

September 15, 2015

Illinois Criminal Justice Information Authority  
300 W. Adams St., Suite 200  
Chicago IL 60606

Re: Prison/Sentencing Reform

To the Honorable Members of the Criminal Justice Information Authority Board:

I have written several letters, to my state representatives, senators, Governor Rauner and also to this committee. I was unable to attend the Public Hearing Meeting to address the committee, but wanted to express my concerns and opinions again by writing this letter in regard to prison and sentencing reform.

As a concerned citizen and mother of a young man who is incarcerated, I take great interest in this subject. I never really paid much attention to the prison system or sentencing laws until a tragedy hit me personally and a prison sentence was imposed upon my son.

My son was involved in a tragic accident and charged with an aggravated DUI/reckless homicide. My son is a first time offender and was given a 9 year sentence (of which he is to serve 85%). We all know (including my son) that he broke the law and deserved to be punished, but a first time offender with no criminal background to receive such a harsh sentence is beyond our understanding.

My son is a loving, caring young man and the father of a 4 year old boy. He made a very poor and tragic error in judgment when he decided to get behind the wheel after having a few beers while golfing with some friends. He did not go out to intentionally or purposely harm anyone. This was a horrible tragedy that he is sickened by and one he will pay for throughout the rest of his life.

I am not minimizing his conduct, dismiss his poor judgment, or devalue the fact that a life was lost, but it was an accident. Yes, an accident that could have been prevented, but still an accident. What I'm trying to understand is why this type of crime is categorized as a violent crime. When I search for information on violent crimes or review state statutes, the crimes that are noted as violent are: murder, rape, kidnapping, aggravated assault. These are intentional and most of the time premeditated violent acts. I don't believe, and I'm sure many others agree with me that an aggravated DUI wasn't caused by an act of violence. That person didn't get behind the wheel and think "now I'm going to go kill someone". Unfortunately, they did not think, but it wasn't that they were acting in a violent manner or with malice.

My son has been imprisoned for over 2 years now and has attended AA, NA, 12-Step Classes, and Redirection Classes in an effort to try to understand how he got to the place he is today and work to rehabilitate himself. Not all inmates have the attitude my son does, to change; but for those who do want to change and rehabilitate, why doesn't the system recognize this and offer sentence reduction credit to them? Because they have been charged with a "violent" offense, they are not eligible for sentence reduction credits. What incentive do they have to work toward recovery? Isn't this in part what the prison system is set up to do, rehabilitate? Even if supplemental sentence credit is offered to first time offenders – Give them an incentive to take the classes toward rehabilitation and earn sentence reductions. If they return to the penitentiary after being released, then they forfeit their ability to receive the supplemental sentence credit again.



Governor Rauner stated that he would like to reduce the prison population and I read that many of these efforts to do so are focused toward drug crimes. Alcohol too is a drug and many of those charged with DUI's and aggravated DUI's is due to the fact that these prisoners have an addiction. Why can't the system focus on rehabilitation instead of imprisonment for these offenders? Rather than long prison sentences, why not impose harsher probationary sentences, making it harder to regain their driving privileges. This is where they caused danger to society, not by violently attacking someone or pulling a trigger. Community service projects, work programs, ignition breathalizers and rehabilitation classes can be part of the penalty as well. There is no doubt that long prison sentences make the general public feel as justice has been served, but the cost of incarceration goes on for a long term, well after the release of the felon. But you have to ask yourself, is imprisonment for this type of offense making the person "better" or "bitter"? Putting non-violent men and women like my son who have a drug or alcohol problem behind bars is only removing them from society and putting more of a strain on the prison system. Perhaps shorter sentences, supplemental sentence credit, and rehabilitation/program sentence credit for all prisoners will give them incentive to change their lives

Aggravated DUI is categorized as a **violent crime** because alcohol and/or drugs are involved. Reckless homicide is **not** categorized as a violent crime, although the results of the crime are basically the same; someone was driving recklessly and it cost someone their life. Those charged with reckless homicide are eligible to receive supplemental sentence credit if they participate in various educational classes and substance abuse programs. Those who are charged with aggravated DUI are again categorized as a violent crime and are not allowed to receive supplemental credit, no matter how many classes they take or how hard they work toward rehabilitation. They are to serve 85% with no reduction in their prison sentence. How can a prisoner in this situation be motivated to rehabilitate themselves if the system doesn't work with them?

I am asking to please consider my notions about removing an aggravated DUI from a violent crime category. It is still a felony charge which can be punishable by imprisonment, but it offers the offender a chance for rehabilitation and restitution. People who are charged with a crime of DUI, whether it is due to drugs or alcohol, should be required to attend AA and/or NA meetings and work toward rehabilitation. If they are working to fight their addiction, why couldn't they receive credit for this to give them the incentive to change their life? Isn't this part of the reason people are put into prison – for reform?

And I ask that you consider expanding good time credit to those who have been or are working toward rehabilitation, and overturning the percentage of time served to reduce population and overcrowding of our prisons. I believed that the Department of Corrections is there not only to punish a criminal, but also to rehabilitate and 'Correct' the behavior of the accused, not destroy them or their families in the process.

Thank you for your time and I welcome your response to my views and your perspective.

