

LWVCC Criminal Justice Interest Group Report May 2023 to May 2024

It has been exactly 10 years since I stood up here at the LWVCC Annual Mtg and recruited people for this new group. We immediately got to work studying the CC Criminal Justice system by reading reports, checking on data and interviewing stakeholders. We concentrated on pretrial procedures. In those early days we wrote 2 reports with several recommendations and goals. The number one goal that we recommended was the elimination of cash bail in Illinois. This past fall, that goal became a reality. This was the moment that our hard work paid off.

We continue to meet every other month. We have a book discussion during the months in between. The books are chosen by our members and have a criminal justice theme. Dianne Schmidt is our expert discussion leader. We also meet with Appleseed lawyers monthly in order to keep up our knowledge of the CJ system. At our group's first meeting after last year's Annual Meeting we had concerns about the new SAFE-T Act should it be found to be constitutional. Would more people be in CC Jail awaiting trial? Would the population assigned to Electronic Monitoring go way up? Would defendants who were flight risks or who were dangerous to society be let go? Would other reforms such as Restorative Justice or Deferred Prosecutions be overlooked? At that meeting we discussed some of the newer Restorative Justice courts in Englewood and Avondale. Those courts seem to lack the community involvement that is so successful in Lawndale. We also found out that Kim Foxx would not seek another term as State's Attorney.

In July we found out that the Illinois Supreme Court approved the SAFE-T Act in a 5 to 2 vote! No cash bail would be allowed in what would now be called First Appearance Court on Sept. 18. This would no longer be the bond court that we had observed many times in the past. We made plans at our July meeting to observe this new court during Oct. and Nov. We were going to partner again with the Civic Federation. We partnered with them during the summer of 2022 to observe bond court so that we could have a baseline from which to judge the new changes.

On Sept. 18, Illinois officially became the first state in the union to completely eliminate cash bail. Newspaper reports from that day said that Cook County had mostly a smooth rollout. We observed 5 separate courts in Nov., 2 in the city and 3 in the suburbs. At our Dec. meeting we compared notes about what we saw. Mostly the city courts ran smoothly and the suburban courts (Skokie, Maywood, Bridgeview) were not so smoothly run. There were lots of delays and our observers could not see many cases.

In Feb, the Civic Federation (2 members) and I met with Judge Evans in his main office. We had emailed some of our concerns to his public relations person. She arranged a meeting with all of the main judges at First Appearance Court, staff members and the Chief Data Analyst. Collecting and sharing data was a big requirement of the SAFE-T Act. We were treated to a 2 hour meeting that alleviated some (but not all of our concerns). For example, the data person showed us all felonies, misdemeanors, and domestic violence cases that were recorded and updated weekly since Sept. 18. Preliminary data show that reoffending rates and return to court rates have not changed much, according to a recent letter we received updating these statistics from the Chief Judge's office.

In March we released a report with the Civic Federation to the press about our observations. WTTW ran a story about it. We also sent that report to all 17 Commissioners of the Cook County Board and to President Preckwinkle. We also sent it to the 5 main stakeholders in the Criminal Justice System. We were very pleasantly surprised from our observations in the city courtrooms with 2 things: The length of these hearings went from a minute or two to about 10 to 15 minutes,

even 20 in some cases. Also both sides were much more prepared as evidence was exchanged. Judges followed the law and explained the new system to all. Since Sept. 18 the jail population has not gone up, it has declined slightly. The Electronic Monitoring population has not gone up, it is about the same. We still are concerned about the fact that 2 programs exist for this. These should be combined. We concluded that more observations and data collection would be necessary in order to really evaluate this new law.

Our next steps will include following the changes in the SAFE-T Act, possibly scheduling more court observations, and visiting the new Restorative Justice Court in Avondale. We will also be following the State's Attorney's race in November. We were pleased to be able to write questions for ABC to use in their televised debate for the primary. Perhaps they will ask us to do that again.

Criminal justice in Cook County has no lack of issues to follow. We will be busy.

Submitted by Jan Goldberg
Chair of the LWVCC Criminal Justice Interest Group