



**OFFICE OF THE  
KANKAKEE COUNTY STATE'S ATTORNEY**

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**725 ILCS 5/123**  
**PROSECUTOR INITIATED RESENTENCING REQUEST FOR REVIEW**

Under 725 ILCS 5/123, State's Attorneys in Illinois have the discretion to review and consider the resentencing of past sentences that no longer serve the interest of justice. As it is the duty of the prosecutor to ensure that the interests of justice and public safety are being advanced, the Kankakee County State's Attorney's Office has begun to review and consider cases for possible resentencing. The State's Attorney's Office will identify and thoroughly review potential cases for resentencing. Any resentencing petitions filed by the State's Attorney's Office will then be ultimately decided upon by the sentencing court. Under 725 ILCS 5/123, victims are afforded all rights as outlined in the Rights of Crime Victims and Witnesses Act.

**IDENTIFYING CASES FOR POTENTIAL RESENTENCING**

The Kankakee County State's Attorney's Office will review cases from external requests on a case-by-case basis. Before you submit a request to our office, please be advised of the following:

- Only convictions and sentences that originated from the Circuit Court of Kankakee County can be reviewed by the Kankakee County State's Attorney's Office. Convictions and sentences of cases from *other* counties must be addressed with that county's State's Attorney's Office.
- A request under 725 ILCS 5/123 is not a right; a review for resentencing can only be initiated by the State's Attorney.
- If you choose to submit a request with the documents listed below, we will review your submission. However, we do not inform requesters of status of review unless we decide to petition on behalf of the inmate, and only then will the inmate be contacted.
- Furthermore, an affirmative decision by the State's Attorney's Office to pursue a resentencing will result in a petition on an inmate's behalf and does not guarantee an automatic sentence reduction. Any petitions filed by the State's Attorney's Office must ultimately be decided upon by the sentencing court, the only entity that can decide if a sentence reduction is warranted.

**If you would like to submit a request for resentencing, please submit the following preferred documents in the following order of submission:**

- Name, inmate ID number, sentence, number of years served
- Original criminal case number(s)
- Date of birth
- Date and type of offense (write a narrative on what occurred)
- Criminal history
- Correctional facility address (current)
- Personal life (Write a detailed narrative biography that includes date and place of birth, educational and employment history, marital status, names and ages of children, substance abuse and mental health information, military record, charitable and community activities. You may also include information on degrees or diplomas earned or anticipated, awards of commendations at school or work, counseling or rehabilitation programs you have attended or completed, faith-based involvement, military awards, civil or occupational licenses or certifications, and life changing events. You may attach any documents that demonstrate or reflect your achievements.)
- Reason for seeking resentencing (explain why your sentence no longer advances the interests of justice)
- Discipline reports from the inmate's current and former correctional facilities (with explanations for any reported incident)
- Supporting Documentation (attach materials that support the claims made in this request. These may include DD 214, "rap sheet"/criminal background, resume, letters of recommendation, diplomas, certifications, etc.)
- Re-entry plan (this section may include but is not limited to a plan on housing, employment, re-offend prevention plan, any available area of services the inmate intends on using, or taking part in, any educational programs, new coping mechanisms to prevent re-offense, relapse prevention plan, etc.)
- Letter of recommendation/letters of support

**All requests for resentencing should be mailed to:**

Kankakee County State's Attorney's Office  
ATTN: Conviction Integrity Unit  
189 East Court Street  
Kankakee, IL 60901