

October 10, 2012
Jason Alan Spyres
Mr. K-99397
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Re: Additional saving within IDOC/EGC Program

Dear Governor Quinn;

First I want to applaud your willingness to take on the difficult issues that are necessary with our current financial problems. I know you have announced plans to layoff many state employees and close several state institutions, including some within IDOC. I know those are not politically safe decisions. Although I am not aware of all the interrelated reasons, I feel I am uniquely qualified to point out something we could pursue that would result in further savings within IDOC that would not involve controversial early release programs or layoffs. (Not that I necessarily oppose those options.)

For the last three years I have had Op-Eds published in newspapers throughout the state, including the Chicago Sun Times, outlining my proposal and I have recieved much positive feedback and very little criticism. Democratic Senator Michael Frerichs and House Republican Leader Tom Cross have both spoke favorably of the idea, and the 02/09/12 Illinois Times even discussed it briefly in their cover story. I have sent copies of all the above for your review in the past.

Essentially I am suggesting we modify IDOC's Earned Good Conduct program's eligiblity requirements which are subject to erroneous flaws. The most blatant example being how some first-time, nonviolent offenders are excluded from earning the same good-time credits second-degree murderers routinely recieve.

The best I can tell this due to indirect consequences of the Illinois Administrative Code, Ch. 1 §107. F, section 107.520 (Eligiblity). Here it is listed which offenses are to be excluded, such as first degree murder, aggravated criminal sexual abuse, armed robbery, home invasion, etc. There is no mention of any nonviolent or drug offenses by name—only a fleeting reference to those convicted of a "Class X felony." This is important because of what the class X was meant to mean.

In 1978 the Class X category was introduced for the most heinous and violent crimes, such as Murder, aggravated kidnapping and rape. And in May of 1996, when the EGC requirements went into effect, I believe those are the types of offenses that were meant to be excluded from EGC eligiblity, not first time, nonviolent cannabis offenders, because at the time no cannabis offenses were a Class X. However, in 1997 we passed legislation that upgraded some cannabis offenses to a class X. Legislators did this out of a desire to hand out longer sentences, but I do not believe they intentionally meant to exclude them from EGC eligiblity while allowing second-degree murderers to participate. The EGC program awards good-time credits to those who successfully participate in drug rehabilitation and G.E.D programs. Why would legislators not encourage nonviolent offenders to better themselves? This had to have been an unintended consequence, and we should rectify it.

Other eligibility flaws involve the exclusion of nonviolent offenders who are on their third+ offense. Yes, they are people who have messed up before, but often they are the people who committed low-level offenses and were not previously incarcerated long enough to enter into GED or drug treatment programs, and they never received the EGC credit. Bruce Western (of Harvard) and countless others have concluded the number one correlation to if a person will be incarcerated is if they have earned a high school diploma (or GED), and the same is true as to if they will reoffend—something Illinois especially needs to take to heart since IDOC admits the recidivism rate for those who parole without a GED is 89%. Programs such as the EGC credit are viewed as a key tool against recidivism and have a proven track record of results. I am glad Illinois has it. However, we are not utilizing it to the fullest by literally excluding thousands of nonviolent offenders. The EGC Credit is a one time (sentence) award, and I am fine with that, but let's at least give all nonviolent offenders one chance to earn it through successful participation in positive accomplishments, regardless of if this is their third+ offense.

Every offender added to EGC eligibility could earn 60 days of good-time credit upon earning their GED. The awarding of these credits would reduce IDOC's expenditure needs immediately and help with the overcrowding problem. I'm sure you are aware that IDOC's population level has increased by almost 4,000 since the MGT/SMGT suspension, and this expansion of the EGC credit would help offset the additional costs we are incurring while simultaneously encouraging offenders to engage in activities which have repeatedly been proven to reduce recidivism rates.

This is a politically feasible objective for many reasons: 1) there are two Republican Senators (Jones and Cultra) who have urged you to look towards developing early release programs for nonviolent offenders to deal with IDOC's overcrowding issues. This falls directly in line with their advice; 2) I do not foresee a public outcry for providing equitable opportunities to nonviolent offenders that second-degree murderers currently receive, and 3) This is not a "Spend now to hopefully save later" approach. It is simply a modification to an already existing program that would reduce our population levels, and therefore, our expenditure needs, without having to incur additional cost. It is a Save Now and Save Later approach that should have been implemented years ago.

I am aware that you recently signed Senate Bill 2621, which is projected to reduce IDOC's population back to 2009 levels, but even the 09/16/12 Springfield Journal Registrar acknowledged SB 2621 will not be enough, and we need to do more, because IDOC's 2009 fiscal needs exceeded 1.3 billion. Our fiscal situation means it is time for serious reforms, and EGC expansion is a viable option.

And finally, I do have an ulterior motive, but it is not what you would think. I am currently serving my tenth year of a thirty year sentence for cannabis convictions. Years ago I realized the stupidity of my mistakes and decided to do all I could to start repaying society for the harm I have caused it. I am not trying to make it so that "I" can earn the EGC credit; you can make the EGC changes only apply to those convicted after 01/01/13, and I would be grateful. I am doing this because there are so many in here who could become so much more if only they had a little "push" in the right direction. Helping society by fighting against an 89% recidivism rate, while having many acknowledge their own potentials, that's my ulterior motive. And if it means saving Illinois money along the way, I can live with that.

I realize that I have limited research abilities while being in prison, but I have yet to find a rational reason to oppose this option. I have written to over fifty State Senators and Representatives and I have sought out any honest criticism, but only receive no response, or I receive letters commending me on the subject with promises to keep it in mind. However, the requirements remain in place, and that needs to change.

I look forward to your response and would appreciate hearing any questions or comments you may have, including honest criticism. I wish you luck during your upcoming veto session and thank you for your time.

Sincerely,



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* For Those Reading This on
WWW.RealCostofPrisons.org, Also
See my ESSAYS on This page, Titled.

"It's Time To CORRECT Corrections' Policies"

AND
"Tell Me, Where's The down side"

To LEARN More about The EGC Credit's Purpose
AND Class X History. OR see 02/09/12
Illinois Times "The WAR on Weed: Prohibition costs
Illinois Big Bucks" By Bruce Rushton.