



STATE OF ILLINOIS

# Circuit Court of Cook County

HONORABLE TIMOTHY C. EVANS, CHIEF JUDGE

## Pretrial Fairness Act (PFA) Weekly Dashboard

September 18, 2023 – May 4, 2024

The Pretrial Fairness Act (PFA) Dashboard is a cumulative summary of 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; Public Safety Assessments; assignments to and weekly caseloads for pretrial supervision, Home Confinement Unit (HCU) – Curfew Program, and the Bischof Program all collected and maintained by Adult Probation's Pretrial Services Unit and the Social Services Department; and publicly available information on the daily jail and Sheriff's electronic monitoring program. 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 PFA Effective Date

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

- To date, 38,298 criminal cases have been filed and recorded in the Enterprise Justice CMS. 44% of all filings had a top charge of misdemeanor/other, 21% were domestic violence cases, and 35% were felony cases.
- The first appearance hearing for 59% (22,629) of criminal cases were in District One, 12% (4,485) were in the Domestic Violence Division, and the remaining 29% (11,184) 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 Level: 9/18/23 – 5/4/24\*

First Appearance Hearing Location <sup>^</sup>	Cases Filed	Top Filing Charge Level					
		Misd./Other <sup>**</sup>		Dom. Violence <sup>^^</sup>		Felony	
		Row Count	Row Percent	Row Count	Row Percent	Row Count	Row Percent
District One	22,629	11,513	51%	2,433	11%	8,683	38%
Domestic Violence Division	4,485	54	1%	4,381	98%	50	1%
District Two	1,467	669	46%	59	4%	739	50%
District Three	2,006	970	48%	138	7%	898	45%
District Four	2,065	1,112	54%	35	2%	918	44%
District Five	2,347	1,267	54%	211	9%	869	37%
District Six	3,299	1,471	45%	636	19%	1,192	36%
<b>Total</b>	<b>38,298</b>	<b>17,056</b>	<b>44%</b>	<b>7,893</b>	<b>21%</b>	<b>13,349</b>	<b>35%</b>

\* New filing counts in the weekly dashboard ending 3/2/24 were reduced by approximately 400 cases that appeared in prior dashboards. The adjustment is a result of improvements in the programming that counts new filings.

<sup>^</sup> First appearances on weekends and holiday weekdays are conducted in the Leighton Criminal Courthouse.

<sup>\*\*</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>^^</sup> Domestic violence cases have a 'DV' case type designation and 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. Of 7,893 cases with this designation, 385 (5%) were felonies, 7,436 (94%) were misdemeanors, and 72 (1%) were unknown class.

<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 in Table 1 and Figures 1A through 3B 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.

## 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:

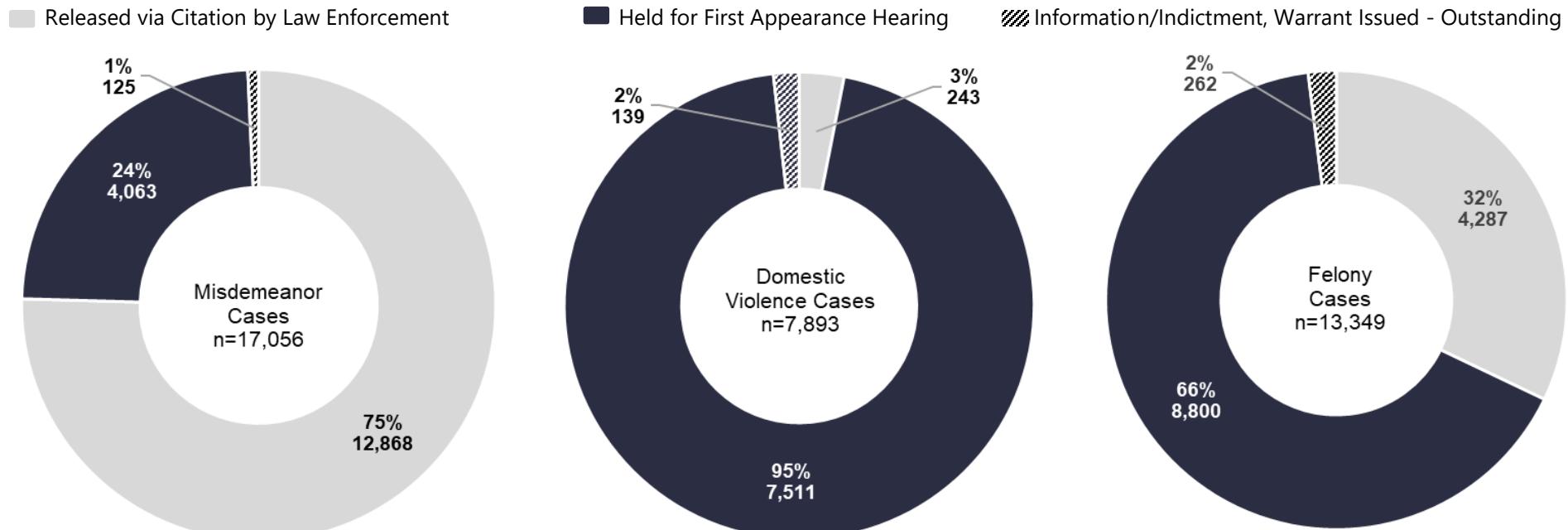
- 45% of the cases were released via citation by law enforcement.
- 53% of cases were held for first appearance hearing.

**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 – 5/4/24 (n=38,298)



**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 – 5/4/24



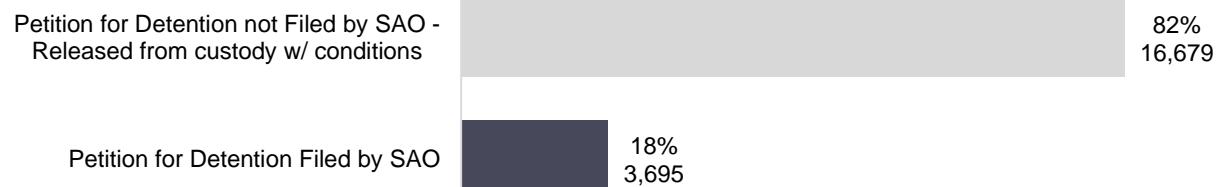
## Decision Point 2: Cook County State's Attorney Office (SAO) Decision to File a Petition for Detention at First Appearance

**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:

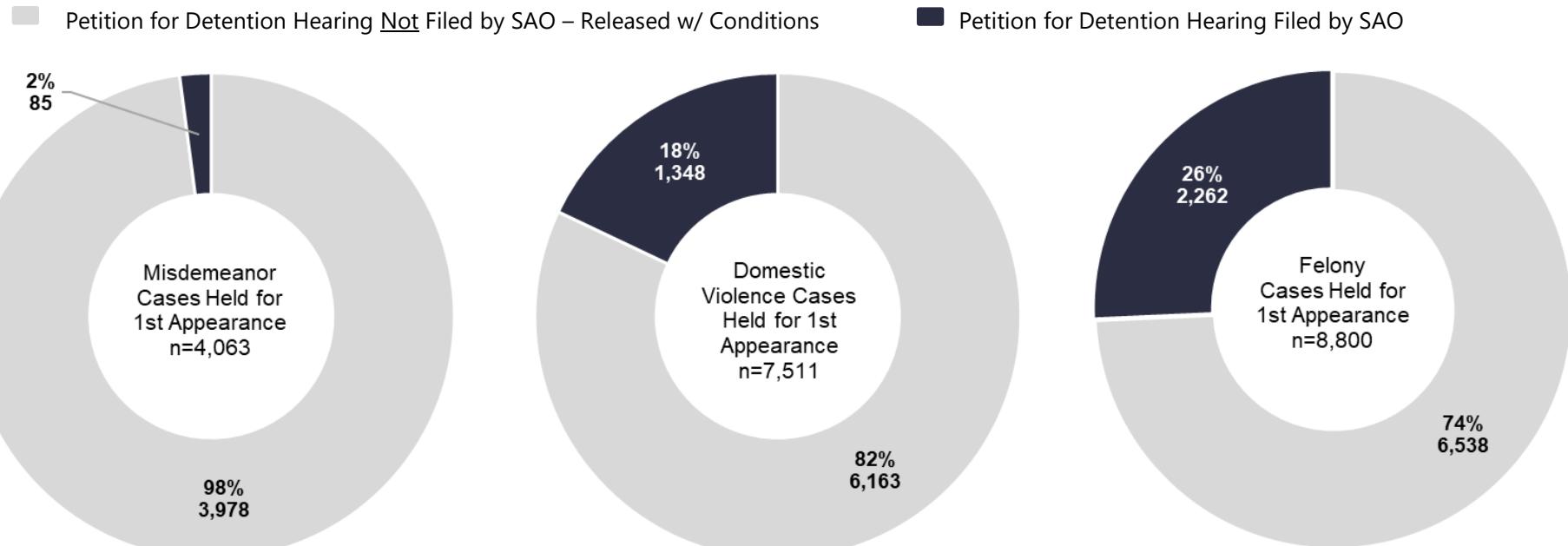
- Four out of five (82%) cases did not have a petition for detention filed by SAO.

**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 – 5/4/24 (n = 20,374)



**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 – 5/4/24



## 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 (59%) filed at first appearance were granted and defendant was held in custody.

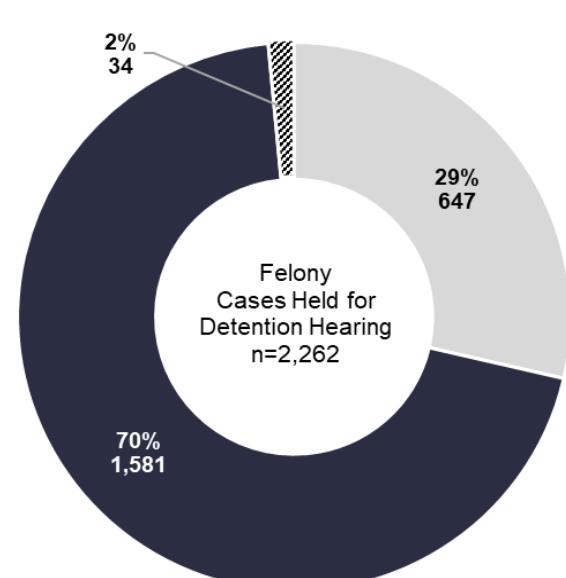
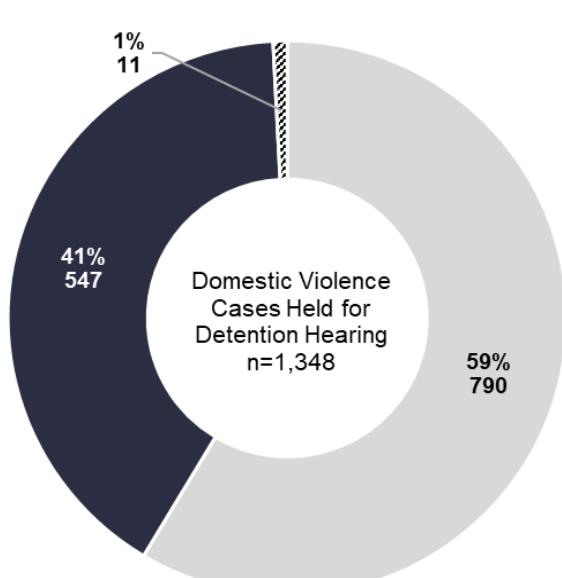
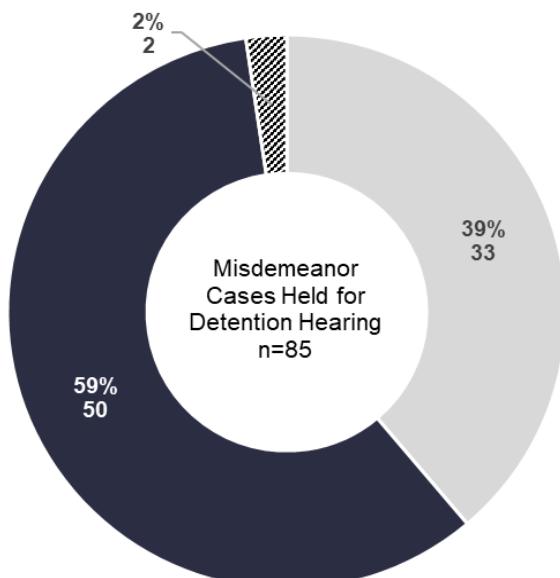
**Figure 3A.** Outcomes for Criminal Cases Held for a Detention Hearing in the Circuit Court of Cook County Since PFA Effective Date: 9/18/23 – 5/4/24 (n=3,695)



**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 – 5/4/24

Legend: Pet. for Detention Denied – Release w/Conditions (Light Gray), Pet. for Detention Granted – Held in Custody (Dark Blue), Pet. for Detention Pending, Held in Custody (Hatched)

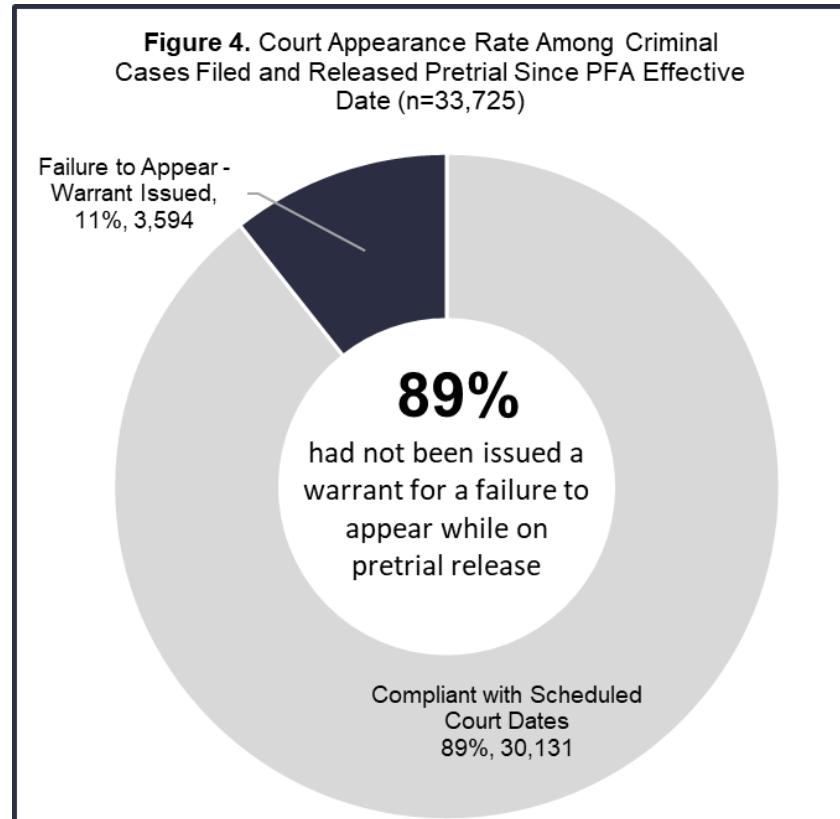


## Court Appearance Rate Among Criminal Cases Filed and Released Pretrial Since PFA Effective Date

**Figure 4** depicts the preliminary court appearance rate for defendants charged with a misdemeanor, domestic violence, or felony offense and on pretrial release in the six months since the PFA effective date.<sup>2</sup>

From the PFA effective date to May 4, 2024:

- Of the 35,547 criminal defendants released, a subset of 33,725 defendants with an initial hearing scheduled on or before May 4, 2024 were used to calculate the court appearance rate in Figure 4 and Table 2.
- 89% of criminal defendants have not had a warrant for failure to appear issued for non-appearance at scheduled court date.
- 11% of criminal defendants have missed a scheduled hearing date and the court has issued a warrant for failure to appear.<sup>3</sup>



**Table 2** summarizes preliminary court appearance rate by stage at which defendant was released pretrial and top filing charge.

**Table 2.** Court Appearance Rate for Defendants With a Case Filed and Released Pretrial Since the PFA Effective Date

Pretrial Release via:	Misd./Other		Dom. Violence		Felony		Overall		
	Total Pretrial Release	Court Appearance Rate		Total Pretrial Release	Court Appearance Rate		Total Pretrial Release	Court Appearance Rate	
		Number	Rate		Number	Rate		Number	Rate
▪ Citation by Law Enforcement	11,273	9,795	87%	243	207	85%	4,120	3,376	82%
▪ 1st Appearance w/Conditions	3,966	3,602	91%	6,143	5,929	97%	6,514	5,821	89%
▪ Detention Hearing w/Conditions	32	30	94%	790	759	96%	644	612	95%
<b>Total With Pretrial Release</b>	<b>15,271</b>	<b>13,427</b>	<b>88%</b>	<b>7,176</b>	<b>6,895</b>	<b>96%</b>	<b>11,278</b>	<b>9,809</b>	<b>87%</b>
							<b>33,725</b>	<b>30,131</b>	<b>89%</b>

<sup>2</sup> Consistent with 725 ILCS 5/110-3, a failure to appear is a warrant not quashed on the date of issuance that is in response to a non-appearance.

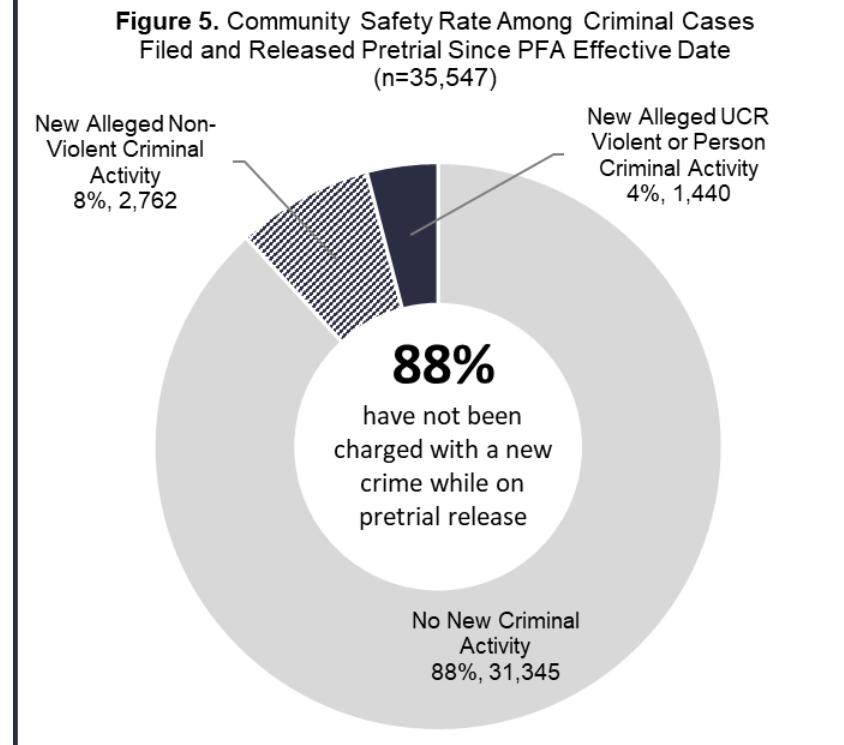
<sup>3</sup> This is a point-in-time measure that does not adjust for defendants' time on pretrial release. The rate of missing a scheduled hearing date may increase with the length of time that defendants remain in the community prior to case disposition.

## Community Safety Rate Among Criminal Cases Filed and Released Pretrial Since PFA Effective Date

**Figure 5** depicts the preliminary community safety rate for defendants charged with a misdemeanor, domestic violence, or felony offense and on pretrial release in the six months since the PFA effective date.

From the PFA effective date to May 4, 2024:

- 88% of criminal defendants have not been charged with a new misdemeanor or felony offense while on pretrial release.<sup>4</sup>
- 96% have not been charged with any new violent or person crimes while on pretrial release.



**Table 3** summarizes preliminary community safety rate by release method and top filing charge.

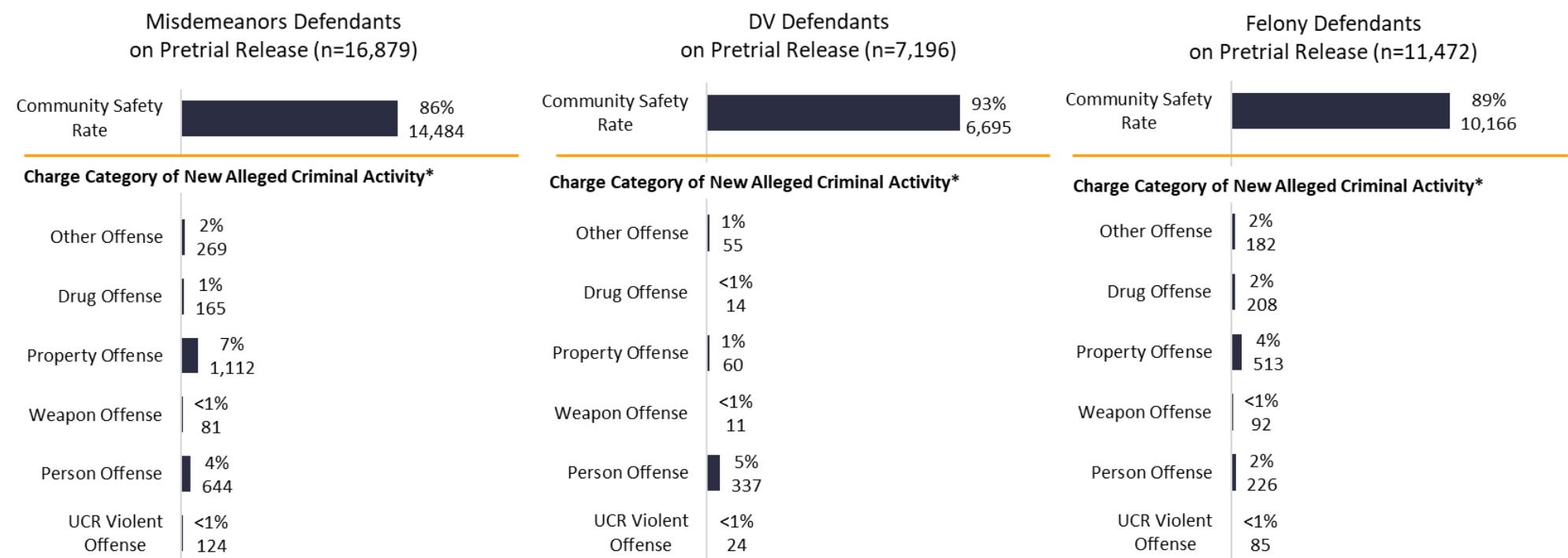
**Table 3.** Community Safety Rate for Defendants With a Case Filed and Released Pretrial Since the PFA Effective Date

Pretrial Release via:	Misd./Other		Dom. Violence		Felony		Overall		
	Total Pretrial Release	Community Safety Rate		Total Pretrial Release	Community Safety Rate		Total Pretrial Release	Community Safety Rate	
		Number	Rate		Number	Rate		Number	Rate
▪ Citation by Law Enforcement	12,868	11,127	86%	243	214	88%	4,287	3,794	89%
▪ 1st Appearance w/Conditions	3,978	3,326	84%	6,163	5,761	93%	6,538	5,760	88%
▪ Detention Hearing w/Conditions	33	31	94%	790	720	91%	647	612	95%
<b>Total With Pretrial Release</b>	<b>16,879</b>	<b>14,484</b>	<b>86%</b>	<b>7,196</b>	<b>6,695</b>	<b>93%</b>	<b>11,472</b>	<b>10,166</b>	<b>89%</b>
							<b>35,547</b>	<b>31,345</b>	<b>88%</b>

<sup>4</sup> This is a point in time measure that does not adjust for defendants' time on pretrial release. OCJ uses case filing date as the new criminal activity date. The rate of new criminal activity may increase with the length of time that defendants remain in the community prior to case disposition.

**Figure 6** summarizes preliminary community safety rate by top filing charge and new alleged crime.

**Figure 6.** Community Safety Rate by Top Filing Charge and New Alleged Filing Charge for Defendants with a Case Filed and Released Pretrial Since PFA Effective Date



\* Other Offense category is composed of motor vehicle, disorderly conduct, offender registration violations, VOBB/VOP/Parole, warrant, and other miscellaneous offenses. UCR Violent category, as formerly defined in the FBI's Uniform Crime Reporting (UCR) Program, is composed of four offenses: murder and non-negligent manslaughter, rape, robbery, and aggravated assault. Person charges include assault, battery, child neglect and other miscellaneous person offenses.

## Adult Probation Department (APD) Pretrial Services Since PFA Effective Date

In Cook County, Pretrial Services completes Public Safety Assessments (PSA) and monitors defendants ordered to pretrial supervision, which includes two separate electronic monitoring programs operated by APD's Home Confinement Unit (HCU) - the Curfew Program and the Bischof Program.<sup>5</sup>

**Figure 7** provides a cumulative count of the number of PSAs that have been completed since the PFA effective date.

**Table 4** shows the cumulative population dynamics and the percent change in the pretrial services population since the PFA effective date.<sup>6</sup>

The overall pretrial services population **increased 19%** from 6,432 on September 17, 2023 to 7,592 on May 4, 2024.

- The supervision only population **increased 29%**
- The daily HCU Curfew population **decreased 11%**
- The daily HCU Bischof population **decreased 2%**

## Cook County Jail Population Change Since PFA Effective Date

**Table 5** provides the percentage change in the population under the custody of the Sheriff since the PFA effective date.

Since PFA effective date, the number of defendants in Sheriff's custody has decreased by 13% from 7,265 on September 17, 2023 to 6,317 on May 4, 2024.

- The jail's daily confined population on the two snapshot days **decreased 13%** from 5,419 to 4,694
- The Sheriff's Community Corrections (Electronic Monitoring) population **decreased 12%** from 1,846 to 1,623

**Figure 7.** 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 4.** 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 5/4/24	Percent Change
<b>Overall Population</b>	<b>6,432</b>	<b>9,940</b>	<b>8,780</b>	<b>7,592</b>	<b>↑19%</b>
▪ Pretrial Supervision Only	4,716	8,542	7,264	5,994	↑29%
▪ HCU Curfew Program	934	1,074	1,139	869	↓11%
▪ HCU Bischof Program	782	324	377	729	↓2%

**Table 5.** 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	5/4/24	
<b>Total Under Sheriff Custody</b>	<b>7,265</b>	<b>6,317</b>	<b>↓13%</b>
▪ Confined Population	5,419	4,694	↓13%
▪ Community Corrections (Sheriff's EM)	1,846	1,623	↓12%

<sup>5</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 Curfew program uses both radio frequency ("RF") and Global Positioning Systems ("GPS") technology to monitor and enforce curfews that are a condition of release or 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 ankle bracelet to continuously monitor defendant whereabouts.

<sup>6</sup> The dashboard ending March 2, 2024 contains a correction to HCU Bischof Program cases. Earlier dashboards over counted the number of defendants assigned to this program. The correction redistributed these defendants to Pretrial Supervision Only. The correction did not affect overall Pretrial Services counts. It did, however, reduce the number of Bischof cases.