

## LETTER IN SUPPORT OF CARL “TAY TAY” TATE’S CLEMENCY PETITION

March 18, 2020

### VIA EMAIL AND US MAIL

The Honorable J.B. Pritzker, Governor  
The Honorable Juliana Stratton, Lt. Governor  
Office of the Governor  
James R. Thompson Center  
100 W. Randolph, 16-100  
Chicago, IL 60601

Re: Clemency for Carl “Tay Tay” Tate (R12529)

Dear Governor Pritzker and Lt. Governor Stratton:

The undersigned write to urge you to immediately grant clemency to Carl “Tay Tay” Tate, a Black transgender woman who has been in the custody of the Illinois Department of Corrections (“IDOC”) for over 21 years.<sup>1</sup> Ms. Tate, now 40 years old, has been incarcerated since the age of 18 for killing a rival gang member, and has almost six years left of her sentence to serve. Ms. Tate does not deny her involvement in the crime for which she was sentenced, and has actively expressed remorse and accountability for it. In the over twenty years that she has spent behind bars, Ms. Tate has renounced her gang affiliation and truly reformed, growing into a leader and mentor despite facing tremendous hardship as a transgender woman improperly housed in men’s facilities.

While Ms. Tate has taken full responsibility for her crime, a growing body of research recognizes that before the age of 25, young adults’ brains are not fully matured, and people are much less likely to break the law after they reach the age of 25.<sup>2</sup> Both Illinois courts and the Illinois state legislature have begun to take this research into account when considering the appropriateness of lengthy sentences for crimes committed by young people.<sup>3</sup> In 2019, you signed into law a bill which will allow people convicted of first degree murder who were under 21 at the time of their offense to seek release after serving 20 years of their sentence.<sup>4</sup> Ms. Tate—whose total rehabilitation is reflected in her clean disciplinary record and her role as a leader and mentor amongst fellow prisoners—should not remain in prison simply because she

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<sup>1</sup> A description of each undersigned organization can be found in the attached Appendix.

<sup>2</sup> Dana Goldstein, *Too Old to Commit Crime?*, The Marshall Project (Mar. 20, 2015), <https://www.themarshallproject.org/2015/03/20/too-old-to-commit-crime>.

<sup>3</sup> *People v. Williams*, 2018 IL App. (1st) 151373 ¶ 18 (finding that a 19 year-old’s age was a significant factor in reconsidering his life sentence for first degree murder due to a “growing body of scientific evidence” that a young adult’s brain is still maturing at 19 years old); *People v. House*, 2015 IL App. (1st) 110580 ¶ 95 (holding that 18 is an arbitrary marker of adulthood based on neurobiological findings that the brain continues to develop until an individual’s mid-20’s).

<sup>4</sup> 2019 Public Act 100-1182.

was sentenced too early to take advantage of this law. She is a perfect example of why this law was a necessary and right step towards ending mass incarceration in our state: people can and do change as they grow and mature.

Ms. Tate's rehabilitation is made all the more impressive by the fact that she has suffered constant sexual, physical, mental, and emotional abuse since entering IDOC custody. Despite openly identifying as a woman, Ms. Tate has remained improperly housed in men's prisons, and IDOC has proven repeatedly that they are unable to keep her safe. Ms. Tate has been raped four times in custody by both inmates and a correctional officer and she has experienced daily harassment. Furthermore, IDOC has failed to provide her with adequate medical or mental health care to properly treat her gender dysphoria, resulting in multiple suicide attempts. What Ms. Tate has endured in IDOC custody effectively amounts to torture. No human being deserves to live like this for any period of time, let alone 27.5 years.

Furthermore, because of her identity as a transgender woman, Ms. Tate has been denied access to opportunities to earn sentence credit. Because IDOC is unable to keep Ms. Tate safe, they have transferred her between facilities at an abnormally high rate. These transfers have prohibited her from enrolling in educational programming that would have allowed her to earn good time. She has also been denied access to correctional industry jobs and other programming because she is transgender. If Ms. Tate had been allowed to earn good time in the same manner as cisgender people in custody, she would likely have accumulated enough good time to be released by now or in the near future.

Please take immediate action to correct the grave injustices against Ms. Tate and allow her to be home with her community. When she is released, Ms. Tate will be a force for good in her community and will work tirelessly to interrupt the cycles of abuse and violence that led to her long and painful period of incarceration. You campaigned on a promise to bring justice and equity to Illinois. Please make good on that promise by granting clemency to Ms. Tate.

Sincerely,

AIDS Foundation Chicago  
American Friends Service Committee Chicago  
Affinity Community Services  
Beyond Legal Aid  
Black and Pink Chicago  
Black Lives Matter – Chicago  
Black Youth Project 100 Chicago  
Brave Space Alliance  
Center on Wrongful Convictions  
Chicago Abortion Fund  
Chicago Alliance Against Sexual Exploitation  
Chicago Appleseed  
Chicago Community Bond Fund  
Chicago Foundation for Women  
Chicago House

Chicago Metropolitan Battered Women's Network  
Children and Family Justice Center  
Community Renewal Society  
Chicago Women's AIDS Project  
Illinois Coalition Against Domestic Violence  
Illinois Coalition Against Sexual Assault  
Illinois National Organization for Women  
John Howard Association of Illinois  
Latino Union of Chicago  
Life Span  
LimeRed  
Mandel Legal Aid Clinic  
Men4Choice  
Midwest Access Coalition  
Moms United Against Violence and Incarceration  
Mother and Child Alliance  
Pride Action Tank  
Resilience (formerly Rape Victim Advocates)  
Shriver Center on Poverty Law  
Social Change  
The Voices and Faces Project  
Transformative Justice Law Project  
Unitarian Universalist Prison Ministry of Illinois  
Women Employed  
Women's March - Illinois

Cc: Deputy Governor Sol Flores, Deputy Governor Dan Hynes, Deputy Governor Christian Mitchell, Deputy Governor Jesse Ruiz

## APPENDIX

### LIST OF ORGANIZATIONS

1. **AIDS Foundation Chicago** mobilizes communities to create equity and justice for people living with HIV and related chronic diseases. To realize this mission AFC improves health equity, prevents new cases of HIV, serves as a collaboration and knowledge center, and is a bold voice for change.
2. **American Friends Service Committee Chicago** is a Quaker organization devoted to service, development, and peace programs throughout the world. AFSC's work is based on the belief in the worth of every person, and faith in the power of love to overcome violence and injustice.
3. **Affinity Community Services** is a social justice organization serving the needs of the Black LGBTQ community of Chicago with a particular focus on Black women. Affinity Community Services envisions a society where being your authentic self is not a liability and differences are fully embraced.
4. **Beyond Legal Aid** unites lawyers and activists in a collaborative pursuit for justice by leveraging legal services to benefit the most marginalized communities and individuals. BEYOND's lawyers work with activists to help their communities access justice and pursue social change.
5. **Black and Pink Chicago** started in 2013. Black and Pink's work toward the abolition of the prison industrial complex is rooted in the experience of currently and formerly incarcerated people. Black and Pink is outraged by the specific violence of the prison industrial complex against LGBTQ people, and responds through advocacy, education, direct service, and organizing.
6. **Black Lives Matter – Chicago** is an organization that fights for justice with families most impacted by race-based violence and marginalization of Black communities, while working to create just and equitable systems. Black Lives Matter Chicago works to end state violence and criminalization of Black communities by deconstructing the white supremacist, capitalist patriarchy.
7. **Black Youth Project 100 (“BYP100”) Chicago** is the Chicago chapter of a national member-based organization of Black 18- to 35-year-old activists and organizers. BYP100 is dedicated to creating justice and freedom for all Black people. BYP100 does this work through building a network focused on transformative leadership development, direct action organizing, advocacy, and political education using a Black queer feminist lens.
8. **Brave Space Alliance** is the first Black-led, trans-led LGBTQ Center located on the South Side of Chicago, dedicated to creating and providing affirming, culturally competent, for-us by-us resources, programming, and services for LGBTQ individuals on

the South and West sides of the city. Brave Space Alliance strives to empower, embolden, and educate each other through mutual aid, knowledge-sharing, and the creation of community-sourced resources as they build toward the liberation of all oppressed people.

9. **Center on Wrongful Convictions (“CWC”)** is dedicated to identifying and rectifying wrongful convictions and other serious miscarriages of justice. The CWC leverages its clients’ real stories of injustice to seek criminal justice reform.
10. **Chicago Abortion Fund** works to remove barriers to abortion care and to build power within communities with low access.
11. **Chicago Alliance Against Sexual Exploitation** is a not-for profit organization that envisions a community free from all forms of sexual exploitation, including sexual assault and the commercial sex trade. CAASE addresses the culture, institutions, and individuals that perpetrate, profit from, or support sexual exploitation. CAASE’s work includes prevention, policy reform, community engagement, and legal services.
12. **Chicago Appleseed** is an advocacy hub focused on providing evidence-based solutions to systemic injustices in the courts of Cook County, Illinois, and beyond. With the assistance of pro bono professionals and community volunteers, Chicago Appleseed works to identify barriers to justice for those with and without representation, develop data-driven interventions, and then advocate for their implementation.
13. **Chicago Community Bond Fund** is an organization that pays bond for people charged with crimes in Cook County, Illinois. Through a revolving fund, CCBF supports individuals whose communities cannot afford to pay the bonds themselves and who have been impacted by structural violence. CCBF also engages in public education about the role of bond in the criminal legal system and advocates for the abolition of money bond.
14. **Chicago Foundation for Women** invests in women and girls as catalysts, building strong communities for all. CFW funds organizations working to solve the biggest problems facing women and girls: economic insecurity, violence and lack of access to health care and information. In addition to grantmaking, CFW invests in developing women leaders and advocates, and brings together diverse coalitions to collaborate, share resources and develop solutions.
15. **Chicago House** is a social service organization that supports individuals impacted by HIV/AIDS and the broader LGBTQ community with housing, health, and employment support.
16. **Chicago Metropolitan Battered Women's Network** is a collaborative membership organization dedicated to improving the lives of those impacted by domestic violence through education, public policy and advocacy, and the connection of community

members to direct service providers. The Network envisions an end to our society's tolerance of domestic violence.

17. **Children and Family Justice Center ("CFJC")** is a comprehensive children's law office and part of the Bluhm Legal Clinic at Northwestern Pritzker School of Law. At the CFJC, attorneys and law students work together to promote justice for children, adolescents, and their families through direct legal representation, policy advocacy, and law reform.
18. **Community Renewal Society ("CRS")** is a progressive, faith-based organization that works to eliminate race and class barriers. Founded in 1882, CRS informs, organizes, and trains both communities and individuals to advocate for social and economic justice.
19. **Chicago Women's AIDS Project ("CWAP")** is committed to meeting the needs of cisgender and transgender women living with HIV as well as providing support and advocacy for women returning from incarceration or at risk of overdose. CWAP is located in South Shore and works in collaboration with other providers and advocates to end health inequities in south and west side communities.
20. **Illinois Coalition Against Domestic Violence ("ICADV")** is a statewide voice for survivors of domestic violence and their children. With over 50 member organizations providing direct service to survivors, ICADV works towards ending domestic violence in Illinois.
21. **Illinois Coalition Against Sexual Assault ("ICASA")** is a not-for-profit corporation of 30 community-based sexual assault crisis centers working together to end sexual violence. Each center provides 24-hour crisis intervention services, counseling, and advocacy for victims of sexual assault and their significant others. Each center presents prevention education programs in Illinois schools and communities.
22. **Illinois National Organization for Women ("NOW")** is an organization of NOW chapters from every area in Illinois. NOW is the largest, most comprehensive feminist advocacy group in the United States. NOW's purpose is to take action to bring women into full participation in society – sharing equal rights, responsibilities, and opportunities with men, while living free from discrimination.
23. **John Howard Association of Illinois ("JHA")** is a nonpartisan organization that independently monitors correctional facilities, policies and practices, and advances reforms needed to achieve a fair, humane, and effective criminal justice system. JHA's vision for Illinois is to achieve a smaller, rehabilitative criminal justice system that supports incarcerated individuals so they may return to society as productive citizens.
24. **Latino Union of Chicago** serves Chicago's low wage day laborers and domestic workers at the intersection of immigration and labor issues. Latino Union's work is rooted in a

belief in the dignity of work, the ability of the collective to work together towards justice, and the strength of immigrant worker communities.

25. **Life Span** provides comprehensive services for women and children, enabling them to live without violence, build upon their strengths and become self-sufficient. By defining domestic violence as a crime as well as a social problem, Life Span is committed to providing victims of domestic violence and sexual assault a range of options, including legal services, advocacy, and counseling.
26. **LimeRed** is a design firm committed to designing for social impact. LimeRed is a Certified B Corporation and woman-owned business with over 15 years of experience designing brands, business strategy, and digital products. Using immersive, empathetic, and structured processes, LimeRed co-creates equitable, thought-provoking experiences to amplify influence and impact social change.
27. **Mandel Legal Aid Clinic** is the clinical program of the University of Chicago Law School. The Clinic specializes in the areas of criminal justice, civil rights, employment discrimination, the rights of the mentally ill, and low-income housing development. The Clinic engages in litigation, appellate advocacy, legislative advocacy, and community-based advocacy and transactional work.
28. **Men4Choice** is an organization whose mission is to unconditionally support the women and impacted individuals leading this movement by activating, educating, and mobilizing male allies into the fight to protect and expand reproductive freedom. Men4Choice envisions a future where male allies are actively deconstructing misogyny by transforming the way they think about, speak about, and engage in the fight for reproductive freedom.
29. **Midwest Access Coalition** provides abortion access to hundreds of people every year across the Midwest. Midwest Access Coalition does this by assisting individuals with logistical, financial, and emotional challenges in traveling to, from, and within the Midwest.
30. **Moms United Against Violence and Incarceration** is a Chicago-based mutual support organizing group growing the collective power of mothers who are surviving state and interpersonal violence and in particular those who have been harmed by incarceration.
31. **Mother and Child Alliance** aims to eliminate mother to child transmission of HIV and other infectious diseases and to support families by providing services and support in their environment and in the community without judgment, to promote health and well-being of the residents of Illinois and across the country. Mother and Child Alliance focuses on empowering women to make informed choices about their lives and their health.

32. **Pride Action Tank** is a project incubator and think tank that is focused on actions that leads to improved outcomes and opportunities for LGBTQ+ communities in the Chicago region through a collective process of inquiry, advocacy and action.
33. **Resilience (formerly Rape Victim Advocates)** is an independent, not-for-profit organization dedicated to the healing and empowerment of sexual assault survivors through non-judgmental crisis intervention counseling, individual and group trauma therapy, and medical and legal advocacy in the greater Chicago metropolitan area. Resilience provides public education and institutional advocacy in order to improve the treatment of sexual assault survivors and to effect positive change in policies and public attitudes toward sexual assault.
34. **Shriver Center on Poverty Law** fights for economic and racial justice. Over their 50-year history, they have secured hundreds of victories with and for people living in poverty in Illinois and across the country. Today, they litigate, shape policy, and train and convene multi-state networks of lawyers, community leaders, and activists nationwide. Together, we are building a future where all people have equal dignity, respect, and power under the law.
35. **Social Change** is a national non-profit committed to the radical transformation of protest into progress by working together with a network of organizers, lawyers, legislators, journalists, artists, and other storytellers seeking to improve the social reality of communities of color, to support and defend impoverished and divested households, and to uplift institutions committed to transforming lives and communities through strategic partnerships, community capacity building, and technical assistance.
36. **The Voices and Faces Project** is an award-winning non-profit storytelling initiative created to bring the names, faces, and testimonies of survivors of gender-based violence to the attention of the public. Through educational and advocacy trainings, survivor story archives, and writing workshops, The Voices and Faces Project seeks to change minds, hearts, and public policies through the power of personal testimony.
37. **Transformative Justice Law Project** is a group of radical activists, social workers, and organizers who provide support, advocacy, and free, holistic advocacy and criminal legal services to poor and street-based transgender people in Illinois.
38. **Unitarian Universalist Prison Ministry of Illinois** equips Unitarian Universalists in Illinois to transform institutions and support people harmed by the prison industrial complex. UUPMI fosters connections between UU congregations and Illinois prisoners by offering liberal religious ministry inside prisons, advocating for policy changes related to prisons, and teaching radical hospitality to congregations welcoming formerly incarcerated people.
39. **Women Employed (“WE”)** is a non-profit organization whose mission is to improve the economic status of women and remove barriers to economic equity. WE relentlessly



pursue equity for women in the workforce by effecting policy change, expanding access to educational opportunities, and advocating for fair and inclusive workplaces so that all women, families, and communities thrive. WE pursue equity for all.

40. **Women's March – Illinois** is the Illinois chapter affiliate of the Women's March Network. The mission of Women's March is to harness the political power of diverse women and their communities to create transformative social change and fight for the collective liberation of all women and femmes. Women's March is a women-led movement providing intersectional education on a diverse range of issues and creating entry points for new grassroots activists and organizers to engage in their local communities through trainings, outreach programs, and events.