

CAPITAL PUNISHMENT REFORM STUDY COMMITTEE

Minutes of meeting April 6, 2009

The thirty-eighth meeting of the Capital Punishment Reform Study Committee was held at the office of Jenner & Block, 330 North Wabash Avenue, Chicago, Illinois from 1 to 3 PM.

Those present

Leigh B. Bienen

Jennifer A. Bishop-Jenkins (via teleconf.)

Walter Hehner

Jeffrey M. Howard

Charles M. Schiedel (via teleconf.)

Randolph N. Stone (via teleconf.)

Thomas P. Sullivan

Michael J. Waller (via teleconf.)

Not present

James R. Coldren, Jr.

Kirk W. Dillard

Boyd J. Ingemunson

Edwin R. Parkinson

Richard D. Schwind

Geoffrey R. Stone

Arthur L. Turner

Also present: David E. Olson, Loyola University; Patrick McAnany and Jeremy Schroeder, Illinois Coalition to Abolish the Death Penalty.

1. Resignation of T. Clinton Hull.

Mr. Sullivan reported that Mr. Hull has been appointed Judge of the Circuit Court of Kane County. Mr. Hull determined that, owing to his new duties and obligations, he should resign as a member of the Committee. The members unanimously expressed their appreciation to Mr. Hull for his valuable service to the Committee.

2. Report of David E. Olson.

Mr. Olson reported that 400 surveys have been sent to Illinois law enforcement agencies. 300 to 325 were sent to agencies that experienced homicides since January 1, 2003, and 75 were randomly selected from the remainder. 100 survey forms have been returned, of which 70 are completed; 30 respondents reported

they do not investigate homicides. Mr. Olson's aides are now compiling and entering the data.

3. *Reports of subcommittees.*

(1) *Report of subcommittee 1 - Police and investigations.*

No member of subcommittee 1 attended the meeting.

(2) *Report of subcommittee 2 - Eligibility for capital punishment and proportionality.*

Ms. Bienen reported that she continues to collect information regarding all first degree murder indictments returned in Illinois from January 1, 2003 to the present. She distributed a document entitled "Number of homicides reported between 2004 and 2007 in Illinois, by reporting agency, sorted from highest to lowest," attached as Appendix 1.

Ms. Bienen recommended that Messrs. Sullivan and Schwind send another letter to State's Attorneys who have not fully complied with the Committee's requests for complete information, asking for compliance. A discussion followed regarding the uses

to which copies of first degree murder indictments will be put, and whether these documents are of practical use without further information concerning the underlying facts of the cases. This in turn implicates funding for the recently enacted Capital Crimes Database statute.

(3) Report of Subcommittee 3 - Trial court proceedings.

Mr. Howard reported that the subcommittee has not met since the last full Committee meeting. He also pointed out that the subcommittee's recommendations regarding jury instructions and verdict forms are awaiting action by the full Committee. Mr. Sullivan said he will add these subjects to the agenda for the next full Committee meeting.

(4) Report of Subcommittee 4 - Post-conviction proceedings, DNA and general topics.

Mr. Schiedel reported that the subcommittee has not met since the last full committee meeting. He agreed to obtain and

distribute to all Committee members bills that have been introduced in the Illinois General Assembly relating to the subcommittee's projects, including those relating to victims' rights. It was also agreed that the subject of victims' family members will be put on the agenda for the next full Committee meeting.

4. Next meeting – Tuesday, May 5, 2009, at 1 PM.

It was agreed that the next full Committee meeting will be held on Tuesday, May 5, 2009 at 1 PM, at the office of Jenner & Block, 330 N. Wabash Avenue, 40th Floor, Chicago, IL.

Thomas P. Sullivan
Chair
May 18, 2009

Attachment - Appendix 1.

**Number of Homicides Reported Between 2004 and 2007 in Illinois, by Reporting Agency,
Sorted from Highest to Lowest - N=251**

Agency	Total 2004-2007	Population 2007
Chicago	1,808	2,832,854
East St. Louis	95	29,448
Rockford	65	155,138
Peoria	61	113,107
Aurora	47	45,742
Harvey	46	28,501
Joliet	43	139,031
Cicero	40	81,823
Maywood	33	25,506
Decatur	31	77,047
Springfield	29	116,482
Chicago Heights	28	31,055
Calumet City	27	37,399
Belleville	17	41,095
Will SO	17	117,902
Riverdale	16	14,418
Winnebago SO	16	64,092
Bellwood	14	19,326
Robbins	14	6,375
Danville	13	32,760
Cook SO	12	93,558
Elgin	12	20,951
North Chicago	12	34,068
Washington Park	12	5,675
Matteson	11	16,440
Kankakee	11	26,480
Waukegan	11	92,066
Alton	11	29,269
Rock Island	11	38,442
Bloomington	10	74,975
Centreville	10	5,773
Berwyn	9	50,820
Peoria SO	9	47,895
Champaign	8	73,685
Evanston	8	75,543
Madison SO	8	72,010
Addison	7	37,035
Granite City	7	30,593
St. Clair SO	7	54,024
Naperville	6	97,593
Zion	6	24,895
Jacksonville	6	19,448
Urbana	5	38,658
Oak Forest	5	27,970
Richton Park	5	12,937
Carbondale	5	25,571
Venice	5	2,430
Sterling	5	15,347
Quincy	4	40,034
Boone SO	4	26,795
Mattoon	4	17,340
Arlington Heights	4	76,943
Ford Heights	4	3,257
Streamwood	4	37,535

Oak Lawn	2	53,777
Wheeling	2	36,427
Prospect Heights	2	16,244
De Kalb SO	2	18,345
Elmhurst	2	45,197
West Chicago	2	26,738
Edgar SO	2	9,499
Zeigler	2	1,685
Canton	2	14,797
Jo Daviess SO	2	12,527
North Aurora	2	15,893
Gilberts	2	5,245
Kendall SO	2	23,997
Momence	2	3,045
Abingdon	2	3,352
Dixon	2	15,347
Harvard	2	9,694
Marengo	2	7,499
Normal	2	50,681
Macoupin SO	2	20,524
Madison	2	4,532
Hillsboro	2	6,267
Dupo	2	4,030
Lebanon	2	4,057
O'Fallon	2	25,822
Brooklyn	2	635
Swansea	2	12,582
Sangamon SO	2	37,291
Vermilion SO	2	24,556
Pekin	2	33,362
Jonesboro	2	1,842
Wayne So	2	10,362
Plainfield	2	31,378
Marion	2	17,129
Loves Park	2	23,612
Alexander SO	1	5,415
Cairo	1	3,220
Beardstown	1	5,914
Bureau SO	1	14,132
Brown SO	1	4,744
Savanna	1	3,288
Cole SO	1	13,427
Alsip	1	18,940
Bartlett	1	13,125
Bridgeview	1	14,966
Blue Island	1	22,547
Broadview	1	7,763
Burnham	1	4,037
Willow Springs	1	5,963
Crestwood	1	11,168
Schaumburg	1	72,686
Schiller Park	1	11,482
Hickory Hills	1	13,443
Hodgkins	1	2,050
Homewood	1	18,734
La Grange	1	15,401
Northbrook	1	34,142
So. Chicago Heights	1	3,840
Mt. Prospect	1	54,140

East Carondelet	1	576
Eldorado	1	4,413
Sauget	1	242
Fairview Heights	1	16,587
SOS Police	1	0
Shelby SO	1	13,289
Tazewell SO	1	26,035
Creve Coeur	1	5,233
East Peoria	1	22,549
Morton	1	16,670
Georgetown	1	3,496
Warren SO	1	7,868
Oakwood	1	1,456
Monmouth	1	9,151
Fairfield	1	5,170
Braidwood	1	6,601
Crest Hill	1	20,516
Rockdale	1	2,036
Lockport	1	24,059
Machesney Park	1	22,423
Lynwood	1	7,964