

**CHICAGO APPLESEED FUND FOR JUSTICE**  
**EXECUTIVE SUMMARY: STRATEGIES TO ENHANCE & COORDINATE COOK COUNTY  
DIVERSION PROGRAMS**

Like many American cities, Cook County faces a trio of criminal justice challenges: increasing levels of violent crime, overly burdened staff and facilities, and shrinking resources. In response to these concerns, Chicago Appleseed Fund for Justice produced researched ways to devote more resources to violent crime through smarter, more effective, cost efficient methods of administering justice for the people. We interviewed practitioners and policy makers in Chicago and across the nation, and produced a report, "Strategies to Enhance and Coordinate Cook County Diversion Programs." This document summarizes that report's key recommendations.

There is plenty of opportunity for diversion. This is because Cook County expends tremendous resources sending people to jail on charges that are later dismissed. Other offenders are put on probation and released after spending time in jail. The County does not benefit from paying the jail costs in these cases, and jailing these people does not make the County safer.

Nonviolent cases and cases with a low likelihood of successful prosecution present ideal opportunities for diversion. In 2010, the Cook County Jail admitted 78,534 individuals, seventy percent of whom – 55,000 people – were held on the basis of nonviolent charges. Also in 2010, 12,446 of Cook County prisoners were released because the charges against them were dismissed entirely. On average, these detainees spent 25 days in jail before release.

The County estimates the total cost of operating the jail to be \$229,449,000 per year. This breaks down to a cost of about \$142.60 per inmate per day. Even if we just improve the system so that we jail 10% fewer of the defendants in whose cases are ultimately dismissed, we save the County over \$4,000,000 a year. And we think that Cook County can do better than a 10% improvement.

Not diverting is no longer an option. Our institutions and justice personnel are stretched beyond their limits. In order to allow them to address the most serious and strongest cases, we must divert nonviolent and weak cases. To reduce reliance upon incarceration safely and cost-effectively, we offer the following strategies, divided into three categories:

**1. Centralize and Coordinate Diversion Court Efforts**

We suggest that the existing diversion courts, also known as specialty courts, remain in place. The County should convene a blue ribbon task force, a coalition, to help create a diversion system and centralize these diversion efforts in two dedicated courtrooms in the Criminal Division. Judges and staff would focus on the issues that overburden the criminal justice system: people suffering from addiction and mental health problems. These courts will also handle cases of many first time offenders who are suitable to be diverted from the traditional court system.

**2. Improve Access Points**

We recommend three key stages after arrest where defendants may be identified for formal diversion programs and recommended for release from jail: Stationhouse Felony Drug Review, Enhanced Pretrial Services, and Bond Court. These stages are opportunities to improve the administration of justice and create savings. We propose strategies for limiting involvement in the criminal justice system through optimizing efficiency at each stage.

### 3. Collect Performance Data and Use It

Perhaps the most common sense strategy is that the County should be collecting data on program performance and using that data to monitor and evaluate progress. Currently, data is collected piecemeal, and often only by the people responsible for program management: not surprisingly, each program reports excellent performance. We suggest that the County create an independent data collection group to ensure that the County is using methods that objectively analyze performance. The real question is: if we are not using objectively collected data to gauge performance now, do we even know how we are doing?

## SEVEN STRATEGIES TO ENHANCE COOK COUNTY DIVERSION

1. Form a Coalition for Diversion, aimed at coordinating, enhancing, and ultimately expanding the use of diversion.
2. Establish a Diversion Section within the Criminal Division of the Circuit Court for oversight of court-based alternatives to incarceration.
3. Reinstate felony review of drug cases following arrest in order to identify cases for dismissal or diversion early in the case processing.
4. Enhance pretrial services to conduct more background investigations, verify critical information, and identify candidates for the Diversion Section.
5. Transfer authority for Bond Court from the Municipal Division to the Criminal Division.
6. Increase use of safe, effective, and low-cost non-monetary conditions of pretrial release in Bond Court.
7. Develop a centralized and independent data collection system to lay the groundwork for using evidence-based best practice approaches.

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### **ADDITIONAL RESOURCES**

- Chicago Appleseed Criminal Justice Resources & Publications:  
[http://www.chicagoappleseed.org/programs/criminal\\_justice\\_system\\_reform](http://www.chicagoappleseed.org/programs/criminal_justice_system_reform)
  - Cook County Sheriff's Office Research Partnership with David Olson, Ph.D:  
[http://works.bepress.com/david\\_e\\_olson/subject\\_areas.html](http://works.bepress.com/david_e_olson/subject_areas.html)
  - Cook County Star Performance Management Reports:  
<http://blog.cookcountygov.com/performancemanagement/>
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