

Roderick and Solange MacArthur Justice Center

LOCKE E. BOWMAN
Executive Director and
Clinical Professor of Law
312.503.0844
l-bowman@law.northwestern.edu

SHEILA A. BEDI
Clinical Associate Professor of Law
312.503.2492
sheila.bedi@law.northwestern.edu

DAVID M. SHAPIRO
Clinical Assistant Professor of Law
312.503.0711
david.shapiro@law.northwestern.edu

ALEXA VAN BRUNT
Clinical Assistant Professor of Law
312.503.1336
a-vanbrunt@law.northwestern.edu

VANESSA DEL VALLE
Clinical Assistant Professor of Law
312-503-5932
vanessa.delvalle@law.northwestern.edu

JOHN CONROY
Senior Investigator
312-503-3049
john.conroy@law.northwestern.edu

DAVID J. BRADFORD
General Counsel
312.222.9350
dbradford@jenner.com

FOR IMMEDIATE RELEASE: Jan. 25, 2017

CONTACT:
Sheila A. Bedi, MacArthur Justice Center
312-503-2492 (sheila.bedi@law.northwestern.edu)

Alexa Van Brunt, MacArthur Justice Center
312-503-1336 (a-vanbrunt@law.northwestern.edu)

Alan Mills, Uptown People's Law Center
773-769-1411 (alan@uplcchicago.org)

Illinois Agrees to Reform of Parole Revocation Process; Landmark Settlement Will Provide Attorneys to Parolees Unable to Afford Legal Counsel in Revocation Hearings

CHICAGO – A federal class action lawsuit challenging the constitutionality of Illinois' parole revocation process has been resolved with a guarantee that attorneys will be provided to eligible parolees and an agreement the state will take additional steps to bring fairness to the process of determining whether a parolee must return to prison due to a parole violation.

U.S. District Judge Amy St. Eve approved the settlement agreement reached with the Illinois Department of Corrections (IDOC) and the Illinois Prisoner Review Board (IPRB). Plaintiffs were represented by the Roderick and Solange MacArthur Justice Center and the Uptown People's Law Center.

"The terms of the settlement, if implemented correctly, will guarantee that many parolees throughout the Illinois will receive state-funded attorneys to represent them throughout the revocation process," said Alexa Van Brunt, an attorney with the MacArthur Justice Center and Clinical Assistant Professor of Law at Northwestern Pritzker School of Law.

"In addition, all parolees will receive key due process protections, including being informed of the evidence being used against them, the right to present a defense on their behalf and written findings at each stage of the process," Van Brunt said. "Timelines will be set to speed the process and ensure that parolees do not languish in prison cells before IPRB determines whether they actually have violated terms of their parole."

– more –

“The parole revocation process in Illinois has robbed parolees of their right to due process,” said Alan Mills, Executive Director of Uptown People’s Law Center. “They have been unable to speak on their own behalf at phony hearings, unable to present evidence in their defense, and unable to cross-examine adverse witnesses. In short, they have not received substantive hearings before a fair and unbiased decision-maker.”

Attorneys for the plaintiffs said the settlement, while not perfect, would allow changes to happen rapidly and not require a protracted trial on the allegations.

“The protections for parolees are substantial and if implemented effectively this agreement should end the revolving door between prison and our communities and reduce the number of people held behind bars throughout the state,” said Sheila A. Bedi, Associate Clinical Professor of Law at the Northwestern Pritzker School of Law and an attorney with the MacArthur Justice Center. “An independent monitor will be appointed to assist with the implementation of the changes and compliance with the settlement. If, for instance, a lack of state budget should cause the state to fail to uphold its end of the settlement, we can and most definitely will terminate the agreement and return to court.”

Terms of the settlement reached with IDOC and IPRB include:

- At preliminary and final hearings, many parolees will be represented by legal counsel provided by the state, if they meet certain criteria.
- Parolees will receive written notice of any alleged parole violation leading to revocation and written findings at each stage of the process.
- Parolees will be able to explain their side at a preliminary hearing before a hearing officer or an IPRB member. If determination is made that a parole violation did not occur, the parolee will be released. Previously, preliminary hearings were rarely held, and people sat for months before anyone heard their defense.
- If the preliminary hearing results in a determination that probable cause exists to believe a violation occurred, the parolee will be able to present his/her case for release at a final revocation hearing, conducted by members of the IPRB.
- IDOC and IPRB will adhere to deadlines for prompt hearings and final decisions.

- An independent monitor will be appointed to help IDOC and IPRB comply with the settlement agreement and report on the status of compliance.

#

About the Roderick and Solange MacArthur Justice Center

Founded in 1985, the Roderick and Solange MacArthur Justice Center is one of the premier civil rights law firms in the United States. The MacArthur Justice Center has offices in Chicago, St. Louis, New Orleans, and Oxford, MS. For additional information, visit <http://www.law.northwestern.edu/legalclinic/macarthur/> Follow us on Twitter (@MacArthrJustice) and on Facebook (www.facebook.com/macarthurjusticecenter) for timely updates.

Uptown People's Law Center (UPLC) is a nonprofit legal services organization specializing in prisoners' rights, Social Security disability, and tenants' rights and eviction defense. UPLC currently has nine pending class action lawsuits against the Illinois Department of Corrections. (<http://uplcchicago.org>)