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Mon, Oct 31, 2022 at 11:16 AM

# Michele Smith

## Early Vote Now for the November 2022 Election Judicial Recommendations

Dear Friends,

Early voting began today, and many of our neighbors vote in advance of the November general election date. I have received many many requests for recommendations, especially for the judicial races and the referendum questions, so I am continuing my practice of issuing recommendations.

Voting is your chance to make a difference. My endorsements are aimed at having the most qualified judges in our courts, and to make sure that our assessment reform continues.

Here is a summary of my most-requested recommendations:

**I recommend a "No" Vote on the proposed Constitutional Amendment concerning unions.**

**I recommend "Yes" for all judges except:  
vote "No" for the following judges:**

- **218 Timothy C. Evans**
- **242 Daniel James Pierce**
- **255 Ann Finley Collins**
- **257 Daniel J. Gallagher**
- **282 Rossana P. Fernandez**

**I recommend a "Yes" vote on the Public Question about the Cook County Forest Preserves (the last item on the ballot).**

**PLEASE VOTE MAIL-IN OR EARLY**

Below is a list of the hours and locations of early voting sites in or near the 43rd Ward. [For the full list of locations around the City, please click here.](#)

***Lincoln Park Library, 1150 W. Fullerton  
North Branch Library, 310 W. Division  
Loop Super Site , 191 N. Clark St.***

- Monday-Friday - 9 am-6 pm
- Election Day, June 28 - 6 am-7 pm

You can register to vote and then vote at every Early Voting site. NOTE: Any voter who needs to register for the first time or file an address update or a name change [must show two forms of ID](#), one of which shows the voter's current address.

**Did you vote by mail?**

There will be secured Drop Boxes at every Early Voting site for any Chicago Vote By Mail voter to submit the signed and sealed Ballot Return Envelope. Voters still have the option of using standard US Mail to return the Ballot. However, we strongly encourage you to use the Drop Boxes to ensure your ballot is received before Election Day.

If you want to vote in person rather than mailing in your ballot, please write CANCEL on the original ballot and bring the ballot and its envelope with you to your polling place.

**November 22 Election Day Voting:** Precincts have been redrawn since the last election, and there are many voting location changes. The below map shows your precinct. Please [click here](#) to see where your Election Day polling place is located.

For answers to Frequently Asked Questions, [please click here.](#)

## **Explanation of Recommendations**

**A proposed Amendment to the 1970 Illinois Constitution. I recommend a "No" vote.**

The proposed amendment to the Illinois constitution would grant workers a "fundamental right to organize and to bargain collectively through representatives of their own choosing for the purpose of negotiating wages, hours, and working conditions, **and to protect their economic welfare** and safety at work." It would prohibit the state or any local unit of government from enacting "any law that interferes with, negates, or diminishes the right of employees to organize and bargain collectively over their wages, hours, and other terms and conditions of employment and workplace safety."

I support unions. But the union/employer relationship should be not be in the state constitution. First, this amendment would tie the hands of our legislatures to make even the smallest changes on employment issues, much as our State constitution's "pension clause" has made it impossible to realistically align pensions to the real needs of our employees and the costs to the taxpayers.

Second, we don't know what the amendment covers. For example, in 2019, striking teachers wanted to require CPS to negotiate broad affordable housing policy – an arbitrator ruled that they couldn't. But this amendment has new language about "economic welfare" that is undefined. Since nothing in the proposed amendment is

defined, much less has been subjected to public debate, a court could easily interpret the amendment to require that many items which are not today viewed as terms and conditions of employment would be covered - without bargaining with the employers.

Third, it is likely that amendment would apply only to public-sector workers instead of say, Starbucks employees who seek a union, because private-sector workers are already covered by the National Labor Relations Act, which would likely supersede any state law or state constitutional provision.

The worst part is that there are no definitive answers to these issues.

I agree with the editorial boards of the Chicago Tribune and the [Daily Herald](#): Vote “No” on Amendment 1 “because it is not needed and because unneeded Constitutional provisions unwisely tie the hands of the people’s representatives and the representatives of future generations to deal with problems we may not even foresee today.”

## Judicial Recommendations

The vast majority of the judges up for retention sit in the courts. They decide lawsuits, probate estates, and work in areas like housing and evictions.

This election, however, the voters must consider the retention of a judge who has a unique policy-making role in the criminal justice system – Chief Judge of Circuit Court, Judge Evans. In particular, in 2017, Chief Judge Evans issued his [Order 18.8](#), significantly changing the way pre-trial bond is determined in Cook County.

We are all aware of the controversy over pre-trial detention. However, underlying all of this controversy is a lack of transparent and accurate data.

In Chicago, the city’s data portal has a record of every crime reported to the police since 2001. It can be searched by ward, date and type of crime. While not perfect, it provides an ability to understand reported crime in our neighborhood.

Cook County has no easily publicly accessible, searchable database for its criminal justice system. It’s almost impossible for the media (much less the public) to actually track the progress of criminal cases through the system.

The decision to NOT have this data for criminal cases falls squarely on the Chief Judge and the County Clerk. Good government organizations such as the Civic Federation and reform groups like [Chicago Appleseed](#) have been calling for more transparency in the data processes of the criminal courts since at least 2017.

The impact of this lack of data is significant because the Court’s data has been found unreliable. In May 2019 the Circuit Court [published a study](#) of the first 18 months of implementation of the new bail bond rules. The county claimed that rates of re-offending (meaning an *arrest*) were the same 18 months after implementation of the new rules. No underlying data was made available.

The [Chicago Tribune published a report in 2020](#) after a hand analysis of case files of all murders committed after the report was issued. That analysis found that instead of three murders committed by offenders who were out on bail there were *twenty-one*.

The Court’s analysis of its data is also misleading. In its report, the court stated that after being released on bond, the same *percentage* of people were not rearrested, 82.2% before and 83.1% after - and claimed that crime by people out on bond had not increased.

However, straightforward math shows that the *number* of crimes increased after the bail bond rules changed. In the first 18 months of the new system, 4164 new crimes were committed by felony defendants out on bond compared to 3712 in the 18 months before the new system, a total of 452 new crimes – 8 more a week of the most violent crimes in our city.

More shocking is that the court's calculations on violent crimes committed by released defendants do NOT include crimes such as domestic battery, assault, assault with a deadly weapon, battery, armed violence and reckless homicide.

As of June 30, 2022 the Court **states** that 83,206 adult felony defendants have been released under the new order, and at least 15,060 of those arrested and released on bond under the new system were arrested for new crimes.

No comparative analysis is available to calculate how many of those would have been released under the old system. The Court continues to release quarterly or monthly dashboards with the same unsubstantiated data.

There are **many more questions** about this data, such as the impact on the dramatic increase in the number of defendants on electronic monitoring, the re-arrest records of misdemeanor defendants and the large number of crimes committed for which there are no arrests. There is no analysis at all about juvenile defendants, only adults.

The person responsible for the issuance of Order 18.8 and the person responsible for the courts, Chief Judge Evans, has not made the data available for unbiased study.

I therefore recommend a NO vote to retain Chief Judge Evans (#218) despite his other accomplishments over his long career.

## **Public Question Regarding the Forest Preserves**

I recommend a "Yes" vote on this question to raise property taxes county-wide specifically for the Cook County Forest Preserves. The **Civic Federation** and **many other groups** support this move because of "the administration's strong leadership and management, demonstrated fiscal restraint, limited options for other revenue alternatives and the District's clearly laid **plans** for how additional property tax funds would be used."

The funds, about \$40 million/year, would be specifically used to acquire more land, and restore more of the habitat in the forest preserves, as well as to meet pension obligations, and support the Chicago Botanical Garden and Brookfield Zoo. The property tax increase would be about \$20 on a \$300,000 home.

The Forest Preserves are a unique part of our Chicago recreational system. Chicago has precious few fully natural areas. The Forest Preserves serve to give us the kind of trails and forested areas necessary for our health, recreation and environmental stewardship.

Please vote Yes.

## **Detailed Recommendations for the November 2022 General Election**

You are allowed to print this out and bring it with you to the polling place. You can share this list with friends by forwarding this newsletter or sharing it on your social media. You can also print out the **attached document**.

These endorsements are in the order they will appear on your ballot.

A proposed Amendment to the 1970 Illinois constitution.

**Vote No**

US Senator  
**(1) Tammy Duckworth**

Governor/Lieutenant Governor  
**(4) JB Pritzker/Juliana Stratton**

Attorney General  
**(7) Kwame Raoul**

Secretary of State  
**No Endorsement**

Comptroller  
**(13) Susana A. Mendoza**

Treasurer  
**(16) Michael W. Frerichs**

US Representative, 5<sup>th</sup> District  
**(21) Mike Quigley**

US Representative, 7<sup>th</sup> District  
**(21) Danny K. Davis**

Illinois State Senator

**(31) 5<sup>th</sup> District – Patricia Van Pelt**  
**(31) 6<sup>th</sup> District – Sara Feigenholtz**

Illinois House of Representatives

**(41) 9<sup>th</sup> District – Lakesia Collins**  
**(41) 10<sup>th</sup> District – Jawaharial “Omar” Williams**  
**(41) 11<sup>th</sup> District – Ann Williams**  
**(41) 12<sup>th</sup> District – Margaret Croke**

Metropolitan Water Reclamation District Commissioners  
(Full 6-Year Term)  
(Vote for no more than Three)  
**(51) Mariyana T. Spyropoulos**  
**(52) Yumeka Brown**  
**(53) Patricia Theresa Flynn**

Metropolitan Water Reclamation District Commissioners  
(Unexpired 2-Year Term)  
(Vote for one)  
**(56) Daniel "Pogo" Pogorzelski**

President of County Board  
**(61) Toni Preckwinkle - While I disagree with some of President Preckwinkle's Criminal Justice reforms, she has been a responsible budget maker.**

County Clerk  
**(64) Karen Yarbrough**

County Sheriff  
**(67) Thomas J. Dart**

County Treasurer  
**(70) Maria Pappas**

County Assessor  
**(73) Fritz Kaegi**

County Commissioner  
**(81) 3<sup>rd</sup> District – Bill Lowry**  
**(81) 10<sup>th</sup> District – Bridget Gainer**  
**(81) 12<sup>th</sup> District – Bridget Degnen**

Board of Review, 2<sup>nd</sup> District  
**(91) Samantha Steele**

Judicial Candidates  
Appellate Court  
**(111) Vacancy of Hall – Debra B. Walker**  
**(112) Vacancy of Harris – Raymond W. Mitchell**

Circuit Court  
**(113) Vacancy of Brennan – Lisa Michelle Taylor**  
**(114) Vacancy of Callahan – Tracie Porter**  
**(115) Vacancy of Gordon Cannon – Diana Lopez**  
**(116) Vacancy of Hyman – Thomas E. Nowinski**  
**(117) Vacancy of Ingram – Elizabeth “Beth” Ryan**  
**(118) Vacancy of Leeming – Rena Marie Van Tine**  
**(119) Vacancy of Lynch – Michael Weaver**  
**(120) Vacancy of McGury – Ruth Isabel Gudino**  
**(121) Vacancy of O’Brien – Araceli R. De La Cruz**  
**(122) Vacancy of Sullivan – Thomas More Donnelly**

Judge, 8th Subcircuit  
**(131) Vacancy of Gordon – Bradley R. Trowbridge**  
**(132) Vacancy of Lipscomb – Stephen Swedlow**

**Public Question Regarding the Forest Preserves:**

Shall the limiting rate under the Property Tax Extension Limitation Law for the Forest Preserve District of Cook County, Illinois, be increased by an additional amount equal to .025% . . . and be equal to .076% of the equalized assessed value of the taxable property therein for levy year 2022?"

**Vote Yes**

**Judicial Retention Ballot**

**Appellate Court Retentions:** Appellate Court justices are elected to 10-year terms and must be retained in office to win additional 10-year terms.

I recommend Yes for all Appellate Court Retentions.

**Circuit Court Judicial Retentions:** Circuit Court judges have a six year term of office and must be retained every six years thereafter.

I recommend “Yes” for all judges except vote “No” for the following judges:

- 218 Timothy C. Evans
- 242 Daniel James Pierce - would not participate in the evaluation process
- 255 Ann Finley Collins - would not participate in the evaluation process

- 257 Daniel J. Gallagher - Judge Gallagher, while a compassionate judge, has made it difficult to achieve justice in our misdemeanor cases. With frequent "do overs" for defendants, delays and continuances, even our own attempts to get defendants treatment for drug or mental health issues in lieu of incarceration took tremendous effort by our citizens, victims and our office.
- 282 Rossana P. Fernandez - Several bar associations recommend she leave the bench for poor disposition.

For a pdf of all these recommendations, [click here](#).

Please vote!



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Paid for by Friends of Michele Smith

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