



# B SECTION

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**RETIREMENT OPEN HOUSE HELD.** Nadine Miller, left, manager of Arthur MCC Thrift Shop, was honored at a reception on Friday, Dec. 30, 2022, to celebrate her retirement. Miller has been the only manager the store has had since it first opened eight years ago on Nov. 12, 2014. Some of her retirement plans include spending more time with her grandchildren and taking care of her health. She plans to volunteer at least one day a week at the shop once she takes a break for a couple of months. Becky Gutierrez is also pictured and she was named the new manager back in November and has been training under Miller. *Photo by Stephanie Wierman.*



**MISS MOULTRIE-DOUGLAS COUNTY FAIR QUEEN, Julia Kerckhoff (above),** will be one of 73 young ladies competing for Miss Illinois County Fair Queen Title at the Crowne Plaza Hotel in Springfield the weekend of Jan. 20-22. Julia's interview portion will be held on Friday, Jan. 20. Her preliminary — which consists of speech, swimsuit, and evening gown — will be on Saturday, Jan. 21 at 7:00 p.m. The public is invited to attend, and the tickets can be purchased at the door. Finals will be held on Sunday, Jan. 22. At that time, they announce the top 15 and the non-finalists recognized. The top 15 will then start over with all four categories along with answering three pop questions on stage. *Submitted photo.*

## Judge invalidates cash bail reform in some counties

### Bail will still end in counties that didn't sue, containing about two-thirds of state's population

By **JERRY NOWICKI**  
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SPRINGFIELD — A Kankakee County judge ruled Wednesday that lawmakers overreached their constitutional authority in passing a measure to abolish cash bail in Illinois, while other provisions in the wide-ranging SAFE-T Act criminal justice reform were not affected by the ruling.

The ruling by Judge Thomas W. Cunnington leaves the impending cash bail reform in limbo in at least 64 of Illinois' 102 counties that had joined the consolidated lawsuit

ahead of the reform's scheduled Jan. 1 implementation.

The reform remains scheduled to take effect in the more than 30 counties that did not sue, which contain roughly two-thirds of the state's population. Of the state's 10 most populous counties, six were not part of the lawsuit (Cook, DuPage, Lake, Kane, St. Clair and Champaign). The counties of Will, McHenry, Winnebago and Madison were all part of the lawsuit.

The ruling did not invalidate other provisions of the SAFE-T Act which had already

taken effect, such as reforms to police officer training and certification standards and police body camera requirements.

Cunnington wrote in a 36-page decision that the cash bail provisions effectively and improperly amended a section of the state's constitution that states, "all persons shall be bailable by sufficient sureties," except in a few specific circumstances.

He also wrote that ending cash bail is an improper overreach by lawmakers, who have no constitutional authority to govern the administrative functions of Illinois courts due to the separation of powers. Bail, Cunnington wrote, has been held by the Supreme Court to be "administrative" in nature.

The constitution also specifically mentions bail in a section on victims' rights, when it states victims have a right "to have the safety of the victim and the victim's family considered in denying or fixing the amount of bail." Cunnington found that eliminating bail prevents courts from "effectuating the constitutionally man-

COUNTIES INCLUDED IN SAFE-T ACT LAWSUIT					
Adams	DeWitt	Jackson	Livingston	Montgomery	Stephenson
Boone	Douglas	Jasper	Logan	Moultrie	Tazewell
Bond	Effingham	Jefferson	Macon	Ogle	Union
Brown	Fayette	Jersey	Madison	Perry	Vermillion
Carroll	Ford	Jo Daviess	Mason	Pope	Washington
Cass	Franklin	Johnson	Massac	Pulaski	White
Clay	Fulton	Kankakee	McDonough	Randolph	Will
Clinton	Greene	Kendall	McHenry	Saline	Winnebago
Coles	Grundy	Knox	McLean	Sangamon	Woodford
Cumberland	Hancock	LaSalle	Mercer	Scott	
DeKalb	Henderson	Lee	Monroe	Shelby	

dated safety of the victims and their families."

Illinois Attorney General Kwame Raoul said in a news release the state will appeal the decision directly to the state Supreme Court, but a timeline for a ruling from the high court is unclear.

"Most of the SAFE-T Act's provisions have been in effect for more than a year, and regardless of today's circuit court decision, all parts of the SAFE-T Act, including the pretrial release portions addressed in the court's decision,

will go into effect Jan 1," Raoul said. "For instance, the right of individuals awaiting criminal trials — people who have not been convicted of a crime and are presumed innocent — to seek release from jail without having to pay cash bail will go into effect in a few short days, despite the court's ruling against those provisions."

Cunnington rejected other arguments by the dozens of state's attorneys that centered on the legislative process, namely that the bill was not given a proper hearing and vi-

olated the "single subject" rule. Court precedent holds that as long as the House speaker and Senate president certify that a bill is properly passed, courts have no standing to intervene, he wrote.

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### Fairness being added to Illinois' justice system despite efforts to prevent progress

By **BEN RUDELL**  
ACLU of Illinois staff attorney  
After years of work and deliberations — and a last-minute hiccup from a court ruling — Illinois is poised at last to implement the Pretrial Fairness Act, ending money bond across our state. This historic step eliminates the practice of jailing people accused of a crime simply be-

cause they cannot afford to pay a money bond.

Opponents of ending money bond spent millions during the election campaign on desperate television advertisements aimed at spreading misinformation and stoking fear and confusion about the new law. Despite those mil-

lions of ad dollars and widespread media coverage, voters rejected the lies. After the election, legislators expressed further support for the law, resisting calls to repeal or water it down, and instead enacting revisions designed to ensure its effective implementation.

Just days before the law's effective date, a judge in Kankakee County added to the

sense of confusion and chaos when he declared the law to be unconstitutional.

While the Kankakee court's ruling is a setback, let's be clear. This latest desperate attempt by recalcitrant system actors to resist this long overdue reform is not going to stop the end of money bond. At-

See **OPINION** on page 3

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