



**Law Office of the**  
**COOK COUNTY PUBLIC DEFENDER**

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Amy P. Campanelli • Public Defender

October 13, 2017

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

*Sent via email to [JZekich@illinoiscourts.gov](mailto:JZekich@illinoiscourts.gov)*

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](mailto: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 Foss**  
Cook County State's Attorney

**Tom Dart**  
Cook County Sheriff

**Jesus "Chuy" Garcia**  
7<sup>th</sup>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 Prtizker  
School of Law  
Business and Professional People for the Public  
Interest (BPI)  
Cabrini Green Legal Aid  
Representative Carol Ammons, Illinois 103<sup>rd</sup>  
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 Prtizker 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 Oakland 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