



STATE OF ILLINOIS

# Circuit Court of Cook County

HONORABLE TIMOTHY C. EVANS, CHIEF JUDGE

## Pretrial Fairness Act (PFA) Weekly Dashboard

September 18, 2023 – January 27, 2024

The Pretrial Fairness Act (PFA) Dashboard is a cumulative summary of several initial decision points for criminal cases filed in the Circuit Court of Cook County since the Pretrial Fairness Act took effect on September 18, 2023.

Data sources are: administrative data from the Enterprise Justice Case Management System (CMS) maintained by the Clerk of the Circuit Court; publicly available information on the daily jail and Sheriff's electronic monitoring program; Public Safety Assessments; as well as assignments to and weekly pending caseloads for pretrial supervision, home confinement curfew, and GPS monitoring collected and maintained by Adult Probation – Pretrial Services and the Social Services Department. Summary data for the dashboard are compiled by staff from the Office of the Chief Judge<sup>1</sup>.

### Composition of All Criminal Cases Filed Since Implementation of PFA

**Table 1** shows the composition of all criminal cases filed since PFA effective date.

- To date, 20,939 criminal cases have been filed and recorded in the Enterprise Justice CMS.
- 42% (8,835) of all filings had a top charge of misdemeanor/other<sup>2</sup>, 21% (4,472) were domestic violence<sup>3</sup> cases, and 37% (7,632) were felony cases.
- The First Appearance Hearing for 59% (12,261) of criminal cases were in District one, 12% (2,488) were in the Domestic Violence Division, and the remaining 29% (6,190) were in Districts two through six.

**Table 1.** Criminal Cases Filed in the Circuit Court of Cook County Since Pretrial Fairness Act Effective Date by First Appearance Location and Top Filing Charge: 9/18/23 – 1/27/24

First Appearance Hearing Location*	Cases Filed	Top Filing Charge					
		Misd./Other		Dom. Violence		Felony	
		Row Count	Row Percent	Row Count	Row Percent	Row Count	Row Percent
District One	12,261	5,955	48%	1,456	12%	4,850	40%
Domestic Violence Division	2,488	26	1%	2,430	98%	32	1%
District Two	837	365	44%	29	3%	443	53%
District Three	1,128	540	48%	72	6%	516	46%
District Four	1,142	599	52%	9	1%	534	47%
District Five	1,261	593	47%	114	9%	554	44%
District Six	1,822	757	41%	362	20%	703	39%
<b>Total</b>	<b>20,939</b>	<b>8,835</b>	<b>42%</b>	<b>4,472</b>	<b>21%</b>	<b>7,632</b>	<b>37%</b>

\* First appearances on weekends and holiday weekdays are conducted in the Leighton Criminal Courthouse.

<sup>1</sup> Each week, OCJ rebuilds cumulative numbers with the addition of a new week of data. However, all differences in the cumulative data from the current week and the prior week will not be due entirely to case activities that occurred in the new week. Lag in data entry will account for a small portion of this difference.

<sup>2</sup> In most instances, 'other' charges are misdemeanors or less often felonies with insufficient charge information to permit algorithmic classification. Manual classification of these charges is not feasible.

<sup>3</sup> Domestic violence cases are identified by a 'DV' case type designation in the case number sequence. Domestic violence cases are criminal actions that involve a relationship defined by the Illinois Domestic Violence Act. Domestic violence cases are Class 1, 2, and 3 felonies through preliminary hearing, class 4 felonies, and misdemeanors.

## Decision Point 1: Release by Citation or Held for First Appearance

**Figure 1A** summarizes release outcomes at the first PFA decision point (decision by law enforcement to release or detain for first appearance hearing) for criminal cases filed since the PFA effective date.

Among all criminal cases filed in the Circuit Court of Cook County since the PFA effective date:

- 44% of the cases were released via citation by law enforcement.
- 54% of cases were held for first appearance hearing.

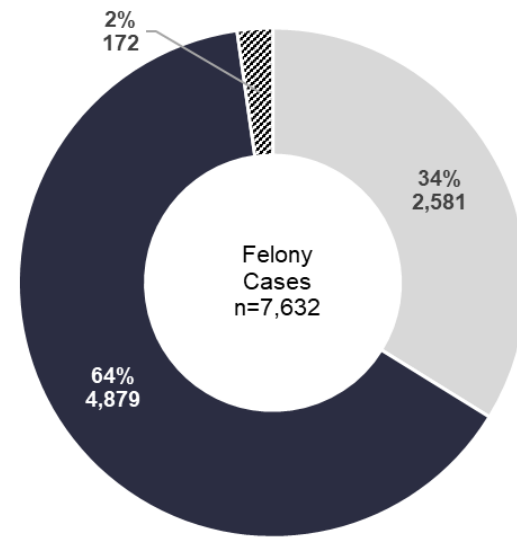
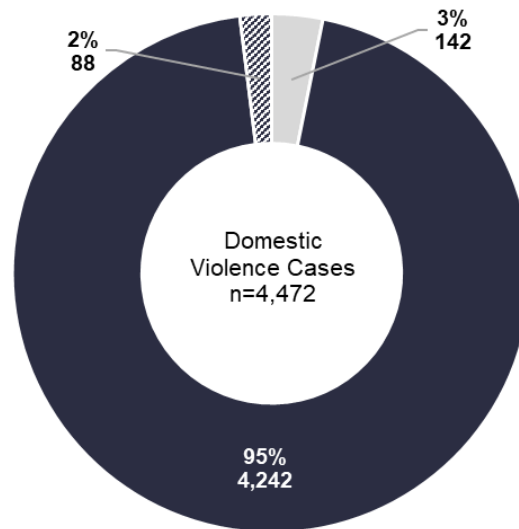
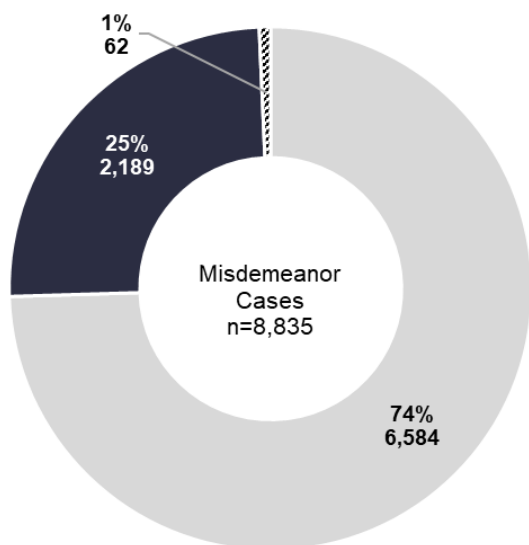
**Figure 1A.** Release by Citation or Held for First Appearance - Criminal Cases Filed in the Circuit Court of Cook County Since PFA Effective Date: 9/18/23 – 1/27/24 (n=20,939)



**Figure 1B** summarizes release outcomes at the first PFA decision point for cases by top filing charge.

**Figure 1B.** Release by Citation or Held for First Appearance by Top Filing Charge - Criminal Cases Filed in the Circuit Court of Cook County Since Pretrial Fairness Act Effective Date: 9/18/23 – 1/27/24

Released via citation by law enforcement    Held for First Appearance Hearing    Information/Indictment, Warrant Issued - Outstanding



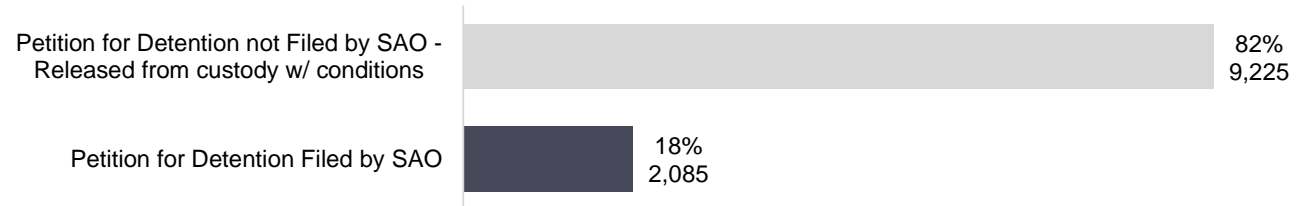
## Decision Point 2: Cook County State's Attorney Office (SAO) Decision to File a Petition for Detention at First Appearance

**Figure 2A** summarizes the frequency with which the Cook County SAO filed a verified petition for detention at the first appearance for defendants who had a custodial arrest since the PFA effective date.

Among all criminal cases filed in the Circuit Court of Cook County and held for first appearance hearing since PFA effective date:

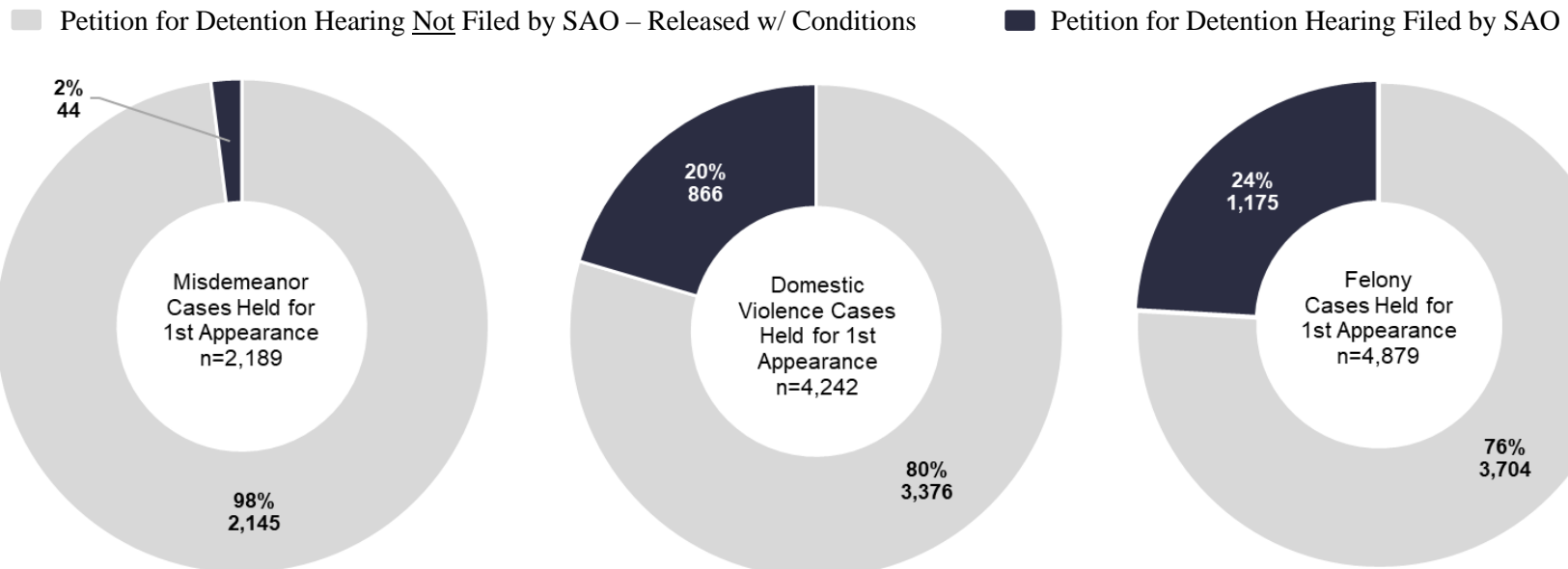
- Four out of five (82%) cases did not have a petition for detention filed by SAO.

**Figure 2A.** SAO Decision to File a Petition for Detention for Criminal Cases Held for First Appearance Hearing in the Circuit Court of Cook County Since PFA Effective Date: 9/18/23 – 1/27/24 (n = 11,310)



**Figure 2B** summarizes the frequency with which the Cook County SAO filed a verified petition for detention for defendants who had a custodial arrest since the PFA effective date by top filing charge.

**Figure 2B.** SAO Decision to File a Petition for Detention for Criminal Cases Held by Top Filing Charge for First Appearance Hearing in the Circuit Court of Cook County Since PFA Effective Date: 9/18/23 – 1/27/24



### Decision Point 3: Detention Hearing Outcomes For Petitions for Detention Filed at First Appearance

**Figure 3A** summarizes detention hearing outcomes for cases that had a verified petition for detention filed at the first appearance for defendants who had a custodial arrest since the PFA effective date.

Among all criminal cases for which there was a petition for detention:

- Three out of five detention petitions (60%) filed at first appearance were granted and defendant was held in custody.

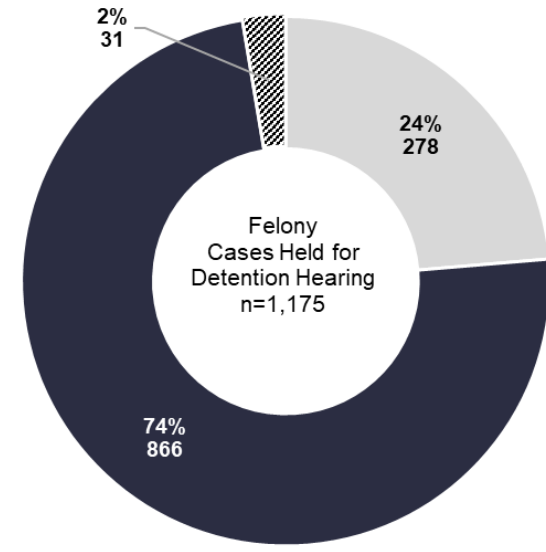
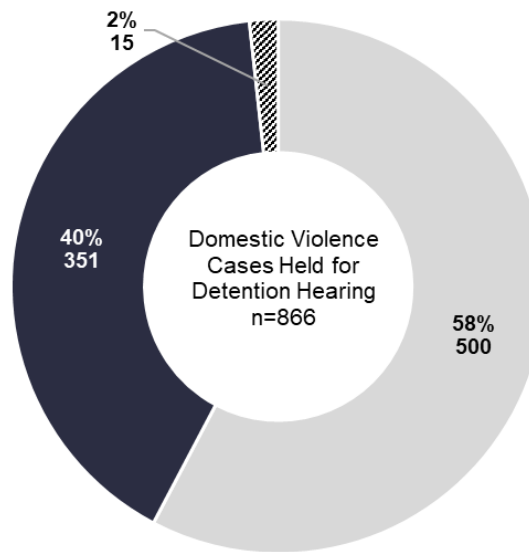
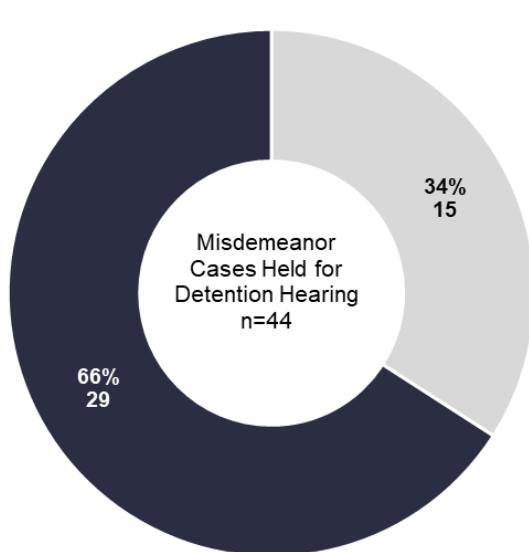
**Figure 3A.** Outcomes for Criminal Cases Held for a Detention Hearing in the Circuit Court of Cook County Since PFA Effective Date: 9/18/23 – 1/27/24 (n=2,085)



**Figure 3B** summarizes outcomes for cases held by a petition for a detention hearing filed by the SAO by top filing charge.

**Figure 3B.** Outcomes for Criminal Cases Held by Top Filing Charge for a Detention Hearing in the Circuit Court of Cook County Since PFA Effective Date: 9/18/23 – 1/27/24

■ Pet. for Detention Denied – Release w/Conditions ■ Pet. for Detention Granted – Held in Custody ▨ Pet. for Detention Pending, Held in Custody



## Pretrial Services Since PFA Effective Date

Pretrial Services in Cook County complete Public Safety Assessments (PSA) and monitor defendants ordered to pretrial supervision. This includes two separate electronic monitoring programs operated by Adult Probation's Home Confinement Unit (HCU) - the Curfew Program and the Bischof Program.<sup>4</sup>

**Figure 4** provides a cumulative count of the number of Public Safety Assessments that have been completed since the PFA effective date.

**Table 2** shows the cumulative population dynamics and the percent change in the pretrial population since the PFA effective date. The overall pretrial services population **increased 6%** from 6,432 on September 17, 2023 to 6,841 on January 27, 2024.

- The supervision only population **increased 12%**
- The daily HCU Curfew population **decreased 18%**
- The daily HCU Bischof population **increased 4%**

**Figure 4.** Number of Public Safety Assessments Completed Since PFA Effective Date



\*Adult Probation Pretrial Services is responsible for PSA for felony cases; Social Services Department is responsible for PSA for misdemeanor cases.

**Table 2.** Pretrial Services Population Dynamics Since the PFA Effective Date

Pretrial Services Population By Type	Population on 9/17/23	Placed on PT	Exits from PT	Population on 1/27/24	Percent Change
<b>Overall Population</b>	6,432	5,063	4,654	6,841	↑6%
▪ Pretrial Supervision Only	4,514	4,252	3,713	5,053	↑12%
▪ HCU Curfew Program	934	247	418	763	↓18%
▪ HCU Bischof Program	984	564	523	1,025	↑4%

## Cook County Jail Population Change Since PFA Effective Date

**Table 3** provides the percentage change in the population under the custody of the Sheriff since the PFA effective date.

Since implementation of the PFA, the number of individuals in Sheriff's custody has decreased by 13% from 7,265 on September 17, 2023 to 6,322 on January 27, 2024.

- The Cook County Jail's daily confined population on the two snapshot days **decreased 15%** from 5,419 to 4,630.
- The Sheriff's community corrections (Electronic Monitoring) population **decreased 8%** from 1,846 to 1,692.

**Table 3.** Percent Change in the Population Under the Custody of the Sheriff's Office Since the PFA Effective Date

Population Type	Under Custody of Sheriff on:		Percent Change
	9/17/23	1/27/24	
<b>Total Under Sheriff Custody</b>	<b>7,265</b>	<b>6,322</b>	<b>↓13%</b>
▪ Confined Population	5,419	4,630	↓15%
▪ Community Corrections (Sheriff's EM)	1,846	1,692	↓8%

<sup>4</sup> The Adult Probation Department's Home Confinement Unit (HCU) operates two separate electronic monitoring programs for two distinct populations, the Curfew program and the Bischof program. Neither system is superior to the other, but they are appropriate for different purposes. The first program uses both Radio frequency ("RF") technology and Global Positioning Systems ("GPS") technology to monitor and enforce curfews that are a condition of bond or a condition of probation. The Bischof program operates under the authority of the Cindy Bischof Law, and is designed to provide a layer of protection for victims of certain domestic violence offenses. This program uses a GPS device attached to the ankle of a defendant to continuously monitor their whereabouts.