Issue Advocacy in Illinois

On-Line Public Comment, Community Feedback and Petitions

Limiting E-Carceration

Supporting the Criminal Justice Reform Agenda of Cook County State’s Attorney Kim Foxx:
- Learn about her pioneering data driven approach to achieving just outcomes and inform the public, at: https://www.cookcountystatesattorney.org/data
- Write to Mayor Elect Lightfoot at the “Share Your Ideas” portal she has provided at https://bettertogetherchicago.com/ to ask her to support State’s Attorney Foxx and her reform agenda against Federation of Police attacks
- See the Sun-Times assessment: “Venom directed at Kim Foxx is about taking down an African American reformer”, at: https://chicago.suntimes.com/politics/venom-directed-at-kim-foxx-is-about-taking-down-an-african-american-reformer/

Advocacy with the Illinois State Legislature
The 2019 session of the 101st General Assembly is coming to a close with mixed results on criminal justice reform proposals
You can find details about the content and status of Senate and House Bills by number at: http://www.ilga.gov/legislation/default.asp.

Criminal justice reform bills proposed in the current session of the General Assembly:

Driver’s License Revocation
HB 3005/SB 1786 – License to Work Act – to limit driver license suspensions for nonpayment of fees, civil penalties or taxes - For discussion of the bill, see: https://www.license2work.org/

Policing
HB 0051 – Notice on default of fine 30 days prior to issuance of a warrant
HB 1613 – to combat racial profiling by maintaining data collection re traffic and pedestrian stops– see: https://www.aclu-il.org/en/publications/racism-rear-view-mirror
HB 2519 – to repeal gang data base
HB 0021 – to end practice of requiring sworn affidavit as basis for a policing complaint
HB 1616 – to require that police grant anyone taken into custody the right to three completed phone calls within one hour after arrival at the station

Restorative Justice
HB 1458 – to create a new “privilege” to prevent statement made in restorative justice proceedings from being used in court proceedings

Definition of Offenses and Sentencing
SB 1610 – Guilty plea – Alien admonition
SB 1968 – Modifications for Class 3 and 4 Non-Violent Crimes < 4 months electronic Monitoring/Adult Transition Center
HB 0094 – Granting sentencing credits
HB 1587 – To reduce sentences for non-violent felonies -with probation, supervisory release
HB 1614 – to increase the felony dollar threshold for retail theft
HB 1615 – to modify the level of responsibility required for conviction of felony murder
HB 2039 – to allow those serving time for a crime for which the penalties have been subsequently reduced to petition the trial court for an equivalent reduction

Pretrial Considerations
- HB 2689 – Pretrial Data Act – to require monthly reporting by counties of Pretrial Orders, Pretrial Bail Proceeds, and Pretrial Custody and Release
- HB 3347 – Equal Justice for All Act – to abolish money bail and govern pretrial proceedings

Juvenile Justice
- HB 1465 – to expand the jurisdiction of the juvenile court for young adults charged with misdemeanors
- HB 1615 – to limit agency responsibility for murder for juveniles
- HB 2644 – Best Interest of the Child Act
- HB 2922 – to require a lawyer for children in interrogation in any case that could be transferred to adult court

Incarceration
- SB 1158 – to repeal indemnification by prisoners for prison costs
- HB 2045 – Eliminate prisoner co-payments for medical care
- HB 0182 – to limit the use of solitary confinement
- HB 2288 – to eliminate inmate copays for health care
- HB 2620/SB 2054 – Restorative Sentencing Act – to enact a program of sentence credit for prisoners who participate in programs contributing to their rehabilitation to reduce time service to below the 85% or 100% of the prescribed sentence as otherwise required by law
- HB 2649 – Bill of Rights for Children of Incarcerated Parents
- HB 2925 – to establish a separate Ombudsman Bureau within the Department of Corrections
- HB 3090 – to require prompt investigation and reporting of all deaths of people while in custody – For discussion of this bill, see: https://www.wbez.org/shows/wbez-news/new-bill-would-force-transparency-on-how-people-die-in-prison/58b387b8-667c-4295-a76d-90337a3e9f2f

Children and Family Considerations
- HB 2444 – Best Interest of the Child Act – to require a Family Impact Statement and consideration of alternatives to incarceration in sentencing a parent or guardian
- HB 2649 – to require recognition of the rights of children to maintaining their relationship with parents who are incarcerated

Parole
- HB 3214 – to implement parole in Illinois for all prisoners other than sex offenders and those who have committed two or more murders

Post Release
- HB 01115 – Limiting electronic monitoring with Mandatory Supervised Release or Parole
- HB 2244 – Modify conditions of Parole related to “knowingly associating” with a felon
- HB 3061 – Enabling initiation of background check prior to offer of employment in health care jobs
- HB 3227 – Illinois Human Rights Act – Housing – to prohibit landlords from using arrest records and records ordered expunged and sealed in rental decisions
- HB 3056 – Employee Background Fairness Act – to regulate how employers take into account prior criminal records of job applicants

Bills opposed by criminal justice reform advocates as steps backwards:
- HB0221 – to allow counties to opt out of bail reform
- HB0244 – to impose life imprisonment for all First Degree murders
- HB0287 – to deny Internet use to paroled sex offenders
- HB2244 – to place additional conditions on parole, to limit associations
Other proposed bills designed to improve the criminal justice system

**Violence Prevention**
- HB 0327 – to provide Chicago Violence prevention targeted grants

**Policing**
- HB 0051 – to provide notice upon default of fine 30 days prior to warrant issuance
- HB 0056 – to regulate police officer accountability
- HB 2519 – to repeal gang data base

**Definition of Offenses and Sentencing Reform**
- HB 2291 – to defelonize possession of a small amount of drugs

**Pretrial Considerations**
- HB 2689 – to provide for collection and sharing statewide of pretrial and bond data and posting of pretrial actions online
- SB 1188 – to provide for diversion of mentally III patients

**Juvenile Justice**
- HB 2305 – to raise the minimum age to 14 for a youth to be incarcerated in Illinois

**Sentencing**
- HB 0055 – to limit imposition of sentence higher than documented pretrial offer
- HB 1587 – to reduce sentences/probation/supervision for non-violent felonies

**Incarceration**
- HB 1617 – to regulate use of vending machines in prison facilities
- HB 2317 – to raise the “incarceration credit” to payment of outstanding fines from $5 per day of incarceration to $30 per day
- HB 3060 – to provide sentencing credit for home detention and to include electronic home monitoring in the definition of “custody”
- HB 0179 – to address claims for wrongful incarceration of innocent individuals
- SB 1158 – to repeal indemnification by prisoners of prison costs

**Post Release**
- HB 0044 – to regulate publication of Criminal records – innocent, sealed or expunged
- HB 0927 – to provide automatic expungement of cannabis offenses
- HB 0932 – to provide for non-violent probationer to attend job training and pre-employment session
- HB 2474 – to limit reasons for denial of professional licensing
- HB 3332 – to provide a tax credit for landlords who rent to people with a conviction record

Among the bills being prepared that have yet to be introduced:
- Bill regulating of the possession and sale of marijuana is being developed by Kelly Cassidy and Heather Stains

**With Cook County Officials on Supporting and Expanding Bond Reform in the County**

Going go online to sign the petition to support bond reform asking the criminal justice stakeholders in the Cook County Government and the Cook County Court System to protect the important bond reforms implemented in September 2017 and to work to ensure their full implementation.

Writing and calling Sheriff Tom Dart to demand that he obey the law and stop refusing to release accused people that the courts have ordered to be released pending trial:
- at (312) 603-6444, sheriff.dart@cookcountyil.gov or 50 W. Washington St. Chicago 60602

See: **Dart's Misguided Approach to Jail Reform** at:

and **No need for Tom Dart to be gun-shy on bail reform** at
Task Force To Cut Female Prison Population in by Half in Illinois

See the announcement of formation of the Task Force at: https://storage.googleapis.com/wzukusers/user-22453992/documents/5ba317e70aeb730eVdnW/News%20Release%20-%20WJ%20TASK%20FORCE%20LAUNCH%20(July%202018%202018).pdf


In Support of Basic Human Rights of Incarcerated People

Going to the following link to sign a petition supporting the demands of prisoners participating in the recent prison strike for an end to penal enslavement and other human rights violations in prisons:


See also: https://therealnews.com/stories/prisoners-strike-across-america-canada-to-end-penal-enslavement

Other Possible Future Advocacy with the Illinois State Legislature:

Other bills on which the Legislature did not complete action in 2018:

SAFE ACT (2017 Illinois House Bill 5308), which passed the Senate but not the House in 2017 This legislation would mobilize state economic development and social service agency outreach to the communities most damaged by violence.
- For more information on the SAFE Act introduced in 2017, including a fact sheet and a supporters list, please visit www.iljp.org/thesafeact/.

Sentencing Reform:
  Learn more from: Ben Ruddell - bruddell@ACLU-il.org

Juvenile Justice:
- 2017 Illinois House Bill 4473 - to require that a juvenile be brought before a judge within 24 hours of arrest to determine whether he or she should be further held in pre-trial custody
  Learn more at: jji@jjjustice.org
- 2017 Illinois House Bill 4543 - to implement youth support services to provide alternatives to detention and to prevent deeper criminal involvement
  Learn more from: http://www.uuani.org/

Prisoner Rights and Opportunities:
- 2017 Illinois House Bill 4505 - to authorize Illinois to participate in the Federal Prison Industry Enhancement Certification (“PIE”) Program, which would provide Federal funds to develop training programs for inmates in Illinois Prisons (details attached here)
  Learn more from: Patrick Simon patrick.simon@illinois.gov or Michael Lane michael.r.lane@illinois.gov at the Illinois Dept. of Corrections
- 2017 Illinois House Bill 4741 - to safeguard prison visiting rights
Learn more from: Jobi Cates: jcates@restorejustice.org
2017 Illinois House Bill 4888 - to require improvements in conditions, treatment, accountability and communication and structural changes in the operation of the Department of Corrections, and collection and sharing of information and data
Learn more from Jennifer Vollen-Katz: jvollen@thejha.org

Restrictions on Rights and Opportunities of Former Inmates and those convicted of a crime: 2017
Illinois Senate "Path To Restoration" Bill 3489 - to allow individuals that are subject to registration after release from prison in the Violent Offender Against Youth Registry to amend incorrect information and appeal their inclusion in the database.
Learn more at https://www.imancentral.org/support-path-restoration/
2017 Illinois House Bill 3142 - to prohibit colleges, universities, and trade schools from asking or considering an individual’s criminal record for purposes of admissions
Learn more from: Samantha Tuttle: stuttle@heartlandalliance.org

Records of Eviction Proceedings
2017 Illinois House Bill 4968 - to provide for sealing and impoundment of a court file for an eviction action in which the court does not find that a tenant or an occupant has materially breached the lease
Learn more from Bob Palmer at bob@housingactionil.org

Availability and Allocation of Resources
Legislation to redirect budget priorities toward social services and away from incarceration See: https://chicago.suntimes.com/opinion/recognition-of-budget-cuts-not-enough-time-tofund-up/