



Jersey County State's Attorney Ben Goetten Files Suit Challenging the Constitutionality of the Safe-T Act

by Dan Brannan, Content Director
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JERSEY COUNTY - Jersey County State's Attorney Ben Goetten has filed a lawsuit against the State of Illinois in regard to the controversial Safe-T Act.

The Safe-T Act was supported and signed into law by Gov. JB Pritzker on Jan. 22, 2021, the Illinois Safety, Accountability, Fairness and Equity-Today (SAFE-T) Act (the Act) implements sweeping reform impacting many aspects of the criminal justice system, including pre-arrest diversion, policing, pretrial, sentencing, and corrections.

"While I'm still hopeful the legislature will do the right thing and make the necessary amendments to this Act, I felt filing suit sends a strong message from Jersey County that we are not in favor of installing a revolving door at our jailhouse," Goetten said. "The men and women in law enforcement deserve better, the people of this State deserve better, and I'm certain that the citizens of Jersey County deserve better."



Goetten continued and said: "This Act does nothing more than strip vital tools from law enforcement, take discretion away from our judges and create an environment where criminals call the shots. The problems of Cook County are not the problems of downstate communities like ours.

"In the absence of a legislative fix, we will be asking the Courts to render this Act unconstitutional for the various legal reasons outlined in the complaint."

Goetten closed by thanking Will County for allowing his office to utilize the resources in their civil division, which he said "did a fantastic job in drafting the language of this complaint.

"We proudly adopt their arguments and are confident in a favorable outcome."

Goetten added: "I am not opposed to cashless bond on certain low-level, non-violent offenses. But there should be no exception for violent offenders and those that may pose a threat to public safety. We have been working on diplomatic solutions with key legislators to try and fix some of the most dangerous aspects of this Act", he said.

"Lawmakers need to understand we prefer to work together on a legislative fix. This Act was passed by one chamber at 4 a.m. in the morning. That's not working together to advance public safety. That's ramming a bill through the process to avoid accountability." Goetten continued, "At the very least, push the enactment of this bill back to January of 2024 and allow the stakeholders to sit at the same table and come up with common-sense legislation that will actually advance public safety and safeguard offenders' due process rights." "My colleagues and I will continue to work diligently to protect our communities from the pitfalls of this Act, whether diplomatically or through the Courts. As leaders, we need to lead. Lead with a sense of purpose and calm for the sake of our constituents."

Some highlights of the SAFE-T (Safety, Accountability, Fairness, and Equity-Today) ACT

- Eliminates cash bail in the pre-trial detention system based on public safety and not on wealth
- Modernizes sentencing laws by reforming the habitual criminal penalty enhancement and felony murder statute
- Limits short-term commitments for individuals with 4 months or less left on their sentence.
- Eliminates Mandatory Supervised Release for Class 3 and 4 felonies, unless the Prisoner Review Board determines it is needed after a risk and needs assessment.
- Shortens Mandatory Supervised Release terms for all other felony categories.
- Increases the Director of the Department of Corrections' discretion to award sentence credit and expands awards of credit for completion of educational degrees and programming
- Empowers the Attorney General to conduct pattern or practice investigations
- Requires a predicate offense for a resisting arrest offense to be applicable
- Creates a more robust statewide certification and decertification system for police officers
- Requires the use of body-worn cameras by all police departments