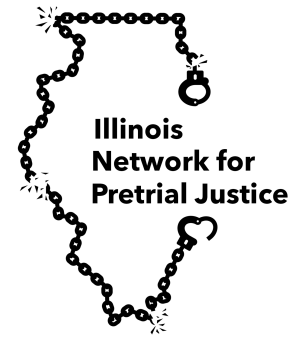


October 20, 2022

Re: Opposition to SB4228, SAFE-T Act Trailer Bill

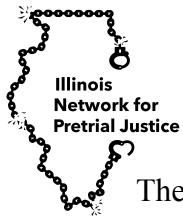


Dear members of the Illinois General Assembly:

We the undersigned organizations write to ask you to oppose SB4228, the SAFE-T Act trailer bill written by the Illinois State's Attorneys Association. The Pretrial Fairness Act was designed to protect an individual's right to the presumption of innocence and to address racial disparities in our pretrial system. The changes included in SB4228, however, would deny all Illinoisians those fundamental constitutional rights. If passed, the amendments in SB4228 would further fuel mass incarceration, worsen racial disparities, and create a pretrial system that is far worse than the one in place today.

By passing the Pretrial Fairness Act, the Illinois legislature took a significant step towards addressing the harm pretrial incarceration has caused communities across our state. For decades, Illinoisans have lost jobs, housing, and even custody of their children—not because they were a danger to the community, but simply because they couldn't afford to pay a money bond. The Pretrial Fairness Act rectified this by ending the state's use of money bond, ensuring that safety, not the amount of money in a person's savings account, determines who is jailed and who is released pretrial. These changes reflected the recommendations of the Illinois Supreme Court Commission on Pretrial Practices and were supported by more than 100 advocacy, community and policy organizations, including most notably a number of groups representing the survivors of domestic, gun, and sexual violence.

The Pretrial Fairness Act was passed in response to the historic, nationwide protests following the police murders of George Floyd and Breonna Taylor and represents an important step in addressing the pervasive racial injustice in our criminal legal system. The changes proposed in SB4228 are in complete opposition to the spirit of those calls for racial justice and criminal legal system reform and were developed primarily by prosecutors.

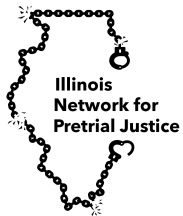


The Pretrial Fairness Act, in contrast, was developed with input from legal experts, advocates, and community organizers. It was a product of nine public hearings, 30 hours of testimony, and countless meetings with law enforcement, community members, and advocates. For the last several years, however, the State's Attorneys Association has fought tooth and nail against pretrial justice reforms. The prosecutors' association has not productively engaged in implementation conversations to ensure the safe and effective implementation of the law. On the heels of a misinformation and fear-mongering campaign spread by right-wing operatives like Dan Proft, Jeanne Ives, and Dick Uihlein, the State's Attorneys Association is exploiting this moment immediately before an election and attempting to use the trailer bill process to increase their power to jail vulnerable Illinoisans. This is not a good faith effort to improve the law. It is, instead, an attempt to completely gut the law by prosecutors who oppose—and have always opposed—efforts to reduce the harm caused by wealth-based jailing in our state.

Perhaps most egregiously, SB4228 attempts to institute an unconstitutional presumption of jail for certain people, who would then be forced to prove their innocence before trial instead of having the prosecution present convincing evidence of their guilt. This clearly unconstitutional proposal is ironic given the baseless lawsuits from these same prosecutors claiming the Pretrial Fairness Act is itself unconstitutional. These lawsuits also do not necessarily represent the views of the majority of Illinoisans; State's Attorneys representing counties that make up 46% of Illinois' population support the Pretrial Fairness Act, and State's Attorneys representing 58% of Illinois' population support eliminating money bond. Many of the State's Attorneys leading opposition to the Pretrial Fairness Act, in contrast, represent counties where Black residents make up at most 14% of the population, but up to half of the people admitted to their jails.

Specifically:

County	Percentage of Black Residents	Percentage of Black People Admitted to the County Jail
Champaign	14.4%	56%
DuPage	5.4%	45.2%
Kane	6%	31.9%
Tazewell	1.6%	16.4%



Will	12.5%	43.5%
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Correcting these glaring racial disparities is one of the primary reasons the Pretrial Fairness Act was passed.

The Pretrial Fairness Act has never been just about ending money bond. It was signed into law to reduce the devastation that pretrial incarceration has caused low-income communities and communities of color across Illinois. It is absolutely essential that any future amendments to the Pretrial Fairness Act are made in the same spirit in which it was written. Using this historic legislation as a vehicle for incarcerating more Black and brown people would be a slap in the face to the communities that have suffered under the injustices of the money bond system for decades.

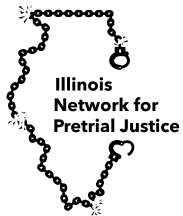
Protecting everyone's access to pretrial freedom, regardless of income, is a significant step toward decreasing the number of people languishing in Illinois' 92 county jails. The Pretrial Fairness Act marked a critical step forward for the state. Illinois has now positioned itself as a leader in efforts to meaningfully address the racial and economic injustices that wealth-based jailing has caused communities for decades. We have a duty to honor the historic moment when Illinois made that significant step. **This progress toward racial and economic justice cannot be undone before the Pretrial Fairness Act even goes into effect. For this reason, we ask you to oppose the amendments contained in SB4228.** Please do not hesitate to contact us at info@endmoneybond.org with any questions or for additional information.

Sincerely,

The Illinois Network for Pretrial Justice and more than 100 additional organizations in support of the Pretrial Fairness Act:

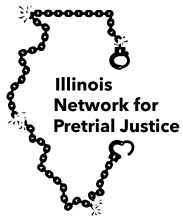
#LetUsBreathe Collective
A Just Harvest
A Way Inn
Access Living
ACLU of Springfield
ACLU of Champaign County
ACLU of Illinois

Alliance for Safety and Justice
Asian Americans Advancing Justice
Chicago
Believers Bail Out
Black Justice Project
Black Light Fellowship



Black Lives Matter
Bloomington-Normal
Black Lives Matter Springfield
Blackroots Alliance
Bloomington-Normal Democratic
Socialists of America
Brighton Park Neighborhood
Council
Cabrini Green Legal Aid
CAIR-Chicago
Cannabis Equity Illinois Coalition
Carbondale Spring
Central Illinois Mosque and Islamic
Center
Champaign County Bailout Coalition
Champaign-Urbana Courtwatch
Champaign-Urbana Democratic
Socialists of America
Champaign-Urbana Showing Up for
Racial Justice (CU-SURJ)
Change Peoria
Channing-Murray Foundation
Chicago Coalition for the Homeless
Chicago Community Bond Fund
Chicago Democratic Socialists of
America
Chicago Lawyers' Committee for
Civil Rights
Chicago Jobs Council
Chicago Recovery Alliance
Chicago Teachers Union
Chicago Torture Justice Center
Chicago Votes
Circles & Ciphers
Clergy for a New Drug Policy
Coalition to Reduce Recidivism in
Lake County
Communities United
Community Renewal Society
Concerned Citizens of Precinct 12

Covenant United Church of Christ
Criminal Justice Task Force at First
Unitarian Church of Chicago
Elliott Counseling Group
Equity And Transformation (EAT)
Faith Coalition for the Common
Good
First Defense Legal Aid
First United Methodist Church, Oak
Park
Gamaliel Network
Gamaliel of Illinois and Iowa (GOII)
Growing Home, Inc.
HANA Center
Human Opposition Movement for
Equality
Illinois Alliance for Reentry and
Justice
Illinois Muslim Civic Coalition
Illinois National Organization for
Women (NOW)
Illinois Prison Project
Illinois Prisoner Rights Coalition
Illinois Religious Action Center of
Reform Judaism (RAC-IL)
Inner-City Muslim Action Network
Jewish Council on Urban Affairs
John Howard Association of Illinois
JOLT Harm Reduction
Justice and Witness Ministry of
Chicago Metropolitan
Association – Illinois Conference
United Church of Christ
Law Enforcement Action Partnership
Lawndale Christian Legal Center
Legal Council for Health Justice
Liberation Library
Live Free Chicago
Live Free Illinois
Loevy & Loevy Attorneys at Law



Mandel Legal Aid Clinic at the
University of Chicago Law
School
Masjid Al-Taqwa
MediaJustice
Metropolitan Tenants Organization
NAMI Illinois
NAMI South Suburbs of Chicago
National Lawyers Guild Chicago
Nehemiah Trinity Rising
Nikkei Uprising
Northside Transformative Law
Center
ONE Northside
Parole Illinois
Party for Socialism and Liberation
Champaign-Urbana
People's Action
The People's Lobby
Precious Blood Ministry of
Reconciliation
Quad Cities Democratic Socialists of
America
Quad Cities Interfaith
Resistor Sisterhood
Restore Justice
Revolution Workshop
Rights and Restoration Law Group
Rockford Urban Ministries
Sanctuary of the People, University
of Illinois Urbana-Champaign
SEIU Healthcare Illinois
She Votes Illinois
Showing Up for Racial Justice
(SURJ) - Chicago
Shriver Center on Poverty Law
Silver Law Office PC
Smart Decarceration Project
Southsiders Organized for Unity and
Liberation (SOUL)

St Francis Xavier Metro-East Small
Faith Community
Students for Sensible Drug Policy
Illinois
The Graduate Employees'
Organization at University of
Illinois Urbana-Champaign
Trinity United Church of Christ
Unitarian Universalist Advocacy
Network of Illinois
Unitarian Universalist Prison
Ministry of Illinois
United Congregations of the
Metro-East
United Working Families
Uptown People's Law Center
Wayman AME Church
Westside Justice Center
West Suburban IL DSA
WIN Recovery
Women's Justice Institute (WJI)
Women's March Rockford
Workers Center for Racial Justice
YWCA Elgin
YWCA McLean County
YWCA of the University of Illinois