October 13, 2017

Jan Zekich
Secretary, Illinois Supreme Court Rules Committee
Administrative Office of the Illinois Courts
222 N. LaSalle Street, 13th Floor
Chicago, IL 60601

Dear Ms. Zekich and Members of the Rules Committee:

Pursuant to Illinois Supreme Court Rule 3, enclosed for your review and consideration is a proposed Illinois Supreme Court Rule which would require an evidentiary hearing and a judicial finding that an accused is able to afford the amount of bail set as a predicate for the setting of monetary bail in criminal cases.

On behalf of the public officials, organizations and individuals listed as signatories at the end of this letter, we hereby request that the Illinois Supreme Court adopt a new rule to eliminate wealth-based pretrial detention and to ensure that judicial decisions about pretrial detention and release of presumptively innocent individuals are based on legitimate considerations rooted in evidence, and provide in essence that:

1) In any case in which a court imposes a financial condition of pretrial release, the court shall conduct an inquiry into the accused person’s financial resources and ability to pay.

2) The court shall not impose a financial condition of release unless the court finds, in writing on the record, that the accused has the present ability to pay the financial condition.

We appreciate your consideration of this important reform. Should you have any questions or desire any additional information, please do not hesitate to contact Era Laudermilk, Deputy of Policy & Strategic Planning, Law Office of the Cook County Public Defender at Era.Laudermilk@cookcountyil.gov or (312) 603-8389.

Sincerely,

Amy P. Campanelli
Public Defender of Cook County

On behalf of:

Hon. Timothy C. Evans
Chief Judge
Circuit Court Of Cook County

Toni Preckwinkle
President
Cook County Board

Kim Foxx
Cook County State’s Attorney

Tom Dart
Cook County Sheriff

Jesus “Chuy” Garcia
7th District Commissioner
Chair of the Criminal Justice Committee
Cook County Board of Commissioners
A Just Harvest
Ali R. Malekzadeh, President, Roosevelt University
Action Now
Adler University Institute on Public Safety & Social Justice
ACLU of Illinois
Asian Americans Advancing Justice | Chicago Bluhm Legal Clinic at Northwestern Pritzker School of Law
Business and Professional People for the Public Interest (BPI)
Cabrini Green Legal Aid
Representative Carol Ammons, Illinois 103rd District
Centro De Trabajadores Unidos (CTU)
Chicago Appleseed Fund for Justice
Chicago Area Fair Housing Alliance
Chicago Community Bond Fund
Chicago Council of Lawyers
Chicago Lawyers’ Committee for Civil Rights
Chicago Urban League
Chicago Votes
Children and Family Justice Center at Northwestern Pritzker School of Law
The Coalition to End Money Bond
Community Activism Alliance
Community Renewal Society
Criminal Justice Task Force, First Unitarian Church
Hughes Socol Piers Resnick & Dym
Illinois Justice Project
Imago Dei
Inner-City Muslim Action Network
John Howard Association
Justice and Witness Ministry of the Chicago Metropolitan Association, Illinois Conference, United Church of Christ
Juvenile Justice Initiative
Kenwood Oaklond Community Organization
League of Women Voters of Cook County
League of Women Voters of Illinois
Mothers 4 Peace
Nehemiah Trinity Rising
The Next Movement
Office of the State Appellate Defender
Padres Angeles
The People's Lobby
Pretrial Justice Institute
Robinson Law Group
Roderick and Solange MacArthur Justice Center
Safer Foundation
Sargent Shriver National Center on Poverty Law
Southside Indivisible
Southsiders Organized for Unity and Liberation
TKK Law Firm
Thresholds
Treatment Alternatives for Safer Communities (TASC)
UCC Justice Ministry
Unitarian Universalist Advocacy Network of Illinois
United Congress of Community and Religious Organizations (UCCRO)
Uptown People's Law Center
Workers Center for Racial Justice

cc: Marcia M. Meis, Director, Administrative Office of the Illinois Courts
Enclosures