

# **PUBLIC SAFETY and JUDICIARY COMMITTEE**

## **AGENDA**

**Called by:** Burt Gerl, Chairman

**Members:** Aaron Booker, Brad Lindmark, Tim Nabors, Angie Goral, Kevin McCarthy, Dorothy Redd

**DATE:** MONDAY, SEPTEMBER 26, 2022

**TIME:** **5:00 PM**

**LOCATION:** ROOM 303  
COUNTY ADMINISTRATION BLDG  
404 ELM STREET  
ROCKFORD, IL 61101

### **AGENDA:**

- A. Call to Order
- B. Roll Call
- C. Approval of Minutes – None
- D. Public Comment – This is the time we invite the public to address the Public Safety and Judiciary Committee with issues and concerns. We ask you to limit your comments to three minutes. Personal attacks or inappropriate language of any sort will not be tolerated. We will allow a maximum of five speakers on a first come basis with sign up at the meeting. Speakers may not address zoning matters which are pending before the ZBA, the Zoning Committee or the County Board. Personnel matters or pending or threatened litigation may not be addressed in open session. An individual may speak a maximum of three times per calendar year on the same topic. This prohibition shall include the repetition of the same topic in a statement on what is purported to be a different topic. After acknowledgement by the chair, please stand and state your name. Thank you.
- E. Resolution Opposing the “Safe-T Act” and Supporting its Repeal in the Illinois State Legislature
- F. Future Agenda Items
- G. Adjournment



# Resolution Executive Summary

**Prepared By:** On Behalf of John F. Sweeney

**Committee:** Public Safety Committee

**Committee Date:** September 26, 2022

**Resolution Title:** Resolution Opposing the "Safe-T Act" and Supporting its Repeal in the Illinois State Legislature

**County Code:** Not applicable

**Board Meeting Date:** September 29, 2022

## Budget Information:

<b>Was item budgeted?</b>	No	<b>Appropriation Amount:</b>	N/A
<b>If not, explain funding source:</b>	N/A		
<b>ORG/OBJ/Project Code:</b>	N/A	<b>Budget Impact:</b>	N/A

**Background Information:** Effective January 1, 2023, Illinois is set to be the first state in the union to eliminate cash bail through SAFE-T Act. Among many concerns, is that the SAFE-T Act creates unreasonable legal standards for detention in forcible felonies such as murder and armed robbery. The Winnebago County Board has an obligation to the safety of its citizens and believes this law puts the public in danger by allowing dangerous criminals to be free of incarceration.

**Recommendation:** Staff concurs

**Contract/Agreement:** Not Applicable.

**Legal Review:** The State's Attorney's Office has reviewed the Resolution.

**Follow-Up:** Not Applicable.

**RESOLUTION  
OF THE  
COUNTY BOARD OF THE COUNTY OF WINNEBAGO, ILLINOIS**

2022 CR \_\_\_\_\_

SUBMITTED BY: PUBLIC SAFETY AND JUDICIARY COMMITTEE

SPONSORED BY: JOHN F. SWEENEY

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**RESOLUTION OPPOSING THE "SAFE-T ACT" AND  
SUPPORTING ITS REPEAL IN THE ILLINOIS STATE LEGISLATURE**

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**WHEREAS**, the County of Winnebago, Illinois has an obligation to the safety of its citizens; and

**WHEREAS**, the "SAFE-T ACT" was passed in the pre-dawn hours of a "lame-duck" session of the general assembly, and;

**WHEREAS**, the "SAFE-T ACT," will likely result in the release of more than half of the inmates in the Winnebago County Jail back into the community, and;

**WHEREAS**, the "SAFE-T ACT" eliminates cash bail, and strips the judiciary of their ability to balance the rights of the accused to be free on bail against the rights of the public to receive reasonable protective consideration by the courts, and;

**WHEREAS**, the "SAFE-T ACT" places entire categories of crimes, such as aggravated batteries, robberies, burglaries, hate crimes, aggravated DUIs, vehicular homicide, armed habitual criminal, drug induced homicide, and all drug offenses including delivery and trafficking of fentanyl ineligible for detention despite the severity of the crime or the defendant's risk to a specific citizen or the community in general, and;

**WHEREAS**, the "SAFE-T ACT" creates a higher bar and sometimes unreasonable legal standard for detention in forcible felonies such as murder and armed robbery, and;

**WHEREAS**, the "SAFE-T ACT" is a direct infringement on personal property rights by restricting the arrest of a criminal trespasser, and;

**WHEREAS**, the Winnebago County Board believes that this law puts the public in danger by allowing dangerous criminals to be free of incarceration, and will discourage victim cooperation with law enforcement due to fear of retaliation by offenders immediately released back into society.

**NOW, THEREFORE BE IT RESOLVED**, that the County Board of the County of Winnebago, Illinois demands the "SAFE-T ACT" be immediately repealed.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be immediately sent to all state office holders representing any portion of the County of Winnebago, and to the Office of Governor of the State of Illinois.

**BE IT FURTHER RESOLVED**, that this Resolution shall be in full force and effect immediately upon its adoption.

Respectfully submitted,  
**PUBLIC SAFETY AND JUDICIARY COMMITTEE**

**AGREE**

**DISAGREE**

\_\_\_\_\_  
Burt Gerl, Chairman

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Burt Gerl, Chairman

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Aaron Booker, Vice Chairman

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Aaron Booker, Vice Chairman

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Kevin McCarthy

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Kevin McCarthy

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Brad Lindmark

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Brad Lindmark

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Tim Nabors

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Tim Nabors

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Angie Goral

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Angie Goral

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Dorothy Redd

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Dorothy Redd

The above and foregoing Resolution was adopted by the County Board of the County of Winnebago, Illinois this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Joseph V. Chiarelli  
Chairman of the County Board  
of the County of Winnebago, Illinois

ATTESTED BY:

\_\_\_\_\_  
Lori Gummow  
Clerk of the County Board  
of the County of Winnebago, Illinois