
Testimony in support of the SFY 2022 Proposed Budget for the Illinois Department Corrections to the Senate Appropriations—Criminal Justice Subcommittee of the 102nd Illinois General Assembly, March 31, 2021.

I. Correctional experience and expertise:

John Howard Association (JHA): JHA is the only independent citizen correctional oversight organization that goes into Illinois' prisons to directly observe conditions and speak with staff, administrators and prisoners.

II. JHA puts forth the following recommendations regarding the proposed budget for IDOC, SFY 2022:

1. Conduct an independent assessment of the Illinois Department of Corrections' (IDOC) operations and infrastructure to gauge if the Department can fulfill the legal and moral mandate to maintain safe, humane, and rehabilitative prisons, and determine how the Department can better meet its mandate; act on this assessment by renovating, repurposing, consolidating, constructing and closing facilities as necessary and indicated.
2. Do not reduce IDOC's budget at this time. IDOC has not been adequately resourced or properly managed by the State for decades; reducing the Department's budget will further erode programming and treatment for people in prison and worsen already poor living conditions.
3. Further reduce Illinois' prison population by revising sentencing policies that keep people in prison far longer than is required to advance public safety.
4. Reform the cumbersome procurement process and relieve the undue administrative burdens IDOC is subjected to so the Department may efficiently utilize scarce resources.

Recommendation 1: Conduct an independent assessment of IDOC's operations and infrastructure to gauge if the Department can fulfill the legal and moral mandate to maintain safe, humane, and rehabilitative prisons, and determine how the Department can better meet its mandate; act on this assessment by renovating, repurposing, consolidating, constructing and closing facilities as necessary.

IDOC requires an extraordinary amount of capital funding to fix its decaying prisons, and a staggering amount of additional funding will be needed for IDOC to modernize its outmoded operations and facilities. Additionally, it is clear that the State is long past the point of no return in terms of the high costs associated with keeping several existing prisons operational. Doing so is cost prohibitive and incompatible with achieving

rehabilitative goals and humane conditions. Even if all IDOC prisons were to be completely renovated, the design of some older prisons is not conducive to modern programmatic or security related best practices, hence the need to renovate, repurpose, consolidate, construct, and close prisons. Facilities considered for repurposing should include prisons currently operated by the Illinois Department of Juvenile Justice.

Before Illinois can remedy the cumulative effects of a lack of long-term planning and the State's failure to properly maintain or modernize IDOC for decades, however, it would be prudent to take the following steps:

1. Articulate achievable goals for corrections;
2. A comprehensive evaluation should be conducted by independent entities as to what corrections requires to achieve these goals, including, but not limited to, a thorough appraisal of the viability of the physical structures IDOC operates. And, if it is expected that a prison will be utilized by corrections for decades to come, what modifications, if any, are essential to meet immediate and projected security and programmatic needs. Repurposing, consolidating, and closing of prisons should be factored into this evaluation;
3. Create a plan of action based on this evaluation;
4. Develop a cost estimate for the implementation of this plan and identify/designate resources;
5. Implement the plan.

Leaking roofs, broken equipment, and failed plumbing are but a few of the many problems that are ubiquitous throughout IDOC. JHA has witnessed these issues firsthand as a professional independent monitoring organization that routinely goes into prisons to observe and document the condition of Illinois' correctional facilities. JHA has heard from many of IDOC's prison staff about the immense challenges they routinely face when trying to implement modern correctional practices using antiquated equipment in outdated facilities, and the legitimate security concerns created by problems such as failing communication systems. JHA has also heard from thousands of prisoners who are deeply concerned as to whether the water they drink is safe or the air they breathe is clean. If such basic necessities are wanting, IDOC is effectively incapable of focusing on the programmatic needs of all prisoners.

Recommendation 2: Do not reduce IDOC's budget at this time. IDOC has not been adequately resourced or properly managed by the State for decades and reducing resources could further degrade conditions and treatment in the short term.

IDOC is not, and has not been, adequately funded or structured in a way that allows the Department to fulfill its goal of increasing public safety by rehabilitating prisoners, operating successful reentry programs, and reducing victimization. Currently the Department can merely incapacitate the majority of the prisoners in its custody, but cannot provide the level of care, education, training, and treatment necessary to further its mission or serve the best interests of Illinois. IDOC is also not in full compliance with several statutes, including the Crime Reduction Act of 2009, which calls for much more

than implementing risk assessment instruments, one of the areas of this law that the Department is finally beginning to execute.

Currently, the static prison population is artificially low relative to the past 15 years due to a reduction in new admissions resulting from IDOC and Illinois county court systems' response to the COVID-19 pandemic during calendar year 2020. IDOC has no control over how many people are sentenced to prison, and the downward trend of prison admissions can reverse at any time.

The state's failure to adequately resource IDOC for decades, and its unwillingness to maintain and modernize IDOC's infrastructure has resulted in a perilous deficit. Thus, a low prisoner population relative to years past should not be viewed as an impetus for immediate reduction of IDOC's budget. On the contrary, the reduced prisoner population may, at best, provide IDOC an opportunity to make up for lost ground by meeting urgent needs that have gone unaddressed for years.

Truth in Sentencing guidelines and automatic sentence enhancements ensure that IDOC will be housing a large amount of people for decades to come, and these policies will result in a rise in the average age of prisoners over time thereby increasing costs.¹ Additionally, there are more prisoners diagnosed with a mental illness in IDOC now than there were twenty years ago. Like elderly prisoners, these prisoners require more resources to incarcerate than others.

Recommendation 3: Further reduce Illinois' prison population by revising sentencing policies that keep people in prison far longer than is required to advance public safety.

If the prison population is further reduced in a way that does not jeopardize public safety, the Department will be able to do more for the people in its custody, as resources will not be stretched so woefully thin. Lower prisoner to staff ratios (security and non-security) will improve programmatic outcomes for prisoners. Also, reduced demand upon the limited physical space and scarce necessities available within Illinois' prisons will result in a more humane prison environment.

A further reduced prison population will also address many of the safety concerns routinely voiced by both prisoners and staff, and improve working conditions for the front-line staff whom we depend upon to implement the policies that will improve outcomes in corrections.

Recommendation 4: Reform the needlessly cumbersome procurement process and relieve the undue administrative burdens IDOC is subjected to so the Department may efficiently utilize scarce resources.

JHA acknowledges the reality of the state's financial situation. It is unrealistic to expect the Department's operating budget to be substantially increased to the extent required,

¹ It costs over twice as much to house an elderly prisoner in comparison to younger prisoners according to the National Institute of Justice (see <https://s3.amazonaws.com/static.nicic.gov/Library/018735.pdf>)

or that the capital spending the Department desperately needs will be provided in the foreseeable future.

Thus, JHA calls on the legislature to allow IDOC to more efficiently utilize the limited tax dollars provided to the Department. To further this end, IDOC should have its own procurement officer, furnished with a well-trained and educated staff who can implement a reasonable procurement process conducive to corrections.

Domain knowledge is an essential component of a functional bureaucracy, and there are many aspects of corrections that make the framework in which contracts involving IDOC are formed and executed very distinct from other state agencies. If IDOC is granted control of its procurements, the Department will be better positioned to do more with the tax dollars allocated to it.

In closing, JHA asks this committee to consider this submitted testimony and the recommendations contained herein. IDOC must be overhauled based on the findings of an objective assessment process, and adequately resourced. Additionally, IDOC should be allowed to better manage scarce resources available to it so that the Department has a realistic chance to fulfill its mandate to operate safe, humane, and rehabilitative correctional facilities.

Respectfully Submitted,

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