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COURT MONITORING REPORT

for

Duran v. Brown et al.
74 C 2949

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 of Illinois
300 West Adams, Suite 423
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May 22, 2009

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INTRODUCTION

This is the twenty-fifth in a series of reports by the John Howard Association of Illinois 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	September 24, 1993	May 12, 2000
March 2, 1990	April 4, 1994	May 11, 2001
July 6, 1990	February 1, 1995	May 13, 2002
November 9, 1990	January 19, 1996	May 4, 2004
April 2, 1991	February 7, 1997	May 13, 2005
October 5, 1991	February 6, 1998	May 8, 2006
May 25, 1992	September 30, 1998	April 9, 2007
February 5, 1993	September 1, 1999	August 7, 2008

The format of this report is similar to that of previous reports. In Section I we describe the jail population and capacity including admissions and length of stay, release mechanisms, and facilities status and planning issues. In Section II, we describe conditions of confinement at the CCDOC. Subsections in this section include Environmental Health, Personal Hygiene, Food Service, Staffing, Overcrowding, Access to Law Libraries and Other Programs and Services, Visiting, Health Issues and Services, Grievance Procedures, and Disciplinary Procedures. These subsections address the principal provisions of the Consent Decree in this case.

Several of the subsections of this report pertaining to compliance with the Consent Decree begin with the text of relevant provisions of the decree.

Information used in the preparation of this report includes observations during more than 30 visits to the jail complex and analysis of data derived from logs, documents, and other records provided by CCDOC administrators. Information from meetings with CCDOC, other Cook County officials and other parties is also included. The Association gratefully acknowledges the assistance of student interns Yesenia Gomez and Tina Kounelas in the preparation of this 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 bed space, jail admissions, length of stay, and other factors relevant to inmate population and crowding at CCDOC for the 10-month period from July 2008 through April 2009. The information presented in this section is drawn from data from daily Director's Logs and other data provided by the Executive Director's office. Utilizing information obtained during monitoring visits to CCDOC, we have evaluated these data to provide the most accurate accounting of population levels, available bed space, and jail capacity.

Inmate Population and Bed Capacity

Tables 1.1 and 1.2 below show the CCDOC average daily inmate population from January 1, 2008 through April 30, 2009, which covers the time period covered by this report. These tables contain data on available beds, total inmate population, aggregate totals of participants in the various release mechanisms, and overflow population. The data on overflow population in these tables differ from that for the years 2007 and earlier. For 2008 and thereafter, overflow population in three locations/situations are provided. These locations include (1) Division XI, where "hot bunking"¹ was utilized until December 2008, (2) the Cermak Health Services facility, which houses inmates requiring infirmary accommodations, and (3) all other divisions of CCDOC. This breakdown is provided to eliminate any misunderstanding or controversy about the exact number and location of inmates affected.

¹ "Hot bunking" or "share bunking" is the practice of two (or more) inmates using one bed in a cell at different times of day or night so that each inmate can have eight hours of sleep in a safe environment. At CCDOC, participating inmates are also able to rest on mattresses on elevated platforms in dayrooms at other times.

**Table 1.1 - Cook County Department of Corrections
2009 POPULATION AND CAPACITY SUMMARY**

	<u>Available Beds</u>	<u>Average Daily Population</u>	<u>ADP/C1 Aggregate Release Mechanisms</u>	<u>Overflow Population Daily Average</u>				<u>Number of Days of Overcrowding</u>
				<u>Hot bunk - XI</u>	<u>Cermak</u>	<u>Other</u>	<u>Total</u>	
Jan	9767	8999.5	1088.9	0	11.1 (31)	0	11.1	31/31
Feb	9735	8904.1	1137.5	0	14.2 (28)	0	14.2	28/28
Mar	9719	8869.1	1064.1	0	18,0 (30)	0	18.0	30/31
Apr	9702	9013.0	1079.0	0	11.5 (28)	0	11.5	28/30
YTD TOTAL	NA	NA	NA	0	NA	0.0	NA	117/120
DAILY AVERAGE	9730.9	8946.9	1099.6	0	13.7	0	13.7	NA

Note: The figures in parentheses represent the number of days in the month shown when inmates slept on floors in the locations shown.

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**Table 1.2 - Cook County Department of Corrections
2008 POPULATION AND CAPACITY SUMMARY**

	<u>Available Beds</u>	<u>Average Daily Population</u>	<u>ADP/C Aggregate Release Mechanisms</u>	<u>Overflow Population Daily Average</u>				<u>Number of Days of Overcrowding</u>
				<u>Hot bunk</u>	<u>Cermak</u>	<u>Other</u>	<u>Total</u>	
Jan	9597	9241.2	1323.9	124.4	0	45.7	173.6	31/31
Feb	9623	9296.4	1305.6	140.2	0	40.5	180.1	28/28
Mar	9612	9234.2	1302.3	120.7	0	27.3	148.0	31/31
Apr	9567	9271.1	1327.3	180.8	0	15.9	190.4	30/30
May	9589	9235.8	1299.5	180.8	0	2.5	183.4	31/31
Jun	9627	9207.4	1265.1	177.3	0	0.2	177.5	30/30
Jul	9769	9398.3	1165.1	166.5	0.9	0.4	166.5	31/31
Aug	9900	9685.3	1206.8	181.6	0.6	10.3	192.5	31/31
Sep	9974	9669.4	1315.0	208.2	0.1	9.4	221.0	30/30
Oct	9930	9490.0	1206.0	113.6	7.8	18.6	137.3	31/31
Nov	9928	9517.9	1020.0	64.5	9	0	71.2	30/30
Dec	9861	9036.4	1027.0	20.5	7.2	0	27.7	30/31
YEAR-TO- DATE TOTAL	NA	NA	NA	51140.9	784.5	5188.3	56924.9	
DAILY AVERAGE	9748.5	9356.6	1229.9	139.7	2.1	14.2	155.5	365/366

¹ Figures in parentheses reflect inmates in "share-bunking" accommodations in Division XI and inmates in other divisions without full-time, exclusive use of beds respectively.

Table 1.2 shows little change in total inmate population between January 2008 and June 2008. Inmate population began to increase in July 2008, peaking in August 2008 and September 2008, with slight decreases in October 2008 and November 2008. Inmate population in December 2008 was predictably low due to seasonal factors, followed by additional decreases during the first three months of 2009, as shown in Table 1.1. Inmate population increased slightly during April 2009, but we cannot predict whether these increases will continue as they did in 2008, when inmate population increased during the course of the year, as is evident from the data in Table 1.2.

The overflow population (i.e. – inmates sleeping on mattresses on elevated platforms) remained relatively constant during the first four months (July 2008 – October 2008) of the period covered in this report, averaging 179.3 inmates nightly. This is consistent with the overall average overflow of 177.0 inmates nightly for the period January 2008 through October 2008. Beginning in November 2008, the size of the overflow population decreased significantly, averaging 25.6 inmates nightly through the end of April 2009. During the first four months of 2009, the overflow population at CCDOC has averaged 13.7 inmates nightly. Since January 1, 2009, the overflow population has occurred exclusively in Cermak Health Services, a phenomenon discussed in greater detail in Section II-E. For the entire period covered in this report (July 2008 – April 2009), the overflow population has averaged 87.1 inmates nightly.

The number of inmates participating in the various release mechanisms operated by the Sheriff of Cook County also fluctuated during the period covered in this report. During the first four months of this period (July 2008 – October 2008), the aggregate participation in these release mechanisms average 1,223 inmates daily, which is slightly lower than the average for the period January 2008 – October 2008, when 1,271.2 inmates participated daily. Between

November 2008 and April 2009, the release mechanisms provided supervision to an average of 1,074.7 participants daily. Comparing the first four months of the period covered in this report with the most recent six-month period, the aggregate caseloads of the Sheriff's release mechanisms decreased by 13.8%. Data on each of the release mechanisms are provided in Section I-A., where we also discuss the significance of the decreased use of these mechanisms and other recent changes in the responsibility for ordering the release of inmates through these programs.

As shown in Table 1.4, CCDOC continues to operate at approximately 99% of its total bed capacity. The total number of beds available on any given night continues to be affected by renovation and repair projects throughout the jail complex.

Monthly data on bed space, population, and crowding for the period 1988 through 2007 are provided in tables which are appended to this report.

For purposes of this report, "overflow population" includes inmates who were "share bunking" or "hot bunking" in a program implemented in Division XI in December 2007, as well as all other instances in other parts of the CCDOC complex where the number of inmates exceeds the number of available beds. As the data in Table 1.2 indicates, hot bunking in Division XI continued through December 2008, at which time it was discontinued. In addition to these instances, overflow populations in other divisions of CCDOC occurred on a total of 13 days between July 2008 and October 2008, although the number of inmates affected in these situations was relatively few. Since November 1, 2008, no jail divisions other than Division XI and Cermak Health Services (now part of Division III) have experienced overflow populations. The scope of overcrowding at CCDOC was further reduced by December 31, 2008, when "hot bunking" in Division XI was discontinued. The impact of this reduction is discussed in several

sections below.

In addition to these episodes of overcrowding, the number and frequency of inmates housed in the Cermak Health Services facility without exclusive use of permanent beds increased beginning in July 2008 and continued through the first months of 2009. While CCDOC Director's Logs denote these instances as examples of "hot bunking", in the absence of other instruction from this Court, we continue to include inmates assigned to "hot bunking" in our count of the overflow population as we have done since our first Court Monitoring report in November 1989.

In previous reports and testimony, JHA staff have described the practice of housing some CCDOC inmates in county jails in Kankakee and Jefferson counties under contractual arrangements. This arrangement was initiated to reduce crowding and to remove inmates involved in serious disturbances from the jail complex. The number of inmates held in these facilities has fluctuated considerably during the past several years since these transfers began, occasionally reaching a total of approximately 200 inmates. During the period covered in this report, the number of inmates in these two facilities has been much smaller and currently number less than 35 inmates. Were these inmates to be returned to the CCDOC complex, it would not significantly affect the size of the inmate population on-site or contribute to crowding at the jail.

During the period covered in this report, the Illinois Department of Corrections (IDOC) has continued to house inmates with relatively new criminal charges in the Circuit Court of Cook County who were on parole at the time of their arrest. These individuals were initially admitted to CCDOC and, but for their new charges, these individuals would be housed there until released on bond or court-ordered release, or disposition of charges. CCDOC officials have continued to transfer these inmates to IDOC, and most of these individuals remain housed at Stateville

Correctional Center in Joliet.² Best estimates are that several hundred inmates in this category remain in IDOC custody at present. Because of their current criminal charges, many members of this group are transported from Stateville Correctional Center to the Criminal Courts Building daily. While those inmates whose parole is reinstated by the Illinois Prisoner Review Board are eventually returned to the jail, CCDOC continues to benefit from this practice which reduces the size of the potential inmate population at CCDOC.

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

² This practice began pursuant to the Consent Decree in **King v. Walker**, requiring preliminary parole revocation hearings, and an interpretation of Judge George M. Marovich's October 30, 2003 order in Duran as authorization for returning these individuals to IDOC custody.

Table 1.3
Cook County Department of Corrections
INSTITUTIONAL GROWTH: 1988 - 2009

	<u>Average Daily Population</u>	<u>Year-to Year Change</u>	<u>Available Beds</u>	<u>Year-to Year Change</u>	<u>Occupancy Level</u>	<u>Overflow Population</u>	<u>Year-to Year Change</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	9601	+ 2.6%	9825	- 0.1%	97.7%	429.3	+ 61.1%
2008	9357	- 2.5%	9749	- 0.8%	96.0%	153.6	- 64.2%
2009*	8947	- 4.4%	9731	- 0.2%	91.9%	13.7	- 13.7%
Cumulative Growth	+ 3620	+ 68.0%	+ 4160	+74.7%	- 3.7%	- 125.0	- 90.1%

* January 1 – April 30, 2009.

Table 1.3 shows an overall decrease in the average daily inmate population beginning in 2002 and continuing through 2006, followed by an increase in 2007 and a decrease in 2008 to almost exactly the population level in 2006. During the first four months of 2009, inmate population has continued to decrease, reaching levels not seen since the mid-1990's.

The data in Table 1.3 also reveal a continuing decrease in the size of the average overflow population since 2007 and continuing through the end of April 2009. The data also show that, for calendar year 2008, the overflow population at CCDOC was at the lowest level since 1988, when JHA began compiling these statistics. As previously noted, the overflow population during the first four months of 2009 is lower than at any time since this series of monitoring reports began in November 1989.

Table 1.3 shows the occupancy level³ at CCDOC remains below 100% as it has done since 2006. Prior to 2006, the occupancy level exceeded 100% in 15 of 18 years covered by our reporting. Our previous reports have revealed how occupancy levels of less than 100% do not guarantee that crowding will not occur: some inmates sleep on floors when the number of inmates with security classifications or other needs require assignment to a particular division that has less than the number of beds required to house them.

Table 1.4 below shows the current bed space capacity at CCDOC and beds used by inmates housed in the two other custodial programs operated by the Sheriff's Office. These include the Department of Women's Justice Services (DWJS) Residential Program in the old Cermak Health Services facility and the Prerelease Center operated by the Department of Community Supervision and Intervention (CCDCSI) on the South Campus. The utilization of these beds for inmates (defined as "persons in full-time custody of the Sheriff") was noted in our

³ Occupancy level is calculated by dividing average daily population by the number of available beds at the jail.

report of April 9, 2007. These beds are now included in our tabulations since a significant percentage of the inmates in these two units are pretrial detainees and, therefore, members of the plaintiff class in this litigation. The current table also reflects the transfer of inmates from Division IV to the building previously known as the Residential Treatment Unit (RTU), then part of Division VIII, which occurred in August 2008. At that time, the RTU was renamed the Division III Annex, and Division III now includes three buildings --- (1) Division III itself, (2) the Division III Annex, and (3) the Cermak Health Services (CHS) facility, which was also part of Division VIII until this reorganization. These changes did not affect total bed capacities in any of the facilities involved.

Table 1.4
Cook County Department of Corrections
JAIL CAPACITY AND BEDSPACE DATA

DIVISION	Normal Capacity	Available Beds (as of April 30, 2009)	Projected Capacity
I	1,250	1,236	1,250
II	1,860	1,860	1,560 ^a
III	988	827	988
IV	704	702	704
V	992	890	992
VI	992	964	992
IX	1,056	974	1,056
X	768	766	768
XI	1,536	1,528	1,536
CCDOC Total	10,146	9,747	9,846
PRC	450	450	450
DWJSR	140	140	140
Grand Total	10,736	10,337	10,436

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

“Projected 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 closed living units and/or individual cells or beds, which affects the actual capacity of each division. The “Projected Capacity” is the same as “Normal Capacity” for all divisions except Division II.

In Division II, Dorm 4 continues to operate at twice its design capacity of 300 beds. As we have noted in our report of August 7, 2008, the parties agreed to permit the *temporary* use of double bunks to reduce the number of inmates sleeping on floors at the time this building was being renovated for use as a dormitory. The Court Monitor’s position has been and still is that the operation of this building with more than 300 occupied beds is a violation of Illinois County Jail Standards, which are statutorily mandated and therefore incorporated into the requirements of this Consent Decree. Given the fact that the total inmate population at CCDOC is now significantly smaller than the total number of beds available at the jail and overflow population is at the lowest level since 1988, we urge jail administrators to use this opportunity to reduce the population in this facility to a maximum of 300 inmates. Reducing the population in this building could be accomplished most easily by attrition, whereby beds occupied by inmates being discharged or transferred are not refilled with new occupants. The impact of closing 300 beds in a 10,000+ bed facility would be fairly negligible over time, and the short-term effect could be minimized by the attrition process recommended.

Jail Admissions

The data in Table 1.5 reflects the continuing decline of annual admissions to CCDOC which has contributed significantly to reductions in the jail population.

Table 1.5
Cook County Department of Corrections
ANNUAL ADMISSIONS/BOOKINGS
1993 - 2009

	YEAR	MONTH	DAY
1993	79,174	6597.8	216.9
1994	83,564	6963.7	229.2
1995	87,420	7285.0	239.5
1996	86,115	7176.3	235.9
1997	96,130	8010.8	263.4
1998	100,780	8398.3	275.4
1999	99,609	8300.8	272.9
2000	99,438	8286.5	271.7
2001	100,115	8342.9	274.3
2002	103,200	8600.0	282.7
2003	97,045	8087.1	265.9
2004	105,641	8803.4	288.6
2005	101,112	8426.0	277.0
2006	99,109	8259.1	271.5
2007	96,737	8061.4	265.0
2008	92,031	7669.3	251.5
2009*	20,397	6799.0	226.6

* January 1, 2009 – March 31, 2009.

The data in Table 1.5 reveal that jail admissions decreased by 12.9% between 2004 (\bar{X} = 288.6 daily) and 2008 (\bar{X} = 251.5 daily). During this same period, total inmate population decreased by 11.2%, a decline attributable to the decrease in admissions. Extending this comparison through the first three months of 2009 (\bar{X} = 226.6), admissions since 2004 have

decreased by 21.5%.⁴ This exceeds the change in average daily inmate population during this same period, which decreased by 15.1%. Our concern is that a decrease in admissions without a decrease in average length of stay is a precarious basis upon which to base predictions of future jail population and the likelihood that crowding will recur.

Other factors including length of stay and the number of inmates released through the mechanisms implemented by the Sheriff to meet the requirements of the consent decree also contribute to the changes described, but the decrease in admissions is clearly the principal factor contributing to the decreases in total inmate population and the level of crowding at CCDOC. While reduced admissions and a smaller total inmate population are both welcome occurrences, uncertainty whether these phenomena will continue is a cause for concern.

Length of Stay

This monitoring report includes an updated analysis of length of stay and time in custody at CCDOC. Our analysis includes an update of average length of stay for various CCDOC detainee population groups based on a “snapshot analysis” of length of stay data for the CCDOC population on April 12, 2009. This is followed by data on length of stay based on a release cohort⁵ analysis of detainees released in calendar year 2008.

⁴ Admission data for this period are probably lower than they will be in coming months, due to seasonal increases that have occurred for many years. For this reason, the current rate of daily admissions should be viewed with caution.

⁵ The release cohort includes all inmates discharged during a calendar year.

Snapshot Analysis

A snapshot analysis of length of stay over represents the number of inmates who do not obtain release through EMP or other release mechanisms created in response to court orders issued in this case, but it does provide a useful representation of length of stay over time for CCDOC inmates. Its value lies in the fact that a simple average (i.e. – arithmetic mean) for all admissions gives no indication whatsoever of the range of jail stays for those inmates not released in the first weeks following admission.

Table 1.6 shows the average length of stay for all inmates, all male and all female inmates, and for male maximum security inmates as determined by “snapshot analysis” on eight different dates between February 2002 and April 2009.

**Table 1.6
Cook County Department of Corrections
AVERAGE LENGTH OF STAY**

	All Inmates	Male Inmates	Female Inmates	Max-Security Inmates (male)
Feb 2002	187.5 days	195.7 days	117.8 days	297.1 days
May 2003	216.7 days	225.1 days	133.2 days	339.4 days
July 2004	188.0 days	197.7 days	108.1 days	345.0 days
Feb 2005	188.3 days	195.8 days	131.8 days	354.3 days
Mar 2007	178.8 days	183.9 days	117.2 days	361.1 days
Aug 2007	169.2 days	174.7 days	110.9 days	344.6 days
Jan 2008	176.3 days	186.5 days	120.3 days	337.6 days
Jun 2008	177.0 days	183.7 days	115.1 days	340.5 days
Apr 2009	181.1 days	183.3 days	152.0 days	370.0 days
Cumulative Change	- 6.4 days	- 12.4 days	+ 34.2 days	+ 72.9 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 are not released within approximately one to two weeks of admission.

The average length of stay for all inmates between 2002 and 2009 reflects considerable fluctuation, with notable changes between May 2003 (X= 216.7 days) and August 2007 (X= 169.2 days), followed by progressive increases to the current average of 181.1 days. These statistics are naturally influenced by the averages for all male inmates, who constitute more than 90% of the total inmate population at CCDOC. Lengths of stay for female inmates also reflect significant fluctuation, but the recent increase in average LOS for females is a cause for concern. Even more disturbing is the recent resurgence in LOS for male maximum-security inmates, who now spend an average of more than one year in jail, the longest period for this group in more than seven years. In April 2009, CCDOC housed more than 2,400 maximum-security inmates, more than 26% of the total inmate population. The size of this group of inmates and the protracted average length of stay provide ample justification for Cook County officials to increase their efforts to accelerate felony case processing in every possible way.

Another perspective on length of jail stays at CCDOC is provided by data in Table 1.7 that shows the number and percentage of inmates in custody for various durations on specific dates in each of the years 2005 – 2009.

Table 1.7
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	6/10/08 % OF CCDOC POP	5/12/09 % OF CCDOC POP	CHANGE IN % OF POP
<31 days	34.3% (3,435)	33.7% (3,077)	32.8% (3,089)	34.6% (3,225)	31.5% (2,791)	- 2.8%
31-90 days	22.5% (2,256)	21.7% (1,984)	23.1% (2,173)	23.3% (2,177)	23.4% (2,074)	+ 0.9%
91-180 days	14.8% (1,480)	15.6% (1,428)	16.3% (1,536)	14.5% (1,353)	15.5% (1,378)	+ 0.7%
181-365 days	14.4% (1,442)	14.8% (1,352)	14.3% (1,344)	13.9% (1,298)	15.3% (1,356)	+ 0.9%
1 – 2 years	8.8% (882)	8.8% (806)	8.3% (785)	9.1% (851)	9.2% (813)	+ 0.4%
2 – 3 years	3.0% (305)	3.0% (273)	2.9% (278)	3.0% (248)	3.2% (282)	+ 0.2%
3 – 4 years	1.6% (161)	1.4% (130)	1.2% (117)	1.0% (93)	1.1% (96)	- 0.5%
4 – 5 years	0.5% (49)	0.7% (60)	0.7% (62)	0.4% (41)	0.4% (39)	- 0.1%
> 5 years	0.3% (31)	0.3% (29)	0.5% (43)	0.4% (41)	0.4% (34)	+ 0.1%
TOTAL	(10,010)	(9,139)	(9,427)	(9,327)	(8,863)	
Time in Custody >1yr	1,428 (14.2%)	1,296 (14.2%)	1,285 (13.6%)	1,274 (13.7%)	1,264 (14.3%)	

The data in Table 1.7 reveal that significant numbers of inmates continue to remain incarcerated at CCDOC for lengthy periods. As of May 12, 2009, 1,264 inmates had been incarcerated for one year or more, representing 14.3% --- almost one of every seven inmates --- of the total inmate population. On that date, 451 inmates, or 5.1% of the inmate population, had been incarcerated for two years or more. These data confirm the fact that, despite significant reductions in the size of the inmate population, a significant percentage of that population remains in jail for lengthy periods. This time series also reveals little change over the past four

years in terms of lengths of stay when broken down into the durations shown. In only one of the categories (i.e. - <31 days) was the net change greater than one percent.

The persistence of the phenomenon of a significant number of pretrial detainees remaining jailed for periods of one year or more leads us to restate our recommendation that Cook County officials continue efforts to reduce case processing time and the numbers of cases which involve lengthy periods of incarceration.

2008 "Release Cohort" Analysis

Tables 1.8 and 1.9 contain data on average lengths of stay for detainees released from CCDOC during 2008 and 2007.

Table 1.8
Summary of Length of Stay for Different Release Types,
2008 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	31,660	9	286,900	33.66%	5.77%
Admin. Release (AMF)	1	3	3	<0.01%	0.00%
Transferred to Other Authority:	22,858	114	2,610,317	24.30%	52.51%
Delivered to Other Jurisdic	5,761	37	211,372	6.12%	4.25%
Deliv. To Dept Mental Hlth	164	174	28,535	0.17%	0.57%
Illinois (IDOC) Youth Ctr	8	32	254	0.01%	0.01%
Shipped to (IDOC)	16,925	140	2,370,156	17.99%	47.68%
Final Disposition:	24,604	47	1,145,601	26.16%	23.04%
TASC	143	109	15,528	0.15%	0.31%
Probation	5,978	66	392,342	6.36%	7.89%
Probation Terminated	565	85	48,131	0.60%	0.97%
Probation Termin. Unsatis.	713	62	44,042	0.76%	0.89%
Supervision	2,506	23	58,749	0.70%	0.31%
Same Bond to Stand	663	23	15,323	0.70%	0.31%
Time Considered Served	6,617	211	338,186	7.03%	7.00%
Sentence Expired	7,419	30	223,300	7.89%	4.49%
No Further Legal Action:	14,834	62	920,369	15.77%	18.51%
NOLE	2,946	54	158,616	3.13%	3.19%
Prosec. Dropped Charges	1,567	76	118,579	1.67%	2.39%
Charges Not Filed	5	10	52	0.01%	0.00%
Conditional Release	0	0	0	0.00%	0.00%
Deceased	30	893	26,803	0.03%	0.54%
Def. Examined & Discharged	335	49	16,389	0.36%	0.33%
Motion to Vacate Sustained	395	24	9,663	0.42%	0.19%
No Probable Cause	4,395	89	392,302	4.67%	7.89%
Not Guilty	374	243	91,009	0.40%	1.83%
Warrant Quashed	14	12	174	0.01%	0.01%
Wrong Defendant	30	11	323	0.03%	0.01%
SOL	4,738	22	103,179	5.04%	2.08%
Other	103	167	8,233	0.11%	0.17%
TOT. CCDOC RELEASES	94,066	53	4,971,423	100.00%	100.00%

Table 1.9
Summary of Length of Stay for Different Release Types,
2007 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	33,953	10	327,810	34.73%	6.97%
Admin. Release (AMF)	6	24	142	0.01%	0.00%
Transferred to Other Authority:	22,789	116	2,638,649	23.31%	56.12%
Delivered to Other Jurisdic	5,221	32	165,204	5.34%	3.51%
Deliv. To Dept Mental Hlth	149	185	27,636	0.15%	0.59%
Illinois (IDJJ) Youth Ctr	18	77	1,383	0.02%	0.03%
Shipped to (IDOC)	17,401	140	2,444,426	17.80%	51.99%
Final Disposition:	26,306	46	1,222,995	26.91%	26.01%
TASC	142	114	16,252	0.15%	0.35%
Probation	6,944	63	438,286	7.10%	9.32%
Probation Terminated	397	125	49,711	0.41%	1.06%
Probation Term. Unsatisfact.	817	40	32,866	0.84%	0.70%
Supervision	2,703	20	53,677	2.76%	1.14%
Same Bond to Stand	770	23	17,522	0.79%	0.37%
Time Considered Served	6,403	54	387,523	6.55%	8.24%
Sentence Expired	8,130	28	227,158	8.32%	4.83%
No Further Legal Action:	14,426	33	471,120	14.75%	10.02%
NOLE	4,179	28	116,040	4.27%	2.47%
Prosec. Dropped Charges	1,447	41	59,842	1.48%	1.27%
Charges Not Filed	9	19	168	0.01%	0.00%
Conditional Release	0	0	0	0.00%	0.00%
Deceased	23	744	17,102	0.02%	0.36%
Def. Examined & Discharged	256	52	13,331	0.26%	0.28%
Motion to Vacate Sustained	335	24	8,186	0.34%	0.17%
No Probable Cause	3,544	25	87,958	3.62%	1.87%
Not Guilty	342	257	88,044	0.35%	1.87%
Warrant Quashed	25	22	558	0.03%	0.01%
Wrong Defendant	30	11	323	0.03%	0.01%
SOL	4,236	19	79,568	4.33%	1.69%
Other	292	92	41,263	0.30%	0.88%
TOT. CCDOC RELEASES	97,772	48	4,701,979	100.00%	100.00%

The data in these tables reveal that the percentage of inmates who bonded out of jail remained approximately the same between 2007 (34.7%) and 2008 (33.7%). For the 2008 release cohort, these detainees stayed in jail for an average of 9 days, continuing the slight downward trend from 10 days in 2007 and 2006, 11 days in 2005, and 11.6 days in 2002.

For those inmates who received prison sentences and were shipped to the Illinois Department of Corrections, there was no change in the length of stay in jail (140 days) between 2007 and 2008. Interestingly, fewer inmates were sent to prison in 2008 than in 2007, although the percentage of inmates going from CCDOC to prison remains low --- less than 18% of all inmates discharged during the year. Similarly, there was little change (+3 days) in the length of stay for inmates who received probation sentences between 2007 and 2008. The data do reveal, however, significant changes in lengths of stay for inmates who received other case dispositions.

Inmates discharged due to a disposition of time considered served spent almost four times longer in jail during 2008 (211 days) than they did in 2007 (54 days). The fact that this group represented more than 6,600 inmates in 2008 is one of the reasons why the average length of jail stays remain lengthy. Other contributing factors involved inmates who were not found guilty of criminal charges. Inmates discharged as a result of nolle prosequi decisions stayed in jail an average of 26 days longer in 2008 than 2007. Similarly, inmates freed as a result of charges being dropped stayed 35 days longer, and those released as a result of a finding of no probable cause stayed an average of 64 days longer in 2008 than 2007. For the more than 14,000 inmates released due to some decision for no further legal action, these individuals spent almost twice as long in jail --- 62 days --- in 2008 than their counterparts did in 2007, when the average was 33 days.

A. Release Mechanisms

During the period covered in this report, officials of the Office of the Sheriff of Cook County have operated five of the six programs described in this series of previous monitoring reports to support the release of inmates through means other than judicial processes. Since December 15, 2008, Cook County Circuit Court judges assigned to Central Bond Court have begun to order the release of inmates under electronic monitoring supervision. Additional commentary on this long-awaited change is provided below. The John Howard Association commends this initiative, the impact of which we will monitor closely in the future.

The Cook County Department of Community Supervision and Intervention (CCDCSI), a 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), another component of the Sheriff's Office, continues to operate the Sheriff's Female Furlough Program (SFFP), the Residential Program for females in the old Cermak Health Services building, and the M.O.M.S. (Maternity Objectives Management) Program.

As noted in several previous reports, CCDOC officials have not utilized I-Bonds (also known as Administrative Mandatory Furlough or AMF) to release inmates since March 2005.⁶

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

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

⁶ A table describing the history of the issuance of I-Bonds is attached as an appendix

The average daily caseloads or population of each of the release mechanisms discussed in this section are depicted in Tables 1.14 and 1.15 at the conclusion of this section.

1. Non-Custodial Programs

This section describes those programs in which inmates are released from physical custody and remain at liberty either full-time (Electronic Monitoring Program) or part-time (Day Reporting Program and the Sheriff's Female Furlough Program).

a. Sheriff's Female Furlough Program

The Department of Women's Justice Services continues to operate three programs for females who have been incarcerated at CCDOC, but only the Sheriff's Female Furlough Program (SFFP), formerly known as the Cook County Detention Alternative for Women, is non-custodial. SFFP is a day reporting program providing supervision and structured programming for female inmates who were previously incarcerated at CCDOC.

The SFFP program operates in the Drug Unit (i.e., the old Cermak Health Services building) of CCDOC's Division VIII. SFFP participants are on-site for specified periods during each week and are assigned to appropriate treatment services as needed. These services include medical detoxification, life skills groups, job training, counseling for post-traumatic stress disorder and/or depression, and other psychiatric problems, and parenting support. Urinalysis screening is performed to determine drug use. Those participants needing medication for medical and/or psychiatric conditions must either obtain medications with their own funds or through a program offered by Mount Sinai Medical Center, since these services are not provided by Cermak Health Services.

Table 1.10 shows the growth of SFFP from its inception through April 30, 2009.

Table 1.10
CCDWJS SHERIFF'S FEMALE FURLOUGH PROGRAM
ACTIVE CASELOAD: September 1, 1993 –April 30, 2009

	<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-Jun 2007	110	137.4	160
Jul-Dec	125	154.8	176
Jan-Jun 2008	100	127.5	154
Jul-Dec	110	127.7	160
Jan-Apr 2009	100	111.0	128

During the last half of 2008, the active SFFP caseload remained virtually unchanged from the levels achieved during the first half of the year. During the first four months of 2009, the caseload decreased by 13.1% in comparison to the period July 1, 2008 – December 31, 2008. This, however, occurred at a time when the female inmate population of CCDOC remained at relatively low levels, and no female inmates were forced to sleep on floors in any of the facilities which they occupy.

b. Electronic Monitoring Program (CCDCSI)

For more than a decade, the Electronic Monitoring Program (EMP) was the largest non-judicial release mechanism in terms of numbers of former CCDOC inmates under supervision. Due to a series of restrictions on eligibility for this program (i.e. – more crimes added to an ineligibility list), budget cuts, and a reluctance by Sheriff Thomas Dart to continue to bear responsibility for deciding which inmates should be released under such supervision, the EMP caseload decreased fairly steadily since 2004. By January 2006, the EMP caseload was slightly smaller than the average daily population of the Pre-Release Center, also operated by CCDCSI. By the end of 2008, the EMP caseload was less than 10% of what it was only four years earlier. The caseload has, however, increased beginning in January 2009 and has remained slightly higher than it was a few months earlier, possibly due to the involvement of Central Bond Court judges in ordering EMP placements.

Throughout the period covered in this report, EMP staff have continued to utilize both hard-wired and cellular monitoring equipment. The latter does not require participants to have landline phone service at their residence.

During the period covered in this report, EMP operations have remained much the same as described in previous reports. Participants are actively monitored around the clock. EMP staff

make unscheduled visits to verify that program participants are at home, work, or school as scheduled. Individual supervision remains a distinguishing characteristic of the 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 - 2009

	<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	677.6	- 37.8%
2008	312.6	- 53.9%
2009*	229.3	- 26.7%

* 2009 data through April 30, 2009.

** Data for 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.

Table 1.11 shows the continuing reductions in the EMP active caseload since 2004, resulting in a current caseload roughly one-fourth the size of what it was then. On an annual basis, there were approximately 1,375 fewer inmates on EMP supervision in 2009 than there were in 2004, a reduction of more than 85%.

During the period covered in this report, the EMP active caseload decreased from approximately 225 inmates supervised daily in July 2008 to approximately 128 inmates in December 2008. The EMP caseload has increased slightly since that time, averaging approximately 240 inmates under daily supervision since February 2009. This increase appears to be attributable to the involvement of judges in Central Bond Court, who assumed responsibility for releasing newly arrested defendants to electronic monitoring supervision beginning on December 15, 2008. For the period January 28, 2009 – April 4, 2009, a total of 613 court-ordered EMP placements occurred, representing an average of 9.1 new placements daily.

c. Day Reporting Program (CCDCSI)

The Day Reporting Program (DRP) provides treatment services to and supervision of male participants who have performed successfully under EMP supervision. Until mid-December 2008, the selection of jail inmates for release to EMP supervision and the subsequent decision to transfer participants from EMP to the Day Reporting Program was made by CCDCSI administrators. When Bond Court judges assumed responsibility for placing defendants on EMP supervision, there was some initial uncertainty regarding the ability of CCDCSI officials to transition these individuals into the DRP or the Pre-Release Center when needed, as has been the practice for many years. This situation was resolved recently, and participants have been transferred between the programs without problem.

As described in our previous reports, all DRP participants undergo mandatory toxicology screening several times weekly. DRP participants testing positive for illegal drug use may be eligible for transfer to the Pre-Release Center (PRC) to ensure abstinence. DRP participants experiencing withdrawal symptoms are temporarily returned to CCDOC for appropriate health

services. Breathalyzer testing is performed on participants, as it has been since early 2008. As we noted in our report of August 7, 2008, all DRP participants are monitored with electronic monitoring bracelets, which are not removed following their transfer from EMP as was done in previous years.

The DRP still provides a range of opportunities for educational programming and substance abuse education and treatment to participants. DRP staff provide assistance to participants with job training and placement, and some participants secure employment while enrolled in the program. Alcoholics Anonymous, Narcotics Anonymous, and Cocaine Anonymous meetings are now an established component of daily programming.

Table 1.12 contains data showing the growth of DRP from its inception through April 2009.

Table 1.12
CCDCSI DAY REPORTING PROGRAM (MEN):
ACTIVE CASELOAD
September 1, 1993 –April 30, 2009

	<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-Jun 2007	159	193.2	305
Jul-Dec	148	190.5	218
Jan-Jun 2008	181	198.0	219
Jul-Dec	172	186.3	196
Jan-Apr 2009	126	147.9	167

These data reflect a continuation of the decrease in the active DRP caseload during the period covered in this report; moreover, a decreasing caseload has characterized this program since the second half of 2004. The monthly data contained in Table 1.12 below reveals that, during the ten months covered in this report, the DRP caseload was stable during between July 2008 and December 2008, only decreasing since that time.

Using annualized data, the DRP caseload has decreased from an average of 564.1 participants in 2004 to 486.1 participants in 2005, 364 participants in 2006, 191.9 participants in 2007, and 192.2 participants in 2008. This represents a net decrease of 65.9%, or nearly two-thirds. These reductions represent the cumulative effects of administrative decisions to reduce the EMP caseload, from which DRP participants are drawn, and budget cuts affecting most of the release mechanisms operated by the Sheriff of Cook County.

2. Custodial Programs

In addition to those programs that allow former inmates to be released from custody entirely or for significant periods of time daily, the Sheriff's Office also continues to operate three residential/custodial programs. Inmates in these programs remain in 24-hour custody, but they are not housed in facilities under the direct control of CCDOC and remain unaffected by crowding that has impacted various jail divisions. As noted in previous reports, these individuals participate in programs and services not available to inmates in CCDOC custody.

a. Pre-Release Center (CCDCSI)

Throughout the period covered in this report, the Pre-Release Center (PRC) has continued to operate near its capacity of 450 beds. The PRC operated with a capacity of 300 beds until August 2005, at which time 150 additional beds were opened and additional security personnel were assigned to the program. In most respects, PRC program operation has continued virtually unchanged from the style described in previous reports.

Most PRC inmates are still transferred directly from CCDOC and not from EMP. 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 telephone service. In addition to direct transfers from CCDOC, PRC also accepts inmates who were participating in the Day Reporting Programs who are determined to need temporary residential placement or treatment.

All PRC inmates participate in substance abuse treatment, which is now being provided by staff from the Gateway Foundation, which recently won the contract for these services to several CCDCSI programs.

The PRC recently reopened its well-known garden project, which provides inmates with an opportunity to learn horticulture skills. The project delivers produce to local community

programs.

Data contained in Table 1.13 depict the size and range of the PRC population from the inception⁷ of the program through April 30, 2009.

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 –April 30, 2009

	<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-Jun 2007	433	441.1	446
Jul-Dec	434	444.3	448
Jan-Jun 2008	420	445.4	448
Jul-Dec	436	445.7	449
Jan-Apr 2009	437	446.0	449

The data reveal that the PRC has continued to maintain an occupancy level of approximately 99% of its capacity, with daily admissions (Monday through Friday) made to ensure a constant flow of inmates into this program.

The Pre-Release Center continues to provide a productive, cost-effective mode of pretrial detention, featuring treatment opportunities for substance abusers and individuals with histories of domestic violence, many of whom are placed there by court order. Maintenance of this program at or near full capacity remains extremely important given the continuing reductions in the caseloads of the non-custodial programs operated by CCDCSI.

As noted in previous reports, the majority of PRC inmates are pretrial detainees in the custody of the Sheriff of Cook County, so that the provisions of the Consent Decree apply to them. Our findings regarding living conditions and other issues at the PRC are contained in Section II of this report.

b. Women's Justice Services Residential Program

Operated as a residential program for females in the old Cermak Health Services building since September 2005, this program is roughly comparable to the Pre-Release Center for men operated by CCDCSI. It offers a range of treatment services provided by a consortium of private agencies and consultants working in conjunction with CCDWJS staff. Although bed space in the old CHS facility, shared with the Sheriff's Female Furlough Program, was previously limited to approximately 130 participants, 30 additional beds were installed to accommodate more participants. Since October 2008, the program has increased its average daily population, which has averaged 144.7 inmates during this seven month period.

This program provides female detainees with integrated physical and mental health care, 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. Since 2007, DWJS has operated a well-equipped contact visiting area for mothers and children, supported largely by private donations.

The DWJS Residential Program provides a much broader range of intensive, gender-specific programming and services than does the Pre-Release Center to men. Correctional Officers assigned to DWJS programs receive additional training on mental health issues and de-escalation techniques.

Following discharge from CCDOC or CCDWJS participants in the DWJS Residential Program are able to avail themselves of recovery programs in the community. Supportive housing beds have been made available through the Illinois Division of Alcoholism and Substance Abuse. Some graduates can also obtain permanent housing at Mercy Lakefront Center through an arrangement with the Chicago Housing Authority and at Oxford House.

c. The M.O.M.S. Program (DWJS)

As noted in previous reports, the 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, currently located at and operated by Haymarket House.

The M.O.M.S. program first reached its full capacity of 16 participants on February 6, 1999. During the period covered in this report (July 1, 2008 – April 30, 2009), the number of participants has ranged from 9 to 15, with an average of 13.4 participants daily. This represents an increase from the average of 10.5 participants daily during the previous period (January 1,

2007 – June 30, 2008). Program capacity has been limited due to budget constraints that have affected most of the release mechanisms operated by the Sheriff's Office and other Cook County agencies.

Using annualized data, the M.O.M.S. program averaged 9.3 participants during 2007, which increased to an average of 13.4 participants during 2008. During the first four months of 2009, an average of 12.8 participants were enrolled in the program on a daily basis. This is comparable to participation levels during previous years. During the period January 1, 2005 – March 31, 2006, the number of participants averaged 14.9, a slight increase from the average of 13.1 participants during the period May 1, 2004 – April 30, 2005 and the average of 12.9 participants during the preceding 24-month period of May 1, 2002 – April 15, 2004.

d. Cook County Boot Camp

Despite repeated threats to its funding, the Cook County Boot Camp (CCBC) is now in its twelfth year of operation. The basic structure of the program remains the same as described in previous court monitoring reports.

The Boot Camp program still spans a period of one year, beginning with an 18-week residential phase, following by 10 weeks of community supervision. New entrants are admitted in groups called platoons, consisting of a maximum of 48 participants, at intervals of three or more weeks. The custodial phase of the program ranges from a minimum of 120 days to a maximum of 180 days. The community supervisor phase of the program begins with release on electronic monitoring, during which time participants may participate in the day reporting program, work, or attend school. Participants placed in day reporting remain in that status for three to four weeks. Following these phases of the program, periodic supervision is provided as needed for the remainder of the one year period.

During the time period covered in this report, CCBC has continued to operate with a capacity of 240 beds for participants in the incarceration phase of the program⁸ and an average daily population ranging from 220 to 230 participants.⁹

As of April 14, 2009, 6,656 participants had completed the first phase of the program, with 420 still under aftercare supervision. The status of those participants who had finished the first phase of the program are as follows:

- 5.0% were terminated for failure to comply with post-release regulations or for going AWOL, compared to 4.6% in August 2008, 3% in February 2007, 7% in April 2006, and 4% in January 2005.
- 1.8% of participants were awaiting judicial disposition for failure to comply with program regulations, considerably lower than the 3.8% in this status in August 2008, and 8% in April 2007.
- Approximately 1.1% had been sentenced for new crimes committed while under supervision, representing a pattern of continuing albeit slight improvement over the 2.1% in August 2008, 3% in April 2007, April 2006, and January 2005.
- As of April 14, 2009, 24% of those still under supervision were gainfully employed, in comparison to 37% employed in August 2008, 26% employed in February 2007, 29% employed in April 2006, and 25% employed in January 2005. It is likely that this dramatic decrease in employment statistics is related to the larger economic situation facing the nation.

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

⁹ 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.

The majority of CCBC participants are 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 (when needed). The CCBC educational programs have maintained a commendable record of consistent improvements in participants' reading and math scores. On average, platoons achieve increases of 2.0 grade levels in reading and 1.5 grade levels in math and have done so for a number of years. G.E.D. testing is conducted 12 times annually. As of April 14, 2009, 1,139 CCBC participants had received G.E.D. certificates, 117 more than the number who had received certificates as of August 2008.

CCBC has benefited from the continued involvement of the City College's West Side Technical Institute (WTI), which offers classes in recycling and rebuilding computers. Participants receive college credits and a certificate upon completion of these programs. Other courses include computer training and basic industrial math. A program that prepares inmates to take the written examination to become a carpenter's apprentice is offered through Chicagoland Prison Outreach. Students are also given the ACT test, which may lead to admission to the City Colleges of Chicago following release.

All inmates continue to participate in mandatory substance abuse education and anger management classes, and parenting classes are made available to participants. As of April 14, 2009, 5,146 participants had successfully completed anger management classes. DUI therapeutic and educational programs continue to be provided to inmates in need of these services. Mandatory work assignments are given to those inmates who do not require educational or therapeutic services.

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 April 14, 2009, 2,016 CCBC participants had found employment after completion of the first phase of the program. In addition, approximately 19 CCBC graduates had been accepted into Job Corps programs, and 17 CCBC graduates have been accepted into the armed forces.

While under community supervision, CCBC participants continue educational and substance abuse treatment programming on an individual basis. As of April 14, 2009, more than 995 participants had completed community-based substance abuse programs which are essential components of any program that seeks to reduce recidivism.

Between its opening in March 1997 and April 14, 2009, CCBC admitted 7,688 individuals, with 862 (11.2%) removed prior to the completion of the incarceration phase of the program. This retention rate of 88.8% of entrants through the most intensive phase of the program has been consistent for the past several years, evidence of the effectiveness of the Boot Camp Program.

Success rates for individuals who completed the entire one-year CCBC program provide good reason to continue or even expand this program. As of April 14, 2009, 74.6% of all CCBC participants successfully completed the one-year program. Of these 43% were employed at that time.

The five-year recidivism rate is currently 31%, virtually identical to the rates of 30% in 2007 and 2008. The CCBC recidivism rate is low by comparison to similar programs and considerably below the rate of 51.8% for the Illinois Department of Corrections.¹⁰

The Cook County Boot Camp has operated for more than a decade without any reports of abuse of inmates by staff as has occurred in other boot camp programs. In fact, while the CCBC

¹⁰ Illinois Department of Corrections data, June 30, 2005 (latest available data).

is modeled as a para-military correctional boot camp, its security, teaching, and counseling staff are positive, encouraging, and supportive toward inmates in the program. The staff appears to be genuinely interested in the inmates' welfare and in developing the potential of inmates in the program.

Conclusion

As Tables 1.14 and 1.15 show, the number of participants in non-custodial programs release mechanisms declined from 531 in July 2008 to 419 in December 2008. The number of participants in these programs averages 488.3 over the first four months of 2009.

The four non-custodial programs that serve as release mechanisms currently involve approximately 485 participants, which is significantly fewer than the 730 participants in August 2008 when we submitted our last court monitoring report. Despite this reduction, the impact of these and the custodial programs has been sufficient to virtually eliminate overcrowding at CCDOC at present. We believe, however, that this situation is largely dependent on the continuation of a low rate of jail admissions, which cannot be predicted with any degree of certainty.

During the first four months of 2009, the average number of participants in custodial and non-custodial programs combined has averaged nearly 1,100, a number that would require construction of a new jail division were these individuals still incarcerated.

Table 1.14
Cook County Release Mechanisms
AVERAGE DAILY CASELOADS/POPULATION
Jan 2006 – Dec 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
Average	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
MAR	908	184	143.4	1235	440.1	115.0	7.5	562.6	1798.0
APR	848	140	146.2	1141	439.3	117.1	9.0	565.4	1706.4
MAY	743	141	140.0	1027	440.7	116.7	9.9	567.3	1594.3
JUN	675	153	138.2	966	447.0	115.4	9.4	571.8	1537.8
JUL	649	159	141.4	949	442.2	117.5	8.2	567.9	1516.9
AUG	570	175	147.9	893	447.6	115.4	9.6	572.6	1465.5
SEP	552	197	151.3	900	442.9	117.1	7.6	567.6	1467.9
OCT	487	204	166.2	857	443.4	116.9	8.0	568.3	1425.5
NOV	478	205	163.6	847	442.9	116.9	12.6	572.4	1419.0
DEC	449	203	158.3	810	446.5	117.5	10.0	574.0	1384.0
Average	677.6	191.0	146.1	1015.3	442.7	116.5	9.3	568.5	1583.9

Table 1.15
Cook County Release Mechanisms
AVERAGE DAILY CASELOADS/POPULATION
Jan 1, 2008 – Apr 30, 2009

	NON-CUSTODIAL				CUSTODIAL				AVG DLY POP ALL REL MECH
	EMP	DRP	SFFP/ CCDAW	AGGREGATE DLY CSLD	PRC	WJSRP	MOMS	AGGREGATE DAILY POP	
JAN 2008	431	195	131	757	439	117	10	567	1324
FEB	419	194	119	732	446	116	12	574	1306
MAR	397	203	127	727	447	116	13	576	1303
APR	414	199	137	750	447	117	13	577	1327
MAY	404	194	125	723	447	115	15	577	1300
JUN	340*	203	114	657	447	116	15	578	1265
JUL	225*	185	121	531	448	111	15	574	1165
AUG	235*	189	144	568	447	118	15	580	1207
SEP	358*	190	145	693	446	117	15	578	1307
OCT	283	189	135	611	445	135	15	595	1264
NOV	122*	183	112	417	443	149	11	603	1020
DEC	128	182	109	419	445	151	12	608	1027
\bar{X} (2008)	333.9	192.3	116.4	631.6	445.6	123.2	13.4	582.3	1230
JAN 2009	190	174	112	476	445	154	14	613	1089
FEB	267	142	121	530	446	150	12	608	1138
MAR	234	131	104	469	447	135	13	595	1064
APR	230	144	108	482	446	139	12	597	1079
\bar{X} (2009)	229.3	147.9	111.0	488.3	446.0	144.4	12.8	603.2	1091.5

Note: Until mid-June 2008, former inmates transferred to the Day Reporting Program (DRP) from the Electronic Monitoring Program had their bracelets removed when so transferred. Since that time, persons transferred to the DRP retained their bracelets and were monitored electronically in the evenings and on weekends. The monthly EMP data provided to JHA does not reveal this fact, which requires us to adjust the number of inmates participating solely in the Electronic Monitoring Program. Our calculations reflect estimates of the numbers of inmates transferred into the DRP each week, which are subtracted from the total number of inmates monitored electronically.

The data in the preceding sections clearly demonstrate several important facts. The first is that inmate population and the level of crowding in the jail has continued to decrease. Second, this has occurred despite the fact that the number of available beds at CCDOC has not increased. Third, length of stay for inmates has not decreased as might be expected given the drop in population and has actually increased since our last measurement in 2008. Fourth, the caseloads and populations of the various release mechanisms have continued to decrease. These facts make it unmistakably clear that the primary factor contributing to the reduction in crowding at CCDOC is the decrease in admissions that is most noticeable since 2004. In point of fact, daily jail admissions during 2008 were lower than at any time since 1996.

As we noted in our report of August 7, 2008, the reliance on a lower level of jail admissions as a solution for the long-standing problem of overcrowding at CCDOC remains a position with inherent risk. We urge increased support for the release mechanisms that have contributed to the efforts to reduce overcrowding at the jail for many years. The John Howard Association applauds the involvement of Circuit Court judges and other Cook County personnel in the bond setting process, which now results in the diversion of individuals into these programs instead of incarceration in jail. Whether the number of defendants referred to these programs pursuant to court order will remain sufficient to maintain the current equilibrium is unknown, and we urge Cook County officials to review the current arrangements and staffing in Central Bond Court to ensure that the number of court-ordered releases is sufficient to prevent a recurrence of crowding in the jail.

B. Jail Capacity: Facilities Status and Planning Issues

1. Bedspace Availability and Utilization

Throughout the period covered in this report, CCDOC has operated with the vast majority of inmate living units open and relatively few individual cells closed for repair or renovation. During this period, an average of 96.9% of all beds, based on an institutional capacity of 10,146 beds, have been available for use as inmate housing.

Some living units have been closed for varying periods to permit repairs and renovations, which have generally been relatively brief in duration, from one to three weeks. Since no significant groups of inmates have been transferred between buildings, the number of renovation projects described in our report of August 7, 2008 has been reduced considerably. In recent months, various “building initiatives” to renovate living units have continued, although these have been relatively few in number.

2. Status of Existing Facilities

During the period covered in this report, no significant changes affecting the status of existing facilities at CCDOC or CCDCSI have occurred.

3. Construction/Renovation of Other Facilities.

The project to replace the former RU Building (now the Division III Annex) in a building containing a new Receiving Room has progressed since our report of August 7, 2008. This project is now in the early stages of the design phase, and preliminary drawings reviewed by some Cook County officials have been well-received. Another project to renovate a portion of an existing jail building to house the Department of Women’s Justice Services programs is still under consideration, and Sheriff’s Office officials are involved in planning, but this project and many others is embroiled in the continuing debate about a bond issue for all Cook County capital

projects and equipment.

4. 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 previous monitoring reports, this portion contains sections dealing with most of the major provisions of the Consent Decree to provide the Court and the parties with a basis to evaluate 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.

Since our last report, CCDOC administrators and staff have continued efforts to maintain reasonable sanitary conditions in inmate living units and other areas of the divisions of CCDOC. In some areas, sanitation has been reasonably well maintained, while sanitary conditions in other areas have been marginal. The number of cells closed because of plumbing, electrical or structural problems has been reduced to very low levels, due to efforts by the Department of Facilities Management (DFM). Despite this progress, numerous maintenance problems remain unresolved largely because of a chronic shortage of tradesmen.

The information below describes the major problems and improvements in each division and problems common to a number of Divisions.

1. Division I

Most inmate living units, as well as exercise areas, the dispensary, and other areas were well maintained throughout the period covered in this report. Chronic water leakage affects the law library, although these problems have not affected operation of this facility. Shower areas in

some living units still exhibit problems of inadequate sanitation, lighting, and peeling paint due to inadequate ventilation. The supply of hot water for showers remains a chronic problem, and there has been no resolution to the problem of lack of toilets in dayrooms in this 80-year-old facility.

2. Division II

Sanitary and mechanical maintenance conditions have remained fully satisfactory in the three older dormitory buildings --- Dorms 1, 2, and 3 --- throughout the period covered in this report, with a few minor exceptions. In some bathroom areas, inmates have damaged bathroom ceilings as they have done in past years, although leakage problems in Dorm 2 appear to have been repaired. Repairs to these areas were performed shortly after some inmates with medical and psychiatric problems were transferred to this building shortly after the submission of our August 7, 2008 report.

Bathrooms and showers serving one-half of Dorm 4 are still affected by some maintenance and sanitation problems, a foreseeable result of the heavy usage of these facilities by an inmate population twice as large as these facilities were designed to serve. Routine maintenance of toilets, sinks, and showers in this area has been performed, but there still is peeling paint on walls, floors, and ceilings in the showers.

3. Division III

As noted above, Division III now consists of three buildings: (1) the Division III facility, opened in 1973; (2) the former RU Building, now renamed the Division III Annex and housing female inmates; and (3) the Cermak Health Services facility.

Sanitation has generally been good in Division III throughout the period covered in this report, and most maintenance needs appear to have been handled in a reasonably timely and appropriate fashion. Some bathroom areas are still affected by recurrent problems involving

damaged and/or missing floor and wall tiles and damage to toilet stalls. During a visit in April 2009, JHA staff observed one shower stall filled with six inches of foul-smelling water due to a drain that had been clogged for many days.

Conditions in the Division III Annex were a source of dozens of complaints from female inmates following their transfer to this facility in August 2008. Complaints about both mechanical maintenance and sanitation were received, including complaints about lack of privacy in bathroom and shower areas and general dissatisfaction with dormitory accommodations. CCDOC administrators and DFM tradesmen addressed many of these issues with privacy screens in bathrooms and shower areas, intensified power-washing of these areas, repaired ceilings and light fixtures in the dormitories, and made other improvements. Despite these efforts, however, many problems remain unresolved, largely due to the construction of this building that was designed for five to seven years of service when it was opened in 1985. Flaking paint and rust still affect the metal ceilings in most shower rooms due to poor design and inadequate ventilation. Damage to the wall coverings installed in showers to protect cinder block walls still occurs and is not promptly repaired; in addition, most shower walls are severely discolored because of water leakage from shower fixtures. Leakage still occurs in the entrance areas to several dormitories, despite regular repairs. While the renovations and repairs that accompanied the transfer of females into this building have improved conditions to some extent, the suitability of this facility for prolonged use for inmate housing remains highly questionable.

Sanitation has been reasonably well-maintained, and mechanical maintenance problems in the Cermak Health Services (CHS) building have been few during the period covered in this report.

4. Division IV

The effects of a renovation project involving electrical and plumbing repairs, repainting,

and other improvements in all living units were still evident during the period covered in this report. Few major maintenance problems were noted, other than a chronic problem with lighting in many cells. This problem is due to the fact that inmates are able to remove light bulbs from fixtures and do so regularly. Another chronic problem involves temperature control and airflow in this building. The housing of male medium-security inmates who are non-aggressive into this building may have contributed to the relatively few problems with sanitation and mechanical maintenance observed during this reporting period.

5. Division V

Shortly after the submission of our August 7, 2008 report, Division V was converted to its original purpose as the primary reception facility for many male inmates admitted to CCDOC. Other than inmates requiring maximum-security custody and those with special medical or psychiatric needs, many new admissions are housed in the building for periods of three to seven days. Most of those not released in that time are then transferred to Divisions II or VI. Since most of the residents of Division V know they are only passing through this facility briefly, this may account for the fact that significant damage to inmate living units has occurred during this period. Tradesmen routinely repair damage, but this process is virtually never-ending.

Dayrooms in the living units appear fairly clean and open. Damage to stair treads in dayrooms has recurred despite the installation of replacement treads several years ago. In some living units, graffiti is visible on cell doors and walls. Despite major repairs completed in 2008, many shower areas have been damaged again, with lighting problems, rusting metal fixtures, and other problems evident. Toilets and urinals that are out of service affect many living units. Covers over fluorescent light fixtures are missing in some units. Floor tile in dayrooms, cells, and bathrooms is frequently damaged or missing. Air flow and temperature control are still problematic in this building, and inmates routinely block vents. Lighting in many cells is limited

because inmates frequently damage fixtures or remove bulbs.

JHA staff believe that poor facility design and construction make the numerous renovations and repairs performed in Division V little more than temporary fixes.

6. Receiving Room (Division V)

Some of the improvements in sanitation and mechanical maintenance in the Receiving Room described in our report of August 7, 2008 continue to benefit this area, which still suffers from a wide range of problems. The installation of toilets and urinals adjacent to some bullpens has prevented numerous accidents due to incontinence and vomiting that previously affected these areas. Sanitation in the Receiving Room has been maintained reasonably well, considering the volume of inmates processed through these areas every evening and the condition of many of these individuals at the time of admission. Conditions in bullpens, while still problematic in many respects, has improved since the submission of our last court monitoring report. At the same time, however, the only satisfactory remedy to these conditions is the opening of the new receiving room several years from now.

7. Division VI

Despite the structural similarities of Divisions V and VI, conditions in Division VI pertaining to sanitation and mechanical maintenance have been generally acceptable during the period covered in this report, with a few exceptions. The same kind of lighting problems in cells noted in Division V affect this structurally-similar building. Damage to switch and outlet cover plates continues to occur in many living units. At least one toilet and/or urinal in a number of living units has been out of service during JHA visits, but bathrooms and shower areas have otherwise been fairly sanitary. Some graffiti is evident, particularly on cell doors and interior walls.

9. Division IX

Repairs addressing many of the more serious maintenance problems that affected Division IX until 2008 have been maintained since that time. This includes lighting in dayrooms, which was significantly improved as a result of installation of new light fixtures in all living units.

Ventilation in Division IX is poor because fans serving the South Tower and the gym had not been working for five years as of August 2008. Parts for these repairs were recently acquired, and the project is scheduled for completion in the next few months.

Sanitation in some of the living units used for disciplinary segregation, protective custody, and other special management purposes in which inmates are confined to their cells for 23 hours daily is problematic, since cleaning must be done by inmate work crews housed elsewhere. Damage to dayroom floors is visible in some of these units, dating from past years when inmates were able to throw flaming debris out of cell doors.

10. Division X

Many of the maintenance problems affecting living units described in August 7, 2008 report have not been resolved to some extent since that time. Cover plates for light switches and electrical outlets have been replaced, and many of these and other repairs have been maintained, probably because of the presence of CO's in the dayrooms in units housing inmates with special medical and psychiatric needs.

Power washing of cells has been performed, and this has resulted in some improvements, but many of the cells in these and other living units are still in need of wall washing and/or repainting. The condition of floors in dayrooms has also been improved with removal of old paint and regular washing of floors.

11. Division XI

Sanitation and most mechanical maintenance issues have been general satisfactory throughout the period covered in this report; however, damage to light fixtures in some cells continues to occur. While these fixtures appear to be well-constructed, many are damaged, and some cells still have limited lighting as a result of vandalism. Shower stalls are reasonably clean, but many are now affected by peeling paint undermining the waterproofing of the cove base coating. As in several other divisions, many living units are affected by damage to toilets in dayroom areas. In addition, dayroom floors in some living units are in need of sanding and/or repainting.

12. Central Kitchen

Most of the chronic maintenance problems in the Central Kitchen have been remedied or at least improved since the submission of our last court monitoring report. Floors in the main food preparation area still exhibit evidence of damage due to normal use in this high-traffic area. Some water and ventilation problems still affect the dishwashing area, despite improvements made in previous years.

13. Pre-Release Center (CCDCSI)

A few inmate rooms are still affected by leaks from the roof and/or steam pipes in the walls, which also affect one or more bathroom/shower areas in one of the PRC buildings on the South Campus. Some of these problems appear to be worsening due to the age of these buildings and their lath and plaster construction. Similar problems have been repaired in the past, but some of these have recurred. The general state of sanitation and mechanical maintenance in these buildings is otherwise quite good.

14. Women's Justice Residential Program (CCDWJS)

Conditions in the old Cermak Health Services building are generally good, and sanitation

has been well maintained throughout the period. Relatively few maintenance problems have been noted. One exception is damage to ceramic tiles in and around shower areas in a few inmate rooms, some of which was reported previously but remains unrepaired.

15. General Maintenance Issues

As stated in several previous court monitoring reports, thousands of maintenance problems have been addressed during the period covered in this report, yet many problems remain:

- In several divisions, sinks in many inmate cells provide cold water only, due to inoperative push-button valves. Repairs to sinks that are broken rarely last for very long.
- In many divisions, damaged toilets and urinals affect many living units.
- In some bathroom areas, particularly in Divisions V and VI, damaged light fixtures in shower and bathroom areas are common.
- Hundreds of cells in many divisions are poorly lighted due to damaged fixtures or lack of light bulbs. No progress in identifying durable coverings for cell lights has been made.

Repair and renovation projects undertaken by the Department of Facilities Management in many divisions have resulted in numerous improvements in conditions. These efforts have not succeeded in resolving many of the recurring maintenance problems affecting the jail, which obviously require a significantly larger corps of tradesmen. We restate our finding that the challenge of maintaining CCDOC facilities is aggravated by poor design and construction of many buildings. While some additional maintenance staff have been hired during the period covered in this report, many more tradesmen are still needed to address the enormous volume of repairs.

16. General Sanitation Issues

Marginal or problematic sanitary conditions in areas within some jail divisions appear to be attributable to cleaning products that are not sufficiently powerful to sanitize effectively and insufficient quantities of disinfectant issued to inmates; in addition, inmates are often forced to use pieces of cloth instead of sponges or other scrubbing equipment to clean walls and floors, compounding this problem. Even the use of high-pressure power washing equipment has limited effectiveness because of these other problems with equipment and other cleaning products. Recognizing the danger of issuing caustic and other potentially dangerous products, we urge CCDOC administrators to consult an expert in environmental health to determine how effective cleaning and sanitation can be performed safely. We also restate our recommendation that the duties of inmate workers who have received appropriate training should be expanded from power washing to other sanitation duties; in addition, CO's or civilian staff with appropriate training should supervise these work crews.

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 major report to the Court, most inmates have been routinely supplied with clean clothing, linen, mattresses, and footwear, as well as personal hygiene items including soap, toothpaste and toothbrushes, toilet paper, and female sanitary products. A few problems have been observed, and these are described below.

Newly admitted inmates are routinely supplied with a mattress and blanket, linen, one uniform¹¹, toothbrush and toothpaste, toilet paper, and soap upon their arrival at the division to which they have been assigned. As noted in previous reports, the great majority of uniforms, blankets, and linen that we have seen were in reasonably good condition, but a few were worn, frayed or damaged. Inmates receive mattresses with built-in pillows in the form of a raised platform at one end, which has been standard jail issue for several years. The vast majority of these mattresses have been maintained in reasonably good condition throughout the period and are disinfected periodically. We have occasionally seen damaged mattresses including some consisting only of the foam core, but jail officials have promptly provided replacements when these situations were observed.

The rubber-soled, canvas shoes issued to inmates during the past year have proven to be more durable than the shoes issued until mid-2007. These shoes are washed and disinfected with some regularity. In addition, some inmates with orthopedic problems are permitted to keep their own gym shoes, provided these items comply with security regulations.

Inmate uniforms and linens have been laundered regularly throughout the period covered

¹¹ Female inmates are supplied with two uniforms.

in this report. Some complaints about inadequate laundering or infrequent linen or clothing exchanges have been received, but these have been few in number. Most inmates were observed to be wearing clean uniforms, and supplies of uniforms on the shelves in divisional supply rooms looked and smelled clean. We have heard occasional complaints about delays in the weekly laundry exchange process in some divisions. On some occasions, laundry exchanges were delayed because of divisional or compound-wide lockdowns that occurred earlier this year.

A few divisions still do not have washers and dryers for inmate use, which supplement the regular CCDOC laundry service. This problem is attributed to difficulties in providing electrical and plumbing connections and may also be due in part to the chronic shortage of tradesmen servicing jail facilities.

During the period covered in this report, we heard some inmates complain about inadequate quantities of soap and toilet paper provided during weekly distribution of supplies.

In the colder months of the period covered in this report, the CCDOC supplied inmates who were making court appearances, using outdoor exercise areas, or moving about the complex for other reasons with cloth jackets. John Howard Association visitors observed that most of the jackets were in good condition, but some jackets needed laundering.

At the Pre-Release Center operated by CCDCSI, inmates routinely received personal hygiene items including clothing, bedding, and linen on a regular basis throughout the period covered in this report. 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.

In the Women's Justice Services Residential Program (WJSRP) in the old Cermak Health Services facility, female inmates also receive necessary hygiene items, including clothing, bedding, linen, and toiletries on a regular basis. CCDWJS administrators have been able to

obtain donations of extra hygiene and cosmetic items which are provided to the women in this program. As with their male counterparts in the PRC program, female inmates have clothing and linen laundered regularly, and mattresses and other items appear to be in good condition.

The only other recurrent complaint of any significance regarding personal hygiene is that inmates are unable to clip fingernails or toenails when needed, since nail clippers are only available at divisional dispensaries and are not always readily accessible to inmates.

Control of disposable razors issued to special needs inmates, particularly those with psychiatric problems, was occasionally problematic at the time of our last court monitoring report on August 7, 2008. Since that time, JHA staff have heard no complaints about the practice of issuing and promptly retrieving razors with this population or other inmates.

A chronic problem relating to personal hygiene involves the fact that newly admitted inmates leave the Receiving Room without showering and in the same clothes they have worn for at least several days since their arrest. The result of this situation is that inmates routinely travel throughout the jail complex in clothing that may be dirty or bloodied, and some may be suffering from lice, crabs, or other infestations that may be transmitted to other inmates or staff.¹² This situation is due to the lack of adequate shower facilities in the Receiving Room, a situation that cannot be remedied until the opening of a new Receiving Room several years from now (if that project remains on schedule).

¹² In severe cases, security staff and/or health providers do provide paper gowns for inmates and bag clothing that is extremely soiled or infested to limit contamination.

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.

There has been no significant change in the way food services at CCDOC has operated during this reporting period. Food services are provided by Aramark, Inc., which has been CCDOC's food service contractor since September 2000. As in previous periods, John Howard Association staff and visitors observed delivery of at least one meal to inmates during virtually all visits. We also observed the Central Kitchen facility, including food storage and preparation areas and other portions of the building. We taste food prepared for inmates.

JHA staff heard numerous inmate complaints about food services, particularly the temperature of breakfast and dinner meals, but these were significantly fewer in number than in previous years. The most frequent complaints received during this period continue to relate to the quality and quality of food served, particularly cold lunches. During this period, we heard no complaints about spoiled lunches, which had been a recurring problem for a number of years. JHA staff have sampled various lunch meats or sandwiches as they came off the assembly line, and we continued to find all items at least palatable and often quite tasty. Despite our findings, many inmates feel they are receiving virtually the same meal every day.

During visits to the Central Kitchen, we inspected the bulk cold cuts used to prepare lunches. These items are supplied by major suppliers and are generally comparable to well-known retail meat products. We have also observed the handling and storage of these products. Our observations have been that cold lunches are appropriately packaged, with few complaints about damage to the plastic wrapping used on lunches.

A Registered Dietician employed by CCDOC monitors menu plans and meals prepared in the Central Kitchen. Meals have occasionally been returned to the Central Kitchen when the Dietician has concluded that they were improperly prepared or failed to meet contract specifications.

As in previous years, breakfast and dinner are served on insulated plastic trays with individual compartments. These trays hold adequate portions of menu items, are quite durable and easily sanitized. Lunch is served on styrofoam plates enclosed in plastic wrapping.

CCDOC acquired new food delivery carts constructed of plastic and stainless steel in 2006, and these carts have been in use since that time. These carts are superior in many respects to the all-metal carts previously used. We have not observed any occasions in which these carts were not adequately sanitized when delivered to the divisions during meal times.

The trays and carts currently in use are important parts of the food service delivery system at the jail. Meal delivery occurs in timely fashion, although complaints about cold food are still occasionally received.

Meals for inmates with special medical dietary requirements are delivered to all divisions, with a variety of diet plans available to meet most medical needs. Inmates usually begin receiving special dietary meals shortly after medical orders are received. Orders for special diets are faxed to the Central Kitchen by health providers and are delivery usually begins the following day.

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, and no significant maintenance problems have affected food preparation or delivery during this period.

D. Staffing

This section describes current levels of security staffing at CCDOC during the period covered in this report as well as in prior years. Data on budgeted positions for Correctional Officers (CO's) and supervisors are provided as well as observations by JHA staff during visits to all divisions of the jail. This section also contains an updated assessment of how current staffing levels compare with the levels specified in the MGT of America, Inc. staffing study commissioned by Cook County officials and issued in December 2005.

The last significant increase in the cadre of CO's occurred in the FY 2007 budget, which provided funding for approximately 190 new Correction Officer ("CO") positions. These positions were filled before the end of the fiscal year, raising the CO cadre to 3,062 positions. The FY 2008 budget increased this cadre only incrementally to a total of 3,068 CO positions. No new CO positions were requested or received in the FY 2009 budget, enacted several months ago. The growth of the cadre of CO's at the jail can be seen from the data in Table 1.16 below, which also shows changes in the number of security supervisor positions.

Table 1.16
Cook County Department of Corrections
SECURITY STAFF POSITIONS

	<u>Captains</u>	<u>Lieutenants</u>	<u>Sergeants</u>	<u>Officers</u>	<u>TOTAL</u>
Nov 1996	33	71	176	2480	2760
Dec 1997	27	51	119	2482	2679
Aug 1998	25	53	116	2446	2640
Aug 1999	33	71	176	2446	2726
Apr 2000	33	70	175	2426	2704
Apr 2001	33	70	175	2426	2704
Apr 2002	33	70	175	2426	2704
Mar 2004	33	70	175	2426	2704
Apr 2005	33	70	175	2643	2921
Apr 2006	33	70	175	2872	3150
Mar 2007	34	102	190	3062	3388
Jun 2008	48	83	185	3068	3384
May 2009	53	73	185	3068 ¹³	3379
Increase/ Decrease	+ 20 (+60.6%)	+ 2 (+2.8%)	+ 9 (+5.1%)	+ 588 (+23.7%)	+ 619 (+22.4%)

The FY 2009 budget resulted in funding for five new Captain positions, but 10 Lieutenant positions were lost at that time. This continued a trend that began in 2007 for these two supervisory ranks.

As always, not all of the 3,068 budgeted CO positions were filled by staff who were

¹³ The figure represents the total number of CO positions in the FY 2009 budget. As of May 18, 2008, 2,663 of these positions were filled, 266 were vacant, and 139 were held by CO's on inactive status (i.e. – unavailable for duty).

actually at or available for work. As of May 18, 2009, 2,663 CO's were actually available for work at CCDOC, while 266 CO positions were vacant and 139 CO's were being carried in inactive status, including individuals on disability, suspension, leave of absence, military leave, or duty injury. Vacancies as of that date represent 8.7% of the total number of budgeted positions, although one class of new cadets has recently begun training, and additional classes are scheduled to follow in the coming months. Given the marginal staffing levels at the jail, Cook County officials should have taken appropriate action to address this problem by beginning the process of filling these numerous vacancies several months ago.

In comparison, CCDOC was operating with the same number of budgeted CO positions (n = 3,068) on June 16, 2008, and 2,757 CO's were actually working at the jail at that time, while 173 CO positions were vacant and 138 CO's were being carried in inactive status.¹⁴

The number of CO's on inactive status has fluctuated somewhat over the past several years. In April 2006, 131 CO's were on inactive status, and this number increased to 152 in March 2007. As of June 2008, the number of inactive CO's had decreased to 138, which has remained virtually unchanged through May 2009, when 139 CO's were on inactive status.

The staffing data reveal that 94 fewer Correctional Officers are now available for work in the jail (i.e. – on active status) than there were in June 2008, a difference due almost entirely to the greater number of vacancies. The problem with filling these vacancies in timely fashion may be due to the more rigorous screening of job applicants, which has resulted in enormous attrition in the application process. While we support thorough screening of job applicants for the demanding job of Correctional Officer, we also recognize the need to fill vacancies as quickly as possible to avoid exacerbating the shortage of security staff at the jail.

¹⁴ Due to an arithmetic error, we incorrectly reported that the number of active CO's in 2008 was 2,895 in our August 7, 2008 court monitoring report.

On almost every visit during the period covered in this report, we observed a number of living units in almost every division of the jail that were not staffed for periods of several hours on both day (7:00 a.m. – 3:00 p.m.) and afternoon (3:00 p.m. – 11:00 p.m.) shifts. These staffing levels resulted in living units subject to cross-watching, with one officer overseeing two units, despite the fact that this practice is largely prohibited by the Consent Decree. Understaffing during lunch relief periods and at other times on each shift is indicative of a continuing shortage of Correctional Officers at CCDOC. While we heard few complaints of delays in other essential activities, including sick call and clinic appointments, family and attorney visits, and exercise periods since our last report, we are concerned that security escorts for these activities may be supplemented with CO's normally assigned to living units.

It appears that CCDOC administrators have continued to use overtime and other means to maximize the number of CO's who are available for work during the period covered in this report. Despite these efforts, staffing shortages in the most critical areas, inmate living units, are a continuing problem at the jail.

The most objective and reliable indicators of staffing levels needed at CCDOC are found in the MGT of America, Inc. staffing study published December 2005. As we stated in our court monitoring report of April 9, 2007, achieving minimum staffing levels compliant with the Consent Decree would require the hiring of 189 additional CO positions in FY 2008 and some means of filling the inactive CO positions, which have averaged approximately 140 for the past two years, with CO's who are available for work. As shown in Table 1.15 above, the CCDOC cadre of Correctional Officers increased by only six CO positions in the FY 2008 budget, and no additional CO positions were added in FY 2009. Thus, CCDOC remains several hundred CO's short of the number required to comply with the Consent Decree.

For the second consecutive year, CCDOC has operated with a total of 3,068 budgeted CO positions, 210 fewer positions than specified in the MGT staffing study that found a need for 3,278 CO positions to achieve compliance with the Consent Decree. Though staffing data does not reflect the use of overtime to supplement hours worked by the cadre of security staff, there is no question that living units are daily left unsupervised for some period of time in virtually every division. This situation has doubtlessly been aggravated by several factors that have occurred since the submission of our last report.

The transfer of male inmates with special needs to Division X did require the assignment of additional CO's to that division, and our visits and review of staffing rosters and other data confirm that staffing of the medical and psychiatric units in that building has been adequate throughout this reporting period. We believe, however, that this necessary reassignment may have had adverse effects on staffing levels in other divisions.

In our last court monitoring report, we stated that staffing levels at that time might be affected by the initiation of psychiatric training for CO's, since additional security personnel are required to replace those in training. Since that time, psychiatric training has been reinitiated, with a number of classes of CO's and supervisors participating in an 80-hour course. While we fully support this initiative, we are also concerned about the impact of this training on staffing levels in jail divisions.

In summary, we restate our recommendation that CCDOC administrators take appropriate action to ensure that staffing of jail divisions is increased as needed to ensure full compliance with the provisions of the Consent Decree. This would appear to require a request for additional CO positions in the FY 2010 budget for Cook County.

E. Overcrowding

In our August 7, 2008 report, we raised three issues relating to crowding that warranted the attention of the Court and the parties. These were

- (1) the need to eliminate hot bunking in Division XI and any other area where such a practice might have been contemplated;
- (2) the need to accommodate those Cook County inmates currently housed in Kankakee and Jefferson county jails in beds at CCDOC; and
- (3) the need to reduce the population in Dorm 4 of Division II to 300 inmates in compliance with Illinois County Jail Standards.

The status of these tasks is described below.

The population and capacity summaries in Section I of this report reflect the fact that hot bunking in Division XI was discontinued by the end of December 2008 and has not recurred since that time. CCDOC Director's Logs include notations about hot bunking in the Cermak Health Services (CHS) facility, underscoring the fact that the number of inmates frequently exceeds the number of available beds in that facility. This leads us to conclude that these occurrences are examples of non-compliance with the Consent Decree. At the same time, we concur with the judgment of medical and psychiatric staff that the health needs of the inmates housed in CHS wards require their placement in these areas for observation and treatment, despite the crowding. As we have stated in previous reports, many of these inmates are housed in these units for fairly short periods, often one to three days, until they can be stabilized and transferred to other portions of the jail. The only long-term solution to this recurring problem may not occur until the opening of the new building planned as a replacement for the RU Building. It is possible that a well-designed facility of this type may provide suitable accommodations for some of the inmates currently housed in the CHS facility, eliminating the

recurring crowding that has affected this building for several years.

As noted in Section I, the number of CCDOC inmates housed temporarily in jails in Kankakee and Jefferson counties has decreased significantly. In recent months, these jails have housed relatively few CCDOC inmates, now numbering less than 50 individuals, and these inmates were transferred due to incidents at CCDOC. This practice has been used by Cook County and many other jurisdictions for years as a means of removing troublesome inmates from facilities where they have been directly involved in violence or exercised inappropriate influence over other inmates. Given their small number and security issues, it appears that the primary concern regarding these placements relate to the difficulties in visiting for families, friends, and attorneys. It should be noted that JHA staff have received few complaints from these inmates during the period covered in this report.

The status of Dorm 4 in Division II remains a matter of concern. As stated in several previous monitoring reports, the conversion of this former kitchen area into dormitory housing was prompted by persistent crowding at CCDOC. The original plan to install a total of 300 beds in this facility, with 150 beds in each half of the building, was doubled by installing bunk beds in response to the size of the overflow population at that time. But CCDOC officials were unable to provide a sufficient number of toilets and showers for the 600 inmates who were housed in Dorm 4, a violation of Illinois County Jail Standards. This situation was somewhat more manageable when Dorm 4 housed a significant number of inmate workers, since scores of those inmates were out of the building on various work details for eight-hour shifts daily. During this reporting period, however, inmate workers have been transferred to other divisions, resulting in a population of 600 inmates who rarely leave the building. Operating a dormitory with 300 beds is a practice that violates every precept of good correctional practice, and a source of numerous complaints by Correctional Officers. Given the decrease in inmate population at CCDOC, we

urge jail administrators to begin downsizing this facility to its original design capacity of 300 beds.

In our report of August 7, 2008, we also described several large-scale transfers of inmates that were intended to increase utilization of available bedspace and provide more secure housing for some inmates. These included (1) the transfer of male inmates with medical and psychiatric needs from the RU Building in Division VIII to Divisions X and II; (2) the transfer of female inmates from Division IV to the RU Building, which was renamed the Division III Annex; and (3) the re-population of Division IV with male medium-security inmates. These transfers were completed shortly after the last report was submitted. As discussed in several Status Hearings, a number of facility renovations relating to these transfers were necessary, including expansion of space for health service operations in Divisions II and X. A large, new dispensary was created in Dorm 2 of Division II, where male inmates with health needs requiring direct supervision in dormitory accommodations are housed. The transfer of female inmates to the Division III Annex was accompanied by continuing repairs to and renovation of that facility, which have somewhat improved living conditions in this building. In Divisions III and X, changes in security staffing were implemented in response to the transfers. In the Division III Annex, living units are staffed exclusively by female CO's, since dormitory accommodations and bathroom facilities require same-sex supervision. In Division X, the medical and psychiatric units have been staffed with CO's stationed in the dayrooms of these units, where cell checks are conducted using electronic equipment to verify these rounds.

A number of problems occurred following the transfer of special needs male inmates to Division X that were described in our August 7, 2008 report. These included inmates injured in falls from upper bunk beds and other problems related to the health status of these inmates. We are pleased to report that these problems appear to have decreased both in number and severity

since then, despite the fact that many of the recommended renovations were not performed, including the removal of upper bunk beds, installation of cameras covering designated cells, and modification or removal of cell doors. JHA staff are still convinced that these modifications would enhance inmate safety, and we will continue to monitor conditions affecting this special population.

F. 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 the same system of ten law libraries described in previous monitoring reports. The libraries continue to operate during a limited range of hours during the day Monday through Friday, despite the funding of four additional law librarian positions in the FY 2008 budget. These additional positions have, however, reduced the number of occasions during which divisional law libraries have been closed due to staff absences, a recurrent problem that affected this system for many years.

Evaluation of law library services is based on data derived from monthly reports for the 11-month period from May 1, 2008 to March 30, 2009. 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 1.17 contains aggregate data regarding these categories for this period.

Table 1.17
Cook County Department of Corrections
LAW LIBRARY SERVICES
May 1, 2008 – March 30, 2009

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	6942	631.1	6806	622.4	98.0%	7.6%	2.5%
II	7531	684.6	4089	371.7	54.3%	20.1%	1.0%
III	2529	229.9	1418	134.6	58.6%	12.2%	0.3%
IV	4566	415.1	3359	305.4	73.6%	10.9%	0.0%
V	3452	313.8	1602	145.6	46.4%	13.1%	1.0%
VI	6206	564.2	5624	511.3	90.6%	15.9%	0.1%
VIII	3491	317.4	2511	228.3	71.9%	8.6%	0.0%
IX	7940	721.8	6913	628.5	87.1%	11.6%	0.6%
X	5740	521.8	5375	488.6	93.6%	16.1%	0.0%
XI	<u>10200</u>	927.2	<u>7534</u>	684.9	73.9%	13.9%	0.3%
TOTAL	64415		48303				
\bar{X}/mo		5855.9		4391.2	75.0%	13.8%	0.6%

The completion rate is derived by dividing the number of visits actually made by the number of requests received. The data reveal that, between May 1, 2008 and March 30, 2009, seven of the 10 libraries achieved completion rates of 60% or higher. Previously, all 10 libraries achieving a completion rate of 60% during the period January 1, 2007 – April 30, 2008. The current level of performance is more comparable to 2006, when six libraries achieved this level of performance, and 2005, when seven of the ten libraries achieved 60% completion rates.

During the period covered in this report, the seven libraries noted above --- Divisions I, IV, VI, VIII, IX, X, and XI --- achieved completion rates of 70% or higher. This is a slight improvement over the situation in 2007, when six libraries --- Divisions I, IV, V, VIII, X, and XI --- achieved completion rates of 70% or higher. During 2006, only three libraries --- Divisions I, III, and IV --- achieved 70% completion rates, and three other libraries --- Divisions VI, IX, and X --- achieved this level of performance in 2005. During 2004, four libraries achieved completion rates of 70% or higher.

During the current period, three libraries --- Divisions I, VI, and X --- achieved completion rates of 90% or higher, which is a commendable achievement. At the same time, CCDOC administrators should be concerned about low completion rates in Divisions II (54.3%), III (58.6%), and V (46.4%). The relative inaccessibility of law library services in Division V may be partially attributable to the conversion of this building to a reception center during the second half of 2008, but the actual cause of this problem should be ascertained and corrected.

For CCDOC libraries as a whole, the completion rate during the period covered in this report was 75.0%, only slightly lower than the rate of 76.2% achieved during 2007. While this decrease is slight, it is nonetheless a step in the wrong direction. The current completion rate remains significantly higher than the 64.2% completion rate achieved in 2006, a completion rate

of 66.5% in 2005, 68.7% in 2004, and 69.4% in 2003. JHA staff believe that completion rates of 70% to 80% for all libraries should be established as the minimally acceptable levels of performance. The data also reflect rather slow progress in improving the accessibility of law libraries to the pretrial detainees housed at CCDOC.

The data also reveal that, despite the maintenance of a relatively high rate of completed visits, several divisions continue to experience fairly high percentages of inmates who allegedly decline to avail themselves of law library services when they are offered the opportunity to do so. Since May 1, 2008, three libraries --- Divisions II, VI, and X --- reported that more than 15% Of the inmates for whom law library passes were issued declined these opportunities. This problem nonetheless represents an improvement from performance during 2007 and early 2008. Between January 1, 2007 and April 30, 2008, five libraries --- Divisions, I, II, V, IX, and XI --- reported rates of declined passes of 15% or more. In previous year, only three divisions experienced rates of declined passes of 15% or more in 2006, and four divisions reported more than 15 % of the inmates declining law library passes in 2004.

The data also reveal a virtual absence of 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. During the period covered in this report, only one of the 10 libraries --- Division I --- experienced situations in which more than 2% of the passes issued resulted in inmates not reaching the library, and the average for all libraries was less than 1% (0.6%). This is only slightly higher than the situation in 2007 and early 2008, when none of the libraries experienced situations in which more than 2% of passes issued resulted in inmates not reaching the library, and the average for all libraries was 0.7%. In comparison, none of the law libraries experienced

security delays in more than 7% of the cases during 2006, and the average for all CCDOC law libraries was quite low (2.5%). During 2005, six of the ten law libraries experienced situations in which more than 20% of all passes issued resulted in inmates not reaching the law library.

The CCDOC law library system has continued to utilize computer-based materials, particularly for updates of court reports and other basic documentation. All libraries have continued to utilize this resource during May 1, 2008, and problems with this system have been quite infrequent.

Other Programs and Services

Since 2007, we have reported the beneficial results of an expansion of the Program Services Department at CCDOC, which received 15 additional Correctional Rehabilitation Workers (“CRW’s”) at that time. CRW’s play a key role in the inmate grievance procedure and provide a number of other vital services to inmates at the jail. The continuing viability of the grievance procedure, discussed in Section II-I below, is largely attributable to the availability of a sufficient cadre of these employees. JHA staff have continued to hear comments from both inmates and security staff that CRW’s visit living units with reasonable frequency and generally provide timely responses to inmate grievances and inmate requests for assistance.

G. 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 period covered in this report, inmates in all divisions of CCDOC have been able to receive visits with relatively few problems. Most portions of visiting areas in the divisions remained in service for the great majority of this period, although some divisions continued to experience maintenance problems affecting some visiting booths. As noted in previous reports, these problems appear to have been caused by inmates, visitors, or both. These recurring problems occur despite the fact that security inspections of visiting booths has been a routine practice for several years.

Security staffing in visiting areas has been maintained consistently, with at least one CO in every visiting area at all times when inmates and/or visitors are present. During the period covered in this report, searches of inmates and visitors have been conducted routinely, and all divisions continued to utilize metal and drug detection equipment.

A significant volume of visitors have been accommodated in the divisions of CCDOC on a daily basis during this period. JHA staff and volunteers have rarely observed long lines of visitors forced to wait outdoors during visiting hours, and we have received few complaints about visiting procedures or practices during this period. This observation now includes Division IX, which had been a source of frequent complaints described in our report of August 7,

2008. Since that time, very few complaints from inmates in or visitors to this division have been received.

H. Health Issues and Services

In our August 7, 2008 report, we stated that the most serious complaints heard by JHA staff and volunteers during visits to the jail and other Cook County facilities housing inmates have been about health services. Since that time, complaints about health services received during visits, described in correspondence to JHA from inmates, and as documented in CCDOC's own grievance procedure have remained the most numerous complaints. The situations described in these more recent complaints are, however, now somewhat less serious and alarming than those we received one year ago. This appears to be attributable to several factors, including new leadership at Cermak Health Services (CHS), funding for new health provider positions at the jail, and stabilization of the situation regarding special needs inmates following their transfers in 2008.

Avery Hart, M.D. was appointed Interim Medical Director on July 28, 2008 and was recently confirmed in that position permanently. One of his most important achievements to date was submission of a realistic budget request to the Cook County Board of Commissioners, resulting in the funding for approximately 100 new positions for CHS in the FY 2009 budget. These included nursing and other line staff, including mental health specialists, as well as dentists and dental assistants. These areas are intrinsically important to any correctional health services program and were among the most understaffed service areas at CHS. Other changes involve sharing services with other components of the Bureau of Health Services, Cermak's parent agency, such as pharmacy services and personnel functions. These changes are still in process but may result in more efficient utilization of existing staff and improved services. Dr. Hart's work should be aided by the recent rehiring of Michael Puisis, D.O. as the new CHS Chief Operating Officer. Dr. Puisis is a former Medical Director at CHS and, most recently, at the

Illinois Department of Corrections.

Many of the deficiencies described in our report of August 7, 2008 and in the July 11, 2008 report issued by the United States Department of Justice (DOJ) in their Civil Rights of Institutionalized Persons Act (CRIPA) investigation of conditions at CCDOC have been subjects of ongoing negotiations between Cook County and DOJ aimed at resolving the problems identified in the DOJ report. These negotiations and the fact that CHS health providers must still operate within the limitations of an inadequate Receiving Room and jail divisions (particularly Divisions III and X) housing special needs inmates not designed for these populations has hindered the pace of progress. In addition to the DOJ negotiations, Dr. Hart has recently contacted the National Commission on Correctional Health Care (NCCHC) regarding the process of regaining accreditation by that organization, a distinction that Cermak enjoyed for several decades.

At present, a number of task forces are reviewing intake screening and other services provided by CHS to determine what services can be restored in existing facilities and the delivery of these services in the new Receiving Rooms. These groups are also evaluating the costs associated with various diagnostic services that are needed to ensure that adequate screening is performed on the more than 90,000 annual admissions to CCDOC. Since screening of many or all newly admitted inmates for sexually transmitted diseases and pap screening for female inmates were discontinued several years ago, there is some urgency to the current reviews of services so that screening services are restored to adequate levels at the earliest possible opportunity.

Until most of the newly funded positions are filled and these new hires are trained, it is unlikely that hours of operation for the divisional dispensaries can be increased. In our last court

monitoring report, we described the fact that five divisions were operating with only eight hours of EMT coverage daily and the nursing coverage was also limited in many areas of the jail. We are hopeful that the new staff will allow a prompt expansion in some of these front line areas, where inmates have their first contact with health providers to triage and respond to their health complaints and needs.

Dental problems remain among the most numerous of all complaints received by JHA staff. Inmates with a variety of complaints, including broken teeth, bleeding gums, abscesses, and other problems have been encountered on many visits. Complaints about other health problems and health services, including medication rounds that were delayed, have also been received on many visits during this reporting period.

Other chronic problems remain unresolved, including the accessibility and completeness of medical records to physicians and other health providers when they examine and treat inmates. The most common complaint is that essential information, such as bruise sheets completed at intake, have not been filed in many charts. The Cook County Bureau of Health Services has been involved in a process of converting to electronic medical records for a number of years. Unfortunately, significant progress on this project has not yet reached Cermak Health Services, and health providers and inmates suffer the consequences of this situation.

Two concerns regarding the safety of male inmates with psychiatric problems now housed in Division X involved their confinement in cells during the day and afternoon shifts and supervision of these inmates by CO's who had not completed a psychiatric training course. The first of these concerns was resolved shortly after the submission of our report in August 2008, when CCDOC administrators instituted the practice of keeping inmates on these units in the dayrooms throughout both shifts. While this practice has led to some complaints from inmates

wishing to nap in their beds following administration of psychotropic medication, we concur with psychiatric staff that the safety of these inmates is a higher priority requiring their direct supervision in the dayroom.

The supervision of these inmates by CO's who had not completed a psychiatric training course was another concern that was addressed beginning in the fall of 2008. In our report of August 7, 2008, we stated that this training, which had not been conducted for some time, was scheduled to begin that month. The training did begin, and a number of classes, some with as many as 55 CO's and supervisors, completed training before the end of 2008. Following passage of the FY 2009 budget, a new cycle of this psychiatric training was initiated, with several classes of veteran CO's and supervisors completing it. This 80-hour course is also being incorporated into the preservice training provided to CO cadets in CCDOC's Training Academy, which is currently training its first class of new hires in this fiscal year. The result of this training is that the cadre of CO's and security supervisors now familiar with signs and symptoms of psychiatric problems and appropriate responses has been increased in Divisions II, III, and X and other divisions of the jail as well. Increasing the number of security staff with this training should result in more appropriate and timely responses to actual psychiatric and medical crises, reducing the possibility of injury to both inmates and staff.

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 grievant 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.

Since the last court monitoring report, the inmate grievance procedure at CCDOC has operated in virtually the same fashion as previously described. The number of grievances submitted during 2008 was slightly lower than during 2007 but not significantly so. The continued utilization of the grievance procedure appears to attest to the viability of this mechanism for expressing complaints about matters pertaining to jail policies, procedures, and practices.

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, and verbal and physical abuse by staff. As we have done since our May 8, 2006 report, we focus our analysis on eight categories of grievances that include the most serious and most numerous types of inmate

complaints.

As shown in Table 1.18 and Table 1.19, the number of grievances submitted by inmates in 2007 and in the first four months of 2008 increased from 2006. The number of timely responses to grievances also increased.

The most numerous categories of complaints continues to involve medical treatment, followed by complaints and allegations concerning verbal and physical abuse by security staff and members of S.O.R.T., living conditions and a lesser numbers of complaints about access to law libraries.

Table 1.18
INMATE GRIEVANCES
 Cook County Department of Corrections
 JANUARY 2008 – DECEMBER 2008

	MEDICAL TREATMENT	MEDICAL: UNPROF STAFF CONDUCT	SECURITY VERBAL ABUSE	SECURITY PHYSICAL ABUSE	ERT VERBAL ABUSE	ERT PHYSICAL ABUSE	LIVING CONDITIONS	LAW LIBRARY	N (1-8)	TOTAL GRIEVANCES
JAN	93	8	9	16	0	1	0	1	128	181
FEB	130	3	16	12	0	0	1	2	164	226
MAR	92	8	6	13	0	1	0	0	120	186
APR	99	12	13	13	0	0	0	1	138	200
MAY	111	8	13	10	0	0	3	3	148	199
JUN	107	12	9	9	0	0	1	4	142	205
JUL	104	5	11	18	0	0	0	6	144	181
AUG	100	11	12	15	0	0	15	2	155	204
SEP	129	13	5	19	0	0	10	6	182	250
OCT	89	7	8	11	0	0	1	2	118	174
NOV	55	5	3	9	0	0	1	2	75	113
DEC	113	15	15	18	0	0	4	5	170	210
TOTAL	1222	107	120	163	0	2	36	34	1684	2329
X (MO)	101.8	8.9	10.0	13.6	0.0	0.2	3.0	2.8	140.3	194.1

Table 1.19
INMATE GRIEVANCES
 Cook County Department of Corrections
 JANUARY 2009 –MARCH 2009

	MEDICAL TREATMENT	MEDICAL: UNPROF STAFF CONDUCT	SECURITY VERBAL ABUSE	SECURITY PHYSICAL ABUSE	ERT VERBAL ABUSE	ERT PHYSICAL ABUSE	LIVING CONDITIONS	LAW LIBRARY	N (1-8)	TOTAL GRIEVANC
JAN	81	11	16	5	0	0	4	1	118	183
FEB	82	11	12	16	0	1	0	3	125	174
MAR	70	17	23	21	0	0	2	4	137	200
<u>TOTAL</u>	233	39	51	42	0	1	6	8	380	557
X (MO)	77.7	13.0	17.0	14.0	0.0	0.3	2.0	2.7	126.7	185.7

In the JHA report of August 7, 2008, we noted that the grievance procedure had been used with increasing frequency for several years. The data for 2008 and the first three months of 2009 reveal that utilization of the grievance procedure has decreased slightly, although this decline is partially attributable to the decrease in inmate population. During 2008, a total of 2,329 grievances (194.1 monthly) were submitted, a decrease from the 2,533 grievances (211.1 monthly) submitted in 2007. During this period, average daily inmate population decreased by 2.5%. During the first three months of 2009, a total of 557 grievances (185.7 monthly) were submitted, a decrease of 4.3% in comparison to 2008. During this period, average daily inmate population decreased 4.4%.

Despite the recent decrease in utilization of the grievance procedure, inmates are still submitting grievances much more frequently than in previous years. During 2006, an average of 127.5 grievances were submitted monthly, and 91.6 grievances were submitted monthly during 2005.

Among our selected categories of grievances, medical treatment continues to be the most common cause of complaint, constituting 52.5% of all grievances submitted during 2008 and 41.8% of all grievances submitted through March 30, 2009. This represents a continuing decrease from 2007 when medical treatment was the subject of 56.8% of all grievances and 2006 when these complaints comprised 59.5% of all grievances.

The number of all grievances related to health services,¹⁵ including the quality or timeliness of medical, dental, and psychiatric treatment and verbal disrespect and inappropriate use of force by health providers, is even greater: in 2008, inmates submitted a total of 1,660 grievances about health services issues, representing 71.3% of all grievances submitted by

¹⁵ CCDOC monthly detainee grievance activity reports itemize seven categories of grievances involving health services.

CCDOC inmates. This is virtually identical to the incidence of such complaints in 2007, when inmates submitted a total of 1,817 grievances about health services, amounting to 71.2% of all grievances submitted by CCDOC inmates. A total of 360 comparable grievances, representing 64.6% of all grievances, have been submitted during the first three months of 2009.

Table 1.20 provides the number of grievances submitted in each of the eight selected categories since 2005.

Table 1.20
Cook County Department of Corrections
Inmate Grievances: Selected Categories
2005 - 2009

	2005	2006	2007	2008	2009*
Medical Treatment	555	911	1680	1222	233
Verbal Disrespect - Medical Staff	35	62	84	107	39
Verbal Disrespect - Security Staff	76	106	149	120	51
Inapprop Use of Force – Security Staff	122	13	185	163	42
Verbal Disrespect - ERT/SORT	17	6	2	0	0
Inapprop Use of Force – ERT/SORT	8	3	11	2	1
Living Conditions	47	50	46	33	3
Law Library	32	45	83	34	12
Subtotal	892	1356	2240	1681	381
Total Grievances	1099	1530	2553	2329	557

*2009 data through March 30, 2009.

These data reveal the persistence of numerous grievances about medical treatment, although the frequency of these complaints has decreased somewhat. Complaints about disrespect or verbal abuse by security staff and inappropriate use of force remain fairly numerous but are fewer in number than in 2007. Complaints about living conditions and law library services have remained few in number and actually decreased in 2008 and 2009.

Another perspective on inmate complaints during the period covered in this report can be gained by a review of the ten most numerous categories of grievances during 2008 and 2009. Table 1.21 below lists these categories in descending order, showing the number of grievances in each category and the percentage of all grievances submitted for that year represented by that category.

Table 1.21
Cook County Department of Corrections
MOST FREQUENT GRIEVANCES

2008	2009
1. Medical Treatment (1,222; 52.5%)	1. Medical Treatment (233; 41.8%)
2. Dental Treatment (301; 12.9%)	2. Dental Treatment (79; 14.2%)
3. Inapprop Use of Force – Sec Staff (163; 7.0%) Staff (51; 9.2%)	3. Verbal Abuse/Disrespect – Sec
4. Verbal Abuse/Disrespect – Sec Staff (120; 5.2%) (42; 7.5%)	4. Inapprop Use of Force – Sec Staff
5. Verbal Abuse/Disrespect – Med Staff (107; 4.6%) Staff (39; 7.0%)	5. Verbal Abuse/Disrespect – Med
6. Detainee on Detainee Issues (80; 3.4%)	6. Strip Searches (31; 3.4%)
7. Strip Searches (54; 2.3%) 3.4%)	7. Detainee on Detainee Issues (19;
8. Miscellaneous (44; 1.9%)	8. Miscellaneous (11; 2.0%)
9. Law Libraries (34; 1.5%)	9. Food Service (9; 1.6%)
10. Psychiatric Treatment (27; 1.2%)	10. Law Libraries (8; 1.5%)
10. Sanitation (27; 1.2%)	

It should be noted that the 2009 figures represent data for a three month period. This listing should be used by all concerned CCDOC and CHS administrators regarding problem areas that warrant appropriate and timely scrutiny and remedial action.

CCDOC grievance reports also reveal that responses to grievances have been timely during 2008 and 2009. During 2008, only 10 grievances (0.4%) of the 2,329 submitted took

more than 30 days to resolve; in addition, an additional 19 grievances (0.8%) took less than 30 days but more than the time limits established in the Consent Decree. During 2009, the handling of grievances has been somewhat less timely: 10 of 557 grievances submitted have required more than 30 days to resolve, with an additional 25 requiring less than 30 days but more than the time limits specified.

The CCDOC reports also reflect that a sizeable majority of grievances --- 76.4% in 2009 and 81.1% in 2008 --- were resolved in favor of inmates. These rates are consistent with the favorable disposition rate of 80.2% in 2007. The appeals process also appears to be utilized with reasonable frequency, with 170 appeals (30.5%) in 2009 and 743 appeals (31.9%) in 2008.

The integrity of the grievance procedures is more important now than ever before, particularly in light of the heightened scrutiny of CCDOC. We hope that CCDOC administrators will use the grievance procedure to help flag emerging or persistent problems at the jail, and that they will develop not only individual responses but systemic changes to jail operations and programs that address the collective concerns of inmates. Given the nature of the largest category of grievances, the same recommendation is extended to Cermak Health Services.

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 Court Monitor's May 4, 2004 report, this section includes an evaluation of the status of the inmate disciplinary system at CCDOC and information about other special living units that are substantially similar to disciplinary segregation units.

The inmate disciplinary system at CCDOC has undergone few major changes during the period covered in this report. JHA staff observed copies of the rules and regulations for inmates posted in most living units in all divisions, as well as in the Receiving Room, law libraries, and other appropriate areas. As described in previous reports, inmates do not receive these rules at the time of their admission to CCDOC or thereafter. English and Spanish language versions of

the rules are posted in the areas noted above where they are accessible to all inmates.

The monthly disciplinary reports reflect that some incidents involving inmates with psychiatric problems are treated as non-disciplinary, which we believe is an appropriate practice. A number of monthly disciplinary reports reveal that no such cases occurred, a situation we believe to be unlikely based on the fact that approximately 15% of the CCDOC population are receiving psychiatric treatment. We restate our recommendation that CCDOC administrators review disciplinary reports and hearing reports more closely to ensure that inmates with significant psychiatric needs are receiving appropriate treatment in terms of the imposition of discipline.

Monthly reports of inmate disciplinary activity provided by the CCDOC contain the following information: number of incident reports filed; number of reports acted upon, including dispositions (i.e., guilty and not guilty); number of reports not acted upon, including reasons for inaction (e.g., incomplete reports, expiration of 72-hour limitation); number of transfer/discharge of inmate(s); and number of incidents involving inmates with psychiatric problems. The monthly disciplinary reports for the period covered in this report do not contain information about non-disciplinary incidents.

Analysis of the CCDOC monthly reports indicates the level of compliance with provisions of the Consent Decree governing the disciplinary system.

Tables 1.22 - 1.23 describe the handling of incident reports for the 16-month period from May 1, 2008 to March 30, 2009 January 1, 2007. Cases designated as "CCDOC mishandling" were 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 1.22
CCDOC Disciplinary Procedures
HANDLING OF INCIDENT REPORTS
January 1, 2008 - December 31, 2008

	<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	1,431	1,205	1,489	2,052	1,553	1,295	1,732	1,504	1,956	1,488	1,718	1,887	19,310
Reports <u>Ineligible</u> for Disciplinary Action													
*Inmates Discharged	101	10	71	123	108	88	99	104	82	145	95	63	1089
Reports <u>Eligible</u> for Disciplinary Action	1,330	1,195	1,418	1,929	1,445	1,207	1,633	1,400	1,874	1,343	1,623	1,824	18,221
Dismissal of Charges *72-hr. Limitation	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%)
*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	12 (0.9%)	7 (0.6%)	14 (1.0%)	26 (1.3%)	24 (1.7%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	48 (3.0%)	22 (1.2%)	153 (0.8%)

Table 1.23
CCDOC Disciplinary Procedures
HANDLING OF INCIDENT REPORTS
January 1, 2009 –March 31, 2009

	<u>Jan</u>	<u>Feb</u>	<u>Mar</u>	<u>Total</u>
Total Incident Reports	1,498	1,446	1,677	4,621
Reports <u>Ineligible</u> for Disciplinary Action				
*Non-Disciplinary	0	0	0	0
*Inmates Discharged	- 63	- 63	- 82	- 208
Reports <u>Eligible</u> for Disciplinary Action	1,435	1,383	1,595	4,413
Dismissal of Charges				
*72-hr. Limitation	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)
*Incomplete Report	0 (0.0%)	0 (0.0%)	2 (0.1%)	2 (<0.1%)
*Psychiatric	0 (0.0%)	1 (<0.1%)	3 (0.2%)	4 (<0.1%)
Total Incident Reports Not Adjudicated: CCDOC Mishandling	0 (0.0%)	1 (<0.1%)	5 (0.3%)	6 (0.1%)

As Table 1.22 shows, the total number of incident reports filed in 2008 (19,310) was 29.2% higher than the total for 2007 (14,943) and 70.0% higher than the total for 2006 (11,359). As Table 1.23 shows, incident reports filed in the first three months of 2009 will result in an annual total of approximately 18,475 reports by December 31, 2009. The available data do not lend themselves to a conclusion whether the increased numbers of incidents reported reflect

more problems at the jail, a more aggressive practice of reporting incidents of all kinds, or both.

No cases in which charges were dismissed due to failure to conduct timely hearings were reported in 2008 or the first three months of 2009. This is a significant improvement from 2007, when 1.4% of all cases eligible for disciplinary action were dismissed for lack of timely hearings, and 2006, when 1.3% of all such cases were similarly dismissed. For the 11-month period (May 1, 2008 – March 31, 2009) as a whole, no dismissals due to inability to conduct timely hearings occurred, an improvement over the dismissal rate of constituted 0.9% described in the court monitoring report of August 7, 2008. Previous reports describe a pattern of continuing improvement in providing timely hearings, reflected by dismissal rates of 1.4% documented in the court monitoring report of April 9, 2007, 1.1% in the May 5, 2005 report, and 3.7% for the period covered in the May 4, 2004 report. The data also corroborate the observations of John Howard Association staff, who received no complaints from inmates regarding untimely disciplinary hearings during the period covered in this report.

The reports also reflect that CCDOC staff have virtually eliminated the problem of dismissals due to incident reports that were incomplete or otherwise invalid, marking another improvement since January 2005. Data for the current period reveal only two invalid reports during the 11 months covered in this report, reflecting a continued practice of supervisory review of incident reports.

Table 1.24 shows dismissal rates on an annual basis from mid-1990's to the present.

Table 1.24
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	0.9%	- 30.8%	- 94.5%
2008	0.0%	na	-100.0%
2009*	<0.1%	na	- 99.9%

* 2009 data through March 31, 2009.

The data reflect continuing progress 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. These data are consistent with our observations during visits to CCDOC. Since

our last report, we have encountered very few inmates who have been held in segregation in violation of the provisions of the Consent Decree.

In previous years, we reported that the dispositions of disciplinary charges were dominated by findings of guilt, frequently exceeding 95% of all cases. Analysis of monthly disciplinary reports during 2008 reveals that 46.1%, or less than one-half, of all disciplinary charges adjudicated resulted in findings of guilt. Guilty findings decreased to 43.9% of all adjudications during the first three months of 2009. This represents a continuing decrease from the level of 76.4% of all disciplinary charges adjudicated resulted in findings of guilt in May 2007 and a level of 51.4% guilty findings in April 2008.

Monthly disciplinary hearing board reports contain data on injuries that occur during documented incidents. The number of injuries sustained by inmates and staff during reported incidents are used to calculate the incidence of harm during the period under review. The information does not describe injuries by cause, type, or severity. Table 1.25 shows injuries and injury rates (i.e., injuries per 1,000 inmates) from January 1, 2008 through March 31, 2009.

Table 1.25
INJURIES SUSTAINED AT CCDOC
January 1, 2008 –March 31, 2009

	<u>Staff</u> <u>Injuries</u>	<u>Inmate</u> <u>Injuries</u>	<u>Average</u> <u>Daily</u> <u>Population</u>	<u>Injuries</u> <u>per 1,000</u> <u>Inmates</u>
Jan 2008	8	88	9241	9.5
Feb	12	79	9296	8.5
Mar	4	143	9234	15.5
Apr	20	156	9271	16.8
May	11	147	9236	15.9
Jun	9	94	9207	10.2
Jul	10	151	9398	16.1
Aug	11	140	9685	14.5
Sep	3	137	9669	14.2
Oct	3	124	9490	13.1
Nov	3	158	9518	16.6
Dec	7	109	9036	12.1
	<hr/>	<hr/>	<hr/>	<hr/>
Total	101	1526	na	na
\bar{X} (mo)	8.4	127.2	9357	13.6
Jan 2009	16	106	9000	11.8
Feb	5	89	8904	10.0
Mar	6	115	8869	13.0
	<hr/>	<hr/>	<hr/>	<hr/>
Total	27	310	na	na
\bar{X} (mo)	9.0	103.3	8924.9	11.6

Table 1.25 shows considerable fluctuation in the rate of reported injuries to inmates during 2008 and for the first three months of 2009. The only discernible trend has occurred since December 2008, since which time the inmate injury rate has decreased and remained relatively low. It should be noted that injury data for inmates in one or more divisions during September 2008, January 2009, and March 2009 were incomplete and may be higher than shown; in addition, staff injury data for March 2009 were also incomplete.

For the period January 1, 2008 through March 31, 2009, the average rate of 13.2 injuries per 1,000 inmates is 18.9% higher than the rate of 11.1 injuries per 1,000 inmates for the period January 1, 2007 through April 30, 2008. The current inmate injury rate is, however, roughly one-half (50.7%) of what it was during the period January 1, 2006 –January 31, 2007, when the average rate of injuries was 26.8 per 1,000 inmates.

For an additional perspective on injuries to inmates and staff, Table 1.26 shows inmate injury rates and the average number of staff injured monthly since 1991.

Table 1.26
Cook County Department of Corrections
MONTHLY INJURY RATE (INMATES) AND STAFF INJURIES

	<u>Injuries per</u> <u>1,000 inmates</u>	<u>Year-to-Year</u> <u>Change</u>	<u>Staff</u> <u>Injuries</u>	<u>Year-to-Year</u> <u>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%
2007	10.6	- 61.9%	46.6	+ 64.7%
2008	13.6	+28.3%	8.4	- 82.0%
2009*	11.6	- 14.7%	9.0	+ 7.1%
Cumulative Change	- 11.7	- 50.2%	+ 8.3	+1185.7%

* 2009 data through March 31, 2009. .

NOTE: Data for inmate and staff injuries represent monthly averages. For inmates, injuries are measured as a rate for the overall inmate population. The average number of staff injuries monthly is the best available measure of staff injuries.

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

As Table 1.26 shows, the rate of injuries to inmates exceeded 20.6 per 1,000 inmates from 1991 – 1993 and decreased marginally for the years 1994 – 1998. Injury rates for inmates then increased significantly from 1998 to 2006, reaching its highest reported rate of 27.8 injuries

per 1000 inmates in 2006. The inmate injury rate decreased dramatically in 2007 then increased by 28.3% in 2008. The injury rate during the first three months of 2009 is somewhat lower than during the previous year, which is particularly welcome in light of a series of serious incidents in several divisions at the beginning of the year.

Table 1.26 reveals that staff injuries which reached a reported high of 32.8 per month in 2003, declined from 2004 to 2005 and increased significantly to a new high of 46.6 per month in 2007. Staff injuries decreased significantly during 2008 and have remained relatively few in number during the first three months of 2009.

SPECIAL MANAGEMENT UNITS

In several previous reports, we have described conditions in protective custody and other special management units in CCDOC, and we have described general changes to those conditions of confinement relating to the amount of time inmates are permitted out of their cells daily throughout the jail as a whole. This subsection provides a current description of these units and some of the conditions therein. This subsection is included in the section relating to disciplinary segregation insofar as inmates in these units are subjected to major changes in the ordinary conditions of confinement similar to those experienced by inmates in disciplinary segregation.

Overview

As has been described to the Court and the parties in previous reports and status hearings, several major changes have occurred regarding conditions of confinement for inmates at

CCDOC during the period covered in this report. The broadest in scope has been the restriction of daily time out of cells enjoyed by inmates in most jail divisions.¹⁶ A second change has been the formalization of a level system, the purpose of which is described as intending to provide special incarceration for inmates deemed a security threat to CCDOC personnel, civilians, and inmates. Conditions of confinement for inmates in protective custody, previously described in our May 8, 2006 and April 9, 2007 reports, also raise issues whether these conditions are reasonably related to legitimate penological purposes and provisions of the Consent Decree in this case. The sections below describe these topics during the period covered in this report.

Limiting Time Out of Cells

Since early 2007, CCDOC has followed a policy of restricting out of cell time for inmates, with one-half of the inmates on each living unit allowed into dayroom areas for several hours on both the day and afternoon shifts. During the first year of this practice, instances in which some inmates were not permitted these dayroom periods daily occurred occasionally. Since our last report on August 7, 2008, however, JHA staff have received few complaints about this problem. It is possible that the reduction in injuries to inmates and staff described in Table 1.26 may be related to these restrictions, which have reduced the number of inmates congregating in dayrooms at any time.

Since the last court monitoring report, CCDOC administrators have modified their practices regarding cell confinement for inmates with medical and/or psychiatric problems confined in Divisions X (males) and III (females). These inmates are now kept in dayrooms in

¹⁶ The only notable exception are those sections of the jail with dormitory accommodations, which include Division II and the RU Building in Division VIII, where such confinement is not possible.

these divisions during the day (7:00 am – 3:00 pm) and afternoon (3:00 pm – 11:00 pm) shifts, permitting continuous, direct supervision by Correctional Officers, a practice we recommended. This has resulted in very few health crises that have not been responded to promptly by security staff. Some inmates have complained about being denied access to their beds in cells, particularly those receiving psychotropic drugs that causes drowsiness after medication rounds occur, but inmates are permitted to bring their mattresses and blankets into dayrooms during these times.

Despite the reduction in injuries to inmates and staff that may be at least partially attributable to this practice, the John Howard Association remains opposed to this policy. This practice clearly represents a major change in the ordinary conditions of confinement that had been followed at CCDOC for decades. A policy of limited-out-of cell time may be justifiable for inmates classified for maximum-security custody, including those whose institutional behavior includes a history of violent or seriously disruptive behavior, but this practice exceeds these parameters.

Special Incarceration Level System

CCDOC continues to operate special incarceration units for inmates deemed to be high security risks, by virtue of their charges, criminal histories, and institutional behavior. These units are located in Division IX, with four levels of security restrictions. Inmates assigned to the level system do not enjoy access to programs and services comparable to inmates in general population status. Restrictions on out-of-cell time, access to the law library, religious services, and exercise affect most inmates in the level system, the vast majority of whom are not currently serving terms of confinement in disciplinary segregation. As we have stated previously, the level

system has become a *de facto* system of administrative segregation, a punitive practice unless strictly limited to an appropriately small number of cases.

Protective Custody Units

In a number of previous reports, we have articulated our concern about the practice of confining inmates in protective custody (PC) classification to their cells for 23 hours daily. This practice has continued throughout the period covered in this report, as it has done for several years previously. CCDOC administrators have restated their position that such confinement is necessary to ensure the safety of these inmates, but they have failed to put forth a plausible explanation of why such restrictions have not been and are not used for convicted felons who require such protection in the Illinois Department of Corrections. These inmates spend many hours a day out of their cells and receive extensive recreation time comparable to that enjoyed by inmates in the general population. To date, CCDOC administrators have failed to produce evidence to support the systematic practice of confining all inmates in PC status for 23 hours a day, a condition equaled only by inmates in disciplinary segregation status who have received notice, a hearing, and other due process protections.¹⁷

¹⁷ Partial Stipulated Order No. 2 issued April 20, 1976 by Judge Thomas McMillen in the early days of this litigation.

APPENDIX

2007 Population and Capacity Summary

2006 Population and Capacity Summary

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

Issuance of I-Bonds: 1985 – 2008

**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/C18 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
Apr	9803	9520.2	458.9	1706.4	30/30
May	9790	9354.6	317.6	1594.3	31/31
Jun	9713	9478.3	363.5	1537.8	29/30
Jul	9792	9607.9	441.6	1516.9	31/31
Aug	9819	9878.5	574.9	1465.5	31/31
Sep	9930	10088.2	564.8	1468.0	30/30
Oct	9954	10048.8	586.3	1425.5	31/31
Nov	9977	9741.6	419.2	1418.4	30/30
Dec	9746	9185.6	145.1	1384.3	28/31

YEAR-TO-
DATE
TOTAL

na

na

na

na

na

DAILY

AVERAGE 9824.8

9600.9

429.3

1573.4

362/365

JOHN HOWARD ASSOCIATION

**Cook County Department of Corrections
2006 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	9946	9213.5	0.0	7/31	4.1
Feb	9940	9160.8	0.0	20/28	25.6
Mar	9832	8936.1	0.0	20/31	11.7
Apr	9843	9087.3	0.0	7/30	3.4
May	9848	9140.6	0.0	26/31	55.0
Jun	9844	9455.2	0.0	30/30	277.2
Jul	9761	9701.2	0.0	31/31	494.1
Aug	9819	9637.9	0.0	31/31	625.3
Sep	9886	9721.1	0.0	30/30	518.8
Oct	9804	9568.0	0.0	31/31	420.2
Nov	9775	9483.3	0.0	30/30	436.4
Dec	9763	9203.6	0.0	31/31	308.9

YEAR-TO-DATE

TOTAL	na	na	0	365/365	na
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DAILY

AVERAGE	9837.6	9359.8	0.0	na	266.5
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**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 ¹⁹	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

¹⁹ 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
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**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
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**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
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**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
<hr/>					

**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
<hr/>					
ANNUAL TOTAL	na	na	3720	365	na
<hr/>					
DAILY AVERAGE	9261.6	9152.7	10.2	na	414.1
<hr/>					

**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
<hr/>					
ANNUAL TOTAL	na	na	3195	366	na
<hr/>					
DAILY AVERAGE	8856.6	9034.7	8.7	na	624.7
<hr/>					

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
<hr/>					
ANNUAL TOTAL	na	na	10045	365	na
<hr/>					
DAILY AVERAGE	7682.9	8750.8	27.5	na	1360.4
<hr/>					

**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
<hr/>					
ANNUAL TOTAL	na	na	11390	365	na
<hr/>					
DAILY AVERAGE	7926.9	8906.6	31.2	na	1455.7
<hr/>					

**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

DAILY

AVERAGE 6594.8 8789.3 51.0 na 2444.5

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
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ANNUAL TOTAL	na	na	28,614	365	na
<hr/>					
DAILY AVERAGE	6217	6827	78.4	na	806.0
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**Cook County Department of Corrections
ISSUANCE OF I-BONDS: 1985 - 2008**

	<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	- 2	na	221,306
2008	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.