

STATE OF ILLINOIS  
OFFICE OF THE GOVERNOR  
SPRINGFIELD, 62706GEORGE H. RYAN  
GOVERNOR

August 10, 2001

To the Honorable Members of the  
Illinois House of Representatives  
92nd General Assembly

Pursuant to Article IV, Section 9 (b) of the Illinois Constitution of 1970, I hereby veto House Bull 222 entitled "AN ACT concerning criminal law.

House Bill 222 amends the Statewide Grand Jury Act. Provides that a statewide grand jury may be convened to investigate and return indictments for any sex offense listed in the Criminal Code of 1961 (rather than certain sex offenses involving children), which are facilitated by the use of a computer.

The issue of allowing a statewide grand jury, as a substitute for a county grand jury or the filing of a criminal charge by a State's Attorney has always been contentious, because of the fact that it intrudes into the charging of criminal offenses previously reserved exclusively for a county State's Attorney. For many years, statewide grand jury legislation stalled in the General Assembly for this very reason. When it was finally enacted, the statewide grand jury was deliberately limited to criminal street-gang and gun crimes, which involve more than one county of the State. The expansive nature of the criminal conspiracy behind the trafficking in guns and drugs was the main reason cited for authorizing the use of a statewide grand jury. It is up to the Attorney General to petition for the impaneling of a statewide grand jury.

Later, the statewide grand jury law was expanded to include indecent solicitation of a child, sexual exploitation of a child, soliciting for a juvenile prostitute, keeping a place of juvenile prostitution, juvenile pimping and child pornography, which are facilitated by the use of a computer. The justification for adding these offenses was the involvement or potential involvement of a vulnerable class of victim that being children.

House Bill 222 is not an initiative of the Attorney General. It seeks to add thirty (30) additional sex offenses to the statewide grand jury law, regardless of the type of victim. These include many misdemeanor level offenses. There are not any additional funds being provided to the Attorney General for the additional personnel to pursue indictment and prosecution of these offenses. I do not find that there is sufficient justification for these additions to the jurisdiction of a statewide grand jury. I believe the State of Illinois is better served by keeping the limited statewide grand jury resources focused on drug conspiracies, street-gang conspiracies, trafficking in computer child pornography and computer solicitation of children for sexual offenses.

Moreover, there is not any indication that State's Attorneys supported this legislation or perceived the need for the impaneling of statewide grand juries to otherwise assist in their investigation and prosecution of these additional offenses. Without House Bill 222, a State's Attorney is fully capable of convening a grand jury to investigate and consider whether or not criminal indictments should be returned for these other sex offenses. A State's Attorney can also file a criminal charge, without a grand jury, for any of these offenses.

For these reasons, I hereby veto and return House Bill  
222.

Sincerely,  
s/GEORGE H. RYAN  
Governor