

COOK COUNTY STATE'S ATTORNEY



TWO YEAR REPORT

KIMBERLY M. FOXX | MARCH 2019







Dear Friends,

When I took office in December 2016, I set out to reform the Cook County State's Attorney's Office to make it more effective, efficient, and just. As I enter the second half of my term as your State's Attorney, I want to share with you the progress we have made over the past two years.

This report outlines the changes that our team has made to achieve my vision of transforming the Cook County State's Attorney's Office into a fairer, more just agency focused on promoting public safety while building trust in the criminal justice system. My transition report detailed my key policy objectives and the plans we had to address them. This Two-Year Report outlines the progress we have made on those objectives.

The job of the State's Attorney's Office is to promote public safety, but that can only be achieved through an office which operates, and is perceived to operate, with integrity, discretion, accountability, and fairness. At the time of my election, trust in the criminal justice system was at a critical low and violence was spiking, especially in our most vulnerable communities. We could not increase public safety without a recognition and ownership of the problems in our criminal justice system, including racial disparities and the disproportionate impact of violence and mass incarceration. With this in mind, I focused on rebuilding trust through an unprecedented level of transparency; increasing public safety through smart prosecution strategies; and creating a mission-driven, professional workforce.

As always, I am deeply grateful to the people of Cook County for electing me to serve them. Although we have taken important steps to improve our system, we have much work to do over the next two years. I invite you, the people whom I serve, to continue to engage and to hold me accountable to make the State's Attorney's Office more responsive to your needs. Together, we can make Cook County more effective in providing public safety and just outcomes.

Sincerely,

KIMBERLY M. FOXX

Cook County State's Attorney

ACCOUNTABILITY & INTEGRITY

At the core of the Office of the Cook County State's Attorney is a mission to promote public safety and pursue justice. This mission cannot be fulfilled unless the Office is trusted and viewed as legitimate by the communities it serves. To acknowledge and address these concerns, in the last two years we have made substantial progress:

NAMED FIRST CHIEF ETHICS OFFICER

The Office's first Chief Ethics Officer began in January 2017. The Ethics Officer's main function is to provide confidential advice, outside of the normal chain-of-command, to any attorney who has ethical questions or concerns regarding his or her professional responsibilities. To the extent that there are complaints that an attorney within the Office has breached ethical obligations, the Ethics Officer conducts internal investigations into the allegations and makes appropriate referrals of cases to outside agencies. The Chief Ethics Officer is also responsible for identifying gaps in policies and training and drafting new policies to address those gaps. Since January 2017, the Chief Ethics Officer has drafted several new ethics policies and conducted more than 20 trainings for prosecutors and law enforcement officers. Finally, the Chief Ethics Officer supervises the work of the Conviction Integrity Unit, as is discussed further below.

DESIGNATED FIRST CHIEF DIVERSITY OFFICER

When State's Attorney Foxx took office, she immediately hired the Office's first Chief Diversity Officer to foster 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. To this end, the Office has increased its recruiting efforts at the law schools with the highest minority enrollment rates and has partnered with local bar associations in an effort to



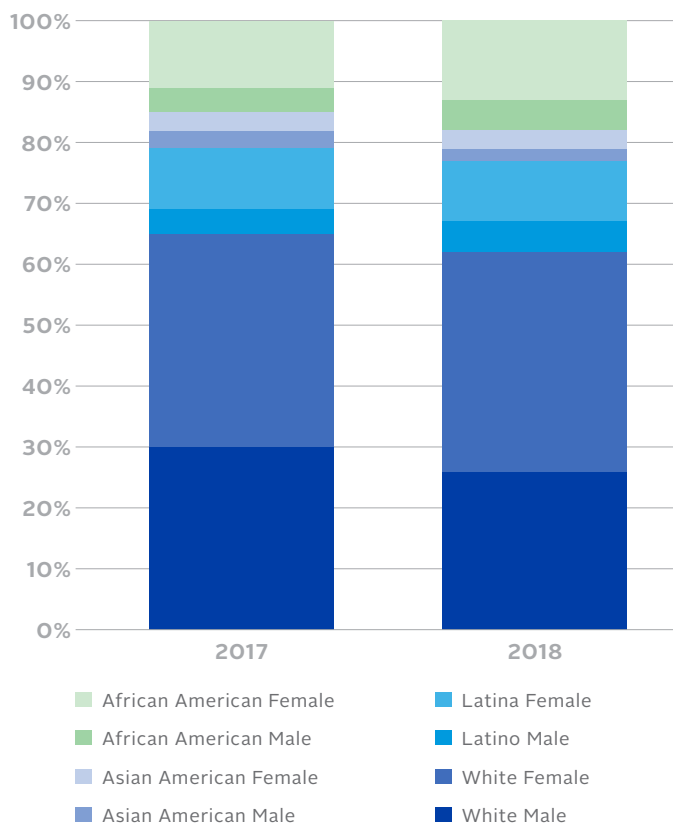
diversify the lateral attorney pipeline. We have made progress in advancing the representation of women and people of color at all levels of leadership, while continuing to advance inclusion in the workplace.

The key drivers of the Office's diversity and inclusion initiatives are the Diversity Committee and Employee Resource Groups (ERGs). These voluntary, grassroot groups are self-governed by employees and operate under the guidance of the Chief Diversity Officer. The ERGs provide a space 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), 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. 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.



WOMEN AND MINORITY STAFF INCREASED BY 4 PERCENTAGE POINTS



ARTICULATED MISSION AND VISION FOR THE OFFICE

In April 2018, the Office formally articulated the mission and values: We are committed to working for the best, fairest outcomes. These are not measured by conviction rates or sentence length. Justice means doing what is right in each individual case. In seeking justice, we act with the values of integrity, fairness, accountability, respect, and collaboration.

All levels of leadership play a key role in helping office personnel understand this mission and vision, and supervisors have an influential role as they direct staff behavior and decision making on a daily basis. In leading the Office's mission and values, supervisors have been empowered to: understand, embrace, and role model the behaviors associated with the Office's mission and values; support, encourage, and coach personnel to live out the behaviors associated with each value and recognize those who exemplify the Office's values; and clarify the Office's mission and values by facilitating regular group discussions about the mission.



INVESTIGATION AND PROSECUTION OF POLICE MISCONDUCT

Professionally and efficiently evaluating police-involved shootings for potential criminal charges is one of the Office's top priorities. A dedicated unit, Law Enforcement Accountability Division (LEAD), within the Office works hand in hand with the Civilian Office of Police Accountability, Illinois State Police Public Integrity Task Force, and Federal Bureau of Investigation to investigate every officer-involved shooting in Cook County. Prosecutors assigned to LEAD are on call 24 hours a day, 7 days a week and are immediately notified by our law enforcement partners of officer-involved shootings. Professional Standards prosecutors assist in these investigations by issuing subpoenas, obtaining search warrants, authorizing submission of evidence to the Illinois State Police crime lab, and interviewing witnesses. Every case is then reviewed by multiple supervisors to determine whether criminal charges against an officer would be appropriate based on the evidence and supported by the law. In two cases, this process has resulted in first-degree murder charges being filed within days of the incidents occurring.

In 2017, State's Attorney Foxx advocated for legislation that amended the Special Prosecutor Act to designate the Office of the State Appellate Prosecutor – a statewide office based outside of Cook County – as special prosecutor in officer-

involved death cases. Under the amended law, if the Office's investigation into an officer-involved death concludes that the Officer should not be charged criminally, the State Appellate Prosecutor is tasked with reviewing that investigation and making its own independent recommendation about whether charges were appropriate. If the State Appellate Prosecutor made such a determination, the Office would seek recusal, and the State Appellate Prosecutor would step in to prosecute. Since enactment of the legislation, the Office has referred several matters to the State Appellate Prosecutor for secondary review. In each instance, the State Appellate Prosecutor has agreed with the Office that criminal charges against the involved officers would be inappropriate.

CONVICTION INTEGRITY UNIT

The Conviction Integrity Unity (CIU) reviews evidence, interviews witnesses, studies court records, and investigates claims that a convicted defendant was innocent of wrongdoing. In some instances, the CIU evaluates police behavior to ascertain whether there were flaws in the procedures used to investigate and prosecute a criminal case. Since State's Attorney Foxx assumed office in 2016, the work of the CIU has become more transparent, independent, and efficient.



As its first order of business, the CIU developed and published a policy statement that defines the types of cases CIU will review and explains how CIU investigations are conducted. This policy statement has a companion application form that was drafted for use by non-lawyers. Both the policy statement and the application questionnaire are available on the State's Attorney's website and copies of both documents have been distributed throughout the Illinois Department of Corrections.

State's Attorney Foxx has also ensured that the CIU operates independently of the criminal prosecution functions of the Office. The CIU now reports directly to the Chief Ethics Officer, who reports directly to State's Attorney Foxx on its work. Moreover, the CIU's offices have been relocated out of the criminal courthouse at 2650 South California.

Since taking office on December 1, 2016, more than 50 defendants have obtained relief following a CIU review of a criminal conviction. In most cases, defendants have been exonerated from guilt in the crime or State's Attorney Foxx has agreed to vacate convictions because of police misconduct during the investigation or arrest of the defendant. In other cases, defendants have been awarded a new trial because of concern about the fairness of the proceedings that led to conviction.

IMPLICIT BIAS TRAINING

Our criminal justice system has racial disparities which have the opportunity to be compounded at each decision-making point. A prosecutor's understanding of the role of implicit bias and of racial disparities in the system is key to achieving just and fair outcomes. To enhance our understanding of implicit bias, the Office held an extensive training conducted by recognized experts on the role of implicit bias; the history of racism in policing; intergenerational and community trauma; and the idea of equitable justice in the context of an unequal society. The training sparked honest conversation and personal reflection across the Office. The Office continues to bring in outside agencies and experts to tackle issues involving racism and prejudice and to have the uncomfortable conversations that bring us closer to a fairer and more just criminal justice system.

ENGAGEMENT AND TRANSPARENCY

Without a deep understanding of the state of the Office's operations, both qualitative and quantitative, we cannot understand where resources are currently being allocated and the outcomes of those allocations. In order to increase trust in our system, State's Attorney Foxx made a commitment to increasing the transparency and accountability of the Office.

In furtherance of this commitment, State's Attorney Foxx hired the first Chief Data Officer (CDO) and released an unprecedented level of data transparency through both multiple data reports and by releasing over six years of felony criminal case data including race, age, and gender on an online open data portal.

Coming into office, it was clear that the criminal justice system doesn't operate in a vacuum. Communities across the County care deeply about the work of the Office and its perceived fairness, or lack thereof. To facilitate real transparency and engagement with communities, a Chief Data Officer role was created in 2017. The CDO was first tasked with releasing data to create transparency and community engagement. Accordingly, the Office has released two data reports on felony cases from 2016 and 2017. The data reports allow the public to understand the work of the Office through each stage of a case from review to conviction. Beyond releasing the data reports, the Office has released and updated felony case, offender, and charge level data going back to 2011 to provide the public unparalleled transparency and access into our work. This data has been accessed by the public more than 5,000 times.

State's Attorney Foxx did not want to just release an overwhelming amount of raw data without context or the tools to use it. Transparency means helping people understand and use the information to ask the tough questions, so that the

Office can improve. To address that need, the Office created "Hacking for Justice," a free training available to any member of the public on how to work with and analyze our data. The training was attended by a diverse group of individuals including community members, police officers, a journalist, and criminal justice reform advocates. To further increase transparency and engagement, the Office works with numerous academics allowing them access to prosecutors and staff as well as data for the various research pursuits. The Office was included in a study and recent publication, "Prosecutorial Attitudes, Perspectives, and Priorities: Insights from the Inside," conducted and issued by Florida International University, Loyola University, and the MacArthur Foundation (Prosecutorial Report). The study allowed researchers to access the prosecutors in four different offices, including Cook County, to look at prosecutorial performance and decision making. The report collected information from prosecutors about how they define success, value community engagement, and view incarceration and racial disparities. We hope to use the findings from the report to improve management and communication within the Office.





ENGAGEMENT

State's Attorney Foxx has made substantive efforts to visit and meet with constituents from every corner of the county. Within her first 100 days in office, she conducted a countywide listening tour with the fundamental goal of introducing the new administration and soliciting feedback on how to improve community relations and transform the Office. State's Attorney Foxx visited churches, mosques, and synagogues; met with community leaders and elected officials; and spearheaded several community forums. Two years into office, this crucial community engagement continues to grow, including visits across Cook County, from the north suburbs to the south suburbs and everywhere in between. Through this engagement, the Office has developed crucial partnerships, received great feedback, and maintained critical pathways of communication between the Office and community members.

Aside from her individual engagement, State's Attorney Foxx believes that every member of the Office should play an active

role in community engagement. That's why the Office has revamped our *Speakers' Bureau* program. The Speakers' Bureau is a program that connects current ASAs and staff members with community members interested in learning more about the Office and the criminal justice process. Representing the Office, these speakers work to educate and engage the public and act as a community resource promoting the State's Attorney's initiatives and crime prevention programs. The Speakers' Bureau offers a variety of presentations focusing on public safety challenges. The topics include: Conflict Resolution, Violence Prevention, Cyber Safety, Hate Crimes, Identity Theft/ Consumer Fraud, Youth Empowerment, Choose Not to Lose (Gang Awareness/ Prevention), Law for Life, Crimes Against Seniors, Domestic Violence, Mortgage Fraud/ Troubled Buildings, and Senior Safety. These past two years, the Office has made a concerted effort to extend the reach of this program and connect with even more constituents moving forward.

SMART STRATEGIES TO PROMOTE PUBLIC SAFETY

In 2016, Chicago experienced a severe and devastating increase in both shootings and homicides. Addressing this horrific violence, which often occurs in concentrated communities with people of color, remains a top priority.

State's Attorney Foxx set out to establish a comprehensive approach to address violence, recognizing that smart prosecution strategies, coupled with effective community engagement and appropriate diversion programs, were key to promoting public safety. As a result, State's Attorney Foxx established the Gun Crimes Strategies Unit; took a fresh look at how our Community Justice Centers interacted with communities; and adopted a public health lens on issues involving addiction and mental health.

GUN CRIMES STRATEGIES UNIT

The unfortunate truth is that violence disproportionately affects our poorest and most underserved communities; communities that not only live with unacceptable rates of gun violence on a daily basis but also face high rates of poverty and unemployment. In an effort to address the critical needs of these communities, State's Attorney Foxx created the Gun Crimes Strategies Unit (GCSU): a group of prosecutors dedicated to the police districts with the highest rates of violence.

The GCSU prosecutors spend a significant portion of time physically present in police districts in order to develop a deep understanding of the conflicts and individuals who drive violence. Prosecutors participate in daily intelligence briefings conducted by the Chicago Police Department (CPD) Commanders, as well as weekly meetings to review the shootings over the past seven days in order to identify emerging conflicts affecting specific neighborhoods.

Through on-the-ground intelligence collection, prosecutors identify the individuals and conflicts that are the highest priority for these neighborhoods and conduct investigations in order to develop stronger, more impactful cases. To build successful investigations, the assistant state's attorneys work closely with CPD, the Federal Bureau of Investigation (FBI), the Bureau of



Alcohol, Tobacco, Firearms and Explosives (ATF), and the U.S. Attorney's Office. Once these priority individuals are arrested, assistant state's attorneys vertically prosecute the cases; meaning prosecutors handle the case from the moment of arrest through sentencing. The close partnership with local and federal partners, coupled with intelligence gathering and vertical prosecution, represents a more effective prosecution model.

Gun Crimes Strategies prosecutors are currently located in the 6th, 7th, 10th, 11th, and 15th Chicago Police districts.

COMMUNITY JUSTICE CENTERS

The communities that suffer greatly due to violence often have a broken relationship with the criminal justice system, which includes prosecutors. In an effort to improve the Office's relationship with these communities and ensure that we incorporate the voices of our most vulnerable members, State's Attorney Foxx changed the emphasis of our Community Justice Centers (CJC). The change started with relocating the CJC supervisor from the north side to the west side to align our resources with areas with the most concentrated violent crime. In an effort to reach a broader audience and listen to voices that have been historically reluctant to engage with the Office, we are developing a new partnership with social administration graduate students. The students will partner with the CJsCs to evaluate our methods of engagement and help develop a more comprehensive plan for connecting with all members of our county. As we go deeper into communities and connect with a broader base, we will build trust and understanding that allows for productive dialogue and an opportunity to better serve.

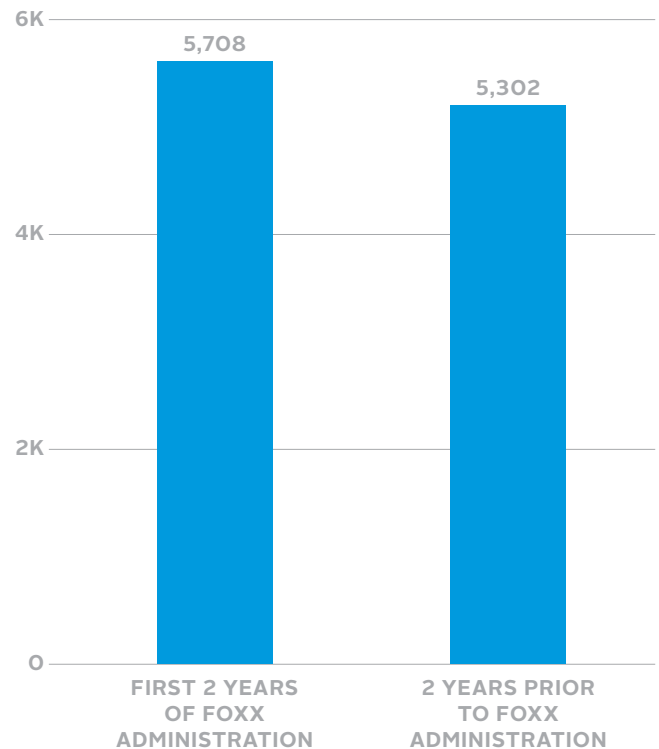


DIVERSION PROGRAMS

The State's Attorney's Office recognizes that many individuals end up in the criminal justice system as the result of mental health and substance abuse issues. As we dedicate more resources to the small percentage of the population driving violence, we also look for ways to avoid unnecessary contact with the criminal justice system for individuals who are better served by medical care or diversion. To promote public safety, we are working to better understand these issues and identify effective treatment and diversion programs to help people become healthy, productive citizens. With this enhanced awareness, the Office has seen a 25% increase in the number of felony-level offenders referred to diversion per offender charged since State's Attorney Foxx took office.

As we look carefully at the role of mental illness in the criminal justice system, we are attempting to identify situations where medical care should replace prosecution. We are currently partnering with other stakeholders including judges, public defenders, and doctors to pilot a program to address a small subsection of such individuals. Unfortunately, a small percentage of individuals who suffer from serious mental illness come into contact with the criminal justice system frequently, often through repeat misdemeanor offenses. In the past, these individuals often have spent time in the Department of Health Services awaiting a determination regarding their fitness to stand trial. Following a fitness determination, the individuals either pled guilty or were found unfit. In either scenario, the individuals were released back into the community without treatment plans or connections to community service providers.

REFERRALS FOR ALTERNATIVE PROSECUTION WENT UP



To better address the needs of these individuals and to stop repeat offending, the Office partnered with other stakeholders to create an alternative avenue for these cases. Instead of proceeding on the misdemeanor case, the individuals are redirected to community-based service providers. These providers diagnose illnesses and determine appropriate treatment plans. Most importantly the service providers stay connected with the individuals, so they have access to ongoing treatment long after the criminal matter is resolved.

Finally, to deepen our understanding of these issues and draft appropriate policies, we have hired a full-time policy advisor dedicated to examining the intersection of mental health, substance abuse, and the court system. This policy advisor will continue to identify the optimal points in our process to divert and to offer treatment when appropriate.

CRIMINAL CASE MANAGEMENT AND OPERATIONS

A major challenge facing the Office was a case management system that had been in place and virtually unchanged for many years, sacrificing innovation and efficiency for comfort and familiarity. Rather than being an effective tool to aid in the efficient handling of felony cases, the management system increased the workload and responsibilities of Assistant State's Attorneys within the Felony Trial Division. One of State's Attorney Foxx's goals was to restore discretion and professionalism to our attorneys and develop a management system that facilitates efficient and professional case processing.

DISCRETION

In order to support the thoughtful disposition of cases, State's Attorney Foxx implemented a discretion chart to empower line ASAs to be decision makers and to craft the best, fairest outcomes in their cases. Through this framework to empower discretion, the number of cases being diverted and referred to specialty courts has significantly increased. In addition, cases are being handled more efficiently; backlogs in felony cases have declined; the number of two-year old cases has decreased by 5%; and the number of two-year old murders has been reduced by 13%.

The Prosecutorial Report (mentioned above) captured the prosecutors' feelings about the new discretion chart and directive. "Several prosecutors feel that the Office mission is accomplished by expanding the discretion of prosecutors, which allows them to consider more factors about a defendant's background and needs to determine the appropriate outcome for a case. Prosecutors also appreciate the guidance provided through the Office's discretion chart, which they feel allows them to make decisions

with confidence and without fear of reprisal. Overall, prosecutors embrace the efforts to ensure a balanced approach to cases and to allow prosecutors more discretion to fashion appropriate case outcomes."

Supporting thoughtful consideration also means properly equipping ASAs with the knowledge to exercise discretion appropriately. Instead of the prior ad hoc, inconsistent training for new felony trial ASAs, State's Attorney Foxx implemented standardized and uniform training conducted by the Director of Continuing Legal Education and Training. Finally, the Office is examining its discovery practices to ensure that we are consistent, fair, and efficient through a working group tasked with assessing, revamping, and improving the current criminal discovery process.

As we move forward, we hope to further decrease felony case backlog through data analysis and more efficient discovery process.





FELONY REVIEW

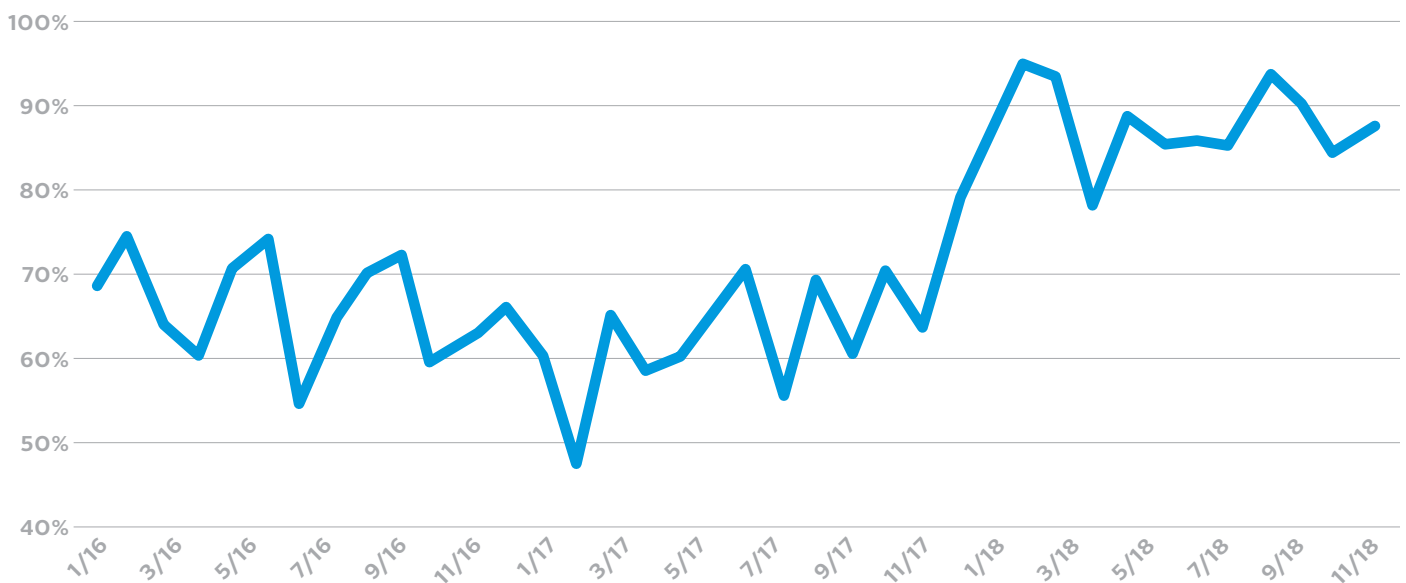
Felony Review, the unit that works with law enforcement to approve felony charges, represents a critical decision-making point for the State's Attorney's Office. To ensure that the process is fairly and equitably administered, State's Attorney Foxx assembled felony review working groups to assess and review existing practices in the unit. In order to ensure consistency and to improve relationships with law enforcement, the Office created and released a first of its kind Felony Review Manual. The manual, distributed to all of the Office's law enforcement partners, outlines what is expected when a case is presented for review for felony charges.

As we strengthened our collaboration with law enforcement through our Felony Review Manual, we have seen a stark improvement in our approval rate for Possession of a Stolen Motor Vehicle (PSMV) cases. In 2016, the Office was approving somewhere between 50% to 70% of these cases depending upon the month. In 2018 we have seen the rate of approval jump to over 90%.

The Office is also undertaking a statistical study into the number and times of the calls to the felony review unit in order to ensure the most efficient use of personnel and the highest possible level of service to our partners.

As we continue to use data to improve our performance, we also seek feedback from our law enforcement partners. State's Attorney Foxx convened a Suburban Law Enforcement Working Group with representatives of suburban law enforcement agencies to address suburban issues with felony review and other areas of the Office, recognizing that the needs of the suburban police forces may differ from the Chicago Police Department.

MONTHLY APPROVAL RATES FOR PSMV INCREASED IN 2018



JUVENILES AND EMERGING ADULTS



The Juvenile Bureau is dedicated to finding the best possible outcomes for all stakeholders, including the victims, the community, and the youthful offenders with a focus on rehabilitation, rather than punishment.

The Office believes in a holistic approach to doing what is best for the child and for the community, and that the attorneys in the Juvenile Bureau should be equipped to make thoughtful and informed decisions at every decision point of a case. Achieving optimal outcomes requires understanding not only the law, but an array of topics including child development, the effects of trauma, and restorative justice practices.

TRAINING

The Office recognizes that training is a critical component of ensuring that our attorneys are properly equipped. We are committed to providing our attorneys with both internal and external training opportunities, and in order to provide the highest quality training, we partner with various organizations to cover a wide range of topics such as restorative justice, trauma-informed prosecution, juvenile brain development, and issues related to transgendered youth. Within the Child Protection Division, our attorneys are now provided with an in-depth orientation into child protection law to prepare them to make critical, thoughtful decisions on each case's specific facts. Our attorneys are taught that their job is to protect children and there is no easy, formulaic answer for how to handle cases. The Juvenile Bureau will continue to provide a wide array of programming on psycho-social topics that impact the youth we serve, our cases, and our work.

DUALLY-INVOLVED YOUTH

As a former Public Guardian and supervisor in the Juvenile Bureau, helping to address and support “dually-involved youth” (those who have contact with both the delinquency and child protection systems) was a top priority for State's Attorney Foxx. In those roles, State's Attorney Foxx saw firsthand the need for greater collaboration and inter-agency communication between the Juvenile Justice Division and the Child Protection Division. Attorneys within the Juvenile Justice Division now inform the Child Protection Division if a minor who is also involved with the child protection system is screened into their division and vice versa. This critical communication ensures that minors who are involved in or who are at risk of being involved in criminal

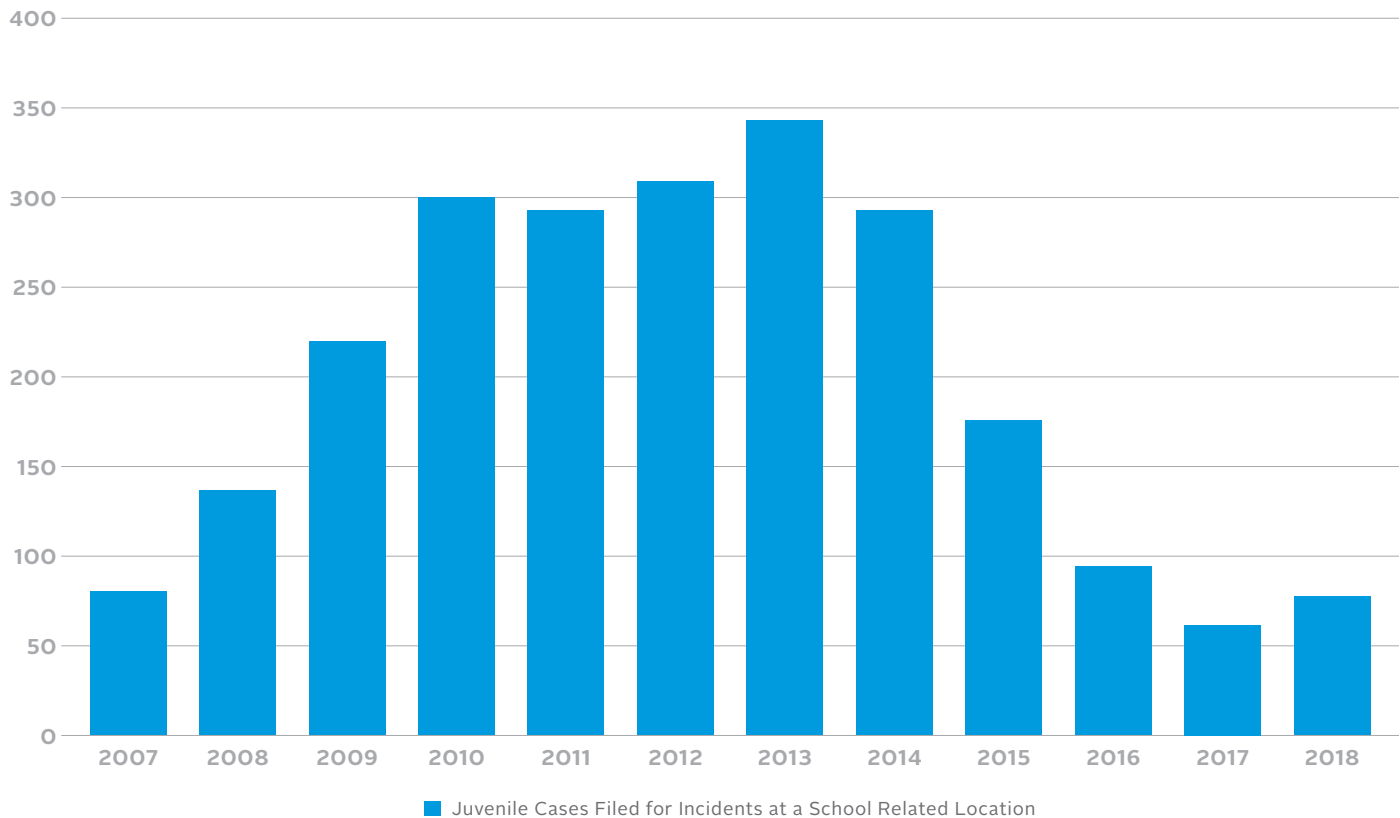


behavior are also looked at through a child protection lens to ensure that the child receives appropriate rehabilitative and social-restorative services.

In addition to their increased collaboration with the Juvenile Justice Division, the Child Protection Division is also working with the Department of Children and Family Services to establish a better process to get notice of families in need of court intervention before long-standing patterns of abuse and neglect set in. The Child Protection Division is looking closely at investigations of child neglect and abuse that have not come through the regular screening process. Through a combination of more meaningful training of attorneys and better communication with investigative bodies, the Child Protection Division strikes a better balance of screening out and closing cases that do not need court intervention and focusing their efforts on the cases that do.

The Child Protection Division and Juvenile Justice Divisions not only collaborate with each other on dually-involved youth, but both divisions work with other partners. The Cook County Dually Involved Committee is comprised of ASAs, juvenile probation representatives, public guardians, public defenders, Illinois Department of Children and Family Services, law enforcement, and court officials. This group works together to minimize youth involvement in the criminal justice system.

JUVENILE CASES FILED FOR INCIDENTS AT A SCHOOL RELATED LOCATION HAVE DROPPED IN RECENT YEARS



SCHOOL-BASED OFFENSES

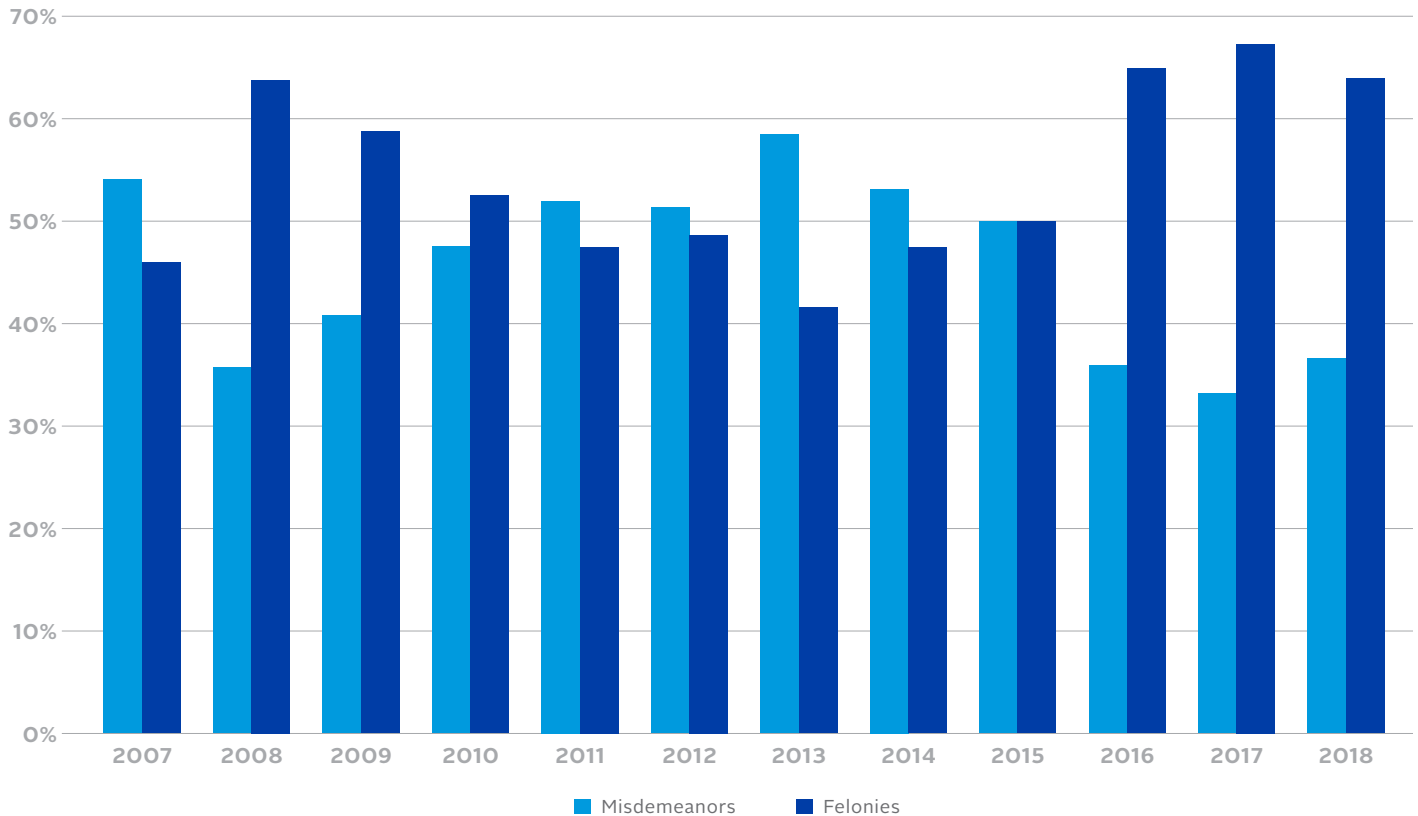
State's Attorney Foxx believes that school should be a safe environment where children learn and develop, and not a place where they acquire a criminal record for minor offenses. Historically, school-based incidents resulted in charging juveniles for minor offenses such as misdemeanors, which unnecessarily criminalized typical adolescent behavior and inefficiently used limited resources.

For years, the State's Attorney's Office filed cases for non-violent offenses that took place at a school-related location. From 2007 to 2017, the Office filed 2,350 such cases, a majority of which were not for serious violent felonies. Based on the new awareness of effective alternatives to court involvement and the harmful effects of criminalizing adolescent behavior, the Office made an intentional effort not to file cases against children for minor offenses that are committed at school. As a result, in 2017, the Office experienced the lowest amount of cases filed for incidents

at a school-related location in over a decade. Instead, these cases are being handled by more cost efficient and effective measures such as community-based social services and restorative justice practices. Through this process we continue to strengthen our relationships with school districts and police departments to promote the use of evidence-based practices and safe schools. We project that we will continue to reduce this number in the years to come.

In past years, a majority of the school-related cases filed by Office were for misdemeanor offenses, criminalizing adolescent behavior that could be addressed through discipline proceedings. As demonstrated by the chart, this trend has been reversed in recent years, with school-based felony cases outnumbering misdemeanor cases for the first time in over five years. If appropriate, we also encourage diversion and restorative justice opportunities within the school when the school-based offense is a felony.

FELONIES ARE MAKING UP A LARGE PROPORTION OF SCHOOL RELATED CASES IN RECENT YEARS



EMERGING ADULTS

In an effort to reform our approach to addressing the criminal justice system's emerging adults population, which consist of individuals between the ages of 18 and 26, the Office supported the opening of the Restorative Justice Community Court (RJCC) in Chicago's North Lawndale neighborhood. We recognize that emerging adults are a unique population similar to juveniles, which require a different approach than that of the traditional criminal justice system. The RJCC, for defendants who are between the ages of 18 and 26, applies restorative justice practices to emphasize the ways that crime harms relationships in the community. The restorative justice practice aims to bring together the people most impacted by the crime to repair the harm. This model requires defendants to take accountability for their actions and then work out an agreement with the person harmed and the community that can focus on restitution, community service, and letters of apology. The Office supports

this approach because it helps reintegrate justice involved individuals back into the community by connecting them with services including mental health counseling, substance abuse treatment, education, job training, and parenting classes. The RJCC resolves conflicts through restorative conferences and peace circles involving defendants, victims, family members, friends, others affected by the crime, and the community. At the completion of the program the defendant may have the opportunity to have their charges dropped and arrests expunged. Currently there are 69 cases pending and as of December 20, 2018, 13 individuals have successfully completed the program.

CIVIL ACTIONS BUREAU

The Civil Actions Bureau (CAB) defends County laws and residents' rights and serves as a steward of taxpayer dollars. Over the last two years, CAB has worked to improve its internal processes in order to maximize the benefits to the County and its taxpayers.

Highlights of CAB's Defense of County Laws and Rights:

CAB has had many recent successes in constitutional litigation to uphold County laws and policies. For example, in August 2018, CAB attorneys defeated a Second Amendment challenge to Cook County's common-sense assault weapons ban, a decision which is now on appeal. The County, via CAB attorneys, also stood with the City of Chicago in defeating an attempt to deny federal funds to Chicago on the basis of its status as a sanctuary city. In September 2018, CAB also beat a challenge to the County's campaign finance law on behalf of the Cook County Board of Commissioners and the Cook County Board of Ethics. (The Appellate Court affirmed the lower court's decision.)



CAB has pursued select affirmative litigation on behalf of County residents, including lawsuits against drug manufacturers for their role in the opioid addiction epidemic and against Facebook and Uber for breaches of residents' private data. CAB continues to explore ways to protect the rights of County residents by way of affirmative litigation.

Highlights of CAB's Stewarding of Taxpayer Funds:

CAB is charged with defending Cook County and its officials in legal actions. In these actions, CAB attorneys work to assess claims early and appropriately to reduce the expenditure of taxpayer dollars. As one example, CAB's Real Estate Tax Litigation Section has closed over 16,000 tax objection lawsuits in the last two years, resulting in savings of approximately \$702 million to the various Cook County taxing districts. CAB attorneys have won several notable cases that went to trial in the last two years, including a wrongful conviction case brought against two Assistant State's Attorneys and a suit the County brought against its former insurance broker in which the jury awarded the County over \$9 million. CAB attorneys have also settled many cases for a fraction of the plaintiff's initial demand.

CAB is also working to implement policies and processes to reduce the County's legal exposure. For example, our Medical Litigation Section has developed a case review system in which all high-exposure medical malpractice cases are examined in a roundtable setting that includes experienced attorneys, physicians, and risk management professionals to ensure that such cases are well-defended and valued appropriately. Over the next two years, we will be putting similar processes in place across CAB to reduce the County's exposure and costs.

Finally, CAB continues to explore ways to ensure that it is fully staffed in order to reduce the County's utilization of outside counsel and further cut costs.





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