

**Illinois Sentencing Policy Advisory Council**  
**Regular Meeting Minutes**  
**November 19<sup>th</sup>, 2021 10:00AM – 12:45PM**

**Location: Illinois Criminal Justice Information Authority**  
**300 West Adams Street, Suite 200**  
**Chicago, IL**

**Members Present by Video** – Delrice Adams, Don Bernardi, Jim Chadd, Edith Crigler, John Cullerton (Chair), Lisa Daniels, Ron Hain, Doug Harvath, Rob Jeffreys, Sen. Steve McClure, Marcia Meis, Sharone Mitchell, Stu Palmer, Jim Piper, Tobar Richardson, Augie Torres, Sen. Elgie Sims, Rep. Justin Slaughter, Don Stemen, Stu Umholtz and Rep. Patrick Windhorst.

**Members Absent** – Anne Fitzgerald.

**Non-Members Present by Video or Phone** – Michael Elliott, Kathy Saltmarsh, John Specker, Ryan Kennedy, Jermaine Harris, Douglas Thomson, Aditi Singh, Lindsey Hammond, Ben Ruddell, Bryant Jackson-Green, Caitlyn Barnes, Charlene Kronoski-Du Vall, Chitra Balakrishnan, Comd. Ernest Cato, Edmund Buck, Garlen Gatewood, Jen Paswater, John Amdor, Kathryn Bocanegra, Kelly Cassidy, Laurie Jo Reynolds, Levi Bain, Lilly Mashayek, Lindsey Kolisch, Lisa Stephens, Mary Ann Dyar, Megan Alderden, Michael Tafolla, Millicent McCoy, Nancy Negrete, Natashee Scott, Nathaniel Inglis Steinfeld, Savannah Felix, Scott Main, Sen. Robert Peters, Teny Gross, Vickie Smith and Victoria Gonzalez.

**Non-Members Present by Phone** – None.

**Welcome and Introductions**

Chairperson Cullerton called the thirty-eighth regular meeting of the Illinois Sentencing Policy Advisory Council to order at 10:00 a.m. Chairperson Cullerton gave the opening remarks, including a summary of the agenda and overview of the meeting:

- Lieutenant Governor Julianna Stratton, whose focus as Lieutenant Governor (LG) is criminal justice reform provided opening remarks thanking SPAC for its work and partnership with the Justice, Equity, and Opportunity (JEO) Initiative that she has championed as LG. She laid out four goals that have guided the JEO's short and long-term work:
  - Address the social determinants of crime and incarceration.
  - Improve equitable deflection and diversion opportunities from the justice system.
  - Improve conditions and address the needs of vulnerable populations in correctional facilities.
  - Support positive reentry outcomes to reduce recidivism

**Effectively Responding to Violent Crime: How Does Sentencing Fit In?**

The meeting topic, "Effectively Responding to Violent Crime: How Does Sentencing Fit In?" came out of the comments made at our last meeting. Violent crime is the hot topic of the day, and the state is trying several public safety strategies, including increased funding for violence prevention, the creation of an office in the Illinois Department of Human Services (IDHS) to implement a public health response to gun crime, and legislation, including most recently a bill to enhance sentences for carjackings. The meeting was focused on the human context of police, violence interveners, people who have committed violent crime and the needs of victims, asking them where sentencing fits into their work.

The presenters were:

Law Enforcement

- **Ernest Cato, III**, the newly appointed Chief of the Bureau of Counterterrorism for the Chicago Police Department. He rose through the ranks and was formerly the Deputy Chief in Area 4, which includes Austin, where he worked with our other panelist, Jermaine Harris.
- **Jermaine Harris**, a Chicago Police Officer for 18 years in Austin, where he grew up, who has focused on community policing and building trust and collaborative relationships that benefit the people, businesses, and community organizations that live there.

Violence Prevention/Intervention

- **Teny Gross**, has been a leader in the violence intervention field for decades and now heads the Institute for Nonviolence Chicago. The Institute provides conflict mediation, case management and other service through a hyper-local, restorative, and trauma-informed approach that is rooted in principles of nonviolence.

Lived Experience

- **Michael Tafolla** and **Edmund Buck**, literally grew up in our prison system after committing violent crimes in their teens. Edmund now works with READI Chicago, a program that serves the re-entry population as well as people who are at high risk of victimization. Michael is now a victim advocate with Claretian Associates, a non-profit that provides a variety of services to South Chicago and surrounding communities.

Victimology & the Needs of Survivors of Violent Crime

- **Dr. Megan Alderden**, now at DePaul University but formerly the research director at ICJIA and before that, in the research and analysis unit of the Chicago Police Department, who has expertise in victimology as well as a knack for explaining clearly what research does, and does not, tell us about the outcomes our system produces.
- **Vickie Smith**, Executive Director of the Illinois Coalition Against Domestic Violence. Vickie is a fixture in Springfield and an expert in a type of violence that touches far more people than gun violence but gets little attention. Domestic violence is frequently a presence in the lives of those who go onto commit violent crimes and Vicki's work provides a bridge between the needs of individual victims and the collective knowledge of what can help stop the violence.

Moderator

- **Dr. Kathryn Bocanegra** moderated the discussion. Kathryn served as the community organization rep on SPAC for many years while completing her doctorate at the University of Chicago. She is on the faculty of the University of Illinois Chicago.

The panel discussed the following questions:

- *Dr. Bocanegra (KB): The public narrative around gun crime and homicides, and now carjackings, is all bad. I recently looked at change in clearance rates over time and found that the 15th District- where you both have worked- has increased the proportion of homicide cases that have been cleared by 35% between 2016 – 2020. Commander Cato(EC) and Sargent Harris (JH):*
  - *What do you think is working well in the investigation of violent crimes in the 15th District?*
  - *What recommendations do you have stemming from this experience?*

- *Even within the context of the progress demonstrated by your work, we understand there are significant challenges facing law enforcement in the response to violent crime. What are these challenges and how are you working to address them?*

EC: One of the biggest things we did was reopen the detective office in Area 4, which also has family liaison district coordination officers. Direct contact with the families is a game changer. We found that building upon these relationships is very important and has helped us build trust in the community. Explaining to the community what is going on in their communities, using social media and simply telling them that we need your help to make the community safer.

JH: We need to put things into context and look beyond just the numbers. Developing relationships are extremely important and taking a public health approach to gun violence. Taking a look at the situation as a whole is very important, because we need to understand why the violence has occurred.

EC: Our challenges now are due to what has happened in the past and how we can build trust again. We need to be consistent and build relationships, block by block for our new officers. Taking a holistic approach is very important these days. Working in concert with streets and sanitation for example, asking them to help cut the grass and clean up dilapidated areas, which we then bring the community in, then the police officers and start building trust again.

JH: This requires us to have stable infrastructure to help build these relationships. We need to fill the voids in the community where there is nothing, because we must have options outside of violence for members of the community. We collaborate with those who have touched the system, come walk and talk with officers to again help build that trust.

- *KB: Street intervention work has a substantial history in Chicago and other major urban centers. In recent years certain models like CeaseFire, READI Chicago, and coalition-based work have garnered substantial public attention and public resources. In June of this year President Biden named street intervention work as a key community violence intervention strategy. In Chicago and other urban centers in IL and throughout the country, street intervention work is a key public safety intervention in communities disproportionately burdened with violent crime.*
  - *KB directed to EC and JH: How does street intervention work play into this success? How do the police in the 15th understand street intervention work?*

EC: I'll tell you what, it's already shown that it's proven. We saw homicides, shootings, violence and arrests decrease. It shows that we are focusing in the right areas. It was a risky partnership at the beginning, but once we started to trust each other, things began to get better. For example, when we had large crowds gathering, I could reach out to my street outreach contacts and ask them to go find out what was occurring, without needing a police presence if it was not necessary. Street intervention is becoming a great tool for the future, but we must establish the trust first between the two groups in order for it to work successfully.

JH: We all have to understand that the majority of the those who work as street interventionist are almost all returning citizens. They know the walk and the talk, so it is very important that we meet, and they understand our goals and we understand their goals, so we can work together to accomplish each of our vital goals, which is a safer and just community. We also need to understand the risk they take, as to not be thought as of "informants" for the police and how they can remain in a position to continue to work with these gang members. The purpose for them is to not just gather intel for cops, but it's to help prevent the next crime/act of violence from occurring.

- *KB: directed to Teny Goss (TG): As a veteran in street intervention work, can you provide us examples where of what street intervention and what your model is at Institute for Nonviolence Chicago?*

TG: It all begins by building bridges throughout the community, which nobody is excluded. Our mission is that we believe we all have a role to play to end violence, and our mission is to end the cycle of violence in Chicago by making Dr. King's principles, practices, and teachings of nonviolence a part of our daily lives. At the Institute for Nonviolence Chicago, we do our part through conflict mediation, victim advocacy, case management, nonviolence training, and community organizing. These methods help us work to reduce shootings, guide people involved in violence through their journey away from it, empower and nurture communities in the aftermath of violence, and mediate positive interactions between law enforcement and the communities they serve. We positioned ourselves intentionally in Austin, Back of the Yards, and West Garfield Park so that we can truly be part of the communities we work with. Not only are we located inside the neighborhoods we help, but those same neighborhoods are ones a majority of our team members come from. Whether they currently live in these communities, grew up there, or have worked there for years, our team has established, trusting relationships inside the neighborhoods we support. We believe that change happens through relationships, so we continue to build trusting relationships with individuals and communities most impacted by violence. Punishment is not always the best solution to a problem. Restoration is an inside job. Therefore, we work with individuals and communities, showing them that transformation grows from the inside out. Where there is violence, there are decades of trauma behind these cycles. This is why we are sensitive to trauma and the many ways it impacts people throughout their lives. We support people who are both directly and indirectly exposed to violence and connect them to whatever services they need to help them move through their pain. Lastly, everything we do draws from Dr. King's principles of nonviolence, which state that violence is learned, cyclical, and systemic. So, we're here to unlearn violence, break the cycle, and change the system.

- *KB: directed to Teny Goss: There may be instances where there is tension between street intervention and law enforcement. Based on your experience, can you describe the sources of this tension and your recommendations for working through them?*

TG: When I started in Chicago, I met with the leaders of law enforcement and told them this is not going to be easy for your troops, because it is not a two-way street for information shared, which is a tough pill to swallow at first. They had to realize that they needed to respect what I needed as far as the sharing of information and what can be shared and let us address any issues we have between us internally and not publicly in order for this relationship to work, because we both have the same goal.

- *KB: directed to EC/JH/TG: The sentences for violent crime have shifted over the last 3 decades. If you were convicted of a murder in the early 90s you may have been sentenced to between 20 – 30 years and served half of that time in prison. Mandatory gun enhancements and Truth in Sentencing and dialogue around natural life sentences, juvenile life without parole, and even the death penalty contend that harsher punishments would have a deterrent effect on crime. Based on your experience, do you think the threat of longer sentences prevents someone from committing an act of crime? Do the people you work with even consider what sentence might result if they commit a crime?*

EC: I have been doing this now for 31 years and I have never heard on the streets anyone comment on or know how long somebody was sentenced for a particular crime. People in the community should know, but in reality they do not realize it or do not hear about the length of sentences at all.

TG: No, they do not, but what we have learned is that those individuals who we work with do have guns, are 6,000 more times likely to be involved in some sort of crime. To echo what others have already said, we need to get

ahead of preventing crime from even happening, working on the back end is not the answer. Resources are key to help our young children realize there is more to their communities than violence, they need more investment and more opportunities in their own communities.

JH: If we want to address ideas with sentencing, we need to address it before an incident or crime occurs. Humanity is the key to this. We need to better support the community that individuals live in, which will help in this process.

- *KB: Now it is important to hear directly from individuals who understand, through their own life histories, the challenging circumstances surrounding individuals who are impacted by violent crime. The individuals we are hearing from today possess such life experience in addition to their current professional work in violence reduction.*
  - *KB directed to Michael Tafolla (MT) and Edmund Buck (EB): Briefly, can you share what would have been helpful to you at a time in your life when violence seemed like the only option?*

MT: The lack of interventions when I started catching cases. I wonder why the school did not help me when they started to realize why a straight “A” student started skipping school and my grades plummeted. They did nothing but send robo calls to my house after I dropped out. Then I started catching more cases, my probation officer did not step in to help, police officers did nothing to help, until I eventually caught the murder case that sent me away and at that time it was over for me. I needed the intervention when I started breaking bad, because nobody was aware of the trauma I was experiencing. If you don’t value yourself, you are not going to care about anything else.

EB: I don’t know what really would have helped me back then. I think there were a lot of systemic failures. I agree with Michael that I did not feel valued, and I just was doing what I thought was “normal” in my community.

- *KB: Can people change? What supports a positive change in their life? Do long prison sentences help/hinder this change process?*

EB: What works is when we can get to the point that people who need the assistance are receiving the assistance they need. Poverty and desperation are what keeps this cycle of violence going and if we can work on that, we can help those individuals.

MT: I believe the engagement and exposing them to something different is what is working and effective. I try to connect them with therapy and try to help them realize the trauma they have experienced is not their fault. The communities and their lives that they grow up in are not normal and we need to work to deconstruct the way they are wired to not think that way anymore. You must help them heal and realize they do have a future, by giving them the tools to help them succeed in this. Mr. Tafolla noted that what changed things for him was understanding the harm he had caused to his own family by committing the crime and going to prison.

- *KB: directed to Megan Alderden (MA) - Finally, community violence is one manifestation of interpersonal violence – reports of domestic violence and sexual assault incidents have increased, while access to services was compromised due to the COVID-19 crisis. The field of victimology has developed relatively recently and how to respond to the needs of victims is part of every reform discussion and every public safety discussion. Dr. Alderden, during your time at ICJIA a statewide survey of needs assessment of crime victims was administered, what did we learn from this?*

MA: In June 2016, ICJIA researchers conducted a statewide study to better understand crime victim needs, identify service gaps, and measure the capacity of Illinois victim service providers. The study was initiated to inform

ICJIA's strategic plan to establish victim service funding priorities for use of S.T.O.P. Violence Against Women Act (VAWA) and Victim of Crime Act (VOCA) funds. The larger project included a review of existing literature, an analysis of administrative data, and surveys and discussions with victims and their family members, victim service providers, and criminal justice practitioners. We found that victimization can negatively impact an individual's physical, psychological, and economic well-being. As a result, victims often need services to address their fundamental needs (i.e., most basic needs) and their presenting needs (i.e., safety needs). According to Maslow's theory of the hierarchy of needs, basic needs form the foundation for safety needs. This theory suggests that for victims to fully benefit from services that seek to address their presenting needs, fundamental needs should first be met. In addition, this report indicates that victims have accompanying needs, or the need for supportive services (e.g., transportation assistance, translation services), that if unmet inhibit victim access to services. Thus, victim need is interconnected and interdependent, necessitating a comprehensive approach to victim service provision. Comprehensive services for victims include programming that seeks to meet a victim's fundamental, presenting needs, and accompanying needs. This report points to programmatic (e.g., shelter services) and geographic service gaps (e.g., lack of legal services in rural areas) in funding that weaken a provider's ability to serve victims in a comprehensive way. Therefore, victim service providers, funders, and other experts are encouraged to engage in a dialogue around how current victim service programming can be adapted or expanded to address identified gaps, while taking care to maintain current service delivery levels. Victim needs, and thus, services gaps may change over time; programming should be responsive to current and future victim needs and service gaps so that services remain comprehensive. The findings from the report suggest that victims who receive comprehensive services are better positioned to not only recover from victimization, but to thrive. In satisfying basic and safety needs victims can then work towards fulfilling higher level needs, including love, esteem, and self-actualization.

- *KB directed to Vicki Smith (VS): Domestic violence is one of the most perplexing issues we face not only because it involves intimate partners, but also because it is prevalent in the life histories of people who commit violent crimes. Are we missing the boat on how to accomplish better results for disrupting the vicious cycle of domestic violence?*

VS: All too often we think of domestic violence (DV) as separate and apart from the kind of community violence we often speak about. When violence starts in the home, it often then will spill out into the streets and community. DV does not get the attention it deserves, all too often we do not believe the victims, how it trickles down through the families, especially the kids. We need to work better on true prevention and interventions earlier on than we currently do, before we can truly address this issue and DV and all the violence in our community as a whole. Also, we need to hold people truly accountable for their actions, besides putting them in jail and help them understand the trauma they have experienced has led them to commit the violent act in the first place.

- *KB directed to MA and VS: What does sentencing mean to the victims of violent crime?*

MA: What we have found is that some victims of violent crime do not want to see their perpetrators punished, but some do, and we find ourselves arguing which perspective is the right is the most appropriate outcome. The system is not built this way, but we also need to understand that there is also a psychology at play as well. The better approach is to allow the system to do its process, but at the same time helping the victim understand what the system can do and what it cannot do. If you can have honest conversations with the victim and build trust, while making the victim more trauma informed and to help them seek out and know what services are available to them and if they need those services.

VS: In my almost 40 years of work in the field DV, the vast majority of survivors do not want their preparators to go to jail, they simply want the violence to stop. Punishment doesn't work, because it doesn't stop the violence, because once those individuals are released from jail, the violence will more than likely start up again and is often worse. We do not do a good job in the DV community and advocacy world holding people accountable, but what we need to do is to look at prevention. To train and work with children, to help them understand that these are not the appropriate ways to resolve conflict within your personal relationships.

#### **Public Comment**

None.

#### **Vote: Approval of the meeting minutes from the July 30, 2021 SPAC meeting**

Chairperson Cullerton moved to approve the minutes, seconded by Stu Palmer. The minutes from the July 30, 2021 SPAC meeting were approved by unanimous voice vote.

#### **New Business**

Chairperson Cullerton reminded all members that we normally meet the third week of June, but we have an early adjournment of the legislature and a June primary, so we are suggesting meeting in April rather than June. The proposed meeting dates for 2022 are April 22, September 16 and November 4. Chairperson Cullerton moved to approve the 2022 SPAC meeting dates, seconded by Delrice Adams.

#### **Adjournment**

Chairperson Cullerton, moved to adjourn the thirty-eighth regular meeting of the Sentencing Policy Advisory Council, seconded by Stu Umholtz. The thirty-eighth regular meeting of the Sentencing Policy Advisory Council was adjourned at 12:40 p.m. by unanimous voice vote.