



**TESTIMONY BY CHICAGO LAWYERS' COMMITTEE FOR CIVIL RIGHTS AND
CHICAGO VOTES BEFORE THE ILLINOIS HOUSE PUBLIC SAFETY
APPROPRIATIONS COMMITTEE IN SUPPORT OF HOUSE BILL 2541
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I. INTRODUCTION

Thank you for the opportunity to submit testimony today in support of Illinois House Bill 2541 (“HB 2541”). Chicago Lawyers’ Committee for Civil Rights (Chicago Lawyers’ Committee) has operated as Chicago’s preeminent nonprofit, nonpartisan civil rights legal organization since 1969, and we work to secure racial equity and economic opportunity for all. We provide legal representation through partnerships with nearly 50 member law firms. Chicago Votes is a non-partisan, non-profit organization building a more inclusive democracy by putting power in the hands of young Chicagoans, engaging and developing a new generation of leaders by opening the doors of government and politics to young people from all corners of the city. Our organizations jointly present this testimony in support of House Bill 2541. Both our organizations serve as steering committee members of Just Democracy Illinois, a non-partisan coalition that also supports this bill.

The Voting Rights Project of Chicago Lawyers’ Committee was established to eliminate, reduce, and prevent barriers to voting for communities of color and low-income residents in Illinois. We advocate for expanded voter access for all communities, regardless of race, ethnicity, socioeconomic, or disability status. A major component of our work is Election Protection, the nation’s largest non-partisan voter protection program, which operates the 866-OUR-VOTE hotline and supports companion lines at 888-VE-Y-VOTA, 888-API-VOTE, and 844-YALLA-US. Election Protection hotline and pollwatcher volunteers have answered thousands of voter questions and resolved numerous problems at the polls. We help voters in nursing homes and pretrial detention, in collaboration with local election authorities. Our work puts us in a unique position to understand voter access barriers, investigate and remedy problematic practices, provide information on voting rights, and advocate for necessary reforms. Especially relevant to this bill, in all of these places we have assisted voters who have a past criminal record and are now eligible to vote in Illinois.

In Illinois today, there are approximately 4 million individuals with past criminal records due to felony convictions. This number continues to grow, as Illinois correctional facilities release an additional 30,000 persons annually. Unfortunately, millions of these formerly incarcerated Illinois

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citizens are trapped in a vicious cycle of re-incarceration and exclusion from civil society.¹ This cycle harms not only those marginalized individuals, but the state of Illinois as a whole. As Governor Pritzker has noted, Illinois now faces the “need to build strong social connections and create economic opportunity” for prisoners through the establishment of “rehabilitative services, job training, and re-entry services that begin in prison.”²

HB 2541 seeks to address the problem of recidivism. If passed into law, HB 2541 will provide in-person, peer led civics education to incarcerated Illinois citizens preparing to re-enter society. This education will inform re-entering citizens of their civic responsibilities and of voting processes³ – about which too many formerly incarcerated community members are simply unaware – and foster an impactful sense of civic identity. In this way, HB 2541 offers Illinois a proactive and meaningfully tailored approach to reducing recidivism rates, enhancing civic participation, and strengthening communities across the state.

II. OVERVIEW OF HB 2541

A. Purpose

Chicago Lawyers’ Committee, Chicago Votes, and other civics advocates and experts work closely with incarcerated community members and community members with criminal records. We became aware of the need and desire for in-prison civics education through this work. This bill was developed with input from community members with criminal records who pointed to the need for a *peer-led* civics workshop in correctional institutions, reducing costs and increasing the relevance of the curriculum. This also comports with the “lived civics” model recommended by civic education experts locally and nationally, utilizing asset-based civic learning, meeting students at the intersection of their lived experiences. HB 2541 stands as an innovative solution to a significant issue within the state of Illinois.

B. Procedures

HB 2541 will provide a civics education program to incarcerated individuals detained within the Department of Corrections and the Department of Juvenile Justice. The program will be administered to “re-entering citizens,” defined as incarcerated citizens who are at least 17 years of age and are scheduled to re-enter society within 6 months. Importantly, the program will be peer led by other incarcerated citizens. These “peer educators” will be specifically trained by non-partisan civic organizations on topics such as governmental institutions and current affairs.

¹ Carol Marin & Don Moseley, Tracking Illinois’ Released Prison Population, NBC Chicago (May 7, 2014) available at <https://www.nbcchicago.com/investigations/Released-Inmates-Face-Roadblocks-Adjusting-to-Society-258402151.html>.

² See ILLINOIS JUSTICE PROJECT: J.B. PRITZKER QUESTIONNAIRE ANSWERS, <https://www.iljp.org/answers-jb-prtizker/> (last visited Nov. 27, 2018).

³ See <http://www.ncsl.org/research/elections-and-campaigns/felon-voting-rights.aspx>



The program itself will consist of three, ninety-minute workshops; completion of all workshops will be a mandatory component of the standard release process. In each session, re-entering citizens will be exposed to a rigorous civics curriculum, which will cover a variety of civics subjects, including voting rights, governmental institutions, current affairs, and simulations of voter registration, elections, and democratic processes. Nonpartisan civics organization shall provide periodic updates to this curriculum based on major developments in Illinois civics. The organizations submitting this testimony are willing to assist with developing the curriculum. Educational institutions have also expressed interest in assisting with developing the curriculum and addressing printing costs. Peer educators will disseminate this program content either verbally, in print, or over department-approved broadcasts.

C. Similar Programs

HB 2541 builds on past legislation, combining the strengths of successful civics education programs with models of programming that have been shown to be effective in the prison setting.

i. Illinois Civics Education Requirements

The Illinois Civics Mandate, codified in 105 ILCS 5/27-22, serves as an important model for statutorily mandated public civics education. That statute, which outlines course requirements for Illinois high school curricula, was amended in 2015 to include a one-semester long civics requirement for all Illinois public high school students. In relevant part, the amended text of the act provides that:

“[A]t least one semester must be civics, which shall help young people acquire and learn to use the skills, knowledge, and attitudes that will prepare them to be competent and responsible citizens throughout their lives. Civics course content shall focus on government institutions, the discussion of current and controversial issues, service learning, and simulations of the democratic process. School districts may utilize private funding available for the purposes of offering civics education.”

In clarifying the prospective impact of this statutory requirement, the Illinois State Board of Education emphasized that one principal goal of the act is “to engage students in practices of citizenship.” Indeed, this state civics course requirement has already generated measurable gains and positive feedback within the school system.⁴ The success of and bipartisan support for this statewide civics mandate demonstrates the importance and viability of similar civics coursework in other settings, such as in the Illinois prison system.

ii. Public Health Programs

⁴ IllinoisCivics.org Civic Education Resource Site; <https://mailchi.mp/mccormickfoundation.org/civicsinthemiddle-campaign-update-2019?e=ecfedc7ce6> (2019 Newsletter).



Another helpful model in Illinois is the Illinois Department of Corrections and Illinois Department of Public Health HIV/STD prison peer education program, which was initiated in 1993 under the IDOC programs services division. This program demonstrates the importance and the feasibility of peer education programs within the prison system. Specifically, the program features a curriculum “designed to train individuals in the incarcerated population to become peer health educators.”⁵ After incarcerated individuals successfully complete this fixed curriculum, they are certified as peer instructors. This peer-to-peer education model further corroborates the viability of a peer-to-peer civics education program within the Illinois prison system.

iii. Prisoner Entrepreneur Education Program

Finally, an additional helpful legislative precedent within Illinois comes through the Prisoner Entrepreneur Education Program (“PEEP”). PEEP, established by statute on August 24, 2017, created a five-year educational pilot program to be administered by IDOC. The program’s purpose is to “provide inmates with useful business skills for use after release from prison in an effort to reduce recidivism rates for self-motivated individuals.”⁶ Importantly, PEEP outlines processes for peer educators⁷ and includes a distinct section outlining curriculum parameters for the program.⁸ HB 2541 does the same and pursues similar goals of promoting the successful integration of reentering citizens and reducing recidivism rates.

III. ADVANCING CRIMINAL JUSTICE REFORM IN ILLINOIS

HB 2541 fits well within the larger bipartisan criminal justice reform efforts ongoing in Illinois. On February 11, 2019, Governor Pritzker established by executive order the Justice, Equity, and Opportunity Initiative (the “JEO”).⁹ In this executive order, Governor Pritzker highlighted the unfortunate effects the criminal justice system has had on many Illinois citizens. In particular, the order noted that “45% of people released from prison recidivate, a clear indication that the Illinois prison system must do more to successfully rehabilitate people and prepare them to return to their communities after release.”¹⁰ Lieutenant Governor Stratton, who now leads the initiative, further explained that the JEO “will move [Illinois] from a strictly punitive system to one that examines the root causes of the issues we face while creating solutions that put community at the center.” To that end, Governor Pritzker has called for new “programs that will test groundbreaking efforts to reform the criminal justice system.” HB 2541 answers this call.

⁵ HIV CORRECTIONS INITIATIVE, <http://www.dph.illinois.gov/topics-services/diseases-and-conditions/hiv-aids/hiv-corrections-initiative> (last visited Nov. 27, 2018).

⁶ 730 ILCS 5/3-12.5-5.

⁷ 730 ILCS 5/3-12.5-15.

⁸ 730 ILCS 5/3-12.5-10.

⁹ Executive Order 2019-09.

¹⁰ *Id.*



A. HB 2541 and Civic Participation

HB 2541 will facilitate civic participation amongst Illinois prisoners preparing to re-enter civil society. As set forth in the bill itself, HB 2541 endeavors “to promote the successful integration of re-entering citizens, promote democracy, and reduce rates of recidivism within this State.” An important piece of HB 2541’s effort to further these goals is education on voting processes. Unfortunately, contact with the criminal justice system, particularly through incarceration, has been negatively associated with voter registration and voter participation.¹¹ It has been found, however, that enfranchisement – inclusion in the voting process – offers a meaningful way for formerly incarcerated persons to successfully reintegrate themselves into society.¹² This is precisely why Illinois took the significant step of re-enfranchising incarcerated citizens automatically upon their release. However, many many formerly incarcerated Illinois citizens are simply unaware of the automatic restoration of their voting rights upon release and of the process to reclaim those rights. The Illinois Advisory Committee to the United States Commission on Civil Rights found in a 2018 report that individuals who have been released from prison in Illinois after serving a sentence for a felony conviction can be discouraged from voting because they are unaware of their renewed enfranchisement.¹³ HB 2541 will take the important and necessary step of educating re-entering citizens about their voting rights. The civics education programs established by the bill will also discuss voter registration procedures and the mechanics of the voting process, although voter registration itself will not be occurring in the program.

The goal of HB 2541, however, is broader than simply encouraging voter participation. Importantly, HB 2541 has the more universal goal of fostering a meaningful sense of citizenship for a marginalized community of individuals. HB 2541 will do just that through the establishment of in-prison programming that encourages interaction and discourse regarding a variety of topics in civics. Indeed, it has been well documented that such organizations focusing on civil society “teach people to develop opinions and perceive their interests.”¹⁴ These groups also “cultivate personal commitments to public issues” and “help individuals develop political efficacy, education, and civic skills.”¹⁵ In fact, a 2018 study of formerly-incarcerated Illinois citizens revealed a strong association between “personal connections to civil society organizations” and political participation.¹⁶ By establishing a meaningful sense of community and dialogue through peer-led civics education, HB 2541 will increase the chances of successful reintegration for all re-entering citizens in Illinois.

¹¹ Michael L. Owens & Hannah L. Walker, The Civic Voluntarism of “Custodial Citizens”: Involuntary Criminal Justice Contact, Associational Life, and Political Participation, 4 *Perspectives on Politics* 990, 998–9 (2018).

¹² See Erika Wood, *Restoring the Right to Vote*, BRENNAN CENTER FOR JUSTICE, <https://www.brennancenter.org/sites/default/files/legacy/Democracy/Restoring%20the%20Right%20to%20Vote.pdf> at 11-12.

¹³ Civil Rights & Voting Rights in Illinois, available at <https://www.usccr.gov/pubs/2018/IL-Voting-Rights.pdf>.

¹⁴ Michael L. Owens & Hannah L. Walker, *supra* note 11, at 993.

¹⁵ *Id.*

¹⁶ *Id.* at 1004.



B. The Cost of Recidivism

The civic participation HB 2541 will foster also comes with the promise of a measurable impact on recidivism. The recidivism rate in Illinois – nearly one in two released detainees – is untenably high. Such a high rate harms the state of Illinois by ensuring the exclusion of many from productive civil society and by increasing the significant expenses associated with housing individuals in the state’s correctional system. By addressing the fundamental driver of recidivism – disassociation from civil society – HB 2541 offers a systemic solution to this intractable problem.

Social science studies have “identified . . . lower rates of recidivism among inmates receiving correctional education than among inmates who did not receive correctional education.”¹⁷ A recent RAND study, for example, concluded that “correctional education would reduce re-incarceration rates by 12.9 percentage points on average.”¹⁸ Relatedly, correctional education programs have been associated with “higher rates of employment among inmates” after release.¹⁹ HB 2541, which expressly identifies the reduction of recidivism rates as one of its principal goals, offers precisely these benefits to the Illinois prison population by providing rigorous civics education to re-entering citizens.

Importantly, HB 2541’s potential impact on recidivism rates highlights the tangible, budgetary benefit the bill presents to the state of Illinois as a whole. Indeed, the significant per capita costs of recidivism have been frequently charted. A 2015 report from the Illinois Sentencing Policy Advisory Council, for example, concluded that a single recidivate will cost Illinois residents nearly \$120,000 in criminal justice and social costs.²⁰ In fact, “total expenses related to re-incarceration in Illinois over the 5 year period through 2020 are expected to top \$16.7 billion.”²¹ Accordingly, the implementation of educational programming, which reduces the number of recidivates,²² stands to save the state money through reduced correctional expenditures. As recent research has indicated, “for every dollar spent on correctional education, five dollars are saved on three-year re-incarceration costs.”²³

Below is an excerpt of a statement from an Illinois community member with a criminal record, explaining the connection between civic engagement and reintegration in society.

“The importance for all eligible voters to gain access to voting is the cornerstone of the democracy of this nation. This nation is built by the people for the people.

¹⁷ Lois M. Davis et al., *Evaluating the Effectiveness of Correctional Education*, RAND, https://www.bja.gov/Publications/RAND_Correctional-Education-Meta-Analysis.pdf at 39.

¹⁸ *Id.*

¹⁹ *Id.* at 47.

²⁰ ILLINOIS: THE HIGH COST OF RECIDIVISM, http://www.icjia.state.il.us/spac/pdf/Illinois_Results_First_1015.pdf (last visited Nov. 27, 2018).

²¹ Lee Gaines, *Illinois prison system spent less than \$300 on books last year*, CU-CITIZENACCESS (Apr. 16, 2018), <https://www.cu-citizenaccess.org/2018/04/16/illinois-prison-system-spent-less-than-300-on-books-last-year/>.

²² See DAVIS, *supra* note 5, at 39.

²³ *Id.* at 81.



Awareness needs to be raised that voting is essential to our democracy...It is our civic duty to cast our vote for the productivity of not only our communities but for the nation as well.

“As a prior pretrial detainee and an individual that completed my sentence, I did not have any available information informing me of my right to vote. I automatically assumed I couldn’t. I was even told I couldn’t vote by me having a prior conviction. I had no facts readily available to dispute [this]. Being disenfranchised to vote automatically made me feel I was not a part of the community. I felt like an outcast. Such [a] feeling embarked an array of thoughts and actions that separated me from the community.

“Being an eligible voter is [a] feeling of empowerment knowing that you have a say in society. Society is the key word which means companionship – a voluntary association of persons for common ends. Pretrial detainees and people who have completed their sentences [need] to know that they are still a part of the community and have a say in the world. This aspect will contribute to the rehabilitation and reframing of the population of men and women that are or have been incarcerated thus reducing the recidivism rate. I am speaking from personal experience and experiences of others that are similarly situated.

As explained by the community member whose words are included above, voting rights are fundamental, not only as an inherently vital part of our democratic system, but also as a means for self-empowerment and self-determination for all our communities.

IV. CONCLUSION

As the above testimony demonstrates, HB 2541 is a thoughtful proposal to address a pressing problem. We also refer committee members to the oral testimony provided today by Dr. Christina Rivers of DePaul University who has significant expertise on this issue. It is imperative that our government seeks to ensure the full and fair right to vote for all eligible voters. Accordingly, Chicago Lawyers’ Committee and Chicago Votes urge this Committee to vote in favor of HB 2541. Thank you for your consideration.