



Supreme Court of Illinois

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ILLINOIS SUPREME COURT ISSUES OPERATIONAL REVIEW OF PRETRIAL SERVICES IN COOK COUNTY

Chief Justice Rita B. Garman and the Illinois Supreme Court have given approval to a comprehensive analysis of the Cook County pretrial services program, statutorily established to provide guidance to judges setting bond for felony and misdemeanor defendants.

The report identifies systemic shortcomings in areas of technology, automation, leadership, and management. It said the pretrial services operation also lacks the authenticity of verified reports on defendants. As a result, the program has fallen into disuse by judges, prosecutors, public defenders and the sheriff's office in setting bond or determining eligibility for electronic monitoring devices.

The report proposed 40 recommendations, including a reorganization of how pretrial services is managed, supervised and staffed.

"The report contains multiple recommendations across a broad array of policy areas," Chief Justice Garman said. "The purpose of the report is to facilitate movement toward meaningful change in pre-trial structure and operations, including systemic improvements in information sharing, communication and training."

The full report and its appendices is available at
http://www.IllinoisCourts.gov/SupremeCourt/Reports/Pretrial/Pretrial_Operational_Review_Report.pdf.

The report was forwarded Friday to Chief Judge Timothy C. Evans of the Cook County Circuit Court with a letter of transmittal from Chief Justice Garman, who thanked the Chief Judge and his staff for their cooperation "and vital input" during the review process.

The report also will be given to court and county principals who have been part of an ongoing process by the Supreme Court to improve pretrial services, the bond process, and probation in the Cook

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County Circuit Court system, with an eye toward making improvements that can be usefully implemented in courts statewide. Those principals who, at the invitation of the Supreme Court, have been part of a series of meetings on how to improve the administration of justice are Chief Judge Evans; Toni Preckwinkle, president of the Board of Commissioners of Cook County; Anita Alvarez, Cook County state's attorney; Dorothy Brown, Clerk of the Cook County Circuit Court, A.C. Cunningham, Cook County Public Defender and Thomas J. Dart, Cook County Sheriff.

The meetings have been facilitated by Retired Illinois Chief Justice Ben K. Miller, Retired U.S. District Court Judge David H. Coar and Michael J. Tardy, Director of the Administrative Office of the Illinois Courts. The AOIC is the constitutionally created administrative arm of the Illinois Supreme Court.

The operational study and this report were prepared by the AOIC under the direction of Mr. Tardy, Margie Groot, Assistant Director of the Probation Services Division of the AOIC, and in consultation and coordination with The National Center of State Courts, which provided on-sight technical expertise.

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The Supreme Court directed the AOIC last September to conduct the pretrial services review after the Court deferred Chief Judge Evans' request to fund 15 additional probation officer positions to supplement pretrial services in Cook County. The report was researched and written by a 12-member review team, which observed bond court and pretrial services operations in Cook County and conducted some 147 interviews with stakeholders and staff.

Currently, pretrial services operations are conducted under the authority of statute which requires Circuit Courts in Illinois to establish a pretrial services agency providing courts with accurate background data regarding the pretrial release of persons charged with felonies, otherwise known as bond. The statute also requires that pretrial services agencies be independent divisions of the Circuit Courts, supervised by a director appointed by and accountable to the Chief Judge.

In Cook County, the number of pretrial services staff positions has fallen from 179 in 1990 to 104 currently.

The recommendations are both broad-based and specifically targeted, and represent a strategic plan to improve the process.

Currently, the report said, the organizational structure is "inadequate to provide effective management" for pretrial services because managers now straddle their time between probation and pretrial matters with the primary focus on probation. The report recommended a reorganization to include a separate Pretrial Services Division under the Adult Probation Department with designated pretrial personnel including managers, supervisors and officers with infrastructure and resources to support programs and training. It suggested staffing at Central Bond Court in Cook County might be around the clock, seven days a week.

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The analysis noted that the current work of pretrial services in Cook County "is generally dismissed or minimized" by judges, prosecutors, public defenders and the sheriff "because of a lack of confidence" in the information that is gathered about the defendants. The information--usually gleaned through interviews with the defendants and police reports—is not verified "so the response from stakeholders and judges was understandable," the analysis stated. The study cited inconsistent collection of statistical reports, antiquated technology and the absence of a coordinated data sharing process and data request protocols among the various stakeholders.

The analysis emphasized the need for cooperation among all the stakeholders.

"While the impetus to conduct this review was a request by Chief Judge Evans for the funding of additional pretrial positions, such consideration must also be accompanied by systemic change," the report stated. "Unless there is a commitment amongst stakeholders to delve into these issues, reach consensus of resolutions and act to implement collaborative organizational and operational policies and practices in the pretrial and the bond court process, strictly adding positions will be minimally effective.

"While challenges exist, this is also a time of great opportunity," the report continued. "Many positive partnerships and activities are underway in Cook County that foster institutionalizing change and favorable outcomes. These include the Cook County Integrated Criminal Justice Information Systems Committee and the plan to move from a paper-based to electronic systems of data exchange and sharing among stakeholders; the joint meetings of Cook County elected officials that are fleshing out issues and solutions to the process; the planned evaluation of the bond court process that will provide baseline performance data in Central Bond Court; and the Administrative Office's initiative, in conjunction with a notable national research team, to validate a statewide pretrial risk assessment tool."

Chief Justice Garman, in her letter of transmittal to Chief Judge Evans, said the Supreme Court is committed to working with him to ensure the success of Cook County pretrial services. Further, she said, the Court is dedicating staff of the Administrative Office of the Illinois Courts to provide technical assistance and guidance to ensure the implementation of the Report's comprehensive recommendations.

Chief Justice Garman also noted that the Supreme Court anticipates the Cook County analysis to be the first in a series of pretrial operational reviews statewide.

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