



EXECUTIVE ORDER

15-14

**EXECUTIVE ORDER ESTABLISHING THE ILLINOIS STATE COMMISSION ON
CRIMINAL JUSTICE AND SENTENCING REFORM**

WHEREAS, imprisonment is the State's most expensive form of criminal punishment, with taxpayers spending \$1.3 billion on the Department of Corrections and \$131 million on the Department of Juvenile Justice each year; and

WHEREAS, 97% of all inmates are eventually released from the custody of the Department of Corrections into the state's most vulnerable and impoverished communities; and

WHEREAS, recidivism is dangerously high, with 48% of the adult inmates and 53.5% of juveniles released from incarceration only to return within three years, perpetuating a vicious and costly cycle; and

WHEREAS, the Illinois Sentencing Policy Advisory Council and the Illinois Criminal Justice Information Authority have demonstrated that Illinois' prison population has increased by 700% while Illinois crime rates have fallen by 20% over the last 40 years; and

WHEREAS, the Bureau of Justice Statistics recognizes that Illinois has one of the most crowded prison systems in the country, operating at more than 150% of its design capacity; and

WHEREAS, the John Howard Association and other outside entities have demonstrated that the Department of Corrections is experiencing severe overcrowding, which threatens the safety of inmates and staff and undermines the Department's rehabilitative efforts; and

WHEREAS, the twin goals of sentencing in the State of Illinois, as stated in Article I, Section 11 of Illinois Constitution, are to prescribe penalties commensurate with the seriousness of the offense and to restore offenders to useful citizenship; and

WHEREAS, states across the country have enacted bipartisan, data-driven, and evidence-based reforms that have reduced the use of incarceration and its costs while protecting and improving public safety; and

WHEREAS, the Governor recognizes the necessity of data collection and analysis by state agencies in producing public safety outcomes that will reduce crime, reduce recidivism, and protect the citizens of Illinois; and

WHEREAS, it is in the interest of public safety and public good for the State to examine the current criminal justice and sentencing policies, practices, and resource allocation in Illinois to develop comprehensive, evidence-based strategies to more effectively improve public safety outcomes and reduce Illinois' prison population by 25% by 2025;

THEREFORE, I, Bruce Rauner, Governor of Illinois, by virtue of the executive authority vested in me by Section 8 of Article V of the Constitution of the State of Illinois, do hereby order as follows:

I. CREATION

There is hereby established the Illinois State Commission on Criminal Justice and Sentencing Reform (the "Commission").

II. PURPOSE

The Commission shall conduct a comprehensive review of the State's current criminal justice and sentencing structure, sentencing practices, community supervision, and the use of alternatives to incarceration, including, but not limited to, a review and evaluation of:

1. The existing statutory provisions by which an offender is sentenced to or can be released from incarceration;
2. The existing statutory provisions as to their uniformity, certainty, consistency, and adequacy;
3. The lengths of incarceration and community supervision that result from the current sentencing structure, and the incentives or barriers to the appropriate utilization of alternatives to incarceration;
4. The extent to which education, job training, and re-entry preparation programs can both facilitate the readiness of inmates to transition into the community and reduce recidivism;
5. The impact of existing sentences upon the State's criminal justice system, including state prison capacity, local jail capacity, community supervision resources, judicial operations, and law enforcement responsibilities;
6. The relation that a sentence or other criminal sanction has to public safety and the likelihood of recidivism; and
7. The anticipated future trends in sentencing.

III. DUTIES

The Commission shall make recommendations for amendments to state law that will reduce the State's current prison population by 25% by 2025 through maximizing uniformity, certainty, consistency, and adequacy of the State's criminal sentencing structure. The Commission's recommendations will ensure that (a) the punishment is aligned with the seriousness of the offense, (b) public safety is protected through the deterrent effect of the sentences authorized and the rehabilitation of those that are convicted, and (c) appropriate consideration is accorded to the victims, their families, and the community. Reports of the Commission shall include, but not be limited to, an evaluation of the impact that existing sentences have had on the length of incarceration, the impact of early release, the impact of existing sentences on the length of community supervision, recommended options for the use of alternatives to incarceration, and an analysis of the fiscal impact of the Commission's recommendations.

Each department, agency, board, or authority of the State or any unit of local government shall provide records and other information to the Commission as requested by the Commission to carry out its duties, provided that the Commission and the provider of such information shall make appropriate arrangements to ensure that the provision of information to the Commission does not violate any applicable laws. If the Commission receives a request to inspect any such information pursuant to the Illinois Freedom of Information Act, the Commission shall consult with the provider of the information in determining whether an exemption to public inspection applies and should be asserted.

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IN THE OFFICE OF
SECRETARY OF STATE

IV. COMPOSITION

1. The Commission shall consist of members appointed by the Governor after soliciting recommendations from the General Assembly, the Judiciary, victim rights advocates, and other stakeholders. The Governor shall select a chair of the Commission from among the members. A majority of the members of the Commission shall constitute a quorum, and all recommendations of the Commission shall require approval of a majority of the total members of the Commission.

2. The Illinois Criminal Justice Information Authority shall provide administrative support to the Commission as needed, including providing an ethics officer, an Open Meetings Act officer, and a Freedom of Information Act officer.

V. REPORT AND SUNSET

The Commission shall issue an initial report of its findings and recommendations to the Governor by July 1, 2015, and a final report to the Governor and the General Assembly by December 31, 2015. Upon submission of its final report, the Commission shall be dissolved.

VI. TRANSPARENCY


In addition to whatever policies or procedures it may adopt, all operations of the Commission shall be subject to the provisions of the Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) and the Illinois Open Meetings Act (5 ILCS 120/1 *et seq.*). This section shall not be construed so as to preclude other statutes from applying to the Commission and its activities.

VII. SEVERABILITY CLAUSE

If any part of this Executive Order is found invalid by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

VIII. EFFECTIVE DATE

This Executive Order shall take effect immediately upon filing with the Secretary of State.


Bruce Rauner, Governor

Issued by the Governor: February 11, 2015
Filed with the Secretary of State: February 11, 2015

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