From:	Ocasio, Billy
To:	Del Real, Socorro
Subject:	FW: Gov. Pat Quinn"s Anti-Violence Commission -- James E. Gierach
Date:	Thursday, July 29, 2010 3:26:00 PM
Attachments:	To quell the violence_Sun-Times_6.4.10.pdf Anti-Violence Commission_7.27.10.doc

Please print 4 copies and add him to advisory

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From: Vargas, Deborah
Sent: Tuesday, July 27, 2010 5:11 PM
To: Stermer, Jerome
Cc: Ocasio, Billy
Subject: FW: Gov. Pat Quinn's Anti-Violence Commission -- James E. Gierach

This gentleman called today stating he wanted to be appointed to the Anti-Violence Commission.

Deborah Vargas
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From: James Gierach [mailto:[redacted]]
Sent: Tuesday, July 27, 2010 4:29 PM
To: Vargas, Deborah
Cc: James E. Gierach
Subject: Gov. Pat Quinn's Anti-Violence Commission -- James E. Gierach

Hon. Pat Quinn
Illinois Governor
c/o Deborah Vargas

June 27, 2010

Dear Gov. Quinn:

In the early 1990's Gov. Jim Edgar created the Illinois Task Force on Crime and Corrections.

The persons appointed to serve on the Task Force, and those who testified before the Task Force, were "main-streamers" who, for the most part, helped create and execute the laws, policies and rules that facilitated the gun, gang, crime, violence and prison... conundrum in the first place. I did not serve on that Task Force.

I ask to serve on your recently created Anti-Violence Commission as reported in the *Chicago Sun-Times*, yesterday.

As a former Illinois Constitutional Convention delegate, former Cook County prosecutor with experience in the "Homicide Unit" of the Cook County Grand Jury, "Homicide Court" (Branch 66) and trial courts; and as a Village prosecutor and municipal attorney of many years experience -- I offered to serve on Gov. Jim Edgar's Task Force, chaired by Anton Valukas, but was not afforded that opportunity. I also sought to testify before that Task Force, but testimony was "by invitation only," a rule that served to limit the perspective and value of the Task Force's work.

I critiqued the work of the Task Force because it ignored the drug-war contribution to the "extra-credit and unnecessary" crime, the heart of many budgetary, crime, prisons, health care and other Illinois problems. *See the article published in Illinois Issues, http://www.lib.niu.edu/1993/ii930510.html* . (*Or see* below)

For the past 22 years, I have written (100s of articles, op-ed pieces and letters to the editor); and lectured at colleges and universities (24 over the past two years) across the U.S.A. about the crises of guns, gangs and crime in Illinois and American communities (the same problems are everywhere), independently and the past six years serving as a speaker for Law Enforcement Against Prohibition (www.leap.cc), and now as a Board Member and Board Secretary. I also link another article more recently written on the subject of guns, gangs and crime for your review. http://www.lib.niu.edu/1996/im960525.html (*Or see blow)* And more recently yet, on June 4, 2010, the *Chicago Sun-Times* published some of my anti-violence thoughts in my op-ed piece. (*See attached op-ed document.)*

In years past (1968), I worked for Chief Judge John S. Boyle and performed studies and authored papers recommending the "subdivision" of the large courtrooms at 26th and California to meet the increasing volume of criminal cases, and recommending the vast expansion of the Law Division Pre-Trial Section and the imposition of discovery deadlines to advance the "ready-for-trial" pressure to facilitate earlier settlement of cases in Law Division. Each of these recommendations were implemented and remain in place today.

Finally, as a candidate for Cook County state's attorney in 1992, I advocated that Chicago go to a "community policing" format to help reduce crime, a policy and program implemented by the Chicago P.D. shortly thereafter, and now known as "CAPS."

Over the years, I have been a panelist, debater or presenter concerning violence issues on programs or venues with former-DEA-head Peter Bensinger, Chief Justice Thomas R. Fitzgerald, former Supt. Leroy Martin, Melany Heaps of TACS, Dr. Gary Slutkin of Ceasefire and many others.

I again offer to serve my governor and state by requesting appointment to your recently created Anti-Violence Commission.

Your truly,

James E. Gierach
[redacted]
H. (708) [redacted]
C. (708) [redacted]

Guest Column

Task force shuns ideas to break drug-crime-jail-tax cycle

By JAMES E. GIERACH

Gov. Jim Edgar's Task Force on Crime and Corrections missed a golden opportunity to fashion solutions to the problems of increasing violent crime, prison overcrowding, skyrocketing taxes and greater narcotic drug availability. Instead of making daring and innovative recommendations designed to break the drug-crime-jail-tax cycle which threatens the solvency of local governments, schools "at the crossroads" and state government itself, the task force has recommended the expenditure of $91 million in new prison construction.

The task force reported that which everyone knows: "despite tougher sentencing laws, crime itself has not been deterred, [and] longer sentences . . . have imposed staggering costs upon our State." However, contradicting its own assertion that "the Task Force has learned the lesson of the past 15 years: building prisons is not a cost-effective solution to the crowding problem," the task force has recommended the construction of a maximum security facility called "Super-Max," or more aptly, "Super-Tax" (500 beds), a geriatric prison (350 beds), three new "class X-shaped" cellhouses at three existing institutions (1,344 beds) and the conversion of Assumption High School in East St. Louis into a prison (600 beds).

The operational costs associated with the proposed construction (2,794 beds) plus the opening of 1,902 new prison beds on-line ◆ Big Muddy (952 beds), Greene County (200 beds), DuQuoin (100 beds), Paris (200 beds) and Chicago (200 beds) ◆ would annually drain another $75 million from state coffers.

But most disturbingly, the task force final report concludes with the lamentation, "the prison crowding crisis is, despite overwhelming proportions, merely symptomatic of larger problems that still must be examined and addressed." When, by whom and why not now?

Not less than 124 times in 103 pages, the task force final report uses the terms "drugs, substance abuse, drug offenders, drug offenses, controlled substance, illegal drugs, drug testing, drug treatment, drug use and drug education." But not one word, or one of its 26 recommendations, dared to address the urgent need for a new drug policy to replace the prohibitionist madness that slaughtered eight people Capone-style in a New York drug house in February, "The 1993 St. Valentine's Day Massacre," and made a corpse of the 15-year-old boy pulled from a Chicago sewer in March.

The robberies, carjackings, burglaries, thefts and shootings, cresting into an ever-larger crime wave caused by the addicts' endless search for money to pay the drug dealers, has no equivalent, except for the daily killings, gang recruitment and gun proliferation incidental to turf wars triggered by governmental sponsorship of the drug prohibition commandment and black market drug prices.

Sidestepping a central issue of the 1990s, prohibition-driven crime, the task force curtsied to family values and retreated to the position that crime prevention was "beyond the scope of the

Governor's charge." To the contrary, Gov. Edgar charged the task force with the duty "to analyze current prison policies, statutes, sentencing and other factors that influence inmate populations." Not drugs, but drug-war-driven crime is the overwhelming "other factor."

One task force member attempted to raise the issue of decriminalization or legalization of drugs, but the task force chair, Anton Valukas, immediately foreclosed any discussion of the subject, redirecting the conversation back to boot camps.
Each of five former Illinois inmates who testified before the task force attested to the fact that drug addiction had led them to crime and ultimately to prison. The task force found this information valuable with respect to its recommendations aimed to reduce recidivism. But educational, vocational and drug treatment programs, while good for inmates, were not recommended by the task force as a means to prevent crime in Illinois communities in the first instance.

. . . the task force curtsied to family values and retreated to the position that crime prevention was 'beyond the scope of the Governor's charge'

Any thoughtful reader of the task force final report must wince when contrasting the task force recommendation for additional inmate educational programs on one page with the recommendation for the conversion of Assumption High School into Assumption Correctional Center on another page.
One former drug dealer was attracted to a task force meeting by newspaper accounts. The reformed drug dealer, purportedly the largest supplier of drugs to prison inmates in another state while incarcerated there himself, came to offer his expertise. His unheard message was simple: Money drives the drug business. His precise words when asked why Illinois is inundated with drugs: "It's the money." Indeed, the annual gross sales for illicit drugs in the Cook County area were estimated at $7 billion (more than the annual gross sales

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of Walgreens), according to a *Chicago Sun-Times* special report December 20.
Visitors to the governor's task force were not heard, including the reformed drug dealer and this author, because testimony was limited to invited guests only. Nor were outsiders welcome to a similar task force in 1989 charged with addressing the Cook County crime and corrections crisis. Then, as now with the governor's task force, crime prevention advocates were not welcome to participate. The same solutions muffled in 1989 have been forced upon the governor's task force, memorialized in Appendix B of its final report.
Crime prevention suggestions not discussed by the task force and buried in Appendix B include the following: a new addict-alternative drug program, gun control, a new drug informant strategy, pre-crime drug treatment on demand, expansion of educational prosecution-deferment programs such as Probation Challenge, a gun-for-the job exchange program, a gang leader scholarship program, the creation of a statewide municipal commitee on gangs, a minimum wage job program for idle probationers, a derelict building razing program, and the creation of a state sentencing review board.
The task force deserves to be taken to task for missing the opportunity of the decade to break the drug-crime-jail-tax cycle that has plagued Illinois taxpayers and crime victims for the past 15 years, an opportunity the task force answered with recommendations for more expensive prison construction and cheap prison substitutues.
Like many politicians, the task force lacked the courage, or the vision, to tear the drug-war death mask from the face of America here in Illinois. It seems that if Illinoisans are to have

meaningful reform of the criminal justice system, and relief from the lost war on drugs, rampaging crime, prison crowding and skyrocketing taxes, then we, the people, must force the task upon ourselves. *

James E. Gierach, the youngest delegate to the Sixth Illinois Constitutional Convention, served as an assistant state's attorney of Cook County in the early 1970s. He ran for Cook County state's attorney in the 1992 Democratic primary. He practices law in Oak Lawn.

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STOPPING GANGS AND DRUGS

By JAMES E. GIERACH, Executive Director, The Drug Corner

Gangs and drugs are coming to town, and the gang members are not tourists but our own residents. Evidence of the gang phenomenon is found everywhere graffiti, colors, signs, shootings and, of course, drugs.

Gangs at work in many Chicago neighborhoods is old news, and frequent gang shootings and drug busts are the expected norm. In February, Alderman Ed Smith, representing Chicago's West Side, led his umpteenth march against gangs and drugs, but both continue to thrive there. One marcher joining Ald. Smith complained that almost every block is controlled by a gang and that kids going home from school must know signs for five or six gangs in order to make it home safely. Less expectedly, the march of gangs and drugs is reaching into Chicago's nicer neighborhoods and the suburbs.

In November 1995, two high school students were shot to death as they sat in a van in the Clearing neighborhood on Chicago's Southwest Side, victims of gang gunfire. School, community and law-enforcement authorities promptly assembled in a gymnasium to read brochures and hear speakers that apprised parents how to recognize the early signs of gang growth and development. As one might expect, the brochures encouraged parents to talk to their kids, spend time with them and offer them constructive alternatives to gangs. But the march of gangs and drugs has continued incessantly despite the brochures and prayers of parents.

In December and January, a pair of double homicides struck the suburban Cook County communities of Calumet City and DesPlaines. Investigators attribute the murders to drug activity in one case and retaliation for the theft of drugs in another. February also brought gang shootings to Bridgeview with three teens shot, and an outbreak of gunplay between rival gang members hit the Humboldt Park neighborhood in Chicago particularly hard.

Nationwide, for the first half of 1995, murders dropped 12 percent, but the collar counties of DuPage, Kane and Lake experienced soaring murder rates. The establishment of drug and gang-turf boundaries certainly contributed to the downward blip in the murder statistics of major U.S. cities including Chicago, but suburban and rural areas, not yet suffering from the full impact of the war on drugs, stand out as fertile prohibition turf as gangs advance there to stake out

new drug territory.
Lamentably, gangs and drugs flourish in drug prohibition soil, and municipalities have no meaningful strategy in place to stop them. Most frustratingly, municipalities are without access to any tool to stop the gangs and drugs in an environment where black-market, prohibition forces are simply awesome. Municipalities are left to fight a holding action against gangs and drugs with very limited weapons, such as new community policing strategies, more federally-funded police, cul-de-sac crime prevention, harsher juvenile laws, anti-gang ordinances subject to constitutional attack, calls for school uniforms and the creation of gang task forces on the state and local level.
From the office of the president to the office of a local prosecutor, the escalation of anti-gang and anti- drug symbolism marks the federal contribution to the fight against gangs and drugs. Jim Burns, U.S. District Attorney for the Northern District of Illinois, claimed that the mass arrest of Gangster Disciple (GD) leaders, one of the nation's more successful drug gangs, had "cut the head off" the monster. Yet, GD drug sales flourish in

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Chicago and, reportedly, in thirty-five states. In January, President Clinton nominated a much-decorated soldier, General Barry McCaffrey, to replace a much- decorated chief of police, Lee Brown, as U.S. drug czar. The appointment is a symbolic escalation of a domestic drug war. But the economic force of prohibition ◆ black-market prices and unlimited profits ◆ goes unaddressed by political leaders. Despite slow progress, signs of hope and drug policy reform are within reach.
In January of this year, the Chicago Tribune, in a dramatic change of editorial policy, courageously called for the creation of a national commission similar to the Wickersham Commission to study and, possibly, recommend changes in America's drug-prohibition policies. President Herbert Hoover created the Wickersham Commission preliminary to the end of alcohol prohibition in the midst of Tommy-gun shootings, gang-war executions, public corruption and prohibition-invented highballs. In February, America On Line also took the lead by surveying its subscribers, "Is America winning the war on illegal drugs?"
In overwhelming response, 91.30% of 17,994 responders said, the U.S. was not winning the war. The survey results and subscriber comments ◆ like the war is a "joke," "unwinnable from the outset" ◆ were so lopsidedly anti-drug war that AOL's survey report said, "Maybe the AOL survey should have asked whether the U.S. should legalize drugs since so many members not only feel the present program has failed but favor legalization as the appropriate course of action."
Mounting public sentiment against the drug war could yet move the drug war issue center stage before the November elections, forcing candidates to address prohibition and its consequences. In this writer's estimation, the end of the drug war is inevitable and on the horizon.
Once the drug war is behind us, municipalities will again have a fighting chance to promote the public health, safety and welfare. Schools will be able to disassemble their metal detectors. Students will return to their books. Gone will be the warped value taught to kids by draconian, mandatory-minimum prison sentences that it is best to set up and inform on friends to save oneself from his/her own "drug crimes." Also, with the end of the drug war, municipal budgets like federal and state budgets will turn from red to black, and the march

of gangs and drugs will be but a trampling of the past. ◆