Loyola students build legislation to help exonerees re-enter the world
By Sarah Zavala
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SPRINGFIELD — Rebecca Volk wanted a more hands-on experience in law school and that's exactly what she got from Loyola University Chicago School of Law's Life After Innocence project.

The project — which was formed in January 2009 to help the wrongfully convicted and accused after their release from prison — researched, drafted and lobbied for legislation that became Senate Bill 389, which was signed into law last week.

Public Act 96-1550, which takes effect July 1, provides those exonerees with mental health benefits and automatic expungement of their record upon a showing of innocence.

Gov. Patrick J. Quinn signed what is known as the exoneree legislation into law after SB 389 passed the Illinois House and Senate by a nearly unanimous vote during this past veto session.

Volk, a third-year law student at Loyola, said she became involved in the Life After Innocence project because she wanted more than just the traditional classroom lessons.

Over the last year, Volk and about 20 other law students worked on the legislation, said Laura A. Caldwell, director of Life After Innocence.

Caldwell created the Life After Innocence project because she realized how difficult it is for exonerees to start over after years, sometimes decades, in prison for crimes they didn't commit.

What made her take action with the project was her experience working with the wrongfully accused, Caldwell said.

She said Life After Innocence wants exonerees to be able to get the help they need to get on with their lives.

Agreeing with Caldwell, Volk added that the students who worked with the Life After Innocence project helped recent exonerees to adapt to life after prison.

Some of the ways the students assisted exonerees was by showing them the skills they needed to use the latest technology, Volk said.

Volk said she was able to work with about 10 exonerees on a daily basis, something that helped her understand what they needed most: finding jobs, getting into school and addressing mental health issues.
"We wanted the world for them, but you have to choose your battles and compromise," she said, explaining that there were other helpful tools they wanted to add into the legislation like a job placement program but were not able to make the final draft of legislation.

Sen. Dan Kotowski, D-Park Ridge, who sponsored SB 389, worked with the Loyola students.

Kotowski said the students made him aware of the problems exonerees face and offered ideas on how to fix the problems.

Caldwell said Kotowski taught the students how to draft and introduce legislation.

"Sen. Kotowski coached us through the whole thing," Caldwell said. "But the students did all the work and brainstorming."

Caldwell said Kotowski spent a good amount of his time teaching the students how to draft legislation and prepared them for questions that would be asked about SB389.

He said he was able to supply the students with questions that lawmakers would ask, such as how the legislation would impact the state and what kind of services it would provide.

Kotowski said the students thought about the different consequences and the number of people the bill would affect.

"They were very helpful. They had all the ideas," he said. "It was just a great example of the power of advocacy."

Researching and drafting the legislation was not the only thing the students were able to do.

Volk said the most exciting part about working on SB 389 was going down to Springfield to speak on behalf of the legislation.

Volk, as well as Caldwell, testified in support of the measure before the House Criminal Law Committee in November 2010.

"It turned into a give-and-take," Caldwell said, referring to the committee meeting. "The representatives had great questions."

"I don't feel like the job is over," Caldwell said. "Now we have to figure out how to implement it."

She said the Life After Innocence project plans to continue its efforts to help mental health agencies provide exonerees with the assistance they need.

Volk said the work will not stop now that the legislation has been signed into law. In the future, the project hopes to get education benefits for exonerees.

Legislation can be found on the Illinois General Assembly’s website at ilga.gov.