

Illinois Legislative Black Caucus Agenda Points

January 13, 2021

Criminal Justice Reform

Rebuilding Trust and Fostering Accountability

- The names George Floyd, Breonna Taylor, Laquan McDonald, Anjanette Young, and so many more have become calls to build a justice system that truly works for everyone.
 - These are not isolated cases. In the past year, 994 Americans have been killed during routine interactions with police. The rate at which Black Americans are killed during police interactions is more than twice as high as the rate for White Americans.
- Regardless of our own personal experience, we all have a vested interest in rebuilding trust between police and the communities they serve. All police officers who serve with integrity do as well. **Rebuilding that trust begins with accountability.**
- The bill addresses obstacles advocates have encountered as they've worked for justice on behalf of victims, including:
 - A more practical definition of when deadly force can be used, limiting such an extreme act to the most serious circumstances.
 - Restricting violent chokeholds to only the most extreme instances.
 - Closing the loopholes in law that have prevented criminal and civil accountability in the most severe cases of officer-involved killings.

Addressing the Roots of Systemic Injustice

- To build a justice system that works for everyone, we need reforms that target the inequities in the system – specifically, mass incarceration and the over-criminalization of people of color.
 - In the United States, Black men comprise 13 percent of the male population, but about 35 percent of those incarcerated.
 - One in three Black men born today can expect to be incarcerated in his lifetime, compared to one in six Latino men and one in 17 white men.
- **This package seeks to reform the elements that contribute to such different experiences with the legal system**, including:
 - Reforming the practice of cash bail, which keeps low-income defendants incarcerated – even those who pose no threat to the community.
 - The new smarter system ensures these custody decisions are based on nature of the crime with which a defendant is accused, rather than their access to cash.
 - Empowering courts to set smarter sentences on a case-by-case basis, rather than relying on mandatory statutory sentences.
 - Creating alternatives to incarceration for non-violent offenders based on a risk assessment.

- o Eliminating license suspensions for unpaid red light camera and traffic offenses.
 - Suspending licenses criminalizes poverty, as it puts those who are least able to pay in the position of breaking the law to drive or falling further behind by not getting to work.

CRIMINAL JUSTICE REFORM FACT CHECK

CLAIM: Criminal justice reform is anti-police.

FACT: Nothing could be further from the truth. The tragic and unjustified killings of people of color have shattered trust between police and the communities they serve, and all the officers who serve with integrity have an interest in rebuilding that trust. Part of rebuilding trust is accountability. So while the bill does require more accountability and makes changes to the use of force, it also provides resources officers need to do their jobs effectively. This includes de-escalation training, and resources for officer's mental health and wellness.

CLAIM: The package defunds the police.

FACT: This is simply partisan misinformation. Like all entities that receive public funding, we expect law enforcement agencies to adhere to best practices. This bill clarifies that one of these best practices is the use of body cameras, and makes it clear that departments that fail to do so would be jeopardizing a portion of their state funding.

CLAIM: Ending the cash bail system will make it harder for police to hold violent criminals in custody.

FACT: The truth is, this bill enhances law enforcement's ability to hold violent offenders. We've seen how under the current system, accused murders like Kyle Rittenhouse are able to bond out, while indigent defendants are left in jail regardless of the seriousness of their offense. This bill creates a smarter approach by basing these decisions on a court's risk assessment, rather than simply on a defendant's ability to pay.

CLAIM: The bill decriminalizes all drugs, even heroin and meth.

FACT: This is simply not in the bill in any way.

CLAIM: This bill means no conditional arrests for certain offenses.

FACT: In no way will police be prohibited from arresting a person who poses a risk to themselves or others. The bill directs officers to issue a citation rather than make an arrest in traffic cases and Class B and C misdemeanors, provided the subject poses no obvious threat.

CLAIM: This bill eliminates the felony murder rule.

FACT: The felony murder rule remains intact. The bill appropriately limits the application of this rule to those with a violent intent at the outset of a violent crime.

Education and Workplace Development

- For generations, children in underserved Black and Latino communities have been left behind when it comes to education and forced to succeed with a lack of resources that would be unimaginable for others.
 - A 2015 study found that for decades, school districts with the greatest number of students living in poverty received substantially fewer state and local dollars than their more affluent counterparts — nearly 20 percent less.
- A lack of equal access to education perpetuates inequality practically from birth.
- **This package takes critical steps to begin addressing these critical disparities in Black and Brown communities while also pursuing anti-racist education statewide.** This includes:
 - Creating the Whole Child Taskforce for the purpose of establishing an equitable, inclusive, safe, and supportive environment in all schools for every student in this state.
 - Ensuring the state’s education funding formula is properly reflecting the needs of students living in high-poverty areas.
 - Providing schools with anti-racism initiatives that may be implemented by school districts to enhance educational performances of African American students, and invest additional dollars in schools that pursue these efforts.
 - Setting standards for computer science and literacy to close the technology gap between low-income districts and wealthy districts.
 - Taking steps to ensure students of all backgrounds are prepared to compete for college admission by directing state education agencies to compile a complete list of the coursework Illinois universities recommend a high student take to be admitted.
 - Expands financial aid by increasing the matching payment for state AIM HIGH grants.
 - Expands access to scholarships for minority teachers.

Health Care and Human Services

- Inequitable access to care and implicit bias play a major role in disparate outcomes between people of color and white patients.
 - African-American and Latino patients have significantly higher rates of being uninsured.
 - African-American women are more than 3 times more likely to have a maternal death than white women in the United States, while the

infant mortality rate for African-Americans is 2.3 times higher than for whites.

- o Studies have shown again and again how implicit bias subjects Black patients to less accurate diagnoses, fewer treatment options, less pain management, and worse clinical outcomes.
- **This package provides new patient protections and health care access measures that directly address the inequitable treatment people of color have received.** This includes:
 - o New oversight mechanisms will require that state funding sent to medical providers must be focused on holistic care coordination and case management to improve the lives of patients and not to pad profits for wealthy executives and investors.
 - o Steps to ensure the state expedites payments for hospitals that care for the most vulnerable people in underserved communities.
 - o Expanded access to mental health treatment.
 - o Lower-cost blood sugar testing materials.
 - o Coverage of doula services to provide more individualized care for mothers and babies.
 - o Anti-bias training for doctors and nurses.

Economic Opportunity

- Each element of this package seeks greater opportunity. From equitable education, to health care access, to a smart, fair justice system based on rehabilitation, each step moves us closer to equality of opportunity.
- **The package also takes a number of steps toward supporting minority-owned businesses and workers:**
 - o For the first time corporations in Illinois will be required to demonstrate their commitment to and compliance with equal pay laws and be punished when they discriminate against hardworking people.
 - o Increasing opportunities for minority-owned businesses to receive state contracts.
 - o Capping payday loan interest rates to stop predatory lenders from taking advantage of people in their most desperate times to trap them into a lifetime of debt.
 - o Extending support for banks and financial institutions in historically underserved communities.
 - o Investing in minority-owned businesses, which in turn will create jobs in local communities.
- The pillars of this legislative agenda begin righting historic wrongs and expanding opportunity for people who have been too often left behind. But the benefits of equity aren't confined to any one community.

- o Everyone benefits from safer communities and stronger relationships with law enforcement.
- o Everyone benefits when every student has access to a world-class education.
- o Everyone benefits when our friends, our neighbors, and our co-workers have access to quality, affordable health care.
- o Everyone benefits from a thriving, growing economy.
- **A 2020 University of Illinois-Chicago study found that Illinois' population loss was being driven largely by African-American families moving out of state to find safer communities and more opportunity. Everyone benefits when we make Illinois a place where everyone can live, work, and raise a family.**
- There is a lot more work to be done, but this landmark package makes Illinois a leader in the ongoing effort to right historic wrongs and build just, thriving communities for all.