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**To:** Hon. Dennis Deer, *Chair, Health and Hospitals Committee*  
Hon. Bill Lowry, *Chair, Emergency Management and Regional Security Committee*  
Hon. Stanley Moore, *Chair, Criminal Justice Committee*

**From:** Alyson C. Miller, *Chief and Staff and Policy, Cook County State's Attorney's Office*

**CC:** Board of Commissioners

**Date:** Tuesday, January 18, 2022

**Re:** CCSAO responses to Questions for the January 19, 2022 Joint Committee Hearing on Anti-Violence Initiatives.

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**1. What your respective office, department, and/or bureau did previously to address violence and crime in Cook County?**

***Prosecuting crime in Cook County***

The Cook County State's Attorney's Office (CCSAO) is the second-largest prosecutor's office in the country with over 1,200 employees and a mission to do justice in the pursuit of thriving, healthy, and safe communities. The CCSAO's people are dedicated, hard-working professionals on the front lines of a broken criminal justice system that despite good-faith efforts often diminishes public safety and trust.

The CCSAO is responsible for the prosecution of all misdemeanor and felony crimes in Cook County. In addition to direct criminal prosecution, Assistant State's Attorneys (ASAs) file legal actions to enforce child support orders, litigate to protect consumers, immigrant families, and the

elderly from exploitation, and assist thousands of victims of sexual assault and domestic violence each year.

### ***Prioritizing the prosecution of violent crime***

Decades of mass incarceration and tough-on-crime policies filled prisons and jails with persons who posed little risk to society as a way to address drug addiction, mental illness, poverty, and broken schools. Meanwhile, many of the most violent crimes too often went unsolved.

State's Attorney Foxx entered office in 2016 with a fresh vision to focus more resources on prosecuting violent crimes and gun crimes and shifting resources from prosecuting the low-level, non-violent crimes that became the hallmark of mass incarceration.

These policies have shown results. In 2021, the CCSAO approved nearly double the number of felony gun charges as it had in 2016. And the office had a 75% conviction rate for the adult felony cases directly filed by the CCSAO in 2021.

### ***Approving nearly 9 in 10 adult felony charges brought by police departments when a charging decision is made.***

During 2021, the CCSAO had an 86% approval rate in adult felony cases in which a decision was made.

In 2021, the CCSAO had the below approval rates for violent crimes committed by an adult.

<b>Reviewed category</b>	<b>Approval Rate</b>
Vehicular hijacking	93%
Unlawful use of a weapon (UW)	91%
Aggravated DUI	92%
Aggravated battery of a police officer	91%
Burglary	92%
Possession of a stolen motor vehicle	85%
Aggravated battery	80%
Homicide	79%

### ***Increasing the integrity of the criminal justice system***

It is impossible to have safe communities without trust in law enforcement. Trust between law enforcement and many communities, especially communities of color, is low due to the policies of mass incarceration and historic abuses by law enforcement.

To help build trust, the CCSAO has taken many steps to address the historic harms committed by the criminal justice system and the CCSAO.

Today, the CCSAO's Conviction Integrity Unit is driven to proactively seek out and vacate convictions of the wrongfully convicted. This is significant even more so because Chicago was once known as the "False Confession Capital of the United States." The investigation into the misconduct of former Chicago Police Sergeant Ronald Watts resulted in 14 vacated cases in 2021,

bringing the total number of vacated cases related to Sergeant Watts to 114 under the Foxx administration.

The CCSAO also played a vital role in passing legislation to legalize cannabis and provide the broadest and most equitable form of conviction relief possible. In 2021, the CCSAO continued to help to move communities forward by vacating low-level cannabis convictions that occurred between 2000 and 2012. More than 9,500 cases have been expunged since December 2019.

Finally, with an eye toward mercy, grace, and justice, the CCSAO began in April 2020 analyzing clemency requests in a more considered manner. This new, more considered method of analyzing clemency petitions resulted in a lower objection rate in 2021 compared to previous years.

### ***Advocating for criminal justice reform***

Addressing the structural issues inherent in the criminal justice system requires the CCSAO to advocate for reform through the legislative process in Springfield. The CCSAO's size and expertise provide a platform to help inform lawmakers and forge advocacy coalitions to help reform the criminal justice system.

During 2021, the CCSAO drafted and helped advocate for the successful passage of a six-piece legislative agenda and several other partner initiatives and guided legislators during the drafting process. The CCSAO has been at the table as an advocate and subject matter expert in every major criminal justice bill over the past five years, such as the SAFE-T Act and cannabis legalization.

## **2. What does your respective office, department and/or bureau currently do to address violence and crime, specifically the recent surges in gun-related violence and carjackings, in Cook County?**

### ***Placing more ASAs in the communities most impacted by gun violence***

Under the leadership of State's Attorney Foxx, the CCSAO piloted and expanded the Gun Crime Strategies Unit, a task force focused on partnership with state and federal law enforcement to develop strategic intelligence, identify individuals driving violence in some of Chicago's most violent police districts, and having a dedicated team of prosecutors vertically prosecute cases, meaning the same prosecutor handles every part of the trial process.

Today Gun Crime Strategies Unit ASAs continue to prosecute drivers of violence in six of the most violent Chicago Police Districts (3<sup>rd</sup>, 6<sup>th</sup>, 7<sup>th</sup>, 10<sup>th</sup>, 11<sup>th</sup>, and 15<sup>th</sup>). ASAs in the Gun Crime Strategies Unit prosecute felony cases, including the possession of a stolen motor vehicle, gun possession, armed robberies, aggravated batteries, aggravated vehicular hijackings, and homicide. Additionally, Gun Crime Strategies Unit supervisors have begun assisting Calumet City adopt a similar model.

Over the past year, the unit has continued to work closely with and assist its federal partners by adopting certain cases for federal prosecution. In March 2020, a cross-designated Gun Crime Strategies Unit ASA successfully prosecuted the last federal jury trial in the Northern District of Illinois before the pandemic shutdown. That case involved a shooting in the 6<sup>th</sup> District where an offender was apprehended and charged with gun possession in state court. The Gun Crime

Strategies Unit ASA indicted and prosecuted the offender successfully in federal court. The case has since been affirmed on appeal by the 7<sup>th</sup> Circuit. Additionally, a Gun Crime Strategies Unit ASA was involved in the federal investigation of a high-profile murder in Chicago's Gold Coast from July 2021. This case has since been charged as a federal Racketeer Influenced and Corrupt Organizations Act (RICO) case.

CCSAO data reflects the police districts that house prosecutors from the Gun Crime Strategies Unit have seen a significant increase in arrests of "armed habitual offenders," an enhanced gun charge for people with previous felony convictions.

In response to the spike in gun violence, State's Attorney Foxx requested in FY 2022 five additional ASAs in the Gun Crime Strategies Unit, the highest number of requested positions for any CCSAO unit.

### ***Leveraging American Rescue Plan Act (ARPA) to address violent crime***

The CCSAO is grateful to the Board of Commissioners for recently approving \$36 million of ARPA funding for anti-violence measures across the Cook County stakeholders.

The CCSAO applied for two anti-violence ARPA initiatives that were approved by the administration and will receive a dollar amount in the coming months.

First, the CCSAO would like to use ARPA money to expand the Gun Crimes Strategies Unit to help combat the rise in violence and shootings within Chicago and the south suburbs. Expanding the Gun Crimes Strategies Unit will have a direct impact on public safety and will align with President Biden's directive to increase investigation into gun trafficking and gun traffickers to prevent the further influx of illegal guns in our communities.

Second, the CCSAO would like to use ARPA money to add investigators to the Gun Crimes Strategies Unit to work with prosecutors and other stakeholders to help ensure public safety in communities across Cook County.

### **3. How has your respective office, department, and/or bureau previously collaborated with other County offices, departments, and/or bureaus? And does it continue its collaboration?**

#### ***Strengthened partnerships with local and federal law enforcement partners***

As mentioned above, the Gun Crime Strategies Unit works alongside both local and federal law enforcement partners to better coordinate on violent cases.

In addition to prosecuting cases, Gun Crime Strategies Unit ASAs have participated in community outreach events as well with their partners to work to prevent violence.

Over the past year, members of the Gun Crime Strategies Unit, along with partners from the Chicago Police Department, the United States Attorney's Office, the Illinois Department of Corrections, and the Bureau of Alcohol, Tobacco, Firearms, and Explosives have participated in several Project Safe Neighborhood Parolee forums. These forums educate newly release parolees

on the consequences of continuing to choose violence over peace. These were done in person during the pandemic.

The Gun Crime Strategies Unit has also provided significant staff support to the Returning Citizens Initiative Program (RCIP). RCIP is a program that identifies individuals serving time for a violent crime set to be released from the Illinois Department of Corrections. These individuals are visited by representatives of several non-violence groups that can offer job training, therapy, and services to help at-risk inmates succeed after their release. The program started with 75 individuals identified for intervention and has since grown.

Another initiative started by the Gun Crime Strategies Unit along with its partners at the Cook County Jail is the violence reduction program. The goal is for staff and outreach specialists to address the needs of the inmates that leave the jail. If eligible inmates want to participate, partners will supply educational, counseling, and job programs. The Gun Crime Strategies Unit helps identify individuals that would most benefit from these services and will be notified when one of their suggested participants accepts the program invitation.

### ***Community outreach in the communities most impacted by violence***

The CCSAO Community Justice Centers (CJs) were founded on the principle that prosecutors have a responsibility not only to prosecute cases but to solve public safety problems, prevent crime and improve the quality of life in communities most affected by violence. Working out of neighborhood offices, the CJs collaborate and partner with police, businesses, faith-based organizations, elected officials, schools, government entities, social service agencies, and community groups.

The ASAs assigned to the CJs prosecute crimes of particular significance to the community, including targeted offenses and repeat offenders. They work to prevent crime through the presentation of seminars, workshops, and speaking engagements and to inform and educate citizens on crime-related issues. The ASAs also work to problem-solve individual, neighborhood, or community issues that may not be criminal but impact the quality of life. Each CJC also has a community liaison who works on networking, prevention programs, and community outreach. The CJs share resources and work closely with steering committees made up of law enforcement and other community leaders.

### ***Sharing data with governmental partners***

State's Attorney Foxx strongly believes that a prosecutor's work must be grounded in data and evidence and that the public should have access to that information.

Since taking office in 2016, State's Attorney Foxx has sought to share the work of the CCSAO with the public in new ways, such as the regular release of case-level datasets dating back to roughly 2010 containing anonymized information about every felony case processed by the CCSAO and the first of its kind felony cases dashboard.

Starting in late 2021, the CCSAO began sending monthly data memos to elected officials with data on CCSAO charging decisions, guilty convictions, and diversion referrals for adult felony cases in the elected officials' jurisdiction and Cook County.

Open, transparent data, like those in the memo, prevent misinformation and creates a common understanding and a more collaborative environment to reduce crime in Cook County. This data has led to new conversations and partnerships with the CCSAO and its governmental partners.

#### **4. What resources does your respective office, department, and/or bureau need to assist in combating the surge in violent crime and support your continued efforts?**

##### ***More resources for disinvested communities***

The safest neighborhoods have the most resources. The stretches on the south and west sides with the highest concentration of violence have little to no access to libraries, fresh foods, health care, and other critical services. Cook County must recognize these symptoms of a larger problem where violence is the outcome. Lacking access to resources allows the root causes of violence to persist.

State's Attorney Foxx understands the abundance of love, family, pride, and resilience in these impacted communities. Cook County needs to encourage private and public investment to match resources with the resilience of these communities.

##### ***Greater collaboration amongst the criminal justice stakeholders***

There are no easy solutions to addressing violent crime. The root causes of crime are longstanding and complex, and require greater collaboration through a whole of community response.

One good example of collaboration led by Commissioners Deer, Lowry, and Moore is the joint committee hearing on resolution 22-0618 to discuss the anti-violence prevention measures and strategies from nine Cook County agencies and departments. The CCSAO is grateful to the commissioners for spearheading this collaboration and look forward to the continued conversations and initiatives that arise from it.

The Safety Justice Challenge (SJC) is another example of whole of community collaboration required to address violent crime. The SJC includes fifty-one participating cities, counties, and states across the country reimagining and rebuilding local justice systems.

The CCSAO is one of the SJC participants from Cook County. Other groups include the Law Office of the Cook County Public Defender, Cook County Health, Cook County Justice Advisory Council, Cook County President's Office, Cook County Sheriff's Office, City of Chicago Mayor's Office, Clerk of the Circuit Court of Cook County, Chicago Police Department, Safer Foundation, Heartland Alliance, Loyola University Chicago, Alumni Association, NAMI, North Lawndale Employment Network, and Treatment Alternatives for Safe Communities (TASC), Access Living, Chicago Survivors, Apostolic Church of God, Illinois Justice Project, Lawndale Christian Legal Center, Illinois Criminal Justice Information Authority.

Cook County SJC participants have frequent meetings around policy, communications, and other issues that arise in Cook County.

The CCSAO is working to increase collaboration amongst criminal justice governmental partners. The SAO has had several meetings recently with the Mayor's Office and CPD to discuss anti-violence initiatives.