

Restore Justice Foundation

Criminal Justice Issues and Prisoners' Rights

<https://restorejustice.org/marshan-allen-testimony/>

Campaign and Advocacy

Honorable Chairman Slaughter, Chairman Peters, Chairman Sims, Lt. Governor Stratton, and Committee Members:

Thank you for scheduling this hearing and for allowing me the opportunity to share my personal experience with Illinois sentencing laws and to explain why serious changes are necessary.

I grew up in East Chatham on the Southeast side of Chicago, a neighborhood that was plagued by gangs, drugs, and poverty. Unfortunately, my family members, particularly my uncles and older brother, James, were heavily involved in the illicit drug trade, and I grew up to be involved in that family business.

In 1990, during my freshman year of high school, James began introducing me to his drug business. Initially, I would sell small amounts of drugs for him to make a little money to buy lunch, to purchase clothes and shoes, and to do little things like go to the movies with my friends. But, by early 1992, my brothers drug business had grown and so had my involvement in it.

In March of that year, when I was 15 years old, a series of events unfolded that changed my life forever. Over a period of about 6 days, I was held at gunpoint, ordered to steal a car, and from that car, was witness to a double murder. About two weeks later, I was charged, as an adult, with two counts for first-degree felony murder and home invasion under a theory of accountability because I stole the vehicle that was used during the commission of the home invasion and murder. Although it was undisputed that I was not immediately present when the deaths occurred; that I did not hurt or kill anyone; that I did not plan to hurt or kill anyone, and that I did not handle or possess any weapons, I was, like many, found guilty and sentenced to two mandatory terms of life without the possibility of parole.

One of the hardest things to face as a teenager was the fact that the Judge, after reviewing the specific facts and circumstances of my case, did not think I deserved to die in prison. He gave me this sentence only because it was required by Illinois law. In fact, before imposing the sentence, the Judge expressed disagreement with this mandate by stating on the record that if he had the discretion, he would have imposed a lesser sentence.

Ultimately, I served almost 25 years in prison before I was released in 2016 after the U.S. Supreme Court declared mandatory life without parole sentences for juveniles unconstitutional. Had it been up to the State of Illinois, I would still be incarcerated today. This brings me to the point I'd like to make sure I leave you with today: that over time, Illinois has created a sentencing system that does not account for our humanity, our dignity, as individuals. Illinois has a system that strips away circumstances, backgrounds, and futures, all in exchange for a false promise of safety.

I grew up in prison, and while you might think that hardened me, it did not. The friends I left behind in prison, and who are still serving similar harsh sentences due to truth-in-sentencing, mandatory firearm enhancements, lack of parole opportunities, and other extremely harsh sentencing schemes, taught me how to accept my reality, how to live and learn, and to be a friend. These hardened criminals, the worst of the worst in the eyes of the state, taught me about being honest and kind.

These friends include Anthony Jones, Curtis Croft, and Michael Watson, who are serving *discretionary* life without parole sentences for crimes committed when they were teenagers. They also include people like Darnell Dixon and many, many others who are serving *mandatory or discretionary* life without parole sentences for offenses committed as young adults.

All of these individuals have already served more than 25 years in the Illinois Department of Corrections for crimes committed as teenagers or young adults, and they are all likely to die there because Illinois does not have a mechanism in place that would allow these individuals to be reviewed to determine whether they have been rehabilitated and can be safely returned to society.

I personally know all these individuals and I know that they, like me and the many others that have been released after serving long periods of time for so-called violent offenses, can make positive contributions to our society if given a second chance.

I would like to acknowledge that we are not all angels. People I grew up with in prison did harm, and many recognize and mourn that harm. I recognize that my involvement in my family's criminal business is what created the circumstances that led me to prison. I am not advocating for a state with no accountability or punishments for harm done. What I am advocating for is a closer look at the range of policies in our state that prevent individuals from being seen as growing, changing human beings. Our punishments are out of line with the nation. For example, Illinois is one of only 16 states that does not have a comprehensive parole-for-release system; it is one of 26 states that does not prohibit life without parole sentences for juveniles, and it has stiffer firearm enhancements than the majority of states.

Over the coming weeks and months, you all will debate many proposals to improve public safety and increase justice in our system. Please consider my story as you do so, and the stories of thousands of others who are incarcerated for so-called violent offenses. To the state, I am a violent offender, though I have never been a fighter. I am a murderer who has never killed anyone. I hope you see me today as a husband, a worker, a son, and a friend. And I hope you will remember that I am not an exception, just one of many examples of people hidden from view in our prisons today.

Thank you for your time and consideration.

Thank you for your voice on the injustice of many who are not able to speak. Im so proud of all your accomplishments, and hope many more will be impacted by your achievements. Thank you my friend. Cynthia Morfin

This is so moving Marshan. We are indeed lucky to have your intelligence and humanity working for Restore Justice. You honor us.

[] recent years we have heard story after story from persons sentenced to extreme penalties as juveniles who were later given a second chance. Listen to enough []

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