



## JJPOC Alternatives to Arrest Subgroup MEETING

MARCH 28, 2024

Web-Based Meeting – Zoom

**THIS MEETING DOES NOT CONTAIN A PRESENTATION- DISCUSSIONS AND UPDATES**

### Attendance

Anthony Nolan	Joshua Bernegger	Steve Smith	<b>TYJI Staff</b>
Brian Wright	Karrol-Ann Brown	Tasha Hunt	Paul Klee
Derrick Gordon	Lisa Simone	Thea Montanez	Brittany LaMarr
Erica Bromley	Ray Dancy	Vincent Russo	Erika Nowakowski

### Meeting Summary

- Currently proposed legislation, Public Act 23-188A, encompasses an alternative to arrest implementation plan for specific low-level offense
- A brief overview of the history of the Alternatives to Arrest Subgroups efforts was provided which included:
  - Recommendations were from the work that Council of State Government created while partnering with the IO Youth Project.
    - Multiple iterations of plans have been developed.
  - Over the past few years, data from the judicial branch has been utilized to identify low-level offenses that could be diverted.
  - 6 charges were incorporated into the plan to be diverted.
    - Creating a public disturbance, Simple trespass, Disorderly conduct, Breach of peace, Larceny 5, and Larceny 6.
    - The original intent was to have these 6 charges be decriminalized. However, this Subgroup decided on diversion instead.
  - Previous plans included an implementation period that was broken up into two phases.
  - A ticket book that referred youth to Juvenile Review Boards (JRB) that looked similar to a summons was created to provide to officers.



- An accountability factor for youth who would not participate in diversionary work was incorporated into the most recent iteration of the implementation plan.
- Efforts to address statewide issues associated with not knowing when a youth comes in contact with police, as well as the frequency of contact with police, were made.
- This Subgroup must determine how to proceed; either building off of the preexisting Alternatives to Arrest Plan or creating a new plan.
- The majority of the offenses that the previous implementation plans were targeting were already being referred to JRBs as they were considered low-level offenses that did not warrant court intervention.
  - It was determined, however, that the youth could benefit from services already available in the community.
- One of the goals of the Subgroup is to standardize access to community programming for all youth across the state.
- Police advocates wish to focus on correcting the funding for Youth Service Bureaus (YSB) and JRBs and making it uniform across the state to increase capacity to handle diversion properly.
  - Diversion should be considered an accredited standard of practice for all police departments to ensure uniform operating procedures across the state.
- A point of clarification was made that pre-arrest diversion is only meant for first- and second-time offenses.
- Discussion was held regarding how police should proceed if youth were to commit two offenses during the same incident, with one of the offenses being a mandated diversion referral (trespass), and the other not being so (vandalism).
- Discussion was held surrounding ensuring Black and Brown youth are afforded the same types of “pass” that White youth are provided if it is left up to the individual community/police department to decide which offenses are diverted and which are court involved.
  - A focal point of pre-arrest diversion is restorative justice; to repair harm and ensure that youth are held accountable for their actions.
  - Future discussion surrounding the ability to operationalize and implement the intended plan needs to be held in order to ensure plan effectiveness.
- For future meetings, Subgroup members should review data from YSBs and JRBs regarding the type of charge they are being referred for.
- Clarification surrounding the reach of the recommendations needs to be held regarding an incident where multiple charges are made and not all of them are the 6 that can be diverted.
  - How do police proceed in such an incident?
  - Should this Subgroup recommend diverting charges completely?
- As of this meeting, recommendations are due by July 1, 2024.



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- An extension to at least October, 2024 is being considered.