

COOK COUNTY STATE'S ATTORNEY'S OFFICE
2014 BUDGET TESTIMONY



ANITA ALVAREZ
COOK COUNTY STATE'S ATTORNEY

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BUDGET TESTIMONY
OCTOBER 28, 2013

GOOD AFTERNOON. THANK YOU FOR THE OPPORTUNITY TO BE HERE TODAY TO PRESENT MY BUDGET FOR 2014 FOR THE COOK COUNTY STATE'S ATTORNEY'S OFFICE.

I WANT TO THANK ALL OF THE COMMISSIONERS FOR YOUR CONTINUED SUPPORT AND I ALSO WANT TO THANK THE PRESIDENT AND HER STAFF FOR WORKING WITH MY OFFICE TO SHAPE OUR BUDGET FOR THE NEXT FISCAL YEAR.

I AM VERY HAPPY TO REPORT THAT THIS PAST YEAR HAS BEEN FILLED WITH SIGNIFICANT ACCOMPLISHMENTS IN THE COOK COUNTY STATE'S ATTORNEY'S OFFICE. WE HAVE BROKEN NEW GROUND AND MADE MEASURABLE PROGRESS ON MANY DIFFERENT FRONTS AND I WOULD LIKE TO BEGIN MY REMARKS TODAY BY HIGHLIGHTING SOME OF THESE ACHIEVEMENTS.

I DON'T THINK THAT WE CAN BEGIN ANY CONVERSATION ABOUT CRIMINAL JUSTICE HERE IN COOK COUNTY WITHOUT ADDRESSING THE ISSUE OF GANG AND GUN VIOLENCE AS THEY ARE CLEARLY THE MOST SIGNIFICANT CHALLENGES THAT WE FACE. AND THEY ARE ALSO THE ISSUES THAT REQUIRE A CONSIDERABLE AMOUNT OF OUR FINANCIAL AND PERSONNEL RESOURCES.

GUN VIOLENCE AND OTHER ASSOCIATED VIOLENT CRIMES CONTINUE TO PRESENT AN IMMEDIATE THREAT TO THE CITIZENS THAT WE SERVE AND PRESENT A MOMENTOUS CHALLENGE FOR ALL OF US IN LAW ENFORCEMENT.

IN ORDER TO TRY TO TACKLE THESE ISSUES WITH A FRESH APPROACH, MY OFFICE LED EFFORTS TO IMPLEMENT THE NEW "STREET GANG RICO" LAW. THIS LAW NOW PROVIDES LOCAL PROSECUTORS THROUGHOUT ILLINOIS WITH THE TOOLS OF RACKETEERING AND RICO TO TARGET GANG ORGANIZATIONS ENGAGED IN A PATTERN OF CRIMES INVOLVING VIOLENCE SUCH AS ILLEGAL WEAPONS, SEX OFFENSES, TERRORISM AND DRUG TRAFFICKING.

IN JUNE OF THIS YEAR, MY OFFICE USED THE PROVISIONS IN THIS NEW LAW TO CHARGE MORE THAN 40 LEADERS AND SENIOR MEMBERS OF A CHICAGO STREET GANG RESPONSIBLE FOR THE OPERATION OF A VIOLENT DRUG-DEALING ENTERPRISE ON CHICAGO'S WEST SIDE. IT IS AN UNPRECEDENTED CASE HERE IN CHICAGO THAT UTILIZED THE NEW LEGAL TOOLS PROVIDED IN THE RICO LAW.

THE OPERATION, CONDUCTED IN PARTNERSHIP WITH THE CHICAGO POLICE DEPARTMENT AND THE FEDERAL BUREAU OF INVESTIGATION, TARGETED TOP GANG LEADERSHIP AS WELL AS KEY MEMBERS, GANG ENFORCERS AND GANG SUPERVISORS WHO HAD BEEN OPERATING AN OPEN-AIR, 24-HOUR-A-DAY CRIMINAL DRUG ENTERPRISE ON THE WEST SIDE.

RIGHT NOW WE ARE CONTINUING TO ACTIVELY INVESTIGATE AND DEVELOP NEW RICO CASES IN PARTNERSHIP WITH LOCAL AND REGIONAL POLICE AND PROSECUTORS. AND I BELIEVE YOU WILL BE HEARING MORE NEWS OF ADDITIONAL RICO OPERATIONS IN THE NEAR FUTURE AND THROUGHOUT THE COURSE OF THE NEXT YEAR.

ANOTHER MAJOR INITIATIVE THAT YOU HAVE HEARD ABOUT BEFORE BUT THAT I WANTED TO PROVIDE A BRIEF UPDATE ON IS THE VALADEZ LAW. THIS WAS A LAW THAT WE WROTE AND THAT WENT INTO EFFECT IN 2009. THE LAW INCREASES THE PENALTIES FOR GANG MEMBERS WHO ARE ARRESTED BY POLICE CARRYING LOADED WEAPONS. DEFENDANTS CONVICTED UNDER THE VALADEZ LAW NOW FACE A MANDATORY PRISON SENTENCE INSTEAD OF BEING ELIGIBLE FOR PROBATION.

WE NAMED THE LAW IN HONOR OF CHICAGO POLICE OFFICER ALEJANDRO VALADEZ WHO WAS MURDERED IN A DRIVE BY SHOOTING. I HAD THE HONOR OF PERSONALLY PROSECUTING THIS CASE AND LAST MONTH WE CONVICTED THE FINAL TWO DEFENDANTS WHO WERE CHARGED WITH OFFICER VALADEZ'S MURDER.

THE VALADEZ LAW IS PROVING TO BE A VERY EFFECTIVE TOOL IN OUR BATTLE AGAINST GANG AND GUN VIOLENCE. SINCE THE LAW WENT INTO EFFECT, MORE THAN 425 DEFENDANTS HAVE BEEN CHARGED. OUR CONVICTION RATE UNDER THIS LAW IS NEARLY 90 PERCENT AND THE VAST MAJORITY OF THE DEFENDANTS ARE ELECTING TO PLEAD GUILTY RATHER THAN GO TO TRIAL.

I WOULD LIKE TO SWITCH GEARS NOW AND SHARE NEWS ABOUT SOME IMPORTANT WORK THAT MY OFFICE HAS BEEN DOING THIS PAST YEAR IN THE EVALUATION OF OUR CRIMINAL CONVICTIONS. THE SUBJECT OF WRONGFUL CONVICTIONS IS A CHALLENGING ONE, BUT IT IS AN ISSUE THAT WE MUST CONFRONT AND SOMETHING THAT WE MUST DEAL WITH IN AN OPEN AND PROACTIVE MANNER.

IN MY VIEW, OUR JOB IS NOT JUST ABOUT RACKING UP CONVICTIONS. ON THE FRONT END, IF WE CAN IDENTIFY NON-VIOLENT OFFENDERS AND PROVIDE EFFECTIVE ALTERNATIVES TO KEEP THEM OUT OF THE SYSTEM, WE MUST DO SO.

ON THE BACK END, WE MUST INVESTIGATE ALLEGATIONS OF WRONGFUL OR QUESTIONABLE CONVICTIONS OF THE PAST AND TAKE PROPER ACTION. THE BOTTOM LINE IS THAT WE HAVE TO SEEK JUSTICE – EVEN IF THAT MEASURE OF JUSTICE MEANS THAT WE MUST ACKNOWLEDGE MISTAKES OF THE PAST.

THAT IS WHY I CREATED THE FIRST-EVER CONVICTION INTEGRITY UNIT WITHIN THE COOK COUNTY STATE'S ATTORNEY'S OFFICE IN ORDER TO PLACE A NEW EMPHASIS AND A STRONGER FOCUS ON OUR REVIEW OF CASES INVOLVING QUESTIONABLE CONVICTIONS.

THE UNIT IS REVIEWING POST-CONVICTION CASES THAT ARE BROUGHT TO OUR ATTENTION ----
- PAYING PARTICULAR ATTENTION TO THE TYPES OF CASES THAT WE HAVE SEEN THAT HAVE
LED TO WRONGFUL CONVICTIONS IN THE PAST. THESE ARE GENERALLY CASES THAT INVOLVE
SINGLE EYEWITNESSES OR CASES THAT HAVE CONFESSIONS WITH LITTLE OR NO SUPPORTING
EVIDENCE. WE ARE ALSO PAYING CLOSE ATTENTION TO CASES THAT INVOLVE JUVENILE
DEFENDANTS OR DEFENDANTS WITH MENTAL HEALTH ISSUES.

WITH THE CREATION OF THIS NEW UNIT I THINK THAT WE ARE DEMONSTRATING OUR
COMMITMENT AND OUR DUTY TO BRINGING OUR VERY BEST EFFORTS TO ENSURE THAT ONLY
GUILTY PEOPLE ARE CONVICTED HERE IN COOK COUNTY.

AS I SAID WHEN I BEGAN THE UNIT, IF WE FIND EVIDENCE TO BELIEVE THAT WE HAVE
PROSECUTED OR ARE PROSECUTING SOMEONE WHO IS ACTUALLY INNOCENT, WE WILL TAKE
IMMEDIATE STEPS TO INVESTIGATE THE MATTER FULLY TO SEE THAT JUSTICE IS SERVED.

SINCE THE CREATION OF THIS UNIT, I HAVE TAKEN THE UNPRECEDENTED MEASURE OF
VACATING THE CONVICTIONS OF SIX INDIVIDUALS AS A RESULT OF CONVICTION INTEGRITY
INVESTIGATIONS. WE ARE AND WILL CONTINUE OUR WORK IN THIS AREA WITHIN OUR
CAPABILITIES AND GIVEN OUR EXTREMELY LIMITED STAFFING LEVELS.

IN A RELATED MATTER, MY OFFICE ALSO TOOK SIGNIFICANT ACTION THIS PAST YEAR IN THE
LEGISLATIVE ARENA TO EXPAND THE VIDEOTAPING OF CUSTODIAL INTERROGATIONS.

WITH OUR SUPPORT, THE ILLINOIS LEGISLATURE PASSED A NEW LAW THAT NOW MANDATES
THE VIDEOTAPING OF CUSTODIAL INTERROGATIONS BEYOND JUST HOMICIDES TO INCLUDE
THE ADDITIONAL FELONIES OF AGGRAVATED CRIMINAL SEXUAL ASSAULT, PREDATORY
CRIMINAL SEXUAL ASSAULT OF A CHILD, HOME INVASION, ARMED ROBBERY, AGGRAVATED
BATTERY WITH A FIREARM, AGGRAVATED ARSON AND AGGRAVATED KIDNAPPING.

I THINK YOU WOULD AGREE THAT THIS IS A VERY IMPORTANT ACCOMPLISHMENT THAT WILL
PROTECT THE RIGHTS OF ALL PARTIES INVOLVED INCLUDING THE ACCUSED AS WELL AS THE
POLICE AND PROSECUTORS WHO MAY LATER BE FALSELY ACCUSED OF MISCONDUCT. FROM
OUR PERSPECTIVE, IT ALSO GREATLY ENHANCES THE INTEGRITY OF A CRIMINAL CASE BECAUSE
IT CAPTURES AND PRESERVES THE INTERVIEWS AND STATEMENTS ENSURING THAT THEY ARE
TRUTHFULLY AND ACCURATELY MEMORIALIZED.

I DO BELIEVE THAT OUR CONVICTION INTEGRITY UNIT IS REMEDYING QUESTIONABLE
CONVICTIONS FROM THE PAST AND THAT THE EXPANSION OF VIDEOTAPING IN CUSTODIAL
INTERROGATIONS WILL BE AN IMPORTANT NEW TOOL TO HELP PREVENT AND GUARD AGAINST
WRONGFUL CONVICTIONS AS WE MOVE FORWARD.

ANOTHER ISSUE THAT HAS COME TO THE FOREFRONT IN OUR OFFICE IN A VERY ALARMING
WAY THIS PAST YEAR IS AN INCREASE OF CRIMES AGAINST CHILDREN ON THE INTERNET AND
THROUGH OTHER FORMS OF SOCIAL MEDIA.

THE COOK COUNTY STATE'S ATTORNEY'S OFFICE CURRENTLY SERVES IN THE COMMANDING ROLE OF THE COOK COUNTY INTERNET CRIMES AGAINST CHILDREN TASK FORCE, WHICH IS COMPRISED OF 32 LAW ENFORCEMENT AGENCIES DEDICATED TO THE PROTECTION OF CHILDREN. THIS TASK FORCE ENGAGES IN PROACTIVE INVESTIGATIONS, FORENSIC INVESTIGATIONS, AND SUBSEQUENT CRIMINAL PROSECUTIONS.

IN THIS ROLE, WE ALSO HAVE SPECIALLY TRAINED PROSECUTORS AND OUTREACH EXPERTS WHO OFFER FREE COMMUNITY EDUCATION PROGRAMS DESIGNED TO PROMOTE INTERNET SAFETY TO SCHOOLS AND OTHER AGENCIES ACROSS COOK COUNTY. THE PRESENTATIONS CONFORM TO NATIONAL STANDARDS WHILE USING PROGRAMS DEVELOPED BY THE NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN, AND ARE AVAILABLE TO CHILDREN OF ALL AGES AS WELL AS PARENTS OR THOSE IN POSITIONS OF TRUST OR AUTHORITY.

INVESTIGATORS AND PROSECUTORS ON OUR TASK FORCE HAVE REPORTED A DISTURBING INCREASE IN SEXUAL PREDATORS TARGETING CHILDREN ONLINE, PARTICULARLY CASES IN WHICH PREDATORS ARE USING SOCIAL MEDIA SITES SUCH AS FACEBOOK.

IN RECENT MONTHS WE HAVE CHARGED SEVERAL CASES INVOLVING CHILD PREDATORS. THIS INCLUDED A CASE WHERE A 31-YEAR-OLD COLORADO MAN DROVE TO CHICAGO IN ORDER TO MEET AND ENGAGE IN SEXUAL ACTIVITY WITH A 15-YEAR-OLD GIRL THAT HE HAD MET ON THE INTERNET.

THIS DEFENDANT WAS APPREHENDED, EXTRADITED, AND FACES CHARGES RANGING FROM AGGRAVATED CRIMINAL SEXUAL ABUSE TO TRAVELING TO MEET A MINOR.

THIS CASE IS JUST ONE EXAMPLE AMONG MANY. AND SADLY, WE ARE SEEING THAT THE PERPETRATORS OF INTERNET SEX CRIMES ARE NOT JUST ADULTS.

IN A PARTICULARLY HEINOUS CASE MY OFFICE HANDLED RECENTLY, FOUR TEENAGE BOYS FROM CHICAGO WERE CHARGED IN CONNECTION WITH A BRUTAL SEXUAL ASSAULT AGAINST A 12-YEAR-OLD FEMALE CLASSMATE. IN FACT WE CHARGED THE FOURTH DEFENDANT IN THIS CASE JUST THIS PAST FRIDAY.

THESE OFFENDERS LURED THE CHILD TO A HOME BY SENDING MESSAGES TO HER ON FACEBOOK. THEY THEN TOOK TURNS SEXUALLY ASSAULTING HER IN WAYS THAT ARE TOO GRAPHIC AND DISTURBING TO DESCRIBE HERE TODAY.

THE DEFENDANTS ALSO VIDEOTAPED THE ATTACKS AND THEN POSTED THE VIDEO ON FACEBOOK.

ALL FOUR OF THESE DEFENDANTS WERE CHARGED AS ADULTS AND ARE AWAITING TRIAL ON MULTIPLE COUNTS OF AGGRAVATED CRIMINAL SEXUAL ASSAULT.

THESE ARE JUST SOME ALARMING EXAMPLES OF THE CASES THAT WE ARE SEEING INVOLVING SOCIAL MEDIA AND INTERNET CRIMES. WE ARE ALSO CONSISTENTLY DEALING WITH CASES INVOLVING "SEXTING" AND "CYBER BULLYING" BETWEEN TEENS.

SO AS THE NUMBER OF CHILDREN WHO USE TECHNOLOGY CONTINUES TO SOAR, IT IS CLEAR THAT THE NEED FOR EDUCATION AND THE COMMITMENT TO THE PROTECTION OF CHILDREN WHO ARE EXPOSED TO ONLINE PREDATORS MUST ALSO INCREASE.

THIS PAST YEAR MY OFFICE HAS INCREASED OUR PARTNERSHIP WITH ATTORNEY GENERAL LISA MADIGAN'S OFFICE IN ORDER TO INCREASE AND ENHANCE TRAINING WITHIN OUR AGENCIES AND TO SHARE OUR RESOURCES WITH THE ULTIMATE GOAL OF EXPANDING THE NUMBER OF INVESTIGATIONS, AND ULTIMATELY, THE NUMBER OF PROSECUTIONS OF THESE PREDATORS.

THROUGHOUT THE COURSE OF 2013 THE STATE'S ATTORNEY'S OFFICE HAS CONTINUED TO COMMIT RESOURCES TO ALTERNATIVE PROSECUTION PROGRAMS THAT ALLOW NONVIOLENT MISDEMEANOR AND FELONY OFFENDERS TO AVOID TRADITIONAL PROSECUTION. IN FACT, I AM VERY PROUD TO ANNOUNCE THAT MY OFFICE HAS BEEN CHOSEN BY THE CENTER FOR COURT INNOVATION AS ONE OF TEN JURISDICTIONS IN THE COUNTRY TO HIGHLIGHT AS HAVING DEVELOPED THE MOST PROMISING PRACTICES AND INNOVATIVE PROGRAMMING WITH RESPECT TO OUR DEFERRED PROSECUTION PROGRAMS.

WORKING WITH OUR CRIMINAL JUSTICE PARTNERS, MY OFFICE ADMINISTERS FIVE DRUG COURTS, SIX VETERAN'S COURTS AND SEVEN MENTAL HEALTH COURTS IN ADDITION TO THREE MAJOR ALTERNATIVE PROSECUTION PROGRAMS. AND AT MY DIRECTION THIS PAST YEAR, WE HAVE EXPANDED THE CRITERIA FOR ELIGIBILITY IN ALL PROGRAMS AS BROADLY AS POSSIBLE TO INCLUDE ALL POTENTIAL NON-VIOLENT OFFENDERS.

THIS INCLUDES THE DRAMATIC EXPANSION OF OUR MISDEMEANOR DEFERRED PROSECUTION PROGRAM THAT WE DEVELOPED TOWARDS THE END OF LAST YEAR. THIS PROGRAM IS SPECIFICALLY DIRECTED AT VETERANS AND INDIVIDUALS IN NEED OF MENTAL HEALTH SERVICES. IN LESS THAN ONE YEAR, WE HAVE ADDRESSED THE NEEDS OF MORE THAN 550 MISDEMEANOR OFFENDERS CHARGED WITH OFFENSES SUCH AS THEFT, RECKLESS CONDUCT, PROSTITUTION, RETAIL THEFT AND VANDALISM. THIS HAS RESULTED IN THE DISMISSAL OF MORE THAN 350 CASES ON THE FRONT END OF THE SYSTEM.

FOR THE FIRST SEVEN MONTHS OF 2013, THESE PROGRAMS HAVE DIVERTED FROM CUSTODY AND ADDRESSED THE TREATMENT NEEDS OF MORE THAN 3,800 THROUGH BOTH ALTERNATIVE SENTENCING AND DEFERRED PROSECUTION. IT IS EXPECTED THAT MORE THAN 6,800 INDIVIDUALS WILL HAVE PARTICIPATED IN SOME FORM OF SPECIALIZED COURT PROGRAMMING BY YEAR'S END, THE HIGHEST NUMBER OF PARTICIPANTS TO DATE. THE NUMBER OF MONTHLY PARTICIPANTS IN THESE PROGRAMS HAS DOUBLED IN LESS THAN THREE YEARS.

THE SUCCESS OF THESE PROGRAMS CAN BE MEASURED IN TERMS OF BOTH RECIDIVISM RATES OF PARTICIPANTS AS WELL AS COST SAVINGS TO COOK COUNTY. THE PROGRAMMING CONSISTENTLY SHOWS A MORE THAN 80 PERCENT DECREASE IN CRIMINAL ACTIVITY AMONG ALL PARTICIPANTS UPON COMPLETION OF TREATMENT. IN ADDITION, IT IS ESTIMATED THAT THESE PROGRAMS WILL RESULT IN A COST SAVINGS OF MORE THAN \$15 MILLION IN 2013 BASED UPON REDUCED DAYS DEFENDANTS SPEND IN CUSTODY AND REDUCED COURT COSTS RELATED TO FEWER CASES PROCEEDING TO TRIAL.

AT A TIME WHEN JAIL OVERCROWDING AND THE COUNTY'S OVERALL FINANCIAL HEALTH ARE SUCH PERTINENT ISSUES, I THINK IT IS VITAL THAT WE RECOGNIZE THE SUCCESS OF OUR EXISTING PROGRAMS AND SEEK THEIR EXPANSION IN THE NEAR FUTURE. THESE PROGRAMS ARE IMPROVING PUBLIC SAFETY BY REDUCING RECIDIVISM, PROVIDING NEEDED SERVICES FOR VULNERABLE POPULATIONS, AND CREATING SIGNIFICANT SAVINGS FOR THE COUNTY THROUGH BOTH REDUCED DETENTION TIME AND LOWERED RECIDIVISM.

AS I MOVE TOWARD OUR BUDGET REQUEST FOR FISCAL YEAR 2014, I WOULD LIKE TO CALL TO YOUR ATTENTION AN ISSUE THAT I HAVE RAISED IN EACH AND EVERY ONE OF MY BUDGET PRESENTATIONS OVER THE LAST FIVE YEARS AND THAT IS STAFFING LEVELS.

AS YOU KNOW, OUR COUNTY HAS FACED EXTRAORDINARY FINANCIAL CHALLENGES IN RECENT YEARS AND THE RESULTING BUDGET CUTS HAVE IMPACTED MOST IF NOT ALL AREAS OF COUNTY GOVERNMENT. WHILE IT HAS BEEN DIFFICULT FOR ALL OF US, I THINK WE ALL UNDERSTOOD THE ECONOMIC REALITIES OF THE CRISIS AND THE FACT THAT VERY DIFFICULT CHOICES NEEDED TO BE MADE.

BUT AS A RESULT OF THE REDUCTION OF 95 ASSISTANT STATE'S ATTORNEYS AND 28 INVESTIGATORS OVER THE LAST FIVE YEARS, MY OFFICE REMAINS SIGNIFICANTLY UNDERSTAFFED, DESPITE THE FACT THAT OUR OVERALL WORKLOAD CONTINUES TO INCREASE. A SIMPLE WAY TO UNDERSTAND THIS IS BY EXAMINING THE NUMBER OF CASES THAT ARE HANDLED BY OUR ASSISTANT STATE'S ATTORNEYS.

THE AMERICAN BAR ASSOCIATION SUGGESTS THAT THE CASE LOAD FOR AN INDIVIDUAL PROSECUTOR SHOULD BE NO MORE THAN 150 FELONY CASES OR NO MORE THAN 400 MISDEMEANOR CASES.

BASED UPON A HAND COUNT OF CASES IN OUR OFFICE THIS PAST YEAR, WE FOUND THAT THE PROSECUTORS IN THE FELONY AND MISDEMEANOR COURTROOMS ARE STRETCHED FAR BEYOND THAT NATIONALLY RECOMMENDED STANDARD. RIGHT NOW, AN INDIVIDUAL MISDEMEANOR ASSISTANT STATE'S ATTORNEY IS HANDLING A CASELOAD CONTAINING MORE THAN 900 CASES WHILE A FELONY ASSISTANT HANDLES AN AVERAGE OF ABOUT 250 CASES.

IN FACT I HAD A VERY UNPLEASANT REMINDER OF OUR STAFFING SHORTAGES THIS PAST MONTH. ON TWO SEPARATE OCCASIONS, JUDGES FROM TWO DIFFERENT SUBURBAN COURTHOUSES LOST THEIR PATIENCE AND THREATENED TO HOLD SUPERVISORS FROM MY OFFICE IN CONTEMPT OF COURT BECAUSE WE WERE ONLY ABLE TO PROVIDE ONE ASSISTANT STATE'S ATTORNEY IN THEIR COURTROOM TO HANDLE THE MISDEMEANOR COURT CALL.

I FIND IT HIGHLY INAPPROPRIATE THAT A JUDGE WOULD RESORT TO THIS TYPE OF BEHAVIOR BECAUSE IT IS CLEARLY NOT THE FAULT OF OUR SUPERVISORS THAT WE DO NOT HAVE ENOUGH ATTORNEYS TO ADEQUATELY STAFF OUR MISDEMEANOR COURT CALLS.

BUT I THINK IT ILLUSTRATES THE DELAYS AND THE ACCOMPANYING STRESS AND THE FRUSTRATION THAT STAFFING SHORTAGES ARE CAUSING IN OUR COURTROOMS THROUGHOUT THE SYSTEM. AND I AM SURE THE CITIZENS WHO COME TO COURT AS VICTIMS, WITNESSES OR EVEN DEFENDANTS EXPERIENCE DELAYS IN THESE CASES AND ARE EQUALLY AS FRUSTRATED.

AS I REPORTED TO YOU LAST YEAR, STAFFING SHORTAGES ARE ALSO CONTINUING TO CAUSE A SIGNIFICANT BACKLOG OF APPELLATE BRIEFS IN OUR CRIMINAL APPEALS UNIT. THANKFULLY, MANY OF OUR ATTORNEYS IN OTHER BUREAUS ARE VOLUNTEERING THEIR TIME TO PITCH IN AND TO HELP US WRITE THESE BRIEFS AFTER THEY COMPLETE THEIR DAY'S WORK IN THE TRIAL COURTS.

OF COURSE, I CANNOT COMPENSATE THESE A.S.A.'S FOR THIS WORK --- I CAN ONLY THANK THEM FOR BEING THE DEDICATED PUBLIC SERVANTS THAT THEY TRULY ARE. THEIR UNCOMPENSATED AND LARGELY UNRECOGNIZED WORK IS ENSURING THAT WE ARE FILING APPELLATE BRIEFS IN A TIMELY MANNER AND THAT NO DEFENDANT'S CASE IS LANGUISHING ON APPEAL.

AS I HAVE STATED TO ALL OF YOU IN MY PREVIOUS BUDGET ADDRESSES THESE PAST FEW YEARS, THESE CASELOADS ARE A CLEAR DEMONSTRATION OF THE NEED FOR ADDITIONAL RESOURCES. AND THERE IS NO QUESTION THAT THIS VOLUME PER ATTORNEY INCREASES THE LENGTH OF TIME THAT IT TAKES TO ADJUDICATE A CASE.

WHILE OUR OVERALL CASE INITIATIONS HAVE DECREASED OVER THE LAST FIVE YEARS, THE STAFFING REDUCTIONS HAVE TAKEN A TOLL ON OUR ABILITY TO MOVE CASES THROUGH THE SYSTEM AS QUICKLY AS WE WOULD LIKE.

AS YOU KNOW ---- AND AS I AM FULLY AWARE ---- THERE HAS BEEN A GREAT DEAL OF DISCUSSION AND DEBATE ABOUT THE LENGTH OF TIME THAT IT IS TAKING TO MOVE CASES THROUGH THE SYSTEM. I AM FULLY COGNIZANT THAT WE ALL NEED TO COME TO THE TABLE AND DO OUR PART TO HELP ADDRESS THIS DILEMMA.

FOR OUR PART, THIS PAST YEAR FOLLOWING DISCUSSIONS WITH THE PRESIDENT'S OFFICE, WE INITIATED A NEW BOND COURT INITIATIVE. OUR OBJECTIVE IS TO SCREEN ALL CASES THAT MOVE THROUGH BOND COURT FOR POTENTIAL PARTICIPATION IN SOME FORM OF DIVERSIONARY PROGRAMMING.

THE PRIMARY GOALS ARE TO INCREASE THE NUMBER OF CASES ELIGIBLE AND TO REDUCE THE ACTUAL AMOUNT OF TIME TAKEN TO MOVE A DEFENDANT FROM BOND COURT TO TREATMENT COURT.

I AM HAPPY TO REPORT THAT THIS INITIATIVE HAS ALREADY HAD AN IMPACT AS REFERRALS FOR THE THREE PRIMARY TREATMENT COURT SYSTEMS IN THE CRIMINAL DIVISION HAVE INCREASED AND THE TIME ELAPSED FOR PLACEMENT OF DEFENDANTS FROM BOND COURT TO TREATMENT COURT HAS BEEN REDUCED.

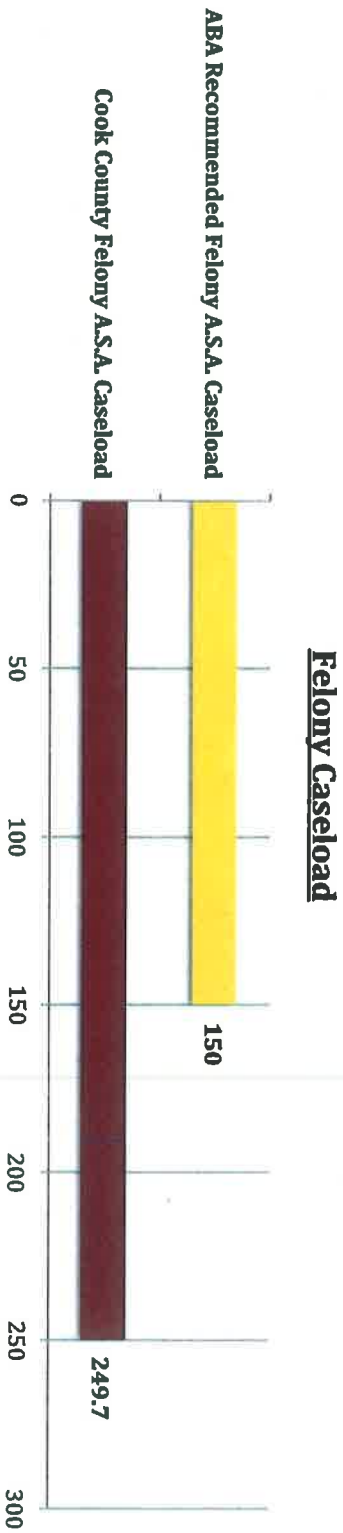
AS YOU CAN SEE IN THE BUDGET RECOMMENDATION FOR FISCAL YEAR 2014, MY OFFICE IS RECEIVING NINE NEW ASSISTANT STATE'S ATTORNEY POSITIONS ALONG WITH THREE VIDEO TRANSCRIBERS FOR A TOTAL OF TWELVE NEW POSITIONS.

FOR THIS, WE ARE GRATEFUL. THESE POSITIONS WILL CERTAINLY NOT SOLVE OUR STAFFING PROBLEMS, BUT THEY ARE A START. AND I INTEND TO DIRECT SOME OF THESE NEW RESOURCES TO EXPAND OUR BOND COURT INITIATIVE AND TO ATTEMPT TO IDENTIFY AND EMPLOY PRACTICAL WAYS IN WHICH WE CAN EXPEDITE CASES THROUGH THE SYSTEM.

IN CLOSING, I WOULD LIKE TO THANK ALL OF THE MEMBERS OF MY STAFF AND I WOULD WELCOME ANY QUESTIONS AT THIS TIME.

STAFFING AND CASELOAD DATA

Total Cases Pending	Assistant State's Attorney Pay Slots	Average Caseload per Felony A.S.A.	Average Caseload per Misdemeanor A.S.A.
218772	817.6	249.7	919.6



2013 - Pay Slots Eliminated			
5 A.S.A.s	5 Investigators	+ 3 Support Staff	Reduction = 7
2011 - Pay Slots Eliminated			
30 A.S.A.s	12 Investigators	114 Support Staff	Reduction = 156
2007 - Pay Slots Eliminated			
60 A.S.A.s	11 Investigators	77 Support Staff	Reduction = 148

Total Pay Slots Eliminated Since 2007 = 311



ANITA ALVAREZ
STATE'S ATTORNEY

ALTERNATIVE PROSECUTION PROGRAMS

MISDEMEANOR DEFERRED PROSECUTION PROGRAM (MDPP)

Branch 23, Branch 29, District 2 (Skokie), District 5 (Bridgeview)

Summary:

The MDPP was created in 2012 and initially implemented at Branch 23 and 29, thanks to funding received by the SAO from the Chicago Community Trust. The Program is designed to connect non-violent misdemeanants with valuable and necessary services. The Program includes a track for veterans and one for those who could benefit from mental health services. In January, 2013, additional grant funding allowed for the expansion of the Program to include the Bridgeview and Skokie courthouses. Based upon the effectiveness of the Program, each grant has subsequently been extended.

Process:

ASAs screen defendants based on current charge and criminal background and determine eligibility. If a defendant is deemed eligible, the Program is explained to complaining witnesses and arresting officers. If all individuals support the offer of the Program, the defendant is screened by a TASC representative in court. If the defendant meets the TASC criteria, all parties appear before the Judge and a 90-day continuance is granted for completion of the MDPP. If the defendant successfully completes the Program, the case is dismissed at the next court date.

Services:

Veterans are given an appointment with the Jesse Brown VA Medical Center or Hines VA Hospital for an assessment and services. They are also given an appointment at the John Marshall Veterans Legal Clinic, where they are informed of the services and programs available to veterans. The Mental Health defendants are given an appointment to meet with a licensed community health provider. The provider conducts an assessment and schedules a follow-up appointment with the defendant where they are provided with the clinician's recommendations.

MISDEMEANOR DEFERRED PROSECUTION PROGRAM (MDPP)

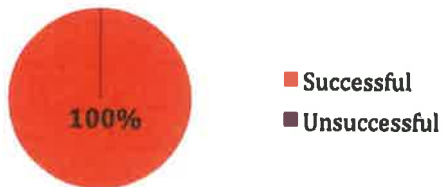
Case Dismissals to Date:

 over 400

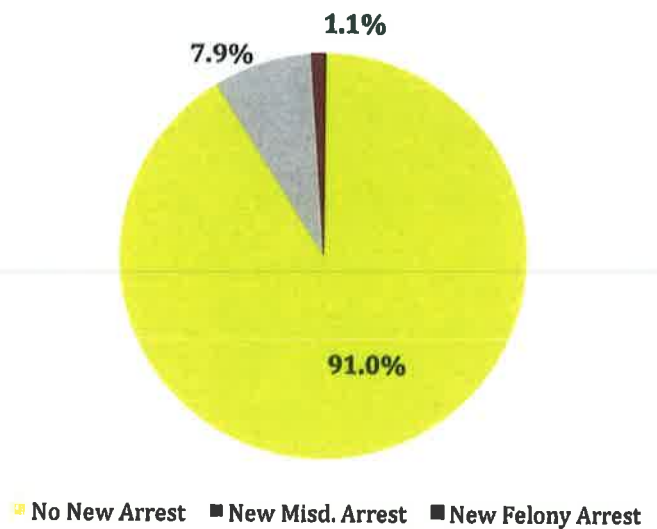
Currently Active Participants:

 168

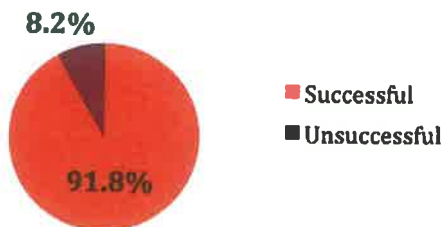
Veteran Program Completion Rate



Post-Completion Criminal Activity (first 3 months)



Mental Health Program Completion Rate



FELONY DEFERRED PROSECUTION PROGRAM

Branch 9

Summary:

A deferred prosecution program for defendants charged with non-violent felonies, who also have no history of felony convictions. The Program covers a wide range of non-violent felonies, including retail theft, burglary, theft, drug charges, credit card and ID fraud, and fraud. The Program was implemented in February, 2011, and recently experienced its 500th felony case dismissal. The statewide First Offender Initiative statute, predicated on this Program, was passed in August of 2012.

Process:

ASAs screen defendants based on current charge and criminal background and determine eligibility. If a defendant is deemed eligible, all victims are consulted and have the program explained to them. If all individuals support the offer of the Program, the participant signs an agreement with the Program and the case is transferred to Branch 9. At Branch 9, the participant is oriented to the expectations of the Program and is introduced to an assigned Pre-Trial Services Officer, who will be the primary point of contact while in the Program. The participant's progress in the Program's focal areas is evaluated at regularly scheduled court status dates. While the Program is scheduled for a twelve-month period, that time period can be shortened to 9 months if the participant is fully compliant with the expectations of the Program and remains crime free. This scenario is observed in 2 out of every 3 case dismissals. The successful completion of the Program results in dismissal of the original charge and the graduate is provided with information explaining the expungement process.

Services:

Eligible individuals agree to a one-year period of monitoring by the Court and Pre-Trial Services. The Program focuses on productive activity/employment, academic achievement, and treatment linkage, when needed.

FELONY DEFERRED PROSECUTION PROGRAM

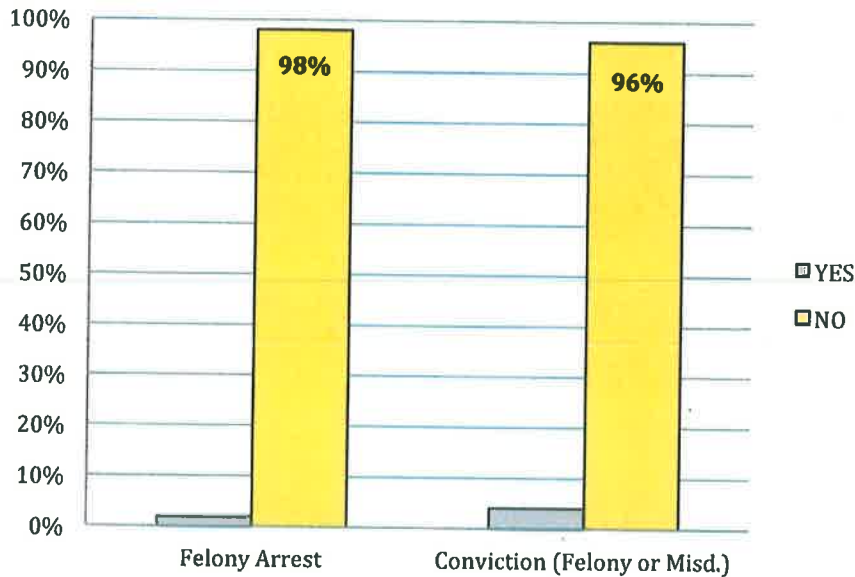
Case Dismissals to Date:

 536

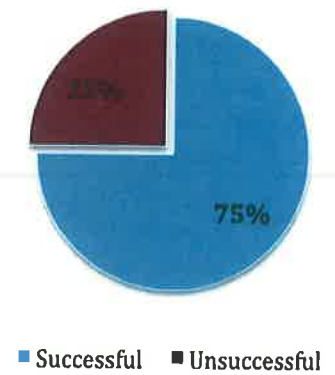
Currently Active Participants:

 325

Post-Completion Criminal Activity (First Year Post-Dismissal)



Program Completion Rate



DRUG SCHOOL DIVERSION PROGRAM

Summary:

The Drug School Diversion Program provides diversion and education for low-level, non-violent, adult misdemeanor or felony drug offenders. The offenders must have limited prior criminal history and no history of violence in order to be found eligible for the program. Drug School was first implemented in the early 1970s and is driven by the goal of reducing recidivism and providing education to non-violent drug offenders. The Program has on-site registration at each of the city and suburban courthouses.

Process:

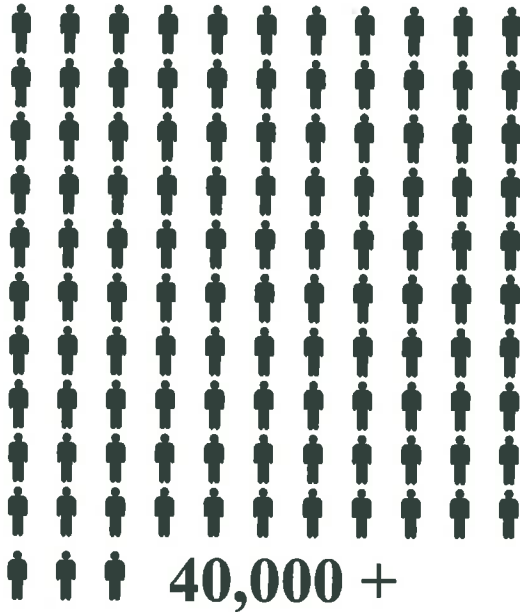
Drug School is offered at the Preliminary Hearing stage of prosecution. If the defendant is found to be eligible and accepts the offer of Drug School offer, the case is continued for three months. If the participant successfully fulfills the expectations of the Program, the original charge is dismissed.

Services:

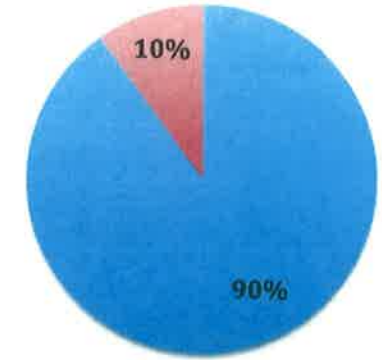
The Drug School Program is focused on education about, not treatment for, substance abuse. The group facilitators, however, are licensed treatment providers and refer participants to available treatment settings if they are determined to be in need of more intensive interaction than the Program involves. The Program consists of ten hours of education, over the course of four weeks. The Program strives to minimize disruption in the participant's normal routine and has groups scheduled at various locations throughout Cook County, with offerings in several languages. A gender-specific curriculum for women has also been developed.

DRUG SCHOOL DIVERSION PROGRAM

Case Dismissals to Date

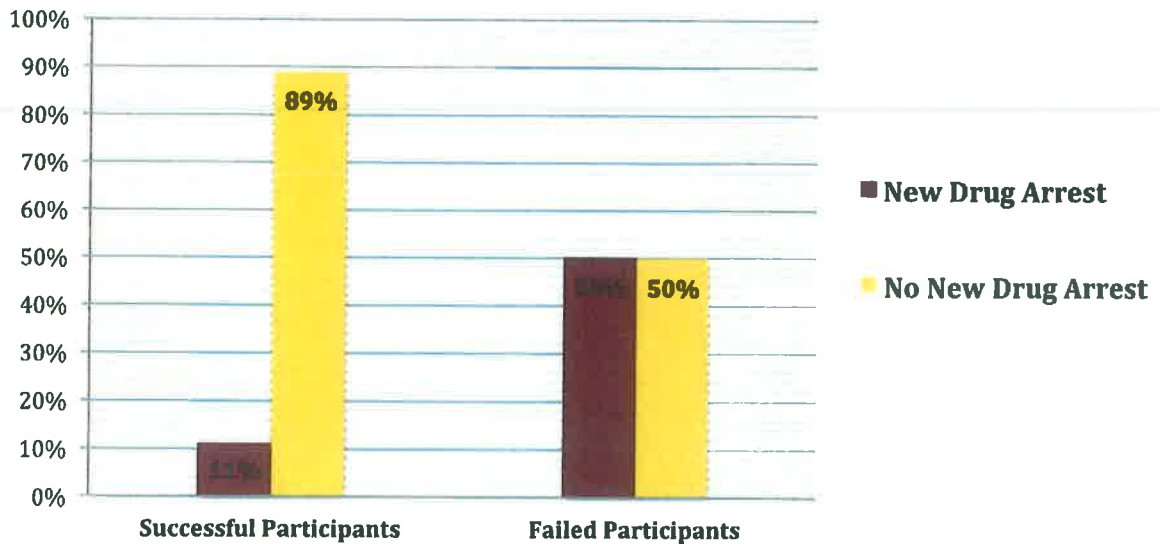


Type of Charge Dismissed (since 2001)



■ Felony ■ Misdemeanor

First Year Post-Participation Criminal Activity



OVERVIEW

The Cook County State's Attorney's Office continues to initiate and contribute to new programs aimed at rehabilitating non-violent offenders and reducing recidivism. In addition to the alternative prosecution programs mentioned in this document, the Office staffs over 18 alternative sentencing or treatment courts. Participation in all of these programs has grown drastically over the last few years, and we anticipate that earlier and more widespread screening will allow this trend to continue. These programs have been proven to be beneficial to offenders and general public safety, and also create significant savings for the County.

