



HR1348

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HOUSE RESOLUTION

2 WHEREAS, Clemency has been authorized in the United States
3 since the Constitutional Convention of 1787, when the clause
4 granting the President the power to issue pardons and reprieves
5 was first adopted as part of the United States Constitution;
6 and

7 WHEREAS, The power to grant clemency in the State of
8 Illinois has been in effect since the formation of the first
9 Illinois State Constitution in 1818; and

10 WHEREAS, Clemency is defined by Black's Law Dictionary as
11 mercy or leniency, usually used to describe acts of the
12 President of the United States or a Governor of a state when
13 pardoning a convicted criminal or commuting a sentence; and

14 WHEREAS, Clemency encompasses a number of forms of mercy by
15 the executive and generally includes pardons, commutations of
16 sentence, and reprieves, among others; and

17 WHEREAS, A pardon is an act of the executive power that
18 mitigates the punishment demanded by the law for the offense
19 and restores some or all of the rights and privileges lost as a
20 result of the offense; and

1 WHEREAS, A commutation of sentence occurs when the
2 executive power changes the punishment of the convicted to one
3 that is less severe; and

4 WHEREAS, A reprieve occurs when the executive power
5 temporarily withdraws the sentence for the purpose of
6 postponing the punishment; and

7 WHEREAS, Section 3-3-1 of the Unified Code of Corrections
8 creates the Prisoner Review Board, the board of review and
9 recommendation for the exercise of executive clemency by the
10 Governor of Illinois; and

11 WHEREAS, Section 3-3-13 of the Unified Code of Corrections
12 states that petitions seeking pardon, commutation of sentence,
13 or reprieve shall be addressed to the Governor in writing and
14 signed by the person under conviction or by a person on his
15 behalf, and filed with the Prisoner Review Board; and

16 WHEREAS, Petitions seeking pardon, commutation of
17 sentence, or reprieve must include a brief history of the case,
18 the reasons that the petitioner is seeking executive clemency,
19 and other relevant information as required by the Prisoner
20 Review Board; and

21 WHEREAS, The Prisoner Review Board shall, if requested and

1 upon due notice, give a hearing to each application, allowing
2 representation by counsel, if desired, after which it shall
3 confidentially advise the Governor by a written report of its
4 recommendations, which shall be determined by majority vote;
5 and

6 WHEREAS, The Governor shall decide each application and
7 communicate his decision to the Prisoner Review Board, which
8 shall notify the petitioner; and

9 WHEREAS, In Illinois, Governor Pat Quinn has granted
10 approximately 1,113 petitions for executive clemency and has
11 denied approximately 1,934 petitions; and

12 WHEREAS, Currently, there remains an outstanding amount of
13 undecided petitions that have been addressed to the Governor
14 and filed with the Prisoner Review Board for review; therefore,
15 be it

16 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE
17 NINETY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that
18 we urge the Prisoner Review Board to review any outstanding
19 petitions for executive clemency with all deliberate speed and
20 forward the appropriate written reports of its recommendations
21 to the Governor; and be it further

1 RESOLVED, That we urge the Governor of Illinois to decide
2 each application and communicate his decision to the Board with
3 all deliberate speed; and be it further

4 RESOLVED, That suitable copies of this resolution be
5 delivered to the Chair of the Prisoner Review Board and
6 Governor Pat Quinn.