

# Restore Justice Foundation

## Criminal Justice Issues and Prisoners' Rights

<https://restorejustice.org/statement-on-the-2016-election-what-comes-next/>

### Public Facing Advocacy Writing

Like many who work on social justice issues, Restore Justice staff, board and partners are still absorbing the full implications of a Donald Trump administration.

Over the last eight years, many resources and attention has focused on federal policy hoping that the federal reform would provide a model or an incentive for state reform.

We must assume that federal criminal justice reform, and the national climate for reform, will shift. Unlike his contradictory statements on other issues, Trump has a [long and consistent history](#) of hard-line [tough on crime rhetoric](#). Many of the federal reforms enacted over the past eight years, from [banning the box on federal job applications to eliminating solitary confinement of juveniles in federal prisons](#), could be on the chopping block come January.

As the federal climate shifts, we cannot forget that 87 percent of prisoners are housed in *state* facilities we are not at the mercy of federal policy when it comes to some of the most egregious causes and conditions of mass incarceration. In fact, the US could pardon every prisoner in federal custody and *still* have the largest prison population in the world.

States can and must lead the way. State legislators have far more power over the lives of people ensnared in the criminal justice system than does the President. We do not have to cede the ground of federal reform to focus on the states. We just need to change tactics to adjust to a new set of front lines in state capitals across the nation.

Pioneering work is already happening in other states. California has established a [youthful offender parole process](#) allowing people who were under 18 at the time of a crime, but who were tried as adults, to pursue parole options previously unavailable to them. Colorado has taken steps to restrict the use of solitary confinement, putting limits on the amount of time inmates spend in segregation and [banning the use of seclusion for inmates with mental illnesses](#). Many states, including [Virginia](#), offer step-down programs that allow inmates serving sentences for violent crimes to have a path back to less-restrictive environments, and eventually, to release.

And we know that change is possible in Illinois because we've been a part of it, even on issues that will never be considered low hanging fruit. In 2015, Restore Justice worked with legislative leadership from House Majority Leader Barbara Flynn Currie and State Senator Don Harmon to pass [HB2471](#), both nominally and effectively eliminating future mandatory life-without-parole sentences for juveniles, while increasing judicial discretion in sentencing.

We hold no illusions that the road ahead will be easy. The toxic rhetoric from our president-elect will no doubt complicate even the most local of battles, and the language of fear is a powerful motivator for many people.

But there is reason to hope. Efforts to end mass incarceration have, for the first time in a generation, [strong bipartisan support](#). [Reform ideas continued to gain ground](#) in the 2016 election, even in states Trump carried. Here in Illinois, the election of [Kim Foxx](#) as Cook County States Attorney could be a bellwether for change, putting a reformist agenda at the helm of the state's largest and most influential prosecutors office.

This year, Restore Justice will return to the statehouse to educate stakeholders and legislators about [HB6622](#), a new piece of legislation that could both help address [overcrowding in Illinois prisons](#) and restore equity and fairness to the justice system by building a system to review extreme sentences given to youthful offenders.

By maintaining focus on state-level reforms, we have the opportunity to do the most good for the most people in the venue where we have the most power. Whatever comes next, Restore Justice will carry on the fight for criminal justice reform in Illinois. Join us.

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