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U2 Reflective Annotated Bibliography

What is the Safe-T Act that will take place in Illinois, beginning January 1, 2023? How will the Safe-T Act target those of the lower or working class? Coming across all social media platforms becoming outrageous to the new regulation being passed around in Illinois, I was curious to understand the purpose of the Act. I was curious to find out more about how this Act may target those of all classes. In my research, I hope to find the law that helps protect those that can face the consequences of unsolicited crimes. I will research to figure out why this regulation would take place and who it would benefit. I have seen the progress rate of the citizens of Illinois' protests against this new regulation. The Safe-T Act prioritizes the abolishment of cash bail. Cash bail is a payment that one would pay that is determined by a judge and the court system will need to be paid if the criminal had wanted to be free of arrest. This payment could be paid from an outsider to bail the individual out or the individual, themselves. The process of abolishing cash bail allows more criminals to have easy access to avoid time in prison and suffer the consequences of their actions. This new regulation that will begin on the first day of the year 2023 is being processed through House Bill number 3853 which shows the possible chaos that will be brought out in the streets of Illinois. These regulations can bring out more criminals on the streets which may bring out fear in those that may come back from work late, return from a late social event, or travel for classes. These easy tasks may bring fear, anxiety, and paranoia to each individual that may be commuting at night or when the sun begins to set.

Three major sources express concern for public safety and the fair treatment of defendants regarding minor crimes. The article, *Does Bail Reform Increase Crime? An Empirical Assessment of the Public Safety Implications of Bail Reform in Cook County, Illinois*, unveils the truth which the rate of crime has increased, by the individuals that have been released per trial. These regulations include no longer suspending licenses for any ticket debt, fines, or fees. An example that is likely to occur would be if one were to trespass in the backyard of their home, police officials are unable to make an arrest or intervene. In more detail, Cassel states, “ In addition, as reported by the Chicago Tribune, the Study's data appears to undercount the number of releases charged with new violent crimes. A substantial number of aggravated domestic violence prosecutions were dropped after the changes, presumably because batterers were able to more frequently obtain release and intimidate their victims into not pursuing charges. These public safety concerns call into question whether the bail "reform" measures implemented in Cook County were cost beneficial.” (Cassell, & Fowles, R. (2020). DOES BAIL REFORM INCREASE CRIME? AN EMPIRICAL ASSESSMENT OF THE PUBLIC SAFETY IMPLICATIONS OF BAIL REFORM IN COOK COUNTY, ILLINOIS. *Wake Forest Law Review*, 55(5), 933–.). I feel that those that may be targeted are the homes that are easy to get into, for example poorly built and have little to no security. However, those that have a fence around their homes or cameras around their homes to surveillance the security of their homes and impose on any intruder. For another source of reference, a video published on YouTube with the title of Sen. Curran reveals problems in the SAFE-T Act and how to make Illinois communities safer, published by Illinois Senate Republican Caucus insinuates possible outcomes that will most likely be presented in the neighborhood of Illinois. This Youtube video demonstrates the way this new Safe-T Act can harm those that are unable to afford the protection

that wealthier people may be able to. This Act worsens the regulation and consequences of crime, which will mostly target those of a lower financial class. In more detail, Curran passionately expresses, “It is there on that initial detention hearing, but after that initial detention hearing, the risk the defendant poses to the public at large is gone, it’s an omission, it’s not there. But at that point, the prosecutor has to identify and the judge has to find the opposing risk to that individual without detaining.” (Curran, Senator. “Sen. Curran Reveals Problems in the Safe-T Act and How to Make Illinois Communities Safer.” YouTube, YouTube, 15 June 2022, https://www.youtube.com/watch?v=jPuE83DQkfY&ab_channel=IllinoisSenateRepublicanCaucus). This shows that the Safe-T Act will harm those that may not afford to have protection around them. For example, with criminals out on the streets, they may attack public transportation rather than somebody who may use Uber or Lyft to get from each destination to another. The article Illinois’ UN-SAFE-T Act: A bad new law has put the state on a path to further breakdown of public order, written by Paul Mauro and published on October 17, 2022, is a prime example of the concern for safety behind the release of House Bill number 3653 that is proposed within this new regulation. The Safety, Accountability, Fairness, and Equity-Today Act is an Illinois regulation that was introduced in 2021 which ends cash bail. It was signed into law by Governor JB Pritzker which allows criminals to be released. A quote that exemplifies the fear of increased crime is presented between the lines of, “ Finally, there is the bail-reform aspect itself, which has stirred the most controversy—first and foremost because no one is quite sure what it says. One section mandates that all defendants ‘shall be presumed eligible for release unless prosecutors present ‘clear and convincing evidence that the arrestee is a threat to the safety of a ‘specific, identifiable person. This constitutes a narrowly defined ‘danger standard.’ But the bill’s language also appears to enumerate a subset of crimes for which only a risk of flight can be used to deny

release. Those crimes include aggravated battery, robbery, burglary, aggravated DUI, kidnapping, vehicular homicide, and all drug offenses.” (Mauro, Paul. “Illinois’ UN-SAFE-T Act.” Illinois’ UN-SAFE-T Act, Paul Mauro, 17 Oct. 2022, <https://www.city-journal.org/illinois-un-safe-t-act>).

I believe that the removal of cash bail will harm those that are unable to afford to protect themselves. For example, one spot where all people may be located are the train stations or buses. However, a person of a higher financial class may use Uber or Lyft as a form of transportation, limiting one’s interaction with another, and also limiting the violence they may encounter with. These three reliable sources represent the apprehension involving having criminals lack facing time in prison for crimes that the court may believe is minor and releasing them free with no consequence or restrictions.

In my research, I was able to conclude that the Safe-T Act will be unsafe for civilians of Illinois. If HB3653 were to be signed by Governor Pritzker, Illinois families may suffer from criminal trespassing, disorderly misconduct, and obstructing. Trespassing may include calling the police to remove a stranger from one’s property. When questioned, if they decline, the police are not permitted to remove the stranger from the property. Disorderly misconduct can be shown if one were disrupting the scenery of a local market. The individual may face a ticket, but will not be forcibly removed from any area. The obstruction could be shown through an individual showing up at a crime scene to mess up the investigation. The individual will not get arrested or face prison time. In addition, this individual will still not be removed forcibly. The families in the neighborhood of Illinois that are in the working class need to hear about this first, as they’ll be the most targeted. The House of Bill 3853 abolishes cash bail, adjusts pretrial detention, and modifies the decertification of police or law enforcement. Doing my research, I was able to find out how abolishing cash bail would affect the crime rate in Illinois a drastic increase. In contrast,

in New York, the cash bail is automatically linked to a bank account and may issue a refund if the defendant shows up to court. If failing to attend, the cash bail will not be returned. Once the payment has been furnished, the individual arrested will be automatically released and back out on the streets. However, the payment of cash bail depends on the offenses or crimes that the individual has committed or been accused of. The payment may be excessively too expensive for an individual, making it impossible for one to attempt to get released. On the other side, cash bail may be simple for others such as individuals that have been caught with scamming, theft, or robbery. Another example may be celebrities or those that work in the law's official services. These individuals may be able to take advantage of the cash bail because they may feel confident that they're guaranteed an easy bail. At present that's taken place in the setting of New York, we may relate to police brutality or public figures that may have the advantage of being financially comfortable to pay off their crimes.