

Charges possible for reopening

Pritzker downplays potential misdemeanors facing business owners

Gov. J.B. Pritzker on Monday sought to downplay a new enforcement tool he quietly filed last week that allows the state to cite nonessential businesses with a misdemeanor for opening up to customers in violation of his executive orders dealing with the COVID-19 pandemic.

Pritzker contended that a misdemeanor is actually a “lighter enforcement mechanism” against business owners than having their businesses ordered shut or having any business license suspended.

“There are people who are

endangering people in their own communities, and we wanted to be able to give local officials, local law enforcement the ability to do what they needed to do,” Pritzker said.

The governor, who is facing growing pockets of protest and revolt over his stay-at-home order and five-phase reopening plan, dismissed Republican charges of overreach and said he merely altered his executive orders to take advantage of existing powers over law enforcement through the state health department.

The ongoing efforts to enforce the order come as Pritzker’s administration announced the

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launch of its long-discussed plans for contact tracing of people who test positive for the coronavirus, a key component of the reopening plan.

The first phase of the Illinois Contact Tracing Collaborative, led by local health departments, will begin with a pilot program in suburban Lake County and in St. Clair County in the Metro-East region near St. Louis. The state on Monday announced 2,294 new known cases of coronavirus from among 21,297 tests over the previous 24 hours. There were 59 additional deaths, bringing the death toll to 4,234 since the pandemic began.

Statewide, there have been 96,485 confirmed cases of COVID-19 from a total of 603,241 tests, the state Department of Public Health said. The statewide seven-day rolling positivity rate, from May 9-15, was 14% — an indicator that the four regions in Pritzker’s reopening plan continue to head toward moving into the next phase on May 29.

The emergency rule change Pritzker filed late last week opens business owners who disregard a statewide stay-at-home order to a Class A misdemeanor. The new enforcement provision came as the state nears the beginning of a

third month under Pritzker’s stay-at-home order.

Among the businesses the new rule targets are restaurants, bars, gyms and fitness centers, salons and barbershops, which have been ordered closed to serving customers on-site since March.

Under Illinois law, a Class A misdemeanor can carry a fine of \$75 to \$2,500 and up to 364 days in jail.

Pritzker has repeatedly said he would largely rely on local jurisdictions to enforce the statewide stay-at-home order that took effect March 21, and leave it to people to police themselves. At his daily briefing on April 23, the governor said he wasn’t “encouraging police officers to stop people and arrest them, or take drastic action.”

But last week, he threatened to hold back federal dollars from communities that buck his order, and he said businesses that flout the restrictions would face enforcement measures by the state Department of Financial and Professional Regulation and licensing bodies.

There remain pockets of the state, primarily Downstate, where local law enforcement and county state’s attorneys have said they will not prosecute businesses seeking to reopen in violation of Pritzker’s order.

Pritzker argued that the new rule doesn’t really change anything.

“It’s in the law today. It’s

in the Illinois Department of Public Health Act. There’s not an overreach here,” Pritzker said.

But leaders of the Republican minorities in the Illinois House and Senate found plenty to criticize.

“I just think this is wrong. People think this is wrong. We can and need to unify ourselves to bring ourselves together. This is just more division,” said Senate GOP leader Bill Brady of Bloomington.

House Republican leader Jim Durkin of Western Springs likened Pritzker’s action to an attempt to change workers’ compensation rules to assume that coronavirus-related illnesses were work related. Businesses fought the change and a court struck it down.

“A court will throw it out. This goes beyond the scope of the Illinois Department of Public Health,” Durkin said, calling it “overreach” on the part of the governor.

Before addressing questions on the issue, Pritzker focused his news briefing on contact tracing, saying that while it has been used since the beginning of the pandemic, the current system can’t keep up with the increased number of people being tested.

“Now that testing has ramped up, only about 29% of our known cases are engaged in a tracing process. That’s a number we want to push to as high as possible to the industry

standard of 60%,” he said. “But given the sheer scale of our population’s widespread susceptibility to COVID-19, we can’t get there with our existing infrastructure alone.”

The new system, when fully rolled out beyond the trial sites of Lake and St. Clair counties, will be led by the 97 local city and county public health agencies across the state under the direction of the state Public Health Department.

He didn’t address the cost, though he previously estimated an \$80 million price tag. He also didn’t discuss the numbers of contact tracers that local public health departments will need, a number Johns Hopkins University study previously estimated at 3,800.

State public health officials said partial results from a survey of about half of the state’s local health departments had an average request for 70 additional tracers, though one agency sought 900.

Pritzker urged people seeking work to sign up as contact tracers through the state public health department’s coronavirus website, though it will be up to local health departments to do the hiring. Wages will be at comparable local rates, he said, and funding will come from federal coronavirus relief programs.

A move to the less-restrictive fourth phase of Pritzker’s reopening plan requires a region to begin

“contact tracing and monitoring within 24 hours of diagnosis for more than 90% of cases in region.”

With lawmakers set to return to Springfield on Wednesday to begin a special session focused on drawing a new state budget amid a massive falloff in government revenue, Pritzker lashed out at Republican lawmakers who said they would not follow public health guidelines and wear a face mask.

“I hear that there are people planning to show up in Springfield in the legislature not wearing a mask. Think about what that says, right? Because a mask isn’t designed to protect you. It’s designed to protect the people you’re with,” Pritzker said, calling it a “callous disregard for people’s health.”

At the news conference by state GOP leaders, Durkin called on members of the General Assembly to seek an audit of the Illinois Department of Employment Security over its problematic handling of record numbers of unemployment insurance claims, as well as revelations that personal data had been leaked from a new system to deal with gig workers.

“The responsible bipartisan thing to do is to call for a performance audit within IDES based on how they have managed the unemployment insurance problem and also to look into how this breach occurred,”

Durkin said.

Also Monday, Pritzker was asked about recent social media posts that circulated among Pritzker’s conservative critics alleging he may be profiting from the pandemic.

The Pritzker Group, an investment firm founded by Pritzker and his brother, Anthony, has investments in at least two health care companies involved in testing. The governor had resigned from the firm more than a year before it invested in Cue Health, which announced in March that it had won a \$13 million federal contract to develop a new COVID-19 test.

In addition, the Pritzker Group’s private equity division has owned Tennessee-based Pathgroup since 2016. The company, which provides myriad testing services for hospitals, announced last month that it would be conducting COVID-19 antibody testing.

“Three years ago when I decided to run for governor, I put all assets in blind trust form, and they continue to be in that form, so I’m not involved,” Pritzker said Monday when asked about the companies. “I really don’t even know the engagement of those businesses in anything that has to do with this, and I’m really three years from having had any knowledge about any of those.”

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