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COURT MONITORING REPORT

for

Duran v. Sheahan et al.

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CROWDING AND CONDITIONS OF CONFINEMENT AT THE COOK COUNTY DEPARTMENT OF CORRECTIONS AND COMPLIANCE WITH THE CONSENT DECREE

to

THE HONORABLE VIRGINIA M. KENDALL
U.S. DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS

from the

John Howard Association
300 West Adams, Suite 423
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INTRODUCTION

This is the twenty-second in a series of reports by the John Howard Association (JHA) on inmate population, crowding and conditions at the Cook County Department of Corrections (CCDOC) as these factors relate to the provisions of the Consent Decree in this litigation. Previous reports in this series have been submitted to the Court on the dates listed below.

November 14, 1989	January 19, 1996
March 2, 1990	February 7, 1997
July 6, 1990	February 6, 1998
November 9, 1990	September 30, 1998
April 2, 1991	September 1, 1999
October 5, 1991	May 12, 2000
May 25, 1992	May 11, 2001
February 5, 1993	May 13, 2002
September 24, 1993	May 4, 2004
April 4, 1994	May 13, 2005
February 1, 1995	May 8, 2006

This report follows the format used in previous reports. Separate sections focus on (1) evaluation of data on inmate population, facility capacity, and bedspace; (2) the status of existing and planned jail facilities; (3) assessment of release mechanisms and alternatives to incarceration; and (4) evaluation of compliance with Consent Decree provisions relating to conditions of confinement. The section of this report dealing with conditions of confinement covers all major provisions of the Consent Decree, similar to the comprehensive reports submitted by JHA between 1989 and 1999, and between 2004 and 2006. In this report, we have included the relevant provisions of the Consent Decree at the beginning of each section, to facilitate the interpretation of our observations and findings.

The information used in the preparation of this report consists of observations made

during more than 50 visits to the jail complex and analysis of data derived from logs, documents, and other records provided by CCDOC administrators and staff and other sources. Information obtained during meetings with CCDOC and other Cook County officials and other parties has also been included where relevant. Data in this report have been selected to ensure continuity with the JHA report of May 8, 2006, the most recent JHA court monitoring report on crowding and conditions of confinement.

Since our last major report to the Court, this case has been assigned to a new Judge, and a new Sheriff, Thomas Dart, a new President of the Cook County Board of Commissioners, Todd H. Stroger, and several new Commissioners have been elected. Since our last report, CCDOC has also gained a new Executive Director, Salvador Godinez, and experienced a number of other administrative changes, and the same is true of the Cook County Department of Community Supervision and Intervention (CCDCSI), which operates many of the release mechanisms developed pursuant to court orders issued in this litigation. In recent months, Cook County government has produced a new corporate budget that features the most significant budget cuts in the 33-year history of this litigation. The effects of these cuts are discussed in the appropriate sections of this report.

For the convenience of the Court and the parties, we have included the relevant sections of the Consent Decree at the beginning of each section of the report.

I. POPULATION AND CAPACITY UPDATE

This section presents information on trends in the Cook County Department of Corrections (CCDOC) inmate population, facility capacity, available bedspace, length of stay, and other factors relevant to inmate population and crowding at CCDOC for the 12-month period from April 2006 through March 2007. The choice of these dates ensures continuity with data presented in prior John Howard Association (JHA) monitoring reports. Other historical data are included as necessary. The data presented in this section reflect information collected from daily Director's Logs and other data provided by the Executive Director's office. In conjunction with information obtained during monitoring visits to CCDOC, JHA staff have evaluated these data and, where appropriate, computed recalculations to provide the most accurate presentation of population levels, available bedspace, and jail capacity.

Tables 1.1 and 1.2 below show the CCDOC daily population from January 1, 2006 through March 31, 2007, which includes the time period covered by this report. The tables for 2006 and 2007 differ from those for previous years, insofar as they now contain data on the average daily population or caseloads for the release mechanisms operated by other branches of the Sheriff's Office to minimize crowding in the jail.¹ Tables for previous years contained data on I-Bonds, which are no longer used with any regularity. Future court monitoring reports will feature revised tables for these years containing comparable data on these release mechanisms.

¹ The release mechanisms include three non-custodial programs, the Electronic Monitoring Program (EMP), the Men's Day Reporting Program (DRP), and the Sheriff's Female Furlough Program (SFFP), and three custodial/residential programs, the Men's Pre-release Center (PRC), the Womens Justice Services Residential Program, and the M.O.M.S. program. Each of these programs is discussed in a separate section below. Data in the tables reflect individual and aggregate totals for these six programs.

Table 1.1
Cook County Department of Corrections
2007 POPULATION AND CAPACITY SUMMARY

	<u>Available Beds</u>	<u>Average Daily Population</u>	<u>Overflow Population (Daily Average)</u>	<u>ADP/C2 Aggregate Release Mechanisms</u>	<u>No. of Days of Overcrowding</u>
Jan	9803	9548.5	501.6	1901.1	31/31
Feb	9820	9314.3	364.8	1789.8	28/28
Mar	9754	9429.9	410.2	1688.4	31/31
<hr/>					
YEAR-TO- DATE TOTAL	na	na	na	na	na
<hr/>					
DAILY AVERAGE	9791.4	9434.8	427.6	1793.2	90/90

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2 ADP/C: average daily population or caseload.

Table 1.2
Cook County Department of Corrections
2006 POPULATION AND CAPACITY SUMMARY

	<u>Available Beds</u>	<u>Average Daily Population</u>	<u>Overflow Population (Daily Average)</u>	<u>ADP/C Aggregate Release Mechanisms</u>	<u>No. of Days of Overcrowding</u>
Jan	9946	9213.5	4.1	2699.8	7/31
Feb	9940	9160.8	25.6	2639.2	20/28
Mar	9832	8936.1	11.7	2560.9	20/31
Apr	9843	9087.3	3.4	2516.3	7/30
May	9848	9140.6	55.0	2318.4	26/31
Jun	9844	9455.2	277.2	1961.9	30/30
Jul	9761	9701.2	494.1	1697.9	31/31
Aug	9819	9637.9	625.3	1818.2	31/31
Sep	9886	9721.1	518.8	1949.8	30/30
Oct	9804	9568.0	420.2	1950.4	31/31
Nov	9775	9483.3	436.4	2038.4	30/30
Dec	9763	9203.6	308.9	1968.8	31/31
<hr/>					
YEAR-TO-DATE TOTAL	na	na	na	na	na
<hr/>					
DAILY AVERAGE	9837.6	9359.8	266.5	2176.3	365/365

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The data in Table 1.2 reflect a pattern of declining inmate population during the first three months of 2006, followed by increases through July 2006. Inmate population held fairly steady from July 2006 through September 2006 then declined again through December 2006. As the data in Table 1.1 demonstrate, this was followed by a fairly sharp increase in January 2007 and a decrease in February 2007. Population decreases in December followed by increases in January have been recorded during most of the years covered in this series of reports.

Readers interested in monthly data on bedspace, population, and crowding for the period 1988 through 2005 should consult the annual tables for these years which are included in an appendix as the conclusion of this report.

To place the current CCDOC population figures in context, Table 1.3 below shows the broader annual trends in inmate population and crowding from 1988 to the present.

Table 1.3
Cook County Department of Corrections
INSTITUTIONAL GROWTH: 1988 - 2007

	<u>Average Daily Population</u>	<u>Year-to Year Growth</u>	<u>Available Beds</u>	<u>Year-to Year Growth</u>	<u>Occupancy Level</u>	<u>Overflow Population</u>	<u>Year-to Year Growth</u>
1988	5327	na	5571	na	95.6%	138.7	na
1989	6492	+ 21.9%	6150	+10.4%	105.6%	582.8	+320.2%
1990	6827	+ 5.2%	6217	- 1.1%	109.8%	806.0	+ 38.3%
1991	7590	+ 11.2%	6173	- 0.7%	123.0%	1499.4	+ 86.0%
1992	8789	+ 15.8%	6623	+ 6.6%	132.7%	2443.0	+ 62.9%
1993	8881	+ 1.0%	7953	+20.1%	111.7%	1543.4	- 36.8%
1994	8907	+ 0.3%	7927	- 0.3%	112.4%	1455.7	- 5.7%
1995	8751	- 1.8%	7683	- 3.1%	113.9%	1360.4	- 6.5%
1996	9035	+ 3.2%	8857	+15.3%	102.0%	624.7	- 54.1%
1997	9153	+ 1.3%	9262	+ 4.6%	98.8%	414.1	- 33.7%
1998	9475	+ 3.5%	9360	+ 1.1%	101.2%	531.9	+ 28.4%
1999	9492	+ 0.2%	9639	+ 3.0%	98.5%	304.3	- 42.8%
2000	9953	+ 4.9%	9721	+ 0.9%	102.4%	535.4	+ 75.9%
2001	10642	+ 6.9%	9720	~ 0.0%	109.5%	1147.1	+114.3%
2002	11082	+ 4.1%	9827	+ 1.1%	112.8%	1419.6	+ 23.8%
2003	10664	- 3.8%	10100	+ 2.8%	105.6%	990.3	- 30.2%
2004	10536	- 1.2%	9932	- 1.6%	106.1%	950.4	- 4.0%
2005	9776	- 7.2%	9641	- 2.9%	101.4%	643.7	- 32.3%
2006	9360	- 4.3%	9838	+ 2.0%	95.1%	266.5	- 58.6%
2007*	9435	+ 0.8%	9791	- 0.5%	96.4%	427.6	+ 60.8%
Cumulative Growth	+ 4108	+ 77.1%	+ 4220	+75.7%	- 0.8%	+ 288.9	+208.3%

* 2007 data through March 31, 2007.

The data reveal an overall decrease in inmate population beginning in 2002 and continuing through 2006. While JHA staff believe that inmate population levels experienced in

2006 may well be subject to change in coming months, as discussed in Section I. A. below, the data reveal that the average daily inmate population (ADP) at CCDOC has decreased by more than 1,700 inmates, on a daily basis, between 2002 and 2006. Comparing ADP for 2002 and 2006 (the most recent full year) reveals a decrease of 15.5%, which is unprecedented since November 1989 when the first of these reports was submitted to Judge Milton I. Shadur.

While the total inmate population at CCDOC remained at relatively low levels for most of 2006, the size of the overflow population increased from very low levels in the first four months of 2006 to a significant number of inmates sleeping on floors from June 2006 through February 2007. Since June 2006, inmates have slept on floors in the jail every night.

Although a definitive analysis of the causes of this situation is beyond the scope of this report, the decrease in the number of participants in the various release mechanisms during 2006 is unquestionably a major contributing factor. As the data in Table 1.2 reveal, the number of ex-inmates participating in supervised release programs decreased by more than 1,000 participants between January 2006 and July 2006. While several of these release mechanisms increased their caseloads during the second half of 2006, they have again declined since December 2006 through March 2007. The reductions in these programs and the factors contributing to these occurrences are described in greater detail in Section I. A. below.

Some readers may be puzzled that inmates are sleeping on floors when the size of the total inmate population is significantly smaller than the number of available beds at CCDOC. As we have explained in previous reports, CCDOC's adherence of a classification system that

assigns inmates by security levels and other factors results in an uneven distribution of inmates to the various divisions, as it has for many years. In addition, CCDOC administrators made a reasonable decision not to overcrowd any of the three maximum-security divisions (currently Divisions I, IX, and X), which had experienced some of the most frequent and serious incidents for a number of years, for reasons of security and safety. In addition, several other divisions, including Divisions II and XI, have been exempted from housing overflow populations for other reasons, including dormitory-style housing (Division II).

With the exception of renovation projects described below, the bedspace capacity at CCDOC has not changed measurably for the past four or five years. Table 1.4 below shows the current bedspace capacity at CCDOC. From 2002 through the present, the CCDOC bedspace capacity (available beds) has fluctuated between a low of 9,710 and a high of 10,100.

Table 1.4

**Cook County Department of Corrections
JAIL CAPACITY AND BEDSPACE DATA**

DIVISION	Normal Capacity	Available Beds (as of March 31, 2007)	Projected Capacity
I	1,250	1,228	1,250
II	1,860	1,860	1,560 ^a
III	353	305	353
IV	704	698	704
V	992	838	992
VI	992	970	992
VIII	647	647	647
IX	1,056	1,004	1,056
X	768	768	768
XI	1,536	1,472	1,536
Total	10,158	9,790	9,858

^a Reflects closure of 300 beds operating in violation of state jail standards.

As we have explained in previous JHA reports, capacity refers to the maximum number of beds in all living units in each division, assuming all units and beds are actually in service. The number of available beds on any given date reflects the effects of closures of living units and/or individual cells or beds, which affects the daily “capacity” of each division. The projected capacity reflects the “normal capacity” for all divisions with the exception of Division II, the significance of which is described below.

It should be noted that the jail capacity figures shown in Table 1.4 above do not include 122-beds in the old Cermak Health Services facility, which has been occupied by female inmates participating in the Womens Justice Services Residential Program. This residential treatment program is analogous to the Prerelease Center for males, which is operated by the Department of

Community Supervision and Intervention (CCDCSI) on the South Campus. Both of these programs are considered release mechanisms, since the participants are supervised by portions of the Sheriff's Office other than CCDOC, although the participants are literally in custody at all times.³ Both the beds in these facilities (totaling approximately 570 beds) and the participants are not included in data for CCDOC capacity, available bedspace, or population. Neither program has ever permitted inmates to sleep on floors in these facilities.

We wish to restate our statement regarding one CCDOC facility (Dorm 4 in Division II), which continues to operate at twice its "design capacity" of 300 beds, which was based on the installation of single beds in this building. Due to crowding at CCDOC at the time this building was being renovated for use as a dormitory, the parties agreed to permit the *temporary* use of double bunks to reduce the number of inmates sleeping on floors. The operation of this building with more than 300 beds occupied constitutes a continuing violation of Illinois County Jail Standards, and we restate our recommendation that CCDOC administrators develop a timetable to reduce the population in this facility to a maximum of 300 inmates.

³ Both programs contain a significant number of inmates serving sentences and, therefore, no longer pretrial detainees and members of the plaintiff class in this litigation.

Length of Stay Analysis

This monitoring report includes an updated and expanded analysis of data regarding length of stay and time in custody at CCDOC. First, we describe recent trends in the length of stay for various CCDOC detainee population groups, based on a new ‘snapshot’ of length of stay data for the CCDOC population on March 30, 2007. Second, we requested and received from the CCDOC Director’s Office a summary of the length of stay for all CCDOC detainees released in calendar year 2006, which categorizes lengths of stay for various categories of releasees. This ‘release cohort’ sample provides a different view of the length of stay at CCDOC and helps provide a better overall understanding of issues regarding the length of stay for various detainee groups and the corresponding impact on crowding.⁴

“Snapshot” Analysis

For a number of reasons described in previous JHA reports, we continue to present snapshot data on length of stay, which admittedly overrepresents those inmates who do not qualify for release on EMP or other release mechanisms that exist solely because of orders of Court issued in this case. These data, in conjunction with length of stay calculations based on the total number of inmates admitted to CCDOC annually, represent parameters that collectively

⁴ Generally, length of stay estimates based on ‘snapshot’ samples of detained individuals are longer (or higher) than estimates based on release cohorts, primarily because the snapshot sample include detainees who are still incarcerated (e.g., those who tend to stay longer). Release cohorts, on the other hand, contain information for all detainees who leave during a certain time period, including detainees who stay for brief periods of time, and thus do not correspond closely to snapshot samples. Using different samples to calculate length of stay allows consideration of a greater number of issues affecting length of stay, and allows analysis of a broader range of detainee categories.

provide an accurate representation of how long inmates remain incarcerated in Cook County.

Before presenting our analysis of snapshot data, we note that average length of stay based on all individuals discharged from CCDOC during 2006 (n = 99,663) was approximately 48 days, slightly shorter than the average LOS of 49.8 days during 2005.

Table 1.5 contains data for the period 2002 through 2006 based on the snapshot analyses as described above.

Table 1.5
Cook County Department of Corrections
LENGTH OF STAY

	Feb 2002	May 2003	Jul 2004	Feb 2005	Mar 2007	Cumulative Change
Average (\bar{X}) LOS (all inmates)	187.5 days	216.7 days	188.0 days	188.3 days	178.8 days	- 8.7 days
\bar{X} LOS - male inmates	195.7 days	225.1 days	197.7 days	195.8 days	183.9 days	- 11.8 days
\bar{X} LOS - female inmates	117.8 days	133.2 days	108.1 days	131.8 days	117.2 days	- 0.6 days
\bar{X} LOS - male max-security inmates	297.1 days	339.4 days	345.0 days	354.3 days	361.1 days	+ 64.0 days

NOTE: These averages are based on data for all inmates incarcerated at CCDOC on selected dates during the months listed. They do not represent all admissions to CCDOC, which would produce a considerably lower figure; however, the figures shown above more accurately represent the length of stay of inmates who do not qualify for release within approximately one to two weeks of admission.

In February 2002, the length of stay for all inmates at CCDOC was 187.5 days, or slightly more than six months. In May 2003, LOS for all inmates increased to 216.7 days (a 15.6% increase), then for a period of almost two years --- from July 2004 through April 2006 ---the LOS for all inmates decreased to and remained at a level of approximately 188 days. The most recent figure, for March 2007, reveals that LOS for all inmates has decreased to an average of 179.8 days, which represents a decrease of 5.0% from the average LOS in 2006.

The data also reveal that the average LOS for female inmates increased slightly since 2006 (an increase of 5.3 days, or 4.7%), and male inmates in maximum-security classification also have a significantly longer average length of stay, increasing by 30.8 days (9.3%). However, a comparison of data from 2002 with data from 2006 reveals that only male inmates classified as maximum-security have experienced any significant increase in average length of stay during that period, while average length of stay for all inmates who remain incarcerated at CCDOC has decreased slightly.

Duration of incarceration at CCDOC can also be measured by evaluating time in custody, as we have done in previous JHA reports. Table 1.6 provides data on the number and percentage of inmates in each time category for selected dates from 2005 through 2007.

Table 1.6
Cook County Department of Corrections
TIME IN CUSTODY

	5/4/05	% OF CCDOC POP	5/3/06	% OF CCDOC POP	3/30/07	% OF CCDOC POP	CHANGE IN % OF POP
<31 days	3,435	34.3%	3,077	33.7%	3,089	32.8%	- 1.5%
31-90 days	2,256	22.5%	1,984	21.7%	2,173	23.1%	- 0.6%
91-180 days	1,480	14.8%	1,428	15.6%	1,536	16.3%	+ 1.5%
181-365 days	1,442	14.4%	1,352	14.8%	1,344	14.3%	+ 0.1%
1 – 2 years	882	8.8%	806	8.8%	785	8.3%	- 0.5%
2 – 3 years	305	3.0%	273	3.0%	278	2.9%	- 0.1%
3 – 4 years	161	1.6%	130	1.4%	117	1.2%	- 0.4%
4 – 5 years	49	0.5%	60	0.7%	62	0.7%	+ 0.2%
> 5 years	31	0.3%	29	0.3%	43	0.5%	+ 0.2%
TOTAL	10,010		9,139		9,427		

These data show a continuing downward trend in the percentage of CCDOC inmates with short lengths of stay (i.e. - less than 31 days). At the same time, the percentage of inmates incarcerated for periods ranging from 91 to 180 days has continued to increase slightly since 2005. The percentage of inmates with stays ranging from 1 to 2 years decreased slightly from the levels in 2005 and 2006, as did the percentage of inmates with stays ranging from 2 to 3 years and 3 to 4 years. Inmates with stays ranging from 4 to 5 years remained unchanged from the 2006 levels but slightly higher than in 2005. Inmates with stays of more than 5 years represented a slightly larger percentage of the total jail population than they did in 2005 and 2006.

The John Howard Association continues to support all appropriate steps to reduce case processing time in general and reduce the number and percentage of cases which involve lengthy periods of incarceration. We also maintain our position that reducing case disposition times in other ways, such as accelerating case processing for inmates with less serious charges, can contribute to maintaining reduced population levels at CCDOC and possibly reducing jail population even more in the future. At present, however, we are concerned about the impact of budget cuts on the Offices of the State's Attorney and the Public Defender, the dimensions of which were not available for analysis at the time this report was written. We are hopeful that the response on behalf of the President and members of the Cook County Board of Commissioners will address this situation forthrightly, since these cuts could have a significant impact on jail population.

2006 Release Cohort Analysis

Table 1.7 below summarizes the findings from a recent length of stay tabulation for all CCDOC detainees released in calendar year 2006. These data provide length of stay averages for detainees who exited CCDOC for different reasons during 2006.

**Table 1.7: Summary of Length of Stay for Different Release Types,
Calendar Year 2006 CCDOC Release Cohort**

Type of Release	No. of Detainees	Length of Stay (in days)	No. of Days	% of Released Detainees	% of Days Served
Bonded out	33,862	10	353,948	33.8%	7.4%
Admin. Release (AMF)	2	15	30	0.00%	0.00%
Transferred to Other Authority:	24,202	113	2,725,970	24.2%	56.7%
Delivered to Other Jurisdic	5,441	35	188,705	5.4%	3.9%
Deliv. to Dept Mental Hlth	148	225	33,334	0.2%	0.7%
Illinois (IDOC) Youth Ctr	26	166	4,321	< 0.1%	0.1%
Shipped to (IDOC)	18,587	134	2,499,610	18.6%	52.0%
Final Disposition:	26,439	46	1,210,234	26.4%	25.2%
TASC	6	78	465	<0.1	<0.1%
Probation	6,651	66	442,244	6.7%	9.2%
Probation Terminated	728	88	63,706	0.7%	1.3%
Probation Termin. Unsatis.	985	37	36,129	1.0%	0.8%
Supervision	2,915	18	53,692	2.9%	1.1%
Same Bond to Stand	904	26	23,088	9.0%	0.5%
Time Considered Served	6,302	58	364,788	6.3%	7.6%
Sentence Expired	7,948	28	226,122	7.9%	4.7%
No Further Legal Action:	15,177	33	501,059	15.2%	10.4%
NOLE	5131	29	146,944	5.1%	3.1%
Prosec. Dropped Charges	1,696	36	60,324	1.7%	1.3%
Charges Not Filed	19	38	730	< 0.1%	< 0.1%
Conditional Release	4	155	620	0.0%	< 0.1%
Deceased	41	169	6,920	< 0.1%	0.1%
Def. Examined & Discharged	289	80	23,251	0.3%	0.5%
Motion to Vacate Sustained	301	29	8,754	0.3%	0.2%
No Probable Cause	2,810	22	61,482	2.8%	1.3%
Not Guilty	408	241	98,238	0.4%	2.0%
Warrant Quashed	56	19	1,078	< 0.1%	< 0.1%
Wrong Defendant	35	24	851	< 0.1%	< 0.1%
SOL	4,387	21	91,866	4.4%	1.9%
Other	375	52	19,464	0.4%	0.4%
TOT. CCDOC RELEASES	100,057	48	4,810,705	100%	100%

The data in Table 1.7 shows that, of the 100,057 detainees who exited CCDOC during CY 2006, 33.8% (33,862) left after posting a cash bond, a slightly higher percentage than the 31.3% of detainees discharged during 2005 who posted bond and the 30.2% who posted bond during 2002. For the 2006 cohort, these detainees spent an average of 10 days in jail before discharge, slightly less than the 11 days for inmates posting bond during 2005 and the 11.6 days for this same group in 2002. This group of releasees accounted for 7.4% of all the days served by all CY2006 releases. An impending change in the way bond hearings are held, discussed at the conclusion of this section, may have an impact on the number of inmates who are able to post bond.

Comparing figures for inmates released in 2006 with those for inmates released in 2002 and 2005 reveals some interesting changes in terms of the average lengths of stay for several types of dispositions. Inmates shipped to prison spent an average of 134 days before shipment in 2006, a negligible decrease from the average of 135 days in 2005, but still substantially less (17 days or 11.3%) than the average of 151 days in 2002. Similarly, inmates released on probation spent an average of 66 days in jail, an increase of 6.5% over the average of 62 days in 2005, but identical to the 2002 average of 66 days.

Inmates released as a result of *nolle prosequi* dispositions also spent the same time in jail --- 29 days --- in 2006 as they did in 2005; however, this length of stay remains below the average of 33 days in 2002. Inmates released with a disposition of time considered served were incarcerated for an average of 58 days in 2006, an increase of 11.5% over the average of 52 days

in 2005, and the current average is 23.4% higher than the average of 47 days in 2002. The average length of stay of inmates released because charges were dropped decreased to 36 days in 2006, a decrease of 18.2%, but still longer than the average of 31 days in 2002. Inmates released with a disposition of SOL spent an average of 21 days in jail, slightly longer than the average of 18 days in 2005 and 17 days in 2002. Finally, inmates who were released as a result of a finding of no probable cause spent an average of 22 days in jail in 2006, the same duration as in 2005 and slightly less than the average of 24 days in 2002.

The data in Table 1.7 also reveal a point about the inmate population at CCDOC whose significance is all too frequently overlooked. Even though thousands of inmates are released from jail annually through release mechanisms that exist only because of the mandate of this Court to reduce crowding, the inmates who remain incarcerated at CCDOC do not go to prison as frequently as many observers believe. Based on the 2006 release cohort, only 18.6% --- slightly less than one of every five --- of all inmates discharged from CCDOC last year went to prison. In comparison, 20.3% of all persons released from CCDOC during 2005 went to prison, indicating a downward trend in Cook County's contribution to the Illinois Department of Corrections. These data provide continuing support for our position that, despite popular assumptions to the contrary, most of the inmates who pass through CCDOC annually do not go directly to prison, a fact that should be considered in evaluating the reasonableness of eligibility criteria for release mechanisms for pretrial detainees.

Summary

The trends and analysis presented here suggest several key points regarding the CCDOC

inmate population that warrant continued scrutiny and appropriate action by officials in the Cook County criminal justice system.

- The length of stay for inmates at CCDOC has decreased to some extent, and this is evident from statistics based on all admissions as well as snapshot data. Using the method which includes all inmates discharged during a year (as discussed in the section on release cohorts), the average length of stay for all inmates has decreased by roughly 2 days from the averages during the period 2002 - 2006. Using the method which analyzes snapshot data reveals a decrease of 8.2 days (for all inmates) between April 2006 and March 2007; moreover, the average length of stay in March 2007 is the shortest since February 2002.
- A significant number of inmates remain incarcerated for lengthy periods. The totals based on 2007 data are as follows: 1,285 inmates for 1 year or longer; 500 inmates for 2 years or longer; 222 inmates for 3 years or longer; 105 inmates for 4 years or longer. The number of inmates who continue to experience these lengthy terms of pretrial detention indicates the need to increase efforts to accelerate case processing for many types of cases.

Bond hearings in which inmates participate via videoconferencing may be changed in the near future, according to reports received by JHA staff. The Chicago Council of Lawyers has issued written recommendations regarding this practice, and the MacArthur Justice Center has filed suit, currently pending before Judge James B. Zagel, regarding this issue. As a result of these initiatives, discussions have been held

with Chief Judge Timothy Evans of the Circuit Court of Cook County, and there are indications that this videoconferencing will be discontinued. Whether such a change will result in any significant change in the number of inmates who are able to post bond cannot be estimated at this time; however, any changes in bond hearings should be monitored carefully by all officials involved in the criminal justice system in Cook County.

A. Release Mechanisms

During the period covered in this report, CCDOC officials and their colleagues in other segments of the Office of the Sheriff of Cook County have utilized five (5) of the six (6) programs that have been described in previous JHA reports to release inmates through means other than normal criminal judicial processes. With few exceptions, CCDOC officials have not utilized I-Bonds (also known as Administrative Mandatory Furlough or AMF) to release inmates since March 2005, a situation that is described in greater detail below.

The Cook County Department of Community Supervision and Intervention (CCDCSI), another branch of the Office of the Sheriff of Cook County, continues to operate the Electronic Monitoring Program (EMP), the Day Reporting Program (DRP), and the Pre-Release Center (PRC), a residential treatment program for male inmates. The Department of Women's Justice Services (DWJS), a separate branch of the Sheriff's Office, continues to operate the Sheriff's Female Furlough Program (SFFP), previously known as the Cook County Detention Alternative for Women (CCDAW), the M.O.M.S. (Maternity Objectives Management) Program, and a Residential Program for females in the old Cermak Health Services building. The average daily population and/or caseload for these programs since January 2006 are reflected in Table 1.8 on p. 25 below.

Although not a release mechanism, the Cook County Boot Camp, another component of the Cook County Sheriff's Office, is also described below.

Before describing the operations and caseloads and/or populations of these programs, we must point out that several of these programs have been affected significantly by (1) administrative decisions regarding eligibility criteria of individuals who will be considered for release and/or (2) budget cuts resulting from the FY 2007 Cook County corporate budget, which affected many segments of the Office of the Sheriff of Cook County (as well as most other Cook County offices and agencies). Ordinarily, the precise impact of budget cuts would already be clear by this time, more than one month after the budget was approved by the Cook County Board of Commissioners. This year, however, the Sheriff's Office, as well as a number of other agencies, have been involved in protracted efforts to adjust to the elimination of positions⁵ and reductions in funding for contractual services, both of which affect some of the release mechanisms serving CCDOC. As a result, layoffs of some personnel and reassignment of others were still occurring as this report was being written in late March 2007. In addition, a final version of the FY 2007 Cook County budget listing positions was still not readily available as of March 30, 2007. We expect that responses from the Defendants, particularly on behalf of the Sheriff of Cook County, will contain more current and definitive information on these issues, which have a direct bearing on population and crowding in the jail.

The department (e.g., CCDOC, CCDCSI, DWJS) responsible for the respective programs discussed below is shown in parentheses.

⁵ According to the information available to JHA staff at present, some positions have been eliminated entirely, but the incumbents have been allowed to fill other positions (e.g. – Correctional Officers, Court Services deputies) that were vacant.

Table 1.8
Cook County Release Mechanisms
AVERAGE DAILY CASELOADS/POPULATION
June 2006 – Feb 2007

	NON-CUSTODIAL				CUSTODIAL				AVG DLY POP ALL REL MECH
	EMP	DRP	SFFP/ CCDAW	AGGREGATE DLY CSLD	PRC	WJSRP	MOMS	AGGREGATE DAILY POP	
JAN 2006	1521	431	180.3	2132	437.7	114.5	15.6	567.8	2699.8
FEB	1481	418	169.4	2068	440.7	116.8	13.7	571.2	2639.2
MAR	1433	398	166.2	1997	441.2	109.8	12.6	563.6	2560.6
APR	1365	435	152.7	1953	440.5	108.6	14.2	563.3	2516.3
MAY	1129	461	160.4	1750	441.3	111.5	15.6	568.4	2318.4
JUN	792	447	156.1	1395	439.7	111.0	16.2	566.9	1961.9
JUL	605	381	148.8	1135	440.6	107.6	14.7	562.9	1697.9
AUG	809	287	154.4	1250	438.1	116.0	14.1	568.2	1818.2
SEP	967	253	158.7	1379	441.3	116.5	13.0	570.8	1949.8
OCT	1013	231	138.0	1382	440.2	115.7	12.5	568.4	1950.4
NOV	1034	296	159.0	1489	434.4	102.7	12.3	549.4	2038.4
DEC	926	330	147.5	1404	438.1	111.5	15.2	564.8	1968.8
\bar{X} (2006)	1089.6	364.0	157.6	1611.2	439.5	111.5	14.1	565.1	2176.3
JAN 2007	917	281	133.9	1332	438.5	116.7	13.9	569.1	1901.1
FEB	855	250	122.4	1227	441.0	115.5	6.3	562.8	1789.8
\bar{X} (2007)	886	265.5	128.2	1280	439.8	116.1	10.1	566.0	1846

The data in Table 1.8 above clearly reflect decreases in each of the non-custodial release mechanisms during 2006 and the first months of 2007. These programs account for 74%, or approximately three (3) of every four (4), of the participants in some form of supervised release. Despite a slight resurgence in the caseloads of the non-custodial programs during the second half of 2006, caseloads for all of these programs have again decreased during January and February 2007.

The data also reflect the relative stability of the custodial programs during this same period. These programs, however, provide supervision and services to a much smaller population of former inmates, who represent only 26%, or roughly one (1) of every four (4), of those released from CCDOC custody.

Data about the various release mechanisms presented in the sections below document that these programs provided supervision to significantly larger caseloads in recent years. During 2004, more than 2,500 participants were being supervised on a daily basis in the Electronic Monitoring Program, the Day Reporting Program, the Sheriff's Female Furlough Program, and the Prerelease Center (then operating with only 300 beds). This achievement predated the opening of the Womens Justice Services Residential Program, which did not begin operation until late September 2005.

Non-Custodial Programs. In this report, we have reorganized our presentation of material on the various release mechanisms into a different format from that used in previous reports. The first section deals with programs in which inmates are released from physical custody and remain at liberty either full-time (Electronic Monitoring Program) or part-time (e.g. – Day Reporting Program, Sheriff’s Female Furlough Program). The second section, beginning on page 49 below, describes programs in which inmates remain in custodial status in one of the programs developed to reduce crowding in CCDOC.

I-Bond Releases (CCDOC). During 2006, CCDOC issued a total of two (2) I-Bonds, marking the virtual elimination of these mechanism after more than two decades. For purposes of comparison, CCDOC issued a total of 103 I-Bonds during 2005, which represents an average of 0.3 I-Bond releases per day, or roughly one release every three days. These figures are a significant decrease from 2004, when 2,108 I-Bonds were issued, for an average of 5.8 I-Bond releases per day. These data are evident in Table 1.9 which follows.

Table 1.9
Cook County Department of Corrections
ISSUANCE OF I-BONDS: 1985 - 2007

	<u>Annual Total</u>	<u>Daily Average</u>	<u>Annual Increase/Decrease</u>	<u>Percentage Annual Increase/Decrease</u>	<u>Cumulative Total</u>
1985	7,483	20.5	na	na	na
1986	1,450	4.0	- 6,033	- 80.6%	8,933
1987	12,358	33.9	+ 10,908	+752.3%	21,291
1988	23,657	64.8	+ 11,299	+ 91.4%	44,948
1989	35,327	96.8	+ 11,670	+ 49.3%	80,275
1990	28,614	78.4	- 6,713	- 19.0%	108,889
1991	21,982	60.2	- 6,632	- 23.2%	130,871
1992	18,624	51.0	- 3,358	- 15.3%	149,495
1993	15,000	41.1	- 3,624	- 19.5%	164,495
1994	11,390	31.2	- 3,610	- 24.1%	175,885
1995	10,045	27.5	- 1,345	- 11.8%	185,930
1996	3,195	8.7	- 6,850	- 68.2%	189,125
1997	3,720	10.2	+ 525	+ 16.4%	192,845
1998	4,170	11.4	+ 450	+ 12.1%	197,015
1999	1,487	4.1	- 283	- 64.0%	198,502
2000	6,039	16.5	+ 4,552	+ 306.1%	204,541
2001	6,223	18.0	+ 184	+ 3.0%	210,764
2002	4,816	13.2	- 1,407	- 22.6%	215,580
2003	3,393	9.2	- 1,423	- 29.5%	218,973
2004	2,110	5.8	- 1,283	- 37.8%	221,083
2005	103	0.3	- 2,007	- 95.1%	221,304
2006	2*	~0.0	- 101	- 98.0%	221,306
2007**	0	0.0	na	na	221,306

* Daily Director's logs indicate that no I-Bonds were issued, but data from the 2006 release cohort indicates that two (2) I-Bonds were issued.

** 2007 data through March 31, 2007.

As we stated in the JHA report of May 8, 2006, it has now become unmistakably clear that, for the first time in more than 20 years, all inmates released from CCDOC during the past twelve months pursuant to orders of this Court to reduce crowding have been or are under some form of supervision. Because the John Howard Association continues to support programs that provide both supervision and appropriate services to persons released from jail, we are concerned about the effect of budget cuts and administrative decisions that have limited the number of participants in these programs that have been developed to supplant I-Bonds as methods of reducing jail population and crowding.

Department of Womens Justice Services (DWJS). The Department of Womens Justice Services operates three programs for females who have been incarcerated at CCDOC. One of these programs, the Womens Residential Program, provides a variety of treatment services to women transferred from the jail's female divisions to the old Cermak Health Services facility. Participants in this program remain in custodial status comparable to male participants in the Prerelease Center operated by CCDCSI. These female participants therefore are not considered in the same category as participants in the other DWJS or CCDCSI programs, who are actually released from custody entirely or for significant periods of time. At the same time, however, these individuals are not included in the daily inmate counts for CCDOC.

The other DWJS programs include the M.O.M.S. Program and the Sheriff's Female Furlough Program (SFFP), which have been described in a number of previous JHA reports. At present, recent budget cuts discussed at the beginning of Section II of this report have led DWJS administrators to reduce the maximum capacity of the M.O.M.S. Program in order to increase the SFFP caseload, which has a much greater impact on the CCDOC female inmate population. The current status of these efforts is discussed in the sections below.

Sheriff's Female Furlough Program (DWJS). The Sheriff's Female Furlough Program (SFFP), also known as the Cook County Detention Alternative for Women (CCDAW), continues to provide supervision and structured programming in a day reporting format for female inmates who would have otherwise been incarcerated at CCDOC. This program and others which target or include female inmates remain a matter of great significance, since the size of the female population at CCDOC has remained at high levels throughout the period covered in this report

and overcrowding in Division IV has been a recurring phenomenon during some of the period covered in this report.

As described in previous JHA reports, the SFFP program operates on the first floor of the Drug Unit (i.e., the old Cermak Health Services building) of CCDOC's Division VIII. The current status of plans for a new facility to house this program that had been in development and discussed in the JHA report of May 8, 2006 are discussed at the conclusion of this section.

As described in previous reports, all SFFP participants are on-site for specified periods during each week and are divided into separate "tracks", which provide different levels and types of services, depending on history of drug usage and other individual needs. Participants in some tracks are supervised with electronic monitoring equipment when off-site, while those individuals who successfully complete more advanced tracks graduate to day reporting status without EM supervision. Urinalysis screening is still performed to determine drug use, although the frequency of screening is dependent on test results.

The growth of SFFP from its inception through March 31, 2007 can be seen from the data in Table 1.10 that identify the range and average number of participants through the period covered in this report.

Table 1.10
CCDWJS SHERIFF'S FEMALE FURLOUGH PROGRAM
ACTIVE CASELOAD: September 1, 1993 – March 31, 2007

	<u>Min. Caseload</u>	<u>Avg. Caseload</u>	<u>Max. Caseload</u>
Sep 1993	21	27.8	34
Oct-Dec	18	24.1	30
Jan-Jun 1994	20	28.3	39
Jul-Dec	15	37.8	64
Jan-Jun 1995	39	52.9	64
Jul-Dec	48	64.3	88
Jan-Jun 1996	68	78.8	92
Jul-Dec	62	79.2	93
Jan-Jun 1997	64	82.6	99
Jul-Dec	74	87.0	104
Jan-Jun 1998	50	80.0	104
Jul-Dec	75	93.1	108
Jan-Jun 1999	68	88.5	105
Jul-Dec	68	86.0	109
Jan-Jun 2000	78	99.4	119
Jul-Dec	92	105.8	120
Jan-Jun 2001	101	113.6	128
Jul-Dec	98	108.7	120
Jan-Jun 2002	91	115.1	126
Jul-Dec	111	125.7	145
Jan-Jun 2003	91	105.7	125
Jul-Dec	94	119.7	145
Jan-Jun 2004	102	125.4	150
Jul-Dec	108	134.6	148
Jan-Jun 2005	124	150.6	176
Jul-Dec	136	170.7	208
Jan-Jun 2006	140	164.2	195
Jul-Dec	132	151.0	175
Jan-Mar 2007	110	133.5	160

During 2006, the active SFFP caseload averaged 157.6 participants, only slightly lower (-1.9%) than during 2005. The caseload during the first three months of 2007, however, have

averaged only 133.5 participants daily, which represents a decrease of 15.3% in comparison with the data for 2006, and a decrease of 16.9% from the average caseload of 160.7 participants during 2005. JHA staff have been informed of plans to try to increase the current SFFP caseload from present levels, utilizing EM equipment that is currently unused due to lower EMP caseloads. While we fully support these plans, it is currently impossible to predict how much the SFFP caseload can be increased during the course of this year, a situation which JHA staff will monitor closely. We are also concerned whether the FY 2007 budget contains sufficient funding for contractual treatment services that are essential to the success of the SFFP program.

In the JHA report of May 8, 2006, we described plans for a new, low-cost facility to house the female furlough program. Plans for this facility encountered problems when issues with soil contamination were discovered last year, suggesting that a costly soil remediation project would be necessary in order to utilize the site across from the main jail complex. Since that time, additional budgetary constraints have also entered the picture, and it appears that plans for this facility that could substantially reduce the female inmate population at CCDOC have been shelved indefinitely. Additional space is an unquestionable necessity, since SFFP and the Womens Justice Services Residential Program continue to share space in extremely cramped quarters in the old Cermak Health Services building. These accommodations limit the possibilities for expansion of these programs, which have been proven successful and cost-effective since their inception.

Cook County Department of Community Supervision and Intervention (CCDCSI).

The Cook County Department of Community Supervision and Intervention continues to operate the Electronic Monitoring Program (EMP), the men's Day Reporting Program (DRP), and the Pre-Release Center (PRC), a residential treatment facility for males; in addition, the Sheriff's Work Alternative Program (SWAP) is also operated by CCDCSI, but this sentencing alternative does not bear directly on the release of pretrial detainees from jail and is therefore not included in this report. Our assessment of CCDCSI release mechanisms below is accompanied by commentary on budget cuts that have affected two of the three programs; in addition, CCDCSI has recently experienced several administrative changes, including an unexpected resignation of one Executive Director and his replacement with the first Director of CCDCSI, David Devane. Other administrative changes have also affected the Day Reporting Program.

Electronic Monitoring Program. (CCDCSI). The Electronic Monitoring Program (EMP) operated by CCDCSI remains the largest extra-judicial release mechanism in terms of numbers of inmates released from CCDOC. As reported previously, EMP continues to function as both a free-standing supervised release program and as the gateway to the Day Reporting Program. In addition to the statistical data on EMP operations presented below, we have included some commentary on the foreseeable impact of recent budget cuts on this and other release mechanisms operated by the Sheriff's Office.

During 2006, a total of 10,964 participants completed the program, a decrease of almost 4,300 (28.2%) from the total of 15,262 participants who completed the program in 2005 and the 15,152 participants who completed the program during 2004. During 2006, the rate of

successful completions was 76.2% (8,354), only marginally lower than the 76.7% success rate during 2005. The 2006 success rates are also consistent with success rates since early 2001. During the period 1995 - 1998, 70% – 73% of EMP participants successfully completed the program. This success rate increased slightly in 1999 and 2000, when successful completion rates averaged 74% to 76%.

Most EMP participants who did not successfully complete the program were failed to do so because of violations of program regulations (i.e. – technical violations), with these individuals constituting 18.5% (n = 2,026) of all program completions during 2006. Participants who were terminated because of new criminal charges while under supervision remained commendably few in number, totaling 281 during 2006, which translates to 2.6% of all program completions during the year. EMP participants who were subjected to Bond Forfeiture Warrants (BFW's) because of failure to appear or other reasons were also few in number, totaling 303 during 2006, or 2.8% of all program completions during the year.

The continued success of the Electronic Monitoring Program throughout 2006 makes it difficult to understand the reasons for restrictions on eligibility criteria imposed during the year, particularly in the face of continued crowding at CCDOC. In the August 17, 2006 update submitted to the Court and the parties, we described the effect of changes in EMP eligibility criteria on the size of the active caseload, which became noticeable in June 2006. The major change involved the reincarceration of persons charged with robbery or residential burglary, who had previously been eligible for EMP supervision, which appears to have occurred several times during the year and as late as December 2006. At present, persons charged with robbery,

residential burglary, or unlawful use of weapons are ineligible for participation in EMP.

Budget cuts have resulted in the loss of 22 positions from the Electronic Monitoring Unit and an additional 18 positions from the fugitive sections that serve both Electronic Monitoring and the Day Reporting Program. These cuts, which translate to reassignment of the affected employees to CCDOC or Court Services, did not take effect until on or about March 23, 2007, which precludes a comprehensive assessment of the impact of these cuts at the present time. Budget line items for overtime pay were also reduced by 50%, which will certainly affect many aspects of EMP operations. It is noteworthy that these budget cuts have completely reversed the effects of funding provided in 2005 that increased EMP staffing to allow the expansion of the caseload of this valuable program. At that time, 25 additional Investigators and 9 civilian staff were hired to facilitate expansion of the program.

As a result of these cuts, CCDCSI administrators informed JHA staff during a visit on March 14, 2007 that they had not admitted new participants into EMP for a period of three weeks. It is also clear, however, that staffing cuts ranging from 10% to 20% in these programs are likely to lead to additional reductions in the caseloads of these release mechanisms, the effects of which should become clear in the next several months.

Throughout the period covered in this report, CCDCSI administrators have continued to utilize both hard-wired and cellular monitoring equipment (which does not require participants to have working phone service at their place of residence). Cellular equipment enables the release of inmates from CCDOC who would otherwise have been ineligible for participation and

remains an integral part of the EMP program. In the JHA report of May 8, 2006, we stated that additional cellular equipment was needed to accommodate eligible candidates who would otherwise not qualify for EMP supervision due to lack of phone service; however, the program cuts imposed in recent months have limited the number of EMP participants using cellular equipment to approximately 150 participants as of late March 2007.

Despite the program cuts described above, EMP operations during the period covered in this report have remained basically unchanged from our description of previous years. Participants are actively monitored around the clock, and EMP staff make numerous unscheduled visits to participants' residences to determine their whereabouts and activities. Program participants are still being supervised by EMP staff who perform "drive by" verification of the presence of program participants at, *e.g.*, home, work, or school, which remains one of the many hallmarks of this successful program.

The average daily caseload of active EMP participants since the inception of the program is presented in Table 1.11 below.

Table 1.11
Cook County Department of Community Supervision and Intervention
EMP ACTIVE CASELOAD: 1989 - 2007

	<u>Average Active Caseload</u>	<u>Year-to-Year Growth</u>
1989	801.3	na
1990	860.2	+ 7.4%
1991	1,091.1	+ 26.8%
1992	1,124.6	+ 3.1%
1993	1,166.0	+ 3.7%
1994	1,157.3	- 0.7%
1995	1,078.4	- 6.9%
1996	1,092.6	+ 1.3%
1997	1,048.7	- 4.0%
1998	1,014.7	- 3.2%
1999	1,113.6	+ 9.7%
2000	1,336.6	+20.0%
2001	1,262.4	- 5.5%
2002	1,447.1	+ 14.6%
2003	1,540.2	+ 6.4%
2004	1,605.1	+ 4.2%
2005	1,576.0	- 1.8%
2006	1,089.6	- 30.9%
2007*	894.7	- 17.9%

*2007 data through March 31, 2007.

NOTE: Data from 1989 through 1994 represents an aggregate of active EMP caseload plus participants who had gone AWOL, etc., and are not truly comparable with data for more recent years.

As we have noted previously, the data reveal that, from 1995 through 1999, the active EMP caseload averaged 1,069.6 participants, fluctuating within a small range during this five year period. The active caseload in 2000 increased rather significantly then declined in 2001 and continued to decline during the first quarter of 2002. Beginning in April 2002, the EMP caseload increased substantially and rapidly, reaching a peak level of 1,639 participants daily in June

2002. Between June 2002 and December 2005, the average active caseload remained above 1,500 participants daily, with the exception of five months when the caseload was slightly less than 1,500 participants daily. During most of calendar year 2005, the average active caseload exceeded 1,500 participants, with the exception of October 2005 and November 2005 when the average was slightly below this level. The average active caseload peaked at 1,658 participants daily during June 2005.

During 2006, the active EMP caseload decreased monthly from January 2006 through July 2006, and these changes were described in a JHA Population and Capacity Summary dated August 16, 2006, which was submitted to the Honorable George M. Marovich prior to his last status hearing for this case. The EMP caseload then increased each month through October 2006 and November 2006, when the average caseload exceeded 1,000 participants daily. EMP caseloads decreased once again beginning in December 2006 and in January 2007 and February 2007.

Day Reporting Program (CCDCSI). CCDCSI's Day Reporting Program (DRP) provides treatment services and supervision to male participants who have performed successfully under EMP supervision. The structure and style of program operations are basically unchanged from the description provided in previous JHA reports which are restated below.

New groups of DRP participants are admitted weekly, with groups currently averaging 40 - 75 participants who have successfully participated in EMP. Participants initially participate in a one week orientation period following admission to DRP, followed by assignment to one of approximately one dozen program tracks, which range in content and duration based on alcohol/drug history and use, employment status, and education. Participants who remain drug-free and make satisfactory progress in the program progress to less intensive tracks that offer greater opportunities for employment, schooling, and other approved activities.

As described in previous JHA reports, mandatory toxicology screening is performed on all DRP participants one to three times weekly. DRP participants who test positive for use of illegal drugs may be transferred to the Pre-Release Center (PRC) to ensure abstinence. DRP participants who experience withdrawal symptoms are temporarily returned to CCDOC for appropriate health services.

A range of educational programming opportunities are still provided for DRP participants, as well as substance abuse education and treatment. DRP staff still assist participants with job training and placement, and some participants are able to secure employment while enrolled in the program. In addition to budget cuts affecting DRP

administrative and line staff positions, the contract for substance abuse treatment services has also been reduced in the FY 2007 budget. As of late March 2007, DRP operations had experienced the loss of the position of Assistant Director and 19 line staff, as well as staff assigned to the fugitive section serving both the EMP and the DRP.

The growth of DRP from its inception through March 31, 2007 is evident from the grouped data presented in Table 1.12 below.⁶

⁶ Data on DRP active caseloads prior to 1997 may be inaccurate and probably over-represent the actual number of participants. Data for 1997 and thereafter are drawn from CCDCSI records and are believed to be more accurate.

Table 1.12
CCDCSI DAY REPORTING PROGRAM (MEN):
ACTIVE CASELOAD
September 1, 1993 – March 31, 2007

	<u>Min. Caseload</u>	<u>Avg. Caseload</u>	<u>Max. Caseload</u>
Sep 1993	79	93	107
Oct-Dec	85	116.6	162
Jan-Jun 1994	134	169.4	220
Jul-Dec	132	183.8	235
Jan-Jun 1995	168	238.1	311
Jul-Dec	244	323.1	476
Jan-Jun 1996	299	359.7	429
Jul-Dec	302	368.3	446
Jan-Jun 1997	311	414.6	508
Jul-Dec	342	413.6	502
Jan-Jun 1998	283	362.9	440
Jul-Dec	301	377.2	444
Jan-Jun 1999	351	389.2	446
Jul-Dec	309	393.4	504
Jan-Jun 2000	350	509.2	613
Jul-Dec	492	553.3	604
Jan-Jun 2001	525	585.3	633
Jul-Dec	553	595.1	670
Jan-Jun 2002	485	585.6	676
Jul-Dec	413	494.6	576
Jan-Jun 2003	408	485.1	576
Jul-Dec	371	418.2	482
Jan-Jun 2004	454	553.2	614
Jul-Dec	460	575.0	635
Jan-Jun 2005	468	520.6	613
Jul-Dec	420	451.6	507
Jan-Jun 2006	381	431.7	491
Jul-Dec	214	296.3	430
Jan-Mar 2007	159	238.2	305

During 2006, the active DRP caseload averaged 364 participants, a decrease of 25.1% from the average of 486.1 participants during 2005 and a decrease of 35.5% from the average of 564.1 participants during 2004.

The data reveal a continuing downward trend in the size of the DRP caseload from the second half of 2004 through the present. As has been discussed in previous JHA reports, this has been largely attributable to the decrease in the EMP caseload, from which DRP participants are drawn. The effects of recent, large-scale reductions in EMP caseload on the Day Reporting Program cannot be adequately assessed at this time, but it is clear that the massive reductions in EMP caseload that have occurred since mid-2006 cannot but help to lead to comparable cuts in DRP caseload.

Custodial Programs. In addition to those programs described above that permit former inmates to be released from custody entirely or for significant periods of time daily, the Sheriff's Office also continues to operate three (3) residential/custodial programs. Two of these programs, the Pre-Release Center and the M.O.M.S. Program, have been described in previous JHA reports. The third has not previously been described but is included herein. While inmates in these programs are in actual custodial status, they are not housed in facilities under the direct control of CCDOC and are not affected by crowding that impacts a number of jail divisions. In addition, these individuals participate in programs and services that are not available to inmates in CCDOC custody.

Pre-Release Center (CCDCSI). During the entire period covered in this report, the Pre-Release Center (PRC) has continued to operate near its capacity of 450 beds. The PRC had operated with a capacity of 300 beds until August 2005, when 150 additional beds were opened and additional security personnel were assigned to this residential program. In other respects, the operation of this program has continued unchanged from its description in previous reports

The great majority of PRC inmates are still transferred directly from CCDOC, even though many other inmates classified as eligible for one of the CCDCSI release mechanisms are initially placed on EMP supervision. As we have noted in previous reports, many PRC inmates do not meet EMP eligibility criteria, which include a stable residence with a responsible adult and working telephone service. Many of these inmates would remain incarcerated at CCDOC, fueling the chronic crowding problem, were it not for the existence of this residential program. In addition to these direct transfers, PRC also continues to accept former inmates participating in

CCDCSI's Day Reporting Program, who display a need for temporary residential treatment.

All PRC inmates participate in substance abuse treatment, provided by Human Resources Development Institute, Inc. (HRDI) staff. The PRC garden project is scheduled to reopen this spring under new supervision, and we will continue to observe the status of this operation.

Data contained in Table 1.13 depict the size and range of the PRC population from the inception⁷ of the program through March 30, 2007.

⁷ The first inmates arrived at the PRC on September 26, 1993.

Table 1.13
Cook County Department of Community Supervision & Intervention
PRE-RELEASE CENTER POPULATION
September 26, 1993 –March 2006

	<u>Minimum Population</u>	<u>Average Daily Population</u>	<u>Maximum Population</u>
Oct - Dec 1993	104	133.5	150
Jan - Mar 1994	132	143.1	150
Apr - Jun	135	263.5	295
Jul - Sep	268	290.5	298
Oct - Dec	280	292.0	298
Jan - Jun 1995	275	288.9	297
Jul - Dec	273	289.9	297
Jan - Jun 1996	275	289.0	296
Jul - Dec	281	291.0	298
Jan - Jun 1997	280	290.6	296
Jul - Dec	280	292.5	298
Jan - Jun 1998	283	294.7	298
Jul - Dec	282	290.4	296
Oct - Dec	283	290.7	296
Jan - Jun 1999	282	290.7	295
Jul - Dec	283	291.4	298
Jan - Jun 2000	286	294.8	298
Jul - Dec	280	292.1	297
Jan - Jun 2001	280	291.9	298
Jul-Dec	282	295.8	298
Jan-Jun 2002	281	294.5	298
Jul-Dec	284	292.4	297
Jan-Jun 2003	280	291.5	297
Jul-Dec	289	293.5	297
Jan-Jun 2004	284	292.0	296
Jul-Dec	287	292.7	297
Jan-Jun 2005	286	291.7	298
Jul-Dec	284	428.0	447
Jan-Jun 2006	428	440.2	446
Jul-Dec	429	438.8	445
Jan-Mar 2007	433	439.8	446

Given the expansion of PRC capacity during 2005, comparisons of the number of participants since August 2005 with previous periods are meaningless. It is sufficient to report that more than 90% of all available beds in the PRC remain filled virtually at all times. As we

have reported previously, PRC administrators continue to keep virtually every available PRC bed filled on a consistent basis since mid-1994, although the composition of the PRC population has changed somewhat in the past several years.

Since its inception, the Pre-Release Center has provided a safe, productive, and cost-effective alternative to pretrial detention, providing treatment opportunities for substance abusers and, more recently, individuals with histories of domestic violence.

The Pre-Release Center continues to be used as both a sentencing option and a condition of pretrial detention by some Circuit Court judges, who issue court orders or impose jail sentences specifically to the PRC for some domestic violence offenses. CCDCSI administrators estimate that, at present, roughly two-thirds of all participants, are court-ordered, most for crimes of domestic violence. Issues relating to domestic violence remain an integral part of the PRC program, in addition to an emphasis on alcohol and drug abuse, which affects so many CCDOC inmates. The maintenance of this program at or near full capacity is particularly important at present, in the face of significant reductions in the caseloads of the non-custodial programs operated by CCDCSI.

As we have noted in previous JHA reports, the majority of PRC inmates are pretrial detainees, despite the increasing number of sentenced inmates. Since the majority of PRC inmates are pretrial detainees who remain in the custody of the Sheriff of Cook County, the provisions of the Consent Decree apply to them. Findings regarding living conditions and other issues are contained in Section II of this report.

Womens Justice Services Residential Program. As noted above, the Department of Womens Justice Services has operated a residential/custodial program for females in the old Cermak Health Services building since September 2005. This program is functionally analogous to the Pre-Release Center for men, which is operated by CCDCSI, in that it provides a range of treatment services provided by a consortium of private agencies and consultants working in conjunction with CCDWJS staff. Available bedspace in the old CHS facility, which is shared with the Sheriff's Female Furlough Program, limits program capacity to approximately 120 participants at any time, and the program routinely operates at 95% to 98% of capacity.

This program provides female detainees with an integrated program of physical health care, mental health and substance abuse treatment, and support services. Support services include life skills training, parenting, education, job training and employment, housing, spiritual support, and a range of aftercare services. Although the DWJS Residential Program is similar to the Pre-Release Center in its basic focus, it provides more intensive and a much broader range of services to its participants than PRC. This treatment orientation is necessary and appropriate, warranted by the needs of the female population and the fact that a significant percentage are primary caregivers for minor children.

To date, the budget cuts that have affected other release mechanisms do not appear to have impacted the DWJS Residential Program, and we urge its continuation with full funding.

The M.O.M.S. Program (DWJS). As we have noted in previous reports, the M.O.M.S. (Maternity Objectives Management) program has provided a residential alternative to incarceration for pregnant and/or postpartum women since its inception in October 1998. In addition to a residential environment, participants are provided with substance abuse counseling, mental health treatment, programming for domestic violence issues, and other services. Outpatient services are also available for those completing the residential phase of the program.

As noted in previous JHA reports, the M.O.M.S. Program first reached its full capacity of 16 participants on or before February 6, 1999, the first date when data on this program was included in CCDOC Director's Logs. During the period covered in this report (January 1, 2006 – March 31, 2007), the number of participants has ranged from three (3) to 17 participants and averaged 13.6 participants daily. During the period covered in the JHA report of May 8, 2006 (January 1, 2005 – March 31, 2006), the number of participants ranged from 11 to 17 and averaged 14.9 participants daily. This represented a slight increase from the average of 13.1 participants during the preceding period (May 1, 2004 – April 30, 2005) and the average of 12.9 participants during the preceding 24-month period (May 1, 2002 – April 15, 2004).

Despite an exemplary record of providing services to a particularly needy special population, the M.O.M.S. program has recently experienced a major reduction in services, as a result of budget cuts affecting a number of release mechanisms operated by the Sheriff's Office. Available funds now limit the capacity of this unique program to a maximum of eight (8) participants at any time. This reduction appears to be designed to enable another cycle of expansion of the Sheriff's Female Furlough Program (SFFP), which is also operated by the

Department of Womens Justice Services (DWJS).

While the reduction in the M.O.M.S. Program caseload appears small and is not likely to have a significant impact on CCDOC population, it will doubtlessly affect a number of pregnant, addicted female inmates who will not be able to avail themselves of the environment and services provided by this unique program. These cuts may also have a significant fiscal impact on the Cook County budgets of other agencies, such as the Bureau of Health Services, which will eventually have to absorb the health care costs of these women and their children, both during and following incarceration. The John Howard Association still maintains its position that this valuable program should be expanded rather than subjected to short-sighted budget cuts.

Cook County Boot Camp. The Cook County Boot Camp (CCBC) is now in its tenth year of operation. The basic structure of the program remains the same as described in previous JHA reports and is restated below.

The Boot Camp program extends for a maximum of one year, beginning with an 18-week residential phase, following by 10-weeks of community supervision. New entrants are admitted in groups known as platoons, which consist of a maximum of 48 participants, at intervals of three or more weeks. The custodial phase of the program may, in appropriate cases, be extended from approximately 120 days to a maximum of 180 days. The next phase of the program begins with release on electronic monitoring, during which time boot camp graduates may participate in the day reporting program, work, or attend school. Participants placed on day reporting supervision remain in that status for three to four weeks. Following these stages, periodic supervision is provided as needed for the remainder of the one year period.

During the time period covered in this report, CCBC continued to operate with a capacity of 240 beds for participants in the incarceration phase of the program.⁸ During this period, CCBC has continued to operate with an average daily population ranging from 220 to 230 participants in the incarceration phase of the program. CCBC has exclusively enrolled male participants since September 1999, at which time repeated efforts to enroll female participants were discontinued due to the inability to recruit sufficient numbers of women to constitute a platoon.

⁸ Space originally intended for 144 additional beds continues to be used for CCBC's day reporting program.

As of February 6, 2007, 5,398 participants had completed the first phase of the program, with 400 still under aftercare supervision. Of those participants who had finished the first phase of the program as of February 6, 2007, 3% of participants were terminated for failure to comply with post-release regulations or AWOL, compared to 7% as of April 14, 2006 and 4% as of January 20, 2005. An additional 8% of participants were awaiting judicial disposition for failure to comply with program regulations, the same percentage as on April 14, 2006. Three (3) percent had been sentenced for new crimes committed while under supervision, which is identical to the percentages as of April 14, 2006 and January 20, 2005. As of February 6, 2007, 26% of those still under supervision were gainfully employed, in comparison to 29% employed on April 14, 2006 and 25% employed as of January 20, 2005.

The majority of CCBC participants remain enrolled in on-site academic programs, which include adult basic education, G.E.D. preparation, basic industrial math, computer skills training, and English as a Second Language. The CCBC educational programs continue to produce consistent improvements in reading and math scores, with each platoon achieving grade increases of 2.0 grades (reading) and 1.5 grades (math). G.E.D. testing is still conducted twelve (12) times annually, compared with six (6) times in 2003 and previous years. As of February 6, 2007, 924 CCBC inmates had received G.E.D. certificates.

During the past year, CCBC services have been augmented thanks to the involvement of the West Side Technical Institute (WTI) of the City Colleges of Chicago in a joint effort to increase educational opportunities for Boot Camp Graduates. An on-site class in recycling and

rebuilding computers is being offered under the auspices of WTI by the Digital Workforce Society. This class, is 60 hours in length and results in college credits and a certificate of completion. G.E.D. courses are also offered for two hours a week as well as a variety of other educational and vocational programs. Students are also given the ACT test which can qualify them for admission to the City Colleges of Chicago.

All inmates continue to participate in mandatory substance abuse education, and this programming has been supplemented with training in anger management. Parenting classes remain a part of the curriculum available to participants. DUI therapeutic and educational programs continue to be provided to inmates who need these services. Inmates who do not require educational or therapeutic services are still assigned to mandatory work details.

Personnel from the Construction Industry Service Corporation (CISCO) work with each graduating platoon to explain the range of job opportunities available in the construction industry. Through February 6, 2007, , more than 1,700 CCBC participants had found meaningful employment after completion of the first phase of the program. In addition, approximately 16 CCBC graduates have been accepted into Job Corps programs, and a number of CCBC graduates have been accepted into the armed forces.

While under community supervision, CCBC participants are assisted to continue educational and substance abuse treatment programming on an individual basis. As of February 6, 2007, more than 860 participants had completed substance abuse programs in the community.

Between its opening in March 1997 and February 6, 2007, CCBC admitted 6,306 individuals, with 678 (10.8%) removed prior to the completion of the incarceration phase of the program. This retention rate of 89.2% of entrants through the most intensive phase of the program, which has been maintained consistently for the past several years, provides continuing testimony to the laudable efforts of CCBC administrators and staff.

Success rates for individuals who successfully completed the entire one (1) year CCBC program provide reason for continuation of this program. As of February 6, 2007, 4,966 individuals had completed one year, with 9% terminated for failure to comply with post-release rules/AWOL and 18% sentenced for new crimes committed while under supervision. These rates are virtually identical to those described in the JHA reports of May 8, 2006 and May 13, 2005.

Seventy-three percent of all CCBC participants (n=3,299) successfully completed the one-year program, with 45% of these individuals employed at the end of that time. Of the 3,128 individuals who successfully completed the one-year program and are now two years removed from the program, 2,905 of these participants remained incarcerated free for a 92.9% success rate, which is slightly higher than last year, and noticeably higher than in previous years. The aggregate five-year recidivism rate is currently 30%, which is slightly higher than our previous reports but significantly lower than the adult recidivism rate of 40% reported by the Illinois Department of Corrections.

We would like to conclude this section with a final comment regarding the fact that the

Cook County Boot Camp has operated for a full decade with no incidents of abuse of inmates by staff that have affected so many other similar programs. This achievement merits recognition by Cook County officials and others concerned with correctional programs in Cook County.

Conclusion

The most immediate concern regarding the current status of the release mechanisms that have been developed to minimize the extent of crowding at CCDOC involves the reduction in the number of persons under supervision, resulting from administrative decisions to change eligibility criteria and budget cuts that have only recently occurred and whose full impact cannot yet be assessed. JHA staff will monitor population and crowding at the jail and the ability of the release mechanisms to offset any increases in these variables.

The Court and the parties are already aware of Sheriff Dart's position that responsibility for releasing inmates to reduce or eliminate crowding should be transferred to the Circuit Court of Cook County. The John Howard Association supports this initiative for a variety of reasons, based on our belief that the courts are much better equipped to make well-informed decisions about which inmates are appropriate for supervised release. Successful programs have operated under the auspices of the courts in Marion County, Indiana and other jurisdictions, and we urge all concerned Cook County officials to study these programs and develop plans to implement them here. A genuine collaboration, in which release decisions are made by judges with input from prosecutors, defense counsel, probation and/or pretrial services personnel, and other parties and actual supervision is conducted by Sheriff's Office personnel, is long overdue in Cook County, and we urge the parties to proceed in this direction with all deliberate speed.

B. Jail Capacity: Facilities Status and Planning Issues

Bedspace Availability and Utilization. During the period covered in this report, a number of small-scale repair and renovation projects have been or are being conducted in one or more divisions of the jail, affecting one or more living units in these divisions at any given time. In addition, a number of jail divisions are routinely affected by closures of individual cells on many living units due to maintenance problems. The cumulative effect of these maintenance problems and closures of living units and individual cells is fairly substantial and is reflected in the disparity between the bed capacity figures for each division and the actual number of available beds, which frequently is significantly lower than the total capacity.

In Division V, a project to repair extensive plumbing problems affecting many cells in virtually all living units has been underway for the past several months. This project has involved the closure of one living unit, containing approximately 40 – 44 beds, for a period of approximately one week, during which time plumbing repairs and other renovations have been performed. Additional information about this project is provided in Section II. A. below. A comparable project has resulted in the closure of one living unit at a time in Division IV, and this project is also described in Section II. A. below.

Status of Existing Facilities. During the period covered in this report, no significant changes affecting the status of existing facilities at CCDOC or CCDCSI other than those described above have occurred.

Throughout the period covered in this report, the RU building in Division VIII has continued to operate with a number of serious maintenance problems, which are largely beyond the capabilities of tradesmen or contractors to remedy for any significant period of time. These problems have been documented in detail since November 2004, by the John Howard Association and John M. Raba, M.D., the former Medical Director of Cermak Health Services. As we have stated repeatedly, these problems are attributable to the fact that a prefabricated building designed for five (5) to seven (7) years of service is still in use 23 years after its opening in 1985. Many of the problems that affect this building still persist (or have reoccurred) despite maintenance repairs. Some of these problems are described in Section II. A. below. JHA staff are not aware of any serious efforts to begin the process of planning for the replacement of this building, which houses almost 500 male inmates with significant medical and/or psychiatric problems.

Construction/Renovation of Other Facilities.

A project to construct a building to provide adequate space for non-residential treatment for females involved in the Sheriff's Female Furlough Program, operated by the Department of Women's Justice Services (DWJS), that was described in the JHA report of May 8, 2006 has been halted. One impediment arose when it was discovered that a costly soil abatement project would be necessary on the site across from the main jail complex would be necessary before construction could begin. Since that time, the crisis caused by the Cook County FY 2007 budget has occurred, and it is unclear whether Cook County officials intend to proceed with this needed expansion.

Acquisition of Facilities and Alternatives. Cook County officials have not announced any plans to acquire additional facilities for use by CCDOC, CCDCSI, or CCDWJS during the period covered in this report.

II. CONDITIONS AND COMPLIANCE WITH THE CONSENT DECREE

As in a number of previous reports, this portion of the report contains separate sections dealing with most of the major provisions of the Consent Decree to provide the Court and the parties with a basis to evaluate the state of these conditions, programs, and services at CCDOC. Most sections begin with the pertinent portions of the relevant provisions of the Consent Decree.

A. Environmental Health

All areas of the Cook County Department of Corrections shall be properly and regularly inspected, cleaned and sanitized as necessary. In addition, each facility shall have a written policy and procedure for adequate vermin control. Floors, walls, ceilings, light fixtures, equipment, interior and exterior spaces shall be kept clean and in good repair. Applicable fire safety codes shall be met. Liquid and solid wastes shall be collected, stored and disposed of in a manner that will protect the health and safety of inmates. Adequate furnishings, lighting, heating and ventilation shall be provided for all purposes and areas.

During the course of the past year since our last report, efforts to maintain sanitation in living units and other areas of the divisions of CCDOC have usually been reasonably successful. Mechanical maintenance, on the other hand, has had a more uneven record of success, with numerous problems being addressed, sometimes promptly and sometimes slowly, while other problems have remained unresolved for considerable periods.

The information in this section summarizes the major problems and improvements in each division, with some commentary on problems that affect a number of jail facilities.

Division I.

The findings we first reported in May 2005 have remained essentially unchanged since that time and are restated here. Most portions of inmate living units and other areas, including exercise areas and the law library, were well maintained throughout the period covered in this report. Some shower areas in the division received some maintenance attention, but others still exhibit problems of inadequate sanitation and lighting and peeling paint. JHA staff observed few significant problems with maintenance or sanitation in Division I, with the exception of shower areas and the lack of toilets in dayrooms, at any time during the period covered in this report.

Division II.

Sanitary and mechanical maintenance in the three (3) older dormitory buildings has been handled extremely well since the completion of renovations in December 2005. These buildings, once appropriately considered the least desirable accommodations in the jail, have become some of the most habitable, within the limits of dormitory housing.

Bathrooms and showers serving 300 inmates in Dorm 4, however, continue to suffer from maintenance and sanitation problems. Problems with ventilation have never been satisfactorily resolved, which exacerbates problems with mildew and peeling paint on walls, floors, and ceilings and causes a chronic problem of foul odors in these areas.

Division III.

As we noted in previous JHA reports dating back to 2002, most maintenance needs appear to have been handled in timely and appropriate fashion in Division III. Some problems continue to be visible in bathroom and shower areas, where damaged and/or missing floor and

wall tile continue to affect these areas.

Division IV.

In recent months, a project to renovate some living units has been underway in Division IV, with at least one unit already having been completed. This project involves painting, plumbing and electrical repairs, and other renovations, which has resulted in significant improvements to living conditions in these areas. Lighting in many cells remains problematic, but this appears to mainly be attributable to removal of light bulbs by inmates. Some chronic problems that have affected this building for many years, including temperature control, still persist and appear to be beyond effective repair.

Division V.

During the past year, a project to renovate shower areas in the last four (of 24) living units in Division V was finally completed. Recent visits to Division V by JHA staff have also revealed that a growing number of living units have also benefited from the replacement of damaged or missing floor in dayrooms, cells, and bathrooms, a major problem that affected virtually all living units for a number of years. As noted in Section I. above, a project to address plumbing and other needed repairs has been initiated in recent months, with one living unit being evacuated and closed for a period of approximately one week.

Problems with lighting in cells continue to affect this building (and others), since the light fixtures in these cells feature exposed bulbs, which are frequently damaged or removed by inmates. No efforts to obtain and install suitable replacement fixtures have been made to date. As we have noted in previous reports, most living units in Division V (and other divisions with

substantial overflow population) still have inadequate seating for the number of inmates confined, and this situation will only be remedied by the acquisition of movable furniture (e.g. - stackable plastic chairs), which have not been obtained for most of these areas.

Receiving Room (Division V).

In recent months, JHA staff have noticed some improvements in sanitary conditions in the Receiving Room, and we have been informed of plans to perform some renovations in portions of this area, particularly the section reserved for female inmates in the south end of the Receiving Room. During the past year, the Receiving Room has benefited from the practice of transporting female inmates from Division IV directly to court from the gymnasium adjacent to that building, thereby reducing the number of inmates who must traverse the most congested area in the entire CCDOC complex. We have also observed a recent improvement to the practice of strip-searches of male inmates in the tunnel area leading to the Criminal Courts Building. Approximately three dozen dividers are now in place to permit a modicum of privacy for male inmates as they are strip searched in this area.

We commend these efforts, but they do not change the overall assessment of this area, which has been grossly inadequate in size, design, and virtually every other respect for several decades. Although our description of environmental health conditions in the Receiving Room in the JHA report of May 13, 2005 only recounted some of the most problematic conditions, it is restated here, since no significant improvements have been made in this area during the period covered in this report.

The bullpens in the Receiving Room lack adequate space for the number of detainees being admitted and processed to and from court every day. Most of the bullpens have no toilet facilities of any kind and inmates remain dependent on CO's who are busy with many other tasks for access to toilets. Sanitation is chronically problematic due to the heavy usage of these areas. Space in the health services area is also inadequate to facilitate rapid screening of the hundreds of inmates admitted daily. Conditions in the female section of the Receiving Room are somewhat better than those endured by their male counterparts, but these are only marginally suitable for dozens of women who are admitted and transported daily. (JHA report of May 13, 2005 at p. 62)

Division VI.

While sanitation in most areas of the building has improved considerably in recent months, the number and severity of maintenance problems has increased during that period. Damage to lighting and other electrical systems, plumbing, walls, heating systems, and other facility equipment has increased and, until recently, not been addressed in timely fashion by DFM tradesmen. Some of the more glaring problems in this division have been made in recent weeks as a result of discussions between JHA staff and DFM administrators, which are described briefly at the conclusion of this section. It is noteworthy that Division VI also suffers from a chronic problem of insufficient seating in dayrooms of many living units, due to the fact that it continues to house more inmates than the design capacity of the building.

Division VIII. Sanitation has been well-maintained and mechanical maintenance problems in the Cermak Health Services (CHS) building have been few during the period covered in this report. In the RU building, the observations stated in the JHA report of May 13, 2005 still apply to conditions we observed during the period covered in this report.

. . . many maintenance problems continue to affect this building. Many drop ceilings and light fixtures in living units remain in need of repair and/or replacement. Leakage problems affecting many parts of the building that had previously been repaired have reoccurred and continue to affect safety and

sanitation. CCDFM tradesmen have made numerous repairs to this building, but many of these efforts are offset by the general condition of a building designed for 5 – 7 years of use that is now in its 20th year of occupancy.

The leakage problems are particularly problematic, since some of these are quite severe: large plastic laundry carts are often needed to contain water dripping in entranceways to living units. This condition, in a building housing inmates with a variety of significant medical and psychiatric problems including physical disabilities, is particularly distressing. Damage to light fixtures in bathroom and shower areas has also been a recurring problem, although many repairs to this equipment have been made in recent weeks. These repairs, however, are necessarily temporary, since the underlying ventilation problem that inexorably leads to rapid rusting of metal fixtures (and shower room ceilings) have not been rectified.

Division IX. Although some maintenance problems are still evident in Division IX, many of the problems described in previous JHA reports have been resolved or are currently being addressed. This includes projects including removal of metal grating from stairwell railings (which were being removed and converted into weapons), installation of new lighting immediately in front of cells on lower levels of many living units, and other projects. While JHA staff applaud these efforts, we also urge DFM administrators to complete the installation of new light fixtures in all living units.

Division X. As we have described in previous JHA reports, most routine maintenance needs in Division X have been handled promptly and effectively. A number of cells in various living units remain in need of power washing and/or painting, but the condition of these cells has not been grossly substandard. JHA has been informed that power washing of cell interiors is performed on a monthly basis, but the effects of this effort are not lasting. Floors in some living

units are still in need of sanding to remove paint that has been chipped and damaged in many areas.

Division XI. Sanitation and most mechanical maintenance issues have been general satisfactory throughout the period covered in this report. One glaring exception has been the ability to maintain light fixtures in cells in many living units. As a result, many cells have no or limited lighting internally, although the most frequent cause of the damage is clearly vandalism by inmates. To date, tradesmen have been unable to make significant headway in repairing or replacing many damaged light fixtures. This situation has become more problematic since the imposition of extended daily periods of in-cell confinement, during which time inmates are unable to read or perform other normal activities in dark or poorly lighted cells. Other maintenance issues described in previous JHA reports have, however, been improved significantly, including repairs to cell doors and locks and window repairs.

Central Kitchen. No significant maintenance problems in the Central Kitchen were observed during the period covered in this report. Sanitation in this area has generally been well-maintained.

Pre-Release Center (CCDCSI). The only significant maintenance problem noted in any of the PRC facilities is quite recent and affects the chapel/multi-purpose room, where a steam or water leak has caused noticeable damage to a portion of the ceiling and one wall. DFM administrators have assessed this problem and have indicated plans to repair it in the near future, before damage becomes more severe. This problem does not affect any living areas occupied by inmates.

General Maintenance Issues. Literally thousands of maintenance situations have been addressed during the period covered in this report. At the same time, however, some problems documented in previous JHA reports have persisted, while other problems have arisen or been exacerbated during this same period.

A project to replace damaged stair treads in living units in Divisions IV, V, and VI was finally completed in 2006, and the repairs have improved footing and safety in these areas. As in previous years, damage to toilets and urinals remains a common occurrence in many living units in most of the divisions of CCDOC. JHA staff have continued to observe one or more toilet and/or urinals out of service in many living units. In some of these bathroom areas, particularly in Divisions V, VI, and the RU building in Division VIII, damage to light fixtures remains a common occurrence, largely due to inadequate ventilation that causes rapid deterioration of these fixtures, necessitating their replacement.

Another recurring problem affecting several divisions involves poor lighting in literally scores of cells. To date, no procedure to provide timely replacement of light bulbs in these areas that have burned out has ever been developed or implemented. In some of these areas, light fixtures have also been damaged. In scores of cells, inmates have removed light bulbs, and the replacement of these bulbs is also a lengthy process, frequently taking several weeks or longer.

While many maintenance issues were addressed fairly well during most of the past year, there was a noticeable increase in the number and severity of maintenance problems in recent problems, which may be attributable to the cumulative effects of personnel cuts sustained by the

Department of Facilities Management (CCDFM) in recent years. According to information received by JHA staff, DFM has sustained budget cuts totaling 20% during the past four years, which raises the question whether the huge volume of maintenance requests arising from jail facilities can continue to be met in reasonably timely fashion. In recent weeks, JHA staff have met with administrators from the Cook County Department of Facilities Management (DFM), which is responsible for mechanical maintenance, to alert them to some of the most serious maintenance problems affecting jail facilities. We are able to state that tradesmen have already addressed some of the most glaring problems, and we have been informed of short-term plans to remedy many of the remaining problems.

B. Personal Hygiene.

All inmates shall be provided with those items necessary for maintenance of proper personal hygiene, including soap, toothpaste, toothbrush, towel, clothing, bedding, etc. These items shall be replenished and cleaned as necessary.

Since our last report in May 2006, CCDOC administrators and staff have continued to do a reasonably good job of supplying inmates with clean clothing, linen, and mattresses, as well as personal hygiene items including soap, toothpaste and toothbrushes, and toilet paper throughout the period covered in this report; however, a few exceptions to this observation have occurred in recent months.

During the past several months, the jail has experienced chronic shortages of the rubber-soled, canvas shoes issued to all inmates. These shortages do not apply to all sizes of these shoes, but many of the more popular sizes have frequently been unavailable. This situation was certainly exacerbated by the poor quality of these shoes, which frequently wear out in a matter of a few months. JHA staff have observed scores of inmates with shoes with cracks through their entire thickness of the soles, making them particularly unsuitable for wear in wet weather. CCDOC administrators attempted to compensate for shortages of shoes by allowing inmates to keep their personal shoes. These shortages were particularly severe since December 2006, when purchasing of many items was virtually stopped because of the budget crisis in Cook County. JHA staff have learned that, as of the end of March 2007, delivery of inmates supplies, including shoes and adequate quantities of cleaning products, has been restarted, and it is hoped that this will continue throughout the remainder of the year. On a positive note, JHA staff have been informed that disinfecting spray is now readily available and used to disinfect inmate shoes and other items.

Newly admitted inmates are routinely supplied with a mattress and blanket, linen, one uniform⁹, toothbrush and toothpaste, toilet paper, and soap. The great majority of uniforms and linen in use throughout the period covered in this report have been in reasonably good condition. Most blankets are also in reasonably good condition. During the past year, most inmates have received relatively new mattresses, which have built-in pillows in the form of a raised platform at one end. These mattresses have been maintained in reasonably good condition throughout the period.

Laundering of uniforms and linens has been performed on a regular basis, and relatively few complaints about inadequate laundering or infrequent linen or clothing exchanges were received during the past year. JHA staff can attest to the fact that most uniforms look reasonably clean, including those being worn by inmates and those in divisional supply rooms.

Very few complaints about failures to provide weekly replenishment of toothpaste, soap, and toilet paper have been received during the period covered in this report.

During months with inclement weather, inmates were able to avail themselves of cloth jackets when traveling outdoors. Inmates making court appearances, using outdoor exercise areas, or moving about the CCDOC complex for other reasons have routinely been supplied with cloth jackets. JHA staff have observed a significant number of these jackets that appear to require more regular laundering, and we urge CCDOC administrators to take appropriate action to ensure that jackets are washed frequently.

⁹ Female inmates are still supplied with two uniforms, a practice that has been in effect for many years.

At CCDCSI's Pre-Release Center, inmates continue to receive appropriate quantities of all personal hygiene items, including clothing, bedding, and linen on a regular basis. All items are laundered frequently, and the mattresses and other items issued at the PRC remain in good condition. Frequent laundering of clothing and linen is facilitated by the availability of commercial washers and dryers in the building, which were installed in 2004.

As of May 2006, many of the jail divisions had been equipped with commercial-grade washers and dryers to supplement the laundry service which handles most inmate uniforms and sheets. In the JHA report of May 8, 2006 we recommended that the remaining divisions be supplied with this equipment, but no efforts to acquire or install this equipment in Divisions I and VI have been made to date. We also restate yet again our recommendation that efforts be made to explore means by which inmate underclothing can be machine-washed and dried with some regularity, which remains a problem. JHA staff believe that the acquisition of mesh laundry bags and use of these machines in each division is a viable means of providing minimal laundering of underwear that has never been adequately addressed at the jail.

C. Food Service.

Food shall be nutritionally adequate, shall meet the recommended daily allowance of the National Academy of Sciences and shall be palatable and properly warmed when actually served to the inmates. . . . Food and drink while being stored, prepared, served and transported shall be protected from spoilage and contamination by insects or foreign substances.

Food services at CCDOC has continued to operate in essentially the same fashion as described in the JHA report of May 8, 2006. Food services are still provided by Aramark, Inc., which has been CCDOC's food service contractor since September 2000. As in previous periods, JHA continued the practice of observing delivery of at least one (1) meal to inmates in the divisions during virtually all visits. JHA staff has also inspected the Central Kitchen facility, including food storage and preparation areas and other portions of the building, on several occasions, and members of JHA visiting teams have personally tasted food items taken from meals prepared for inmates.

Most of the meals JHA staff observed being prepared or delivered appear to be reasonably palatable. JHA staff have continued to receive inmate complaints about food services, particularly the temperature of breakfast and dinner meals. Occasional changes in the content and variety of meals served to inmates have occurred during the past year, with some new menu items being introduced from time to time. Most of these new items have been reasonably well accepted by many inmates.

As we have reported previously, the most frequent and vocal complaints received during this period continue to relate to the quality and palatability of food served, particularly cold lunches. During visits to the Central Kitchen, we have inspected the bulk cold cuts used to

prepare lunches, and these items continue to be supplied by major suppliers that also provide well-known retail meat products. We have also observed the handling and storage of these products and have found no significant problems. During this period, we have received very few complaints about spoiled lunches, which have become a relatively rare occurrence. The packaging of cold lunches has remained good, with few complaints about damage to the plastic wrapping used on lunches.

On several occasions, members of the JHA Board of Directors, staff, and volunteers have eaten various lunch meats or sandwiches as they came off the assembly line. The general consensus of JHA visitors was that one or more types of lunch meat were quite palatable and tasty and other varieties palatable, if not particularly tasty. Others in our groups were unimpressed by the taste of these products, but no members of our teams expressed a complaint that lunch meat and/or sandwiches were inedible. The most frequent chronic complaint with lunches involves the lack of variety among the various turkey-based products that are used, which results in many inmates feeling they are receiving virtually the same products every day.

A Registered Dietician employed by CCDOC continues to monitor menu plans and meals prepared in the Central Kitchen. On some occasions, the Dietician has ordered meals returned to the Central Kitchen when she concluded that they were improperly prepared or failed to meet other contract specifications. The continuation of this practice remains an important quality control measure.

Through the period covered in this report, meal service has continued unchanged from

our description in previous JHA reports. Breakfast and dinner are routinely served on insulated plastic trays that contain individual compartments for various menu items. Lunch is served on styrofoam plates enclosed in plastic wrapping.

Since the submission of the JHA report of May 8, 2006, CCDOC have acquired new food delivery carts, constructed of plastic and stainless steel. These carts are significantly lighter than the old metal carts which they replaced, and they are not susceptible to infiltration of food or water between the walls of the cart. These carts provide better thermal insulation and can be properly sanitized with little difficulty. The carts are also much more durable than the metal carts and have few parts that can be removed and converted into weapons or other contraband. These carts have been in use throughout the jail complex for a number of months.

In addition to the new carts, breakfast and dinner meals are being served on solid composite trays that were described in the JHA report of May 8, 2006. These trays hold adequate portions of menu items, are easily sanitized and are extremely durable. The trays and the new carts have contributed to improvements in food delivery noted by JHA staff on numerous visits to the jail.

As we have noted in previous reports, handling of food during delivery to the divisions throughout the period covered in this report has remained good, and most of the problems described in previous JHA reports have been resolved. Delivery of most meals to the hundreds of inmate living units in the jail complex appears to occur in a fairly timely fashion, although occasional complaints about cold food continue to be registered. In some divisions, inmates complain that stacks of food trays are placed on floors and left there for extended periods,

allegedly exposing them to unsanitary conditions and rapid cooling. JHA staff have been unable to confirm these complaints to date.

Meals for inmates with special medical diet requirements are still being prepared and delivered to all divisions with few problems reported. A variety of diet plans are available to suit most medical needs, and inmates usually begin receiving special diet meals shortly after medical orders are received. The same system of ordering special diets is still in place, with orders faxed to the Central Kitchen by health providers to minimize delays. All issues relating to special diet meals are monitored by CCDOC's Registered Dietician, who coordinates her efforts with CHS health providers.

Conditions in the Central Kitchen facility have generally been satisfactory during the period covered in this report. Reasonable sanitation has been maintained throughout the period.

D. Staffing.

This section contains (1) data and observations regarding security staffing levels throughout the period covered in this report; and (2) the funding and hiring of additional Correctional Officers (CO's) by the Cook County Board of Commissioners. We have also included commentary on a relatively new practice which significantly restricts the amount of out-of-cell time enjoyed by inmates in many divisions of the jail, and the relationship of this practice to staffing levels.

The FY 2007 budget for CCDOC included funding for 189 new CO positions, which translate to an approximate total of 250 new CO's, most of whom will be hired and begin training during the current fiscal year, which ends on November 30, 2007.¹⁰ A tentative schedule for the hiring and training of these new staff indicates that the first class of cadets hired to fill these new positions will begin pre-service training on April 15, 2007 and are expected to complete training on July 6, 2007. Five (5) additional cadet classes are planned, running from May 13 to August 3, July 8 to September 28, September 2 to November 23, October 14 to January 4, 2008, and November 11, 2007 to February 1, 2008.

JHA staff have also learned that some of the new CO positions have been filled with current employees, estimated at approximately 50 employees, who until recently had been working in CCDCSI programs. As described in Section I. A. above, several of these programs

¹⁰ Groups of new positions are funded for portions of the fiscal year, usually 3, 6, and 9 months, to reflect the logistics of training large numbers of new staff. For budgetary purposes, the total number of FTE's for the entire fiscal year is considerably less than the actual number of staff who will be hired by the end of that period.

were affected by budget cuts, resulting in the need to reassign personnel. Those individuals who had merit ranks as sworn/deputized staff are eligible for and must be offered available positions in other portions of the Sheriff's Office pursuant to collective bargaining agreements, and a number of these individuals already have been or soon will be returning to assignments in CCDOC.¹¹ While these reassignments have adversely affected the release mechanisms, they have benefited the jail, which gains experienced security staff who will only require brief (i.e. – 40-hour) refresher training before reassignment.

The FY 2007 budget also contains the first significant infusion of new security supervisory positions for CCDOC in more than a decade. The cadre of Lieutenants will be increased by approximately 35 positions, and the number of Sergeants will increase by approximately 16 positions. CCDOC administrators are involved in the process of evaluating candidates for promotion to these ranks, although no dates for when these promotions will begin to occur has been announced. These supervisory positions are sorely needed in many portions of the jail, whose ranks of security supervisors have not increased in many years.

A review of data on current security staffing levels at CCDOC reveals the changes in the number of CO and security supervisor positions in the CCDOC budget for FY 2007. Table 1.14 contains data on security staff positions from November 1996 through March 2007, along with data on available bedspace and inmate population at CCDOC during that period.

¹¹ Some of the former CCDCSI staff will be returning to the Sheriff's Court Services Department where they had previously worked.

Table 1.14
Cook County Department of Corrections
SECURITY STAFF POSITIONS

Corrected April 9, 2007

	<u>Nov</u> <u>1996</u>	<u>Dec</u> <u>1997</u>	<u>Aug</u> <u>1998</u>	<u>Aug</u> <u>1999</u>	<u>Apr</u> <u>2000</u>	<u>Apr</u> <u>2001</u>	<u>Apr</u> <u>2002</u>	<u>Mar</u> <u>2004</u>	<u>Apr</u> <u>2005</u>	<u>Apr</u> <u>2006</u>	<u>Mar</u> <u>2007</u>	<u>Increase/</u> <u>Decrease</u>
Captains	33	27	25	33	33	33	33	33	33	33	34	+1 (+3.0%)
Lieutenants	71	51	53	71	70	70	70	70	70	70	102 ¹	+31 (+43.7%)
Sergeants	176	119	116	176	175	175	175	175	175	175	190 ²	+14 (+8.0%)
Officers	2480	2482	2446	2446	2426	2426	2426	2426	2643	2872 ¹	3062 ³	+582 (+23.5%)
	2760	2679	2640	2726	2704	2704	2704	2704	2921	3150	3388	+628 (+22.8%)
Available Beds	9213	9299	9395	9757	9710	9710	9750	9944	9679	9832		+619 (+6.7%)
ADP	9343	9107	9645	9374	10013	10743	11142	10551	9912	8936		- 407 (-4.4%)

¹ The figure represents the total number of CO positions in the FY 2006 budget, which includes 229 new CO positions. As of April 27, 2006, 89 of these new positions have been filled and 142 remain vacant.

The status of the new security staff positions shown for March 2007 must be explained for an accurate understanding of the staffing situation at present and during the rest of the fiscal year. The 3,062 CO positions listed in Table 1.14 represent budgeted positions, including the 189 (FTE) new positions funded in the FY 2007 budget. As noted above, none of the new CO positions had been filled as of March 29, 2007, although it is expected that approximately 50 of these job slots will be filled shortly by CO's transferring back to the jail from CCDCSI and other portions of the Sheriff's Office.

It is also important to note that not all of the 2,873 CO positions that are currently filled represent individuals who are actually available for work. As of March 29, 2007, 152 CO's were being carried in "inactive status", which includes persons on disability, suspension, leave of absence, military leave, and duty injury. This group represents nearly 5% of the total number of filled positions, and it leaves CCDOC with a total cadre of 2,684 CO's who are active and available as of that date.¹²

The number of positions shown for the ranks of Captain, Lieutenant, Sergeant, and Officer represent budgeted positions, all of which have increased as a result of the FY 2007 budget appropriation. Many of these positions, however, are funded for only part of the current fiscal year, and none of these new supervisory positions have been filled to date. We recommend that CCDOC administrators take all appropriate action to ensure that lists of candidates eligible for promotion are prepared in order to expedite timely promotions and that dates for promotions are announced as soon as possible.

¹² The number of CO's on inactive status has increased from 131 on April 27, 2006, to the current number of 152 as of March 29, 2007. The size of this cadre of employees is critical in determining the number of CO positions that remain to be funded by the Cook County Board of Commissioners in the FY 2008 budget, which will represent the final installment of additional CO's needed to comply with the December 2005 MGT staffing study.

A comprehensive assessment of security staffing must include a recapitulation of efforts to increase security staffing at CCDOC during the past several years, to ensure a clear understanding of what has been accomplished thus far and what remains to be done. The FY 2005 (December 1, 2004 – November 30, 2005) budget provided funding for 217 additional CO's for the jail (and 66 additional CO's for CCDCSI), but these positions predated the MGT staffing study, which was submitted in December 2005. The MGT study found that compliance with the **Duran** Consent Decree and good correctional practices would entail an increase of 668 CO *positions* over the current budgeted staffing level (i.e. – including the 217 new CO's) and an increase of 798 *staff* over the active and available staff on the rosters in place at the time of the study.

The FY 2006 budget provided funding for 229 additional CO positions, which was the first of three annual installments designed to redress the understaffing. The 250 (estimated) new CO positions funded in the FY 2007 budget thus represent the second installment and a cumulative increase of 479 CO positions. To reach the minimum threshold level of 668 additional CO positions as specified in the MGT study will require an additional 189 CO positions to be funded in the FY 2008 budget. This, however, will *not* signify compliance with the MGT findings, since the study also specified that 798 additional CO *staff* were required. In addition to funding 189 additional CO positions in the next fiscal year, Cook County officials will have to devise methods of filling the additional shortfall of 130 to 152 CO's, who have been or are inactive who must either return to work or have replacements funded and made available to work at CCDOC.

These staffing needs are based on the current size of jail facilities that constitute CCDOC and the basic range of activities required to house and supervise the inmate population. JHA staff are concerned that recent budget cuts may create additional responsibilities for security staff, including such tasks as more frequent trips to Fantus Clinic/Stroger Hospital for health services (due to cutbacks in on-site services at Cermak Health Services). JHA staff have also been informed that there is a good likelihood that inmates will once again be brought to court for bond hearings, as opposed to the system of video arraignments that has been utilized for a number of years. We will monitor these and other changes closely during the coming months and work with the parties to ensure that appropriate staffing is available to carry out the range of activities involved in the incarceration of more than 9,000 inmates on a daily basis.

If and when new staffing needs develop during the coming months, these will provide an additional reason for CCDOC administrators to reassess the staff allocations under which they have been operating for a number of years. We urge a reassessment of the “authorized complements” of security staff (CO’s and supervisors) for each division and other component of CCDOC, to ensure that realistic figures that are fully compliant with the provisions of the Consent Decree in this case are established for all portions of the jail. While CCDOC will not be able to achieve full compliance with these staffing levels for at least one more year, they would provide a benchmark which would be useful in measuring the actual staffing levels against the number of staff required to establish substantial compliance.

During the course of our visits to CCDOC during the past year, JHA staff have observed

the effects of increased staffing in all divisions of the jail. Instances of cross-watching, where this practice is prohibited by the Consent Decree, have become progressively fewer in number, although we have continued to observe some situations in which living units are left unattended during lunch relief periods.

As we describe in Section II. J. below, the amount of time inmates spend out of their cells on a daily basis has been significantly restricted in recent months, as a result of a new policy which has been gradually expanded to most divisions at CCDOC. It is the position of the John Howard Association that this practice is unjustifiable as a general practice for pretrial detainees whose institutional behavior does not warrant such prolonged periods of in-cell confinement. Were this practice limited to specific groups of maximum-security inmates who are currently housed in Division IX, we might be less inclined to object to this practice. The practice, however, has been extended indiscriminately to most divisions of CCDOC. We are particularly distressed by the fact that this practice has been initiated at a time when security staff levels at CCDOC are the highest they have been in more than a decade and will only increase during the remainder of 2007.

E. Overcrowding.

Since our last report to the Court was submitted on May 8, 2006, CCDOC administrators have reallocated bedspace utilized for housing inmates to eliminate overcrowding (i.e. – triple-celling) in maximum-security divisions. This was accomplished by performing reclassifications of inmates and transferring maximum-security inmates from Division XI to Division I. In turn, medium-security and non-aggressive maximum-security inmates were transferred to Division XI. As a result of these changes, crowding has once again been limited to Divisions V and VI, which house the majority of male inmates in medium-security classification.

In Divisions V and VI, overcrowding does not affect all living units. Some units are designated not to house more inmates than can be accommodated in the number of available beds. This practice results in other living units accommodating significant numbers of inmates who are forced to sleep on floors. This practice results in the phenomenon that we have reported many times previously that the actual level of crowding is frequently between 5% and 15% higher than reported.

E. Access to Law Libraries.

All pre-trial detainees shall have access to the law libraries and shall be allowed to use the libraries during reasonable hours, but each pre-trial detainee shall be allowed at least one library visit per week for at least one hour. In addition, those pre-trial detainees who are preparing their own cases or representing themselves shall be allowed sufficient access to a library in order to prepare their cases. Adequate work space with access to a typewriter shall be available to each detainee. Each law library shall include sufficient legal periodicals, statutes and reporters and other legal material to comply with County Jail Standards of the Illinois Bureau of Detention Standards. . . . In addition, all legal materials in the libraries shall be kept up to date with necessary supplements and pocket parts. Access to law library premises may be denied to individual inmates pursuant to Partial Stipulated Order No. 2, Discipline. In that event, law library materials will be made available to the inmate by alternative means.

During the period covered in this report, CCDOC inmates in all divisions have continued to have access to legal research material through a system of 10 law libraries. The libraries continue to operate during a limited range of hours during the day Monday through Friday.

Evaluation of law library services is based on data derived from monthly reports for the 13 month period January 1, 2006 – January 31, 2007. These reports contain data for each library in the following categories: number of requests received; number of visits completed and declined; and cases of delay in issuance of movement passes. Table 1.15 contains aggregate data regarding these categories for this period.

Table 1.15
Cook County Department of Corrections
LAW LIBRARY SERVICES
January 1, 2006 –January 31, 2007

DIVISION	Requests		Visits		Completed	Declined	Security Delay
	<u>n</u>	<u>X(mo)</u>	<u>n</u>	<u>X(mo)</u>	<u>%</u>	<u>%</u>	<u>%</u>
I	7955	611.9	5690	437.7	71.5%	5.8%	2.2%
II	4748	365.2	2546	195.8	53.6%	12.1%	0.6%
III	2462	189.4	1741	133.9	70.7%	11.2%	0.6%
IV	4407	339.0	3333	256.4	75.6%	3.2%	0.6%
V	6843	526.4	3961	304.7	57.9%	19.3%	0.9%
VI	9287	714.4	6003	461.8	64.6%	7.3%	6.8%
VIII	4265	328.1	2939	226.1	68.9%	12.8%	0.3%
IX	9437	725.9	5471	420.8	58.0%	12.0%	3.9%
X	7076	544.3	4669	359.2	66.0%	17.0%	5.5%
XI	<u>6682</u>	514.0	<u>3660</u>	281.5	54.8%	15.0%	3.3%
TOTAL	63162		40013				
\bar{X}/mo		4858.6		3077.9	64.2%	11.6%	2.5%

The completion rate is derived by dividing the number of visits actually made by the number of requests received. The data reveal that, since January 1, 2006, only six (7) of 10 libraries achieved completion rates of 60% or higher. This is a decrease from 2005, when seven (7) of the 10 libraries achieved 60% completion rates, and significantly poorer performance than during 2003 and 2004 when all 10 libraries achieved completion rates of 60% or higher.

During 2006, three (3) libraries --- Divisions I, III, and IV --- achieved completion rates of 70% or higher. The same number of libraries achieved 70% completion rates during 2005, although these facilities were located in Divisions VI, IX, and X; however, four (4) libraries achieved 70% completion rates in 2004.

For CCDOC libraries as a whole, the completion rate during 2006 was 64.2%, which continues a downward trend from a completion rate of 66.5% in 2005, 68.7% in 2004, and 69.4% in 2003. While we commend CCDOC staff for reducing delays in gaining access to law libraries, we also urge them to take appropriate action to increase the likelihood that inmates who request access to law libraries succeed in getting there.

The data also reveal that a few divisions continue to experience inordinately high percentages of inmates who allegedly decline to avail themselves of law library services when they are offered the opportunity to do so. Since January 1, 2006, two (2) libraries --- Divisions V and XI --- reported that more than 15% of the inmates for whom law library passes were issued declined these opportunities. This is the same number of libraries with rates of declined passes of 15% or higher for the second year in a row, and Division XI has experienced this problem for

two consecutive years. The current achievement does, however, represent an improvement over the situation in 2004, when four (4) libraries --- Divisions II, VIII, IX, and XI --- reported more than 15 percent of the inmates declining law library passes.

The data also reveal extremely few situations in which “security delays” occur. These situations are not actually delays at all, but situations in which “. . . passes were sent and not returned to the library with an explanation as to why *the detainee did not come to the law library*” (emphasis added). During 2005, six (6) of 10 libraries experienced situations in which more than 20% of all passes issued resulted in inmates not reaching the law library. In comparison, none of the 10 law libraries experienced more than 7% of security delays, and the average for all CCDOC law libraries was extremely low.

The CCDOC law library system has made some progress in utilizing computer-based materials, particularly for updates of court reports and other basic documentation. All libraries have been able to utilize this resource during 2006, and problems with this system have been relatively rare. A problem identified as involving telephone lines was affecting computer access for the Division I law library in late March 2007, but efforts to repair this problem were already underway. Program Services administrators also indicated that inmate requests in Division I were being met despite the communication problem, using hard copies of case law and other material from that location and other divisions.

Other Programs and Services.

In the JHA report of May 8, 2006, we reported that the FY 2006 budget contained funding for 15 additional Correctional Rehabilitation Workers (CRWs), more commonly known as Social Workers. As we have pointed out in previous reports, CRW's play a pivotal role in the Inmate Grievance Procedure and provide a number of other important services to inmates at the jail. Hiring for these positions, which were funded for gradual phase-in during the course of year, began in late April 2006 and continued throughout the year. As of March 30, 2007, 12 of these 15 additional positions had been filled, and the remaining three (3) vacancies were posted for hiring. When hiring is completed, the Program Services Department will have 39 CRW's, which will result in reasonable caseloads and reasonably prompt response to inmate requests and grievances, which are a primary responsibility of the CRWs.

We are hopeful that CCDOC administrators will begin to develop plans to expand days and hours of law library service, a recommendation which JHA has made a number of times over the years. As we have documented in numerous prior reports, inmates only have access to law libraries for approximately three (3) hours daily, a period that is far too brief to permit adequate research by the number of inmates who request access to law libraries. Even these limited hours of access are sometimes restricted even more, whenever one of the law library staff are not available for work due to vacation or sick days. Program Services administrators have attempted to minimize this disruption by assigning law librarians from other divisions to ensure that at least one-half day (1.5 hours of access) of law library service is available in the division experiencing the staff absence.

The JHA position is that expanding the hours of law library service to include evenings and weekends, which would require additional staff, is the only viable means of increasing accessibility, given the many tasks and activities that occur on a daily basis at CCDOC, particularly during regular business hours (i.e. – the day shift). We restate our previous recommendation that CCDOC administrators request additional law librarian positions in the FY 2008 to facilitate this long-overdue expansion of this vital program.

F. Visiting.

Adequate staff will be provided in order that all visiting booths in all divisions will be fully staffed during all scheduled hours of their use. Visits will be a minimum of 30 minutes each unless the visitor or inmate elects a shorter period for a particular visit. All persons desiring to visit an inmate shall be permitted to do so except when the chief executive officer or designee finds clear and convincing evidence that such visit jeopardizes the safety and security of the institution or the visitors. Persons of all ages shall be permitted to visit. Persons age 12 and under shall be accompanied by an adult . . . Any communication system used in the visiting areas shall be kept in proper working order for all visiting booths and shall allow for normal conversation to occur between inmates and visitors.

During the past year, inmates in all divisions of CCDOC have been able to receive visits with relatively few problems. Visiting areas in most divisions remained in service for the great majority of this period, although some divisions continued to experience maintenance problems affecting some visiting booths.

Security inspections of visiting booths in the various divisions become routine practice during the past year. Staffing of visiting areas has also been maintained at adequate levels, with one or more COs in every visiting area at all times when inmates and/or visitors are present. Thorough searches of inmates and visitors remained standard practice throughout the year, and all divisions continued to utilize metal and drug detection equipment routinely.

CCDOC administrators and staff have continued to do a laudable job of accommodating an enormous number of visitors. JHA staff has rarely observed visitors forced to wait outdoors for lengthy periods during visiting hours, and we have received very few complaints about visiting procedures or practices during this period.

G. Health Issues and Services

An assessment of health services at CCDOC during the period covered in this report is a particularly challenging task, given a number of events that have impacted Cermak Health Services (CHS) in the past several months.

Following the election of Todd H. Stroger as President of the Cook County Board of Commissioners in November 2006, Robert Simon, M.D. was appointed Chief of the Cook County Bureau of Health Services (CCBHS), of which Cermak Health Services is a part. Prior to the passage of the FY 2007 budget, CHS administrators were ordered to discontinue the screening program to detect sexually transmitted diseases (STD's) for newly admitted inmates at CCDOC.¹³ Pap screening for female inmates was also eliminated. These cutbacks were in addition to previous service reductions, including ENT services, which had been minimal or non-existent during most of 2006. Similarly, dental services were reduced to treatment of extreme emergencies. Annual physical examinations, which include TB testing, for hundreds of inmates incarcerated for more than one year, were also discontinued.

On January 24, 2007, CCBHS administrators summarily eliminated the positions of more than one-half of the full-time physicians employed at Cermak, including the positions of the Medical Director, Assistant Medical Director, a senior physician with numerous administrative

¹³ The combined efforts of county health officials and the City of Chicago's Department of Health/Public Health were extremely successful for the period 1989 – 2003 when these efforts led to significant reductions in rates of gonorrhea, chlamydia, and other STD's in the City of Chicago and other portions of Cook County. Budget cuts beginning in 2004 led to the end of universal voluntary testing of newly admitted jail inmates.

responsibilities¹⁴, the Director of Infection Control, and four (4) other full-time physicians, with virtually no notice; in addition, the Director of Nursing position was also eliminated. These dedicated clinicians, some of whom had many years of distinguished service at CHS, received notice of this action via email, with virtually no advance notice. Virtually all of the terminations were effective within 48 hours, and no attempt was made to replace the services of these clinicians in any way, and an interim or acting Medical Director was not named for several weeks.

The result of these reductions in health services was not long in coming. In February 2007, the health services accreditation of Cermak Health Services and the Cook County Department of Corrections by the National Commission on Correctional Health Care (NCCHC) was withdrawn. The loss of accreditation, which CHS and CCDOC had held since 1982, was at least partially attributable to budget cuts affecting health services that were implemented in 2006 and several preceding years. The failure to maintain accreditation doubtlessly corresponds to the increase in inmate grievances regarding health services, which increased significantly during 2006 and are discussed in Section II. I. below.

Following these distressing developments, additional problems have beset the health services system for inmates at CCDOC. Additional reductions in services began to occur both before and since passage of the FY 2007 budget. Dental services have been virtually eliminated. Many medical services and procedures that had been performed on-site for a number of years were either severely reduced or entirely eliminated, with assurances that such of these services that

¹⁴ One of this physician's responsibilities was overseeing health services at the Cook County Juvenile Temporary Detention Center, which is under court monitoring for health services in **Doe v. Cook County**, pending before Judge John Nordberg.

meet some new, unspecified criteria of medical necessity would be provided at Fantus Clinic or other portions of Stroger Hospital. These assurances were obviously made with no knowledge or regard for the fact that, in years past when such arrangements were commonplace, scores of inmates were either not transported in timely fashion or experienced other problems resulting in repeated delays or complete failure to provide needed health procedures.

Within recent days, JHA staff have been informed by CHS staff that all non-emergency surgeries at Stroger Hospital, including those for CCDOC inmates, have been cancelled or postponed indefinitely. On Friday, April 6, 2007, newspaper reports indicated that disabled patients at Cook County's Oak Forest Hospital had received notices that some units of this unique facility will be closing in the near future and that they will be forced to find private accommodations in nursing homes or other facilities. Since some CCDOC inmates with disabilities have been housed at Oak Forest for many years, it appears that CHS and CCDOC administrators will have to devise suitable accommodations for these inmates.

One particularly distressing situation demonstrating the inadequacy of existing facilities for inmates with disabilities and other medical needs was observed by JHA staff during a visit to Division VI on February 1, 2007. This division, like many others, has one living unit (Wing 2-A) designated for housing inmates with medical and/or psychiatric needs, who have been discharged from the CHS or RU buildings by health providers. While we have visited units of this type on many occasions, JHA staff have not encountered a situation in which amputees (one leg) and other inmates on crutches were housed in a living unit completely inappropriate for persons with disabilities: all living units in Division VI, V, and IV are designed with cells on

two levels, each with stairs leading either up or down. Inmates with such conditions should be housed in the RU building, which was designed for inmates with these and other medical or psychiatric needs;¹⁵ however, the bedspace in the RU building has been grossly insufficient for the number of inmates who need such housing. Given the inadequacy of the RU, we urge CCDOC and CHS administrators to take immediate action to designate suitable living units in other divisions (such as Division X) to house inmates with disabilities of this nature and to ensure prompt transfers of all inmates so affected.

The impact of the draconian policies described above cannot be determined at present, but these policies and the practices described above appear to constitute a growing body of evidence suggesting the likelihood of a federal civil rights class-action suit regarding the failure to provide constitutionally adequate health care may be imminent.

¹⁵ For all its deficiencies, the RU building is a single-level (grade) building with dormitory-style living units, which is appropriate for housing inmates with physical disabilities.

I. Grievance Procedure

Inmates may file a grievance regardless of any disciplinary status, classification, or other administrative decision to which the inmate may be subject. The institution shall ensure that the grievance procedure is accessible to physically and mentally handicapped inmates and to those who have a language deficiency. Necessary materials and assistance must be provided by the Human Services Department to inmates who, because of physical or mental disabilities or because of language deficiencies, cannot complete the grievance forms themselves. The term "grievance" as used herein includes but is not limited to complaints by inmates regarding policies, practices, procedures, conditions, acts or omissions under the jurisdiction of the Cook County Department of corrections or the Cook County Board of Commissioners. However, the grievance procedure shall not be used as a disciplinary procedure except as specified below. . . . Reprisals taken against an inmate or employee based in any part on his/her use of or participation in the grievance procedure are strictly prohibited, and infractions will be punished by Department disciplinary action. The grievance procedure must afford a successful grievance a meaningful remedy. Acceptable forms of relief include, but are not limited to, restitution of property, reclassification, correction of records, personnel actions, agreement by the institution to remedy an objectionable condition, and change in a policy or practice.

During the period covered in this report, the inmate grievance procedure at CCDOC has continued to operate in much the same fashion as described in a number of previous JHA reports; however, the number of grievances submitted by inmates and receiving responses from staff has increased significantly from 2005. Whether the increased utilization of the grievance procedure is attributable to increased staffing in Program Services, whose Correctional Rehabilitation Workers (CRWs) are responsible for initiating and monitoring the grievance procedure, or other factors, such as more prevalent dissatisfaction among inmates about policies, procedures, or practices at CCDOC, cannot be determined empirically. Increased utilization of this procedure, however, should be viewed as a welcome occurrence, since it can fairly be construed as signifying increased confidence in this mechanism by which inmates can express complaints about various issues relating to their incarceration. A review of monthly grievance reports for 2006 reveals both increased numbers of grievances overall and reasonably timely responses to

most grievances submitted by inmates at CCDOC.

Grievance reports continue to categorize grievances by type, rather than the party or department to whom they are addressed and/or routed as was done prior to 2005. Grievances are grouped into approximately 30 categories, including but not limited to food, recreation, shakedowns, mail, commissary, religious services, visitation, law library, verbal and physical abuse by staff, and many other issues. Following the practice we established in the May 8, 2006 report, our analysis focuses on eight (8) grievance categories, which include both the most serious and the most numerous complaints voiced by inmates.

The most numerous group of complaints continues to involve medical treatment, a perennial cause of dissatisfaction. Other groups include verbal and physical abuse by security staff and members of S.O.R.T., living conditions, and other matters. Table 1.16 provides data on grievances by category for the period January 2006 through December 2006.

Table 1.16
INMATE GRIEVANCES
 Cook County Department of Corrections
 JANUARY 2006 – DECEMBER 2006

	MEDICAL TREATMENT	MEDICAL: UNPROF STAFF CONDUCT	SECURITY VERBAL ABUSE	SECURITY PHYSICAL ABUSE	SORT VERBAL ABUSE	SORT PHYSICAL ABUSE	LIVING CONDITIONS	LAW LIBRARY	N(1- 8)	TOTAL GRIEVANCES
JAN	40	1	7	13	0	0	1	3	65	84
FEB	59	3	12	6	1	2	6	4	93	103
MAR	68	2	9	30	1	0	10	8	128	143
APR	80	3	2	13	0	0	5	7	110	120
MAY	101	6	12	19	0	1	9	4	152	176
JUNE	70	7	19	12	0	0	1	6	115	127
JULY	60	5	4	10	3	0	0	4	86	96
AUG	71	5	2	13	0	0	1	0	92	103
SEPT	63	7	12	12	0	0	0	3	97	108
OCT	143	9	5	15	0	0	4	3	179	200
NOV	92	4	6	20	1	0	4	0	127	140
DEC	64	10	16	10	0	0	9	3	112	130
<u>TOTAL</u>	911	62	106	13	6	3	50	45	1356	1530
X (MO)	75.9	5.2	8.8	14.4	0.5	0.3	4.2	3.8	113	127.5

The data reveal a number of significant facts about the inmate grievance procedure. The first relates to the increased utilization of the procedure itself, which is confirmed by the fact that the 1,530 grievances submitted during 2006 is 39.2% greater in number than the 1,099 grievances submitted during 2005. This increase took place at a time when CCDOC inmate population decreased by more than 4%.

The data reveal that grievances about medical treatment continue to be the most common cause of complaint, followed by allegations of physical abuse by security staff, allegations of verbal abuse by security staff, and detainee-detainee issues.¹⁶ In 2005, grievances about medical treatment constituted slightly more than one-half (50.5%) of all grievances submitted during the year. During 2006, however, complaints about medical care increased significantly to 59.5% --- or almost three (3) of every five (5) --- of all grievances submitted by inmates. We are currently unable to determine to what extent the increase in the prevalence of complaints about medical treatment is indicative of substantive problems arising from reductions in health services that have been exacerbated in recent months, but this is an issue that JHA staff intend to continue to assess in coming months.

The number of complaints about verbal and physical abuse by security staff increased by approximately 40% between 2005 and 2006, which corresponds to the increase in the total number of grievances submitted. These increases make it all the more noteworthy that complaints about verbal and physical abuse by members of the SORT team actually decreased, with only six (6) complaints of verbal abuse and three (3) complaints of physical abuse by SORT

¹⁶ Detainee-detainee issues were the fourth most numerous category of grievances, outnumbering complaints about living conditions, law libraries, etc.

during 2006.

With regard to grievances alleging any kind of abuse by staff, we intend to meet with CCDOC administrators to determine what kinds of investigative activities are initiated following the submission of such complaints. JHA staff can attest to the fact that we have heard relatively few complaints of this nature during the course of our visits to every division of CCDOC during the past year.

J. Disciplinary Procedures

Defendants are restrained and enjoined . . . from imposing any discipline which constitutes a major change in the ordinary conditions of confinement, including transfer to segregation, on pretrial detainees in their custody without first giving them adequate written notice and an opportunity for a hearing. . . . such written notice and opportunity for a hearing shall consist of at least the following: (1) Written notice describing the facts and charges against the inmate shall be delivered to the inmate at least twenty-four hours prior to the hearing; (2) If it is necessary to remove a resident from the general population on an emergency basis due to serious aggressive behavior and/or for safekeeping, the hearing must be held within 72 hours unless the inmate in writing requests otherwise; (3) The written notice shall inform the inmate of the date of his hearing and, upon request, a written copy of the rules and regulations governing the hearing; (4) The hearing will be conducted, and a decision made, by an independent trier of facts, who will be persons not connected with the charges against the inmate; (5) The inmate will have the right to present evidence and testimony at the hearing, and to call witnesses to testify on his behalf unless having such witnesses appear would jeopardize institutional security, and the refusal to call such witnesses is supported by reasons contained in the written record; (6) The hearing decision will be based upon evidence presented at the hearing, and the inmate will be allowed to cross-examine all witnesses, unless having such witnesses appear would jeopardize institutional security, and the refusal to present witnesses and allow cross-examination is supported by reasons contained in the written record; (7) Any inmate who is hampered by conditions of confinement, illiteracy, or other reasons from adequately representing himself is entitled to assistance from a lay advocate of his choice, or a staff member if such advocate is unavailable; (8) Any decision to punish the inmate must be based upon substantial evidence; (9) The inmate shall be given a written decision which sets forth the findings and the evidence relied upon in reaching those findings.

Following the practice first established in the JHA report of May 4, 2004, this section addresses two issues: (1) an evaluation of the status of the inmate disciplinary system at CCDOC, and (2) information about other special living units that are substantially similar to disciplinary segregation units.

The inmate disciplinary system at CCDOC has experienced few major changes during the past several years. The disciplinary rules and procedures have not undergone any significant changes, with one exception noted below. Copies of the inmate rules and regulations remain

posted in most living units in all divisions, as well as in the Receiving Room, law libraries, and other appropriate areas. As we have noted in several previous reports, inmates do not receive copies of these rules at the time of their admission to CCDOC or thereafter, but both English and Spanish language versions of the rules are available. A videotape explaining disciplinary rules and procedures and other information about jail services and programs has been in use since early 2005 and is shown on a regular basis.

One noteworthy change occurred in May 2005, when the Disciplinary Hearing Board began to document their recognition of some incidents involving inmates with psychiatric problems as non-disciplinary. Since that time, all monthly reports have reflected this practice of excluding some inmates with special psychiatric needs from the imposition of discipline for rule infractions. This willingness to recognize that some of the actions by these inmates are attributable to their mental status and should not therefore be held to the same standard as other inmates is commendable, and we are pleased to observe that this practice has been continued.

Monthly reports of inmate disciplinary activity contain data on the following factors: number of incident reports filed; reports acted upon, including dispositions (i.e., guilty and not guilty), and reports not acted upon, including reasons for inaction (e.g., incomplete reports, expired [72-hour limitation], transfer/discharge of inmate[s], cases involving inmates with psychiatric problems, and non-disciplinary reports [victims]). These monthly reports also include injuries sustained by both staff and inmates. Analysis of data drawn from these reports provides an indicator of the level of compliance with those provisions of the Consent Decree governing the disciplinary system. Non-disciplinary incident reports and those in which inmates

were discharged from CCDOC prior to hearings are excluded from our evaluation. The remaining reports comprise the basis of our evaluation of compliance.

Tables 1.17- 1.18 contain data for the 14-month period January 1, 2006 – January 31, 2007. Cases designated as “CCDOC” mishandling” reflect reports dismissed due to invalid reports and failure to provide a timely hearing (i.e., within 72 hours) for inmates placed in segregation prior to a hearing.

Table 1.16
CCDOC Disciplinary Procedures
HANDLING OF INCIDENT REPORTS
January 1, 2006 - December 31, 2006

	2006												
	<u>Jan</u>	<u>Feb</u>	<u>Mar</u>	<u>Apr</u>	<u>May</u>	<u>Jun</u>	<u>Jul</u>	<u>Aug</u>	<u>Sep</u>	<u>Oct</u>	<u>Nov</u>	<u>Dec</u>	<u>Totals</u>
Total Incident Reports	1,116	888	997	877	868	1,017	970	888	875	824	1,083	856	11,359
Reports <u>Ineligible</u> for Disciplinary Action													
*Non-Disciplinary	- 68	- 31	- 49	- 52	- 48	- 57	- 68	- 49	- 53	- 65	- 56	- 49	645
*Inmates Discharged	- 94	- 95	- 54	- 80	- 58	- 73	- 62	- 51	- 82	- 113	- 62	- 77	901
Reports <u>Eligible</u> for Disciplinary Action	954	762	894	745	762	887	840	788	740	646	965	730	9,713
Dismissal of Charges *72-hr. Limitation	3 (1.0%)	14 (0.6%)	18 (3.7%)	11 (0.6%)	25 (2.4%)	9 (2.9%)	9 (0.7%)	9 (0.3%)	8 (0.5%)	13 (2.7%)	9 (0.0%)	5 (0.0%)	133 (1.3%)
*Incomplete Report	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)
Total Incident Reports Not Adjudicated: CCDOC Mishandling	3 (1.0%)	14 (0.6%)	18 (3.7%)	11 (0.6%)	25 (2.4%)	9 (2.9%)	9 (0.7%)	9 (0.3%)	8 (0.5%)	13 (2.7%)	9 (0.0%)	5 (0.5%)	144 (1.3%)

Table 1.17
CCDOC Disciplinary Procedures
HANDLING OF INCIDENT REPORTS
January 1 - 31, 2007

	<u>Jan 2007</u>
Total Incident Reports	971
Reports <u>Ineligible</u> for Disciplinary Action	
*Non-Disciplinary	- 100
*Inmates Discharged	- 74

Reports <u>Eligible</u> for Disciplinary Action	797
Dismissal of Charges	
*72-hr. Limitation	5 (0.6%)
*Incomplete Report	0 (0.0%)

Total Incident Reports Not Adjudicated: CCDOC Mishandling	5 (0.6%)

The data reveal a number of points of interest. The first is that the total number of incident reports filed in 2006 (n = 11,359) was more than 10% lower than the number of reports filed in 2005 (n = 12, 673). Focusing on reports in which inmates were eligible for disciplinary action for alleged rule violations (excluding non-disciplinary reports and situations in which inmates had been discharged), the data reveal a decrease of more than 12% from 2005 to 2006. The decreases in both the total number of incident reports and disciplinary reports both significantly exceed the change in the CCDOC inmate population, which decreased by 4.3% during this same period.

Cases in which charges were dismissed due to failure to conduct timely hearings represented 1.3% of all cases eligible for disciplinary action during 2006 and 1.2% of all eligible cases during the first two months of 2007. This is virtually identical to the dismissal-for-untimeliness rate of 1.3% during 2005 and only marginally higher than the 1.2% of all eligible cases during the first three months of 2006. For the 13-month period as a whole, dismissals due to inability to conduct timely hearings constituted 1.2% of all eligible cases. This is virtually unchanged from the dismissal rate of 1.1% documented for the previous period in the JHA report of May 5, 2005. Maintaining this low rate of dismissals for failure to provide timely hearings remains a significant improvement over the dismissal rate of 3.7% for the period covered in the JHA report of May 4, 2004. In fact, the current rate of 1.1% is significantly lower than at any time since late 1998 – early 1999, when CCDOC achieved a dismissal rate of 1.5% (September 1, 1998 - July 31, 1999). As we have stated previously, these data provide an empirical basis that corroborates the observations of JHA staff, who received very few complaints from inmates regarding untimely disciplinary hearings during the past year.

CCDOC staff have maintained their commendable record of no dismissals due to incident reports that were incomplete or otherwise invalid since January 1, 2006. The practice of ensuring that security supervisors and Superintendents review all incident reports and order staff to make necessary changes before proceeding with disciplinary procedures has resulted in no cases being dismissed as a result of invalid reports since January 2005.

Dismissal rates calculated on an annual basis from mid-1990's to the present are presented in Table 1.19 below.

Table 1.19
Cook County Department of Corrections
DISCIPLINARY CASE DISMISSALS

<u>Period</u>	<u>Dismissal Rate</u>	<u>Annual Change</u>	<u>Cumulative Change</u>
1990 (Jul-Dec)	16.3%	na	na
1991	6.5%	- 60.1%	- 60.1%
1992	9.5%	+ 46.2%	- 41.7%
1993	8.9%	- 6.3%	- 45.4%
1994	8.0%	- 10.1%	- 50.9%
1995	6.6%	- 17.5%	- 59.5%
1996	10.8%	+ 63.6%	- 33.7%
1997	19.9%	+ 84.3%	+ 22.1%
1998	20.4%	+ 2.5%	+ 25.1%
1999	18.5%	- 9.3%	+ 13.4%
2000	22.1%	+ 19.5%	+ 35.6%
2001	20.9%	- 5.4%	+ 28.2%
2002	22.3%	+ 6.7%	+ 36.8%
2003	13.6%	- 39.0%	- 16.6%
2004	2.3%	- 83.1%	- 85.9%
2005	1.3%	- 43.5%	- 92.0%
2006	1.3%	0.0%	- 92.0%
2007*	1.2%	- 7.7%	- 92.6%

* 2007 data through January 31, 2007.

The data collected since January 1, 2005 reflect continued progress made by CCDOC administrators and staff in reducing the number of disciplinary case dismissals due to the

inability to comply with the provisions of the Consent Decree. JHA staff are pleased to note this continuing reduction in the frequency of unnecessary dismissals, which corroborate our observations during visits to all divisions of CCDOC. Since January 2006, we have encountered very few situations in which inmates had been held in segregation in violation of the provisions of the Consent Decree.

The monthly disciplinary hearing board reports also contain data on injuries that occur during documented incidents. Injuries sustained by inmates and staff during reported incidents are used to calculate the incidence of harm during the period under review. Table 1.20 contains data on injuries and injury rates (i.e., injuries per 1,000 inmates) from January 1, 2006 through January 31, 2007.

Table 1.20
INJURIES SUSTAINED AT CCDOC
January 1, 2006 – January 31, 2007

	<u>Staff Injuries</u>	<u>Inmate Injuries</u>	<u>Average Daily Population</u>	<u>Injuries per 1,000 Inmates</u>
Jan 2006	35	285	9,214	30.9
Feb	19	193	9,161	21.1
Mar	82	288	8,936	32.2
Apr	25	249	9,087	27.4
May	18	262	9,141	28.7
Jun	15	305	9,455	32.3
Jul	57	345	9,701	35.6
Aug	31	199	9,638	20.6
Sep	11	189	9,721	19.4
Oct	15	268	9,568	28.0
Nov	21	299	9,483	31.5
Dec	11	233	9,204	25.3
	<hr/>	<hr/>	<hr/>	<hr/>
Total	340	3,115	na	na
\bar{X} (mo)	28.3	259.6	9,359.8	27.8
Jan 2007	11	233	9,549	15.3

The data for this period reveal a steady increase in the rate of injuries to inmates during 2005, particularly in the last half of the year. This elevated rate of injuries to inmates has continued through the first three (3) months of 2006. For the period as a whole (January 1, 2005 – March 31, 2006), the rate of 22.9 injuries per 1,000 inmates is noticeably higher (+18.0%) than the rate of 19.4 injuries per 1,000 inmates during 2004 and the first three months of 2005. The current inmate injury rate is also higher than the injury rate of 20.2 injuries per 1,000 inmates during the period covered in the JHA report of May 4, 2004 and slightly higher (4.9%) than the rate of 18.5 injuries per 1,000 inmates during the period May 1, 2000 – February 28, 2001.

For a broader perspective on injuries to inmates and staff, Table 1.21 contains data on inmate injury rates and the average number of staff injured monthly since 1991.

Table 1.21
Cook County Department of Corrections
MONTHLY INJURY RATE (INMATES) AND STAFF INJURIES

	<u>Injuries per 1,000 inmates</u>	<u>Year-to-Year Change</u>	<u>Staff Injuries</u>	<u>Year-to-Year Change</u>
1991	23.3	na	0.7	na
1992	23.7	+ 1.7%	0.5	- 28.6%
1993	20.6	- 13.1%	1.7	+240.0%
1994	13.2	- 35.9%	3.0	+ 76.5%
1995	10.7	- 18.9%	8.6	+186.7%
1996	14.7	+ 37.4%	6.6	- 23.3%
1997	14.0	- 4.8%	5.6	- 15.2%
1998	13.6	- 4.9%	4.0	- 28.6%
1999 ^a	16.7	+ 22.8%	10.2	+155.0%
2000	18.9	+ 13.2%	17.4	+ 70.6%
2001	19.9	+ 5.2%	14.3	- 31.0%
2002	21.1	+ 6.0%	29.1	+103.5%
2003	19.7	- 6.6%	32.8	+ 12.7%
2004	20.0	+ 1.5%	18.4	- 43.9%
2005	21.6	+ 8.0%	21.6	+ 17.4%
2006	27.8	+28.7%	28.3	+ 31.0%
Cumulative Change	+ 4.5	+ 19.3%	+ 27.6	+3942.9%

NOTE: Data for inmate and staff injuries represent monthly averages. An injury rate for staff, comparable to the inmate injury rate, cannot be calculated for lack of data; in addition, the average number of staff injuries monthly is a more useful statistic.

^a The only data available for 1999 cover the months of January and August through December

The data regarding staff and inmate injuries at CCDOC reveal several trends that we feel are noteworthy. The first is that the rate of injuries to inmates has, with few exceptions, increased annually since 1994, and this increase has continued through the present, despite the substantial decrease in inmate population that began in mid-2005. In fact, the rate of injuries to inmates during 2006 has reached the highest level since 1991, when we began to compile these data.

Injuries to staff have also increased since 1991, although the trend during this period is not linear. Staff injuries increased annually from 1991 through 1995, then decreased somewhat from 1996 through 1998. Staff injuries increased again in 1999 and 2000, decreased slightly during 2001, then increased sharply during 2002 and 2003. Injuries to staff decreased significantly in 2004 but increased during 2005 and 2006. Most disturbingly, staff injuries during 2006 were the third highest since 1991.

Protective Custody Units

In several previous reports, we have described our concern about the practice of confining inmates in protective custody (PC) classification to their cells for 23 hours daily. This practice has continued, both in Division IX, which contains four (4) PC units for inmates in maximum-security classification, and in Division V, which contains a medium-security PC unit. A meeting with plaintiffs' counsel, counsel for the Sheriff, and CCDOC administrators was held in Division IX on November 9, 2006, and this visit included a visit to several PC units.

During the course of this meeting, CCDOC administrators explained the rationale for this

restrictive confinement as being necessary to ensure the safety of PC inmates from one another; in addition, they compared this practice to practices followed in the Illinois Department of Corrections (IDOC), where Director Godinez spent much of his career. They also explained their plans to implement a “level system”, which began in Division IX and has since spread to other divisions, under which the amount of time inmates are allowed out of their cells on a daily basis would be determined. Our comments on these practices are provided below.

The largest group of IDOC inmates who are designated as needing Protective Custody are housed at Pontiac Correctional Center. Many of these inmates hold job assignments, including working in the staff dining room, and are able to participate in extensive recreation, both indoor and outdoor, for periods of several hours several times each week. These inmates spend a significant number of hours each day out of their cells.¹⁷ It is ironic and distressing that these inmates, all of whom are convicted felons, are able to enjoy significantly more time out of their cells, including frequent access to exercise and recreation, and have access to jobs (which would not be feasible at CCDOC) than pretrial detainees at CCDOC.

JHA staff are not aware of any practice, past or present, in which CCDOC inmates classified for PC are evaluated individually to determine whether there are any other inmates in their living units from whom they must be kept separated. JHA staff remain convinced that CCDOC administrators have failed to produce evidence to support the systematic practice of confining all inmates in PC status for 23 hours daily, a condition equaled only by inmates in

¹⁷ This situation is facilitated by the fact that most other inmates at Pontiac are in segregation status, and these individuals only receive one (1) hour out of their cells daily; in addition, inmates in segregation status are always handcuffed whenever they are out of their cells, they recreate in small cages, known as pods, adjacent to their cellhouses, and there is no contact whatsoever between PC inmates and inmates in segregation status.

disciplinary segregation status who have received notice, a hearing, and other due process protections.¹⁸

Limiting Time Out of Cells

We are also concerned about a much more widespread practice that began several months ago, starting in Division IX and gradually being extended to many other divisions. This practice is characterized by restricted time out of cell, with one-half of each unit (e.g. – upper level) allowed into the dayroom area for approximately three (3) hours in the morning (usually 7:30 a.m. to 10:30 a.m.), and the other half allowed into the dayroom for three (3) hours in the afternoon. In most if not all cases, the time out of cell varies, with one group of inmates allowed out in the morning one day and in the afternoon the next day. This practice means that inmates in most divisions of the jail will spend periods of approximately 26 hours confined to their cells every other day.

This practice began in the maximum-security divisions (Divisions IX, X, and I) but has been extended to several of the medium-security divisions, including Divisions V and VI). JHA staff are concerned about this practice for several reasons. We feel that this practice, which clearly represents a major change in the ordinary conditions of confinement¹⁹ that have been followed at CCDOC for decades, is particularly inappropriate in any area in which crowding exists, in the form of three (3) inmates confined to a two (2) bed cell. We also feel that, while a policy of limited out of cell time might be justifiable for inmates whose institutional behavior

¹⁸ Partial Stipulated Order No. 2 issued April 20, 1976 by Judge Thomas McMillen in the early days of this litigation.

¹⁹ The language is drawn from the order cited above.

includes a history of violent or seriously disruptive behavior, the current practice at CCDOC extends far beyond these parameters. While the limits on out-of-cell time imposed on thousands of inmates in a number of jail divisions do not equate to the conditions experienced by inmates in disciplinary segregation or protective custody, they are nonetheless extremely questionable.

As the cadre of security personnel increases during the course of the coming year with the hiring and training of new Correctional Officers and the promotion of additional supervisors, any proposed justification for this new policy of limited time out of cells will become more ephemeral. As the data presented in this section demonstrate, the significant reduction in the number of incidents reported at CCDOC is both commendable but disturbing, since it contradicts the rationale for restricting the out-of-cell time for inmates in most divisions of the jail. For these reasons, we urge CCDOC administrators to reevaluate this practice as soon as possible.

APPENDIX

2005 Population and Capacity Summary

2004 Population and Capacity Summary

2003 Population and Capacity Summary

2002 Population and Capacity Summary

2001 Population and Capacity Summary

2000 Population and Capacity Summary

1999 Population and Capacity Summary

1998 Population and Capacity Summary

1997 Population and Capacity Summary

1996 Population and Capacity Summary

1995 Population and Capacity Summary

1994 Population and Capacity Summary

1993 Population and Capacity Summary

1992 Population and Capacity Summary

1991 Population and Capacity Summary

1990 Population and Capacity Summary

Table 1.3
Cook County Department of Corrections
2005 POPULATION AND CAPACITY SUMMARY

	<u>Available Beds</u>	<u>Average Daily Population</u>	<u>I-Bonds (Daily Average)</u>	<u>No. of Days of Overcrowding</u>	<u>Overflow Population (Daily Average)</u>
Jan	9695 ²⁰	10358.5	1.6	31	1096.3
Feb	9715	10139.3	1.8	28	965.0
Mar	9721	9967.2	0.5	31	779.4
Apr	9679	9912.5	0.0	30	648.0
May	9637	10019.0	0.0	31	812.2
Jun	9585	9862.0	0.0	30	706.4
Jul	9589	9916.2	0.0	31	714.3
Aug	9585	9799.7	0.0	31	584.4
Sep	9472	9864.3	0.0	30	698.7
Oct	9573	9526.5	0.0	31	398.1
Nov	9614	9015.5	0.0	30	275.5
Dec	9822	8953.5	0.0	31	69.0
<hr/>					
YEAR-TO-DATE TOTAL	na	na	103	365/365	na
<hr/>					
DAILY AVERAGE	9640.6	9776.1	0.3	na	643.7

²⁰ Since January 1, 2005, CCDOC figures for available beds accurately reflect beds closed in various divisions due to routine maintenance problems.

**Cook County Department of Corrections
2004 POPULATION AND CAPACITY SUMMARY**

	<u>Available Beds</u>	<u>Average Daily Population</u>	<u>I-Bonds (Daily Average)</u>	<u>No. of Days of Overcrowding</u>	<u>Overflow Population (Daily Average)</u>
Jan	9894	10572.8	3.2	31	1085.7
Feb	9894	10513.2	2.7	29	958.7
Mar	9894	10550.5	2.0	31	951.5
Apr	9897	10682.0	6.6	30	784.9
May	9976	10407.0	13.7	31	885.5
Jun	9976	10295.9	11.7	30	701.7
Jul	10004	10282.8	2.5	31	665.3
Aug	10004	10473.3	7.0	31	817.8
Sep	10004	10885.8	14.5	30	1202.1
Oct	9958	10849.5	3.9	31	1260.8
Nov	9842	10590.9	2.3	30	1136.0
Dec	9842	10330.4	1.6	31	955.9
<hr/>					
YEAR-TO-DATE TOTAL	na	na	2108	365	na
<hr/>					
DAILY AVERAGE	9932.3	10535.5	5.8	na	950.4
<hr/>					

Cook County Department of Corrections

2003 POPULATION AND CAPACITY SUMMARY

	<u>Available Beds</u>	<u>Average Daily Population</u>	<u>I-Bonds (Daily Average)</u>	<u>No. of Days of Overcrowding</u>	<u>Overflow Population (Daily Average)</u>
Jan	10160	11328.7	5.0	31	1478.0
Feb	10160	11126.6	3.8	28	1348.8
Mar	10028	10800.1	13.2	31	1136.1
Apr	10120	10462.6	5.6	30	748.7
May	10160	10349.1	15.5	31	667.9
Jun	10126	10505.0	11.7	30	781.9
Jul	10126	10544.3	4.1	31	798.9
Aug	10126	10648.7	16.6	31	878.1
Sep	10126	10827.5	6.3	30	1055.8
Oct	10126	10633.6	3.6	31	957.7
Nov	9950	10574.3	11.7	30	1172.7
Dec	9994	10202.7	9.2	31	886.6
<hr/>					
YEAR-TO-DATE TOTAL	na	na	3393	365	na
<hr/>					
DAILY AVERAGE	10100	10664.0	9.3	na	990.3
<hr/>					

Cook County Department of Corrections

2002 POPULATION AND CAPACITY SUMMARY

	<u>Available Beds</u>	<u>Average Daily Population</u>	<u>I-Bonds (Daily Average)</u>	<u>No. of Days of Overcrowding</u>	<u>Overflow Population (Daily Average)</u>
Jan	9750	11185.5	32.8	31	1645.5
Feb	9750	11146.8	26.0	28	1580.1
Mar	9750	11216.1	26.5	31	1638.5
Apr	9750	11141.6	22.1	30	1615.1
May	9750	10993.5	9.0	31	1480.6
Jun	9750	10815.4	9.3	30	1235.8
Jul	9750	10721.7	7.4	31	1188.8
Aug	9820	10902.9	5.9	31	1115.9
Sep	9820	11174.7	5.8	30	1249.1
Oct	10040	11256.7	5.3	31	1420.5
Nov	10040	11336.0	4.5	30	1531.3
Dec	10040	11099.0	4.6	31	1347.7
<hr/>					
YEAR-TO-DATE TOTAL	na	na	4816	365	na
<hr/>					
DAILY AVERAGE	9827.2	11081.6	13.2	na	1419.6
<hr/>					

Cook County Department of Corrections

2001 POPULATION AND CAPACITY SUMMARY

	<u>Available Beds</u>	<u>Average Daily Population</u>	<u>I-Bonds (Daily Average)</u>	<u>No. of Days of Overcrowding</u>	<u>Overflow Population (Daily Average)</u>
Jan	9752	10046.6	21.7	31	588.5
Feb	9752	10457.6	23.5	28	954.2
Mar	9710	10531.8	7.1	31	961.7
Apr	9710	10743.0	6.4	30	1215.0
May	9710	10801.1	10.8	31	1302.7
Jun	9710	10544.8	15.7	30	1088.4
Jul	9710	10570.7	12.4	31	1103.9
Aug	9710	10464.2	16.9	31	1008.4
Sep	9710	10866.6	16.3	30	1398.1
Oct	9740	10849.9	27.6	31	1335.2
Nov	9708	10989.4	35.4	30	1447.0
Dec	9750	10842.5	21.6	31	1361.8
<hr/>					
YEAR-TO-DATE TOTAL	na	na	6536	365	na
<hr/>					
DAILY AVERAGE	9719.6	10642.3	17.9	na	1147.1
<hr/>					

Cook County Department of Corrections

2000 POPULATION AND CAPACITY SUMMARY

	<u>Available Beds</u>	<u>Average Daily Population</u>	<u>I-Bonds (Daily Average)</u>	<u>No. of Days of Overcrowding</u>	<u>Overflow Population (Daily Average)</u>
Jan	9752	9950.4	4.5	31	563.6
Feb	9710	10070.0	11.2	29	654.8
Mar	9710	9920.2	5.5	31	594.7
Apr	9710	10013.4	19.3	30	525.5
May	9710	9775.9	17.7	31	349.1
Jun	9710	9894.8	16.3	30	516.3
Jul	9710	9839.5	17.3	31	412.9
Aug	9710	10041.8	19.3	31	513.7
Sep	9710	10021.1	37.4	30	592.1
Oct	9710	10122.9	16.4	31	635.5
Nov	9752	10097.7	20.6	30	658.5
Dec	9752	9700.1	13.3	31	420.9
<hr/>					
YEAR-TO-DATE TOTAL	na	na	6039	366/366	na
<hr/>					
DAILY AVERAGE	9720.6	9952.8	16.5	na	535.4
<hr/>					

Cook County Department of Corrections

1999 POPULATION AND CAPACITY SUMMARY

	<u>Available Beds</u>	<u>Average Daily Population</u>	<u>I-Bonds (Daily Average)</u>	<u>No. of Days of Overcrowding</u>	<u>Overflow Population (Daily Average)</u>
Jan	9394	9136.8	7.9	31	223.8
Feb	9394	9552.4	8.5	28	459.5
Mar	9491	9386.0	5.3	31	312.0
Apr	9657	9410.8	5.7	30	225.8
May	9631	9260.7	2.8	31	148.0
Jun	9631	9132.3	3.3	30	112.1
Jul	9697	9223.6	3.0	31	154.2
Aug	9757	9374.4	2.1	31	133.5
Sep	9750	9858.5	1.6	30	421.2
Oct	9750	9829.7	3.5	31	486.1
Nov	9752	9917.5	2.7	30	526.4
Dec	9752	9834.6	3.0	31	466.8
<hr/>					
YEAR-TO-DATE TOTAL	na	na	1487	365	na
<hr/>					
DAILY AVERAGE	9639.4	9491.7	4.1	na	304.3
<hr/>					

Cook County Department of Corrections

1998 POPULATION AND CAPACITY SUMMARY

	<u>Available Beds</u>	<u>Average Daily Population</u>	<u>I-Bonds (Daily Average)</u>	<u>No. of Days of Overcrowding</u>	<u>Overflow Population (Daily Average)</u>
Jan	9299	9283.7	14.5	31	393.5
Feb	9299	9542.1	18.5	28	609.1
Mar	9299	9443.6	10.4	31	613.1
Apr	9299	9382.0	4.4	30	516.6
May	9356	9467.9	12.1	31	499.3
Jun	9395	9314.7	6.8	30	446.2
Jul	9395	9416.0	8.8	31	478.8
Aug	9395	9645.4	31.0	31	641.6
Sep	9395	9674.5	18.2	30	623.3
Oct	9395	9615.0	9.4	31	590.2
Nov	9395	9625.9	8.1	30	646.8
Dec	9395	9299.9	7.3	31	335.6
<hr/>					
ANNUAL TOTAL	na	na	4170	365	na
<hr/>					
DAILY AVERAGE	9360.1	9475.1	11.4	na	531.9
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Cook County Department of Corrections

1997 POPULATION AND CAPACITY SUMMARY

	<u>Available Beds</u>	<u>Average Daily Population</u>	<u>I-Bonds (Daily Average)</u>	<u>No. of Days of Overcrowding</u>	<u>Overflow Population (Daily Average)</u>
Jan	9213	9164.0	8.3	31	460.5
Feb	9188	9001.4	11.5	28	393.5
Mar	9182	9010.6	7.7	31	409.7
Apr	9161	9151.0	7.7	30	455.8
May	9295	9198.9	8.1	31	412.0
Jun	9299	9052.3	3.0	30	359.2
Jul	9299	9058.3	5.3	31	415.5
Aug	9299	9175.3	6.2	31	412.4
Sep	9299	9478.8	12.2	30	553.5
Oct	9299	9262.2	19.4	31	434.3
Nov	9299	9165.3	17.4	30	342.9
Dec	9299	9107.4	16.6	31	319.9
ANNUAL TOTAL	na	na	3720	365	na
DAILY AVERAGE	9261.6	9152.7	10.2	na	414.1

Cook County Department of Corrections

1996 POPULATION AND CAPACITY SUMMARY

	<u>Available Beds</u>	<u>Average Daily Population</u>	<u>I-Bonds (Daily Average)</u>	<u>No. of Days of Overcrowding</u>	<u>Overflow Population (Daily Average)</u>
Jan	8363	9047.8	13.6	31	959.5
Feb	8474	9005.8	4.5	29	848.1
Mar	8474	8925.3	6.5	31	745.4
Apr	8426	8938.1	8.5	30	800.1
May	8429	9230.3	7.0	31	976.7
Jun	9112	8863.4	4.4	30	290.9
Jul	9119	8907.6	7.8	31	342.5
Aug	9274	9018.3	7.3	30	388.6
Sep	9243	9042.9	6.2	30	372.4
Oct	9232	9283.1	17.7	31	616.5
Nov	9213	9342.5	16.1	30	669.6
Dec	9213	9102.4	12.8	31	500.9
ANNUAL TOTAL	na	na	3195	366	na
DAILY AVERAGE	8856.6	9034.7	8.7	na	624.7

Cook County Department of Corrections

1995 POPULATION AND CAPACITY SUMMARY

	<u>Available Beds</u>	<u>Average Daily Population</u>	<u>I-Bonds (Daily Average)</u>	<u>No. of Days of Overcrowding</u>	<u>Overflow Population (Daily Average)</u>
Jan	7877	8986.8	28.3	31	1527.0
Feb	7877	8947.7	50.1	28	1526.8
Mar	7781	8739.4	52.1	31	1304.5
Apr	7781	8568.8	54.2	30	1157.6
May	7580	8483.4	48.3	31	1245.3
Jun	7541	8604.5	24.1	30	1270.9
Jul	7541	8535.5	20.4	31	1231.0
Aug	7541	8873.7	18.8	31	1534.9
Sep	7541	8962.7	10.4	30	1641.1
Oct	7541	8893.4	13.1	31	1578.9
Nov	7549	8797.5	15.3	30	1471.0
Dec	8053	8633.2	11.7	31	855.3
ANNUAL TOTAL	na	na	10045	365	na
DAILY AVERAGE	7682.9	8750.8	27.5	na	1360.4

Cook County Department of Corrections

1994 POPULATION AND CAPACITY SUMMARY

	<u>Available Beds</u>	<u>Average Daily Population</u>	<u>I-Bonds (Daily Average)</u>	<u>No. of Days of Overcrowding</u>	<u>Overflow Population (Daily Average)</u>
Jan	7927	8818	34.3	31	1477.8
Feb	7874	8782	37.9	28	1449.3
Mar	7920	8799	30.2	31	1499.4
Apr	7957	8915	36.0	30	1550.0
May	7957	8792	39.6	31	1431.4
Jun	7957	8906	33.4	30	1447.4
Jul	7957	8968	37.0	31	1404.0
Aug	7951	9050	24.3	31	1440.3
Sep	7917	9040	40.9	30	1420.2
Oct	7917	8959	37.5	31	1415.8
Nov	7909	9009	34.7	30	1526.0
Dec	7877	8827	24.4	31	1409.8
ANNUAL TOTAL	na	na	11390	365	na
DAILY AVERAGE	7926.9	8906.6	31.2	na	1455.7

Cook County Department of Corrections

1993 POPULATION AND CAPACITY SUMMARY

	<u>Available Beds</u>	<u>Average Daily Population</u>	<u>I-Bonds (Daily Average)</u>	<u>No. of Days of Overcrowding</u>	<u>Overflow Population (Daily Average)</u>
Jan	8031	8877	53.7	31	1864.7
Feb	8146	8961	54.4	28	1605.8
Mar	7927	8952	55.8	31	1690.4
Apr	7927	8786	62.8	30	1453.3
May	7927	8787	20.7	31	1577.3
Jun	7927	9024	22.6	30	1556.4
Jul	7927	8874	32.7	31	1421.3
Aug	7927	8951	43.1	31	1461.2
Sep	7927	8908	58.5	30	1472.1
Oct	7927	8789	35.5	31	1455.0
Nov	7927	8880	32.7	30	1479.4
Dec	7927	8792	32.1	31	1483.4
<hr/>					
ANNUAL TOTAL	na	na	15000	365	na
<hr/>					
DAILY AVERAGE	7952.6	8890.9	41.1	na	1543.4
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Cook County Department of Corrections

1992 POPULATION AND CAPACITY SUMMARY

	<u>Capacity (Available Beds)</u>	<u>Average Daily Population</u>	<u>I-Bonds (Daily Average)</u>	<u>No. of Days of Overcrowding</u>	<u>Overflow Population (Daily Average)</u>
Jan	6177	8484.0	64.8	31	2343.9
Feb	6177	8538.0	68.6	29	2435.4
Mar	6177	8589.8	62.9	31	2551.6
Apr	6177	8749.7	52.1	30	2706.1
May	6177--->6499	8548.6	37.2	31	2499.9
June	6499	8759.5	35.2	30	2543.7
July	6499--->6709	8879.0	44.7	31	2470.5
Aug	6719--->6952	8815.2	50.9	31	2220.4
Sep	6947--->6879	8823.4	51.2	30	2212.4
Oct	6879	9007.9	44.2	31	2413.5
Nov	6879--->7263	9093.0	45.4	30	2531.5
Dec	7263--->7356	8892.1	53.1	31	2332.7

ANNUAL

TOTAL	na	na	18624	365	na
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DAILY

AVERAGE	6594.8	8789.3	51.0	na	2444.5
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NOTE: Capacity figures from May - September 1992 reflect approximate numbers of beds actually available: some living units in Division IV remained empty during repair/ renovation.

Cook County Department of Corrections

1991 POPULATION AND CAPACITY SUMMARY

	<u>Capacity (Available Beds)</u>	<u>Average Daily Population</u>	<u>I-Bonds (Daily Average)</u>	<u>No. of Days of Overcrowding</u>	<u>Overflow Population (Daily Average)</u>
Jan	6217	7080	60.2	31	1012.5
Feb	6217	7190	61.4	28	1120.1
Mar	6177	7286	53.5	31	1237.2
Apr	6177	7339	48.5	30	1285.5
May	6177	7321	46.2	31	1251.1
Jun	6177	7227	51.4	30	1160.5
Jul	6177	7385	49.1	31	1304.6
Aug	6177	7689	79.7	31	1590.6
Sep	6177	7923	81.1	30	1791.4
Oct	6177	8162	77.9	31	2020.8
Nov	6117	8243	63.5	30	2114.0
Dec	6117	8207	50.8	31	2079.4

ANNUAL
TOTAL

na

na

21,982

365

na

DAILY

AVERAGE

6173 7589.8

60.2

na

1499.4

Cook County Department of Corrections

1990 POPULATION AND CAPACITY SUMMARY

	<u>Capacity (Available Beds)</u>	<u>Average Daily Population</u>	<u>I-Bonds (Daily Average)</u>	<u>No. of Days of Overcrowding</u>	<u>Overflow Population (Daily Average)</u>
Jan	6217	6806	102.0	31	752.5
Feb	6217	7122	89.8	28	1060.3
Mar	6217	6950	91.5	31	930.1
Apr	6217	6892	86.0	30	899.7
May	6217	6651	76.6	31	669.1
Jun	6217	6492	76.9	30	526.7
Jul	6217	6497	71.5	31	496.6
Aug	6217	6912	69.5	31	853.1
Sep	6217	6876	73.8	30	820.8
Oct	6217	6934	75.0	31	865.8
Nov	6217	6968	67.8	30	901.6
Dec	6217	6845	60.7	31	817.7
<hr/>					
ANNUAL TOTAL	na	na	28,614	365	na
<hr/>					
DAILY AVERAGE	6217	6827	78.4	na	806.0
<hr/>					