

Note: These articles were published under my former name, having been written before my transition.

Illinois Steps Toward Chain Gangs

Panel OKs Bill;
Edgar Skeptical

By DAVID HOFFMAN
SUN-TIMES SPRINGFIELD BUREAU

SPRINGFIELD—For some people, shackles conjure up images of slavery. But for others, shackles mean justice.

A House panel saw the latter Friday when it passed a bill giving the state prison system authority to bring back chain gangs. A Senate committee passed similar legislation earlier this month.

"It sets an example and shows young people what happens when you break the law," said state Rep. Ronald Wait (R-Rockford), the bill's sponsor in the House. "Hopefully it would deter people, especially younger people, from committing the crime in the first place."

Odie Washington, director of the Illinois Department of Corrections, said there is no evidence chain gangs reduce the number of prisoners who return to prison and thinks they could do more harm than good.

"The shackling of inmates together, whether they are dangerous or non-dangerous felons, for the purpose of humiliation we see as counter-productive," he said. "We think this process serves no useful corrections goal."

At least three states now shackle prisoners: Alabama, Arizona and Florida. Supporters of the Illinois legislation disputed Washington and said each state has seen positive results.

In Alabama, for example, Wait said the rate that ex-cons return to prison is lower than in Illinois, which hasn't used chain gangs since at least the turn of the century.



Inmates walk in leg chains under supervision near the South Florida Reception Center, a prison in Miami.

DANIEL PORTNOY/ASSOCIATED PRESS

Under Wait's proposal, shackled prisoners would clean up litter along state highways. "Basically, it's the same thing the Girl Scouts are doing," Wait said.

If either bill comes out of the full House or Senate, it probably will encounter resistance from Gov. Edgar, who has questioned the need for chain gangs.

Meanwhile, another prison-related measure advanced in the House Friday. A House panel voted to take away barbell exercise equipment from prisoners and force the Illinois Department of Corrections to take down curtains from cells.

Again, the state's corrections director objected. By removing the weights, the prisoners would have

one less outlet for their emotions, making them more dangerous and harder to control, Washington said.

But the American Federation of State County and Municipal Employees Council 31, which represents prison guards, supports the bill, calling it a matter of "safety and security of employees of the Department of Corrections."

Legislature's Serious and Silly Bills About to Come Due

By DAVID HOFFMAN
SUN-TIMES SPRINGFIELD BUREAU

SPRINGFIELD—In the last week, state lawmakers submitted about 1,400 bills, most dealing with such weighty issues as Chicago schools, the budget and campaign finance reform.

But in the pile was a handful of bills dealing with barking dogs, the cost of gubernatorial portraits at the statehouse, and the amount of paperwork state government churns out.

"I honestly don't know why these kinds of bills get filed," said John Pelissero, a Loyola University political science professor who specializes in the machinations of state government.

Last Friday was the deadline for lawmak-

ers to introduce legislation to be considered for the General Assembly's spring session, which lasts until late May.

Many of the obscure bills have their origins in a single angry phone call to a state lawmaker's district office, observers say.

Other offbeat bills respond to singular events, such as a man traipsing around a Carbondale shopping mall last spring with a camcorder in his suitcase to videotape under women's skirts.

"There was no law that existed to charge him with anything," said state Rep. Mike Bost (R-Murphysboro), whose proposal would make videotaping like that punishable by a year in jail and a \$1,000 fine.

State Rep. Carole Pankau (R-Roselle) introduced a bill for the third time that would "prohibit barking dogs and other

noisy animals." A loud mutt could bring fines of \$25 to \$200.

Pankau said a constituent complained that his neighbor's dog would not stop barking. "If nothing else, it shows that one person's voice can be heard," she said.

State Representatives Robert Bugielski (D-Chicago) and Louis Lang (D-Skokie) proposed a bill that would limit to \$5,000 the amount spent on the governor's portrait.

Lang said it was wrong for the state to spend \$15,000 for a portrait of former Gov. James Thompson, but he acknowledged that there are meatier pieces of legislation out there.

"It will probably make somebody's list for the silliest bills," he said.

State Rep. Steve Davis (R-Bethalto) introduced a bill designed to reduce paper-

work by 5 percent each year between 1998 and 2000.

"Every day I get reports that are hundreds of inches thick," he said.

All state agencies would be required to report their progress toward meeting that goal—on paper.

Bills also would force hypnotists to register with the state and outlaw the harassment or murder of guide dogs.

Some of these bills may become law, but others could end up like Rep. Vincent Persico's (R-Glen Ellyn) bill last spring to protect certain species of weeds. It died.

"Many times you are put in a spot where a member of your district comes to you for help," Persico said. "In response you just put [legislation] out there to see what the reaction is."

CHICAGO SUN-TIMES, MONDAY, JANUARY 22, 1996

15

METRO

State GOP Push Merit Pay Plan for Chicago Teachers

By DAVID HOFFMAN
SUN-TIMES SPRINGFIELD BUREAU

SPRINGFIELD—Republican lawmakers say one way to improve Chicago's schools is to pay more to teachers whose students perform well, but that approach hasn't always met with success elsewhere.

Proposals in the House and Senate would force the Chicago Teachers Union and School Board to begin bargaining by September on a plan that would set up a merit-pay system in Chicago's schools.

"If you really want to improve student performance, you need to

do something," said state Rep. Mary Lou Cowlshaw (R-Naper-ville), who has sponsored a bill mandating merit pay in Chicago.

But school systems that have tried merit pay have run up against big costs and no evidence of better teaching.

"Merit pay has been around a long time, but there is no evidence that it improves performance," CTU spokeswoman Jackie Gallagher said.

Fairfax County, Va., which takes in part of suburban Washington, D.C., and is the 10th-largest school district in the country,

tried a teacher merit-pay program in 1986. But the program ran out of money in the early 1990s, forcing the district to do away with rewards, said Dolores Bohen, a district spokeswoman.

Originally, teachers could receive a 10 percent raise based on several factors, including improved student performance.

Today, teachers receive no more than a \$500 bonus but are held to the same standards. That, Bohen said, has enabled the district to "dismiss up to 100 teachers a year for poor performance."

In Chicago, Cowlshaw said, the

city probably has enough money.

But Chicago school administrators, who oppose the merit-pay plan suggested in Springfield, dispute that assumption.

"Great, another state-inspired mandate," said Paul Vallas, the Chicago school system's chief executive officer. "Don't impose something on Chicago and not the rest of the state."

Republicans have vowed to move quickly this spring on merit pay. The Republican initiative lays out guidelines for a plan to take effect by September, 1999.

But Democrats say the Legislature should not interfere in a local issue. "What they're doing is abolishing collective bargaining," said Sen. Arthur Berman (D-Chicago), who is on the Senate Education Committee.

Cowlshaw and other backers of

merit pay said a Chicago plan ought to be based, in part, on a two-year-old program in Douglas County, Colo., 20 miles southwest of Denver.

The plan allows principals to give individual teachers raises if their students perform well. It also rewards the entire faculty if a school's overall grades improve, said Ellen Bartlett, an assistant superintendent of the district. On top of that, teachers can qualify for \$1,000 bonuses.

"We say that we have [improved], but documentation is difficult," Bartlett said.

Since 1984, South Carolina has used performance awards for schools that perform well. Schools whose student test scores improve from the previous year receive cash bonuses of \$25 to \$40 per pupil, to go toward instruction.

Monday, March 11, 1996

METRO

A Fair Shake After the Split

Bills Seek Equity in Illinois Divorce Laws

BY DAVID HOFFMAN
SUN-TIMES SPRINGFIELD BUREAU

SPRINGFIELD—Faced with unpaid child support and legal fees, Marge Swierczynski went through her ex-husband's garbage to try to prove he had more in the bank than he was saying.

Swierczynski, who lives in Melrose Park, didn't turn up something to win her case. But rather than give up, she joined the Coalition to End Financial Abuse.

The coalition, a Chicago group of about 600 people, is pushing to reform Illinois divorce laws and has found a friend in state Sen. Kathleen Parker (R-Northbrook).

"I was appalled at what I was hearing" from the coalition and others who testified before a legislative task force on divorce law late last year, Parker said. "I had no idea that this would be this large an issue."

Parker has come up with 14 pieces of legislation intended to make divorce law more equitable. They will not be debated until the fall session.

Her most controversial proposals would bring back some elements of the idea of fault, where divorce can be granted based on misbehavior of one spouse. Under one bill, judges could consider the behavior of the spouse in deciding child custody.

But returning to a fault-based

system would make it harder to get divorced and might force some couples to stay together, resulting in an increase of spouse and child abuse, said Jane Rutherford, a law professor at DePaul University.

Rutherford favors Parker's attempts to force judges to try to "equalize the standard of living" in awarding alimony. Often, Parker says, the spouse with the children is not paid enough.

But Chicago divorce attorney Jeffery Leving said maintenance laws that provide alimony are strong enough. Making them stronger would be unfair to men, he said.

Other bills in the package would allow a former spouse to receive part or all of the other spouse's state pension; establish common ownership over property so one does not have more control than the other; require each person to disclose financial records, and make it a crime to hide assets.

MORNINGLINE

Are Illinois divorce laws unfair?

Yes: (312) 408-3641

No: (312) 408-3642

Phone lines open until 6:30 p.m. today. (A charge for a local call to downtown Chicago applies.) Results in tomorrow's Sun-Times.

The package also would offer protection for women in attorney-client relationships.

One bill would prohibit an attorney from having sex with a client, even if it's consensual, unless they are married or involved in a long-term relationship.

Other bills would make it harder for attorneys to sue their clients for fees, require courts to divide attorney fees between the couple and require attorneys to tell clients their rights and what each legal step is likely to cost.

Leving said he does not think the bills are well thought out and called them unfair to lawyers.

"A lot of input has not come from lawyers, just disgruntled litigants," he said.

The legislation also aims to lower the cost of divorce by allowing a spouse to go after child support or alimony in small claims court, where the rules are more relaxed and a lawyer is not needed. The claims would be limited to \$2,500 or less.

Swierczynski, who is still fighting for alimony and child support although she is divorced, says the package could even the odds.

"The perpetrators walk away from their family with no conscience and smile at the judicial system that gave them the edge. The judicial system should punish the criminals, not reward them," she said.



ANDRE F. CHUNG/SUN-TIMES

Divorcee Marge Swierczynski says Illinois courts give an edge to former spouses who walk away from their responsibilities.