I. Summary of the John Howard Association (JHA): For over 100 years, JHA has served the people of the State of Illinois by providing crucial independent oversight of the correctional policies and practices employed in our state.

II. I was introduced to 730 ILCS 5/3-7-6, Reimbursement for Expenses, while employed as a law library clerk at Vienna Correctional Center in 2004. A prisoner received $5,000 from his mother’s life insurance after she passed. The business office at Vienna told this prisoner he could have the money sent to the facility, and then froze his trust account when the check arrived and initiated the lawsuit to recover cost of incarceration. This matter came to my attention because the correctional officer assigned to the prisoner’s housing unit thought this action was so unjust, he felt compelled to walk over to the law library and ask what could be done on behalf of this prisoner.

III. I believe that 730 ILCS 5/3-7-6, is a solution in search of a problem. Over the past 20 years, I have come into contact with thousands of inmates in jails and prisons. Based on my experience, albeit anecdotal, I feel confident stating that the net worth of the average inmate is $0, after considering their income, assets, and outstanding liabilities. Of the several situations where 730 ILCS 5/3-7-6 has been executed that I know of, all but one involved a dollar amount below $10,000, and most are similar to the prisoner I discussed prior.

IV. 730 ILCS 5/3-7-6 may be costly and counterproductive. A prisoner released with $5,000 has the means to secure an apartment, a used, but functional vehicle, clothing, and food. In this situation, the prisoner is much better positioned to successfully reintegrate into society. In comparison, a prisoner released with $0 will not be in a good position to successfully reintegrate into society. Additionally, the prisoner released with $0 will more likely than not require assistance from Illinois’ under-resourced direct service providers to procure the basic necessities of food, clothing, and transportation upon release.

Respectfully submitted,

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