversight Board.

24 (h) Responsibilities of the County Review Committee. The
25 County Review Committee shall:

26 (1) Review individualized agreements from counties

1 requesting resources on an occasional basis for services
2 for youth described in subsection (d-5).

3 (2) Report its decisions to the Redeploy Illinois
4 Oversight Board at regularly scheduled meetings.

5 (3) Monitor the effectiveness of the resources in
6 meeting the mandates of the Redeploy Illinois program set
7 forth in this Section so these results might be included in
8 the Report described in clause (g) (1) (ii) (F).

9 (4) During the third quarter, assess the amount of
10 remaining funds available and necessary to complete the
11 fiscal year so that any unused funds may be distributed as
12 defined in subsection (f).

13 (5) Ensure that the number of youth from any applicant
14 county receiving individualized resources will not exceed
15 the previous three-year average of Redeploy eligible
16 recipients and that counties are in conformity with all
17 other elements of this law.

18 (i) Implementation of this Section is subject to
19 appropriation.

20 (j) Rulemaking authority to implement this amendatory Act
21 of the 95th General Assembly, if any, is conditioned on the
22 rules being adopted in accordance with all provisions of and
23 procedures and rules implementing the Illinois Administrative
24 Procedure Act; any purported rule not so adopted, for whatever
25 reason, is unauthorized.

26 (Source: P.A. 94-696, eff. 6-1-06; 94-1032, eff. 1-1-07;

1 95-1050, eff. 1-1-10.)".