

## **SB 86**

### **ELDER PAROLE: A PROCESS FOR PERMITTING A SELECT FEW PERSONS IN PRISON WHO ARE THE OLDEST, AND HAVE SERVED THE LONGEST TIME, TO PROVE TO THE PAROLE BOARD THAT THEY ARE READY TO REJOIN SOCIETY**

Sponsored by Senator Mary Edly-Allen

**THE PROBLEM:** Illinois' prison population has an increasing percentage of persons who are growing old in prison and have no opportunity for early release, no matter how rehabilitated they are. Many have aged out of crime and are unlikely to re-offend. They are the most expensive for the State to continue to imprison due to medical expenses for old age and end of life care.

- The percentage of IDOC inmates 55 and older increased from 3.4% in 2005 to 14.7% in 2024. Due to the stresses of prison life and the disadvantaged backgrounds of these people, they have generally aged more than their years indicate.
- Persons who commit violent crimes when they are young tend to age out of crime: in Maryland, 199 people with life sentences, ages 51-85, were released as a result of a court decision, and had a recidivism rate of 3% versus 40% for the general prison population.
- The average per-person cost of a prisoner in Illinois for fiscal 2024 was \$49,271. The John Howard Assn has estimated that an average older person in prison can cost more than twice as much, or over \$98,000.
- Illinois abolished parole on Feb. 1, 1978 for all persons sentenced after that date.

#### **THE SOLUTION:** The Elder Parole Bill

- To apply for early release under Elder Parole, an individual would have to be 55 years of age or older, and incarcerated for at least 25 consecutive years. As of 9/30/2024, the bill would provide the right to seek parole to 1054 persons, about 3.6% of the prison population.
- In 2022, Illinois instituted a medical release process for those who are terminally ill or medically incapacitated. Elder Parole would build on this by allowing a select few, who are approaching old age, to seek early release before they are terminally ill or incapacitated, and before requiring the medical expenses of old age and end of life care, when they can still contribute to society.
- Victims and their families would be given an opportunity to participate in the parole hearing.
- A parole hearing would be conducted by a panel of 3 members of the Prisoner Review Board, with the decision to be made by a majority of the panel.
- To address the aging of the prison population that already exists, Elder Parole would apply retroactively to include time served before enactment of the law.
- Eligibility to apply would include those with natural life sentences, and sentences of life without possibility of parole. Excluded would be persons serving life sentences for sex offenses.