

Criminal Justice Reform Omnibus (HB 3653) Member Toolkit

The Criminal Justice Reform Omnibus (HB 3653) contains long-awaited comprehensive public safety reforms that will help make communities left behind by the criminal justice system safer. It prioritizes proven approaches that will strengthen oversight, transparency, and rehabilitation that can reduce crime, violence, over-incarceration, racial disparities, and recidivism, while ensuring crime victims who have long been underserved by public safety systems have better access to recovery support.

This is a toolkit for members to use to promote and defend HB 3653. It contains general talking points and messaging about the bill; high-level overviews and talking points on the bill's different components (along with their supporters and local/state/national subject matter experts and validators members can call on as resources); and graphics from the Illinois House and Senate Democratic Caucuses.

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General talking points / messaging on HB 3653

- This bill contains long-awaited public safety reforms that help make all communities safer, including those left behind by the criminal justice system for far too long.
- It strengthens our public safety systems by replacing policies that failed to stop cycles of crime and spread harm across our state.
- By advancing proven solutions, the policies in this bill can build trust and accountability, prioritize rehabilitation and safety to reduce over-incarceration, racial disparities, and recidivism, and increase support for crime victims who have long been underserved.
- This bill incorporated bipartisan proposals to improve the criminal justice system, and was further amended to address concerns of the law enforcement community.
- It focuses on: 1) improving police to keep all communities safe through accountability and equity; 2) reducing racial disparities and injustices in the criminal justice system that make us less safe (ending wealth-based bail, increasing prevention and rehabilitation to replace over-incarceration, etc.); 3) helping more crime victims in communities hardest hit by violence access recovery support.
- The legislation's focus on the public safety priorities of crime victims is why so many survivors of crime support the bill, especially those from communities that experience the most violence.
 - The increased access to victim services, combined with the broad impact of the reforms in shifting state priorities away from over-incarceration and toward rehabilitation and recovery, make this bill a victory for crime survivors.
 - Once signed, it will be a critical tool to reduce trauma and stop the cycle of violence.

Bill Passage and "Rushed" Process

- For decades and far too long, the criminal justice system and policing have not provided safety for all people in our state and communities.
- Conversations about these issues have been occurring for years, and many of these solutions have been discussed as part of them.
- Our job is to pass legislation that makes Illinois better and safer for every resident. We passed these reforms because they address urgent needs in our communities -- Illinois communities could not, and should not have to, wait for safety.
- The past months have made clear the urgency of fixing the criminal justice system and adopting solutions that actually improve public safety - and the truth is that these solutions can't wait any longer - safety and justice for all communities should be an urgent priority.
- This bill is just the latest demonstration of the state legislature's multi-year commitment to keep communities safe and help crime victims by reforming public safety policies.
- The bill was the result of nine public hearings, 30 hours of testimony, and countless meetings with law enforcement professionals, prosecutors, trial lawyers, community members and other groups from across the state.

Facts about HB 3653

<p>It improves police training in a number of areas, including use of force, crisis intervention and first aid.</p> <p>It gives law enforcement a path to discover and hold accountable the few officers who engage in misconduct by establishing the use of body cameras statewide by 2025, requiring reporting on deaths in police custody, and ensuring officers who step up to intervene when they witness misconduct are not retaliated against.</p> <p>It protects detainee and victims' rights by streamlining the victims' compensation system, ensuring that detainees—especially pregnant women—have access to appropriate medical care, and more.</p> <p>It reforms the judicial system with a special focus on ensuring that no one—regardless of race—is penalized for being poor by replacing the cash bail system and modernizing sentencing laws.</p>	<p>It does NOT defund the police.</p> <p>It does NOT modify or remove qualified immunity protections for police departments.</p> <p>It does NOT change or take away collective bargaining rights.</p> <p>It does NOT allow individuals who have been charged with a serious offense, who endanger the safety of the community or who are a flight risk to be released.</p> <p>It does NOT prevent a judge from revoking pretrial release.</p> <p>It does NOT reduce prison time for individuals serving time for heinous crimes.</p>
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Summation of HB 3653's Components

- Ends cash bail and replaces it with a more just system where custody decisions are based on nature of the crime with which a defendant is accused, rather than their access to cash.
- Empowers courts to set smarter sentences on a case-by-case basis, rather than relying on mandatory statutory sentences.
- Creates a more practical definition of when deadly force can be used, limiting such an extreme act to the most serious circumstances.
- Reforms crowd control and arrest techniques, including severely restricting the use of chokeholds.
- Closes the loopholes in law that have prevented criminal and civil accountability in the most severe cases of officer-involved killings.
- Institutes statewide certification and decertification system for police officers.
- Requires the use of police body cameras.
- Prevents the destruction of law enforcement misconduct records.
- Bans police departments from acquiring certain military surplus equipment, including armored or weaponized vehicles, firearms or ammunition .50-caliber or higher, grenade launchers, or bayonets.
- Requires police to develop a plan to protect children during search warrant raids.
- Empowers the Attorney General to investigate deaths that occur in police custody.
- Addresses officer wellness and provides for mental health awareness and screenings.
- Creates alternatives to incarceration for non-violent offenders based on a risk assessment.
- Eliminates license suspensions for unpaid red light camera and traffic offenses.

Overview and talking points on HB 3653's specific components

Police reform

Summary of changes

HB 3653 strengthens oversight, training, transparency, and accountability mechanisms that will improve the trust communities have in law enforcement. These changes were designed over several years in collaboration with the Illinois Attorney General, subject matter experts, and community-based organizations. They include enhancing officer screening and certification processes; bolstering law enforcement training standards and oversight; establishing screening and minimum standards to help provide officers with mental health counseling; improving expectations of an officer's duty to intervene upon witnessing misconduct and render aid to those in need; banning the purchase of costly and unnecessary military equipment; and requiring all police officers to be fitted with body-worn cameras by 2025.

Supporters

ACLU of Illinois, BPI,

Subject matter experts / validators

- State expert: Shareese Pryor, BPI, contact information: spryor@bpichicago.org
- State expert: Khadine Bennett Advocacy and Intergovernmental Affairs Director, ACLU: kbennett@aclu-il.org

Police reform talking points:

- HB 3653 will improve police policies, procedures, and training to enhance public safety -- increasing police practices and transparency establishes the trust from community members that is essential for policing to be most effective at contributing to a safer Illinois.
- HB 3653 will strengthen police accountability to ensure officers who undermine public safety by engaging in misconduct are held responsible, and police departments continue to improve their ability to advance safety in communities .

Pre-trial reform (bail reform)

Summary of changes

HB3653 improves the fairness and effectiveness of Illinois' pre-trial system. The bill requires that a judge's assessment of an accused person's risk to the public and risk of flight--and not their ability to pay cash bond--will be used to determine if they should be held in pretrial detention. To ensure these changes are implemented carefully and in collaboration with local stakeholders, the bill change's will not be effective until January 1, 2023. To ensure that the two-year implementation process incorporates the perspective of victims, the bill creates the Domestic Violence Pretrial Working Group to make recommendations to improve pretrial system's work with survivors of domestic violence.

Supporters

Illinois Justice Project, Illinois Network for Pretrial Justice, ACLU of Illinois, Coalition to End Money Bond, Illinois Coalition Against Domestic Violence, Chicago Appleseed, The Network: Advocating Against Domestic Violence ("The Network"), and the Chicago Alliance Against Sexual Exploitation (CAASE)

Pretrial reform talking points:

- Illinois' current reliance on cash bail unnecessarily increases counties' use of pre-trial detention, as it detains people simply because they cannot afford to pay bond rather than based on safety.
- Research shows that unnecessary pretrial incarceration undermines public safety by harming families and communities in multiple ways.
 - Pretrial incarceration creates barriers to maintaining employment and family stability.
 - People detained for as little as 72 hours are 2.5 times more likely to be unemployed one year later.
 - Pretrial incarceration harms household earnings: Past incarceration reduces annual income by as much as 40%.
- Illinois' new bail reform measure creates a smarter approach by basing these decisions on safety, rather than simply a defendant's ability to pay

Subject matter experts / validators

- State expert: Sharone Mitchell, Director of the Illinois Justice Project, contact information: Sharone@iljp.org

Victim services reform

Summary of changes

HB3653 helps victims of crime by increasing access to recovery services offered by the state's Crime Victim Compensation program. These changes include requiring faster processing time of applications (28 business days), extending overall time limits to file victims compensation applications from 2 years to 5 years; expanding victim coverage to family members of crime survivors by recognizing non-traditional households and classifying children, spouses, and parents of victims to be victims in their own right; and increasing victim compensation caps for funeral expenses, loss of support, and loss of earnings.

Supporters

Alliance for Safety and Justice, Crime Survivors for Safety and Justice, Illinois Coalition Against Domestic Violence

Victim services reform talking points

- HB 3653 increases support for crime victims by Crime Victim Compensation, ensuring more victims, especially in communities most harmed by violence, have the resources they need to heal.
- Crime victims from Black and Brown communities and other neighborhoods most harmed by violence have too often gone underserved by current public safety policies -- this makes us less safe.
- Addressing trauma is critical to ending cycles of violence in communities most impacted by crime and left behind by the current system.
- This bill contains some of the greatest support for crime survivors of any legislation in our state's recent history -- it helps remove the barriers to recovery for survivors that can stop cycles of harm and violence.
 - By removing arbitrary deadlines and improving coverage through the state's victim compensation program, survivors who often go unhelped will have unprecedented support in our state.

Subject Matter Experts / Validators

- National expert: Aswad Thomas, Managing Director of Crime Survivors for Safety and Justice. Contact information: aswad@safeandjust.org. A national advocate for crime victims and a survivor of gun violence, Aswad can speak to how changes to victim services help promote safety for crime survivors and communities. In his role as the Managing Director of Crime Survivors for Safety and Justice, Aswad works with more than 3,000 crime survivors throughout Illinois, many of whom want to work with their legislators to support HB3657.
- National/state expert: John Maki, Alliance for Safety and Justice. Contact Information: Cell: 773-805-7716; jmaki@safeandjust.org. A national advocate for criminal justice reform that has also worked extensively in Illinois government and nonprofit community.
- Communications assistance: Julien Martinez, Alliance for Safety and Justice, contact information: jmartinez@safeandjust.org

Prison Reform

Summary of changes

HB3653 includes changes to Illinois' correctional system that will reduce recidivism, decrease Illinois' costly overreliance on prisons, improve safety for people incarcerated and prison staff, and strengthen prison oversight and accountability. These changes include creating more opportunities for incarcerated people to participate in rehabilitative programs for time credit off their sentence, a reform proven to reduce recidivism; improving basic treatment of pregnant prisoners (access to prenatal care and nutrition); ensuring that if someone dies in custody, the cause of death is properly reported; and requiring that incarcerated people be counted as residents of their last known address starting in 2030 redistricting process.

Supporters

Alliance for Safety and Justice, Crime Survivors for Safety and Justice, John Howard Association

Prison reform talking points

- HB3653's changes to the correctional system will reduce recidivism, improve safety, and cut costs from the prison system.
- The bill expands rehabilitative programming opportunities for incarcerated people - which is a proven and effective way to reduce recidivism and end cycles of crime.
- HB 3653's prison reforms incorporate recommendations from the previous Republican administration's bi-partisan criminal justice reform commission, which was dedicated to safely and cost-effectively reducing Illinois' prison population.

Subject Matter Experts / Validators

- National expert: Aswad Thomas, Managing Director of Crime Survivors for Safety and Justice. Contact information: aswad@safeandjust.org. A national advocate for crime victims and a survivor of gun violence, Aswad can speak to how changes to sentence credits that increase rehabilitation help promote safety for crime survivors and communities. In his role as the Managing Director of Crime Survivors for Safety and Justice, Aswad works with more than 3,000 crime survivors throughout Illinois, many of whom want to work with their legislators to support HB3657:.
- National/state expert: John Maki, Alliance for Safety and Justice. Contact Information: Cell: 773-805-7716; email: jmaki@safeandjust.org. A national advocate for criminal justice reform that has also worked extensively in Illinois government and nonprofit community.
- Communication assistance: Julien Martinez, Alliance for Safety and Justice, contact information: jmartinez@safeandjust.org
- State expert: Jennifer Vollen-Katz, John Howard Association, contact information: jvollen@thejha.org

Sentencing Reforms

Summary of changes

HB3653 includes changes to Illinois' sentencing that will help bring some of the state's criminal penalties in line with what research and national best practices shows are the best ways to promote safety and cost-effectiveness. These changes include requiring community supervision for people who were convicted of low-level and non-violent felonies and would have otherwise less than four months to serve in prison; ensuring that mandatory supervision release terms are focused on the period of time that people leaving prison are most likely to reoffend; limiting felony murder charges from being too widely applied to people who did not directly participate in actions that led to someone's death; and ensuring that the ability to impose mandatory minimums or increased years in prison focus on sanctioning only the most serious violent offenses

Supporters

Restore Justice, John Howard Association, ACLU

Sentencing reform talking points

- HB 3653 will begin to decrease Illinois' costly overreliance on unnecessarily lengthy prison sentences and community supervision terms, which have been demonstrated to lack benefits to public safety.
- The bill's sentencing reforms are consistent with the overwhelming [body of research](#) that shows mandatory minimum sentences are ineffective at preventing crime or making communities safer.
- These reforms lead to cost savings that allow the criminal justice system to refocus resources on addressing the most serious offenses.

Subject Matter Experts / Validators

- State expert: Jennifer Vollen-Katz, John Howard Association, contact information: jvollen@thejha.org
- State expert: Ben Ruddel, ACLU of IL, contact information: bruddell@aclu-il.org

Positive media coverage HB 3653

Richard Wallace Defender op-ed:

<https://chicagodefender.com/op-ed-criminal-justice-reform-victory-the-result-of-many/>

“Yet, HB 3653’s passage was not informed by any one organization. It was informed by decades of organizing, by dozens of leaders, individuals, and organizations, taking on the call for action. And we did so facing strong opposition from police unions, MAGA fanatics, and well-funded anti-Black and anti-democracy groups and individuals determined to uphold the legacy of Jim Crow.”

Slaughter op-ed:

<https://chicago.suntimes.com/2021/1/22/22239356/illinois-police-reform-illinois-black-caucus-justin-slaughter>

Arne Duncan op-ed:

<https://chicago.suntimes.com/2021/2/2/22262652/illinois-criminal-justice-chicago-police-reform-house-bill-3653-arne-duncan>

Preckwinkle op-ed:

<https://chicago.suntimes.com/2021/1/20/22240913/cash-bail-policing-criminal-justice-reform-cook-county-board-president-toni-preckwinkle-op-ed>



FACT CHECK

THE TRUTH ABOUT POLICE REFORM

-  Protects officers from unjust lawsuits based on their reasonable actions
-  Protects taxpayers and police from frivolous lawsuits
-  Protects qualified immunity for police officers defending themselves
-  Protects police from unjust lawsuits for officers defending themselves

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✓ FACT CHECK

THE TRUTH ABOUT POLICE REFORM

- ✓ Expands training for police officers
- ✓ Requires health care and wellness services for police officers
- ✓ Protects officers from unjust lawsuits based on their reasonable actions

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✓ **FACT CHECK**

THE **TRUTH** ABOUT **CRIMINAL JUSTICE REFORM**

- ✓ Moves to stop criminalizing addiction
- ✓ Creates alternatives to mandatory minimum sentencing through the expansion of specialized drug courts, mental health courts, and veterans' courts

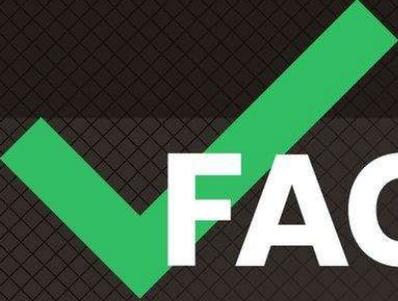
ILLINOIS HOUSE DEMOCRATIC CAUCUS

✓ FACT CHECK

THE TRUTH ABOUT CRIMINAL JUSTICE REFORM

- ✓ Expands counseling services for crime victims
- ✓ Supports compensation for crime victims
- ✓ Expands witness protection services

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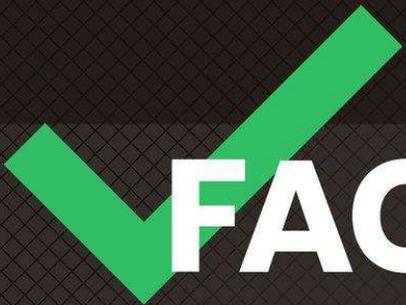


FACT CHECK

THE TRUTH ABOUT POLICE REFORM

- ✓ Bans chokeholds
- ✓ Statewide use of force standards
- ✓ Whistleblower protections

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FACT CHECK

THE TRUTH ABOUT BAIL REFORM

- ✓ Ends a two-tiered bail system, one for the rich and one for the poor
- ✓ Makes bail based on risk to public safety, not wealth

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- HOUSE BILL 3653 -

WHAT THE BILL DOES:

- Modernizes sentencing laws.
- Ends cash bail.
- Institutes certification & decertification system statewide for police officers.
- Requires the use of body cameras.
- Reforms crowd control response.
- Amplifies law enforcement training standards.
- Connects substance abuse treatment programs with first responder duties.
- Increases and improves de-escalation and mental health training for law enforcement.
- Requires police to develop a plan to protect children during search warrant raids.
- Addresses officer wellness and mental health awareness and screenings.
- Bans use of chokeholds and other extreme measures.
- Creates a task force to examine qualified immunity and other constitutional rights and remedies.

WHAT IT DOES NOT DO:

- Defund the police.
- Change or take away collective bargaining rights.
- Allow those that are charged with a serious offense and are a risk to a person or the community or at risk of willful flight to be released.
- Prevent a judge from revoking pretrial release.
- Alter prison time for individuals serving time for heinous crimes.



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- Addresses officer wellness and mental health awareness and screenings.
- Bans use of chokeholds and other extreme measures.

WHAT IT DOES NOT DO:

- Defund the police.
- Modify or remove protections to allow police departments to be sued (qualified immunity).
- Change or take away collective bargaining rights.
- Does not allow those that are charged with a serious offense and are a risk to a person or the community or at risk of willful flight to be released.
- Does not prevent a judge from revoking pretrial release.
- Does not alter prison time for individuals serving time for heinous crimes.



HB3653: A PATH TO SAFETY FOR ILLINOIS

**INCREASES
SUPPORT FOR
CRIME VICTIMS**

**ENDS
WEALTH-BASED
BAIL**

**REFORMS FAILED
& WASTEFUL
POLICIES**

**INCREASES
ACCOUNTABILITY**

