

FOR IMMEDIATE RELEASE: January 8, 2020 – 3:00 PM

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ADVOCATES FOR DOMESTIC VIOLENCE SURVIVORS JOIN WITH THE ILLINOIS NETWORK FOR PRETRIAL JUSTICE IN SUPPORT OF ENDING MONEY BOND THROUGH THE PRETRIAL FAIRNESS ACT

CHICAGO, IL—As the Illinois legislature prepares to vote on a package of criminal justice reform measures proposed by the Black caucus, anti-gender-based violence advocacy organizations are adding their voices to the chorus of organizations calling for the passage of the Pretrial Fairness Act. The Network: Advocating Against Domestic Violence (“The Network”) and the Chicago Alliance Against Sexual Exploitation are proudly joining Chicago Appleseed Center for Fair Courts, and the fellow member organizations of the Illinois Network for Pretrial Justice (INJP), to call for an end to money bail and an overhaul of the state’s pretrial criminal legal system.

For the last several months, anti-domestic violence (DV) and anti-sexual assault advocates have worked with the Illinois Network for Pretrial Justice to ensure that reforms to the state’s pretrial criminal system enhance protections for survivors of domestic and sexual violence. Through rigorous information sharing and collaboration, numerous DV and sexual assault groups helped shape the Pretrial Fairness Act to make it mandatory that victims are notified of each stage of the decision-making process in their case. The bill ensures that release decisions in domestic violence and sexual violence cases are made by a judge after a careful hearing—and goes further in taking victims’ safety into consideration than the current process, where judges set money bonds often in under two minutes. The proposed reforms will require courts to carefully scrutinize the unique facts of gender-based violence cases, particularly when there is a history of abuse. The Pretrial Fairness Act creates a task force to ensure that survivors, advocates, and experts are continually providing additional evidence-based recommendations to courts across Illinois.

Unfortunately, opponents of the PFA’s reforms have made statements to the press that use survivors of gender-based violence as props to mislead people into fearing that the Pretrial Fairness Act will make victims of crime unsafe. For example, the Executive Director of the Illinois Chiefs of Police falsely suggested on January 7 that the PFA would allow people accused of domestic or sexual violence to be “let go like a traffic ticket.”

It is incorrect that the Pretrial Fairness Act would allow “traffic tickets” for violent crimes. Sarah Staudt, Senior Policy Analyst & Staff Attorney for Chicago Appleseed Center for Fair Courts explains:

Fear-mongering statements that misrepresent what’s in the bill are transparent attempts to sow fear, not find solutions. Survivors of gender-based violence and their advocates have been integral in the process of developing the bill; they speak in support of the PFA because ending money bail promotes safety, fairness, and justice for all people in Illinois.

In response, Amanda Pyron, Executive Director of The Network: Advocating Against Domestic Violence, adds:

The Network: Advocating Against Domestic Violence applauds the concern for the safety of domestic and sexual violence survivors from the law enforcement community. We would reiterate that the use of citation does not apply to domestic or sexual violence cases. As we work to ensure the criminal justice system is fair and safe for all, we encourage our law enforcement partners to read carefully the safeguards for survivors in the PFA. During the 24-to-48-hour period of detention, law enforcement should notify survivors of the bond hearing and, if desired by the survivor, communicate with them about safety concerns. This is an important step in ensuring survivor-led justice. Connections can also be made to local domestic and sexual violence service providers and to the Illinois Domestic Violence Hotline at 1-877-863-6338.

The Network: Advocating Against Domestic Violence is in support of the Pretrial Fairness Act as it will reduce the economic burden of over policing in communities of color, while still allowing law enforcement to hold those using violence and control in custody based on risk. The Pretrial Fairness Act will ensure that those causing repeat harm to survivors are held for a hearing, while also ensuring domestic violence survivors are notified of release hearings. The Network firmly believes that justice for domestic violence survivors is intertwined with racial and economic justice.

The Network includes over 40 Chicagoland domestic violence service agencies that provide direct services to domestic violence survivors, including court advocacy. They also administer the Illinois Domestic Violence Hotline, which answers over 24,000 crisis calls each year from people experiencing domestic violence.

The Pretrial Fairness Act is also supported by advocates for survivors of sexual harm. According to Madeleine Behr, Policy Manager at the Chicago Alliance Against Sexual Exploitation (CAASE):

The Chicago Alliance Against Sexual Exploitation (CAASE) supports the Pretrial Fairness Act because it will move us closer to righting the many wrongs of structural racism and classism in our criminal justice system. It also ensures victims have more opportunities to be heard during the pretrial release process, providing input that goes beyond assessing whether a person who causes harm is rich or poor. It is long past time that the criminal justice system learns how to accurately, fairly, and in a non-racist or classist manner, attend to the real threats that people charged with a crime do or do not pose--especially to victims of gender-based violence.

Officer David Franco (Ret.), Chicago, from the Law Enforcement Action Partnership expresses a similar understanding of the PFA:

It is in the best interest of the public to end the use of money bond. Decisions about release ought to be made based on relevant facts pertaining to each individual's case, and money should not be a determining factor. When a system allows money to determine who is free while awaiting trial, the public has no reason to put any trust in that system's ability to keep them safe or carry out true justice. We need a process that we can trust, and the Pretrial Fairness Act provides just that.

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