



## Legislation Text

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### Title

Resolution Honoring the Rights of Victims, Affirming A Vote of No Confidence in Cook County State's Attorney Kim Foxx, Calling On County State's Attorney Kim Foxx to Resign in Order to Help Restore the Public's Confidence in the Criminal Justice System, and Calling Upon Other Elected Bodies to Approve Similar Resolutions.

### History

Protecting public safety in the Village of Orland Park is the Village's highest responsibility. Cook County is experiencing life-changing and life-threatening crime with unprecedented criminal activities putting the general public at risk of hurt, harm and danger. The escalating crime wave includes unsolved murders, shootings, killings of children and youth, and criminal activities which are of such a nature that an extreme response of extra help and support is necessary. The vitality of our community depends on how safe we keep our homes, neighborhoods, schools, and workplaces because crime and fear of crime diminish the quality of life for all.

Tens of thousands of people in Cook County are victims of crime every year. Some victims endure horrific acts of violence, some have personal possessions damaged or stolen, and others are defrauded or exploited financially. Whatever the crime, many victims lose something that can never be fully recovered: a sense of trust and safety. Many of these victims are twice victimized: once by a criminal and once by a criminal justice system that increasingly prioritizes criminals over the safety of law-abiding citizens.

Cook County saw more gun-related homicides in 2021 than in any other year on record. Cook County's 1,002 gun-related homicides were 121 higher than the previous record from 2020 and almost twice as many as the total from 2019. In 2021, eighty-six (86) homicides were recorded with victims under the age of 18 and of those, twelve (12) were under the age of 10.

Criminals should be held accountable for their actions, but a *Chicago Tribune* analysis found that during Cook County State's Attorney Kim Foxx's first three (3) years as the county's top prosecutor, her office dropped all charges against 29.9% of felony defendants, a dramatic increase over her predecessor.

The *Chicago Tribune* analysis also found that despite dropping more felony charges than her predecessor, of the felony cases that have been concluded, the Cook County State's Attorney's Office under prior State's Attorney Anita Alvarez won convictions in 75% of cases during the last three (3) years of Ms. Alvarez's term in office, higher than the conviction rate achieved by Cook County State's Attorney Kim Foxx, which was just 66% in the first three (3) years of her term.

The Illinois criminal code compiles Illinois' criminal law, including penalties that may be imposed for criminal offenses, including weapons violations. Having an abundance of criminal laws in place is inadequate if criminals will not be

prosecuted based on these laws. Of the one hundred and three (103) Orland Park Police Department firearm arrests from January 1, 2019, through December 31, 2021, only one (1) was held with no bond, thirty-six (36) or 35% were released on I Bonds (on their own personal recognizance), and the remainder were released on low bond amounts.

The abrupt dropping of the sixteen indictments against actor Jussie Smollet during an unannounced court hearing on March 26, 2019, was an egregious example of the failure by Cook County State's Attorney Kim Foxx to hold offenders accountable. The Chicago Police Department worked in excess of 1,700 hours investigating this false claim of a hate crime. They diverted significant resources, and a substantial portion of limited overtime budget to build this case with the staff of the Cook County State's Attorney Office. To have the charges dismissed with no explanation, and a sealed court file, demonstrated a lack of respect for the professionals that worked this case.

As a result, Judge Michael Toomin appointed Dan Webb as a special prosecutor to examine how and why Cook County State's Attorney Kim Foxx dismissed the initial set of criminal charges. The special prosecutor also eventually filed new charges against Smollett, who was convicted in December 2021 on five (5) of six (6) disorderly conduct charges. Special Prosecutor Dan Webb found "major failures" in how Cook County State's Attorney Kim Foxx handled the Jussie Smollett case, as well as an "abuse of discretion."

As leaders charged with ensuring public safety in our communities, we cannot ignore the choices Cook County State's Attorney Kim Foxx has made and the impact it is having on our ability to reduce and deter criminal activities. County State's Attorney Kim Foxx's strategy to address crime in Cook County is to decriminalize or ignore it, regardless of any collateral cost which is born overwhelmingly by individual communities.

The attached Resolution expresses the deep concerns our community has with the leadership of the Cook County State's Attorney's Office, specifically in the areas of felony review, non-prosecution of certain low-level offenses, and pre-trial release of dangerous criminals.

Endless pleas for Cook County State's Attorney Kim Foxx to do her job have fallen on deaf ears. Instead of making our communities safer, her failed policies have made them historically dangerous. As a result, the Village Board:

1. Honors the rights of victims of crimes by supporting the prosecution of all crimes, including gun related crimes, holding violent offenders accountable, and enforcing the maximum bail and punishments allowed by law;
2. Strongly affirms a vote of No Confidence in Cook County State's Attorney Kim Foxx performance;
3. Calls on Cook County State's Attorney Kim Foxx to resign in order to help restore the public's confidence in the criminal justice system; and
4. Calls upon other elected bodies to approve similar resolutions.

Recommended Action/Motion

I move to adopt Resolution 2208, entitled: RESOLUTION HONORING THE RIGHTS OF VICTIMS, AFFIRMING A VOTE OF NO CONFIDENCE IN COOK COUNTY STATE'S ATTORNEY KIM FOXX, CALLING ON COUNTY STATE'S ATTORNEY KIM FOXX TO RESIGN IN ORDER TO HELP RESTORE THE PUBLIC'S CONFIDENCE IN THE CRIMINAL JUSTICE SYSTEM, AND CALLING UPON OTHER ELECTED BODIES TO APPROVE SIMILAR RESOLUTIONS.