

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MARCUS BARNES, <i>et al.</i> ,)	
individually and on behalf of all others)	
similarly situated,)	
)	
Plaintiff,)	
)	
v.)	No. 20-cv-2137
)	
ROB JEFFREYS, in his official)	
capacity as the Director of the Illinois)	
Department of Corrections,)	
)	
Defendant.)	

PLAINTIFFS’ THIRD MOTION FOR A PRELIMINARY INJUNCTION

Plaintiffs Luis Aponte, Kevin Manson, Columbo Galindo, Juan Medina, Adam Escamilla, Aishef Shaffer, Reginald Harris, Edward Bartgen, Johnny Harris, Lavonne Givens, Lashaun Dean, Justin Fluckert, Dontae Boykin, Ronald Garrison, Joshua Huddleston, Manuel Aleman, Arnold Lloyd, Melvin Kelley, and Andre Dunn respectfully request that this Honorable Court enter a preliminary injunction prohibiting Defendant from enforcing 730 ILCS 5/3-3-7(a)(7.6) (hereinafter the “One-Per-Address Statute” or the “Statute”) against them.

INTRODUCTION

This is Plaintiffs’ third motion for a preliminary injunction. As set forth in their previous motions (ECF Nos. 3 and 17), Plaintiffs challenge the constitutionality of One-Per Address Statute, a section of the Illinois Code of Corrections which prohibits an individual on MSR for a sex offense from living “at the same address or

in the same condominium unit or apartment unit or in the same condominium complex or apartment complex with another person he or she knows or reasonably should know is a convicted sex offender or has been placed on supervision for a sex offense.”

Urgent court intervention is necessary to halt the application of the Statute to the Plaintiffs identified in this motion. In the absence of injunctive relief, (1) Plaintiffs Kevin Manson and Luis Aponte, who have been released to approved host sites in the community, will be revoked and sent back to prison because their housing no longer complies with the One-Per-Address Statute; and (2) Plaintiffs Galindo, Medina, Escamilla, Shaffer, Barguen, Givens, Dean, Fluckert, Boykin, Garrison, Huddleston, Aleman, Lloyd, Kelley, Dunn, Reginald Harris and Johnny Harris, all of whom are entitled to release on MSR, will continue to be incarcerated beyond the completion of their sentences.

FACTUAL BACKGROUND¹

I. Enforcement of the One-Per-Address Statute Will Result in the Unjust Imprisonment of Plaintiffs

A. Luis Aponte and Kevin Manson are at Risk of Revocation of their MSR Because of the One-Per-Address Statute

1. Luis Aponte

Plaintiff Luis Aponte was released from IDOC onto MSR in January 2020 to his father’s home in Waukegan, Illinois. Ex. 1, Decl. of Aponte, at ¶1. The host site is in

¹ For purposes of brevity, Plaintiffs do not reiterate factual matters set forth in full in Plaintiffs’ first two motions for a preliminary injunction (ECF Nos. 3 and 17), including details about the *Murphy* litigation and the risks posed by the spread of COVID-19 in IDOC facilities.

a four-story apartment building that contains approximately 12 separate units. *Id.* at ¶2. When Aponte was released, no other registrant lived in the building. *Id.* IDOC determined that the address complies with the prohibition on residing within 500 feet of a school, playground or daycare, and approved Aponte to live there while on MSR. *Id.* Aponte is doing well on MSR. He has full-time employment in a warehouse and consistently has been attending required sex offender therapy since his release. *Id.* at ¶3.

In March 2020, another registrant (not on MSR) moved into a different unit in the same building where Aponte resides with his father. *Id.* at ¶4. Aponte had no knowledge that this person had moved in until Aponte has received notice from his parole agent that if he does not find somewhere else to live, he will have his MSR revoked and be sent back to prison because the One-Per-Address Statute prohibits him from living in the same apartment building as another registrant. *Id.* at ¶5.

Aponte has not been able to find another host site that IDOC will approve and that he can afford on his current income. *Id.* at ¶6. He wants to keep residing with his father, which has been a good environment for him and has been fostering his success on MSR. *Id.* at ¶7. If the One-Per-Address Statute is enforced against him, he will be revoked and sent back to prison, resulting in loss of his job, halting the progress he has made on MSR so far, and forcing him to serve “dead time” until he can secure a new place to live.

2. Kevin Manson

Plaintiff Kevin Manson was released from IDOC onto MSR on May 6, 2020. He currently resides in Chicago Heights, Illinois, with his aunt. Ex. 2, Decl. of Kevin Manson, at ¶1. IDOC approved Manson for release to his aunt's home, but that approval was given in error. *Id.* at ¶2. When Manson tried to register with Chicago Heights police after his release, he was informed that his aunt's house is too close to a school and thus he may not register there. *Id.* If he does not move, he will be charged with violation of the registration statute and the prohibition on residing within 500 feet of a school. *Id.*

Manson does not have funds to pay for housing of his own at present. *Id.* at ¶3. The Cook County Justice Advisory Council ("CCJAC"), a governmental entity that provides reentry assistance to citizens returning to Cook County after imprisonment, is willing to pay for Manson's housing. *Id.* New Beginnings, a not-for-profit corporation that provides transitional housing and supportive services on the South Side of Chicago, has a bed available for Manson at 11934 S. Lowe, Chicago, Illinois, 60628, and is able to take him immediately. *Id.* at ¶4; Ex. 3, Decl. of New Beginnings CEO Otis Williams, at ¶¶2,3. This placement complies with the restriction on residence within 500 feet of schools, playgrounds and daycares. CCJAC is prepared to pay to house Manson at this location. Ex. 2 at ¶3.

IDOC has not approved Manson to move to New Beginnings pursuant to the One-Per-Address Statute because another registrant already lives at that address. *Id.* at ¶5. If the One-Per-Address Statute is enforced against Manson, he will be

revoked and sent back to prison. *Id.* at ¶6. He will also be at serious risk of new criminal charges for failure to register and/or for residing too close to a school. *Id.*

B. New Beginnings Has Valid Host Sites Available for Class Members and Is Prepared to Immediately Offer Housing to Plaintiffs Galindo, Huddleston, Givens, Dean, Fluckert, Boykin, Garrison, Johnny Harris, Aleman, Lloyd, Kelly, Dunn and Manson

New Beginnings Recovery Homes Inc. is a Chicago-based not-for-profit corporation that was established in 1993. Ex. 3, Decl. of New Beginnings CEO Otis Williams at ¶1. New Beginnings owns and operates five buildings on the South Side of Chicago at which it provides affordable transitional housing, meals and supportive services to individuals who are released from prison or have experienced homelessness. *Id.* Residents at New Beginnings receive meals and have access to services, including peer support groups, counseling with licensed providers and case management. *Id.* at ¶2. All of New Beginnings' properties are compliant with the housing restrictions that prohibit people who have been convicted of sex offenses from living within 500 feet of schools, daycares or playgrounds. *Id.* Each of these buildings has 24-hour a day security and structured supervision for residents. *Id.* New Beginnings has significant experience with housing individuals recently released from prison and assisting with their successful transition back into the community. *Id.*

Plaintiffs Galindo, Huddleston, Givens, Dean, Fluckert, Boykin, Garrison, Johnny Harris, Aleman, Lloyd and Kelley have all completed their sentences of incarceration and are entitled to release from IDOC on MSR, but they all remain imprisoned because they have been unable to secure compliant housing. Each of

these Plaintiffs would like to reside while on MSR at properties operated by New Beginnings. Galindo, Huddleston, Givens, Dean, Boykin, Garrison, Johnny Harris and Dunn would like to be released to 6655 S. Perry, Chicago, Illinois 60621; and Fluckert, Aleman, Lloyd, and Kelley would like to be released to 11934 S. Lowe, Chicago, Illinois 60628. *Id.* at ¶¶3, 4. Plaintiffs all have a satisfactory way to pay for housing at New Beginnings. *Id.* at ¶3. New Beginnings has sufficient beds available at each of these locations and is prepared to accept the Plaintiffs immediately. *Id.* The sole reason IDOC cannot approve Plaintiffs for release to New Beginnings properties is the One-Per-Address Statute. Thus, the Plaintiffs remain imprisoned.

C. Wayside Cross Ministries Can Accept Additional Class Members

As set forth in Plaintiffs' previous motion for a preliminary injunction (ECF No. 17), Wayside Cross Ministries is a Christian ministry that has operated in Aurora, Illinois, for more than 90 years. *See* ECF No. 17-5, Declaration of Jonathan Beall, at ¶1. The Master's Touch Ministry at Wayside Cross is a Bible-based, residential life-transformation program for troubled men. *Id.* at ¶2. The program offers room and board at no cost, and empowers its participants to change their lives through prayer, Bible study, daily church services, mentoring with local clergy, and work rehabilitation programs. *Id.* It takes a minimum of seven months for a resident to complete the Master's Touch Ministry program. The goal of the program is to give the men the tools they need to secure employment and housing and to live healthy, law-abiding lives through their faith in God. *Id.* at ¶4. The participants in the

Master's Touch Ministry all reside together in a dormitory setting at Wayside Cross, located at 215 E. New York Street in Aurora. *Id.* at ¶10.

Pursuant to the Court's May 13, 2020, Order (ECF No. 22), eight Plaintiffs already have been released to Wayside Cross Ministries and are currently participating in the Master's Touch Ministry program there. Wayside Cross has several additional openings in the Master's Touch Ministry and is willing to accept other members of the proposed class at no cost to the IDOC or to the program participants. *Id.* at ¶5.²

Plaintiffs Juan Medina, Adam Escamilla, Ashief Shaffer, Reginald Harris and Edward Bartgen are all members of the proposed class who have completed their sentences of incarceration and are entitled to release from IDOC on MSR, but they remain imprisoned because they do not have resources to secure compliant housing. These Plaintiffs all would like to participate in the Master's Touch Ministry at Wayside Cross and have been determined preliminarily to meet the criteria for admission to the program. *Id.* at ¶11. IDOC is currently prohibited from allowing these individuals to be released to Wayside Cross because of the One-Per-Address Statute. Thus, Plaintiffs Medina, Escamilla, Shaffer, Bartgwen and Harris remain imprisoned indefinitely.

² Because of its proximity to what the City of Aurora deems to be a playground, Wayside Cross cannot accept into its program individuals who are classified as "child sex offenders," but it can accept individuals whose offenses involved an adult victim. *Id.* at ¶9. Undersigned counsel has confirmed with Aurora Corporation Counsel Rick Veenstra that Aurora police are willing to register parolees at Wayside Cross provided they are not classified as "child sex offenders." None of the ten Plaintiffs seeking placement at Wayside Cross is classified as a "child sex offender."

II. The Challenged Statute

The One-Per-Address Statute is set forth in the Illinois Uniform Code of Corrections at 730 ILCS 5/3-3-7(a)(7.6). The sole mechanism through which the One-Per-Address Statute is enforced is through the IDOC's approval or rejection of parolees' proposed host sites. That is, it is not a criminal offense for an individual on MSR for a sex offense to live at the same address as another registrant.³

The One-Per-Address Statute went into effect on July 11, 2005. Prior to that date, individuals on MSR for sex offenses were permitted to live in the same residence as other registrants. On information and belief, the One-Per-Address Statute is a major cause, if not the single largest cause, of the continued imprisonment of members of the *Murphy* class. This is so because other statutes (*e.g.*, the 500-foot rules) already strictly circumscribe the areas where individuals convicted of sex offenses may live, and the One-Per-Address Statute makes it so only one parolee can live at each compliant property, even if it is a large apartment complex with many units.

There is no reason to conclude that allowing people who have been convicted of sex offenses to live near one another contributes to criminality. At least one analysis found that it has the opposite effect: it reduces the incidence of re-offense and improves supervision. A Minnesota Department of Corrections report concluded as follows:

³ In contrast, the statutes prohibiting individuals classified as "child sex offenders" from living within 500 feet of schools, daycares and playgrounds (720 ILCS 5/11-9.3 (b-5) and (b-10)) are part of the criminal code. It is a Class 4 felony for a "child sex offender" to "knowingly" live at a prohibited location. 720 ILCS 5/11-9.3(f).

This examination of level three re-offenders does not reveal a negative effect related to a level three offender living with another sex offender. In fact, supervision agents in both Hennepin and Ramsey County have noted benefits from having more than one level three offender living in one location. Closer supervision is possible because travel time between offenders is reduced. Also, level three offenders who live with other level three offenders experience more visits from a supervising agent because agents for both offenders visit the same property. Finally, offenders tend to inform on each other when supervision restrictions are violated or crimes are committed.⁴

There is no logical reason to believe that there is a compelling public safety need to prohibit people on MSR for sex offenses from living at the same address as one another. In the *Murphy* litigation, the IDOC did not come forth with any safety or rehabilitative justification for the One-Per-Address Statute. In acknowledgement of the restriction's excessiveness, IDOC has already reinterpreted the restriction so as not to apply to trailer parks or adjacent apartment buildings. *Murphy v. Raoul*, 16-cv-11471, ECF No. 161.

ARGUMENT

I. Preliminary Injunction Standard

To be entitled to a preliminary injunction, a plaintiff must establish four elements: (1) some likelihood of success on the merits; (2) the lack of an adequate remedy at law; (3) a likelihood that they will suffer irreparable harm if the injunction is not granted; and (4) the balance of hardships tips in the moving party's favor. *Ty, Inc. v. Jones Group, Inc.*, 237 F.3d 891, 895 (7th Cir. 2001).

⁴ See "Level Three Sex Offender Residential Placement Issues," *Minnesota Department of Corrections* (available at: [https://mn.gov/doc/assets/Lvl%203%20SEX%20OFFENDERS%20report%202003%20\(revised%202-04\)_tcm1089-272828.pdf](https://mn.gov/doc/assets/Lvl%203%20SEX%20OFFENDERS%20report%202003%20(revised%202-04)_tcm1089-272828.pdf)) (last visited April 3, 2020)

As shown below, Plaintiffs meet each element for establishing an entitlement to injunctive relief, and accordingly this Court should issue a preliminary injunction to halt enforcement of the One-Per-Address Statute.

II. Plaintiffs Have a Likelihood of Success on their Claims that Continued Enforcement of the One-Per-Address Statute Violates the U.S. Constitution

As this Court determined in ruling on Plaintiffs' previous motions for preliminary injunctive relief, Plaintiffs have a likelihood of success on their claim that the continued enforcement of the One-Per-Address Statute violates the constitutional rights of the Plaintiffs.

In *Murphy v. Raoul*, 380 F. Supp. 3d 731, 738 (N.D. Ill. 2019), this Court has already determined that it violates the Equal Protection Clause and the Eighth Amendment to subject individuals to indefinite incarceration solely because they cannot meet the host site requirement, holding as follows:

At the very heart of the liberty secured by the separation of powers is freedom from indefinite imprisonment by executive decree. The ... current application of the host site requirement results in the continued deprivation of the plaintiffs' fundamental rights and therefore contravenes the Eighth and Fourteenth Amendments to the Constitution of the United States.

In particular, this Court concluded that the continued imprisonment of individuals who do not have the money or outside support to comply with the host site requirement violates the Eighth Amendment and the Equal Protection Clause because it is solely "the consequence of [the plaintiffs'] indigency, homelessness, and the attendant powerlessness to procure housing that will satisfy the IDOC." *Id.* at 756.

The Plaintiffs who bring this motion are all in the same boat as the members of the *Murphy* class because they are all entitled to be released from prison to serve their MSR time in the community, but they remain imprisoned (or in the case of Aponte and Manson, face the imminent possibility of re-imprisonment) because they lack the resources to obtain housing that complies with the onerous restrictions imposed by Illinois law and IDOC policy.⁵

For these Plaintiffs, there is one particular aspect of law that stands in the way of their being able to reside at otherwise compliant and affordable host sites: the One-Per-Address Statute. Significantly, over the course of the *Murphy* litigation, which has been ongoing for four years and generated hundreds of pages of summary judgment briefing, the IDOC never put forth a public safety or rehabilitative justification for the One-Per-Address Statute. Indeed, when this Court granted an injunction prohibiting enforcement of the One-Per-Address Statute as to Marcus Barnes, another member of the *Murphy* class who had a suitable place to live but for the One-Per-Address rule, this Court noted the lack of evidentiary support for the Statute, writing as follows:

In response to the question about what penological or rehabilitative support the Defendants have for the “One Person One Address” provision, Defendants were unable to give any. The public’s interest in only hav[ing] one sex offender live at one residence is not supported by any testimony,

⁵ Plaintiffs Columbo Galindo, Juan Medina, Adam Escamilla, Aishef Shaffer, Reginald Harris, Edward Bartgen, Lavonne Givens, Lashaun Dean, Justin Fluckert, Dontae Boykin, Joshua Huddleston, Manuel Aleman, Melvin Kelley and Andre Dunn are members of the *Murphy* class. Plaintiffs Luis Aponte and Kevin Manson are former *Murphy* class members who will become members of the class again if they are revoked. Plaintiffs Ronald Garrison and Johnny Harris are not members of the *Murphy* class because they have determinate MSR sentences, but they also remain imprisoned beyond the completion of their court-imposed sentences.

expert opinion, or evidence. Therefore, the Court finds that the statute is unconstitutional as it applies to Plaintiff and Defendants are enjoined from prohibiting his release to the address presented by Plaintiff.

ECF No. 11.

The same result should occur here. Each of the Plaintiffs has a safe host site at which to live outside of prison. The host sites at which Plaintiffs wish to live will be supportive of their reintegration into the community and meet every requirement imposed by Illinois law and IDOC policy, save the One-Per-Address Statute. In the absence of a legitimate justification for the prohibition on more than one parolee's living at a particular address, the continued application of the One-Per-Address Statute to Plaintiffs violates their constitutional rights for all of the reasons the Court recognized in *Murphy*.

III. Plaintiffs and Others Similarly Situated are Suffering and Will Continue to Suffer Irreparable Injury in the Absence of an Injunction

If an injunction is not granted, Plaintiffs and others similarly situated will suffer two forms of irreparable injury. One, they will continue to be imprisoned in violation of their constitutional right to be released from prison on MSR. And two, they will continue to be exposed to a high risk of being infected with COVID-19.⁶ Such harms unquestionably constitute irreparable injury. *Aguilar v. Gaston-Camara*, 861 F.3d 626, 631 (7th Cir. 2017) (“additional incarceration without

⁶ As set forth in full in Plaintiffs' previous motions for a preliminary injunction, imprisoned individuals are at a particularly high risk of contracting COVID-19. COVID-19 infections in IDOC facilities continue to rise. At the time the initial complaint was filed, 56 IDOC inmates had tested positive. ECF No. 1 at ¶46. Now, that number is 215 (See IDOC, *COVID-19 Response*, available at: <https://www2.illinois.gov/idoc/facilities/Pages/Covid19Response.aspx>).

penological justification” violates the Eighth Amendment); *Hampton v. Leibach*, 99 C 5473, 2001 U.S. Dist. LEXIS 20983, at *5-6 (N.D. Ill. Dec. 18, 2001) (a plaintiff “suffers irreparable harm each day that he is imprisoned in violation of the United States Constitution.”); *Harris v. Board of Supervisors*, 366 F.3d 754, 766 (9th Cir. 2004) (accepting “pain,” “infection,” and “medical complications” as forms of irreparable harm warranting injunctive relief).

Moreover, it is well established that when a plaintiff establishes a likelihood of success on a claim that a government action violates his constitutional rights, he meets the element of showing irreparable harm. *See Ezell v. City of Chi.*, 651 F.3d 684, 699 (7th Cir. 2011) (“When an alleged deprivation of a constitutional right is involved, most courts hold that no further showing of irreparable injury is necessary.”) (*quoting* 11A Charles Alan Wright et al., *Federal Practice & Procedure* § 2948.1 (2d ed. 1995)); *Preston v. Thompson*, 589 F.2d 300, 303 n.3 (7th Cir. 1978) (“The existence of a continuing constitutional violation constitutes proof of an irreparable harm.”).

IV. The Balance of Harms and the Public Interest Favor Granting Relief

The public interest also favors the granting of the requested relief. First, there is no public safety justification for refusing to release Plaintiffs to New Beginnings or Wayside Cross Ministries. New Beginnings has 27 years of experience with helping individuals successfully transition from prison to the community. All of its properties have 24-hour a day security and structured supervision for residents. Similarly, Wayside Cross Ministries has nearly 100 years of experience helping

individuals just like the Plaintiffs reintegrate into society through its highly structured faith-based programming. Kane County State's Attorney Joe McMahon has lauded Wayside's long track record of success with individuals who have been convicted of sex offenses, stating, "The work that they've done there at the Mission has been remarkable for decades."⁷

Thus, Wayside Cross and New Beginnings are precisely the type of rehabilitative settings to which IDOC should be releasing the Plaintiffs. Moreover, both of these housing options are available at no additional cost to the State of Illinois, which is currently paying tens of thousands of dollars a year to keep the Plaintiffs in prison beyond their release dates.⁸

Likewise, there is no public safety justification for refusing to allow Plaintiff Aponte to remain at his father's home. The IDOC approved Aponte for release to his father's home six months ago after determining it met all of the requirements of state law and IDOC policy. Since his release in January, Aponte has done well on MSR. He has had no violations of the terms of his MSR; he is working full time; and he has consistently attended sex offender therapy. Aponte should not be sent back

⁷ See "Convicted Sex Offenders' Ministry Housing Too Close To Playground, City Says," *National Public Radio*, January 15, 2020; audio recording available at: <https://www.npr.org/2020/01/15/796021411/convicted-sex-offenders-ministry-housing-too-close-to-playground-city-says>

⁸ See "IDOC Fiscal Year 2017 Annual Report" at 80 (In 2018, the average annual cost of keeping a person incarcerated in an IDOC facility was \$27,930) (available at <https://www2.illinois.gov/idoc/reportsandstatistics/Documents/FY18%20Annual%20Report%20FINAL.pdf>).

to prison simply because another registrant (whom he does not know and has never met) lives in another unit in the same building.

During this pandemic, other public safety factors also strongly favor issuance of an injunction that will allow Plaintiffs and others to be released to safe host sites outside of prison. Other persons imprisoned in IDOC who cannot be released at present are endangered by overcrowding, which increases the risk of disease transmission; and the public at large is put at risk if medical resources are overwhelmed by the hospitalization of imprisoned people in downstate communities with few hospital beds.

Finally, the public has a strong interest in protecting constitutional rights that would be well served by granting injunctive relief here. *See ACLU v. Alvarez*, 679 F.3d 583, 589-90 (7th Cir. 2012) (“[T]he public interest is not harmed by preliminarily enjoining the enforcement of a statute that is probably unconstitutional.”)

CONCLUSION

For the reasons set forth above, Plaintiffs respectfully request that this Honorable Court enter a preliminary injunction prohibiting enforcement of 730 ILCS 5/3-3-7(a)(7.6) as to Plaintiffs so they can be released from prison to the otherwise compliant host sites identified above.

Respectfully submitted,

/s/ Adele D. Nicholas
/s/ Mark G. Weinberg
Counsel for Plaintiff

Law Office of Adele D. Nicholas
5707 W. Goodman Street
Chicago, Illinois 60630
(847) 361-3869
adele@civilrightschicago.com

Law Office of Mark G. Weinberg
3612 N. Tripp Avenue
Chicago, Illinois 60641
(773) 283-3913
mweinberg@sbcglobal.net

Declaration of Luis Aponte

1. My name is Luis Aponte. I was released from IDOC onto mandatory supervised release in January 2020 to my father's home in Waukegan, Illinois. I have three-years-to-life of MSR.
2. My father's home is in a four-story apartment building that contains approximately 12 separate units. When I was released, no other registrant lived in the building. IDOC determined that the address complies with the prohibition on residing within 500 feet of a school, playground or daycare, and approved me to live there while on MSR.
3. I am doing well on MSR. I have a full-time job in a warehouse and have been attending required sex offender therapy regularly.
4. In March 2020, another registrant (not on parole) moved into a different unit in the same building where I live with my father.
5. I received notice from my parole agent that I have to move because of this other registrant in the building. If I do not find somewhere else to live, I will have my MSR revoked and will be sent back to prison. If I go back to prison, I will lose my job and will be stuck in IDOC until I can find another place to live.
6. I have been looking for another place to live, but I have not been able to find a host site that IDOC will approve and that I can afford with my current income.
7. I want to keep living with my father while I adjust to life on parole and get back on my feet.

Pursuant to 28 U.S.C § 1746, I certify under penalty of perjury that the foregoing statements are true and correct.

Luis Aponte Jr.
Luis Aponte

5-24-20
Date

Declaration of Kevin Manson

1. My name is Kevin Manson. I was released from IDOC onto mandatory supervised release on May 6, 2020. I currently reside in Chicago Heights, Illinois, with my aunt. I have three-years-to life of MSR.
2. IDOC approved me for release to my aunt's home, but when I tried to register with Chicago Heights police, I was informed that my aunt's house is too close to a school and I have to move somewhere else.
3. I just got out of prison and don't have funds to pay for housing of my own. The Cook County Justice Advisory Council ("CCJAC"), a governmental entity that provides reentry assistance to citizens returning to Cook County after imprisonment, is willing to pay for my housing through an agency called New Beginnings.
4. It is my understanding that New Beginnings has a bed available for me at 11934 S. Lowe Chicago Illinois, 60628, and is able to take me immediately.
5. I have not yet been approved to go to New Beginnings because there is another registrant living at 11934 S. Lowe and I am prohibited from living at the same address as another sex offender.
6. If I am not allowed to go to New Beginnings I will not have a compliant place to live and will be sent back to prison. I could also be criminally charged with failure to register and residing too close to a school.

Pursuant to 28 U.S.C § 1746, I certify under penalty of perjury that the foregoing statements are true and correct.



Kevin Manson

5-25-20
Date

Declaration of Otis Williams

1. My name is Otis Williams. I am the founder and CEO of New Beginnings Recovery Homes Inc. (NBRHI). NBRHI is a Chicago-based not-for-profit corporation that has been in operation since 1993. NBRHI provides affordable transitional housing and supportive services to people transitioning from prison to the community, individuals who are experiencing housing insecurity, and individuals who are in recovery from drug or alcohol abuse.

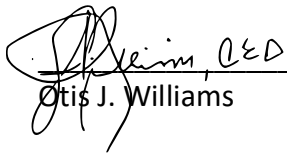
2. NBHRI owns five buildings on the south side of Chicago at which it provides dormitory style or semi-private shared living accommodations. Residents at NBHRI buildings receive meals and have access to services including peer support groups, counseling with licensed providers and case management. Our properties are compliant with the housing restrictions that prohibit people who have been convicted of sex offenses from living within 500 feet of schools, daycares or playgrounds. Each of these buildings has 24-hour a day security and structured supervision for residents. Our goal is to help our residents become positive, productive citizens. We have significant experience with housing individuals who are being released from prison and assisting with their successful transition back into the community.

3. We currently have openings in our buildings located at 6655 S Perry Chicago, IL 60621 and 11934 S. Lowe Chicago Illinois, 60628. We are prepared to immediately accept Columbo Galindo, Joshua Huddleston, Lavonne Givens, Lashaun Dean, Justin Fluckert, Dontae Boykin, Ronald Garrison, Johnny Harris, Manuel Aleman, Arnold Lloyd, Melvin Kelley, Andre Dunn, and Kevin Manson to reside at these locations. These individuals meet the requirements for enrollment in our program and each has a satisfactory way to make payment for his room and board.

4. We are aware that each of these individuals will be on parole for a sex offense and therefore is legally prohibited from living at the same address as another person with a sex offense conviction. That is the only barrier standing in the way of these individuals' being released to NBRHI.

5. If the restriction on housing more than one sex offender at the same address is eliminated, we are willing and able to house additional parolees at these and other properties, space permitting.

Pursuant to 28 U.S.C § 1746, I certify under penalty of perjury that the foregoing statements are true and correct.


Otis J. Williams

May 25, 2020