

Make Illinois Smart on Crime: Support HB 3355

A bipartisan majority of voters in Illinois agree that **our criminal justice system is broken** and that fixing it should be a **top or high priority** for lawmakers.¹ Well-intentioned but misguided policies adopted in the 1980's and 1990's, and elected officials' quest to be considered "tough" on crime, have led to a costly and overcrowded prison system that still fails to meet Illinois residents' public safety needs.

In order to chart a new course for this failing system, Governor Rauner created the Illinois State Commission on Criminal Justice and Sentencing Reform, to which he appointed 28 of Illinois' most respected criminal justice experts, including judges and lawyers, legislators, law enforcement officials, judges, academics, service providers, and current and former officials of the Department of Corrections.

Over nearly two years, the Commission gathered data and took testimony from national policy experts, local and state government stakeholders, crime victims, formerly incarcerated persons, family members of currently incarcerated people, and residents of communities all over Illinois. In public hearings, the Commission members discussed and debated various proposals developed from that testimony and data, and ultimately voted upon those proposals. Earlier this year, the Commission released its final report, in which it issued 27 policy recommendations to **safely reduce Illinois' prison population by 25% by the year 2025**.²

HB 3355 (Sims) packages together the Commission's most impactful recommendations:

1. Reclassify sentences for all drug offenses, making Class 4 felony simple possession a Class A misdemeanor.
2. Roll back arbitrary restrictions on prisoners' ability to earn sentence credit for demonstrating good conduct and evidence of rehabilitation.
3. Restore judicial discretion by repealing mandatory minimums and excessive penalty enhancements for nonviolent offenses.
4. Raise the felony threshold for retail theft and other property crimes from \$300 to \$2,000.
5. Provide that a person sentenced for a Class 3 or 4 nonviolent felony, who has fewer than 4 months to serve at the time of sentencing, shall not be sent to prison, but may be assigned to electronic home detention, an adult transition center, or another IDOC facility or program.
6. Limit "three strikes" sentencing to persons convicted of multiple violent crimes.
7. Expand eligibility for diversion programs that enable people charged with certain nonviolent offenses to avoid felony convictions.
8. Reduce the period of mandatory supervised ("MSR") for persons released from prison, and enable the Prisoner Review Board to reduce the MSR period for a person determined to be "low-risk low need" according to a validated risk and needs assessment tool.

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¹ In a December 2015 survey of 800 likely voters conducted on behalf of the ACLU of Illinois, 74% agreed that "the criminal justice system in Illinois is broken." This included 76% of Democrats, 74% of independents, and 70% of Republicans. 69% of respondents said that it should be a "top" or "high" priority for the state legislature to pass laws to help reduce the prison population in Illinois.

² Illinois State Commission on Criminal Justice and Sentencing Reform Final Report (Parts I & II), December 2016, http://www.icjia.org/cjreform2015/pdf/CJSR_Final_Report_Dec_2016.pdf