

P.A. 101-0652 - SAFE-T ACT

Report to Law & Judicial Committee

July 26, 2022

Joint Presentation from –

- **Chief Judge, 19th Judicial Circuit Court**
- **Lake County State's Attorney Office**
- **Lake County Public Defender Office**
- **Lake County Circuit Clerk Office**
- **Lake County Sheriff's Office**

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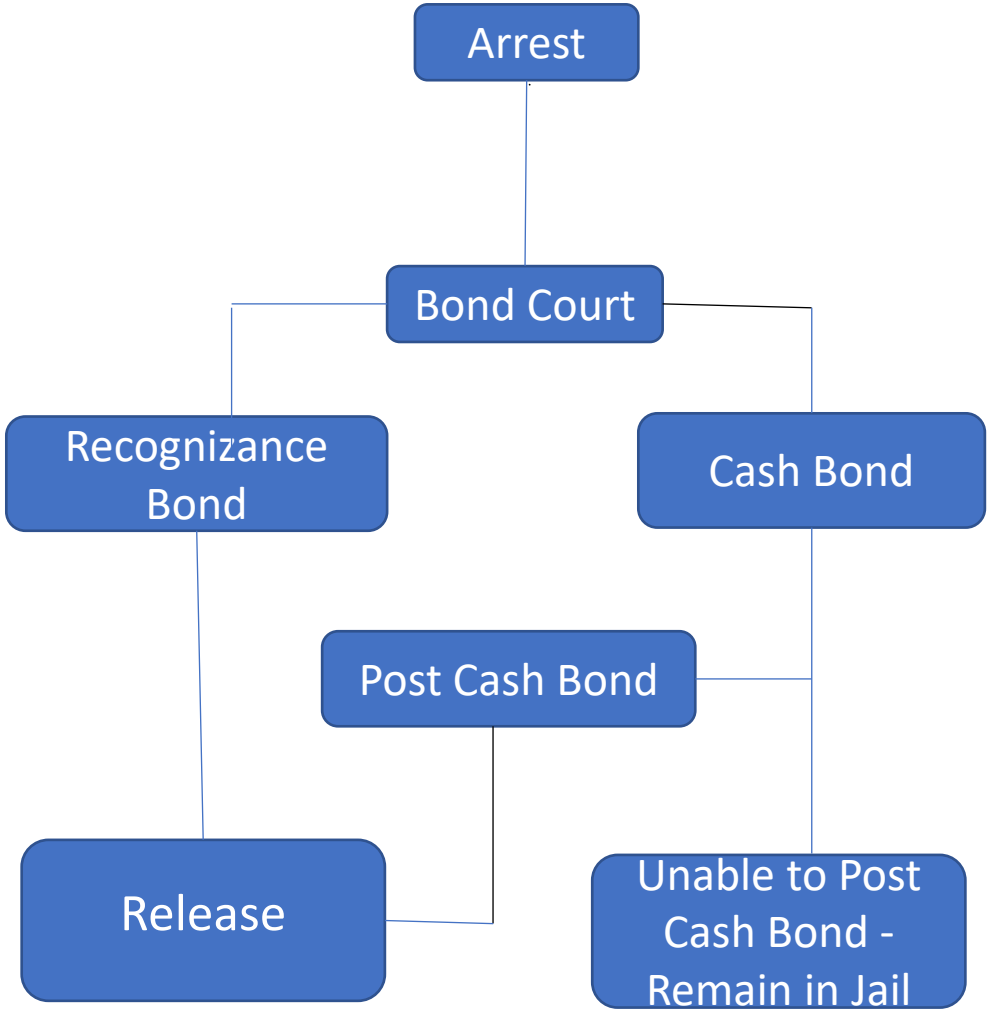
- The Illinois **S**afety, **A**ccountability, **F**airness and **E**quity – **T**oday (SAFE-T) Act was signed on 2/22/2021.
- Some parts of this legislation took effect 7/1/2021 or 1/1/2022, but the most significant impact on the Court and Lake County comes effective 1/1/2023.
- This Act changes practices for many Lake County justice partners and will require additional staff to successfully implement.

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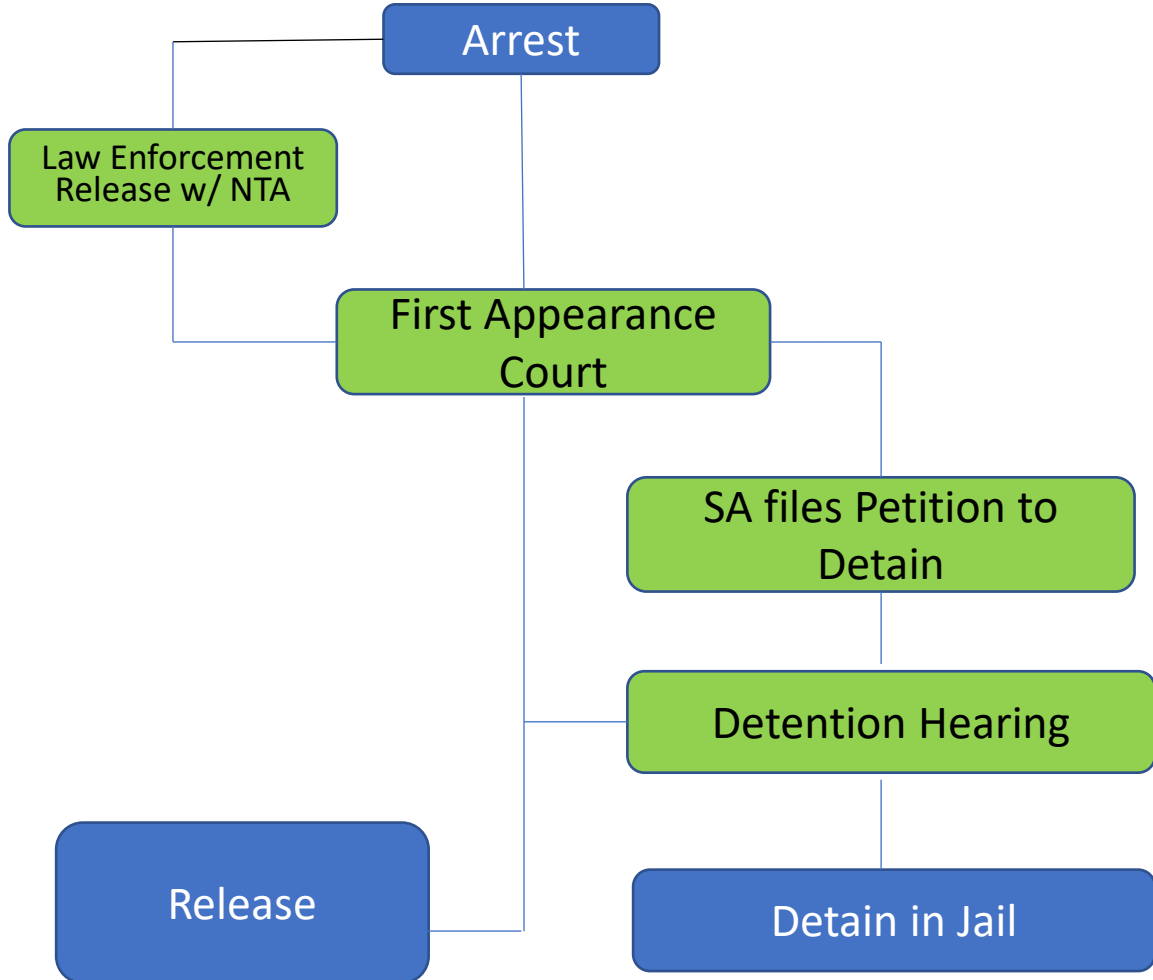
- Some of the changes this Act brings that impacts our system:
 - Requires body cameras for all law enforcement.
 - Eliminates cash bond.
 - Law enforcement given discretion to release offender after arrest with a Notice to Appear for lower-level offenses.
 - Offenders sent to “First Appearance Court” (formerly Bond Court) following arrest, PD must be appointed on every case, even if offender being released.
 - Offenders eligible for pretrial detention, the State’s Attorney must file a “Petition to Detain” before a judge can enter a decision.
 - Separate “Detention Hearing” must be held within 2 days.

Flow Chart of SAFE-T Act System Changes

Current



New



Impact on Jail Population and Pretrial Services

- **Initial reduction in jail population** - On 1/1/23, offenders that are not eligible for detention, or SA decides not to file a Petition to Detain, will be released.
- **Long Term Population Unknown** - While fewer offenders may be ordered to jail following arrest, and because the offender can no longer post bond for release before trial, its possible that the number of offenders released each day may be less than the number of new offenders coming into the jail.
- **Increase of Offenders on Pretrial Supervision** - Many released offenders will be ordered to Pretrial Supervision with conditions such as curfews & drug testing.
- **Increased Use of Electronic Monitoring/GPS** – Some released to pretrial supervision may also be ordered to Electronic Home Detention (EHM) or GPS Monitoring, both of which incur a cost of \$10/day per offender. So that all offenders have an equal opportunity for this alternative to jail, funds would be needed to assist those offenders unable to pay the daily fee.

Impact of Two (2) Additional Judges

- A Preliminary Injunction from the 7th Judicial Circuit Court ordered that 2 additional judgeships in the 19th Circuit, which resulted from P.A. 102-380 and P.A. 102-693, be placed on the ballot and that these judgeships be filled at the November 2022 general election.
- It is possible that one of these additional judges will be assigned to the new Detention Hearing Court resulting from the SAFE-T Act.
- While not yet determined, the 2nd additional judge may be assigned to either a new civil case type court call or a new criminal case type court call, as needed.
- While the new judgeships are 100% funded by the state, any additional personnel needed by the justice partners to staff for these additional judges would require funding from the county as displayed on the next slide.

Additional Staffing, Training & Equipment Needs

• Sheriff: Corrections – 6 Officers	-	\$ 793,748
• Court Security – 4 Officers	-	\$ 484,098
• Circuit Clerk: 4 Courtroom Clerks/2 Counter Clerks	-	\$ 464,425
• State's Attorney: 4 Attorneys/2 Victim Witness Coord.	-	\$ 852,281
• Public Defender: 7 Attorneys/1 Paralegal	-	\$1,204,603
• Court: 1 Court Interpreter	-	\$ 82,946
• Pretrial: 4 Pretrial Officers	-	\$ 309,648
• <u>Support for Electronic Monitoring</u>	-	<u>\$ 250,000</u>
Total - 35 New FTE Staff, Training & Equip.	-	\$ 4,441,749*

* This is current estimate, actual departmental requests and totals may differ.