

Adopted Draft Recommendations from the August 26th Resentencing Task Force Meeting

Adopted Draft Recommendation – Retroactivity:

- 1) The Task Force recommends the Illinois General Assembly pass legislation to create prospective and retroactive resentencing opportunities.

VOTE: Sen. Robert Peters moved; Jobi Cates seconded. Draft recommendation on Retroactivity was approved by a vote of 13-1-0.

Adopted Draft Recommendation – Eligibility Criteria:

- 2) The General Assembly should establish eligibility criteria for sentence modification, including but not limited to:
 - a) (1) The petitioner is serving a sentence for any criminal offense for which the statutory penalty has been subsequently reduced or altered; or
 - b) (2) The petitioner makes a showing their sentence no longer advances the interest of justice or the promotion of public safety.

VOTE: Rep. Kelly Cassidy moved; Lisa Daniels seconded. Draft recommendation on Eligibility Criteria was approved by a vote of 10-3-0, with Latoya Hughes not voting.

Adopted Draft Recommendation – Procedural Criteria:

- 3) The legislature shall recommend parties who may initiate a petition for resentencing including but not limited to the prosecuting attorney, the incarcerated individual, or defense counsel.

VOTE: Rep. Kelly Cassidy moved; Sen. Robert Peters seconded. Draft recommendation on Procedural Criteria #1 was approved by a vote of 13-1-0.

- 4) Where a petition for a reduction in a sentence has been denied, the petitioner shall be permitted to file a successive petition for resentencing within a time period to be designated by the General Assembly.

VOTE: Rep. Kelly Cassidy moved; Jobi Cates seconded. Draft recommendation on Procedural Criteria #2 was approved by a vote of 9-5-0.