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A RESOLUTION SUPPORTING CONTINUED EFFORTS TO RESOLVE PUBLIC SAFETY CONCERNS WITH THE SAFE-T ACT

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WHEREAS, the Village of Orland Park's mission is to provide services that ensure a high quality of life, sound fiscal management, and a dynamic business environment, while creating an inclusive community that values diversity; and

WHEREAS, providing a safe and secure community for all Orland Park residents and businesses is a focus of the Village's priority plan; and

WHEREAS, the Orland Park Police Department has been a leader in police training, policy and practice, accountability and transparency; and

WHEREAS, the Village values public engagement and stakeholder involvement to ensure all perspectives are considered in the development of legislation; and

WHEREAS, on January 22, 2021, the Illinois Safety, Fairness and Equity-Today Act ("SAFE-T Act") was signed into law, which imposes significant changes impacting many aspects of the criminal justice system, including pre-arrest diversion, policing, pretrial, sentencing, and corrections; and

WHEREAS, the "SAFE-T-ACT" was poorly drafted, nearly 800 pages, and passed in the middle of the night with little to no public debate; and

WHEREAS, the state legislature has since made a handful of changes to the SAFE-T Act but there are still many provisions in the sweeping new law that are not workable and/or create public safety concerns; and

WHEREAS, the law abolishes cash bail as of Jan. 1, 2023, that all defendants charged with criminal acts should be released from custody without posting monetary bail, which will cause major public safety issues; and

WHEREAS, violent offenders who are released on electronic monitoring and choose to violate the terms of their release have to be in violation for 48 hours before law enforcement can act; and

WHEREAS, this denies crime victims their constitutional rights from Article 1, Section 8.1 of the Illinois Constitution, codified in the Rights of Crime Victims and Witnesses Act, that mandates that crime victims shall have the right to have their safety and that of their families considered in denying or fixing the amount of bail, determining whether to release the defendant and setting conditions of release after arrest and conviction; and

WHEREAS, eliminating bail not only contradicts previously established and superior law, it places crime victims at a greater risk to be re-victimized, and unnecessarily subjects witnesses to threats and intimidation; and

WHEREAS, the law severely weakens the habitual-crime statutes and “three strikes” sentencing laws making it harder for our criminal justice system to keep repeat violent offenders off the streets and behind bars; and

WHEREAS, the Village worked with the Illinois Association of Chiefs of Police to share public safety concerns about the SAFE-T Act after its initial release, and during consideration of subsequent trailer bills; and

WHEREAS, the Village supports certain elements of the SAFE-T Act and has already implemented elements including police body cameras and use of force training; and

WHEREAS, the SAFE-T Act contains several elements that impact the ability for the Village to most effectively provide police services, including, but not limited to unreasonably limiting the imposition of cash bail, unreasonably limiting police officer discretion to make arrests, imposing unreasonable police certification and decertification standards, and mandating unreasonable custodial accommodations; and

WHEREAS, this poorly drafted law, containing ill-conceived directives, would negatively affect the safety of every citizen of our community; and

WHEREAS, we must stand with the men and women of law enforcement who consistently stand up for us, and we must not allow this law to stand as passed; and

WHEREAS, there is an opportunity for legislators to continue to work with public safety representatives and all community stakeholders to further amend the SAFE-T Act to address outstanding public safety concerns; and

WHEREAS, a failure to remove these provisions or repeal the SAFE-T Act prior to Jan. 1, 2023 will put the safety of law-abiding citizens and police officers at risk.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ORLAND PARK, COOK AND WILL COUNTIES, ILLINOIS, in exercise of its home rule authority, as follows:

SECTION 1:

The Preambles to this Resolution as set forth above are hereby incorporated in this Resolution as though fully set forth herein.

SECTION 2:

The Village of Orland Park demands that state legislators work with public safety representatives and all community stakeholders to fix remaining problems with the SAFE-T Act; including, but not limited to, unreasonably limiting the imposition of cash bail, unreasonably limiting police officer discretion to make arrests, imposing unreasonable police certification and decertification standards, mandating unreasonable custodial accommodations; unreasonably allowing offenders to violate terms of their release; and violating victims' rights as outlined in Illinois law

SECTION 3:

The Village of Orland Park demands that these provisions are removed, or that the SAFE-T Act be repealed prior to their implementation on Jan. 1, 2023.

SECTION 4:

This Resolution shall be effective immediately upon its adoption as provided by law.