Gov. Pritzker Signs Legislation That Makes Illinois First State To Curb Money Bail Against Law Enforcement Pleas

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SPRINGFIELD - Following five years of organizing, Illinois will become the first state to completely end money bail.

Since 2016, the Coalition to End Money Bond and (since 2019) the Illinois Network for Pretrial Justice have been organizing alongside impacted communities, advocates, legislators, and faith leaders to end wealth-based pretrial incarceration. Today, that system will face its demise when Illinois Governor JB Pritzker signs the Pretrial Fairness Act into law.

Police unions and other law enforcement organizations have urged Pritzker to veto the bill, saying it would give criminal suspects many more advantages than police. Most provisions of the law would take effect on July 1, 2021, with others phased in over next four years.

The legislation, written by members of the Coalition and Network, transforms the state's pretrial justice system by implementing a series of common sense reforms, most notably ending the use of money bail to determine who is released while awaiting trial. A diverse array of organizations from across the state endorsed the historic legislation, including racial justice activists, former law enforcement officials, and advocates against domestic violence and sexual assault. In all, more than 100 community, faith-based, and policy organizations have endorsed the legislation, which will have a dramatic effect on the state's pretrial system.

The Pretrial Fairness Act is contained in HB 3653, criminal justice omnibus bill championed by the Illinois Legislative Black Caucus. The omnibus bill was developed in response to Black Lives Matter protests that erupted in every corner of Illinois and across the nation last summer. Legislators saw the unprecedented protests as a mandate to bring sweeping changes to the state's criminal justice system.

"By signing this historic legislation into law, Governor Pritzker and the Illinois legislature have taken a bold step to stand with the millions of people that took to the streets in support of the Black Lives Matter movement. All too often, these calls for desperately needed changes to our criminal justice system have been met with empty rhetoric. By ending money bond, Governor Pritzker and the Illinois legislature are setting an example of what prioritizing racial justice and implementing real criminal justice reform looks like," said Olivia Butts of Black Lives Matter Bloomington-Normal, a member organization of the Illinois Network for Pretrial Justice.

From Rockford to East St.Louis and everywhere in between, wealth-based incarceration has destabilized communities by caging people not because they pose a danger to the community but because of the size of their bank account. Ninety percent of people incarcerated in Illinois' 92 county jails are awaiting trial, and a majority of them are caged only because they can't afford to pay a money bond. This destabilization has made our communities less safe, even while claiming to be done in the name of public

safety. The Pretrial Fairness Act will impact tens of thousands of people every year who previously would have been incarcerated while awaiting trial, sometimes for years at a time, due to poverty.

“In 30 seconds, a judge set my money bond at $20,000 and changed the course of my life. I spent 14 months in jail. As a consequence, I lost my business, housing, and I nearly lost custody of my children. When I heard that Governor Pritzker was signing the Pretrial Fairness Act, I began to cry knowing that never again will families in our state experience the pain mine did,” said Lavette Mayes, an advocate with the Illinois Network for Pretrial Justice and the Coalition to End Money Bond.

“The signing of the Pretrial Fairness Act is a victory for people across the state. It shows what is possible when communities organize together to address racism and systemic inequality. People incarcerated pretrial are coerced into accepting plea deals that result in longer prison sentences and even more arrests in the future. By ending money bond, Illinois is not just ending wealth-based pretrial incarceration, we are beginning to meaningfully address mass incarceration,” said Sharone Mitchell, Director of the Illinois Justice Project, a member organization of the Illinois Network for Pretrial Justice and the Coalition to End Money Bond.

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The Coalition to End Money Bond formed in May 2016 as a group of member organizations with the shared goal of stopping the large-scale jailing of people simply because they were unable to pay a money bond. In addition to ending the obvious unfairness of allowing access to money to determine who is incarcerated or free pending trial, the Coalition is committed to reducing the overall number of people in Cook County Jail and under pretrial supervision as part of a larger fight against mass incarceration. The Coalition to End Money Bond is tackling bond reform and the abolition of money bond as part of its member organizations’ larger efforts to achieve racial and economic justice for all residents of Cook County. The Coalition to End Money Bond is hosted by Chicago Community Bond Fund.

In July 2019, the Coalition to End Money Bond launched a new statewide effort: The Illinois Network for Pretrial Justice. The Network serves to connect organizations working to reduce pretrial incarceration in Illinois and, more broadly, to end mass incarceration and address the root causes of socio-economic and racial inequity in our legal system. By sharing information about local efforts, generating opportunities for collaboration, and developing shared strategies, we generate more power and leverage our local work to achieve transformative pretrial policy changes for all Illinoisans.