

62 State's Attorney's Suing To Block The SAFE-T Act Issue Joint Statement

by Submitted by Brian Brueggemann
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On Monday, the bi-partisan group of Sixty-Two (62) State's Attorneys who have sued to overturn the Safe-T Act released the following joint statement: "As the Chief Legal Officers of our respective Counties we swore to protect and defend the rule of law. Therefore, we are compelled to inform the people of the State of Illinois, that the SAFE-T Act is unconstitutional and a serious threat to public safety, specifically, to victims of and witnesses to violent crimes in our communities. This is not political. We are Democrats and Republicans. Whatever the result of the various elections decided tomorrow, our fundamental legal concerns with the SAFE-T Act remain.

"The SAFE-T Act violates the constitutional requirement that all bills "shall be confined to a single subject," but the SAFE-T Act quite obviously covers several unrelated subjects across its 764 pages.

"A court's ability to require a monetary bail is specifically stated in the Constitution Yet the SAFE-T Act unconstitutionally eliminated that power without a constitutional amendment.

"This elimination of the core judicial power to set bail to protect victims and ensure compliance with judicial orders, along with severe restrictions in a court's discretion to issue warrants when defendants fail to appear in court, also violates the separation of powers.

"The SAFE-T Act is unconstitutionally vague, since its terms cannot be reasonably understood by those mandated to follow them and are internally contradictory in many places. On these bases and others, 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. A briefing schedule is set and 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. There has been much confusion and vitriol surrounding the passage and haphazard attempts to implement the SAFE-T Act over the past year and a half. We are hopeful that now, calmer heads will prevail, the rule of law will be respected, and the judiciary in its wisdom will once again make it clear that the constitution's mandates must be followed and the general assembly may not simply ignore them whenever it pleases."

- Adams County Boone County Brown County Carroll County Cass County Clay County Clinton County Coles County Cumberland County DeKalb County DeWitt County Douglas County Effingham County Fayette County Ford County Franklin County Fulton County Greene County Grundy County Hancock County Jackson County Jasper County Jefferson County Jersey County Jo Daviess County Johnson County Kankakee County Kendall County Knox County LaSalle County Lee County Livingston County Logan County Macon County Madison County Mason County Massac County McDonough County McHenry County McLean County Mercer County Monroe County Montgomery County Moultrie County Ogle County Perry County Pope County Pulaski County Randolph County Saline County Sangamon County Scott County Shelby County Stephenson County Tazewell County Union County Vermilion County Washington County White County Will County Winnebago County Woodford County