

# Illinois Sentencing Policy Advisory Council

## Regular Meeting Minutes

November 21, 2025 10:00 am – 12:00 pm

*Location: Michael A. Bilandic Building and Virtual*

*160 N La Salle St, Chicago, IL 60601. Room N502*

*Chicago, IL*

### **Members Present in Person**

Chair John Cullerton, Scott Main, Steven Fruth, Jim Montgomery, Sharone Mitchell, Elizabeth Leahy, Delrice Adams

### **Members Present by Video**

Representative Patrick Windhorst, Don Stemen, Representative Justin Slaughter, Annie Chambers, Senator Elgie Sims, Lisa Daniels, Christelle Perez, Julia Rietz, Dan Hunt, Augie Torres, LaToya Hughes

### **Members Absent**

Ron Hain, Senator Steve McClure, Doug Harvath, Mitchell Davis

### **Non-Members Present in Person**

Victoria Gonzalez, Mark Powers, Michael Varrige, Paula Wolff, Ben Ruddell, Skylar Waddington, Jayson Cayanan, Jose Sepulveda

### **Welcome, Introductions & Updates**

Chair Cullerton called the forty-seventh regular meeting of the Illinois Sentencing Policy Advisory Council (SPAC) to order at 10:00 a.m. Chair Cullerton welcomed SPAC's members and staff along with members of the public. Chair Cullerton then reviewed the agenda stating that there would be a vote to approve the September meeting minutes followed by a SPAC presentation titled Methamphetamine and Controlled Substance Trends in Illinois and an announcement of the SPAC meeting dates for 2026. Chair Cullerton then asked SPAC's Executive Director Victoria Gonzalez to take the roll. With a quorum present, Chair Cullerton moved to the next agenda item.

### **Vote: Approval of the Minutes from the September 2025 Meeting**

Chair Cullerton called for a motion to approve the minutes from SPAC's September 2025 Meeting. Councilmember Fruth moved to approve the minutes from the September 2025 meeting, Councilmember Leahy seconded. The minutes were unanimously approved.

### **Methamphetamine and Controlled Substance Trends in Illinois**

Chair Cullerton introduced SPAC's Research Director Mark Powers and SPAC's Legal Counsel Michael Varrige for a presentation titled Methamphetamine and Controlled Substance Trends in Illinois. This presentation included trends from arrests to sentencing and recidivism in Illinois. Mr. Varrige gave some background information on the drug laws in Illinois. In Illinois, the Controlled Substances Act (1971), Cannabis Control Act (1971), and the Methamphetamine Control and Community Protection Act (2005) are the main statutes that regulate drugs and define the related criminal offenses. The

Controlled Substances Act regulates substances such as prescription drugs, heroin, cocaine, and morphine. The other two acts regulate cannabis and methamphetamine respectively. Mr. Varrige also spoke in detail about the different classifications of controlled substances and how people are sentenced for controlled substances offenses. Mr. Powers introduced his presentation by explaining that the focus would be on drug type (controlled substances and methamphetamine) and offense type (possession, manufacturing, delivery, and trafficking). Mr. Powers highlighted his takeaways from the presentation which were that: controlled substance indicators have decreased broadly; racial disparities in controlled substances offenses still exist but are much smaller; methamphetamine possession indicators rose in the past ten years while manufacture/delivery/trafficking was flat or declining; rural counties, central urban, and southern urban counties have rising methamphetamine indicators; and changes in methamphetamine and controlled substances impact the makeup of the system in demographics and prison usage.

Representative Windhorst asked about diversion and the offender initiative programs, and he wanted to know how they were treated and examined in the data. Mr. Powers replied by stating that the Criminal History Record Information (CHRI) data has different sets of codes that have convictions where there was a finding of guilt and a judgement. The codes represent those programs, but he also said he'd take another look and get back to Representative Windhorst. Representative Windhorst also asked about the prison population; he wanted to know if the technical/MSR violators included the individuals who were initially placed on probation but then violated probation and were sent to prison. Mr. Powers responded by stating admissions for technical violations of MSR are excluded. People that were sentenced for a new offense while on MSR or who had their probation revoked and were subsequently sentenced to IDOC are included in the admissions.

Representative Windhorst then asked Mr. Powers if the anecdotal information that Representative Windhorst had heard about the shift in the production of methamphetamine in Illinois to importing it from other places was confirmed by the data presented. Mr. Powers responded that it is difficult to prove that from the data, but his research has shown similar trends in other states as well. Representative Windhorst also wanted to know if there was any way to determine whether the disparities in the guilty dispositions in the different counties are caused by prosecutorial discretion or the quality of the cases that are being brought to the prosecutor's office. Mr. Powers responded by saying that to answer that question SPAC would have to do an in-depth look at each of these cases qualitatively which would include looking at the paper case files that are not accessible in CHRI data.

ACLU Director of Criminal Justice Policy Ben Ruddell commented on the presentation. He wanted to remind the Council that the data reflects a system response to drug usage and the laws implemented related to controlled substances. Mr. Ruddell stated his belief that there is not a methamphetamine epidemic, rather there is a disparity in the system that is punishing harder for crimes related to methamphetamine as opposed to controlled substances. Mr. Ruddell also stated that the data shows almost all possession arrests are less than five grams and some of that data shows that many of these

arrests are less than two grams for felony offenses. Mr. Ruddell also wanted to remind the Council that when the statute mentions weights of drugs, it means weight of a substance containing a controlled substance not that the substance is completely pure. Mr. Ruddell highlighted this important distinction because there are substances like fentanyl which can be deadly in small amounts.

### **Meeting Dates for 2026**

SPAC's meeting dates for 2026 are Tuesday, February 24<sup>th</sup> at 3:00 pm in Springfield, Friday, July 10<sup>th</sup>, and Friday, October 23<sup>rd</sup>, both at 10:00 am in Chicago.

### **Public Comment**

No Public Comment

### **New/Old Business**

No New or Old Business

### **Adjournment**

Councilmember Montgomery and Senator Sims moved to adjourn. Scott Main seconded. The motion passed unanimously.