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FEDERAL LAWSUIT TO KEEP ICE DETAINEE CONTRACT GETS DISMISSED

December 8, 2021- Kankakee, IL- On September 1, 2021, McHenry County, along with Kankakee County, filed suit in US District Court to stop the implementation of the Illinois Way Forward Act and to challenge it by seeking an injunction to delay its end-of-year deadline while the case was being heard. The counties' lawsuit maintained that the Act violates the Supremacy Clause of the US Constitution – which prohibits states from interfering with the federal government's exercise of its constitutional powers – as well as case precedents forbidding state and federal government intruding on each other's sovereignty.

“The court's ruling in this particular matter is extremely disheartening, and quite frankly shows a clear overreach by the IL General Assembly and Governor Pritzker by not only overpowering local government control but also that of the United States Constitution,” said Kankakee County Sheriff Mike Downey. “This decision will have absolutely no impact on these detainees being released. In fact, they will undoubtedly be transferred to other states, all the while forcing families of these detainees to travel much farther to visit their loved ones all due to typical partisan Illinois politics in Springfield. We have every intention of appealing the District Court's decision. Revenue generated while housing for ICE helps to offset the burden of housing local inmates. Governor Pritzker has continued to advance his pro criminal anti-law enforcement agenda and law abiding citizens end up footing the bill,” Downey added.

Kankakee County is one of two IL counties that houses ICE Detainees for the Department of Homeland Security. Kankakee County began housing ICE Detainees in October of 2016, which significantly lessened the burden on our local tax payers.

“While we are obviously disappointed in this first ruling, the Kankakee County Board will pursue this as far as we can, up to and including the US Supreme Court,” said Kankakee County Board Chairman Andy Wheeler.

Thank you to the McHenry County State's Attorney's office for their hard work on this as we move forward.

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