

SUBSTITUTE PROPOSED RESOLUTION

Sponsored by

THE HONORABLE LARRY SUFFREDIN, COOK COUNTY COMMISSIONER

Examining the Feasibility of Establishing a Revolving Bail Bond Fund for Cook County Jail Detainees

WHEREAS, the Cook County Jail has been at or near capacity for most of 2013; and

WHEREAS, the average cost of keeping a detainee in custody at the Jail has been estimated to cost \$143 a day; and

WHEREAS, the average length of stay for detainees who post bond was 13 days in 2013; and

WHEREAS, it often costs more to keep a detainee in custody than their assessed bail bond is worth; and

WHEREAS, any bail made sooner will save Cook County \$143 per detainee released, per day; and

WHEREAS, many detainees are non-violent offenders and not flight risks for whom judges have low bond amounts that the offender cannot post, and thus would pose little risk to the general public should they be released from custody on bail; and

WHEREAS, a possible solution to the problem would be to create the "Cook County Revolving Bail Bond Fund;" and

WHEREAS, the purpose of the fund shall be to provide no-interest loans to detainees at the Cook County Jail for payment of their court-ordered bail bond and provide an ongoing source of funding through achieved savings; and

WHEREAS, in order to be eligible for a loan in the fund, detainees must meet requirements, including but not limited to, the following: 1) be charged with a non-violent misdemeanor or felony; 2) not use the loan proceeds for payment of private legal services; 3) be eligible for a "c" or "d" bond which entails the posting of a total bond amount of \$2,000 or less (i.e., if the "c" bond is for \$20,000 or less, or the "d" bond is for \$20,000 or less); 4) the posting of such bond will cause the detainees release from custody; and 5) possess health insurance at the time of release or apply for CountyCare at the Cook County Health and Hospitals System.

NOW THERE BE IT RESOLVED, that the Cook County Budget Director and the Executive Director of the Justice Advisory Council (JAC) shall review the legal and financial feasibility of a program to establish a revolving bond fund to provide prompt posting of bail for non-violent detainees and make a recommendation to the Board of Commissioners by March 1, 2014. The purpose of the fund shall be to provide no-interest loans to detainees at the Cook County Jail for

payment of their court-ordered bail bond and provide an ongoing source of funding through achieved savings. The recommendation to be provided to the board shall include: a legal review of authority to pay such bonds; a method for loaning such funds to non-violent detainees; a financial model to identify savings; a recommended amount for the fund; and, if recommended for implementation, an implementation plan. In order to be eligible for a loan, detainees must meet requirements, including but not limited to the following: 1) be charged with a non-violent misdemeanor or felony; 2) not use the loan proceeds for payment of private legal services; 3) be eligible for a “c” or “d” bond which entails the posting of a total bond amount of \$2,000 or less (i.e., if the “c” bond is for \$20,000 or less, or the “d” bond is for \$20,000 or less); 4) the posting of such bond will cause the detainees release from custody; and 5) possess health insurance at the time of release or apply for CountyCare at the Cook County Health and Hospitals System.