



# ILLINOIS BLUEPRINT FOR PEACE



Invest in Healing and Holistic Violence Prevention



Redesign Criminal Processes



Improve Sentencing and Policy Integrity

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# About the Coalition

In September 2021, the Children and Family Justice Center at Northwestern Pritzker School of Law hosted the inaugural symposium in Bluhm Legal Clinic's Race and Lawyering in the 21st Century series: "Gun Possession in Chicago: What the Headlines Don't Tell You." The symposium featured attorneys and academics alongside community organizers, advocates, and service providers to discuss why people carry guns, how the criminal system responds to violations, and more sustainable approaches to reduce violence.

Planning the symposium revealed deep interest among participants and attendees in developing a comprehensive way to advocate for a new way forward to address urgent issues of guns, race, and healing around the state. The Illinois Blueprint for Peace coalition was formed and met monthly from November 2021 through May 2022 to develop its recommendations, supported by a weekly planning group of the coalition's conveners, researchers, and advocates. Three subgroups, mirroring the recommendations of this document, generated blueprints to: 1) Invest in Healing and Holistic Violence Prevention; 2) Redesign Criminal Processes; and 3) Improve Sentencing and Policy Integrity. While individual young adults and youth-serving organizations have participated in these three subgroups, a fourth project, providing directly-impacted youth and young adults around the state with dedicated peer space, is in development. The project will enable young people to share their experiences with gun violence and community-level trauma and build a platform from which to participate in policy discussions and advocate for reform.

Coalition meetings were open to all who were interested in participating and agreed with the following values:

## **The Illinois Blueprint for Peace coalition embraces policies and actions that will:**

- » Increase health and healing among residents impacted by gun violence and reduce gun violence by addressing the underlying trauma that shapes decisions to carry guns and the harm caused by gun violence.
- » Decrease racist and carceral responses to gun violence, including by advocating for alternatives to prosecution for gun possession cases.
- » Intervene in the institutional abandonment and divestment of communities of color that is at the root of intracommunal violence by increasing community resources and supporting community-led alternative conflict resolution initiatives.

# Introduction

Beginning in the spring of 2020, Illinois experienced the largest pandemic in at least a century, the largest civil rights protests in a generation, the largest economic disruption in a decade, the highest rate of handgun sales in history, and a sharp increase in shootings and homicides that coincided with a sharp overall decrease in other violent crimes.

It is too soon to quantify how each of these events may have impacted the others; so much change occurred at once, some answers may remain elusive. Regardless of cause, effect, or catalyst, the fact remains that in recent years, Illinoisans experienced stress, grief, economic pressure, and strained social ties on a scale larger than most have ever known. However, the individual and collective traumas of these experiences did not fall equally upon people of all races, ethnicities, and income levels.

Our current conditions are the manifestation of decades of structural racism, as any measure of health, policing, criminalization, or gun violence makes clear. In 2020, millions of Illinoisans overcame significant pandemic hurdles to proclaim – in the streets, with petitions, through organizing, in book clubs, and on the ballot – that, regardless of how we may fail to live up to it, **we want to live in a society for which racial equity is a core value and shared goal**. Since then, a backlash fueled by white supremacy has spread fear and disinformation, depicting justice reform as the enemy, rather than the catalyst, of peace and prosperity, confusing the public and weakening the resolve of many policymakers.

We have had enough. We will not surrender the public square to those who devalue the life or health of our fellow Illinoisans. We will not tolerate our government ignoring those of us who most need replenished resources to heal and grow safer communities. We will not let Illinois backslide into crime policies that generate new misery and oppression. We cannot allow our own natural longing for stability to warp into minimizing and marginalizing recent waves of illness and grief, borne of the pandemic and of bullets and concentrated by race, class and geography. Filtered through the values we urge one another to remember and prioritize, a clarion call emerges: **a return to “business as usual” in Illinois is not only unrealistic, but unacceptable**.

Many of us came together during Chicago’s last significant increase in gun violence, in 2016, to demand a comprehensive plan to address gun violence at the city level – one that would not rely on a failed schedule of ever-increasing mandatory minimum punishments for individuals, but leverage public health and investment strategies to create system accountability in policing and gun regulation, while reducing harm done to residents by the criminal process.

Since then, there have been several positive developments:

- » In 2017, the U.S. Department of Justice made the lived reality of many Chicagoans a matter of official public record by releasing its findings concerning abusive, racist, and unconstitutional policing practices by the Chicago Police Department;
- » In 2018, community and civil rights groups were included in the resulting federal consent decree, giving them unprecedented monitoring and enforcement opportunities concerning CPD practices;

- » In 2019, Illinois passed laws 1) requiring state licensing of firearm dealers and 2) instituting the Restore, Reinvest and Renew Program (R3) to distribute 25% of state cannabis proceeds to violence prevention, reentry, youth development, economic development and civil legal aid services in areas of the state with high rates of gun injuries, child poverty, unemployment, and incarceration;
- » In 2020, the City of Chicago issued its first-ever violence reduction plan – including specific mention of the fact that police accountability is an important factor in violence reduction; and
- » In 2021, the State of Illinois passed the Reimagine Public Safety Act, establishing the Office of Firearm Violence Prevention, and the SAFE-T Act, a landmark criminal justice reform bill and a significant step toward reforming front-end criminal procedure.

We are renewing and expanding our call now because, despite this progress, much remains to be done. Far too many Illinoisans continue to be harmed by gun violence, policing, and the criminal legal system. At the same time, research has continued to expand our understanding of what does and does not work to prevent gun violence and what forms of accountability can be most effective in reducing risky behaviors. Often in tandem with this research, community members and policymakers alike are rethinking the outsized investments our state has made in traditional police- and prison-based responses to gun issues – particularly during a period of concentrated health, social, and economic needs.

***Far too many Illinoisans continue to be harmed by gun violence, policing, and the criminal legal system.***

In particular, many young Illinoisans aged 18-25 have spent recent years in low-wage, high-risk jobs while assisting with childcare and educational support for younger siblings and navigating the temporary or permanent loss of peers, parents, and grandparents to violence, incarceration, and illness. Seldom has a generation been asked to do so much, with so little in the way of social and structural support. We must listen to, and act on, their pleas for justice.

This begins by refusing to demonize young people for the impact that violence and inequitable conditions have had on their lives. **Every life is valuable and shootings are preventable.** But racial disparities in gun violence victimization driven by inequity are often repackaged and distorted into “would-be shooter” and “guilty victim” narratives. Some political, business, and law enforcement interests malign young people with implicitly segregationist rhetoric, in service of wealth and power. When shootings are down, they demand deference by projecting order and control, assuring residents of whiter, economically-stable, and less-impacted neighborhoods that gun violence is restricted to “gang” activity and need not concern them. When shootings are up, they demand even more resources be diverted away from communities that most need them by emphasizing disorder and chaos, portraying some Illinoisans, particularly youth of color, as outsiders and invaders, to be excised and discarded. But all of our futures are linked and worth preserving.

We have learned valuable lessons from the failed war on drugs and must immediately apply them to the failed war on guns:

- » The law enforcement “war” on contraband model shifts focus away from manufacturer liability and other industry accountability measures, instead placing blame and punishment primarily on individuals who have often been harmed by the contraband themselves.
- » Demand and harmful use decrease when people are healthy and feel safe. They increase when people cannot heal from trauma and feel afraid.
- » Healing resources must be immediately accessible to all.
- » Positive outlets and support do more to reduce harm than legal responses ever will.
- » Intensive policing and harsh criminalization aimed at individual-level contraband possession will never sufficiently prevent death, but these do create new harms that destabilize families and communities - and ultimately drive more demand.

If the goal is merely to prove we are fighting a war, we reach it - and lose - every day.

If our goal is to save lives, we can only achieve it by building peace, together.

We invite you to join us in advocating for and building upon the recommendations in this blueprint.



## Invest in Healing and Holistic Violence Prevention

The Blueprint understands the need to address simultaneously the physical, psychological, and social safety concerns communities experience across the state. Specifically, this requires an emphasis on non-policing approaches to safety, while engaging family members or other support systems in the journey toward safety and healing.

It is equally necessary to acknowledge the role that historical systemic racism and inequality play in current policy, and thus the importance of holding systems that produce violence accountable while also holding leaders accountable to address this public health crisis. Fiscal progressive reform should include re-allocation of money in communities, not systems.

Lastly, creative expression is an important tool and method of communication for individuals and communities to process their lived experiences towards healing.

The purpose of this section is to lay out and identify principles/goals/recommendations for alternative approaches to addressing gun violence, and then advocate for those approaches. Some of the principles identified include:

- » Supporting communities directly, in ways they define, rather than merely pushing resources into systems;
- » Building both safer and thriving communities; and
- » Focusing both on short- and long-term aspects of gun violence prevention work.

- » Recognizing that gun violence prevention and reduction work is multifaceted, the subgroup organized the recommendations by the various stages in the conflict-resolution process. The recommendations call for reform at the systemic and not only at the individual level, necessitate a strengths-based approach, and require undoing harmful narratives about those directly impacted.

## Recommendations to Invest in Healing and Holistic Violence Prevention

### Prevention

This category is focused on identifying actions and initiatives needed to prevent and address root causes of gun violence on individual and community levels. Equitable resource distribution is required, to enable communities that have been historically neglected and have experienced disinvestment to better serve existing needs.

#### ■ ***Fund new and existing community-led initiatives and include funding for grass-roots organizations, as well as seed funding.*<sup>1</sup>**

Because communities are most knowledgeable about the problems affecting their residents, it is reasonable to increase and ensure allocation of funds to community-based organizations, all while prioritizing community members' expertise and voices in the decision-making processes.

- » *Funding evaluation for alternative strategies that are overlooked:* It is essential that policy is both founded on evidence-based practice and practice-informed research. Definitions or measures of success are not always in alignment between researchers and communities; we need communities to be wholly involved in evaluation processes.
- » *Supporting communities/organizations that receive funds:* It is not enough to allocate funding; organizations must have technical assistance and other support identified by them to ensure successful outcomes and long-term sustainability.

#### ■ ***Invest in focused and holistic youth development.***

- » *Increased coordination and connections between schools and community resources:* Expansion of services like the Community Schools model<sup>2</sup> as a place-based strategy will emphasize the important role of schools in community-building and as a community resource, facilitating wrap-around services for students and families. This will increase accessibility to neighborhood resources and help build community relationships.
- » *Increase year-round employment opportunities:* In addition to summer jobs programming, year-round employment opportunities for youth and/or emerging adults will promote economic growth, provide additional income, and may contribute to building professional skills.
- » *Participation by-and compensation for-youth involved in gun violence prevention work:* Youth voices are needed to build programming and other initiatives catered to their age group and interests. They should be equitably compensated for their contributions.

» *Address issues of homelessness or housing instability for this population:* Youth’s basic needs should be prioritized with particular attention to housing stability, as homelessness jeopardizes physical safety.

■ **Conduct ongoing statewide community needs assessments or community surveys as a strategy for violence prevention efforts, ensuring such strategy includes community input.**

» The State of Illinois’ violence prevention plan is an enormous step forward for the state, but its first needs assessment was limited to quantitative data.<sup>3</sup> Because there is no “one-size-fits-all” approach to gun violence reduction across diverse communities, utilizing a mixed-methods approach—qualitative interviews in addition to surveys in this case—will be important going forward. It is also important that such assessments or surveys are community driven and designed.

■ **Increase availability and accessibility of conflict-resolution and social-emotional learning resources.**

» *Increase in tools, education and trainings led by communities for communities to address conflict:* Communities should be able to safely engage in honest communication through spaces such as peacemaking circles, wherein active listening and cooperation take place.

■ **Increase mental health support for those directly and indirectly impacted by gun violence including survivors, families, communities, and people rejected for victim support.<sup>4</sup>**

***Centering the importance of culture to well-being can be especially empowering and important when addressing harm borne of racial injustice.***

» *Mental health support should be trauma-informed and contain a healing-centered approach:* While trauma-informed practice is essential, there is a growing recognition of the importance of what is known as “healing-centered” approaches to mental health supports, which take not only individual adverse experiences but social conditions and collective trauma into account. Centering the importance of culture to well-being can be especially empowering and important when addressing harm borne of racial injustice. Addressing the impact of community-level trauma in addition to individual experiences is salient in addressing gun violence.<sup>5</sup>

» *Hiring and supporting professionals from impacted communities:* Representation and culturally sensitive therapeutic practices are necessary to improve equity and inclusion, as well as to increase successful outcomes.

## **Intervention**

» The recommendations in this category are focused on effective ways to address existing or ongoing conflict that reduce the probability of involvement from the criminal legal system. Special attention should be given to harm-reduction and alternative approaches identified by communities.



■ **Increase promotion of, and services focused on, de-escalation practices and healthy methods to defuse conflict.**

» The goal is to begin a path toward healing and reduce the likelihood of retaliation: Violence intervention staff and community leaders should be funded and given structural support in providing education on conflict de-escalation and resolution practices to their communities.

■ **Build safe spaces where people going through conflict have an opportunity to learn about each other, share experiences and concerns, and build pro-social skills.**

» This includes free expression and unpacking of pain resulting from gun violence or from contact with the carceral system. Additional support for outreach is needed to identify participants.

■ **Increase and sustain investment in restorative justice practices.**

» *Restorative and transformative practices go far beyond a small number of specialty courts:* While restorative approaches are often seen as a tool to address low-level, nonviolent issues, projects such as Common Justice in New York City have shown that restorative justice practices can be even more meaningful when they facilitate growth and healing following violent encounters.<sup>6</sup>

» *Peacebuilders need sustained access to resources in order to create and nurture a safe and healing environment:* The community-building and relationship development required for successful restorative justice practices takes time and dedication to create.

## **Post-conflict**

After conflict has occurred, the primary goal is prevention – reducing the likelihood of cyclical involvement in violence and the carceral system. Once someone has been incarcerated, how do we make sure they are ready to return to their community? This category sheds light on the importance of re-entry work.

■ **Begin preparation prior to re-entry into the community**

» *Support systems are an essential component of successful re-entry.* Beginning with housing, accessing basic needs is necessary as a first step toward healthy and safe living. Support and resources should be planned for and available before individuals are released from prison, to ensure successful outcomes.

■ **Invest in community-based organizations focused on re-entry work.**

» *Neighborhood peace-building depends on support for people returning from incarceration:* In addition to material needs, people returning home often struggle to find support to process incarceration-related trauma and to find their new role in an environment that may have changed since they left it.

## **Narrative Change**

Law enforcement and government officials have routine, daily, professionalized access to the media, while reporters must independently locate and seek out alternate perspectives on gun possession from people who have experienced gun violence and the criminal system. It is necessary to deconstruct the harmful repetition of punitive and “predator” based language by police and politicians, amplified by media coverage. Narrative change, achieved by shedding light on voices and stories from individuals and communities directly impacted by gun violence in all its forms, is therefore an essential component of the path toward rectifying misguided policy.

***Too often, the dominant message has been that people who have survived violence and people who have committed violent acts are distinct groups and one is deserving of services, support and sympathy and the other should be locked up, permanently punished and demonized. These are not mutually exclusive categories, and survivorship may prompt some individuals to carry guns.***

### ■ **Actively address misinformation and redefine narratives**

- » *Address and recognize the relationship between “victim vs. offender”:* Too often, the dominant message has been that people who have survived violence and people who have committed violent acts are distinct groups and one is deserving of services, support and sympathy and the other should be locked up, permanently punished and demonized. These are not mutually exclusive categories, and survivorship may prompt some individuals to carry guns.<sup>7</sup>
- » *Distinguish gun violence from gun possession:* These terms are often used almost interchangeably, or combined with terms like “gun crime.” Police champion gun possession arrests and gun seizures as almost akin to solving shootings. But data show that gun possession arrests in Cook County, particularly Chicago, are largely driven by non-violent/no prior conviction arrests.<sup>8</sup>
- » *Change the language used to describe formerly incarcerated people:* Ongoing stigmatization and criminalization of formerly incarcerated people interferes with their employability, subsequent housing, and ability to form healthy and supportive relationships.<sup>9</sup>

### ■ **Develop a clear and shared understanding of social structures associated with gun violence.**

- » *Describe and identify root causes of violence:* This includes particular attention to systemic rather than individual-level problems, such as structural racism and inequity.
- » *Acknowledge gun violence perpetuated by police and the trauma that results from it:* Video of violent police encounters, including unjustified shootings of youth, is inescapable and contributes to toxic stress; research shows that police killings of unarmed Black Americans in particular substantially decreases the mental health and well-being of Black adults.<sup>10</sup>

## Power Building

Communities can and should wield power in transforming systems to be equitable, inclusive, and anti-racist. This category focuses on supporting and uplifting the strengths, knowledge, and expertise of community members, requiring stakeholders to engage with communities first and hardest hit by structural inequities and gun violence in the processes to change policies, institutions, and the distribution of power.

### ■ **Focus efforts on relationship building.**

- » *Provide opportunities to talk about accountability within communities:* There are a limited number of spaces where people can freely and productively talk about the uncomfortable.
- » *Create a value system that a community can adhere to:* People need to be able to learn from one another by speaking the same language and being on the same terms.

### ■ **Support community and organizational capacity building efforts.**

- » *Give opportunity and a platform to community solutions:* Support initiatives that may not be receiving the attention necessary, starting through the Blueprint coalition.
- » *Appropriately compensate essential community peace workers:* This includes making sure there is room for professional advancement, suitable salaries and benefits, and mental health support for outreach workers.

### ■ **Utilize asset-mapping as a strengths-based approach when working with different communities.**

- » *Asset-mapping is a long-standing social work tool, appropriate both for individuals pursuing personal goals and for communities engaged in participatory research and policy development:* By naming existing resources and strengths to build upon, community members can devise immediate, sustainable, and independent approaches to pressing issues without having to rely on professionalized interventions and services which may not prove to be relevant or available.



## Redesign Criminal Processes

Individual-level police searches followed by criminal prosecution of gun permit rule violations are neither the only nor the best methods of promoting or enforcing gun regulations – let alone peaceful communities – yet these remain the state’s dominant tools. Meanwhile, courts have developed structures and processes for adjudicating firearms cases that flatten, if not completely disregard, the impacts of racial discrimination, segregation and inequity; police abuse, harassment, and false testimony; and personal- and community-level violence and trauma. Race, ethnicity, age, geography, and community standing result in vastly different likelihoods of being able to obtain a gun permit and, accordingly, vastly different likelihoods of being caught violating a gun permit law and being subject to the administrative, municipal, and criminal consequences likely to follow. In addition, what few

non-prison “off ramps” exist for those found in possession of an unlicensed gun – diversion, special probation programs, even deflection from arrest altogether – are available only rarely and dispensed in ways that reflect and exacerbate racial inequality in the criminal legal system.

We know that true peace cannot be built on police and court systems that are driven by inequity and fear while delivering punishments that create new trauma and prevent access to safety and healing. Worse, current policing practices and court procedures implement Illinois’ unusually harsh criminal laws for gun possession in a manner that compromises important safety goals, drives racial disparities, and interferes with the ability to produce peaceful outcomes in neighborhoods.

In Chicago and other urban areas, the vast majority of permit violations and other gun possession-related issues are encountered as a result of police initiating a search of someone’s home, body, bag, or vehicle; most gun possession charges are not related to any suspected violent crime. Gun recoveries by law enforcement are a result of all of the same stop-and-frisk tactics and pretextual vehicle stops that Americans have become familiar with as a consequence of the war on drugs. Indeed, the prospect of unlawful gun possession is often used to excuse police spending, surveillance, and investigation tactics that the public might otherwise be inclined to reject as excessive or discriminatory.

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But police and prosecutors view unlicensed gun possession very differently in different parts of Illinois. In Cook County, FOID card violations are routinely approved for the maximum available felony charge; in Madison County, the state’s attorney filed an amicus brief arguing that the entire FOID Act is unconstitutional. Practices in the rest of the state usually fall somewhere between defaulting to the maximum available charge and totally rejecting state law. But all around Illinois, selective enforcement of gun laws occurs, as police in each jurisdiction determine whose violation should lead to an arrest (rather than a warning, ticket, or confiscation) and prosecutors determine which constituents should be charged with felonies carrying mandatory prison time (instead of the available administrative violations and misdemeanors).

Selective enforcement within each jurisdiction, layered on top of regionally-different approaches to gun law enforcement, drives racial disparities among gun penalties that are even more extreme than the rest of Illinois’ criminal system. Cook County’s practice of maximum felony charging applies to a constituency that is 58% people of color, while Madison County’s rejection of the FOID Act applies to a constituency that is only 15% people of color. In Illinois, Black men are 7% of the adult population – and 74% of those receiving felony convictions for simple gun possession (Class 4, first time, non-aggravated charges).<sup>11</sup>

Using weapons permit violations as a proxy for violence is not only racially disproportionate, but flawed. While white people represent 23% of the population incarcerated for crimes against a person,

they are only 14% of the population incarcerated for a weapons violation. The reverse trend is true for Black Illinoisans, whose share of imprisonment for weapons violations, overwhelmingly possession-only gun license offenses, is 17% higher than for violent crime.<sup>12</sup>

Although local law enforcement priorities, including the enforcement of gun laws, are set by police and prosecutors, Illinois state courts have a distinct, independent responsibility. The role of the courts includes: evaluating the legal sufficiency of arrests and criminal charges; safeguarding fairness in the trial process; ensuring that the prosecution meets its burden of proof; and appropriately sentencing defendants. According to the Illinois Constitution, sentences are to be determined based on both the seriousness of the offense and with the objective of restoring the person convicted to useful citizenship.<sup>13</sup>

Current processes frequently disrupt these goals. Contraband seizure cannot meaningfully impact gun supply due to the much higher rate of manufacture and sale of firearms in recent years. Racially disproportionate pretextual stops and coercive searches alienate thousands of people who are not violating any law, elevating tensions and making many community members less likely to seek out the police when real violence is at issue. Unlawful police tactics that should result in immediate case dismissal are instead uncovered months after charges are brought even when those subject to these unlawful stops and searches remain incarcerated while their cases trudge slowly through the system. The practice of automatic maximum charging jeopardizes employment and housing and creates maximum damage to individual, family, and community stability. Thousands of new felony convictions are generated every year, destroying lifelong earning potential with no measurable public safety benefit. And although most people who possess a gun without a license have not committed and do not intend to commit a violent act, many are punished more severely for a licensing violation than they would have been for a violent crime, such as battery.

## Recommendations to Redesign Criminal Processes

Criminal processes can be improved by emphasizing less harmful system responses to violation at every point in the system, including police deflection of arrests and prosecutorial diversion. To do this, expansive and effective diversion mechanisms will be required that acknowledge and address the reasons people carry guns, providing opportunities to address the true drivers of gun possession while also safely reducing incarceration trauma and felony barriers, especially for youth and young adults.

In considering the design of policing, prosecution, and adjudication, system actors should center and seek to remedy racial inequity, asking: Who is effectively targeted by existing practices – who is privileged and spared? Whose voices are heard and whose are excluded in court process and policy? Who are existing systems and personnel designed to serve? What narratives and stereotypes are driving our supposedly neutral decisions?

### **Bring Transparency, Fairness and Community Voice to Charging Decisions in Gun Cases**

Prosecutors' exclusive collaboration with law enforcement during charging leads to criminalizing survivorship; exclusion of community voice; incomplete information in developing bond requests; and reliance on faulty tools such as gang databases in decision-making. It can be unclear to the public who will be charged, for what, and how that is decided, reducing public input – and confidence – in

prosecutorial policymaking. Overcharging can include felony treatment of Concealed Carry License (CCL)-only violations – that is, cases where a person has a valid FOID card; felony charges for cases that could be charged as misdemeanors; and disparities in how expired/out-of-state license issues are handled throughout the state.

■ ***Increase transparency around the charging process.***

- » Prosecutors should make public what factors are considered when they decide whether to proceed with charges and which specific charges to pursue.
- » Prosecutors should also make public how these decisions are made and by whom:
  - › Are all individual prosecutors empowered to make these decisions, or are there specially designated officials or units?
  - › Are there policies in place to cabin and guide discretion, or are the decisions ad hoc? Are these decisions tracked in any way?
  - › Are members of law enforcement consulted on these decisions – if so, how is this input noted and evaluated?

■ ***Create a mechanism for ensuring community voice in the charging and court processes.***

It is appropriate for prosecutors to seek guidance on the exercise of their discretion, given the range of charges available in a gun possession case and the range of reasons people may have for possessing a gun. The problem is when prosecutors rely only on law enforcement for this additional context and information, especially when violence interruption organizations and other neighborhood-level service providers often have better insight into community safety concerns and community safety needs. Just as courts are increasingly making space for community input during the court process – such as family impact statements at sentencing or community defense initiatives – prosecutors could benefit greatly from the input of community members and organizations at the charging phase in gun possession cases.

■ ***Reverse the presumption that gun possession cases should be charged as harshly as possible; instead, begin with the presumption that gun possession cases that can be charged as misdemeanors should be – if charges are appropriate at all.***

The current system incentivizes police and prosecutors to arrest and charge in the most punitive way, not the most effective way. Choosing less harmful and more efficient responses is mischaracterized as “special treatment” – and, unsurprisingly, doled out in a manner that is, at best, arbitrary and, more than likely, perpetuating the racial and socio-economic disparities of our criminal legal system. Thus, we see well-to-do gun owners from other states forgiven for accidentally bringing their guns across state lines or those with expired FOID cards treated differently in different counties.

The restraint exercised in these circumstances should be the norm, rather than the exception and the starting point for all gun possession charging decisions. In support of this goal, Illinois should:

- » disrupt incentives that favor prosecution and encourage over-prosecution;
- » create incentives for exercising alternative approaches for prosecutors and law enforcement; and

- » create standards for law enforcement and prosecutors regarding when to charge at all and when to charge a misdemeanor or felony; require documentation for upward departure from these standards.

■ ***Better analyze statewide data regarding who is arrested and charged, disaggregated by race, age, and arrest location for all gun offenses.***

Practitioners and policymakers – and members of the public – need specifics about how people are stopped and arrested (e.g., vehicle stops versus reported violent crime) and how they are charged in order to understand who is being targeted for criminal charges, who is benefiting from the charging discretion inherent in our gun-related criminal laws and who is being prosecuted more harshly.

### **Expand and Encourage Diversion and Deferred Prosecution in Gun Possession Cases**

State’s attorneys have virtually unlimited general diversion power through the use of their prosecutorial discretion. Prosecutors are also given some additional encouragement to divert gun possession cases through a single, extremely narrow statutory diversion program called the First Time Weapon Offender Program (FTWOP). However, the FTWOP is set to sunset in 2023 and other diversion programs specific to – or potentially suitable for – gun possession cases are limited, by both resources and stringent intake limitations. In fact, these diversion programs are often so small in scale and so rarely used as to be unknown even to some frontline prosecutors, not to mention judges and defense counsel, in the handful of Illinois jurisdictions where they exist.

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In jurisdictions outside of Illinois, more expansive prosecutor-led diversion programs<sup>14</sup> are being developed and implemented, mostly in the Midwest and the East Coast. However, these programs are under-researched and kept discreet as a result of the complex and politicized nature of gun charges. As a result, little is publicly known about what program models are commonly utilized, how programs could be and are leveraged to include more complex cases, and their long-term impacts. At the same time, research in this area does exist and can be used to develop both best practices for gun possession diversion programs and broader public understanding of their benefits.

■ ***Expand successful diversion programs based on research-based best practices.***

While the First Time Weapon Offender Program<sup>15</sup> statute has been helpful, it is too narrowly drawn to address the bulk of possession cases and, indeed, is at risk of disappearing entirely next year. In addition, current diversion options beyond the FTWOP are, as discussed above, both too limited and too underutilized. Ongoing research and program adaptability is necessary to develop a knowledge base on what other diversion options look like, their impact, how they can be improved, and what program models suggest promising practices. In addition, public education, judicial education and

education of other court stakeholders will be required in order to explain the public safety benefits of gun possession diversion programs and support their expansion.

Illinois' own Crown Family School of Social Work, Policy and Practice is at the cutting-edge of the study of Prosecutor-Led-Gun-Diversion Programs.<sup>16</sup> The project's findings not only support expanding gun possession diversion programs but also show us how – by identifying best practices. This research, and other diversion studies, support expanded diversion options based on these principles:

- » deflection (pre-arrest/no arrest) is far better than diversion – where an option exists to prevent someone with an unlicensed gun from entering the criminal legal system entirely, that option should be prioritized;
- » diversion program(s) should not be limited to misdemeanors or require a guilty plea; and

***Prosecutors authorizing felony charges ordinarily do not review footage from body-worn or dashboard cameras or conduct further inquiry into details of an arrest. Indeed, felony charges for gun possession are often approved by phone...***

- » diversion programs should emphasize partnership with community and community organizations.
- » Community court initiatives such as Cook County's Restorative Justice Courts should be considered as one location, but not the only location, for gun diversion programs.

■ ***Encourage training and education on public safety data supporting diversion as well as specific local diversion programs.***

Expansion of diversion programs must begin with training and education, particularly for the judiciary. Such efforts could include:

- » “bench cards” or similar informative materials regarding diversion options – and the data supporting their success – from a neutral, respected source such as the Administrative Office of the Illinois Courts (AOIC);
- » region-specific “lunch and learn” regarding gun possession diversion programs sponsored by the AOIC; and
- » county-specific lists of sanctioned diversion programs published by the Chief or Presiding Judge.

■ ***Extend and Expand the First Time Weapon Offender Program.***

The Illinois General Assembly enacted the FTWOP in “recogni[tion of the fact that] some persons, particularly young adults in areas of high crime or poverty, may have experienced trauma that contributes to poor decision making skills, and [that] the creation of a diversionary program poses a greater benefit to the community and the person than incarceration.” 730 ILCS 5/5-6-3.6 (a).



Both of these rationales remain – and are increasingly supported by research. The FTWOP should accordingly be extended beyond its 2023 sunset date and expanded to include more participants. With regard to expansion, it is specifically recommended that Illinois:

- » remove the current FTWOP age limit, especially as many cases involving a valid FOID card involve older people; and
- » remove exclusions based on juvenile and criminal histories such that:
  - > juvenile adjudications should not result in automatic disqualification; and
  - > older convictions and/or minor convictions should not result in automatic disqualification, especially as criminal history is inextricable from the racial disparities in the criminal legal system.

### **Implement Systems to Immediately Detect Cases Involving Unlawful Police Conduct**

Prosecutors are missing, or not looking for, illegal searches and arrests at the felony review stage, even though gun possession cases, which often begin with warrantless stops and searches, are rife with such abuses. Prosecutors authorizing felony charges ordinarily do not review footage from body-worn or dashboard cameras or conduct further inquiry into details of an arrest. Indeed, felony charges for gun possession are often approved by phone, especially since COVID-19.

Once felony charges are brought, search issues become lost in the large volume of cases and lengthy discovery process. Courtroom prosecutors do not have bandwidth or incentive to review discovery in every case immediately upon assignment. Similarly, public defenders have mountains of discovery to review and limited resources. This means that cases that could be resolved by suppression litigation conclude instead in conviction, as people with valid constitutional defenses plead guilty just to end the process and return home, while police misconduct goes undiscovered or unchecked. Cases where illegal stops and searches are eventually detected and litigated can still take months to reach this resolution, greatly impacting the lives of people who have been charged.

Fourth Amendment protections against unlawful search and seizure are primarily enforced by excluding improperly-obtained evidence. Excluded evidence is supposed to deter unconstitutional conduct on the part of government officials – but without timely and consistent suppression litigation, this does not occur.

#### **■ Implement mechanisms to review Fourth Amendment issues separate from pre-trial discovery process.**

These mechanisms could include:

- » a special unit in large prosecutor offices – separate from felony review and from courtroom dockets – designed specifically to catch cases with Fourth Amendment problems as early as possible;
- » decoupling charging and bond decisions (which must happen on a tight timeline) from a legal-sufficiency review by a felony review unit;

- » increased human and technological investigative resources for public defenders designed specifically to support review of arrest and search evidence early in the court process; and/or
- » special status hearings/ case management conferences, in which the state must put on the record their review of discovery for Fourth Amendment issues.

■ **Create a mechanism for court practitioners to collect and identify patterns of police misconduct.**

- » Promising models include:
  - › the National Association of Criminal Defense Lawyers’ Full Disclosure Project;<sup>17</sup> and
  - › San Francisco District Attorney policy barring prosecution of contraband found as a result of pretextual stops and searches.<sup>18</sup>

■ **Issue real consequences for police witnesses’ failures to appear – and other state delays.**

Undue state delays of trial, often due to unavailable police witnesses, are frequent and problematic. Because the vast majority of cases are resolved with a plea, the cases most often subject to police witness and other state delays are likely those with strong claims of Fourth Amendment violations, a significant proportion of which are gun possession cases. Practitioners and court systems should collect data on how often this type of delay occurs and how many people it impacts – especially when people are incarcerated pretrial. When someone is eventually acquitted after repeated police witness delays, there is insufficient recourse; effective speedy trial rights depend on enforcing state witness availability.

■ **Eliminate pretextual stops and consent searches in practice and in law.**

Police are the most expensive and least effective method of preventing vehicle crashes and other serious traffic safety issues. A growing number of states and local jurisdictions in California, Minnesota, North Carolina, Pennsylvania, and Virginia are creating legislative and policy remedies to cut back on pretextual stops by police and inherently coercive “consent” searches that create tension in communities. Illinois should:

- » bar use of minor traffic or municipal violations to support stop and/or search;
- » bar use of odor of marijuana to support stop and/or search; and
- » bar “consent” searches during traffic stops.



## Improve Sentencing and Policy Integrity

### Promote Compliance with Gun Laws

Illinois' two distinct gun permits are unusual, complex, and difficult for the average person to understand. Illinois is one of only a dozen states requiring a license to purchase a handgun; even fewer share Illinois' permit requirement to possess a gun on private property. In half of U.S. states, including three states bordering Illinois, no license of any kind is required to own, purchase, or carry a gun.

Because handgun ownership was banned in Chicago and certain suburbs until 2010, while possession of a handgun in public was unlawful everywhere in Illinois until 2014, many Illinoisans cannot draw upon long-standing family and community resources to educate them about state gun laws or gun safety. This is particularly true for individuals and communities that have been targeted and criminalized on the basis of race, including via the war on drugs, whose possession of weapons has long been treated as inherently more dangerous and presumptively criminal.

Many Illinoisans, including a substantial number living in neighborhoods with high rates of gun violence, are deeply uncomfortable with the recent, rapid shift in gun law, practice, and culture following the implementation of concealed carry in 2014. Indeed, when public gun carrying expands, gun violence increases, and our state and country appear to be feeling those effects today. However, those of us who want to reduce gun carrying must be clear-eyed: handguns have already proliferated around the state – an estimated 2.8 million handguns have been sold to Illinoisans since 2014. No wonder some Illinois courts face a tidal wave of gun possession cases.

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As long as Illinois requires the Firearms Ownership Identification (FOID) and Concealed Carry License (CCL), all levels of government should focus primarily on bringing residents into compliance with these unique gun laws, not punishing violations. This will require educating, training, and licensing many thousands of Illinoisans who already have access to weapons but have had insufficient exposure to safe gun practices and to the legal framework around guns in Illinois.

#### ■ **Develop robust gun safety education programs.**

Gun safety education has too long been ignored by the government and controlled by the gun industry. A new law creating an information campaign from the Illinois Department of Public Health, informing the public about safe gun storage, is a promising start.<sup>19</sup> Many more efforts, both governmental and non-governmental, are needed to adequately inform the public of the health and safety impacts of gun ownership and ways to reduce harm.

- » Include information about risk factors for firearm injuries.
- » Address the complex relationship between guns and gender-based violence.
- **Communicate clearly about how to comply with gun laws and penalties for violation.**
  - » Address political disinformation about underenforcement of gun laws in Cook County, where gun laws are enforced more harshly than the rest of the state.
  - » Create simple, streamlined communications about how to comply with gun laws.
  - » Institute public awareness campaigns to inform the public about gun possession penalties.
- **Safely reduce barriers to licensure.**
  - » Understand and address economic, logistical, and social barriers.
  - » Increase culturally-competent gun education, training, and licensure.
  - » Clarify and limit law enforcement objections to permits based on arrests without conviction, database inclusion, etc.
  - » Follow emerging research about gun rights restoration following convictions.
- **Emphasize compliance-focused approaches to violations.**
  - » Enable gun licensure following a gun licensure violation.

***A landlord or employer who sees a conviction for “armed violence” or “aggravated unlawful use of a weapon” is likely to incorrectly assume an applicant was convicted of a violent crime.***

### **Align Illinois Gun Laws with Constitutional and Practical Meaning**

Illinois’ gun license violations have violent-sounding names, a relic of a time when ordinary people were never allowed to carry a handgun and even keeping one locked up at home was banned in some parts of the state. Now that possessing a gun is constitutionally-protected and increasingly common behavior, it is crucial to update criminal records, data systems, and political rhetoric. Illinois must stop characterizing possession-oriented and licensing violations as “gun crimes” indistinguishable from gun violence.

Mislabeled our laws negatively impacts safety and accuracy. A landlord or employer who sees a conviction for “armed violence” or “aggravated unlawful use of a weapon” is likely to incorrectly assume an applicant was convicted of a violent crime. State officials compiling incarceration data routinely miscategorize nonviolent weapons offenses as person-based crimes rather than public order offenses, which skews important statistics used in decision-making. In criminal policy debates, political stakeholders have described arrests for possession-only offenses using terms like “repeat violent gun offender” and “serious violent charges.”

Illinoisans are even inaccurately characterized as “violent” for behavior that some neighboring states do not criminalize at all. This seriously compromises the reliability of business decisions, public data, and policies impacting people with arrest and conviction records. Individuals, families, and entire communities are destabilized when additional barriers to housing, education, employment, and reform are erected due to misunderstandings and outsized concerns borne of the current highly-politicized, non-intuitive statutory scheme.

■ ***Distinguish between possession and violence.***

» ***Stop characterizing possession as violence.***

- › Accurately rename possession-only offenses (e.g., aggravated unlawful use of a weapon).
- › Categorize weapons violations as public order offenses in all official data, following FBI Uniform Crime Reporting standards.
- › Abandon rhetoric that collapses licensing violations and gun violence (e.g., gun offender).

» ***Repeal “armed violence” statute.***

- › The statute increases drug possession and other common felonies by as many as four felony classes as a result of simultaneously possessing (but not using) a weapon.
  - ◆ Most commonly, this law is used to prosecute nonviolent offenses.
  - ◆ The offense also includes lawfully-possessed weapons.
- › Violent weapons behaviors (e.g., brandishing, threatening, firing) are covered by other statutes (e.g., armed robbery, aggravated assault, aggravated battery).

» ***Repeal “armed habitual criminal” statute.***

This “three-strikes” law sounds to most people like violent conduct. In fact, it issues the highest-level (Class X) felony penalty conviction largely to non-violent gun possessors.

- › Commonly, this law is applied to people who possess a gun following two drug convictions.
- › Elevated penalties are already available under other laws for the riskiest behaviors:
  - ◆ Unlawful gun possession laws permit sentences up to 14 years for repeated violations; and
  - ◆ Illinois has another, separate, “three-strikes” law for repeated upper-level (Class 1 and Class 2) felonies, inclusive of gun possession following more serious and violent offenses.

## **Adjust Criminal Penalties to Better Reflect Risk and Harm while Enabling Best Practices**

Illinois' laws criminalizing, felonizing, and mandating incarceration for gun possession were all passed prior to the implementation of public concealed carry in 2014. Illinois criminal penalties are among the harshest in the country; ours is one of the only states imposing lifelong felony convictions and mandatory prison time for first-time unlicensed possession of a loaded gun in public. In states where unlicensed gun possession is penalized at all, it is ordinarily an administrative, municipal, or misdemeanor violation.

Illinois' growth in incarceration for gun possession in recent years is staggering, especially compared to general prison trends. Imprisonment on weapons charges opened up a 65-point gap between 2014-2019 – at the same time admissions for all other offenses combined fell 38%, admissions for gun possession increased 27%.<sup>20</sup> While research indicates that gun permit requirements can decrease gun violence, no research supports the extent of Illinois' felonization and incarceration scheme, and in fact, decreased employment opportunities and increased prison time may contribute to further destabilization and violence.

The flaws in Illinois' reliance on sentencing as a deterrence mechanism to reduce violence are even more pronounced when it comes to armed robbery, battery, homicide, and other violent gun crimes. Focusing attention and penalties on the use of a gun to commit violence diverts sentencing focus away from the causes, circumstances and nature of the harm itself, as well as the healing process of the people and community involved. The impact is that Illinois adds years of additional prison time, wasting lives and resources without measurably reducing violence or increasing justice.

Mandatory minimums transfer sentencing power from judges to prosecutors, decreasing public oversight, increasing racial disparities, and removing the ability of judges to take important circumstances revealed during the trial process and sentencing hearing into account. Mandatory minimums were marketed as tools to increase transparency, racial justice, and deter crime. Decades later, the evidence is in: they have failed on every count.

Other forms of community surveillance also have misaligned goals and outcomes. People are kept on probation statuses well beyond any effective programming length. Post-conviction registries at both the state and municipal (Chicago) level create a layer of administrative and law enforcement surveillance burdens that produce no social support or stabilization benefit while generating new crime and incarceration cycles, particularly for people with disabilities or who otherwise have difficulty completing bureaucratic tasks.

■ ***Expand alternatives to prosecution and conviction (see: Recommendations to Improve Criminal Processes).***

■ ***Reduce penalty for first-time gun possession violations to a misdemeanor.***

- » Research indicates that Illinois' gun regulations may help to reduce gun violence. But no research supports the proliferation of felony convictions as a gun violence reduction strategy.
- » Illinois' permit criminalization is the harshest in the region and Illinois is among the top five most punitive states in the nation.

■ ***End mandatory minimum prison sentences.***

- » Decreases racial disparities.
- » Enables judges to consider mitigating factors.
- » Increases opportunity for more effective, noncustodial sentencing, e.g., Redeploy Illinois.

■ ***Match probation length to length of effective programming.***

- » While many evidence-based programs available through probation conclude in 6-18 months, surveillance-only probation status leading to incarceration for non-criminal violations can continue for months or years afterward.

■ ***Eliminate gun enhancements for violent crime.***

- » Sentencing should center the nature of the harm, not the instrument of harm.
- » Judges should be able to take individual circumstances into account.
- » Illinois' 15-to-life mandatory gun sentence add-ons are the most extreme in the country.
  - » Gun "enhancements" punish robbery with a gun more severely than first-degree murder without a gun.

■ ***End the transfer of youth to adult court without a hearing, primarily for gun-related offenses.***

- » Guns make encounters more dangerous and deadly but they cannot turn underage teenagers into adults.
- » Deep inquiries into youth circumstances and backgrounds and programming and consequences that take these into account are available in juvenile court, which has a wide range of sentencing options.
- » Youth need access to an attorney and a full hearing in front of a judge before any consideration of adult conviction and sentencing.

■ ***Disband post-conviction registries and other surveillance practices that jeopardize secure housing and successful reentry without any proof of effectiveness in reducing future gun violence.***

- » Examples include the Illinois Murderer and Violent Offender Against Youth (VOYRA) registry and the Chicago gun offender registry.

# Conclusion

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Like Illinois, our coalition includes participants who own firearms and those who vehemently oppose gun ownership; those who view Illinois' approach to gun regulations as important and protective and those who view its licensure system as unnecessary and out-of-step. What unites us is the conviction that Illinoisans do not have to continue to be hurt by high rates of gun violence and by traditional gun politics that prioritize harsh, isolating, inequitable individual punishments—perpetuating violence—over developing and investing in shared community values. We ask you to imagine a different way forward, to choose justice over harm, and to build a state that is healthier and more peaceful for all.



## Endnotes

- <sup>1</sup> While violence prevention funding at several levels of government has increased in recent years, it remains insufficient to address community needs and often does not prioritize community-led initiatives.
- <sup>2</sup> The community schools model ordinarily includes integrated student supports, expanded learning time and opportunities, family and community engagement, and collaborative leadership and processes. See Jeannie Oakes, Anna Maier, and Julia Daniel, LEARNING POLICY INSTITUTE, *COMMUNITY SCHOOLS: AN EVIDENCE-BASED STRATEGY FOR EQUITABLE SCHOOL IMPROVEMENT* (2017), <https://learningpolicyinstitute.org/product/community-schools-equitable-improvement-brief>.
- <sup>3</sup> See Rachel Garthe, Doug Smith, and Shawn Freeman, ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY, *STATEWIDE VIOLENCE PREVENTION PLAN 2020-2024: REVIEW OF PROGRAMS AND STRATEGIES, NEEDS ASSESSMENT OF VIOLENCE IN ILLINOIS & RECOMMENDATIONS FOR FUNDING* (2020), [https://vpp.icjia.cloud/FullReport\\_ICJIAStatewideVPPlan2020-2024.pdf](https://vpp.icjia.cloud/FullReport_ICJIAStatewideVPPlan2020-2024.pdf).
- <sup>4</sup> Applications for some types of support, including compensation under the Crime Victims Compensation Act, 740 ILCS 45, require timely reporting to police and participation in prosecution; applications may be rejected based on law enforcement perception that a crime victim was insufficiently harmed, forthcoming, innocent, or cooperative.  
**Fewer than 40% of people who apply for victim assistance are compensated. Many more do not apply.** See Lakeidra Chavis and Daniel Nass, *Illinois Has a Program to Compensate Victims of Violent Crimes. Few Applicants Receive Funds*, THE TRACE (July 9, 2021), <https://www.thetrace.org/2021/07/illinois-violent-crime-victim-compensation-application-data>.
- <sup>5</sup> See, e.g., Jason Corburn, DeVone Boggan, et al, *A Healing-Centered Approach to Preventing Urban Gun Violence: The Advance Peace Model*, 8 HUMANITIES AND SOCIAL SCIENCE COMMUNICATIONS 142 (2021), <https://doi.org/10.1057/s41599-021-00820-y>.
- <sup>6</sup> See Danielle Sered, *Restorative Justice: Why Do We Need It?* COMMON JUSTICE, [https://www.commonjustice.org/restorative\\_justice\\_why\\_do\\_we\\_need\\_it](https://www.commonjustice.org/restorative_justice_why_do_we_need_it).
- <sup>7</sup> Jocelyn Fontaine, Nancy G. LaVigne, et al, URBAN INSTITUTE, “WE CARRY GUNS TO STAY SAFE”: PERSPECTIVES ON GUNS AND GUN VIOLENCE FROM YOUNG ADULTS LIVING IN CHICAGO’S WEST AND SOUTH SIDES (2018), <https://www.urban.org/research/publication/we-carry-guns-stay-safe>.
- <sup>8</sup> Matthew Saniie and Nora Gregory, COOK COUNTY STATE’S ATTORNEY’S OFFICE, *Reporter 101: Gun Data* [Virtual presentation] (June 9, 2021), <https://www.youtube.com/watch?v=wtHNEmCkoQI&feature=youtu.be>.
- <sup>9</sup> See THE FORTUNE SOCIETY, *Words Matter: Using Humanizing Language*, <https://fortunesociety.org/wordsmatter/>.
- <sup>10</sup> See Jacob Bor, et al., *Police Killings and their Spillover Effects on the Mental Health of Black Americans: A population-based, quasi-experimental study* 392:10144 THE LANCET 302 (2018), [https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(18\)31130-9/fulltext#articleInformation](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(18)31130-9/fulltext#articleInformation).
- <sup>11</sup> Population demographics via U.S. Census Bureau. Felony conviction demographics via David E. Olson, Don Stemen, et al, LOYOLA CENTER FOR CRIMINAL JUSTICE RESEARCH, POLICY & PRACTICE, *SENTENCES IMPOSED ON THOSE CONVICTED OF FELONY ILLEGAL POSSESSION OF A FIREARM IN ILLINOIS* (July 2021) <https://www.luc.edu/media/lucedu/ccj/pdfs/firearmpossessionssentencinginillinois.pdf>, at 13.
- <sup>12</sup> Children and Family Justice Center analysis, *Prison Population on 03-31-22 Data Set*, ILLINOIS DEPARTMENT OF CORRECTIONS, at <https://www2.illinois.gov/idoc/reportsandstatistics/Pages/Prison-Population-Data-Sets.aspx>.
- <sup>13</sup> ILL. CONST., art. I § 11.
- <sup>14</sup> See SMART DECARCERATION PROJECT, CROWN FAMILY SCHOOL OF SOCIAL WORK, POLICY, & PRACTICE, UNIVERSITY OF CHICAGO, *PRINCIPLES OF PROSECUTOR-LED GUN DIVERSION PROGRAMMING: THE NATIONAL LANDSCAPE AND CURRENT TRENDS* (Fall 2021), <https://cpb-us-w2.wpmucdn.com/voices.uchicago.edu/dist/2/1015/files/2017/01/SDP-PLGDP-Brief-Fall-2021-FINAL.pdf>.
- <sup>15</sup> 730 ILCS 5/5-6-3.6 (a).
- <sup>16</sup> *Id.*
- <sup>17</sup> <https://www.nacdl.org/Landing/FullDisclosureProject>
- <sup>18</sup> CITY AND COUNTY OF SAN FRANCISCO OFFICE OF THE DISTRICT ATTORNEY, *Policy Directive, San Francisco District Attorney’s Office, Declination of Contraband Charges Based on Pretextual Stops* (2020), <https://sfdistrictattorney.org/wp-content/uploads/2020/11/Declination-of-Contraband-Charges-Based-on-Pretextual-Stops.pdf>.
- <sup>19</sup> Ill. Pub. Act 102-1067 (eff. Jan 1, 2023) (codified at 20 ILCS 2310/2310-542).
- <sup>20</sup> Olson, Stemen, et al, *supra* note 9, at 1-2.

## Recommendation Supporters

### Organizations

A Just Harvest  
A Way In  
ACLU of Illinois  
Acting OutSide  
AIDS Foundation Chicago  
Beyond Legal Aid  
BPI  
Brave Space Alliance  
Cabrin Green Legal Aid  
Cannabis Equity IL Coalition  
Change Peoria  
Chicago Appleseed Center for Fair Courts  
Chicago Community Bond Fund  
Chicago Jobs Council  
Chicago Lawyers' Committee for Civil Rights  
Chicago Torture Justice Center  
Chicago Votes  
Children and Family Justice Center,  
Northwestern Pritzker School of Law  
Children's Best Interest Project  
Circles & Ciphers  
Civitas ChildLaw Center, Loyola University of  
Chicago School of Law  
Community Justice Clinic, Northwestern  
Pritzker School of Law  
Community Organizing and Family Issues  
Cook County Justice Advisory Council  
Equity and Transformation (EAT)  
First Defense Legal Aid  
Fully Free Coalition  
Health & Medicine Policy Research Group  
Heartland Alliance  
Illinois Alliance for Reentry & Justice  
Illinois Black Advocacy Initiative  
Illinois Collaboration on Youth  
Illinois Justice Project

Illinois Prison Project  
John Howard Association  
Justice Not Prisons  
Juvenile Justice Initiative  
Law Office of the Cook County Public Defender  
League of Women Voters of Illinois  
Live Free Illinois  
Metropolitan Family Services  
National Association of Social Workers, Illinois  
Chapter  
National Lawyers Guild Chicago  
Nehemiah Trinity Rising  
Parole Illinois  
POWER-PAC IL  
Precious Blood Ministry of Reconciliation  
READI Chicago, Heartland Alliance  
Restore Justice Foundation  
Roderick & Solange MacArthur Justice Center  
Safer Foundation  
Sideline Ink Publishing  
Smart Decarceration Project  
Strengthening Chicago's Youth  
Students for Sensible Drug Policy  
The Uplift  
Trinity United Church of Christ  
Unitarian Universalist Advocacy Network of  
Illinois  
Unitarian Universalist Prison Ministry of Illinois  
Uptown People's Law Center  
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