

**THE RESENTENCING TASK FORCE (RTF)**  
**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 Hughes, 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, Colin Mosely(?)

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. Written procedures were discussed. Sen. Bailey moved to adopt the procedures, Scott Main seconded and the procedures were unanimously adopted.

Rep. Kelly 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 were 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 were men of color and had been incarcerated for serious crimes, including murder. The analysis shows that, if the intent is to meaningfully reduce the prison population, individuals incarcerated for violent crimes cannot be excluded.

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 considered when developing recommendations:

- \* The community interest in public safety
- \* The victims' and survivors' interest in subjective justice for their individual cases
- \* Community standards regarding the purpose of incarceration – punishment, deterrence, fairness

- \* The interests of the families of the incarcerated and their communities, with issues of public safety, restorative justice, and economic impacts
- \* Rehabilitation
- \* The system's need to resolve cases efficiently and produce positive outcomes

Values about the humanity of people who commit crimes and those who are victimized helped shape the discussion. The RTF members believe that people have the ability to change and that victims of crime often experience a system that offers no real avenue of healing. Allowing for the moment of reconciliation that the current 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 have suffered.

Two new policies that recognize restorative justice values – an apology letter bank and an option for facilitated dialogue between the one imprisoned and the one who was harmed – are being piloted. Both offer avenues to healing that are not available through the court system. In addition, acknowledging the power of language and to foster a more respectful environment, IDOC has eliminated the use of the terms 'offender' and 'inmate' that dehumanize incarcerated people. Members agreed to avoid dehumanizing language in its discussions.

As of February 4, the task force lacked four appointments, three retired judges and a victim/survivor representative. Following discussion of whether to postpone further meetings until all appointments have been made, Rep. Cassidy moved to postpone future meetings, Scott Main seconded and the members voted unanimously to postpone further meetings until appointment were complete.

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

The meeting concluded at 1:00 p.m. without vote of the members.