



January 6, 2020

Sheriff Dustin Heuerman
Champaign County, Illinois

Dear Sheriff Heuerman:

I appreciate the chance to offer some thoughts about new jail construction projects happening around the country, and in your community of Champaign. Whether it's \$47 million or \$4700, every dollar spent in the name of public safety, from taxpayers' coffers, should be done mindfully.

I lead the Pretrial Justice Institute, the nation's oldest pretrial justice reform advocacy organization, celebrating our 43rd year of fighting against two systems of bail in America – one for people with means and one for people without. I have been working on bringing some element of justice to the front-end of the system since 2006, but prior to that worked at the Safer Foundation in Chicago, and prior to that at the US Department of Justice's national research office. My organization has worked in hundreds of counties over our long history with one goal in mind – ensure the pretrial detention population was as minimal as possible, in keeping with the law and with a focus on protecting communities from violence.

Here's what we know from research – short stays in jail are destabilizing and disruptive to employment, family structures and housing. People who have not been found to pose a threat of violence to an identifiable other, who go in and stay a few days, will leave jail worse off than when they arrived, more likely to be arrested again in the future. Pretrial detention makes up 95% of all jail population growth between 2000-2014 – that's nearly all of the rise in the jail population able to be attributed to pretrial incarceration, and the vast majority of those folks had money bonds set they could not afford. Most jail deaths occur within the first few days, typically due to mental health or substance use medical issues that jails are poorly equipped to handle. One option many places are considering is how to add those services to the jail.

This trend is troubling, but I respect the motivation of county officials who want to ensure services are offered – mental health services are sorely lacking in most communities. But research supports the value and policy choice to place services for mental health, substance use disorders, and frankly supportive housing, in the community, not the jail.

Building a model this way – that feels responsive to current needs – actually perpetuates the use of arrests and jail as the access to the only services in town. That may feel like a catch-22, so walking through a values-based and racial equity analysis can help bring some options to the table.

Respectfully, while I am not aware of the process you have used to date, I would urge you to leverage your leadership role in the county to convene a multi-stakeholder group that is inclusive of the voices of those directly impacted by the justice system policies and practices in Champaign, leaders of local groups providing services - often informally and underfunded - in the communities in which they reside, as well as the bench and prosecutor. And then ask yourselves questions like these honestly:

- Who is the jail for? What is the purpose of detention?
- What is the racial composition of our county compared to the composition of our jail?
- What do we arrest people for the most in our county?
- What are people in our jail being held on or by (charge/money bond)?
- What are we attempting to accomplish by incarcerating people prior to trial?
- What needs do they have that the jail is being used to address? Treatment? Supportive housing?
- Is the impact of the lack of services being felt disproportionately by people of color and those without a living wage? Does adding services inside the jail help to reduce any identified racial disparity?

In most jails, two out of every three people are awaiting trial. Most of them would not be there if they had the ability to post a money bond, or if there were services in the county that could provide treatment or housing or employment. We encourage communities to ask the hard questions, consider local values, look deeply at the data, and work collaboratively with those most impacted by the pending government actions to craft solutions.

I know there has been a recent move for a Supreme Court Commission in Illinois to take a serious look at the use of money bond and unnecessary pretrial detention. If it results in legislation reducing or eliminating the use of money bond in favor of due process, you could see a decrease in jail population that may have you rethink how you'd like to move forward. Completing an analysis and design of community-based supports could allow you to have a head start on moving people with needs to places that support them, and saving secure facility space for the small number of people for whom no condition or combination of conditions would meet the identifiable threat they pose.

These are both trying times and ones with more options for designing futures that work for everyone than ever before. Even if the new jail construction is authorized, a process for implementing community-based supports for people who should not be in that jail can proceed in parallel. We are all working towards the same outcome – safety and well-being for everyone in our communities.

If we can be of any assistance, please do not hesitate to contact me at cherise@pretrial.org. Thank you.

Sincerely,

A handwritten signature in black ink that reads "Cherise Fanno Burdeen". The signature is written in a cursive, flowing style.

Cherise Fanno Burdeen
Chief Executive Officer

CC: Representative Carol Ammons