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✓CHICAGO-COOK COUNTY
CRIMINAL JUSTICE COMMISSION

✓AN EVALUATION OF THE
COOK COUNTY STATE'S ATTORNEY'S
SUPPORT SERVICES PROJECT

IMPACT EVALUATION REPORT

December 1978

Cresap, McCormick and Paget Inc.
Management Consultants

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December 28, 1978

Mr. Daniel O'Connell
Executive Director
Chicago-Cook County Criminal
Justice Commission
203 North Wabash Avenue
Room 2000
Chicago, Illinois 60601

Dear Mr. O'Connell:

Enclosed herewith is our Phase III report titled An Evaluation Of The Cook County State's Attorney's Support Services Project. This report constitutes Deliverable Product III as stated in our February 7, 1978, contract.

Very truly yours,

Cresap, McCormick and Paget Inc.

CRESAP, MCCORMICK and PAGET Inc.

CHICAGO-COOK COUNTY
CRIMINAL JUSTICE COMMISSION

AN EVALUATION OF THE
COOK COUNTY STATE'S ATTORNEY'S
SUPPORT SERVICES PROJECT

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I - INTRODUCTION

INTRODUCTION

This report constitutes Deliverable Product III of Cresap, McCormick and Paget's impact evaluation study of the Cook County State's Attorney's Support Services Project. This study was sponsored by the Chicago-Cook County Criminal Justice Commission (CCCCJC) and the Illinois Law Enforcement Commission (ILEC).

The first chapter has sections describing the purpose of the study, the approach taken and the contents of the report. The concluding section contains the consultants' observations on aspects of the Support Services Project that influence the impact evaluation.

PURPOSE OF THE STUDY

- The impact evaluation study of the State's Attorney's Support Services Project examined six programs that have received funds from ILEC and CCCCJC; these programs are:
 - Felony Review
 - Preliminary Hearings
 - Community Prosecutions
 - Civilian Investigative
 - Drug Diversion
 - Planning, Training and Management.
- The objectives of the study have been to:
 - Evaluate the Cook County State's Attorney's Support Services Project to determine how it works and to assess its achievements, effectiveness and overall impact on the criminal justice system in Cook County
 - Assess the benefits that the Project has produced in relation to its cost
 - Determine the extent to which the Project has been able to meet its objectives, and identify any factors that have limited its ability to do so
 - Determine whether the stated objectives of the various components of the Project are suitable in light of the overall operations of the State's Attorney's Office, and the needs of the county's criminal justice system

INTRODUCTION (Cont'd)

- Identify opportunities for improvement, and any alternative programs which might produce better results or lower costs.
- The scope of the study effort has been largely devoted to an examination of the six programs that are housed within the State's Attorney's Office; nevertheless, many non-grant funded activities in the Office that are closely related to or indistinguishable from the Support Services Project were also examined.

END PRODUCTS

- The study contract has required the consultants to produce three deliverable products during separate parts of the study:
 - Deliverable Product I: Program Reconnaissance and Design of an Impact Evaluation Work Plan
 - Deliverable Product II: Interim Evaluation Report
 - Deliverable Product III: Impact Evaluation Report (this document).
- Deliverable Product I was completed in late 1977 and a formal report, Impact Evaluation Strategy, was submitted to CCCCJC in January 1978.
 - This report described in detail the method and approach to be employed during the remainder of the study.
 - Specific work plans were included for each of the six programs.
- The Interim Evaluation Report (Deliverable Product II) was submitted in draft to CCCCJC in March 1977.
 - This report provided preliminary observations and recommendations on some of the programs.
 - o A reconnaissance of the State's Attorney's Office early in the study identified several program areas in which immediate improvements could be made; recommendations were meant to facilitate action in these areas by the State's Attorney's staff before the end of the study.

INTRODUCTION (Cont'd)

- At the request of CCCCJC, the Interim Evaluation Report also contained a brief review of the status of the Career Criminal/Violent Crimes Prosecutorial Program which has been established in the State's Attorney's Office and the criminal courts of Cook County.
- Deliverable Product III (this report) now presents the overall evaluation of the Support Services Project.
 - This evaluation contains findings and recommendations on each program.

APPROACH

- Work began on this study in October 1977 and was divided into three phases that closely related to the three deliverable products:
 - Phase I: General reconnaissance of the State's Attorney's Office and the six programs
 - Phase II: Preparation of the Interim Evaluation Report
 - Phase III: Detailed analysis of the six programs.
- Phase I's reconnaissance of the State's Attorney's Office included interviews with key management and supervisory personnel in all major areas of the State's Attorney's Office and the six grant-funded programs.
 - These interviews produced a general understanding of the six programs and their relationship to the Office.
 - Data required to analyze the programs were also identified at this time.
 - o Program operating data for 1977 and 1978 were generally available, but sources outside the Office had to be identified for some of the historical operating and financial data needed.
 - The study team then produced the work plans that were part of the Impact Evaluation Strategy.
- The Interim Evaluation Report was then produced in Phase II.

- INTRODUCTION (Cont'd) -

- Much of the information in that report was gathered during the reconnaissance work in Phase I, but some follow-up interviews and analyses were required in a few areas.
- In Phase III the study team examined each of the six grant-funded programs in detail.
 - This examination included:
 - o Interviewing key staff members
 - o Observing the work of the program staff
 - o Interviewing external groups such as police, community groups and judges.
 - Additional data on the programs were compiled from the State's Attorney's Office as well as from other criminal justice agencies.
- During all these phases of the study, more than 123 formal interviews were conducted with persons inside and outside the Office.
 - Exhibit I-1 lists the persons formally interviewed from various segments of the criminal justice system and from the general community.
 - o Most interviews with staff associated with the Support Services Project are listed under the Criminal Prosecutions Bureau of the State's Attorney's Office.
 - Many persons were contacted more than once.

ORGANIZATION OF THIS REPORT

- This report is organized into eight chapters and appendixes, as follows:
 - I - Introduction (this chapter)
 - II - Evaluation Conclusions
 - III - Organization And Operations Of The Cook County State's Attorney's Office

INTERVIEWS CONDUCTED IN STUDY

<u>Organization</u>	<u>Number Of Persons Formally Interviewed</u>
State's Attorney's Office	
Executive Office	4
Criminal Prosecutions Bureau	44
Special Prosecutions	9
Civil Actions Bureau	1
Legal Support	9
Subtotal	<u>67</u>
Cook County Circuit Court	15
Clerk Of The Circuit Court Of Cook County	3
Chicago Police Department	9
Cook County Sheriff	1
Other Criminal Justice Agencies Or Planning Organizations	8
Community Agencies Or Groups	<u>20</u>
Total	123

INTRODUCTION (Cont'd)

IV - Felony Review And Preliminary Hearing Programs

V - Community Prosecutions Program

VI - Civilian Investigative Program

VII - Drug Diversion Program

VIII - Planning, Training And Management Program

Appendixes

- Chapter II contains the evaluation conclusions that developed from the detailed analyses of the programs in the Support Services Project.
- Chapter III describes the organization of the State's Attorney's Office as a whole and its operations as they relate to the criminal justice system.
 - This description is provided so that the unfamiliar reader may see how the six grant-funded programs fit into the Office.
- Chapters IV through VIII offer specific opportunities for improvement and recommendations about each program.
 - Chapter IV discusses the Felony Review and Preliminary Hearing Programs jointly since they were found to be closely related.

GENERAL OBSERVATIONS

- This section presents some general observations about the Support Services Project as a whole.
- The observations are furnished as background on the conditions under which each program has been evaluated.

The Impact Of The Total Support Services Project Cannot Be Judged Using Any Single Criterion

- The Support Services Project (also called the Fair and Speedy Trial Project) must be viewed from a variety of perspectives to produce an overall evaluation of its impact on crime in Cook County.

INTRODUCTION (Cont'd)

- Each program has different objectives and responds to different needs.
- The Support Services Project has been a major source of funds for the State's Attorney's Office, and this funding has been important to the State's Attorney.
 - The Support Services Project has accounted for almost 10 per cent of all funds used by the State's Attorney's Office in the past nine years.
 - This funding has supported both attorney and support staff positions that are associated with special projects and programs.
 - These funds have allowed the State's Attorney to develop some programs that might not have been offered otherwise.
 - o The State's Attorney would have had to divert resources from already established activities to provide some of the programs in the Support Services Project.
- Support Services funds have been allocated both for initiating new or experimental programs and for supporting existing Office activities.
 - The programs that could be characterized as new or experimental are Drug Diversion, Felony Review, Community Prosecutions and, possibly, Civilian Investigative.
 - o The Civilian Investigative Program created a new type of investigator whose activities substituted for services that were provided by external police agencies before the program started.
 - The activities associated with the remaining two programs, Preliminary Hearing and Planning, Training and Management existed in some similar form before Support Services funds were applied; this funding assistance essentially permitted the scope of these activities to be enlarged.
- Some of the experimental programs were developed in response to local needs within the Cook County criminal justice system, and they may have limited applicability to other jurisdictions that have different environments.

INTRODUCTION (Cont'd)

- For example, the large volume of felony cases in Cook County and the special courts approach employed by the Circuit Court have led to a "horizontal" prosecution approach by the State's Attorney; the Felony Review Program exists in its present form partly because of the existence of this horizontal process.
- Also, the Community Prosecution offices were established to make the criminal justice system, which had necessarily become high-volume oriented and relatively impersonal, more responsive to the needs of Chicago communities.
- All of these considerations lead to the conclusion that the Support Services Project can best be examined on a program by program basis.

The Limited Historical Data Available On The Programs Necessitated Greater Than Normal Reliance On Qualitative Information For The Impact Evaluations.

- Many of the programs can be best evaluated by examining what occurred before and after the program was established.
 - This type of analysis requires past data on the cost and operations of the program and also of the segments of the criminal justice system that interface with it.
- In several areas, data on program financing and operations are deficient past the current year.
- Reasons for these data deficiencies vary.
 - The Felony Review, Civilian Investigative and Preliminary Hearing Programs are not organizationally distinct and some of their activities are spread among different divisions or bureaus in the Office.
 - o For example, the Preliminary Hearing Program has had as many as 19 of its 102 attorneys funded by ILEC grants, and portions of this staff are located in Suburban Municipal Districts where they have duties besides preliminary hearings.
 - In some instances, the State's Attorney's Office has not been required, or was unable, to compile data on the operational performance of its Project programs.

INTRODUCTION (Cont'd)

- Neither the funding agencies nor the State's Attorney was able to supply consistent data showing the amount of grant and county funds applied to each program.
 - o The total Support Services Project grant is clearly established, but the records on funding grants to individual programs are not compiled.
 - o As a result, the study team had to estimate the portion of the total grant funds that applied to each program.
- This lack of operating and financial data for individual programs makes it difficult to analyze program costs and benefits.
- In addition, data are sometimes scarce on the operations of external activities that interact with the Project.
 - Sometimes the meaningfulness of valid program data is reduced when related information from agencies outside the Office is not available or is not compiled in a usable form.
 - For example, the Drug Diversion Program keeps records of the number of program participants, but there is no source that will tell the total number of drug arrests in the Cook County that may be eligible for the program.
- These data problems have meant that the impact evaluation analysis has had to rely on fragments of quantitative data, when available; and that the study team has had to give greater than normal credence to qualitative data.
 - Interviews with knowledgeable observers of individual programs have been given extra importance when attempting to confirm or deny conclusions drawn from quantitative data alone.

II - EVALUATION CONCLUSIONS

EVALUATION CONCLUSIONS

This chapter contains general evaluations of the six programs in the Support Services Project. The evaluations give an overall assessment of the impact of each program. The reader who is unfamiliar with the six programs may prefer to read Chapters IV through VIII first because a knowledge of the background, observations and recommendations in those chapters is important to an understanding of the evaluations.

The Felony Review Program Has Had An Observable And Beneficial Effect On The Criminal Justice System

- The Felony Review Program has been successfully designed and implemented.
 - The basic objectives of this intake review program are worthwhile, and there is tangible evidence that it has had a distinct and beneficial impact on the criminal justice system.
- The benefits of performing an intake review of felony cases are several.
 - The work of the police investigative units appears to have been positively affected by the presence of attorneys who review their initial felony charges.
 - The court system has been partially relieved of the work associated with poorly prepared cases that would have eventually been lost or thrown out of court.
 - Cases that later reach trial stage have benefited from better investigative work at the time of the original charge.
- The Felony Review Program should be continued in the foreseeable future unless any major structural changes in the Circuit Court occur that would affect the use of a "horizontal" approach to prosecution.
 - Such changes would dictate a general review of how the State's Attorney should furnish intake reviews of felony charges.
- The program appears to be a good example of how special funding support for a new program can hasten its development and bring it to the point where it is almost a mandatory step in the prosecution of a felony charge.

EVALUATION CONCLUSIONS (Cont'd)

Funding Support For Preliminary Hearings Appears To Have Been Useful In The Past, But Is No Longer Necessary

- A preliminary hearing is legally mandated for all felony charges and therefore the Preliminary Hearing Program cannot be viewed as new or experimental.
 - The ILEC funds applied to this program should be viewed as general support funds for an ongoing activity.
- The application of ILEC funds in the State's Attorney's Preliminary Hearing Division appears to have benefited the criminal justice system primarily by placing added staff in an area that could conceivably have developed into a bottleneck.
 - The rapid increase of felony cases in Cook County during the past five years has produced similar increases in the work of preliminary hearing courts.
- The evaluation of the performance of this program is limited by two factors.
 - Since the activities of the Preliminary Hearing Division are legally mandated, the objectives of the program itself are not at issue.
 - Further, the activity's performance concerning the handling of cases is significantly affected by the work of the Felony Review Section.
- As a result, the study team has only been able to examine the general operations of the State's Attorney staff in preliminary hearing courts and to assess the efficiency of this work.
- The general conclusion is that the Preliminary Hearing staff is performing efficiently and that only minor changes are in order.
- If ILEC is requested to reapply grant funds to this area, they would be appropriate only if the preliminary hearing activity risks becoming a bottleneck in the general flow of felony cases through the system.
 - At present, such a risk does not appear to exist.

EVALUATION CONCLUSIONS (Cont'd)

The Results-Oriented Objectives Of The Community Prosecution Program Have Been Achieved; Its Methodology Has Created Some Problems And Therefore Should Be Modified

- The three Community Prosecution offices have enabled their communities to influence the prosecution and possibly the disposition of cases which are of special interest to them.
- The use of the "vertical prosecution" technique, while one of the original objectives of the program, addresses methodology rather than results; this technique allows the same prosecutor to handle a case in all states of its progress through the court system.
 - While vertical prosecution is effective, its per-case cost is greater and some misuse of attorney time results when it is used in a Court-system which is organized so as to require horizontal prosecution as the normal method.
 - Required experience levels of Community Prosecutors and attorney relationships are also factors which make vertical prosecution difficult to manage.
- The Community Prosecutions Program has produced several benefits, the chief benefit being that the local communities have appeared to take a stronger interest in law enforcement and actively use the resources of the community offices to address criminal problems in their neighborhoods.
- Community benefits which result from this program can still be realized while lowering per-case costs and alleviating operational difficulties by discontinuing vertical prosecution as an objective.
 - The role of the community prosecutor should be redefined as that of persons who, through links with the communities they serve and as members of the State's Attorney's, Office facilitate the prosecution of cases through the court system by coordinating with regularly assigned prosecutorial teams in the proper courtrooms and by making them aware of community interest and providing support.
 - This will enable Community Prosecutors to handle more cases, and enable these positions to be filled with less-experienced attorneys.

EVALUATION CONCLUSIONS (Cont'd)

- Any changes made should be after consultation with court and other criminal justice personnel.
- The overall mission and scope of this program requires periodic review because changes in external conditions could significantly affect the need for it.
 - The organization of the criminal courts inside the City of Chicago is a major influence on the need for community offices, and any changes in this court organization could affect the program.
 - The social and economic conditions in the communities served will affect the performance of each office; it is possible for a "community" to become so fragmented and economically destitute that no social structure would exist to relate to the work of the Community Prosecutions offices.

Consideration Should Be Given To Reducing The Size Of The Civilian Investigative Program

- The Civilian Investigative Program appears to have had the least impact on crime, and the funds that supported this effort might be better employed on other programs.
- The basic mission of the Civilian Investigative staff has always been intimately tied with the role and functions of the Special Prosecutions Bureau which is the major user of internal investigative staff.
- The dedication of the investigative staff is noteworthy; nevertheless, the benefits of this staff have been less than expected because of factors beyond its control.
 - The Special Prosecutions Bureau apparently needs a wide range of investigative skills and powers, but only a portion of that need can be fulfilled with Civilian Investigators.
 - This leaves a substantial number of Civilian Investigators to perform work that they are not trained for or are over qualified for.

EVALUATION CONCLUSIONS (Cont'd)

- The recommendations in Chapter VI of this report suggest that a number of the investigator positions be abolished.
 - The accomplishment of these recommendations would reduce Civilian Investigative staff expenses beyond the current grant funding levels.

The Drug Diversion Program Continues To Provide Benefits To Its Participants And The Criminal Justice

- The Drug Diversion Program is a successful attempt at providing a diversion program within Cook County.
 - Although several alternative methods for diverting drug offenders exist in Cook County, the State's Attorney's Drug Diversion Program offers a unique approach that mandates special counseling on drugs and the dangerous consequences associated with their use.
- The objectives of the program have been clearly defined, and available evidence suggests that they are being accomplished.
- Assessing the costs and benefits of this type of program is complex.
 - By itself, the program appears to provide benefits (e.g., low recidivism rates for the participants) that are substantial when compared with the relatively low cost per participant.
 - Alternative diversion programs appear to operate more cheaply because they are adjuncts to the existing court and probation process.
 - These less-costly alternatives do not offer the counseling sessions, however, and any evaluation of the Drug Diversion Program has to consider the benefits of the counseling and the deeper influence they have on recidivism.

EVALUATION CONCLUSIONS (Cont'd)

- The study team has concluded that continuance of the Drug Diversion Program is justified.
 - The low recidivism rate is a substantial benefit and is quite probably attributable to the overall approach of the program and the use of counseling sessions.
- The State's Attorney and Cook County government should continually reassess the role of this program because a number of factors might change and influence its need or effectiveness.
 - The decriminalization of certain drug offenses would materially reduce the applicable population group it serves.
 - Changes in probation programs or state laws might allow other diversion programs to employ counseling.

The State's Attorney's Office Continues To Require Support Assistance For Training Activities

- The Planning, Training and Management Division has focused a large portion of its efforts on training activities and support for grant applications.
 - Funds for this program must be also viewed as supporting an ongoing activity, and not an experiment.
- ILEC funding appears to have been necessary because alternative training resources available in Cook County are insufficient for the State's Attorney's needs.
- Training activities in the Office have improved in recent years, but the need for attorney-related training is still substantial.
- As a result, some form of funding support will still be necessary unless alternative training programs that are oriented to the needs of attorneys can be provided by outside agencies.

III - ORGANIZATION AND OPERATIONS OF THE
COOK COUNTY STATE'S ATTORNEY'S OFFICE

ORGANIZATION AND OPERATIONS OF THE COOK COUNTY STATE'S ATTORNEY'S OFFICE

This chapter presents a brief overview of the organization and operation of the Cook County State's Attorney's Office. To obtain a working picture of the current situation in the State's Attorney's Office, the consultants compiled relevant data relating to the role and organization of the Office's staffing, workload and budget. Using this information as background, basic data on the operations of the federally funded Support Services Project were then collected and examined.

ROLE AND ORGANIZATION

- The Cook County State's Attorney is responsible for prosecuting all criminal actions brought before the Cook County Circuit Court and representing the county in various civil actions.
 - Exhibit III-1 is a detailed list of the responsibilities and duties associated with the Office.
 - The six programs in the Support Services Project that are reviewed in this report are largely associated with the criminal prosecution role.
- The current organization structure of the Office was designed in 1973 to help it cope with a growing caseload, and to focus attention on certain types of cases that require special prosecutorial knowledge.
 - The current organization of the Office is presented in Exhibit III-2.
 - Appendix A describes the primary functions of each organizational unit of the Office.
- The Executive Office of the State's Attorney's Office is made up of the State's Attorney, the First Assistant State's Attorney, and the Chief Deputy State's Attorney and has overall responsibility for the functions of the Office.
 - The Planning, Training and Management Division, responsible for training and for coordinating grant funding, is the only staff function at the executive level.

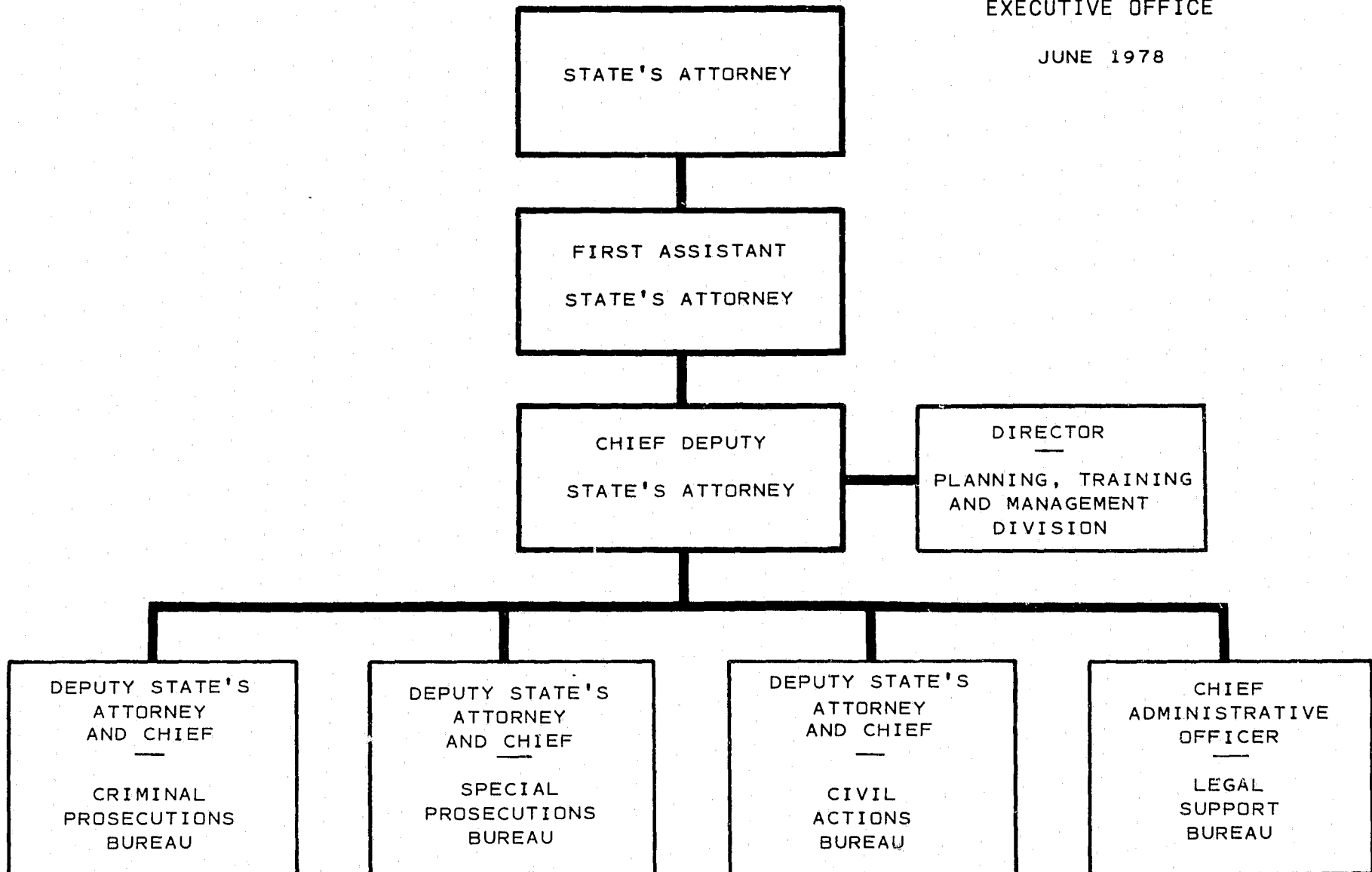
MAJOR RESPONSIBILITIES OF THE COOK COUNTY STATE'S ATTORNEY

- Commence and prosecute in the Circuit Court all actions, suits, indictments and prosecutions (civil and criminal) in which the state or county may be concerned
- Prosecute all forfeited bonds and recognizances, and all actions and proceedings for the recovery of debts, revenues, monies, fines, penalties and forfeitures accruing to the state or his county, or to any school district or road district in his county
- Prosecute all suits in his county against railroad or transportation companies, which may be prosecuted in the name of the people of the State of Illinois
- Commence and prosecute all actions and proceedings brought by any county officer in an official capacity
- Defend all actions and proceedings brought against his county, or against any county or state official when in an official capacity within his county
- Attend the examination of all persons brought before any judge on habeas corpus, when the prosecution is in his county
- Attend before Circuit Court judges and prosecute offenders charged with felonies or misdemeanors
- Give his opinion, without fee or reward, to any county officer on any questions about law relating to any criminal or other matter in which the people of the county may be concerned
- Assist the Attorney General whenever necessary
- Pay all monies received by him in trust, without delay, to the officer who by law is entitled to the custody thereof
- Perform other duties that may, from time to time, be enjoined on him by law
- Appear in all proceedings by collectors of taxes against delinquent taxpayers for judgments to sell real estate, and see that all necessary steps have been taken to make such judgments legal and binding

Source: Illinois Revised Statutes, Chapter 14, Paragraph 5.

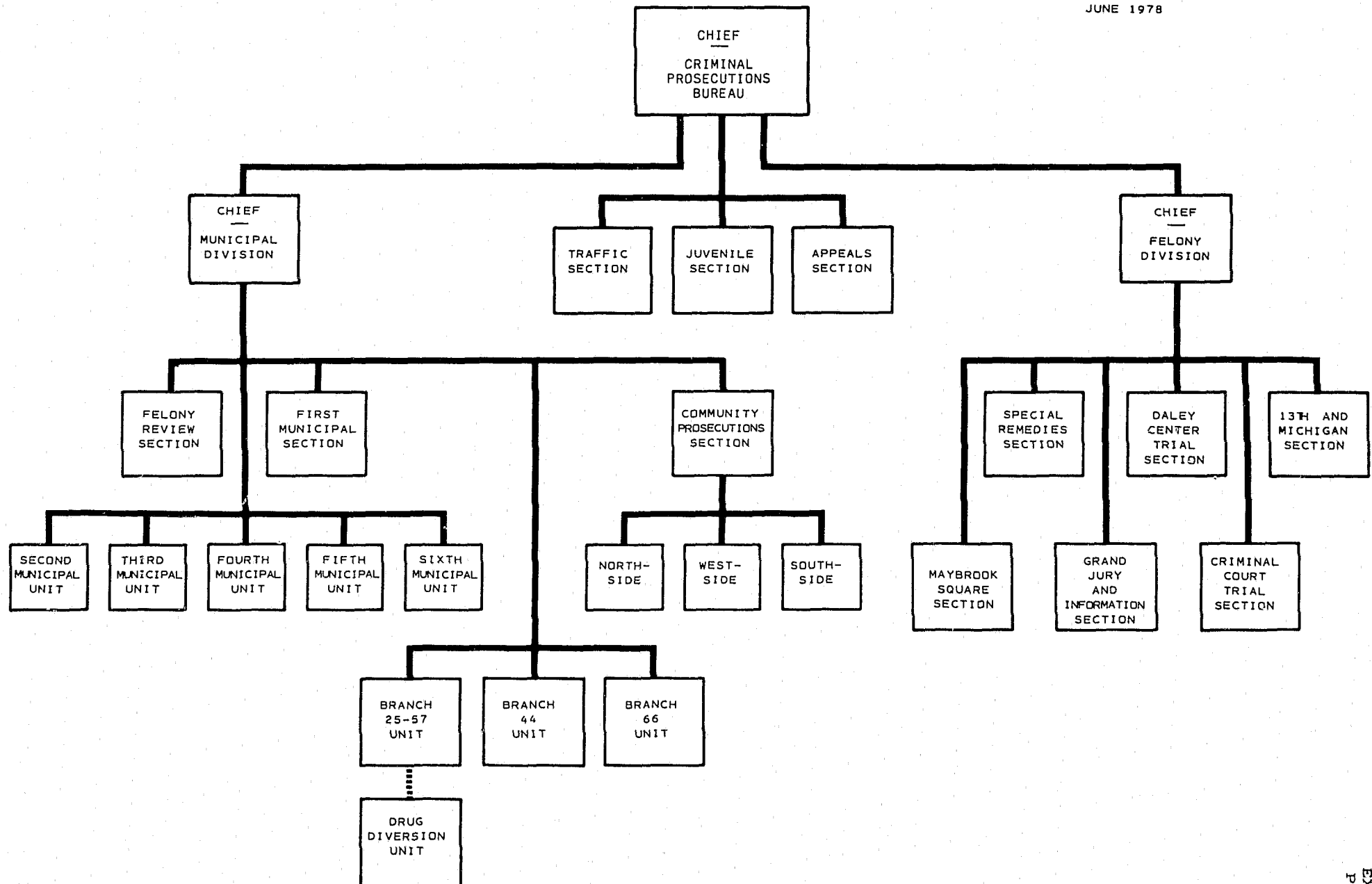
ORGANIZATION OF THE
EXECUTIVE OFFICE

JUNE 1978



COOK COUNTY STATE'S ATTORNEY'S OFFICE
ORGANIZATION OF THE
CRIMINAL PROSECUTIONS BUREAU

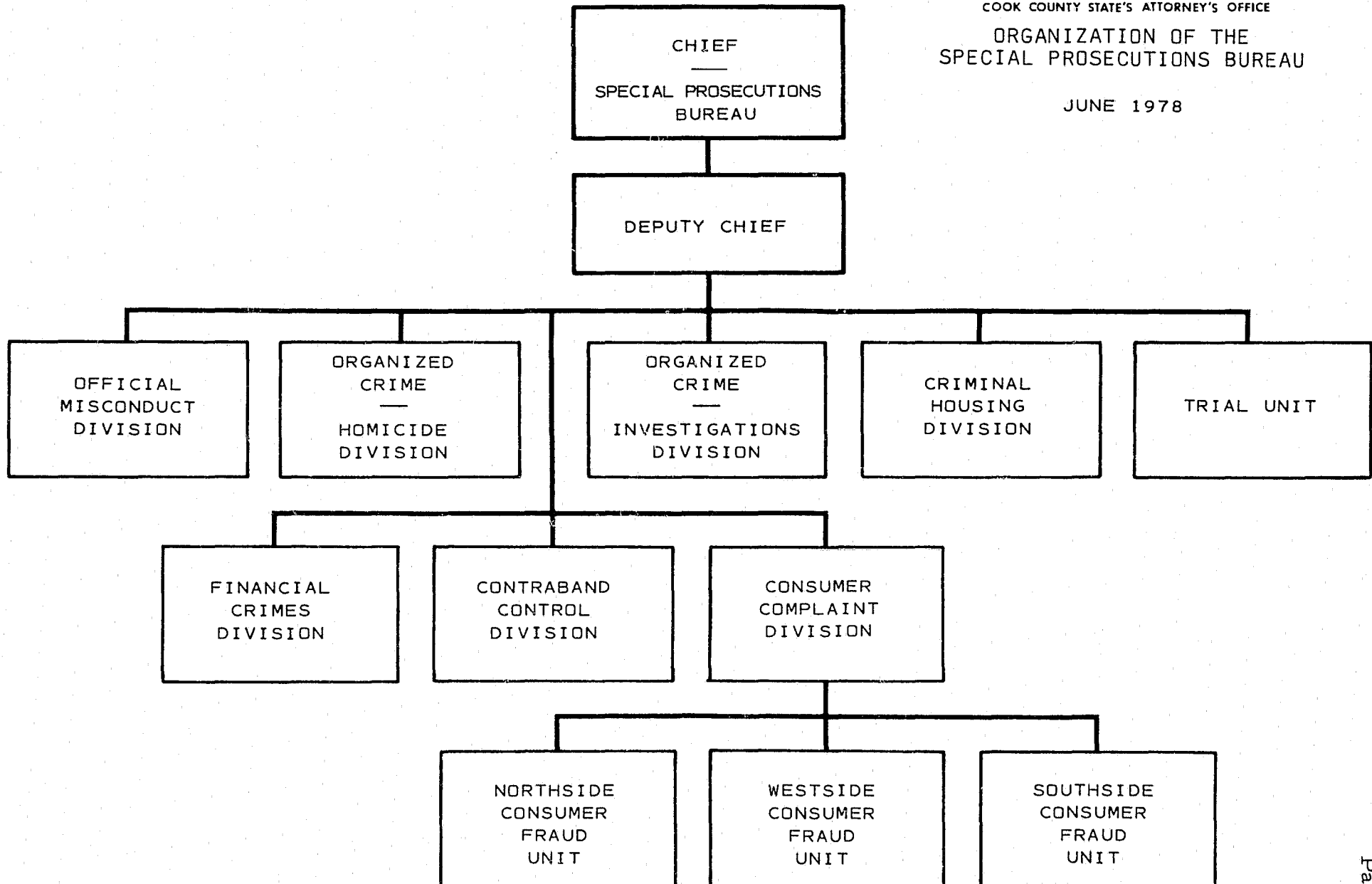
JUNE 1978



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..... OPERATING RELATIONSHIP

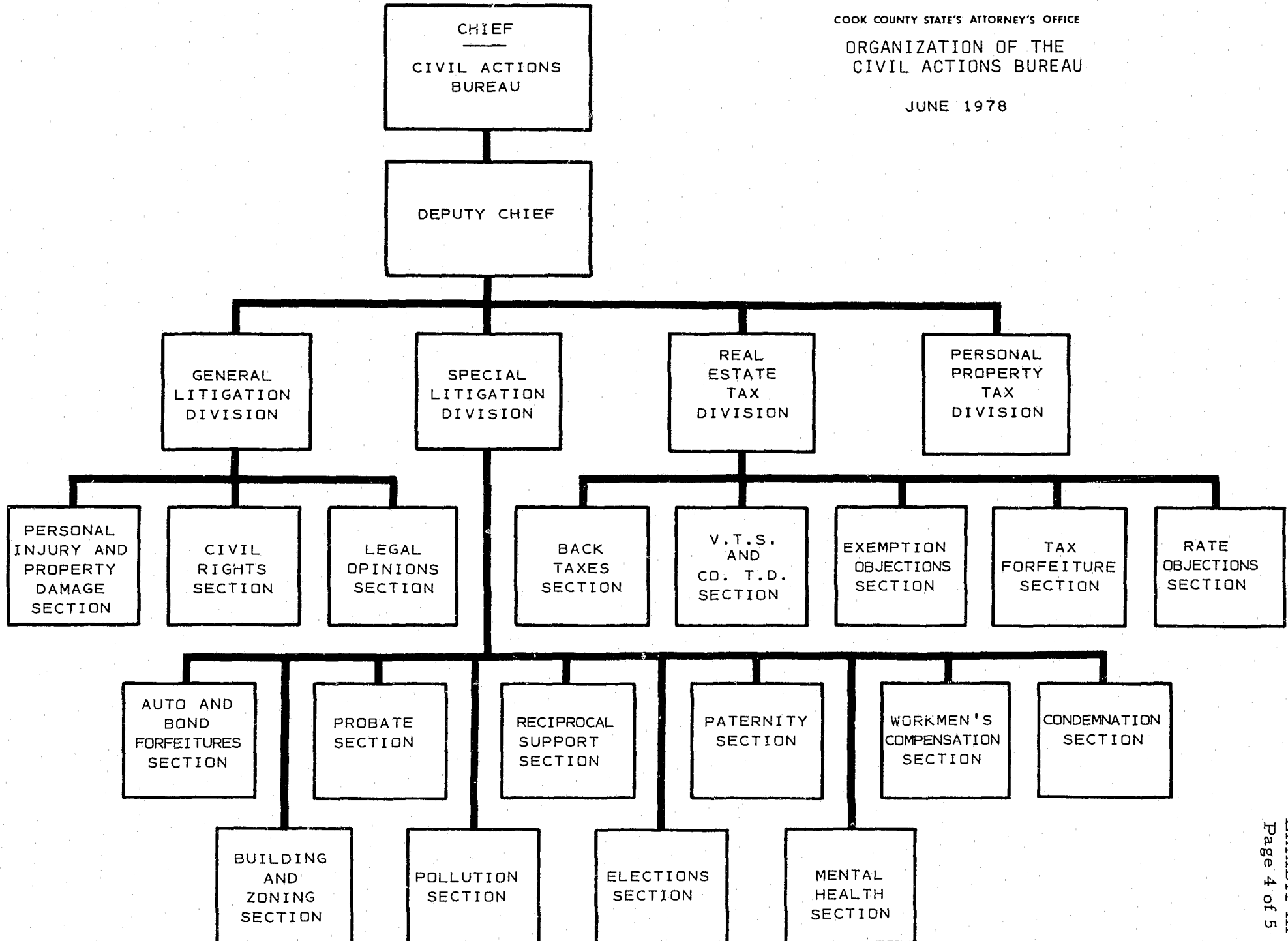
COOK COUNTY STATE'S ATTORNEY'S OFFICE
ORGANIZATION OF THE
SPECIAL PROSECUTIONS BUREAU

JUNE 1978



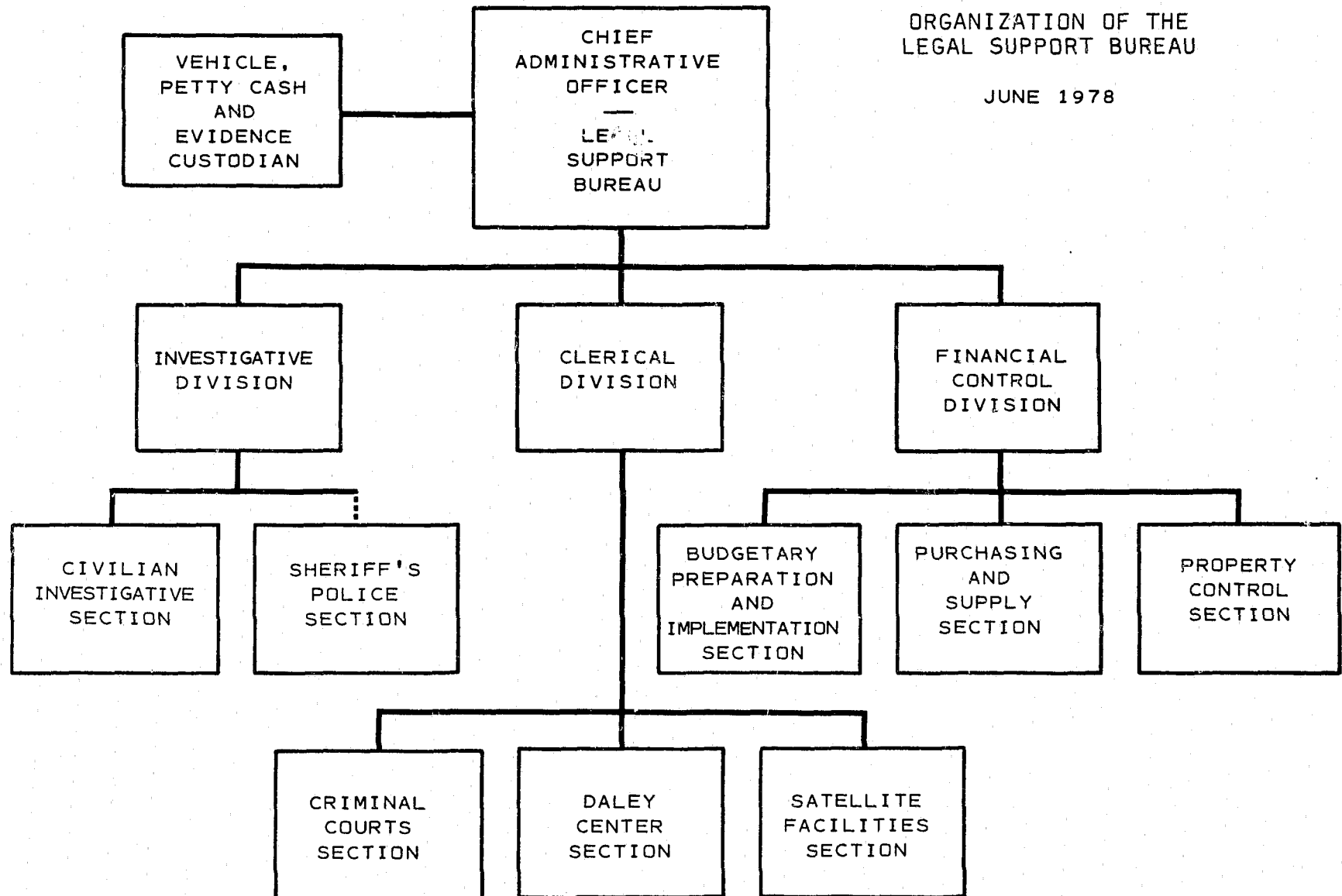
ORGANIZATION OF THE
CIVIL ACTIONS BUREAU

JUNE 1978



ORGANIZATION OF THE
LEGAL SUPPORT BUREAU

JUNE 1978



LEGEND:

———— DIRECT REPORTING RELATIONSHIP
..... OPERATING RELATIONSHIP

ORGANIZATION AND OPERATIONS OF THE
COOK COUNTY STATE'S ATTORNEY'S OFFICE (Cont'd)

- The State's Attorney's Office is organized into four operating bureaus, each reporting to the Chief Deputy State's Attorney through a Bureau Chief.
 - The Criminal Prosecutions Bureau prosecutes nearly all criminal actions in the Circuit Court including felonies, misdemeanors, petty offenses and juvenile charges.
 - The Special Prosecutions Bureau prosecutes criminal cases in defined categories (including organized crime, financial crimes and contraband cases) that require special techniques and investigative methods.
 - The Civil Actions Bureau prosecutes noncriminal cases in Cook County and acts as legal agent to county officials, both prosecuting actions on their behalf and defending any actions brought against them in their official capacity.
 - The Legal Support Bureau is responsible for supervising and hiring nonlegal personnel and for administering all legal support functions, including clerical, financial and investigative support.
- The bureaus are then divided into divisions, sections and units, either by function or by geographic location.

STAFFING

- According to Cook County budget data, the total number of staff in the Cook County State's Attorney's Office increased 97 per cent between 1970 and 1978, going from 380 budgeted positions to 749.
 - Further, budgeted expenditures for personnel have increased 222 per cent in the same period, from around \$4.5 million to more than \$14.5 million, as shown in Exhibit III-3.
- Of the 749 budgeted positions in 1978, 476 are for Assistant State's Attorneys, 203 for clerical personnel, 36 for investigators and 34 for other professional staff, such as Administrative Assistants or technical personnel.
 - Of the 476 budgeted attorney positions, 380 (80 per cent) are in the Criminal Prosecutions Bureau.

COOK COUNTY STATE'S ATTORNEY'S OFFICE
GROWTH IN BUDGETED STAFFING AND SALARIES
 1970 Through 1978

<u>Year</u>	<u>Number Of Positions</u>	<u>Assistant State's Attorneys</u>	<u>Investigators</u>	<u>Clerical And Others(a)</u>	<u>Budgeted Wages And Salaries</u>
1970	380	n. a.	n. a.	n. a.	\$ 4,528,232
1971	386	n. a.	n. a.	n. a.	4,945,024
1972	386	n. a.	n. a.	n. a.	5,000,004
1973	424	215	29	180	6,047,008
1974	478	249	38	191	7,233,170
1975	535	291	37	207	8,668,559
1976	635	391	37	207	9,887,969
1977	715	449	36	230	12,904,915
1978	749	476	36	237	14,523,944

n. a. - not available.

(a) Other professional or technical staff.

ORGANIZATION AND OPERATIONS OF THE
COOK COUNTY STATE'S ATTORNEY'S OFFICE (Cont'd)

- Of the 203 clerical positions, 191 are assigned in the Legal Support Bureau; but most of them work for the three operating bureaus.
 - o The remaining 12 clerical personnel are assigned to the three other bureaus and are not under the direction of the Legal Support Bureau.
- All 36 investigators are organizationally assigned in the Legal Support Bureau.
 - o Thirty-five are assigned in the Investigative Section, including two investigators classified in the budget as equipment technicians.
 - o The other investigator is budgeted for the Records Section.
- The breakdown of staffing by section and division in 1978 is presented in Exhibit III-4.
- In December 1977, according to payroll data, 698 out of the 715 budgeted positions were filled.

Assistant State's Attorneys

- Assistant State's Attorneys are interviewed and hired by the First Assistant State's Attorney as vacancies in budgeted positions occur.
 - Between 1973 and 1977 the number of budgeted attorney positions rose 104 per cent, going from 215 to 449.
 - The budget for 1978 added 27 attorneys to this total.
- Turnover is reported to have remained stable over the past several years, despite the sharp increase in the number of Assistant State's Attorneys.
 - In 1977, the Office experienced only 36 resignations (or 8 per cent of the total attorney staff).

COOK COUNTY STATE'S ATTORNEY'S OFFICE

BUDGETED STAFFING BY DEPARTMENT

1978

	Number Of Staff(a)			
	Assistant State's Attorney's	Clerical	Investigators	Other Professionals
Executive Office	<u>3</u>	<u>2</u>	-	<u>4</u>
Criminal Prosecutions				
Bureau				
Administrative	1	2	-	-
General Trial	144	-	-	-
Felony Trial	137	-	-	-
Juvenile Court	28	-	-	-
Criminal Appeals	55	-	-	-
Traffic Court	<u>15</u>	-	-	-
Subtotal	<u>380</u>	<u>2</u>	-	-
Special Prosecutions				
Bureau				
Administrative	1	2	-	-
Task Force	21	-	-	-
Criminal Housing	4	-	-	-
Financial Crimes	8	-	-	-
Consumer Fraud	<u>11</u>	-	-	-
Subtotal	<u>45</u>	<u>2</u>	-	-
Civil Actions Bureau				
Administrative	1	2	-	-
General Litigation	27	2	-	-
Law	18	1	-	-
Condemnation	<u>2</u>	<u>1</u>	-	-
Subtotal	<u>48</u>	<u>6</u>	-	-
Legal Support Bureau				
Administrative	-	1	-	1
Investigative	-	4	35	1
Records	-	87	1	18
Clerical	-	88	-	6
Financial Control	-	10	-	3
Drug Abuse	-	<u>1</u>	-	<u>1</u>
Subtotal	-	<u>191</u>	<u>36</u>	<u>30</u>
Total	<u>476</u>	<u>203</u>	<u>36</u>	<u>34</u>

(a) Includes eight-month and nine-month positions.

ORGANIZATION AND OPERATIONS OF THE
COOK COUNTY STATE'S ATTORNEY'S OFFICE (Cont'd)

- New Assistant State's Attorneys are required to attend a three-day orientation session that covers the basic organization, operation and procedures of the Cook County State's Attorney's Office.
 - This program is conducted semiannually by the Planning, Training and Management Division.
- The typical progression of an Assistant State's Attorney through the Office is within the Criminal Prosecutions Bureau.
 - An Assistant State's Attorney new to the Office is usually assigned to the Appeals Section, the Traffic Section or the Juvenile Section for six months, then moves on to either the First Municipal Section or the Suburban Municipal Section.
 - After 12 to 18 months in the Office, the assistant is assigned to the Felony Review Section.
 - An attorney with about two years of experience is then assigned to one of the four branch courts in the Preliminary Hearing Section.
 - The final step, after two and one-half or three years of experience, is to work in the trial courts.
 - o Of the 123 attorneys working in the 39 trial courts in April 1978, 45 had been with the State's Attorney's Office three years or less.
- In each trial courtroom, Assistant State's Attorneys operate according to a "three chair" system based on seniority.
 - Three attorneys are assigned to each criminal courtroom; one attorney usually tries the current case, while the other two are preparing for the next case.
- Promotions and annual salary increases for the Assistant State's Attorneys are determined by their supervisors, but the Office has no formal performance evaluation program.

ORGANIZATION AND OPERATIONS OF THE
COOK COUNTY STATE'S ATTORNEY'S OFFICE (Cont'd)

Investigators

- There are two types of investigators currently working in the State's Attorney's Office - Sheriff's Police and Civilian.
 - Sheriff's Police Investigators are deputized officers assigned to courtroom duty under the supervision of a captain and are paid by the Sheriff's Office.
 - o The 1978 Cook County budget called for about 100 Sheriff's Police Investigators for the Office.
 - Civilian Investigators are undeputized college graduates and/or former police officers assigned organizationally to the Legal Support Bureau for line supervision and assigned functionally to Assistant State's Attorneys to help with investigative work.
 - o Fifty-one Civilian Investigators were planned for the Office for 1978, 15 of whom were to be paid through ILEC grants; the rest were to be paid through the State's Attorney's budget.
- The primary functions of the Sheriff's Police Investigators are to help the Assistant State's Attorneys in the courtroom, by delivering subpoenas and by finding and delivering witnesses, and to protect the attorneys.
- The Civilian Investigators provide investigative support work primarily for attorneys in the Special Prosecutions Bureau, and a few were assigned to the Civil Actions Bureau.
- At year-end 1977, Civilian Investigators were organized into three groups.
 - One group was assigned to the Chief - Special Prosecutions Bureau.
 - Another group was assigned to the Chief - Civil Actions Bureau.
 - A third group was assigned to the Chief Investigator's Strike Force.

ORGANIZATION AND OPERATIONS OF THE
COOK COUNTY STATE'S ATTORNEY'S OFFICE (Cont'd)

- Sheriff's Police Investigators are hired by the Sheriff's Office and their personnel function is outside the scope of the State's Attorney's Office.
- Civilian Investigators are hired by the Chief Administrative Officer - Legal Support Bureau.

Clerical Personnel

- Clerical support personnel for the State's Attorney's Office are hired by the Legal Support Bureau and are assigned as needed to provide secretarial, stenographic, filing and court reporting assistance to the State's Attorney's staff.
- The 1973 budget called for 137 clerical positions, and the 1978 budget called for 203 positions, an increase of nearly 48 per cent in six years.
 - Despite this increase, the clerk/attorney ratio actually declined over the period (.614 in 1973 to .426 in 1978).

OFFICE
LOCATIONS

- In 1977 State's Attorney's staff were formally assigned to 22 different locations in Cook County.
 - Seventeen of these sites are located in the City of Chicago, of which 14 are court sites.
 - The other five included in this total are the suburban district headquarters for Circuit Court Districts Two through Six.
 - o The actual number of suburban sites at which Assistant State's Attorneys work is much greater because court sessions requiring their presence are held in many municipalities within each district.
- Exhibit III-5 lists major court locations and State's Attorney offices in the city and suburbs and presents growth in number of courtrooms and personnel assigned to these courts from January 1973 through January 1977.
 - Since January 1973 the number of felony trial courtrooms increased from 17 to 37 or 118 per cent, and the number of attorneys assigned to the felony trial courts increased 21 per cent, from 42 in January 1973 to 103 in January 1977.

MAJOR COOK COUNTY CRIMINAL COURT SITES AND
STATE'S ATTORNEY STAFFING LEVELS
1973 Through 1977

(January figures)

	1973		1974		1975		1976		1977	
	<u>Criminal</u> <u>Courtrooms</u>	<u>Attorneys</u> <u>Assigned</u>	<u>Criminal</u> <u>Courtrooms</u>	<u>Attorneys</u> <u>Assigned</u>	<u>Criminal</u> <u>Courtrooms</u>	<u>Attorneys</u> <u>Assigned</u>	<u>Criminal</u> <u>Courtrooms</u>	<u>Attorneys</u> <u>Assigned</u>	<u>Criminal</u> <u>Courtrooms</u>	<u>Attorneys</u> <u>Assigned</u>
City Of Chicago										
26th and California	12	28	12	33	12	35	13	39	13	37
Daley Center	5	14	7	17	12	35	11	34	11	33
Preliminary hearing courts(a)	5	11	5	17	4	13	4	16	4	19
Maybrook trial courts	-	-	-	-	-	-	-	-	5	15
13th and Michigan	-	-	-	-	-	-	-	-	8	18
Traffic Court	-	15	-	15	-	15	-	11	-	14
Juvenile Court	-	12	-	20	-	17	-	23	-	24
Community Prosecution offices(b)										
Northside	-	-	-	1	-	2	-	2	-	2(c)
Westside	-	-	-	-	-	1	-	1	-	1
Southside	-	-	-	-	-	1	-	1	-	1
11th and State (District One office)	-	23	-	25	-	26	-	25	-	31
Suburbs										
District Two office (Skokie headquarters)	-	5	-	8	-	7	-	7	-	8
District Three office (Niles headquarters)	-	7	-	8	-	9	-	10	-	12
District Four office (Maybrook headquarters)	-	4	-	6	-	6	-	9	-	9
District Five office (Oaklawn headquarters)	-	5	-	7	-	6	-	7	-	8
District Six office (Harvey headquarters)	-	6	-	7	-	8	-	8	-	11

(a) Preliminary hearing court sites are in each suburban district;
Branches 25, 57, 66 and 44 are preliminary hearing courts
in the City of Chicago.

(b) The Program Supervisor is located at 159 North Dearborn.

(c) One full time and one part time.

Source: Cook County State's Attorney's Office.

ORGANIZATION AND OPERATIONS OF THE
COOK COUNTY STATE'S ATTORNEY'S OFFICE (Cont'd)

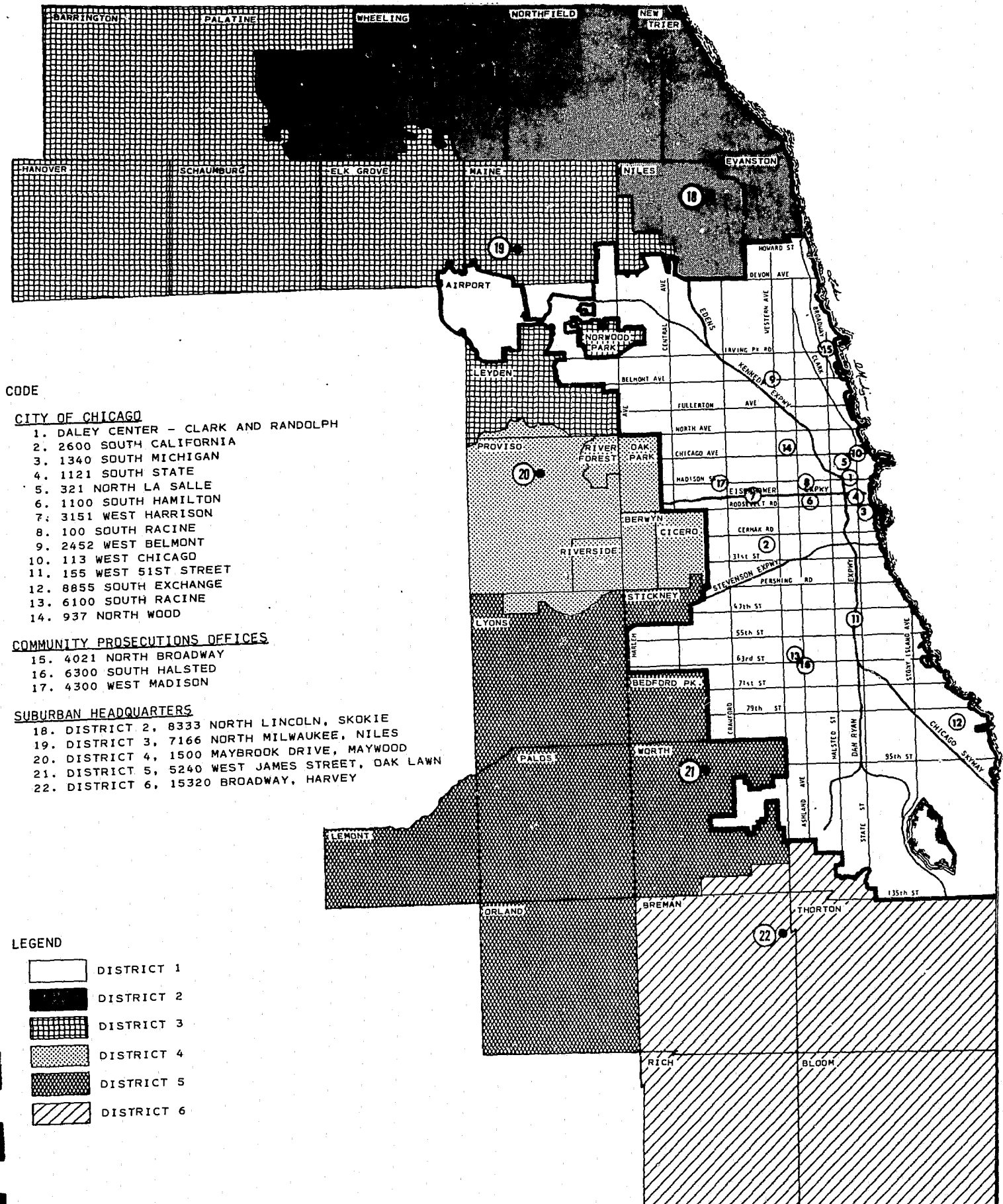
- In the same four-year period, Circuit Court Districts Two through Six have experienced a 28 per cent increase in staff and Juvenile Court has had a 100 per cent increase; Traffic Court staffing has remained constant.
- Exhibit III-6 is a map of Cook County showing these 22 court locations.

BUDGET

- In 1978 the portion of the Cook County budget allocated to the State's Attorney's Office is \$16,891,593.
 - Close to \$15.5 million of this budget is devoted to salaries, wages and associated fringe expenses.
 - A breakdown of the State's Attorney's 1977 and 1978 budgets is presented in Exhibit III-7.
- This nearly \$17 million budget represents a 235 per cent increase since 1970 and more than a 100 per cent increase since 1974.
 - Exhibit III-8 shows the total funds received by the State's Attorney's Office since 1970 from all sources including Cook County and ILEC grants.
 - Grant funds accounted for 8.2 per cent of total expenditures in 1977 and for an average of 9.7 per cent a year in the period since 1970.
 - Grant funds have been used to support new programs and special projects.
 - o The six programs reviewed in this study started as ILEC grant-supported projects.
- Actual expenditures have closely approximated budgets over the past seven years; only once has the budget been exceeded and then by less than \$100.

COURT LOCATIONS IN CHICAGO AND SUBURBAN COOK COUNTY

EXHIBIT III-6



COOK COUNTY STATE'S ATTORNEY'S OFFICE

1977 AND 1978 BUDGETS

<u>Category</u>	<u>Budgeted Amount</u>	
	<u>1977</u>	<u>1978</u>
Personal Services	\$14,012,174	\$15,678,593
Impersonal Services	558,296	625,000
Supplies, Materials And Parts	128,800	190,000
Operation And Maintenance	248,900	228,000
Contingency And Special Purpose	100,000	100,000
Capital Outlay	<u>134,200</u>	<u>70,000</u>
Total	\$15,182,370	\$16,891,593

Source: Cook County budgets, 1977 and 1978.

FUNDS AVAILABLE TO THE STATE'S ATTORNEY'S OFFICE
1970 Through 1978

Year	County Funds		Grant Funds(a)		Other Sources(b)		Total Funds
	Amount	Per Cent Of Total	Amount	Per Cent Of Total	Amount	Per Cent Of Total	
1970	\$ 5,043,232	94.8%	\$ 274,247	5.2%	-	-	\$ 5,317,479
1971	5,787,123	93.9	378,814	6.1	-	-	6,165,937
1972	5,607,003	83.0	1,150,226	17.0	-	-	6,757,229
1973	6,920,576	91.3	661,967	8.7	-	-	7,582,543
1974	8,115,265	92.5	661,967	7.5	-	-	8,777,232
1975	10,013,527	87.1	1,422,643	12.4	\$ 56,400	0.5%	11,492,570
1976	11,510,266	87.5	1,602,574	12.2	41,570	0.3	13,154,410
1977	15,182,370	90.9	1,358,893	8.2	154,320	0.9	16,695,583
1978	<u>16,891,593</u>	96.2	<u>503,553(c)</u>	-	<u>164,090</u>	0.9	<u>17,559,236</u>
Total	\$85,070,955	91.0	\$8,014,884	9.7%	\$416,380	0.1%	\$93,502,219

- (a)Prorated to conform with Cook County fiscal year.
(b)Emergency Public Service Employment Program.
(c)Represents first five months of 1978.

ORGANIZATION AND OPERATIONS OF THE
COOK COUNTY STATE'S ATTORNEY'S OFFICE (Cont'd)

- As depicted in Exhibit III-9, nearly 60 per cent of the State's Attorney's 1978 personnel budget is devoted to the Criminal Prosecutions Bureau, 23 per cent to the Legal Support Bureau, 8 per cent to the Civil Actions Bureau, 7 per cent to the Special Prosecutions Bureau and less than 2 per cent to the Executive Office.
 - These percentages have changed little since 1974, except that the Civil Actions Bureau's share has decreased each year.
 - o Also, the Legal Support and Criminal Prosecutions Bureaus, which represent clerical vs. attorney shares of the budget, have moved in opposite directions of one another every year.
 - Administrative costs have been held to a minimum, occupying a smaller percentage each year.
- Exhibit III-10 is a detailed breakdown of the 1977 and 1978 personnel budgets, showing the amounts allotted to each division and section.
 - Those sections having budgets of over \$1 million in 1978 are as follows:

<u>Bureau/Section</u>	<u>Budget</u> <u>(Millions)</u>
Criminal Prosecutions Bureau	
Felony Trial	\$3.6
General Trial	3.0
Criminal Appeals	1.2
Legal Support Bureau	
Records	1.2
Clerical	1.1

WORKLOAD

- The statistics compiled by the Clerk of the Circuit Court for the period 1973 through 1977 show that there has been an 81.9 per cent increase in felony filings, a 21.0 per cent increase in civil cases, and a 9.7 per cent decrease in criminal cases, although there was an increase in total criminal cases between 1976 and 1977.

COOK COUNTY STATE'S ATTORNEY'S OFFICE
 OPERATING BUREAU AND EXECUTIVE OFFICE
 SHARES OF ANNUAL BUDGETS
 1974 Through 1978

<u>Bureau/Office</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>
Criminal Prosecutions	59.6%	49.7%	53.7%	58.7%	59.9%
Legal Support	18.8(a)	29.8	26.4	23.5	23.2
Civil Actions	12.0	11.8	10.1	8.8	8.3
Special Prosecutions	6.8	5.8	7.7	7.1	6.9
Executive Office	<u>2.8</u>	<u>2.9</u>	<u>2.1</u>	<u>1.9</u>	<u>1.7</u>
Total	100.0%	100.0%	100.0%	100.0%	100.0%

(a) Legal Support Bureau not yet formed; represents consultants' estimate of clerical and support budget.

COOK COUNTY STATE'S ATTORNEY'S OFFICE
BUDGETED SALARIES FOR DIVISIONS AND SECTIONS
 1977 And 1978

	<u>1977</u> <u>Budget</u>	<u>1978</u> <u>Budget</u>
Executive Office	\$ 240,368	\$ 246,920
Criminal Prosecutions Bureau		
Administrative	\$ 62,856	\$ 66,576
General Trial	2,392,320	2,992,400
Felony Trial	3,369,420	3,597,180
Juvenile Court	526,000	561,600
Criminal Appeals	948,520	1,181,820
Traffic Court	<u>277,660</u>	<u>302,880</u>
Total	\$7,576,776	\$8,702,456
Special Prosecutions Bureau		
Administrative	\$ 58,632	\$ 61,524
Task Force	404,060	435,360
Criminal Housing	89,700	93,360
Financial Crimes	147,320	183,060
Consumer Fraud	<u>215,340</u>	<u>224,340</u>
Total	\$ 915,052	\$ 997,644
Civil Actions Bureau		
Administrative	\$ 62,124	\$ 65,772
General Litigation	613,008	644,652
Law	399,184	432,456
Condemnation	<u>62,832</u>	<u>66,012</u>
Total	\$1,137,148	\$1,208,892
Legal Support Bureau		
Administrative	\$ 46,308	\$ 48,168
Investigative	748,416	803,004
Records	1,116,248	1,181,604
Clerical	929,268	1,112,644
Financial Control	167,764	184,392
Drug Abuse	<u>27,567</u>	<u>38,220</u>
Total	\$3,035,571	\$3,368,032

Source: Cook County budgets, 1977 and 1978.

ORGANIZATION AND OPERATIONS OF THE
COOK COUNTY STATE'S ATTORNEY'S OFFICE (Cont'd)

- Within the criminal caseload, there is a wide divergence in growth trends.
 - Felony cases have increased by more than 178 per cent in the five-year period and misdemeanors have increased by 31.4 per cent.
 - This growth is offset by a 30.3 per cent decrease in case filings for juveniles.
- A complete list of statistics on case filings is presented in Exhibit III-11.

Felony Caseload

- A closer examination was made of the felony trial process because of the overwhelming growth of felony cases in the past five years and the large percentage of the budget allotted to the Felony Division since, many grant programs are related to prosecution of felony offenses.
- Exhibit III-12 is a flow diagram of the steps in the felony prosecution process from arrest through trial, and the number of cases that flowed through the system in 1977, in both the Felony and Municipal Divisions.*
 - In 1977 there were 58,129 felony arrests made by police agencies in Cook County.
 - In that year 24,987 felony complaints were filed (including those begun and reinstated) and 19,097 arrests were reviewed by the State's Attorney's Felony Review Section.
 - o A portion of the arrests not reviewed by Felony Review related to narcotics cases; an accurate narcotics case count could not be obtained, however, and the actual portion of cases that were not narcotics related and were not reviewed could not be determined.
 - The Felony Review Section approved 11,865 of the 19,097 arrests it reviewed.

*The figures in this flow diagram reflect the actual 1977 totals for each stage in the processing of cases that year. They do not reflect the dispositions of the 58,129 arrests in 1977 since some of these cases are still pending. As a result, care should be given in deriving any conclusions based solely on this data.

COOK COUNTY STATE'S ATTORNEY'S OFFICE

CHARGE FILINGS

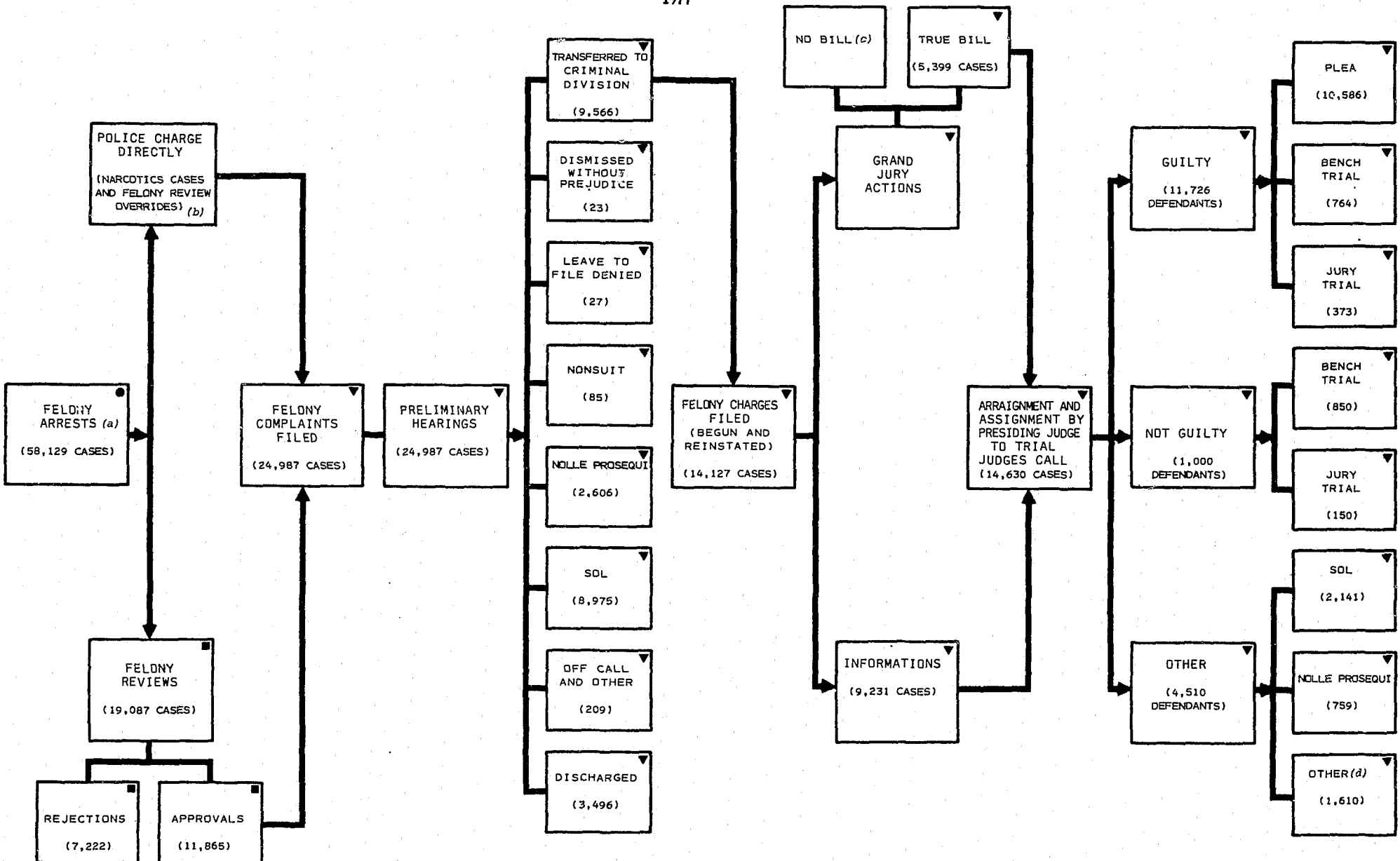
1973 Through 1977

	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>Per Cent Increase (Decrease) Between 1973 And 1977</u>
Criminal						
Felony	7,765	11,638	14,571	13,853	14,127	81.9%
Juvenile	21,508	20,677	17,752	15,642	15,322	(28.8)
Misdemeanor and ordinance violations	<u>388,871</u>	<u>372,360</u>	<u>397,698</u>	<u>276,926</u>	<u>348,173</u>	(10.5)
Total Criminal	418,145	404,675	430,021	306,421	377,622	(9.7)%
Traffic	n.a.	n.a.	n.a.	1,478,279	1,533,003	n.a.
Civil	345,432	392,393	421,252	451,923	418,029	21.0%

n.a. - not available.

Sources: Annual Reports of the Circuit Court of Cook County, 1972 through 1977.

FLOW OF FELONY CASES IN COOK COUNTY 1977



SOURCE CODE:

- Chicago Police Department And Illinois Department Of Law Enforcement Arrest Statistics.
- Cook County State's Attorney's Office.
- ▼ Annual Report Of The Circuit Court Of Cook County, 1977.

(a) Arrest Statistics Include Only Arrests For Index Crimes: Homicide, Rape, Robbery, Aggravated Battery, Burglary, Larceny Theft And Motor Vehicle Theft.

(b) Accurate Statistics For Narcotics Caseload And Felony Review Overrides Are Not Available.

(c) Number Not Available, But Is Reportedly Negligible.

(d) Includes Defendants Committed To Mental Institutions.

ORGANIZATION AND OPERATIONS OF THE
COOK COUNTY STATE'S ATTORNEY'S OFFICE (Cont'd)

- In 1977, 14,630 cases were ultimately disposed of by the courts, and these cases were set for trial as follows:
 - o 5,399 resulted from indictments
 - o 9,231 resulted from Informations.*
- These 14,630 cases set for trial involved 17,233 defendants; 11,723 were found to be guilty either by plea or trial; the remaining 5,510 defendants were not convicted.
- Exhibits III-13 presents trend data, as available, from the Clerk of the Circuit Court or State's Attorney's Office for the past five years on major steps in the felony prosecution process.
 - The number of felony index crimes resulting in arrests in Cook County peaked at 65,792 in 1975, but this total declined to 58,129 in 1977; overall total arrests have shown only a 5.9 per cent growth in five years.
 - The number of felony cases disposed of has risen more than 100 per cent since 1973, but the burden on the Grand Jury has not increased proportionately because of the laws allowing felony cases to be filed by Information.
 - The State's Attorney's Office has expanded the Felony Review Program to include cases committed in both the city and the suburbs; the volume of cases reviewed increased 164.6 per cent from 1973 to 1976.
 - The number of preliminary hearings conducted increased 158.2 per cent from 1973 to 1977, and probable cause findings rose 99.3 per cent in the same period.

SUPPORT SERVICES
PROJECT

Background

- The Support Services Project, also called the Fair and Speedy Trial Project, began in 1970 as part of an ILEC grant to the Illinois State's Attorney's Association and was designed to promote programs to enhance the prosecutorial system.

*Grand Jury by-pass.

COOK COUNTY STATE'S ATTORNEY'S OFFICE
STATISTICS RELATED TO FELONY PROSECUTIONS
 1973 Through 1977

	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	Per Cent Increase (Decrease) Between <u>1973 And 1977</u>
<u>A - Felony Arrests In Cook County(a)</u>						
City of Chicago(b)	49,651	57,462	59,420	56,580	52,943	6.6%
Suburbs(c)	<u>5,227</u>	<u>5,520</u>	<u>6,376</u>	<u>5,207</u>	<u>5,186</u>	(0.8)
Total	54,878	62,982	65,792	61,787	58,129	5.9%

(a)Index crimes only (homicide, rape, robbery, aggravated assault, burglary, larceny theft and motor vehicle theft).

(b)From Chicago Police Department.

(c)From Illinois Department of Law Enforcement.

	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	Per Cent Increase (Decrease) Between <u>1973 And 1977</u>
<u>B - Felony Dispositions(d)</u>						
Felony Case Dispositions						
By Indictment	4,474(e)	7,134(e)	8,245(e)	7,119	5,399	20.8%
By Information	<u>1,662(e)</u>	<u>3,200(e)</u>	<u>4,600(e)</u>	<u>5,920</u>	<u>9,231</u>	455.4
Total	7,114	9,835	12,632	13,039	14,630	105.7%
Defendant Dispositions						
By bench trial	885	840	1,081	1,074	1,614	82.4%
By jury trial	356	239	264	381	523	46.9
Plea	4,385	7,237	9,133	9,649	10,586	141.4
SOL(f)	1,559	2,640	3,014	2,498	2,141	37.3
Nolle prosequi(g)	219	624	727	706	759	246.6
Committed	n.a.	414	330	350	81	(80.4)(h)
Other	<u>125</u>	<u>342</u>	<u>728</u>	<u>1,979</u>	<u>1,529</u>	1,123.2
Total	7,529	12,336	15,277	16,637	17,233	128.9%

n.a. - not available.

(d)Criminal Division of the Circuit Court of Cook County only for 1973.

(e)Different sources were used for 1973, 1974 and 1975 figures, so numbers do not add to total from Circuit Court Annual Reports.

(f)Stricken off with leave to reinstate.

(g)State declines to prosecute further.

(h)Per cent change between 1974 and 1977.

	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	Per Cent Increase (Decrease) Between <u>1973 And 1977</u>
<u>C - Felony Review Statistics</u>						
Felony Approvals	3,861	8,510	7,830	9,763	11,865	207.3%
Felony Rejections	1,709	2,908	4,455	6,401	7,222	322.6
Advice	1,887	2,996	1,406	2,886	n.a.	52.9 (i)
Police Shootings	103	142	113	80	n.a.	22.3 (i)
Search Warrants	587	1,138	1,256	1,311	n.a.	123.3 (i)
Arrest Warrants	545	694	490	607	n.a.	11.4 (i)
Juveniles	219	362	186	355	n.a.	62.1 (i)
Misdemeanors	<u>261</u>	<u>548</u>	<u>1,437</u>	<u>2,863</u>	n.a.	996.9 (i)
Total	9,172	17,298	17,173	24,266		164.6%

n.a. - not available.

(i) Per cent change between 1973 and 1976.

	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>Per Cent Increase (Decrease) Between 1973 And 1977</u>
<u>D - Preliminary Hearings</u>						
Probable Cause Transfers	4,799	9,517	10,191	n. a.	9,566	99.3%
Discharged	414	572	366	n. a.	3,496	744.4
DWP(j)	255	366	372	n. a.	23	(91.0)
Leave To File Denied	74	356	168	n. a.	27	(63.5)
Nonsuit	8	300	233	n. a.	85	962.5
Nolle Prosequi	988	1,002	825	n. a.	2,606	163.8
SOL	2,602	2,737	3,279	n. a.	8,975	244.9
Other	<u>538</u>	<u>527</u>	<u>124</u>	n. a.	<u>209</u>	61.2
Total	9,678	15,377	14,588		24,987	158.2%

n.a. - not available.

(j)Dismissed without prejudice.

Sources: Annual Reports of the Circuit Court of Cook County

Annual Reports of the Illinois Supreme Court, Chicago

Police Department and Illinois Department of Law Enforcement.

ORGANIZATION AND OPERATIONS OF THE
COOK COUNTY STATE'S ATTORNEY'S OFFICE (Cont'd)

- Cook County was chosen to receive funds allotted to a "Model Metropolitan Office" section of the total grant, and several special programs were instituted in the State's Attorney's Office as part of this allotment:
 - Indictment Department
 - Organized Crime Unit
 - Training and Planning Division
 - Investigative Coordinating Unit
 - Consumers Protection Division
 - Gang Violence Unit.
- In the first year, 1970-1971, \$548,495 was allocated to Cook County, and 50 staff positions were funded: 20 Assistant State's Attorneys, 10 clerical personnel, 10 investigators and 10 law students.
- The funding for the Support Services Project separated from the Model Metropolitan Office Project in 1975; since that time funding has come to the State's Attorney's Office directly from ILEC.
- Five programs were funded by ILEC in 1975 which were located in the following units of the Office:
 - Felony Review Section
 - Indictment Department (now referred to as Preliminary Hearing Section)
 - Civilian Investigative Section
 - Drug Diversion Unit
 - Planning, Training and Management Division.
- The five programs are part of the six covered by this impact evaluation study.
 - The sixth program, Community Prosecutions, was started in 1976.

ORGANIZATION AND OPERATIONS OF THE
COOK COUNTY STATE'S ATTORNEY'S OFFICE (Cont'd)

Current Programs

- As of May 31, 1978, three programs received federal funds under the terms of the most recent grant.
 - Community Prosecutions Program, originally instituted as the Comprehensive Victim-Witness Assistance Program, is designed to strengthen ties between the community and the State's Attorney's Office by working closely with community groups to maximize successful criminal prosecution.
 - o The primary activities of the three neighborhood offices (Northside, Westside and Southside) are to work closely with community groups in identifying and strengthening the prosecution of crimes important to the community, to give victims and witnesses relevant case information, to act as social service referral centers for victims and witnesses, and to offer bilingual services when necessary.
 - o The most recent grant budgeted four Assistant State's Attorneys, three Administrative Assistants and four Clerks for this program.
 - ILEC grants provided funds for 15 Civilian Investigators in the Civilian Investigative Section to help Assistant State's Attorneys in the Special Prosecutions Bureau and the Civil Actions Bureau.
 - The Planning, Training and Management Division plans and implements special prosecutorial programs, such as the Career Criminal/Violent Crimes Prosecutorial Program, and designs and conducts ongoing programs for Assistant State's Attorneys and legal seminars for suburban law enforcement departments.
 - o This division also publishes the State's Attorney's Newsletter covering recent significant cases, serves as liaison to other federal state and law enforcement agencies involved with criminal justice and supervises and administers all grants; staffing for this division consist of two stenographers and one Administrative Assistant to support the director of the division.

ORGANIZATION AND OPERATIONS OF THE
COOK COUNTY STATE'S ATTORNEY'S OFFICE (Cont'd)

- The other three programs evaluated are no longer federally funded but have been incorporated into the State's Attorney's budget.
 - The Felony Review Program, initiated in 1972 and gradually expanded in scope, is designed to serve as a quality control procedure for proper charging.
 - o Assistant State's Attorneys on call throughout Cook County screen police charges to make good cases better and to weed out weak cases.
 - o As of June 1, 1978, the Felony Review Section had 28 attorneys, including supervisory personnel.
 - The Preliminary Hearing Program is responsible for carrying out the prosecution of felony preliminary hearings to establish probable cause.
 - o All defendants charged with a felony are entitled by statute to a preliminary hearing.
 - o The county currently funds 46 Assistant State's Attorneys who work in three sections of the Office that conduct preliminary hearings: the Preliminary Hearing Section, the First Municipal Section and the Suburban Municipal Section.
 - The Drug Diversion Program, in coordination with the Narcotics Courts unit, is directed at the rehabilitation of first offenders charged with possession of misdemeanor amounts of marijuana and controlled substances such as amphetamines, depressants and hallucinogenic drugs.
 - o The staff is responsible for screening offenders for program eligibility and for conducting the five-week discussion programs for offenders.
 - o The 1978 Cook County budget funds three full-time intake staff assigned to the Drug Diversion Program, 12 part-time counselors and a support staff of seven.

ORGANIZATION AND OPERATIONS OF THE
COOK COUNTY STATE'S ATTORNEY'S OFFICE (Cont'd)

Funding

- From 1970 to the present, a period actually covering eight fiscal years, a total of \$8,014,884, including state funds and county matching funds, has been awarded to the State's Attorney's Office for special projects; this represents an annual average of \$1,001,860.50.
 - This funding was provided through seven sequential grants, as listed in Exhibit III-14.
 - Not all grants covered the same amount of time, and the State's Attorney's Office is not required to spend all of the allotted funds within a grant period.
- Because of the differences in county and grant fiscal years, comparison was difficult, but grant funds were prorated to fit the county fiscal year to produce the following table:

<u>Cook County Fiscal Year</u>	<u>Grant Allotment(a)</u>	<u>Per Cent Of Total Office Budget</u>
1970	\$ 274,247	5.2%
1971	378,814	6.1
1972	1,150,226	17.0
1973	661,967	8.7
1974	661,967	7.5
1975	1,411,643	12.4
1976	1,602,574	12.2
1977	1,358,893	8.2
1978	503,553(b)	
Total	\$8,014,884	9.7%

(a)Based on proration.

(b)Represents six months of 1978.

- The table shows that grant funds have represented an average of about 9.7 per cent of all the funds available to the State's Attorney's Office during the past eight years, with a high of 17.0 per cent in 1972.

FAIR AND SPEEDY TRIAL PROJECT
1970 Through 1977

<u>Grant Number</u>	<u>Effective Dates</u>		<u>Federal Funds</u>	<u>State Funds</u>	<u>Match Funds</u>	<u>Total</u>
	<u>Begin</u>	<u>End</u>				
A70-43R	7/ 1/70	6/30/71	\$ 845,689(a)	\$ 93,966	n.a.	\$ 548,495
329	12/ 1/71	11/30/72	1,632,240(a)	181,360	n.a.	1,254,792
788	7/ 1/73	6/30/74	1,801,579(a)	200,175	n.a.	1,323,934
1463	2/ 1/75	12/15/75	1,214,063	67,448	\$67,448	1,348,959
2092	12/16/75	2/29/76	331,579	18,420	18,421	368,420
2128	3/ 1/76	5/31/77	1,765,581	98,088	98,088	1,961,757
2640	6/ 1/77	5/31/78	1,087,674	60,427	60,426	1,208,527

n.a. - not applicable.

(a) Total funds for Model Metropolitan Office Project.

Source: ILEC Grant Progress Reports.

ORGANIZATION AND OPERATIONS OF THE
COOK COUNTY STATE'S ATTORNEY'S OFFICE (Cont'd)

- Grant funds supported approximately 8.3 per cent of total (actual) State's Attorney staff in 1978 and has supported up to 14.4 per cent of total staff:

<u>Year</u>	<u>Total Staff</u>	<u>Staff Supported By Grant</u>	
		<u>Number</u>	<u>Per Cent Of Total</u>
1970	430	50	11.6%
1971	436	50	11.5
1972	445	59	13.3
1973	494	70	14.2
1974	548	70	12.8
1975	615(a)	90	14.4
1976	750(a)	91	12.1
1977	809(a)	70	8.7
1978	843(a)	70	8.3

(a) Includes staff funded through the Emergency Public Public Service Employment Program.

- Fifty positions were funded by the first grant, and staffing levels reached a high of 91 in 1976, with only 70 positions being funded by the most recent grant.
- Exhibit III-15 presents a breakdown of staffing levels by grant number for the period since 1970, and shows that about half of the positions funded each year were for Assistant State's Attorneys, 15 to 20 per cent for investigators, and 25 to 40 per cent for support staff.
- In 1978 grant funding accounted for 6.1 per cent of total attorney staff, 31.3 per cent of the investigators and 8.4 per cent of support staff.
 - This breakdown is shown in Exhibit III-16.
- No exact records have been maintained by either the State's Attorney or the grant funding agencies that breakdown the total funds (both county and federal) expended by each of the six programs throughout the life of the Support Services Project.
 - Exhibit III-17 does provide, however, an estimated breakdown by program of only the federal funds granted.
- A more detailed discussion of the component programs is presented in the chapters that follow.

COOK COUNTY STATE'S ATTORNEY'S OFFICE

GRANT STAFFING
1970 Through May 1978

<u>Grant Number</u>	<u>Assistant State's Attorneys</u>		<u>Civilian Investigators</u>		<u>Support Staff(a)</u>		<u>Total Grant- Funded Staff</u>
	<u>Number</u>	<u>Per Cent Of Total</u>	<u>Number</u>	<u>Per Cent Of Total</u>	<u>Number</u>	<u>Per Cent Of Total</u>	
A70-43R	20	40.0%	10	20.0%	20	40.0%	50
329	34	57.6	10	17.0	15	25.4	59
788	39	55.7	10	14.3	21	30.0	70
1463	51	56.7	15	16.7	24	26.6	90
2092	51	56.7	15	16.7	24	26.6	90
2128	45	49.5	15	16.5	31	34.0	91
2640	31	44.3	15	21.4	24	34.3	70

(a)Includes law students.

Source: ILEC Grant Progress Reports.

COOK COUNTY STATE'S ATTORNEY'S OFFICE

STAFFING LEVELS BY TYPE AND FUNDING SOURCE

1970 Through 1978

Year	Assistant State's Attorneys			Investigators			Support Staff And Other Professional				Total Staff
	County Funded	Grant Funded	Per Cent Grant Funded	County Funded	Grant Funded	Per Cent Grant Funded	County Funded	Grant Funded	Other Sources(a)	Per Cent Grant Funded	
1970	n. a.	20	-	n. a.	10	-	n. a.	20	-	-	430
1971	n. a.	20	-	n. a.	10	-	n. a.	20	-	-	436
1972	n. a.	34	-	n. a.	10	-	n. a.	15	-	-	445
1973	215	39	15.4%	29	10	25.6%	180	21	-	10.5%	494
1974	249	39	13.5	38	10	20.8	191	21	-	9.9	548
1975	291	51	14.9	37	15	28.8	207	24	8	10.0	625
1976	391	45	10.3	37	15	28.8	207	31	24	11.8	750
1977	449	31	6.4	36	15	29.4	230	24	24	8.6	809
1978	476	31	6.1	36	15	29.4	237	24	24	8.4	843

n. a. - not available.

(a)Emergency Public Service Employment Program.

Source: ILEC Grant Progress Reports.

COOK COUNTY STATE'S ATTORNEY'S OFFICE

ACTUAL AND ESTIMATED ILEC GRANT FUNDING FOR COMPONENT PROGRAMS
1975 Through 1978

<u>Program</u>	<u>Grant 1463(a)</u> (Feb. 1975 - Dec. 15, 1975)	<u>Grant 2092(b)</u> (Dec. 16, 1975 - Feb. 1976)	<u>Grant 2128(c)</u> (Mar. 1976 - May 1977)	<u>Grant 2640(c)</u> (June 1977 - May 1978)
Felony Review	\$ 327,800	\$112,407	\$ 663,000	\$ 649,000
Preliminary Hearing	519,300	88,915	364,900	-
Civilian Investigative	125,500	110,930	306,000	258,600
Drug Diversion	52,600	25,553	119,700	-
Community Prosecutions	n. a.	n. a.	308,000	184,900
Planning, Training and Management	98,500	30,615	200,157	116,027
Suburban Municipal Section(d)	<u>225,259</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total	\$1,348,959	\$368,420	\$1,961,757	\$1,208,527

n. a. - not applicable.

(a) Funds distribution is estimated on the basis of actual staffing levels supported by grant funds.

(b) Actual grants.

(c) Funds distribution is estimated on the basis of each program's original share of the fund request.

(d) An adjunct to the Felony Review Program.

IV - FELONY REVIEW AND
PRELIMINARY HEARING PROGRAMS

PRESENT SITUATION

This chapter contains a joint evaluation of the Felony Review Program and the Preliminary Hearing Program. These two components of the Support Services project are presented together because of their related impact on the felony charging process. The chapter contains four sections:

- Present Situation
- Observations On Felony Review
- Opportunities For Improvement
- Recommendations.

This section of the chapter describes the present situation of both the Felony Review Program and the Preliminary Hearing Program - their objectives, histories, operations, organizations, staffing and funding.

FELONY REVIEW PROGRAM

Objectives

- The objectives of the Felony Review Program as stated by the Felony Review Section's supervisors are twofold:
 - "To strengthen the prosecutable cases that are brought to a preliminary hearing
 - "To screen out cases that do not belong in the criminal justice system."
- The responsibilities of the Felony Review Program are described in the ILEC grant applications as follows:
 - Reviewing all felony charges proposed by the police in Cook County, except narcotics, and determining the proper charges to be filed
 - Providing legal advice to police and investigators
 - Reviewing and approving search warrants and arrest warrants
 - Taking confessions and statements when necessary.

PRESENT SITUATION (Cont'd)

History

- Felony screening programs have been instituted in major cities throughout the country to improve the felony charging process before cases reach the preliminary hearing courts.
 - Many knowledgeable members of the criminal justice community observed that a growing number of felony arrests were being dismissed or reduced at preliminary hearings.
 - These poorly prepared cases were clogging the court system.
- Felony screening was established in Chicago on a test basis on February 1, 1972, to improve the felony charging process.
 - The program operated directly with the Chicago Police Department, Criminal Investigation Division 24 hours a day in Chicago Police Area 1 only.
 - Assistant State's Attorneys located in Area 1 police headquarters reviewed the felony charges proposed by police officers and approved or rejected the actual filing of the complaint.
- In its initial stages a felony review was mandatory for only four types of crimes: homicide, rape, robbery (including armed robbery) and aggravated battery.
- From 1972 through 1976, the scope of operations for the Felony Review Program was expanded.
 - During that period attorneys began to review a wide range of felony charges in all six Chicago Police Areas.
 - On March 1, 1976, the State's Attorney's Office and the Chicago Police Department agreed to a mandatory felony review for all felony charges, except narcotics, throughout the City of Chicago.
 - In 1976, with the beginning of ILEC grant 2128, the Felony Review Program expanded into all five Suburban Municipal Districts.

PRESENT SITUATION (Cont'd)

- At the present time, the Felony Review Program is responsible for reviewing all felony charges, except narcotics, countywide.

Operations

- The Felony Review Program currently operates 24 hours a day seven days a week.
 - Each attorney assigned to the section works a 12-hour shift three days a week.
- When police agencies want to file a felony complaint they must first contact an Assistant State's Attorney for an approval.
 - Once a police officer reaches an attorney, they both review the charges and the evidence in person or over the telephone.
- If the Assistant State's Attorney accepts the proposed felony complaint, it is filed by the attorney and the officer, and the case moves on to preliminary hearing.
 - If a complaint is rejected, the attorney offers advice on the case; it may be approved later after additional investigation.
 - In cases of disagreement, a charge may be filed directly by the Assistant Deputy Superintendent of Police, except in homicide cases where the State's Attorney's Office has final approval.
- Assistant State's Attorneys have offices at three Chicago police areas.
 - At 5101 South Wentworth (Area 1), attorneys are responsible for Areas 1 and 2.
 - At 3151 West Harrison (Area 4), attorneys are responsible for Areas 3 and 4.
 - At 2452 West Belmont (Area 6), attorneys are responsible for Areas 5 and 6.

PRESENT SITUATION (Cont'd)

- Felony charges requested by suburban police officers between the hours of 9 a.m. to 5 p.m., Monday through Friday, are reviewed at the individual suburban State's Attorney offices:
 - Second Municipal Unit, 8333 Lincoln Avenue, Skokie
 - Third Municipal Unit, 7166 Milwaukee Avenue, Niles
 - Fourth Municipal Unit, 1500 Maybrook Drive, Maybrook
 - Fifth Municipal Unit, 5240 West James, Oak Lawn
 - Sixth Municipal Unit, 3051 West 159th Street, Markham.
- After 5 p.m. on weekdays and on weekends and holidays, felonies are reviewed for the suburbs by the attorneys at the police areas in Chicago.
 - Area 6 attorneys (2452 West Belmont) serve the Second and Third Municipal Units.
 - Area 4 attorneys (3151 West Harrison) serve the Fourth and Fifth Municipal Units.
 - Area 1 attorneys (5101 South Wentworth) serve the Sixth Municipal Unit.
- The State's Attorney's Office has established a comprehensive communication network to serve the police and the Assistant State's Attorneys in the Felony Review Program.
 - Police area offices for Assistant State's Attorneys are equipped with both Illinois Bell and Chicago Police PAX telephones.
 - Felony Review attorneys are assigned squad cars with police radio communication.
 - A centralized telephone for the Felony Review Program is maintained at 26th and California and is staffed 24 hours a day by State's Attorney personnel.
 - Assistant State's Attorneys also carry telephone "beepers" while on duty so that they may be reached while they are out of the Office or out of the squad car.

CONTINUED

1 OF 3

PRESENT SITUATION (Cont'd)

Organization And Staffing

- The Felony Review Section is part of the Municipal Division of the Criminal Prosecutions Bureau.
- The section consists of 28 Assistant State's Attorneys including the Supervisor and the Assistant Supervisor.
 - At least six Assistant State's Attorneys and one supervisor are on duty at all times.
- From 1973 through 1977, the legal staff of the Felony Review Section has ranged from 21 to 28 attorneys, as shown in Exhibit IV-1.

Funding

- The Felony Review Program has been entirely funded by ILEC grants since its start in 1972.
- The funding provided by ILEC from approximately 1974 to 1977 is also given on Exhibit IV-1.

THE PRELIMINARY
HEARING PROGRAM

- All individuals charged with a felony crime are entitled by statute to a preliminary hearing.
- Therefore, this evaluation did not consider the need for such hearings, but focused on the Preliminary Hearing Division's operations and its relationships with other parts of the criminal justice system, particularly Felony Review.

Objectives

- A preliminary hearing is conducted to determine if there is probable cause in a particular case; the objectives at this hearing are:
 - To determine if a felony crime has been committed
 - To review evidence in the case to determine if there is reasonable ground for supposing that the individual charged is the perpetrator of the crime.

COOK COUNTY STATE'S ATTORNEY'S OFFICE

STAFFING AND FUNDING OF THE FELONY REVIEW PROGRAM
1973 Through 1977

	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>
Attorneys	2	21	21	27	27
Stenographers	5	5	5	6	8
Investigators	5	-	-	-	-

<u>ILEC GRANT</u>	<u>Period Of Grant</u>	<u>Estimated Amount</u>
#1463	2/ 1/75 - 12/15/75	\$327,800
2092	12/16/75 - 2/29/76	112,407
2128	3/ 1/76 - 5/31/77	663,000
2640	6/ 1/77 - 5/31/78	<u>649,000</u>
Average funding for 12-month periods		\$525,662

PRESENT SITUATION (Cont'd)

- The State's Attorney's Office has stated in the ILEC grant applications that it uses the preliminary hearing to further evaluate and analyze felony cases and to refine the felony charging process.
- The preliminary hearing has taken on greater importance in recent years with the use of the Grand Jury by-pass, or Information.
 - Before 1975 a finding of probable cause in a preliminary hearing was followed by a Grand Jury review of the case that usually resulted in an indictment.
 - Since October 1, 1975, the State's Attorney has not been required to present a case to the Grand Jury for indictment; a new statute allows the State's Attorney to file an "Information" charging the appropriate felony if the preliminary hearing has resulted in a finding of probable cause.
- This revised procedure simplifies the case processing, but it also places more responsibility on the Assistant State's Attorneys assigned to the preliminary hearing courts to ensure that an adequate case has been established.

Organization And Staffing

- The Preliminary Hearing Division is not a specific entity within the State's Attorney's Office; the title is merely used to refer to all of the sections in the Office that are involved in preliminary hearings.
- Three sections in the Criminal Prosecutions Bureau conduct preliminary hearings:
 - Preliminary Hearing Section
 - First Municipal Section
 - Suburban Municipal Section.

PRESENT SITUATION (Cont'd)

- The Preliminary Hearing Section is located at 26th and California Avenue and consists of three units that operate in four branch courts:
 - Branch 25-57 Unit (narcotics and dangerous drug cases)
 - Branch 66 Unit (homicides and sex offenses)
 - Branch 44 Unit (felonies other than narcotics, homicides, sex offenses and auto thefts).
- The Preliminary Hearing Section is staffed with 12 attorneys, not including supervisors, who rotate through these four courts.
- The First Municipal Section has two major responsibilities:
 - To prosecute all misdemeanor cases in the City of Chicago (violations of Illinois laws only)
 - To conduct preliminary hearings for all felonies committed in the City of Chicago, except for those cases assigned to the Preliminary Hearing Section.
- The First Municipal Section is headed by a Supervisor and a Deputy Supervisor who coordinate the activities of 33 Assistant State's Attorneys assigned to 14 branch courts located in the City of Chicago.
 - Each courtroom specializes in specific charges, as shown in Exhibit IV-2.
 - Three branch courts, each staffed with three Assistant State's Attorneys, are used for felony cases:
 - o Branch 42, Felonies - Northside
 - o Branch 48, Felonies - Southside
 - o Branch 64, Auto Thefts.
- The Suburban Municipal Section consists of five units, one assigned to each of the suburban districts of the Cook County District Court; each unit conducts a wide range of activities:
 - Provides felony screening for suburban police (during the normal hours of the workweek)

COOK COUNTY STATE'S ATTORNEY'S OFFICE

BRANCH COURTS STAFFED BY THE
FIRST MUNICIPAL SECTION

May 1978

<u>Branch Court</u>	<u>Location</u>	<u>Types Of Cases Heard</u>	<u>Police Districts Covered</u>	<u>Assistant State's Attorneys(a)</u>
26	1121 South State	Guns Gambling	1 through 9 21, 22	2
27	Harrison and Kedzie	Guns, Gambling	10 through 20	2
28	100 South Racine	Local Misdemeanors	1, 10, 12, 17	2
29	2452 West Belmont	Local Misdemeanors Shoplifting	16, 18, 19, 23 14 through 17, 19, 20, 23	3
34	155 West 51st	Local Misdemeanors	2, 3, 21	2
38	8855 South Exchange	Local Misdemeanors	4, 5, 6, 22 3, 4, 5, 6, 22	2
40	1121 South State	Women's Misdemeanors Shoplifting	1, 9, 12, 18, 21 1, 2, 7, 8, 9, 18, 21	2
42	2452 West Belmont	Felonies - Northside Women's Misdemeanors	14 through 20, 23 14, 16, 17, 19, 20, 21	3
43	Harrison and Kedzie	Women's Misdemeanors Local Misdemeanors	10, 11, 13 14, 15	2
46/46J	321 North LaSalle	Misdemeanors with and without jury	All	3

<u>Branch Court</u>	<u>Location</u>	<u>Types Of Cases Heard</u>	<u>Police Districts Covered</u>	<u>Assistant State's Attorneys(a)</u>
48	155 West 51st	Felonies - Southside Women's Misdemeanors	1 through 6, 21, 22 2 through 8, 22	3
49	6100 South Racine	Local Misdemeanors	7, 8, 9	2
64	1121 South State	Auto Thefts	All	3

(a)The First Municipal Section also includes a Supervisor,
a Deputy Supervisor and two floorpersons.

PRESENT SITUATION (Cont'd)

- Conducts preliminary hearings
 - Conducts misdemeanor and felony trials
 - Handles suburban traffic cases
 - Prosecutes paternity cases and nonsupport cases
 - Investigates and prosecutes fraud and complaint cases
 - Initiates some civil cases such as environmental complaints.
- Every unit is headed by one supervisor; the number of attorneys in each unit in June 1978 is shown below:

<u>Suburban Municipal District</u>	<u>Assistant State's Attorneys</u>
Second	10
Third	12
Fourth	11
Fifth	9
Sixth	10

Funding

- ILEC grants provided funds to support the staffing of preliminary hearing courts from 1974 through 1976.
 - Grants 1463 and 2092 provided approximately \$608,715 for 13 months in 1974 and 1975 and supported the salaries of 19 assistants, 4 stenographers, and 2 law clerks in the First Municipal Section.
 - ILEC grant 2128 provided \$864,900 during year 1976 for the salaries of 9 attorneys, 2 law students and 6 stenographers.
 - o Seven of these attorneys, 4 stenographers and 2 law students were assigned to the First Municipal Section.

PRESENT SITUATION (Cont'd)

- As of April 1978, the 102 Assistant State's Attorneys working in the Preliminary Hearing Section, the First Municipal Section and the Suburban Municipal Section were funded by the county at a total cost of approximately \$2,130,270 (Exhibit IV-3).

COOK COUNTY STATE'S ATTORNEY'S OFFICE

STAFFING AND FUNDING OF THE
PRELIMINARY HEARING DIVISION
 April 1978

	<u>Section Supervisors</u>	<u>Total</u>	<u>Staff Attorneys Assigned To Preliminary Hearings</u>	<u>Estimated Salaries(a) Total</u>	<u>Preliminary Hearing Staff</u>
Preliminary Hearing Section	3	12	12	\$ 313,275	\$250,620
First Municipal Section	2	33	9	730,975	187,965
Suburban Municipal Section	<u>5</u>	<u>47</u>	<u>15</u>	<u>1,086,020</u>	<u>313,275</u>
Total	10	92	36	\$2,130,270	\$751,860

(a) Figures are based on an average salary of \$20,885 which is the average annual salary of an attorney in the General Trial Section as specified in the 1978 Cook County budget.

OBSERVATIONS ON FELONY REVIEW

During the impact evaluation study, the effect of the Felony Review Program on the criminal justice system in Cook County was found to vary with the type of crime. This section presents specific observations relating to the program's impact on homicide, rape, aggravated battery and robbery, including armed robbery.

INTRODUCTION

- Cases entering the preliminary hearing courts and the felony trial courts appear to be better prepared since the establishment of a felony screening process in 1972, but the impact of this work appears to differ with the type of crime.
- Arrest and indictment statistics for 1970 through 1977 were gathered on four types of crime in Cook County to see if the Felony Review Program had had any effect on them.
 - The types of crime were:
 - o Homicide
 - o Rape
 - o Aggravated battery
 - o Robbery, including armed robbery.
 - The Felony Review Section deals with all felonies except narcotics, but these four crimes were chosen because they were the first to require screening when the program was being implemented in 1972.
 - o Reviewing five years of data on these crimes gives a reasonable picture of any impact that has been registered by the Felony Review Section's work.
 - Moreover, since 1970 arrests for homicide, rape, aggravated battery and robbery have represented 20 to 25 per cent of the arrests made for "index" crimes.
 - o The seven index crimes are homicide, rape, robbery, aggravated battery, burglary, larceny theft (except motor vehicles) and motor vehicle theft.

OBSERVATIONS ON FELONY REVIEW (Cont'd)

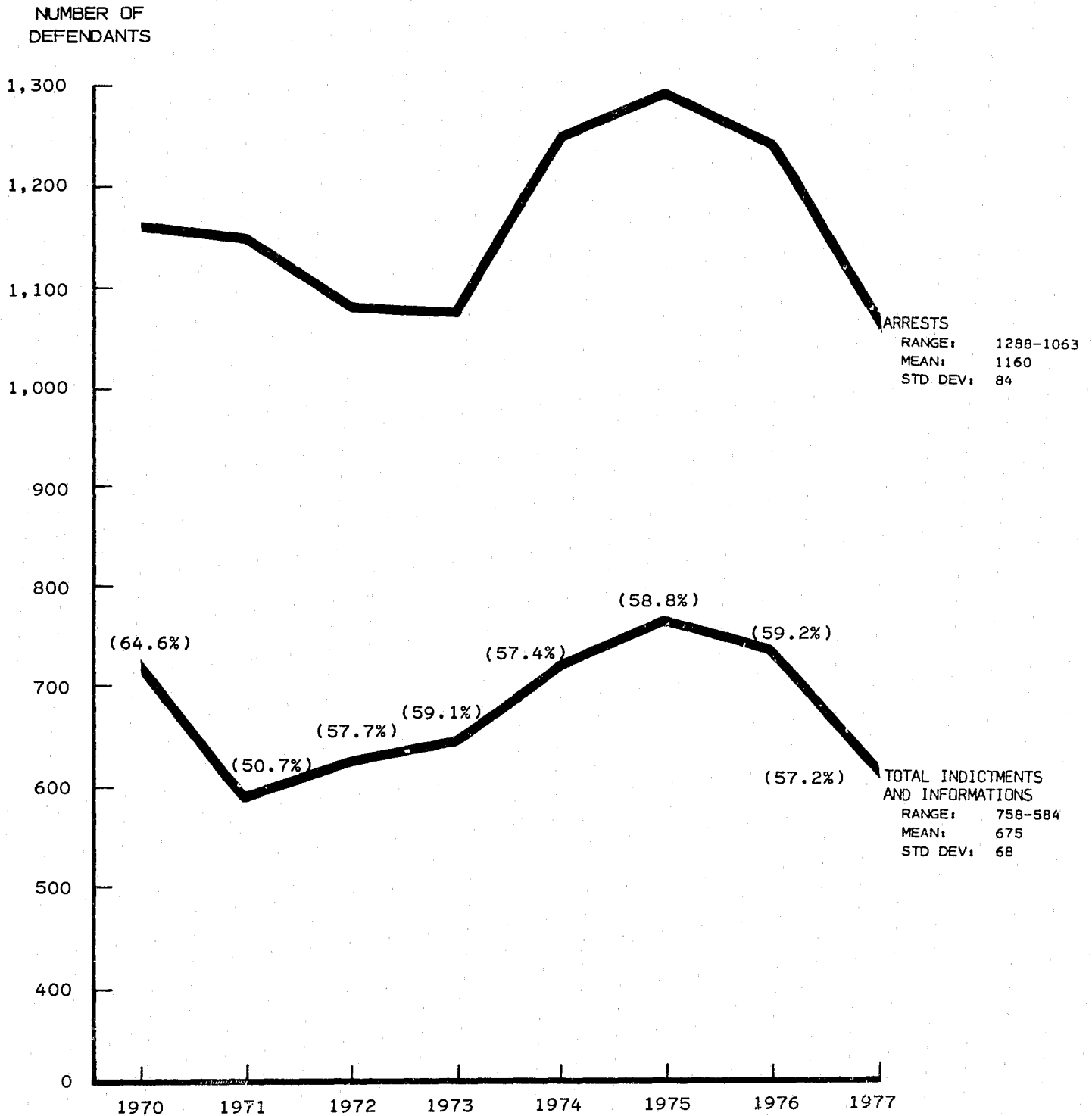
- Two key crime statistics were used for the impact evaluation:
 - The total number of indictments and Informations a year as a per cent of the total arrests per year
 - The total guilty dispositions per year as a per cent of the total number of dispositions.
 - o This second statistic has limited application at this time since the disposition data was available for only four years (1974-1977) and the data for 1976 and 1977 is only partially complete.
 - o Disposition data is provided in this report as a preliminary measure of performance that should be monitored in the future.
- If the Felony Review Program is having a positive effect on the criminal justice system, the percentage of arrests resulting in an indictment or an Information should be rising as should the conviction rate.
- Each exhibit in this section is supported by additional data shown in Appendix B.
- In addition, interviews were conducted with key members of the State's Attorney's Office and the Chicago Police Department as well as judges in the preliminary hearing courts to gain a qualitative assessment of the impact discovered.

OBSERVATIONS

As Expected, Felony Screening Of Homicide Cases Has Had A Negligible Impact On Police Work, Preliminary Hearing Results And Felony Dispositions

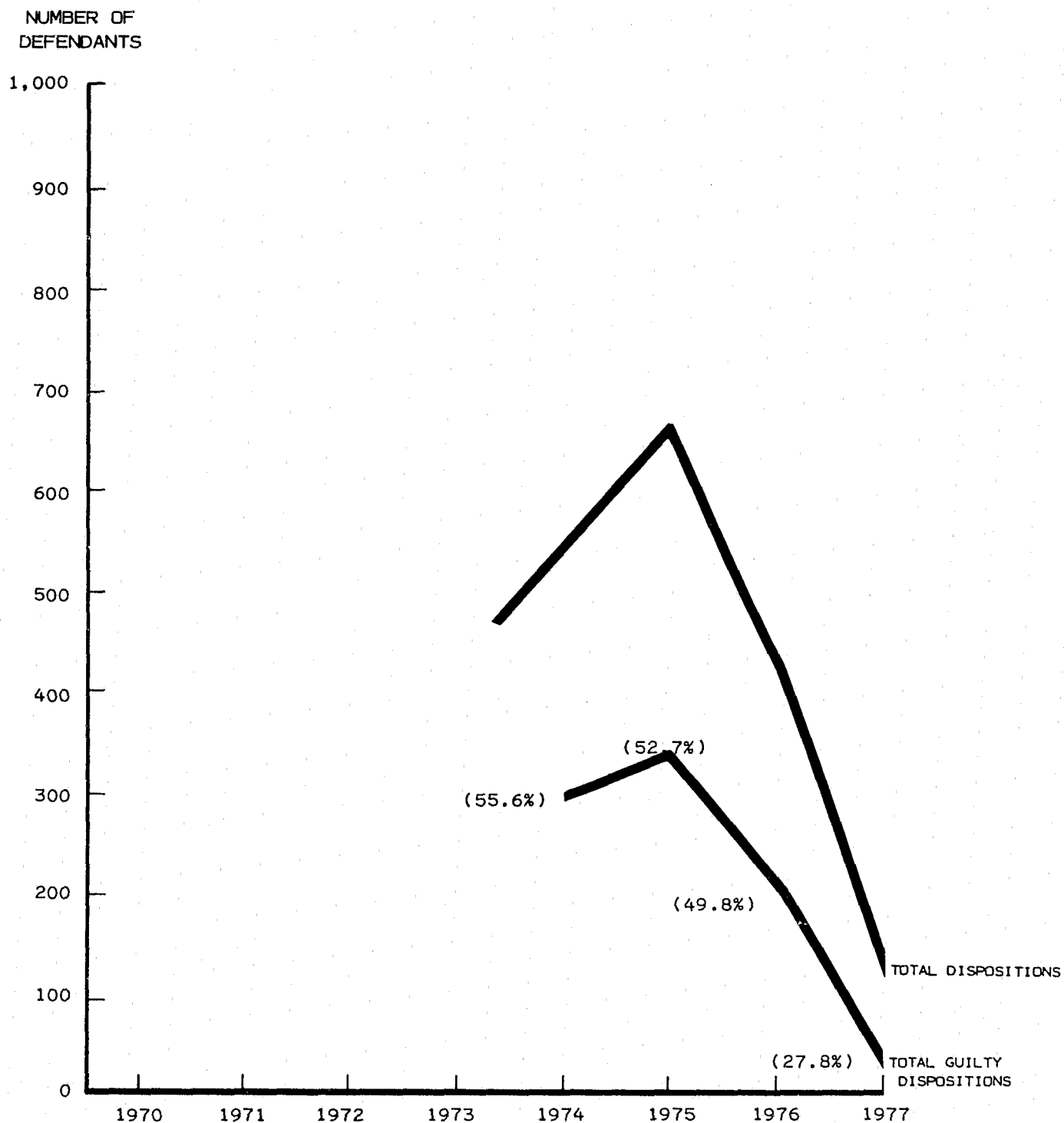
- Exhibit IV-4 is a graph of the following countywide homicide statistics from 1970 through 1977 showing:
 - The number of people arrested
 - The number of defendants indicted or named in an Information
 - The number of indictments and Informations disposed of

COOK COUNTY HOMICIDE
ARRESTS, PRELIMINARY HEARINGS AND TRIAL DISPOSITIONS
1970 THROUGH 1977



(%) Total indictments and informations as a per cent of arrests.

Sources: See Appendix B



(%) Total guilty dispositions as a per cent of total dispositions.

Source: See Appendix B

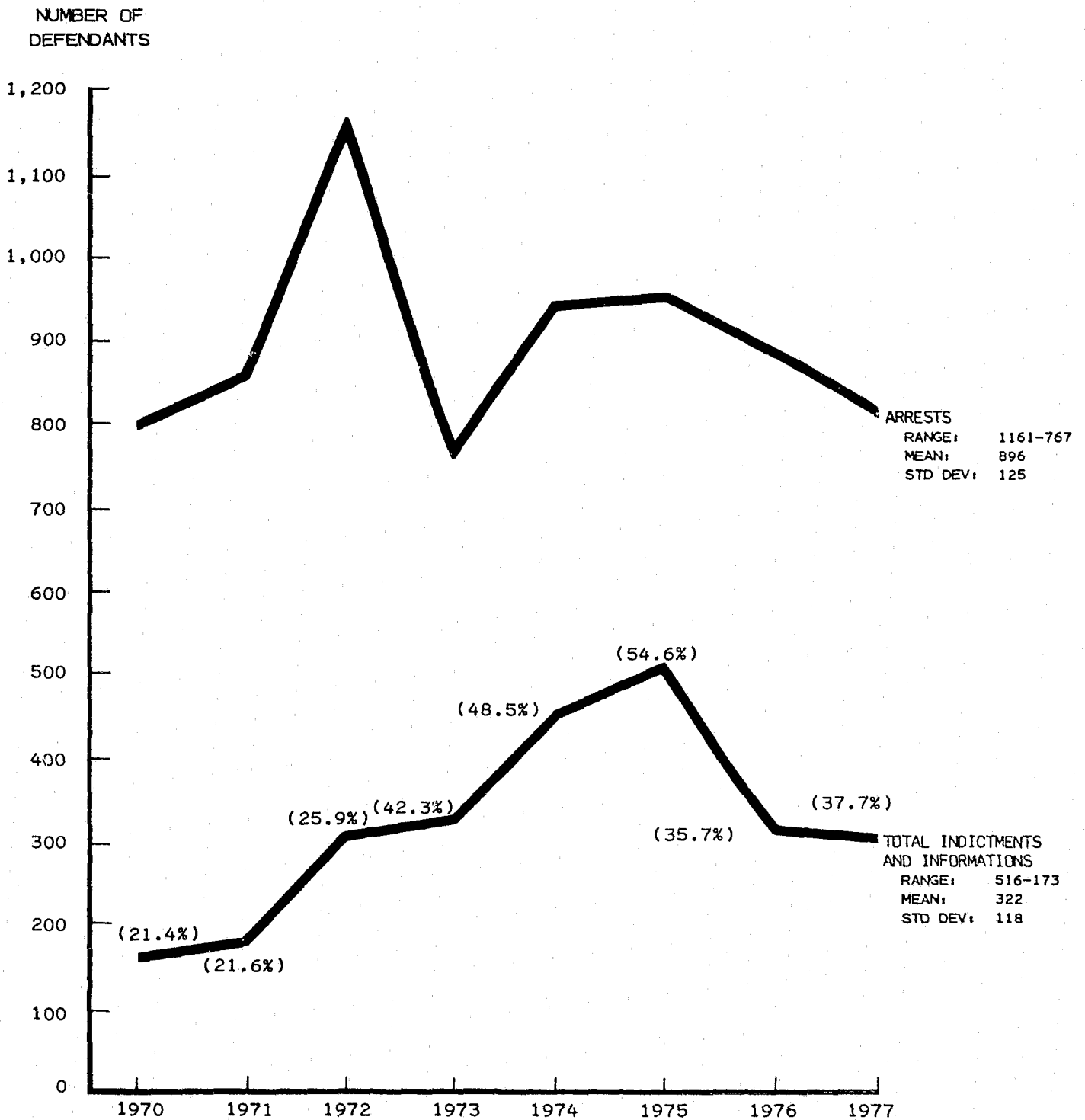
Note: Disposition data used for 1976 and 1977 represents partial totals for those years and cannot be used to evaluate felony review or preliminary hearing performance.

OBSERVATIONS ON FELONY REVIEW (Cont'd)

- The number of guilty dispositions
- The ratio of total indictments and Informations to total arrests
 - o This ratio appears to be a valid statistic for all eight years reported since almost all arrests that are chargeable should result in an indictment or Information in the year the arrest is made.
- The ratio of total guilty dispositions to total dispositions.
 - o As noted above, this statistic is valid primarily when a large majority of the cases outstanding have been disposed of; in 1976 and particularly 1977 there were a significant number of cases that were not disposed of at the time this analysis was conducted.
- The percentage of homicide arrests that result in an indictment or an Information has consistently been between 50 per cent and 60 per cent since 1971, and between about 50 per cent and 55 per cent of the defendants tried from 1974 through 1976 were guilty as charged.
- These statistics indicate that the felony screening process has not materially affected homicide cases.
- This result is not surprising.
 - Because of their severity, homicide cases typically receive the attention of well-trained and highly experienced homicide detectives, and the arrests are usually well documented.
 - Therefore, the benefit of a felony review is likely to be marginal.
- In addition, Assistant State's Attorneys in the Felony Review Section have not had experience in homicide preliminary hearings and may not be able to add a great deal to what the police can prepare on their own.
 - All homicide preliminary hearings are held in Branch 66.

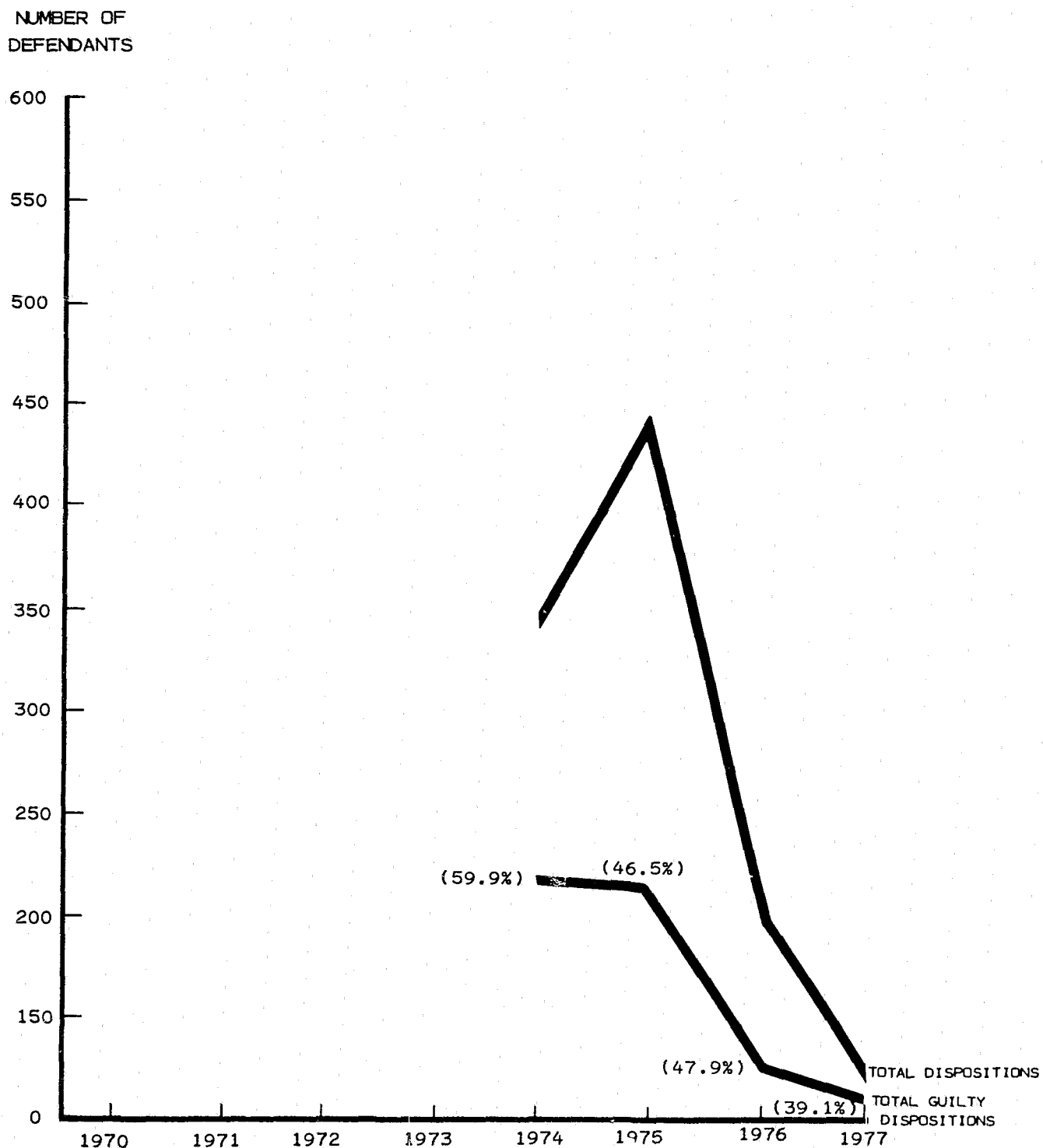
COOK COUNTY RAPE ARRESTS, PRELIMINARY HEARINGS AND TRIAL DISPOSITIONS

1970 THROUGH 1977



(%) Total indictments and informations as a per cent of total arrests.

Sources: See Appendix B



(%) total guilty dispositions as a per cent of total dispositions.

Source: See Appendix B

Note: Disposition data used for 1976 and 1977 represents partial totals for those years and cannot be used to evaluate felony review or preliminary hearing performance.

OBSERVATIONS ON FELONY REVIEW (Cont'd)

- Assistant State's Attorneys are not assigned to this courtroom until they have completed their assignments in the Felony Review Section.

The Effect Of Felony Screening In Rape Cases Has Diminished Recently

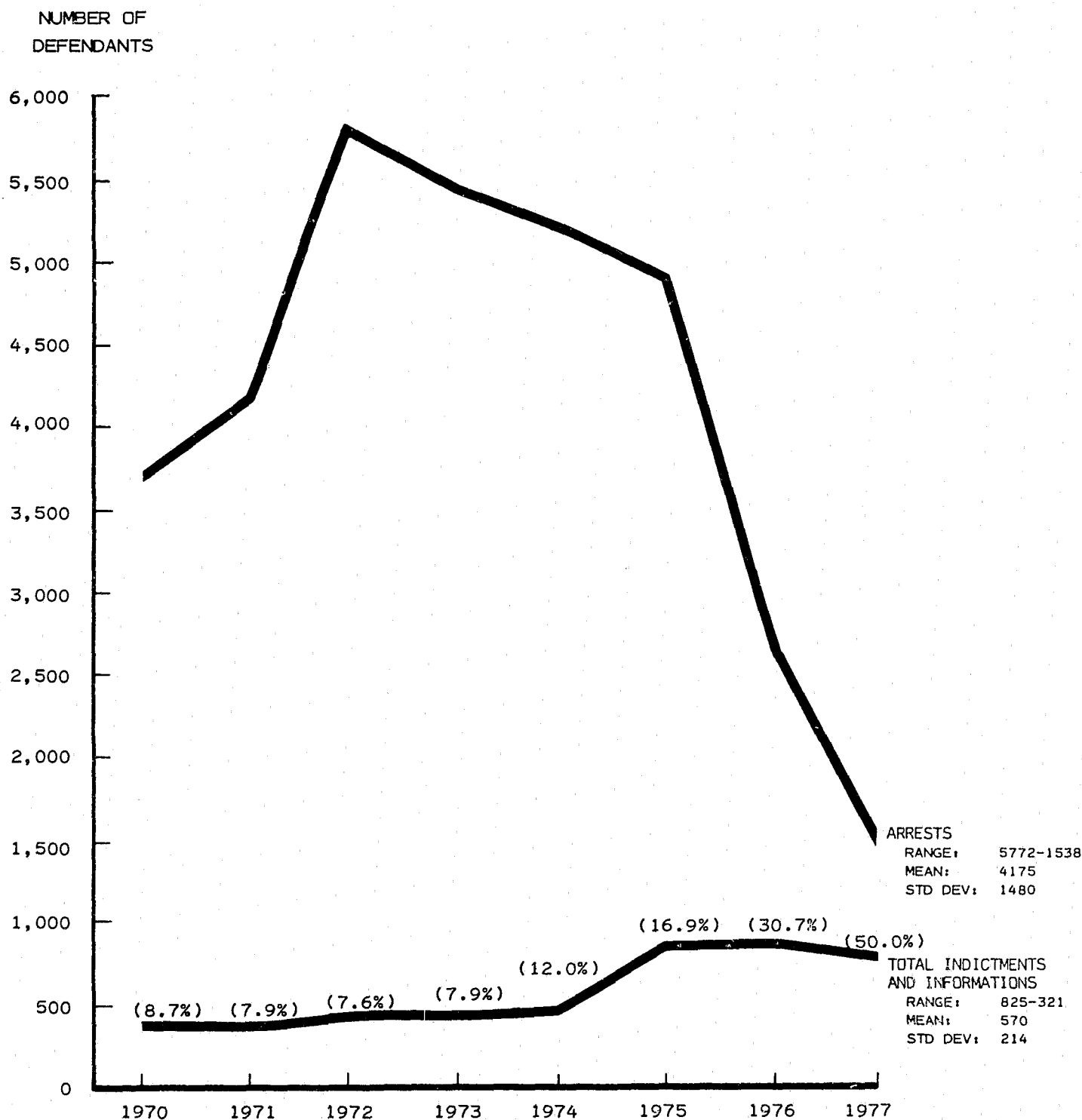
- Felony screening in rape cases appears to have initially had a positive impact on arrests and preliminary hearing results, but in recent years the impact has diminished.
 - Before the Felony Review Program began, approximately 21 per cent of the rape arrests resulted in an indictment or an Information, as Exhibit IV-5 indicates.
 - From 1972 to 1975 the ratio of total indictments and Informations to total arrests more than doubled, going from 25.9 per cent in 1972 to 54.6 per cent in 1975.
 - In 1976, however, and 1977 the ratio dropped to 35.7 per cent and 37.7 per cent respectively.
- One reason for this reversal may be the relative inexperience of the current staff of the Felony Review Section.
 - Assistant State's Attorneys do not receive preliminary hearing experience in rape cases before they are assigned to the Felony Review Section.
- In addition, no women were in the Felony Review Section before 1978.
 - Rape victims often find it difficult to discuss their cases with males.
 - This issue is particularly important since the rape victim is usually the only witness.

Felony Screening Of Aggravated Battery Charges Has Apparently Led To Improved Police Work In This Type Of Arrest

- It appears that felony screening is having a significant impact on police reviews involving aggravated batteries, which Exhibit IV-6 illustrates.

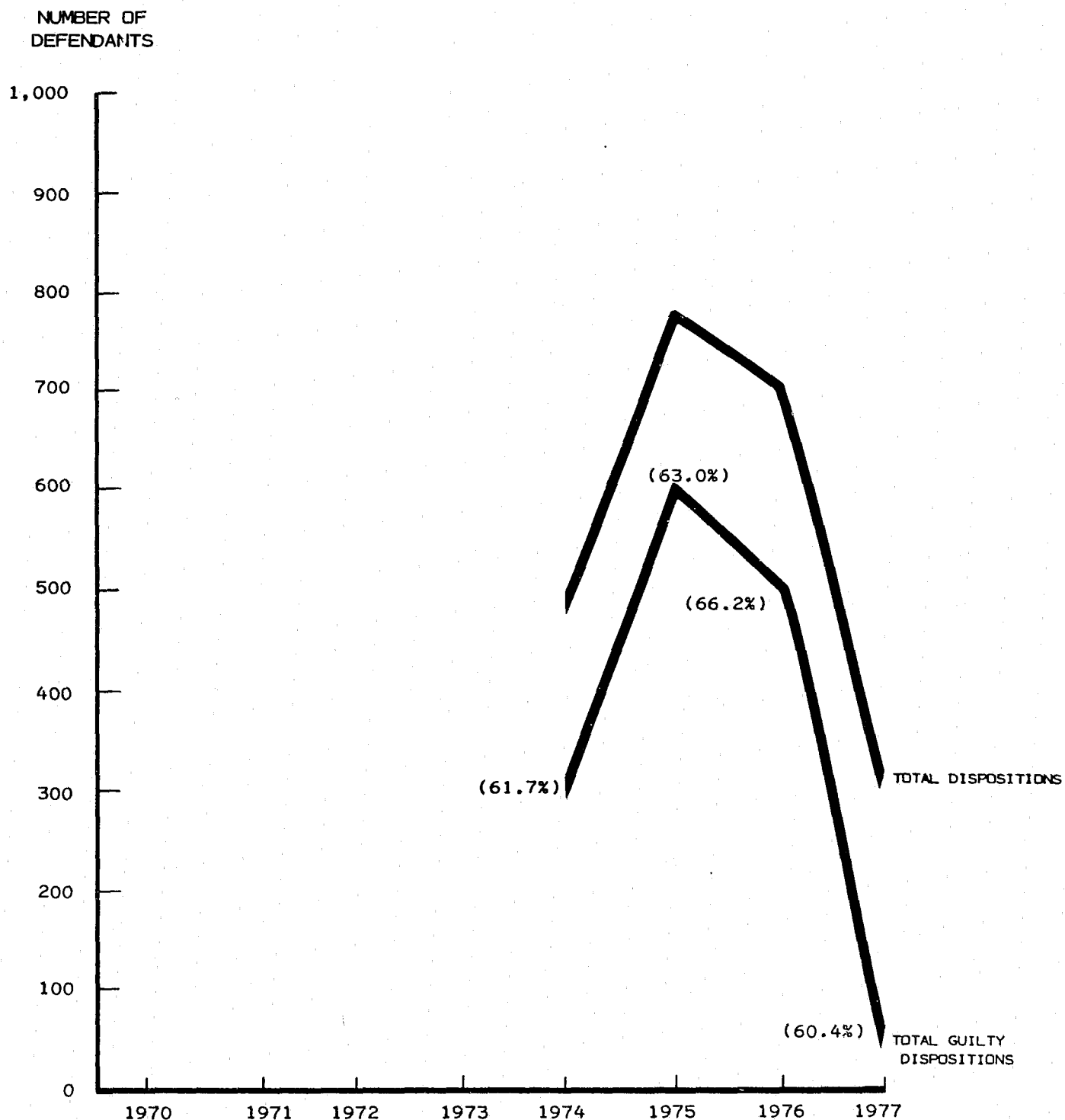
COOK COUNTY AGGRAVATED BATTERY ARRESTS, PRELIMINARY HEARINGS AND TRIAL DISPOSITIONS

1970 THROUGH 1977



(%) Total indictments and informations as a per cent of total arrests.

Sources: See Appendix B



(%) Total guilty dispositions as a per cent of total dispositions.

Source: See Appendix B

Note: Disposition data for 1976 and 1977 represents partial totals for those years and cannot be used to evaluate felony review or preliminary hearing performance.

OBSERVATIONS ON FELONY REVIEW (Cont'd)

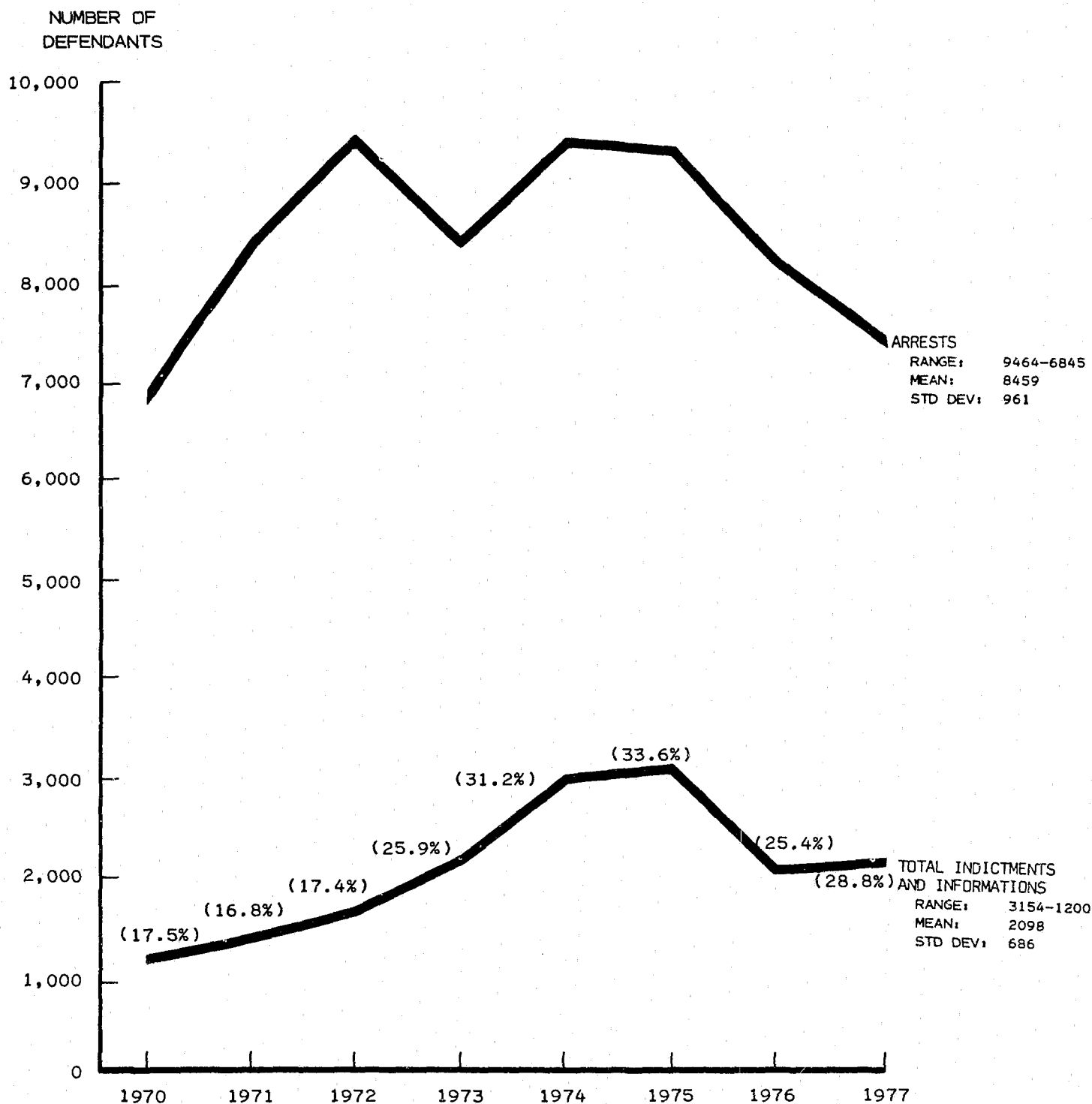
- From 1970 to 1975, arrests were averaging 4,868 a year, but in 1976 and 1977 arrests fell off sharply to 1,538 per year.
 - o From 1970 through 1975 the ratio of total aggravated battery indictments and Informations to total arrests ranged from a high of 16.9 per cent (in 1975) to a low of 7.6 per cent (in 1972), and it was below 9.0 per cent for four of those six years.
 - o The ratio of total indictments and Informations to arrests rose from 30.7 per cent in 1976 to 50.0 per cent in 1977.
- The vast number of felony arrests being rejected by the Felony Review Section and the preliminary hearing courts has apparently begun to reverse the police practices followed in the past.
 - When police officers are in doubt about whether an offense is a simple battery (misdemeanor) or an aggravated battery (felony), a felony charge is requested.
 - If an improper felony charge is requested and rejected, the person arrested must be released and a misdemeanor complaint must be filed, which means that the arresting officer has doubled the amount of work needed to "clear" a misdemeanor.
- As a result, the cases that enter the criminal justice system seem to be properly filed and better prepared.

Initially, Felony Screening Of Robbery Cases Seems To Have Had A Positive Effect On Arrests And Preliminary Hearing Results, But The Impact Has Diminished Recently

- Before felony reviews began, approximately 17 per cent of the robbery arrests resulted in an indictment or an Information.
- This ratio rose steadily to 33.6 per cent in 1975, but lost momentum and fell to 25.4 per cent in 1976 and 28.8 per cent in 1977.
 - These figures are shown on Exhibit IV-7.

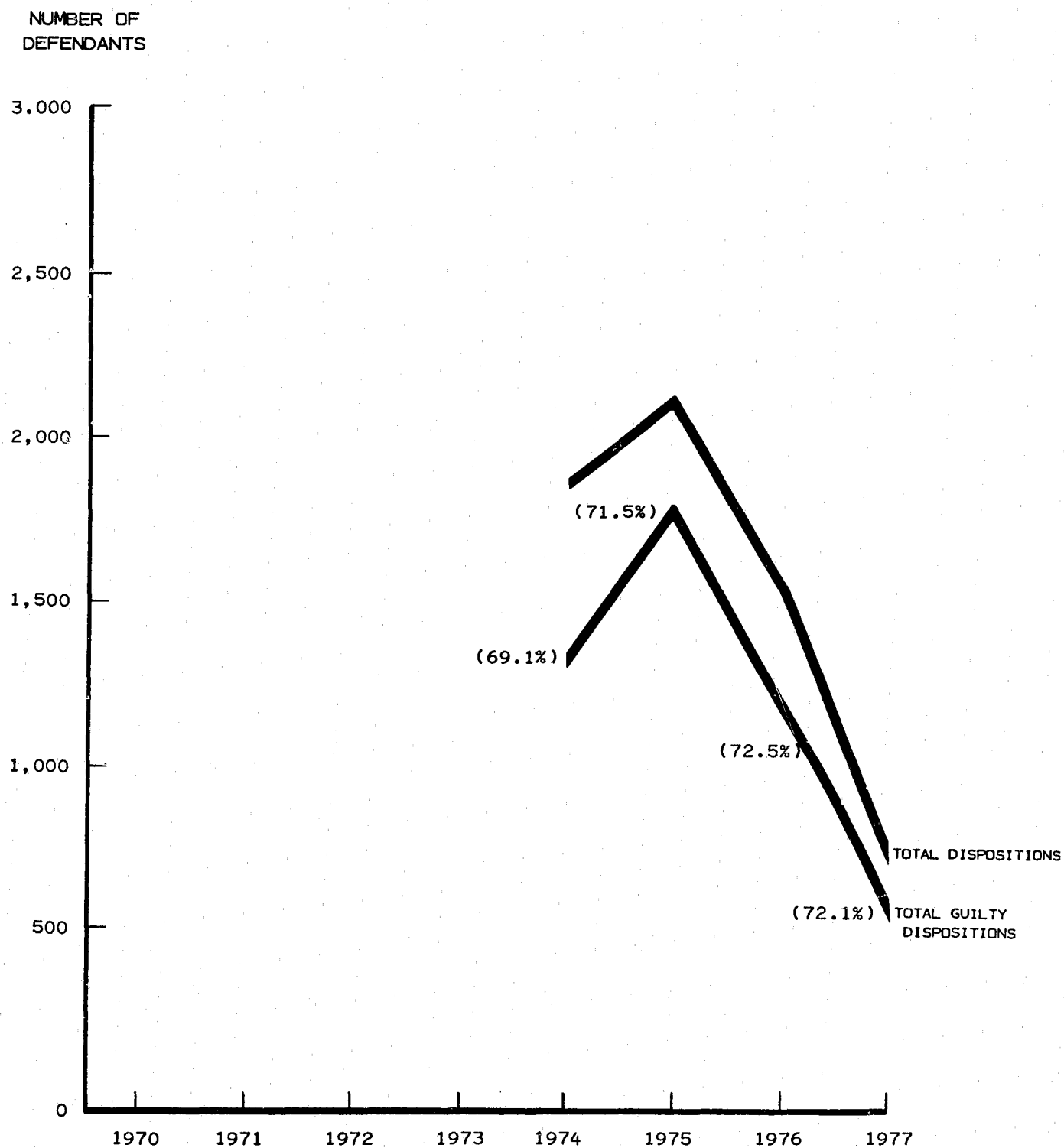
COOK COUNTY ROBBERY
ARRESTS, PRELIMINARY HEARINGS AND TRIAL DISPOSITIONS

1970 THROUGH 1977



(%) Total indictments and informations as a per cent of total arrests.

Sources: See Appendix B



(%) Total indictments and informations as a per cent of total arrests.

Source: See Appendix B

Note: Disposition data used for 1976 and 1977 represents partial totals for those years and cannot be used to evaluate felony review or preliminary hearing performance.

OBSERVATIONS ON FELONY REVIEW (Cont'd)

- One reason for this reversal may be the technical difficulty involved in screening robbery cases thoroughly.
 - If the officer and the attorney do not know whether to charge robbery or theft, a robbery charge is filed, and the preliminary hearing courts must decide.
 - o An armed or a strong-armed robbery involves taking property from a person by use of force or by threatening the imminent use of force (Illinois Revised Statutes, Chapter 38, Sections 18-1a and 18-2a).
 - o Theft is a less serious felony, since no actual force is involved; nevertheless, this offense also covers instances where threats are used to take control of another person's property (Illinois Revised Statutes, Chapter 38, Section 16-1c).

OPPORTUNITIES FOR IMPROVEMENT

The opportunities for improvement identified for the Felony Review and Preliminary Hearing Programs are presented below.

FELONY REVIEW PROGRAM

The Composite Experience Level Of The Attorneys Assigned To The Felony Review Section Has Improved But Remains Below A Desirable Level

- Early this year the State's Attorney's Office began rotating trial attorneys into the Felony Review Section increasing the percentage of trial-experienced attorneys from 7 per cent to approximately 20 per cent.
 - Six of the 28 Assistant State's Attorneys in the section now have felony trial experience - the Supervisor, the Assistant Supervisor and four trial attorneys who have been assigned to the section.
 - o One Assistant State's Attorney was transferred from each of the four felony trial courts.
- The remaining 22 attorneys, however, have no felony trial experience but have received training in either the First Municipal Section or the Suburban Municipal Section.
 - Approximately one-half of the staff has worked in the First Municipal Section and the other half in the Suburban Municipal Section.
 - In these sections they were assigned to preliminary hearing courts.
 - o The length of these assignments varied with each suburban district, but they lasted a minimum of six weeks in the First Municipal Section.

Office Policies Governing Where A Felony Review Should Be Conducted Are Not Well Defined

- Office policies are unclear about which particular police requests should be reviewed in person or over the telephone.
 - Generally, in more complex felonies, like homicides and rapes, the attorneys review the case in person in the appropriate police district.

OPPORTUNITIES FOR IMPROVEMENT (Cont'd)

- It is not clear, however, what type of review (personal or telephone) is required for less serious felonies such as robbery, burglary and larceny theft.
- This decision is left up to individual Assistant State's Attorneys.
 - Those decisions are greatly influenced by the amount of activity during a particular shift.
- Without well-defined guidelines to govern these decisions, cases may be handled differently by different attorneys during different shifts and quality control may suffer.

The Felony Review Section Is Occasionally Slow To Respond To Police Requests

- Interviews with Assistant State's Attorneys and members of the Chicago Police Department revealed that the Felony Review Section's response time becomes slower toward the end of its 12-hour shift.
 - Once a police officer requests a felony charge from an attorney, that attorney must remain with the case until the charge is approved or rejected.
 - In complex cases, this review can involve several hours of work.
 - Therefore, during the eleventh hour of a shift, incoming calls from police are sometimes left for the next shift.
 - o The twelfth hour is usually used to complete paperwork.
- This "slow down" in response ultimately delays the police who must wait for a review from the next shift.

PRELIMINARY
HEARING PROGRAM

The Direct Supervision Of Assistant State's Attorneys In
Branch Courts 42 And 48 Is Insufficient

- Although the three attorneys assigned to Branches 42 and 48 include a senior staff assistant in each branch, the daily activities of these attorneys are not being reviewed by well-trained and experienced supervisors who have direct responsibility for the court.
- The Supervisor of the First Municipal Section has overall responsibility for these courtrooms, but he is unable to offer direct supervision because of the size of the section.
 - The Supervisor and Deputy Supervisor are also responsible for 11 other courtrooms throughout Chicago that are staffed by 25 attorneys.

Performance Of An Assistant State's Attorney In A Preliminary
Hearing Court Is Greatly Hindered When Arresting Officers
Are Unable To Locate And Notify Witnesses In Time For The
Hearing

- A finding of probable cause at a preliminary hearing requires the testimony of key witnesses in the case.
 - The arresting officer is responsible for notifying witnesses of court dates and times.
- Key administrators in the Criminal Prosecutions Bureau estimate that between 20 and 30 per cent of the charges that have been found to be without probable cause have resulted from missing witnesses.
 - These cases are typically removed from the court call with permission to reinstate them at a later time (SOL).
- There are two major reasons why a witness does not appear at a preliminary hearing.
 - The witness decides not to testify.
 - The witness cannot be found before the hearing or has not been notified of the hearing date.

— OPPORTUNITIES FOR IMPROVEMENT (Cont'd) —

- If the witness decides not to testify, the prosecutor tries to determine the reasons for the attitude change, and may offer protection if the witness is being threatened.
- When a witness cannot be found for a preliminary hearing it may be because the police and the State's Attorney have insufficient information to contact him.
 - Some victims and witnesses are very transient, and not enough background information on their relatives or other secondary contacts is taken at the time of the arrest to cover the possibility that they may not be at their home addresses when needed.
 - Locating witnesses is a function that takes police officers from their regular duties and limits the amount of time they can devote to helping Assistant State's Attorneys.
- Time is wasted when witnesses fail to appear at the preliminary hearing court, and if an SOL is filed, the defendant must be released.
 - The use of an SOL frequently ends the case because there is little formal pressure to follow up on locating witnesses for a later date.

RECOMMENDATIONS

This section describes recommendations that address the observations presented in the previous section.

FELONY REVIEW PROGRAM

Felony Review Supervisors Should Monitor The Impact Of The Section's Work By Type Of Crime And Allocate Staff To Areas Where The Greatest Benefit Can Be Obtained

- Felony Review Section Supervisors should design and implement an information system to help them monitor the Section's impact on each type of crime.
- Much of the data needed is already being recorded in aggregate form such as:
 - Total calls for assistance
 - Total felony charges reviewed.
 - o Total number of approvals
 - o Total number of rejections.
- Each charge that is approved should be recorded by type of crime, and then the results of that charge should be followed through the preliminary hearing and the felony trial.
 - The Clerk's office can provide preliminary hearing results and felony dispositions by case number.
- This would be the best way to determine quantitatively if the section is having an impact on certain types of crime and, over time, it would identify specific improvements that are needed.
 - The data may suggest ways that staff can be deployed to achieve the most impact in the prosecution of felony cases.
 - For example, cases that show little impact from the screening process might be assigned to the more experienced attorneys in the section.

RECOMMENDATIONS (Cont'd)

The State's Attorney's Office Should Increase The Number
Of Trial-Experienced Attorneys Being Rotated Into The
Felony Review Section

- Approximately one-half of the Felony Review Section's staff (14 attorneys) should have at least six months of trial experience.
 - Ideally, each of the remaining 14 attorneys in the section would be teamed with a trial-experienced attorney.
- Eight additional felony trial attorneys should be selected at random from the four felony trial courts and rotated into the Felony Review Section for a short fixed period (two to four months).
- Although this rotation program would not be the total answer to the need for experienced Felony Review attorneys, it would ensure that at least one attorney in each two-man watch would be sufficiently experienced to handle the more difficult cases.
 - The subtraction of experienced attorneys from felony trial courts would have some negative effects on that trial work, but the benefits of strengthening felony review work would more than offset the disadvantages.
- The Felony Division would be the ultimate beneficiary of an improved felony review process.

Assistant State's Attorneys Should Receive Preliminary
Hearing Experience In Branch 66 Before They Are Assigned
To The Felony Review Section

- Before an assignment to Felony Review, all Assistant State's Attorneys without felony trial experience should be assigned to Branch 66 where preliminary hearings are conducted for all homicides and felony sex offenses.
- Four individuals in the Criminal Prosecutions Bureau are needed to establish the rotation schedule:
 - Bureau Chief
 - Chief - Municipal Division

RECOMMENDATIONS (Cont'd)

- Supervisor - Branch 66
- Supervisor - Felony Review Section.
- Preliminary hearing experience in Branch 66 would give attorneys the experience needed to perform more thorough reviews in homicide and felony sex cases.
 - They would have the benefit of seeing how a judge reviews these cases, and they would learn about the mistakes and oversights that can occur during an investigation.

Attorneys In The Felony Review Section Should Receive
Special Instruction In The Investigation And Prosecution
Of The Major Criminal Offenses

- Attorneys in the Felony Review Section require immediate special instruction in the investigation and prosecution of rape and robbery offenses.
- Similar training in each of the major felony offenses should be received during the first few weeks of an attorney's assignment to the section.
 - The Supervisor of the Felony Review Section and liaisons from the Chicago Police Department should prepare presentations on the investigation and prosecution of homicides, rapes, robberies, aggravated batteries, burglary, and larceny theft.
 - Each session should be conducted by a trial attorney and a Police Investigator.
 - Presentations could be made at the regularly scheduled section meetings.
- This special instruction would benefit the Felony Review Section in two distinct ways.
 - The sessions would offer the State's Attorney's Office and the Chicago Police Department a means of strengthening their performance in specific areas, such as rape and robbery offenses.

RECOMMENDATIONS (Cont'd)

- This program would show Assistant State's Attorneys how the Office interfaces with the Chicago Police Department.

The Office Should Define And Document Policies Governing How Specific Felony Reviews Should Be Conducted

- Assistant State's Attorneys assigned to Felony Review should have guidelines for determining whether particular cases should be reviewed in person or over the telephone.
- The Supervisor of the Felony Review Section and the Assistant Supervisor should examine the effort required to review each type of felony crime and write a policy statement describing how best to handle its review.
- Once policy statements are written they should be distributed to each member of the Felony Review staff.
- These guidelines would ensure that the section is responding uniformly to the police.
 - Also, Assistant State's Attorneys in the section (including trial attorneys) would have guidance for putting priorities on several police requests that come in at the same time.

The Two 12-Hour Shifts In The Felony Review Section Should Be Replaced By Three 8-Hour Shifts

- The attorneys assigned to the Felony Review Section work unnecessarily long shifts; shifts should be reduced from 13 hours to 8 hours.
- The Supervisor should schedule shifts that match those of the Chicago Police Department.
 - The Police Department's Criminal Investigation Division uses three shifts a day, eight hours per shift:
 - o First shift: 9 a.m. to 5 p.m.
 - o Second shift: 5 p.m. to 1 a.m.
 - o Third shift: 1 a.m. to 9 a.m.

RECOMMENDATIONS (Cont'd)

- The use of an eight-hour shift would tend to diminish delays in the section's response to police calls and would reduce attorney fatigue.

Felony Review Attorneys Should Focus Greater Attention On
The Background Of Material Witnesses

- During the review of a felony charge, the Assistant State's Attorney should obtain additional background information about the material witnesses.
- After obtaining the present home address and telephone number of each witness involved, the attorney should also collect the following data:
 - The number of years at the home address given
 - Business address and telephone number, if applicable
 - The number of years at the present place of employment, if applicable
 - The names, addresses and telephone numbers of nearby relatives and friends.
- Obtaining additional background information on witnesses during a felony review would help the Assistant State's Attorney identify witnesses with transient backgrounds and would supply the Office with the information that may be needed to locate them for a preliminary hearing.

PRELIMINARY
HEARING PROGRAM

The State's Attorney's Office Should Assign Supervisors To
Branch Courts 42 And 48

- Supervisors should be assigned to Branches 42 and 48 to assume formal responsibility for the daily caseload of these courts.
- Each branch court should be staffed with approximately three attorneys including the supervisor.
 - The supervisor would continue to conduct hearings in addition to reviewing the work of the two other attorneys.

RECOMMENDATIONS (Cont'd)

- The two individuals acquired for these positions should have extensive trial experience and strong managerial abilities to ensure that:
 - The court call is run smoothly
 - The witnesses are accurately evaluated
 - Plea bargaining is conducted in accordance with the uniform procedures established by the Illinois Supreme Court and the American Bar Association
 - Cases are properly prepared, presented and documented for felony trial.

The State's Attorney's Office Should Closely Monitor The Efforts Of Police Agencies To Locate Witnesses And Notify Them Of Hearing Dates

- Attorneys in preliminary hearing courts should closely monitor the performance of arresting officers and work with the watch sergeants at each location to keep their performance in locating and notifying victims and witnesses in time for hearings up to an acceptable standard.
- The state should continue cases in which witnesses fail to appear and avoid using SOLs.
 - When a case is continued, a definite date is set for the next hearing; this time constraint keeps the search for witnesses active.
 - When SOL is used, there is no great time pressure to reinstate the case and as time passes the strength of a case generally deteriorates.

V - COMMUNITY PROSECUTIONS PROGRAM

PRESENT SITUATION

This chapter concerning the Community Prosecutions Program is divided into sections titled Present Situation, Observations, Opportunities For Improvement and Recommendations.

The first section of this chapter presents the basic elements of the program including its origins, goals, organization, operations and caseload, external relationships and funding history.

ORIGIN OF THE COMMUNITY PROSECUTIONS OFFICES

- In 1973 community offices in Northside, Westside and Southside neighborhoods were established by the State's Attorney to bring his office closer to neighborhoods in the City of Chicago.
 - Each of the five suburban districts had Assistant State's Attorneys permanently assigned to them, but the neighborhoods in the City of Chicago had been largely served by two central offices (Criminal Courts Building at 26th and California and the Daley Civic Center).
 - The neighborhood offices were initially designed to handle walk-in general complaint cases and consumer fraud cases.
 - Each office included one Assistant State's Attorney and an Administrative Assistant.
 - o The Administrative Assistants performed office management and neighborhood liaison duties.
- In 1974 a second attorney from the Special Prosecutions Bureau was placed in the Northside office as a pilot effort to provide full criminal prosecution services for felony and misdemeanor cases that had significant impact on the neighborhood.
- The addition of the second attorney was part of the Comprehensive Victim-Witness Assistance Program which started in 1970 and is aimed at improving the comfort, convenience and security of crime victims and witnesses.
- The pilot effort was successful and the second attorney remained on staff in the Northside office as part of the Special Prosecutions staff until March 1, 1976.

PRESENT SITUATION (Cont'd)

- On March 1, 1976, ILEC began funding the offices (Community Victim-Witness Assistance Centers); two Northside criminal attorney positions were funded, and one Southside and one Westside criminal attorney positions were instituted.
 - In sum, four Community Prosecutor positions were funded in May of 1976.
 - The three Administrative Assistants positions were transferred from the consumer fraud area to assist the criminal attorneys in the offices.
 - Four clerical positions were also funded for the program.
- In 1977 one of the four Community Prosecutor positions was redesignated in the ILEC grant application as a Program Supervisor position.
 - The Program Supervisor position was relocated to the State's Attorney's offices in 159 North Dearborn, but the incumbent continued to assist the Northside office.
- During 1977 the Northside caseload was high and a fifth attorney was made available part time to help with community prosecutions.
- In 1978 this part-time position became a full-time Community Prosecutor in the Northside office, making a total of two attorneys there - one paid through the State's Attorney's budget and one paid through grant funds.

OBJECTIVES OF THE PROGRAM

- As stated in the most recent ILEC grant, the objectives of the Community Prosecutions Program are:
 - "To concentrate on vertical prosecution of cases which are of particular concern to the community
 - "To continue to work closely with appropriate community groups and all criminal justice agencies to maximize successful criminal prosecution
 - "To refocus and redirect attention on the plight of crime victims and witnesses and to provide services which will improve their comfort, convenience and security as they move through the Criminal Justice System."

PRESENT SITUATION (Cont'd)

- A State's Attorney's Office notice dated July 30, 1976, amplified these objectives by stating that the purpose of the program is "to handle criminal cases of community interest within each geographic area."
 - Since each office has the capacity to handle only a small portion of the criminal cases that develop in the geographic area being served, the Program Supervisor has the authority to select those cases that will bring the most benefit to the community.
 - o This selection is subject to review by the Chief and Deputy Chiefs of the Criminal Prosecutions Bureau.
 - The selection of cases is determined in part by the intensity of interest displayed by a referral source.
 - In communities with less organized social infrastructure, particularly the Westside, the referrals from community sources are less numerous and the community prosecutions staff takes a more active role in identifying cases.
- Vertical prosecution is a key feature of the program and a major departure from the normal "horizontal" system for handling cases within the State's Attorney's Office.
 - The "horizontal" system is a process in which each stage in a criminal case is handled by a specialist who works only on that stage.
 - o This approach to case handling is necessitated by the large volume of cases and the organization of the Cook County Circuit Court system.
 - In the "vertical" system, an individual attorney is responsible for all stages of a case, and he or she accompanies the case through the courts from the preliminary hearing stage to the felony or misdemeanor trial stage as necessary.

PRESENT SITUATION (Cont'd)

ORGANIZATION, STAFFING
AND LOCATIONS

- The Community Prosecutions Section is assigned to the Criminal Prosecutions Bureau and the Program Supervisor reports directly to the Chief - Municipal Division.
 - The section is assigned to the Municipal Division because a large number of its activities are carried out in preliminary hearing and misdemeanor courts in that division.
- As of June 1, 1978, the staff consisted of the Program Supervisor, four Community Prosecutors, three Administrative Assistants and four Clerks, as shown on Exhibit V-1.
- The three neighborhood offices are located at:
 - 4021 North Broadway (Northside)
 - 4300 West Madison Street (Westside)
 - 6300 South Halsted Street (Southside).
- Each community office covers several Chicago Police Districts.
 - The Northside office covers cases from Police Districts 19, 20 and 23; the Westside office covers cases from Districts 11, 12 and 15; and the Southside office covers cases from Districts 6, 7, 8 and 9, with most of the input coming from District 7.
- This Police District coverage is illustrated in Exhibit V-2.

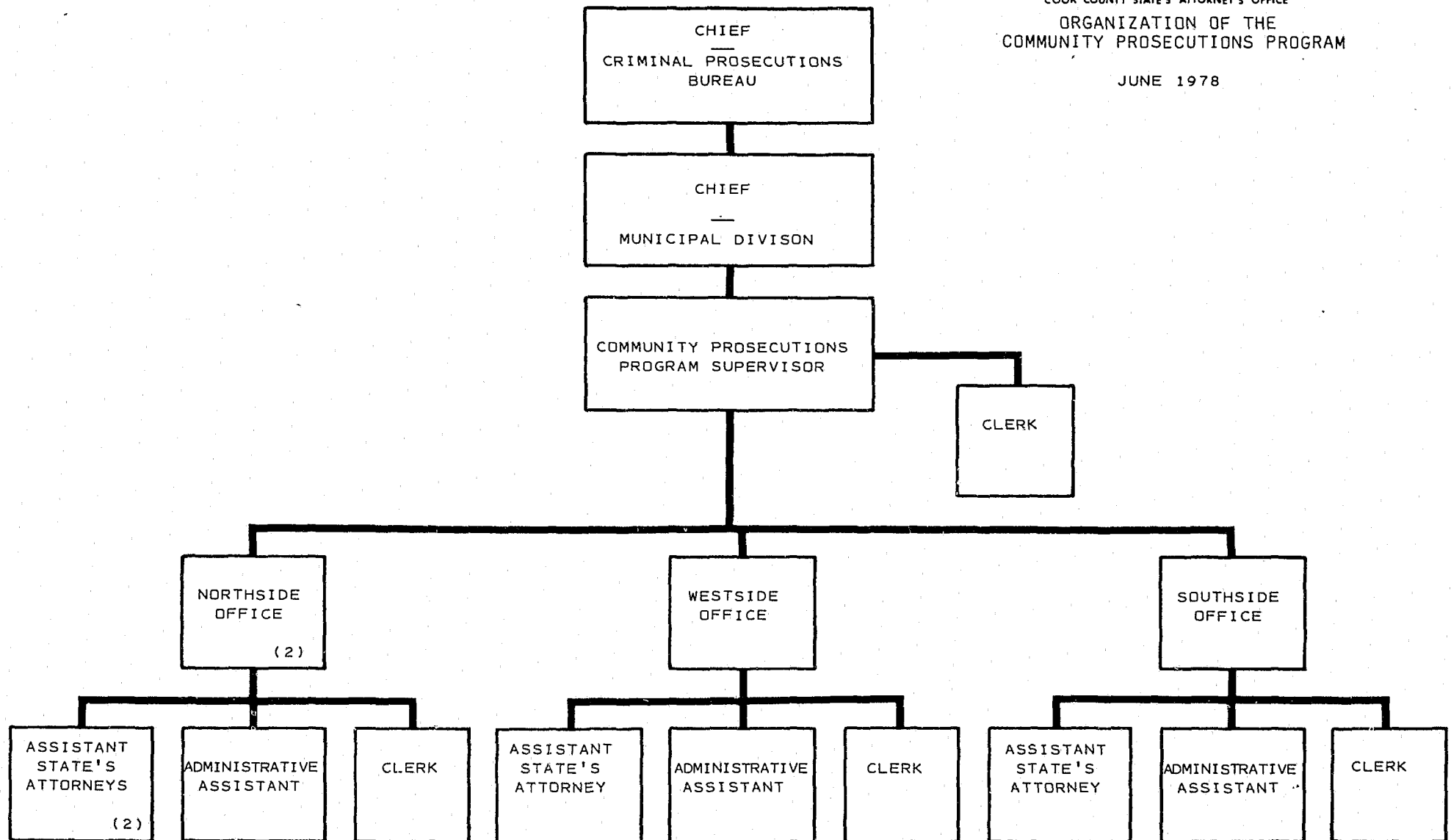
OPERATIONS
AND CASELOAD

Operating Guidelines

- In an attempt to minimize the potential problem of redundant effort on cases between the horizontal and vertical prosecution systems, the State's Attorney issued the following operating guidelines:
 - The community offices select cases of importance to the community and begin activities after the charges are approved.

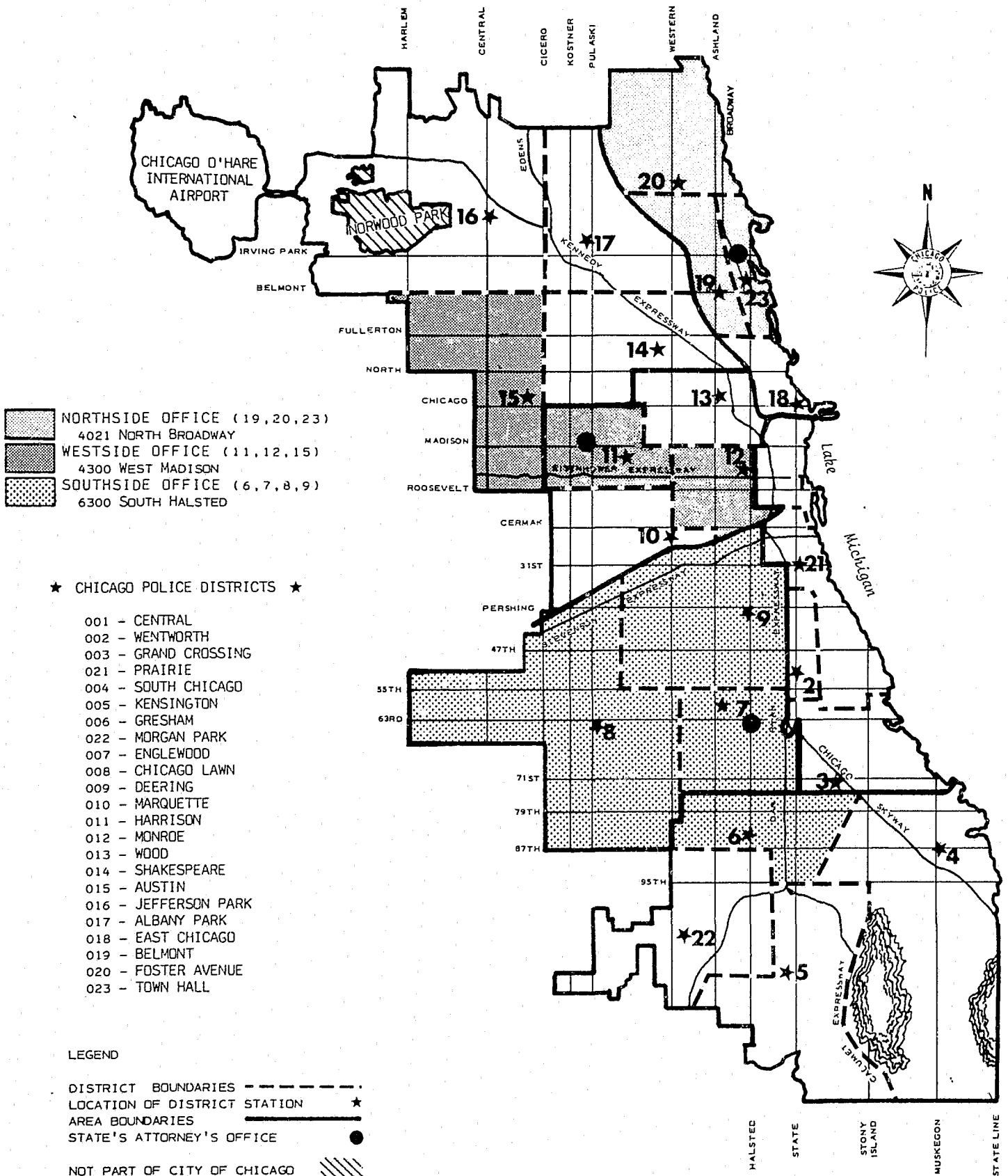
COOK COUNTY STATE'S ATTORNEY'S OFFICE
ORGANIZATION OF THE
COMMUNITY PROSECUTIONS PROGRAM

JUNE 1978



COMMUNITY PROSECUTIONS OFFICES AND THE POLICE DISTRICTS THEY SERVE

EXHIBIT V-2



PRESENT SITUATION (Cont'd)

- When a charge is filed, the program is responsible for the case at every phase of prosecution.
- In the felony trial courtrooms, the Community Prosecutor is responsible for preparing the case subject to the review and approval of an experienced trial assistant assigned to that courtroom.
- The Community Prosecutor should work with a designated courtroom Assistant State's Attorney, on matters such as pleas and trial strategies.
- In addition, the community office should serve "the public on many matters," including victim and witness advice.

Principal Staff Activities

- The Program Supervisor's daily activities are divided between administrative and trial work.
 - He spends about 60 per cent of his time on administrative work:
 - o Planning, training and managing the attorneys and support staff in each office
 - o Doing community development work, such as attending meetings, giving speeches and making individual contacts.
 - About 40 per cent of his time is spent preparing for and conducting trials.
 - o His cases are usually arson cases, overflow cases from the three offices and cases that are of immediate or strategic importance to the communities and the program.
 - o The supervisor elects to prosecute both felony and misdemeanor cases.
- The Community Prosecutors' major daily activities involve preparing for and trying cases (60 per cent) and participating in community work (40 per cent).
 - Case preparation and trial activities involve work with the Administrative Assistants, community groups, victims and witnesses and felony trial attorneys.

PRESENT SITUATION (Cont'd)

- For most of the attorneys, a large portion of the community work occurs in the evening hours and involves meetings, speeches, problem-solving sessions with community groups and educational presentations concerning the criminal justice system.
- The Administrative Assistant's time is generally spent on community liaison work, criminal case functions and office management.
 - Community liaison work involves from 25 to 35 per cent of the daily activities.
 - o It usually includes individual and group contact during and after normal working hours and one-on-one counseling, educational presentations, planning sessions and other activities.
 - Case work ranges from 40 per cent to 50 per cent of the Administrative Assistants' activities.
 - o They work with the police, community groups, victims and witnesses, and attorneys to accept cases and to coordinate and facilitate activities of individuals and groups involved in those cases.
 - Office management requires about 25 per cent of their time and involves coordinating the office staffs, ordering supplies, maintaining files and processing needed records and correspondence.

Caseload

- Current operating policies of the offices have expanded the scope of case acceptance criteria to include the following:
 - A series of cases with a pattern - e.g., gang cases, "bad guy" (repeat offender) cases, neighborhood burglaries or vandalism
 - Single incidence cases involving a heinous crime - e.g., murder and rape
 - Cases, often singled out by community groups, which are important to a neighborhood because of specific characteristics - e.g., gang violence against neighborhoods, health and safety violations by landlords.

PRESENT SITUATION (Cont'd)

- The workload of the Community Prosecutions Program was analyzed using 1977 calendar year statistics for felony and misdemeanor cases.
- Three types of statistics were available:
 - Total charges handled
 - Cases disposed of
 - New charges.
- Exhibit V-3 shows that in all three areas, felony cases made up 70 per cent or more of the program's activities.
- Exhibit V-4 displays the portion of guilty dispositions achieved in 1977 by type of case.
 - In all categories of charges, except murder, the program achieved guilty verdicts for most cases.

RELATIONSHIPS OUTSIDE
THE OFFICE

- The primary relationships of the Community Prosecutors outside of the offices are with community anticrime groups, other community organizations, individual victims and witnesses, and local police district personnel.
- Some of the community anticrime groups are:
 - Organization of the Northeast
 - Lincoln Park Conservationist Group
 - Epic Area Group
 - West Hamlin Group
 - Kenmore-Wellington Association
 - Northtown Community Group
 - Organization of the New City
 - Jackson Park - Highlands Organization

COOK COUNTY STATE'S ATTORNEY'S OFFICE
COMMUNITY PROSECUTIONS WORKLOAD STATISTICS
 1977

	<u>Total Charges Handled(a)</u>		<u>Cases Disposed Of(b)</u>		<u>New Charges(c)</u>	
	<u>Number</u>	<u>Per Cent Of Total</u>	<u>Number</u>	<u>Per Cent Of Total</u>	<u>Number</u>	<u>Per Cent Of Total</u>
Felonies	254	77.4%	141	72.7%	163	70.9%
Misdemeanors	<u>74</u>	<u>22.6</u>	<u>53</u>	<u>27.3</u>	<u>67</u>	<u>29.1</u>
Total	328	100.0%	194	100.0%	230	100.0%

(a) Defined by Community Prosecutions as charges that received some action in 1977.

(b) Cases from 1976 and 1977 that have been brought to disposition.

(c) Charges filed in 1977 only.

COOK COUNTY STATE'S ATTORNEY'S OFFICE

COMMUNITY PROSECUTIONS PROGRAM FELONY CASE
DISPOSITIONS BY CHARGE

1977

Charge	Dispositions						Total Number Of Cases
	Guilty		Not Guilty		Other		
	Number	Per Cent	Number	Per Cent	Number	Per Cent	
Burglary	19	86.4%	-	-	3	13.6%	22
Arson	18	85.7	-	-	3	14.3	21
Armed Robbery	16	76.2	-	-	5	23.8	21
Aggravated Battery	14	82.4	-	-	3	17.6	17
Rape	10	83.3	1	8.3%	1	8.3	12
Robbery	9	75.0	3	25.0	-	-	12
Attempted Murder	4	66.7	-	-	2	33.3	6
Voluntary Manslaughter	4	100.0	-	-	-	-	4
Attempted Burglary	4	80.0	-	-	1	20.0	5
Deviate Sexual Assault	3	75.0	1	25.0	-	-	4
Indecent Liberties	3	100.0	-	-	-	-	3
Criminal Damage To Property	3	100.0	-	-	-	-	3
Conspiracy	2	100.0	-	-	-	-	2
Attempted Rape	2	100.0	-	-	-	-	2
Attempted Arson	1	100.0	-	-	-	-	1
Attempted Armed Robbery	1	100.0	-	-	1	50.0	2
Unlawful Use Of A Weapon	1	100.0	-	-	-	-	1
Attempted Indecent Liberties	1	100.0	-	-	-	-	1
Aggravated Incest	1	100.0	-	-	-	-	1
Murder	-	-	1	100.0	-	-	1
Total	116	82.3%	6	4.3%	19	13.5%	141

Note: Percentages are rounded.

PRESENT SITUATION (Cont'd)

- Woodlawn (TWO) Organization
 - Alston Leisure Time Council
 - St. Mills Parents Organization
 - West Garfield Urban Program Center
 - Lawndale Urban Program Center
 - Senior citizens groups
 - Smaller block clubs.
- The community organizations include churches, schools, alderman service offices, Chicago Department of Mental Health, the Federal Drug Abuse Program and other governmental offices.
 - Relationships with victims and witnesses usually involve ensuring that these individuals know where their cases are in the system, when they need to appear and securing escort assistance for them if they are immobilized or, as has occurred in a few cases, have been threatened.
 - Unlike the victim/witness programs that are now maintained at selected court sites, this service provides contact with the victims/witnesses beginning at the community and continuing through the court session.
 - Police in the neighborhood sometimes alert the attorneys about arrests of specific individuals who are known as repeat offenders in the communities.

SOURCES
OF CASES

- Cases that reach the program are mainly generated by five sources - community groups, police, other Assistant State's Attorneys, Community Prosecutors and citizens.
 - The following presents best estimates of case sources for each of the offices:

<u>Office</u>	<u>Community Groups</u>	<u>Police</u>	<u>Other State's Attorneys</u>	<u>Community Prosecutions Attorneys</u>	<u>Citizens</u>
Northside	75%	2%	2%	20%	1%
Westside	30	5	30	25	10
Southside	80	-	-	-	20

PRESENT SITUATION (Cont'd)

FUNDING

- The Community Prosecutions Program is largely funded by ILEC.
 - Cook County has provided funds for salaries for extra attorneys as the caseload demanded.
- The funding history of the program is given in the following table:

<u>Funding Period</u>	<u>County Funds</u>	<u>Estimated Grant Funds(b)</u>	<u>Total</u>
March 1, 1976 - May 31, 1977	-	\$308,000	\$308,000
June 1, 1977 - May 31, 1978	<u>\$18,000(a)</u>	<u>184,900</u>	<u>202,900</u>
Total	\$18,000	\$492,900	\$510,900

- (a) Estimate of Cook County support while attorneys were temporarily assigned to Community Prosecutions.
- (b) Estimated grant funds may be high because data from program administrative reports indicates actual spending is less.

OBSERVATIONS

The Observations Section discusses the achievements of the Community Prosecutions Program and the benefits the program provides to the communities.

The Community Prosecutions Program Has Acted Within Its Primary Mission By Successfully Prosecuting Felony And Misdemeanor Criminal Cases Important To Local Communities

- Interviews with organizations and individuals in the three communities generally confirmed that the offices seek or accept cases that are important to each community.
 - Community groups have referred vandalism cases and violent gang crimes (such as murders, rapes, aggravated batteries) and other heinous crimes and the offices have been responsive to these referrals by aggressively pursuing those cases that are worthy of prosecution.
- In addition, police in general indicated that the efforts of the offices were productive; some police district offices have established information systems with the community offices to facilitate working relationships.
 - Weekly reports of arrests are supplied to one Community Prosecutions office.
- Each office has responded to its own area's need for community awareness and to community demands for help with crime by supplying services that the area can most readily use.
 - On the Northside, community group organizations are the strongest, and attorneys and the Administrative Assistant spend a significant amount of time working with cases referred by these groups.
 - On the Westside, where extremely poor economic conditions, high crime, residential instability and distrust of the criminal justice system deter numerous community organizations from forming, the work of the Administrative Assistants and attorneys has been with individuals and, to a somewhat lesser extent, with community church groups, schools and clubs.
 - On the Southside a large number of cases are referred by groups which the Administrative Assistant has helped to organize through educational programs and other services; these groups attempt to deal with rising crime in their neighborhoods.

OBSERVATIONS (Cont'd)

- Equally as important as case selection is the effort made to concentrate on prosecution of community felony crimes.
 - In 1977, 70 per cent of cases disposed of were felonies.
- From the point of view of citizens interviewed and the Program Supervisor, the prosecution of misdemeanors is also important because the volume of misdemeanors in these high-crime communities demoralize and decay communities when left unattended.

The Community Prosecutions Offices Have Provided Some Benefits To Their Respective Community Areas

- Felony cases handled by Community Prosecutors result in better conviction rates than cases handled by other Assistant State's Attorneys in the felony trial courts because they are selected out for special attention.
 - Exhibit V-5 shows that in 1977, the offices achieved an 82.3 per cent conviction rate in felony trials compared with attorneys in felony trial courts who had a 57.8 per cent rate.
 - Furthermore, the felony trial courts had a higher rate of SOL (stricken off with leave to reinstate) dispositions in 1977 than the Community Prosecutions offices.
 - o SOL dispositions occur when a witness or other important case element cannot be located at the time of trial.
- Another benefit, which is less tangible but can be demonstrated in part, is the revival of neighborhood faith in the criminal justice system as a process that responds to community needs.
 - Community groups interviewed expressed the belief that the Community Prosecutor was "their" attorney, representing their interests and rights as victims in the court system during the trials of critical neighborhood cases like gang violence and murder.
 - The work that the offices do in organizing community groups and educating them in the operations of the criminal justice system has helped to create neighborhood networks which have brought cases of communitywide impact to the offices and helped locate and escort victims and witnesses (some of whom have been reluctant to appear or hard to locate) at the proper times to the courtroom.

COOK COUNTY STATE'S ATTORNEY'S OFFICE

FELONY TRIAL COURT DISPOSITIONS
COMPARED WITH COMMUNITY PROSECUTIONS FELONY DISPOSITIONS
 1977

<u>Felony Disposition</u>	<u>Attorneys In Felony Trial Courts</u>		<u>Community Prosecutors</u>	
	<u>Number Of Cases</u>	<u>Per Cent Of Total</u>	<u>Number Of Cases</u>	<u>Per Cent Of Total</u>
Guilty				
Bench trial	723	5.9%	7	4.9%
Jury trial	346	2.8	9	6.5
Plea	6,060	49.1	100	70.9
Subtotal	7,129	57.8%	116	82.3%
Nolle Prosequi	749	6.1%	4	2.8%
SOL	1,935	15.7	12	8.5
Other Discharge(a)	2,522	20.4	9	6.4
Total	12,335	100.0%	141	100.0%

(a)Includes not guilty findings and defendants committed to mental health facilities.

OBSERVATIONS (Cont'd)

Vertical Prosecution Is More Costly Than Horizontal Prosecution

- Community Prosecutors had fewer cases per attorney in 1977 than felony trial attorneys:

	<u>Felony Trials Courts(a)</u>	<u>Community Prosecutions Sections</u>
Attorneys	133	4
Felony dispositions	12,335	141
Average dispositions per attorney	93	36

(a) Daley Center, Maybrook, 13th and Michigan,
Criminal Court Trial Section, and Second,
Third, Fourth and Sixth Municipal Districts.

- These statistics indicate that the vertical prosecution system is more costly than the horizontal system.

OPPORTUNITIES FOR IMPROVEMENT

This section concentrates on issues concerning the vertical and horizontal prosecution systems and a staffing problem.

Actual Vertical Prosecution Operations In The Courtroom Diverge From Proposed Operations

- The ILEC grant stipulates that the Community Prosecutor is responsible for a case in his or her charge, but in a number of courtrooms some Community Prosecutors are not permitted to function as "second chairs" or even "third chairs," the most junior level.
- There are three basic reasons for this occurrence.
 - The vertical prosecutions system is superimposed on a horizontal system, which creates conflicts between the systems.
 - There is a strong prosecutorial "ethic" in the trial courts, and interruptions of operations, such as Community Prosecutors' cases, are not welcome.
 - Finally, Community Prosecutors overall have been relatively inexperienced in felony trial work which places them in subordinate positions in the courtroom.
 - o In general, Community Prosecutors have had only brief experience in traffic, juvenile and First Municipal Section (preliminary hearing) courtrooms.
- The reluctance of some trial supervisors or first chairs to permit Community Prosecutors to prosecute their cases means that felony trial assistants use the Community Prosecutors' preparation to prosecute the cases.

Divergence From Proposed Operations Has Resulted In Some Misuse Of Resources

- Low use of Community Prosecutors in the trial courtrooms has not resulted in a low conviction rate, but it does result in manpower redundancy and a misuse of the intent of the program.
- Felony trial attorneys can use the case information supplied by the Community Prosecutor to obtain convictions and to strengthen sentencing in some cases.
 - In these cases, a Community Prosecutor takes the role of an information liaison between the court and the community, but is not actively prosecuting.

OPPORTUNITIES FOR IMPROVEMENT (Cont'd)

- The cost per case increases further when manpower redundancy in the courtroom is considered.
 - When the Community Prosecutor steps into a trial court, a felony trial attorney is theoretically displaced, and his or her manpower at that point is redundant.
 - Manpower redundancy also occurs when the Community Prosecutor is not permitted to second chair his or her own case in the trial courts.
- Furthermore, when the regular trial court assistant is performing the major parts of a trial, Community Prosecutors do not get the kind of felony trial experience they hope for during their Community Prosecutions assignment.

The Program Supervisor Has Difficulty Recruiting Attorneys With Sufficient Trial Experience

- Since Community Prosecutions is not on the main path to felony trial court work, and has characteristics which make it less appealing to the career-oriented prosecutor, Assistant State's Attorneys are reluctant to take assignments in the community offices.
 - Most assistants would rather follow the career path progression described in Chapter III.
 - In addition, increased community involvement, particularly in the evening hours with groups that are sometimes very demanding, does not appeal to most assistants.
- The Program Supervisor has asked for staff recommendations from trial court supervisors, but the results have not been satisfactory.
- Staffing problems become more difficult when community groups request that Community Prosecutors stay for more than a year in the neighborhood offices.

OPPORTUNITIES FOR IMPROVEMENT (Cont'd)

The Community Prosecution Program Has Apparently Achieved
The Results Envisioned By Its Objectives But By Different
Methods Than Originally Intended

- As written, the program objectives include one to "concentrate on vertical prosecution" of cases which are of particular concern to the community.
 - This appears to be more nearly a statement of a methodology to be followed than a statement of results sought.
- While there have been problems with this methodology, the other results-oriented objectives of the program essentially have been met.

RECOMMENDATIONS

This section recommends modifications in the methods and objectives of the program and in the role of the Community Prosecutor.

The Community Prosecution Program Objectives And Methods Should Be Revised In The Light Of The Programs Original Intent And After Consultation With Court And Other Criminal Justice Personnel

- It appears quite practicable to alter the methods the Community Prosecutions Program employs to retain the features which benefit the community while eliminating the features that do not work as originally planned and which are not productive.
 - Vertical prosecution is a concept which is difficult to manage when it is overlayed on an essentially horizontal system, and one that is costly on a per-case basis.
 - Based on actual experience, it appears that originally-intended community benefits can be achieved without the use of vertical prosecution.
 - What apparently has benefited the limited number of communities involved is the presence of staff who can work with community groups and serve as a link to the system in focusing prosecutorial attention onto cases which are especially important to a community with special problems, but which might otherwise seem routine when treated in the horizontal legal system.
 - It does not appear as necessary for Community Prosecutions attorneys actually to prosecute cases as it is for them to facilitate prosecution, promote the availability and cooperation of witnesses and make sure that the courtroom prosecutors are fully supported.
 - Redefining the role of the Community Prosecutor in this way would allow each of them to handle more cases, and allow for the use of less experienced attorneys in the role, alleviating the competition for seasoned attorneys among various units of the State's Attorney's Office and lowering per case costs.

RECOMMENDATIONS (Cont'd)

- Operating the program under such a concept for a further limited period would allow subsequent evaluation of the modified program's long-term benefits to communities with special needs.

Staffing For The Community Case Coordinator Positions Should Continue To Come From The Junior Attorneys In The Office

- It would be advantageous to continue to staff the offices with junior attorneys who could benefit by an exposure to and working relationship with the felony trial attorneys in a nonadversarial role.
- Staffing the offices with attorneys is desirable for proper case preparation and monitoring.
 - It is also desirable to continue effective prosecutorial liaison work with community groups who would be disturbed by the withdrawal of "their" attorneys.
- Staffing would require a rotational system in which relatively new assistants would spend six months to a year in the coordinator positions.

VI - CIVILIAN INVESTIGATIVE PROGRAM

PRESENT SITUATION

The State's Attorney's Office receives investigative services from several sources: its own Civilian Investigative Section, the Sheriff's Police Department, the Chicago Police Department, the Illinois Department of Law Enforcement and the Illinois Bureau of Investigation. The Civilian Investigative Section and a detail of Sheriff's Police make up the Investigative Division of the Legal Support Bureau. This division provides the office with ongoing investigative services. Other local and state agencies serve the State's Attorney on a case by case basis.

This chapter begins with a description of the operations of the Investigative Division, focusing on the Civilian Investigative Section. It then offers observations and recommendations to improve the Division's operations. The section that follows describes the Division's objectives, investigative services, organization, staffing, funding and other pertinent information. The Civilian Investigative Section has undergone extensive changes in the past year. Part of these changes have been in response to suggestions and recommendations incorporated in the "Interim Evaluation Report." Therefore, this chapter addresses the Civilian Investigative Section as it existed on June 1, 1978, and assumes that all changes recommended in the interim report relating to Civilian Investigation have been implemented.

CIVILIAN INVESTIGATIVE SECTION

Objective

- The basic objective of the Civilian Investigative Section, as stated in ILEC grant applications, is to provide direct investigative support to Assistant State's Attorneys by aiding them in case development and preparation.
- The employee's manual of the State's Attorney's Office describes the Civilian Investigative Section as follows:

These investigators satisfy the needs of the Special Prosecutions and Civil Actions Bureaus by primarily working directly for the various Assistant State's Attorneys in the preparation of cases of both a criminal and civil nature. This section also works on technical investigations of complicated financial crimes, delinquent tax cases, criminal housing and special investigations.

PRESENT SITUATION (Cont'd)

Investigative Services

- Civilian Investigators are undeputized investigators hired and supervised by the State's Attorney's Office.
 - They are not armed and do not have the authority to make arrests.
- There are two types of Civilian Investigators: general and financial.
 - The financial investigators work exclusively on financial crimes, and general investigators may work on a variety of cases.
- The services rendered by Civilian Investigators include:
 - Locating victims, witnesses and suspects
 - Interviewing victims, witnesses and suspects
 - Locating and retrieving documents and files
 - Locating and retrieving criminal background sheets
 - Transporting victims and witnesses
 - Taking complaints
 - Serving subpoenas
 - Following up on consumer complaints
 - Inspecting buildings
 - Conducting a surveillance
 - Writing reports
 - Preparing spread sheets
 - Filing, photocopying, microfilming
 - Preparing for and attending court or grand jury hearings.

PRESENT SITUATION (Cont'd)

Organization And Staffing

- In January 1978, the Civilian Investigative Section consisted of 47 Civilian Investigators including a Chief Investigator; the section was divided into three groups:
 - The Chief Investigator's Strike Force consisting of 17 investigators
 - A group of 23 investigators assigned to the Special Prosecutions Bureau
 - A group of 6 investigators assigned to the Civil Actions Bureau.
- During April 1978 the section was reorganized, partly in response to recommendations resulting from this study's interim report.
 - The Chief Investigator's Strike Force was disbanded and the investigators were reassigned to the Special Prosecutions Bureau, bringing the total number of investigators in that bureau to approximately 40.
 - The position of Chief Investigator was eliminated.
- The Chief - Special Prosecutions Bureau has direct line authority over the investigators assigned to that bureau.
 - The investigators working in the Special Prosecutions Bureau have been assigned to nine areas within the bureau.
 - The bureau chief has delegated his direct line authority to the Assistant State's Attorneys who supervise these areas.
- The Chief - Civil Actions Bureau has direct line authority over the six investigators working in that bureau.
 - He has assigned investigators to four sections of the bureau and has delegated his direct line control to the Assistant State's Attorneys who supervise these sections.

PRESENT SITUATION (Cont'd)

Funding

- From 1974 through 1977 the State's Attorney's Office financed the Civilian Investigative Section with funds provided by Cook County and ILEC grants (Exhibit VI-1).
- During this period, the section had an average of 51 investigators.
 - Fifteen of these positions, or about 30 per cent of the total staff, were supported by grant funds.
- Total Cook County and ILEC funds supporting the investigators' salaries ranged from \$835,853 in 1974 to \$930,669 in 1977.
 - Grant funds used for these salaries averaged \$240,129 per year; these funds represented 27 per cent of the total average funds available.
 - County funding ranged from \$595,724 to \$690,540 per year during the same period.
- During 1977 Civilian Investigators were classified into Grades I through IV with annual salaries ranging from \$14,748 to \$26,148; the average annual salary is \$18,100.

SHERIFF'S POLICE SECTION

Objective

- The objective of the Sheriff's Police Section is stated in a General Order from the Sheriff's Police Department:

It will be the policy of the Sheriff's Police Department to provide the State's Attorney's Office with police personnel who will satisfy the investigative needs of the organizational dimension of the State's Attorney's Office known as the Criminal Prosecutions Bureau. In addition, members of this Division will exercise their arrest powers at the legal direction of Assistant State's Attorneys assigned to the Special Prosecutions Bureau or Civil Actions Bureau as the need may dictate. However, such law enforcement practices by Sheriff's Police personnel shall be in concert with all Department rules and regulations which govern such investigative and law enforcement conduct. Officers when exercising

COOK COUNTY STATE'S ATTORNEY'S OFFICE

CIVILIAN INVESTIGATIVE STAFFING AND BUDGET AND GRANT FUNDING(a)
1974 Through 1977

<u>Source</u>	<u>1974</u>		<u>1975</u>		<u>1976</u>		<u>1977</u>		<u>Four-Year Average</u>	
	<u>Staff</u>	<u>Funds</u>	<u>Staff</u>	<u>Funds</u>	<u>Staff</u>	<u>Funds</u>	<u>Staff</u>	<u>Funds</u>	<u>Staff</u>	<u>Funds</u>
Grant(b)	15	\$240,129(d)	15	\$240,129	15	\$240,129	15	\$240,129	15	\$240,129
County(c)	<u>38</u>	<u>595,724</u>	<u>37</u>	<u>653,208</u>	<u>35</u>	<u>625,872</u>	<u>35</u>	<u>690,540</u>	<u>36</u>	<u>641,336</u>
Total	53	\$835,853	52	\$893,337	50	\$866,001	50	\$930,669	51	\$881,465

(a)Includes investigators and equipment technicians.

(b)ILEC Grants 1463, 2092, 2128, 2640; funds
averages since the grant periods did not coincide
with calendar years.

(c)Cook County budgets 1974 through 1977.

(d)Estimated from 1975-1977 grant funds.

PRESENT SITUATION (Cont'd)

arrest powers pursuant to legal direction from Assistant State's Attorneys will be held strictly accountable for their behavior as it relates to the tactical enforcement efforts they employ during the arrest; to wit, type and manner of its application. Finally a scheduled plan of rotation for personnel assigned to this Division will be effected in accordance with the guidelines established herein.

Investigative Services

- Sheriff's Police Investigators are deputized and they have the authority to carry weapons, make arrests and serve warrants and subpoenas.
 - These investigators render many of the same services as Civilian Investigators, but the scope of their work differs.
- The Sheriff's Police assigned provide support primarily in courtrooms where the State's Attorney's Office is prosecuting a charged case; they generally do not get involved in investigations initiated by the Special Prosecutions Bureau.
- This limitation on the scope of Sheriff's Police activities is based on Sheriff Department policy and is one of the reasons that an in-house investigative function (Civilian Investigative Division) was established in the Office.

Organization And Staffing

- As of January 1978, the Sheriff's Police Section consisted of 100 Sheriff's Police Investigators commanded by a Sheriff's Police Captain who coordinates the assignment of investigators with the Chief Administrative Officer - Legal Support Bureau.
- The section is made up of five units; four units operate from the criminal trial courts and one unit is located at the Cook County Jail.
 - Thirty-five investigators work at the 26th and California trial courts, including a supervising sergeant.

PRESENT SITUATION (Cont'd)

- Nineteen investigators work at the 13th and Michigan trial courts, including a supervising lieutenant.
- Twenty-one investigators work at the Daley Center, including a supervising sergeant.
- Fifteen investigators operate from Maybrook Square, including a supervising sergeant.
- The witness quarters in the Cook County Jail are guarded by ten investigators, including a supervising lieutenant.

Funding

- The salaries, equipment and other expenses of the Sheriff's Police Section are provided through the Sheriff's Police Department budget which is funded by Cook County.
 - No part of this budget is reflected in the State's Attorney's budget.
- The 1978 budget calls for 102 positions for this section at a total cost of \$1,798,104.

OPPORTUNITIES FOR IMPROVEMENT

This section contains observations pertaining to the evaluation of the Civilian Investigative Section. The improvement opportunities are grouped under two headings:

- Mission, Organization And Staffing
- Management Procedures.

MISSION, ORGANIZATION AND STAFFING

The Missions Of Special Prosecutions Bureau Divisions And The Civilian Investigative Section Are Not Well Defined, Leading To The Improper Use Of Civilian Investigators

- The missions of the divisions within the Special Prosecutions Bureau are only informally established and not widely understood in the Office, which has an adverse impact on the planning and use of civilian investigative resources.
 - The boundaries that exist between prosecutor-initiated investigations and investigations initiated by police agencies (local, state and federal) are only vaguely defined and, as a result, some of the bureau's work inevitably overlaps with police investigations.
 - o Ideally, the State's Attorney would use deputized investigators on much of this work.
 - Because the State's Attorney and Cook County officials have purposely restricted the use of Police Investigators in State's Attorney operations, the Office has had to rely upon Civilian Investigators to support Special Prosecutions.
 - These investigations sometimes call for skills or legal authority that are not present within the Civilian Investigative Section.
 - As a result, the absence of a clearly defined investigative mission for the Special Prosecutions Bureau has made it difficult to define the mission of the Civilian Investigative Section.

OPPORTUNITIES FOR IMPROVEMENT (Cont'd)

- Furthermore, interviews with Assistant State's Attorneys and Civilian Investigators have indicated that disagreement exists in the Office regarding the basic role of the Civilian Investigative Section in supporting the Special Prosecutions Bureau.
 - Some believe that Civilian Investigators should perform basic research and clerical functions.
 - Others think that Civilian Investigators should be given the same powers and authorities as the police.
- This lack of agreement on the role of the investigator is reflected in Exhibit VI-2.
 - The exhibit shows the major support services that are required during the investigation and prosecution of a case.
 - It also identifies the investigative personnel who are performing these duties at the current time:
 - o Sheriff's Police Investigator
 - o Civilian Investigator (General)
 - o Civilian Investigator (Financial).
- Investigative personnel are performing basic clerical and general duties that do not require the experience, training, and salaries that many of these investigators have.
 - The most commonly performed duties are:
 - o Locating victims, witnesses and suspects
 - o Interviewing victims, witnesses and suspects
 - o Locating and retrieving documents and files
 - o Locating and retrieving criminal background sheets
 - o Transporting victims and witnesses to and from court.
 - Only the first two duties (i.e., locating and interviewing victims, witnesses and suspects) require the experience and training of investigators.

COOK COUNTY STATE'S ATTORNEY'S OFFICE
 REVIEW OF SUPPORT SERVICES REQUIRED AND
RENDERED BY INVESTIGATIVE STAFF

<u>Support Services</u>	<u>Investigative Personnel</u>		
	<u>Sheriff's Police</u>	<u>Civilian</u>	
		<u>General</u>	<u>Financial</u>
Investigating Crimes			
Taking complaints	X	X	
Conducting field investigations			
Locating and interviewing individuals	X	X	
Conducting surveillance	X	X	
Making arrests	X		
Conducting research			
Locating and retrieving documents and files	X	X	
Locating and retrieving criminal background sheets	X	X	
Locating and examining financial information			X
Other			
Inspecting buildings		X	
Following up on consumer complaints		X	
Assisting In Case Prosecution			
Locating and interviewing victims, witnesses and suspects	X	X	
Locating and retrieving documents and files	X	X	
Serving subpoenas	X	X	
Conducting surveillance	X	X	
Transporting victims and witnesses	X	X	
Preparing for and attending court or Grand Jury hearings	X	X	
General Office Services	X	X	

OPPORTUNITIES FOR IMPROVEMENT (Cont'd)

- When true investigative work is called for, some Civilian Investigators are asked to perform work they are not equipped to perform.
 - Sometimes unarmed Civilian Investigators have been requested to function as Police Investigators.
 - Other times, Civilian Investigators are temporarily deputized to conduct investigations and make arrests when police investigative support is not available.
- As a result, there is a mismatch between the needs of the Office and the skill present in the Civilian Investigative Section, which results in an unsatisfactory and inefficient use of a major staff resource.
 - This situation will be difficult to resolve unless the investigative needs of the Special Prosecutions Bureau have been defined in a way that relates to a clearly defined mission for each division in the bureau.

The Uncontrolled Scope Of The Work Of The Financial Crimes Division Exaggerates The Problems Associated With A Limited Investigative Resource

- The Financial Crimes Division is a unique example of a Special Prosecutions unit with a mission that does not match the investigative skills available.
- In theory, the division should be able to use undeputized investigators, but the complexity of the crimes it handles necessitates special investigative skills which are not currently present in the Office.
 - The Financial Crimes Division is required to examine highly sophisticated financial crimes such as:
 - o Embezzlement
 - o Misrepresentation of financial data
 - o Check and credit card schemes.
 - The investigative staff assigned to this division is small and has limited training in accounting and auditing.

OPPORTUNITIES FOR IMPROVEMENT (Cont'd)

- o None of the eight investigators is qualified as a certified public accountant.
 - o The group has only one senior auditor.
- This lack of skilled investigative resources is aggravated further by the large case load the division is attempting to handle.
 - Partly because the mission of the division has not been formally stated, the Financial Crimes Division is asked to work on many different types of financial crimes.
 - o A substantial number of cases are directed to this Division because this is the only place in the office where white collar and other types of financial crimes can be directed.
 - Although no data are compiled by the office on the number of cases handled each year, the attorneys interviewed said that the division is overloaded with cases and they are able to complete only a limited number.
 - The wide range of cases means that the investigative staff are unable to specialize in a few types of cases and thereby increase their productivity.
- Furthermore, the work of the division seems to overlap with work done by other Cook County criminal justice agencies on financial crimes.
 - The U.S. Attorney's office has a unit specifically created to look at financial crimes and consumer fraud.
 - Some state agencies, such as the IBI, also investigate financial crimes.
 - Local police perform limited investigations of such crimes as well.
 - It is probable that State's Attorney staff is struggling with technical aspects of cases in which another agency is already highly proficient.

OPPORTUNITIES FOR IMPROVEMENT (Cont'd)

- In sum, the office appears to be making only a limited impact on financial crimes in Cook County, and it may be obtaining only limited benefits from the investigative resources applied to this area.

MANAGEMENT PROCEDURES

The Performance Appraisal Process Is Inadequate And Hinders Cooperation Between Attorneys And Investigators

- The Civilian Investigative Section has no well-designed and well-documented process to help Assistant State's Attorneys evaluate the performance of Civilian Investigators as an input for their salary review, promotion and training.
- The existing performance appraisal process lacks support and credibility for several reasons.
 - Performance appraisals are not considered to have a direct impact on promotion or salary.
 - The evaluation form being used by the Civilian Investigative Section is used by various police agencies and is not adequate for rating the performance of Civilian Investigators in their present activities.
 - o The current evaluation form is found in Appendix C.
 - An Assistant State's Attorney is required to rate the investigator working for him or her, but since no job description or norm is available, performance expectations are not communicated to the evaluator and the person being evaluated.
- In summary, the lack of a uniform performance appraisal and salary review system has hindered the successful implementation of attorney/investigator teams and may contribute to a morale problem.

Methods For Measuring And Recording Investigative Work Are Inaccurately Defined

- Precise methods have not been instituted for measuring the workload of the Civilian Investigative Section and for documenting the investigative work requested and accomplished.

OPPORTUNITIES FOR IMPROVEMENT (Cont'd)

- "Work units" are not clearly defined or understood by investigators and Assistant State's Attorneys.
 - A "work unit" is a "case."
 - A "case" is defined as "any unit of work in which manhours are expended."
 - "Cases" are broken down into "activities," and "activities" have not been defined.
 - o For instance, one person may consider a three-hour interview with one witness to be one "activity," and another person may consider retrieving five files to be five "activities."
- The level of detail and the quality of the documentation of requested and accomplished investigative work varies greatly.
 - The Assistant State's Attorneys in the Special Prosecutions Bureau use a request slip to document requests for investigative services, but many of the detailed instructions are communicated orally.
 - When Civilian Investigators complete requested assignments, they have no guidelines for documenting the work they did.
- Since activities are accounted for differently by different people, the activity reports being generated contain inaccurate and unreliable descriptions of the section's workload.
- This absence of reliable workload measures makes it more difficult for Office management to evaluate the required staffing needed to support the Special Prosecutions Bureau and to assess the overall efficiency of the staff currently assigned.
 - Without guidelines for recording the investigative work requested and accomplished, it is not possible to ensure that all of the pertinent facts on an assignment are preserved and understood by both the investigator and the attorney.

RECOMMENDATIONS

This section describes recommendations that address the observations. These recommendations are organized into sections on:

- Policy And Mission
- Staffing
- Management Procedures.

POLICY AND MISSION

The State's Attorney's Office Should Establish And Document Formal Policies Governing The Scope Of Prosecutorial Work That Requires In-House Investigative Staff

- The State's Attorney should develop formal policies to define the needs and role of investigative activities within the Office.
 - Particular emphasis should be given to the missions of the Special Prosecutions Bureau divisions and the Civilian Investigative Section.
- These policy statements should address several inter-related questions, including:
 - What is the role and function of the Special Prosecutions Bureau in initiating investigations, and to what types of cases do these policies apply?
 - What prosecutorial functions and investigations initiated by the State's Attorney require in-house investigative staff?
 - Should the role and scope of work performed by the Sheriff's Police continue to be restricted to courtroom assistance on police-charged cases, or can it be expanded to include investigations initiated by the State's Attorney?

RECOMMENDATIONS (Cont'd)

- How can the Office use local, state and federal police and investigative personnel in Special Prosecutions cases?
- What role will make maximum use of the Civilian Investigators who are not deputized and do not carry weapons?
- One approach to resolving these questions that stresses greater involvement by outside police agencies might result in the following actions:
 - Special Prosecutions could eliminate many of its own investigative activities that overlap with the work of other law enforcement agencies, particularly in the Contraband Control Crime Divisions and the two organized crime Divisions - Investigations and Homicide.
 - o The investigations now performed by these divisions would be referred to local, state and federal police agencies.
 - o These three divisions could operate as review and coordinating units during investigations.

(The coordinating role might involve help in establishing ad hoc task forces to focus on specific crimes. The review function would be analogous to the felony review unit's role with local police.)
 - In another area the State's Attorney might establish a policy that significantly limits the Office's participation in investigations concerning violent crimes.
 - o The actual investigative work in these cases would be left largely to police agencies.
- These policies, if enacted, would justify a staff reduction in the Civilian Investigative Section.
 - It is possible that seven investigator positions currently assigned to Special Prosecutions could be eliminated.
 - The Civilian Investigative Section would still provide some of its current support to that bureau, and to the Civil Actions Bureau, however.

RECOMMENDATIONS (Cont'd)

- Civilian Investigators would continue to help in areas such as locating and interviewing the victims, witnesses and suspects associated with nonviolent (white collar) criminal and civil offenses.
 - o As recommended below, clerical and general duties (such as locating and retrieving documents and files, checking criminal backgrounds and transporting victims and witnesses) for investigators would be eliminated.
- To implement this recommendation, the State's, Attorney should appoint an internal task force to produce recommended descriptions of the missions and roles of the Special Prosecutions Bureau and the Civilian Investigative Section.
 - The task force should write policies that define specific functional duties of Civilian Investigators (e.g., locating and interviewing victims, witnesses and suspects) in each area of the Office that is found to need internal investigative support.
 - The possible changes just mentioned would involve the following units of the Office:
 - o Criminal Housing
 - o Financial Crimes
 - o Official Misconduct
 - o Welfare Fraud
 - o General Litigation
 - o Elections
 - o Reciprocal Support
 - o Workmen's Compensation.
- Writing policy statements associated with the questions cited above should produce several benefits for the Office.
 - The internal investigative staff would be assigned to the duties that match the skills they bring to the job.

RECOMMENDATIONS (Cont'd)

- Specialized investigations that are beyond the capabilities of the internal staff would be handled by police agencies with a greater pool of skills to apply to the task.
- Attorney staff would be required to spend less time performing actual investigative work and be able to devote more time to prosecuting cases.
- Staff reductions in Civilian Investigators assigned to the Special Prosecutions Bureau could be achieved.
- The proposed changes would have the following impact:
 - Assistant State's Attorneys assigned to the Contraband Control Division, the Organized Crime - Homicide Division and the Organized Crime - Investigations Division would receive investigative support from law enforcement officers who have training and experience pertaining to drug and stolen goods traffic, organized crime and homicide related to organized crime.
 - The Office would save approximately \$126,700 in investigator salaries by substituting police support for the seven investigators now assigned to these areas.

The State's Attorney's Office Should Examine And Clearly Define The Scope Of Operations Of The Financial Crimes Division

- The State's Attorney's Office should examine the activities of the Financial Crimes Division and define and publish a detailed description of the division's scope of operations.
 - This effort should be part of the assignment given to the task force already recommended.
 - In this specific area, the task force should describe the Special Prosecutions Bureau's financial crimes mission and how it relates to actions performed by other criminal justice agencies in this area.
- The current experience level and number of investigators available to support financial crimes investigations will realistically dictate a narrowly defined mission for the State's Attorney's Office and require substantial referral of sophisticated cases to other agencies that are better equipped to deal with them.

RECOMMENDATIONS (Cont'd)

- If a broadly defined mission is sought that encompasses a wide range of financial crimes, a program for hiring and training specialized investigative staff should be established.
- If the scope of Financial Crimes is defined and communicated to the rest of the office:
 - Attorneys throughout the Office would refer only those cases that fall within the capabilities of the division.
 - The Office would be able to identify and seek the type of financial investigator it needs to examine these cases.
 - The Office should be able to focus on those crimes with the greatest overall impact for the Cook County community.

STAFFING

Investigator Positions Formerly Associated With The Chief Investigator's Strike Force Should Be Eliminated

- The State's Attorney's Office has implemented the recommendation to eliminate the Chief Investigator's Strike Force; it is now recommended that serious consideration be given to eliminating many of the investigators formerly associated with it.
 - At this time, these 17 positions report to the Chief - Special Prosecutions Bureau.
 - It is likely that a thorough analysis of the overall need for investigators in the Office will not identify a need for all 17 additional positions to the Special Prosecutions Bureau.
- The Chief - Special Prosecutions Bureau and the Chief Administration Officer should select and directly assign three Civilian Investigators to the Consumer Complaint Division of the Special Prosecutions Bureau to continue working on consumer fraud cases.
 - One investigator should review case histories with an attorney to identify possible felons, and two investigators should be responsible for locating and interviewing victims, witnesses and suspects.
- This action would leave little opportunity for relocating many of the strike force positions within the Office.

RECOMMENDATIONS (Cont'd)

- The elimination of 14 positions associated with Chief Investigator's Strike Force would produce an annual savings of approximately \$253,400 (based on an average annual investigator salary of \$18,100).
 - These annual savings would have no detrimental effect on the operation of the State's Attorney's Office and would exceed the average annual funds provided by CCCCJC and ILEC grants for the Civilian Investigative Program.

The Special Prosecutions Bureau Should Be Given Additional Clerical And General Support

- The State's Attorney's Office should locate and hire four highly experienced clerical and general employees and designate them for general assignment in the Special Prosecutions Bureau to provide the following services:
 - Locating and retrieving documents and files
 - Locating and retrieving criminal background sheets
 - Transporting victims and witnesses to and from court.
- The use of experienced clerical and general employees would promote better use of Civilian Investigators and furnish attorneys with needed clerical support that is currently delegated to more highly paid investigators.
- These four positions would require approximately \$46,680 a year in added salaries.
 - This estimate is based on the current annual salary that is paid to a Clerk V (\$11,670).

MANAGEMENT PROCEDURES

A Uniform System Of Performance Appraisal Should Be Designed And Implemented For Use In Investigative Staff Salary Reviews And Promotions

- The existing performance appraisal system for investigators should be abandoned and an updated system designed and implemented for use in salary reviews and promotion decisions.

RECOMMENDATIONS (Cont'd)

- The design and implementation of such a system would require several steps.
 - The job description of the Civilian Investigator must be completed in detail; it should cover all major services that they are required to perform.
 - The Chief Administrative Officer - Legal Support Bureau should develop a performance appraisal form.
 - o The form should be tailored for rating the services specified in the job description.
 - o The rating scale should be given, with brief descriptions of whatever ratings are used (e.g., competent, above average).
 - o Detailed instructions accompanying each form should specify that all forms be discussed between the evaluator and the person being evaluated; it should be signed by both individuals.
 - The form should be reviewed and approved by the State's Attorney.
 - The forms and instructions should be circulated to all investigators and attorneys who use civilian investigative services.
 - Forms should be filled out at the end of major assignments or at the end of an evaluation cycle.
 - These appraisals should be used as a key factor in all salary reviews and promotion decisions.
- The use of a well-designed performance appraisal system would have several advantages.
 - It would communicate performance expectations to the persons involved.
 - It would document and justify numerous personnel actions:
 - o Training and development
 - o Promotions

RECOMMENDATIONS (Cont'd)

- o Salary increases
- o Dismissals.

Methods Of Measuring And Documenting Investigative Work Should Be Developed, Documented And Implemented

- Simpler methods for measuring and documenting investigative work should be developed by the Chief Administrative Officer.
- A format should be designed for summarizing and recording major types of work accomplished, and these should be linked to case investigations wherever possible.
 - Investigator time should be divided into major categories, such as fact-finding, interviews, witness location and other.
- Procedures should be developed to incorporate this information in the generation of budgets and work reports.

VII - DRUG DIVERSION PROGRAM

PRESENT SITUATION

This chapter contains the evaluation of the Drug Diversion Program. The evaluation is presented in four sections:

- Present Situation
- General Observations
- Opportunities For Improvement
- Recommendations.

The present situation section describes the background and history of the Drug Diversion Program, its objectives, current organization, staffing, funding, alternative diversion activities and other pertinent information.

INCREASING DRUG ABUSE

- In the late 1960s and early 1970s increasing numbers of people began to use marijuana.
 - In the late 1960s, most of these users were young adults, but by the early 1970s the typical users included teenagers in addition to the young adult population.
- Although statistics are not available for earlier years, the State's Attorney's staff estimated that most of the drug arrests in the early 1970s were for what are currently identified as misdemeanor possession amounts (less than 100 grams of marijuana or 30 pills of barbituates or amphetamines, for example).
 - In addition, they estimate that a significant number of these arrests were for first offenses.
- For the Cook County State's Attorney's Office, the number of drug cases on call per day had increased from about 100 to about 500 in the three years ending in 1971.
 - The increased caseload was straining the available facilities and resources of the county's court system.

PRESENT SITUATION (Cont'd)

RESPONSES OF THE CRIMINAL JUSTICE SYSTEM

Cannabis Control And Controlled Substances Acts

- Before August 16, 1971, marijuana offenders faced the same penalties heroin abusers received.
 - A minimum sentence for possession was 2 to 10 years, probationable.
 - Ten years to life was the sentence for the sale of any amount of the drug.
- In 1971, the State of Illinois enacted the Cannabis Control Act and the Controlled Substances Act which established separate charges and penalties for possession of "Cannabis" (marijuana, hashish and other substances that come from the Cannabis Sativa* plant) and for possession of controlled dangerous substances (opiates, barbituates, amphetamines, or lysergic acid diethylamide - LSD).
 - Penalties for each drug were based on the amount possessed, manufactured or delivered.
 - Under the Cannabis Control Act, possession of less than 30 grams of marijuana constitutes a misdemeanor, as opposed to a felony under earlier law.
- In addition the two acts each created a type of first offender probation; these two probation options are found in section 710 of the Cannabis Control Act and section 1410 of the Controlled Substances Act.
 - They permit the courts to provide a presentence disposition for offenders involved in misdemeanor possession cases.
 - Without entering a judgment of guilt the court may defer further proceedings and place the accused on probation.
 - o These options are generally reserved for persons who have a "clean record" aside from the actual possession charge.

*Cannabis Sativa is the Latin name for the marijuana plant.

PRESENT SITUATION (Cont'd)

- o Under both acts, the court has the option of requiring some form of treatment or creating some other conditions the defendant must satisfy.
- Upon completion of probation, both acts allow the defendant to be discharged without a finding of guilt and the charges against him or her to be dismissed.
 - The offender may then seek record expungement under a separate court action.
- A person may only enjoy one discharge and dismissal opportunity under 710 and 1410 Probations.

Supervision

- In 1976 the State of Illinois enacted a sentence of supervision which provided that a supervision order can be instituted, if the court wishes, for a first offender.
- Supervision permits the offender to carry out a kind of presentence probation in which he/she must remain out of trouble with the law for a particular time period.
- When supervision is successfully completed, the case is not prosecuted any further and charges are dropped.
- Supervision is available for offenders who are charged with any type of misdemeanor, and it has been used frequently for drug-related misdemeanors.

Arrest Record Expungement

- Expungement of an arrest record is possible under Chapter 38, Section 205-6 of the Illinois Revised Statutes.
 - This option is available to any offender who has completed one of the programs described.
 - It also can be employed by persons successfully completing the State's Attorney's Drug Diversion Program.
- It involves petitioning the Chief Judge of the Circuit Court to have the official records of the arresting agency expunged.

PRESENT SITUATION (Cont'd)

- To qualify for expungement, a person must never have been convicted of a criminal offense or charged with a felony or misdemeanor violation.

State's Attorney's Drug Diversion Program

- In the spring of 1970, several members of the State's Attorney's Office and leaders of Chicago therapeutic drug facilities met to organize a program to cope with the volume of first offender drug cases in the court system.
- The Drug Diversion Program was organized formally in late 1970 to divert first offenders out of the court system and to provide them with information concerning the drugs they were abusing.
 - The program employs prosecutorial discretion, with the cooperation of Narcotics Court judges, to divert potential participants from the normal case channels.
 - The program does not use the diversion or probation options that were established in the Cannabis Control and Controlled Substances Acts of 1971.
- The program acted to accomplish the following objectives:
 - Reduce drug abuse in Cook County
 - Inform drug offenders about the psychological, physiological and social effects drugs have on abusers, while also examining the values of those who abuse drugs
 - Give a first-time marijuana or controlled substance (pills) offender a "second chance" in society by offering a program, which when successfully completed, permits the offender to seek record expungement, under a separate law and court action.

DRUG DIVERSION PROGRAM
ORGANIZATION AND STAFFING

- The Drug Diversion Unit is not formally assigned to any of the major bureaus in the State's Attorney's Office; the Program Administrator reports directly to the State's Attorney.

PRESENT SITUATION (Cont'd)

- Informally, the unit has developed an ongoing operating relationship with the Branch 25-57 Unit in the Municipal Division.
 - The State's Attorney's staff in Branch Courts 25 and 57 (Narcotics Courts) prosecutes all drug-related felony and misdemeanor charges at the preliminary hearing stage in the First Municipal District (City of Chicago).
- Internally, the Drug Diversion Unit is organized around its two major operations, the offender intake process and the drug diversion course (Exhibit VII-1).
- A full-time staff of three manages the intake process and oversees the diversion course.
 - This staff (the Program Administrator, a Secretary and an Intake Clerk) is currently located in the courthouse at 26th and California on the second floor.
- Two Program Leaders report to the Program Administrator and are immediately responsible for the quality and content of the drug diversion course sessions.
- The course is conducted by a part-time contract staff consisting of 12 Discussion Leaders, 6 Attendance Clerks and 2 Security Guards and a psychiatrist.
 - The Discussion Leaders are professional drug counselors, leaders of therapeutic community centers and others with experience in drug-type counseling.
 - The psychiatrist works full time with drug addicts in a local hospital.

PROGRAM DESCRIPTION

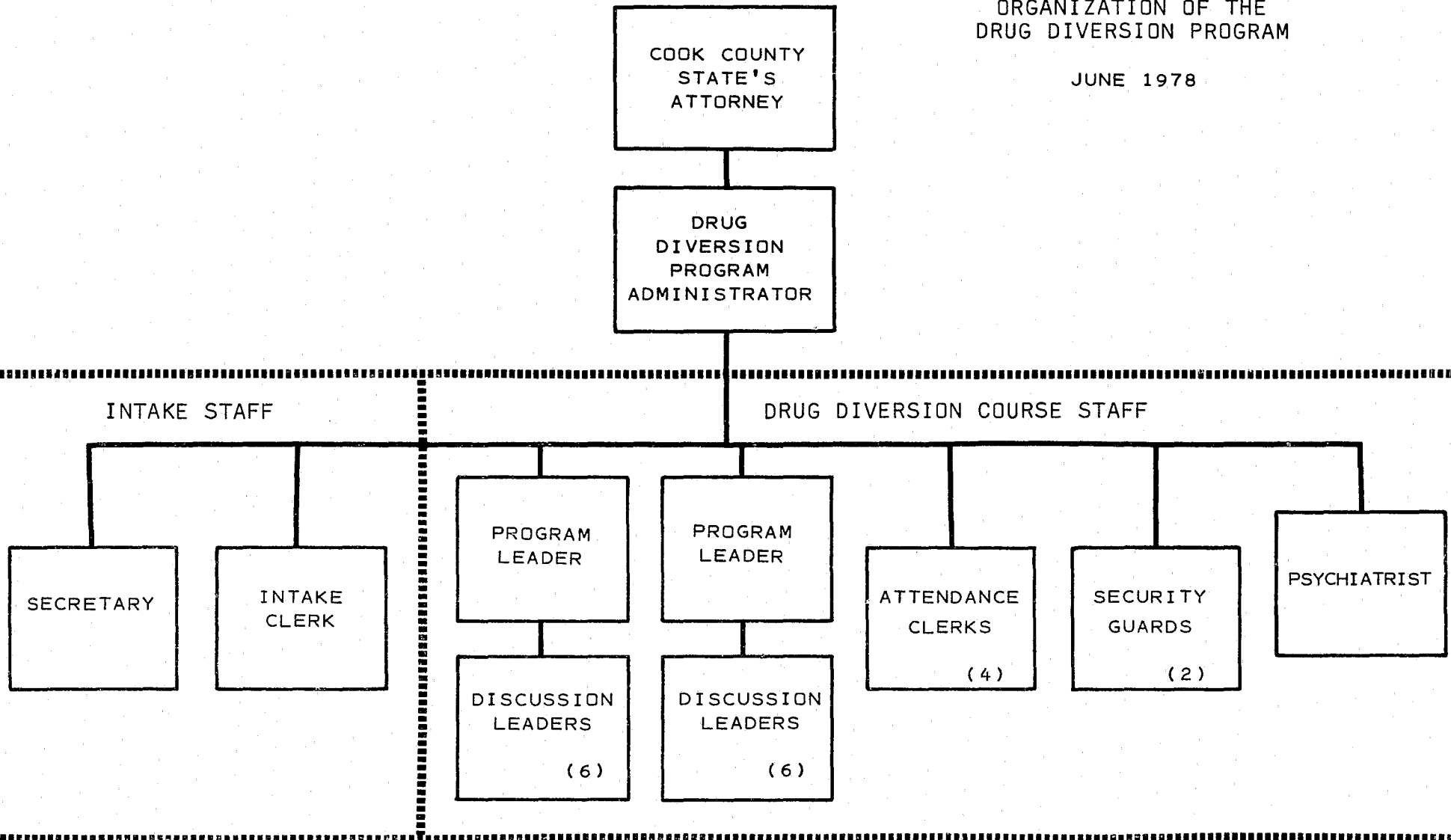
- Candidates for the Drug Diversion Program are identified as their cases are processed in preliminary hearing courts.
 - The criteria for admission are shown in Exhibit VII-2.
- In Branches 25 and 57, the eligible offender goes directly from the courtroom to the nearby Drug Diversion Office where he or she is briefed about the program and scheduled to participate in the program's counseling course.
 - Three documents are signed indicating the offender's understanding and agreement to the program's rules.

CONTINUED

2 OF 3

COOK COUNTY STATE'S ATTORNEY'S OFFICE
ORGANIZATION OF THE
DRUG DIVERSION PROGRAM

JUNE 1978



COOK COUNTY STATE'S ATTORNEY'S OFFICE
CANDIDATE ELIGIBILITY GUIDELINES FOR THE
DRUG DIVERSION PROGRAM

TYPE OF DRUG OFFENSE

The Program is primarily directed toward youthful first offenders charged with possession of less than 100 grams of marijuana or 30 pills of amphetamines, depressants, hallucinogenic drugs, or with obtaining drugs by false pretenses.

ELIGIBILITY GUIDELINES

- Age. Generally, a participant must be under 30 years of age.
- Prior criminal record. A participant must not have had any narcotic, dangerous drug, marijuana or other serious crime conviction.
- Present drug charge. No aggravated circumstances involved, quantity of the drug possessed is relatively small.
- Attitude. An interview is held with the individual in order to determine insofar as possible whether he or she is properly motivated for participation.

Source: ILEC Grant application.

PRESENT SITUATION (Cont'd)

- When the suburban Assistant State's Attorneys or judges in the suburban municipal courts identify offenders as program eligible, the offenders' files can be transferred to appropriate Assistant State's Attorneys in Branch 57 for processing into the Drug Diversion Program.
- The counseling course consists of five Saturday sessions held from 9 a.m. to noon.
 - First offenders are put into groups of 12 to 14 each, and each group is assigned to a Discussion Leader.
 - The discussions consider why people use drugs, the physical effects of drugs and other issues, many of which are raised by group members.
 - On one Saturday the group visits a heroin rehabilitation facility, either Gateway House or Safari House, to talk to young people who have overcome heroin addiction.
- At the end of the course, the cases of offenders who have successfully completed the program are brought before Branch Court 25 or 57, the charges are dropped by a procedure in which the state declines to prosecute the case further (nolle prosequi) and the defender is dismissed.
 - The defendant also has a separate option of applying for record expungement.
- If the offender is unsuccessful in completing the program, the "I-Bond" (individual recognizance bond posted after arrest) is forfeited, and the state proceeds with prosecution, and a warrant is delivered.

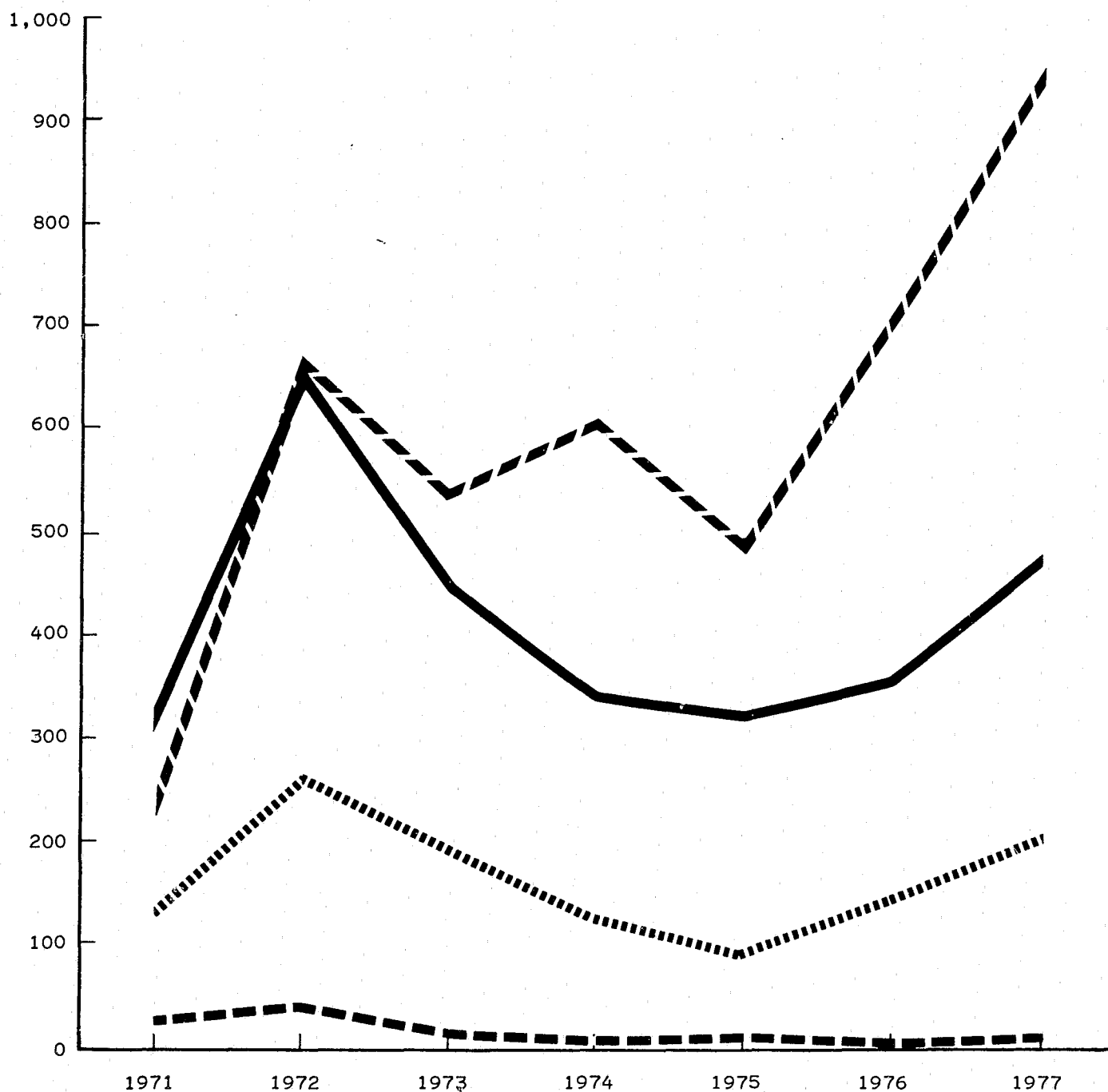
PROGRAM
WORKLOAD

- Between 1971 and the final five-week course in 1977, 8,447 persons were enrolled in the Drug Diversion Program.
- Of this total 6,752 (or 79.9 per cent) actually completed the course and had their cases nolle prossed.
- As Exhibit VII-3 indicates, since 1972 the number of 17 to 19 year olds entering the program has risen.

COOK COUNTY STATE'S ATTORNEY'S OFFICE

DRUG DIVERSION PROGRAM ENTRANTS BY AGE

1971 THROUGH 1977

NUMBER OF
ENTRANTS

LEGEND:

- 17-19 YEARS
- 20-23 YEARS
- 24-29 YEARS
- 30+ YEARS

PRESENT SITUATION (Cont'd)

- Beginning in 1976, the number of blacks entering the program surpassed the number of whites.
 - The number of Latinos, blacks and whites who entered the program between 1971 and 1977 are shown graphically in Exhibit VII-4.
 - o The program began to break the Latino group out of the population in 1976.

FUNDING

- The program has received funding both from Cook County and ILEC.
 - From the program's inception in late 1970 until 1972, it was funded solely from the State's Attorney's budget.
 - In 1972 ILEC funding began and it continued until March 1977, at which time Cook County elected to fund the program.
- The following table displays estimated program funding from 1974 to the present:

<u>Source</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>
ILEC	n.a.	\$89,836(a)	\$89,836(a)	\$18,180(b)	-
Cook County	-	-	-	54,444	\$59,032(c)
Total		\$89,836	\$89,836	\$72,724	\$59,032

n.a. - not available.

(a) Annual amounts estimated from ILEC grants 1463, 2092 and 2128.

(b) One-quarter of the funds came from ILEC and three-quarters from Cook County.

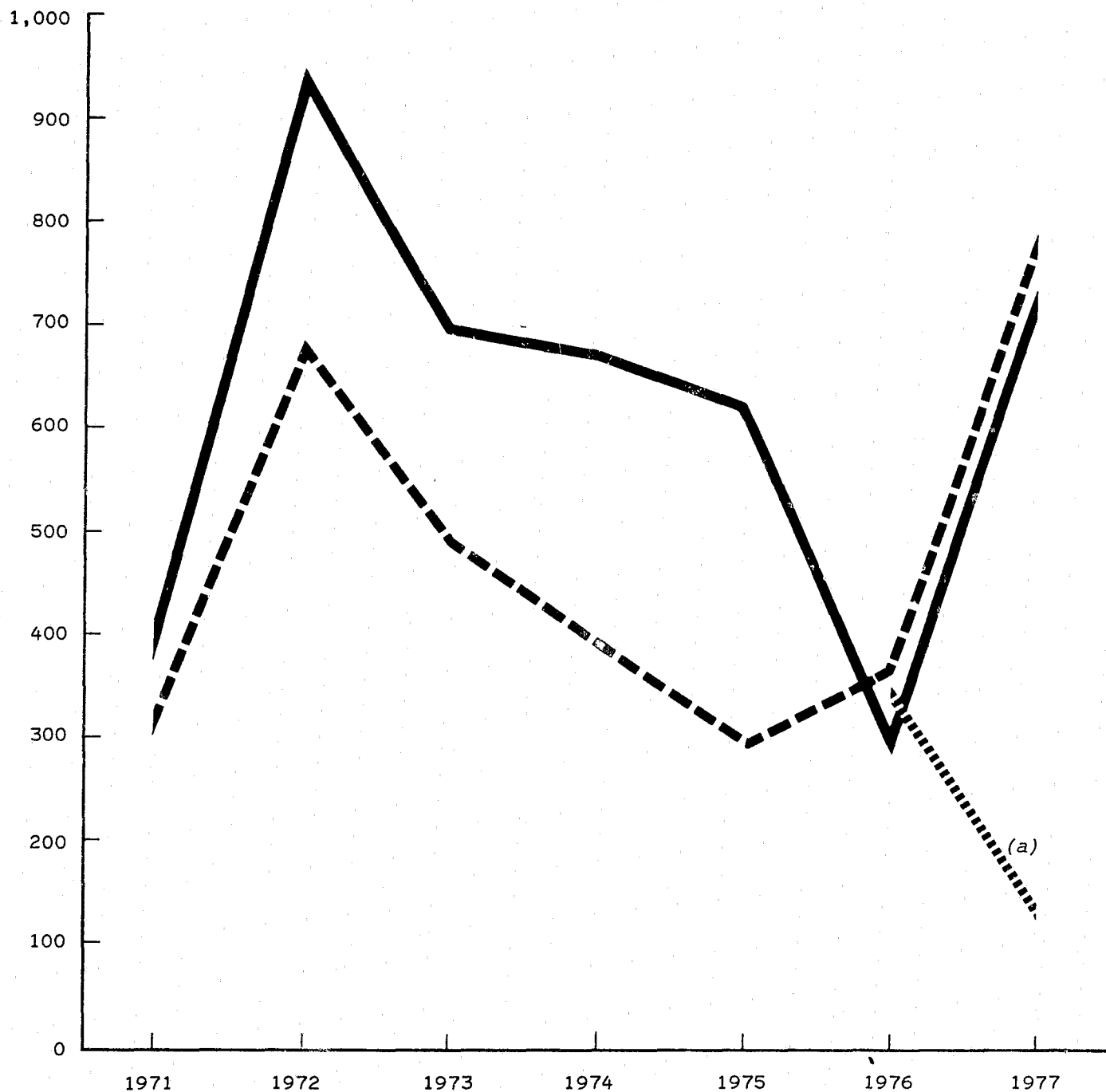
(c) Estimated budget according to 1978 Cook County budget.

- Cost per offender during the last three quarters of 1977 was \$46.31 for approximately 1,200 offenders, but the 1978 estimate in the Cook County budget is \$34.72 each for about 1,700 offenders.
 - A major cut in expenses came from cutting Discussion Leaders' compensation from \$50 a session to \$40.

COOK COUNTY STATE'S ATTORNEY'S OFFICE

WHITE, BLACK AND LATINO ENTRANTS
IN THE DRUG DIVERSION PROGRAM

1971 THROUGH 1977

NUMBER OF
ENTRANTS

LEGEND:

—— WHITES
- - - BLACKS
.....LATINOS

(a) The Number Of Latino Entrants Was Not Tracked Until 1976.

GENERAL OBSERVATIONS

This section covers general observations concerning the effectiveness and benefits of the Drug Diversion Program.

The Drug Diversion Program Appears To Be Performing Effectively And Achieving Its Stated Objectives

- The recidivism statistics published by the Program Administrator have shown about a 6 per cent recidivism rate for the program over its lifetime.
 - The 1977 statistics show only a 5.9 per cent arrest and conviction rate for all offenses (except traffic) for offenders who completed the Drug Diversion Program as of the winter of 1976.
 - o Only 2.8 per cent of these arrests were for drug offenses.
 - o The remainder of offenses, however, range from homicide to mail theft.
- Some data problems may lead to a slightly distorted recidivism rate, however.
 - Program recidivism rates are calculated six months to a year after offenders complete the program, when the names of participants are checked through the Chicago Police Records Department for evidence of rearrest.
 - Of the 5,499 offenders whose records were checked as of the end of 1976, only 3,749 (or about 68 per cent) had rap sheets from which recidivism calculations could be made.
 - o According to the Program Administrator, the rest of the rap sheets requested were not available because of record expungement and clerical errors.
 - Recidivism checks are no longer made, however, in the Cook County Sheriff's Office because of the Program Administrator's dissatisfaction with the Sheriff's Office records.
 - o The data appear to partly overlap with Chicago Police Department records.

GENERAL OBSERVATIONS (Cont'd)

- Recidivism checks are not made with suburban police departments because the departments are too numerous.
- Checks are not made with the Illinois Bureau of Investigation because the effort only produces marginally useful information compared with that obtained from the Chicago Police Department.
- Nevertheless, the program's recidivism rate of 5.9 per cent for 1976 offenders compares fairly favorably with recidivism rates which were available from other diversion programs.
 - The Hennipin County, Minnesota, program (Operation de Novo) reports a recidivism rate between 10 and 15 per cent.
 - o This program is for first offenders arrested for nonviolent crimes against property while abusing drugs.
 - A State of Minnesota diversion program for misdemeanor marijuana offenses (less than 1.5 ounces possessed) reports a 1 per cent recidivism rate.
 - A program in Denver, Colorado, for multiple offense juveniles reports an overall success rate of 89 per cent.

The Drug Diversion Program Benefits Both the Participants
And The State's Attorney's Office

- When the participants attend all five program sessions and engage in its group discussions, they receive three major benefits.
 - Overall, the Discussion Leaders are able to reach members of their groups through small group counseling techniques and to provide information about drugs that is generally accepted by "street wise" individuals.
 - o For example, the program has communicated concerns about PCP, the readily available animal tranquilizer, which can cause severe physical damage during and after usage.

GENERAL OBSERVATIONS (Cont'd)

- Most of the Discussion Leaders observed, moreover, were professional counselors and were able to draw group members into discussions concerning the reasons why drugs are consumed (e.g., peer pressure, lack of sanctions, alternatives to other behavior).
 - o A number of the leaders are ex-addicts and provide credible insight into drug abuse.
- Finally, information concerning drug laws, consequences of future arrests and record expungement advice is given.
 - o Record expungement clears the way for employment in fields closed to those with arrest records.
- The Drug Diversion Program contributes to the performance of the Office by saving prosecutorial time.
 - State's Attorney staff in Branches 25 and 57 estimates that prosecution of misdemeanor drug offenses takes from 15 minutes to two hours per case.
 - Diversion of eligible first offenders can cut prosecution of their cases to about five minutes each, as observed during this study.
 - o State's Attorney staff assigned to Branches 25 and 57 estimated that 20 to 25 per cent of the marijuana and controlled substances cases processed by these courts are eligible for the Drug Diversion Program.

The Required Conditions Of The Drug Diversion Program Make It Unique Among The Presentence Dispositions Available In Cook County

- Some members of the criminal justice system have suggested that the supervision and probation options are just as useful for first offenders as the Drug Diversion Program.
 - All three options offer the offender opportunities to stay out of trouble, to have charges dismissed and to avoid a conviction for misdemeanor drug charges.

GENERAL OBSERVATIONS (Cont'd)

- The major benefit that the Drug Diversion Program offers which the others do not, however, is a presentence disposition with a standard condition - an educationally oriented, interactive program designed to reduce further offenses.
 - The supervision program and probation programs (710 and 1410) can create conditions that the first offender may have to fulfill, but these conditions are optional depending on the decision of the court.
 - o Most of the judges interviewed stated that they do not establish conditions with supervision.
 - o Offenders on supervision or probation are not referred to the Drug Diversion Program.

OPPORTUNITIES FOR IMPROVEMENT

The opportunities for improvement discuss conflicts about the Drug Diversion Program and how those conflicts affect program implementation by members of the Office. The section also examines the effect that diminished visibility has had on the program's image and its acceptability to relevant members of the criminal justice system. Finally, the attrition rate of the program is compared with those of other diversion programs for which statistics were available.

Some Assistant State's Attorneys Disagree About The Role Of The Drug Diversion Program And Its Relationship To The Office

- Some key State's Attorney staff members indicated in interviews that they think the prevention and rehabilitation goals of the Drug Diversion Program are beyond the Office's primary mission, which they see as prosecution.
 - This view holds that the rehabilitation function performed by Drug Diversion is not compatible with the role of a prosecutor and, further, that it is more consistent with the activities of a social service agency.
 - o This view of the prosecutor tends to emphasize the state's adversarial role in court vis-a-vis the accused.
 - Many who hold this view have noted that the supervision law and 710 and 1410 Probation options can accomplish what the Drug Diversion Program accomplishes without involving the State's Attorney's Office.
- Others in the Office believe that the State's Attorney's ultimate mission is to reduce crime and that this goal can be effectively achieved through the use of both strict prosecution and rehabilitative programs.
 - These people point out that supervision and the probation options do not set mandatory conditions, and that the effectiveness of these approaches is unknown.

OPPORTUNITIES FOR IMPROVEMENT (Cont'd)

- Neither of these two views is more correct than the other, but the view of the Office's mission as strictly prosecutorial clearly conflicts with the policies of the State's Attorney who has stated that his Office's overall objective is to reduce crime.

- He has indicated that the Drug Diversion Program is a legitimate approach to achieving this objective.

Conflict About The Proper Role And Location Of The Program Has Led To Disagreement Over Policy And To Variations In Operating Procedures

- Conflict about the Drug Diversion Program has opened the way for variations in policy and operating procedures.
- These variations are reflected in a wide range of informal definitions of program acceptance criteria.
 - They can occur because the Drug Diversion Unit is not accountable to anyone except the State's Attorney himself and because candidate intake is performed at a number of different court sites in Cook County.
- The lack of uniform policy for intake criteria may lead to the exclusion of eligible offenders from the program.
- Rejection of the program and substitution of alternatives has led to the exclusion of nearly all eligible offenders from the program at some sites.

The Overall Visibility Of The Program In The Cook County Criminal Justice System Is Low

- Currently, the initial identification of candidates for the Drug Diversion Program necessarily relies on certain members of the State's Attorney's Office and a few other parts of the criminal justice system.
 - Approximately 90 per cent of the 1977 candidates were referred by attorneys and judges in Branches 25 and 57; suburban courts had significantly fewer referrals.

OPPORTUNITIES FOR IMPROVEMENT (Cont'd)

- Ideally, the Assistant State's Attorneys, judges, public defenders and occasionally even private attorneys all should be aware of the program and make it known to potential candidates.
 - Most of the judges interviewed in courts other than Branches 25 and 57 indicated that they were not aware of the program and tended to rule for supervision, 710 or 1410 Probation or a fine.
 - o Some judges believe that they should await a recommendation from either the prosecutor or the defense attorney before considering a disposition.
 - In addition, of all participants in the system interviewed, public defenders seemed to be the least aware of the program and were inclined to recommend supervision or 710 or 1410 Probation instead.
 - Private attorneys apparently have the least incentive to suggest the Drug Diversion Program to their clients since the program tends to eliminate the need for defense attorneys.
- This low visibility is apparently caused by reduced effort on the part of the Program Administrator to communicate the existence and benefits of the program to members of State's Attorney's staff and to other parts of the Cook County Criminal Justice System.
 - Current communication efforts by the Program Administrator include sporadic correspondence and visits to suburban judiciary.
 - Program statistics apparently are not circulated in a timely and consistent manner to potential referral agents.
- This level of effort is substantially below the level devoted by the Program Administrator when the program was initiated in 1970.

OPPORTUNITIES FOR IMPROVEMENT (Cont'd)

- As funding was decreased in the mid-life of program, the emphasis on external criminal justice system organizations diminished.
 - The Program Administrator and Program Leaders all stated that their visits and speaking engagements to all types of organizations have been cut significantly.
 - The majority of their efforts now focus on internal operations.
- A low program profile is a disservice to its potential participants because referral sources do not know of the program and its accomplishments.

The Program's 20 Per Cent Attrition Rate Appears To Be High When Compared With Those Of Other Programs

- The attrition rate for individuals referred to the Drug Diversion Program is generally 20 per cent by the end of a five-week session.
 - Twelve per cent of the candidates, on average, drop out between the time of referral and the first session.
 - About eight per cent of the participants drop out sometime between sessions one and five.
- When compared with the attrition rates of two of the other three programs investigated, this attrition rate seems high.
 - The long-term program in Hennepin County shows an attrition rate of 28 per cent.
 - The State of Minnesota Program has less than a 5 per cent attrition rate.
 - The program in Denver, Colorado, shows a combined recidivism and attrition rate of slightly less than 10 per cent for individuals with multiple convictions for burglary, robbery, assault or auto theft.

OPPORTUNITIES FOR IMPROVEMENT (Cont'd)

- One cause for attrition in the program stems from lack of emphasis on the severe consequences of not completing it.
 - It was observed that the rules of the program are invariably explained during the intake process, but that the consequences of not completing the program are not consistently referred to in this explanation.
 - o If an offender drops the course and the case is poor (e.g., a small amount of drugs is involved), the case is stricken off with leave to reinstate (SOL), but if a larger amount of drug is involved an arrest warrant is issued.
 - o An I-Bond forfeiture does appear on an individual's record and can cause future problems for the individual.
- A second cause of high attrition may be that most offenders only are required to submit an I-Bond.
 - The I-Bond only requires that the individual give his or her word to appear in court.
- High attrition implies that a significant number of young adults do not receive the benefits of the full program and may, in fact, return to the criminal justice system at a future date at a more rapid rate than those who complete the program.

RECOMMENDATIONS

Analysis, interviews and observations have shown that the Drug Diversion Program has an impact on crime in Cook County. The program contributes to the reduction of drug-related recidivism by consistently providing an educational and interactive course. It also contributes to the efficient use of elements of the criminal justice system including Assistant State's Attorney time, courtroom time and general time and expense for the overall system. In addition, first-time offenders are given a second chance through the nolle prosequere procedure, and the opportunity to secure record expungement allows them to seek employment in jobs closed to those with arrest records.

The recommendations in this section are designed to improve upon a program that is operating effectively; they are not meant to produce drastic changes.

Several Policy And Procedural Statements Should Be Made By The State's Attorney To Strengthen The Operations Of The Drug Diversion Program

- The State's Attorney should review the mission of the Drug Diversion Program with respect to the general prosecutorial mission for the Office and communicate to his staff the reasons why this program is supporting that general mission, including how the program should fit into the Office.
- A policy statement will clearly indicate that the leadership of the Office supports the program.
 - This, in turn will make it easier for the Program Administrator to proceed with more frequent visits to key criminal justice agencies to discuss, promote and reiterate the program's objectives and accomplishments.
- The policy statement should be supplemented with an operating procedures pamphlet which can be referenced by State's Attorney's section supervisors.

A Cash Bond Should Be Posted By Each Offender, And Information Describing The Consequences Of Not Finishing The Program Should Be Distributed To Candidates During The Intake Process

- At the time the first offender is charged, he or she should be required to post an appropriate cash bond.
 - This requirement should serve to increase the motivation of the offender to attend and complete the diversion course.

RECOMMENDATIONS (Cont'd)

- Furthermore, the intake staff should incorporate a clear explanation of the consequences of dropping the course.
 - Such information is now emphasized during the first session, but 12 per cent of the offenders are lost between intake and the first session.
- The major goal of these additions would be to try to lower the attrition substantially.

The Program Administrator Should Put Greater Emphasis On Publicizing The Program In Cook County

- One of the Program Administrator's highest priorities should be to increase awareness of the Drug Diversion Program in Cook County.
- Publicity for the program should include increased statistical analyses and timely report distribution to those who are in positions to channel offenders into the program.
 - The statistical analyses now performed should be distributed widely, and modifications to them relating to specific municipal districts should also be developed and distributed.
 - Report recipients should include judges, public defenders and State's Attorney supervisors in Circuit Court districts in the county.
 - In addition to Presiding Judges of Branches 25 and 57 and suburban courts, the Presiding Judge of the Criminal Division of the Circuit Court of Cook County should receive a quarterly summary report on the performance of the Drug Diversion Program.
- The Program Administrator should visit regularly with many of the same members of the criminal justice system who receive statistical reports.
 - These visits should provide an opportunity to exchange information and knowledge about the program and possibly develop suggestions for further refinements to it.

RECOMMENDATIONS (Cont'd)

- Both kinds of activities should keep program visibility high in the criminal justice system and increase referrals of eligible offenders.

The Structure Of The Counseling Sessions Should Not Be Revised If Increased Demand For The Program Materializes

- A statement of support from the State's Attorney combined with greater publicity effort by the Program Administrator may increase the number of first offenders referred to the Drug Diversion Program, especially from the suburbs.
- A higher enrollment might create the temptation to increase the size of the discussion groups to 15 or more.
- Since groups of 15 or more dilute the Discussion Leader's control and ability to develop rapport with participants in a three-hour session, the State's Attorney and the Program Administrator should protect the current structure of the counseling sessions regardless of any changes in the demand for program participation.

VIII - PLANNING, TRAINING AND MANAGEMENT PROGRAM

PRESENT SITUATION

This chapter contains the evaluation of the Planning, Training and Management Division. The evaluation focuses on the training functions of the division and is organized in three sections:

- Present Situation
- Opportunities For Improvement
- Recommendations.

This section describes the operations of Planning, Training and Management, including its objectives, organization, staffing, funding and training activities.

OBJECTIVES

• The objectives of the Planning, Training and Management Division, which was created in 1970, are stated in the ILEC grant applications as follows:

- To plan and implement special prosecutorial programs
- To supervise and administer all grants to the State's Attorney's Office
- To design and conduct ongoing training programs for Assistant State's Attorneys
- To design and conduct legal seminars for suburban law enforcement departments
- To publish a State's Attorney's newsletter on recent significant cases
- To serve as liaison with federal, state, local governmental and community agencies involved with criminal justice.

ORGANIZATION, STAFFING AND FUNDING

- The Planning, Training and Management Division is headed by a director who reports to the Chief Deputy State's Attorney.
- At the end of 1977, the Planning, Training and Management Division consisted of four persons:
 - One Assistant State's Attorney (the director)

PRESENT SITUATION (Cont'd)

- One Administrative Assistant
- Two Stenographers.
- The table shows that staffing for this division was lower in 1977 than it was in 1974:

	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>
Assistant State's Attorney	2	2	2	1
Administrative Assistant	2	1	2	1
Stenographers	<u>2</u>	<u>2</u>	<u>2</u>	<u>2</u>
Total	6	5	6	4

- The 1977 budget for the division (\$141,776) was furnished through ILEC grants.
- The following table shows the amounts issued to the division from each ILEC grant:

<u>Grant Number</u>	<u>Amount</u>
1463	\$ 98,500
2092	30,695
2128	200,157
2640	116,027

ATTORNEY TRAINING

- During 1977 the Planning, Training and Management Division spent \$17,995 on attorney training activities.
 - Each attorney in the office attended three or four training sessions.
- The Planning, Training and Management Division arranges for four different types of formal attorney training activities that are intended to supplement on-the-job training:
 - New Prosecutors' Training Program
 - Career Prosecutors' Training Program

PRESENT SITUATION (Cont'd)

- Special training seminars
- Miscellaneous outside legal training seminars.
- The New Prosecutors' Training Program is an in-house orientation program for newly hired attorneys that has been organized and staffed by the State's Attorney's Office.
 - Approximately 250 attorneys attended the two orientation sessions held in 1977 at a cost of \$742, or 4 per cent of the total 1977 training cost (\$17,995).
- The Career Prosecutors' Training Program is a series of about eight seminars held at the Northwestern University School of Law.
 - The topics of these seminars are varied.
 - Seminars are staffed by judges, prosecutors, professors of criminal law and other selected members of the criminal justice community.
 - Attendance is usually mandatory for all Assistant State's Attorneys.
 - During 1977, the division conducted two of the eight scheduled seminars with an attendance of 400 at each, plus one group enrollment of 25 attorneys in the Northwestern Short Course for Prosecutors, at a total cost of \$7,500, or 42 per cent of the total 1977 cost.
- The division also organizes several special training seminars.
 - Eight special seminars were held in 1977 at a cost of \$3,392 for 82 attorneys in three sections of the Office:

<u>Section</u>	<u>Number Of Seminars</u>	<u>Attorneys Attending</u>
Appeals	4	33
Juvenile	3	32
Traffic	1	17
Total	8	82

PRESENT SITUATION (Cont'd)

- In the spring of 1978, the Criminal Prosecutions Bureau held practice trial sessions, with Assistant State's Attorneys prosecuting mock cases and external actors playing the witnesses.
 - o These training sessions were led by supervisory staff in the bureau who were able to give a large number of attorneys instruction in trial techniques and to observe the attorneys in realistic trial situations.
- Outside training seminars are also made available to selected attorneys on a limited basis.
 - These seminars are conducted by organizations such as the:
 - o Chicago Bar Association
 - o Illinois Institute for Continuing Legal Education
 - o National District Attorneys Association.
- In 1977 the division sponsored 99 participants at 24 different seminars for a total cost of \$6,359, or 35 per cent of the total 1977 cost.

POLICE AND
INVESTIGATOR TRAINING

- The division director currently organizes legal seminars for suburban police agencies and academies upon request.
 - From 1971 through early 1977 the division conducted regular weekly legal seminars, but the demand dropped off and these were discontinued in March 1977.
- Civilian Investigators are required to attend the Career Prosecutors' Training Program.
 - All other prosecutor training is the responsibility of the Legal Support Bureau.
- The Planning, Training and Management Division is not involved in the orientation and training of other Office support staff (nonlegal); training for these individuals is the responsibility of the Legal Support Bureau.

OPPORTUNITIES FOR IMPROVEMENT

The opportunities for improvement pertaining to the training function of the Planning, Training and Management Division are found in this section.

The State's Attorney Can Only Receive Very Limited Benefits From Cook County Supported Training Facilities

- The Cook County Board of Commissioners funds the Cook County Criminal Justice Training and Leadership Development Section of the Cook County Department of Personnel.
- This section is responsible for serving the training needs of criminal justice agencies throughout the county, including:
 - The State's Attorney's Office
 - The Public Defender's office
 - The Sheriff's Police Department
 - The Adult Probation office.
- Its staff consists of five persons with annual salaries totaling \$72,072, as specified in the 1978 Cook County budget:

<u>Position</u>	<u>Number</u>	<u>Salary</u>
Training Coordinator	3	\$54,492
Stenographer	1	9,216
Clerk	1	8,364
Total	5	\$72,072

- The 1978 budget also allocates \$4,000 for training courses and materials and \$500 for renting training equipment.

- o The section maintains a library and resource center.

OPPORTUNITIES FOR IMPROVEMENT (Cont'd)

- The State's Attorney's Office has been able to make little use of this section, particularly for attorney training.
 - The section's limited resources must be distributed among a relatively large constituency and this necessarily reduces the attention that can be devoted to any one agency.
 - Further, the training programs are not oriented to some of the unique requirements of prosecuting attorneys.

- Accordingly, the State's Attorney's Office has had to supply or contract for much of its training for attorneys.

Training Activities Of The Planning, Training And Management Division Are Restricted By The Limited Resources Available

- The budget of the Planning, Training and Management Division prohibits it from offering adequate training programs for an office as large as the State's Attorney's.
 - Of the budget for 1977, about \$100,000 went to pay for salaries, office equipment and publications.
 - If the rest of the budget could have been devoted to training, it would have amounted to about \$87 per attorney position (480 budgeted and grant funded attorneys).
 - A substantial portion of the division's work is also devoted to supervising grant fund applications and reporting, however.
- The State's Attorney's Office must rely solely on grant funds to operate its training programs because Cook County has been unwilling to appropriate money for criminal justice training to the State's Attorney's Office when the Criminal Justice Training and Leadership Development Section of the Cook County Department of Personnel already exists.

OPPORTUNITIES FOR IMPROVEMENT (Cont'd)

- This small training budget ultimately puts a strain on the management of the Office.
 - Most Assistant State's Attorneys enter the Office directly from law school and require further training and experience before they become proficient in criminal prosecution.
 - These attorneys must necessarily gain much of their training by doing work that becomes gradually more complex, which obligates supervising attorneys to guide and teach younger staff members.
 - In an office the size of the Cook County State's Attorney's the quality and scope of such training (based on experience) can vary substantially unless formal training programs exist to cover basic requirements and ensure consistent approaches and procedures.

Supervising Assistant State's Attorneys And Program Participants Have Little Input Into The Design Of Training Programs

- The Planning, Training and Management Division is using its resources for training activities that are not sufficiently coordinated with the needs of the major divisions in the Office.
- The division director sets the training objectives of the Office and designs training programs with very little direct input from the Bureau Chiefs and the program participants.
- Several problems result from this lack of input.
 - Resources available for training are allocated by the director without full knowledge of what the training priorities are.
 - Interviews revealed that training seminars do not often receive widespread support in the Office.
- This situation means that the Office may be getting less than the full benefits from the already limited resources applied to training.

OPPORTUNITIES FOR IMPROVEMENT (Cont'd)

Many Supervising Attorneys Have Not Had Supervisory Training

- The State's Attorney has a policy of promoting his best trial attorneys to supervisory positions.
 - These attorneys have therefore been promoted largely because of their legal skills.
- Many of these supervising attorneys have had very little preparation for management responsibilities (i.e., planning, organizing, motivating, directing and controlling large groups of attorneys).
- Many of these supervising attorneys have learned management skills through experience, but some of these skills need to be refined as the scope of supervision expands.
 - A manager frequently has to rely on written information and reports to control the work of his staff, since personal observation becomes difficult, particularly if the staff is geographically dispersed.
 - The manager not only has to be able to understand the work performed by his staff, but he must also be able to design measures and report forms that will monitor this work.
- Furthermore, these supervisors cannot devote very much time to training newly hired attorneys since they are in a learning mode themselves.

RECOMMENDATIONS

This section presents recommendations that address the improvement opportunities in the preceding section.

The State's Attorney's Office Should Promote The Development Of Joint Training Programs For Attorneys Assigned To All Criminal Justice Agencies In Cook County

- The Planning, Training and Management Division should examine ways to make maximum use of the training resources that are already present in other criminal justice agencies in Cook County.
- The division director should meet with administrators in other agencies, particularly the Public Defender's office, the U.S. Attorney, and the Cook County Criminal Justice Training and Leadership Development Section, to discuss the following possibilities, among others:
 - Cosponsoring various training programs and seminars
 - Sharing physical facilities
 - Sharing training equipment and materials
 - Sharing support staff
 - Exchanging training program modules with other counties and cities.
- A funding agency such as CCCCJC or ILEC might be of assistance in coordinating joint training programs.
- By working with other agencies a greater number of human and capital resources could be made available to the State's Attorney's Office and other agencies without their having to incur additional expenses.
- The State's Attorney would still have some unique training requirements that must be supported internally, but it is possible that a substantial portion of basic training be shared with other agencies.

RECOMMENDATIONS (Cont'd)

Internal Training Activities Of The State's Attorney's Office Should Focus On Trial Techniques And Tactics

- The major training objective of the Planning, Training and Management Division should be to develop outstanding trial attorneys.
- Because of its unique requirements, the State's Attorney's Office should continue to develop and organize its own trial training courses for trial techniques and tactics.
 - The "mock trial program" that was started in 1978 has been well received and should be continued.
 - The Bureau Chiefs of Criminal Prosecutions and Special Prosecutions should be responsible for organizing and developing these training programs, which should be staffed with the most experienced trial attorneys in the Office.
- Because the persons involved in developing and executing these programs would do so after their regular working hours, they should be entitled to some additional compensation for lecture preparation.

Supervising Attorneys Should Receive Training In Management And Administrative Procedures

- The Office should obtain some outside training programs so that middle- and upper-level supervising attorneys can be trained in management and administrative procedures.
 - As one of the largest organizations of attorneys in the country, the Cook County State's Attorney's Office can no longer rely on supervising attorneys learning management procedures through trial and error.
 - The Office needs skilled managers who can make the most effective use of the large staff assigned to it.
- This training program should focus on the planning, training, scheduling, and general supervision of attorney staff.
 - Emphasis should be given to the use of planning and controlling staff utilization.

RECOMMENDATIONS (Cont'd)

- Furthermore, this training should include material on managing and supervising investigative personnel.
 - This material would address the training problem discussed in Chapter VI and preclude the need for another type of training program.

The State's Attorney's Office Should Establish An Advisory Committee For The Planning, Training And Management Division

- An advisory committee, made up of key administrators in the Office, should be formed to furnish advice and counsel to the Director - Planning, Training and Management Division.
- This committee should consist of four members:
 - Chief - Civil Actions Bureau
 - Chief - Criminal Prosecutions Bureau
 - Chief - Special Prosecutions Bureau
 - Chief Administrative Officer - Legal Support Bureau.
- The advisory committee should communicate the training needs of each bureau to the Planning, Training and Management Division and assist the director in setting specific objectives and training programs that will make maximum use of the available training resources.

The Division Should Institute A Formal Feedback System For Each Training Program Sponsored By The State's Attorney's Office

- Everyone who attends a training course sponsored by the State's Attorney's Office should be required to complete a written evaluation of the course and the instructor.
- The Director - Planning, Training and Management Division should design a standard course and instructor evaluation form to be completed by program participants at the end of each training session.
- This evaluation process would provide administrators with the feedback they need to examine the overall training objectives of the Office and to refine future training programs.

APPENDIXES

A - DUTIES OF THE
COOK COUNTY STATE'S ATTORNEY'S OFFICE

DUTIES OF THE
COOK COUNTY STATE'S ATTORNEY'S OFFICE

The duties of the Executive Office and of the divisions, sections and units of the four operating bureaus of the Cook County State's Attorney's Office are summarized in this appendix. The charts that illustrate the organization of the Office are found in Chapter III of the report.

A - EXECUTIVE OFFICE

STATE'S ATTORNEY

- Prosecutes all actions, suits, indictments, civil and criminal, in the Circuit Court of Cook County.
- Prosecutes all forfeited bonds and all actions related to debits, revenues, monies and fines.
- Begins and prosecutes all actions brought by any county officer, and defends actions brought against Cook County.
- Delegates responsibilities to ensure that all duties of the Office are carried out.

FIRST ASSISTANT

- Performs duties of the State's Attorney in his absence.
- Coordinates budget planning, federal grant planning and attorney recruitment.
- Determines personnel and legal policies.
- Performs other administrative duties as assigned.
- Maintains relations with Cook County officials.

CHIEF DEPUTY
STATE'S ATTORNEY

- Acts as supervisor to Bureau Chiefs, and maintains liaison between bureaus and the State's Attorney.
- Prepares goals and objectives for the Office.
- Monitors Office performance.

- Coordinates budget planning and attorney recruitment.
- Serves as adviser to the State's Attorney.

DEPUTY STATE'S ATTORNEY
AND CHIEF - CRIMINAL
PROSECUTIONS BUREAU

- Supervises and directs the prosecution of violations of state penal statutes, and the commencement and prosecution of criminal actions, suits and indictments in the Circuit Court.
- Responsible for planning, organizing and controlling the Criminal Prosecutions Bureau.

DEPUTY STATE'S ATTORNEY
AND CHIEF - SPECIAL
PROSECUTIONS BUREAU

- Supervises and directs the prosecution of criminal cases in defined categories requiring specialized techniques and investigative methods.
- Responsible for administration, work direction and policy formulation for bureau divisions.

DEPUTY STATE'S ATTORNEY
AND CHIEF - CIVIL
ACTIONS BUREAU

- Supervises and directs the prosecution of civil cases in bureau divisions, as well as the collection of real and personal property taxes.
- Serves as legal counsel for elected Cook County officials.
- Responsible for administration, work direction and policy formulation for bureau divisions.

CHIEF ADMINISTRATIVE OFFICER -
LEGAL SUPPORT BUREAU

- Administers and directs the hiring, orientation, training and supervision of all nonlegal personnel.
- Supervises the directors of bureau divisions.
- Acts as liaison for the Office with outside agencies on nonlegal matters.

DIRECTOR - PLANNING, TRAINING
AND MANAGEMENT DIVISION

- Supervises the preparation and administration of all grants to the Office.
- Develops and supervises attorney staff training programs.

B - CRIMINAL PROSECUTIONS BUREAU

CHIEF - MUNICIPAL DIVISION

- Plans, organizes and controls all functions of the division.
- Implements policies of the State's Attorney as they apply to the division.

Felony Review Section

- Approves or rejects felony charges from police departments.
- Monitors felony investigations to ensure that cases are as strong as possible.
- Provides legal advice and assistance to police agencies in felony investigations.

First Municipal Section

- Prosecutes misdemeanors and conducts preliminary hearings assigned to felony Branches 42, 48 and 64 (auto thefts in the City of Chicago).

Suburban Municipal Section

- Prosecutes all misdemeanor and felony charges in Suburban Municipal Districts.
- Prosecutes traffic offenses and other petty offenses from charging through posttrial motions in Suburban Municipal Districts.
- Performs felony review during regular courtroom hours, and provides legal advice to suburban police departments.

Preliminary Hearing Section

1. Branch 25-57 Unit

- Processes, presents and prosecutes preliminary hearings for felony narcotics charges that occur in Chicago.
- Prosecutes misdemeanor narcotics charges that occur in the city.

2. Drug Diversion Unit

- Administers programs to rehabilitate first offenders charged with minor drug violations.
- Coordinates work with Branches 25 and 57 to determine candidates for programs.

3. Branch 44 Unit

- Processes, presents and prosecutes preliminary hearings for adults charged with felonies (other than homicide, narcotics offenses, sex offenses and auto theft) in Police Areas 3 and 4.

4. Branch 66 Unit

- Processes, presents and prosecutes preliminary hearings of all defendants charged with homicide or sex felonies in Chicago.

Community Prosecutions Section

- Prosecutes criminal cases of special community interest, from preliminary hearing through trial, and is located in three branch offices.

TRAFFIC SECTION

- Prosecutes major traffic offenses, and cases on behalf of state police agencies, that occur in the City of Chicago.
- Prosecutes misdemeanor cases accompanying major traffic charges.

JUVENILE SECTION

- Screens and prosecutes all juvenile cases.
- Prosecutes paternity cases involving juvenile mothers, and nonsupport cases requiring payment of placement costs.
- Initiates transfer motions for juveniles to be tried in criminal court.
- Provides resource material on juvenile law to county police agencies.

APPEALS SECTION

- Approves, files and prosecutes all appeals arising from criminal cases.
- Researches and publishes the State's Attorney's Newsletter.

CHIEF - FELONY DIVISION

- Supervises the prosecution of all city felony cases from indictment through posttrial motions.
- Supervises, hires, trains and administers all felony trial assistants in Cook County.
- Supervises the extradition of witnesses and criminals.

Maybrook Square Section

- Prosecutes felony charges assigned to Maybrook Square Trial Courts.
- Responsible for administrative matters and reports for legal and clerical personnel in the section.

Special Remedies Section

- Prosecutes all probation and parole violations, habeas corpus petitions, extraditions, writs ad Prosequendum and ad Testificandum, and postconviction and Section 72 petitions.
- Acts as liaison to the Parole and Pardon Board.

Grand Jury And Information Section

- Begins all felony prosecutions on behalf of the Office by either Information or direct indictment.

Daley Center Trial Section

- Prosecutes felony charges assigned to Daley Center Trial courts.
- Responsible for administrative matters and reports for legal and clerical personnel in the section.

Criminal Court Trial Section

- Prosecutes felony charges assigned to Criminal Court Trial Courts.
- Responsible for all administrative matters and reports for legal and clerical personnel in the section.

13th And Michigan Section

- Prosecutes felony charges assigned to 13th and Michigan Trial Courts.
- Responsible for administrative matters and reports for legal and clerical personnel in the section.

C - SPECIAL PROSECUTIONS BUREAU

DEPUTY CHIEF

- Assists with administration of bureau divisions.
- Manages work direction and policy, and controls work flow into appropriate units.
- Performs personnel functions for the divisions, including hires, transfers, salary increases and promotion.
- Calculates and analyzes statistical information pertaining to investigations and prosecutions.

OFFICIAL MISCONDUCT DIVISION

- Investigates and prosecutes cases of official misconduct.
- Operates welfare fraud program to uncover official misconduct in public aid agencies.
- Investigates and prosecutes other special cases at State's Attorney's direction.

ORGANIZED CRIME - HOMICIDE DIVISION

- Investigates and prosecutes murder-for-hire cases involving individuals who derive their livelihood from crime and are involved with others who do.

ORGANIZED CRIME - INVESTIGATIONS DIVISION

- Investigates and prosecutes individuals who derive their livelihood from crime.
- Investigates and prosecutes crime committed by these individuals.
- Serves as liaison to state and federal law enforcement authorities and prosecutors.

CRIMINAL HOUSING DIVISION

- Investigates and prosecutes violations pursuant to the Criminal Housing Management Act in cooperation with Municipal Building authorities.

- Uses the Grand Jury to investigate violations and corrupt realty management companies.

TRIAL UNIT

- Provides assistance to other units in Special Prosecutions that have developed a case to the point of trial.

FINANCIAL CRIMES DIVISION

- Investigates and prosecutes businesses and commercial crimes involving theft.
- Maintains accounting, computer and other new financial procedures and programs.
- Coordinates and furnishes needed support to Special Prosecutions Task Force on cases of mutual interest.

CONTRABAND CONTROL DIVISION

- Investigates and prosecutes individuals engaged in sophisticated drug trafficking.
- Investigates fencing of stolen personal property, cartage thefts and gun trafficking.

CONSUMER COMPLAINT DIVISION

- Investigates and prosecutes cases pursuant to Illinois law to protect public from fraudulent and deceptive retail practices.
- Maintains three community offices.

D - CIVIL ACTIONS BUREAU

DEPUTY CHIEF

- Supervises the work of attorneys assigned to the bureau.
- Assigns cases and monitors case performance.

GENERAL LITIGATION DIVISION

- Commences and prosecutes actions brought by a county officer.
- Defends actions brought against the county or an officer.
- Prepares and publishes legal opinions on request.
- Brings actions in mandamus and quo warranto.

Personal Injury And Property Damage Section

- Defends Cook County and its officers and employees against claims arising from the liability of the county for personal injury or property damage.

Civil Rights Section

- Defends county officers and employees in civil actions brought against them by discharged employees, juveniles or anyone injured by county action resulting in employment discrimination, wrongful death or enforcement of an unconstitutional state statute or county ordinance.

Legal Opinions Section

- Prepares and publishes formal legal opinions upon official request of an officer of Cook County.

SPECIAL LITIGATION DIVISION

- Represents Cook County in special noncriminal cases and institutes actions when appropriate.

Auto And Bond Forfeitures Section

- Seeks enforcement of bail bond forfeitures.
- Institutes causes of action on the state's behalf for forfeitures of vehicles seized by a law enforcement agency.

Probate Section

- Represents Cook County in all probate actions where escheat of property is possible.

Reciprocal Support Section

- Institutes child support actions on behalf of plaintiffs living outside Cook County but within a jurisdiction maintaining reciprocity.

Paternity Section

- Institutes child support actions under the Paternity Act.

Workmen's Compensation Section

- Defends Cook County against claims for compensation filed with the Illinois Industrial Commission by an injured county employee.

Condemnation Section

- Institutes condemnation actions under the county's power of eminent domain.

Building And Zoning Section

- Enforces and prosecutes violations of Cook County Building and Zoning Ordinance.

Pollution Section

- Prosecutes violations of air, dust, and noise pollution under the Cook County Environmental Control Ordinance.

Elections Section

- Prosecutes criminal violations of the Illinois Election Code.
- Represents and advises the County Clerk's Election Department, the Electoral Board and the Canvassing Board.
- Coordinates a program to prevent vote fraud.

Mental Health Section

- Represents people of Illinois at hearings held to establish needs for admission, detention and care of mentally ill persons.

REAL ESTATE TAX
DIVISION

- Represents Cook County in cases involving owners of real estate and in tax disputes.

Back Taxes Section

- Represents Cook County when taxpayer seeks relief from assessment on real property omitted from tax rolls in previous years.

V.T.S. And Co.T.D. Section

- Represents Cook County when a person who has acquired property pursuant to a tax sale seeks to vacate the sale.

Exemption Objections Section

- Represents Cook County when a taxpayer contests taxation of real estate on grounds of exemption or excessive assessment.

Tax Forfeiture Foreclosure Section

- Represents Cook County in all tax forfeitures when real property is offered at annual tax sale at which there are no bidders.

Rate Objections Section

- Represents Cook County when a taxpayer contests valuation of real estate.

Personal Property Tax Division

- Represents Cook County in all cases involving enforcement of the personal property tax.

E - LEGAL SUPPORT BUREAU

VEHICLE, PETTY CASH AND EVIDENCE CUSTODIAN

- Supervises the maintenance of the Office vehicle fleet.
- Maintains and disburses petty cash.
- Receives, stores and disposes of evidence for the Office.
- Maintains system for assigning official parking spaces.

INVESTIGATIVE DIVISION

- Represents the State's Attorney as personal liaison to all federal, state and municipal police agencies that operate within Cook County.

Civilian Investigative Section

- Provides direct investigative assistance to attorneys in the Special Prosecutions and Civil Actions Bureaus.
- Investigates technical cases, such as tax, financial and criminal housing cases.

Sheriff's Police Section

- Provides assistance to attorneys assigned to trial courts.
- Protects attorneys and witnesses from physical harm.

CLERICAL DIVISION

- Supervises and directs all personnel functions related to nonlegal employees of the Office.

Criminal Courts Section

- Provides and supervises clerical and stenographic personnel for State's Attorney's staff at the Criminal Courts Building.
- Provides docketing, filing and court reporting services for staff at the Criminal Courts Building.
- Compiles monthly statistical data relating to criminal prosecutions at that location.

Daley Center Section

- Provides and supervises clerical and stenographic assistance for State's Attorney's staff at Daley Center.
- Performs docketing, filing and related services at Daley Center, and maintains and updates official legal records.
- Administers various personnel functions for nonlegal employees at this location.

Satellite Facilities Section

- Provides clerical and stenographic assistance for State's Attorney staff at outlying city and suburban locations.
- Performs docketing, filing and related services at these locations, and maintains and updates official legal records.
- Administers various personnel functions for nonlegal employees in these locations.

FINANCIAL CONTROL DIVISION

- Supervises all fiscal and budgetary matters for the Office.
- Supervises the activities of division sections.

Budgetary Preparation And Implementation Section

- Prepares proposed Office budget for submission to Cook County Board.
- Maintains disbursement records.
- Maintains bank account records and periodically audits all accounts.
- Disburses payroll and petty cash to employees and witnesses.

Purchasing And Supply Section

- Approves and implements all purchase orders for goods and services.

Property Control Section

- Maintains inventory of all material, supplies and personal property in the possession of the Office.

B - COOK COUNTY FELONY STATISTICS

NUMBER OF COOK COUNTY HOMICIDE DEFENDANTS
ARRESTS, PRELIMINARY HEARINGS AND TRIAL DISPOSITIONS
1970 Through 1977

	1970	1971	1972	1973	1974		1975		1976		1977	
					Number	Per Cent Of Total	Number	Per Cent Of Total	Number	Per Cent Of Total	Number	Per Cent Of Total
Arrests												
Chicago(a)	1,153	1,150	1,023	1,007	1,150	93.1%	1,190	92.4%	1,169	94.7%	1,002	94.3%
Districts Two through Six(b)	n.a.	n.a.	58	72	85	6.9	98	7.6	65	5.3	61	5.7
Total	1,153	1,150	1,081	1,079	1,235	100.0%	1,288	100.0%	1,234	100.0%	1,063	100.0%
Preliminary Hearing Results(c)												
Indictments returned from the Grand Jury	n.a.	580	615	631	702	99.0%	722	95.3%	351	48.0%	309	50.7%
Informations filed	n.a.	4	9	7	7	1.0	36	4.7	380	52.0	300	49.3
Total	745	584	624	638	709	100.0%	758	100.0%	731	100.0%	609	100.0%
Total Indictments And Informations	64.6%	50.8%	57.7%	59.1%	57.4%		58.8%		59.2%		57.2%	
Total Arrests												
Trial Dispositions(c)												
Guilty	n.a.	n.a.	n.a.	n.a.	303	55.6%	348	52.7%	212	49.8%	39	27.8%
Not guilty	n.a.	n.a.	n.a.	n.a.	110	20.2	153	23.2	93	21.8	35	25.0
SOL	n.a.	n.a.	n.a.	n.a.	29	5.3	51	7.7	41	9.6	45	32.1
Nolle prosequi	n.a.	n.a.	n.a.	n.a.	57	10.4	58	8.8	33	7.7	15	10.7
DWP	n.a.	n.a.	n.a.	n.a.	-	-	-	-	-	-	-	-
4th term dismissal	n.a.	n.a.	n.a.	n.a.	2	0.3	-	-	1	0.2	-	-
Other	n.a.	n.a.	n.a.	n.a.	44	8.1	50	7.6	46	10.8	6	4.3
Total Dispositions	n.a.	n.a.	n.a.	n.a.	545	100.0%	660	100.0%	426	100.0%	140	100.0%
Total Dispositions Total Arrests	n.a.	n.a.	n.a.	n.a.	44.1%		51.2%		34.5%		13.1%	

n.a. - not available.

Sources: (a)Chicago Police Department.

(b)Illinois Department of Law Enforcement.

(c)Clerk of the Circuit Court.

COOK COUNTY HOMICIDE STATISTICS
SELECTED RATIOS
 1970 Through 1977

<u>Ratio</u>	<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>
<u>Total Indictments And Informations</u> Total Arrests	64.6%	50.8%	57.7%	59.1%	57.4%	58.8%	59.2%	57.2%
<u>Total Felony Dispositions</u> Total Arrests	n.a.	n.a.	n.a.	n.a.	44.1	51.2	34.5	13.1
<u>Total Felony Dispositions</u> Total Indictments And Informations	n.a.	n.a.	n.a.	n.a.	76.8	87.0	58.3	23.0
<u>Total Guilty Dispositions</u> Total Felony Dispositions	n.a.	n.a.	n.a.	n.a.	55.6	52.7	49.8	27.8
<u>Total Not Guilty Dispositions</u> Total Felony Dispositions	n.a.	n.a.	n.a.	n.a.	20.2	23.2	21.8	25.0
<u>Total Guilty Dispositions</u> Total Arrests	n.a.	n.a.	n.a.	n.a.	24.5	27.0	17.1	3.6
<u>Total Informations</u> Total Indictments And Informations	n.a.	0.6	0.1	1.0	0.9	4.7	51.9	49.2

n.a. - not available.

NUMBER OF COOK COUNTY RAPE DEFENDANTS
ARRESTS, PRELIMINARY HEARINGS AND TRIAL DISPOSITIONS
1970 Through 1977

	1970	1971	1972	1973	1974		1975		1976		1977	
					Number	Per Cent Of Total	Number	Per Cent Of Total	Number	Per Cent Of Total	Number	Per Cent Of Total
Arrests												
Chicago(a)	806	864	1,004	650	834	88.5%	802	85.0%	766	86.7%	719	89.5%
Districts Two through Six(b)	n.a.	n.a.	157	117	108	11.5	142	15.0	118	13.3	84	10.5
Total	806	864	1,161	767	942	100.0%	944	100.0%	884	100.0%	803	100.0%
Preliminary Hearing Results(c)												
Indictments returned from the Grand Jury	n.a.	179	285	311	456	99.8%	490	95.0%	142	44.9%	152	50.2%
Informations filed	n.a.	8	16	14	1	0.2	26	5.0	174	55.1	151	49.8
Total	173	187	301	325	457	100.0%	516	100.0%	316	100.0%	303	100.0%
Total Indictments And Informations	21.4%	21.6%	25.9%	42.3%	48.5%		54.6%		35.7%		37.7%	
Total Arrests												
Trial Dispositions(c)												
Guilty	n.a.	n.a.	n.a.	n.a.	208	59.9%	206	46.5%	92	47.9%	29	39.1%
Not guilty	n.a.	n.a.	n.a.	n.a.	54	15.6	82	18.5	43	22.4	17	23.0
SOL	n.a.	n.a.	n.a.	n.a.	37	10.7	54	12.1	22	11.5	20	27.0
Nolle prosequi	n.a.	n.a.	n.a.	n.a.	23	6.6	65	14.7	20	10.4	6	8.1
DWP	n.a.	n.a.	n.a.	n.a.	-	-	-	-	-	-	-	-
4th term dismissal	n.a.	n.a.	n.a.	n.a.	-	-	-	-	-	-	-	-
Other	n.a.	n.a.	n.a.	n.a.	25	7.2	36	8.1	15	7.8	2	2.7
Total Dispositions	n.a.	n.a.	n.a.	n.a.	347	100.0%	443	100.0%	192	100.0%	74	100.0%
Total Dispositions	n.a.	n.a.	n.a.	n.a.	36.8%		46.9%		21.7%		9.2%	

n.a. - not available.

Sources: (a)Chicago Police Department.

(b)Illinois Department of Law Enforcement.

(c)Clerk of the Circuit Court.

COOK COUNTY RAPE STATISTICS
SELECTED RATIOS
 1970 Through 1977

<u>Ratio</u>	<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>
<u>Total Indictments And Informations</u> Total Arrests	21.4%	21.6%	25.9%	42.3%	48.5%	54.6%	35.7%	37.7%
<u>Total Felony Dispositions</u> Total Arrests	n. a.	n. a.	n. a.	n. a.	36.8	46.9	21.7	9.2
<u>Total Felony Dispositions</u> Total Indictments And Informations	n. a.	n. a.	n. a.	n. a.	75.9	85.8	60.7	24.4
<u>Total Guilty Dispositions</u> Total Felony Dispositions	n. a.	n. a.	n. a.	n. a.	59.9	46.5	47.9	39.1
<u>Total Not Guilty Dispositions</u> Total Felony Dispositions	n. a.	n. a.	n. a.	n. a.	15.6	18.5	22.4	23.0
<u>Total Guilty Dispositions</u> Total Arrests	n. a.	n. a.	n. a.	n. a.	22.1	20.7	10.4	3.6
<u>Total Informations</u> Total Indictments And Informations	n. a.	4.2	5.3	4.3	0.2	5.0	55.1	49.8

n. a. - not available.

NUMBER OF COOK COUNTY AGGRAVATED BATTERY DEFENDANTS
ARRESTS, PRELIMINARY HEARINGS AND TRIAL DISPOSITIONS
1970 Through 1977

	1970	1971	1972	1973	1974		1975		1976		1977	
					Number	Per Cent Of Total	Number	Per Cent Of Total	Number	Per Cent Of Total	Number	Per Cent Of Total
Arrests												
Chicago(a)	3,690	4,185	4,231	3,767	3,886	74.7%	3,946	80.9%	1,723	65.0%	752	48.9%
Districts Two through Six(b)	<u>n.a.</u>	<u>n.a.</u>	<u>1,541</u>	<u>1,719</u>	<u>1,313</u>	<u>25.3</u>	<u>932</u>	<u>19.1</u>	<u>928</u>	<u>35.0</u>	<u>786</u>	<u>51.1</u>
Total	3,690	4,185	5,772	5,486	5,199	100.0%	4,878	100.0%	2,651	100.0%	1,538	100.0%
Preliminary Hearing Results(c)												
Indictments returned from the Grand Jury	n.a.	241	386	392	545	87.2%	771	93.5%	320	39.3%	328	42.7%
Informations filed	<u>n.a.</u>	<u>90</u>	<u>57</u>	<u>43</u>	<u>80</u>	<u>12.8</u>	<u>54</u>	<u>6.5</u>	<u>495</u>	<u>60.7</u>	<u>441</u>	<u>57.3</u>
Total	321	331	443	435	625	100.0%	825	100.0%	815	100.0%	769	100.0%
Total Indictments And Informations	8.7%	7.9%	7.6%	7.9%	12.0%		16.9%		30.7%		50.0%	
Total Arrests												
Trial Dispositions(c)												
Guilty	n.a.	n.a.	n.a.	n.a.	330	61.7%	510	63.0%	468	66.2%	186	60.4%
Not guilty	n.a.	n.a.	n.a.	n.a.	59	12.1	101	12.5	92	13.0	40	13.0
SOL	n.a.	n.a.	n.a.	n.a.	53	10.9	108	13.3	87	12.3	42	13.6
Nolle prosequi	n.a.	n.a.	n.a.	n.a.	35	7.2	47	5.8	39	5.5	34	11.0
DWP	n.a.	n.a.	n.a.	n.a.	-	-	-	-	-	-	-	-
4th term dismissal	n.a.	n.a.	n.a.	n.a.	-	-	-	-	-	-	1	0.3
Other	n.a.	n.a.	n.a.	n.a.	<u>39</u>	<u>8.0</u>	<u>43</u>	<u>5.3</u>	<u>21</u>	<u>3.0</u>	<u>5</u>	<u>1.6</u>
Total Dispositions	n.a.	n.a.	n.a.	n.a.	486	100.0%	809	100.0%	707	100.0%	308	100.0%
Total Dispositions	n.a.	n.a.	n.a.	n.a.	9.3%		16.5%		26.6%		40.0%	
Total Arrests												

n.a. - not available.

Sources: (a)Chicago Police Department.

(b)Illinois Department of Law Enforcement.

(c)Clerk of the Circuit Court.

COOK COUNTY AGGRAVATED BATTERY STATISTICS
SELECTED RATIOS
 1970 Through 1977

<u>Ratio</u>	<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>
<u>Total Indictments And Informations</u> Total Arrests	8.7%	7.9%	7.6%	7.9%	12.0%	16.9%	30.7%	50.0%
<u>Total Felony Dispositions</u> Total Arrests	n.a.	n.a.	n.a.	n.a.	9.3	16.5	26.6	40.0
<u>Total Felony Dispositions</u> Total Indictments And Informations	n.a.	n.a.	n.a.	n.a.	77.8	98.1	86.7	40.1
<u>Total Guilty Dispositions</u> Total Felony Dispositions	n.a.	n.a.	n.a.	n.a.	61.7	63.0	66.2	60.4
<u>Total Not Guilty Dispositions</u> Total Felony Dispositions	n.a.	n.a.	n.a.	n.a.	12.1	12.5	13.0	13.0
<u>Total Guilty Dispositions</u> Total Arrests	n.a.	n.a.	n.a.	n.a.	5.8	10.4	17.6	12.0
<u>Total Informations</u> Total Indictments And Informations	n.a.	27.2	12.9	9.9	12.8	6.5	60.7	57.3

n.a. - not available.

NUMBER OF COOK COUNTY ROBBERY (INCLUDING ARMED ROBBERY) DEFENDANTS
ARRESTS, PRELIMINARY HEARINGS AND TRIAL DISPOSITIONS
1970 Through 1977

	1970	1971	1972	1973	1974		1975		1976		1977	
					Number	Per Cent Of Total	Number	Per Cent Of Total	Number	Per Cent Of Total	Number	Per Cent Of Total
Arrests												
Chicago(a)	6,845	8,424	8,801	7,521	8,444	89.5%	8,459	90.4%	7,657	92.0%	6,766	91.2%
Districts Two through Six(b)	<u>n. a.</u>	<u>n. a.</u>	<u>663</u>	<u>886</u>	<u>990</u>	<u>10.5</u>	<u>896</u>	<u>9.6</u>	<u>667</u>	<u>8.0</u>	<u>653</u>	<u>8.8</u>
Total	6,845	8,424	9,464	8,407	9,434	100.0%	9,355	100.0%	8,324	100.0%	7,419	100.0%
Preliminary Hearing Results(c)												
Indictments returned from the Grand Jury	n. a.	1,200	1,419	1,805	2,496	84.8%	2,922	92.9%	643	30.4%	681	31.9%
Informations filed	<u>n. a.</u>	<u>217</u>	<u>228</u>	<u>370</u>	<u>449</u>	<u>15.2</u>	<u>223</u>	<u>7.1</u>	<u>1,475</u>	<u>69.6</u>	<u>1,457</u>	<u>68.1</u>
Total	1,200	1,417	1,647	2,175	2,945	100.0%	3,145	100.0%	2,118	100.0%	2,138	100.0%
Total Indictments And Informations	17.5%	16.8%	17.4%	25.9%	31.2%		33.6%		25.4%		28.8%	
Total Arrests												
Trial Dispositions(c)												
Guilty	n. a.	n. a.	n. a.	n. a.	1,301	69.1%	1,946	71.5%	1,147	72.5%	550	72.1%
Not guilty	n. a.	n. a.	n. a.	n. a.	144	7.5	159	5.8	122	7.7	71	9.3
SOL	n. a.	n. a.	n. a.	n. a.	185	9.8	318	11.7	166	10.5	75	9.8
Nolle prosequi	n. a.	n. a.	n. a.	n. a.	127	6.7	177	6.5	92	5.8	59	7.7
DWP	n. a.	n. a.	n. a.	n. a.	-	-	-	-	-	-	-	-
4th term dismissal	n. a.	n. a.	n. a.	n. a.	2	0.1	6	0.2	-	-	-	-
Other	n. a.	n. a.	n. a.	n. a.	<u>123</u>	<u>6.5</u>	<u>115</u>	<u>4.2</u>	<u>54</u>	<u>3.4</u>	<u>8</u>	<u>1.0</u>
Total Dispositions	n. a.	n. a.	n. a.	n. a.	1,882	100.0%	2,721	100.0%	1,581	100.0%	763	100.0%
Total Dispositions Total Arrests	n. a.	n. a.	n. a.	n. a.	19.9%		29.0%		19.0%		10.3%	

n. a. - not available.

Sources: (a)Chicago Police Department.

(b)Illinois Department of Law Enforcement.

(c)Clerk of the Circuit Court.

COOK COUNTY ROBBERY STATISTICS (INCLUDING ARMED ROBBERY)
SELECTED RATIOS
 1970 Through 1977

<u>Ratio</u>	<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>
<u>Total Indictments And Informations</u> Total Arrests	17.5%	16.8%	17.4%	25.9%	31.2%	33.6%	25.4%	28.8%
<u>Total Felony Dispositions</u> Total Arrests	n.a.	n.a.	n.a.	n.a.	19.9	29.0	19.0	10.3
<u>Total Felony Dispositions</u> Total Indictments And Informations	n.a.	n.a.	n.a.	n.a.	63.7	99.8	72.9	35.6
<u>Total Guilty Dispositions</u> Total Felony Dispositions	n.a.	n.a.	n.a.	n.a.	69.1	71.5	72.5	72.1
<u>Total Not Guilty Dispositions</u> Total Felony Dispositions	n.a.	n.a.	n.a.	n.a.	7.6	5.8	7.7	9.8
<u>Total Guilty Dispositions</u> Total Arrests	n.a.	n.a.	n.a.	n.a.	13.8	20.8	13.8	7.4
<u>Total Informations</u> Total Indictments And Informations	n.a.	15.3	13.8	17.0	15.2	7.1	69.6	68.1

n.a. - not available.

END