

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

THE AMERICAN CIVIL LIBERTIES UNION)	
OF ILLINOIS, COLLEEN CONNELL, and)	
ALLISON CARTER,)	
)	
Plaintiffs,)	Case No. 10 CV 5235
)	
v.)	Judge Sharon Johnson Coleman
)	
ANITA ALVAREZ, Cook County State’s)	Magistrate Judge
Attorney, in her official capacity,)	Sidney I. Schenkier
)	
Defendant.)	

ORDER

This cause coming to be heard on Plaintiffs’ motion for summary judgment, Defendant not opposing this motion, and for the reasons set forth in this Court’s memorandum opinion and order granting summary judgment for plaintiffs:

IT IS HEREBY DECLARED, pursuant to Rule 57 of the Federal Rules of Civil Procedure and 28 U.S.C. § 2201 that:

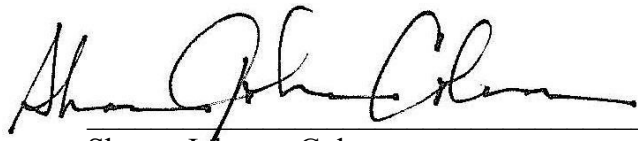
The Illinois Eavesdropping Act, 720 ILCS 5/14, violates the First Amendment of the United States Constitution as applied to the open audio recording of the audible communications of law enforcement officers (or others whose communications are incidentally captured) when the officers are engaged in their official duties in public places.

FURTHERMORE, IT IS HEREBY ORDERED, pursuant to Rule 65 of the Federal Rules of Civil Procedure:

Defendant Anita Alvarez, in her official capacity as Cook County State’s Attorney, is permanently enjoined from enforcing the Illinois Eavesdropping Act against the American Civil

Liberties Union of Illinois and its employees or agents who openly audio record the audible communications of law enforcement officers (or others whose communications are incidentally captured) when the officers are engaged in their official duties in public places.

DATED: 14th date of January, 2013

A handwritten signature in black ink, appearing to read "Sharon Johnson Coleman", written over a horizontal line.

Sharon Johnson Coleman
United States District Court Judge