

**MADISON COUNTY BOARD  
Special Board Meeting**

STATE OF ILLINOIS     )  
                                  ) SS  
COUNTY OF MADISON )

Proceedings of the County Board of Madison County, Illinois, as the recessed session of said Board held at the Nelson "Nellie" Hagnauer County Board Room in the Administration Building in the City of Edwardsville, in the County and State aforesaid on said Thursday, January 13, 2022 and held for the transaction of special business.

**THURSDAY, JANUARY 13, 2022  
6:30 PM  
SPECIAL SESSION**

The Board met pursuant to recess taken December 23, 2021.

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The meeting was called to order by Kurt Prenzler, Chairman of the Board.

The Pledge of Allegiance was said by all members of the Board.

The Roll Call was called by Vanessa Jones, Chief Deputy County Clerk, showing the following members present:

PRESENT: Kuhn, Pace, Ross, Madison, Doucleff, Walters, Stoutenborough, Gray, Pollard, King, Babcock, Eaker, Valentine, Minner, Messner, Wiehardt, Foster, Glasper, Goggin, Guy, and Dalton

REMOTE: Harriss

ABSENT: Meyer, Holliday, Malone, Hankins, Petrillo, and Kneedler

VACANT: District 27

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Mr. Madison moved, seconded by Mr. Walters to allow Ms. Harriss to attend and participate remotely.

**VOICE VOTE BY ALL MEMBERS.**

\*Ms. Harriss entered the meeting remotely.

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**ALLEN ADOMITE'S ADDRESS TO THE BOARD**

Happy New Year, Chairman and members of the County Board. I want to bring your attention this evening to this map. Everyone's heard of gerrymandering. It's the once every decade partisan rewriting of political boundaries, where politicians get to choose their voters. If you know the history about gerrymandering, the term was named after a former United States Vice President and he was the governor of Massachusetts actually, it was the first guy use socio demographics to manipulate elections about 200 years ago. So it's a pretty established thing, fierce debates, lawsuits, if you've read the news in the past year, you know that there was a census and the new lines are being drawn. But gerrymandering has not generally affected the judicial branch. Now efforts in Illinois to increase judicial diversity have been fairly administered through sub circuit plans in Cook, Will, Kane, Lake, McHenry, and Winnebago counties where judges are elected from sub districts within those counties. Usually then county wide or circuit wide elected judges retire and they're replaced, new judges are then elected from those smaller districts. So this is not anything that's new. In every case, prior to the passage and signing of Public Act 1026-94, just days ago, the choosing of sub circuit elections occurred in some sort of numerical order where each sub circuit had the chance to elect at least one judge, before any other sub circuit had the chance to elect a second sub circuit judge. I'll bring your attention in Cook County was the first to do sub circuits in 1991. Actually, by law, the order was chosen by lot, they signed, and then they went in numerical order, or they went in the order of the lot, but they elected one judge from each district. And then, before second election in a sub circuit happened, someone had been elected from each sub circuit. So like I said, when the five other counties divided sub circuits in 2005, the other counties I mentioned through Public Act 94-3, judges retired, and then they were elected from sub circuits in numerical or generally numerical order. So what does this have to do with Madison County and this map? On January 5 of this year with no notice, entirely done within one calendar day, the Illinois General Assembly passed a sub circuit plan for Madison County. And if you'll forget Bond County in this map real quick and just look at Madison, that's what I'm going to address this evening. So the plan was constructed by Chicago politicians signed by our Chicago governor, according to media resources, they received no input from any of our local judiciary, and it divides Madison County voters. They divided into three districts; District One is to the left, they get three judges; District Two is the green one, they get three judges; District Three is to the right, that's the orange one, and it only gets two judges. Dividing 8 judges by three, they're not whole numbers, right? And so the people on the east side of the county miss out and they don't get to elect judges for another 10 years, and I think that that's really unfortunate. Thank you.

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**JEFF LARNER'S ADDRESS TO THE BOARD**

Thank you, Mr. Chairman, Board Members. My name is Jeff Lerner, and I'm a resident of Edwardsville. I'm speaking tonight as a concerned citizen of Madison County. Having been in law enforcement, I'm concerned about the direction the Chicago liberals are taking the state in many ways. But especially on law enforcement, and law and order issues. It's not enough that the so called criminal justice reform already hamstring our law enforcement. But now they want to dictate who is going to serve on the courts and hear these cases. These judges will hear cases from across the county, shouldn't the county voters be allowed to vote on these judges? Thank you.

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**AMY ELIK'S ADDRESS TO THE BOARD**

I'll be brief and to the point here because I didn't really have anything specifically prepared. I think everybody's aware of the process that this went through. But I'll review it very quickly. Last Wednesday, we were in session in Springfield, I received notice about 11:15am that a bill had been filed in the house. Back up - Monday evening the 3<sup>rd</sup> - late, there was actually a map filed online and then the actual bill that would implement that map was not filed until Wednesday at about 11:15am in the House. There was a brief hearing at about 1:00 in the House and then we sat around and waited all day. Later, early evening, we found that the House wasn't moving fast enough, the Senate decided to drop their own bill. It went through the Senate very quickly. Senator Plummer's here he could probably speak more to that. It came over to the House after an hour's notice, and it was voted on at about 10:30pm that evening. We spoke out strongly against this bill, as the House Republicans and I know the Senate Republicans did too. I'm still strongly opposed to this bill, it's actually even worse than we thought, given the very short timeframe that we had to review the bill. You know, reviewing it afterwards, it's even worse than we thought. So again, I stand strongly opposed and we'll look for any way that we can in the legislature to reverse this, but with the supermajority of Democrats, I'm not sure that is going to be possible. So I would just ask that you take that into account when you're making your decision tonight. Thank you.

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**JASON PLUMMER'S ADDRESS TO THE BOARD**

Thank you, Mr. Chairman, for letting me speak. First, I just want to say thank you for all you do for the citizens of Madison County, and I mean that. If you look at the levy, and what you all do with the budget here in the county, it's nice to come from a place that is doing their best in an era of ever, ever, ever increasing living expenses, to see a county government that tries to restrain the taxes on the people. So thank you. I really want to be very brief. I want to offer myself as a resource to the county board, because I'm actually on the Redistricting Committee in Springfield. So all the stuff you've heard about with us to judicial maps, the legislative maps, the congressional maps, I've been in every meeting, I've been involved in all of that. I think I can provide a lot of sunlight into what happened, how it happened, the process, I think you'd be dismayed. I've heard people talk about Republicans and Democrats. To me, this is not a partisan issue. I don't care if you're Republican or Democrat or Independent or what you are. The fact of the matter is, if you look at that map, there are Republicans, Democrats and Independents in every part of this county that are being disenfranchised by this process. This is a complete overreach by one branch of government into the actions of a co-equal branch of government. The Judicial Branch should not be kind of sticking their nose in our business. And we should not be choosing how the judges are randomly selected in this county versus how they're randomly selected and other counties. If they did this in the middle of the night, in less than 24 hours in Madison County, what are they going to do tomorrow? Whether Republicans are in charge or Democrats in charge, this isn't a partisan issue. This is a good government issue. Our system of government is not supposed to function in this manner. I would say this wasn't just Chicago folks like I heard. There's a group of people involved in this, and yes, a lot of them came from Chicago, but people from the Metro East were involved in this process, too. And they weren't the judges. They weren't the court officers. They weren't anybody in this room that you think should be involved in this process, as representatives of people in Madison County. So I don't care where you're from, or what your political affiliation is, what town you live in, people in your district, are being disenfranchised by this process. Every person does not have an equal vote going forward in the Judicial Branch in Madison County, Illinois. And there's serious legal consequences to this. So I appreciate you taking a look at this. It's a real problem. I hope you can do something to address it. It's not a partisan issue. It's not a geographic issue. It's just a good government issue. And I hope you take substantive action. Thank you.

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**Mr. Prenzler:** I did want to mention that we do have a representative here from Senator Rachelle Crowe's Office, Neil Hawkins, he was given an opportunity to speak but he chose not to, but he's here in attendance. I will say that my office reached out to State Representative Katie Stuart by email and also by phone and her office said that she would not be attending. We did also reach out to State Representative Jay Hoffman by email and phone and we were told by his office that he would not make it. And then also, our office reached out to State Senator Chris Belt by email and called but no answer on the phone. So just wanted to make that a part of the record.

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The following resolution was submitted:

**RESOLUTION SUPPORTING FAIR JUDGES, FAIR DISTRICTS**

**WHEREAS**, the Madison County Board represents voters from throughout the County, and;

**WHEREAS**, Madison County voters have always had the right to vote to select Circuit Court Judges for the Third Judicial Circuit in primary and general elections from the County at large, without regard to other geographic or political boundaries, in order to ensure that their Judiciary reflects their values, and;

**WHEREAS**, Illinois just enacted a new law, House Bill 3138, with no public input or reflection, which immediately ends county-wide elections of Circuit Judges in Madison County, and gerrymanders the County into three subcircuits for all future judicial elections, and;

**WHEREAS**, House Bill 3138 creates subcircuits in Madison, Lake, DuPage, and Sangamon County, but inexplicably contains different rules among these counties regarding how those subcircuits are filled, how the subcircuit judges are retained, even when the law creating them goes into effect (immediately for Lake and Madison, not until 2024 for DuPage and Sangamon), and;

**WHEREAS**, under this new law only Madison County citizens face a future where no Judge will be elected or retained county-wide, meaning that only one-third of the county could elect a judge that have the right to decide all citizen's criminal and civil issues, our divorces, our injury claims, or any legal issue by any citizen of Madison County, and;

**WHEREAS**, this system will create new conflicts of interest in Madison County's judicial system, where a subcircuit judge could adjudicate legal issues between citizens but some of those citizens will have no vote on that judge's election or retention, and;

**WHEREAS**, under this new law only Madison County citizens face deliberate inequality of representation of judges in newly created subcircuits, since the new Madison County subcircuits are generally equal in population, they are unequal in representation, with the 1<sup>st</sup> and 2<sup>nd</sup> subcircuits receiving 3 judges, and the 3<sup>rd</sup> subcircuit receiving only 2 judges, and;

**WHEREAS**, under this new law only Madison County is prescribed an arbitrary and one-sided method for filling upcoming subcircuit vacancies in the 2022 general election – namely, a total of six vacancies must be filled in the 1<sup>st</sup> and 2<sup>nd</sup> subcircuits before a voter in the 3<sup>rd</sup> subcircuit would be permitted to vote for a judicial candidate, (to compare, in Lake County the law assigns vacancies among the subcircuits individually with no one subcircuit receiving more than one vacancy at a time), and;

**WHEREAS**, treating similarly situated citizens differently without justification is a violation of equal protection under the Illinois and U.S. Constitution, and;

**WHEREAS**, if those inherent inequalities and conflicts were not bad enough, the President of the Illinois Senate publicly stated that the gerrymandering of the new subcircuits was, at least in part, motivated by partisan politics, stating: “Certainly partisanship is a component that is considered when evaluating the constructing of subcircuits, and;

**WHEREAS**, even if it hadn’t been admitted, the partisanship in bill is clear, since the 3<sup>rd</sup> subcircuit is the most Republican and it has 50% fewer judges than the other two subcircuits and because it only receives the seventh and eighth circuit vacancy (no telling when those will occur), may not get any votes on any judges for a decade (or more), and;

**WHEREAS**, partisanship and gerrymandering in legislative districts is outrageous enough, but when it is so clearly injected into judicial races it violates the bedrock principle of the separation of powers, which if allowed to stand would mean that the Illinois judicial branch, a co-equal branch of Government, will become merely a partisan tool of the Legislature with no independence or separate legitimacy, and;

**WHEREAS**, just two days after this bill passed, Marcia Meis, the Director of the Administrative Office of the Illinois Courts termed the new subcircuit legislation as an “unmitigated disaster” noting that the bill’s “confounding language” contains “serious 2022 election implications.”

**WHEREAS**, the General Assembly’s sudden passage of legislation creating new subcircuits and prescribing an arbitrary and bizarre manner of assigning upcoming judicial elections to only certain areas of Madison County on the eve of multiple impending judicial elections in a way that excludes two-thirds of the County’s electorate from voting is unconstitutional and constitutes voter suppression and voter exclusion, and;

**NOW, THEREFORE, BE IT RESOLVED** by the County Board of Madison, Illinois, that because the new Judicial subcircuit legislation violates basic norms of fairness and equality, undermines the bedrock expectation that our Judiciary should be free from partisanship, violates basic tenets of separation of powers, and was passed without adequate input and with an immediate effect in Madison County that unfairly and illegally changes the rules for two previously certified upcoming at-large judicial elections, we call upon the State’s Attorney of Madison County to consider all legal options on behalf of all of Madison County and its citizens, up to and including filing a formal legal action in whatever court is appropriate, to prevent this illegitimate new law from going into effect, in order to secure the voting rights of all and protect Madison County’s impending 2022 judicial elections from being tainted by illegality and unconstitutionality.

Adopted this 13th day of January, 2022.

s/ Kurt Prenzler \_\_\_\_\_  
Kurt Prenzler, Chairman  
Madison County Board

Mr. Walters moved, seconded by Mr. Gray to approve the resolution as presented.

On the question:

**Mr. Gray:** I look at the map that was in front of us and it's just disappointing because a couple months ago, we all came together and put forth a bipartisan map and this is precisely the opposite of that. As a county board, we all worked hard came together and that's the best of what we have to offer. I think this is the worst of what Illinois has to offer. It was done at the last minute in the dead of night. It's a great example of pure partisanship and gerrymandering. In sub circuit three, particularly the people that I represent, disenfranchises every single one of the people in my district. We get fewer judges, and we have to wait until the seventh and eighth vacancy to have an opportunity to vote on a judge to represent us. I want to encourage Mr. Haine to take any and all legal action to help protect the people in my district, and I'd like to encourage my fellow colleagues to again, show that we can work together as a board, to represent the best of Illinois. Thank you.

**Mr. Stoutenborough:** Senator Plummer said that it's a bipartisan issue then we call it a gerrymandering issue. We have two parties in the United States and they're practiced here locally. The two parties, one is the in-party, the other one is the out-party. These rotate, right now the in-party is Republican. Sometime maybe in the future that would change. Is this a resolution that would be if it gerrymandering what's good for one now it'd be good for the other one later and looking towards the future on this. It looks like you named off other counties that had implemented this. Is there great dissatisfaction in those counties? Do we know? Any knowledge of what they've responded and done? Whoever could answer the question?

**Mr. Prenzler:** Go ahead and finish first, and then we'll see.

**Mr. Stoutenborough:** Well, the thing is, we've talked about the 3-3-2 situations. These were divided one, two, and three by population, and representing the large orange area. I wonder if there's any caseload consideration going into it. I would imagine that the highest caseload is in the purple area for three judges to take care of. The second highest would be in the green area, and I would imagine when you get out in the farm area, they don't fight like we do in the cities so there's probably fewer cases, so caseload is probably smaller in the area where they're talking about the two. And the final question, what is it going to cost us to fight this? And is it a fight? Or what is our probability of winning? And so putting together the risk versus probability and the cost? How much will it cost us to fight this?

**Mr. Prenzler:** Mr. Stoutenborough, if I could just open it up to any other discussion. Mr. Madison?

**Mr. Madison:** Yeah, I'd like to respond to that, Mr. Chairman. The first part of your statement would make sense, if whichever party was in power, only represented that party. But that's not how this country works. If the Republicans are in power, the Republicans represent the Democrats too and vice versa. My question would be, if that's the way you want to do things in Illinois, how would the Democrats like it if the Republicans did that to them? I'm pretty sure they wouldn't like it. There's a lot of people that disagree in politics and I understand that. And there's a lot of my constituents that aren't happy with me on say, my vaccine mandate resolution. But I signed up to do this job and swore an oath to follow and uphold the Constitution. And disenfranchising a another party, just because you can, is not a reason. It's not using logic, it's not a reasonable thing to expect. The Democrat Party has been pretty much in control of Springfield since 2003. Other than a short stint from a governor, a couple of governors. And so does that mean that as a Republican, I can expect to be treated poorly until the Republicans win back office, because that's not the way it's supposed to work.

**Mr. Walters:** This was brought before the Judiciary Committee, which I'm on. Deb Dettmers did an excellent job of bringing this to us and explaining it to us. One of the things that I brought up was the fact that this is not bipartisan in Madison County. Because not one judge was contacted. To me, the biggest slap in the face would be to Chief Judge Mudge, who by the way, is a Democrat. They didn't even contact him.

They didn't have the common courtesy to call the Chief Judge and explain what they were doing. There are judges on both sides of the aisle that don't like this. What they're doing and if you listen to Mr. Adomite, is that when they've done these sub committees or whatever you want to call them, sorry, each committee would get a one judge, then the next one, then the next one, they would go back, not in this one. Where I live, we won't get to vote, I believe until it's 2030. Does that sound about correct? 2030 before anybody in my district can vote for a judge? We are disenfranchising two thirds of the county on every single judges vote. And I don't care if you're Republican, Democrat, Independent, Green Party, Progressive Party, whatever. The people that stuck their noses into our business on pure political reasons, because they don't like what's happening to our county. The people of Madison County have a right to vote for their judges. We've done it for 200 years. All of a sudden, with everything happening, we have to change? Well we don't have to change, its the people in Springfield. Unfortunately, we had some people from our county vote for this. This is not in Madison County a partisan thing. This is taking your people's rights away to vote on two thirds of the elections, and my people, Robert's people, everybody is losing. I'm sorry, when you don't contact the Chief Judge and say hey, this is what we're looking at doing or I'm sorry, Tom McRae, a circuit clerk, and say this is what we're doing, what are your thoughts? This no longer is about what's best for our county, because you should have contacted some people from our county that deal with the judges, and got their understanding. That's when we could have maybe worked something out. But nobody was contacted. And I'm sorry, I am frustrated because this is a pure political move by certain people.

**Mr. Haine:** Mike, you are open and welcome in terms of added information to who was or wasn't contacted. Senator Plummer has availed himself of the board, and although his time for public comment is up, board members are certainly open and free to ask him any questions they have about how that process worked. He was on the committee.

**Mr. Prenzler:** I'd like to first just let anyone on the county board...

**Mr. Walters:** I wasn't finished, thanks Tom.

**Mr. King:** Mr. Haine, what can you do?

**Mr. Haine:** On behalf of the county, I believe there may be a viable lawsuit that may be able to prevent the implementation of this law. Because of the short timeframe imposed on Madison County, but not imposed on other counties, other counties have until 2024 for no apparent reason to implement this law. I believe there may be a viable lawsuit that my office is capable and prepared to consider and if reasonably viable, pursue and impossibly retain the services of outside counsel to assist us in that effort. I've been researching over the last few days, and subject to the board's direction here, would be perfectly willing and able to pursue the interests of Madison County in whatever court of law is appropriate to make sure that no voting rights are diluted in Madison County, that no citizens are disenfranchised, that our county government isn't abused in a way that's unequal to other county governments for no particular reason. And then also to protect the independence of the judiciary. In this case, as Senator Plummer pointed out, I think there's a viable concern for the independence of the judiciary, you have an instance here where the facts may show that the General Assembly has saw fit to try to control the outcomes of the judiciary by choosing their voters. So the judiciary may have an interest in protecting its rights here. And I think that the county government is well suited to pursue litigation because we uniquely are imposed with a truncated timeframe, when we had 2 previously certified at large judgeships up for election that we're about to enter into the petition circulation period. And also, we have this unique front loaded sub circuit scenario. I will not file any frivolous lawsuits, even upon the direction of the county board. If that is where my legal research takes me, but I'm perfectly willing and frankly honored to try to pursue the interests of Madison County and protect the rights of Madison County citizens and protect the independence of Madison County judiciary, in the court of law, whatever court of law is appropriate.

**Mr. Babcock:** I'd like to say this in the simplest terms that for anyone who doesn't understand in this room what transpired. We have two sitting circuit judges who are being, basically through Rachelle Crowe legislation that they pass in the Senate, Katie Stuart actually drafted it originally, drafted it in the house originally and it didn't move fast enough, so Rachelle Crowe drew it up and drafted it, and she represents us. And I'm a little concerned that we have a State Senator and a House Representative in our district that gave us no fair input whatsoever. All of us county board members should be upset about that. Not the fact that it's a party issue, and maybe it is. But they targeted two circuit judges who are Republican, to force them to move from their house to a different neighborhood into a certain district that is predominantly Democrat. That is targeting. That has got to be unlawful to do. But unfortunately, because they have a supermajority, they can pass these things in the state of Illinois. While at the same time in this county, it's the values of the people are shifting, and they're changing to more conservative values, because they're tired of what the other side does over and over and over again. And you can say, Chicago, you can say whatever you want, whoever put this in place, did it intentionally to force these two people out of their homes and run in different districts that are less likely to vote for a Republican. That's the simplest terms I can put it in. I'm just imploring every county board member to indicate that this is shameful. It's shameful what they're doing to us in Madison County. They did it to the MESD Board, you saw it. They took that appointee out of Kurt's hand, and shifted it down to Granite City. They've done it to Amy Elik, they forced her in a gerrymandering way to move out of her home, if she's going to run for that seat again. This is what they're doing to us in Madison County, and it's shameful. That's my comments.

**Mr. Foster:** I'll keep this brief. Did anyone ever contact you about this?

**Mr. Prenzler:** No.

**Mr. Foster:** So as I go down the list because I attended the judiciary meeting last week, our Chief Judge, Mr. Mudge wasn't contacted. Our Circuit Clerk, Mr. McRae wasn't contacted. I don't know if anyone on the board was contacted, let alone any of our county wide electeds that we're contacted. But yet, we have legislation that's been passed concerning our county and only our county because our bill is written different than any other bill at the state of Illinois. Yet no one to represent the county was contacted on this bill. I encourage every person on this board to vote yes on this resolution tonight. Because if they're going to do this, because the Republicans are in charge, and this is not a Republican or Democrat issue, as far as this board is concerned. But if this is going to happen now, it's going to happen again in the future. And when you're on the receiving end of this, I can tell you it's not a very good feeling to have when you step into this arena of politics for the right reasons, to have some people outside your districts making decisions for you against every belief you possibly have. It's not a good feeling. I wouldn't wish it on the other side of the aisle, and I'm definitely not going to wish it on my side of the aisle. Thank you. Mr. Haine, you have my full support in pursuing this.

**Mr. Guy:** This new law that has taken effect, affected eight sub circuits throughout the state. And if you notice, the eight sub circuits that were created or impacted are all in areas where Republicans have been successful being elected judge. What's going on at the state level, at the federal level, it's just getting more partisan, more partisan, more partisan. And that's what we've seen with this new law that was rammed through in just a matter of hours. It was rammed through so fast, that it was indeed sloppy, very sloppy and not professional at all. In fact, in Madison County, if you recall the legislature, has a bill signed November 15 by the governor that allowed counties to expand the precincts up to 1200 registered voters. They gave us 60 days to do that. They gave every county, every election authority in the state 60 days to update the precincts. That's what they did. That was their plan. They know better than us, right? Well, again, they rammed through this bill so freakin fast, that they fail to list precincts that no longer exist in Madison County, precincts that no longer exist and throughout the whole freakin state. They didn't bother to call our County Clerk or any of the county clerk's in the state where they made these changes said hey, you know, we know we passed a law and said you guys got to change your precincts. And they have old precincts,



precinct boundaries that no longer exist. That goes to show how freaking sloppy this bill is. Next thing, sub circuits one, two, and three, Judge Sholar, Judge Threlkeld were appointed to run county wide, again, forcing them to move. We've heard them say that. You go back to the map we passed in this county, bipartisan map. It's fair, we reduce the board by three seats. The map passed here, again, is all about electing more Democrats. Do you remember? We did a lottery out of, not the real authentic Abe Lincoln hat, but a Lincoln hat. And we did a lottery to pick when we were all up for election to make again, make that fair. What did the Democrat controlled legislature do? We're going single out Madison County only, one out of the eight circuits changed and singled out Madison County to make sure sub circuit one is the only circuit up for election 2022. All the other ones up in 2024. That's just again, how partisan this new law really is. So again, I ask county board members to join me as well in voting in favor of this resolution. We need fairness in our courts. We've been fighting for that for a long time in our state, especially in Madison and St. Clair counties. I'll be voting yes. Thank you.

**Ms. Harriss:** Everyone in this county has had a right to vote on our nine circuit judges previously, until this recent legislation, two thirds of our county just lost their opportunity to vote. This is big. The ability to choose our circuit judges was literally just stolen from Madison County residents, in the darkness of night, on a bill that started as one for court security was changed at the last minute to create the sub circuit essentially taking the voice away from 1000s of residents. We would be remissed to sit by and not say anything. And the other counties that this happened in this doesn't start until 2024. Notably, this past January 6<sup>th</sup>, and what people might not realize is January 13<sup>th</sup> is the date which judge candidates can begin passing petition for office. In this legislation our county was split into these three sub circuits, which we've heard about tonight. To my knowledge, and from what I've heard tonight, it sounds as if there was no public meeting or input, as is typically the law when drawing boundaries for elective offices. So, of course, we're all surprised when this legislation is introduced, and these gerrymander districts are inserted into the state bill. The fact that the first three openings come from the first, the next three from the second, and the following from the third means that a huge part of the county will not even vote for a judge for at least 10 years. People from Godfrey all the way to Highland just lost their right to vote. This isn't diversity. This is disenfranchisement. The Wall Street Journal, one of the most respected papers in the United States, called Madison County a judicial hellhole. We've had a difficult time shaking that title, and this certainly doesn't help. How does the situation help us attract residents and businesses to our county? And isn't that what we want to be doing, along with fairness in our court? So I would ask those who are alarmed, shocked, angry also to put aside all of our differences, and stand together in this improper acts because fairness is important, especially in our court system. This reeks of everything people hate about politics. And thank you to Amy Elik, to Jason Plummer for standing in opposition to this. Thank you to those voters that just lost their voice. I will support this resolution tonight to fight for your right to vote and I have confidence that Mr. Haine and his team will stand up for the citizens of Madison County.

**Mr. Stoutenborough:** A lot of informative information, but I shall ask one question. Mr. Haine, what do you expect the cost would be to fight this?

**Mr. Haine:** It's unclear and depends on how long it takes. It would be possibly likely involved the retention of an outside lawyer or lawyers to assist us in this matter. As you all know, we're dealing with lack of a civil chief, Andy Carruthers is now Judge Andy Carruthers. So it's hard to tell, but it would be subject to billing and when those bills come before the county board, they can they can be discussed at that point.

**Mr. Stoutenborough:** Can you shoot a range?

**Mr. Haine:** It's hard for me to issue a range, frankly. It's hard for me to issue a range but it would be, I think, reasonable for the county board to pursue this, and I promise them that I will make sure this is not a blank check, and we will pursue only litigations that is appropriate.

**Mr. Foster:** Mr. Haine, what does it cost if we don't try to defeat this?

**Mr. Haine:** Well, if we make no effort, then the law goes into effect and then you're dealing with all of the mal effects that everyone's discussing today. And you're dealing with an immediate implementation of a law that's highly ambiguous and complicated effecting two, possibly three circuit elections and those would have implications for years to come. I think the costs are also ambiguous, hard for me to give a range, but are very high. And then, there's a cost of principle, which is judicial independence in this case, and that is very severe indeed. So it would be retention of a law firm involves billing rates dependent upon that law firm, it would involve work over the next two to three weeks unlikely to be more but possibly longer than that. And then, the case would be concluded one way or the other, it wouldn't be an ongoing issue.

**Mr. Foster:** Would it be safe to say that every person that's voted in a past elections vote has now just been thrown out the window, because someone in Springfield think they know more about what's best for the Madison County voters than what the Madison County voters do?

**Mr. Haine:** I think that's safe to say.

**Mr. Foster:** So would it also be safe to say, that to defend the voter's rights, there is no cost involved? It's something that we need to do to protect the people that we represent.

**Mr. Haine:** That's subject to the discretion of the county board. You hold the purse strings of the county and I respect that. In this case, I would tell you that I will make sure that we control costs, but that we also aggressively pursue upon your direction the vindication of our very basic rights, which is fair judges, everyone wants a fair judge in the court of law. A judiciary is not a legislature. This imposition of this hyper partisan gerrymandering mentality into the judiciary is itself breaching the wall between the legislative and judiciary branch, that principle is hard fought. It's a very important principle and it's one that I think is worth a lot to defend.

**Mr. Goggin:** These circuit judge positions, this is kind of like the farm club that feeds appellate courts and Supreme Courts and by letting Springfield choose the picker, the winners, winners and losers at this level, it's going to affect the judiciary all over the state for decades to come by freezing people out here. It's just horrible and shame again on Katie Stuart and Senator Crowe for voting for this. Shame on them.

**Mr. Guy:** We have Senator Plummer here with us that serves on the Redistricting Committee and we've made a lot of commentary and I just want to see if maybe he has anything else he'd like to elaborate on the process or what happened in Springfield.

**Mr. Prenzler:** I think we want to get on with the meeting.

**Mr. Guy:** What I'd like to mention though, too, another thing to point out was, maybe Senator Plummer could correct me on this. I believe it's been 50-60 years or so since these sub circuits or circuits have been changed. It's not like a process of every 10 years like the legislature. This is unprecedented, just rarely happens.

**Mr. Prenzler:** Just a specific question, I think we could go on with comments all night. Just a specific question, has it been 60 years?

**Mr. Plummer:** I can clarify that pretty briefly here, Mr. Chairman. As I said, I'm on the Redistricting Committee. The process here, I've heard several people, Board Member Guy has mentioned the timing, but the process here, I've heard people talk about gerrymandering. Every 10 years things happen. That's not the case on the judicial branch. I don't like gerrymandering of congressional seats and legislative seats. That's

not good for anybody. But this is a whole new angle, this isn't gerrymandering every 10 years. This is the legislature picking and choosing judges. The sub circuit in Sangamon County today is the same sub circuit that was in existence when Abraham Lincoln was a lawyer in Sangamon County but that's where circuit come from They wrote the circuit going from courthouse to courthouse, right? These things haven't changed in many cases in decades. Some have never. And the process just so everyone is aware was very simple. We had a hearing on corruption in Cook County courts, and there's was Operation Greylord. There's a creation of sub circuits in Cook County in the early 90s. Nothing had been touched since then. There was a piece of legislation, we had a hearing a week or 10 days before Christmas, on the Cook County sub circuits. I attended as a member of Redistricting Committee. As that meeting was closing, I said, is there any intent to do anything with sub circuits in any other part of the state? This is less than a month ago. And I was told that they would have to get back to us. And then there was debate about that. We didn't hear anything more. And on the last day, a couple weeks ago, we were in session, an hour and a half before we left Springfield, a 389 or so page bill was dropped on us that redid all the sub circuits, not a member of the Illinois State Senate read that bill. The time wasn't allowed to read the bill. And this was passed. So this wasn't just done in the dark of night. The Redistricting Committee didn't have a single hearing on this. The members of the Senate had no hearings on this. The members of the House had no hearings on this. So this isn't just a run of the mill partisan gerrymandering. The question I would be asking if I was a county board member whose constituents are being disenfranchised is who drew the map? If the Illinois State Senate Redistricting Committee did not draw the redistricting map, who drew it? Who wrote the bill? And why was it done? These are questions that have to be asked.

Mr. Walters moved, seconded by Mr. Gray to approve the resolution as presented.

The ayes and nays being called on the motion to approve resulted in a vote as follows:

AYES: Kuhn, Pace, Ross, Madison, Doucleff, Walters, Stoutenborough, Gray, Pollard, King, Babcock, Eaker, Messner, Wiehardt, Foster, Glasper, Goggin, Guy, Harriss, and Dalton

NAYS: Valentine and Minner

AYES: 20. NAYS: 2. Whereupon the Chairman declared the foregoing resolution duly adopted.

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**Mr. Walters:** To the board, thank you. I again, we show Madison County that we work well together. We've done it for many years. And I want to thank everybody because what you've done is you stood up and you said, you know what, we're going to work together as the county, Republicans and Democrats and do what's right. So once again, Madison County shows the state and the rest of the country how two parties can actually work together to get things done. So I applaud you and again, thank you all for your vote.

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**UNFINISHED BUSINESS**

None.

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**NEW BUSINESS**

None.

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Ms. Dalton moved, seconded by Ms. Pace to recess this special session of the Madison County Board Meeting until Wednesday, January 19, 2022. **MOTION CARRIED.**

ATTEST: Debbie Ming-Mendoza  
County Clerk

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