

# EEO Utilization Report

## Organization Information

Name: Cook County State's Attorney's Office

City: Chicago

State: IL

Zip: 60602

Type: County Attorney General or Prosecutor's Office

## Step 1: Introductory Information

### Policy Statement:

The State's Attorney's Office is an Equal Opportunity Employer committed to complying with all applicable laws and regulations relating to equal employment opportunities, regardless of an individual's race, color, creed, religion, ancestry, national origin, age, sex (including gender identity, sexual orientation, and pregnancy), genetic information, citizenship, military service, marital status, parental status, or disability. The SAO has an Equal Employment Opportunity Program that is in compliance with all applicable laws and regulations. If an employee believes that he or she has received treatment that violates these policies, the employee should notify the EEO Officer and/or the Director of Human Resources as soon as possible in writing.

## **STEP 4b: Narrative Underutilization Analysis**

The Cook County State's Attorney's Office, headed by State's Attorney Kimberly M. Foxx, is the largest office of prosecutors in Illinois and the second largest in the United States. A staff of executives, professionals and State's Attorney's investigators who are sworn police officers support the work of the Assistant State's Attorneys (ASAs). The State's Attorney's Office seeks a diversified workforce. Since the submission of its last report, the Office has taken significant strides in implementing key positions and practices in furtherance of increasing diversity and inclusion in the Office, and training professionals who are equipped to serve our diverse community.

The Office's first Chief Diversity Officer was hired when State's Attorney Foxx took office on December 1, 2016. The Diversity Officer is a key partner in implementing the Office's commitment to fostering an inclusive environment where the differences in race, ethnicity, gender, gender identity or expression, age, national origin, disability, sexual orientation, and religions of our employees are appreciated and embraced. Under the leadership of the Diversity Officer, the Office has increased its recruiting efforts of minority law students at the law schools with the highest minority enrollment rates and has partnered with local bar associations in an effort to diversify the lateral attorney pipeline. The Office has made progress for women and people of color representation at all levels of leadership, while continuing to advance inclusion in the workplace.

The key drivers of the Office's diversity and inclusion initiatives are the Diversity Committee and Employee Resource Groups (ERGs), also implemented under the leadership of State's Attorney Foxx. These voluntary, grass-root groups, are self-governed by employees and operate under the advisory guidance of the Chief Diversity Officer to provide an outlet for professional development, community outreach, and assistance with recruitment and retention of diverse employees. The Office has five active ERGs: Asian American Prosecutors, AA ERG (African-American ERG), HASA (Hispanic ASAs), LGBT+, and W.I.S.E. (Women's Insight & Support Through Education).

In addition, in October of 2018, the Office hired its first ever Equal Employment Opportunity (EEO) Officer, who reports directly to the Chief of Staff. The EEO Officer is responsible for formulating and implementing the Office's EEO policy, monitoring and reviewing the Office's employment practices, conducting internal EEO investigations, and working with the Chief Diversity Officer to develop strategies to improve diversity and promote a more inclusive workplace.

In order to better contextualize the Office's underutilization data, it is important to understand the nature of the Office's workforce and how this has impacted the Office's recruitment priorities over the past two years, and the nature of the labor pool from which the Office has been drawing since the submission of its last report.

Like most governmental bodies, the State's Attorney's Office is composed of both union and non-union employees. Its investigators—both sworn and unsworn officers—are all unionized. Approximately 90% of the Office's administrative support staff personnel is also unionized. The extent to which the Office can impact hiring and diversity numbers in the unionized employee categories is circumscribed by adherence to various union contracts and rights contained therein.

The State's Attorney's ASAs, non-union licensed attorneys, comprise the majority of its employees that would be classified as professionals in the Utilization Analysis Chart. The ASAs are often considered to be the "face" of the Office in terms of the discretion they have in executing their duties and their interaction with citizens, law enforcement, the judiciary, the community at large, and other diverse stakeholders. As such, in the areas of diversity and inclusion, the Office has determined that it is among the ASAs where the most direct and systemically critical impact can be made.

Impacting diversity among its legal professionals presents a unique challenge to the Office because the legal profession is one of the least diverse professions in the country. See Laffey, Allison E. and Ng, Allison. "Diversity and Inclusion in the Law: Challenges and Initiatives." American Bar Association Section of Litigation, Judicial Intern Opportunity Program Committee page. 2 May 2018, <https://www.americanbar.org/groups/litigation/committees/jiop/articles/201>

8/diversity-and-inclusion-in-the-law-challenges-and-initiatives/. However, according to a study conducted by Enjuris, an independent legal resource, one notable phenomenon in the legal industry is that as of 2016, the number of women enrollees in law schools across the country surpassed the number of men; this phenomenon was repeated in 2017. See Enjuris.com, "Where Do Women Go to Law School?", <https://www.enjuris.com/students/ranking-universities.html> (retrieved December 16, 2018). The Office's Utilization Analysis Chart in the category of professionals is reflective of this trend; it demonstrates women outnumbering men in that category across all races.

Nonetheless, overall the Office's ASAs are majority White, representing 71% of the total ASA workforce. Since the last report, as indicated above and as will be further detailed in Step 5 & 6, the Office has been taking a broad-based, wholistic approach to improving its overall diversity and inclusion footprint.

Areas of underutilization identified in the analysis include White and Asian males and White and Asian females. Areas of underutilization were identified as areas where the agency workforce had 2 or more standard deviations from the community labor statistics.

The following areas are highlighted as areas of significant underutilization:

1. White males are underrepresented in the area of Officials/Administrators (-21%), Professionals (-4%), and Administrative Support (-13%).
2. Asian males are underrepresented in the category of Professionals (-5%).
3. Asian females are underrepresented in the category of Professionals (-2%)
4. Asian males (-6%), Asian females (-6%), and White females (-16%) are underrepresented in the category of Sworn Officers (-8%).

In reviewing our previously submitted EEOP, we were able to identify some improvement. In the Officials/Administrators category, White females were underrepresented by 4% in 2018. White female representation in that area increased, so that they are now well-represented in that category with their utilization rate being +7%. In the last report Hispanic/Latino females were well-represented in the category of Professionals, with their utilization rate

being +3%; in this most recent report that positive utilization has increased by 1%, so that they are now at +4%.

## **Step 4b: Narrative of Interpretation**

See attachment.

Following File has been uploaded:STEP 4b Narrative FINAL 12.21.18.docx

## **Step 5: Objectives and Steps**

### **1. Increase outreach and pipeline initiatives in order to address underutilization numbers relative to Asian males and females employed by the Office.**

- a. First, the Office created several Employee Resource Groups, including the Asian American Prosecutors ERG, which provide assistance with recruitment and retention of diverse employees.
- b. Second, the Office's Director of Legal Hiring works closely with the Asian American Prosecutors ERG in order to identify and participate in outreach and recruitment opportunities in the Asian community, which enable the Office to inform Asian male and female law students, lateral attorneys, and those in the law-related job sector about employment opportunities with the Office.
- c. Third, for the last two years the Office has sent a sizeable delegation of ASAs to the National Asian Pacific American Bar Association Convention, including the most recent 30th Annual National Asian Pacific American Bar Association Convention, which was held in Chicago, Illinois. ASAs that identified as Asian were all encouraged and approved to attend the Chicago convention. This not only provides the Office's Asian ASAs with critical professional development opportunities, but it also creates additional outreach and recruitment opportunities for the Office within the national and international Asian legal community.
- d. Finally, over the past two years the Office has created a new pipeline for the development and recruitment of future Asian male and female ASAs. The Office has determined that several law schools in the Southern part of the United States, such as Emory University School of Law and Florida International University College of Law, have a significant number of Asian students in their JD programs. Thus, the Office began to include those law schools in its overall recruitment activities, including its recruitment for law clerks. As a result, the Office has expanded opportunities for Asian male and female law students to gain valuable learning and work experience with the Office, thus making them attractive candidates for full-time attorney positions with the Office post-graduation.

### **2. Create innovative programs to call attention to the importance of diversity in the legal profession.**

- a. Helped plan the first State of Latinos in the Law Symposium. The State's Attorney's Office's Director of Legal Recruiting was on the planning committee. The highly successful event garnered participation from law schools throughout the State of Illinois and resulted in a white paper, Latino Representation in the Law.
- b. Joined the planning committee for a minority prosecutors career fair, anticipated for March 2019, engaging input from prosecutors at the Federal, State, City, and County levels, and targeting minority law students and minority attorneys with up to three years legal experience.

### **3. Review all job requirements and hiring procedures to ensure no unnecessary barriers exist to deny equal employment opportunity.**

- a. Monitor recruitment policies and procedures.
- b. Provide EEO training to supervisors and to professionals within the Office who participate in the recruitment and interview process.

### **4. Make key hires to develop and implement diversity and inclusion strategies.**

- a. Hired the Office's first Chief Diversity Officer and EEO Officer.

### **5. Create internal mechanisms to engage employees in diversity and inclusion initiatives.**

- a. Created Employee Resource Groups (ERGs), which are self-directed and under the guidance of the Chief Diversity Officer. The Office will continue to use our ERGs as vital resources for feedback and direction on areas of improvement in our diversity and inclusion efforts.
- b. Created the first ever State's Attorney's Office Diversity Committee, which reports directly to the Chief of Staff.
- c. Presented the First Annual Diversity and Inclusion Training on June 7th & 8th of 2018. This was a two-day training for the ASAs that addressed topics such as implicit bias, microaggressions, 21st Century Policing, and intergenerational and community trauma.

**6. Evaluate and enhance our outreach, recruitment, and promotion practices to better reach underutilized populations.**

- a. Continue yearly outreach program to local and national law schools and universities to identify qualified applicants. We will continue to target diverse law student organizations and programs for recruiting purposes. In addition, when our Director of Legal Recruiting conducts on-campus interviewing of law students, she connects with at least one minority campus group leader at each law school visited.
- b. Continue attending and hosting minority job fairs to recruit qualified law school graduates for employment. The Office currently attends the National Black Prosecutors Association's Job Fair, Hispanic National Bar Association's Job Fair, Lavender Law Job Fair (LGBT), Southeastern Minority Fair (Georgia), and Cook County Bar Association's Minority Job Fair.
- c. Continue to place a priority on training newly hired Assistant State's Attorneys, investigators, and support staff, and targeting minority candidates for recruitment and advancement.
- d. Continue to use the State's Attorney's Office's website as a means to reach out to applicants, making employment information available via the Office website including job postings, clerking opportunities, and application materials. Additionally, the Office frequently uses LinkedIn and other social media platforms to disseminate notice of employment and clerking opportunities.
- e. Continue to develop and expand contacts and work to create a presence in underrepresented communities by working with established community groups. The State's Attorney's Office's Community Outreach Unit and Community Justice Centers actively seek out and participate in underrepresented communities' activities and organizations.

**7. Increase pipeline programs by doing early outreach to high school age youth to inform them about the State's Attorney's Office and the legal profession in general. By doing so, we play a part in building interest in the legal profession and building capacity to succeed in the legal profession in diverse individuals at an early age.**

- a. Started a high school internship program for youth in minority and underserved communities in Cook County.
- b. Traveled to four high schools in minority and underserved communities in Cook County to teach them about the State's Attorney's Office, and provide them with job-readiness skills training. This program resulted in some of those students being selected as interns with the State's Attorney's Office.
- c. In the summer of 2018 worked with nonprofits in minority and underserved communities to provide wrap-around support to students in the late high school to mid-undergraduate college age range.

**Step 6: Internal Dissemination**

1. Once the Justice Department's approval of the EEOP Utilization Report has been received, the Director of Human Resources will communicate via email with all existing employees concerning the updated EEOP Utilization Report and will include the same information in new employee orientation materials, informing all employees that a copy is available to them upon request to the Human Resources Department.
2. Provide a copy of the EEOP Utilization Report to the State's Attorney's Diversity Committee and ERG members.
3. Continue to include the Office's non-discrimination statement in the employee handbook and state that a copy of the EEOP Utilization Report is available on request to the Human Resources Department.
4. Continue to post information about the EEOP Utilization Report on employee bulletin boards throughout the State's Attorney's Office in all locations.
5. Inform employees that the EEOP Utilization Report can be accessed electronically through the shared drive on work computers.
6. Annually review the EEOP Utilization Report with the appropriate administrators within the Office.

**Step 7: External Dissemination**

1. Have a copy of the EEOP Utilization Report available for external stakeholders.
2. Continue to post the EEOP policy statement on the State's Attorney's Office's web page.
3. Include a link to the final approved EEOP Utilization Report on the State's Attorney's Office's web page.



4. Inform all recruiting sources of our EEOP Utilization Report.
5. Include a written statement on all job postings and applications, including those on the Office's website, explaining how a copy of the EEOP Utilization Report may be obtained upon request to the Human Resources Department.
6. Annually review the EEOP Utilization Report with the appropriate administrators within the Office.

**Utilization Analysis Chart  
Relevant Labor Market: Cook County, Illinois**

Job Categories	Male							Female								
	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other
<b>Officials/Administrators</b>																
Workforce #/%	8/23%	0/0%	2/6%	0/0%	1/3%	0/0%	0/0%	0/0%	12/34%	2/6%	10/29%	0/0%	0/0%	0/0%	0/0%	0/0%
CLS #/%	158,900/4	18,075/5	17,610/5	180/0%	14,990/4	125/0%	1,190/0%	935/0%	99,985/27	14,565/4	26,540/7	150/0%	9,290/3%	35/0%	850/0%	460/0%
Utilization #/%	-21%	-5%	1%	-0%	-1%	-0%	-0%	-0%	7%	2%	21%	-0%	-3%	-0%	-0%	-0%
<b>Professionals</b>																
Workforce #/%	221/28%	31/4%	30/4%	0/0%	10/1%	0/0%	0/0%	1/0%	315/40%	62/8%	87/11%	0/0%	28/4%	0/0%	0/0%	2/0%
CLS #/%	172,535/3	17,940/3	24,365/5	130/0%	31,240/6	45/0%	1,705/0%	1,095/0%	183,630/3	22,665/4	49,900/9	195/0%	30,665/6	30/0%	2,365/0%	1,035/0%
Utilization #/%	-4%	1%	-1%	-0%	-5%	-0%	-0%	-0%	6%	4%	2%	-0%	-2%	-0%	-0%	0%
<b>Technicians</b>																
Workforce #/%	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/
CLS #/%	15,910/26	3,385/5%	3,885/6%	40/0%	4,830/8%	0/0%	170/0%	155/0%	16,055/26	3,095/5%	9,600/16	55/0%	4,340/7%	15/0%	185/0%	135/0%
Utilization #/%																
<b>Protective Services: Sworn-Officials</b>																
Workforce #/%	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/
CLS #/%	23,855/40	7,125/12	14,230/24	130/0%	855/1%	10/0%	390/1%	90/0%	3,685/6%	1,585/3%	7,685/13	35/0%	115/0%	0/0%	64/0%	50/0%
Utilization #/%																
<b>Protective Services: Sworn-Patrol Officers</b>																
Workforce #/%	55/54%	7/7%	16/16%	0/0%	0/0%	0/0%	0/0%	0/0%	14/14%	4/4%	5/5%	0/0%	0/0%	0/0%	0/0%	0/0%
Civilian Labor Force #/%	94,825/35	9,115/3%	17,735/7	105/0%	14,930/6	50/0%	630/0%	510/0%	81,215/30	7,140/3%	26,385/10	105/0%	14,965/6	35/0%	580/0%	420/0%
Utilization #/%	19%	4%	9%	-0%	-6%	-0%	-0%	-0%	-16%	1%	-5%	-0%	-6%	-0%	-0%	-0%
<b>Protective Services: Non-sworn</b>																

Job Categories	Male							Female								
	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other
Workforce #/%	1/100%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%
CLS #/%	1,445/27%	415/8%	325/6%	351/1%	30/1%	0/0%	80/1%	0/0%	1,445/27%	260/5%	1,335/25%	0/0%	60/1%	0/0%	8/0%	0/0%
Utilization #/%	73%	-8%	-6%	-1%	-1%	0%	-1%	0%	-27%	-5%	-25%	0%	-1%	0%	-0%	0%
<b>Administrative Support</b>																
Workforce #/%	29/10%	16/6%	12/4%	0/0%	12/4%	0/0%	0/0%	0/0%	96/34%	54/19%	53/19%	0/0%	10/4%	0/0%	0/0%	1/0%
CLS #/%	155,925/23%	45,565/7%	40,425/6%	230/0%	17,910/3%	20/0%	1,445/0%	1,235/0%	222,095/33%	74,395/11%	98,925/14%	410/0%	20,130/3%	215/0%	2,325/0%	1,565/0%
Utilization #/%	-13%	-1%	-2%	-0%	2%	-0%	-0%	-0%	1%	8%	4%	-0%	1%	-0%	-0%	0%
<b>Skilled Craft</b>																
Workforce #/%	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/	0/
CLS #/%	106,800/56%	47,770/25%	18,540/10%	145/0%	4,020/2%	4/0%	625/0%	390/0%	5,240/3%	2,970/2%	2,800/1%	30/0%	1,165/1%	0/0%	80/0%	25/0%
Utilization #/%																
<b>Service/Maintenance</b>																
Workforce #/%	0/0%	1/100%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%
CLS #/%	138,780/21%	164,280/24%	75,385/11%	520/0%	17,170/3%	120/0%	1,985/0%	1,565/0%	102,195/15%	185,350/13%	68,730/10%	285/0%	16,505/2%	70/0%	1,955/0%	1,285/0%
Utilization #/%	-2.1%	76%	-1.1%	-0%	-3%	-0%	-0%	-0%	-15%	-13%	-10%	-0%	-2%	-0%	-0%	-0%

**Significant Underutilization Chart**

Job Categories	Male						Female									
	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other
Officials/Administrators	✓															
Professionals	✓				✓								✓			
Protective Services: Sworn-Patrol Officers					✓				✓				✓			
Administrative Support	✓															

Law Enforcement Category Rank Chart

Job Categories	Male							Female								
	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other	White	Hispanic or Latino	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander	Two or More Races	Other
<b>Protective Services: Non-sworn</b>																
Workforce #/%	1/100%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%	0/0%
<b>Protective Services: Sworn-Patrol Officers</b>																
Workforce #/%	55/54%	7/7%	16/16%	0/0%	0/0%	0/0%	0/0%	0/0%	14/14%	4/4%	5/5%	0/0%	0/0%	0/0%	0/0%	0/0%

I understand the regulatory obligation under 28 C.F.R. ~ 42.301-.308 to collect and maintain extensive employment data by race, national origin, and sex, even though our organization may not use all of this data in completing the EEO Utilization Report.

I have reviewed the foregoing EEO Utilization Report and certify the accuracy of the reported workforce data and our organization's employment policies.

Certified As Final By: Donyelle Gray

EEO Officer

12-21-2018

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[signature]

[title]

[date]