



BOARD OF COMMISSIONERS OF COOK COUNTY
County Board Room

Third New Items Agenda

Wednesday, December 4, 2013, 10:45 AM

14-0183

Sponsored by: TONI PRECKWINKLE, President and PETER N, SILVESTRI, LARRY SUFFREDIN, JESÚS G. GARCÍA and STANLEY MOORE, Cook County Board Commissioners

Resolution In Support of Modifying the Prisoner Release Order Before the United States District Court for the Northern District of Illinois

WHEREAS, there is ongoing litigation before the United States District Court for the Northern District of Illinois in *United States v. Cook County, Illinois; et al.*, Case No. 10 C 2946; and

WHEREAS, this litigation has resulted in an Agreed Order by the parties to engage in a number of actions including certain actions to avoid unconstitutional conditions of confinement attributable to overcrowding at the jail; and

WHEREAS, the Cook County Board President, the Cook County Board of Commissioners, and the Cook County Sheriff are named defendants in this litigation and, as such, are expected to comply with said Agreed Order ;and

WHEREAS, in March of 2011, the Cook County Sheriff was granted authority under a Prisoner Release Order (hereinafter, "Administrative Release Program") to release qualifying detainees onto electronic monitoring in consideration of public safety, the likelihood of a defendant appearing in court, and population levels at the Cook County Department of Corrections (hereinafter, "CCDOC"); and

WHEREAS, despite the creation of the Administrative Release Program, the CCDOC has been at or near capacity for most of 2013, its highest level in eight years, at an average cost of \$143 a day per pre-trial detainee; and

WHEREAS, since March 29, 2011, only 250 detainees have been released under the Sheriff's Administrative Release Program with limited impact on reducing the jail population; and

WHEREAS, there is agreement among the parties that the Administrative Release Program should be administered by the Offices under the President of the Cook County Board rather than the Sheriff and should explore opportunities to further release overcrowding to ensure compliance with the Agreed Order; and;

WHEREAS, the parties agree that that the following modifications should be made to the Administrative Release Program:

A jointly appointed administrator to oversee the work of the magistrates and provide additional oversight in key areas;

The Office of the President , with oversight by the Board of Commissioners, would be responsible for administering the Program including, but not limited to, retaining the magistrates and reviewing the recommendations, and the Sheriff's Office would continue to place individuals onto its Electronic Monitoring Program and monitor defendants for compliance with the Program;

The budget would remain subject to approval by the Board of Commissioners, recognizing that some expenditures may be necessary for the Administrative Release Program to reduce the overall expenditures being made on the jail population;

- a) Expanded criteria for release in consideration of public safety, the likelihood of an inmate to appear in court, and population levels of the CCDOC; and

WHEREAS, the Cook County Board President and the Cook County Commissioners are primarily responsible for the fiscal stability of the County and are willing to devote appropriate resources to expand the Administrative Release Program to reduce the population of the Cook County Jail, with the goal of helping all named defendants stay in compliance with the Agreed Order.

NOW, THEREFORE, BE IT RESOLVED, that the President and Board of Commissioners of the County of Cook support the parties' Motion to Modify the Prisoner Release Order and transfer responsibility for administration of the Administrative Release Program to the Office of the President.