

CAPITAL PUNISHMENT REFORM STUDY COMMITTEE

Minutes of meeting March 26, 2007

The nineteenth meeting of the Capital Punishment Reform Study Committee was held at the Illinois Criminal Justice Information Authority, 120 S. Riverside Plaza, Chicago, Illinois from 1 to 4:20 P.M.

Those present

Leigh B. Bienen

James R. Coldren, Jr. (via teleconference)

Theodore A. Gottfried (via teleconference)

Jeffrey M. Howard (via teleconference)

Boyd J. Ingemunson (via teleconference)

Gerald E. Nora

Edwin R. Parkinson (via teleconference)

Thomas P. Sullivan

Michael J. Waller (via teleconference)

Not present

Kirk W. Dillard

James B. Durkin

Richard D. Schwind

Geoffrey R. Stone

Randolph N. Stone

Arthur L. Turner

Also present: Peter G. Baroni, Special Counsel; Regan M. McCullough and Jane Bohman, Illinois Coalition to Abolish the Death Penalty; and Jo E. Johnson, Mr. Dillard's staff attorney (via teleconference).

The minutes of the February 13, 2007 meeting were amended, per Mr. Sullivan's request, and approved unanimously.

1. *Public hearings in Springfield and Chicago.*

Mr. Sullivan mailed to all Committee members a typewritten transcript of the audio recording of the Committee's public hearing held in Springfield, Illinois on November 13, 2006, and Mr. Baroni mailed to all members a copy of the audio recording of that hearing. The Committee unanimously approved the typewritten transcription, which Mr. Baroni will have posted on the CJIA website.

The Committee discussed the February 26, 2007 public hearing. Mr. Baroni emailed all Committee members a copy of the court reporter's transcript of that hearing. In light of the size of the transcript (over 200 pages), Mr. Baroni will mail a hard copy to all Committee members. The Committee agreed on the utility of public hearings and will conduct more in the future.

2. *Governor's appointment to the committee.*

The Committee discussed the status of the Governor's vacant appointment to the Committee. Mr. Baroni said no change in status to date. Mr. Nora suggested the Governor may wish to appoint a law enforcement representative. Mr. Sullivan and several other members of the Committee agreed that the Committee would be well served by a law enforcement member, and a number of potential candidates were suggested by members. Mr. Sullivan agreed to talk to the legislative members of the Committee to determine the best way to persuade the Governor to appoint a member quickly.

3. *Reports of subcommittees.*

(1) *Report of Subcommittee 1 – Police and investigations.*

Mr. Coldren said the subcommittee had not met since the last full Committee meeting in February, but will meet soon.

(2) *Report of Subcommittee 2 – Eligibility for capital punishment, DNA and proportionality.*

Ms. Bienen said the subcommittee had not met since the last full Committee meeting in February, but will meet soon. The minutes of the meeting of February 8, attached as Appendix 3 to the minutes of the full Committee's meeting of February 13, 2007, have been approved.

The new head of the Illinois State Police Forensic Services is Colonel Jack Garcia. The Committee agreed that the issue of DNA compilation and testing relates to the work of several subcommittees, and therefore we should invite Mr. Garcia to speak to the full Committee. Mr. Sullivan agreed to contact Mr. Garcia.

(3) *Report of Subcommittee 3 – Trial court proceedings.*

Mr. Howard said the subcommittee had not met since the last full Committee hearing. The subcommittee is scheduled to meet Mt. Vernon, Illinois to speak to Judge Terry H. Gamber, 2nd Judicial Circuit. Judge Gamber presided over the *People v. Sutherland* capital case.

(4) *Report of Subcommittee 4 – Post-conviction proceedings and general topics.*

Mr. Gottfried said the subcommittee had not met since the last full Committee meeting in February, but will hold a meeting in Springfield on a day when the legislature is in session.

4. *Other Business.*

Third Annual Report. The third annual report subcommittee emailed a draft third annual report to Committee members on March 19, 2007.

Mr. Sullivan led a discussion of the draft. The Committee agreed on a number of changes; Mr. Sullivan will make these changes and distribute a new draft to the full Committee for final approval.

5. *Next meeting – April 30, 2007, 1 P.M.*

It was agreed that the next meeting of the full Committee will be held on Monday, April 30, 2007, 1 P.M., at the Illinois Criminal Justice Information Authority, 120 South Riverside Plaza, Chicago, Illinois.

Thomas P. Sullivan
Chair
April 17, 2007