

April 29, 2020

ATTORNEY GENERAL KWAME RAOUL ISSUES STATEMENT ON OPENING BRIEF FILED IN 5TH DISTRICT APPELLATE COURT

Chicago — Attorney General Kwame Raoul issued the following statement upon filing a [petition](#) and [opening brief](#) in Bailey v. Pritzker. The brief was filed today in the 5th District Appellate Court.

“Earlier this week, the 4th Judicial Circuit Court held that the threat to public safety that is posed by COVID-19 is outweighed by Mr. Bailey’s interest in not complying with the Governor’s stay-at-home order.

“We continue to assert that Mr. Bailey has failed to articulate the irreparable harm he is personally experiencing or how that harm outweighs the unprecedented threat to public health and safety. Using the authority of his office granted by the Illinois Constitution and the Illinois General Assembly, Gov. Pritzker has implemented emergency measures that have saved lives during a crisis that has cost Illinois so much. In fighting the threat to public safety, Gov. Pritzker has not exceeded his authority under the law by taking emergency action for longer than 30 days.

“There is no question that the COVID-19 pandemic has forever changed our state, and government must balance the critical need to save lives with the economic hardships being felt by residents throughout Illinois. Governors have historically renewed disaster declarations to meet the challenges of disasters that last longer than 30 days without objection, and a pandemic should be no different.

“I am asking the appellate court to address this mistaken circuit court decision now. In addition, I believe that it is paramount for the Illinois Supreme Court to take up this matter immediately because continued uncertainty surrounding this question will lead to additional actions — as we have seen today — that threaten the Governor’s ability to save lives.”