

1 AMENDMENT TO HOUSE BILL 2545

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2545 by replacing  
3 everything after the enacting clause with the following:

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

6 (730 ILCS 110/16.1 new)

7 Sec. 16.1. Redeploy Illinois Program.

8 (a) The purpose of this Section is to encourage the  
9 deinstitutionalization of juvenile offenders establishing  
10 pilot projects in counties or groups of counties that  
11 reallocate State funds from juvenile correctional confinement  
12 to local jurisdictions, which will establish a continuum of  
13 local, community-based sanctions and treatment alternatives  
14 for juvenile offenders who would be incarcerated if those  
15 local services and sanctions did not exist. The allotment of  
16 funds will be based on a formula that rewards local  
17 jurisdictions for the establishment or expansion of local  
18 alternatives to incarceration, and requires them to pay for  
19 utilization of incarceration as a sanction. This redeployment  
20 of funds shall be made in a manner consistent with the  
21 Juvenile Court Act of 1987 and the following purposes and  
22 policies:

1           (1) The juvenile justice system should protect the  
2 community, impose accountability to victims and  
3 communities for violations of law, and equip juvenile  
4 offenders with competencies to live responsibly and  
5 productively.

6           (2) Juveniles should be treated in the least  
7 restrictive manner possible while maintaining the safety  
8 of the community.

9           (3) A continuum of services and sanctions from least  
10 restrictive to most restrictive should be available in  
11 every community.

12           (4) There should be local responsibility and  
13 authority for planning, organizing, and coordinating  
14 service resources in the community. People in the  
15 community can best choose a range of services which  
16 reflect community values and meet the needs of their own  
17 youth.

18           (5) Juveniles who pose a threat to the community or  
19 themselves need special care, including secure settings.  
20 Such services as detention, long-term incarceration, or  
21 residential treatment are too costly to provide in each  
22 community and should be coordinated and provided on a  
23 regional or Statewide basis.

24           (6) The roles of State and local government in  
25 creating and maintaining services to youth in the  
26 juvenile justice system should be clearly defined. The  
27 role of the State is to fund services, set standards of  
28 care, train service providers, and monitor the  
29 integration and coordination of services. The role of  
30 local government should be to oversee the provision of  
31 services.

32           (b) Each county or circuit participating in the pilot  
33 program must create a local plan demonstrating how it will  
34 reduce the county or circuit's utilization of secure

1 confinement of juvenile offenders in the Illinois Department  
2 of Corrections or county detention centers by the creation or  
3 expansion of individualized services or programs that may  
4 include but are not limited to the following:

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

10 (2) Direct services to individual juvenile offenders  
11 including educational, vocational, mental health,  
12 substance abuse, supervision, and service coordination;  
13 and

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

25 (i) capital expenditures;

26 (ii) renovations or remodeling;

27 (iii) personnel costs for probation.

28 The local plan shall be submitted to the Department of  
29 Human Services.

30 (c) A county or group of counties may develop an  
31 agreement with the Department of Human Services to reduce  
32 their number of commitments of juvenile offenders, excluding  
33 minors sentenced based upon a finding of guilt of first  
34 degree murder, to the Department of Corrections, and then use

1 the savings to develop local programming for youth who would  
2 otherwise have been committed to the Department of  
3 Corrections. The county or group of counties shall agree to  
4 limit their commitments to 75% of the level of commitments  
5 from the average number of juvenile commitments for the past  
6 3 years, and will receive the savings to redeploy for local  
7 programming for juveniles who would otherwise be held in  
8 confinement. The agreement shall set forth the following:

9 (1) a Statement of the number and type of juvenile  
10 offenders from the county who were held in secure  
11 confinement by the Illinois Department of Corrections or  
12 in county detention the previous year, and an explanation  
13 of which, and how many, of these offenders might be  
14 served through the proposed Redeploy Illinois Program for  
15 which the funds shall be used;

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

18 (3) a Statement of the type of services and programs  
19 to provide for the individual needs of the juvenile  
20 offenders, and the research or evidence base that  
21 qualifies those services and programs as proven or  
22 promising practices;

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

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

28 (6) a Statement indicating that the Redeploy  
29 Illinois Program will not duplicate existing services and  
30 programs. Funds for this plan shall not supplant existing  
31 county funded programs.

32 (d) The Department of Human Services shall forward  
33 Redeploy Illinois Program allocations to the State Treasurer  
34 as provided in Section 15 of this Act. Each county shall

1 receive, maintain, and appropriate those funds in a separate  
2 line item account of the probation department budget. In  
3 addition, the Department of Human Services shall, upon  
4 approval of the annual plan, forward 20% of the approved  
5 Redeploy Illinois Program allocations to the State Treasurer  
6 to be deposited in the line item account. Subsequent  
7 allocations shall be made to the county on a monthly basis.  
8 It shall be the responsibility of the county through the  
9 probation budget and in accordance with county policy and  
10 procedure to make payments for the Redeploy Illinois Program.  
11 At the end of the State of Illinois fiscal year, the county  
12 shall promptly return any uncommitted and unused funds from  
13 this account.

14 (e) The Department of Human Services shall be responsible  
15 for the following:

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

24 (2) Monitoring on a continual basis and evaluating  
25 annually both the program and its fiscal activities in  
26 all counties receiving an allocation under the Redeploy  
27 Illinois Program. Any program or service that has not met  
28 the goals and objectives of its contract or service  
29 agreement shall be subject to denial for funding in  
30 subsequent years. The Department of Human Services shall  
31 evaluate the effectiveness of the Redeploy Illinois  
32 Program in each circuit or county. In determining the  
33 future funding for the Redeploy Illinois Program under  
34 this Act, the evaluation shall include, as a primary

1 indicator of success, a decreased number of confinement  
2 days for the county's juvenile offenders.

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

13 (g) Implementation of Redeploy Illinois.

14 (1) Planning Phase.

15 (i) Redeploy Illinois Oversight Board. The  
16 Department of Human Services shall convene an  
17 inter-agency oversight board to develop plans for a  
18 pilot Redeploy Illinois Program. The Board shall  
19 include, but not be limited to, designees from the  
20 Department of Corrections, the Administrative Office  
21 of the Illinois Courts, the Illinois Juvenile  
22 Justice Commission, the Illinois Criminal Justice  
23 Information Authority, the Department of Children  
24 and Family Services, and the State Board of  
25 Education. Other designees may include government as  
26 well as private organizations, as determined  
27 necessary by the Department of Human Services. The  
28 Chair of the Oversight Board shall be appointed by  
29 the Governor.

30 (ii) Responsibilities of the Redeploy Illinois  
31 Oversight Board. The Oversight Board shall:

32 (A) Identify jurisdictions to be included in  
33 the initial pilot program of Redeploy Illinois.

34 (B) Develop a formula for reimbursement of

1 local jurisdictions for local and community-based  
2 services utilized in lieu of commitment to the  
3 Department of Corrections, as well as for any  
4 charges for local jurisdictions for commitments  
5 above the agreed upon limit in the approved plan.

6 (C) Identify resources sufficient to support  
7 the administration and evaluation of Redeploy  
8 Illinois.

9 (D) Develop a process and identify resources to  
10 support on-going monitoring and evaluation of  
11 Redeploy Illinois.

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

14 (F) Report to the Governor and the General  
15 Assembly on an annual basis on the progress of  
16 Redeploy Illinois.

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

20 (2) Pilot Phase. In the second phase of the Redeploy  
21 Illinois program, the Department of Human Services shall  
22 implement several pilot programs of Redeploy Illinois in  
23 counties or groups of counties as identified by the  
24 Oversight Board. Annual review of the Redeploy Illinois  
25 program by the Oversight Board shall include  
26 recommendations for future sites for Redeploy Illinois.

27 Section 99. Effective date. This Act takes effect upon  
28 becoming law."