

HB3854



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB3854

by Rep. Chad Hays

SYNOPSIS AS INTRODUCED:

New Act

Creates the Criminal Justice Office Holders Parity and Protection Act.
Contains only a short title provision and purpose Section.

LRB100 09053 MRW 19202 b

A BILL FOR

1 AN ACT concerning criminal justice office holders.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Criminal Justice Office Holders Parity and Protection Act.

6 Section 5. Purpose. A major and vital function of State
7 government is the development and maintenance of an effective
8 and efficient criminal justice system to deliver fair and
9 impartial justice for all persons within this State, whether
10 guilty or innocent, as well as for the victims of criminal
11 offenses. To carry out this function, it is vitally important
12 that the various components of the criminal justice system from
13 law enforcement, prosecution, defense, corrections, and the
14 courts operate as effectively as possible. A key to achieving
15 effective operation of the criminal justice system is to have
16 high quality personnel administering the system, with the
17 knowledge, expertise, and experience to deal with the many and
18 increasing demands placed upon them. Retention of high quality
19 personnel is even more important as the criminal justice
20 landscape continues to evolve and change over time. While the
21 number of law enforcement officers and agencies is large even
22 at the county level, the cases generated by the combined
23 efforts of all of these officers and agencies flow into a

1 single office in each county for prosecution, that of State's
2 Attorney. An equally important and necessary counterpart in
3 each county is the Office of Public Defender, charged with
4 supporting the constitutionally protected right of each person
5 charged with a criminal offense to be represented by legal
6 counsel. A major issue is growing regarding the development and
7 retention of high quality State's Attorneys and Public
8 Defenders. Statewide there has been a disturbing trend of
9 highly experienced State's Attorneys and Public Defenders
10 being drawn away from those offices and high quality attorneys
11 declining to serve in them due to significant inequities in
12 those offices when compared with judicial offices that are in
13 direct competition for obtaining the services of experienced
14 and talented attorneys. The purpose of this Act is to address
15 those inequities and extend personal privacy protections
16 similar to those for judges to prosecutors and public
17 defenders.