

SPEEDY TRIAL VS. RELEASE FROM CUSTODY

The Speedy Trial requirements of 715 ILCS 5/103-5 still apply. However, if a Defendant detained pursuant to the Safe-T Act isn't tried within 90 days, the Defendant is to be released. (The Charge is NOT dismissed).

725 § 5/110-6.1(i)

(i) Detention. If the court enters an order for the detention of the defendant pursuant to subsection (e) of this Section, the defendant shall be brought to trial on the offense for which he is detained within 90 days after the date on which the order for detention was entered. If the defendant is not brought to trial within the 90-day period required by the preceding sentence, he shall not be denied pretrial release. In computing the 90-day period, the court shall omit any period of delay resulting from a continuance granted at the request of the defendant and any period of delay resulting from a continuance granted at the request of the State with good cause shown pursuant to Section 103-5.