



Supreme Court of Illinois

May 4, 2016

ILLINOIS SUPREME COURT ANNOUNCEMENT ON RECOMMENDATIONS TO ADVANCE PRETRIAL SERVICES IN COOK COUNTY

The Illinois Supreme Court has announced that all 40 recommendations proposed in a report issued two years ago following a comprehensive review of pretrial services in Cook County have been addressed with the commitment of ensuring the sustainability of the changes.

Through the work and monitoring of the report's recommendations by the Supreme Court's Administrative Office of the Illinois Courts (AOIC), and a partnership among elected officials in Cook County's criminal justice system, progress has been made in improving the county's pretrial services.

Recognizing that the effort to sustain the recommendations' progress is ongoing, the AOIC will continue to work with the Cook County Circuit Court to ensure that these changes result in measureable improvements.

"The goal of pretrial services is to reduce the pretrial incarceration rate while ensuring that defendants comply with conditions of pretrial release and appear for trial. When this goal is achieved, the benefits are felt not only by defendants and their families, but by the taxpayers and citizens of the state of Illinois," Chief Justice Garman said. "Thus, the Illinois Supreme Court supports the efforts of the Cook County Circuit Court and other circuit courts throughout the state to improve these services."

Chief Cook County Circuit Judge Timothy C. Evans said the 40 recommendations offered by the Supreme Court "were welcome additions to our circuit's ongoing efforts to enhance and improve pretrial services."

"The Circuit Court of Cook County has achieved reform of its pretrial services operations, and I appreciate the Supreme Court's acknowledgement of our circuit's success," Chief Judge Evans said. "Now that the recommendations have been addressed, we will focus on ensuring that the progress will be sustained."

In the fall of 2013, the Illinois Supreme Court directed the AOIC to conduct a review of Cook County's pretrial services program after the Court deferred Chief Judge Evans' request to address a lack of funding for pretrial services by funding additional pretrial officer positions.

Pretrial services are conducted under a state statute that provides circuits courts in Illinois must establish a pretrial services agency with the mission of guiding and aiding judges as they decide whether defendants should be detained in custody or released on bond while their criminal cases move through the court system.

The comprehensive review was conducted by a 12-member team that researched and observed pretrial services operations and bond court in Cook County and conducted nearly 150 interviews with members of the court, staff of the judiciary, prosecution and defense bar, and law enforcement officials.

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Following its review, the team wrote a 64-page report that provided 40 formal recommendations to improve pretrial services in Cook County. The report said that concerns in the areas of technology, training, application of a validated risk instrument, and governance structure had contributed to the diminished use of pretrial services by judges, prosecutors, and public defenders in administering bond court.

The report was released in March 2014 and among the 40 recommendations, proposed a reorganization of the administrative structure of the pretrial services program. Some of the recommendations were broad and systematic, while others were targeted; they all were made with the purpose of improving the process.

The report was prepared by the AOIC, in consultation and coordination with the National Center for State Courts, which provided on-site technical expertise. Led by AOIC Director Michael J. Tardy, the team consisted of staff of the AOIC's Executive Office and Probation Services and Court Services divisions.

The report is available at

http://www.illinoiscourts.gov/SupremeCourt/Reports/Pretrial/Pretrial_Operational_Review_Report.pdf.

As part of the comprehensive review of Cook County's pretrial services program, the Supreme Court in October 2013 convened a task force with several county, court, and law enforcement officials to discuss how to improve coordination that would enhance the administration of justice.

Those discussions took place during a series of regular, face-to-face stakeholder meetings and included the Illinois Supreme Court justices, Chief Judge Evans, Cook County Board President Toni Preckwinkle, Cook County State's Attorney Anita Alvarez, former Cook County Public Defender A.C. Cunningham, who was succeeded in office and at the meetings by Cook County Public Defender Amy Campanelli, Cook County Sheriff Thomas J. Dart, and Cook County Circuit Court Clerk Dorothy Brown.

The meetings were facilitated by retired Illinois Supreme Court Chief Justice Benjamin K. Miller, retired U.S. District Court Judge David H. Coar, and AOIC Director Tardy.

"I am very grateful for the continued commitment and leadership of Chief Judge Evans and the judges of the Circuit Court of Cook County who are able to provide practitioners' points of experience and views, and all of the elected stakeholders and their staffs who have stayed the course to ensure the advancement of evidence-based pretrial practices," Director Tardy said.

"The progress that has been made could not have been achieved without the professional and dedicated work of the Circuit Court's Pretrial Services Division's administrators, managers and officers. Our work continues as we strive to secure and sustain fair and effective pretrial justice outcomes."

Part of the ongoing process in Cook County includes the application and evaluation of Public Safety Assessment (PSA), a risk assessment tool created by Luminosity, Inc., and funded through the Laura and John Arnold Foundation. The instrument aids judges in making research-based decisions about whether defendants should be detained or released prior to their criminal trials.

Under the direction of the Supreme Court, the AOIC is working with the circuit courts in Cook, Kane, and McLean counties to participate in a pilot program that tests the use of PSA at those three sites. Cook County began utilizing PSA this past summer.

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Add Two**

"I am gratified that we were selected to be the first circuit court in Illinois to set the standards for pretrial operations for the rest of the state," Chief Judge Evans said. "Based in science, the tool works in conjunction with judicial discretion to ensure our judges have a comprehensive profile of all detainees who appear before them in Bond Court."

Preliminary testing of PSA in Cook, Kane, and McLean counties has shown positive results as an aid in judicial decision making on whether to release or detain defendants. The pilot program could help determine whether all of the state's circuit courts should adopt the data-driven tool in their pretrial services programs.

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