



Board of Commissioners of Cook County

Criminal Justice Committee

Wednesday, September 25, 2019

2:00 PM

**Cook County Building, Board Room
118 North Clark Street, Chicago, Illinois**

NOTICE AND AGENDA

There will be a meeting of the Committee or Subcommittee of the Board of Commissioners of Cook County at the date, time and location listed above to consider the following:

PUBLIC TESTIMONY

Authorization as a public speaker shall only be granted to those individuals who have submitted in writing, their name, address, subject matter, and organization (if any) to the Secretary 24 hours in advance of the meeting. Duly authorized public speakers shall be called upon to deliver testimony at a time specified in the meeting agenda. Authorized public speakers who are not present during the specified time for public testimony will forfeit their allotted time to speak at the meeting. Public testimony must be germane to a specific item(s) on the meeting agenda, and the testimony must not exceed three minutes; the Secretary will keep track of the time and advise when the time for public testimony has expired. Persons authorized to provide public testimony shall not use vulgar, abusive, or otherwise inappropriate language when addressing the Board; failure to act appropriately; failure to speak to an item that is germane to the meeting, or failure to adhere to the time requirements may result in expulsion from the meeting and/or disqualify the person from providing future testimony.

19-5746

COMMITTEE MINUTES

Approval of the minutes from the meeting of 9/4/2019

[19-0768](#)

Sponsored by: LARRY SUFFREDIN, STANLEY MOORE, PETER N. SILVESTRI, BRANDON JOHNSON and JEFFREY R. TOBOLSKI, Cook County Board of Commissioners

PROPOSED SUBSTITUTE ORDINANCE - Item # 19-0768

Criminal Justice Committee, Wednesday, June 26, 2019

ARTICLE III. - PROTECTIONS FOR CHARITABLE ROTATING CRIMINAL BOND FUNDS AND THIRD-PARTY SURETIES

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 18 COURTS, ARTICLE III. - CHARITABLE ROTATING CRIMINAL BOND FUNDS AND THIRD-PARTY SURETIES, SECTION NUMBER(S) 18-45 - 18-50, of the Cook County Code is hereby enacted as follows:

Sec. 18-45. - Definitions

The following words, terms and phrases, when used in this article shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Charitable Bond Fund means a not-for-profit 501c3, as defined by the Internal Revenue Service, organization that uses its funds to post bond for individuals who are detained at the Cook County Jail.

Third Party Surety means any individual who posts bond for an accused person and who does not have a legal duty to support the accused person.

Explicit Voluntary Consent means actual and informed consent and does not include consenting as a predicate to being allowed to post the bond.

Sec. 18-46. - Eligibility for representation by the Public Defender's Office

A criminal defendant whose deposit or cash bond is posted by a Charitable Bond Fund or Third-Party Surety shall not be deemed ineligible for representation by the Cook County Public Defender's Office due to the posting of bond.

Sec. 18-47. Bond ineligible for bail assignment or attorney's fees

Any bonds posted by a Charitable Bond Fund or Third-Party Surety shall not be used to pay attorney's fees without the surety's explicit voluntary consent. This prohibition applies to reimbursement to the county for representation by the Public Defender's Office.

Sec. 18-48. - Fees

The Clerk of the Court shall not deduct any fees, court costs, or penalties from bond funds that were posted by a Charitable Bond Fund or Third-Party Surety without the surety's explicit voluntary consent and, at the conclusion of the case, shall return available funds to the Charitable Bond Fund or Third-Party

Surety.

Sec. 18-49. - Forfeiture

In the instance where bond is posted by a Charitable Bond Fund or Third-Party Surety and a judgment of forfeiture is ordered in favor of the state, no part of the amount deposited by the Charitable Bond Fund or Third-Party Surety shall be forfeited to the state.

Sec. 18-50. - Return of Funds

The Clerk of the Court shall return bond monies posted by a Charitable Bond Funds or a Third-Party Surety within ten (10) business days of the conclusion of the case. Funds posted by a Charitable Bond Fund shall be returned via direct deposit.

Effective date: This ordinance shall be in effect immediately upon adoption.

Legislative History : 12/12/18 - Board of Commissioners - refer to the Criminal Justice Committee

Legislative History : 6/26/19 - Criminal Justice Committee - accept as substituted

Legislative History : 6/26/19 - Criminal Justice Committee - recommend for deferral as substituted

Legislative History : 7/24/19 - Criminal Justice Committee - recommend for deferral as substituted

Legislative History : 9/4/19 - Criminal Justice Committee - recommend for deferral



Secretary

Chairman: Moore

Vice-Chairman: Johnson

Members: Committee of the Whole