

White Paper: Good Conduct Credit in Illinois

This White Paper outlines the history of Meritorious Good Time (MGT) in Illinois; summarizes the controversy around a 2009 modification to MGT called MGT-Push; addresses a valid concern about the administration of MGT; reports on the 3,800 increase in Illinois' prison population following suspension of MGT and the \$98 million implication of that increase for the state budget; and, explains how a population reduction by as much as 4,522 could be achieved by allowing the Director of the Department of Corrections to reinstate an improved program of awarding prisoners credit for good conduct.

History of Meritorious Good Time-

First and Foremost, a Program to Manage the Size of the Prison Population

Well before Illinois adopted its current determinate sentencing scheme in 1977, state law and practice permitted the Director of the Department of Corrections to award state prisoners credits on time served for “good time.”¹

Good time credits were originally conditional upon a prisoner's participation in programs or in work assignments. But in the 1970s, Illinois' prison population increased to the point that there were an insufficient number of work assignments or programs to accommodate all inmates willing to engage in them. A 1975 Illinois appellate court ruled that the Department could not limit the award of good time to only those prisoners fortunate enough to be able to participate in programs or prison jobs.² From then on, the award of good time was “no longer correlated to rehabilitation or satisfactory performance of work assignments, but [was] available to all prisoners within the Department.”³ Unless an inmate was found guilty of committing disciplinary offenses, he or she was likely to receive good time credits.

The determinate sentencing law passed in 1977 ended parole, by which many prisoners were released after serving their minimum sentence, but provided that prisoners convicted of all but the most serious of offenses receive “statutory” or “day-for-day” credit for time served. Day-for-day credit meant that prisoners in most cases would serve half the court-ordered sentence in jail or prison custody. The Department had no authority to change the day-for-day credits except as a disciplinary measure for rules violations.⁴

As part of the new law, legislators also attempted to limit to 90 days the amount of good time credits, ambiguously relabeled “Meritorious Good Time,” which the Director of the Department of Corrections could award.⁵

However, the 90-day limitation on MGT quickly ran up against the Department's longstanding use of good time credits to manage overcrowding.

As the 1977 sentencing code drove prison populations over capacity, Michael Lane, Governor James Thompson's Director of the Department of Corrections, construed the new law to allow him to award MGT to prisoners in multiple 90-day increments. This interpretation enabled him

to reduce time served by as much as 313 days.⁶ Over the course of three years, Lane approved awards of MGT to some 21,000 prisoners, thus reducing the overall prison population by approximately 2,500.⁷

Several States Attorneys brought suits to challenge the amount of good time Lane was awarding offenders. Their cases were consolidated into one Illinois Supreme Court case called Lane v. Skladowski. To the Supreme Court, Lane argued that the awards of additional good time credits were necessary to meet the threat of dangerous and unconstitutional overcrowding. The Supreme Court rejected Lane's interpretation of the law in 1983, compelling the Department to limit the award of good time credit to 90 days.⁸

The Department of Corrections attempted to operate under the 90-day limit, but the prosecution of drug law violations led to record-breaking increases in incarceration in 1989 and 1990.⁹ At the Thompson administration's request, in 1990 the legislature revised the law to allow good time credits of up to 180 days¹⁰ for the express purpose of controlling the size of the prison population.¹¹ The 180-day limit has been in place since 1990; in addition, inmates can also earn credits for certain activities, such as completing a GED course or a drug rehabilitation program.¹²

Until the fall of 2009, MGT operated with a maximum allowed credit of 180 days. In the 19 years between 1992 and 2009, the average amount of MGT and other good time credits awarded to released prisoners was more than 115 days. In 15 of those 19 years, the average good time credit for released prisoners was greater than 140 days.¹³

The impact of day-for-day and MGT credits is dramatically visible in low-end sentences. For example, a judge's sentence to two years could result in a sentenced defendant serving 180 days, all of which might easily have been served in jail for the duration of the criminal case. A one year sentence could mean that a sentenced defendant might serve almost no time in jail or prison, with day-for-day credits reducing the length of stay to six months and MGT potentially reducing the six months by up to 180 days.

But for longer sentences, the impact of MGT diminishes as measured against the impact of day-for-day credit. Day-for-day credit effectively reduces a judge's ten-year sentence to five years. MGT could further reduce time served on that sentence by up to 180 days, but the prisoner would still have four and a half years left to serve.

The 2009 "Early Release" Controversy

How Bad Politics and Bad Press Produced Worse Policy

For some years prior to September 2009, the Department of Corrections employed a custom of delaying the award of any good time credits until a prisoner had served at least 60 days in the IDOC.

The 60-day rule resulted in inequities. Two inmates with the same sentence could be incarcerated for different lengths of time solely based on how quickly each was admitted to IDOC from the county jail. One inmate admitted to IDOC with fewer than 60 days remaining in his sentence

once time served in county jail, statutory and good conduct time credits were accounted for, would be held for additional time until the minimum of 60 days in IDOC custody was reached. Meanwhile, the other inmate admitted to IDOC with more than 60 days left to serve would escape the time added on by the 60-day rule. Despite its uneven impact, an Illinois appellate court upheld the 60-day delay in the discretionary award of good time credits for the reason asserted by the Department, that the 60 day period was necessary in order to evaluate and assess prisoners prior to their release.¹⁴

In the autumn of 2009, the Department decided to end the 60-day delay in the award of good time credits. The Department provided about ten days of reorientation and reentry programming to prisoners who would be immediately released under the new policy. The overall program was given the name “MGT-Push.”

As it was being implemented, the Department’s administrative decision to end the 60-day delay rule drew attention. News articles reported prisoners sentenced to one, two, three or even more years were being released “early” after having served only days in prison or serving less than a few weeks in jail and prison combined.

These news articles misrepresented or misinterpreted the facts. The apparently short prison sentences scandalously reported were the result of prisoners having served all or most of their time in local jails before they were admitted to the IDOC, or of plea agreements that resulted in very little to almost no period of required incarceration once statutory day-for-day credits effectively halved sentences and good time credits were awarded. All that MGT-Push did was to move the release dates of some 1,700 inmates up an average of 37 days.¹⁵

Even today, some news reports continue to imply, incorrectly, that MGT-Push was responsible for releasing prisoners long before the end of the prison term to which they were sentenced.¹⁶

Critics claimed that prisoners released through MGT-Push committed murders or other very serious crimes that they would not otherwise have been able to commit. These claims have not been supported by facts.¹⁷

A Valid Concern: Awarding MGT to Short Term Prisoners

However, a Mandatory 60-Day Delay is the Wrong Answer

The critics of MGT-Push did raise valid concerns about the appropriateness of awarding good time credits to inmates who have been only briefly under correctional supervision. A front-end award of good time may be appropriate for a newly-admitted prisoner who posed no disciplinary problems while serving time in jail waiting for a disposition of his or her case. The same award could be considered appropriate for a newly-arrived prisoner who made bond, met the conditions of bond (including appearing in court), and had no further difficulties with law enforcement while his or her case was pending. For these prisoners, good time credits could be an important incentive for good behavior.

But a front-end award of good time credits might be inappropriate for a defendant who, after a few days' jail incarceration, enters a plea of guilty and agrees to a sentence that leaves him or her eligible for immediate release from the IDOC if the Department awards good time credits. In this case, there may be nothing upon which the Department of Corrections can base a judgment of good or bad conduct or even of mental or emotional stability.

Modifications to the MGT program are needed to account for the above considerations, but the solution passed by the legislature in 2010—an automatic 60-day exclusion from eligibility for good conduct credit—leads to counterproductive and unjust results. The arbitrarily chosen 60-day period works against prisoner reentry planning by artificially delaying a return to the community; it penalizes inmates who, through no fault of their own, served more time in county jail than others with similar charges and sentences; and, it is expensive for the IDOC. The basic flaw underlying the automatic exclusion is that 60 days is too short a period of time in which to accomplish significant correctional goals or to measurably enhance public safety, particularly in a seriously overcrowded system, yet is long enough to significantly increase the prison population and corrections costs.

Impact: The Current Overcrowding Crisis

In 2010, Illinois Led the Nation in Increasing Its Prison Population

In response to criticism from the media, political opponents and other sources, Governor Pat Quinn ended MGT-Push in December 2009 and suspended MGT in January 2010. The impact of the decision to end MGT-Push was minimal over time, but the impact on the prison population of suspending MGT was immediate and predictable:

- As reported to and by the Bureau of Justice Statistics, Illinois added more prisoners, 3,257 or +7.2% increase, than any other state in the nation in 2010. The state ended the year with a total of 48,418 prisoners.¹⁸
- Illinois' prison population continued to increase in 2011 – exceeding 49,000 inmates in September 2011, an increase of 3,865 prisoners or 8.6% in the two years since September 2009 when the population was 45,168.
- Illinois reports one of the most overcrowded prison systems in the nation. Depending on the measure applied, only California's or Alabama's prison system is more crowded than Illinois', which is at 144% of its highest capacity and 163% of its lowest capacity.¹⁹
- Illinois Department of Corrections' \$1.4 billion budget, once expected to decrease, is increasing. This is unsurprising given that at an average annual cost per prisoner of \$25,500, an additional 3,865 inmates would be expected to cost Illinois taxpayers an additional \$98.56 million per year, even without new capital expenditures.
- The suspension of MGT and the imposition of the 60-day delay in awarding credit for good conduct are as likely to increase risks to public safety as they are to decrease risks to public safety.²⁰ States that have reduced prison populations through the administration of good conduct credits, among other approaches, have experienced reductions in crime that matched or exceeded crime reductions in states that increased prison populations.²¹

In suspending MGT, Governor Quinn pulled Illinois out of a group of states that had expanded the use of good conduct credits as a successful means of curtailing prison populations and controlling corrections budgets.²²

Corrections officers' unions have expressed alarm about prison overcrowding in Illinois. Their fears are substantiated by news media accounts and reports issued by the John Howard Association of Illinois.²³ The state is approaching the level of prison overcrowding in California which the United States Supreme Court found in *Brown v. Plata* to be unconstitutional because of the burden it placed on the treatment of medically and mentally ill inmates.

The Solution

Reinstating Good Conduct Credits Need Be neither Expensive nor Complicated

Illinois has the statutory framework for a well-managed program under which the Director of the Department of Corrections can award up to 180 days credit to inmates whose behavior merits positive recognition.²⁴ The Department also has the expertise with which to address valid concerns about the award of good conduct credit. For example, during the summer of 2010, a Department of Corrections Working Group developed an approach to the award of good conduct credit that restricted eligibility to those prisoners who had remained clear of serious infractions and met other requirements. Data analyzed for the Working Group showed that about 18,089 prisoners would meet the Working Group's more restrictive criteria for credit for good conduct, down from the 24,172 who had been awarded good conduct credit in the previous year.²⁵

Reinstating even a modified good conduct program would have a significant impact on the prison population. To continue with the Working Group's program model, if the 18,089 prisoners who met the minimum requirements each were awarded 90 days of good conduct credit (fewer days than the 135 average awarded prior to the MGT program's suspension), the Department could reduce its prison population by as many as 4,522 in the course of a year.²⁶

Of course, the Department might decide it could not appropriately award good time credits to all prisoners eligible for consideration under the Working Group's model. But even if half of the prisoners eligible for good conduct credits under the Working Group's model were awarded credits, the Department of Corrections' population would decrease on the magnitude of 2,260, enough to empty a large prison.

Yet the Working Group's report has gone virtually unnoticed or remarked upon. For nearly 18 months, as Illinois' prison population increased, both the Department of Corrections and the Governor's office have remained silent on plans to reinstate any form of a good conduct credit program.

On December 11, 2011 Representative Art Turner filed House Bill 3899. Turner's legislation introduced flexibility in awarding good conduct credits to short-term inmates, including basing such awards on consideration of their behavior in jail, and provides guidance to the Director of

the Department of Corrections in selecting positive behaviors by which prisoners could demonstrate that they merited credits for good conduct.²⁷

According to news reports, Governor Quinn has rejected the approach taken in H. B. 3899. Instead, the Governor's staff is reported to be working with a group of legislators to find "more palatable" solutions by which Illinois might "manage population numbers while continuing to incarcerate — for safety, rehabilitation, and punishment" by the end of the spring legislative session in 2012.²⁸

If these news reports are correct, the Governor's staff and the group of legislators working with it to devise a substitute for MGT have taken on large goals similar to those assigned to the bipartisan, research-informed Sentencing Policy Advisory Council created in 2009 and now in its second year of active meetings.²⁹ This may be overreaching. In Illinois, MGT was for 30 years a prison population management tool. The award or denial of good time credits did not, nor could not, address all the goals of sentencing. For example, the denial of good conduct credit may briefly defer the release of a problematic prisoner, but it does little to correct for a sentence that is too short to protect public safety, or for a corrections regimen that fails to rehabilitate or address violence in offenders. Nor can a decision to award or deny credit for good conduct serve as a do-over for the initial sentencing: under the Illinois statute as interpreted by Illinois case law, the Director of the Department of Corrections may not consider a prisoner's conduct prior to incarceration.³⁰

In the face of record-high prison populations and severe overcrowding, Illinois policy-makers might find it prudent to simply return the management of MGT to the Director of the Department of Corrections. The Department has the capability of managing a good time credit program on the scale outlined here. The Department's reinstatement of an improved MGT program requires only the Governor's agreement and restraint from legislators inclined to micromanage what should be a Department of Corrections responsibility.

In a time of severe fiscal constraints, it is worth noting that no large outlay of state resources is required for the Department of Corrections to reinstate an improved credit for good conduct program. The impact of reinstating a modified MGT program would be immediate, with the number of inmates newly released increasing at a predictable, safe and controlled pace. The implementation of other reforms, such as Redeploy Illinois and any sentencing reforms that may be recommended by the Sentencing Policy Advisory Council and passed by the legislature would be unaffected. Moreover, the positive impacts of such reforms would be added on to those obtained when good time credits are reinstated.

Malcolm C. Young
Criminal Justice Consultant
Director, Prison Reentry Strategies
Bluhm Legal Clinic – Northwestern University Law School
Chicago, IL
Email: youngmalcolmc@gmail.com

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Endnotes:

¹ Illinois enacted its determinate sentencing law in 1977, Pub. Act 80-1099, 1977 Ill. Laws 3264, with an effective date of February 1978; both dates are cited in references to the law. Illinois' determinate sentencing law was succinctly described by Justice Simon in *Lane v. Skladowski* 97 Ill. 2d 311, 3 Ill. Dec. 462, 454NE 2d 322 (1983):

The 1977 act created a determinate sentencing structure in Illinois by establishing minimum and maximum terms of imprisonment for all felonies (see Ill.Rev.Stat.1981, Ch. 38, par. 1005-8-1) and by circumscribing the discretion of any official to grant prisoners early release. For example, the Act abolished the Parole and Pardon Board, which previously had possessed broad powers to establish a prisoner's date of release (see Ill.Rev.Stat.1977, Ch. 38, pars. 1003-3-2(a)(1), 1003-3-3), and replaced it with a Prisoner Review Board with only limited authority, not relevant here, to determine the time of release. (See Ill.Rev.Stat.1981, Ch. 38, pars. 1003-3-2(a) (3), (4).) Under the new determinate-sentencing system, the time of early release is fixed by operation of law. Each prisoner serving less than a life sentence is entitled to mandatory supervised release after serving "the full term of a determinate sentence less time credit for good behavior." Ill.Rev.Stat.1981, Ch. 38, par. 1003-3-3(c).

In the 1977 act the legislature also carefully circumscribed the Director's authority to grant, revoke and restore good-conduct credits. * * * *

97 Ill. 2d 311, 317, 3 Ill. Dec. 462, 454NE 2d 322, 325.

² Program and work requirements for "compensatory good time" were stricken in September 1975 retroactive to January 1973, *Illinois v. Kokendeis*, (Ill. App. Ct. 1st Dist. 1994) 632 N. E. 2d 158, 161; thereafter compensatory good time credits were available to "all inmates within IDOC" and for time served in jail facilities on the nearly the same basis as was "statutory good time," *Hampton v. Rowe* (App. Ct. 3d Dist. 1980) 88 Ill. App. 3d 352, 43 Ill. Dec 511, 410 N. E. 2d 511 at p. 512.

³ *Hampton v. Rowe*, op. cit., 410 N. E. 2d at p. 513.

⁴ *Guzzo v. Snyder*, 261 Ill. Dec. 94, 762 N. E. 2d 663, 326 Ill. App. 3d 1058, 1063, following *Lane v. Skladowski* op. cit., at 454 NE 2d 322, 324-325 (1983), reviewing the history and legislative purpose of the Pub. Act 80-1099, 1977 Ill. Laws 3264.

⁵ *Lane v. Skladowski*, id.

⁶ *Lane v. Skladowski*, id.

⁷ Carolina Gusman, Barry Krisberg & Chris Tsukida, "Accelerated Release: A Literature Review," (NCCD, January 2008), at p. 7.

⁸ *Lane v. Skladowski*, op. cit., 454 NE 2d at 322, 325.

⁹ In 1989 Illinois along with other states experienced over 14% increases in prison populations, fueled by a doubling in drug arrests. Midyear 1989 the state's prison population was 22,576; prisons were reported to be filled to double capacity. See, Tony Parker, "Surge in Prison Population," *The Bloomington Pantagraph* (Bloomington, IL) September 12, 1989, p. A2.

¹⁰ 730 ILCS 5/3-6-3(a)(3) amended July 13, 1990; see, *Illinois v. Kokendeis*, (Ill. App. Ct. 1st Dist. 1994) 632 N. E. 2d 158, 161 reviewing legislative history including source of confusion between "compensatory good time credit" which existed before 1978 and "good time credit" awarded under the new determinate sentencing law effective in 1978.

¹¹ *Report on the Meritorious Good Time and MGT Push Programs* prepared by the Committee chaired by David Erickson. (Hereafter cited as, "Erickson Committee Report") at p. 4 n. 3.

¹² 730 ILCS 5/3-6-3(a)(4) as amended.

¹³ *Meritorious Good Time Program Findings and Recommendations*, report prepared by members of a departmental Operations Committee with the pro bono assistance from the consulting firm Ernst & Young. See, unnumbered table on p. 48 which sets forth the average good time credit awarded prisoners in all categories from 1985 – 2009. May be downloaded from: <http://dl.dropbox.com/u/8200082/OperationsWorkingGroupReport.pdf>

¹⁴ *People ex rel. Braver v. Washington*, App. 1 Dist.1999, 243 Ill. Dec. 759, 311 Ill.App.3d 179 at 191, 724 N.E.2d 68, appeal denied 246 Ill. Dec. 130, 188 Ill.2d 581, 729 N.E.2d 503.

¹⁵ Malcolm C. Young *Setting the Record Straight: The Truth About "Early Release" from Illinois Prisons* (Northwestern University Law School (October 27, 2010), at pp. 6-8. May be downloaded from: <http://dl.dropbox.com/u/8200082/SettingRecordStraightOct2010.pdf>

¹⁶ Andy Kravetz "Judge: Life sentence isn't long enough," *Peoria Journal-Star* (January 13, 2012), correctly noting that Edjuan Payne had previously served time to which he was sentenced for murder in 1987, than was released in 2009 after serving "less than half" of a sentence to two years for criminal damage to property, violated parole and was released following the parole violation two months before committing the murder for which he was sentenced to natural life. Accessed at: www.pjstar.com/news/x3498428/Judge-Life-sentence-isn-t-long-enough

Payne was released after his criminal damage to property conviction through the MGT-Push program, a fact which was played up in media accounts but ultimately shown to have had no connection to the tragic murder committed after his release on the parole violation. See, Malcolm C. Young, *Setting the Record Straight* op. cit., at p. 10 fn. 34 and p. 16. News reports continue to imply a link between MGT-Push and the tragic second murder. For example, the Chicago Tribune reprinted an AP story which repeats the incorrect description of MGT-Push: "[Payne] had been part of an unpublicized program to free up prison space by cutting state sentences to weeks or days," "Peoria Judge gives life sentence in Chicago woman's death," *Chicago Tribune* January 14, 2012; accessed on line on January 15, 2012: <http://trib.in/yHL8nS>

See also, John O'Conner, "AP Exclusive: Lawmakers Seek Prison Crowding Fix," January 20, 2012, repeating the story of Derrick King, who received a three year sentence after pleading guilty to a reduced charge for his brutal, unprovoked attack on a woman in 2008. King "served about a year in county jail and 14 days in state prison before he was released in October 2009 under MGT Push and then arrested the next day on suspicion of assault and sent back to prison." Accessed on January 22, 2012 at <http://apne.ws/zWL4su>. But as another commentator observed at the time, the plea agreement and sentence had much more to do with King's short period of incarceration than MGT-Push, which reduced time served by a matter of days or weeks; see Eric Zorn, "Time to get serious about prison terms," *Chicago Tribune*, January 4, 2010. Accessed on line on January 22, 2012 at: http://blogs.chicagotribune.com/news_columnists_ezorn/2010/01/king.html

¹⁷ *Setting the Record Straight* op. cit., at pp. 10 – 11.

¹⁸ Paul Guerino, Paige M. Harrison, and William J. Sabol, *Bulletin: Prisoners in 2010* (Bureau of Justice Statistics, U. S. Department of Justice 15 December 2011) at p. 2; see also Appendix Table 4.

¹⁹ *Bulletin, Prisoners in 2010*, op. cit., at p. 34, Table 23.

²⁰ *Setting the Record Straight*, op. cit., at pp. 17 – 18.

²¹ *Setting the Record Straight*, op. cit., at pp. 19 - 22; *Brown v. Plata* (May 23, 2011) 131 S. Ct. 1910 at 1940 – 1944, 179 L.Ed.2d 969.

²² Christine S. Scott-Hayward, *The Fiscal Crisis in Correction: Rethinking Policies and Practices* (Vera Institute July 2009 (Updated)); see Table 1, p. 5 and pp. 10-11. Looking forward from 2009 to 2010, this report found that 26 of 37 states for which it was able to obtain data were reducing corrections budgets. "[M]any states" are reducing prison populations by strategies including "accelerating prison release" by increasing the amount of "good time" that may be awarded an inmate. The report singles out several states for their efforts including Washington, Colorado, Ohio and, at the time, Illinois.

²³ Kurt Erickson, "Corrections' Dept. needs new name," (Bloomington, Illinois) *Pantagraph* December 11, 2011; Accessed January 12, 2012 at <http://bit.ly/yOFUDf>; John O'Conner, "AP Exclusive: Lawmakers Seek Prison Crowding Fix," January 20, 2012, carried in numerous Illinois media outlets and accessed at <http://apne.ws/zWL4su> on January 22, 2012; "Centralia, Big Muddy, Vandalia Prisons Among Overcrowded in State," *WJBD AM – FM* (Salem, Illinois) January 22, 2012; accessed January 22, 2012 at: http://www.wjbradio.com/index.php?f=news_single&id=31241.

²⁴ 730 ILCS 5/3-6-3 (a) (3) et. seq.

²⁵ *Meritorious Good Time Program Findings and Recommendations*, op. cit., at pp. 16 – 17.

²⁶ The Working Group projected a 6,958 reduction in the prison population based on an average of approximately 135 days decrease in time served for 18,089 prisoners. Our more conservative estimate is based on a lower average award and is calculated using a standard formula: (18,089 prisoners released in one year x 90 days average good time credit) / 365 days = 4,460; for acceptability of this formula see, “Public Safety, Public Spending: Forecasting America’s Prison Population 2007-2011” The Pew Charitable Trusts Public Safety Performance Project (Revised June 7, 2007) at pp. 3, 7.

²⁷ According to the synopsis, H.B. 3899:

Provides that the Director of Corrections may not award good conduct credit for meritorious service to an inmate unless either: (1) the inmate has served a minimum of 60 days of the sentence in a secure county corrections facility or Illinois Department of Corrections facility or in both such facilities; or (2) the Director in his or her discretion determines that an award of good conduct credit for meritorious service which would permit release in advance of an inmate having served 60 days of the sentence in a secure county corrections facility or Illinois Department of Corrections facility or in both such facilities will further correctional goals without appreciably or predictably increasing risk to public safety, and would be consistent with best practices and the purposes of the Code. Establishes criteria for which an inmate may be awarded good conduct credit for meritorious service or for participation full-time in substance abuse programs, correctional industry assignments, or educational programs or for passing the GED test while incarcerated.

A short link to the synopsis: <http://1.usa.gov/wj0NV1> ; short link to H.B. 3899 is at: <http://1.usa.gov/zdichB>

²⁸ John O’Conner, “AP Exclusive: Lawmakers Seek Prison Crowding Fix,” op. cit., accessed on January 22, 2012 at <http://apne.ws/zWL4su> .

²⁹ “The purpose of the Council is to review sentencing policies and practices and examine how these policies and practices impact the criminal justice system as a whole in the State of Illinois. In carrying out its duties, the Council shall be mindful of and aim to achieve the purposes of sentencing in Illinois;” see, <http://appointments.illinois.gov/appointmentsDetail.cfm?id=350> ;

“The Sentencing Policy Advisory Council (SPAC), created by Illinois Public Act 96-0711, draws on criminal justice information collected by other agencies to explore sentencing issues and practices and how they impact the criminal justice system as a whole. * * * * SPAC is charged with objectively informing sentencing and corrections policy decisions,” see, <http://www.icjia.org/public/index.cfm?metasection=spac>

³⁰ *Howell v. Snyder*, App. 4 Dist.2001, 260 Ill. Dec. 236, 326 Ill.App.3d 450, 760 N.E.2d 1009, rehearing denied; holding that the Director of the Department of Corrections decision to deny good-time credit to inmates who had previously been charged with domestic battery or who had a pending order of protection contradicted intent of statute which did not generally permit consideration of conduct occurring prior to incarceration.