



# Supreme Court of Illinois

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## **CHIEF JUSTICE GARMAN SAYS AT SUMMIT PROBATION FUNDING IS IMPORTANT FOR PUBLIC SAFETY AND REDUCING PRISON POPULATION**

Chief Justice Rita B. Garman said proper probation funding is critical to reducing recidivism and the state's prison population.

"It is three times more expensive to keep an adult incarcerated than it is to provide services on a local level; and more importantly, it isn't working," the chief justice said at a public safety summit last week in Rockford. "The idea of putting someone away and throwing away the key doesn't happen. They go back to the communities.

"Unless we do something to positively change behavior along the path, it becomes a cycle that is expensive for the public, doesn't provide for public safety and it doesn't do anything to aid the offenders in changing their lives."

Chief Justice Garman served on a panel at the April 23 public safety summit in Rockford, where members of the state's criminal justice system, including more than 30 Illinois judges, gathered to discuss data-driven justice.

Presented by Winnebago County and the 17<sup>th</sup> Judicial Court in cooperation with the Illinois Center of Excellence for Behavioral Health and Justice, the event marked the third in a series designed to increase public safety and optimize the operation of the criminal justice system. The previous two focused on behavioral health and crime prevention through community policing.

Chief Justice Garman was joined on a panel by Illinois Appellate Court Justice Kathryn E. Zenoff of the Second District; Chief Judge Joseph P. McGraw of the 17th Judicial Circuit; former California Judge Roger K. Warren, a past president of the National Center for State Courts who gave the keynote address at the summit; Michael J. Tardy, director of the Administrative Office of the Illinois Courts; and John Maki, executive director of the Illinois Criminal Justice Information Authority.

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## **Probation Funding is Important for Public Safety and Reducing Prison Population Add One**

Mr. Maki said the goal behind the summit – to educate and work toward implementing data-driven and evidence-based practices and sentencing-- falls in line with Gov. Bruce Rauner's announced goal of reducing the state's prison population by 25 percent within 10 years.

It is an ambitious goal, but one Mr. Maki said can be done as evidenced by Winnebago County, which has seen its jail population drop from 1,100 in 2012 to an average of 648 in March of this year. Mr. Maki and Mr. Tardy both serve on the governor's recently established Commission on Criminal Justice and Sentencing Reform.

"Without strong judges like we have here, we won't be able to do it," Mr. Maki said, noting that Illinois is experiencing a shift in attitude about incarceration that has opened up the discussion about prison reform and said "judges will be integral" in how the state moves forward.

In addition to members of the panel, the summit was attended by Supreme Court Justices Robert R. Thomas, Thomas L. Kilbride and Mary Jane Theis; Appellate Court Justices Bertina E. Lampkin of the First District and Mary Seminara-Schostok and Joseph E. Birkett of the Second District; and 18 chief judges from across the state, as well as a number of elected officials from Winnebago County.

Chief Justice Garman said data-driven justice is not only critical to the functioning of the state's court system, but vitally important to protecting the public's safety and ensuring the system is fulfilling its Constitutional mission of restoring offenders to useful citizenship.

The terms "data-driven justice," "evidence based practices" and "evidence based sentencing" refer to a model in the criminal justice system that relies on data and scientific research to determine how to most effectively sanction offenders with the twin goals of ensuring public safety and behavioral change.

"A new tide is turning," Mr. Warren said. "Unlike 30 years ago, we know what works to change offender behavior. We now have research that proves the use of evidence based programs, not always incarceration, is successful in changing behavior."

Mr. Warren explained that evidence-based practices focus on assessing an offender's risks, needs and treatment. Examples of evidence-based sentencing include pre-trial release, diversion programs and specialty courts, all of which aim to rehabilitate the offender and in the process, save the state money in incarceration costs while maintaining public safety.

In Illinois, it costs about \$22,000 a year to incarcerate an individual in the state Department of Corrections and about \$70,000 annually to commit a juvenile to the Department of Juvenile Justice. The annual cost of probation is much less: \$4,237 for an adult and \$7,033 for a juvenile, both assessed at the maximum risk level that requires the most supervision and programs.

The annual dollar savings of effective and properly funded probation services is nearly 10 times in the case of a juvenile otherwise requiring commitment.

Mr. Tardy said one percent of Illinois' population is serving some form of probation sentence, including more than 120,000 adults and about 12,000 juveniles. Currently, he said, the state has about 2,500 probation officers who supervise the more than 130,000 probationers living in communities across the state.

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## **Probation Funding is Important for Public Safety and Reducing Prison Population Add Two**

The state's probation system, however, hasn't been fully funded in years. It received an increase in funding in Fiscal Year 2015, but Mr. Tardy said the system needs to be adequately and sustainably funded so it can provide the most effective programs and services.

Chief Justice Garman said she and her colleagues on the Supreme Court fully support evidence-based practices and encourage the Administrative Office of the Illinois Courts to continue to collect and analyze data that will help the state's judges make informed sentencing decisions.

"There is no one-size-fits-all approach," Chief Justice Garman said, "but the Supreme Court is committed to making a difference. We take public safety and the lives of offenders very seriously."

The Chief Judges who attended the summit supervise local courts in 61 of the 102 counties in Illinois.

From Cook and the collar counties, the following Chief Judges attended: Timothy C. Evans of the Cook County Circuit Court; Richard C. Schoenstedt of the 12th Judicial Circuit (Will County); Judith M. Brawka of the 16th Judicial Circuit (Kane County); Kathryn E. Creswell of the 18th Judicial Circuit (DuPage County); John T. Phillips of the 19th Judicial Circuit (Lake County); and Michael J. Sullivan of the 22nd Judicial Circuit (McHenry County).

Other Chief Judges who attended include: David A. Hylla in Edwardsville of the Third Judicial Circuit; Michael D. McHaney in Vandalia of the Fourth Judicial Circuit; Diane M. Lagoski in Quincy of the Eighth Judicial Circuit; Judge Steven R. Bordner, as proxy for Chief Judge James B. Stewart in Macomb of the Ninth Judicial Circuit; and Stephen Kouri in Peoria of the Tenth Judicial Circuit.

Chief Judges Kevin P. Fitzgerald in Bloomington of the 11th Judicial Circuit; Walter D. Braud in Rock Island of the 14th Judicial Circuit; Ronald M. Jacobson in Oregon of the 15th Judicial Circuit; Joseph G. McGraw in Rockford of the 17th Judicial Circuit; C. John Baricevic in Belleville of the 20th Judicial Circuit; Michael J. Kick in Kankakee of the 21st Judicial Circuit; and Timothy J. McCann in Yorkville of the 23rd Judicial Circuit also attended.

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