



JACKSON COUNTY STATE'S ATTORNEY

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FOR IMMEDIATE RELEASE

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CARBONDALE MAN'S DRIVER'S LICENSE IS SUSPENDED

Michael C. Carr, Jackson County State's Attorney, announced today that a Jackson County, Illinois, judge denied Carbondale resident Lance D. Jack's Petition to Rescind the Illinois Secretary of State's statutory summary suspension of his Illinois driver's license.

A statutory summary suspension is an administrative action taken by the Secretary of State on a person's Illinois driving privileges. If, during an arrest for driving under the influence, the person fails chemical testing or refuses to submit to chemical testing, his license will be subject to a statutory summary suspension. This is a civil penalty that is separate and independent from any criminal offense. The summary suspension is not initiated because of the guilt or innocence for the offense of DUI. Rather, it is limited strictly to whether the person took the test or refused. Mr. Jack, who refused to take the test, contested the suspension of his driving privileges by the Secretary of State in Jackson County Circuit Court.

On March 18, 2015, a Jackson County judge denied his petition to rescind his statutory summary suspension. Effective immediately, Mr. Jack's driver's license is suspended. For a first offender, the suspension lasts for 12 months. After 30 days, first offenders are eligible to obtain from the Secretary of State a special permit allowing them to drive. The permit, called a Monitoring Device Driving Permit (MDDP), requires the installation of a Breath Alcohol Ignition Interlock Device (BAIID) in the vehicle which automatically checks the driver's breath alcohol concentration to insure that the vehicle cannot be operated unless the breath alcohol concentration is less than 0.05.

Mr. Jack's criminal case is set for a case management conference in Court Room 3, on April 6, 2015, at 9:00 a.m. **Criminal charges are not evidence of any crime and are not affected by this ruling. A defendant in a criminal case is presumed to be innocent of all criminal charges unless and until those charges are proved beyond a reasonable doubt.**

Assistant State's Attorney Patrick J. Brewster is handling the prosecution of the case.