

THE RESENTENCING TASK FORCE (RTF)
REGULAR MEETING MINUTES
July 15, 2022, 9:00 – 11:00 a.m.

THIS MEETING WAS HELD IN PERSON AND VIRTUALLY ON WEBEX

Members Present: Bob Berlin, Kelly Cassidy, Jobi Cates, Lisa Daniels, Mitchell Davis, Yaacov Delaney, LaToya Hughes, Hon. Cheyrl Ingram, Ari Jones, Shobha Mahadev, Scott Main, Sharone Mitchell, Robert Peters, Hon. Marcus Salone and Ryan Spain.

Members Absent: Darren Bailey and Hon. Steve Sawyer.

Non-Members Present: Jim Jacobs, Jen Paswater, Nazgol Ghandnoosh, Stacey Silver, Susan Lloyd, Lisa Schneider-Fabes, Lindsey Hammond, William Nissen, Kathy Saltmarsh, Mark Powers, John Specker, Ryan Kennedy and Abigail Drumm.

Approval of Meeting Minutes: June Task Force meeting – Jobi Cates moved; Mitchell Davies seconded. The minutes were approved unanimously by roll call vote.

Overview:

Susan Lloyd began with an overview of the meeting, which will be coming to agreement on a set of principles to guide resentencing policy and practice. Many members have already reviewed and commented on the previous draft. The questions that were raised and the suggestions offered, are reflected in the second draft. The revised version provides the framework for today's conversation and will hopefully make it possible for us to begin considering eligibility criteria by voting on these guiding principles.

Principles to Guide Resentencing Recommendations:

Following the overview, Chairperson Marc Salone presented the second draft of guiding principles the task force plans to use as a framework for developing recommendations after incorporating member feedback. The second draft principles presented to the members for approval, with the opportunity for more discussion and edits, before voting on their finalization:

- *Principle 1: Provide for judicial determination of whether the purposes of sentencing embodied in the Illinois Constitution and the state would be better served by a modified sentence than the individual's completion of the original sentence based on the current circumstances of the individual and the crime victim, as well as changes in law, policy, and scientific knowledge.*

VOTE: Robert Peters moved; Kelly Cassidy seconded. Principle 1 was approved by a vote of 13-0-0, with members Bob Berlin and Ryan Spain not voting.

- *Principle 2: Authorize a fair, consistent, and proportionate mechanism for judicial review and specify the criteria for eligibility and identify the people or entities that can file petitions for resentencing.*

VOTE: Jobi Cates moved; Lisa Daniels seconded. Principle 2 was approved unanimously by roll call vote.

- *Principle 3: Specify the parameters under which the right to reapply after initial eligibility shall recur.*

VOTE: Kelly Cassidy moved; Hon. Cheryl Ingram seconded. Principle 3 was approved by a vote of 13-0-0, with members Bob Berlin and Ryan Spain not voting.

- *Principle 4: Specify how individuals who are incarcerated shall be notified of the right to file petitions.*

VOTE: Lisa Daniels moved; Kelly Cassidy seconded. Principle 4 was approved by a vote of 13-0-0, with members Bob Berlin and Ryan Spain not voting.

- *Principle 5: Provide for screening and dismissal of applications that lack merit on their face.*

VOTE: LaToya Hughes moved; Mitchell Davis seconded. Principle 5 was approved by a vote of 13-0-0, with members Bob Berlin and Ryan Spain not voting.

- *Principle 6: Provide authority to the judicial decisionmaker to modify any aspect of the original sentence. The time to be served pursuant to the modified sentence cannot exceed the unserved remainder of the original sentence.*

VOTE: Ari Jones moved; Robert Peters seconded. Principle 6 was approved by a vote of 13-0-0, with members Bob Berlin and Ryan Spain not voting.

- *Principle 8: The prosecuting authority shall be properly served with the motion for resentencing and be given a reasonable time in which to respond.*

VOTE: Jobi Cates moved; Lisa Daniels seconded. Principle 8 was approved unanimously by roll call vote.

- *Principle 9: An adequate record of the proceedings shall be maintained, and the judicial decisionmaker shall be required to state the reasons for its decision in the orders granting or denying relief.*

VOTE: Jobi Cates moved; Lisa Daniels seconded. Principle 9 was approved unanimously by roll call vote.

Issues that were identified for future consideration were put into a “parking lot”, with the intention of addressing them fully at future meetings. The parking lot issues are:

- Specific time frame and limit on number of petitions
- Discuss how to assist pro se litigants

- Eligibility criteria
- Whether resentencing is limited by any mandatory minimum terms or mandatory sentence enhancements

Public Comment: There was no public comment offered at the meeting.

Meeting Adjourned: Mitchell Davis, moved to adjourn the fourth Resentencing Task Force meeting, seconded by Hon. Marcus Salone. The fourth Resentencing Task Force meeting was adjourned at 11:00 a.m. by unanimous voice vote.