

COMMUTATION PETITIONS

A Guide for Incarcerated People and Their Loved Ones

Illinois Prison Project, Updated April 2021

Commutation Petition Handbook

This handbook is intended to be used for the preparation of commutation petitions. It can be used by anyone who wants to help their loved one incarcerated in the Illinois Department of Corrections (IDOC) to file a clemency petition.

This handbook is intended to be educational only. While we will try to provide you as much information as possible about what we know about clemency generally, we do NOT know the specifics of your situation and the information here does NOT constitute legal advice.

I. How Should I Use this Handbook?

This handbook provides information about how someone can help their Loved One to file a clemency petition. You may choose to use this document together with Illinois Prison Project's Commutation Petition Template. This document provides background information to help you answer all of the questions on that template.

The handbook will help you to gather the information you need to help your loved one write a clemency petition and include supporting documents. **Ultimately, the clemency petition you are helping your Loved One write will be signed by your Loved One.** For that reason, the template included in this toolkit is written in your Loved One's voice, although this handbook is designed to help family members draft the petition for their Loved Ones to sign. You may write the petition in your Loved One's voice, or in your voice. **Either way, your Loved One must sign the petition.**

II. What to Know Before You Begin

What is clemency?

Clemency is the power of the Governor to change a criminal conviction or criminal sentence imposed by a court. Commutation is a type of clemency, specifically the modification of a sentence. If someone's sentence is commuted, that means that it is changed, often to "time served" so that the person can be released.

Who reviews and decides on clemency petitions?

Clemency petitions are filed with the Prisoner Review Board (PRB). The PRB makes a confidential recommendation to the Governor. However, the recommendation is not binding. The Governor makes the final decision about all clemency requests. The Governor's authority to

grant or deny a clemency petition is limitless, meaning the Governor can commute any sentence at any time, to anything, and for any reason. On the other hand, the Governor can deny any commutation request for any reason, and without explanation. You and your loved one may find it helpful to remember the saying, “Always hope for the best but prepare for the worst.”

How quickly will the Governor decide?

The Prisoner Review Board considers petitions on a three-month schedule, meaning that petitions filed by a certain date are scheduled for a public hearing three months after that filing date. For example, if you file by January 23, your hearing might be held on April 23. The PRB makes a recommendation to the Governor at some point after the public hearing. The Governor then grants or denies the petition. The Governor is not bound by any timeline or schedule.

*COVID-19 specific: Currently and due to the COVID-19 pandemic, petitions are considered on a rolling basis, and do not involve a public hearing.

III. What To Do Before You Begin

Before you begin, make sure that you have a plan for how you will finalize and send the petition. The Prisoner Review Board (PRB) requires that clemency petitions be typed. You may choose to use IPP’s Commutation Petition Template and fill in the answers and narrative sections. You will also need to gather additional documentation, such as letters of support. After you have compiled the documents, you will need to compile the entire petition into a single electronic file (PDF), to be emailed. You will also need to mail three copies of the petition: to the PRB, the sentencing court, and the State’s Attorney.

Please note that the petition must be agreed to and signed by your incarcerated Loved One. For that reason, the Commutation Petition Template is drafted in the voice of your incarcerated Loved One. For example, it will say things like, “I am serving 20 years,” even if you, a family member, are helping your Loved One to prepare the petition.

IV. What Information Will I Need to Include in the Clemency Petition?

The PRB requires that all clemency petitions include the following information. If you are using the Commutation Petition Template, you’ll see a place to include all of this information. Before you begin, however, you may want to go down this list and make sure you have all this information.

Questions with an asterisk (*) can be found on the IDOC Inmate Search website:

<https://www2.illinois.gov/idoc/Offender/pages/inmatesearch.aspx>

A. Your Loved One's information:

- The name under which your Loved One was convicted*
- Address (prison where your Loved One is incarcerated)
- Phone Number (of the prison where your Loved One is incarcerated)
- Loved One's Date of Birth*
- Loved One's Place of Birth
- Any Aliases, including your Loved One's maiden name or married name if they are different from their name right now.
- Loved One's Social Security Number
- Loved One's State Prisoner Number*
- Prior Clemency Request: If your Loved One has applied for clemency before, you'll need to know the month and year in which it was considered.

B. Information about the convictions for which clemency is being sought:

- Offense of Conviction: What was your Loved One Convicted of?*
- County of Conviction: What county was your Loved One Convicted in?*
- Sentencing Judge: Who was the judge that sentenced your loved one?
- Case numbers*
- Sentences imposed*
- Dates sentenced
- Time served*
- Kind of Conviction — Jury Trial, Bench trial or Guilty Plea
- Petitioner's Version of the Offense: This question requires a longer answer than some of the other questions. You will need to work with your Loved One to help them provide a detailed statement about what happened in their case. This includes dates, places, and all surrounding circumstances. It is helpful to include court documents that reflect the official version of events, especially if they are generally consistent with your Loved One's version. Examples of documents that might include an official version of events are a Rule 23 order, appellate opinion, plea transcript, sentencing transcript, information, or State's Attorneys' Statement of Facts. Unless your Loved One has a *very* compelling innocence claim, most attorneys recommend that a person filing for clemency both accept responsibility for the offense and express remorse.

C. Information about previous criminal history:

For every case in which your Loved One was arrested in the past, except traffic cases, you will need to provide the following information:

- The offense
- The disposition (meaning what happened in the case, such as whether the case was dismissed or the person was convicted; and if convicted, what sentence they served)
- What happened in the case (your Loved One's own version of events).
 - This explanation can be short. For example, if your Loved One was convicted of robbery, one might say: *Mr. Smith was convicted of robbing a man outside of a Shell gas station on Clark and Halsted in Chicago, Illinois. He took \$200, did not use a weapon, and no one was injured in the offense. Mr. Smith pleaded guilty and was sentenced to 5 years incarceration.*

D. Petitioner's personal life history

This information should be written out, like a story. The more details you can include about your Loved One's life before his or her incarceration, the better. Below are some topics that you might address in this section to develop a full life history. A successful petition will help the PRB and the Governor understand what your Loved One's life has been like, especially any struggles or hardships that they have been through:

Please remember that your Loved One will sign the petition, so it may be easier to write the petition in his or her voice. The petition can be in the third person or in your voice, but your Loved One must sign it.

- Childhood
 - What was your Loved One's childhood like?
 - Was there enough food and money for the family to be comfortable, or were basic necessities a struggle?
 - Did your Loved One grow up in a neighborhood where they felt unsafe, whether from violence, drugs, or trouble at home? Was s/he ever abused—physically, verbally, or sexually—as a child, or did they witness that abuse of someone else?
 - Did they become pregnant at a young age (before 18)?
 - When did they leave home? Why?
 - Were they homeless as a child or teenager?
- Educational history
 - Where did your Loved One go to school?
 - Did they excel academically, or struggle in school?
 - Were they in special classes, or did they have a learning disability?

- How far did they get in school?
- If they did not graduate, why not?
- Did they play sports, participate in clubs, or any other extra-curricular activities as a child?
- Employment history
 - Where did your Loved One work, and for how long? Include as much information as you can about each position, including title and pay rate. Please note if your Loved One particularly enjoyed or excelled at any position.
- Hardships and violence as an adult:
 - Did your Loved One experience hardships as an adult? For example, did they experience any abuse in their relationships, such as being beaten up by a partner or spouse?
 - Were they the victim of violence outside of the home, such as community violence or gang violence?
 - Were they ever the victim of violence against them because of who they are (for example, because of their sexual orientation)?
 - Were they in any serious accidents that caused serious, permanent, or life-threatening injuries?
 - Were they the victim of physical, emotional, or sexual abuse?
- Military service:
 - Did your Loved One serve in the military?
 - What was their highest rank?
 - Did they especially enjoy or detest any portion of service? Why?
 - Did they receive special training or recognition?
 - Where did they serve?
 - Were they in combat?
 - Were they injured?
 - How did serving affect them?
 - Did they struggle to return back to civilian society?
 - Did they suffer long-term side effects related to service, such as PTSD?
- Current relationships with family members:
 - Please describe your Loved One's relationship with their partner, they has one, including when they were married
 - Please describe your Loved One's children, including ages, names, and detail about your Loved One's role as an active and loving parent.
 - Please describe other family members or loved ones who support or play a major role in your Loved One's life, including your Loved One's relationship with them.

The PRB does not require the following information, but we have found that it can be helpful in explaining how your Loved One came to be involved in the criminal justice system, what steps have been taken to address underlying health issues, and what plans are in place to make sure that your Loved One's release is successful.

- Mental health history
 - Does your Loved One have any prior mental health diagnoses, especially if they are now being successfully treated through medication or therapy?
 - If so, when were they first diagnosed, hospitalized, and/or treated? Describe the impact your Loved One's mental health diagnosis or symptoms have had on their life.

- Drugs or Substances
 - Does your Loved One have a prior history of drug use, that might explain their involvement in the criminal justice system?
 - If so, please describe when your Loved One began using drugs and any factors that contributed to your Loved One's drug use, e.g. injury from an accident, peer pressure, gang involvement.
 - If your Loved One's drug use played a role in the instant offense (e.g. if your Loved One committed a robbery to sustain a drug habit), describe your Loved One's drug use around the time of the offense, including frequency of use, quantity, and drug(s) of choice.
 - Please describe any drug treatment your Loved One has participated in, or any independent efforts your Loved One has made to address their drug use. If your Loved One has not been able to obtain drug treatment, please plainly state that fact.

- Current Health Conditions
 - Please list any and all medications, recent surgeries, specialized treatments, etc. If in doubt, include more health-related information than less.
 - Please note and ways that your Loved One's health conditions impair their mobility, strength, or theoretical ability to reoffend.
 - If your Loved One has complicated medical needs, be sure to address how they will be addressed and cared for in the community. For example, if your Loved One needs a wheelchair, be sure to note that any proposed housing has a ramp, elevator, or other accommodation.

- History While Incarcerated
 - Please describe your Loved One's life during incarceration.
 - What hobbies do they have? How do they fill the time?
 - If they are religious, describe the role religion has played in their life during incarceration.

- Have they formed meaningful relationships with other incarcerated people? Have they become a mentor or source of support? Consider asking other incarcerated people for letters of support.
- If your Loved One has had a work history while incarcerated, describe the jobs they held and any details about them. Did they especially enjoy a particular job? If so, why? Consider asking supervisors for letters of recommendation.

E. Reasons for seeking clemency and the type desired

Reasons for seeking clemency. In this section, you will provide the reasons why your Loved One should receive clemency. For example:

- **Health.** You can argue that based on your Loved One’s age or underlying medical condition, continued incarceration poses a substantial risk of serious infection or death, or that their medical needs are not being accommodated in the Department of Corrections.
- **Age.** You can argue that because of your Loved One’s age, continued incarceration is both costly and contrary to public safety. If your Loved One has been victimized in prison because of their age, include that information.
- **Rehabilitation.** You can argue that commutation is appropriate because of your Loved One’s history of rehabilitation while in custody. To support this argument, you should include information that demonstrates your Loved One’s rehabilitation, including certificates of accomplishments, job history, transcripts, diplomas, letters of support or recommendation from staff or inmates.
- **Family Connections.** It is important to emphasize community support for two reasons: first, it assures the PRB and Governor that your Loved One has the emotional resources he or she will need to succeed in the community. Second, providing proof of community support and family connections helps the PRB and Governor’s Office see your client as a person, not a piece of paper. You can argue that your family members have loved ones who depend on them, such as children who are missing their parent, or elderly family members who need their incarcerated Loved One’s help. You can also argue that the family is ready and able to support your Loved One when s/he returns from prison.

Type of Relief Requested: Commutation of Sentence. Commutation is a change in sentence. Although the Governor can commute a sentence in any way, here, your Loved One should state that he or she seeks a commutation.

- If your Loved One is asking to be released immediately, the petition should ask for commutation to “time served.” If your Loved One’s sentence is commuted to time served, they will likely be placed on Mandatory Supervised Release for a period of time.

- If your Loved One believes that there is a strategic reason to ask for a sentence reduction *other* than time served, your Loved One could ask for commutation to shorter number of years (e.g. Commutation to 10 years, from a 20 year sentence), or could ask that the Governor make your Loved One eligible for parole. Although people convinced in Illinois after 1978 are not generally eligible for parole, Illinois does have an old parole system, and the Governor can make anyone eligible for parole through commutation. Since the Summer of 2020, the Governor has commuted numerous people’s sentences to make them eligible for parole.

F. Parole Plan

You must include a parole plan for the best chances of success. That means spelling out exactly where your Loved One will live if released. Ideally, the person who will house your Loved One should draft a letter of support, saying that they will do this.

- In whose home will they stay?
- Will they have their own room?
- Will you, or someone else, agree to provide financial support while your Loved One gets back on their feet?
- If your Loved One has a medical condition, how will they be taken care of if released?

G. Signature

The Petition must be signed by your Loved One, and include the following language:

“I declare under penalty of perjury that all of the assertions made in this petition are complete, truthful and accurate.”

V. Documents You Should Gather and Attach to the Petition

Although every petition is different, there are certain documents that you might want to consider including as attachments:

- **Medical Records.** If your Loved One has a medical condition that makes them especially vulnerable to COVID-19, include medical records that articulate that condition. **Do not** include hundreds (or even dozens) of pages of records. Anything that spells out the condition, and reflects his or her current health and medications, is enough.

- Medical records can be difficult and time-consuming to obtain. Your Loved One is entitled to a copy of his medical records from their institution. Asking for a copy of the “Problem List” and current medications should provide enough information to reflect your Loved One’s current medical situation.
- You can find more information about how to request medical records from the institution in the “Frequently Asked Questions” section at the end of this toolkit.
- **Letters of Support.** Letters of support from people in the community are very important, and you should include as many as you can. A template is included at the end of this petition. Your Loved One can also request other incarcerated people, prison volunteers, or prison staff to write Letters of Support that can be attached to his or her petition.
- **Disciplinary Card.** Your Loved One can obtain his or her disciplinary card from their counselor. If your Loved One has had only minor or old infractions, you might consider including it in the petition. If you include your Loved One’s disciplinary card in the petition, your Loved One should explain each disciplinary ticket that he or she received based (for example, “I had cafeteria cheese in my cell, which is contraband”). For each ticket, your Loved One should explain what correctional officers said they did.
- **Accomplishments.** If your Loved One has completed any courses, educational programs, degrees, or groups while incarcerated, you might include that documentation here.
- **Photographs.** You might include photographs of your Loved One with family or friends.
- **Military Records.** If your Loved One served in the military, include his or her DD214.
- **Court Documents.** You may want to include court documents that detail the facts of the case of conviction, *especially* if the facts are sympathetic (i.e., your Loved One was convicted on accountability, or no one was hurt in an otherwise “violent” incident, or an “armed” offense involved a knife or a gun that was never discharged). Your Loved One likely has copies of some of their legal paperwork. Otherwise, court orders can be obtained from the circuit clerk’s office in the county where your loved one was convicted.

- **A personal letter from your Loved One to the Governor.** This letter should include, from your loved one's perspective, 1) an explanation of their life history, 2) an apology or account of remorse for their involvement in the offense and/or any emotional or physical harm caused to the victim of the crime, and 3) a full description of the ways that they have rehabilitated (personally or through prison programming). This letter should be honest and something that your Loved One is comfortable sharing with the PRB and the Governor.

VI. How to Submit the Petition

We recommend that petitions be submitted **both by mail and by email**, to ensure the quickest consideration.

- To file by mail:
 - You will need three copies of the entire petition (meaning what you typed up all of the documentation). Petitions should be stapled or clipped together so that they can easily be separated. Do not bind them or submit them in plastic sleeve sheets.
 - Send a copy to the sentencing judge or the chief judge of the circuit, if the sentencing judge is no longer on the bench. Information about chief judges of each circuit court can be found at <http://illinoiscourts.gov/CircuitCourt/CircuitCourtJudges/ChiefJudges&Assoc.asp>
 - Send a copy to the current State's Attorney of the county of conviction.
 - Send a copy of the petition plus **proof of mailing to the Judge and States Attorney** (registered or certified mail receipt included in the package) to the Illinois Prisoner Review Board, 319 East Madison, Suite A, Springfield, Illinois 62701.
- To file by email:
 - Send a pdf copy of the petition and a proof of mailing to the Judge and States Attorney (photograph of the certified or registered mail receipt) to:
 - Jason Sweat (jason.sweat@illinois.gov) and Nichole Damhoff (nichole.damhoff@illinois.gov).
 - In that same email, CC the State's Attorney for the county of conviction. To determine which email address to use, please call the State's Attorney for the county where your Loved One was convicted.

Frequently Asked Questions

1. Will there be a hearing on the petition?

There will not be a hearing on the petition unless someone affirmatively asks for one; either your Loved One, the State's Attorney, the victim, or someone else. If your Loved One would like a hearing on the petition, you must affirmatively ask for one in the filing.

During the duration of the COVID-19 pandemic, public hearings had been suspended. The Prisoner Review Board is taking steps to resume public hearings, but at the time of publication had not yet resumed hearings for incarcerated people. The most current information about public hearings can be found at: <https://www2.illinois.gov/sites/prb/pages/prbexclmex.aspx>.

2. What happens to my petition once it's been filed?

Your petition will be placed on a "docket," and your Loved One will receive a letter with his or her docket number. The date that your Loved One submits the petition will govern when your Loved One's hearing will (if requested) will be and when the petition will be considered by the Prisoner Review Board. Generally, petitions filed by April will be heard in July, petitions filed by July will be heard in October, etc.

Although the COVID-19 pandemic has disrupted public hearings, the Prisoner Review Board has tentatively scheduled hearings for July and October of 2021. Filing deadlines at the most current information can be found at: <https://www2.illinois.gov/sites/prb/pages/prbexclmex.aspx>.

Once your Loved One's petition has been considered by the Prisoner Review Board, either after a requested public hearing or after a non-public hearing, the Prisoner Review Board will make a non-binding and confidential recommendation to the Governor's Office.

3. When will I hear if the petition is granted?

Ordinarily, the Prisoner Review Board (PRB) has 60 days from the date of the hearing to make a confidential non-binding recommendation to the Governor. After the recommendation goes to the Governor's office, there is, unfortunately, no timeframe for when a petition must be granted or denied; the timeframe is entirely up to the Governor's Office.

Although it varies greatly from one Governor to the next, petitions seem to be decided within one year. That said, there have been recent commutations on petitions that were two years old, and recent commutations on petitions that were filed much more recently.

4. What happens if the petition is granted?

If the petition is granted, the Governor's Office will direct the PRB to prepare a commutation order, which will be sent directly to the Department of Corrections. Someone in the institution will tell your Loved One that his or her sentence has been commuted, and Field Services will begin working with your Loved One to verify his or her release plan.

5. What happens if the petition is denied?

If the petition is denied, your Loved One will receive a letter from the Governor's Office. Your Loved One may refile in one year from the date of the denial unless the Governor's order waives the one year filing deadline.

6. My Loved One's last petition was denied less than a year ago. Can we still file?

You may refile within one year in the case of true emergency. According to the Prisoner Review Board's guidelines, the one-year bar does not apply to emergency filings.

7. Does the petition need to be notarized?

Under normal circumstances, the petition *does need to be notarized*.*

In light of the COVID-19 Pandemic, however, the Prisoner Review Board has suspended the requirement that petitions be notarized. Petitions must be signed by either the incarcerated person seeking relief, or his or her attorney, and must include the following statement:

"I declare under penalty of perjury that all of the assertions made in this petition are complete, truthful and accurate."

We expect that the Prisoner Review Board will re-institute the notary requirement. Please check the Prisoner Review Board's website prior to filing to ensure that the notary requirement is waived at the time that your Loved One files:

<https://www2.illinois.gov/sites/prb/pages/prbex Clemex.aspx>

8. My Loved One has a petition pending right now. Can we still file?

Your Loved One should not file a new petition, rather they should file a supplement to their pending petition.

9. How do I get medical and/or mental health records from the Illinois Department of Corrections?

Your Loved One is entitled to a copy of his or her medical records from the Department of Corrections. The fastest way to get his or her records is to have your Loved One mail them directly to you. For a snapshot of your Loved One's medical history, ask him or her to send you their "Problem List" and current medications, both of which they can obtain from Medical Records.

If you would like to request them from the Department of Corrections yourself, your Loved One must first sign the Department of Corrections release form. Blank forms are at the end of this handbook. You must then fax or mail the signed form back to your Loved One's correctional institution. Because each institution has different rules about how to submit medical records requests, you should call the institution and ask to speak to "Medical Records" for guidance from your Loved One's institution.

10. My Loved One received medical and/or mental health treatment at an outside hospital while incarcerated. How do I get medical and/or mental health records from them?

You are not required to include medical records, but if you decide that you want to obtain medical records from a community hospital or provider, you will need explicit permission from your Loved One. First identify the provider. Call the medical records department where your Loved One received care, and ask for a copy of their HIPAA release form. You can also typically find this form on the provider's website. Once you have a copy of the release, fill it out to allow the provider to release the medical record to you, and then mail it to your Loved One for his or her signature. Once your Loved one has returned the signed release, contact the community provider, who will have you fax or email them the release. Be prepared to pay a small fee for medical records from providers.

11. If my Loved One has to register as a Sex Offender, are there restrictions on where they can live if they are released?

There are housing restrictions for sex offenders where the victim was a minor. It is unlawful for a child sex offender to reside within 500 feet of a school, playground, or any facility providing

programs or services exclusively directed toward people under age 18, unless they owned the property prior to July 7, 2000.

Although there are no formal restrictions on sex offenders living with children under the age of 18, the Department of Corrections is unlikely to approve a parole site where children live. If your Loved One is required to register as a sex offender, it is a good idea to identify a parole site where there are no children.

12. Where can I find the information about my Loved One's current and/or previous cases (i.e. judge, sentencing date, etc.)?

Your Loved One's previous and current cases *that resulted in a prison sentence* will be listed on IDOC's website, and will include the county of conviction, offense, case number, and sentencing information . You can look at that information here:

<https://www2.illinois.gov/idoc/Offender/Pages/InmateSearch.aspx>

The Department of Corrections website will not include information about convictions that did not result in a prison sentence in Illinois. Thus, it will not include convictions from other states, or convictions in Illinois that resulted in probation. Your Loved One should be able to provide information about those kinds of convictions.

- For example, your Loved One should be able to tell you that they were convicted of a robbery in Milwaukee County in 1994. You could then contact the clerk in Milwaukee County to obtain details about that conviction.

If your Loved One was convicted in a county outside of Cook County, you may be able to find additional information through this website, which provides access to the clerk systems in many counties outside of Cook County: <https://www.judici.com/>. Unfortunately, Cook County does not provide general public access to this information online.

13. What if my Loved One is serving a sentence for multiple cases out of multiple counties?

Please include all current, undischarged sentences in the Offenses of Conviction section. Please provide mailed and emailed copies to the Chief Judges and State's Attorney's Offices in every county where your Loved One has active sentences.

14. How can I find out if my Loved One's petition was received by the Prisoner Review Board?

To check to see if a petition was received, you should contact the PRB directly at 217-782-7273.

15. Is there anyone or any type of offense NOT eligible to file a commutation petition?

No. Anyone serving a sentence for a conviction imposed in Illinois may file a commutation petition.

16. Can the Illinois Prison Project take on my Loved's One case?

Unfortunately, IPP is not currently accepting new clients for legal representation.

17. Can the Illinois Prison Project review our petition before we file or can IPP file on our behalf if we compile everything?

Unfortunately, due to the sheer volume of requests, we cannot review every petition prior to filing. IPP hosts a regular drop-in legal clinic via Zoom twice a month, which is an opportunity to ask questions and speak one-on-one with one of our staff attorneys. Our legal clinic is held on the 1st Tuesday of each month from 4 pm - 6 pm and the 3rd Saturday of each month from 9 am - 11 am. Fill out this form to register for the clinic: <https://forms.gle/347QAcmvBy3zTMTn7>

How to Write a Letter of Support for a Clemency Case

Letters of Support help show that the person who is incarcerated has family and friends who love and care about them and who are ready to help them reenter society successfully, such as by providing housing or help finding a job.

Who can write a letter of support?

Family members and friends who know the incarcerated person are the best people to write letters. Important friends of the family, such as your pastor or other religious leaders, can also write letters. Children in the family, especially the person's own children, can write letters. Even if they cannot write very much, they can just say how much they miss their parent.

How long should the letter be?

Some letters are just a couple of sentences and other letters are several pages long. You should just say whatever you want to say, and talk about whatever is most important to you. Don't worry about it being too long or too short. Even a very short letter is a good letter!

What are the most important things to say in a letter of support?

1. Who are you?

You can say your name and, if you want to, you can say what your profession is, if you are retired, served in the military, or if you are a parent or caretaker.

2. How do you know this person?

Are they related to you? Did you raise them? Did you grow up together? How often do you stay in touch with them during their incarceration? Do you write or call them in prison?

3. What kind of person are they?

If you knew them before they were incarcerated – what were they like before they were incarcerated? What kinds of things did they enjoy doing?

What kind of person are they now? For example, do they help other people who are in prison? Do they stay in touch with you and their children by phone?

4. Did this person have a hard life? Did they experience hard times? Were they the victim/survivor of abuse?

If you knew this person when they were younger, and they had a hard life, please say so. If they were poor when they were growing up, or a difficult home life, you can talk about that. If they were abused by someone in their life, please talk about that.

5. How will you help if this person is released?

This may be the most important section! Talk about how you would help them if they are released. For example, will they live with you? Will you help make sure they get to medical appointments? Will you help make sure they stay sober and attend AA? Will you help them find a job?

Is there anything I should not say in the letter?

Most importantly, everything you say should be true and from the heart. Also, filing a clemency petition is NOT like being in court. It is not helpful to say that the person is innocent. Instead, the Governor wants to know that people are sorry for what they have done and have been rehabilitated, and also that they have friends and family who care about them and who will be able to support the person if they are released.

Can my letter be handwritten?

Yes! But please write legibly.

Must I include my address?

You ideally should include your address as part of verifying your identity.

SAMPLE CLEMENCY LETTER:

[DATE]

Office of the Governor
James R. Thompson Center
100 W. Randolph, 16-100

Dear Governor Pritzker,

My name is Esther Good. Amanda Good is my niece. I have known her since she was born. Ever since she was little, she wanted to help others. I remember as a little girl she always tried to help me in the kitchen, even when she was too small to be much help. But I did love the company. We didn't have a lot of money when Amanda was a child, but we made do.

When Amanda was a teenager, she was raped by some older boys. After that, she started having a hard time in school. She would come home from school and I knew she was high. I think she was trying to deal with what happened to her and she didn't know how to do it. She struggled a lot and she lost her way.

Amanda has a family who loves her very much. We are a very close family and we take care of our own. It broke my heart when Amanda was arrested. Since then, I write her letters and call her on the phone about once a week. I put money on her books whenever I can. I cannot believe it has been this many years. I wish we could have kept her out of trouble. She is sorry and we all are. But since she's been in prison, I have seen the change in Amanda. She's gotten sober and that helped a lot. She's thinking clearly now and she wants to help other people in their sobriety.

If Amanda is released, she will be staying with my sister, Eden Good, who is Amanda's mother. I used to be over at my sister's house just about every day because Eden and I work together helping people with their taxes. Now with Coronavirus, I call on the phone every day. If she is released, I will be helping Amanda get back on her feet. After Coronavirus, I will help to take her around and look for jobs. I know that she wants to do something in the helping professions. I believe that humility goes a long way. I know that Amanda is in a place where she has found her humility and is ready to give back to society.

Amanda is a person who has made mistakes, but she is a good person. She is kind and loving. She cares about other people, especially her family. I know she wants to help her mother and me as we get older. Please find it in your heart to grant her clemency.

Sincerely,

Ms. Esther Good
1234 Sample Street
Chicago, IL 60603
(312) 555-5555

Emergency Petition Checklist

Underlying Offense

- Court Order, sentencing transcripts, or other court documents
- Letter from Loved One expressing remorse

Medical History – most files include a medical review

- List current medications
- List prior medical conditions
- Attach relevant medical records

Parole Plan

- Place to live
- If sex offender registrate, confirm and note there are no children in the home and that it is more than 500 feet from a school, park, playground, etc.
- Describe your plan for quarantine
- Describe your plan for medical care in the community
- Describe your plan for financial support

Institutional Adjustment

- Highlight classes, certificates, diplomas, and other accomplishments

Personal History

- Childhood
- Education
- Military history
- Job history (in and out of prison)
- Marriage/Children

Attachments

- Letters of Support
- Medical Records
- Accomplishments in Prison
- Disciplinary Cards
- Photographs

Submission

- Signed by Loved One (under penalty of perjury)
- Mailed to PRB, Court, and State's Attorney
- Emailed to PRB and State's Attorney