



OFFICE OF GOVERNOR PAT QUINN

# NEWS

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## **Governor Quinn Overhauls Prison Release Program**

### *Ends IDOC's "MGT Push," Will Bolster Law and Agency Operations*

CHICAGO – December 30, 2009. Governor Pat Quinn today announced an extensive overhaul of the Illinois Department of Corrections' Meritorious Good Time program, a statutory release program in existence since 1978 that is undergoing a comprehensive evaluation headed by criminal justice expert Judge David A. Erickson.

The Governor's overhaul ensures that public safety always comes first and that the meritorious credit program assists in the punishment and rehabilitation of offenders, while saving the State money during an unprecedented economic crisis. The changes are based on initial recommendations from Judge Erickson, who continues his review of the meritorious credit program.

"My mandate to the Department of Corrections is and always has been: Public safety is the top priority," said Governor Quinn. "An overhaul of the Department of Corrections' statutory program guarantees my commitment to safety while also making adjustments needed to improve the program's operations."

Governor Quinn's overhaul includes four major areas:

**Meritorious Credit Standards.** Governor Quinn previously suspended and is now terminating the Department of Corrections' recently-accelerated meritorious credit program referred to as "MGT Push," which did not require inmates to spend at least 61 days in Department of Corrections custody before being credited with any meritorious credit. While the 61-day custody requirement had been a long-standing practice within the Department of Corrections, it is not a formal law or agency rule and was reduced by the Department of Corrections in September 2009. In order to ensure that an offender serves at least that amount of time in State custody before being credited with any meritorious credit, the 61-day requirement has been reinstated as a formal agency rule.

**Enhancing Communication with Local Authorities.** Governor Quinn is ordering the Department of Corrections to provide local prosecutors with at least 14-days advance notice before releasing an inmate into mandatory supervision under the meritorious credit program or into home custody under the separate Electronic Detention Program. This advance notice requirement will provide local authorities with sufficient opportunity to appropriately respond to and disseminate notices.

**Improve the Law.** Governor Quinn will work with members of the General Assembly to develop initiatives that will prohibit dangerous criminals from being eligible for meritorious credit program. Presently, Illinois law dictates that those convicted of certain crimes against persons and DUIs must be included in a meritorious credit program, along with those convicted of lesser offenses.

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**Bolster IDOC Operations.** Governor Quinn will further improve the reporting and communications between his office and the Department of Corrections. The Governor will soon name a Chief Public Safety Officer at IDOC, who will be responsible for overseeing implementation of the meritorious credit and Electronic Detention programs. In addition, Governor Quinn will name a Public Safety Liaison Officer for the Office of the Governor, who will also assist in the oversight, coordination and implementation of those programs. This position will work within the Office of Governor's General Counsel.

In addition, Governor Quinn also appointed retired Judge Gino L. DiVito to the Sentencing Policy Advisory Council. The Council, part of the Crime Reduction Act signed into law in August, will review sentencing policies and practices and examine their impact on the Illinois criminal justice system. The Council is composed of 18 members and is required to submit an annual report to the Governor and the General Assembly.

Judge DiVito has been involved in the Illinois criminal justice system since his graduation from Loyola University of Chicago School of Law in 1963. He served for eight years on the Illinois Appellate Court First District's Second Division, has taught at Loyola University of Chicago School of Law for more than three decades and is a founding partner of Tabet DiVito & Rothstein, where he has worked since 2001. (Background information attached.)

The review headed by Judge Erickson has found that under MGT Push, the recently accelerated meritorious credit program, 1,718 inmates were either released into mandatory supervision, transferred into the custody of another jurisdictional authority, or, in the case of three of the inmates, were not subject to mandatory supervision as a matter of law or by an order of the courts. On average, these 1,718 inmates served 37 days less than they would have under the prior 61-day meritorious credit program. Even under the 61-day meritorious credit program, 1,392 inmates (81 percent of those 1,718) would have been released by December 30 and all would have been released by the end of January, 2010.

Judge Erickson, a Senior Lecturer in Law at Chicago-Kent College of Law, is a former judge and prosecutor. An unpaid advisor to the Governor, Erickson is conducting a top-to-bottom review of the meritorious credit program along with Jerome Stermer, Governor Quinn's chief of staff, and Theodore Chung, general counsel to Governor Quinn.

"The meritorious credit system was created nearly 32 years ago for a different time and penal system," said Judge Erickson. "We've made a number of early recommendations to help fix a system that has broken down. More recommendations will be made that will protect the public while preserving the integrity of the criminal justice system and the court's sentencing of offenders."

The Illinois Department of Corrections was established in 1970. When IDOC began, Illinois only operated seven adult facilities. Since that time, stricter laws have resulted in increased sentencing and longer terms. To address this steady increase in the inmate population, the agency today operates 28 adult correctional centers as well as various work camps, boot camps and eight adult transition centers.

IDOC's recommended budget is \$1.28 billion for Fiscal Year 2010. The agency employs approximately 11,000 employees and is responsible for the management of 45,000 adult inmates.

In Illinois the rate of recidivism, a tendency to relapse into criminal behavior, was 51.3 percent in fiscal year 2009 and 47 percent of DOC inmates serve six months or less.

For more information on IDOC, please visit: <http://www.idoc.state.il.us>.

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