

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

DEPARTMENT

(COUNTY) (MUNICIPAL)

(DIVISION) (DISTRICT)

PEOPLE OF THE STATE OF ILLINOIS

v.

No. _____

IR# _____

PETITION FOR A HEARING ON THE SOURCE OF BAIL FUNDS TENDERED OR SOUGHT TO BE TENDERED FOR BAIL PURSUANT TO ILLINOIS COMPILED STATUTES 725 ILCS 5/110-5(a)

NOW COME THE PEOPLE OF THE STATE OF ILLINOIS, by their Attorney, ANITA ALVAREZ, State's Attorney of Cook County and move this Honorable Court, pursuant to 725 ILCS 5/110-5 (a) to conduct a hearing on the source of bail funds tendered or sought to be tendered by the defendant.

In support thereof, the People state as follows:

- 1) The defendant is charged with a felony violation of the Illinois Controlled Substance Act, 720 ILCS 570/100 et seq.
- 2) The estimated street value of the alleged controlled substance is \$ _____ United States Currency.
- 3) The defendant does not appear to have any income from legitimate sources to post for bail.
- 4) That bail posted with funds from other than legitimate sources violates public policy in that such funds constitute the costs of conducting illegal activities and would not deter the defendant from flight and future criminal activity. See United States v. Nebbia, 357 F. 2d 303 (2nd Cir. 1966):

" Mere deposit of cash bail is not sufficient to deprive the court of the right to inquire into other questions which might bear on the question of the adequacy of the bail . . ." Id. at 304.

NOW THEREFORE the State moves to issue an order setting bond, and to also order that such bond may not be posted until a hearing on the source of bail is conducted and further order of the Circuit Court of Cook County.

After being duly sworn, the affiant states on reasonable information and belief that the facts alleged are true and correct.

SUBSCRIBED AND SWORN TO BEFORE ME

this _____ day of _____, _____
in the State of Illinois, County of Cook by

State's Attorney of Cook County

By: _____

Assistant State's Attorney