

NATIONAL ASSOCIATION OF CRIMINAL DEFENSE LAWYERS

Task Force on Restoration of Rights
and Status After Conviction

Chicago, Illinois

Day 2

TRANSCRIPT OF PROCEEDINGS had in the
above-entitled matter at Mayer Brown, LLP,
Suite 3200, 71 South Wacker Drive, Chicago,
Illinois, on Friday, the 21st day of October,
A.D. 2011, at 9:12 a.m.

BEFORE: THE TASK FORCE COMMITTEE:

MR. RICK JONES, Co-Chair;

MS. VICKI YOUNG, Co-Chair;

MS. ELISSA HEINRICHS,

MS. MARGARET LOVE,

MS. PENELOPE STRONG,

MS. GENEVA VANDERHORST,

Members.



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1 ALSO PRESENT:

2 NATIONAL ASSOCIATION OF CRIMINAL

3 DEFENSE LAWYERS,

4 (1660 L Street NW, 12th Floor,

5 Washington, D.C. 20036,

6 202/465-7623), by:

7 MR. NORMAN L. REIMER,

8 Executive Director;

9 MS. ANGELYN C. FRAZER,

10 State Legislative Affairs Director;

11 MR. OBAID KHAN,

12 National Affairs Assistant.

13
14
15 REPORTED BY: PATRICIA ANN LAMBROS,

16 C.S.R. No. 84-1790.
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1 CO-CHAIR JONES: We have to apologize to you
2 all at the outset. We made plans. We thought we
3 had allowed ourselves plenty of time to navigate
4 our way over here, and, you know, realize that
5 Chicago traffic may actually be worse than New
6 York traffic, so we apologize for running in a
7 little late this morning, but appreciate your
8 being here and are looking forward to an
9 interesting discussion with the three of you.

10 My name is Rick Jones. I'm from New
11 York. I will at the outset let my colleagues
12 introduce themselves.

13 Geneva?

14 MS. VANDERHORST: My name is Geneva
15 Vanderhorst. I'm a criminal defense attorney in
16 Washington, D.C. I've been practicing for about
17 15 years now. And I am starting my second term
18 on the Board of Directors for the National
19 Association of Criminal Defense Lawyers.

20 MS. LOVE: I'm Margaret Love. I'm a lawyer
21 in Washington, D.C. And I specialize in
22 executive clemency.

23 CO-CHAIR YOUNG: I'm Vicki Young. I'm a
24 lawyer in private practice in the San Francisco



1 Bay area. I handle mainly Federal criminal
2 defense matters. I'm a past Board member of
3 NACDL.

4 MS. STRONG: My name is Penelope Strong. I
5 practice in Billings, Montana, been practicing
6 for about 32 years. And my practice is primarily
7 criminal defense and civil rights and employment
8 matters.

9 MS. HEINRICHS: My name is Elissa
10 Heinrichs. I practice outside Philadelphia,
11 primarily in state courts, criminal defense
12 attorney. And I'm starting my first year on the
13 Board of Directors for NACDL.

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1 PANEL 5

2 WITNESSES:

3 John Schomberg, General Counsel, Office of
4 the Governor of Illinois;

5 Natalia Delgado, Associate General Counsel,
6 Office of the Governor of Illinois;

7 Adam Monreal, Chair, Prisoner Review Board.
8

9 CO-CHAIR JONES: So we are happy to have you
10 here, as I said, happy to be in Chicago. We are
11 reconvening from yesterday when we had a really
12 wonderful session, very good conversation with a
13 number of folks. And we hope to pick that up
14 today with you all.

15 The way that we operate the hearings,
16 basically, is to give each of you five minutes or
17 so to give us an opening statement, the benefit
18 of your thoughts. And then we have lots of
19 questions that we would like to pose to you and
20 engage in some conversation.

21 The way that we do the questioning is
22 that one of our number leads the question for
23 each panel, and then to the extent there is time,
24 the others of us will jump in.



1 But for purposes of this conversation,
2 Margie Love is going to lead the questioning and
3 direct the discussion.

4 So I will at this point stop talking
5 and turn it over to you all. You can decide
6 whoever wants to go first, but we're interested
7 to hear what you have to say.

8 MR. SCHOMBERG: Sure. Maybe we'll do
9 introductions of each of the three of us. I'll
10 make a statement, Adam will make a statement, and
11 then we'll open it up for questions.

12 My name is John Schomberg. I am
13 Governor Quinn's general counsel.

14 MS. DELGADO: Natalia Delgado, Governor
15 Quinn's associate general counsel.

16 MR. MONREAL: Adam Monreal, Chairman of the
17 Prisoner Review Board for the State of Illinois.

18 MR. SCHOMBERG: In terms of a statement,
19 when Governor Quinn took office on January 29,
20 2009, he inherited a Governor's office that not
21 only had been criminally abused by his
22 predecessor, but that was also inactive in a
23 number of key areas, including clemency.

24 In fairness to his staff, former



1 Governor Blagojevich's attorneys prepared
2 summaries and recommendations on numerous
3 petitions, and the former Governor never acted
4 upon them.

5 Due to former Governor Blagojevich's
6 inaction, Governor Quinn inherited a backlog of
7 over 2500 clemency petitions. He has acted on
8 more than 1500 petitions to date, but more
9 remain, and petitioners, seeing him take action,
10 more petitions continue coming in the door.

11 The Governor's clemency power is a
12 constitutional one, set out in Article 5,
13 Section 12 of the Illinois Constitution. Other
14 than requiring an Illinois conviction, there are
15 no limits or time lines on the Governor's power.

16 If you were to look back at the
17 Governor's clemency grants, you would see a lot
18 of people who committed a nonviolent crime, often
19 retail theft or petty drug possession when they
20 were very young and many years ago.

21 Many state that they have pleaded
22 guilty, being told and believing that their
23 record would ultimately be cleared. You would
24 see people who have had little to no contact with



1 law enforcement for many years and who have shown
2 evidence of good works or rehabilitation through
3 education, jobs, honorable military service, or
4 contributions to the community. You would see
5 people who have taken responsibility for their
6 actions and through disclosures and applications
7 or background checks, have found their old
8 convictions to be bars to education, licensure,
9 jobs, or security clearances.

10 However, clemency decisions are not
11 easy decisions. And grantees don't always fall
12 neatly into these categories, nor do they have
13 to.

14 The Governor wants to make the right
15 decision. Each petition is reviewed by the
16 Prisoner Review Board, which provides a
17 recommendation that each petition, along with a
18 recent criminal history, is reviewed and
19 summarized by a trained state attorney.

20 Each summary is reviewed by multiple
21 people on the Governor's staff, including
22 Ms. Delgado and myself, before the Governor's
23 ultimate review and decision.

24 There have been hard decisions along



1 the way, commuting a sentence of a mother,
2 suffering postpartum depression before it was
3 ever recognized as an illness, who killed her
4 child.

5 As part of abolishing the death
6 penalty, the commutation of the sentences of the
7 15 men on Death Row to life without parole.

8 However, whether it's an old petty
9 crime of a model citizen who has been barred from
10 a job or a tougher decision, the Governor and his
11 staff are committed to continuing the clemency
12 process and to see that each petition is read and
13 that each petitioner is heard.

14 Do you want Adam --

15 MR. MONREAL: Do you have some?

16 MS. DELGADO: He spoke for our office.

17 MR. MONREAL: Very well.

18 MS. DELGADO: I'll turn it over to you.

19 MR. MONREAL: As John said, the Governor has
20 the sole authority to grant clemency. And it's
21 this exercise of power which is an act of mercy.

22 The basis of the decision is on the
23 individual petitioner's facts and circumstances
24 concerning his improvement and their conviction.



1 The consequences of having a criminal
2 conviction extend well beyond the fine and the
3 penalty that people incur when they plead guilty
4 or are found guilty of a criminal offense.

5 Many people who have never been
6 involved in the criminal justice system plead
7 guilty to minor misdemeanors without ever
8 consulting an attorney and are unaware of the
9 legal consequences surrounding that conviction.

10 Many people believe that they can pay
11 a fine or plead guilty for the time served,
12 believing that they are done with the criminal
13 justice system. Unfortunately, they are awakened
14 to the harsh realities concerning their
15 conviction and their criminal record.

16 Others who have pled guilty to Class 3
17 or Class 4 felonies and been placed on probation
18 are unaware of the collateral consequences
19 concerning their conviction.

20 In most job applications, a question
21 regarding whether the applicant has a criminal
22 conviction, in most cases, the applicant is never
23 hired because of that conviction.

24 If they answer the question concerning



1 their conviction, the employer runs their
2 background -- excuse me. If the applicant
3 answers that they have a criminal conviction, in
4 most cases, the applicant is never hired for that
5 position.

6 If the answer to the question that
7 they do not have a conviction and the employer
8 runs their criminal history, the applicant
9 uncovers the criminal conviction and they're --
10 I'm sorry. You guys have me nervous today. You
11 do. I'll start again.

12 If they answer that they do not have a
13 conviction, the employer runs a complete history
14 on the applicant which uncovers the criminal
15 conviction, and the applicant is terminated
16 because of the untruthful response on their
17 application.

18 With the information so readily
19 available over the Internet regarding a person's
20 past history, many people who made the mistakes
21 when they were younger are never given the
22 opportunity to show prospective employers that
23 they are useful and can be an asset to that
24 company.



1 Employers use the information to
2 remove people in the interview process who are
3 convicted, and they are never given the
4 opportunity to improve themselves.

5 Because they cannot get jobs, many
6 people with criminal convictions take almost
7 anything that they can get as a result of not
8 being allowed to have this position. Recidivism
9 is high because the damage has already been done
10 to that person's record. Many return to crime to
11 generate a simple income.

12 Further, employers also try to protect
13 themselves from the liability issues. When they
14 hire convicted persons, and the convicted person
15 commits further crimes, the employer faces
16 liability issues. And it increases their
17 insurance costs. Therefore, employers are
18 reluctant to hire convicted persons for those job
19 opportunities.

20 Many convicted of crimes petition the
21 Board for a clemency request. The Prisoner
22 Review Board hears clemency cases four times a
23 year.

24 Approximately 85 percent of the people



1 requesting clemency want their record expunged so
2 they can get a job or be promoted to a new
3 position. Some of these people have demonstrated
4 that they are trying to turn their lives around.
5 Many have stopped using drugs or alcohol and are
6 trying to become productive citizens that can
7 return to society.

8 Many have stopped hanging around the
9 crowds or the social groups that got them
10 initially into trouble. Some have done volunteer
11 work or gotten support from church groups,
12 community leaders who stand up on their behalf.

13 In some cases, the Board sees changes
14 in persons who are applying for clemency because
15 the petitioners have frequent police contacts --
16 or excuse me -- many petitioners' frequent police
17 contacts have stopped suddenly, and the
18 petitioner has been without any contact with law
19 enforcement agencies.

20 Others who petition for clemency bring
21 their wives, husbands, parents, ex-spouses,
22 children or social members who talk on their
23 behalf and evidence that that individual has
24 changed their behavior.



1 The Board notes that some of the
2 petitioners have demonstrated stability by
3 maintaining a continued work program. Many have
4 letters from employers who speak highly of the
5 petitioner.

6 In other cases, a petitioner has
7 demonstrated a true desire to change the course
8 of their life and has proven this by their
9 actions by volunteering and community service
10 programs. Others have advanced their education
11 and brought teachers as well as potential
12 employers during the clemency hearings.

13 When a petitioner has demonstrated
14 they are no longer returning to crime and have
15 helped others in the community, they should be
16 given a second chance. The opportunity is for
17 the people who have truly changed and want to
18 better themselves and better the society that
19 they live in.

20 CO-CHAIR JONES: Great. Thank you very
21 much, all of you.

22 Margie?

23 MS. LOVE: Thank you very much.

24 Well, I'm going to start with



1 Mr. Schomberg and just ask him, we heard
2 yesterday from Judge Biebel and others about a
3 variety of legal means that are available to
4 people with a criminal record to sort of get
5 their record clean, restore their right.

6 How do you see the Governor's pardon
7 power fitting into that kind of general scheme
8 that Adam, Mr. Monreal --

9 MR. MONREAL: Call me Adam, please.

10 MS. LOVE: -- has eloquently explained, we
11 have this larger social phenomenon that seems to
12 be getting worse.

13 How does the Governor's pardon power
14 and his pardon program fit into that kind of
15 larger scheme of dealing with this issue?

16 MR. SCHOMBERG: I guess one of the
17 complicating factors is we came into office with
18 petitions from 2003 sitting on our desks, and
19 we're playing catch-up right now, so I think if
20 you have a caught-up process, it's a little bit
21 of a different answer, but regardless whether
22 you're caught up or playing catch-up, I think
23 part of it is a pardon and an expungement is as
24 good as it gets in terms of it's gone.



1 I think Adam can talk with a whole lot
2 more knowledge about the various certificates
3 that are available and sealing, but pardon and
4 expungement truly means it's not there anymore.
5 And I think that, you know, in terms of a
6 resource, that is something that is about as
7 strong as an action as you can take.

8 I think certainly, we are hopeful that
9 the certificates would provide some progress in
10 these areas, but I don't think they are always
11 going to be accepted as something that will clear
12 someone's record, whereas a pardon and
13 expungement, there is no debate.

14 MS. LOVE: Let me just follow that up and
15 ask you kind of a legal question since you're the
16 Governor's lawyer.

17 There was some uncertainty yesterday
18 about what expungement really means as a
19 practical matter. And Judge Biebel, in fact,
20 acknowledged that the record is there. It's in
21 the FBI records, which God knows are a mess, but
22 it's there. And if it's been harvested, as they
23 say, which is kind of a horrible word, by a
24 background screen company in the past, it's



1 there.

2 So what is expungement? You say it's
3 gone. But I would ask you what does "gone"
4 mean? I mean is it really gone so that if
5 someone is asked, Have you ever committed a
6 felony, have you ever been convicted of a felony,
7 and they have the little box on the application
8 form, what can somebody say to that?

9 MR. SCHOMBERG: I mean I guess there are two
10 routes those people could go. They can either
11 say nothing, or they can put down the offense and
12 say that it's been pardoned and expunged. I
13 would imagine that based on the acts of the
14 Governor and ultimately by the courts on
15 expunging, they're likely not to put down
16 anything because the legal effect is that it
17 never happened.

18 You know, and in terms of how deep a
19 background check goes for an employer, I am not
20 an expert on that. Obviously, you know, the work
21 that the Illinois State Police does or the FBI
22 does, things are never going to go away.

23 I can't tell you if a common employer,
24 doing a background check, whether something



1 that's been expunged is going to pop up or not.
2 In many cases, it does not.

3 MS. DELGADO: And it shouldn't pop up for an
4 employer doing a search. I know that's been an
5 issue with Cabrini Green and various advocates.

6 When we run a LEADS search or a
7 criminal background check on a petitioner when
8 their record has been sealed or a pardon has been
9 granted or an expungement, that's still available
10 to law enforcement, still available to the FBI,
11 still available to the Illinois State Police, but
12 it should not be available to an employer doing a
13 background check.

14 MS. LOVE: So an expunged record is still
15 available to law enforcement?

16 MS. DELGADO: To law enforcement.

17 MR. MONREAL: As well as the State's
18 Attorney's Office, a prosecutorial entity.

19 MS. LOVE: Right, right, but that's kind of
20 a part of law enforcement.

21 MS. DELGADO: Right.

22 MS. LOVE: Now, see, that's very
23 significant.

24 MS. DELGADO: Well, and the LEADS itself,



1 the document itself would say, you know, whatever
2 the drug -- or the offense is, excuse me,
3 possession of controlled substance, and then
4 right underneath it, it would say pardoned and
5 expunged. Governor's pardoned and expunged. Or
6 if it was sealed, it will indicate right on the
7 conviction that it was sealed.

8 So I believe it's appropriate for an
9 individual to check "No" when asked the question
10 if they have a felony after we have pardoned and
11 expunged it because under the law, we have
12 pardoned and expunged, and it should not be
13 available to anyone other than law enforcement.

14 MS. LOVE: Okay. And so people are advised,
15 once they have been pardoned, and then I guess
16 they take the pardon and they go to court and
17 they get the expungement, is that the way it
18 works?

19 MS. DELGADO: Correct.

20 MS. LOVE: Okay. And so they are advised
21 that they may respond that they have never been
22 convicted, is that the --

23 MR. MONREAL: Well, truthfully speaking,
24 once the expungement process takes place, when



1 you fill out a jury card, you go for jury
2 service, it asks you if you have ever been
3 convicted of a criminal offense. The judge that
4 I used to be practicing before, this question
5 came up.

6 You're allowed to say no because it's
7 as though, because of the pardon and the
8 expungement. Now, it's a two-tier process on my
9 Board's evaluation. You can seek pardon, and you
10 can seek expungement. They're not in and the
11 same. There are many cases where the individual,
12 the petitioner, requests for a pardon.

13 The Board votes for the pardon and
14 then authorizes, in some cases, but they are not
15 required to, to authorize the expungement of the
16 process itself.

17 But going back to the jury
18 application, you can actually say "No" because
19 the pardon is as though that act never occurred.

20 MS. LOVE: Okay. Let me just shift for a
21 second, and then I'm going to let my colleagues
22 ask questions. I want to ask a little bit about
23 the process and the caseload. I might ask
24 Mr. Monreal, Adam, about that.



1 If you had to -- assuming, for
2 example, that if you were caught up -- and I
3 think I heard you saying this, you can tell me if
4 I'm wrong -- that if the Governor -- when the
5 Governor catches up, that pardon will be kind of
6 an ongoing, regular way that people who are
7 caught in this problem of having a record can
8 come and sort of have themselves blessed, as it
9 were.

10 And I will ask both of you, all three
11 of you, actually -- how would you improve the
12 process to make it something that the Governor
13 could be truly confident in?

14 Now, he may be truly confident in it
15 now, but are there ways that you would improve it
16 to make it more reliable? And maybe I will --
17 should I start --

18 MR. MONREAL: Yes, if you would like to
19 start out because this is very much in my camp.

20 Right now, the State of Illinois has
21 three portions of relief. And essentially, you
22 have the expungement process, you have the
23 sealing process, and then you have the pardon
24 process.



1 Now, the reason that the State of
2 Illinois is so inundated with so many
3 petitions -- the reason that we have so many
4 petitions is that the other types of relief, the
5 sealing and the expungement process, are so
6 limited. It's very limited to certain facts and
7 circumstances which are -- you can avail yourself
8 of that type of relief.

9 Going to expungement, the only time
10 you can get your case expunged is if, in fact,
11 you were never convicted of a criminal offense,
12 including a municipal ordinance. So if you've
13 been convicted of either one of those two, that
14 type of relief is no longer available to you.

15 Going to the next tier, sealing. Only
16 certain offenses in the State of Illinois are
17 sealable, and they go to Class 4 offenses.
18 Typically, you have the issue of cannabis
19 possession, methamphetamine, and prostitution,
20 only Class 4 felonies, so it's very limited as
21 well.

22 Now, there are certain felonies which
23 is the first-time probationary, the first
24 offender. If you're caught with drugs, if you're



1 given TASC probation, and that includes cannabis,
2 methamphetamine, and cocaine. If the court
3 allows you, which is typically 410 and 710
4 probation, and you successfully complete that,
5 those are Class 4 felonies. However, those
6 cases, those type of criminal offenses can be
7 expunged.

8 So we have these two A and B types of
9 relief. What happens is that they are so
10 restrictive and so limited, other type of
11 offenses, if you fall outside of those
12 categories, the only available relief is pardon.

13 So that's why the PRB, Prisoner Review
14 Board, we do clemency four times a year: two in
15 Chicago, two in Springfield. On an average, we
16 receive over 800 cases a year.

17 The reason that the volume is so high
18 is because the other types of relief are not
19 available to these individuals.

20 Now, this is something that I was
21 going to bring up in the future, but PRB has made
22 a significant attack in addressing this issue.

23 One of the things that we'll be
24 running -- and we probably won't be successful



1 during this veto session, but we'll be running it
2 and introducing it, and we'll probably run it
3 afterward in the next legislative session, is
4 that we're looking to change the law.

5 We're not looking to impose or
6 restrict the Governor's power, but we're looking
7 to increase the sealing, so to speak, in terms of
8 expungement and sealing, authorizing PRB when we
9 hear these clemency petitions, or if they were to
10 petition the PRB itself, and we would increase
11 the sealing on the sealing, the offenses that are
12 sealable.

13 This way, they wouldn't have to be --
14 petitioners wouldn't have to ask the Governor for
15 this extreme relief because it is essentially an
16 act of mercy.

17 I don't know if that answered all your
18 questions.

19 MS. LOVE: Well, it doesn't quite because
20 what I'm -- well, let me let you go ahead and
21 answer.

22 MR. SCHOMBERG: I mean I think in terms of
23 ways to improve the process, and these are things
24 that we're already working with Adam and the



1 Prisoner Review Board on.

2 You know, in the past, the
3 recommendation of the Prisoner Review Board would
4 be 3-0-2-1, and there would be no explanation,
5 justification.

6 MS. LOVE: Just a vote.

7 MR. SCHOMBERG: Right.

8 MS. LOVE: Yay or nea, no report --

9 MR. SCHOMBERG: So having even just a little
10 bit -- and it doesn't have to be much, just a
11 little bit in terms of this is our rationale for
12 how we got here.

13 Something that they have the benefit
14 of that we don't is they have the petitioner and
15 witnesses and the State's Attorney --

16 MR. MONREAL: The testimony.

17 MR. SCHOMBERG: -- in many cases, giving
18 testimony. We have the paper and the file. So
19 there may be unique things that come out in the
20 testimony that are not going to be reflected in
21 the file, so that's sort of one area.

22 The second area, and something that's
23 really important to us in terms of getting the
24 full story, you get the petitioner's views of the



1 story, but you also need the States's Attorney's
2 Offices'. And frankly, you take both with a
3 grain of salt, but having both is very valuable
4 in terms of seeing the two sides of the coin.

5 So making sure that we get responses
6 from the State's Attorney's Offices are very
7 important to us. And to the extent we do get
8 responses, making sure they aren't just
9 boilerplate, that there is some specificity as to
10 why, you know, in the overwhelming majority of
11 cases, the State's Attorney is opposed to
12 clemency.

13 So I think those are sort of the two
14 areas that we focused on most recently in terms
15 of improvement.

16 MS. LOVE: So are you restaffing? I mean I
17 am thinking about -- I did this for ten years
18 with the President, so I sort of remember how it
19 all worked. And we had a full FBI, full field
20 background investigation for everybody who we
21 were going to recommend favorably for, so we had
22 a big, you know, like an eight-page letter or
23 something for everyone, so it was kind of a huge
24 deal, maybe more of a deal than it ought to have



1 been, perhaps, in retrospect.

2 But what I'm wondering is when you get
3 the input of the State's Attorney, which we
4 always got the U.S. Attorney's recommendation and
5 the sentencing judge, does that happen at the
6 Board level, or does that happen when it gets to
7 the Governor's Office?

8 MR. MONREAL: It happens at the Board Level.

9 MR. SCHOMBERG: It most often happens at the
10 Board level, but if we don't have it and it's a
11 close petition, we request it.

12 MS. DELGADO: Right. I was going to say I
13 think the process is still evolving, and I think
14 that's a good thing. The Governor's Office has
15 been very, very involved in working with the PRB
16 on how to better the process, so the types of
17 things that John is describing, as we see issues
18 occur, we address the issues.

19 So if we don't have a letter from the
20 State's Attorney, and it looks like a close case,
21 I might reach out to that State's Attorney and
22 say, We have this case. We'd like to get your
23 thoughts if you'd like to provide them. It's
24 their choice.



1 The other thing though is so the PRB
2 has the benefit of the public hearing, the
3 criminal background, the State's Attorney's
4 position. Then it comes to our office. We rerun
5 the criminal background checks by the time they
6 get in our office which is very important because
7 of the backlog and the delay.

8 Once we have the Governor's decision,
9 we rerun the criminal background check again to
10 make sure that there hasn't been any subsequent
11 contact with law enforcement. And I think that's
12 the most complete way to address these files.

13 But the Governor's Office has been
14 attending Prisoner Review Board clemency
15 hearings, just taking a much more active role to
16 try to figure out what else we can do to make the
17 process more smooth, better, stronger, more
18 reliable. And it's always, always in progress.

19 MR. SCHOMBERG: Another area that we are
20 looking to improve upon in the area of LEADS and
21 background checks is moving from databased
22 submission to fingerprinting so that when you get
23 Robert Jones, born in 1953, there is no doubt as
24 to which Robert Jones you are getting the hits



1 on, so that makes our job easier. We don't have
2 to wade our way through all the aliases and the
3 Social Security numbers that are off by one digit
4 or the dates that are off by one year, so that's
5 in terms of a background check, something that
6 will be very helpful.

7 Now, we have to consider that, also in
8 light of that puts a burden on the petitioners as
9 well, but in terms of frankly getting through
10 petitions faster and being most accurate, it's
11 helpful.

12 MS. LOVE: What kind of burden on
13 petitioners?

14 MR. SCHOMBERG: They have to go get
15 fingerprinted.

16 MS. LOVE: I see. You mean your criminal
17 record system is not a fingerprint based --

18 MS. DELGADO: It wasn't. It is now.

19 MR. MONREAL: It is now.

20 MS. DELGADO: It is now. And the PRB has
21 made that a rule now, but it wasn't previously.
22 So since we're dealing with petitions that date
23 back to 2003, those petitions were not
24 fingerprint-based background checks. Now, moving



1 forward, they are fingerprint-based background
2 searches.

3 But what John has explained was a
4 problem in that then, yes, the lawyers had to
5 comb through and make sure we have the right
6 LEADS for the right person, match Social Security
7 numbers, birthdays, often call Illinois State
8 Police and make sure we have the right
9 information, so that will be something that we
10 don't have to spend as much time on in the
11 future, now that we have officially moved to a
12 fingerprint-based system.

13 MR. MONREAL: Actually, that's the final
14 stage. And if you want, I only have one copy.
15 This is a copy of the petition that's available
16 online for clemency.

17 MS. LOVE: Oh, thank you very much. We
18 appreciate it.

19 MR. MONREAL: I apologize for not having
20 other copies.

21 MS. LOVE: Thank you. No, no, no. That's
22 all right. We will get it copied.

23 MR. MONREAL: It was part of my packet. But
24 that's a final item that's required to submit



1 your petition for clemency before the Prisoner
2 Review Board.

3 MS. LOVE: And this has to be accompanied
4 now by a fingerprint.

5 MR. MONREAL: Yes.

6 MS. LOVE: Okay.

7 Did you want to ask a question,
8 Vicki?

9 CO-CHAIR YOUNG: Yes. I'd like even
10 building in your everything sat there from 2003
11 on, can you give me a sense of, you know, we know
12 an offense is going to occur, let's say in Year
13 One, Year Zero, and then they serve their
14 sentence.

15 As a general practice, people are
16 going to self-edit and not apply for a certain
17 period of time before they apply for clemency. I
18 don't think they are going to apply as soon as
19 they get out, or maybe they do.

20 MR. SCHOMBERG: They do.

21 MS. LOVE: Hope springs eternal.

22 CO-CHAIR YOUNG: I'd sort of like a sense
23 of, you know, generally from time of conviction,
24 how much time passes before an application is



1 submitted; separate from that, how much time
2 passes before the PRB gets the first cut at it,
3 thinks that enough time has passed to, you know,
4 accurately review the situation, how long the PRB
5 handles it, and then how long it -- you know,
6 once the PRB decides, are denials of the PRB
7 still allowed to be appealed so you have got both
8 sets, both with a positive recommendation and a
9 negative recommendation that go to the Governor's
10 Office.

11 And I was just trying to get a sense
12 of how many years are we talking about for this
13 process to go on, just generally?

14 MR. SCHOMBERG: I guess I can address the
15 when do people apply. It's all over the board.
16 That petty offense in 1956, you know, that you,
17 you know, stole a pool cue from a hall or
18 whatever the offense might be, or it may be that,
19 you know, you got fined yesterday and you're
20 applying today.

21 MS. DELGADO: And even commutations. We get
22 lots of requests for commutations from people who
23 are still incarcerated and seeking to have their
24 sentences commuted.



1 CO-CHAIR YOUNG: How viable are -- I mean
2 obviously, some applications are more viable than
3 others, or is it just we see what the petition
4 looks like and go from there?

5 MR. SCHOMBERG: Yes. The Governor has total
6 power in the area, so we don't want to say this
7 is the magic petition, but sort of what I walked
8 through in terms of my statement generally, you
9 know, a lot of what you will see in terms of the
10 grants are the petty crimes that are, you know,
11 old, you know, by "old," ten-plus years.

12 And oftentimes, someone who has been
13 young and that there is some sort of bar to
14 advancement, whether career or otherwise, and
15 that they have taken responsibility and are
16 improving upon themselves and really have not had
17 a whole lot of contact with law enforcement since
18 the conviction.

19 MS. LOVE: So there is already a significant
20 amount of rehabilitation, would you say, that
21 kind of blessing rehabilitation. I think maybe
22 that's what you meant, Vicki.

23 CO-CHAIR YOUNG: Right.

24 MS. LOVE: That somebody has to come forward



1 as a kind of a done deal.

2 MR. SCHOMBERG: Yes. There has to be proof
3 that this is either an aberration, or this person
4 has changed, and that they have demonstrated over
5 time that, you know, this is not who I am
6 anymore.

7 MR. MONREAL: We had one petition recently,
8 October 4, we did a full week of clemency. We
9 had a petitioner that was, if I'm not mistaken,
10 67 years of age, had acquired -- was convicted of
11 a retail theft when he was 19. He was dying of
12 cancer. His response is when I die, I don't want
13 a criminal conviction.

14 So John is absolutely right. The time
15 varies. Obviously, the more time that has
16 elapsed from the point of conviction and the
17 steps that individual, the petitioner has taken
18 to rehabilitate himself or remodel himself to
19 appropriate behavior, that is a significant
20 factor.

21 CO-CHAIR YOUNG: Just jumping in then, so
22 this person who is terminally ill that you've
23 taken positive action for, as I understand it,
24 when it goes to the Governor's Office, even



1 though it's clear this person has a relatively
2 small time window left where he will be alive and
3 the Governor can act, he still is in the back of
4 the line of those 2003 cases, or is he allowed to
5 move -- do exigent circumstances move you a
6 little further along the line?

7 MS. DELGADO: We do have procedures for
8 emergency medical clemency. I have been dealing
9 with a lot of those lately. They tend usually
10 though to be incarcerated individuals who are
11 terminal or who need some sort of operation or
12 surgery that cannot be provided by the Department
13 of Corrections, so the Governor addresses
14 emergencies as emergencies.

15 Those are not put in the back of the
16 line, particularly when an individual has -- a
17 doctor has determined that they have a time
18 certain, you know, a date stamp on them, then we
19 address those petitions as they come in, as the
20 Prisoner Review Board does. As soon as they get
21 them, they make a recommendation and send them to
22 our office for the Governor to make a decision.

23 MS. LOVE: But are medical emergencies --
24 for example, I'm thinking if somebody had applied



1 for a job -- I'm thinking of Darrell Langdon
2 yesterday, for example, who had applied for a
3 job, eminently qualified, but he had this old
4 conviction, and eminently rehabilitated. He had
5 an emergency in a sense. I mean it was a
6 different kind of emergency -- oh, tough guy,
7 Mr. Schomberg, not that kind of emergency?

8 MR. SCHOMBERG: He is not dying. He is not
9 dying.

10 MS. DELGADO: So many people fall into that
11 category, but it's just too difficult with the
12 current backlog.

13 MS. LOVE: So nobody is jumping the line?

14 MS. DELGADO: We get calls like that every
15 single day. Every single day, we get many, many
16 phone calls that someone says, I have a job offer
17 right now. I need a decision right now.

18 There is no way for us to meaningfully
19 take those people out without giving that same
20 opportunity to everyone else who has a job offer
21 or something that they feel qualifies as an
22 emergency.

23 MR. SCHOMBERG: And the Governor -- we are
24 not required to go chronologically. That's



1 generally how we have approached this, but it's
2 the Governor's discretion as to whether a
3 petition that, you know, the PRB heard in October
4 is something that he wants considered or a
5 petition that never reached the PRB is something
6 he wants to consider. His constitutional power
7 is broad.

8 MS. LOVE: So he might do things out of
9 order? So he will sometimes consider a petition
10 that didn't go through the PRB?

11 MR. SCHOMBERG: I'm not sure whether that's
12 within his power.

13 MS. DELGADO: That's the commutations of the
14 individuals who were on Death Row. None of those
15 were through the Prisoner Review Board. He did
16 that on his own, sua sponte, if you will.

17 CO-CHAIR JONES: Okay.

18 MS. LOVE: Go ahead. I'm sorry. I didn't
19 want to interrupt if anybody else had any
20 questions.

21 MS. STRONG: I just have I think two or
22 three questions. One is for --

23 CO-CHAIR JONES: You have to speak up,
24 Penny.



1 MS. STRONG: -- Mr. Schomberg, is how does
2 the Governor, if you will, publicize pardons when
3 they are declared? Is there a press release or
4 anything over and above the official record? How
5 is that handled by his office?

6 MR. SCHOMBERG: There is a press release.
7 The Governor's press release purely says, I've
8 taken the following action. There have been this
9 many grants, this many denials. And our totals
10 since our administration are the following.

11 The Prisoner Review Board has control
12 of the records, and they ultimately have the
13 documentation to show who has been pardoned and
14 for what offenses, so the press will go to the
15 Prisoner Review Board and request that
16 information.

17 MS. STRONG: And that was my follow-up
18 question, so that is available as a matter of
19 public record?

20 MR. SCHOMBERG: Correct.

21 MS. STRONG: There is no summary that's
22 automatically provided to the public if they need
23 to seek out the rationale and facts and
24 circumstances of each case.



1 MR. SCHOMBERG: Right. And Adam can speak
2 better to this, Adam and Natalia can both speak
3 better to this than I can, but my understanding
4 is we provide, you know, offense, case number,
5 name --

6 MS. DELGADO: Offense, county of conviction,
7 conviction, date of conviction, and sentence. A
8 list comes from the PRB to the press. And then
9 they follow up on anything that they think looks
10 particularly exciting, either based on the
11 conviction or based on a name or whatever tidbit
12 they think is interesting, they'll pursue that
13 with the Prisoner Review Board.

14 MR. SCHOMBERG: And we have to -- part of
15 the process -- and Natalia can give you a better
16 job on this than I can -- but, you know, we have
17 to file these with the Secretary of State, so it
18 becomes a public record when we file it with the
19 Secretary of State.

20 CO-CHAIR YOUNG: What is filed? Excuse me.

21 MS. DELGADO: I provide the Secretary of
22 State with what we call index memos which
23 essentially just lays out the petitioner's name,
24 their case number, their county of conviction,



1 their conviction, their sentence.

2 And then from that document, the
3 Secretary of State creates the pardon certificate
4 and the certificate authorizing expungement, so
5 it is that original document that a petitioner
6 has to take into court to have their record
7 officially expunged, or, you know, keep as proof
8 of their pardon and expungement.

9 MS. STRONG: Could I just jump in there
10 because my second question is you have been
11 talking about a pardon and an expungement. Just
12 to clarify, the Governor's Office, the Governor
13 does not expunge, then they must take the
14 certificate, proceed to court, file and have a
15 district court expunge, correct?

16 MR. SCHOMBERG: Right. The state court, the
17 state circuit court expunges. The Governor
18 recommends expungement.

19 MS. STRONG: I just have one quick question
20 for Mr. Monreal, and that is that you
21 characterized, you started out your remarks by
22 saying that clemency is an act of mercy. But, of
23 course, we know it as I think from the very
24 practical side as well, considering the high cost



1 of recidivism, the bars to jobs, education,
2 professional careers.

3 Can you elaborate perhaps a little bit
4 more on the concept of it being an act of mercy?
5 Is there something that's constitutionally, based
6 on the statutes that defines the pardon power?
7 Is it just simply an act of mercy, as you say?

8 MR. MONREAL: The reason I refer to it as an
9 act of mercy, I think it's the Governor
10 exercising his constitutional power. And
11 essentially, it's a balancing test. If you look
12 at it from the perspective of the petitioner, as
13 you've indicated, loss of employment, loss of
14 education. Fine. We can take those two factors
15 into consideration, but on the other side,
16 because there is two sides to every issue, the
17 employer.

18 The individual who was convicted of
19 retail theft or some kind of question of
20 deception, some act, is that employer entitled to
21 have that information regarding the individual
22 that he is going to hire, employ, perhaps going
23 to take care of his children.

24 So I think it is an act of mercy. I



1 applaud the Governor because he has attacked this
2 issue since I've been -- and I've only been in
3 this position for a little more than a year, but
4 this is one of the largest issues that I deal
5 with.

6 We address clemency four times a
7 year. When I first came into the position, I
8 addressed the adult population, then I moved to
9 the juvenile, and then I was just consumed.

10 And clemency is huge. It really is.
11 That's why we're looking to create new
12 legislation. And right now, I have three people
13 that that's all they do. It's clemency petitions
14 all year round. And three people is just not
15 sufficient, but unfortunately, with the budgetary
16 constraints, we're still limited, but we get the
17 job done, but I do believe it's an act of mercy.

18 And like everything else within the
19 criminal justice system, as I indicated, it's
20 balancing, a balancing test from both sides, not
21 only the petitioner, but also the other
22 individual who has a right to know.

23 MS. LOVE: Have you seen an increase in your
24 caseload? You indicated that that -- the



1 disability seems to be getting more severe and
2 the background checking seems to be getting more
3 pervasive. Have you seen a corresponding
4 increase in the clemency caseload?

5 MR. MONREAL: Well, as I indicated, I've
6 only been here for a year, but my understanding
7 is that there has been a continued increase in
8 clemency requests in the past. They probably
9 could attest to it because they've been in the
10 Governor's Office longer than I have -- well, I'm
11 not in the Governor's Office, but regardless,
12 there has been a continued increase in the volume
13 of petitions that are being submitted requesting
14 this type of relief.

15 MS. LOVE: There is one piece here that you
16 three didn't mention that we heard quite a bit
17 about yesterday. And you said, Mr. Monreal, that
18 other than the very limited sealing and
19 expungement, all there was was pardon.

20 What about the certificates? How do
21 certificates fit into this larger picture? Do
22 you have a sense of the relationship of what you
23 all do with what the courts now do? Is there
24 sort of a plan there for an overall approach to



1 these problems?

2 MR. MONREAL: Do you want me to go? Okay.

3 There is two certificates. One is
4 good credit conduct. These certificates came
5 into effect before -- well, I believe it was my
6 predecessor that pushed the issue forward.

7 You have the certificate of good
8 conduct which essentially says that that
9 individual -- and PRB at that point in time was
10 enabled to issue the certificate that says that
11 individual has had no criminal contact within the
12 past one to three years, depending on the nature
13 of the offense, whether he was given -- he or she
14 was given supervision or parole or whatever, the
15 consequences after the conviction.

16 So that enabled that individual to go
17 up to his employer and say, I have a certificate
18 that says I've been good.

19 Under today's circumstances, 98
20 percent of the clemency requests are being made
21 because these individuals or the petitioners are
22 indicating that they can't get a job because of
23 the criminal conviction.

24 So the certificate of good conduct



1 really doesn't avail that individual of any
2 additional relief. As a matter of fact, he has
3 to indicate saying, I've been pretty good, but,
4 by the way, I was convicted of this offense, so
5 it doesn't provide him any additional assistance
6 for that position.

7 As a matter of fact, he's revealing it
8 to his employer, and he or she is revealing it to
9 the employer something that they wouldn't want to
10 do under normal circumstances.

11 The certificate of relief from
12 disability was brought out because individuals
13 allegedly were being denied licenses in certain
14 occupations or certain businesses.

15 And the PRB would issue the
16 certificate which would in essence enable DPR,
17 which is the Department of Professional
18 Regulation, to say, Okay. He's entitled to the
19 license. But the individual still had -- and
20 we're talking about concerning the criminal
21 conviction. But if the individual was not
22 qualified for that position or that license, the
23 certificate was meaningless.

24 So if I wanted to be an engineer or I



1 was applying for an engineering dual license, but
2 I'm a lawyer, I'm not an engineer, the PRB would
3 issue me a certificate of disability or a relief
4 from disability, I could go up to the DPR and
5 say, Here is my certificate.

6 But you're not qualified. You're a
7 lawyer, not an engineer.

8 MS. LOVE: Yes, but let me just press that
9 just a second because I think that obviously, the
10 issue of qualification, let's put that aside.

11 MR. MONREAL: Okay.

12 MS. LOVE: You want to be an engineer,
13 you've got to have --

14 MR. MONREAL: An engineering degree.

15 MS. LOVE: -- credentials to be an
16 engineer. But are you saying that that
17 certificate essentially precludes an employer
18 from considering or precludes the Licensing Board
19 from considering the conviction?

20 MR. MONREAL: Are you talking about the
21 certificate --

22 MS. LOVE: Relief from disability.

23 MR. MONREAL: Disability?

24 MS. LOVE: Yes. What legal effect does it



1 have?

2 MR. MONREAL: Really, it was just a letter
3 from PRB to the Department of Professional
4 Regulation, indicating this person should not
5 be -- the criminal conviction should not be held
6 against that individual.

7 MS. LOVE: But what does that mean? I mean
8 seriously, can they consider the fact that he was
9 convicted of fraud?

10 MR. MONREAL: The City of Chicago can
11 actually restrict a license to -- depending, for
12 instance, if you're applying for a liquor
13 license, and you have a criminal conviction, the
14 City of Chicago can actually deny you.

15 MS. DELGADO: Well, wait. That's
16 statutory.

17 MR. MONREAL: Yes.

18 MS. DELGADO: Statutorily, the legislature
19 has decided that particular convictions should
20 not be eligible for particular licenses. And
21 that's when the certificate is relevant is it
22 gives the individual beyond what the legislation
23 is an opportunity to still apply for that
24 license.



1 So I mean I think the benefits of both
2 of these certificates is it gives the individual
3 another avenue to pursue employment, to pursue
4 reentry into a particular field where they would
5 not otherwise have that opportunity.

6 Going back to some points that Adam
7 made earlier today, the benefit of pardon and
8 expungement is obviously that we're able to
9 pardon and expunge, or more appropriately, the
10 Governor is able to pardon and expunge anything
11 under any circumstances.

12 The certificates are still limited to
13 particular offenses, so they're wonderful in that
14 they are hopefully going to further promote
15 reentry into the work force, but like John
16 started out saying, the golden ticket for
17 clearing your record and moving forward without
18 the stigma of being a convicted felon will in
19 Illinois be pardon and expungement.

20 MR. SCHOMBERG: And we also have an issue
21 where petitioners think that there is a bar out
22 there that isn't there.

23 MS. DELGADO: Definitely.

24 MR. SCHOMBERG: And I think DFPR, the



1 Department of Finance and Professional
2 Regulation, the PRB and the Governor's Office
3 need to work together on educating folks probably
4 at the point of hearing on this as well.

5 I mean the big for instance on that,
6 and frankly, one of the people who had been part
7 of our team who was senior counsel to the
8 Governor is now in charge of the Division of
9 Professional Regulation weighs in on these
10 issues, nurses licenses. That's what pops up a
11 lot --

12 MS. DELGADO: Always.

13 MR. SCHOMBERG: -- in terms of people
14 saying, My reason for seeking pardon and
15 expungement is I believe my conviction will be a
16 bar to receiving some form of nurses license.
17 And that's just not the case. It's not an
18 absolute bar.

19 And what the State's Attorney's
20 Offices would say in their letters is it's
21 speculative. You haven't even tried.

22 And what the head of the Department of
23 Professional Regulation would say is no, it's not
24 a bar.



1 So I think that is partly, you know,
2 education for the petitioners and incumbent on us
3 to provide that to them as well.

4 MS. DELGADO: There are also waivers
5 available to convicted individuals such that they
6 say they have the conviction, they apply for the
7 waiver, and then they can go ahead and seek that
8 professional license, based on the waiver which
9 again touches upon John's point that we need to
10 better educate these petitioners, perhaps at the
11 time of hearing so that they don't lose this time
12 waiting for a pardon and an expungement and maybe
13 even withdraw their petition when they realize
14 that they can get this license and they are able
15 to proceed in their career. The conviction is
16 not a bar to doing so.

17 MS. LOVE: But that might be a place where
18 the certificate would be helpful in kind of
19 putting a thumb on the scale if it is a licensed
20 profession that the certificate applies to. Is
21 that kind of the way it works?

22 MR. SCHOMBERG: Well, there is a certificate
23 or a waiver, and I'm not an expert on the waiver
24 process, but I know we see a whole lot of



1 petitions that have the waivers from the
2 Department of Public Health. And I have to think
3 that that's an easier get than getting a
4 certificate from a judge, so you need to pick the
5 path of least resistance I think in some of
6 these.

7 And we still get petitions where I
8 have a waiver, but I still want the clean record
9 because that still doesn't help me -- that helps
10 me with licensure but not necessarily with
11 employers.

12 MS. DELGADO: Right.

13 MS. STRONG: I have a quick question, and
14 that is in terms of the teaching profession in
15 Illinois because generally across the country,
16 there is a standard of immoral conduct that can
17 bar someone. Do you know if the waivers and the
18 certificates assist them in a person who has a
19 felony conviction in becoming a licensed teacher
20 in Illinois?

21 MS. DELGADO: I don't know the answer to
22 that question. I think that we seek waivers as
23 John has said time and time again with the
24 Department of Public Health. That's something



1 that would have to be done statutorily as well.
2 I just don't know for sure whether a special
3 waiver exists in the field of education.

4 Do you know?

5 MR. MONREAL: I don't. And I think it would
6 rely on the type of offense that was committed or
7 the conviction. That's all.

8 MS. STRONG: So there may be some
9 administrative rule that actually governs what
10 immoral conduct is.

11 MR. MONREAL: Yes.

12 CO-CHAIR YOUNG: I just had a question in
13 terms of most of the petitions that you get, are
14 most people unrepresented, they are doing it in
15 pro per? Does the fact that somebody is
16 represented, is that because of the more
17 sophisticated perhaps advocacy or the
18 presentation, do you think that affects how well
19 the petition is received or maybe they are, you
20 know, giving you the full packet when a pro per
21 may not, just get a sense of what the state of
22 the petitions that you receive are.

23 MR. MONREAL: As I indicated, if you want to
24 take a look at the petition itself, that's what's



1 available on our website. Now, we're looking to
2 enhance our website, but that basically puts you
3 through a step-by-step process of what
4 information becomes relevant during the
5 evaluation in submitting the petition.

6 Now, obviously, certain attorneys are
7 better than others, just like anything else, but
8 in essence, an individual who is representing
9 himself versus an individual who has hired an
10 attorney, they submit that same petition. In
11 terms of detail, of course, you know, that may
12 vary.

13 MS. DELGADO: I think the system is set up
14 such that an individual should be able to go
15 forward pro se. The form that Adam has given you
16 asks all the questions. It lays out exactly the
17 information that we need. There is guidelines
18 that a company formed so that a pro se individual
19 should be able to navigate this process alone.

20 I would say in addition to that,
21 having observed the Prisoner Review Board
22 clemency hearings on numerous occasions, the
23 attorneys come and get up and start to do their
24 presentation.



1 And I think every single time, I have
2 seen the Board say it would be more beneficial to
3 us to hear from the petitioner themselves, so the
4 significant amount of time addressing the Board
5 is by the individual petitioner, which I commend
6 the PRB on. I think it is a good approach.

7 So I think that answers -- I hope that
8 answers your question. I think we try to set
9 this up so that people don't need attorneys.

10 Obviously, there are attorneys from
11 big firms that do pro bono work, and they put
12 together beautiful presentations, beautiful
13 petitions that look more like legal briefs than
14 anything else and recite every applicable law and
15 standard, but we're not retrying the case. We
16 are looking at an individual's conduct since
17 conviction, you know, the facts and circumstances
18 surrounding the conviction. And often, an
19 attorney can present that in a better looking
20 way.

21 I will also add though that you had
22 Beth Johnson here yesterday of Cabrini Green.
23 Cabrini Green has standards for individuals who
24 they represent regarding clemency. And I believe



1 that one of them is they have to have been free
2 of any law enforcement contact for over ten
3 years.

4 So when we look at Cabrini Green
5 clemency petitions, we know that they've already
6 put their individuals through a substantial
7 screening process before they even agree to
8 represent them. I think that's the only
9 organization though that does anything so
10 detailed.

11 MR. MONREAL: Following up on what Natalia
12 said, I know two attorneys who regularly appear
13 on clemency petitions. Their standards are five
14 years, five years without any police contact,
15 including a simple arrest.

16 In terms of going back to the pro se
17 individual versus the one with the hired
18 attorney, she has seen me do it a number of
19 times. There are lawyers here. You can hire
20 whoever you want. I don't want to hear from the
21 lawyer. I'll cut them off. And I've cut them
22 off because in order to assess the qualifications
23 in the individual petitioner, you have to hear
24 from them.



1 The petitioner is the one who is
2 making this request, so in order to get an
3 accurate assessment of the individual, you want
4 to hear from the petitioner, not the hired gun,
5 so to speak.

6 MR. SCHOMBERG: I don't think that there is
7 any advantage to having a lawyer. I think having
8 a forthcoming petition directly from the
9 petitioner in a lot of cases is a lot stronger
10 than having something that's been filtered by an
11 attorney, so I think it can cut both ways in
12 terms of yes, an attorney makes sure you hit all
13 your points, but with a petitioner, as long as
14 you are answering the questions that are laid out
15 in the PRB's forms and you are being forthcoming
16 and heartfelt in what you are saying, you have as
17 good, if not a better chance.

18 CO-CHAIR YOUNG: Speaking of the form, it is
19 in English, so my question is what is provided,
20 if any, to applicants who would not be fluent in
21 English?

22 MR. MONREAL: We're working on that issue.
23 Unfortunately, it's an ongoing process. We're
24 looking to improve the website significantly with



1 more information, more standards, and
2 recommendations. What we plan on doing in the
3 future is creating links, not only to other state
4 agencies that would assist the petitioner as to
5 what should be looked at or what qualifications
6 should be considered, also entities that would be
7 able to translate to whether it's Spanish,
8 Polish, whatever it is.

9 MS. DELGADO: Do we have guidelines in
10 Spanish on the website?

11 MR. MONREAL: No, we don't. What we're
12 looking to do is create a link from our website
13 to another website that would assist the
14 individuals requesting this.

15 MS. STRONG: We have a question which we
16 should know the answer to. What is a reprieve?
17 It's one of the forms of relief here on this
18 form.

19 MR. SCHOMBERG: Constitutional --

20 MS. LOVE: What that is is somebody is about
21 to be executed, then you grant a reprieve.

22 MS. STRONG: Okay. Thank you.

23 MS. LOVE: It probably doesn't happen too
24 often.



1 MS. DELGADO: That's quoting the
2 constitutional language is what that is.

3 MS. LOVE: All right.

4 MS. DELGADO: The Governor may grant
5 reprieves, commutations, and pardons after
6 conviction for all offenses on such terms as he
7 thinks proper.

8 MS. STRONG: So that would be defunct with
9 the abolition of the death penalty.

10 MR. SCHOMBERG: Yes.

11 MR. MONREAL: Yes.

12 MS. STRONG: Thank you.

13 MS. LOVE: Could I ask one more question?
14 Are we kind of getting close?

15 CO-CHAIR JONES: We're getting close, but
16 you have time to ask another question.
17 Absolutely. I have got a bunch of questions I
18 want to ask. I will let everybody go. I have
19 got a bunch of stuff I want to talk about, but I
20 want to let you guys.

21 All right. I actually want to pull
22 back. I appreciate the fact that you guys are
23 backlogged and that you are working off 2003
24 cases and chugging away. That's great.



1 But we have been sort of mired in the
2 trees. I want to look at the forest. And I
3 really want to sort of talk about political
4 philosophy. And maybe that's an oxymoron. I
5 don't know.

6 But our charge at the end of this
7 journey is sort of aspirational. We have to sort
8 of go around the country and look at best
9 practices and make recommendations.

10 And there is this tension. And you
11 sort of in your opening remarks, we talked about
12 what's the gold standard, what's the gold ticket,
13 you know, pardon and expungement, it's gone, but
14 then we sort of understand that it's not entirely
15 gone because the FBI has it, and the Illinois
16 State Police have it. And if you're an employer
17 and you're resourceful and creative, you may be
18 able to get access to it.

19 And so we have got the person who is
20 standing or who is sitting, and he has got this
21 application in front of him. And he has got to
22 make the selection which we talked about, I
23 either say nothing, or I check the box and I say,
24 But I was pardoned by the Governor, right?



1 And so philosophically, we have got
2 this tension, right, between forgetting that a
3 person has this record and hoping that by not
4 checking the box, that it will never come up. We
5 can forget about it. We can obliterate it. We
6 can put it, you know, in back of us, and it will
7 never sort of raise its ugly head again. And
8 that's sort of what we think about as forgetting,
9 right?

10 Then there is this other notion of
11 forgiving, right, a society that forgives that
12 says we know who you are as a whole person. We
13 know that this has happened to you. We know that
14 these have been your experiences, but you have
15 rehabilitated yourself. You have overcome those
16 challenges. We are going to give you this second
17 chance. We are going to forgive you for the
18 mistakes you made in the past. And now, we are
19 going to give you this opportunity, right?

20 And so there is this tension between
21 forgiving and forgetting. And as
22 decision-makers, as policy-makers, you know, the
23 Board, the Governor, where should we be going as
24 a society? Should we be going down the road of



1 the evolution of a society that does forgive, or
2 in this technological age, should we be
3 continuing to try these mechanisms that try to
4 get us at forgetting and sort of the legalization
5 of forgetting and not being able to ask the
6 question, don't ask, don't tell, those kind of
7 things. Where should we be going aspirationally
8 as a society when dealing with this tension and
9 dealing with these issues?

10 MR. SCHOMBERG: I guess I would say you can
11 mandate forgetting. You can't mandate
12 forgiving. So that's sort of where some of the
13 tension is. You know, obviously, you would like
14 a society that recognizes rehabilitation and
15 improvement, but you can't make them, so I think
16 the Governor's power to forget makes it so as a
17 mandate, so I think that's the benefit of that.

18 I don't think that takes away the goal
19 of forgiving, or frankly, that the act of a
20 Governor is, as Adam said, an act of mercy, that
21 is forgiving, so I think that while the Governor
22 may be forgiving, it's to provide the power to
23 forget.

24 And you can be aspirational in society



1 in terms of rehabilitation and diversion, but in
2 the short term, the best way to get there is to
3 clear the record.

4 CO-CHAIR JONES: So you think that even in
5 sort of the increasingly technological age that
6 we live in, the fact that you can mandate
7 forgetting is something that's going to be with
8 us, going forward?

9 MR. SCHOMBERG: I would hope so. Obviously,
10 you get on Google, and you may find the article
11 saying that Person A was pardoned three years
12 ago. But from a legal standpoint, you know,
13 Google may be forever, but legally, it's gone.

14 So, you know, obviously, we aren't
15 looking for lawsuits and tension, but at the end
16 of the day, if that is the consideration of the
17 employer and the basis for the decision for the
18 employer, it's a decision made in error.
19 Hopefully, you never get there.

20 And hopefully, for every employer who
21 holds it against somebody because they Googled,
22 there will be another or ten others that
23 recognize the act and where it lies legally.

24 CO-CHAIR JONES: Any thoughts?



1 MS. DELGADO: No. I was just going to say
2 in terms of the Governor's philosophy, I think
3 that his actions speak louder than anything else,
4 you know. I think there has been this feeling
5 around the country that pardons and expungements
6 are impossible to come by. They are for special
7 people in special circumstances.

8 And Governor Quinn has made this a
9 real remedy. It's part of his day-to-day
10 duties. This isn't something that I think can be
11 said and used in exceptional circumstances only
12 in Illinois. We've seen the Governor be very
13 courageous with clemency, something that
14 personally, I'm proud of in my Governor. So I
15 think that when we talk about philosophies,
16 nothing hits harder than what he has done.

17 MR. SCHOMBERG: Yes. These aren't
18 end-of-term acts.

19 MS. DELGADO: Right.

20 MR. SCHOMBERG: He has been acting from the
21 very beginning.

22 MS. DELGADO: Before induction.

23 MR. SCHOMBERG: And there is little to no
24 upside for the Governor in doing this. It is an



1 act of forgiveness, something that he considers
2 to be a duty. And like I said, there is very few
3 attaboys. There is gotchas, but very few
4 attaboys.

5 MR. MONREAL: Do you know what, I would have
6 to concur with both of them. He has been very
7 aggressive throughout his administration. Even
8 before I became part of the Prisoner Review
9 Board, it was apparent from the news media that
10 he was attacking the backlog.

11 In terms of the act of forgiveness,
12 human nature is human nature. When we as a
13 society reach that standard that we can put this
14 in the past, that would be great.

15 The Governor in this term has made the
16 decision that he is going to address this issue
17 and exercise his constitutional power. As John
18 said, you can't mandate what society accepts and
19 finds acceptable, but he has by all means been
20 very aggressive addressing this issue.

21 And when I became part of the Board,
22 it was made very clear that this is something
23 that I was going to have to address. And as I
24 indicated, it is consuming. It really is.



1 MS. LOVE: I was going to ask exactly the
2 question, the forgiving/forgetting sort of
3 tension. And I think that really is the central
4 issue that we have to deal with, the forgiving
5 versus forgetting.

6 And there is a certain amount of --
7 Judge Biebel yesterday, for example, said when he
8 gives an expungement, he regards an expungement
9 as kind of a symbol of rehabilitation, so in a
10 sense, even though it's really not going to go
11 away, and not only for law enforcement, but
12 increasingly for different kinds of employment
13 that have special acts as to background, and
14 that's always an expanding thing, so in the sense
15 when you say expungement, that is almost like a
16 certificate in a sense. So these are kind of
17 symbolic gestures of forgiveness, if you will.

18 And it's funny how we're kind of
19 groping our way to a place where we were in the
20 1960s and '70s. Believe it or not, we had these
21 same discussions back then. And somehow, after
22 1980, we kind of had amnesia for about 20 years.
23 And now, we're trying to struggle back to that
24 point.



1 And just let me say as to the
2 attaboy/gotcha thing, you know, I think
3 personally, having sat in the seat that Natalia
4 is in, you know, doing this stuff, staffing day
5 to day or maybe yours, maybe a combination of
6 your two jobs, you know, the fact that you are
7 proud of your Governor and you, and he probably
8 is very happy with his own doing this work.

9 And I think that means a lot because
10 it is a part of his job. And there are not too
11 many governors these days that do regard it as
12 part of their job. There are a few. Governor
13 Quinn is not completely alone, but it is an
14 unusual quality of sort of sensing this need for
15 this.

16 I didn't mean to make a speech, I
17 apologize, but I really commend you all, and I
18 commend your Governor for having done this and
19 been going to do it.

20 And there are a lot of things in
21 Illinois, it seems to me from what we just heard,
22 kind of pieces that can be put together. Maybe
23 you all haven't quite gotten to the point where
24 all the pieces are trying to fit together to how



1 do we help this population at different stages
2 along the way.

3 Maybe the pardon is the end game gold
4 standard, but what do we do in the meantime sort
5 of thing.

6 CO-CHAIR YOUNG: Well, I just had a quick
7 question because it does seem to me that the
8 pardons and many of the certificates by statute
9 or expungements are limited to what you said were
10 Class 4 felonies or maybe some Class 3. And
11 obviously, that's a lot of criminal offenders.

12 But what about people that have been
13 convicted of crimes of violence, sex offenses?
14 Are they basically too politically risky to be in
15 the process or in the mix of what's going to be
16 accepted for a clemency? What do we say to those
17 clients?

18 CO-CHAIR JONES: Can I just pick up on
19 that? That was exactly the question that I was
20 going to -- just to move them all down the field
21 a little bit more.

22 Yesterday -- I want to pick up on a
23 thread that we had yesterday. Yesterday, we
24 talked about what do we do about sex offenders.



1 And in a system of the castigated, they seem to
2 be the most castigated, right, and that there is
3 often no place for them to go, no place for them
4 to live, no place for them, no opportunities for
5 jobs. Sometimes, they can't even get the
6 pre-application to get to the Parole Board
7 because they can't find a place to live and
8 things.

9 And we are told the story about a guy
10 who had done everything possible, had a sex
11 offense conviction, had done everything possible
12 to rehabilitate himself, had found a job, had
13 reunited with his family, had found a place to
14 live, was prepared to move into the apartment.

15 And someone discovered that a block
16 away in a basement, there was a woman running a
17 home day care out of her basement, not
18 advertised, not publicized anywhere, but the
19 parole officer or someone discovered that that
20 was happening.

21 And so the guy ultimately couldn't
22 move there, ended up not being able to get
23 released, losing the job. And it just was a very
24 bad situation.



1 And so the question is what do we do
2 about sex offenders? And there was the one
3 notion propagated yesterday that rather than
4 lumping all sex offenders together, we sort of
5 have hierarchies of what the crimes are. And so
6 the 19-year-old who has been accused of having a
7 relationship with the 15-year-old, and
8 ultimately, they got married and they have been
9 together for 20 years is different than, you
10 know, I don't know, someone else.

11 So I guess the question is thinking
12 back to Vicki's question, what do we do about sex
13 offenders and those difficult sort of cases and
14 folks?

15 MR. SCHOMBERG: I guess I'll focus on that
16 from a clemency perspective. I mean you gave the
17 example that I would give. You take each case as
18 it comes to you, so someone who, you know, has
19 sexually molested young children is very
20 different from someone who committed statutory
21 rape with their 16-year-old girlfriend, so you
22 take the facts that are in front of you.

23 We had a grant recently where a woman
24 ultimately killed her husband in self-defense,



1 abusive relationship, not intentional, so you
2 take the facts that are before you.

3 In terms of what do you do with sex
4 offenders, I think that's something that we
5 struggle with. You know, under current law, we
6 have I think it's literally thousands of people
7 who are in our prisons who have completed their
8 sentence, but they cannot find any place to
9 live. They are violated at the door and have to
10 serve their mandatory supervised release in
11 prison. And that's not great for us. It's
12 expensive for us. And so I mean that's something
13 that we have to work on.

14 You know, I think it's hard. These
15 aren't folks who are perceived by many people as
16 sympathetic characters. And maybe their labels
17 are unfair in some cases. And whether it's
18 ethics or a crime, it's a lot easier to tighten
19 things than it is to loosen things up, so it's an
20 area that we struggle with.

21 CO-CHAIR JONES: Natalia?

22 MS. DELGADO: Well, I think in terms of
23 serious crimes other than sex offenses which John
24 has just -- we are working on it. It's a



1 difficult decision. But people have, advocates
2 have come to us and say streamline clemency by
3 taking out violent offenses. If the Governor
4 focused on just retail crimes, just nonviolent
5 offenses, just drug offenses, he could get more
6 people through.

7 And again, the Governor has been
8 extremely courageous. As John just mentioned, in
9 our last group, he pardoned and expunged a woman
10 who murdered her husband who had been battering
11 her. And she acted in self-defense. Clearly,
12 she was convicted of murder, so the judge didn't
13 necessarily agree that she should not be
14 convicted.

15 And the Governor, if he had taken the
16 position that he was not going to look at these
17 violent offenses, never would have gotten to her
18 petition, never would have been able to address
19 this particular woman who had a very, very
20 interesting story.

21 Similarly, as John mentioned in his
22 opening statement, we had a case with a woman who
23 murdered her child, and it was a postpartum
24 depression issue. If the Governor had restricted



1 this to only nonviolent offenses, he would have
2 never reached her petition.

3 So I think it's again, courageous that
4 he doesn't impose those limitations on himself
5 and that he looks at each petition, regardless of
6 offense, individually, and makes his
7 determination, based on the facts and
8 circumstances of each particular petition.

9 MR. MONREAL: I don't have a lot. I think
10 that they have laid out the position of the
11 administration very clearly.

12 Going back to you, certain offenses,
13 expungement and sealing the records, those are
14 limited. Violent offenses, they're always
15 eligible for the clemency petitions.

16 In terms of sex offenders, we have
17 approximately 1400. It's a very difficult issue
18 in the institution. And in many ways, the
19 administration is restricted because there is
20 virtually no place for some of these individuals
21 to live.

22 CO-CHAIR JONES: Right.

23 MR. MONREAL: But that he's constrained
24 because statutorily, that law was created prior



1 to his arrival, so it's very difficult, but
2 society has already spoken and said we want to
3 restrict these individuals, so it is a very
4 difficult issue.

5 CO-CHAIR JONES: Do you support this notion
6 of not sort of lumping all sex offenders into the
7 same category and having sort of, you know --

8 MR. MONREAL: A, B, and C class, kind of?

9 CO-CHAIR JONES: Yes, which is what was
10 described to us yesterday.

11 MR. MONREAL: Potentially, I mean anything
12 makes sense if you can put it into action and it
13 works, of course. We can always improve the
14 standards that we're operating with anything that
15 we do in life.

16 In terms of categorizing the more
17 violent offenders or the more egregious offenses,
18 in comparison to the guy who, as John indicated,
19 was married or ends up marrying his 16-year-old
20 girlfriend and they have kids together, yes,
21 there should be a difference.

22 MR. SCHOMBERG: I think categories can be
23 dangerous. A lot of these are pleas --

24 CO-CHAIR JONES: Because, because,



1 categories can be dangerous because?

2 MR. SCHOMBERG: Because these are pleas, so
3 you plead to a lesser crime, so you may have
4 some -- and frankly, what you get pled out for in
5 Chicago is very different from what you get pled
6 out for in Randolph County. I mean yes, we see
7 the felonies for stealing kittens.

8 MS. DELGADO: That's a real case.

9 MR. SCHOMBERG: There are multiple real
10 cases. I thought we repeated a petition, but no,
11 we had two felony kitten stealings, so I mean I
12 think even there, you have to be careful in terms
13 of looking at the underlying facts.

14 And maybe that's something -- you
15 know, it's something to have more of a dialogue
16 on, but I think it's something that likely, you
17 would want a Prisoner Review Board or someone
18 else to make the decision as to whether is this
19 person appropriate.

20 MS. LOVE: Talking about your kitten
21 stealers, I will tell you later about a Thomas
22 Jefferson funny story about a duck stealer, two
23 duck stealers.

24 CO-CHAIR JONES: We are sadly and



1 unfortunately out of time.

2 MR. MONREAL: On that note.

3 MS. DELGADO: Just when I was going to get
4 to the hog --

5 CO-CHAIR JONES: Right, right. But listen,
6 I can't tell you enough how much we appreciate
7 you taking the time this morning to come and talk
8 to us. This has been incredibly enlightening and
9 helpful and useful and productive, so thank you.

10 MR. SCHOMBERG: Thank you.

11 MS. DELGADO: Thank you.

12 MR. MONREAL: Thank you. It was a pleasure.

13 MR. SCHOMBERG: Thank you for the
14 invitation.

15 (WHEREUPON, a recess was had.)
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17
18
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1 PANEL 6

2 WITNESSES:

3 John Fallon, Senior Program Manager,
4 Corporation of Supportive Housing;

5 David Rosa, Administrator, St. Leonard's
6 Ministries;

7 Reverend Valerie Everett, Lutheran Social
8 Services.

9
10 CO-CHAIR JONES: All right. Are we all set
11 to go back? Great.

12 Welcome. Thanks for coming. We are
13 excited to chat with you all. As you know, we
14 are interested in hearing from all of you.

15 What I'm going to ask you to do is to
16 take five minutes, maybe at the outset, and just
17 introduce yourselves and give us the benefit of
18 sort of your opening thoughts, opening remarks
19 and comments, after which we have a number of
20 questions for you and interested in having a
21 spirited conversation.

22 The way that we operate is that one of
23 us is responsible for leading the discussion on
24 each of the panels. And for the purposes of this



1 panel and this discussion, it will be Vicki
2 Young.

3 So I'm going to turn the floor over
4 now to the three of you and ask you to give us
5 the benefit of your thoughts.

6 Thank you.

7 REVEREND EVERETT: Good morning. My name is
8 Reverend Valerie Everett. I'm the director of
9 the Connections Program for Lutheran Social
10 Services of Illinois.

11 We work with women and children as
12 well as care-givers who have been impacted by
13 incarceration. And we've been transporting
14 children to visit their moms for over 20 years.
15 And that's the core programming that we focus
16 on.

17 We are interested in holistic services
18 to provide care for the entire family context, so
19 we're not only looking at what we can do for the
20 child per se, but we look at the interests and
21 needs of the family as a whole.

22 We are interested in family
23 reunification, so we're working with women while
24 they are incarcerated and post incarceration.



1 And in the meantime, we're working with the
2 families to keep them intact while this woman is
3 finishing out her sentencing, so that's basically
4 what our program is focused on. That's what we
5 do on a daily basis.

6 My initial thoughts is that I am
7 excited to be a part of the dialogue on today.
8 I'm glad that the National Association of
9 Criminal Defense Lawyers is taking up the charge
10 to address the issue of incarceration and its
11 impacts on our society.

12 Particularly as a minister, as a
13 woman, as a woman of color, I am just alarmed at
14 the rates of incarceration for people of color.
15 And when I work with them on a day-to-day basis
16 and I understand what they go through in terms of
17 trying to reintegrate into the community, the
18 difficulties that they confront, lack of
19 employment opportunities, not having the life
20 skills or the wherewithal to even begin to
21 understand how to start over again.

22 Dealing with the complications of
23 being women, which is that whole unique problem
24 in and of itself after being incarcerated,



1 dealing with their children, dealing with
2 care-giver issues, legal issues of guardianship,
3 so we see the gamut of what these women go
4 through on a day-to-day basis.

5 And it's encouraging that other
6 people, other professionals are interested in the
7 issues of incarcerated individuals and want to
8 find solutions so that they are able to
9 reintegrate back into the society and be able to
10 make long-term transitions and have a future.
11 And that's what we do. And I'm just glad to be
12 here today, so thank you for having me.

13 CO-CHAIR JONES: Thank you, Reverend
14 Everett.

15 One thing I should have said at the
16 outset is that you all are being videotaped,
17 audiotaped, and we've got a court reporter, and
18 we've got still photography going, too, as well,
19 so what I would ask is that in the interest
20 because we found out yesterday that if you have
21 cell phones or BlackBerrys or anything like that,
22 if you could just keep them off the table, it
23 keeps down the feedback.

24 And also, if you keep your voices up



1 as loud as you can, it helps us with the
2 recording, so thank you.

3 Mr. Rosa.

4 MR. ROSA: My name is David Rosa. I'm the
5 site administrator for St. Leonard's Ministries.
6 I'm the administrator for our permanent
7 supportive housing for ex-offenders.

8 As an individual, a formerly
9 incarcerated individual who did almost 26 years
10 and got out in 1999 and came to St. Leonard's
11 House and became a resident there, I also know
12 about the plights that we face in regards to
13 employment, housing, and things like that.

14 So being that I ended up graduating
15 out of St. Leonard's House and I became one of
16 those unique individuals that where I was at,
17 where I was taught how to focus on life and
18 life's terms, I was also given the opportunity to
19 have employment there, so I didn't have to go out
20 there and face some of those obstacles that other
21 individuals that I see today are facing. I was
22 kind of glad of that.

23 But even though today, I feel that I
24 missed something. I missed something out of



1 being harbored in St. Leonard's House.

2 So being the administrator now for the
3 permanent supportive housing department of
4 St. Leonard's House, we see that the individuals
5 that come every day, they leave with a very high
6 spirit to go out there job hunting and come back,
7 you know, wore out, and just let us know that all
8 I did was just fill out ten applications, and
9 then I've got to sit back and wait.

10 And we see the process every day that
11 when we do follow-ups with those individuals,
12 that they'll come back and they'll let us know,
13 you know, those job applications I filled out, I
14 was turned down because of my background.

15 So I'm very glad to be a part of this
16 today. I was very fortunate to meet some of you
17 yesterday. And whatever I can add to this here,
18 I'll be more than glad to.

19 Thank you.

20 CO-CHAIR JONES: Thank you.

21 MR. FALLON: Well, I want to thank the
22 committee. I'm not exactly sure how I'm here,
23 but I'm here.

24 And I have been in the field of mental



1 health for about 30 years and worked with
2 homeless individuals and people's conduct
3 disorders and those kind of things that I see.

4 And I spent an awful lot of time in
5 Skokie Court, in particular, and a lot of the
6 Cook County criminal courts. I also work with
7 people who were found not guilty by reason of
8 insanity, and house them, TASC here, as well as I
9 work with a lot of people who are found unfit to
10 stand trial, many of whom spent a year in the
11 hospital before being able to go back to court to
12 actually start the court case for something that
13 most likely would have been 30 days in jail now,
14 so they spend over a year at a cost to the
15 taxpayers of \$150,000 or so for that
16 hospitalization. I think it's a big waste of
17 money.

18 I now work at the Corporation for
19 Supportive Housing. I've given you another --
20 actually, I found it before, have given you
21 information on permanent supportive housing, work
22 for Corporation for Supportive Housing.

23 We work to create housing, including
24 St. Andrew's Court which you went to see



1 yesterday which is permanent housing because I
2 find it a complete waste of time to have people
3 go to leave, particularly with mental illness,
4 but most cases to go to transitional housing for
5 30 days or 90 days because it gives us just long
6 enough to pay someone the 900 bucks a month or
7 so, and then you're working, trying to get the
8 person out into permanent housing. They need to
9 be in there.

10 And we found in the homeless world
11 that not having time limits, people do move on,
12 and they do better, and they are not pressed to
13 do that. And that's more successful.

14 And I found this because prior to my
15 work here, I worked at Thresholds where I started
16 a project in Cook County Jail and worked with
17 people with mental illness. And some of them
18 had -- one of them had over 200 hospitalizations
19 in the state, didn't include their private
20 hospitals. They had over -- one of them had 186
21 arrests.

22 And so the discussion with that
23 population about expungement is sort of
24 laughable, that they didn't care about another



1 one.

2 And it was really hard for me, working
3 in court with public defenders who are most
4 interested in getting a person off a single
5 charge because it would be better to think of it
6 from a problem-solving standpoint.

7 If you've been arrested 100 times, you
8 don't really care if you have one more
9 conviction. That doesn't matter. What matters
10 is what you have long term.

11 And some people would be -- the lawyer
12 would be very proud to have someone get off. And
13 in fact, that meant the person was going to be
14 released at midnight with nowhere to go. And
15 they actually would have just as soon not gotten
16 off, instead been linked or returned to court
17 even if it was going to be nolle'd out wearing
18 street clothes so that they could be released to
19 a case manager.

20 Being mentally ill sucks. You get out
21 oftentimes at midnight, you've pretty much burned
22 all your bridges generally. If you have been
23 like this, your family has kind of given up on
24 things. You don't have an I.D. That was often



1 taken by police. In the old days, police used to
2 actually put it on key rings, I was told, to be
3 able to keep track of who was homeless downtown.

4 You lose your medical benefits which
5 means that even if you were lucky enough to be
6 some of the few people with mental illness who
7 got out of Cook County Jail, which is one of the
8 best psychiatric facilities for jails in the
9 country, you may get two weeks' worth of
10 medication if you have an outside doctor to
11 monitor side effects.

12 But it's few and far between that get
13 that. And if you get that, then you have to be
14 willing to ask the sheriff to go across the
15 hallway to get the medication which sometimes,
16 they don't want to do, and sometimes, you don't
17 want to do because generally, medication for
18 mental illness is an uncomfortable thing to use.

19 You lose your medical services. You
20 lose -- you oftentimes lose medication, and so
21 you're sort on the clock, particularly if you're
22 released from prison, because from prison, you
23 get \$10 for the day pass here in Illinois, and
24 you get a bus ticket that gets you to the nearest



1 city.

2 Now, I oftentimes ride the train, and
3 I see people in the telltale shoes that they get
4 from IDOC which aren't very good and don't last
5 very long, and a box with tape on it. And I
6 drive them up to Zion because otherwise, they
7 will spend the entire \$10, and they still won't
8 get to Zion. And they have only 24 hours to get
9 there and report.

10 Then they have two weeks's worth of
11 medication. Then they have to stay in their
12 house for 72 hours because anytime within those
13 24 hours, parole could come. But parole usually
14 doesn't come in the 72 hours. Sometimes, they
15 take five days. You need to stay there.

16 If you went to a single-room occupancy
17 hotel, you don't have any way to get food. You
18 then might have to wait for electronic monitoring
19 to come. That's another two to three days.

20 Meanwhile, you haven't applied for
21 Social Security, and your medication is
22 disappearing. You may also have been given a
23 script that you can't pay for by an out-of-state
24 doctor who you can't fill the prescription.



1 You might have had a job. You lost
2 that. You lost your housing, which is really
3 important because there is nowhere in the country
4 that you could live on \$674 for a month.

5 You're no longer eligible for homeless
6 services through McKinney-Vento, so even
7 assuming -- McKinney-Vento, it's a kind of --
8 it's called Shelter Plus Care. It's a kind of
9 housing funding for people who are homeless, but
10 because you're housed in the jail longer than 30
11 days or in prison, you're considered housed and
12 not eligible for that kind of a benefit.

13 You lost your clothing. You lost your
14 family support. You must again start over again,
15 and so we'll pay a social worker lots of money to
16 drive around in a beat-up Toyota collecting all
17 your birth certificates, driver's license, and
18 all those things to start again, and then you'll
19 start the cycle again because you become
20 psychotic because you can't get the medication in
21 time.

22 That's typically the experience that I
23 have, that when we work with people, we met them
24 at the jail, we house them right away that day,



1 and we made sure that they have food. And there
2 were 80 percent reductions in jail time, jail
3 stays, hospital stays, and hospitalization. It
4 works.

5 In the State of Illinois, we spend
6 \$880,000 a day to house people with mental
7 illness if you add up all the numbers. And there
8 is an article that you have -- this is the front
9 of it, but it shows what we've done with mental
10 illness.

11 We had 400,000 people in the state
12 hospitals in 1970. And we had 200,000 people in
13 prison, and we really didn't keep track of jails
14 until 1980 when we really started locking up
15 people.

16 Now, there is less than 50,000 state
17 beds. And it's supposed to have been replaced
18 with other inpatient, but we still only have,
19 this little line here which I guess I will do for
20 the camera, you won't be able to see this, but
21 this is the explosive growth. There has been no
22 growth in inpatient hospitalization at all.

23 So where do we put them? We put them
24 in the hospitals. So right now, there is 6900



1 people in our prison and jail system in
2 Illinois. Meanwhile, there is roughly 600 state
3 civil beds, so almost everyone with mental
4 illness is in either the prisons, the jail, or
5 our forensics mental health system.

6 CO-CHAIR JONES: Thank you.

7 CO-CHAIR YOUNG: Reverend Everett, in
8 working with the women who have been convicted,
9 can you give us a sense of the range of offenses
10 that people have been convicted of or, you know,
11 what kind are they, and speak more to their
12 problems when -- well, I guess we should do it in
13 stages.

14 You know, are there particular
15 problems that you've identified when they are
16 going through court that you may, through your
17 experience, think that a male defendant would not
18 face those issues because your specialty is
19 specifically in this area?

20 REVEREND EVERETT: Yes. Well, we meet the
21 women post-incarceration or after they have been
22 sentenced.

23 CO-CHAIR YOUNG: Okay.

24 REVEREND EVERETT: However, I can tell you



1 that the range of offenses is nonviolent to
2 violent. We have some who've committed murder.
3 We've had some who've been stealing. And most of
4 that is a direct result of past trauma, so most
5 of them have been sexually abused, physically
6 abused, which has led to the stealing, led to the
7 murder, et cetera, so we see a lot of that going
8 on with our women.

9 As we talk to them, as we get to know
10 their children, we're finding out that there is a
11 lot of family dynamic that took place prior to
12 the incarceration.

13 CO-CHAIR YOUNG: And so is it a transitional
14 house that you have that they can stay at first
15 or --

16 REVEREND EVERETT: We don't have a
17 transitional house. We do referrals for
18 housing.

19 However, many of the women that we
20 work with, their families are ready and willing
21 to receive them back into the home, so that's a
22 really wonderful thing because if they don't have
23 family support, they are pretty much, you know,
24 in dire straits.



1 So we try to work with the families,
2 work with the children because many of the women
3 that we work with have children, and so we try to
4 build that connection with the family so that we
5 can mend some of the damage that has been caused
6 by the incarceration, separation with the child,
7 so that when they come back home, they can
8 reintegrate into the family context and then
9 start a stable reentry back into the community.

10 So we are always pushing for our
11 family, therapeutic method with our programming
12 so that we can reintegrate them successfully
13 because if they try to come in on their own, they
14 don't have the resources. They don't have any
15 money. They don't have, you know, hygiene
16 products. They don't have anything. They come
17 to our doors with nothing.

18 And we provide transportation
19 stipends, we provide, you know, money for bus
20 passes. We provide money for birth certificates,
21 I.D.s, et cetera. We provide clothing for them.
22 So I mean they have nothing when they come to our
23 doors, and we're trying to assist them as best we
24 can.



1 CO-CHAIR YOUNG: I know that I think most of
2 you were here during the prior panel and you
3 heard, you know, a lot of the remedies down the
4 road with the applications for clemency or these
5 certificates, but you heard the time frame that
6 they're talking about. Some attorneys say wait
7 ten years, you know. Stay clean for ten years
8 somehow, and then come to us, and then we can
9 start working on your petition.

10 And you're talking about people in the
11 first, you know, ten weeks that they are out, you
12 know, and getting them through the first ten
13 weeks.

14 And is there something that we can
15 look at to say, well, these practices at least
16 facilitate reentry because you're not going to
17 get this, Oh, we're going to forget about the
18 conviction because that's not going to happen for
19 a long time, if ever, or a certificate.

20 So what practices or policies would
21 you promote to encourage reentry because if they
22 don't get it right in the first ten weeks,
23 they're not going to make it to the ten years.

24 REVEREND EVERETT: Exactly. Well, we've



1 been working with other ministries, ministries in
2 Chicago as well as other faith-based
3 organizations to look at how we provide a best
4 practices and services for women and for men who
5 have been impacted.

6 And one of the things, it's family
7 reunification. They can't do this thing without
8 their family support, and so we are very much
9 vested in family reunification and educating the
10 family about some of the things that caused this
11 in the first place, so we want to look at how did
12 it start.

13 Sometimes, we can't go all the way
14 back to childhood, but we look at the trauma that
15 they sustained over the course of the years which
16 led to that, so if you have a better
17 understanding of why this person did these
18 things, then you're better able to empathize,
19 you're better able to understand and be open to
20 and willing to help this person to make the
21 adjustment.

22 So we do a lot of family therapy. We
23 work with the children. We're talking about
24 their emotional needs, their issues, their anger,



1 you know. They're really the ones that are
2 impacted. And they are the invisible ones in
3 this thing.

4 You know, you go to school, Mommy's
5 not there. Teachers are thinking that it's ADHD,
6 it's this, it's that. It's because their mother
7 is incarcerated. There is no way to track it.
8 They don't have any idea that this boy's mother
9 is incarcerated unless it comes up in some kind
10 of conversation.

11 So we're advocating with social
12 workers. We're talking to teachers to say that
13 every, you know, outburst, every behavioral issue
14 is not a direct result of some mental health
15 issue, but you have 50 percent of your students
16 whose parents are incarcerated. And because of
17 this absence of a parent or two parents, in some
18 instances, you have the behavior that you're
19 seeing.

20 So we go around, we talk to educators,
21 we're talking to clergy, we're talking to anyone
22 who will listen to us and the community members
23 to say, They're coming home. They're in your
24 house. We have to have a conversation. So we're



1 looking to do town hall meetings with the
2 community to talk about how do we welcome
3 returning citizens back into the community and
4 how do we assist them in effectively making
5 long-term transitions.

6 We have to all be willing to do this
7 work. And it is about educating and
8 understanding what is at play here and the bigger
9 issues that come into play, the systemic issues,
10 the educational issues, the criminal justice
11 system, all of those things that particularly
12 impact communities of color which I am very
13 invested in and helping them to see that, you
14 know, you've got a lot of different dynamics
15 going on here. It's not just one thing, it's a
16 myriad of things. And we have to look at that
17 and examine that in order to really impact and
18 make long-term change.

19 CO-CHAIR YOUNG: But is there something, you
20 know, on a simplistic way that if you think you
21 would recommend -- if you, you know, could
22 recommend anything, if you could enact anything,
23 what would you do to further this goal?

24 REVEREND EVERETT: Well, one of the things



1 that we've been enacting and implementing is
2 really working with IDOC to talk about
3 programming inside of the prison, to assist these
4 women when they come home. But we're looking at
5 programming. What are you doing in-house to
6 assist these women when they come to our doors
7 because many of the certificates they get, they
8 can't use those, you know.

9 The GED they get, it's half-baked, so
10 then when they get ready to take an exam, they
11 can't pass the exam because the GED examination
12 and testing and education they received inside
13 was not sufficient enough for them to be able to
14 make it on the outside.

15 So we're working closely with IDOC to
16 say, you know, if you're going to provide
17 in-house training, it needs to be something
18 tangible that these women can transition outside
19 into something for an immediate attachment to the
20 work force because I can't do anything if I don't
21 have any money, so what do I do? I do what I'm
22 used to doing. I go steal because that's what I
23 know. I have to feed my children.

24 And so we are trying to, you know,



1 one, work with the families and work with IDOC to
2 implement new programming because the programming
3 that they have, it's not sufficient.

4 Horticulture, what are they going to do with
5 that, you know.

6 They learn how to do hair, but they
7 can't get a license, so what is the point of you
8 providing that kind of programming inside of the
9 prison, so it's no simple answer to the issue.
10 It's very complex.

11 CO-CHAIR YOUNG: Thank you.

12 MR. ROSA: I would like to add something.

13 Being that I was part of the IDOC for
14 many years, even though we worked hand in hand to
15 try to express ideas and share resources with
16 each other, but they still take away things in
17 the penitentiary instead of giving.

18 So they may have a horticulture in
19 this institution, and you may sign up for it, and
20 guess what, the wait list is so long that by the
21 time your name is called, you will be traveling
22 to another institution.

23 And it's the same thing with the GED
24 process, educational process in there. So in



1 regards to rehabilitation inside the
2 penitentiary, it's basically none, zero to me.

3 What we try to do is that when
4 individuals come to us at St. Leonard's House, we
5 try to get them involved right away into
6 something that they feel worthy of in regards to
7 education, training, or whatever it is. We want
8 them to make -- to be responsible for something
9 that they're doing now that they're out here.

10 As you mentioned before, the man said
11 that it would take ten years before we could even
12 sit there and put a request in for a
13 certificate. Well, in those ten years, we want
14 the individual that's coming to us to say, I
15 already started my education now, or I started
16 training. Maybe he got lucky getting a job, a
17 part-time job, that he feels some sense of worth,
18 a responsibility to get up every morning and go
19 to, and maybe he gets promoted in that job.

20 So then that way, by the time that ten
21 years come around, this person already has his
22 life already made out. He is probably married,
23 got kids, and probably owns a house.

24 So now, all he needs to do is present



1 this to the Board, and hopefully, hopefully, they
2 won't look at the offense and they will look at
3 him for what he is today.

4 I have a problem with that. I have a
5 problem with the Review Board. One person who
6 went there 16 times and done everything that I
7 possibly can inside the institution so that I can
8 just get at the end of the year when I go in
9 front of them to say, Due to the nature of my
10 offense. Well, we know the nature of the offense
11 is never going to change, I may change, so that's
12 what they hold on the person.

13 So, you know, what I try to do is when
14 we get the person coming in to St. Leonard's
15 House, we want to look at what was his best
16 qualities when he was locked up, what was his
17 best qualities before he got locked up, and let's
18 get on board with that there.

19 And then as he goes through that, then
20 we'll start adding things on so in that way, he
21 can be better prepared when he takes that step
22 into independent living.

23 The other thing, the other good thing
24 about it is is that supportive housing. We know



1 that you cannot get a job without an address, and
2 you're not going to get an address without a
3 job.

4 Supportive housing is something, is
5 key because what I do is when individuals come
6 next door to me to St. Andrew's Court, I let them
7 know, You're not working, so you're going to be
8 supported. You're going to be subsidized. What
9 is it that you'd like to do to better yourself
10 right now? Is there some training you would like
11 to be? Would you like to be an electrician?
12 Whatever it is, this is the opportunity to do it
13 now because you don't have to worry about how
14 you're going to get up and pay your rent every
15 month. You don't have to get up and worry how
16 you're going to pay your electricity every
17 month. You don't too much have to worry about
18 where you're going to eat every day at
19 St. Leonard's House.

20 So I try to get them to the point of
21 seeing them to say, This is the opportunity you
22 have right now to be responsible to yourself.
23 And you don't owe nothing to St. Leonard's. You
24 just owe it to yourself to invest in yourself



1 right now while you've got this opportunity.

2 And that works. Right now, we're
3 looking at 42 individuals that we house at
4 St. Andrew's Court. And out of 42, we have seven
5 individuals who are working part time. We have
6 nine individuals who are working full time. And
7 we have eight individuals who are collecting some
8 type of Social Security.

9 We have eleven individuals that are
10 going to all the colleges here in Chicago,
11 whether it's Malcolm X, Harold Washington, or
12 whatever. And we have three individuals that are
13 going to our adult high school.

14 So we look at that. We look at that
15 as a model so that then when those individuals
16 achieve where they want to be at and they say,
17 You know what? I came in. I didn't have
18 anything. So now, I'm leaving with either a job
19 or an education or training. I'm leaving with a
20 bank account which I didn't have when I got in
21 here. So now, I want to give to the next person
22 an opportunity that I had. So that that serves
23 as a model, so when that person comes in, these
24 are the things that we want to work on.



1 So subsidized housing for ex-offenders
2 is a key. And I think it would be -- it will
3 help them because a lot of guys that come to us
4 say, I never had an apartment in my life, never
5 had an apartment. So we have to sit there, we
6 have to show them what the responsibilities of
7 keeping that apartment clean.

8 If he gets a job, he is required to
9 pay 30 percent of his money, gross income towards
10 his rent. We have to show him that that's a
11 responsibility in life because when you leave
12 here, you cannot go out there. You've got to do
13 the same thing. You've got to keep it going
14 because people depend on your rent to pay their
15 mortgage.

16 So these are the things that we
17 educate. We try to get them involved in a
18 financial institution. We want them to establish
19 a bank account, a savings account. We want them
20 to walk out of St. Andrew's Court with a lot more
21 than what they came in with.

22 And what I tell them is when I meet
23 with them before we're going in and we do this
24 interview, I let them know that the saddest thing



1 that can happen to you coming into St. Andrew's
2 Court is that you come in without nothing and you
3 leave with nothing. That is the saddest thing.

4 And does it happen? Yes, it does.
5 Because we want to educate also those individuals
6 coming to us that this is your home. And you
7 need to forget about the things that you were
8 going back to before you got locked up.

9 It's about people, places, and
10 things. We let them know that. And once they
11 don't realize what the people, places, and things
12 are, they are always going to end up going back
13 to where they came from.

14 A lot of individuals come to us and
15 leave successfully. And I'm kind of glad that
16 when they do leave successfully, they come back
17 and they say, Look at my new car. This is what I
18 bought. Or I'm working for this company now.

19 And these are the success stories that
20 me, myself and my director of supportive
21 services, we pat ourselves on the back because
22 we're there every day. We're in the trenches
23 every day, trying to show them that there is a
24 better life. And we went through it. And now,



1 it's your opportunity to go ahead and shine,
2 also.

3 So, you know, sometimes when we look
4 at things in regards to people coming out and not
5 having nowhere to go, yeah, that's true. When I
6 was released, I didn't even know where I was
7 going to go.

8 I was fortunate to be accepted at
9 St. Leonard's House just like a bunch of other
10 individuals that came behind me and was before
11 me, so then when I got there, I had the plan
12 myself. And that's what we try to do.

13 So have I lived on my own since
14 St. Leonard's House? Yes, I have. I got turned
15 down for three apartments because of my
16 background. Someone came and talked for me to a
17 landlord, and they gave me the opportunity to
18 have my first apartment, and it was just to a
19 point of whereas I was ecstatic to have my own
20 place. Now, I own my own home, you know.

21 And this is what I try to teach other
22 individuals coming behind us, that we need
23 support, we need subsidies for individuals that
24 are coming out to give them a sense of



1 responsibility so that in that way, they can go
2 ahead and they can see the path that they want to
3 take as they're going into independent living.

4 CO-CHAIR YOUNG: Thank you.

5 MR. FALLON: So first of all, I want to
6 thank David for talking about permanent
7 supportive housing.

8 THE REPORTER: I'm sorry. You're very fast
9 and very quiet.

10 MR. FALLON: I want to thank David for
11 talking about permanent supportive housing. I
12 don't have to add my job of CSE to this
13 particular case.

14 St. Andrew's Court is one of the
15 permanent supportive housing providers that we
16 have in Illinois. We have quite a few. And they
17 are shown consistently to be very cost
18 effective. And we have studies all across the
19 country that can show that to be effective,
20 including here in Illinois.

21 In New York, they studied a homeless
22 person. And you think a homeless person on the
23 corner doesn't cost you anything. So I think
24 it's important that public defenders really



1 understand the economics of it because that's the
2 argument.

3 It costs on average \$40,000 a person
4 in terms of emergency room costs, hospital costs,
5 jail costs, prison costs. That was on average in
6 a study of 4,000 people on the streets. And you
7 think, well, you can't count California and New
8 York. They don't count.

9 So I looked at the numbers. And, in
10 fact, they have public shelters there that didn't
11 add very much to the cost, so it's not very far
12 off from when they were done. And it was -- and
13 they showed that in the long run, putting people
14 into housing saved money.

15 They also show that in New York, they
16 have continued to invest in housing and invest in
17 people going out. And they have vans that drive
18 people to programs. Yeah, they had to be sued in
19 order to start doing it. They didn't do it on
20 purpose. And we appreciate the folks that -- I
21 can't remember who the attorney is who won that
22 suit, but now, there is vans that go out to
23 Rikers Island and pick people up and directly
24 link them to programs.



1 And so, you know, that namby-pamby
2 sort of feel-good stuff which is clearly out of
3 the public defender's office has, in fact, saved
4 New York money in the long run from the emergency
5 services, and it, in fact, has saved money. It
6 actually has reduced crime.

7 And they reduced the number of people
8 in jail because we know that there is 10 percent
9 of people that are on the street that use 50
10 percent of emergency services. That's the
11 chronically homeless people, and that's the
12 people that have been focused on that it saves
13 money and so if we invest in that, it's really
14 important.

15 You asked what things I'd recommend.
16 I'd recommend that attorneys go and see the
17 places in their community, see the housing and
18 understand it, to be able to explain it.

19 It's very hard to get this kind of
20 housing in place. We all want to have more
21 housing, but we don't want it next door. But if
22 you could involve law enforcement and the courts
23 in saying this is going to save money and save
24 time, then I realize that people are elected



1 officials, particularly if you go on to be a
2 judge -- elected officials. If you go on to be a
3 judge, you know, they can bring people to the
4 thing.

5 And that's the miracle of mental
6 health court, right? Judge Biebel, he can write
7 a letter. And everyone thinks they're going to
8 be locked up if they don't come, so they come to
9 the table. But people shouldn't have to -- if
10 they have a mental illness, have to plead guilty
11 in order to have those services.

12 And so, in fact, I work with people
13 you know, who are guilty, not guilty. I really
14 didn't care. I think it's important.

15 I think there is creative ways in
16 court that you can do things that will make that
17 work, one of which I already mentioned is
18 dress-outs. What does that mean? In the State
19 of Illinois, as with almost everywhere else,
20 there is huge cuts, although I have to say we're
21 proud of having made cuts than most people, but
22 we really cut our mental health system and our
23 substance and alcohol abuse safety support
24 system.



1 You don't get paid to drive anywhere,
2 so I understand in court if you're the judge,
3 you've got to do the private attorneys first, I
4 fully understand that.

5 But in Lake County, they go ahead and
6 have the social service people go next because
7 they ain't making any money when they're sitting
8 in court. And I have to tell you, that makes it
9 more likely to get people into court to form
10 partnerships.

11 If you have to wait two and a half
12 hours or four hours, you know, we learn that on
13 the CIT teams, right, that if it was faster to
14 put someone in the hospital than it was to arrest
15 them, officers were willing to drop people off at
16 the emergency room, particularly if they got the
17 same credit for a hospitalization of someone
18 needing it. And so trying to provide incentives
19 in court for social workers to show up is a
20 useful thing.

21 Also, what happens with people with
22 mental illness is they're not fit. I mean we all
23 know they're not fit. I mean you're kind of
24 trying to look like they're fit because you know



1 that they're going to end up spending more time
2 in jail otherwise.

3 It would be better to work out to have
4 a person go directly to a program and address
5 someone out from jail and be in court so that the
6 social worker can take them directly from there
7 and have another reporting date, just like mental
8 health court. If a judge takes the time with
9 someone with mental health, your social worker is
10 willing to come in, to have the judge say, I've
11 got a report on your behavior, and you've been
12 doing well.

13 And that actually causes people to do
14 well and is a real support system to us in the
15 community. You have a real opportunity to pay
16 attention to a couple of dates or times.

17 30 days is a magic number. If you
18 have a case that goes 30 days, if you've
19 continued it because you didn't really read the
20 case when it first got assigned to you and it
21 gets continued, they go past 30 days, a person
22 loses their Social Security. At 30 days, they're
23 no longer homeless.

24 Now, we have an opportunity because of



1 McKinney-Vento, and the Hearth Act is going to
2 change that length of time. Hearth,
3 H-e-a-r-t-h -- I'll remember to turn -- the
4 Hearth Act will make it so they have 90 days.

5 That should give time for people to
6 stabilize people, if there is medication in that
7 particular jail, and get them back in court and
8 maybe get them released and still have them be
9 eligible for housing services if they're a
10 priority.

11 One other thing, when you have to go
12 to Social Security and you have to get rehooked
13 up, you have to prove that you're out of jail.
14 Well, that was particularly easy if they had
15 probation. And that was easy if they were
16 convicted because you get a nice little yellow
17 sheet from Cook County that says that.

18 But if you're innocent, it's darn hard
19 to prove why you're out, and so it would be
20 helpful for public defenders to realize and
21 actually give, you know, You're released letter
22 on some -- to go ahead.

23 There is a letter of incarceration in
24 Cook County. It's kind of complicated to get it



1 and you have to remember how and you usually tick
2 people off as you're leaving, but if you do try
3 and get it.

4 It's important to listen to the mental
5 health court provider in court and understand
6 what they can do and what they can't do.

7 We could never force someone to do
8 medication. On the other hand, if I come back in
9 60 days, and also, I've made promises to the
10 judge and the public defender, so you can help
11 this person stay out of jail long term instead of
12 just worrying about one case by helping with
13 that.

14 To have us come back to court and then
15 I have to -- I'm telling you, I have to tell you,
16 Johnny, I have to tell the judge immediately if
17 you don't take your medication. You need to know
18 I'm going to make that call, and you need to know
19 that you've got to follow up or you're going to
20 be back in court.

21 You might not see that person in court
22 again, although I'm asking you to go ahead and
23 see him. Instead of seeing him on a new
24 trespassing charge, I want you to see him because



1 they're doing well because he missed -- and so
2 that would be something that I would help that
3 you do.

4 You need to pay attention to the
5 person's housing because David said it best, and
6 so really pay attention to that.

7 What's the drop-dead date for when
8 they're going to lose housing and what do you
9 have to do to help them keep housing because if
10 they don't have housing -- this is the wrong
11 place to say it -- it's a death sentence, but it
12 is. They're going to be back, and they're going
13 to be back there multiple, multiple times.

14 These small cases, just like the
15 broken window in New York, these small cases, the
16 first guy that I worked with had 134 arrests. He
17 spent 11 of 20 years in the hospital, in and
18 out. One place he wasn't was housed.

19 So if you added up the amount of money
20 that that one individual cost us, it's
21 \$1.6 million at very cheap rates because I didn't
22 really factor in the whole -- but what I can tell
23 you is that it costs \$914 for five years
24 afterwards, \$12,000 for the program, so it was



1 12,182 bucks a year, you know, for the program to
2 keep him in the community and do much better.

3 The other thing that we know in terms
4 of working with people from prison is that the
5 most important or most powerful thing in working
6 with people in prisons which are really far away
7 is to make sure that the social services family
8 can make contact, so using videoconferencing is
9 very useful. It don't have to be just used for
10 arraignment histories.

11 And then the most important result was
12 when a social service provider picked someone up
13 from the institution, made a huge difference as
14 to what their success is.

15 Because we talked about the first I
16 think you said ten weeks. Actually, the first
17 three days are the most critical, are actually
18 the most critical if you're able to work with
19 someone.

20 So we also know that parole and
21 probation doesn't necessarily work, that, you
22 know, by itself, it does not work. Sometimes in
23 conjunction with it, it can work. So adding
24 court-imposed restrictions or programs does not



1 necessarily keep your folks out of jail. What
2 does keep them out of jail is being linked to the
3 community.

4 And then the last thing is sex
5 offenders. I hope that this group can help law
6 makers to attach the cost and start to factor in
7 the cost of incarceration. The dangerous sex
8 offender costs about 150 grand. Everybody else
9 is a relative bargain at \$30,000.

10 It's a waste of time and a waste of --
11 I've met hundreds of people in the jail. And
12 they were a lot more wonderful than many of the
13 staff who are working there.

14 CO-CHAIR YOUNG: So David, at
15 St. Leonard's -- and you were here when we were
16 talking about a lot of people that can get the
17 clemencies, can get the certificates -- well, the
18 certificates, not so much, but expungement and
19 clemencies were lower level property offenses,
20 lower level drug offenses.

21 My understanding is St. Leonard's does
22 not have that kind of restriction or not?

23 MR. ROSA: In regards to the --

24 CO-CHAIR YOUNG: Coming in.



1 MR. ROSA: Coming in?

2 CO-CHAIR YOUNG: Right.

3 MR. ROSA: No. When you say in regards of
4 the classes of offenses?

5 CO-CHAIR YOUNG: Who is allowed to live
6 there, correct.

7 MR. ROSA: Oh, no, there is no restriction.

8 CO-CHAIR YOUNG: Although I think I heard
9 there might be for sex offenders?

10 MR. ROSA: Yes. Sex offenders, now, and --
11 yeah. Those are restrictions now. We didn't
12 have that probably about five years ago, but
13 recently, in the last three or four years, yes,
14 we were restricted from having them housed
15 there.

16 MS. LOVE: Why did you do that, may I ask?

17 MR. ROSA: We didn't. The state did. They
18 imposed a 500-foot law that came into play about
19 four years ago I think it was, about four years
20 ago.

21 MS. LOVE: I see. So it was a part of a
22 more general restriction as to where sex
23 offenders could live?

24 MR. ROSA: Yeah. And then we also --



1 because there is a corner store, also, where kids
2 congregate which became a factor, also, that
3 limits, also, so we could not house sex offenders
4 there.

5 MR. FALLON: I just want to follow up
6 because I know the answer, but how did you do
7 with sex offenders when you were housing them for
8 ten years plus?

9 MR. ROSA: Never had, never had one who went
10 back to jail for anything, for anything, not even
11 a minor violation in regards to curfew,
12 whatever. So why did they come to St. Leonard's
13 House after we had this record of knowing that we
14 were able to deal with them and progress with
15 them was beyond me.

16 MR. FALLON: And I'll give you one more.
17 And was there a provider nearby, maybe an Adler
18 or something?

19 MR. ROSA: Yes. We do have the professional
20 psychologists, Adler, who are there. The
21 commissions are there every day, and they had to
22 meet with them every day. And they are based
23 there, also. So we had everything there, all the
24 tools for them, again, so for whatever reason,



1 the 500-foot law was the one that really killed
2 it, so yeah. We could not get with it.

3 CO-CHAIR YOUNG: And then Mr. Fallon, on the
4 Corporation for Supportive Housing, I'm assuming
5 all these 500-foot laws apply to your housing, so
6 there is the same -- so sex offenders cannot live
7 there, or is there -- do you have an apartment
8 building in the middle of a cornfield somewhere?

9 MR. FALLON: Well, we don't provide
10 housing. We provide support to other providers
11 to create housing.

12 CO-CHAIR YOUNG: Okay.

13 MR. FALLON: And so within our portfolio, in
14 the State of Illinois, there are only two
15 licensed providers that sex offenders were going
16 to, one of which was St. Leonard's. And again,
17 they were very successful, had treatment options
18 which their people are not getting in prison, or
19 a few are. There are a couple facilities that
20 have it. And some have very limited. But even
21 at the facilities that have it, people aren't
22 able to always get treatment. But now,
23 St. Leonard's doesn't.

24 So there is one emergency shelter in



1 St. Louis that you have more than one person per
2 address that has sex offenders.

3 MS. LOVE: St. Louis?

4 MR. FALLON: Yes. Outside of St. Louis.
5 Yes.

6 MS. LOVE: Well, wait a minute.

7 MR. FALLON: It's within the State of
8 Illinois. Two-thirds of people come back to Cook
9 County, but St. Louis --

10 MS. LOVE: But where do they live?

11 MR. FALLON: That's the only place that we
12 have. That's why we have -- I believe the
13 director said there is 7,000 people, sex
14 offenders currently in prison. And we have gone
15 the opposite direction of everywhere else in the
16 country. We've added an extra 4,000 people in
17 the last couple years to our prison system.

18 CO-CHAIR YOUNG: Because there is no place
19 they can live.

20 MR. FALLON: Well, we saw a little bit of
21 argument about the early release program, and so
22 they overreacted. And now, we built it up where
23 we reversed the trend from what we have been
24 doing for a lot of years in terms of lowering the



1 prison population.

2 CO-CHAIR YOUNG: I just wanted to say,
3 Mr. Fallon, that you also would have been a
4 welcome speaker at our former task force. For
5 the past two years, we also had a task force on
6 problem-solving courts, and so we did a number of
7 hearings for that, too.

8 MS. VANDERHORST: I want to commend each of
9 you for the work that you do. Particularly as a
10 practicing attorney, you fill a significant gap
11 for my clients. In my area, clients can do time
12 in jail and be placed on probation and still have
13 the issues as someone whose sentence is completed
14 because probation doesn't provide housing, parole
15 doesn't provide housing, so I want to commend you
16 for that.

17 I do have some very basic connection
18 questions and questions on how you actually
19 implement your plans, beyond the aspirational
20 goals.

21 For instance, I understand Lutheran
22 Services is a faith-based organization? I know
23 quite a bit -- I am also a minister. I
24 understand a lot of the funding has been cut, and



1 it is growing more and more significant over the
2 years.

3 So is your funding coming from the
4 Lutheran Church, or are you also getting some
5 public subsidies as well?

6 REVEREND EVERETT: I don't get any public
7 subsidies. It's very hard to get funded for
8 prison programming, period. Most of my dollars
9 are private, you know, donations or foundation
10 dollars, so we do get a lot of resources from
11 Lutheran churches and other churches as well.

12 But I get a lot of foundation
13 dollars. Folks who are really invested in the
14 prison population understand that there is money
15 that needed to be channeled into this area so
16 that returning citizens are able to reintegrate.
17 And they are invested in that. They have seen
18 our work over the course of 20-some-odd years.
19 They know what we do and they really have been
20 supportive of us and just continue to fund us.

21 Even in the downturn, we got
22 increases, so we were just blessed to be able to
23 receive that support from them.

24 MS. VANDERHORST: And is there any



1 collaboration among other faith-based -- this is
2 both for you and for David -- where you all
3 are -- you know, one group may provide
4 transportation, another group may provide
5 housing, another group may provide educational
6 classes or parenting classes? Do you all have
7 like a regular time that you meet to get together
8 and revisit what the needs are as, you know,
9 months go by or years go by?

10 REVEREND EVERETT: Well, I implemented a
11 south side connection with other ministries,
12 particularly Trinity United Church, St. Sabina,
13 Lutheran churches, some of the Baptist churches.
14 I am a Baptist minister, so my church also does
15 prison ministry, and so utilizing those resources
16 and trying to find ways that we can collaborate
17 to be able to make a larger impact, so we do meet
18 quarterly to talk about what we're doing in terms
19 of programming, other resources that we may not
20 know about that someone else has access to and
21 seeing ways that we can work with our clients
22 collectively to be able to insure that they have
23 the needs that they have addressed, so we do that
24 on the south side and also on the west side.



1 I am in the process of expanding my
2 program. But it is Lutheran churches who are
3 invested. They house us. They run our
4 programs.

5 We have Presbyterian churches who
6 transport our children to places that we can't
7 get to via bus. They do it with their ministry
8 resources. So we're always reaching out to
9 churches and other faith-based organizations who
10 want to partner with us to insure that these
11 families get what they need to have.

12 MS. VANDERHORST: And I know that with
13 St. Leonard's, we talked about this a little on
14 site yesterday, that many people are putting in
15 applications while they are still incarcerated so
16 that when they come out, they already have
17 responses that they are able then to get into.
18 Whether or not they stay at St. Leonard's, how
19 does the connection process work with Lutheran
20 Services?

21 REVEREND EVERETT: Well, like I said, we
22 push for it because many of the women have
23 children, so we are pushing for family
24 reunification, so we are very vested in that.



1 Many of our families ride our buses for free.
2 And we go to every prison in the State of
3 Illinois, so we are always talking about, She is
4 coming home. What are we going to do here
5 because, you know, she needs to reintegrate, be a
6 mother to her children, and so we are always
7 pushing coming back into the family context.

8 Of course, you know that that doesn't
9 happen all the time, and so we look at other
10 resources. We send them to Grace House. We send
11 them to Harding House, Prosperity House, any
12 housing that we know of, we send our women
13 there.

14 Do they always get in, no. So that's
15 why we're always trying to do the back side of
16 that which is to work with the families first so
17 that they won't run into the housing issue
18 because we know that there is limited housing
19 here in the state, and it's very difficult for
20 them to get housing.

21 So we want to encourage the families
22 to receive them back into the home when they get
23 out of incarceration, so that's why we focus this
24 family therapy so that they are able to come back



1 and they don't have to be dealing with the
2 housing piece.

3 MS. VANDERHORST: So the family therapy
4 piece starts before the women are released?

5 REVEREND EVERETT: Yes.

6 MS. VANDERHORST: As well as connecting with
7 the women before they are released?

8 REVEREND EVERETT: Yes.

9 MS. VANDERHORST: And so is there some kind
10 of -- when you talk about Grace House, you're
11 talking about the facility that's associated with
12 St. Leonard's. I'm thinking of the reentry
13 programs that I read about in some of your
14 literature beforehand. How far before a person
15 finishes their sentence are you connecting with
16 the individual or connecting with their family?

17 REVEREND EVERETT: Well, most of our
18 families, they have long sentences, some of
19 them. Some of them are getting out next year.
20 Some of them are preparing to be released this
21 year, and so there are various stages. There is
22 no one particular stage of sentencing that we're
23 dealing with in terms of population.

24 So what we do is we're working with



1 the children because they come to us, wanting to
2 visit their mothers, so we're trying to build a
3 relationship between mother and child, so we're
4 facilitating visits where the parent, the child
5 have an opportunity to engage, have physical
6 contact. You know, the mother can be a mother to
7 the child, find out what's going on with the
8 children, you know, have that intimacy and
9 physical contact that they need as children to be
10 able to reach out and touch their mothers.

11 But we're also working with the
12 care-givers because many of our clients, our
13 care-givers who are 60-plus years old, have three
14 or four children in their home, and helping them
15 to understand how to manage five children with
16 limited resources, being an elderly person, and
17 how do you navigate this thing, and then dealing
18 with all of the emotional baggage that comes with
19 that.

20 So it's a very complicated issue
21 because you lied to me 15 times, you've been in
22 here four times. I got your kids. They don't
23 want to come. I'm bringing them because I know
24 they need to have this contact. And I need you



1 to do something different. So we're working with
2 all of them all the time, from beginning until
3 end.

4 And when she comes home, we send a
5 post card. Come into the office. We need to
6 start working on this plan.

7 So we're doing intake. We're doing
8 mental health assessment. We're dealing with the
9 family context. We're going to the school to see
10 about Johnny, dealing with Johnny's grandmother
11 whose got diabetes, hypertension, et cetera, and
12 trying to manage all of that and still bring this
13 woman into a place where she can make the
14 transition and connect the dots, you know, so
15 that she can do something different.

16 MS. VANDERHORST: So when you finish your
17 assessment, you're dealing with kind of a
18 referral process where you're sending them to
19 other places as opposed to having classes or
20 groups or meetings in-house?

21 REVEREND EVERETT: We do in-house meetings.
22 We do referrals for mental health services that
23 we just cannot deal with. We do have a clinician
24 on board now, but basically, we do workshops for



1 the women so they come and they have their own
2 workshop where they can talk about the issues
3 they confront as they're trying to rebuild their
4 lives, so we do that on the first and fourth
5 Monday of the month.

6 We also do individual counseling for
7 women who have more extensive issues that need to
8 be addressed on a one-on-one basis, but if we
9 understand as clinicians that it's too much for
10 us to handle, we have to refer.

11 And then we look for resources, mental
12 health resources in the community that will
13 better effectively address those issues, so we're
14 always engaging the family. We're always
15 engaging these women.

16 MS. VANDERHORST: So Mr. Fallon, my question
17 for you is are you working -- I understand how
18 the Corporation of Supportive Housing works from
19 talking with several people at St. Leonard's, but
20 for the places that don't have physical housing
21 available for their clients, are you connecting
22 psychologists, psychiatrists with them in an
23 in-house basis as well, or is this simply by
24 accepting them through the referral system?



1 MR. FALLON: We're an intermediate between
2 government and private, so we're not going to do
3 that, so I'll talk more about what I used to do
4 at Threshold.

5 THE REPORTER: I'm sorry. I can't hear
6 you.

7 MR. FALLON: I'm sorry. I'll talk more
8 about what I did at Threshold because I think it
9 is confusing to say what we did at CSH in terms
10 of the previous -- partially, it's about funding
11 and about that, but I did this work before. And
12 so I'll say that in court, what people need when
13 they get out is -- and the churches really do a
14 tremendous amount, the families do a tremendous
15 amount.

16 Dad may be in jail because he was
17 trying to keep someone with mental illness in
18 school and couldn't work, couldn't pay. I mean
19 these are all inter-related things. And the
20 churches are having to do what once was done with
21 the systems.

22 And I think it's really important with
23 the American Care Act coming in that we really
24 pay attention to this because if we don't get



1 people on to have medical care and support and
2 counseling as they get out, as we implement this
3 program, we're going to have the same group of
4 people sitting in which in some places, a million
5 dollars -- a million dollar block in the Bronx,
6 right, where everyone has been in prison and they
7 just turn over every three years.

8 We need to make sure that we've got
9 this attachment. So in court, we need to look
10 for assertive community treatment teams or some
11 other version. Someone who is going to go and
12 pick someone up and take them, you can find
13 church members that can do that, but it's awfully
14 hard to sustain because the numbers are so big
15 and we have got big cuts.

16 MS. LOVE: Let me ask because we're a bunch
17 of lawyers here, you know, unfortunately, we're
18 here to help -- we're kind of -- well, perhaps I
19 should speak for myself, but the issue of whether
20 lawyers that defend people in court, lawyers who
21 are used to not handling the criminal case, the
22 issue of how their role continues and the shape
23 of a criminal case, how long is the criminal
24 case, and whether all of the kind of legal



1 consequences that follow people as a result of a
2 conviction ought to be of concern to the defense
3 lawyer, that's kind of the central problem, both
4 the practical problem and kind of a theoretical
5 problem of the extent to which a defense lawyer
6 ought to concern themselves, particularly with
7 legal issues. And I think that's sort of
8 necessarily what we're a little involved in.

9 What I wanted to ask was whether there
10 are legal issues. For example, in New York, I
11 know there are a lot of limitations on where you
12 can live by virtue of having a conviction, not
13 just for sex offenders, but just any sort of
14 public housing, get a conviction.

15 And one of the things that lawyers in
16 New York are sort of beginning to focus on is how
17 do we represent our client at the front end of
18 the criminal case to sort of deal with these
19 back-end legal issues.

20 I guess I wanted to ask you are there
21 back-end legal issues, and does your present
22 legal system, does it contain mechanisms
23 sufficient to relieve disabilities that might
24 attach?



1 For example, you know, is it possible
2 for a court to grant a waiver of a housing
3 barrier, for example. So can you speak to that
4 issue as to whether there are legal issues and
5 whether a lawyer might help -- what might help
6 with dealing with those legal issues?

7 REVEREND EVERETT: I can't say per se that I
8 know of, you know, what the issues are in the
9 court system.

10 What I do know is that I think
11 criminal defense lawyers need to be more
12 sensitive to what is going on in the context of
13 that person's life and what the outcome is going
14 to be for all parties involved.

15 And I know that there has to be some
16 kind of separation because you can't take all
17 that stuff home with you and you can't burden
18 yourself with someone's life per se. And if you
19 do that, and you've got 20 clients, you know,
20 what is that going to do to you.

21 But at some point, I think that there
22 is a disconnect, that it is just law and there is
23 no practicality about what is really happening in
24 the lives of the clients.



1 And in Chicago, it's just rough being
2 an ex-offender, period. And being a woman on top
3 of it does not help. And I just know that my
4 clients, they just have difficulty.

5 It's guardianship issues. If I've
6 been away, and, you know, my children are with my
7 parent and my parent can't get any resources
8 because she would have to then take away my
9 custody of the children, those are the types of
10 issues that we confront as social workers, trying
11 to deal with the family.

12 MS. LOVE: Is it because of the conviction
13 that she has a problem getting resources to
14 support her and the kids?

15 REVEREND EVERETT: The care-givers don't
16 want to take away the parental rights of the
17 mother.

18 MS. LOVE: Right.

19 REVEREND EVERETT: And so because they don't
20 want to do that, they are ineligible to get any
21 additional resources for the children, so I'm
22 operating on \$200 a month, \$500 a month. That
23 was sufficient for me to be able to deal with,
24 but now, I have five other people I'm splitting



1 this money with, and so how do I do this? Those
2 are the things that we look at.

3 You know, you have, you know, husband
4 and wife issues of custody that come up. And,
5 you know, and now that the person is in prison, I
6 want to divorce the mother, and then I want
7 custody of the children, so we're dealing with
8 those issues as well.

9 And so I don't really know what is in
10 place to deal with and address those issues in
11 the legal system, but I know we see it on the
12 back end.

13 And it's really devastating, also, to
14 children who are really kind of stuck in the
15 midst of all of this.

16 And there is -- if the mother gets
17 arrested and the child is there, what happens to
18 the child? They're just left on a curb
19 sometimes, you know. You have to educate police
20 officers that you cannot just arrest the parent
21 and leave the children somewhere. And they are
22 vulnerable.

23 MS. LOVE: Right.

24 REVEREND EVERETT: And that's happened many



1 times to the children.

2 MS. VANDERHORST: Can I see if I can just
3 put this to you, because you often don't get a
4 chance -- you're right, you're dealing with the
5 back-end stuff. You don't get a voice when it
6 comes to sentencing which really determines how
7 all of these things play out at the end.

8 Do you feel that there is a way to
9 kind of get your voices heard ahead of time? Are
10 there any connections where you can say, you
11 know, we're available from a point where a person
12 may get arrested or be detained before they get
13 sentenced and maybe even influence what sentence
14 they get by raising up these issues?

15 REVEREND EVERETT: Well, we participate with
16 the Community Renewal Society. And we had an
17 opportunity last year to sit before the state
18 legislature to talk about these types of issues.

19 And what we felt were important that,
20 you know, children need to see their parents.
21 This needs to be funded. We do it for free. We
22 find funding sources to provide this type of
23 transportation, but IDOC does not support that,
24 but they benefit from the fact that we transport



1 these children every year.

2 CO-CHAIR JONES: I want to get Penny in the
3 discussion.

4 Go ahead.

5 MS. STRONG: Actually, I would like to
6 change the conversation. And when we visited
7 St. Leonard's, some of the limitations of some of
8 the agencies that regulate public housing came
9 up. You were present, David, when Bob mentioned
10 these things.

11 But I'm wondering if any of the three
12 panel members do any work with the public housing
13 authority such as the Chicago Housing Authority
14 or HUD and can address any barriers that prevent
15 ex-offenders from returning to reside with their
16 families here in the Chicago area or in Illinois
17 because of drug convictions, gang-related
18 affiliations, those type of issues that appear to
19 present a very serious barrier to not only
20 achieving housing, but more importantly for
21 families going back and being able to be reunited
22 with their families.

23 MR. FALLON: The CHA has -- for a couple
24 years, we have a statewide reentry committee.



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1 And I chair the Housing Committee. We worked on
2 public housing. We generated documents
3 similar -- there is also one in Los Angeles --
4 that contrasts what the Federal requirements are
5 for HUD in terms of a criminal background and
6 what both Cook County does and the City of
7 Chicago. And I can send that to you if you want
8 to look at that.

9 Since then, they've now clarified it,
10 but there are lots of questions when you talk
11 about five years as to whether -- a five-year
12 look-back, as to whether that includes whether
13 you're still on parole from something that
14 happened much longer ago or when the start of it
15 is.

16 MS. LOVE: What do you mean by a five-year
17 look-back?

18 MR. FALLON: Usually, the public housing
19 authority looks back at your criminal record for
20 five years or ten years or whatever.

21 MS. LOVE: And what do they do?

22 MR. FALLON: Well, they do exactly what
23 you'll be really mad at. They include in that
24 list arrests. It might have a certain racial



1 bias there.

2 MS. LOVE: I mean I guess what I'm getting
3 at is do they say you cannot live here? Okay.

4 MR. FALLON: Okay.

5 MS. LOVE: See, this is what sort of, you
6 know, zeros in for a lawyer, you know, to have a
7 law or a policy that says you cannot live here
8 for five years for -- or four -- you have to have
9 a five-year clean period before we will allow you
10 to live here.

11 MR. FALLON: Okay.

12 MS. LOVE: That's what I'm talking about.

13 MR. FALLON: So the Federal rules -- and I
14 can send that -- the Federal rules only have two
15 absolute bans: one is for manufacture of
16 methamphetamines --

17 MS. LOVE: On the premises.

18 MR. FALLON: -- on the premises, yes.

19 MS. LOVE: That was one of the things that
20 was reasonable.

21 MR. FALLON: And so that doesn't really
22 affect us very much, and sex offenders, lifetime
23 sex offender offense. And as Adam Walsh comes
24 in, everything is going to be a lifetime sex



1 offense. And most housing authorities are
2 scratched out, whether it was lifetime or not.

3 Then after that locally when Newt
4 Gingrich was in Congress, he was the lead in this
5 and extended those so that housing authorities
6 had the right to discriminate against criminal
7 background, and they added additional things. So
8 everything else beyond those two things is a
9 requirement, an absolute ban.

10 The second group of offenses are all
11 drug related. There is a whole list of them. So
12 those drug-related things are if you are
13 currently using, that's what it says. And then
14 if you have a drug offense, and then they settled
15 that out.

16 And every public housing authority is
17 mandated to do a criminal background check now.
18 I was over at one property, and they did a lousy
19 background check, so we couldn't find very much.
20 But they're required to do one, and they're
21 required to go back a certain amount of time to
22 do that.

23 Within that period now, the City of
24 Chicago has clarified it to be a full ten years



1 as defined by the admin plan for --
2 Administration, Admin Plan is the short term for
3 it. I've now forgotten what the other term is.
4 One defines for public housing, and one defines
5 for sex -- what you used to call sexually --
6 where you had a voucher. I'm doing my best to
7 look your way and make eye contact.

8 On the other hand, one good thing has
9 happened in the last couple years with the public
10 housing authority. Public housing authorities
11 across the country have now realized that they
12 have this group of people that they had to take
13 out of these 17-story buildings with elevators
14 that seldom worked because people didn't know how
15 to use them, didn't have any support services.

16 We've now spread them out. And as we
17 spread them out, large families who were
18 multi-generational in those were failing badly in
19 the community and end up in jail and prison, and
20 so the housing authorities have begun to try to
21 get them housed.

22 There is a program in New York right
23 now called Keeping Families Together, and it's
24 also here, where they're working with housing to



1 keep people in. And they've discovered the same
2 thing about a homeless person costing 40 grand --
3 and I don't have the numbers, that's not
4 committed to my memory.

5 They've discovered that families that
6 are broken up cost a bunch of money, too, so if
7 you keep families together through things like
8 this, now, they're starting to -- so they're
9 doing it in supportive housing, they have
10 permanent supportive housing, supportive housing,
11 that's one of the evidence-based practices.
12 They're beginning to do it with families.

13 And here in Chicago, they now have a
14 carve-out of their housing authority vouchers
15 that are made for permanent supportive housing.
16 There are only the Federal minimum restrictions
17 on those as long as the person is willing to be
18 working with the social service provider on
19 substance abuse, mental health, whatever service
20 providers.

21 So a program like St. Leonard's now
22 has an exception, even if they have housing
23 authority vouchers, to be able to take someone
24 with a more extensive background excepting meth



1 manufactured on the grounds, and sex offense, so
2 they're able to take them and they're able to
3 work with them. So it's only in those houses.
4 The rest of them have actually increased, and so
5 it will take more advocacy to change that.

6 I do think lawyers could be involved
7 in helping with the appeal process, perhaps class
8 action lawsuits -- this isn't being taped -- the
9 class action lawsuits around whether there is a
10 robust enough appeals process because a lot of
11 places have an appeal process that doesn't hardly
12 exist.

13 Now, we've managed to expedite it for
14 permanent supportive housing, but I think there
15 were 12,000 or 14,000 people that they looked at
16 back at their cases, and almost none of them
17 actually got housing through the appeal process.

18 The appeal process for most providers
19 that I talked to said that it just rang on the
20 hook, the phone just rang on the hook and they
21 didn't really get anyone or they left a message
22 and didn't ever get it returned.

23 MS. STRONG: I just wanted to ask either
24 David or Reverend Everett if any of these public



1 housing current policies and whether they're
2 impacting the people that you're assisting in
3 both of your respective positions. I mean
4 Reverend Everett first?

5 REVEREND EVERETT: I'm not seeing that so
6 much with my population because again, with our
7 transporting children to visit their moms, they
8 have been able to manage to build a more cohesive
9 relationship, and so we are trying to prevent
10 them from having to deal with these issues.

11 Many of them have come from very good
12 backgrounds, and so the parents have housing, and
13 so that's not the issue. It's whether or not
14 they are being allowed to come back in because of
15 some of the other traumas that have occurred.

16 And so we are always trying to assist
17 them in, you know, reunifying as a family, and
18 that's where we've vested in doing family
19 reunification planning and family reunification
20 services.

21 MS. STRONG: Mr. Rosa, have you seen any
22 impact at St. Leonard's?

23 MR. ROSA: I have. We have run across a few
24 residents when they left, they were part of the



1 housing project community. And because of their
2 release and their conviction, they couldn't go
3 back.

4 We've also had individuals who
5 couldn't stay with their grandmother on the
6 premises even though they wanted to go there to
7 look after her and everything, they couldn't do
8 that because of fear that they would kick their
9 grandmother out, so yeah.

10 MS. STRONG: Then I have a further question
11 in that regard.

12 Are those not only banned from
13 residing there, but as well just visiting the
14 family?

15 MR. ROSA: I would say visiting, also,
16 because he couldn't go there to stay for a
17 weekend, take a weekend pass to go be with his
18 grandmother for the weekend for fear that they
19 would kick her out, so that's a choice he has to
20 make.

21 CO-CHAIR JONES: Elissa.

22 MS. HEINRICHS: Reverend Everett, I practice
23 outside of Philadelphia. And in addition to
24 criminal defense, I work with parents whose



1 children have been removed from the home for
2 allegations of abuse or neglect, so there is
3 overlap with many parents that I work with.

4 And programs like yours are very rare
5 in the area where I practice, so I commend you
6 for what you are offering.

7 REVEREND EVERETT: Thank you.

8 MS. HEINRICHS: My question is when you're
9 working with women, you described taking the
10 children to the facilities to visit with the
11 moms.

12 REVEREND EVERETT: Yes.

13 MS. HEINRICHS: Do you have any contract
14 work with social services in cases where the
15 children have been removed from the home and are,
16 in fact, in foster care?

17 REVEREND EVERETT: Yes. We have a foster
18 care unit in LSSI, and so what we do is we
19 contact that unit and we ask them are there any
20 children whose mothers are incarcerated that need
21 to have a visit, and so we facilitate in-house
22 how that visit is going to be set up, who is
23 going to accompany the child on the visit, and
24 then we facilitate it that way, so we're open.



1 All of the social service agencies who know about
2 the work we do will contact us and say, You know,
3 I got a couple kids here whose parents are
4 incarcerated. How can we facilitate that?

5 All of the prisons in the State of
6 Illinois know who we are and what we do, and so
7 there are documents and forms in-house that the
8 mother, all she has to do is fill it out and say,
9 I want my children to come visit.

10 And they will fax that information to
11 us. We contact the family, and then we
12 facilitate the trip, so they know where to come.
13 They come to 87th Street. They get on the bus at
14 7:00 a.m. It's a luxury bus, it's not a school
15 bus, it's a 55-seater bus, and we put the
16 children and the care-givers on that bus, and we
17 transport them monthly, so we do 22 bus trips a
18 year.

19 We have also added four buses that
20 originate on the west side of Chicago. And we
21 have families who go to Dwight, and so we put
22 them on that bus as well.

23 We work with churches, and they do the
24 same thing. So they go to Pekin, which is now a



1 male facility, so we are moving into the arena of
2 now providing visits to dads.

3 And so we are doing the same thing
4 again. The children need to see their fathers,
5 so we facilitate that as well.

6 So we are always trying to link with
7 other agencies who have children whose parents
8 are incarcerated and find ways to connect so that
9 we can provide as many trips for these children
10 as possible.

11 MS. HEINRICHS: Have you faced resistance
12 from the social service agencies, specifically
13 where they make the argument that children
14 shouldn't be in the prisons, it's not an
15 appropriate environment? And I'm talking
16 specifically the parents, I mean to the children
17 who are in foster care?

18 REVEREND EVERETT: No, because they
19 understand that the children's long-term outcomes
20 are very poor if they don't have that contact,
21 and so we build a case that this is not about the
22 parent's crime, this is not about what you think
23 about the parent. This is about the child. The
24 child needs to have interaction.



1 And if you look at the long-term
2 outcomes for these children, you would agree that
3 it is in the best interest of the child to have
4 physical contact with that parent. No matter who
5 or what their parent is, it's this child's mother
6 or father, and that they need to have that in
7 order to be successful in society.

8 So we're looking at if you don't help
9 us to facilitate these trips, you're going to
10 have some menaces into society on your hands, and
11 so when we have to look at this thing from a
12 holistic perspective to say that they need this
13 in order to be successful individuals because the
14 outcomes are very, very poor for the children.

15 MS. HEINRICHS: Well, that approach assumes
16 that there will be reunification. And I agree
17 with you. Social service agencies are -- it's
18 their mandate to look at permanency, and that
19 from there, the Federal rules that mandate them.

20 When looking at permanency, they say
21 there is a 15-month period that's running. At
22 the end of that, we're looking at termination of
23 parental rights, and so that's where the
24 resistance often comes, why send the children on



1 your bus to a prison to visit with parents who
2 they're already filing a petition to terminate
3 their rights, and in certain jurisdictions, that
4 makes your job even more challenging.

5 REVEREND EVERETT: Sure, sure. But our
6 bottom line is that when they come out, they're
7 going to have some contact with these children,
8 period. So you can take the parental rights
9 away, but at some point, families are families.
10 They're going to find a way to reconnect.

11 And so then you as a social worker, as
12 a person who is interested in the long-term
13 outcomes of children, you're saying that it makes
14 perfect sense to do this, regardless of whether
15 you take the parent's rights. That's still the
16 parent, and they're going to have some contact.
17 They're going to reunite at some point in time.

18 And so we want to be able to
19 facilitate that for these children, so that's
20 where my interest is.

21 And so I'm always talking about
22 long-term outcomes for children, why this is
23 important, what is at stake for us as a society.
24 When we look at what the penal system is doing to



1 children, they're innocent victims. And if they
2 get kind of -- you know, you're looking at
3 everything else, but you're not seeing the
4 children who are in the backdrop of this and what
5 this means and how this impacts their future.

6 And so we want that because you don't
7 know who is on that bus. I don't know who I'm
8 carrying on that bus month after month. And I
9 try to talk to legislators about that. You know,
10 the President could be on that bus. I don't know
11 who is on that bus, but I have a fiduciary
12 responsibility to insure that there is some
13 stability in this child's life, that there is
14 some kind of connection to their mother. I am a
15 mother. I cannot imagine waiting in my cell
16 every other month to see my child. I mean that
17 is the most humane thing you can do for the child
18 and for the parent.

19 CO-CHAIR JONES: I'm afraid we're going to
20 have to leave it at that great note.

21 REVEREND EVERETT: Okay.

22 CO-CHAIR JONES: Thank you all for your time
23 coming here today and for sharing your knowledge
24 and wisdom with us. We greatly appreciate it.



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We are going to break for lunch. I believe it's there. You are all invited to join us for lunch.

And then we will reconvene at 1:00 o'clock. Thank you.

(WHEREUPON, the hearing was recessed until 1:00 p.m. this date, October 21, 2011.)



1 NATIONAL ASSOCIATION OF CRIMINAL DEFENSE LAWYERS

2
3 Task Force on Restoration of Rights
4 and Status After Conviction
5 Chicago, Illinois
6 Day 2
7

8 TRANSCRIPT OF PROCEEDINGS had in the
9 above-entitled matter at Mayer Brown, LLP,
10 Suite 3200, 71 South Wacker Drive, Chicago,
11 Illinois, on Friday, the 21st day of October,
12 A.D. 2011, at 1:08 p.m.

13
14 BEFORE: THE TASK FORCE COMMITTEE:

15 MR. RICK JONES, Co-Chair;

16 MS. VICKI YOUNG, Co-Chair;

17
18 MS. ELISSA HEINRICHS,

19 MS. MARGARET LOVE,

20 MS. PENELOPE STRONG,

21 MS. GENEVA VANDERHORST,

22 Members.
23
24



1 ALSO PRESENT:

2 NATIONAL ASSOCIATION OF CRIMINAL

3 DEFENSE LAWYERS,

4 (1660 L Street NW, 12th Floor,

5 Washington, D.C. 20036,

6 202/465-7623), by:

7 MR. NORMAN L. REIMER,

8 Executive Director;

9 MS. ANGELYN C. FRAZER,

10 State Legislative Affairs Director;

11 MR. OBAID KHAN,

12 National Affairs Assistant.

13
14
15 REPORTED BY: PATRICIA ANN LAMBROS,

16 C.S.R. No. 84-1790.

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1 PANEL 7

2 WITNESSES:

3 John Maki, Executive Director, John Howard
4 Association of Illinois;

5 Charles Ice, Solvent Recycler, and featured
6 in the documentary "The Dhamma Brothers;"

7 Roger Ehmen, Director of Community Reentry
8 and Employment Center, Westside Health Authority.

9
10 CO-CHAIR JONES: All right. Let's get
11 started. Thank you, everybody.

12 I want to welcome our next panel. We
13 are I think imminently going to be joined by
14 Mr. Ice, but we've got our other panelists here,
15 and since time is always short in these
16 discussions, and always lively, I thought that we
17 would just get started anyway.

18 Welcome. And we are looking forward
19 to hearing your thoughts and having an
20 interesting and I hope engaging conversation with
21 you all.

22 The way that we operate is that we
23 give you five minutes or so, but not too much
24 more than that, to give us the benefit of your



1 opening statements and your comments and your
2 thoughts, tell us who you are, and then we have
3 lots of questions that we want to query you
4 about.

5 The way that we operate is one of us
6 generally leads the discussion. And in this
7 case, it's Geneva Vanderhorst who is going to
8 lead this discussion.

9 So I'm going to turn the floor over to
10 the two of you. You can decide who wants to
11 start.

12 But we are pleased and excited to hear
13 from you, so the floor is yours.

14 MR. MAKI: Well, thank you very much. And I
15 thank you for inviting me to speak to you today.

16 My name is John Maki, and I'm the
17 executive director of the John Howard Association
18 of Illinois.

19 The John Howard Association is one of
20 the oldest prison reform groups in the country,
21 and probably most importantly, we're the only
22 group in Illinois, the only independent group
23 that monitors the adult and juvenile prison
24 system.



1 And while we've done some work in some
2 jails, right now, the focal work is in the prison
3 system.

4 And this is how we do our work. We
5 train ordinary citizens, volunteers, lawyers,
6 doctors, teachers, whoever, to go into prisons,
7 to go into these facilities. We talk to inmates,
8 we talk to staff, we talk to wardens, and we
9 issue fact-based reports, based on those visits.

10 With those reports, we then use those
11 reports to partner with other advocacy
12 organizations, policy-makers to advance our own
13 policy agenda, which is a smaller, cost-effective
14 prison system. That's basically who I am and who
15 John Howard -- what the John Howard Association
16 is.

17 Now, let me quickly outline three
18 issues which I think would be perfect for your
19 panel, and which I can take questions on.

20 So, you know, the first thing I would
21 do, what I always tell people is that when most
22 people think about reentry, they think about when
23 people leave prison, but I would submit that we
24 really need to push that back.



1 You know, about 99, 95 percent of
2 people who are sent to prison will eventually
3 leave prison. And we should start thinking about
4 the kinds of experiences, programming, lack of
5 programming they have in prison because those are
6 the kinds of things that people take with them
7 when they leave prison.

8 In Illinois, we have almost 35,000
9 people leaving prison every year. It's hard to
10 imagine if you can imagine on Lake Shore Drive
11 what that would look like.

12 So that's just one kind of broad area,
13 prison conditions, what it's like to be in
14 prison, classes, programs, et cetera.

15 The second thing I would like to talk
16 about very briefly is a new assessment tool that
17 the Illinois Department of Corrections is in the
18 process of implementing. It's called RANA, and
19 it stands for Risk, Assets and Needs Assessment.
20 And this is an important tool because it will
21 also emphasize to you all what we don't have in
22 Illinois currently. So what this tool will do,
23 it's essentially a reentry tool.

24 When a person will come into custody,



1 once we have this tool, it will track them in
2 terms of the risk they present, the assets they
3 have -- do they have an education, do they have a
4 strong family, what sort of relationships, what
5 kind of needs do they have. Do they lack an
6 education. Do they have a subsidies issue.

7 And then finally, that tool will track
8 them through the prison system, placing them at
9 appropriate facilities and provide essentially
10 kind of a history of who they are.

11 Then when they're released, that
12 document will follow them. It will provide
13 continuity of care which our system in Illinois
14 completely lacks.

15 When a person enters prison, the
16 likelihood of -- you know, that person is very
17 likely to be involved in many, many systems, but
18 whether or not any records are shared is
19 completely dependent upon chance.

20 Very frequently, for example, when a
21 person enters Cook County Jail, which is a main
22 feeder of the state prison system, that person
23 goes through an entire mental health screening.
24 Those records do not follow that person into



1 state custody, so we've seen instances of a
2 person signing up with, say, schizophrenia, on
3 medication. He goes into Stateville reception
4 and classification center, those documents stay
5 behind. He goes crazier.

6 Again, it's a simple fix, you would
7 think, but for some reason, we just can't do that
8 in Illinois.

9 But I think the Risk, Assets and Needs
10 Assessment is an important step forward to
11 providing that kind of continuity of care which
12 is going to make our system more cost effective
13 and better at what it has to do.

14 And finally, I can talk a bit about
15 parole. You know, for about 30,000 people every
16 year -- I'm sorry, let me start over -- every
17 year, there are about 30,000 people on parole or
18 mandatory supervised release.

19 Now, while they're on the outside,
20 they're still considered to be under correctional
21 supervision. When someone is released from
22 prison, they will have a set of mandated
23 conditions attached to their release. Those
24 conditions can be supplemented by the Prisoner



1 Review Board. They can place conditions on
2 release. And finally, the individual parole
3 agent can also place conditions on that person.

4 Some of these conditions are pretty
5 basic, mandating drug-free living. Some of them
6 can be very specific, mandating substance abuse
7 treatment, anger management.

8 And sometimes, these conditions are
9 almost impossible to comply with, particularly
10 given your offense.

11 So, for example, if you are a
12 convicted sex offender, it's almost so impossible
13 to comply with your parole conditions that you
14 are violated at the door, meaning you never get
15 outside prison. Your release date comes up, but
16 they can't place you. And every year, there are
17 around -- I think around 1,000 people who kind of
18 fit into that category.

19 So like I said, we have about 30,000
20 people on parole every year. And importantly,
21 about 10,000 people go back into the system who
22 were on parole, not because they have committed a
23 new crime or been convicted of a new crime, but
24 because they've violated the conditions of their



1 parole. That's a huge, huge number.

2 I know states across the country are
3 looking at reducing their technical parole
4 violations. And Illinois is trying to do the
5 same.

6 So I think I'll just stop there and
7 turn it over to my next panelist.

8 CO-CHAIR JONES: Thank you.

9 MR. EHMEN: Good afternoon.

10 My name is Roger Ehmen. I'm the
11 director of the Community Reentry and Employment
12 Center at Westside Health Authority. I'm also
13 director of the Community Support Advisory --

14 THE REPORTER: I'm sorry, Community --

15 CO-CHAIR JONES: And I hate to interrupt
16 you, but I should have done this at the outset.
17 You guys are being audiotaped, videotaped, and
18 there is a court reporter, so the two things that
19 I would ask, one is because we found that we get
20 backfeed when you have your BlackBerrys or your
21 cell phones out, if you could just put them off
22 the table, that would be super, that would cut
23 down on that.

24 And also, we're going to ask you to



1 speak up in a nice, loud, strong voice so that we
2 get the recording, we get the sound on the
3 recording. And I'm sorry for interrupting you.

4 MR. EHMEN: That's okay. Again, my name is
5 Roger Ehmen, the director of the Community
6 Reentry and Employment Center at Westside Health
7 Authority. I'm also director of the Community
8 Support Advisory Council West.

9 The Westside Health Authority is one
10 of two contracted organizations contracting with
11 the City of Chicago to be an official reentry
12 center for the City of Chicago, so anyone that
13 calls 311 requesting reentry support services,
14 those kinds of things, or calls any City of
15 Chicago Department, if they live north of 22nd
16 Street, they're referred to us, so we have over
17 13,000 visits every year.

18 And so we experienced a lot and have
19 seen a lot in terms of our folks reentering in
20 need of employment, training, and supportive
21 services.

22 And with that in mind, I'd like to
23 briefly discuss four areas that I think would be
24 worthwhile. I'm a former health care



1 administrator at a hospital, and I have a passion
2 for health care. And in fact, it's one of two of
3 the hottest industries right now in this
4 recession, health care, and believe it or not,
5 the food industry.

6 And there is this misperception on
7 behalf of many of the formerly incarcerated when
8 they come back, Even though I want to work in
9 health care, I can't because I understand and I
10 get it that health care entities are insured for
11 malpractice and those kinds of things. And the
12 premiums are extremely high. And the carriers
13 just don't want hospitals and nursing homes, et
14 cetera, to hire ex-offenders because of the
15 liabilities.

16 What they don't know is the State of
17 Illinois has a health care waiver program. And,
18 in fact, I gave Geneva copies of that waiver.

19 This waiver program allows someone who
20 is no longer on parole or probation who has a
21 nonviolent background to apply -- and I've
22 applied for a lot of people. I've never had one
23 turned down yet. It allows them to work in
24 hospitals, nursing homes, and other health care



1 entities in a variety of different positions.
2 And that's a plus.

3 Secondly, I could talk to you about a
4 capacity of building program in the community
5 post-release for the returning parolees. And
6 Westside Health Authority inaugurated a program
7 called CSAC or Community-Supported Advisory
8 Council in 2004. It was adopted by the Illinois
9 Department of Corrections. And we're still
10 funded by them for this program.

11 And in this program, we have a CSAC
12 North, CSAC South, and CSAC West, blanketing and
13 covering the entire City of Chicago.

14 We go down into the prisons and two
15 pilot prisons three times a month. And we
16 ascertain what are the pre-release needs --
17 post-release needs of those people who are still
18 incarcerated.

19 And then a team of us then begin to
20 provide for those needs before they're released
21 so they're ready when they come out.

22 And we also have monthly council
23 meetings. We've addressed barriers such as
24 housing and employment that we're tackling.



1 We also have cross-referral
2 agreements, linkage agreements. And we're able
3 to provide a broad smorgasbord of employment and
4 training and support services because no one is a
5 one-stop shop, so we have partners that can help
6 us fulfill all of the needs that the formerly
7 incarcerated have.

8 Thirdly, we believe that a tremendous
9 barrier to successful reentry is the love of your
10 family and the support of your family. And
11 family unification is very, very important. And
12 not many people are tackling it. They're doing
13 it the traditional way, just find more jobs, and
14 just do this and do that.

15 So we adopted a program less than a
16 year ago. We go down into a pilot prison. We
17 meet with the men while they're incarcerated. We
18 do programming for them on accountability and
19 expectations and those kinds of things.

20 We get their consent and the contact
21 information of their families. We call their
22 families. We meet with them. We have monthly
23 meetings. We have support -- we advise them, we
24 have parole there, what are the requirements of



1 parole when you come out, so the family is on top
2 of that. What are the services that are
3 available to your loved one when they come back,
4 and they're available to you, too.

5 And then we have a group therapeutic
6 session. And for those who need more
7 individually, we do that at no cost to them.

8 Moreover, we provide van service to
9 the prison for no cost to visit your loved one.

10 We believe these kinds of programs on
11 family reunification can significantly reduce
12 recidivism.

13 And finally, I'd like to talk to you
14 about the barriers for sex offenders, a
15 tremendous problem.

16 The City of Chicago, as far as I know,
17 we do this every day, there is only one entity
18 that provides housing, one. And what happens, if
19 you don't register -- you have 30 days to
20 register with a law enforcement agency.

21 In order to register, you have to have
22 a permanent address. If you don't secure a place
23 to live in 30 days, they put you back in prison.
24 That's a serious problem. Housing is a



1 tremendous problem.

2 I had a client who was able to save
3 enough money for a security deposit and for first
4 month's rent. He went to a private apartment
5 complex, put down a security deposit, paid his
6 first month's rent, was all happy, everything is
7 great. We're helping him find a job.

8 As soon as he registers with the
9 police, they call the landlord. He not only
10 evicts him, he keeps his security deposit. So
11 this is the kind of stuff that's going on.

12 Now, it's not as bad on the employment
13 end of things. There are a number of industries
14 where they rarely do background checks, such as
15 the food industry, so we've had pretty good
16 success in terms of finding folks employment.

17 We do find employment -- get a
18 good-paying job. I had a guy got a job for \$11
19 an hour.

20 The residents are always checking the
21 sex offender list in the community where you get
22 an apartment, so even if you don't live within
23 500 feet of a school and all that, they're going
24 to the landlord. There is no place for these



1 folks to live. And those are the four areas that
2 I'm prepared to answer questions on.

3 CO-CHAIR JONES: Great. Thank you both very
4 much.

5 Geneva.

6 MS. VANDERHORST: I want to start with
7 Mr. Maki to talk about the John Howard
8 Association of Illinois. Particularly, at what
9 point does the Department of Corrections begin
10 assessing inmates with an eye towards reentry?

11 MR. MAKI: That assumes they assess people
12 long before they need reentry. I mean I think it
13 really -- every facility has a field placement
14 service person who is basically in charge of that
15 task. You know, how rigorous that is is going to
16 depend on that person.

17 And, you know, I have a lot of respect
18 for people who work in the Department of
19 Corrections, and frankly, they're tasked with a
20 job that they really can't do adequately. There
21 is not enough resources. So, you know, that
22 happens maybe six months before release.

23 But, you know, Mr. Ehmen mentioned sex
24 offenders. Housing, for example, so a field



1 placement agent will start looking for housing
2 for a sex offender, but he also has a caseload of
3 say maybe a hundred people.

4 Housing is very difficult. That
5 person, he'll look for one day, can't find it.
6 He'll put it off, look next week, put it off.
7 And so that's pretty typical. And that's I think
8 the bulk of what the Department of Corrections
9 really can do for inmates who are leaving the
10 Department of Corrections.

11 I should mention one thing. There is
12 a reentry class, I believe it's called. It's a
13 ten-day class on things like balancing your
14 checkbook, job program. I mean but it's minimal
15 to the point of farcical. I mean I don't say
16 that with disrespect. I just mean it's not
17 there.

18 MS. VANDERHORST: What kind of person can
19 get into reentry because we've heard quite a bit
20 about and know quite a bit about folks signing up
21 for programs and then having to deal with long
22 waiting lists. Does everyone who is getting out
23 happen to go through this reentry program --

24 MR. MAKI: Well, you mean on the state



1 level?

2 MS. VANDERHORST: Right.

3 MR. MAKI: I mean, you know, again,
4 depending on the prison, there could be good
5 staff there who are providing aid. You should
6 check this out, check that out. But there is
7 really no, you know, systemic way of hooking
8 people up while they're in prison.

9 And that's one big problem with
10 parole. A person who leaves prison does not
11 receive his or her parole agent until after they
12 get out. And they meet after they have been out
13 for a few days.

14 A lot of that can happen before. As I
15 mentioned before, there is very little continuity
16 of care, even within the prison system itself,
17 went from prison to prison, prison to release.

18 MS. VANDERHORST: The field placement
19 officer, is that someone who is located because
20 there are 28 different adult and juvenile
21 detention centers in Illinois, right?

22 MR. MAKI: There is 27 prisons, adult
23 prisons, men and women, and there is seven,
24 eight -- I'm sorry, there is eight juvenile



1 facilities. And then jails, there are a lot. We
2 have a lot of counties in Illinois.

3 MS. VANDERHORST: And are there field
4 placement officers at each institution, or does
5 that kind of depend on that?

6 MR. MAKI: Yes.

7 MS. VANDERHORST: And so the reentry
8 classes, are they available at each institution,
9 or is that --

10 MR. MAKI: No. They're supposed to be. I
11 mean I think it's all going to be dependent on
12 resources, and so kind of a how robust they are
13 will depend on staffing there.

14 I should mention, we have two drug
15 treatment prisons in Illinois that are really I
16 think great places, Sheridan Correctional Center
17 and Southwestern Illinois Correctional Center.

18 And they're really kind of the
19 exception to the rule in DOC. These are places
20 where men receive drug treatment and really
21 geared towards reentry, so the kinds of services
22 they get there will far exceed anything that
23 you'll find in your average prison, so I wouldn't
24 even actually talk about them in relation to



1 DOC. They're very different kind of places.

2 MS. VANDERHORST: Are the reentry classes
3 handled by DOC staff, or is it handled by
4 volunteers?

5 MR. MAKI: No, no, no. There really are no
6 volunteers -- well, I shouldn't say that.

7 Up until very recently, it's been very
8 difficult bringing volunteers to do any kind of
9 classwork within the Department of Corrections
10 because of the correctional office union
11 contract -- so the Department of Corrections, you
12 know, their officers belong to a union. The
13 union contract with the state has a provision
14 that prevents anyone volunteering in DOC to do a
15 job that might be performed by a union employee.
16 So because of that, it's been very difficult to
17 bring a volunteer to do any kind of programming
18 work.

19 MS. VANDERHORST: The way John Howard
20 Association does their evaluations, as I think I
21 understand it, is that you evaluate half the
22 prisons one year, then the next year, you
23 evaluate the other half, and then you kind of
24 just keep going year after year, is that --



1 MR. MAKI: Yes. At some point -- I mean we
2 do about two a month, and so we'll get, you know,
3 almost all of them done in a year.

4 MS. VANDERHORST: And do you have any
5 contact or are you doing the Risk, Assets and
6 Needs Assessment now, or are you --

7 MR. MAKI: No. That is a mandated tool that
8 the Department of Corrections will implement.

9 MS. VANDERHORST: So it's not active right
10 now?

11 MR. MAKI: Yes. It's being developed.

12 MS. VANDERHORST: So as of right now, there
13 is nothing that goes -- that travels an inmate --
14 with an inmate from --

15 MR. MAKI: Well, you know, their security,
16 their tickets, their disciplinary record, but no
17 real sense of, again, the kind of -- that
18 person's case history.

19 MS. VANDERHORST: And who has access to that
20 outside of the DOC?

21 MR. MAKI: No one.

22 MS. VANDERHORST: So employers can't go in
23 background --

24 MR. MAKI: Well, they'll see their criminal



1 convictions. And if some of those just for the
2 record rise to the level of a criminal
3 conviction, I mean like an assault, for example,
4 they can get that, but they're not going to be
5 about to get the kind of DOC record.

6 MS. VANDERHORST: Okay. Mr. Ehmen, if I
7 could --

8 (WHEREUPON, Mr. Charles Ice
9 entered the hearing proceedings.)

10 CO-CHAIR JONES: Could I just interrupt you
11 one second? We've been joined by Mr. Ice.

12 Welcome.

13 MR. ICE: Thank you.

14 CO-CHAIR JONES: And before we move on to
15 the next set of questions, if you could just take
16 two or three minutes and tell us who you are and
17 a little bit of your background, that would be
18 great.

19 MR. ICE: Certainly. I'm Charles Ice, of
20 course.

21 I moved to Alabama in 1989. And that
22 was a decision that changed the course of my
23 life. I got into an altercation because I was
24 the new guy. In '89, gangs were just starting up



1 down there, so because I was from Chicago, they
2 assumed that I was a gang member. And
3 immediately, I was in an altercation over some
4 girl.

5 That escalated into gunfire, then into
6 a course of somebody getting shot and someone
7 getting killed. I still don't think I did it
8 because of the weapon that I had. But in the
9 course of that, I wound up catching murder and
10 attempted murder.

11 That led me to having a conviction,
12 being convicted with or sentenced with two life
13 sentences running consecutive.

14 They told me I would never be released
15 from prison, but I sit before you today. So two
16 years parole off. I have been out for two years
17 now. This month actually was the last month, so
18 I'm off parole now.

19 So I've been married, I got married
20 since then. I've been working since I've been
21 out, you know, so living, trying to live and
22 trying to stay out of trouble and just, you know,
23 live my life.

24 CO-CHAIR JONES: And we're happy to have you



1 here.

2 MR. ICE: Thank you, sir.

3 CO-CHAIR JONES: Thank you.

4 Geneva.

5 MS. VANDERHORST: And congratulations on
6 finishing parole.

7 MR. ICE: Thank you.

8 MS. VANDERHORST: And on getting there.

9 And if I could, I want to go back to
10 everybody, if I could talk to you particularly
11 about the program that you were in.

12 You were at Donaldson's Correctional
13 Facility?

14 MR. ICE: Right, correct.

15 MS. VANDERHORST: And you were one of the
16 folks who participated in the Vipassana?

17 MR. ICE: Vipassana.

18 MS. VANDERHORST: Vipassana?

19 MR. ICE: Vipassana.

20 MS. VANDERHORST: Vipassana.

21 MR. ICE: Yes.

22 MS. VANDERHORST: Can you tell us what that
23 program involves and how you got into it?

24 MR. ICE: Well, it's an intense -- I was



1 already a meditator. I had made the decision
2 that I would not let the prison environment
3 change me, so, you know, I wanted to stay me.

4 So I always meditated, I always
5 prayed. And when I was involved in a self-help
6 class called Houses of Healing -- Robin Casarjian
7 is the author of that book -- it led us to
8 another course of meditation called Vipassana.
9 It's an intense course, ten-day sitting, where
10 you -- no communication from the outside, no
11 meat, and we eat twice a day. There is no
12 talking whatsoever, you know, no signals, no
13 talking, nothing.

14 So, you know, you have to kind of like
15 feel your way through, you know, because we have
16 20 individuals in a gym, and we're partitioned
17 off, and then you're sitting on your mat so it's
18 just you and your mat, but, you know, you're
19 going to have contact somewhat but you're trying
20 not to communicate, so you kind of like have that
21 unspoken communication where you, Okay. I'll go
22 this way. He's going that way, you know, so, you
23 know, try to get away, just try to avoid people.

24 In the course of Vipassana, it really



1 means to see, but not just with your physical
2 eyes. It means to see inward, you know, to
3 really -- really like a lot of introspection to
4 where you're looking at yourself from the inside
5 and trying to figure out what's really going on,
6 not to make a judgment, just to look at it, just
7 to look at it, and then, you know, try to settle
8 yourself because it really -- meditation really
9 settles you, you know.

10 MS. VANDERHORST: Can you tell us a little
11 bit about how the program got started at
12 Donaldson?

13 MR. ICE: Yes. Jenny Phillips actually was
14 a great orchestrator of that. She was coming in
15 and helping us anyway with the Houses of
16 Healing. And then when -- and she is, of course,
17 a producer. So when she was introduced to
18 Vipassana, she started meditating.

19 And she thought that -- I think -- I
20 don't know who it was, she and someone else
21 decided, let's try it in a prison because it had
22 been done in India, and I think it was done in
23 Massachusetts, I think, Boston, somewhere in
24 Boston, in a women's prison, but it never had



1 been done in a maximum prison in the United
2 States, so it's a history-making,
3 ground-breaking thing.

4 MS. VANDERHORST: From what I understand,
5 the program has its roots in Buddhism?

6 MR. ICE: Right.

7 MS. VANDERHORST: But you can be a part of
8 it, regardless of whether you believe in any
9 faith or --

10 MR. ICE: Yes. I mean --

11 MS. VANDERHORST: -- none at all, correct?

12 MR. ICE: You can believe in any or not at
13 all. You're right. Actually, I'm a Muslim, but
14 I go to church so, you know, I even sing in the
15 choir, so it's a matter of you just having a
16 relationship with God.

17 If you are grounded, if you're
18 satisfied with your relationship with God, then
19 nothing else matters, really matters, because it
20 doesn't matter what someone else thinks about
21 you.

22 MS. VANDERHORST: There is a separation of
23 where the facilities kind of regulate not pushing
24 people into a particular faith.



1 MR. ICE: Right.

2 MS. VANDERHORST: But you don't have to have
3 any kind of belief to participate in this
4 program.

5 MR. ICE: Exactly.

6 MS. VANDERHORST: So can you tell us how
7 people at Donaldson in particular were able to
8 first learn about the program, and second, show
9 that they were interested in getting into the
10 program?

11 MR. ICE: Well, of course, they went through
12 a screening process because like you say, you
13 have to -- do you want to do it, you know. And
14 when they find out exactly all that's involved,
15 you know, not having communication with your
16 family -- and communication with your family in
17 prison is like gold, you know, because you're so
18 lonely, and, you know, just so disconnected from
19 the world that, you know, you want to hear from
20 someone. You want to hear what's going on and
21 hear how your mom is doing and how your brother's
22 doing, someone, you want to talk to your
23 friends. So having no communication is like ten
24 days without talking to anybody, that's a



1 challenge, you know.

2 MS. VANDERHORST: But in addition to the
3 talking, you couldn't do mail, right?

4 MR. ICE: No, no mail. You couldn't get a
5 letter.

6 MS. VANDERHORST: No television.

7 MR. ICE: No television.

8 MS. VANDERHORST: No radio.

9 MR. ICE: No radio, nothing, no
10 communication.

11 MS. VANDERHORST: And there were also guards
12 and administrators who were also trained.

13 MR. ICE: Yes. They would have to be.

14 MS. VANDERHORST: So were you all -- I've
15 heard that there is some indication that the
16 suggestion is that there should be a separate
17 cell block just for folks who are in this
18 practice.

19 MR. ICE: Yes.

20 MS. VANDERHORST: Is that how it worked at
21 Donaldson?

22 MR. ICE: Well, it worked at Donaldson
23 simply because it started, and there were two
24 gyms, so if there had been one gym, it probably



1 wouldn't have happened because they're always
2 looking for space, so because there was two gyms,
3 they can close off one gym and just operate out
4 of the other gym because they have to, you know,
5 have their side.

6 So I think right now -- it got killed
7 for a minute, but I think right now, there is a
8 dorm dedicated for Vipassana. I think it's B-3
9 or something. So whatever it is, I don't know
10 exactly which one it is, so there is no sense in
11 speculating, but there is a dorm that's designed
12 just for Vipassana inmates.

13 MS. VANDERHORST: And the guards and the
14 administrators who were in that particular gym at
15 Donaldson, they also go through the ten-day
16 initiation process?

17 MR. ICE: Right. They would have had to
18 because coming in and not really understanding
19 what was going on, they probably would have made
20 all kind of noise, you know, they would have been
21 real disruptive.

22 So actually, the warden even tried to
23 do a sitting. And he said it was daunting to him
24 at that time.



1 So there were two officers in
2 particular, Officer I think it's Easter, and
3 another one, I can't remember his name, but they
4 were the two who primarily worked the Vipassana,
5 that very first one.

6 MS. VANDERHORST: Were you there when Warden
7 Hetzel was at times?

8 MR. ICE: No. He came after.

9 MS. VANDERHORST: So it's my understanding
10 that at some point this program existed at
11 Donaldson, then it was taken out for some reason.

12 MR. ICE: Right, yeah.

13 MS. VANDERHORST: And then Warden Hetzel
14 came and brought it back?

15 MR. ICE: Right.

16 MS. VANDERHORST: But you got to Donaldson
17 after it already started the second time at
18 Donaldson?

19 MR. ICE: No. I got -- I was the very
20 first. I was in the very first group.

21 MS. VANDERHORST: Okay.

22 MR. ICE: Long before Hetzel got there.

23 MS. VANDERHORST: Do you know what the
24 reasons were for that four-year gap in between?



1 MR. ICE: Yes, I do. Yes. There was a
2 chaplain by the name of Chaplain Smith who was
3 there who called the commissioner at that time
4 and said that they were taking his inmates and
5 making them Buddhists, so when he did that, the
6 commissioner who didn't want to shake any -- you
7 know, didn't want to trouble any waters, he said,
8 Okay. Just kill it.

9 MS. VANDERHORST: And so how did that get
10 resolved so that Warden Hetzel brought it back?

11 MR. ICE: As soon as Warden Bullard left and
12 the chaplain -- there was some administration
13 changes. Chaplain Smith left.

14 Dr. Cavanaugh brought it to Warden
15 Hetzel's attention, and then he decided to look
16 at it, and then they brought it back.

17 MS. VANDERHORST: So most of the people
18 here -- well, all of us here on the Task Force
19 have been practicing defense attorneys. We're
20 familiar with clients who program when they're
21 locked up. And a lot of times, it has to do with
22 like GED programs or skill-based programs, but
23 this particular program really deals with
24 life-changing transformation.



1 MR. ICE: Right.

2 MS. VANDERHORST: So if you would, I'd like
3 you to kind of educate us on how the tenets that
4 you learned in Donaldson have helped you
5 transition since you've been out on the streets.

6 MR. ICE: Well, patience. The No. 1 thing
7 is it gives you patience, you know, when you have
8 to go to anapana, which is the breath.

9 You know, when you come into one of
10 those situations where -- a troubling situation,
11 it's a trying situation, you just have to breathe
12 and, you know, focus on your breath. And then
13 when you kind of settle down, then you can kind
14 of like make correct decisions.

15 When you're angry, you can't make
16 clear decisions, so you have to really just
17 settle yourself. And Vipassana kind of settled
18 me to be able to deal with it all.

19 It helped me deal with a lot of
20 situations in there, not to say that I didn't get
21 into altercations because I did get into
22 altercations. There is thousands -- 1800 people,
23 there is like 1800 people in there with different
24 ideologies and different, you know, mindsets.



1 And you got some that is just some
2 plain knuckleheads. And how do you navigate
3 around that, you know. Sooner or later, you're
4 going to run into them, you know, one way or
5 another, you know. Somebody is going to try
6 something, you know. So it's crazy, but you just
7 have to work your way around it.

8 MS. VANDERHORST: When you were released
9 from Donaldson, were there any particular
10 organizations or groups that were outside on the
11 streets that helped you transition as part of
12 this program, or completely separate?

13 MR. ICE: It was completely separate.
14 Actually, there were no programs that actually
15 helped me. I had to do it on my own. There was
16 a thing with a church on Ashland, 55th and
17 Ashland, and they had the coming-home type of
18 program where you had to go to job fairs and
19 things of that nature.

20 Well, going through the job fairs,
21 it's almost like a waste of time if you don't
22 have finances to begin with because you have to
23 travel to it.

24 Then you have to get there, you have



1 to register, and you have to do all this, and you
2 have to stay in contact with them and back and
3 forth to different job fairs, so it's kind of
4 difficult to do the job fair thing.

5 So if you don't have a skill -- and
6 I'm blessed enough to have several, so -- if you
7 don't have a skill, it's going to be real
8 difficult.

9 I talked to a young man Sunday who
10 just got released, and he got fired because
11 someone in the head office didn't like the fact
12 that he had a history. The supervisor, his
13 immediate supervisors didn't have a problem with
14 it, but when it got to the head office, then they
15 had -- they let him go, so he's kind of
16 distraught about it.

17 But, you know, I tried to talk to him
18 and tried to get him to understand that if you in
19 yourself have a will to do something, then just
20 get out and do it. If you got a skill, try to
21 use that and get out and do something. You just
22 have to want to do something.

23 MS. VANDERHORST: Now, Mr. Ehmen, if we
24 could talk a bit about how Westside Health



1 Authority, particularly when you mentioned the
2 health care waivers which I don't think is
3 something we've heard a lot about, how do you all
4 connect with folks as they are preparing to go on
5 the street, and then how do you help them to
6 determine which avenues would work best for
7 them?

8 MR. EHMEN: We have lots of referral
9 sources. We're down in the prisons, meeting with
10 the men and women before they're released,
11 letting them know what are the services that are
12 available to them. We like to know them -- them
13 to know that ahead of time.

14 Also, we get a lot of referrals from
15 the City of Chicago, a lot from parole agents,
16 word of mouth. We had 1527 job placements last
17 year. That's a lot in this recession. Okay. 85
18 percent are ex-offenders, and they talk.

19 And so we got probably our biggest
20 source is people telling other folks and coming
21 in. And when folks come in, of course, many of
22 them don't have resumes. We do job writings
23 training.

24 The biggest thing I think that if I



1 could point to why we're successful with so many
2 folks, we're faith-based. And I agree with
3 Mr. Ice, most of our clients have some kind of
4 religious background. And when they come to
5 understand the Bible, as an example, says the
6 Lord God took the man, Adam, and put him in the
7 garden. You need to work and take care of it.

8 God made -- the first that's ever
9 created a job. He was a landscaper.

10 So when they come to understand that
11 God's will is if you work, their confidence level
12 goes up to here. It's not a matter of if I'm
13 going to get a job, it was God's perfect time.
14 That's huge.

15 And the biggest saying beyond that is
16 how you conduct yourself in the interview because
17 if you were formerly incarcerated, and I was
18 interviewing you, and if I ask you if you've ever
19 had a felony conviction, most of my clients
20 freeze up.

21 So we tell them to say -- because many
22 of our clients either have never been in the
23 prison, they were in Cook County Jail. Most of
24 our clients have a nonviolent background. Some



1 have violent.

2 So the way we teach them to answer it
3 is yes, I have a felony background, but I'd like
4 you to know it's nonviolent in nature. If you
5 only had one, you want to throw that in there
6 too, right? You want to throw as much good
7 information as you can.

8 Yes, I have one felony, nonviolent in
9 nature, and it was seven years ago. But that's
10 not why I'm here today. I'm here today to tell
11 you I want to be the best employee this company
12 has ever had. Why? I come to work on time. I
13 work hard. I do quality work. I get along well
14 with my coworkers. I'm going to treat your
15 customers like my own family. If you need
16 someone to work overtime, I'm your guy. I'm not
17 going to whine and complain.

18 Joe didn't come in to work today, you
19 want me to help out? I could say it's not in my
20 job description. Sir, you won't regret hiring
21 me. I will be the best employee you ever had.
22 I'll tell you what, I'm so confident of the value
23 I can add to your company, I'm going to work
24 tomorrow for free for you just to prove it.



1 I'm telling you, folks go in like
2 that, a tremendous number of them get jobs. Tell
3 it like it is.

4 MS. VANDERHORST: If I could just
5 transition, but I just to put a plug in, John
6 Howard Association's website has an article
7 that's entitled, Employers Take Note: Hiring
8 Ex-Offenders Makes Good Business Sense.

9 And there are like five points in that
10 article on why particularly private companies
11 should be interested in hiring ex-offenders, as
12 you said, the formerly incarcerated. And one of
13 the reasons is because they are going to work
14 harder than most people --

15 MR. EHMEN: This will improve --

16 MS. VANDERHORST: -- who have different
17 opportunities.

18 MR. EHMEN: Right.

19 MS. VANDERHORST: So with that, I'm done.

20 CO-CHAIR YOUNG: Well, it's one thing to say
21 I've only had one felony, and it's nonviolent,
22 and it was however many years ago.

23 Mr. Rice, you just told us that you
24 have what was certainly going to be considered



1 two crimes of violence --

2 MR. ICE: Exactly.

3 CO-CHAIR YOUNG: -- murder and attempt
4 murder. Please share part of your journey on
5 getting your jobs.

6 MR. ICE: Well, when I first was released, I
7 filled out application after application after
8 application. And, you know, part of you, Have
9 you ever had a felony, and you answer yes because
10 you want to answer truthfully because it's going
11 to come up, you answer yes, and you don't get
12 that phone call, you know.

13 So I decided, well, I know how to work
14 on cars. I started working on cars.

15 CO-CHAIR YOUNG: Pardon?

16 MR. ICE: I said I know how to work on
17 cars. I started working on cars. I know how to
18 do plumbing work. Somebody's toilet gets stopped
19 up, I'll go unstop it, you know. Everything I
20 could do, I went to do it. You know, if somebody
21 needed something, I would let them know, Hey, I
22 can do that.

23 And after a time, I met up with
24 another guy whose name is Chuck -- his name is



1 Charles Williams. And he was a plumber by trade
2 and licensed and did heating and air
3 conditioning.

4 Well, because I was in prison and
5 taking up every class I could take, I learned
6 heating and air conditioning. So when we hooked
7 up, because I was doing one job, and he was doing
8 another and he couldn't get something done, and
9 they'd call me in, one of my friends called me
10 in, said, Hey, can you get this done?

11 I said, Well, let me look at it, see
12 what happens.

13 So when I got there and I got it done,
14 he is like, You know how to -- look, I'll pay you
15 \$50 a day. Come work with me. I said, I'm
16 here.

17 So I worked with him for a while. And
18 then after a time, you know, \$50 a day is not
19 going to go far.

20 And so what I did was I just started
21 putting out feelers through my stepson, and who
22 is my stepson now, he tried to get a job at a
23 restaurant. And it started out okay, but I think
24 the restaurant closed down because the guy



1 couldn't manage it well, but his son had a job
2 opening.

3 So because my son, stepson doesn't
4 have a license, I have a license, so he said,
5 Hey, they need a driver in warehouse work. Do
6 you want to get that job?

7 I said, I'll work on it. I'll go get
8 it. So I went and I called. And I went there.
9 And he gave me the runaround at first, but I kept
10 going and I kept calling, you know, so when he
11 saw how adamant I was, he said, Well, look, come
12 next week. Come next week. Monday, start
13 Monday, you know. So when I started, I've been
14 there ever since.

15 CO-CHAIR YOUNG: So you got around the box
16 in that instance because by that time, you had
17 enough personal contact and work reputation --

18 MR. ICE: Right.

19 CO-CHAIR YOUNG: -- or people who knew what
20 you did so that that's how you got in the door
21 versus just looking at a piece of paper.

22 MR. ICE: And just having skills. If you
23 have skills, you can get through what you want to
24 get through.



1 MS. LOVE: Okay. I have one question for
2 each of you.

3 First, Mr. Ice, I would like to know
4 you said that you have a license?

5 MR. ICE: Yes.

6 MS. LOVE: Did you have any trouble getting
7 a license?

8 MR. ICE: Not a problem. And it was amazing
9 because when I went to get my license, I was not
10 in the system for 20 years. I was not in the
11 system at all because this is my home. And I
12 moved to Alabama in '89. So when I came back in
13 2009, and I went down there to get a license and
14 I, you know, took my birth certificate and, you
15 know, you had to get a form of I.D., so I got my
16 state I.D.

17 And when I went to get the license,
18 she was like -- I gave her my old license
19 number. I always remembered it. And when I
20 rattled it off to her, she is like, I have
21 nothing on you. I said, Okay. Let's start from
22 scratch. So it was not a problem.

23 MS. LOVE: Wait a minute. Whoa, whoa. So
24 you had had a plumbing license before?



1 MR. ICE: No, a driver's license.

2 MS. LOVE: Oh, a driver's license. I'm so
3 sorry. Well, let me ask you, I mean do you
4 have -- well, right, so it's just a driver's
5 license --

6 MR. ICE: Right.

7 MS. LOVE: All right. Do you have a license
8 for your skill?

9 MR. ICE: No, no. Not for plumbing. I was
10 ASE certified for auto mechanics, but of course,
11 you know, your background keeps you from getting
12 the jobs you really want.

13 MS. LOVE: Okay. But let me just ask you
14 because we've heard from other people who talked
15 to us over these two days about these new
16 certificates that are available for skilled
17 workers to get a license.

18 And if the conviction is something of
19 a problem, either a barrier, complete barrier or
20 some, that these certificates can help people,
21 and they're available from the court. Have you
22 thought at all about going to get a certificate?

23 MR. ICE: Well, since I've had this job, no,
24 because actually, I'm a warehouse worker and a



1 driver, and I drive a 26,000 pound truck.

2 MS. LOVE: Okay.

3 MR. ICE: And he's actually -- he's a very
4 good guy. He's going to allow me to start my
5 business in the building we just moved into, so
6 I'm actually a reupholsterer, and you don't need
7 a license for that.

8 MS. LOVE: Oh, my god. You didn't tell me.
9 You're a terrific entrepreneur. You have got a
10 lot of things going on here.

11 MR. ICE: Yeah. I got to. You know, I got
12 to. 20 years.

13 MS. LOVE: It's really interesting because
14 this is -- you know, you're obviously
15 extraordinarily a sort of creative and talented
16 guy.

17 MR. ICE: Thank you. Thank you.

18 MS. LOVE: I guess what I'm sort of curious
19 about -- and this is actually picking up on
20 something that maybe John mentioned it earlier,
21 but most people coming out of prison are far less
22 optimistic about their prospects and far less
23 kind of I mean inventive and energetic than you.
24 What would be most helpful in tackling all these



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1 barriers that --

2 MR. ICE: Education. In a nutshell,
3 education. Education. I'm sorry.

4 MS. LOVE: Education.

5 MR. ICE: Education. In a nutshell,
6 education.

7 MS. LOVE: But how do you get that, in the
8 institution?

9 MR. ICE: It's there. Yes. It's there.
10 It's actually there. It is not as great as it
11 used to be because right now, they're cutting
12 down and they're downsizing.

13 When I first went in, it was real
14 easy, you know, in Alabama. Now, I don't know
15 how it is in Illinois because I never did time
16 here, thank God.

17 MS. LOVE: Okay. I'm going to ask Mr. Maki
18 how it is in Illinois in just a minute.

19 MR. ICE: Right, right. But in Alabama, it
20 started out where you can get -- there were
21 accredited colleges that come into the
22 institution. There were skill centers that come
23 into the institution, so there was trade school
24 there, so, you know, you can get plumbing, you



1 can get electricity, carpentry, drafting, you can
2 become a -- start your journey for architect, you
3 know, because I did two years for architectural
4 drafting so, you know, it's really a matter of
5 wanting something and then going to get it.

6 A lot of people don't do that because
7 it's like -- it's a draining environment where
8 you don't want to do anything because you're
9 already feeling like you've been done wrong. You
10 know, even if you're guilty of the crime, you
11 still feel like you've been done wrong, you know,
12 for the time they give you. And after a while,
13 it's like -- it just -- you know, it just kills
14 your spirit. But like I said, I decided I'm not
15 going to let that change me.

16 MS. LOVE: Okay. Now, I'm going to ask
17 Mr. Maki, whether the experience that Mr. Ice had
18 in an Alabama prison which I mean I guess I'm
19 unfortunately kind of a Northerner or middle
20 Atlantic or something or other so to have the bad
21 image of Southern prisons.

22 MR. ICE: It's rough.

23 MS. LOVE: Parchman Farm, okay, right?

24 MR. ICE: It's rough.



1 MS. LOVE: So that's what I'm thinking. So
2 I'm thinking, wow, it sounds like you really had,
3 you know, quite a positive experience being in a
4 way to take advantage of it.

5 What are things like in Illinois
6 prisons, comparatively speaking?

7 MR. MAKI: Well, I mean there is two factors
8 to think about hearing about your story in the
9 Illinois context.

10 First, more historically, Illinois
11 prisons I think resembled the place you're
12 talking about before the early '90s. In the
13 early '90s, there was a scandal that came out
14 where Richard Speck, an infamous serial killer, a
15 tape came out where -- and he was in Stateville
16 Prison -- a tape came out where he was
17 celebrating prison essentially.

18 At that time, prisons were very
19 porous. They were literally run by gangs. At
20 the same time, there was a lot more program, a
21 lot more opportunity. A lot of people who were
22 in prison in those days left with a Bachelor's
23 degree, even a Master's degree.

24 Now, the reaction to that was to lock



1 it down, so the prisons we have today in
2 Illinois, there is very little movement. The
3 maximum-security prisons, you're going to spend
4 22, 23 hours a day in your cell. In those
5 prisons, there is minimal to no programming, and
6 that's the way it is.

7 Again, you're talking about how they
8 had kind of a gym that you could use as your own,
9 not possible in today's Illinois Department of
10 Corrections.

11 More importantly, probably for today,
12 Illinois prisons right now are severely, severely
13 overcrowded. We have a system designed for
14 33,000. We have almost 50,000.

15 So I mean, you know, I guess when I'm
16 hearing your story, you know, for me, prisons are
17 places of great despair, but they're also places
18 of hope. You know, your story, I've heard
19 before. You know, there are men and women who
20 can kind of rise above it. And I think, also,
21 too, you also always will find officers who want
22 to be a partner in that.

23 But when you're talking about a
24 punitive place, a place that's very locked down



1 in the sense of little movement, that kind of
2 thing breeds more despair than it does hope.

3 So I think -- I mean your story is
4 remarkable. And I wish we had the conditions for
5 that in Illinois. It's impossible to imagine
6 right now in Illinois, sadly.

7 MS. LOVE: Yes. Okay. I think this is a
8 part of our work.

9 MR. MAKI: Most definitely.

10 MS. LOVE: Although most of our work I think
11 is going to be after people get out of prison,
12 and what happens to them.

13 I wanted to just ask you,
14 Mr. Ehmen --

15 MR. EHMEN: Ehmen.

16 MS. LOVE: Ehmen, sorry, I knew it started
17 with an "e," I apologize, Ehmen.

18 We've heard a little bit from people
19 who have talked to us about expungement of
20 records and sealing of records.

21 You were talking about people who go
22 for a job interview and are asked about their
23 record.

24 MR. EHMEN: Right.



1 MS. LOVE: And you counsel them as you go
2 through your sort of, Here is the way the
3 conversation is going to take place, coaching
4 session to be very upfront and to come clean and
5 say exactly what happened and then to say, but,
6 and go on.

7 Now, what's your view of expungement
8 and sealing laws?

9 MR. EHMEN: Well, first of all, by and
10 large, most of the clients we have are on
11 parole. You cannot get your records sealed or
12 expunged while you're still on parole.

13 And most of our clients don't
14 qualify. In the State of Illinois, you have to
15 be a misdemeanor. And only some Class 4 felonies
16 fall into that category.

17 So everybody asks. The first thing
18 they do when they register, I want to expunge or
19 seal my record.

20 So then we have to go over with them,
21 Well, you know, let's look at what your felony
22 was and bring them down to reality. Sometimes,
23 it's not -- if they've got murder, it's not going
24 to happen. They hear these rumors while they're



1 incarcerated and all that.

2 MS. LOVE: Yes.

3 MR. EHMEN: So we just tell them the truth.
4 Now, we can assist them if they're qualified
5 because a lot of our clients also are on parole.
6 But most of our clients are on parole, and it's
7 not even an opportunity.

8 MS. LOVE: What if people are eligible? Do
9 you think this is a good sort of a system of
10 restoration of rights status? We've been
11 talking -- we just --

12 MR. EHMEN: Yes, I know.

13 MS. LOVE: -- a tiny bit of background, this
14 whole issue of forgetting and forgiving is
15 becoming a little --

16 MR. EHMEN: I saw you had Cabrini Green, the
17 legal aid.

18 MS. LOVE: Yes.

19 MR. EHMEN: We refer a lot of clients.
20 They're excellent, just excellent. I'm not an
21 expert in that area, but I think the system is
22 okay the way it is.

23 There are a number of agencies,
24 including Cabrini Green that are going to hold



1 their hand and walk them through it that are
2 funded, that they can -- other than getting the
3 rap sheet, that it's free to them. And they're
4 not the only organization that does it. There is
5 a number of other organizations as well.

6 Unfortunately, I would say only maybe
7 10 percent of our clients even qualify for that.

8 MS. LOVE: I guess the question that I'm
9 asking you is do you think that it would be a
10 good thing to have more people qualify for
11 expungements?

12 MR. EHMEN: Absolutely.

13 MS. LOVE: Okay. So this is the forgetting
14 part of it. And we're talking about the
15 forgiving and forgetting thing.

16 MR. EHMEN: Right.

17 MS. LOVE: Is forgetting the right way to go
18 when you're talking about reintegrating people
19 into the community.

20 MR. EHMEN: You're talking about having --
21 in fact, getting their records expunged or
22 sealed, is that what you're talking about?

23 MS. LOVE: I guess what I'm saying is we're
24 trying to look at what the best way that the



1 legal system can deal with people who have had a
2 record who are trying to get sort of back on
3 their feet and reintegrated.

4 And there are two different problems.
5 One is a kind of a pardon model, pardon,
6 certificate of good conduct.

7 MR. EHMEN: Yeah.

8 MS. LOVE: And the other one is the
9 expungement and sealing model where you're trying
10 to sort of forget that it ever happened. And so
11 we're looking at those two models.

12 MR. EHMEN: Yes.

13 MS. LOVE: How people deal with restoration
14 of rights. And we're trying to figure out what's
15 the -- what's your view?

16 MR. EHMEN: I like the certificate of good
17 conduct and rehabilitation. That actually works
18 because I've got to tell you, most of the clients
19 that come out, at least that come through us,
20 they're the best -- I have employers that tell
21 me, I want more of them. They're the hardest and
22 best workers we have.

23 They just need a chance. They just
24 need an opportunity to showcase their talent.



1 And so what I like about the good
2 conduct, I just wish it could happen a little bit
3 faster. But if you can prove good conduct and
4 you're living that, and the judge is the one who
5 gives it, it's a wonderful thing. I mean it's
6 really opened up a lot of doors to job
7 opportunity. It really does.

8 Let me just mention one other thing
9 that hasn't been brought up, and that is what we
10 found very helpful is that every person that an
11 agency gets a job becomes your mole and inside
12 person in that company. And I'm serious. They
13 then are -- they call who sent them over and say,
14 Hey, there is two more jobs open here, a few more
15 warehouse jobs. Send some more ex-offenders
16 over. It works. I call it the jobs disciple
17 program, or whatever you want to call it. But it
18 does. If you have people in there, and they're
19 advising you what's going on in employment trends
20 in that particular company or industry, and you
21 have that inside information, very, very
22 helpful.

23 We try to engage our clients actively,
24 you know. Some people come out, they have, What



1 can you do for me, you know. We say, Here is
2 your role to play in getting expunged or in
3 getting a job or the support services you need
4 and so forth. As long as you -- we're going to
5 do our part. You need to do your part.

6 And so we make them accountable. I
7 think that's important.

8 MR. MAKI: If I could say something really
9 briefly on what model, pardon or expungement, you
10 know, we found at John Howard or through
11 observation in our work, you know, I think for
12 that to work, for that process to work of
13 forgetting to work, you have to remove it as much
14 as you can from the political process.

15 I think politically, when there is a
16 governor or some politically appointed board in
17 charge of these sort of things, this includes
18 judges, too, but the politics never go with the
19 right decision. It's always easier and it always
20 makes more sense just to not do those sort of
21 things.

22 And so again, I think having some sort
23 of -- you know, having judges, I think judges run
24 for election, too, often as we do in Illinois,



1 but the further you can remove from politics, the
2 better.

3 MS. LOVE: That's a good observation.

4 CO-CHAIR JONES: And that's where we have to
5 leave it. We are up against the clock.

6 So thank you, gentlemen, for coming
7 in, for sharing your thoughts with us. We
8 appreciate it. We have learned a lot. Thank
9 you.

10 MR. EHMEN: All right. Thank you.

11 CO-CHAIR JONES: We are going to take a
12 15-minute break. We will reconvene at 2:15.

13 (WHEREUPON, a recess was had.)
14
15
16
17
18
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24



1 PANEL 8

2 WITNESSES:

3 Johnnie Jenkins, Employment Manager,
4 Waukegan Illinois Township;

5 Ron Tonn, COO, North Lawndale Employment
6 Network;

7 Jumaani Bates, Business Services Manager,
8 North Lawndale Employment Network.

9
10 CO-CHAIR JONES: All right. Let's get
11 started.

12 Let me just at the outset first say
13 welcome. We are pleased to have you, looking
14 forward to a good conversation.

15 Just a couple of housekeeping things.
16 You guys are being videotaped, you're being
17 audiotaped, there is a stenographer who is taking
18 down everything you say. You'll probably find
19 yourself the subject of some still photos during
20 the course of this discussion as well.

21 But just in the interest of making
22 sure that all those things work to best effect,
23 if you have a BlackBerry or a cell phone or
24 anything like that, you should take it off the



1 table and away from the speaker system because we
2 get feedback.

3 And also, just try to speak up in a
4 good, loud voice at all times so that everybody
5 can hear what you're saying.

6 The way that this works is that we
7 give each of you five minutes or so to introduce
8 yourselves and give us a little bit of your
9 background and sort of an opening statement, and
10 then we have lot of questions that we want to ask
11 you and sort of engage in a discussion.

12 And generally speaking, one of us
13 leads the debate or the discussion, I should say,
14 for each panel. And in this case, it will be
15 Penny Strong.

16 So I'm going to turn the floor over to
17 you. You can decide who wants to go first. And
18 we look forward to hearing your remarks.

19 MR. TONN: Ladies first.

20 MS. JENKINS: Thank you. My name is Johnnie
21 Jenkins, and I'm the employment specialist for
22 Waukegan Township.

23 A little bit about me, formerly
24 incarcerated. Off of parole in 2001, was granted



1 a pardon and executive clemency in 2001 from the
2 Governor.

3 What I do now is assist adults with
4 misdemeanors and felony convictions from capital
5 murder all the way down to petty theft and
6 everything else in between.

7 I was hired for Waukegan Township in
8 conjunction with the Coalition to Reduce
9 Recidivism. And what that is, I service
10 ex-offenders only, so what I do, expectations are
11 that I, at the end of the day, men are going home
12 to their families, eating dinner, at the end of
13 employment, so I'm solely responsible in the
14 County of Lake for employment.

15 And I brought a report. It's
16 absolutely working. It was established in
17 relationships with some companies in Lake
18 County. In the month of September, 29 formerly
19 incarcerated individuals have been employed.
20 August 31, in one month, 49 repatriates have been
21 gainfully employed.

22 What I do is I sit down with each
23 individual, do an assessment and career goal, and
24 find out what the needs of the client is. It can



1 be mental health, it can be substance abuse, it
2 can be homelessness, a myriad of situations
3 before employment.

4 And what we do at Waukegan Township, I
5 learned that once they was released from prison,
6 incarceration, whether it was at Stateville,
7 Federal prison, wherever, they had no -- little
8 or no interviewing skills, so we establish that.

9 After you're hired, then what, then
10 in-place retention. Dress for success, if you
11 don't have any clothes, we provide that.

12 And then the employment piece kind of
13 come in the end. We have everything. We provide
14 boots, transportation, whatever, whatever it is.
15 And we try to meet the needs of the clients.
16 That's what I do, and I love it.

17 CO-CHAIR JONES: Thank you. Thank you. I
18 would never guess.

19 MS. JENKINS: I love it, I love it, I love
20 it.

21 CO-CHAIR JONES: Thank you.

22 MR. TONN: Jumaani, do you want to go next?

23 MR. BATES: Yes. My name is Jumaani Bates.
24 I've been the service manager for North Lawndale



1 Employment Network.

2 My history would probably be similar
3 to Ms. Jenkins in the sense that I have also been
4 formerly incarcerated, just got released from
5 Centralia Correctional Facility on November 5,
6 2005.

7 From that time, my life sort of took a
8 shape in terms of the environmental movement. I
9 participated in a program here in Chicago called
10 Green Course Chicago. And it just so happened
11 that they allowed me to do a speech, and the
12 Mayor was there. And it skyrocketed from there
13 to sort of a national level, doing speaking
14 engagements around the country, around green
15 jobs, and helping develop the platform on that.

16 How I sort of transitioned into work
17 force development is because throughout that
18 transition, I really established a really strong
19 network of individuals across the country and
20 equally here in Chicago.

21 And during that time, just people I
22 knew in terms of looking for employment, I would
23 say, Hey, somebody told me they were hiring
24 there, they're hiring there.



1 And I thought more about it in terms
2 of the environment and justice and really
3 affecting recidivism positively by getting people
4 more or helping people to get employed, and so I
5 started working for an organization called
6 Growing Homes, they're a job developer, improved
7 their placements by 12 percent in my first six
8 months there through the same strategies, working
9 with other organizations, policy organizations
10 and work force development organizations like
11 Chicago Jobs Council in Chicago.

12 And then I became employed through the
13 North Lawndale Employment Network whose mission
14 is to increase the earning potential of North
15 Lawndale residents through innovative employment
16 strategies.

17 There, I work with both reentry and
18 non-reentry. And we offer a myriad of different
19 programs in order to work on both sides of the
20 fence in terms of reentry and the impact that it
21 has on everyday individuals because we know that
22 a huge portion of those folks generally come back
23 home to either a girlfriend, children's mother or
24 a mom, and so that takes things out of the



1 house. So we work with supportive services in
2 terms of financial coaching, financial
3 management, clothing, but our primary focus is
4 employment with the reentry population.

5 CO-CHAIR JONES: Thank you.

6 MR. BATES: You're welcome.

7 MR. TONN: Good afternoon. My name is Ron
8 Tonn. I am a consultant, currently working in
9 the capacity of chief operating officer, North
10 Lawndale Employment Network, but I really wanted
11 to come here today to talk about a project I've
12 been involved in for about the past two and a
13 half years called the Collaborative on Reentry.

14 And to give you a little history on
15 this, I really trace a lot of this back -- I've
16 been working in the field for a long time, but it
17 was really when Jerry Travis, the Urban Institute
18 came out with a publication called The Picture of
19 Reentry in Illinois. And when that hit the
20 press, that was front page news all over
21 Chicago.

22 Within about two days, we were in a
23 meeting in the Mayor's Office. And it's sort of
24 surprising to me, having been in the field,



1 didn't he realize everybody came back. And they
2 didn't really realize that.

3 And all of a sudden, they were
4 looking, What are we going to do with these
5 20,000 individuals that are coming back to the
6 Chicago area, and mainly to four ZIP codes or
7 four community areas within Chicago, of which
8 North Lawndale was one.

9 And we started talking about the
10 things that were necessary from a legislative
11 point of view, from a programming point of view,
12 and from a funding point of view.

13 As a direct result of that, there were
14 two task forces that were generated, one through
15 the Governor's Office at the time, and one
16 through the Mayor's Office. This was about
17 2004.

18 And they both produced reports with
19 lots of recommendations. They brought in people
20 from corrections, from law enforcement, from the
21 service provider community, from work force
22 development, and came up with a lot of strategies
23 on how they can facilitate the successful
24 reentry for all these thousands of people coming



1 back from the Chicago area and Illinois in
2 general.

3 And I didn't participate in either of
4 those task forces. And when I got their reports,
5 I was sort of annoyed by the fact that the
6 business sector was nowhere to be seen, no
7 conversation, no input from the corporate world
8 or even from anyone in the private sector beyond
9 the non-profit community. And it's an idea,
10 that's a very big omission. And that's valuable
11 input that we can't afford to do without.

12 So in the end of 2008, really,
13 starting in 2009, the Collaborative on Reentry
14 was an effort to reconvene both of the task
15 forces that had participated in the earlier
16 reports to really examine what had happened with
17 their recommendations, had any of the legislative
18 programs been initiated in terms of policy and
19 administrative directives for the Department of
20 Corrections or the courts, just what is the lay
21 of the land, you know, three, four years after
22 these recommendations had come out.

23 And we started anew. And this time, I
24 was at the table. And my particular emphasis was



1 around business engagement and the emphasis that
2 we have to have the private sector involved in
3 this.

4 We have to think of the business
5 community as more than employers. And if you
6 look at those old reports, the only time they
7 talked about the business sector was as
8 employers.

9 And it's kind of like the proverbial
10 bad day with just the one-track mind. If you
11 don't hire my clients, I don't want to talk to
12 you.

13 We need to get to the table with your
14 ideas, your insights, and strategies to help us
15 understand this problem from your perspective so
16 that the solutions we devise satisfy your needs
17 and your interests. And we've been working
18 throughout the past two years in trying to do
19 that.

20 Now, one of the projects that grew out
21 of our work force -- excuse me, our working group
22 within the collaborative was engagement with the
23 U.S. Attorney's Office in Project Safe
24 Neighborhoods.



1 I realize they're your adversaries in
2 the court, but they were kind of our allies in
3 this whole initiative in that they supported us
4 with a small grant to help us go and organize
5 meetings with local business communities, working
6 through neighborhood chambers of commerce,
7 working with other community-based organizations
8 that had ties to the business community so we
9 could present an educational program to talk to
10 them about the issue of liability, talk about the
11 things that I heard in the earlier panel about
12 the certificates of relief from disability and
13 expungement, those sorts of things.

14 We had an attorney come in and talk
15 about the correct and proper and lawful way to
16 use a background check and had very good response
17 from a lot of smaller businesses that
18 participated in that program.

19 Our next step in looking to the future
20 is to try to take that to the next tier and
21 address more mid-level, somewhat larger
22 businesses and hopefully take us all the way to
23 the corporate level.

24 Ultimately, I think we have to involve



1 the business community at the leadership while
2 we're around it, not just as targets of our
3 marketing, but to get the corporate community to
4 buy into this whole process and sit down and
5 inform us as service providers and our colleagues
6 that are in corrections, that are in law
7 enforcement and try to devise strategies that
8 will work legislatively.

9 And whether that means things like
10 tort reform, whether that means things that
11 alleviate different liability concerns that many
12 private sector businesses have when they look at
13 this population, then those are the things we
14 need to bring to the table and find a way, find
15 that happy medium so that we're satisfying the
16 needs of business because unless they hire,
17 unless they feel comfortable hiring, unless they
18 have the say in how the policies will allow to
19 determine the landscape within which they work, I
20 don't think we're going to be very successful in
21 this, so that's kind of the effort that we've
22 been involved in over the past two and a half or
23 three years and hope to continue.

24 CO-CHAIR JONES: Great. Thank you.



1 Penny?

2 MS. STRONG: Thank you.

3 I have a preliminary question
4 I'm going to address to both Mr. Bates and
5 Ms. Jenkins, and that is our committee has
6 discussed internally, what's the appropriate term
7 to use for someone who is an ex-offender,
8 formerly incarcerated, and then I just saw the
9 term "repatriate" in the newsletter. Do you
10 folks have a suggestion for us, or can you tell
11 us what the prevalent term is here in the Chicago
12 area?

13 MS. JENKINS: I don't live in Chicago.

14 MR. BATES: Reentry? Reentry population,
15 there has been some different viewpoints
16 concerning that, but I think one of the safest
17 ones that we tend to use is the reentry
18 population.

19 MS. LOVE: Would that extend also to people
20 who have never gone to prison?

21 MR. BATES: No.

22 MS. LOVE: Because that's a part of -- I
23 mean that's a big segment of the folks we work
24 with.



1 MR. BATES: Yeah. And I guess you can look
2 at it that way in terms of reentering the work
3 force, but society as a whole I think is more the
4 point when you're talking about reentry, so I
5 guess it could be. And I think that's probably
6 one of the reasons why they use it that way, not
7 to isolate a particular group of folks but
8 specifically talk about a group of folks, so it's
9 kind of tricky.

10 MS. STRONG: Ms. Jenkins, is the term
11 "repatriate" something that's fairly new? I saw
12 that in your newsletter.

13 MS. JENKINS: Yes. We use in Lake County
14 which is close to the Wisconsin border, we use
15 "repatriate." And we decided to use that word
16 because the formerly incarcerated would come back
17 into a community, reentry, reestablish, reclaim
18 that connection back with society. And because
19 they have job readiness and job this and job
20 this, that's a repatriate is a person that comes
21 back to this site and gained whatever is lost, so
22 we use the term "repatriate."

23 Chicago used formerly incarcerated.
24 This person used ex-offender. This person



1 used -- but it's all an ex-offender. It really
2 doesn't matter what term you want to use it by,
3 it's still an ex-offender.

4 MS. STRONG: All right.

5 MS. JENKINS: But that's what they look at
6 when you go fill out the application. Have you
7 ever been convicted of a felony, that's it, you
8 know. The name is -- they can do anything the
9 way they want to do it.

10 MS. STRONG: Well, thank you for your views
11 on that. They're very helpful.

12 Following up on filling out the job
13 application, Ms. Jenkins, and, of course, we're
14 familiar now with the ban the box initiatives --

15 MS. JENKINS: Yes.

16 MS. STRONG: -- and that's in the newsletter
17 of this coalition, also, what's your opinion? Do
18 you believe that it is important to disclose the
19 criminal conviction and the nature and the
20 circumstances thereof, or conversely not to ask
21 at all? I'd be interested in your personal
22 opinion, and then also the experience that you've
23 seen with the repatriates that you're serving
24 now.



1 MS. JENKINS: Well, I just heard from a
2 panelist, the panelist speaking about corporate
3 people being in conjunction with the community of
4 ex-offenders.

5 In Lake County, we have corporate
6 people to come in and mix ideas with the
7 Coalition to Reduce Recidivism. And that's where
8 banning the box comes from because they want to
9 know as a person, as an employer, what's going
10 on, but if you have a person that's just coming
11 out of incarceration, with the job readiness,
12 with this, with that, they still get to the
13 table.

14 And when this question comes to, Have
15 you ever been convicted, they lose it. All
16 across the county, they lose it.

17 So they think, Okay. What about if
18 you just ban the box? What about if we just take
19 it out?

20 I said, Well, would you, because I'm
21 like in their face type employer -- I would --
22 look, let's just put it out there. What could we
23 do to fix it? What can you do to help us?

24 They say, Well, we don't think it's



1 necessary. So in the Lake County area, in the
2 Lake County area, most places, they don't even
3 have it on the application.

4 They took it out of Waukegan Township
5 when I applied for the township. When I applied,
6 coming up, there is a reentry person coming back
7 into society, some places, they don't have it,
8 have you ever been convicted.

9 So they'll say, Well, tell me
10 something about yourself. And that's why I'm,
11 oh, I did this, but here I am. I can do this.
12 I'll do this. I'll do this.

13 They say, Do you have any more
14 questions?

15 Yeah. When can I start? And I
16 started, do you know what I mean? So some places
17 in the Lake County area which is the State of
18 Illinois, they don't even have the box. I don't
19 think the box is necessary, I don't personally.

20 MS. STRONG: And let me address this same
21 question to Mr. Tonn. What's your experience
22 been in terms of the latest initiative that
23 you've been involved with, in particular, with I
24 guess the corporate sector large employers like



1 Wal-Mart or FedEx, people like that? I mean is
2 banning the box realistic?

3 Also, the newsletter I noted, and I
4 thought about this, I practice employment law,
5 helping people who've lost jobs or are
6 discriminated against. That would be to maybe
7 move it back, not allow it as part of the
8 preliminary screening process so the person can
9 get a toehold or foot in the door because I have
10 had to hire people when I've been working for
11 local agencies, and, you know, there is that --
12 you see the person on paper, and they look
13 great.

14 But also, the person walks in, and
15 there is just something that clicks. And you
16 know you want to hire them, they may be the best,
17 but then you have something like a conviction, or
18 when I was hiring lawyers, people who maybe were
19 facing disciplinary consequences.

20 So I've run on a little bit, but
21 Mr. Tonn, what's your experience been in terms of
22 trying to cultivate the business leaders and
23 maybe some of the larger, more corporate
24 employers?



1 MR. TONN: Well, we were very active in the
2 push to get Cook County and the City of Chicago
3 to remove the box from their job applications,
4 and we were successful in doing so.

5 We get a lot of resistance from the
6 business community just because they want every
7 bit of information they can have prior to
8 scheduling interviews or making preliminary
9 decisions about their applicants. This is even
10 more an issue now with so many companies that
11 take applications online or electronically.

12 And I can't prove that anybody does
13 this, but I'm sure that it wouldn't be difficult
14 to do to say anybody who said "Yes" to Question
15 26, you know, we're going to sideline that one so
16 that he can't get a hearing.

17 I think having a law that would
18 eliminate that from the preliminary application
19 so that people could be looked at as individuals,
20 knowing full well that most companies are going
21 to do background checks these days anyway, so
22 they will know about the record.

23 In the case of clients who come
24 through North Lawndale Employment Network and



1 most of our colleague agencies, they're going to
2 disclose that in the interview anyway. It's part
3 of their history, it's part of their story, but
4 if they can at least table that discussion until
5 they can get through the first threshold and be
6 considered for employment, that's desirable to
7 have.

8 MS. STRONG: Mr. Bates, in terms of the work
9 that you do for reentry, what one resource do you
10 see as primary and essential to helping people
11 get employed who are formerly incarcerated?

12 MR. BATES: Right now, with the current
13 state of the economy, one of the things that we
14 do at North Lawndale is a wage rebate program.
15 That has been one of our safest ways and one of
16 our easiest ways to even get the conversation
17 rolling with one of our business partners.

18 Ron mentioned earlier about a lot of
19 the liability issues and just the attitude
20 towards that particular population, the reentry
21 population, so despite skill set, or in spite of
22 skill sets, that's one thing they always ask for,
23 a competent, competitive work force. But more
24 importantly, what else can I get because I'm



1 essentially taking a huge gamble here.

2 And having an ear to that and
3 understanding that what they appreciate and how
4 much that affects their bottom line initially,
5 give them an idea, I do speak the language
6 somewhat, and what Ron said about that is really
7 important. They like the idea that somebody can
8 speak the language because they know you're not
9 just pushing the moral imperative. You're really
10 thinking about their ideas and their organization
11 or business as a whole, and it helps a lot.

12 MS. STRONG: I see.

13 MR. BATES: And so because of that wage
14 rebate program, it allows us to continue that
15 conversation around then skill sets and more case
16 management while people are employed there. And
17 they also value that relationship, too, because
18 it takes a lot away from their HR department.

19 MS. STRONG: Can you tell us a little bit
20 more specifically how the wage rebate works, and
21 is that the county or the state? What is that?
22 How is it essentially operated?

23 MR. BATES: So it's both city and state.
24 And we have gotten funds that are built into our



1 budget so where we can reimburse an employer who
2 hires one of our candidates around our
3 transitional jobs program, which means that the
4 candidate will get on-the-job training at any
5 particular employer, at any particular sector
6 that we transition those folks into.

7 So for the first 60 working days, at a
8 rate of 8.25, at about 32 hours a week, every
9 candidate that we send out on a bi-weekly basis,
10 we pay back the wages that they paid out
11 initially to our candidate.

12 MS. STRONG: And do you use the same
13 protocols that Ms. Jenkins was talking about
14 when -- and I notice you've got a -- do you have
15 the U-Turn program?

16 MR. BATES: Yes, Permitted program, yes.

17 MS. STRONG: Do you use the same sort of
18 specialized, individualized interview with an
19 assessment form for each person to determine
20 where their skill set is?

21 MR. BATES: Yes.

22 MS. STRONG: And then do you sort of job
23 match with them?

24 MR. BATES: Yes.



1 MS. STRONG: And then do you follow that
2 person after they've gotten employed?

3 MR. BATES: Yes.

4 MS. STRONG: And what kind of follow-up do
5 you do to assess how the job situation has worked
6 out for them and for the employer?

7 MR. BATES: Through grant stipulations,
8 generally 30, 60, 90, all the way up to 180 days,
9 but as the business service manager, I've worked
10 really closely with the program manager of the
11 U-Turn Permitted program, so we coordinate in
12 terms of whatever services that the employer
13 needs.

14 So if it hasn't been 30 days, if it
15 hasn't been 90 days, if they've been gracious
16 enough to keep our folks after the 90-day period,
17 I'll follow up on any concerns that the employer
18 has about any particular candidate and any way --
19 resources that we can leverage to increase the
20 demand for our folks by helping the business
21 grow.

22 MS. STRONG: And Ms. Jenkins, do you have a
23 similar type program in your county as well,
24 follow up that person and then give them



1 supportive counseling, say they're starting to
2 have some maybe disciplinary or other issues with
3 employment?

4 MS. JENKINS: We don't have enough
5 manpower. I'm the employment specialist. And
6 sometimes -- I'm just one person, so the
7 employers, they come to me with concerns, with,
8 you know, They're doing a great job.

9 They'll send me a report. We follow
10 up like 180 days because most of the employment
11 is just long term. So after we refer them, the
12 client is gone. They enter back into society and
13 come back and join the coalition. That's what
14 the goal is.

15 So we follow for 180 days. They send
16 me a report back every 30 days, how the client is
17 doing, attendance. And I say, Okay. Yeah, yeah,
18 yeah. They're fine. That's all I have time for,
19 you know.

20 But if any disciplinary stuff, you
21 know, come down, then they don't tell me what
22 happened, if they terminated them, if they're
23 keeping them. They'll just report to me.

24 Like they'll call me and say, I need



1 10. I need 15. Can you send me -- that's the
2 connections that I have, you know.

3 I did enough kicking doors down in the
4 community. They know where I am. And they know
5 what we deal with. And they're sensitive to the
6 population, so I don't have a lot to do.

7 MS. STRONG: I'd like to ask both of you,
8 Mr. Bates and Ms. Jenkins, are there any
9 ex-offenders who own or operate businesses or are
10 primaries in businesses where they have a special
11 interest in employing folks who are repatriates?
12 Are you seeing that development where people are
13 getting out there and starting their own
14 businesses?

15 MS. JENKINS: Yes, ma'am. We encourage
16 entrepreneurship. And I have so many clients
17 that came from the program and excelled and they
18 own. They're business owners, they come back and
19 they say, Miss Johnnie, can I have three men? Do
20 you have four women? Do you have -- cleaning
21 services and catering services and barber shops
22 and beauty shops and salons. That's what our
23 goal is.

24 They connect with the job center.



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1 They provide financial counseling, financial aid
2 for qualified candidates, then they take off from
3 there because our area is tight and it's working,
4 so everybody wants some.

5 So by the time they get to me, they're
6 job ready. They're ready for whatever.

7 But I do have a population of people
8 that I have little or no resources for, and it's
9 sex offenders.

10 MS. STRONG: Well, that was going to be my
11 next question for the three of you is sex
12 offenders.

13 And have any of you had any success
14 for those folks in achieving any employment
15 opportunities for them? And if not, do you have
16 any suggestions as far as changing the laws or
17 policies? We've been talking about the 500-foot
18 rule for people, and of course the Federal Adam
19 Walsh Act and the very rigorous registration and
20 other requirements are just daunting for these
21 people. It's a huge uphill battle.

22 But if you have any experience at all,
23 we would really appreciate your sharing not only
24 your experience, but your views and your opinions



1 on what we could all do to help those folks.

2 MR. TONN: One of the ways the economy has
3 changed in the last 10, 15, 20 years is it's much
4 more service oriented, so there is much more
5 person-to-person contact.

6 The kind of jobs where somebody stood
7 behind the machine and, you know, worked alone
8 all day where an ex-offender might not pose the
9 same anxiety is diminished, so the more we have
10 businesses that bring individuals into contact
11 with customers and vendors and co-workers in open
12 environments, the more things like sex offenses,
13 you know, raise the concerns of employers.

14 The fact that we were talking about
15 entrepreneurship seems to be one of the strongest
16 avenues when you talk about somebody with that
17 kind of background because the bias within the
18 employment community is extremely high in those
19 cases. And maybe it's strategies around
20 entrepreneurship that are most applicable in
21 those kinds of cases.

22 MS. STRONG: As we've heard in the housing
23 sector how sex offenders get housing, then people
24 get online, neighbors or police call neighbors,



1 let them know, and all of a sudden, they're
2 evicted and they're out the money, so to speak.

3 MS. JENKINS: I had a client, he was
4 accepted into -- he left Lake County and
5 transported here to in the Aurora area. That's
6 like the only place I know that will house them.

7 And we were emailing and faxing and
8 talking 45 minutes. And then he made it to the
9 site for housing. And when he got there, he
10 wasn't able to stay because he takes psychotropic
11 medication.

12 So it's just like I don't know what
13 they expect me to do with him. I have no
14 resources.

15 If they're on medication, if they, you
16 know, registered for life or registered here,
17 just got out, on parole, nothing.

18 So I see him walking the streets with
19 nothing.

20 MS. STRONG: Mr. Tonn, going back again to
21 the coalition of business leaders you've put
22 together, and I notice in the written materials
23 that we got on the Collaborative on Reentry, that
24 now, these materials say that you have over 475



1 partners statewide.

2 How does that work practically? Are
3 they members of your collaborative? Are they
4 registered somewhere?

5 How do folks like Ms. Bates and
6 Ms. Jenkins access the business leaders who have
7 expressed a commitment to hire the formerly
8 incarcerated?

9 MR. TONN: The collaborative itself is
10 really loosely organized. It's originally
11 involved inviting people that had roles in the
12 two previous task forces, and then people that
13 had an interest were more or less allowed to just
14 start participating, so that number you're seeing
15 is not all businesses. These are all service
16 providers, law enforcement, elected officials.
17 It's the entire group of individuals who
18 comprised the collaborative over the last three
19 years.

20 The collaborative is not a direct
21 service provision organization, so it doesn't do
22 direct outreach to business around hiring.
23 That's what, you know, folks like Johnnie and the
24 North Lawndale Employment Network do.



1 And I think as Jumaani was saying
2 earlier, it's a very challenging time right now
3 because we have so many people, 15 million
4 Americans unemployed right now who don't have
5 criminal records. And the competition is
6 extremely tough.

7 Stepping out of, you know, into my COO
8 role at North Lawndale for a moment, one of the
9 things we teach our clients is the value of
10 developing social networks and trying to help
11 them reach out to people they may have known in
12 the past, maybe they have to repair some
13 relationships, rebuild some bridges, but to get
14 their eyes and ears working for them to
15 reestablish their confidence and trust with those
16 people so that they will invite them and maybe
17 come into a workplace with their endorsement or
18 recommendation with businesses associates of
19 theirs.

20 And I mean we've been teaching our
21 clients in the U-Turn program to do that for the
22 past couple of years, and it's working very, very
23 well. It's kind of almost amazing when they do
24 work up the nerve to reach back and contact some



1 of those people.

2 And many times, they're people that
3 were very disappointed or even burned by them in
4 the past. When they make the right approach and
5 they ask for help, convince them of their
6 sincerity, they're generally pretty willing to
7 try to help them out. And we've gotten a lot of
8 people employed through that process.

9 MS. STRONG: And I want to ask all three of
10 you, in terms of you're saying that even if you
11 have as you have now in many jurisdictions, the
12 ban the box on criminal record, nonetheless, many
13 employers are going to the Internet or paid for
14 background checks. Have you had any experience
15 with any of your clients being, if you will, the
16 victim of faulty background checks or checks
17 where they're just name-based, for example, and
18 they come up with someone else's record? Can you
19 speak to any of --

20 MR. TONN: That happens all the time. In
21 fact, that's one of the recommendations of the
22 collaborative, is that there be more strict
23 enforcement of the guidelines that govern those
24 private organizations that conduct background



1 checks and make them accountable for false
2 information or illegal or improperly disclosed
3 information when that handicaps somebody in their
4 job search.

5 And that I think is an important
6 legislative initiative that we need to look at
7 very closely.

8 MS. STRONG: I have no further questions.

9 MS. LOVE: Well, I have a question then.
10 Maybe Mr. Bates can answer this one. It's sort
11 of in the nature of maybe getting you to explain
12 something we didn't get to hear from another
13 witness who unfortunately had to cancel who is
14 Diane Williams of the Safer Foundation.

15 And I know -- are you familiar with
16 the kind of different -- the strategy that Safer
17 uses to -- could you explain? It's a little bit
18 like your wage rebate but a little different,
19 too.

20 MR. BATES: Yes. The intricacies, I can't.
21 The things that I am familiar with and I can
22 speak to is the idea of creating partnerships
23 around subsidies, whether it's WOTC tax
24 incentives, which is Worker Opportunity Tax



1 Credit, Federal bonding which for the most part,
2 most non-profits around work force development
3 generally use.

4 That's probably been the best strategy
5 besides, you know, Putting Illinois to Work
6 program has come out in the last couple years.
7 BHP, which is the Mayor's reentry Business Hiring
8 Program, but that's the extent of it. I can't
9 really divulge a lot of what Safer does, but I
10 know we operate on the same pretense in terms of
11 incentives for the business community to hire
12 folks.

13 MS. LOVE: It's my understanding that they
14 actually -- the employer has a relationship with
15 Safer, and Safer provides the employees so the
16 employees are working for Safer.

17 MR. BATES: Yes.

18 MS. LOVE: So it's kind of like a
19 subcontract --

20 MR. BATES: Staffing.

21 MS. LOVE: -- for a while, and then after a
22 while, so it's sort of a confidence thing.

23 MR. TONN: Actually, strategically, we made
24 a decision to do just the opposite. We wanted to



1 get our people on the employers' payroll as early
2 as possible so that they have some stake in the
3 game when we still have some leverage to offer.
4 We don't want to get to the end of the subsidized
5 period and say, now, would you like to put this
6 person on your payroll.

7 MS. LOVE: Right.

8 MR. TONN: We'd much rather see them do that
9 and then handle the subsidies through a rebate
10 program.

11 MS. LOVE: That's very, very helpful.

12 I have a question for Ms. Jenkins. We
13 heard from the Governor's folks this morning
14 about the executive clemency program. And I was
15 very -- ears perked up when I heard that you had
16 applied for and received a pardon.

17 MS. JENKINS: Yes.

18 MS. LOVE: In 2009.

19 MS. JENKINS: Yes. It was a long process.

20 MS. LOVE: How long was it?

21 MS. JENKINS: Oh, my god, was it. I started
22 this process in 2002. I didn't get a response in
23 the mail until 2006 for anything. I mean did
24 they receive the package, that whatever. You



1 forgot to dot this "i." You didn't cross the "t"
2 on Page 95. Do you know what I mean? I didn't
3 get anything for like four years.

4 MS. LOVE: You submitted it to the Prisoner
5 Review Board?

6 MS. JENKINS: Back then, it wasn't -- the
7 Internet wasn't real savvy, and you couldn't
8 apply online back then.

9 So I think I applied, my first initial
10 pack was 2001 because I was done with all ties to
11 the judicial system. And the first package went
12 off in 2001. I didn't hear anything back until
13 2006, that you're going to need to do Page 95.
14 That's when it was extensive. Now, it's like
15 maybe two or three pages because I'm coaching
16 other people and I know how to do it, so I'm
17 doing it.

18 And so I had to come down to Chicago
19 for a hearing. And they say, Okay. So why
20 should we listen to you?

21 I said, Because I volunteer here. I
22 do this. I am in church. I go to school. I'm
23 getting my Associate's, my Bachelor's, my this.
24 I'm married. My children are successful. They



1 go, Okay. Bye.

2 So I was like, So what happened?

3 They was like, Bye, you know, real
4 cold.

5 And so I said, Okay. Let me see.

6 Another year went past. I didn't hear
7 nothing. Another year went past. I didn't hear
8 nothing. In 2009, it came in the mail.

9 MS. LOVE: From --

10 MS. JENKINS: From Blagojevich.

11 MS. LOVE: From Blagojevich. I didn't think
12 he acted on any of the --

13 MS. JENKINS: Yes, he did. Yes, he did.
14 2009. I have my certificate in my office.

15 MS. LOVE: You ought to auction it off on
16 eBay.

17 MS. JENKINS: Go to my Facebook,
18 everywhere. And in my office, in my house,
19 everywhere.

20 MS. LOVE: Awesome.

21 MS. JENKINS: Yes, he did. Yes, he did. He
22 signed, stamped, and dated it.

23 MS. LOVE: You're the first person we heard
24 that said he signed it.



1 MS. JENKINS: Yes, ma'am. Yes, he did.

2 CO-CHAIR YOUNG: Clemency wasn't granted?

3 MS. JENKINS: I received it in the mail. I
4 was like -- but it was a long process. Nothing
5 happened for years. Okay. I had help, and it
6 was all free.

7 I went to this place called the Second
8 Chance program. And back then, I didn't have a
9 GED. And they said, Okay. If you want help from
10 the Second Chance program, you need to get a GED.

11 MS. LOVE: What is the Second Chance
12 program?

13 MS. JENKINS: Well, it's a repatriates
14 program now. It used to be back then the Second
15 Chance program.

16 And what they do is they use education
17 as a vehicle now. And they go through a six-week
18 process of computers and job readiness and this
19 and that.

20 Back then, it was just you look for
21 jobs and you go to the College of Lake County to
22 take English and math for your GED.

23 So he said, Go get a GED and come back
24 and talk to us.



1 I said, Okay. Okay. So he challenged
2 me. And so I went and got the GED.

3 He said, Okay. Now, go sign up for
4 college.

5 I said, You said GED.

6 He said, College.

7 I said, Okay.

8 So I got the GED, I ran down to the
9 College of Lake County, and I got the Associate's
10 degree.

11 He was like, Okay. And then we
12 started.

13 And I've been on fire ever since.

14 CO-CHAIR YOUNG: Can you just give us a
15 sense of, you know, how long ago was the -- I
16 mean what kind of time frame are we talking from
17 when your conviction was? Did you serve a
18 sentence when you were released before you
19 started all this other stuff?

20 MS. JENKINS: My conviction, I was released
21 from Dwight Penitentiary -- I went to Dwight
22 Penitentiary in 1997. And then I went to boot
23 camp in '98. I think it was 61 days after. I
24 went to boot camp, and I did four months in



1 impact incarceration down in Miami, Miami,
2 Illinois. That was in 1998, I was released. And
3 I had two years --

4 CO-CHAIR YOUNG: Parole?

5 MS. JENKINS: No. The whole sentence. The
6 whole sentence was three, so I did maybe say six
7 months. Anyway, I got out, it was 18 months, so
8 after the 18 months, I was able to apply because
9 you have to have some time between your last
10 conviction and the time you're eligible to even
11 apply for anything.

12 So the time had elapsed. And I
13 applied. And Warren Thomas, which is my mentor
14 today. And he said, Okay. It's time for you to
15 start this clemency process because I heard a
16 panelist say that he don't know if he did the
17 crime. But I had 29 cases, and I did all of it.
18 Yes. Yes. I did everything.

19 And so I had cases that was able to
20 be -- one criminal conviction makes the whole rap
21 sheet ineligible, so nothing was eligible for
22 expungement.

23 I had to go through the seal process.
24 And then they chopped it down, chopped it down,



1 chopped it down, so I end up doing I think it was
2 two cases for consecutive pardon.

3 CO-CHAIR YOUNG: So you ended up going
4 through everything.

5 MS. JENKINS: Everything. Yes. This panel
6 is a little bit more pleasant. Yes.

7 CO-CHAIR YOUNG: During the time that you're
8 going through this process, then you didn't have
9 the expungement, you didn't have these
10 certificates. What kind of jobs were you able to
11 get, you know? How did you start getting --

12 MS. JENKINS: Well, my first place of
13 employment was at Highland Park Hospital. And
14 they had the requirements, no background, GED, no
15 criminal history, this, this, and so I got the --
16 just give me -- no this, no that, no this. The
17 GED was pending. I had hoped that I was going to
18 have a clemency someday.

19 And so I just said, When can I start?
20 And she was like, You know what, can you pass a
21 toxicology? I was like run the computer.

22 And so I took the toxicology. She
23 said, Do you have any other questions?

24 I said, What day can I start?



1 And I resigned from that job, got the
2 degree, and then I was placed in human service.
3 I got a degree in human service, so I was a
4 substance abuse counselor in Lake County for five
5 years.

6 And I resigned from that job. And
7 then I resigned, I resigned, that's how you're
8 supposed to do it, and then I was offered a job,
9 offered a job. I wasn't looking for Waukegan
10 Township. They found me. And so I'm finishing
11 up my Bachelor's at National-Louis.

12 So I think it was my personality, my
13 want to do it, my will. I don't think -- every
14 program in the world could do whatever they want
15 to do. The legislature can do whatever they want
16 to do. I think that the decision rests with the
17 individual. Now, take that back and deal with
18 that.

19 MS. LOVE: We have heard from some
20 exceptional individuals in these two days. We
21 heard from Darrell Langdon yesterday and you
22 three today, are just kind of awesome folks.

23 What do ordinary people, if I may
24 say -- we've got to realize that you four do not



1 represent the human race in general.

2 MS. JENKINS: Right.

3 MS. LOVE: Sorry. I mean you are all
4 exceptional, unless everybody out there with a
5 conviction is all like you, and maybe we'd better
6 go into retirement, we don't have one, bad us,
7 you know.

8 But no, seriously, I mean we're
9 looking at a larger problem where you guys have
10 risen totally to the top with your extraordinary
11 energy and can-do attitude.

12 What kinds of things can the legal
13 system I am thinking because we're lawyers, we
14 have got to think about that, do to help people
15 who have less kind of advantages, if you will,
16 than you four?

17 MS. JENKINS: I think for starters, the
18 biggest issues that I see in the Lake County area
19 for formerly incarcerated people, if a person has
20 not been or will not be charged for an offense,
21 why does it still need to be on the arrest record
22 because most -- I have a lot of clients that
23 comes in, the case was dismissed, not in process,
24 thrown out, and it's still on the rap sheet.



1 They can have a misdemeanor 15 years ago, and
2 this arrest continues to stay on the background.

3 When they run the background check,
4 it's the case numbers that comes up, not -- they
5 don't really care what happened. All they know,
6 that you were arrested for this offense. And
7 they don't look at the next line, they just stop
8 right there. You know what I mean? And that's
9 my biggest issue. Why does it have to be on the
10 arrest record, why? If it was thrown out, why
11 are you saving it for later? What are you saving
12 it for? And that's the biggest issue that I run
13 up against.

14 MS. LOVE: There are a lot of states that
15 expunge non-conviction records, you're talking
16 about non-conviction records, automatically. A
17 lot of them do. Illinois may not, but a lot of
18 states do actually so -- but that's useful
19 information if that's a big problem.

20 MS. JENKINS: It's a huge problem where I
21 am.

22 MR. BATES: If I could just piggyback off
23 that because I've been through the system, so to
24 speak, I would say on the law side -- and this is



1 not a statement against the defense attorneys at
2 all -- but in Chicago, they get buckled down by
3 the system, lack of resources that the state
4 has.

5 In my particular situation, my first
6 arrest was from an officer who the substance that
7 he planted on me wasn't even real. Later, I took
8 probation because that was the quickest way for
9 me to get back on and the quickest way for me to
10 get off the defense attorney's caseload.

11 Later on, this same officer, along
12 with a plethora of others, got indicted for
13 robbery charges, murder charges, drug charges,
14 but it didn't change the fact that he had already
15 essentially ruined my life, not without the part
16 I played in it, of course, but he -- I mean just
17 knowing me at the age of 16, told me, Jumaani, by
18 the age of 17, I'm going to send you to the
19 penitentiary. At the age of 17, I was in the
20 penitentiary.

21 And so that -- and I know a lot has
22 changed in terms of reforming the law enforcement
23 and the other side -- not a lot, but, you know,
24 but on that side, but that's the biggest thing



1 that I can see because that plays a major part.
2 And you see that a lot.

3 Case in point, on one of my latter
4 charges, I was in the bullpen, and I saw the
5 state come back and tell a guy and say, Hey,
6 you're from good stock. You'll be out of here
7 before the night is over with.

8 I've never seen a defense attorney
9 come back and say that to anybody.

10 You generally heard, Do you want to go
11 home? How do you want to proceed with this? I
12 can try to get you probation right now if that's
13 what you want.

14 And so that -- and in their defense, I
15 know it has a lot to do with the amount of cases
16 that they see on a regular basis and just trying
17 to really find a way to get folks out and
18 really -- because that's generally what people
19 want to do. And without being really cognizant
20 about the law, they just want to go home, so
21 that's probably the first thing that I could
22 see.

23 MS. STRONG: That's an excellent point
24 because we have been asking throughout these



1 panels -- I'm jumping in here -- what can we tell
2 our fellow criminal defense attorneys they should
3 be activating in their current practices, in
4 other words, that active segment of
5 representation so they understand what's going to
6 happen later on?

7 You know, absolutely the total
8 consequences of any conviction and forget this
9 hurry up and get it over mentality.

10 MS. JENKINS: I know.

11 MS. STRONG: Whether it's a misdemeanor or a
12 felony.

13 CO-CHAIR JONES: Geneva, did you have a
14 question?

15 MS. VANDERHORST: Well, I want to just take
16 advantage of the three of you and the insights
17 that you had working with different employers
18 outside of or in addition to not-for-profits and
19 just brainstorm a bit on what kind of positions
20 do you think would be available, particularly for
21 people with sex offenses? And I'll just give you
22 a little time to think, but really, it seems that
23 most employers are concerned about one of two
24 things, one is whether or not a person who has



1 been convicted of a sex offense is going to have
2 contact with their customers which deals with
3 their reputation, their bottom line, or safety
4 with their other employees.

5 What can you say to those potential
6 employers about how folks who have had these
7 charges -- and first of all, beyond just
8 educating them on the fact that many people with
9 these offenses are the 18-year-old guy who had a
10 15-year-old girlfriend, and now they have been
11 married and have kids and have a house, everybody
12 who has that label is not someone who was, you
13 know, serial contact with a kid.

14 How do you go about educating
15 employers on the reality of everyone being
16 grouped in one class, and then possible positions
17 that they may have that gets across those
18 barriers like working in a warehouse or green
19 jobs where they're working in recycling centers
20 and dealing with machines and not so much with
21 the public?

22 MR. TONN: It's one of the hardest
23 problems. That's why we look in our case with
24 those few people in our caseload that have that



1 kind of background and avenues that lead toward
2 entrepreneurship because it would be so hard to
3 get over concerns of employers, whether it is
4 contact with vendors, customers, or co-workers
5 that the anxiety is so high, the fear of
6 liability is so high, and the sense of exposure
7 they feel in that situation. It's almost
8 insurmountable.

9 So we look at self-employed situations
10 first and try to see how we can facilitate that.

11 MS. VANDERHORST: Are you finding states and
12 municipalities open to extending contracts to
13 folks with those kinds of backgrounds, even with
14 your ban the box --

15 MR. TONN: In terms of being vendors with
16 the state, that happens very rarely. I'm not
17 sure if there is an example in Illinois. I'm not
18 aware of it.

19 MS. JENKINS: The first question when they
20 sent me that email, before they start, what they
21 have available for me, no sex offenders. They
22 don't even give them a chance to have this
23 person. Even before they give me the description
24 of the job, where it's located, any of that



1 information, no sex offenders, so I have no
2 resources.

3 CO-CHAIR YOUNG: The point that Jumaani
4 brought out and others would, too, is, you know,
5 the first thing you hear from your attorney or
6 one of them maybe, especially if it's a case
7 early on, is I can get you probation because I
8 guess you've been denied bail and you can't get
9 an OR, and so if you take this deal, you'll get
10 out. Okay.

11 Now, with the Supreme Court's decision
12 in Cadilla regarding advising people of
13 immigration consequences, and we're looking at
14 other consequences of conviction, separate from
15 the work that needs to be done regarding guilt
16 and innocence, how do you balance because it's
17 the defendant who has to make the choice.

18 There is all these things I need to do
19 for you, and you are one of, let's say, 50
20 clients I have. And I will get it done, but
21 let's say it's going to make me 30 days to give
22 you all the information that you need to make a
23 decision, but, by the way, you know, if you cop a
24 plea today, you're going home.



1 MR. BATES: Right.

2 CO-CHAIR YOUNG: Is the answer going to be
3 I'm going home? Is there a way to sell it so the
4 answer isn't, I'm going home, that I like it
5 here?

6 MR. BATES: In some cases, I think so, but I
7 think like when Ron was talking about the
8 collaboration, it's really huge in these
9 situations because preventive services and
10 intervention services, if the defense attorney is
11 more knowledgeable about those things, it might
12 help in the decision-making of whoever the
13 particular person is.

14 Probation might be the most viable
15 option, but these are some of the things that you
16 can do in the meantime where you still are going
17 to court for the case that might either help at
18 the end, or if you wind up getting probation,
19 might ultimately help combat it, whatever is
20 going to happen because some cases might not be
21 probationable.

22 And so to me, I think that's the best
23 thing, really understanding what type of
24 organizations are available, what resources are



1 available. And I know that's really difficult to
2 do because those guys already have so much going
3 on, but just some knowledge about that, and then
4 in partnership and to the extent that they have
5 it in the juvenile system.

6 So not only will you see the public
7 defender, but you will also see supportive
8 services right there in the courtroom to try to
9 help mitigate whatever is going to come out at
10 the end of this.

11 I think the same thing should be done
12 in the adult population, if possible. And I
13 think it would dramatically change some of the
14 decision-making that folks make in terms of
15 whether or not I want to go home right now, or
16 what are the ultimate consequences because to a
17 huge degree, a bunch of folks might not care
18 because they don't even look at the long term,
19 how this is going to affect them in the long
20 term.

21 CO-CHAIR YOUNG: Not tomorrow, right now.

22 MR. BATES: Right. But in terms of offering
23 more resources, and what you can do in the mean
24 time I think would help with that



1 decision-making.

2 MR. TONN: I think this is an advocacy
3 question. You have to work with the courts, you
4 have to work with law enforcement.

5 The new President of our Cook County
6 Board, Ms. Preckwinkle, made headlines recently
7 by telling the police, stop filling my courts
8 with these petty drug cases, so it's the volume
9 that we consciously and actively generate that
10 keeps the courts full, keeps the public defenders
11 busy, and minimizes the amount of justice that
12 goes out to each individual.

13 And we are in a country where we are
14 five times more likely to be incarcerated than
15 any other country in the world. And the reason
16 for that, I think part of that is public
17 awareness but it's also law endorsement and
18 management of courts that decide where we're
19 going to draw the line, where we're going to put
20 the emphasis.

21 CO-CHAIR JONES: Elissa?

22 MS. HEINRICHS: Yes. I am really encouraged
23 to hear what you are doing with developing
24 entrepreneur opportunities. And, you know, I



1 truly believe that that allows an individual to
2 move from a place where they are asking for
3 something and instead identify what they have to
4 offer and empower themselves to offer it to the
5 community.

6 So my question is this, it's
7 two-fold -- everybody laughs about my two-fold
8 questions here -- but there is a history.

9 There is an assessment tool that I
10 believe that you mentioned and also you mentioned
11 as far as screening the individuals that you're
12 working with.

13 I'm wondering if the assessment tool
14 has or could include questions or identifiers
15 that can identify those who have the
16 entrepreneurial spirit and those who don't.

17 Some people may have a skill that they
18 can turn into a business, but they need to work
19 collaboratively with other people. Maybe they
20 don't have the financial information. It's just
21 not going to work for them.

22 Is there an assessment tool that is
23 being used or could be implemented to identify
24 those who could create start-ups?



1 MR. TONN: I think there are a lot of
2 different aptitude kinds of tests that are in use
3 in the employment world that identify those kinds
4 of characteristics. We don't make formal use of
5 those kinds of tools in our organizations very
6 often.

7 MS. HEINRICHS: Why?

8 MR. TONN: Well, there's an expense
9 involved, and it's something generally I think we
10 can recognize in our clients without the
11 formality of the tool.

12 When you first mentioned assessment
13 tools, my mind went to what the state is doing
14 now. And they've got new risk assessment
15 procedures that they're putting in place with all
16 the incoming inmates. But it's really not around
17 how they can function on the outside, it's how
18 they can be managed on the inside. And that's
19 the extent of the way assessment is used in the
20 Department of Corrections in Illinois.

21 MS. HEINRICHS: And the second part of my
22 question, we've heard about the sex offenders.
23 They get an apartment, the police notify the
24 landlord, the neighbors find out, pressure the



1 landlord, the individual is evicted.

2 With startups, with the businesses,
3 have you seen any backlash from the communities
4 where the businesses are located where neighbors,
5 other people in the community said, We don't want
6 this business run by this individual in our
7 community? Has there been a backlash? Is there
8 any way to protect them so that that information
9 isn't shared?

10 MR. TONN: For the most part, the clients
11 that I'm aware of who've started entrepreneurial
12 ventures have done it in communities where they
13 live. These tend to be impoverished communities
14 that are severely stressed economically and where
15 everybody in the community kind of shares a lot
16 of the same characteristics, so you certainly
17 don't see that kind of community reaction. They
18 may tend to be most likely customers of those
19 kinds of initiatives.

20 MR. BATES: And yes, I agree with Ron. In
21 my experience, they have been pretty successful
22 for the most part at a certain scale, it's
23 because the idea of having an identifiable face
24 as a business owner is something that a community



1 is generally in favor for. Sometimes, the
2 question is the legitimacy of the particular
3 business, but never a whole lot of pushback.

4 And it's interesting is because just
5 yesterday, one of our former clients who is still
6 a client of ours, not formally, but who started
7 out of the process with fire hydrant red hair and
8 eyebrows, came to me just yesterday and wanted to
9 be an independent contractor in terms of a
10 concierge service and was asking how the NLEN
11 could help to leverage opportunities in terms of
12 insurance.

13 She wasn't quite there yet, but again,
14 I'm with Ron, I push for that is because one of
15 the things that I think we forget quite often,
16 especially when we talk about folks who have
17 transitioned from the drug trade, we're talking
18 about -- and this is not an advocacy, but we're
19 talking about individuals who have built
20 multi-million-dollar organizations within these
21 same communities that we came from without a
22 whole lot of college education, so the reversion
23 back to the business sense to where they can be
24 their own entrepreneurs is not that far-fetched.



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PANEL 9

WITNESSES:

Bob Dougherty, Executive Director,
St. Leonard's Ministries;
Patricia Williams, Receptionist,
St. Leonard's Ministries.

CO-CHAIR JONES: All right. Let's get
started.

So welcome. We are pleased to have
you here. In the interest of sort of full
disclosure, a number of us were with you
yesterday morning through lunch and got to take a
tour of the really I think we all agree wonderful
operations that you're running.

MR. DOUGHERTY: And you survived lunch.

CO-CHAIR JONES: And we not only survived,
but enjoyed and appreciated lunch, so we are
happy now to have you here to have a more fuller
and richer discussion.

The way that we run these panels is to
give you both five minutes or so to give us a
sense of who you are and what you do. And then
we have lots of questions that we are going to



1 ask you and hope to have a very interesting and
2 rich discussion.

3 It just so happens that the way it
4 works is that one of us starts the questioning
5 and opens up the discussion. And for the purpose
6 of this panel, that will be me, so I'm excited
7 about that.

8 I will now turn the floor over to the
9 two of you. You can decide who is going to go
10 first and you can give me a sense of who you are
11 in your opening statement.

12 Thank you.

13 MR. DOUGHERTY: My name is Bob Dougherty.
14 I'm the executive director of St. Leonard's
15 Ministries and have been so for 24 years.

16 St. Leonard's Ministries is a program
17 for formerly incarcerated men and women, located
18 here on the west side of Chicago. It's been in
19 operation for almost 60 years.

20 It was the brainchild of an Episcopal
21 priest who was chaplain at what is now Cook
22 County Jail. It was then Bridewell Jail. He was
23 chaplain there during the week and said Mass on
24 Sundays at a little church right next to where we



1 exist and began to realize that people were going
2 back into jail or into prison on Monday, having
3 just gotten out on Friday, not because they were
4 inherently evil, but because they simply had no
5 resources and didn't know what to do or where to
6 go.

7 So he got some money together from
8 some of the Episcopal churches up in the northern
9 suburbs and opened St. Leonard's House. And
10 since then, it has been in the same location,
11 just about, what would you say, ten minutes west
12 of the Loop in an interesting community. It's a
13 community that's gone through many urban upheaval
14 processes, but it's been a good home for
15 St. Leonard's.

16 We started out very small, just a few
17 number of people. Now, we've grown to a number
18 of programs. Annually, in our residential
19 programs, 200 to 250 people are there. And we
20 have an employment center, a school, and about
21 300 people are there.

22 When I thought about coming today and
23 tried to frame some of the issues that I thought
24 would be of importance to me, I came up with, for



1 me, what is an ongoing major issue always with
2 keeping people out of prison, and it is the
3 parole agents.

4 And I don't know what legislation can
5 be wielded in that area, but they are clearly the
6 nexus between prison and between freedom, so no
7 matter what the theoreticians come up with or no
8 matter what criminologists say or no matter
9 what programs we put into existence, it's the
10 parole agent that becomes, in many instances, the
11 gatekeeper.

12 Oftentimes, although they're all well
13 intentioned, I don't doubt that, but oftentimes,
14 especially in a place like Illinois, parole
15 agents have come up, so to speak, through the
16 ranks, so I've been a guard in southern Illinois
17 and saw three people of color in my whole life,
18 and then I leave the prison, and then I'm on
19 parole in Chicago where perhaps only three people
20 out of my whole group that I'm supervising will
21 not be people of color.

22 So there are cultural concerns. There
23 are power struggle concerns. There are a number
24 of I would call them pedagogic concerns that



1 enter into that.

2 Now, again, I'm not sure how
3 legislation can address this, but I think unless
4 somehow, we intervene in that and move into that
5 area, then everything else is going to go for
6 naught.

7 I also believe that we need to start
8 during the -- it's already begun, but we need to
9 I think emphasize it more, the research that's
10 needed to debunk the 500-foot laws or the 2,000
11 foot laws or 1,500 foot laws, whatever they are.
12 They simply don't work. To assume that if I'm a
13 sex offender, 510 feet is okay, and 490 isn't,
14 then it's ridiculous.

15 And that has happened at
16 St. Leonard's. We have a residence that's within
17 500 feet of a school. And the parole agent came
18 down one day, had a tape measure, and was doing
19 all of these things.

20 And I said, Oh, well, do you know
21 what, we'll take them out of this building, put
22 them in another building that's more than 500
23 feet away, same campus, just around the corner.

24 And the parole agent -- I said it has



1 a different PIN number. I didn't know if it did
2 or not. The parole agent wasn't smart enough to
3 look that up, so he said, That's okay. As long
4 as they were 20 feet further away than they were
5 in this building -- in this building, by the way,
6 where they have supervision and all those things
7 that you want people to have.

8 So clearly, those kinds of legislative
9 attempts are ill conceived and non-productive.
10 And they simply make the average citizen, who has
11 no idea what the questions are all about, make
12 that person feel better.

13 As I mentioned yesterday, in Illinois,
14 sex offenders can't live within 500 feet of a
15 place where children congregate. Well, that's a
16 bus stop, you know. That's a playground. It's
17 not just a park, it's all of those things. So
18 somehow, I think we have to address that.

19 I believe, also, in Illinois, I think
20 it's Public Law 1020, I'm not sure -- I'm the
21 only one here -- and it addresses the whole
22 notion of good time for educational gains so that
23 we give good time for just living in prison and
24 not getting in trouble, why not turn that around



1 and give good time for getting a GED or getting
2 all kinds of other credentials that are going to
3 be meaningful when the person leaves, so it's
4 good time that isn't just spent time, it's earned
5 time, so to speak. I think there is great --
6 there is a great need for that.

7 Within the last six months, I read a
8 Pew study, and I can't quote it, I just know I
9 read it -- and it suggested that if I'm in
10 prison, the programs that I involve myself in
11 prison are typically not indicative of whether or
12 not I will succeed out of prison.

13 So sometimes, programs that I go into
14 in prison are simply ways to spend time. They
15 have little to do with my changing of my heart or
16 my mind or my soul so that when I get out of
17 prison, they aren't going to make much
18 difference.

19 So maybe what we need to begin to do
20 is look at what we can do from the minute a
21 person gets out of prison forward to make that
22 person's life more productive and better, and
23 that's going to take resources.

24 We know that resources spent on



1 rehabilitation, on reentry, are much more
2 economical than dollars spent in prison.
3 Depending on who you listen to, what it costs to
4 be in prison in Illinois, we throw the figure of
5 \$25,000 around, but the reentry services, for
6 example, that are provided at St. Leonard's and
7 other organizations -- I don't mean to single us
8 out -- but other organizations are much cheaper
9 and money much better spent because we keep
10 people out of prison rather than returning them
11 to prison.

12 And I think my five minutes are up.

13 CO-CHAIR JONES: Thank you.

14 Ms. Williams.

15 MS. WILLIAMS: Hello. My name is Patricia,
16 last name, Williams. I am a 51-year-old formerly
17 incarcerated female. My criminal activities and
18 incarceration stems back to 25 years. I have not
19 been able to sustain not being a repeat
20 offender. Since 2006, I haven't actually been
21 back to prison.

22 I have been gainfully employed, due to
23 the services that I received at St. Leonard's
24 Ministries. Prior to participating in the



1 services that I received at St. Leonard's
2 Ministries, I had no idea, no clue, how to live
3 life on life's terms. I only knew that the
4 things that I was doing was wrong until after
5 going through several rigorous groups,
6 psychological services, life skills, parenting
7 classes. Education, housing, and employment was
8 the main barriers that inhibited me from ever
9 succeeding out here in society.

10 Being an ex-offender, you're not
11 looked upon as a "normal citizen." You might
12 have the skills, but by your having a background,
13 it stops you from being able to be able to take
14 care of your family, sustain housing, especially
15 housing which is most, first and foremost
16 important when you're coming out of prison.

17 The barriers that inhibited me was
18 housing. Where are you going to go once you're
19 paroled? So there is not too many services that
20 you can call, pick up a phone, and be able to
21 leave from Point A, be on parole and be able to
22 sustain housing, so what are you going to do?
23 You end up going back to what you used to.

24 I have been incarcerated through



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1 Dwight Correctional Center 11 times, 11 different
2 times, stemming from 1986; Cook County, Illinois,
3 Cook County, about 146 times.

4 Through the services that I received,
5 now, I'm able to pay rent, my own apartment.
6 I've been working consistently six years,
7 abstinence from drugs which I had been on prior
8 to 2005, 20 years, 20 years.

9 Now, I work at the Michael Barlow
10 Center, receptionist, but I wear many hats.

11 MR. DOUGHERTY: Much more than that.

12 MS. WILLIAMS: Much more than that.

13 Orientation is every Monday at the Michael Barlow
14 Center. And now, I'm currently in school,
15 addiction studies, because I have come to find
16 out that it's many individuals that come through
17 orientation who cannot identify.

18 When I'm standing there, teaching a
19 class every Monday at 3:00 p.m. at the Michael
20 Barlow Center, telling them about the services,
21 sometimes, they would look at me and say, What
22 does she know? She don't know anything about my
23 life. She don't know what I've been through.

24 But once I give them a brief bio of



1 who I am and what I represent, I think our
2 population has tripled since then because now,
3 each one teach one, and then they tell someone
4 else. I want to see Patricia -- have never seen
5 me before, I get phone calls because there is
6 services out there that can help.

7 Ex-offender is not just a stigma of
8 ex-offender. We are human beings. We do have
9 families. We do have a life. And we would like
10 to fulfill that life to the fullest if we can.

11 Five minutes up?

12 CO-CHAIR JONES: If you have more to say,
13 it's not.

14 MS. WILLIAMS: Oh, sure. Okay.

15 MR. DOUGHERTY: Oh, you didn't say that to
16 me.

17 MS. LOVE: You didn't ask.

18 MS. WILLIAMS: Okay. Actually, coming out
19 of prison in 2006, the barriers that was stopping
20 me from doing anything was where am I going to
21 go. And that started, that thought process
22 started six months, maybe seven months prior to
23 my being released.

24 I did a little research. And some of



1 the agencies that I researched say sure,
2 Patricia, you can come here, but the thing is you
3 will have to leave during the day and come back
4 to us at night.

5 So between 7:00 a.m. in the morning
6 and 7:00 p.m. at night, being a year and a half
7 abstinent from drugs, what am I going to do? Who
8 do I know? Where can I go? Walk the streets for
9 seven to ten hours, then come back and sleep on a
10 cot?

11 I didn't think that that was the right
12 choice for me, so I did a little bit extensive
13 research, and I found St. Leonard's Ministries.

14 I went to a shelter called Grace
15 House. Grace House is a shelter where once you
16 come through the door, you know you belong. The
17 setting is like a family setting. The max is
18 about twelve women.

19 And the first thing you do when you
20 come there, you actually get a good meal. The
21 food is very good. But the services that I
22 received enabled me to go on with my life six
23 years later.

24 I often asked the question what do I



1 need this for because I went through a series of
2 tests, psychological services because today, six
3 and a half years later, I come to find out that
4 something happened to have been wrong with my
5 thought process in order for me to continue 25
6 years of repeated offenses. But in my mind, it
7 was to survive.

8 And a lot of times, individuals don't
9 actually really think there is anything wrong
10 with them. They are out there, doing these
11 things to survive because there is no jobs.

12 There is no one who will hire me.
13 When they ask you to be honest on an application,
14 you say yes, I was convicted of a crime. And
15 then you receive no callbacks.

16 Housing. Housing developments, when
17 you do an application, once you say yes, when
18 you're trying to be honest, you receive no
19 callback, so a lot of individuals end up back to
20 where they used to be because this is the only
21 way that they know to live with someone, hang out
22 all day, and revert back to their criminal
23 activities.

24 Five minutes?



1 CO-CHAIR JONES: Yes. Thank you.

2 MS. WILLIAMS: You're welcome.

3 CO-CHAIR JONES: I want to come back to your
4 journey, Ms. Williams.

5 But I want to just talk to Bob for a
6 second and have him just sort of give us the lay
7 of the land of St. Leonard's House.

8 I know that there are at least two I
9 believe sort of right out of prison places where
10 folks can go, then there is the sort of longer
11 term care center, there is Grace House, there is
12 the Barlow Center. If you could just give us
13 sort of the lay of the land of St. Leonard's.

14 MR. DOUGHERTY: You didn't read what I gave
15 you -- on the plane on the way home.

16 So St. Leonard's Ministries, our
17 mission is to kind of close the circle of needs
18 for formerly incarcerated men and women. And we
19 started with emergency shelter for men at
20 St. Leonard's House, so when you first get out of
21 prison, you're desperate. If you don't get a
22 place to sleep, don't know where your next meal
23 is coming from, where you've going to live,
24 you're going to do something foolish and go back



1 to prison.

2 So we say the men come to
3 St. Leonard's, chill out, stabilize yourself a
4 little bit, we'll help you get settled, and then
5 we can look at the longer term programs,
6 problems, rather.

7 We have the same thing for women,
8 Grace House. So these are what we call first
9 response when you first get out of prison.

10 Then what we realized is that six
11 months or eight months at St. Leonard's House is
12 not enough for most people, so we opened up
13 second-stage housing, St. Andrew's Court, which
14 allows people to stay with us for another year,
15 two years, subsidized housing. People pay a
16 third of their income. So it's kind of an
17 expansion process for people who need longer
18 periods of time.

19 We're going to do that for Grace House
20 we hope within the next year so that we'll have
21 two levels of response, responses for men and
22 women.

23 Then we realized that what we were
24 doing was very good in terms of housing, but we



1 weren't giving people the wherewithal to pay for
2 their own housing, so we opened the Michael
3 Barlow Center, which is an employment center or
4 as I like to call it our school, so we have
5 specific skills training classes there. We have
6 a high school diploma granting program, computer
7 lab, all those things that we think are going to
8 help people get a job.

9 We try to do things rather quickly
10 because typically, people who come to us don't
11 have any other resources, and they know they're
12 not going to be able to stay with us forever. So
13 the school programs that we have are all rather
14 short term but have an impact.

15 So the culinary skills class, if a
16 person succeeds in that class, he or she gets a
17 sanitation license which gives them a leg up for
18 a job. So we try to do a lot in a relatively
19 short period of time.

20 While people are in residence with us,
21 we have a couple absolutes. One is that if you
22 come to us, you have to get into an intensive
23 outpatient addictions program because we know
24 that 99.9 and maybe more percent of the people



1 who come to us have an addictions problem. And
2 if you say you don't, then we say, that's fine.
3 Come back to us when you do because we know it's
4 for sure.

5 People are guests in all of our
6 programs, so they can leave anytime they want.
7 And if it's time, they do. But that's clearly a
8 critical program for us.

9 We've been able to develop funding for
10 intensive outpatient because a lot of times when
11 we send people away from us, other programs
12 weren't willing to accept formerly incarcerated
13 men and women.

14 We also last year extended those
15 services to include a retention counselor because
16 we know that chronic addictions includes relapse,
17 so the relapse prevention counselor, it's his job
18 to help people through that. So we try to
19 provide just a wide array of services.

20 Patricia I think is reflective of a
21 number of people in our service program who
22 themselves have come to our program and are able
23 to really do a pretty good job, as you so
24 excellently do, at letting people know that I



1 came through it. You can come through it, too.

2 On the other hand, we have some people
3 who come through our programs, particularly when
4 we work with sex offenders, whose needs were
5 much, much deeper and had to be addressed through
6 professional staff, so we have a collaboration
7 with the Adler School of Professional
8 Psychology.

9 So it's kind of a -- it's like a
10 buffet almost of services that are there. Some,
11 you've got to do. Some, you've got to go
12 through. Others depend on you and what you want
13 to do.

14 Some people stay with us for two or
15 three months. They have skills. They get a
16 job. They're on their own.

17 Other people stay with us for two or
18 three years, and how long, four, five years, so
19 it just depends.

20 But our approach is that we want to
21 provide these wraparound services in one context
22 because we want to create with the people who
23 come to us a sense of, if you will, family, a
24 sense of belonging. And we think that's better



1 than sending people to city colleges or here or
2 there because typically, individuals in our
3 programs are not good at maneuvering systems, so
4 we want to try to do whatever we can before we
5 send them out there.

6 Beginning this year, we're offering
7 two classes that are college-level credit through
8 St. Augustine College here in the city to people
9 who finish our high school program, now, not that
10 we want to keep them any longer, but we know that
11 for many of them, school has been problematic, so
12 we want to help them get adjusted as much as we
13 can. And when they leave and go to one of the
14 city colleges, then they'll at least have six
15 credits of college to make them feel good.

16 CO-CHAIR JONES: Now, what's the average
17 length of stay at St. Leonard's House?

18 MR. DOUGHERTY: St. Leonard's House, the
19 first stage for men, the average length of stay
20 is about six months.

21 Grace House, it tends to be nine
22 months to a year because we don't yet have the
23 second-stage housing in place.

24 CO-CHAIR JONES: And the second-stage



1 housing for men is called St. Andrew's?

2 MR. DOUGHERTY: St. Andrew's Court.

3 CO-CHAIR JONES: St. Andrew's Court. Excuse
4 me.

5 MR. DOUGHERTY: It looks like an apartment
6 building.

7 CO-CHAIR JONES: What's the average length
8 of stay there?

9 MR. DOUGHERTY: Oh, probably, most people
10 stay for a year or two. One or two people have
11 been there longer.

12 There is one gentleman that will
13 probably be there until he leaves this planet.
14 He has some health concerns and that that we just
15 can't move him anyplace else.

16 But generally, the idea of
17 St. Andrew's Court is I stay there for a year or
18 two while I finish school, while I take care of
19 health conditions, while I get a better job,
20 those kinds of things.

21 It's independent living. It's much
22 the model of an apartment building. I sign a
23 lease. I pay monthly rent. Some of the men are
24 under an IDOC subsidy, so when they leave, they



1 get that rent refunded to them. Others aren't.
2 But the idea is you experience living, as many of
3 us do, in apartment buildings.

4 CO-CHAIR JONES: And what's the total
5 occupancy of St. Leonard's?

6 MR. DOUGHERTY: St. Leonard's House has
7 40 beds, which are almost always occupied.
8 St. Andrew's Court has 42 units, which are always
9 occupied. And Grace House now is up to 18 units
10 at Grace House.

11 And when we do the permanent housing,
12 there will be 17 units of permanent housing, so
13 we think -- or that's the second-stage housing.
14 So we think then that the length of stay at Grace
15 House will then shorten as there are resources
16 for people to utilize.

17 CO-CHAIR JONES: And now at the Barlow
18 Center, what are the educational, what are the
19 job-related opportunities?

20 MR. DOUGHERTY: Orientation 101, that's
21 available at the Barlow Center.

22 MS. WILLIAMS: What's available at the
23 Barlow Center is we have an 11-week basic
24 culinary skills class. We also have a ten-week



1 green works building maintenance course.

2 Along with the basic culinary skills
3 course, you will receive a city and state
4 sanitations license. Like Bob said, it will give
5 you a leg up.

6 That within itself is power. If you
7 walk into any food industry and say, I'm seeking
8 employment. I also have my city and state
9 sanitations license. And they will say, Oh, this
10 young man or young lady knew exactly what they're
11 doing, you know. So we have been very
12 successful.

13 I had an employee walk into my office
14 a week ago. And he strictly specifically said he
15 wants someone with a city and state sanitations
16 license for a new restaurant he was opening up.
17 And that was no problem because half the
18 students, 80 percent have that, you know, so we
19 was able to accommodate him.

20 Green works building maintenance, if
21 you know everything is going green, so that is
22 another additional training skill class that we
23 have.

24 We also have computer skills, PC



1 basic, personal computer training. And that was
2 the class that I took up myself because coming
3 into Michael Barlow Center, partaking in all the
4 classes, I had no skills, none whatsoever.

5 As a result today, I'm efficient in
6 Microsoft Word 1, 2, PowerPoint, Excel, and going
7 on to some more, you know.

8 We also have that class --

9 CO-CHAIR JONES: I'm sorry. Go ahead. Go
10 ahead. Was there something else after the PC?

11 MS. WILLIAMS: Yes. High school.

12 CO-CHAIR JONES: High school?

13 MS. WILLIAMS: We have an excellent
14 four-month high school program. A lot of
15 individuals call me about GEDs, but it's a high
16 school -- you will receive a high school diploma
17 within four months. We have it twice a year.

18 MR. DOUGHERTY: It's a completion program
19 though. It's not a whole high school. It's
20 designed for students who have some credit, and
21 then we typically help them complete that. Yes.

22 MS. WILLIAMS: A configuration of some
23 credit, four-month program, twice a year.

24 September to December, they graduate right before



1 Christmas. What better gift to give yourself and
2 your family than a diploma before Christmas.
3 Also, from January to May, the program is
4 conducted.

5 During the summer, the voluntary
6 teachers that we have, they go on vacation, get a
7 little rest, but then they come back up and ready
8 by September to start this process all over
9 again.

10 CO-CHAIR JONES: Now, what percentage of the
11 residents of St. Leonard's House and/or Grace
12 House participate in one of those programs you
13 just described?

14 MR. DOUGHERTY: Probably a small percentage,
15 I'd say, wouldn't you? So let's say out of there
16 might be 15 students in the culinary skills
17 class, maybe three or four are at St. Leonard's
18 Ministries, meaning St. Leonard's House or Grace
19 House, maybe five sometime. The rest are open to
20 the community.

21 So when we first built the Michael
22 Barlow Center, we thought it would be all our own
23 people, but the scheduling is too hard and people
24 are coming and going, so we opened it up to the



1 community.

2 But everybody at the Barlow Center
3 from the community is a formerly incarcerated
4 person or has had some, as we say, brush with the
5 law.

6 CO-CHAIR JONES: Could you be in the Barlow
7 Center without having actually been incarcerated
8 but have a conviction?

9 MR. DOUGHERTY: Yes. Or you could have been
10 in Cook County Jail and found innocent, you
11 know. So our niche is always just that person
12 that somehow has come into contact with the law
13 or the IDOC or the city.

14 CO-CHAIR JONES: Now, Ms. Williams, I want
15 to go back to your sort of personal journey.

16 MS. WILLIAMS: Sure.

17 CO-CHAIR JONES: When did you come in
18 contact with Grace House?

19 MS. WILLIAMS: The first time I came in
20 contact with Grace House was in 2000. The
21 facility on 1801 Adams had just opened. And I
22 wrote a letter, heart-breaking letter, stating
23 that I wanted to change. And I went.

24 And after 90 days, I thought that I



1 received everything that I needed. I exited with
2 a job, an apartment, and thought that I was
3 okay.

4 But after nine months of returning
5 back to where I was used to, the same
6 neighborhood, with an apartment, I decided that,
7 you know, I didn't have any life skills, you
8 know. Paying rent month to month was a problem
9 for me. And as a result, I reverted back, and I
10 was reincarcerated.

11 CO-CHAIR JONES: For how long?

12 MS. WILLIAMS: A year and a half. And when
13 I came home, I just like, this is not working for
14 me, so it took another additional six years to
15 write the letter again. And I didn't know if my
16 letter would be answered, but it was.

17 And that was the time that you start
18 thinking it's time to make a change, prior to the
19 six and the seven months that I was there in
20 November, 2006.

21 CO-CHAIR JONES: So when did you come back
22 to Grace House for the last time?

23 MS. WILLIAMS: 2006. November, 2006.

24 CO-CHAIR JONES: And how long were you



1 there?

2 MS. WILLIAMS: A year. November, 2007.

3 CO-CHAIR JONES: And you took advantage of
4 the computer program, you said, and --

5 MR. DOUGHERTY: Everything.

6 MS. WILLIAMS: Everything.

7 MR. DOUGHERTY: She was in everything.

8 MS. WILLIAMS: Everything.

9 CO-CHAIR JONES: And now, you work at the
10 Barlow Center. That's your full-time job.

11 MS. WILLIAMS: Yes.

12 MR. DOUGHERTY: Well, let me jump in here.

13 CO-CHAIR JONES: Sure.

14 MR. DOUGHERTY: Then she had the nerve to
15 volunteer at the Michael Barlow Center, all the
16 time, helped us with everything, with
17 everything. So then we decided this woman was
18 too good a talent to pass up, so then we started
19 you part time, and then full time?

20 MS. WILLIAMS: Yes. I volunteered six
21 months. And I loved the place. You come into a
22 facility where you don't know anyone, the
23 reception is so warm, everybody treats you like
24 family.



1 So I'm like after I graduated from
2 employment preparation training, I'm like can I
3 volunteer here? And they were like, Sure.

4 So the skills that I acquired,
5 sometimes you just have to visualize yourself
6 doing something different. And that's exactly
7 what I did. I didn't get paid, but I sat behind
8 a desk, I made phone calls. I worked just as
9 hard as everyone else. And I really enjoyed it,
10 you know, free of charge.

11 So I encourage in orientation that
12 sometimes volunteer. If you walk somewhere to
13 establish where you really want to be and they
14 say, Well, we're not hiring, ask them, Well, if
15 it's okay, once or twice a week, can I come back
16 and just volunteer? And that's exactly what I
17 did.

18 And six months later, this young man
19 right here, Robert Dougherty, he hired me part
20 time --

21 MR. DOUGHERTY: Well, I don't think it's
22 that funny.

23 MS. WILLIAMS: Part-time job development
24 assistant.



1 MR. DOUGHERTY: But I have to tell you,
2 Patricia is like a sponge, so every time you walk
3 in the office, you just feel that she is just
4 absorbing anything that you say or anything that
5 happens and all that.

6 CO-CHAIR JONES: So you were a volunteer,
7 then you were part time, and now, you're full
8 time. How long have you been full time?

9 MS. WILLIAMS: Full time didn't take long.
10 March of 2008.

11 CO-CHAIR JONES: Okay. And ever since then,
12 you've been full time?

13 MS. WILLIAMS: That is correct.

14 CO-CHAIR JONES: Now, where do you live?

15 MS. WILLIAMS: I live on the south side of
16 Chicago, 5000 South Indiana.

17 CO-CHAIR JONES: In your own apartment?

18 MS. WILLIAMS: Yes.

19 MR. DOUGHERTY: Is it a housing program?
20 Who runs it?

21 MS. WILLIAMS: East Lake Management runs
22 it. It's a housing program, CHAC. They have
23 services inside the building. It used to be an
24 old YMCA which was converted into apartment



1 buildings.

2 CO-CHAIR JONES: And you have to pay rent?

3 MS. WILLIAMS: Yes, sir. Yes.

4 CO-CHAIR JONES: And how long have you lived
5 there?

6 MS. WILLIAMS: I lived there three years.

7 CO-CHAIR JONES: Now, during all this period
8 of time that you've been out of jail, have you
9 sought to have your record expunged? Have you
10 sought to have a pardon? Have you tried to get a
11 certificate of relief from civil disabilities or
12 a certificate of good conduct? Have you pursued
13 any of those sort of options for folks?

14 MS. WILLIAMS: The first time I tried to
15 have my record expunged was in 2004. And my
16 offenses is the same thing. And they told me
17 that I wouldn't be able to have my record
18 expunged because of that. And they were all
19 felonies. So they told me no in 2004.

20 So I never pursued it. I have
21 inquired on several different occasions, and they
22 told me the same thing.

23 CO-CHAIR JONES: And so as you sit here now,
24 you don't have a certificate of relief from civil



1 disabilities or a certificate of good conduct.
2 You don't have any of that stuff?

3 MS. WILLIAMS: As of now, no.

4 CO-CHAIR JONES: All right. But you're
5 nonetheless, as far as we're concerned, you're
6 still a success story, but that's largely as a
7 result of St. Leonard's, right?

8 MS. WILLIAMS: That is correct.

9 MR. DOUGHERTY: But we often do the
10 equivalent of a certificate. I mean it isn't a
11 legal document or any such thing, but because
12 expungement is so narrow in its focus of people
13 who can apply, we want to do something bigger
14 than that, so we'll often do letters and we do a
15 certificate of completion when someone finishes
16 our program, all of those things, so we try to
17 supplement the process a little bit with our own
18 devices. We're honest.

19 CO-CHAIR JONES: The last sort of line of
20 questioning, inquiry that I want to make with you
21 guys as I want to open this up to my colleagues,
22 is we have, over the last day and a half, talked
23 a lot and grappled with and have seen sort of the
24 anguish of the other folks sitting in those seats



1 in trying to understand what to do with sex
2 offenders.

3 And one of the things that came up in
4 one of the prior panels is that there was this
5 place that really did a good job with sex
6 offenders, but no longer does. And that's
7 because of tape measures and, you know, 495 feet
8 and 500 feet and those.

9 Could you just tell us your story with
10 working with sex offenders, your success rate,
11 what you were doing, and why you're no longer
12 doing it?

13 MR. DOUGHERTY: We've been handling sex
14 offenders at St. Leonard's probably since the
15 early '90s, '94, '95. And we did a study that
16 covered the years from 2000 to 2006 or '7.

17 And during that 2000 to 2006 or '7,
18 about 60 sex offenders, 65, came through
19 St. Leonard's. And only three were back in
20 prison, and two were parole violations, so only
21 one was a reoffender.

22 So I think the message is programs
23 like ours work. We work because as I alluded to
24 earlier, we have collaboration with the Adler



1 School of Professional Psychology, so while it
2 was somewhat of a risk for us, in a sense, it
3 wasn't.

4 If you do -- I didn't mean to put it
5 that way. Research suggests that, in fact, there
6 is a pyramid, and that the top, depending on what
7 you believe, the top 20 percent or 10 percent,
8 are going to need supervision the rest of their
9 life, but the bottom of that pyramid does not
10 need supervision.

11 Yet, the Department of Corrections
12 treats it as if it were a square rather than a
13 pyramid, so the people at the bottom get the
14 same -- oftentimes, not always, but oftentimes,
15 the same supervision as the people at the top who
16 need it, so it becomes very frustrating when
17 you're trying to provide services for individuals
18 so that they can rebuild their lives and move
19 back constructively.

20 So two years ago, we decided we
21 no longer would handle sex offenders at
22 St. Leonard's Ministries, not so much because of
23 the rules and regulations, but because of the
24 manner with which the Department of Corrections



1 was treating us. They were trying to make us
2 into another prison so that sex offenders would
3 come to us, and they would leave them with us
4 forever and then not give them any movement even
5 across -- even from our St. Leonard's building
6 across the courtway into the Michael Barlow
7 Center, so there was nothing we could do except
8 leave them there.

9 And we didn't want to be in that role
10 of being a prison. We don't see that as our
11 mission. So we simply said we wouldn't do it
12 anymore.

13 Sadly, there are only two places in
14 Illinois that are licensed to house sex
15 offenders, and we were one of them, but I
16 couldn't do it when I saw the faces of these
17 people who were in prison still in our facility.

18 CO-CHAIR JONES: What would it take
19 politically, legislatively, grass roots movement,
20 what would it take to get you guys back in the
21 business of dealing with sex offenders?

22 MR. DOUGHERTY: It's related to the question
23 I alluded to earlier, and that's the whole
24 question of parole officers. We would do



1 anything for the right parole officer, but the
2 wrong parole officer, it just is
3 counterproductive.

4 And it's also you're saying to this
5 person, you're free, but you're not. And you're
6 saying -- we felt as an agency, we were assigned
7 to this person, we're here to help you, but we're
8 not. Our hands are tied.

9 So it would be an IDOC kind of
10 about-face. And I'm not suggesting everything is
11 wrong there, I'm just suggesting that the way we
12 saw it playing out in our agency, we couldn't be
13 part of it anymore.

14 We feel bad about it. I mean, you
15 know, you know, the sex offenders who were with
16 us, as I say, were people who had made mistakes
17 and were working in changing them.

18 But there are some really sad cases of
19 you're a sex offender, you lose your rights. We
20 have a person who's been incarcerated,
21 reincarcerated for a year and a half even after
22 he had been freed for no violation, but someone
23 reread his file and said, I don't think you
24 should be free, so they put him back in custody.



1 And he's waiting now for a hearing. But the
2 Department of Corrections has taken a year and a
3 half to get their information to the court to the
4 jurisdiction.

5 So it's those kinds of things that I
6 think there is nothing I could do about it, but I
7 don't want to be part of it.

8 CO-CHAIR JONES: Let me turn it over to my
9 colleagues.

10 Margie.

11 MS. LOVE: Let me go a little bit later.

12 CO-CHAIR JONES: Vicki.

13 CO-CHAIR YOUNG: Ms. Williams, given your
14 description of your incarceration, I'd like your
15 input on what Mr. Dougherty has said about the
16 role of the parole officer because you probably
17 had a few.

18 MS. WILLIAMS: I have. Yes. I had quite a
19 few.

20 CO-CHAIR YOUNG: Okay. And was there
21 anything that the parole officers did that you
22 think assisted you, or just describe that
23 experience for us as best -- I mean did they help
24 in any way, or what did they do when you got to



1 St. Leonard's?

2 MS. WILLIAMS: Well, the ones that I had
3 prior to coming to Grace House was basically
4 horrific because they don't -- well, they do not
5 treat you like a human being. They treat you
6 like a number, like you're still locked up. They
7 threaten you, that you need to do this, you need
8 to do that. You need to go here, and you need to
9 go to treatment, whatever services that they opt
10 for you to do. But they do not tell you how to
11 get there or will they assist you.

12 And then like I think within the last
13 six years or so, you were not able to see them.
14 There was no office that if you was having issues
15 or a problem, that you can go into the office and
16 say, Well, Mrs. Johnson, Officer, I'm having a
17 problem. Maybe I need to change my site where
18 I'm paroled to.

19 They'll just come in, Have you taken
20 care of this, have you taken care of that, have
21 you taken care of IOP, intensive outpatient? We
22 need for you to do that. But they never told us
23 where to go and what to do.

24 So my perception of a parole officer



1 was I just didn't like them, none of them.

2 In 2006 when I was paroled to Grace
3 House, I still had that theory and concept of
4 really not liking anything with a gun. It was
5 just the way that I was mistreated, had my warped
6 thinking, thinking like that.

7 And the parole officer that I received
8 in Grace House, I was a little standoffish when
9 she came. Her name was Renee. She was
10 standoffish -- I mean I was standoffish. When
11 she came, she was like, Good morning. How are
12 you? And this was the first time that I ever
13 experienced a parole officer really looking at
14 you and not looking through you.

15 And I still was kind of apprehensive.
16 I didn't want to trust her.

17 And one day, I was in the washroom.
18 And I tell her the story as well because I see
19 her a lot now. I was coming out of the
20 washroom. She had her back to me, on the
21 telephone. And she was talking to one of her
22 parolees. And I'll just never forget this. And
23 she was saying, Where are you? Don't worry about
24 it. I won't violate you. I just want to get you



1 some help.

2 And whoever the person was she was
3 talking to on the phone, I do not know. I don't
4 know what they was saying to her, but she had
5 tears in her eyes and she started crying. I just
6 want to get you some help. No. I understand you
7 haven't reported. I will not violate you.

8 And I just stopped, and I stood
9 there. And I didn't want to eavesdrop, but I
10 just stared at this woman like this is the first
11 that I ever seen a parole officer that really
12 cared. And that was probably the first day of my
13 saying that parole officers are human beings.
14 Some do care. Some do not, but some do care.

15 And she is just one, probably 10
16 percent of the ones that do. They care. And she
17 was a result of my deciding permanently to change
18 my life for the better.

19 MS. LOVE: Can I just follow that question
20 up with one extra one?

21 MS. WILLIAMS: Sure.

22 MS. LOVE: As I recall, the probation
23 officers, the parole officers and the probation
24 officers have a different institutional



1 affiliation in the sense that the Corrections
2 Department hires the parole officers, and they're
3 part of Corrections, where the probation officers
4 work for the courts. Is that sort of the way it
5 works?

6 MS. WILLIAMS: That is correct.

7 MS. LOVE: My experience in the Federal
8 system, for example, is because the probation
9 officers who also sort of function as the general
10 community supervision work for the court, they
11 have a different mindset than the prison people.
12 And they're not sort of subject to the influence
13 of the sort of the prosecutor, law enforcement
14 kind of attitude. They are more -- in general,
15 more like they work with the courts.

16 Have you run into probation officers
17 as well as parole officers, did you see any
18 difference in their attitude?

19 MS. WILLIAMS: I had one probation officer
20 in 1982, my first offense. And briefly, I only
21 seen her once. And that was my first time ever
22 going to Dwight Correctional Center because she
23 sent me there. So I never really had experience
24 with probation officers. It was a one-time slap



1 on the wrist. And from there on, it was Dwight
2 Correctional Center.

3 MR. DOUGHERTY: I haven't had any
4 experience.

5 MS. LOVE: There seems to have been a
6 general sense that the supervisory folks in this
7 country have turned from the sort of social
8 worker model to corrections officer model so that
9 they now wear jackets and carry guns.

10 MR. DOUGHERTY: Like guards on the street.

11 MS. LOVE: Like guards on the street, as
12 opposed to the social worker model that the old
13 probation officer or perhaps the parole officer,
14 and then sort of interchangeable in some
15 districts.

16 But it has always occurred to me that
17 the institutional affiliation had to have an
18 effect in the sense of the culture of the
19 organization, whether they were law enforcement
20 or trying to help you the way -- but I just don't
21 know whether that's true is one thing that -- I
22 mean to the extent that the supervisory folks are
23 a problem and an obstacle to people getting on
24 and are not helpful, I think that's something



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1 that we have to concern ourselves with.

2 MR. DOUGHERTY: There are things within the
3 system that don't help. For example, there
4 are -- I suppose there is organization to it, but
5 they are transferred from area to area to area,
6 so in a city like Chicago, I can be on the
7 southeast side, which is at one end of the city,
8 and then on the northwest side, so there is no
9 chance for me to really learn the resources on
10 the southeast side that I can say to Patricia,
11 Oh, you should go here or you should go there.

12 So what happens is I might think I
13 know resources, and I give this list of phone
14 numbers to Patricia, and she starts calling, and
15 four out of five have closed, you know, or it's a
16 different phone number.

17 So if there was some regional sense
18 and a person could take on the persona of a high
19 school guidance counselor or something like
20 that -- and I don't mean to make light of it --
21 but could know those resources, they might be
22 much more productive.

23 CO-CHAIR JONES: Penny.

24 MS. STRONG: I have some questions to follow



1 up on the parole officer with you, Bob.

2 It sounds like first of all -- and I
3 have one question. In terms of IDOC, do they
4 have any sort of mission statement that
5 encompasses the work of the parole officers that
6 frankly, they could aspire to?

7 MR. DOUGHERTY: You read my mind. I was
8 actually thinking that same question today when I
9 was meeting with Safer. I never got it out.
10 There wasn't a direct forum. But I have not seen
11 a mission statement for parole. I have not seen
12 it, nor have I seen it lived out, so sometimes
13 you could have a mission statement that isn't
14 formalized, but I haven't seen that.

15 MS. STRONG: By comparison, I'd like then to
16 speak to my home state in Montana. And I have
17 actually not only done representation of criminal
18 defendants, but I've represented some
19 probation/parole officers who have had some
20 disciplinary issues on the issue of diversity and
21 being sensitive to their clients' needs.

22 And I would say we have a very good
23 system where there is a clear mission statement
24 about serving those people and being humanistic



1 with them, being fair, recognizing cultural
2 diversity because, of course, we have a large
3 native American population.

4 And then secondly, there is diversity
5 training that they regularly have to undergo. Of
6 course, we have a much smaller state, smaller
7 population, but I think we really have some
8 active programming that really assists in
9 training those folks.

10 On the other hand, I will state that
11 in my years of experience -- and I don't mean to
12 go on lecturing -- but I agree with Margie, there
13 was I think a huge shift across the country from
14 a parole or probation officer being in the social
15 work model. Now, I hear them telling my clients
16 at pre-sentence investigation interviews and
17 whatnot, I am here to protect the public
18 interest. And they have badges, and they carry
19 guns.

20 And I think that is a legitimate
21 tension for these folks. And how do they
22 straddle, how do they balance those two roles
23 which somehow are built into protection of public
24 safety, yet trying to meet the rehabilitative,



1 educational, and other needs of the offenders
2 that they directly supervise.

3 MR. DOUGHERTY: And part of the problem, of
4 course, is numbers. I mean it's hard to be a
5 quality presence when the numbers are so large as
6 they are in this state.

7 MS. STRONG: And my last comment is -- and I
8 know this is very difficult -- I've had clients
9 who are incarcerated or on probation or parole
10 actually file a grievance if there is an incident
11 such as Ms. Williams experienced.

12 I mean No. 1, a lot of people don't
13 want to file grievances because you're not going
14 to get a good response, plus there is going to be
15 retaliation that there is simply no legal remedy
16 for.

17 But on the other hand, you have to
18 start somewhere. And perhaps in terms of this
19 being a very serious and legitimate reentry
20 issue, an organization like St. Leonard's House
21 should maybe petition or start to lobby within
22 the governmental hierarchy to say there is a
23 problem here with these people, whether it's a
24 union issue, staffing, lack of education,



1 training, job qualification all the way from I
2 don't know if they're required to have a basic
3 college degree or if you have people, as you say,
4 just coming up within the system, but maybe a
5 coalition of groups or organizations such as you
6 have to get together and petition the governor
7 and the legislature to make some changes there.

8 MR. DOUGHERTY: I think Illinois is working
9 to address this. Let me rephrase that.

10 I think Illinois is becoming aware of
11 the concern with regard to -- again, I can't
12 speak for probation, but the parole agents and
13 what can be done, but it's such a
14 multi-faceted question.

15 And most of the time you feel, you
16 know, they're never wrong, so what's the point in
17 even going into something like that because, you
18 know, it ain't going to work.

19 MS. STRONG: Okay.

20 CO-CHAIR JONES: Margie.

21 MS. LOVE: Well, I was just going to say, I
22 recall having the same conversation four years
23 ago when I was working with an ABA Commission
24 here in Chicago about, you know, trying to sort



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1 of change the culture of the parole agencies to
2 say, okay, the measure of success now is going to
3 be the number of people who --

4 MR. DOUGHERTY: You keep out.

5 MS. LOVE: -- you see and you keep out as
6 opposed to the number of people that you violate.

7 MR. DOUGHERTY: The notches on your gun are
8 going to be the people you keep out.

9 MS. LOVE: Yes. But I mean -- we put that
10 in our report. And this is like 2006, we put
11 that in the report, so I'm thinking, golly, how
12 frustrating, that we identify that as a problem,
13 sort of super law enforcement, let's see how
14 quickly we can snap the trap on people as opposed
15 to being a little flexible and understanding
16 about, you know, a relapse and all that kind of
17 stuff.

18 And, you know, unless you really
19 commit another crime, you should not be sending
20 people back to prison. And it just -- you know,
21 it's still a problem. It's still a problem.

22 MR. DOUGHERTY: We have some mechanisms in
23 place at the reporting center, a few programs
24 like that that are meant to be intermediate



1 sanctions, but sometimes, they're just temporary
2 rather than intermediate sanctions.

3 CO-CHAIR JONES: Geneva?

4 MS. VANDERHORST: I want to go back to the
5 diversity issue just for a bit because we
6 understand that there is -- most of the people
7 who are both incarcerated and coming out are from
8 diverse communities, whether it's a racial or
9 ethnic issue or a language background.

10 Are you seeing any kind of sensitivity
11 training from parole or probation at all?

12 MR. DOUGHERTY: I think during the last four
13 years or five years, we had an assistant director
14 of corrections, Deanne Benos was her name.

15 She was just an amazing woman, a very
16 young woman, and you think whence comes this
17 wisdom that she had and this moxie, the guts that
18 she had everything to do what she did.

19 And she tried to do an awful lot
20 during her time with regard to those issues, but
21 it wasn't easy. And I'm not sure how
22 comprehensive it was, quite frankly.

23 I remember being at a meeting when
24 Sheridan, it's the Illinois drug rehab prison,



1 and it's touted as a model everything. And
2 somehow, I got on the planning committee for
3 it.

4 And I remember being at this meeting
5 where there were IDOC people, and then there were
6 counselors and all that. And I said, Well, the
7 more you make it look like a prison, the less
8 successful it's going to be.

9 Well, the room split. The guards
10 looked at me like I had committed a mortal sin,
11 and the educators on the other side going like
12 that. And, of course, it was the last meeting I
13 was ever invited to attend.

14 But Deanne was of that ilk where I
15 think she had a sense that something had to be
16 done here. But it's so huge, the system, that's
17 it's a hard nut to crack.

18 CO-CHAIR YOUNG: I had a question because
19 one of our other speakers earlier today is
20 talking about maintaining family contacts for
21 people that are incarcerated and bringing the
22 kids out to see them and then establishing family
23 reunification.

24 And what I didn't have a sense of



1 at St. Leonard's is what the general family
2 situation is of the people that are in
3 St. Leonard's or Grace House.

4 And I noticed, you know, when we went
5 over to is it St. Andrew's --

6 MR. DOUGHERTY: Yes.

7 CO-CHAIR YOUNG: -- and saw the room, it's a
8 small room. And so it wouldn't seem to be a
9 place that, you know, a family would live. It
10 would be a single person.

11 So what kind of family connections do
12 people involved with St. Leonard's have, or does
13 St. Leonard's become their family?

14 MR. DOUGHERTY: Well, a little bit of both.
15 I also think it's different between the men and
16 the women.

17 In the State of Illinois, eight out of
18 ten women have dependent children waiting for
19 them, but that's not the case at Grace House. At
20 Grace House, it's probably six out of ten.

21 So a little over half of the women
22 there have children that they somehow will want
23 to be reunited. The women have to have a year's
24 good time before they can get their children



1 back, so that's where Grace House plays into
2 that.

3 So I think we take a much more
4 aggressive role with women and children than we
5 do with men and children.

6 Typically, the men who come to
7 St. Leonard's, they're pretty alienated from
8 families, so they may not have seen their
9 children for a while. They may not have seen the
10 spouse, the children's mother for a while, their
11 own families, so it's not a first priority for
12 us.

13 The first priority is we got to get
14 you pointed in the right direction so that you'll
15 be proud enough that you'll be able to go back
16 and reconnect with that family. And that takes
17 some amount of time.

18 We do parenting classes, both at Grace
19 House and at St. Leonard's House. They're just
20 much different at Grace House than they are at
21 St. Leonard's House.

22 So we always try to find out what the
23 family situation is and whether it's a parent or
24 whether it's siblings or whether it's children,



1 or significant other, but we try to reach out
2 because again, that's one of the key indicators
3 of success, do I have this outside constellation,
4 outside program, this family setting that can
5 help me be strong, but it's just different with
6 men.

7 The men who come to St. Leonard's,
8 typically, there is no delicate way to put this,
9 have burned their bridges behind them. If your
10 mother doesn't want you to come home, it's not
11 just because you didn't like her cooking. There
12 is something more that has gone on there.

13 So it takes a while in many cases to
14 rebuild that trust and that willingness. While I
15 might always love my child, I might need some
16 distance from that child because of things that
17 have been done, but we don't not focus on it, we
18 just kind of focus on it sequentially. Does that
19 make sense?

20 CO-CHAIR JONES: We are almost out of time.
21 I have just a couple of sort of wrap-up
22 questions.

23 What's the religious overlay at
24 St. Leonard's House, and how does that impact, if



1 at all, the residents?

2 MR. DOUGHERTY: Well, sometimes, I come to
3 work and say, Oh, God. And other times, I come
4 and say, Oh, Jesus.

5 So we espouse the twelve-step program
6 because it's free and it's ubiquitous, it's all
7 over the place, and it's a good program. And the
8 twelve-step program, of course, speaks of a
9 higher power.

10 So I would say the majority of men
11 and women who come to us have a sense of the
12 creator in their lives. And they may not
13 specifically define the creator as I would choose
14 to, or as Patricia would choose to, but that
15 sense of a higher power, of a being bigger than
16 me is there. And we try to work within that
17 context.

18 Historically, St. Leonard's Ministries
19 is part of the Episcopal Church. I'm Roman
20 Catholic. We have four sisters who work there
21 with us. We have a Baptist minister. We have a
22 different, whole constellation of religious
23 people. And none of us tries to proselytize, but
24 we do try to build on that which seems to be



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1 present in the people who come to us, and that is
2 that I'm not going to be able to do this by
3 myself.

4 CO-CHAIR JONES: Now, Ms. Williams, I don't
5 mean to be too personal, do you consider yourself
6 to be a religious person?

7 MS. WILLIAMS: Spiritual.

8 CO-CHAIR JONES: Spiritual?

9 MS. WILLIAMS: Ain't working on religion.

10 CO-CHAIR JONES: And did you find that at
11 St. Leonard's, or was that with you before you
12 got to Grace House?

13 MS. WILLIAMS: Actually, I grew up as a
14 Baptist, so coming back to St. Leonard's
15 Ministries brought all my religious practices
16 back into play.

17 We have a twelve-step program at
18 St. Leonard's Ministries. Spiritually, spiritual
19 meetings is what helped me, along with the
20 twelve-step program.

21 I got an understanding coming through
22 the doors is my children, you know, reconnecting
23 with them. Like you say, the services that we
24 receive as opposed to our children is different



1 because every mom's instinct is to go back to
2 their kids just like the person that left, but
3 Grace House, you know, you have to -- in order to
4 love your children correctly and explicitly, you
5 have to love yourself, so that's one of the
6 reasons that it's so great.

7 Every weekend at Grace House, we go
8 home. And each session that we attend with
9 parenting, the relationship is so much better.

10 Like today, I couldn't see not having
11 my grandkids and my children in my life today,
12 but it took a process, and it worked.

13 CO-CHAIR JONES: One of the things -- and
14 we're almost out of time -- one of the things
15 that I noticed when you took us around was that
16 it really is sort of a closed campus, as you sort
17 of described. And it's clear to me that you know
18 everybody, that everybody knows you and you know
19 everybody and you were able to --

20 MR. DOUGHERTY: The white hair does it.

21 CO-CHAIR JONES: You were able to as you
22 walked us around to call out folks by name and
23 have them tell us who they were and what they
24 were doing. And you were able to prod them when



1 they got a little stuck and make sure that they
2 were able to sort of give us the full flavor of,
3 you know, their personal stories, whether it was
4 in the building class or the kitchen class or
5 wherever it really was in St. Andrew's.

6 And we've heard other folks here --
7 David was here earlier, obviously -- and other
8 folks who are familiar with the work that you do
9 in your program.

10 And I just wonder -- and I don't mean
11 this in a negative way -- but I think it's true
12 and I think you'd agree with me that, you know,
13 25,000 people return to Chicago from prison every
14 year, more. The number I had was 25,000. You're
15 telling me it's more.

16 And so what you guys are able to do is
17 really sort of a drop in the bucket. And my
18 question is growth, expansion.

19 CO-CHAIR YOUNG: Franchising.

20 CO-CHAIR JONES: Franchising.

21 But seriously, what about this notion
22 of you figured out a way to be successful at what
23 you do, why not expand it, why not grow? Why not
24 make it larger, make it bigger, serve more



1 folks?

2 MR. DOUGHERTY: Probably once a month,
3 people come into my office and say, We want to
4 start a St. Leonard's.

5 And I say, Wonderful. Come in and sit
6 down. I'll tell you everything we do. I'll tell
7 you everything about it. We have no secrets.
8 And then people will go out. Sometimes, they'll
9 come back.

10 I have a whole routine. I have a
11 homework assignment that's from the first visit
12 and all of that. If they do that, then there is
13 a second visit. If they don't do that, there is
14 no point in having a second visit.

15 But I think one of the things that we
16 try to do at St. Leonard's is create a different
17 experience for the formerly incarcerated person
18 who comes to us.

19 If I'm formerly incarcerated, many
20 times, I've just become one of these fixtures on
21 the wall, one of the sheep, one of the herd, one
22 of the blades of grass. And that's not conducive
23 to whole living. And it's only if I become a
24 whole person that I'm going to make the changes



1 that are needed.

2 So I think we do try to do that at
3 St. Leonard's Ministries. And it's not just me.
4 I think people know you. People knew you.
5 Everybody does.

6 So we've not wanted to get bigger.
7 Now, it's hard for me to say that when you've
8 seen our campus because we have gotten bigger,
9 but -- and by the way, isn't that campus cool?
10 It just sounds uppity, doesn't it -- our chunk of
11 property.

12 So we've not tried to get bigger,
13 we've just tried to do what we did better. So if
14 we had first-stage housing, it made sense for us
15 to have second-stage housing because people
16 needed it. If we were doing it for men, it made
17 sense to do it for women because they needed it.
18 They need second-stage housing.

19 And then finally, we needed to do this
20 school setting so that we can give people the
21 wherewithal so that when we say go and never come
22 back, there is a reasonable assumption they will
23 have the tools not to come back.

24 So I think we've tried not to get



1 bigger precisely because of what you say. We
2 want to know people who are within our programs.

3 Now, we'd love to have a different
4 St. Leonard's on the north side and a different
5 one on the south side and all of that, but there
6 aren't enough of us to go around. There isn't a
7 lot of funding, quite frankly, so we scrape
8 together every single penny that we get.

9 I shared this with all of you
10 yesterday, we have got a -- last year, we were
11 cut \$250,000 within a two-week period from the
12 United Way and from the state. I didn't know
13 what I was going to do.

14 And we can't lay people off because if
15 we lay people off, it's not that I'd lose a
16 secretary, we'd lose a case worker or we'd lose
17 the key components that make our program solid
18 and make it good.

19 So last year, nobody got even a tiny
20 raise. Nobody got anything. And I said that's
21 all I can do.

22 So the struggle with us is we've got
23 to keep the grass in the yard growing before we
24 go on the other side of the street.



1 We want other people to do that. And
2 that's what I mean. I'd sit down and tell
3 anybody what we're doing. And it isn't rocket
4 science. I mean what did you see yesterday that
5 was rocket science, nothing. It's just you need
6 a place to stay, we do that. You're stabilized.
7 Then from stabilized, we go on to the other
8 issues. And then finally, we have the education,
9 and then we say, Get out of here. Don't come
10 back, unless, of course, you work for us.

11 CO-CHAIR JONES: Well, we are unfortunately
12 out of time, but I do want to say, and I think
13 everybody agrees with me, that it's been a real
14 blessing to have the opportunity yesterday to go
15 and see St. Leonard's and to enjoy the wonderful
16 lunch that was fixed for us, and also to have you
17 here today.

18 MR. DOUGHERTY: And thank you for what
19 you're doing. I mean if it weren't for people
20 like you that could be doing other things or --
21 this isn't a fun subject. I mean this isn't, you
22 know, adoption or this isn't foster homes. This
23 is tough.

24 And the people that you're helping



1 don't have people who want to help them, quite
2 frankly, so thank you for doing this.

3 CO-CHAIR JONES: Thank you.

4 MS. WILLIAMS: Thank you.

5 CO-CHAIR JONES: All right. In ten minutes,
6 we're going to reconvene.

7 (WHEREUPON, a recess was had.)

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PANEL 10

WITNESS:

Jim Andrews, Owner, Felony Franks.

CO-CHAIR JONES: All right. Let's begin.

Mr. Andrews, welcome.

MR. ANDREWS: Thank you for having me today.

CO-CHAIR JONES: I've got to tell you that your reputation precedes you. We have been all excited for your coming and to have a conversation with you. I've been on the website, seen the video, have a sense of what it is you do, have done with Felony Franks, but am really interested to hear it from you.

The way this works is we'd like you to take five minutes or so to introduce yourself and tell us a little bit about the work that you've done, and then we have questions for you.

MR. ANDREWS: Okay.

CO-CHAIR JONES: And it usually works that one of us will lead the discussion. For the purposes of this conversation, that will be Vicki Young from San Francisco. And then we'll just sort of take it from there.



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1 So I'm going to stop talking and give
2 the floor to you.

3 MR. ANDREWS: Can I ask two questions before
4 or one or two questions before we start?

5 CO-CHAIR JONES: You certainly can.

6 MR. ANDREWS: The panel here is from
7 Illinois or --

8 CO-CHAIR JONES: No. My name is Rick Jones,
9 and I'm from New York.

10 MR. ANDREWS: Okay.

11 CO-CHAIR JONES: And then the rest of the
12 folks will introduce themselves.

13 MS. VANDERHORST: Why don't we just go down
14 the row?

15 Geneva Vanderhorst, and I practice in
16 Washington, D.C.

17 MR. ANDREWS: Very good.

18 MS. LOVE: Margaret Love. I'm also from
19 Washington, D.C.

20 MR. ANDREWS: Very good.

21 CO-CHAIR YOUNG: Vicki Young. I'm from San
22 Francisco.

23 MS. STRONG: Penny Strong. Billings,
24 Montana.



1 MS. HEINRICHS: Elissa Heinrichs from just
2 outside of Philadelphia.

3 MR. ANDREWS: Okay.

4 CO-CHAIR JONES: Did you have a second
5 question?

6 MR. ANDREWS: That was it.

7 CO-CHAIR JONES: All right. Great. The
8 floor is yours.

9 MR. ANDREWS: Well, my name is Jimmy
10 Andrews.

11 I opened up -- well, I've been in my
12 own business all of my life. For 27 years, I was
13 in the auto repair business.

14 Then I went into auto sales for five
15 years, which I considered my own business because
16 a salesman puts in the time like its his own
17 business. It can be successful or a failure.
18 Okay.

19 Then I went into Andrews Paper Company
20 in 1995 which for the first two years, I had all
21 kinds of problems. I had men smoking marijuana,
22 crack, using drugs in the warehouse, taking the
23 truck. I would send one guy out on the delivery
24 one time, he collected \$900 cash. We found him



1 and the van two days later with no money, looked
2 like there was a party in the van for three days,
3 for three months. I had my problems.

4 St. Leonard's Ministries was a
5 customer of mine. They bought products from me.
6 I got a call from Sister Eunice there who is no
7 longer there, she's retired now.

8 And she said to me, Jimmy, I have a
9 young man -- he's not a young man, but he has
10 quite an extensive criminal record, and he needs
11 a job.

12 And I asked her, Sister Eunice, what
13 was he was arrested for?

14 And she said, Well, he has multiple
15 things, anywhere from armed robbery, burglary,
16 breaking into cars, stealing radios to sell them
17 to get money to support a drug habit. He has
18 been incarcerated, he's been here with us for
19 three or four months. He needs to go to work.

20 I said to her, Sister Eunice, send him
21 over. He can't be any worse than what I have.

22 Okay. He came to work. He worked for
23 two weeks. When he got his first paycheck -- his
24 first week, he was fine. The second week when he



1 got his second paycheck, and he had a little bit
2 of a bankroll now in his pocket, he relapsed,
3 went to jail for four months.

4 When he came out, he went back to
5 St. Leonard's Ministries. And he came into my
6 store. And he said to me, Mr. Andrews, I need my
7 job back. When they took me out of Marshall
8 Field's in handcuffs, and I was in the elevator,
9 and a little boy was in there with his mother.
10 And the little boy said to his mother, Momma,
11 momma, look at that man. He must had done
12 something really wrong. He's in handcuffs.

13 He said, That's when the light hit
14 me. I was 45 years -- he was 45 years old. He
15 came in, and he said, That's when it hit me. I
16 have to stop using drugs.

17 That man worked with me for ten
18 years. He was a product of St. Leonard's. He
19 had a good base from them. He is clean now, drug
20 free eleven and a half years. He is managing a
21 restaurant now after working for me for ten
22 years. He's managing a restaurant in Evergreen
23 Park.

24 While he was working for me the last



1 few years, we helped him get custody of his
2 daughter who was two or three years old. And he
3 is a single father, parent, raising his daughter
4 where the baby's mother is a drug addict. She is
5 still in the street, doesn't get it, doesn't
6 understand it.

7 He encouraged me whenever I needed to
8 get another employee, I hired another fellow from
9 St. Leonard's Ministries. Duane Beach, he is
10 still with me. He's been with me 11 years.
11 Arcadius Manns, he worked for me for six years
12 and has gone on to a much better job. That's at
13 the paper company.

14 Then we were a small company. We were
15 doing about a million one, million two in sales.
16 And we were saying, What could we do besides
17 another paper company somewhere else to create
18 jobs for people, ex-felons?

19 Then I was thinking about it, thinking
20 about it. And then I saw President Obama while
21 he was going into his election, utilizing,
22 creating jobs. We need to get out there and
23 create jobs to help turn the economy around.

24 And I said to my wife Mary, What can



1 we do? What can we do?

2 Now, Mary runs a worldwide nonprofit
3 organization that she and myself and two other
4 girls cofounded that has grown for rare disorders
5 in children. It's a worldwide organization.
6 It's the largest in her field in the world.

7 I said, Look what you've done with
8 rare disorders. What could we do with 30 percent
9 of the population of the City of Chicago.

10 We thought, we thought, we thought.
11 And we were driving down Harlem Avenue -- not
12 Harlem, New York -- Harlem, nice area, and we saw
13 a place called Franksville. And there was this
14 big tall hot dog rotating on a sign with a sign,
15 Franksville.

16 Well, when I saw that, I pictured it
17 with a prison uniform and a ball and chain, and a
18 hot dog in one hand and a Coke in the other.

19 And I say to my wife, Mary, what do
20 you think about Felony Franks? We go in the fast
21 food business, create jobs for ex-offenders --
22 not only would we be creating jobs for
23 ex-offenders, but we would also be creating
24 another customer for our paper, restaurant,



1 janitorial and cleaning supply company, a
2 two-fer, okay?

3 So I had started a non-profit
4 organization called the Rescue Foundation. I
5 hired a grant writer, couldn't write a grant,
6 couldn't raise any money. I talked to
7 Congressman Danny Davis. He was working on his
8 Second Chance bill. I guess it got passed, but
9 there is no money for that.

10 I talked to Illinois Senator Rickey
11 Hendon. They have no money available.

12 So I went ahead, and I took my wife's
13 and mine savings that we were going to use for
14 our retirement. And I put a mortgage on my home
15 in Florida that was paid for, and I said, We're
16 going to go for it. We're going to create jobs
17 specifically for ex-offenders, people that can't
18 get jobs. Even if we were in a good economy, and
19 there were jobs available, they don't get jobs.
20 From when they're incarcerated in the courtroom
21 and branded as felons, they can't get jobs
22 because our society will not allow them to. Not
23 only the society, but the courts need to change a
24 lot of the things that they do.



1 I kind of got into this a little bit
2 with Obaid, but I didn't want to really get
3 strung into it, but I think that if the courts
4 could hand out longer sentences as misdemeanors,
5 when a person got out of jail, and they went to
6 fill out a job application, and it says, Were you
7 ever convicted of a felony, they could mark that
8 box "No," and they would have at least a chance
9 to get a job where what we're doing is we're
10 branding the people as felons and keeping them
11 from working.

12 I want to just kind of get off the
13 path a minute and just say St. Leonard's
14 Ministries is probably one of the finest
15 organizations that I have ever seen or worked
16 with. The people that I've hired from there, I
17 still have two of them with me for years. If
18 they make it through the first six months with me
19 at my company, they have a lifetime job.

20 The guys at Felony Franks and the girl
21 at Felony Franks, it's a stepping stone. The one
22 manager -- well, three of them have been with me
23 since Day One. Two of them have moved on to
24 better jobs.



1 One is the head chef now for
2 St. Luke's Hospital in Chicago which they have a
3 ten-year -- if you have a felony, and you go ten
4 years without any type of conviction, they will
5 consider to hire you. This man worked for me for
6 two and a half years and encouraged me for a year
7 and a half about getting Felony Franks started.

8 I mean I came up with the concept.
9 And I was talking to Steve Miller from WBBM
10 Radio. He put it on the radio. And it started a
11 year and a half prematurely, the advertising that
12 I was getting, and then we went ahead and opened
13 it up.

14 We've had our problems. We've had our
15 struggles there with the city, with the
16 aldermen. We are still in Federal Court. Even
17 though we do have our signage, we were denied TIF
18 money. We were denied a lot of opportunities to
19 have a drive-through.

20 And, you know, I've had my problems
21 with the city. I shouldn't say the city, I had
22 my problems with the aldermen.

23 All those will be behind us, and we
24 have to go forward. Right now, I'm trying to



1 raise money through friends, family, groups that
2 want to get involved.

3 We need to create jobs for these
4 people or educate the public that they are no
5 different than we are. The men put their pants
6 on the same way we do. The women fix their hair
7 the same way we do. Our society needs to
8 change.

9 There is a small group, including the
10 aldermen, that wanted me to change the name of
11 Felony Franks. I think it's a great name.
12 Felony Franks, home of the misdemeanor weiner.
13 Burger King had the Whopper. We have the
14 misdemeanor weiner. Our food is so good, it's
15 criminal. We have a Miranda saying -- how does
16 that go, Mare?

17 MS. ANDREWS: I don't talk. I can't talk.

18 MR. ANDREWS: Okay. Instead of "Order
19 Here," it says, "Plead Your Case." Everything is
20 done on a jail/courtroom type menu.

21 I would like to see -- and I have
22 licensing agreements set up -- I've had people
23 from all over the country come to see Felony
24 Franks.



1 I've had people from Baltimore, the
2 jail systems in Baltimore, Maryland, came to see
3 it.

4 I have groups of people from Los
5 Angeles, California, that want licensing or
6 franchise. I have interest from a group in
7 Austin, Texas, that are working on a proposal. I
8 have an offer on my desk from a gentleman here in
9 Chicago that would like to get involved.

10 I'm 66 years old. I'm legally blind.
11 I know that I can tell if you're men or women,
12 but if we were walking down the street and we
13 passed each other, I wouldn't know anybody from
14 anybody unless they came up to me.

15 And I remember Vicki from San
16 Francisco because she came up to me and said,
17 Hi. I'm Vicki from San Francisco. That's why I
18 asked my opening question.

19 MS. ANDREWS: Shut up.

20 MR. ANDREWS: There is a lot of things that
21 need to be done that this panel can help with
22 across the country.

23 To cut the recidivism, we need to
24 regentrify human beings. By doing that, we will



1 change communities. But to leave a community
2 that's in a troubled area the way it is without
3 doing anything doesn't work.

4 We need to educate the young kids, not
5 only the kids, but we need to educate the
6 parents.

7 I'm going to tell you a story that
8 happened to my wife while she was at Felony
9 Franks, helping. I can't see the numbers on the
10 cash register to work close. I have a problem
11 handling money, changing money.

12 So we were at Felony Franks one day.
13 And a gentleman came in, very well dressed. And
14 they were a little bit busy.

15 And one guy was cutting some
16 potatoes. The other ones were doing this and
17 cooking some other orders, so Mary went up to the
18 cash register and she says, Yes, sir. Can I help
19 you? And he gave her his order.

20 And he said to her, Wait a minute.
21 You're not a felon, are you?

22 And she said, Wouldn't you be
23 surprised? And the man said -- got his order.
24 Or she said, You would be surprised.



1 And the man got his order, took his
2 food, and he left.

3 As soon as that man left, everything
4 stopped at Felony Franks. The employees said to
5 her, Why did you do that? Why didn't you tell
6 him that you're not a felon?

7 And she said to them, Are we any
8 different?

9 She gained a lot of respect from
10 everybody there that day, a lot of respect.

11 I have a lot of respect for the people
12 that work for me. I treat them as human beings.
13 I treat them as an equal. I'm dependent upon
14 them.

15 They pick me up in the morning at
16 6:00, one of them. If Mary is out of town on
17 business, they drive me home. If I need to stop
18 at the grocery store, we'll stop together. Not
19 only will I buy groceries, what I need, but I'll
20 buy their groceries, too, whatever they need.

21 We need to help a lot of people.
22 There was, what, 25,000 or more a month that are
23 coming out of the jails in Illinois. How many of
24 them are going back because they don't have a



1 job, and they're going to do whatever they have
2 to do to provide food and shelter, either for
3 themselves, for themselves, their family, and
4 their children.

5 If they're incarcerated, they're not
6 helping any part of their family. They're
7 creating hardships for their family.

8 This Panel has a lot to do. You need
9 to do a lot.

10 CO-CHAIR YOUNG: Sir, I have a question, in
11 terms of your employment, both at Andrews Paper
12 and at Felony Franks.

13 At this point, are all the employees
14 formerly incarcerated, or part of it?

15 MR. ANDREWS: They are all formerly
16 incarcerated.

17 CO-CHAIR YOUNG: And at this point, not all
18 of them have come from St. Leonard's, is that --

19 MR. ANDREWS: Well, no, they haven't.

20 CO-CHAIR YOUNG: And how else do they get to
21 you? Or they hear about, you know, he is
22 actually going to hire people that have a
23 record. The word goes out?

24 MR. ANDREWS: Well, you know, I've gotten a



1 lot of media, and from that media came a lot of
2 job applications.

3 CO-CHAIR YOUNG: Okay.

4 MR. ANDREWS: In the first three months, I
5 probably had 4,000 job applications. I get at
6 least eight calls a week. And I tell everybody,
7 I'll take a five-minute interview with you. I
8 want to meet you. I want to talk to you. I want
9 to know about you. I want to know what you like
10 to do, if you have a driver's license, if you
11 have food and sanitation licensing, what you did
12 before you were incarcerated. And if I don't
13 have work for you, I will try to help you get a
14 job.

15 I helped a gentleman came out of
16 prison -- I'm trying to think of his name -- we
17 were invited to his wedding, Mary.

18 MS. ANDREWS: I know. I forgot his name.

19 MR. ANDREWS: He came out of jail. He heard
20 about Felony Franks. He came to me and he said,
21 Jimmy, I had a job running a six-color some type
22 of printing press. Do you know anybody in the
23 printing business? I can run these presses like
24 the back of my hand.



1 So I have a cousin that runs Case
2 Paper who is one of the largest in the country.
3 I called him up, and I says, Hey, John, do you
4 know anybody that needs a pressman? I got a guy
5 here, he's an ex-felon, that knows how to run all
6 the printing presses. He lost his job when he
7 was incarcerated.

8 He says, Do you know what? I think I
9 do know a guy that needs a job -- I think I do
10 know a guy that needs a pressman.

11 So he calls up the guy. He calls me
12 back 20 minutes later. And he says, Have him go
13 see this guy on Harlem Avenue in Chicago or in
14 Bridgeview, I think it is.

15 That man started working the next day,
16 making \$32 an hour, second day out of jail. They
17 didn't care if he was a felon. He did a good job
18 for them. He's still working there, working 48,
19 50, 55 hours a week, making huge money.

20 We were invited to his wedding. He
21 calls me every three months. I have his number
22 in my phone. I'm just kind of brain-dead on his
23 name.

24 The guys at work, I have them -- I



1 have people that come in as far as the
2 applications. Before I recommend anybody for
3 anything, I need to meet them. I need to get
4 close to them, look at their face, and see what
5 their character is.

6 I'm a very good judge of character. I
7 can look at you and say, Yeah, you could make
8 it.

9 I encourage everybody not to give up
10 hope. Keep looking for work. There is work.
11 You need to just find it.

12 CO-CHAIR YOUNG: So you meet a lot of people
13 for five minutes?

14 MR. ANDREWS: I meet a lot of people.

15 CO-CHAIR YOUNG: And you're hearing from
16 most of them I assume that many other employers
17 aren't as open to receiving their services as you
18 are?

19 MR. ANDREWS: Correct.

20 CO-CHAIR YOUNG: Okay. Questions?

21 MS. VANDERHORST: I'd like to know,
22 Mr. Andrews, if you are involved in any
23 department of commerce or chamber of commerce or
24 any other kind of coalitions among business



1 owners and can tell us what the reluctance is for
2 others to hire people who have been formerly
3 incarcerated.

4 MR. ANDREWS: Well, I think a lot of people
5 are afraid to hire an ex-offender, okay, because
6 of the fact that they have stolen, they have
7 burglarized, they have done armed robbery. They
8 don't want it to happen in their yard.

9 But when a person goes to jail,
10 they're supposed to be coming out rehabilitated.

11 The drug users that go in basically
12 are getting detoxed in Cook County Jail while
13 they're waiting to go in front of the judge to
14 see what's going to happen to them. And if it's
15 a small enough case, the judge says, Time
16 served. Dismissed.

17 That's where the laws needs to
18 change. We need more jails. We need to make the
19 first offense impressive. But don't brand them
20 as a felon. Give them a misdemeanor. Does that
21 make sense, or am I thinking wrong?

22 CO-CHAIR YOUNG: Have you run this by your
23 employees as an idea?

24 MR. ANDREWS: I have.



1 CO-CHAIR YOUNG: And what do they think?

2 MR. ANDREWS: They think that a person out
3 in society after they get out would have a better
4 chance of getting a job because they would not be
5 falsifying a job application.

6 The way a job application is today, Do
7 you have a felony conviction, yes or no. That's
8 kind of discriminating, isn't it? If it said --
9 if you marked it no, and they found out you had a
10 misdemeanor, you didn't lie.

11 I know how many people come in, maybe
12 10 percent of them that say, I had a job, and
13 three months later, my background check came
14 back. And they fired me for lying on the job
15 application, not because I wasn't doing a good
16 job.

17 Ex-offenders work harder. They have
18 to prove themselves to society. They come in.
19 They work very hard to prove themselves.

20 Everyone doesn't work out. Jason
21 Smith is the perfect example. He was supposed to
22 be here with me, sitting here today.

23 Where Felony Franks is, we have our
24 problems. It's Felony Franks on the corner, our



1 parking lot, a little candy store, and a liquor
2 store.

3 There is always 30 people out in front
4 of the liquor store. We had five calls in two
5 years to the Police Department at Felony Franks.

6 Since the liquor store opened up seven
7 months ago, we have two calls a day.

8 In the last three months, we had 17
9 arrests -- I'm sorry, let me change that -- we
10 had 22 arrests.

11 Jason, that's not sitting here today,
12 relapsed on last week, Thursday, bought heroin
13 from in front of the liquor store.

14 I've been on the Police Department,
15 and I told the Police Department, Do you know
16 what, I get a lot of media. What do you want me
17 to do? Should I go to the Mayor? Should I go to
18 the aldermen and let them come down on you? I
19 don't want to do that.

20 I went directly to the police station,
21 talked to the commander, and said, We need Felony
22 Franks liquor store neighbor cleaned up. Either
23 clean it up, or we're going to the media.

24 Today they made five arrests there for



1 drugs. And there is nobody hanging on the street
2 at all there today. This just started last
3 night.

4 Jason came to work every day. He's a
5 good person. He has an addiction. He has a
6 weakness to heroin. We have talked about it. I
7 talked to him while he was in detox. He knows
8 what he did wrong. He said, The temptation was
9 there right outside the back door.

10 I'm sure you've heard the saying that
11 if you go close to the barber shop, you're
12 eventually going to get your hair cut. I don't
13 want my people near that stuff. They don't want
14 to be around it because they know that saying.

15 Jason said, I had a moment of
16 weakness. I bought a bag or two and used
17 heroin. I should not have done it, but I did.

18 I said to him, Get detoxed, and we'll
19 sit down and talk. Your job is still there
20 because I believe in a second chance.

21 And I don't know what happened to him
22 today, but he didn't show up for work, and he
23 didn't show up for this meeting today. He is a
24 disappointment now.



1 CO-CHAIR YOUNG: I'm sorry for that, sir.

2 One question that we did have was
3 whether if you as a business hire ex-offenders,
4 are there increased insurance rates, liability
5 costs?

6 MR. ANDREWS: No. Do you know why? Because
7 the insurance companies don't look at -- our
8 people don't have to be bonded. The insurance
9 companies do not look at --

10 CO-CHAIR YOUNG: The record?

11 MR. ANDREWS: Correct. That's none of their
12 business who we hire. They are human beings
13 covered by workmen's comp, whether you're a felon
14 or you're not a felon.

15 CO-CHAIR YOUNG: Okay. Do you have a
16 question?

17 CO-CHAIR JONES: Penny?

18 MS. STRONG: I just have a couple
19 questions. Where is Felony Franks in Chicago?

20 MR. ANDREWS: Felony Franks is at 229 South
21 Western. It's on the corner of Jackson and
22 Western. It's an area that is going through a
23 transition. The block that I am on is -- well,
24 let me do this: The block that it's on, when I



1 got there was ghetto.

2 I'm on the northeast corner. On the
3 southeast corner is St. Steven's. It's kind of a
4 small one-block-area project. And then to the
5 next block to the east of that is Crane High
6 School. Crane High School is one of the toughest
7 high schools in the City of Chicago. When school
8 gets out, there is twelve squad cars there to
9 keep the kids moving.

10 On the other corner is like townhomes
11 in a courtyard, old. And then on the other
12 corner across the street are brand-new beautiful
13 buildings with condos in them selling for 350,000
14 and up. Okay. So we have projects, the toughest
15 school in the city, lower income housing, and
16 condos for 350,000 and up, and Felony Franks on
17 this corner.

18 The rest of this block is our parking
19 lot, a candy store, liquor store, two more empty
20 buildings, and a vacant lot on the next corner.

21 MS. STRONG: It sounds like your area is
22 undergoing gentrification.

23 MR. ANDREWS: It is undergoing
24 gentrification, but do you know what, it's not



1 happening fast enough. And they need to look at
2 what types of businesses they put there.

3 MS. STRONG: And how many people do you
4 currently employ at Felony Franks?

5 MR. ANDREWS: I employ six at Felony Franks
6 and four at Andrews Paper Company.

7 CO-CHAIR JONES: I have a couple of
8 questions going back to the insurance question
9 Vicki asked a minute ago.

10 I know that we were told yesterday
11 that the State of Illinois now, under Governor
12 Quinn, provides two separate programs for folks
13 who, like you, hire sort of ex-offenders,
14 ex-felons, they call them in the literature.

15 One is this work opportunity tax
16 credit. Do you --

17 MR. ANDREWS: I do not take advantage of
18 that.

19 CO-CHAIR JONES: -- participate? You
20 don't.

21 MR. ANDREWS: No.

22 CO-CHAIR JONES: And that's because --

23 MR. ANDREWS: That's because we're a small
24 company. I don't have enough time in the day to



1 do what I have to do. What I do, my paperwork
2 takes me four times as long as it would take you
3 because I have to find the information in front
4 of me.

5 If I had good eyesight, I would
6 probably be taking advantage of that, but I can't
7 afford to have a girl sit there with me to do
8 those things for me because of the size of our
9 company.

10 CO-CHAIR JONES: And what about fidelity
11 bonding, the same thing?

12 MR. ANDREWS: The same thing probably. We
13 don't -- you know, we don't take -- anything that
14 I've done, I've done with my own money. I
15 haven't done anything with -- I haven't received
16 a penny, not a penny from the city, state, or
17 Federal government.

18 The city costs me a lot of money. I
19 loss \$293,000 on the Felony Franks deal, which
20 I'm still in Federal Court. I believe that if
21 I'm driving down the street and I'm speeding and
22 I get a ticket, I need to be held accountable.

23 If a policeman took me out of the car
24 and beat me because I got snotty or snippy with



1 him, he's going to be held accountable.

2 The Federal building in Chicago has
3 put three of our governors in jail. They are
4 being held accountable. Why aren't the aldermen
5 accountable? Why can they change their laws as
6 they go along? It's not my book. They need
7 to be held -- I shouldn't say "they." I
8 should say the alderman needs to be held
9 accountable.

10 And I am a person that's going to
11 fight for what's right. Whether I have to lose
12 the shirt off of my back, I will fight for what's
13 right. And I think that what I'm doing is right,
14 so I am still fighting.

15 CO-CHAIR JONES: I think that's a great way
16 to end.

17 CO-CHAIR YOUNG: Well, you certainly put
18 your money where your mouth is, sir. And thank
19 you for your work.

20 MR. ANDREWS: Thank you for inviting me
21 today. And it was a pleasure.

22 CO-CHAIR JONES: Thank you very much.

23 All right.

24 CO-CHAIR YOUNG: That's a wrap?



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CO-CHAIR JONES: That is a wrap.
That ends the Task Force Chicago
hearings.
Thanks, everybody.
(WHEREUPON, the hearing was
adjourned.)



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