



John Howard Association of Illinois

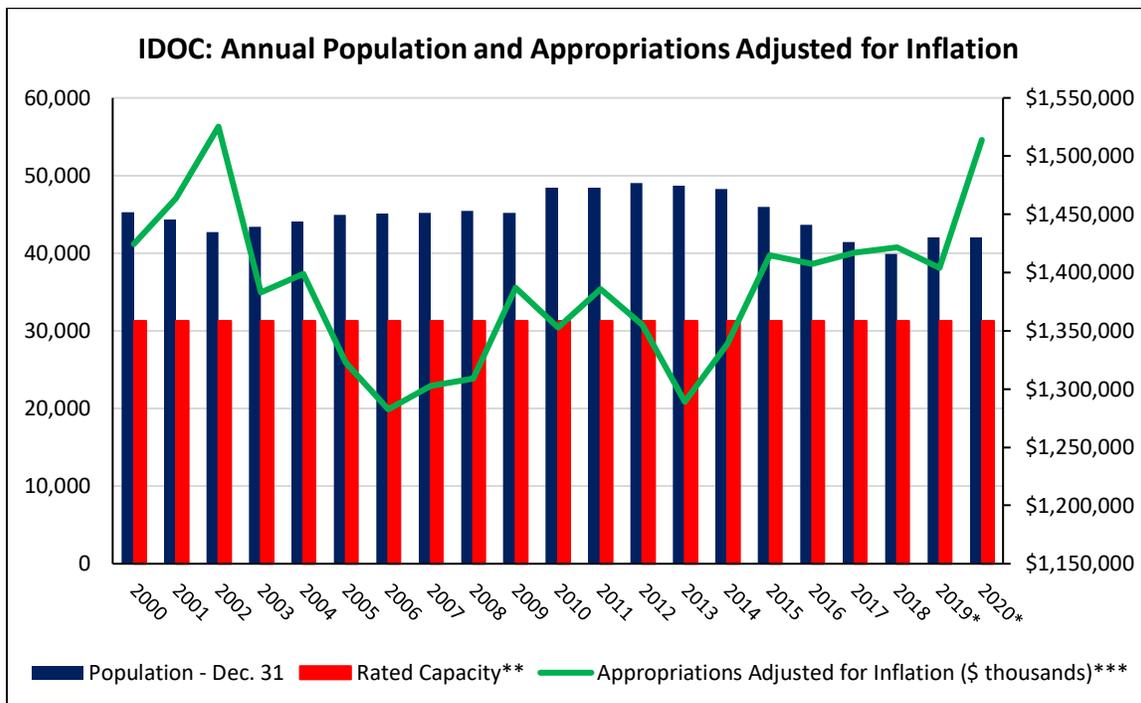
2015 recipient of MacArthur Award for Creative and Effective Institutions

70 East Lake Street, Suite 410, Chicago, IL 60601

312-291-9183, www.thejha.org

Testimony in support of the SFY 2020 Proposed Budget for Illinois Department Corrections to the Senate Appropriations Committee of the 101st Illinois General Assembly, March 27, 2019.

- I. Summary of the John Howard Association (JHA): For over 100 years, JHA has served the people of the State of Illinois by providing crucial independent citizen oversight of the correctional policies and practices employed in our state.



*2019 and 2020 prison population numbers are a projection generated by the Illinois Sentencing Policy Advisory Council (SPAC). SPAC projected the prison population for FY2018-2035 using the average prison admissions, sentences, and policy positions of FY2017. The projection model projects the prison population to decrease to around 42,000 and then to stay relatively flat with a slight annual increase occurring in the future. Source: http://www.icjia.state.il.us/spac/pdf/2018_Baseline_IDOC_Population_Projection.pdf

**Rated Capacity as listed in the IDOC Daily Population Report generated March 21, 2019

***Appropriations/expenditures for SFY 2000 through 2009 do not include retirement (pension contributions) costs so that major object budget items are consistent for SFY 2000 through 2020.

- II. Please do not reduce IDOC's funding because the population is down. The lower population can be attributed to a reduction in new court admissions, which is most likely the result of the dramatic drop in arrests for criminal offenses that has occurred over the past few years. IDOC has no control over how many people are sentenced to prison, and the downward trend of arrests can reverse at any time.

The number of admissions may have dropped in the past couple of years, but the average length of stay for prisoners is steadily rising. This trend will continue due to Truth in Sentencing and indigent prisoners with 3 Years to Life Mandatory Supervised Release terms (a cohort of prisoners that is not accounted for in any IDOC population projection). This is important to keep in mind. As the average age of IDOC's population continues to rise, there will be a corresponding rise in the cost per prisoner. It costs over twice as much to house an elderly prisoner in comparison to younger prisoners according to the National Institute of Justice.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, monetary and otherwise, than others.

- III. JHA asserts that IDOC is not, and has not been, adequately funded or structured in way that allows the Department to fulfill its mission to increase public safety by promoting positive change in offender behavior, operate successful reentry programs, and reduce victimization. As things stand, the Department can merely incapacitate the majority of the people in its custody, but cannot provide the rehabilitative programming necessary to further its stated mission, and is very far off from being able to fully comply with the Crime Reduction Act of 2009, which calls for much more than implementing risk assessment instruments.

Additionally, the Department is neither funded to the extent required or structured to meet all of its obligations under the Federal and Illinois Constitutions, nor comply with the many statutory and judicial mandates currently imposed on the Department.

- IV. JHA acknowledges the reality of the state's financial situation. Given the fiscal context in which IDOC's budget will be constructed, it is unrealistic to expect that the Department's operating budget will be substantially increased to meet its needs, or the capital spending the Department desperately requires will be provided in the foreseeable future. In light of this reality, JHA makes the following two recommendations.

First, JHA calls on the legislature to fully implement the twenty-seven recommendations put forth in the December 2016 Final Report of the bipartisan Illinois State Commission on Criminal Justice and Sentencing Reform, and grant the Department greater authority to release prisoners prior to their mandatory release date who pose little risk to public

¹ See <https://s3.amazonaws.com/static.nicic.gov/Library/018735.pdf>

safety, and earn the consideration to be released through good behavior and by engaging in rehabilitative programming.

If the prison population is safely reduced, 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), alleviated demand upon the limited physical space within prisons, and reduced demand for scarce necessities like clothing will improve living conditions and programmatic outcomes for prisoners. A reduced prison population will also address many of the safety concerns routinely voiced by both prisoners and staff. Finally, a reduced prison population will improve working conditions for front line staff, whom we depend on to implement the policies and practices that will result in improved outcomes in corrections.

Second, JHA also 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.

Additionally, a sensible payment cycle will allow the Department to avoid debilitating interest payments, and encourage quality vendors to do business with IDOC. It is worth noting that not all vendors have enough cash on hand to wait months to be paid for the services they provide, especially small business and not-for-profit vendors.

In short, JHA is asking the State of Illinois to be smart on crime rather than tough on crime, when it is apparent that a sweeping tough on crime to approach to some criminal offenses is not working and at times counterproductive. JHA is also asking the State of Illinois to eliminate the unnecessary red tape that hamstrings IDOC's ability operate efficiently.

Respectfully Submitted,

Phillip Whittington
Corrections Policy Analyst
John Howard Association of Illinois
70 East Lake Street, Suite 410
Chicago, IL 60601
312.291.9183, ext. 203
ptwhit@thejha.org