

IDOC Adult Advisory Board Minutes
Tuesday, October 22, 2013
Decatur Correctional Center
Revised 1/20/14

Attendance: Kendric Berry (call in), Chief Bill Barnes (call in), Edna Lee (call in), Alyssa Schafer (call in), Shannis Stock, Assistant Director Taylor, Director Godinez, Chief Brad Curry, Chief Jesse Montgomery, Patrick Hartshorn, Jesus Reyes, Deb Denning, Steve Karr (call in), David Olsen, Keith Lape

Meeting began at 10:00am

Reading of July 2013 Minutes

David Olson motion to approve July 2013 minutes
Keith Lape 2nd the motion

Chief Bill Barnes Discussion

- Cases go under merit review to determine validity. If claims don't meet the requirements, cases are dismissed at the early stages.
- 1983 cases are reviewed by the judge and, if found frivolous, count as one of three strikes allowed to an offender. After three strikes, they cannot file suit in federal court absent court permission.
- The overall cost of frivolous law suits is minimal.
- Reallocating funds towards programs needs to improve and is based on litigation. Improvements in programming are needed at the facilities.
- Most funds come from an indemnification fund from CMS which doesn't impact IDOC's budget.
- Most costs are associated with deposition, transcripts and travel. Video visitation implementation will allow these costs to be minimized allowing ASA's to participate in depositions via video. 1983 Cases

An Advisory Board member questioned the number of frivolous lawsuits ruled by the judges. Chief Barnes stated there is no existing database to track this number but the percentage is very low. He stated the AEOG cross checks the details on who and what is being filed and that this "checks and balances" is possibly a deterrent.

An Advisory Board member questioned if there was any way to stop cases from moving to the court system. Chief Barnes stated that IDOC does make an attempt to exhaust all measures at the facility level, through the grievance process, which has a number of levels provided in an effort to resolve any issues.

Steve Karr Discussion

- There is much more variability with the female prison population forecast as opposed to the male population. Male population trends generally mirror overall population trends, primarily because the male population typically accounts for 92-to-96% of the total population. These differences between the female and male populations are found throughout the primary factors that affect population growth including admission rates, average length of stay, accrual of good conduct credits, parole violation rates, changes in law, etc.
- The slight increase in the IDOC female prison population thus far during FY14 indicates that the Cook County Jail female population increase may be having an impact. The problem is IDOC has never found a relationship between growth in the jail population against growth in the prison population because 1) the Department does not regularly receive population counts from Cook County Jail, 2) the Cook County Jail population may just be holding more misdemeanants, and 3) court case processing time may be increasing, thereby extending average length of stay. That said any method or data transaction whereby Cook County Jail population characteristics could be delivered to the Department would be helpful.
- Given the recent population growth of both the female and male prison populations the Department is continually challenged with capacity issues; yet major correctional facility incidents are limited to a few per year. Review of all prison-related newspaper articles over the last twenty years, the majority would target prison capacity or lack of bed space. However, the administration and line staff have always been creative and proactive as devoted professional staff to engineer solutions. The attached tables show that the female population was more than 100 inmates higher at this time last year, approaching record highs experienced during FY01 and FY10. The capacity has lowered with the closure of Dwight CC, and the exchange at Lincoln CC and Logan CC, but additions at Decatur CC have helped offset the impact of the closure and exchange. Note that the Director and his staff are in daily contact with the Transfer Coordinator's Office; the central office entity most responsible for population management.
- A key element in the female population is the declining proportion of drug offenders represented within the total population. Over the last twenty-four months, the percentage range has been stable at 27.9-to-29.0%, while that percentage had peaked in FY99 at 41.8%. Given that the Sentence Credit guidelines restrict violent offenders, and their representation within the female prison population is growing, there may be a concern to effectively reduce population growth. The Department will need to monitor Sentence Credit awards closely to determine whether offense history is proving to be a detriment to population management.

- The Department updates the prison and parole population forecasts during the early Fall each year as the fiscal year has ended and new budgetary processes have begun. While the simulations and adjustments are made to the population forecasts, the Department attempts to finalize official data sets utilized to analyze relevant factors and support scenario development. Unfortunately, the Adult Advisory Board meeting schedule directly coincides with the timing of the prison population projection activities, so the Department is unable to provide “SFY 2013 admission data” at this time. Further, preliminary review of the FY13 exit file revealed that the Supplemental Sentence Credits and Program Sentence Credits were not being appropriately captured within OTS extract files provided to the Planning and Research Unit. Only until recently has a revised exit file been generated. Therefore, no official Supplemental Sentence Credit or Program Sentence Credit data are available at this time. Note that 1) the Department must submit a report by January 1, 2014 describing the Sentence Credit program and the characteristics of the inmates receiving these awards. Given that the Sentence Credit program has only been recently implemented and OTS is an archaic data base, developing an accurate monitoring mechanism through automated procedures can be difficult. Any data issues are expected to be resolved, but not in time for this Adult Advisory Board meeting. 2) Regardless of the characteristics associated with which females are and are not receiving Sentence Credits, implementation of awarding Sentence Credits had an impact on the female prison population as that population tailed at end-of-FY13 when the initial Sentence Credits were awarded. Obviously, a Department objective is to maximize the proportion of inmates eligible for sentence credits to have an opportunity to accrue them.

Assistant Director Taylor requested that a breakdown of other classes of female offenders to the total female population would be provided at the next Advisory Board meeting.

The Supplemental Sentence Credit (SSC) department is required to produce a manual January 1, 2014. There have been problems in the OTS system, and Assistant Director Taylor and staff been working on Offender 360 to get better results for SSC.

Assistant Director Taylor request graphs for female population for retail theft and wanted to compare with offenders with drug charges and violent offenders.

Director Godinez stated that the mandatory sentencing decision will yield increases in the jail populations causing an overflow. He stated that ½ of the women offenders are doing 1 year or less and while staff has created solutions to deal with “overflows” a voice is needed to make legislation aware that IDOC has absolutely no control over who comes into the prison system. He further stated that under such constraints such as operating with more inmates, less employees and the same budget as 7 years ago, the Department

continues to respond quite well. To add to such challenges, there are between 1,000 to 2,000 inmates that IDOC cannot program for. It has also been difficult to find a host site for various Offender types such as ICE Offenders. IDOC is not overcrowded but crowded because there are not enough resources to aid the various offender types within the system. **Chief Jesse Montgomery** stated that another challenge in managing the prison population is offenders who have no place to go because there is no funding for resources in the communities. He stated that new offenders are always coming in but offenders with no place to go stay longer which is a big contributor to prison crowding.

A Board Member questioned if there were minimum security facilities available to house mandatory minimum sentences.

Director Godinez reiterated that IDOC has no control over the people who come into their custody.

Chief Brad Curry stated that per truth in sentences, as of December 31st 1063 offenders were 63 and older. As of June 2013, 7162 offenders were 50 and older. He stated that older offenders typically do not re-offend.

Chair Hartshorn questioned can there be a minimum area in a maximum facility. Director Godinez stated there are no funds available.

A Board Member questioned the role of the Advisory Board.

Director Godinez stated that they reach out to those who have the power to see and acknowledge the challenges that IDOC is faced with on an ongoing basis.

A Board Member advised that outside factors often have a domino effect on IDOC's population increases/decreases such as the media. Reference was made to Mayor Emmanuel (Chicago) on certain crimes which will affect the decisions and laws passed by the sentencing policy makers. It was stated by a Board Member that funding projections are not made to include those who spend longer in jail.

Director Taylor advised that based on public perception, funds for education should not go into the prisons, medical for prison is inadequate yet the budget vs. rate of inflation, IDOC cannot provide the level of care with its current staff.

A Board Member questioned if the issue of pension reform effect state business overall.

Director Godinez advised that yes, the unresolved pension issues does affect state business and as soon as legislation makes a decision, other departments can move forward.

Director Taylor provided information on Education. Charts were provided. 3321 on the waiting list, 3900 enrolled in 6 vocational programs (2045 completed). 5140 enrolled in 2

year college (407 completed). 3500 enrolled in career tech programs (2800 completed). 9% represents the total population enrolled in either education or vocational training. 18% represents the population enrolled in both.

A Board Member questioned if IDOC could provide an annual report. AD Taylor advised that a report will be provided to all board members when it becomes available. A board member expressed his concerns about the waiting lists. AD Taylor stated Lawrence and Menard has security issues and are looking toward more online programs. She stated with limited resources at the Departments disposal, spreading those resources so thin should be addressed, i.e. if certain facilities are committed to certain programs; centralize those programs to those facilities. She stated that people are afraid of change and hard conversations must take place in order to analyze how viable resources can be best utilized.

A board member questioned if enrollment for vocational training required GED completion. AD Taylor advised that technology increases would minimize GED waiting lists. The goal is to require GED completion prior to enrollment in vocational training. A board member stated that stressing the importance of education has a positive effect on recidivism.

A board member questioned the Status of the conditions at Stateville. Jesse Montgomery advised that he would like to report based on his actual assessment. Based on what he knows at the moment, cleaning has been the main factor as the trash of Unit F has been left inside instead of being taken out regularly causing a rodent problem (particularly mice). He says that he will be conducting a visual at the facility and will report the status at the next meeting.

AD Taylor stated that IDOC received an award for Statewide Recidivism Initiative. This initiative will form collaboration between IDOC, community stakeholders and legislators to target 7 communities who contribute the highest percentage of commitments to IDOC. She stated that IDOC is currently in the grant planning phase.

A board member stated that establishing the role of the Advisory Board would be healthy for the Department and Board going forward.

The Adult Advisory Board agreed on a 2014 schedule and it is as follows:

- 1/21/14 (Tuesday)– Taylorville CC.
- 4/21/14 (Monday) – Lawrence CC.
- 7/21/14 (Monday) – Dixon CC.
- 10/20/14 (Monday) – Hill CC.

The board members discussed obtaining an itinerary from the John Howard Association with a list of their tours to facilities for 2014 and establish if they are open to Advisory Board members' participation of those tours for 2014.

Pat Hartshorn motion to adjourn meeting

Assistant Director Taylor 2nd the motion

Meeting was adjourned at 11:48am