



# **Sheriff's Office Community Based Corrections Fees**

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***Lake County's Mission***

*Deliver exceptional, financially and environmentally responsive/responsible services that promote a safe, affordable, healthy, and resilient community.*



# Agenda



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- **Statutory Mandates**
  - **Program Overview**
  - **Comprehensive Review & Recommendations**
  - **Questions**



# Statutory Mandates



- 730 ILCS 5/5-7-1
  - (a) "A sentence of periodic imprisonment is a sentence of imprisonment during which the committed person may be released for periods of time during the day or night or for periods of days, or both, or if convicted of a felony, other than first degree murder, a Class X or Class 1 felony, committed to any county, municipal, or regional correctional or detention institution or facility in this State for such periods of time as the court may direct."
  - Section (b) outlines permitted activity (e.g. seek employment, work, attend to family needs, for any purpose outlined by the court etc.)
  - (d) "A sentence of periodic imprisonment shall be for a definite term of from 3 to 4 years for a Class 1 felony, 18 to 30 months for a Class 2 felony, and up to 18 months, or the longest sentence of imprisonment that could be imposed for the offense, whichever is less, for all other offenses"



# Statutory Mandates



- 730 ILCS 5/5-7-1
  - (f) "The court may issue an order of protection pursuant to the Illinois Domestic Violence Act of 1986 as a condition of a sentence of periodic imprisonment. The Illinois Domestic Violence Act of 1986 shall govern the issuance, enforcement and recording of orders of protection issued under this Section. A copy of the order of protection shall be transmitted to the person or agency having responsibility for the case.
  - (f-5) An offender sentenced to a term of periodic imprisonment for a felony sex offense as defined in the Sex Offender Management Board Act shall be required to undergo and successfully complete sex offender treatment by a treatment provider approved by the Board and conducted in conformance with the standards developed under the Sex Offender Management Board Act."



# Statutory Mandates



- 730 ILCS 5/5-7-6
  - (a) "... Every offender, including offenders who are sentenced to periodic imprisonment for weekends only, gainfully employed *shall* pay a fee for room and board at a rate established, with the concurrence of the chief judge of the judicial circuit, by the county board of the county in which the offender is incarcerated."
    - *By order of the court, all or a portion of the earnings of employed offenders shall be turned over to the clerk to be distributed for the following purposes, in the order stated:*
      - (1) the room and board of the offender;
      - (2) necessary travel expenses to and from work and other incidental expenses of the offender, when those expenses are incurred by the administrator of the offender's imprisonment;
      - (3) support of the offender's dependents, if any.



# Program Overview



- **Periodic Imprisonment (P.I.)**
  - Established in 1972 by the Lake County Sheriff's Department
  - Sentencing alternative to traditional incarceration and offers a more structured supervision than traditional probation.
  - P.I. sentenced residents are assigned to a Resident Field Coordinator (RFC) who works with Lake County Adult Probation Officers to monitor offenders' court ordered requirements in and out of the facility.
  - In partnership with the Lake County Coroner's Office, the CBCC administers an intensive alcohol and drug testing program.
  - If authorized by the courts, P.I. sentenced residents are encouraged to seek employment to offset the cost of this program.
  - All Employment is verified by RFC's with random site checks conducted by correctional staff.



# Program Stats



- # of P.I. sentenced residents
  - As of September 23, 2021
    - 24 total | 21 males | 3 females
- Range of offenses
  - DUI, Domestic Battery, Violating Sex Offender Registry, Predatory Criminal Sexual Assault, Robbery, Firearm charges, etc.
- Nonpayment
  - 2021 – 11 instances of non-payment for room and board



# Program Stats



- 24 P.I. sentenced residents in CBCC
- 5 are unemployed
- 6 have court ordered reductions in their room and board
- 10 gross between \$224-\$600 per week
- 1 grosses over \$600 per week
- 1 has a treatment only requirement



# Program Stats



- Historical Snapshot of P.I. Revenue

	FY2017	FY2018	FY2019	FY2020
December	\$18,217.00	\$20,352.95	\$12,046.85	\$10,155.00
January	\$11,842.00	\$21,788.34	\$20,856.85	\$11,433.00
February	\$9,438.50	\$11,874.00	\$18,236.00	\$5,701.00
March	\$19,620.95	\$20,343.00	\$13,592.10	\$7,727.00
April	\$12,874.84	\$19,534.48	\$12,574.00	\$2,574.00
May	\$9,193.00	\$11,844.50	\$12,573.40	\$5,395.00
June	\$28,158.03	\$21,349.00	\$14,136.00	\$11,017.14
July	\$19,263.73	\$18,475.00	\$7,297.55	\$4,683.40
August	\$15,519.60	\$7,729.00	\$22,762.00	\$9,003.00
September	\$23,721.00	\$13,553.00	\$14,627.44	\$7,421.00
October	\$17,876.00	\$17,439.95	\$10,611.00	\$12,247.00
November	\$10,888.00	\$12,117.00	\$13,034.00	\$8,544.00
<b>TOTAL</b>	<b>\$196,612.65</b>	<b>\$196,400.22</b>	<b>\$172,347.19</b>	<b>\$95,900.54</b>



# Comprehensive Review – Community Based Corrections (last fees est. 2016)



- An ordinance establishing the daily rates that every gainfully employed offender placed in periodic imprisonment shall pay for their board.
- Current Charges
  - Room and Board –
    - \$16/day (grossing less than \$600/week)
      - Grossing less than \$224/week – 50% reduction in rate
    - \$20/day (grossing \$600+/week)



## Comprehensive Review – Community Based Corrections (last fees est. 2016)

- Recommended Changes
  - Consulted with State's Attorney, Adult Probation, and Corrections.
  - Three-tiered system recommendation
    - Tier One - \$8/day grossing less than \$500/week
    - Tier Two - \$16/day grossing between \$501 - \$999/week
    - Tier Three - \$30/day grossing more than \$1,000/week

## CBCC Fees Comparison: Current v. Proposed





# Next Steps



Any modification that reduces assessed fees will decrease the offset and will increase reliance on general fund for operating CBCC.

1. Accept recommendation
2. Committee Guidance on a modified tier system different than recommended
  1. Option 1:
    1. \$8/day for those grossing less than \$500/week
    2. \$16/day for those grossing more than \$500/week
    3. Eliminates the third tier altogether
  2. Option 2:
    1. \$8/day for those grossing less than \$1,000/week
    2. \$16/day for those grossing more than \$1,000/week
  3. Option 3:
    1. Recommendation not listed here but put forward by Committee(s)



# Questions