

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

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  
17 the Department of Juvenile Justice, to direct child welfare  
18 services for minors charged with a criminal offense or  
19 adjudicated delinquent under Section 5 of the Children and  
20 Family Services Act. The allotment of funds will be based on a  
21 formula that rewards local jurisdictions for the establishment  
22 or expansion of local alternatives to incarceration, and  
23 requires them to pay for utilization of incarceration as a

1 sanction. In addition, there shall be an allocation of  
2 resources (amount to be determined annually by the Redeploy  
3 Illinois Oversight Board) set aside at the beginning of each  
4 fiscal year to be made available for any county or groups of  
5 counties which need resources only occasionally for services to

6	avoid commitment to the Department of Juvenile Justice for a
7	limited number of youth. This redeployment of funds shall be
8	made in a manner consistent with the Juvenile Court Act of 1987
9	and the following purposes and policies:
10	(1) The juvenile justice system should protect the
11	community, impose accountability to victims and
12	communities for violations of law, and equip juvenile
13	offenders with competencies to live responsibly and
14	productively.
15	(2) Juveniles should be treated in the least
16	restrictive manner possible while maintaining the safety
17	of the community.
18	(3) A continuum of services and sanctions from least
19	restrictive to most restrictive should be available in
20	every community.
21	(4) There should be local responsibility and authority
22	for planning, organizing, and coordinating service
23	resources in the community. People in the community can
24	best choose a range of services which reflect community
25	values and meet the needs of their own youth.
26	(5) Juveniles who pose a threat to the community or

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1	themselves need special care, including secure settings.
2	Such services as detention, long-term incarceration, or
3	residential treatment are too costly to provide in each
4	community and should be coordinated and provided on a
5	regional or Statewide basis.
6	(6) The roles of State and local government in creating
7	and maintaining services to youth in the juvenile justice
8	system should be clearly defined. The role of the State is
9	to fund services, set standards of care, train service
10	providers, and monitor the integration and coordination of
11	services. The role of local government should be to oversee

12	the provision of services.
13	(b) Each county or circuit participating in the Redeploy
14	Illinois program must create a local plan demonstrating how it
15	will reduce the county or circuit's utilization of secure
16	confinement of juvenile offenders in the Illinois Department of
17	Juvenile Justice or county detention centers by the creation or
18	expansion of individualized services or programs that may
19	include but are not limited to the following:
20	(1) Assessment and evaluation services to provide the
21	juvenile justice system with accurate individualized case
22	information on each juvenile offender including mental
23	health, substance abuse, educational, and family
24	information;
25	(2) Direct services to individual juvenile offenders
26	including educational, vocational, mental health,

1	substance abuse, supervision, and service coordination;
2	and
3	(3) Programs that seek to restore the offender to the
4	community, such as victim offender panels, teen courts,
5	competency building, enhanced accountability measures,
6	restitution, and community service. The local plan must be
7	directed in such a manner as to emphasize an individualized
8	approach to providing services to juvenile offenders in an
9	integrated community based system including probation as
10	the broker of services. The plan must also detail the
11	reduction in utilization of secure confinement. The local
12	plan shall be limited to services and shall not include
13	costs for:
14	(i) capital expenditures;
15	(ii) renovations or remodeling;
16	(iii) personnel costs for probation.
17	The local plan shall be submitted to the Department of

18	Human Services.
19	(c) A county or group of counties may develop an agreement
20	with the Department of Human Services to reduce their number of
21	commitments of juvenile offenders, excluding minors sentenced
22	based upon a finding of guilt of first degree murder or an
23	offense which is a Class X forcible felony as defined in the
24	Criminal Code of <u>2012</u> <del>1961</del> , to the Department of Juvenile
25	Justice, and then use the savings to develop local programming
26	for youth who would otherwise have been committed to the
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1	Department of Juvenile Justice. A county or group of counties
2	shall agree to limit their commitments to 75% of the level of
3	commitments from the average number of juvenile commitments for
4	the past 3 years, and will receive the savings to redeploy for
5	local programming for juveniles who would otherwise be held in
6	confinement. For any county or group of counties with a
7	decrease of juvenile commitments of at least 25%, based on the
8	average reductions of the prior 3 years, which are chosen to
9	participate or continue as sites, the Redeploy Illinois
10	Oversight Board has the authority to reduce the required
11	percentage of future commitments to achieve the purpose of this
12	Section. The agreement shall set forth the following:
13	(1) a Statement of the number and type of juvenile
14	offenders from the county who were held in secure
15	confinement by the Illinois Department of Juvenile Justice
16	or in county detention the previous year, and an
17	explanation of which, and how many, of these offenders
18	might be served through the proposed Redeploy Illinois
19	Program for which the funds shall be used;
20	(2) a Statement of the service needs of currently
21	confined juveniles;
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 base that qualifies those
25	services and programs as proven or promising practices;
26	(4) a budget indicating the costs of each service or

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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	<u>In a county with a population exceeding 2,000,000, the</u>
10	<u>Redeploy Illinois Oversight Board may authorize the Department</u>
11	<u>of Human Services to enter into an agreement with that county</u>
12	<u>to reduce the number of commitments by the same percentage as</u>
13	<u>is required by this Section of other counties, and with all of</u>
14	<u>the same requirements of this Act, including reporting and</u>
15	<u>evaluation, except that the agreement may encompass a clearly</u>
16	<u>identifiable geographical subdivision of that county. The</u>
17	<u>geographical subdivision may include, but is not limited to, a</u>
18	<u>police district or group of police districts, a geographical</u>
19	<u>area making up a court calendar or group of court calendars, a</u>
20	<u>municipal district or group of municipal districts, or a</u>
21	<u>municipality or group of municipalities.</u>
22	(d) (Blank).
23	(d-5) A county or group of counties that does not have an
24	approved Redeploy Illinois program, as described in subsection
25	(b), and that has committed fewer than 10 Redeploy eligible
26	youth to the Department of Juvenile Justice on average over the

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1 previous 3 years, may develop an individualized agreement with  
 2 the Department of Human Services through the Redeploy Illinois  
 3 program to provide services to youth to avoid commitment to the  
 4 Department of Juvenile Justice. The agreement shall set forth  
 5 the following:

6 (1) a statement of the number and type of juvenile  
 7 offenders from the county who were at risk under any of the  
 8 categories listed above during the 3 previous years, and an  
 9 explanation of which of these offenders would be served  
 10 through the proposed Redeploy Illinois program for which  
 11 the funds shall be used, or through individualized  
 12 contracts with existing Redeploy programs in neighboring  
 13 counties;

14 (2) a statement of the service needs;

15 (3) a statement of the type of services and programs to  
 16 provide for the individual needs of the juvenile offenders,  
 17 and the research or evidence that qualifies those services  
 18 and programs as proven or promising practices;

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

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

24 (6) a statement indicating that the Redeploy Illinois  
 25 program will not duplicate existing services and programs.  
 26 Funds for this plan shall not supplant existing county

1 funded programs.

2 (e) The Department of Human Services shall be responsible  
 3 for the following:

4 (1) Reviewing each Redeploy Illinois Program plan for  
 5 compliance with standards established for such plans. A  
 6 plan may be approved as submitted, approved with

7	modifications, or rejected. No plan shall be considered for
8	approval if the circuit or county is not in full compliance
9	with all regulations, standards and guidelines pertaining
10	to the delivery of basic probation services as established
11	by the Supreme Court.
12	(2) Monitoring on a continual basis and evaluating
13	annually both the program and its fiscal activities in all
14	counties receiving an allocation under the Redeploy
15	Illinois Program. Any program or service that has not met
16	the goals and objectives of its contract or service
17	agreement shall be subject to denial for funding in
18	subsequent years. The Department of Human Services shall
19	evaluate the effectiveness of the Redeploy Illinois
20	Program in each circuit or county. In determining the
21	future funding for the Redeploy Illinois Program under this
22	Act, the evaluation shall include, as a primary indicator
23	of success, a decreased number of confinement days for the
24	county's juvenile offenders.
25	(f) Any Redeploy Illinois Program allocations not applied
26	for and approved by the Department of Human Services shall be
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1	available for redistribution to approved plans for the
2	remainder of that fiscal year. Any county that invests local
3	moneys in the Redeploy Illinois Program shall be given first
4	consideration for any redistribution of allocations.
5	Jurisdictions participating in Redeploy Illinois that exceed
6	their agreed upon level of commitments to the Department of
7	Juvenile Justice shall reimburse the Department of Corrections
8	for each commitment above the agreed upon level.
9	(g) Implementation of Redeploy Illinois.
10	(1) Oversight of Redeploy Illinois.
11	(i) Redeploy Illinois Oversight Board. The
12	Department of Human Services shall convene an

13	oversight board to oversee the Redeploy Illinois
14	Program. The Board shall include, but not be limited
15	to, designees from the Department of Juvenile Justice,
16	the Administrative Office of Illinois Courts, the
17	Illinois Juvenile Justice Commission, the Illinois
18	Criminal Justice Information Authority, the Department
19	of Children and Family Services, the State Board of
20	Education, the Cook County State's Attorney, and a
21	State's Attorney selected by the President of the
22	Illinois State's Attorney's Association, the Cook
23	County Public Defender, a representative of the
24	defense bar appointed by the Chief Justice of the
25	Illinois Supreme Court, a representative of probation
26	appointed by the Chief Justice of the Illinois Supreme

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1	Court, and judicial representation appointed by the
2	Chief Justice of the Illinois Supreme Court. Up to an
3	additional 9 members may be appointed by the Secretary
4	of Human Services from recommendations by the
5	Oversight Board; these appointees shall possess a
6	knowledge of juvenile justice issues and reflect the
7	collaborative public/private relationship of Redeploy
8	programs.
9	(ii) Responsibilities of the Redeploy Illinois
10	Oversight Board. The Oversight Board shall:
11	(A) Identify jurisdictions to be included in
12	the program of Redeploy Illinois.
13	(B) Develop a formula for reimbursement of
14	local jurisdictions for local and community-based
15	services utilized in lieu of commitment to the
16	Department of Juvenile Justice, as well as for any
17	charges for local jurisdictions for commitments
18	above the agreed upon limit in the approved plan.



19	(C) Identify resources sufficient to support
20	the administration and evaluation of Redeploy
21	Illinois.
22	(D) Develop a process and identify resources
23	to support on-going monitoring and evaluation of
24	Redeploy Illinois.
25	(E) Develop a process and identify resources
26	to support training on Redeploy Illinois.

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1	(E-5) Review proposed individualized
2	agreements and approve where appropriate the
3	distribution of resources.
4	(F) Report to the Governor and the General
5	Assembly on an annual basis on the progress of
6	Redeploy Illinois.
7	(iii) Length of Planning Phase. The planning phase
8	may last up to, but may in no event last longer than,
9	July 1, 2004.
10	(2) (Blank).
11	(3) There shall be created the Redeploy County Review
12	Committee composed of the designees of the Secretary of
13	Human Services and the Directors of Juvenile Justice, of
14	Children and Family Services, and of the Governor's Office
15	of Management and Budget who shall constitute a
16	subcommittee of the Redeploy Illinois Oversight Board.
17	(h) Responsibilities of the County Review Committee. The
18	County Review Committee shall:
19	(1) Review individualized agreements from counties
20	requesting resources on an occasional basis for services
21	for youth described in subsection (d-5).
22	(2) Report its decisions to the Redeploy Illinois
23	Oversight Board at regularly scheduled meetings.
24	(3) Monitor the effectiveness of the resources in

25	meeting the mandates of the Redeploy Illinois program set
26	forth in this Section so these results might be included in
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1	the Report described in clause (g) (1) (ii) (F).
2	(4) During the third quarter, assess the amount of
3	remaining funds available and necessary to complete the
4	fiscal year so that any unused funds may be distributed as
5	defined in subsection (f).
6	(5) Ensure that the number of youth from any applicant
7	county receiving individualized resources will not exceed
8	the previous three-year average of Redeploy eligible
9	recipients and that counties are in conformity with all
10	other elements of this law.
11	(i) Implementation of this Section is subject to
12	appropriation.
13	(j) Rulemaking authority to implement this amendatory Act
14	of the 95th General Assembly, if any, is conditioned on the
15	rules being adopted in accordance with all provisions of and
16	procedures and rules implementing the Illinois Administrative
17	Procedure Act; any purported rule not so adopted, for whatever
18	reason, is unauthorized.
19	(Source: P.A. 94-696, eff. 6-1-06; 94-1032, eff. 1-1-07;
20	95-1050, eff. 1-1-10.)