



SR0255

LRB097 12131 RLC 56170 r

1

SENATE RESOLUTION

2           WHEREAS, The Illinois Disproportionate Justice Impact  
3 Study Commission was created in October of 2008 by Public Act  
4 95-995, in response to evidence of disproportionately high  
5 rates of drug-related arrests, sentences, and incarceration  
6 among minority communities in Illinois; and

7           WHEREAS, The Illinois Disproportionate Justice Impact  
8 Study Commission was charged to study the nature and extent of  
9 the harm caused to minority communities through the practical  
10 application of State drug laws; and

11           WHEREAS, The Illinois Disproportionate Justice Impact  
12 Study Commission was directed to offer recommendations to  
13 address the disproportionate impact that even seemingly  
14 neutral laws can have on minority communities; and

15           WHEREAS, The Illinois Disproportionate Justice Impact  
16 Study Commission conducted original research with data  
17 provided by the Illinois State Police and the Office of the  
18 Clerk of Cook County, reviewed Illinois' drug laws, and  
19 reviewed academic and professional literature on the  
20 consequences of high rates of incarceration; and

21           WHEREAS, The Illinois Disproportionate Justice Impact

1 Study Commission held public hearings in Chicago, Joliet and  
2 East St. Louis, Illinois, in 2010, receiving the opinions and  
3 recommendations of citizens from all walks of life, including  
4 elected officials, researchers, service providers, policy  
5 experts, and formerly incarcerated persons; and

6 WHEREAS, Based on the research it conducted and the  
7 information it received, the Illinois Disproportionate Justice  
8 Impact Study Commission issued its Final Report to the General  
9 Assembly in December, 2010, containing the Commission's  
10 recommendations intended to increase fairness and equality in  
11 the dispensation of justice relative to drug-related offenses  
12 and to mitigate the impact of disproportionate involvement in  
13 the criminal justice system among minority communities; and

14 WHEREAS, The Illinois Disproportionate Justice Impact  
15 Study Commission made, as its Recommendation 3, the  
16 recommendation that Illinois should review its "drug-free zone  
17 laws", including the accomplishment of their intended purpose  
18 together with their potential unintended consequences;  
19 therefore, be it

20 RESOLVED, BY THE SENATE OF THE NINETY-SEVENTH GENERAL  
21 ASSEMBLY OF THE STATE OF ILLINOIS, that there is created a  
22 Drug-Free Zone Laws Task Force; and be it further

1           RESOLVED, That the Task Force shall have 8 voting members  
2 who shall serve without compensation and shall be appointed as  
3 follows:

4           (1) 2 members of the Senate, appointed by the President  
5 of the Senate, one of whom shall be chosen by the President  
6 of the Senate to serve as the Chairperson;

7           (2) 2 members of the public, appointed by the President  
8 of the Senate;

9           (3) 2 members of the Senate, appointed by the Senate  
10 Minority Leader; and

11           (4) 2 members of the public, appointed by the Senate  
12 Minority Leader; and be it further

13           RESOLVED, That all actions of the Task Force require the  
14 affirmative vote of at least 5 voting members; and be it  
15 further

16           RESOLVED, That the following persons shall serve without  
17 compensation as ex-officio, non-voting members of the Task  
18 Force:

19           (1) the Director of the Illinois Department of  
20 Corrections, or his or her designee;

21           (2) the Director of the Illinois Department of State  
22 Police, or his or her designee; and

23           (3) the Executive Director of the Illinois Criminal  
24 Justice Information Authority, or his or her designee; and

1           be it further

2           RESOLVED, That the Center for Excellence in Criminal  
3 Justice at the Great Lakes Addiction Technology Transfer Center  
4 at Jane Addams College of Social Work at the University of  
5 Illinois at Chicago shall provide staff and administrative  
6 support services to the Task Force; and be it further

7           RESOLVED, That the Task Force shall hold one or more public  
8 hearings, at which public testimony shall be heard, regarding  
9 the practical impact of Illinois' "drug-free zone laws",  
10 specifically Section 407 of the Illinois Controlled Substances  
11 Act; and be it further

12           RESOLVED, That the Task Force shall review existing and new  
13 research evaluating:

14           (1) the actual effectiveness of Section 407 of the  
15 Illinois Controlled Substances Act with its stated intent  
16 of shielding children from drug sales; and

17           (2) the actual and potential unintended consequences  
18 of Section 407 of the Illinois Controlled Substances Act  
19 beyond its stated intent; and be it further

20           RESOLVED, That based on the testimony received and the  
21 research reviewed, the Task Force shall recommend specific  
22 amendments to Section 407 of the Illinois Controlled Substances

1 Act to preserve its protective intent while mitigating its  
2 disproportionate impact on minority communities; and be it  
3 further

4 RESOLVED, That the Task Force shall report its findings and  
5 recommendations to the Governor and the General Assembly in a  
6 final report which shall be filed on or before January 1, 2013.