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Bruce Rauner's commission examines Illinois sentencing laws

Goal is to reduce prison population 25 percent over next decade

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A commission to re-evaluate Illinois' sentencing laws, and eventually reduce the state's prison population, is moving forward under Gov. Bruce Rauner.

With the new Commission on Criminal Justice and Sentencing Reform, Rauner has tasked the panel to find ways to reduce the prison population by 25 percent in the next 10 years.

It's a pretty tall order, but as one prison watchdog group put it: "We'd rather it be 50 percent in five years," said Jennifer Vollen-Katz, interim executive director of the John Howard Association of Illinois, which works to achieve a fair, humane and cost-effective criminal justice system by promoting adult and juvenile prison reform.

Rauner isn't the first politician to look at criminal justice reform, nor is he likely to be the last. But reforms typically have little chance for becoming law, Vollen-Katz said, because it can be politically unpopular to be anything but "tough on crime."

"People don't win elections on the issue of criminal justice reform," Vollen-Katz said.

Prison overcrowding has been regarded as an issue upon which those on either side of the political spectrum tend to agree. On the far left, it's a moral issue; for those on the right, it's a financial one.

"Whether you lead with your heart or with your wallet, the important thing is reform," Vollen-Katz said. "It doesn't matter why you're coming to table, the important thing is that reform is on the table."

Rauner's 28-member commission will look for ways to reduce the rate of imprisonment in Illinois by analyzing the criminal justice system as a whole – from the time someone is arrested to their release and re-entry into the community.

The commission includes experts from nonprofits, academia and law enforcement, as well as

lawmakers, including St. Charles Republican state Sen. Karen McConnaughay, who represents a portion of McHenry County.

“Our criminal justice system and sentencing procedures are long overdue for a thorough analysis and overhaul,” McConnaughay said in a statement. “Exploring options aimed at reducing recidivism and helping people reintegrate into society will not only help people live happier, healthier lives, but also will reduce overcrowding in our prisons and save the taxpayers money.”

Rauner said Illinois has one of the most crowded prison systems in the country. The Illinois Department of Corrections imprisons 48,277 adults in a system that’s designed to hold 33,000. Furthermore, the Illinois prison population has swelled 700 percent over the past 40 years, though crime has fallen 20 percent.

Those involved in the local criminal justice system said the big reason for the surge is state laws putting mandatory minimum sentences on nonviolent crimes, tying judges’ hands and forcing hefty sentences.

“Mandatory minimums literally say to the judge, ‘We don’t trust you. We don’t think you’re capable of coming up with a fair sentence so we’re going to take this out of your hands,’ ” Crystal Lake-based criminal defense attorney Robert Deters said. “And the judges, they’re straitjacketed.”

Once in prison, housing inmates is incredibly expensive. Taxpayers spend \$1.3 billion on the Department of Corrections each year, and an additional \$131 million on the Department of Juvenile Justice each year, Rauner said in his executive order.

“The commission should really consider who we’re putting in prison and consider the economic consequences of keeping nonviolent drug offenders in custody for many years,” McHenry County criminal defense attorney Dan Hoffman said. “The amount of money that’s spent on incarceration for these offenders really is not justified.”

Those convicted of delivering any amount of drugs within 1,000 feet of a park, school or church automatically face at least six years in prison.

“I think there’s a misapprehension that everybody in prison is a violent offender, and that is not the case,” Hoffman said. “Class X felonies are so easily obtainable for nonviolent offenses.”

Rauner called the state’s recidivism rate “dangerously high.” Forty-eight percent of adult inmates and 53.5 percent of juveniles released from incarceration return to prison within three years, perpetuating a vicious and costly cycle, Rauner said.

“As we reduce our prison population, we need to invest in community resources,” Vollen-Katz said. “One thing that concerns me, frankly, is we’re seeing a lot of social service agencies getting hit hard with budget cuts. We’re going to need those community supports available if we decrease our prison population.”

- The Associated Press contributed to this report.