

April 25, 2017

TO: League of Women Voters of Illinois members

FROM: Janet Kittlaus, LWVIL Criminal Justice Issues Specialist
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I write to ask that your delegates at convention **support the non-recommended program item to update LWVIL's criminal justice/juvenile justice positions.** (This is not recommended for the reason that it did not properly go through the program planning process.)

In the years since the position was revised in 1996, much has changed. Governor Rauner's Illinois State Commission on Criminal Justice and Sentencing Reform (CCJSR) has stimulated a good deal of criminal justice reform legislation. As we look at the 27 recommendations of the CCJSR and certain other reform efforts, we realize that our Criminal Justice position is very much in need of updating. For example:

- Abolishing cash bond is getting more attention. This is an issue highlighted by the work of the Cook County League Criminal Justice Interest Group which recommended to the Cook County Board that cash bond be discontinued and all defendants released from jail except for those adjudged to be a threat to the community or thought not likely to return to court. Our position currently favors a bail bond system. Should that position change?
- Much of the current legislation concerns sentence modification but our current sentencing section is very sparse and gives little direction for evaluating proposed such modifications. Do we need more direction when considering violent and non-violent offenses? What offenses require incarceration? Which may be dealt with outside of prison? What distinctions need to be made regarding violent and non-violent crime? Do we want to address Life without parole? Is incarcerating someone for life without a provision for review wise?
- Our position states that "judges should retain the discretion to choose between imprisonment and probation for most offenses.... However, probation is not the only diversion program available today. And judicial discretion is often curtailed by mandatory minimums. Are these appropriate? Under what circumstances?
- A good deal of recidivism is due to punitive laws that limit access to housing and jobs. Should our position address barriers that people returning from prison encounter? The larger question: once a sentence is completed, should a returning citizen continue to be punished? Under what circumstances?
- In regard to Juvenile Justice, should the age for juvenile jurisdiction be informed by the latest research into brain maturity?

These are but a few of the issues that an update committee might scrutinize. Since as criminal justice issue specialist I have been dealing with the shortcomings of our position, I support this proposal. At convention, the Cook County League will host an educational caucus on its comprehensive work on pre-trial procedures and will urge those who attend to support the Criminal Justice/Juvenile Justice Update. Due to a family commitment, I am unable to attend convention, but should this update be adopted, I would be most eager to give direction and support to the effort going forward.

If interested in serving on such an update committee and/or speaking to it at convention, please contact me at my e-mail address (jki031@northwestern.edu) and I can help you prepare for convention.