

November 7, 2022

***** PRESS RELEASE*****

62 ILLINOIS STATE'S ATTORNEYS FILE SUIT TO DECLARE THE SAFE-T ACT UNCONSTITUTIONAL

As the Chief Law Enforcement Officers of our respective Counties, we are compelled to inform the people of the State of Illinois, that we have sworn to protect that the proposals set forth in the SAFE-T ACT are unconstitutional and pose a serious threat to public safety. Sixty-Two (62) State's Attorneys, both Republican and Democrat have now filed suit to stop the Safe-T Act.

On January 10, 2021, Senator Sims affixed a 604-page amendment to HB 3653 that, in addition to sweeping changes to law enforcement operations, conduct, and use of force, also included the bulk of the bail modification provisions.

At 3:00 a.m. on January 13, 2021, HB 3653 was amended again by Senator Sims, becoming 764 pages in length. At 5:00 a.m., having had a little more than an hour to read the 764 page Bill, HB 3653 was called for a vote in the Senate by the Democratic super-majority and passed. That same morning, HB 3653 was sent to the House, its chief House sponsor was changed to Rep. Slaughter, and assigned to the Rules Committee. It immediately passed out of the Rules Committee and received exactly the 60 votes needed to pass in the House, again, after less than an hour of debate.

HB 3653 was sent to Governor Pritzker on February 4, 2021, and he signed it on February 22, 2021.

We have filed a motion for declaratory judgement and injunctive relief in our official capacity as State's Attorneys. We have set forth in our complaint for Declaratory Judgment that Public Act 101-652, is unconstitutional in that it violates the single subject rule, violates separation of powers as applied to victim rights and the bail provision of the Illinois Constitution found in Article I, section 8.1(a)(9); Article I, section 9; Article II, section 1; and Article IV, section 8(d) of the Illinois Constitution of 1970. We are requesting the Court to declare the law null and void.

The litigation is now consolidated in Kankakee County in case number 2022 CH 16. Oral arguments are scheduled to be heard by the Hon. Thomas W. Cunningham on December 7, 2022. Based upon the court order we anticipate a ruling on December 15, 2022.

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