



SHERIFF THOMAS DART
Cook County Sheriff's Office
Richard J. Daley Center
50 Washington Street, Suite 704
Chicago, Illinois 60602

May 7, 2020

Via Electronic Mail

The Honorable Toni Preckwinkle
President
Cook County Board of Commissioners
118 North Clark Street Room 537
Chicago, Illinois 60602

Via Electronic Mail

The Honorable Dorothy Brown
Clerk of the Circuit Court
50 West Washington, Room 1001
Chicago, Illinois 60602

Via Electronic Mail

The Honorable Judge Timothy C. Evans
Chief Judge
Circuit Court of Cook County
Richard J. Daley Center
50 West Washington, Room 2600
Chicago, Illinois 60602

Via Electronic Mail

The Honorable Kimberly Foxx
Cook County State's Attorney
69 West Washington, Suite 3200
Chicago, Illinois 60202

Via Electronic Mail

The Honorable Amy Campanelli
Cook County Public Defender
69 West Washington, Suite 1600
Chicago, Illinois 60602

Dear Stakeholders,

Over the last eight weeks, my office has worked tirelessly with yours to address evolving and unprecedented challenges facing justice-involved populations during the COVID-19 pandemic. The Office of the Chief Judge, Public Defender, and State's Attorney Office have worked hard to reduce the in-custody jail population. On March 1, the jail population was 5,604. As of today, the population is 4,064. Every available bed is at a premium right now, and these bond review proceedings have helped us incredibly to implement social distancing guidelines within the Cook County Department of Corrections ("CCDOC").

However, as this procedural release valve has relieved the burden on CCDOC operations, that burden has steadily shifted to the Sheriff's Electronic Monitoring program ("EM"). On March 1, there were 2,417 individuals ordered to our EM program. Today, we are monitoring 3,170 individuals in the community. To put that increase into perspective, below is an overview of the average daily EM population since 2010:

Year	Average Daily Population - EM
2010	503
2011	768
2012	1,327
2013	1,332
2014	1,887
2015	1,996
2016	2,236
2017	2,188
2018	2,134
2019	2,219
2020 – through April 17, 2020 (thru 4/17)	2,417
May 7, 2020	3,167

In sum, the EM program saw a 30% increase since May of 2017—almost all of which took place over the last two months.

Sworn and civilian staff in EM and CCDOC, who do not have the luxury of practicing social distancing at home, are on the front lines of the pandemic. Staffing is stretched due to illness and return-to-work procedures related to COVID-19. To add insult to injury, the Illinois Department of Corrections and Governor J.B. Pritzker have blatantly ignored my requests for assistance in transferring IDOC inmates from CCDOC, and we currently are housing and caring for over 100 inmates who belong in IDOC custody.

I have long called for criminal justice stakeholders to confront the rapid growth of the EM population, including the evolving makeup of criminal charges of that population since Cook County enacted bond reform. The Sheriff’s Office has requested additional funding for EM staffing and operations. For years, my office has carried the burden of processing and monitoring more and more criminal defendants in the community, with more complex public safety considerations, and all while maintaining static staffing numbers. This need for an immediate solution has accelerated due to the introduction of the COVID-19 pandemic.

We have been at, or exceeding, capacity in EM for some time. However, this capacity has now formally asserted itself, as we have no additional equipment to assign to defendants with incoming EM orders. We notified the Chief Judge and Presiding Judges yesterday when we assigned our last radio frequency base unit. Already, attorneys and judges are suggesting the Sheriff prioritize certain cases for a wait list—a suggestion that again places the entire administrative and operational burden on my office to prop up the system during a pandemic. Our resources are extremely stretched as it is, with all staff focused on core functions and social distancing requirements under review by Northern District of Illinois Judges Kennelly and Gettleman. We are defending not only our process, but the work being done by Cermak Health Services, as well as the County itself on a symbolic level.

We will be returning all new EM orders to the issuing judge, and unfortunately will be holding anyone with an EM order in custody until their bond is modified. The Office of the Chief Judge, which oversees members of the judiciary entering these orders, should consider implementing a process to maintain a waitlist, with contribution by other stakeholders. The Sheriff's Office will not manage a general EM waitlist, as we already manage an extremely high-maintenance and labor-intensive list for EM participants with No Place to Stay, and are unable to take on such a task for a population of over 3,000.

In addition, I am calling on all stakeholders to develop a process for (1) ensuring that EM is being utilized only for defendants who require supervision in the interest of public safety and (2) removing individuals from EM after a period of successful supervision. My staff is available to discuss further at your earliest convenience.

Sincerely,

A handwritten signature in black ink, appearing to read 'Thomas J. Dart', written in a cursive style.

Thomas J. Dart
Cook County Sheriff