

**THE RESENTENCING TASK FORCE
REGULAR MEETING MINUTES
FEBRUARY 4, 2022**

THIS MEETING WAS HELD VIRTUALLY ON ZOOM

Members Present: Darren Bailey, Bob Berlin, Kelly Cassidy, Jobi Cates, Mitchell Davis, Yaacov Delaney, Ari Jones, Shobha Mahadev, Scott Main, Sharone Mitchell, Robert Peters, LaToya Richardson, Ryan Spain

Members Absent: None

Non-members Present: Susan Lloyd, Lisa Schneider-Fabes, Lindsey Hammond, William Nissen, Kathy Saltmarsh, Mark Powers, John Specker, Ryan Kennedy, Mike Elliott, Bill Ryan, Jean Snyder . . .

The meeting convened at 9:00 a.m. and began with member introductions, an overview of procedures, goals and deliverables, and the schedule for the task force's work. Members voted unanimously to adopt written task force procedures.

Rep. Cassidy provided background on how HB3857, the bill that created the task force, was developed and Sen. Robert Peters reviewed the legislative intent behind it to provide a foundation for the task force's work going forward.

Mark Powers, Research Director of the Sentencing Policy Advisory Council, presented an analysis of the prison population. As of February 4, 2022 the prison population was 27,413, the lowest it has been in decades. SPAC analyzed the segment of the population that had served 20 years or more in prison. The data was analyzed from several perspectives including, the age of the population, the sentences imposed on the individuals, how long they had served, and the number of years left in their sentences. The majority of that population had been incarcerated for serious crimes, including murder, and were men of color. The population analysis presented to the RTF established that the prison population could not be reduced in a meaningful way if those incarcerated for violent crimes were excluded. This was contrary to the historical pattern of excluding violent crimes from reform discussions.

The task force then turned its attention to three fundamental questions:

1. How do we weigh the interests affected by the changes in the sentencing policy and practice?
2. Who should be eligible for sentencing review? How should the crime of conviction and time already served be accounted for?
3. What is the process? What are the issues that need to be resolved?

The RTF identified the interests to be weighed in developing its recommendations:

- * The community interest in public safety
- * The victims' and survivors' interest in subjective justice for their individual case
- * Community standards around punishment – retribution/rehabilitation, fairness

- * The interests of the families of the incarcerated, and their communities which links back to public safety, restorative justice values and economic impacts
- * Rehabilitation
- * The system's need to both resolve cases efficiently and produce positive outcomes

Several values around the humanity of both people who commit crimes and those who are victimized helped shape the discussion. The RTF members believed that people do have the ability to change and that the victims of crime are not a monolithic group, but rather have experienced a system that offers no real avenue of healing. Allowing the moment of reconciliation that the process denies is important because sentencing is not that moment. Remorse and reflection can be important to survivors and their families long after the loss they suffered.

Two new policies recognizing these restorative justice values, an apology letter bank and an option for a facilitated dialogue between the one imprisoned and the one that was harmed, are being piloted, offering an avenue to healing that is not available through the court system. In addition, the importance of language has led IDOC to eliminate the terms offender and inmate that dehumanize incarcerated people in order to foster a more respectful environment. Likewise, the RTF agreed to avoid dehumanizing language in its discussions.

As of February 4, the task force lacked four appointments, three retired judges and a victim representative. Members voted unanimously to postpone further meetings until all appointments have been made.

Alexandra Block, representing a coalition of twelve advocacy organizations, offered public comment on an open letter Kathy Saltmarsh received addressing guiding principles for the task force's work. The letter was posted in the chat and also provided to task force members following the meeting.

Upon proper motion and second the meeting adjourned at 1:00 p.m.