



OP-ED: Illinois Prisoner Parole Slowed by Housing Restrictions, Not Ability to Pay

Posted by: Editorial Board on March 12, 2014

(Chicago) – OP-ED: The *Illinois Observer* story, “Lawsuit Targets Illinois Prison Policy...Parole Eligibility,” failed to include a very important organization which does not want anyone kept in prison past their approved parole date.

That organization is the Illinois Department of Corrections.

However, we have no choice in the matter.

The story reports that the lawsuit claims the Department of Corrections (IDOC) keeps many parolees each year in prison because they are “unable to afford housing approved by IDOC.” This is a complete falsehood. A parolee’s ability to pay plays absolutely no role in the availability of host site housing.

In fact, *IDOC pays for host sites* and directly helps other parolees pursue necessities related to reentry to society, including housing costs. Claims that IDOC “targets the poor and indigent” are nonsense because, again, ability to pay is not a factor.

No, the reason eligible parolees who were sex offenders remain in prison is because there are simply not enough host sites, despite the diligent work of IDOC with community groups, religious organizations, family and friends who do have space available . The lawsuit falsely claims that the problem is IDOC “policy,” but our policies merely follow the law. This agency cannot make law.

Why are former sex offenders still in prison instead of in those homes?

The fact, ignored by the story yesterday, is state and municipal laws severely restrict where they can live. None can be placed within 500 feet of a school, park or day-care center. No group home can have more than one sex offender in residence. Further, housing qualification rules were imposed years ago in many counties, including Cook (which sends the most inmates to IDOC), and no home has since been “approved” in those areas.

For IDOC to “turnaround” an eligible parolee at the prison door and return him inside is contrary to our mission of reducing recidivism. Community-based transition is crucial, where sex-offenders are monitored by GPS or Electronic Monitoring, must follow strict rules enforced by parole agents and participate in rehabilitative programs. When an inmate instead serves would-be parole time in prison and is released only after his original sentence expires, he by then cannot be legally monitored or required to follow any program.

Such “turnaround” parolees (technically referred to as violations) actually count as recidivists and inflate IDOC’s annual statistics. They strain our budget and resources because a host site parolee costs far less than the \$21,000 annual cost of an inmate’s incarceration. Even for selfish reasons, it makes no sense for IDOC to keep anyone in prison who is not required by law to be there. Obviously, the lawsuit and the group’s press release on the lawsuit did not consider that clear logic.

Some very hardworking and credible advocacy groups signed the lawsuit as friends of the court. They appear woefully misinformed, or not informed at all, about the indisputable legal requirements in parole situations. This is an issue to take up with the Illinois General Assembly and local governments, not the Illinois Department of Corrections.

Tom Shaer, Director of Communications, Illinois Department of Corrections

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(TWO COMMENTS BELOW)

1.



Alan Mills (@alan_uplc)

March 12, 2014 at 2:53 PM

I appreciate the comments from the Department's spokesman. However, what he leaves unsaid is interesting.

First, he does not refute the main point of our brief: if you have enough money, you can find a place that meets the Department's requirements; if you are poor or homeless, you can not.

Second, he fails to note that IN ADDITION to the housing restrictions imposed by the legislature, the Department imposes its own restrictions, not required by law.

Third, while he correctly states that the Department pays for a few sex offenders to be housed, he fails to note that the rate of payment is so low that exactly one small facility, in East St. Louis, is willing to accept such payments.

Finally, he fails to respond at all to the second primary thrust of our brief: that prisoners have their parole violated, and are kept in prison, sometimes for years, without ever being given an opportunity to contest the Department's allegation that they do not have a proper place to live. No judge reviews the Department's allegations. The Prisoner Review Board, which decides all other parole violation allegations, does not review this allegation, and in fact refuses to review most of these allegations of violation at all.

In conclusion, we are overjoyed that the Department is joining us in calling for a solution to this problem. If the Department is serious in this desire, then it should join us in asking that the Illinois Supreme Court intervene to end this charade.

Alan Mills
Legal Director
Uptown People's Law Center
One of the attorneys for the amici in Cordrey vs. Illinois Prisoner Review Board,
et al.

[Reply](#)

Tom Shaer, Illinois Department of Corrections, March 14, 2014 at 12:01 PM

A back-and-forth between two sides may not be most valuable use of time, however Mr. Mills' comment is now on the public record, and it is important to correct that record with facts.

Very significantly, the Illinois Supreme Court this week granted the State's motion for Summary Judgment, in effect dismissing a lawsuit similar to the one filed by Mr. Mills' organization.

My op-ed piece on behalf of the Illinois Department of Corrections (IDOC) did, in fact, "refute the main point of [our] brief." IDOC again states that it is simply not accurate to say a sex offender with "enough money" will find an approved place to live. As Mr. Mills' law center knows, money can't counter state and municipal laws which do not allow sex offenders on parole to live within 500 feet of a school, park or day-care center. It cannot force counties and municipalities to allow more than one such offender to reside in a group home.

This Department's additional parolee "housing restrictions, not required by law," are solely to ensure public safety. It should be obvious we would not approve of an ex-offender living where known felons conduct criminal activity or where our parolee's chances of successful reentry into society will very likely be harmed by those around him.

As for group facilities such as the one in East St. Louis, IDOC always stands ready to pay for parolees in many more such places. Again, the problem is that law which does not allow more than one sex offender to reside in the same home.

There is a reason the Prisoner Review Board (PRB), which is separate from the IDOC, may not review our findings on AVAILABLE housing. It is because the PRB knows we merely follow the law and our fair obligation to ensure public safety. Laws are not "reviewed" here; they are changed by public desire, through the Illinois General Assembly.

Again, we state the need is not to contest compliance with law and meeting of responsibility by the Department of Corrections. It is to contest laws requiring "turnaround" of certain former offenders, whom we fervently wish to parole when their authorized date arrives. Thank you.

Tom Shaer
Director of Communications
Illinois Department of Corrections