National Black Prosecutors Association – Chicago Chapter’s Statement in Support of State’s Attorney Kimberly M. Foxx

The role of the prosecutor can be a difficult one, with the primary duty to seek justice within the boundaries of the law, and convictions being not the only objective. The State’s Attorney has wide discretion in determining what charges, if any, will be filed in a criminal case. Exercising that discretion and independent judgement cannot be based on public sentiment, but only after an evaluation of the evidence and other applicable factors such as an individual’s criminal background. Sometimes the decisions are impossible to please everyone, but the separation of powers doctrine places this responsibility exclusively in the office of the State’s Attorney and requires acts of integrity and balanced judgment in the execution of those responsibilities.

The National Black Prosecutor’s Association – Chicago Chapter (NBPA-Chi), fully supports State’s Attorney Kimberly M. Foxx and the decisions made by her Office, and we are encouraged by her continued efforts for true criminal justice reform. Nothing has shown that the State’s Attorney acted inappropriately in the execution of her duties and we trust in the demonstrated transparency of her administration to continue.

Additionally, NBPA-Chi applauds the efforts taken by State’s Attorney Foxx to administer true criminal justice reform by reforming the cash bond system and to deprioritize nonviolent offenses such as low level retail theft crimes or financial based suspended licenses. Reducing the strain on our criminal justice system by removing these nonviolent offenders eases the burden on all governmental agencies involved and eliminates the appearance of the prosecutor serving as the bill collecting arm of the government.

State’s Attorney Kimberly M. Foxx has faced intense public scrutiny in recent weeks, with the national spotlight centered on Chicago and our efforts to combat crime. The commitment to real criminal justice reform appeared to take a hit as the Chicago Fraternal Order of Police (FOP) and a group of suburban Cook County police chiefs issued a vote of no confidence in the State's Attorney and called for her resignation. NBPA-Chi denounces this unnecessary and highly improper step by the FOP as it appeared motivated by a disagreement with the policies of State Attorney Foxx’s Office and the commitment to bring about criminal justice reform. The FOP leadership expressed a frustration with the decisions to reduce prosecutions of low- level retail thefts and suspended licenses, and a disappointment with the lack of consultation in how cases were being handled. Our opposition to the FOP is extremely critical as this extreme stunt and attempt to fracture the relationship between law enforcement and prosecutor would not have occurred under prior State’s Attorneys of Cook County. The decision to file or dismiss charges are exclusive to the State’s Attorney, and for the FOP to now require a consultation from the prosecutor prior to any action is inconsistent with traditional notions of criminal justice.

It is the courage to make the right and just decision when it goes against public sentiment that reinforces our commitment to State’s Attorney Kimberly M. Foxx. and NBPA-Chi proudly stands in support of her continued efforts as the State’s Attorney of Cook County.

Regards,

Alton Bradley

President

National Black Prosecutor’s Association-Chicago Chapter