



# John Howard Association of Illinois

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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  
Chicago, Illinois 60606

January 15, 2010

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## INTRODUCTION

This is the twenty-sixth 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
		May 22, 2009

The format of this Court Monitor's 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 or alternatives to incarceration, and facilities status and planning issues. In Section II, we describe conditions of confinement at the jail. 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 Consent Decree.

The information used in the preparation of this report consists of observations made during more than 25 visits to the jail complex and analysis of data derived from logs, documents, and other records provided by CCDOC administrators, staff and other sources. Information

obtained during meetings with CCDOC, other Cook County officials and other parties is also included. The Association gratefully acknowledges the assistance of student interns Malgorzata Kolodziej, Klemend Ahmeti, and Izet Husic 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 eight month period from May 2009 through December 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, 2009 through December 31, 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. As noted in our last report, 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"<sup>1</sup> was utilized until December 2008,

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<sup>1</sup> "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.



(2) the Cermak Health Services facility, which houses inmates requiring medical or psychiatric observation and treatment in an infirmary setting, 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. A restatement of the responsibility and rationale for the persistence of overcrowding in the Cermak Health Services facility is provided in Section II. E. below.

**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
May	9742	8990.4	1120.0	0	12.3 (29)	0	12.3	29/31
June	9645	8989.5	1126.0	0	17.6 (30)	0	17.6	30/30
July	9701	9135.4	1089.0	0	31.0 (31)	0	31.0	31/31
Aug	9707	9203.2	1100.0	0	25.3 (31)	0	25.3	31/31
Sep	9752	9271.9	1113.0	0	16.2 (30)	0	16.2	30/30
Oct	9922	9343.2	1140.0	0	7.7 (28)	0	7.7	28/31
Nov	9923	9081.0	1182.0	0	11.0 (24)	0	11.0	24/30
Dec	9884	8708.2	1188.0	0	14.8 (31)	0	14.8	31/31
YTD TOTAL	NA	NA	NA	0	NA	0.0	NA	351/365
DAILY AVERAGE	9767	9043.0	1118.7	0	16	0	16.0	NA

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

**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

The data in Table 1.1 reflect an increase in average daily inmate population from June 2009 through October 2009 followed by a significant decrease during November 2009 and December 2009. While the population level during December 2009 is likely attributable in large part to the traditional seasonal factor, the increase in the number of inmates participating in the various release mechanisms during recent months is clearly a contributing factor.

The overflow population (i.e. – inmates sleeping on mattresses on elevated platforms) during 2009 has fluctuated within a fairly limited range during 2009. As we noted in our report of May 22, 2009, the overflow population has occurred exclusively in Cermak Health Services since January 1, 2009, a phenomenon discussed in greater detail in Section II.E. For the period covered in this report (May 2009 – December 2009), the overflow population has averaged 17.0 inmates nightly.

The number of inmates participating in the various release mechanisms operated by the Sheriff of Cook County also fluctuated albeit slightly during the period covered in this report. During this period (May 2009 – December 2009), the aggregate participation in these release mechanisms averaged 1,132 inmates daily, which is significantly lower than the average of 1,223 inmates daily for the period covered in the May 22, 2009 report. 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.

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 that are appended to this report.

During the period covered in this report, “overflow population” has been limited to inmates housed in the Cermak Health Services (CHS) facility for observation and/or treatment of medical or psychiatric conditions. In previous reports, inmates had also been sleeping on mattresses on elevated platforms, as opposed to regularly installed beds, in Division XI in a “share bunking” or “hot bunking” program. This arrangement lasted from December 2007 through December 2008, at which time it was discontinued. As the data in Table 1.1 reveal, there have been no other instances of overflow population in other portions of CCDOC during the period covered in this report and for 2009 as a whole.

While overcrowding in Cermak has occurred on most days through 2009, the number of inmates affected by this situation has fluctuated widely, with occasional peaks as high as 64 inmates. It should also be noted that, in most cases, individual inmates affected by this situation rarely spend more than one to three days without a regular bed.

During the period covered in this report, the practice of housing some CCDOC inmates in county jails in Kankakee and Jefferson counties under contractual arrangements has continued. This arrangement was initiated to reduce crowding and to remove inmates involved in serious disturbances from the jail complex. As noted previously, the number of inmates held in these facilities has fluctuated considerably during the past several years, occasionally reaching a total of nearly 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, a level consistent with that noted in our May 22, 2009 report. 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.<sup>2</sup> 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. It remains the position of the John Howard Association that the practice of transferring inmates facing criminal charges in Cook County courts 40 miles away from their attorneys, families, and friends is inappropriate unless conclusively proven to be absolutely necessary to avoid a recurrence of crowding at CCDOC. This practice was initiated primarily as a method of reducing crowding at CCDOC, which has now been virtually eliminated. Given that fact, it seems appropriate to house these individuals at the jail once again.

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.

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<sup>2</sup> 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	9043	- 3.4%	9767	+ 0.2%	92.6%	16.0	- 89.6%
<b>Cumulative Growth</b>	+ 3716	+ 69.8%	+ 4196	+75.3%	- 3.0%	- 122.7	- 88.5%

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. Inmate population during 2009 was at the lowest level since 1996. A comparison of inmate population in 2002, when average daily population reached an all-time high, with 2009 reveals a decrease of more than 2,000 (n = 2,039) inmates daily, which represents a decrease of 18.4%, between one-fifth and one-sixth of the total inmate population.

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 2009. The data also show that, for calendar year 2009, the overflow population at CCDOC was at lower than at any time since 1988, when JHA began compiling these statistics.

Table 1.3 shows the occupancy level<sup>3</sup> 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 have slept 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. JHA monitoring visits and discussions with jail administrators throughout the period covered in this report have revealed no instances of such subliminal crowding. During 2009, CCDOC operated with an average of 724 beds vacant daily.

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

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



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 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.

As noted in our May 22, 2009 report, Division III now includes three buildings --- (1) Division III itself, (2) the Division III Annex (formerly known as the RU Building), and (3) the Cermak Health Services (CHS) facility. 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 December 31, 2009)	Projected Capacity
I	1,250	1,220	1,250
II	1,860	1,860	1,560 <sup>a</sup>
III	988	705	988
IV	704	568	704
V	992	968	992
VI	992	962	992
IX	1,056	960	1,056
X	768	719	768
XI	1,536	1,536	1,536
<b>CCDOC Total</b>	10,146	9,498	9,846
PRC	450	450	450
DWJSR	158	158	158
<b>Grand Total</b>	10,754	10,355	10,454

<sup>a</sup> 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.

As we have noted in previous reports, Dorm 4 in Division II continues to operate at twice its design capacity of 300 beds. This is a result of an agreement among the parties 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 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 (a) the total inmate population at CCDOC has continued to decrease and is now significantly smaller than the total number of beds available at the jail and (b) overflow population is at the lowest level since 1988, we once again urge jail administrators to reduce the population in this facility to a maximum of 300 inmates. Reducing the population in this building can be accomplished 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	86,067	7172.3	235.8

The data in Table 1.5 reveal that jail admissions have decreased steadily since 2004. During that time, total admissions have decreased by 19,574, which represents a decrease of 18.5%. The decrease in admissions exceeds the decrease in average daily inmate population, which decreased by 14.2% between 2004 and 2009.

As noted in previous reports, we are convinced that 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 have also contributed to the decreases in inmate population and crowding, but the decrease in admissions remains the principal factor contributing to these welcome decreases. While reduced admissions and a smaller total inmate population are both welcome occurrences, these should not be construed as reasons to ignore the need to expedite case processing and reduce length of stay at CCDOC. A respect for correctional best practices and concern for fiscal responsibility should also motivate Cook County officials to expand the use of their effective release mechanisms, which reduce total costs of incarceration and enable participants to return to the community while awaiting disposition of charges.

### **Length of Stay**

This monitoring report includes an updated analysis of length of stay 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 September 25, 2009.

#### 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 ten different dates between February 2002 and September 2009.

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

	<b>All Inmates</b>	<b>Male Inmates</b>	<b>Female Inmates</b>	<b>Max-Security Inmates (male)</b>
<b>Feb 2002</b>	187.5 days	195.7 days	117.8 days	297.1 days
<b>May 2003</b>	216.7 days	225.1 days	133.2 days	339.4 days
<b>July 2004</b>	188.0 days	197.7 days	108.1 days	345.0 days
<b>Feb 2005</b>	188.3 days	195.8 days	131.8 days	354.3 days
<b>Mar 2007</b>	178.8 days	183.9 days	117.2 days	361.1 days
<b>Aug 2007</b>	169.2 days	174.7 days	110.9 days	344.6 days
<b>Jan 2008</b>	176.3 days	186.5 days	120.3 days	337.6 days
<b>Jun 2008</b>	177.0 days	183.7 days	115.1 days	340.5 days
<b>Apr 2009</b>	181.1 days	183.3 days	152.0 days	370.0 days
<b>Sep 2009</b>	163.2 days	165.2 days	135.9 days	338.3 days
<b>Cumulative Change</b>	- 24.3 days	- 30.5 days	+ 18.1 days	+ 41.2 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 (0 = 216.7 days) and August 2007 (0 = 169.2 days), followed by progressive increases through April 2009. By September 2009, however, length of stay had decreased somewhat, to an average of 163.2 days, the lowest level since February 2002. This decrease is primarily attributable to shorter lengths of stay for all male inmates, who constitute the vast majority of the CCDOC inmate population. Male inmates in maximum-security classification (primarily by virtue of the seriousness of pending charges) continue to remain incarcerated for extraordinarily long periods, despite the recent decrease since April 2009. The most recent average of 338.3 days for this group of approximately 2,300 inmates remains significantly longer than the average of 297.1 days in February 2002. It is clear that, despite some progress in other areas involving felony case processing, the handling of these most serious cases remains a lamentable failure in terms of timeliness. The persistence of these delays and the size of this group of inmates requires us to restate our recommendation that Cook County officials increase their efforts to accelerate felony case processing. Most simply put, there is no excuse for any criminal case in which a defendant is incarcerated to take more than two years to reach disposition. This, in turn, is an outside limit, and the majority of criminal charges should be adjudicated much more promptly.

Length of stay for female inmates has also decreased in recent months, although the average remains longer than at any time (other than April 2009) since we began compiling these statistics in February 2002.

In a number of previous reports, we presented data showing the number and percentage of inmates in custody for various durations on specific dates in each of the years 2005 – 2009. These data more clearly revealed the number and percentage of inmates in custody for periods of



one year or more, as well as the number of inmates incarcerated for shorter periods. We were informed that the new management information system at CCDOC does not presently have the capacity to generate these or other valuable data, such as the release cohort data presented in previous reports. We are hopeful that CCDOC administrators and future monitors will have such data available, since its value in assessing judicial efficiency and other critical factors is of vital importance.

The new management information system at CCDOC, known as IMACS, was installed in mid-2009 after numerous delays. Following its installation, a number of significant problems occurred, resulting in inmates missing court appearances and some delayed discharges from jail. While many of these problems have been reduced in number and severity or eliminated, many staff, including health providers at Cermak, have continued to complain about the new system. Whether this is due to unfamiliarity or inherent limits to this system is beyond the scope of this report, but Cook County officials should continue to review the operation of this vital system, whose functioning is essential to daily operations at the jail. As noted above, the capacity of the new MIS to generate data such as those previously contained in these court monitoring reports should be carefully scrutinized.

#### **A. Release Mechanisms**

During the period covered in this report, officials of the Office of the Sheriff of Cook County continued to operate six programs to provide supervised release of inmates. As we noted in our report of May 22, 2009, Cook County Circuit Court judges assigned to Central Bond Court began to order the release of inmates under electronic monitoring supervision on December 15, 2008 and have continued to do so since that date. Commentary on the impact of

these court-ordered placements is provided in the appropriate sections below.

The Cook County Department of Community Supervision and Intervention (CCDCSI), a branch of the Office of the Sheriff of Cook County, operates 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, operates 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 previous reports, CCDOC officials have not utilized I-Bonds (also known as Administrative Mandatory Furlough or AMF) to release inmates since March 2005.<sup>4</sup>

While not strictly 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.

The average daily caseloads or population of each of the release mechanisms discussed in this section are depicted in Tables 1.11 and 1.12 at the conclusion of this section.

### **1. Non-Custodial Programs**

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) are described in this section.

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<sup>4</sup> A table describing the history of the issuance of I-Bonds is attached as an appendix

**a. Sheriff's Female Furlough Program**

The Sheriff's Female Furlough Program (SFFP), formerly known as the Cook County Detention Alternative for Women, is the only non-custodial program operated by the Department of Women's Justice Services for females who had been incarcerated at CCDOC. SFFP is a day reporting program providing supervision and structured programming for female former inmates.

As previously reported, the SFFP program operates in the old Cermak Health Services building. 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 other psychiatric problems, and parenting support. Toxicology screening is performed to determine drug use.

Table 1.7 shows the growth of SFFP from its inception through December 31, 2009.

**Table 1.7**  
**CCDWJS SHERIFF'S FEMALE FURLOUGH PROGRAM**  
**ACTIVE CASELOAD: September 1, 1993 – December 31, 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-Jun 2009	100	113.8	140
Jul-Dec	94	110.8	133

While the active SFFP caseload continued to decrease slightly during 2009, this decrease was offset by increases in the number of participants in the Womens Justice Services Residential Program during this period. In addition to this situation, the female inmate population at CCDOC remained at relatively low levels throughout the period covered in this report, and no female inmates were forced to sleep on floors in any of the facilities which they occupy.

**b. Electronic Monitoring Program (CCDCSI)**

In previous reports, we have described changes in the Electronic Monitoring Program (EMP) during the past decade, from the years when it was the largest non-judicial release mechanism in terms of numbers of former CCDOC inmates under supervision. Beginning in 2004, the EMP caseload began to decline due to restrictions on eligibility criteria, budget cuts, and a protracted disagreement regarding responsibility for placing inmates on EMP supervision.

During the period covered in this report, the EMP active caseload has increased slightly. Between January 2009 and June 2009, the active caseload averaged 240 participants, in comparison to an average active caseload of 261 participants between July 2009 and December 2009. During the last three months of 2009, the active caseload averaged 291 participants.

As noted above, Circuit Court judges began to utilize the EMP as a condition of bond for some defendants on or about December 15, 2008. Since that time, an increasing percentage of pretrial detainees who would have otherwise been incarcerated have been ordered into EMP supervision by judges; in addition, an increasing number of participants in some CCDCSI programs, particularly the Day Reporting Program, have been committed by court order as a condition of probation.

Despite SOME growth in the number of court-ordered placements, the total number of

EMP participants has not increased significantly. In an effort to provide timely information on the likelihood of crowding in the jail to Circuit Court judges, CCDCSI administrators began to issue daily “overcrowding warning notices.” These notices included an assessment of the criticality of crowding, in terms of the number of beds available daily in three categories (0 – 199 beds, 200 – 399 beds, and over 400 beds), the number of EM units available, and the number of inmates housed at other jails to reduce crowding. We commend the initiation of this system of notices to the judiciary, which provides empirical information that can be utilized in making release decisions. The current inventory of monitoring equipment could accommodate an active caseload of approximately 1,000 participants, although this would entail the reassignment of additional staff to EMP to provide adequate supervision.

Throughout the period covered in this report, EMP staff have continued to utilize both hard-wired and cellular monitoring equipment. The cellular equipment does not require participants to have landline phone service at their residence. Recently, CCDCSI administrators have indicated that they have begun to acquire cellular equipment exclusively, since this permits the placement of more potential participants into this program.

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 hallmark of the EMP program.

The average daily caseload of active EMP participants since the inception of the program is presented in Table 1.8 below.

**Table 1.8**  
**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	250.3	- 19.9%

\*\* 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 1.8 shows the continuing reductions in the EMP active caseload since 2004, resulting in a current caseload less than one-sixth the size of what it was then. On an annual basis, there were approximately 1,350 fewer inmates on EMP supervision in 2009 than there were in 2004, a reduction of more than 80%.

During the period covered in this report, the EMP active caseload remained fairly constant from May 2009 through September 2009, then increased somewhat during the last three months of 2009. This increase may be attributable to the gradually increasing involvement of judges in Central Bond Court, who assumed responsibility for releasing newly arrested defendants to electronic monitoring supervision beginning on December 15, 2008. An example of this is the fact that a total of 641 court-ordered EMP placements occurred, which translates to an average of 10.3 new placements daily, during the period September 26, 2009 – November 28, 2009. This is slightly higher than the average of 9.1 new placements daily during the period January 28, 2009 – April 4, 2009, when a total of 613 court-ordered EMP placements occurred.

While the data reflect a gradual increase in the number of court-ordered placements during 2009, the Electronic Monitoring Program remains seriously underutilized. We urge judges, prosecutors, public defenders, and other actors in the court system to utilize this resource to enable defendants to work, attend school, participate in treatment programs, and remain at liberty. Increased utilization of EMP is also critical to achieving additional reductions in inmate population at CCDOC, and this can be achieved with a high degree of success, as evident from data on 2,923 EMP program completions between December 15, 2008 through November 28, 2009.

During this period, more than 85% of EMP participants successfully completed the program. Only 1.8% of participants were arrested on new charges, while a mere 2.3% of participants received bond forfeiture warrants. 10% of participants completing the program during this period were returned to custody for technical violations of program violations. These statistics attest to the continuing vigilance of EMP administrators and staff, whose efforts have contributed significantly to avoiding a recurrence of overcrowding at the jail and saving scarce



county resources.

CCDCSI administrators have also developed a model order for electronic home monitoring that will hopefully be utilized by all Circuit Court judges in Bond Court and other situations. This order specifies any special conditions regarding movement and whether defendants are ordered to pay a fee not to exceed \$30.00 daily for the use of equipment.

**c. Day Reporting Program (CCDCSI)**

The Day Reporting Program (DRP) provides treatment services to and supervision of male participants, many of whom have performed successfully under EMP supervision. As with the Electronic Monitoring Program, the number of DRP participants who are court-ordered has increased during 2009. During a JHA visit on December 9, 2009, 113 of a total of 163 DRP participants were court-ordered, representing a mix of pretrial detainees and probationers.

As described in previous court monitoring reports, DRP participants undergo mandatory toxicology screening several times weekly. Some DRP participants testing positive for illegal drug use are transferred 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 noted in several previous reports, 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, with an emphasis on cognitive-behavioral restructuring. DRP staff provide assistance to participants with job training and

placement, and some participants secure employment while enrolled in the program. Substance abuse treatment includes Alcoholics Anonymous, Narcotics Anonymous, and Cocaine Anonymous meetings on a daily basis. The Gateway Foundation resumed responsibility for many treatment services at DRP in May 2009, and their contract includes provisions for reentry specialists, who are particularly important for ensuring successful transitions back to the community. The DRP has also initiated an on-line virtual high school program through the Chicago Public Schools which enables participants to earn a high school diploma. A GED program provided through Malcolm X College has also been restarted after a hiatus of several years, providing expanded educational opportunities for DRP participants.

Table 1.9 contains data showing the growth of DRP from its inception through December 2009.

**Table 1.9**  
**CCDCSI DAY REPORTING PROGRAM (MEN):**  
**ACTIVE CASELOAD**  
**September 1, 1993 – December 31, 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-Jun 2009	126	145.0	193
Jul-Dec	135	154.0	194

These data reflect a stabilization of the active DRP caseload during the period covered in this report. The monthly data in Table 1.11 below reveal that the DRP caseload reached low levels in early 2009 and then increased somewhat in the months following. In the second half of 2009, this caseload has been fairly consistent, with some increases every other month through the end of December 2009.

While the Day Reporting Program is not a custodial program, its operations are dependent on both staff and space, since participants must be accommodated on the South Campus. DRP administrators have indicated that available space could accommodate a maximum of 180 – 190 participants, which represents the average caseload during 2007 – 2008. We urge all concerned parties to maximize the utilization of this valuable program.

## **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. As noted in previous reports, the PRC operated with a capacity of 300 beds until August 2005, at which time 150 additional beds were opened. In most respects, PRC program operation has continued virtually unchanged from the

style described in previous reports.

The majority of PRC inmates are still transferred directly from CCDOC and not from EMP. As 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 these transfers from CCDOC, PRC also accepts inmates who had been participating in the Day Reporting Programs but who were 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. In addition to substance abuse treatment, approximately 100 DRP participants participate in treatment for issues relating to domestic violence, with many of these participants placed there by court order. A number of PRC participants are also enrolled in the virtual on-line high school described in the preceding section.

During summer 2009, the PRC continued to operate its garden project, which provides inmates with an opportunity to learn horticulture skills and provide fresh produce to local community programs. Recently, years of effort were rewarded with the construction of a greenhouse in September 2009, which will facilitate expansion of this unique program.

Data contained in Table 1.10 depict the size and range of the PRC population from the inception<sup>5</sup> of the program through December 31, 2009.

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<sup>5</sup> The first inmates arrived at the PRC on September 26, 1993.

**Table 1.10**  
**Cook County Department of Community Supervision & Intervention**  
**PRE-RELEASE CENTER POPULATION**  
**September 26, 1993 – December 31, 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-Jun 2009	437	446.3	449
Jul-Dec	442	447.0	449

The data reveal that the PRC has consistently maintained 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. Maintaining this program at or near full capacity remains a matter of vital importance given the reduced 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**

The WJS Residential Program (WJSRP) provides intensive treatment services for females in the old Cermak Health Services building and 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 in spring 2009. As noted in our last report, Since October 2008, the WJSRP increased its average daily population in November 2008, and the average daily population during 2009 was 145.7 participants.

This program provides female detainees with fairly comprehensive 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. The DWJSRP has continued to operate a well-equipped contact visiting area for mothers and children since 2007.

While similar in some respects, the DWJS Residential Program provides a much broader range of intensive, gender-specific programming and services than does the Pre-Release Center. Correctional Officers assigned to DWJS programs receive additional training on mental health issues and de-escalation techniques. Only female CO's are assigned to the Residential Program.

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.

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

As previously reported, 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 receive substance abuse counseling, mental health treatment, treatment and support 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 2009, the number of participants has averaged of 14.2 participants daily, slightly



higher than the average of 13.4 participants noted in the May 22, 2009 report. This represents an additional increase from the average of 10.5 participants daily during the previous period (January 1, 2007 – June 30, 2008).

**d. Cook County Boot Camp**

The Cook County Boot Camp (CCBC) has now completed 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 extends over a period of one year, beginning with an 18-week residential phase followed by 10 weeks of community supervision. New entrants are admitted in 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 program<sup>6</sup> and an average daily population ranging from 220 to 230 participants.<sup>7</sup>

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<sup>6</sup> Space originally intended for 144 additional beds continues to be used for CCBC's day reporting program.

<sup>7</sup> 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.

As of December 3, 2009, a total of 7,025 participants had completed the incarcerative first phase of the program, and there are currently more than 400 participants still under aftercare supervision. The status of those participants who had finished the first phase of the program are as follows:

- 2.9% were terminated for failure to comply with post-release regulations, a significant reduction from the 5.0% termination rate reported in our last report and significantly lower than the rates of 4.6% in August 2008, 3% in February 2007, 7% in April 2006, and 4% in January 2005.
- 4% of participants were awaiting judicial disposition for failure to comply with program regulations, higher than the rate of 1.8% in April 2009, almost identical to the rate of 3.8% in this status in August 2008, but only one-half of the rate of 8% in April 2007.
- 1% had been sentenced for new crimes committed while under supervision, representing a pattern of continuing albeit slight improvement over the rate of 1.1% in April 2009, 2.1% in August 2008, 3% in April 2007, April 2006, and January 2005.
- As of December 3, 2009, 25% of those still under supervision were gainfully employed, in comparison to 24% employed in April 2009, 37% employed in August 2008, 26% employed in February 2007, 29% employed in April 2006, and 25% employed in January 2005.

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 December 3, 2009, 1,215 CCBC participants had received G.E.D. certificates.

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. In June 2009, the Boot Camp acquired a greenhouse which was utilized prior to the onset of inclement weather. The greenhouse will be used to grow fresh produce for consumption by CCBC participants and possibly other consumers. Like the garden project operated by CCDCSI, the Boot Camp horticulture program will also provide training for participants that could lead to employment 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 December 3, 2009, approximately 5,400 participants had successfully completed anger management classes. DUI therapeutic and educational programs continue to be provided to inmates in need of these services. Inmates who do not require educational or therapeutic services participate in mandatory work assignments.

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. As of December 3, 2009, 2,101 CCBC graduates were employed or attending school when they completed their Boot Camp sentence.

While under community supervision, CCBC participants continue educational and substance abuse treatment programming on an individual basis. As of December 3, 2009, more than 1,000 participants had completed community-based substance abuse programs.

Between its opening in March 1997 and December 3, 2009, CCBC admitted 8,164 individuals, with 926 (11.3%) removed prior to the completion of the incarceration phase of the program. This retention rate of 88.7% of entrants through the most intensive phase of the program has been amazingly consistent for several years, attesting to the effectiveness of the Boot Camp Program.

The five-year recidivism rate is currently 32%, incrementally higher than the rate of 31% in April 2009 and 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.<sup>8</sup>

## **Conclusion**

As the data in Tables 1.11 and 1.12 reveal, the number of participants in non-custodial programs release mechanisms declined from 520 in May 2009 to 479 in July 2009. Since that time, the aggregate daily caseload of these programs has increased steadily to 580 participants daily during December 2009. This total is somewhat higher than the average of 485 participants during the first four months of 2009 but significantly fewer than the 730 participants in August 2008

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<sup>8</sup> Illinois Department of Corrections data, June 30, 2005 (latest available data).

Despite this fact that the aggregate population/caseload of the Sheriff's release mechanisms remains significantly lower than they were in previous years, they have been sufficient to maintain a situation in which overcrowding has been virtually eliminated.<sup>9</sup> While we were concerned that the rate of jail admissions might not continue to occur at lower rates than in preceding years, the admissions rate has in fact decreased still further.

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

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<sup>9</sup> Overcrowding in Cermak Health Services is discussed in Section II. E. below.

**Table 1.11**  
**Cook County Release Mechanisms**  
**AVERAGE DAILY CASELOADS/POPULATION**  
**Jan 1, 2008 – Dec. 31, 2009**

	<b>NON-CUSTODIAL</b>				<b>CUSTODIAL</b>				
	EMP	DRP	SFFP/ CCDAW	AGGREGATE DLY CSLD	PRC	WJSRP	MOMS	AGGREGATE DAILY POP	AVG DLY POP ALL REL MECH
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
MAY	258	141	121	520	446	139	15	600	1120
JUNE	265	138	117	520	448	144	14	606	1126
JULY	224	148	107	479	448	147	15	610	1089
AUG	227	147	112	486	447	152	14	613	1099
SEP	236	152	112	500	447	150	16	613	1113
OCT	281	151	105	537	446	142	15	603	1140
NOV	291	162	116	569	447	151	15	613	1182
DEC	303	164	113	580	447	146	15	608	1188
$\bar{X}$ (2009)	250.3	149.5	112.3	512.1	446.6	145.7	14.2	606.5	1118.7

Note: Until mid-June 2008, inmates transferred to the Day Reporting Program (DRP) from the EMP had their bracelets removed when transferred. Since that time, persons transferred to the DRP retained their bracelets and were monitored electronically in the evenings and on weekends. In 2009, CCDCSI administrators revised their data reporting procedures to differentiate between those persons being monitored electronically while in the Day Reporting Program and those solely in the EMP.

Table 1.12  
Cook County Release Mechanisms  
AVERAGE DAILY CASELOADS/POPULATION  
Jan 2006 – Dec 2007

	NON-CUSTODIAL			AGGREGATE DLY CSLD	PRC	CUSTODIAL		AGGREGATE DAILY POP	AVG DLY POP ALL REL MECH
	EMP	DRP	SFFP/ CCDAW			WJSRP	MOMS		
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

The data in Tables 1.11 and 1.12 reveal the recent increase in the aggregate number of inmates participating in the various release mechanisms. At the same time, the data also document a decrease of 465 participants daily, a 29.3% decrease since 2007, and a decrease of 1,057 participants daily, a decrease of 48.6%, since 2006.

The data in the preceding sections also clearly demonstrate several important facts previously articulated in our report of May 22, 2009. The first is that inmate population and the level of crowding in the jail has continued to decrease. At present, inmate population is at its lowest level since 1996, and crowding is at the lowest level since 1988. Second, jail capacity (i.e. – beds) has not increased since 2003, and the number of available beds has actually decreased recently (as a result of renovation projects). Third, length of stay for inmates has decreased somewhat in recent months, but significant numbers of inmates remain incarcerated for very lengthy periods. Fourth, the caseloads and populations of the various release mechanisms have only increased during the second half of 2009 but have otherwise continued to decrease.

Collectively these facts lead to only one conclusion --- the primary factor contributing to the reduction in crowding at CCDOC is the overall decrease in admissions since 1997. As noted above, daily jail admissions during 2009 were lower than at any time since 1996.

While overcrowding has been alleviated, Cook County officials should not relent in their efforts to increase the utilization of the range of release mechanisms that have operated so effectively (in terms of supervision and success rates) and cost-effectively. Now that the primary responsibility for placing defendants into these programs has been assumed by some judges of the Circuit Court of Cook County, we urge that these efforts be expanded in all municipal districts, where many criminal defendants receive preliminary hearings and other court



proceedings. Increasing the utilization of release mechanisms not only can contribute to an even lower jail population but can become an important step in enhancing the criminal justice system in Cook County.

In closing, we note that a new office called an Administrative Release Authority was scheduled to begin operations following passage of the FY 2010 Cook County budget, which occurred in November 2009. This office, to be staffed with one or more retired judges, was to assume responsibility for determining those defendants arriving at the jail who meet eligibility criteria for the various release mechanisms. To date, there have been no indications whatsoever of the fate of this proposal, and we urge Cook County officials to report on the status of this proposal.

## **B. Jail Capacity: Facilities Status and Planning Issues**

### **1. Bed space Availability and Utilization**

CCDOC has operated with the great majority of inmate living units open and relatively few individual cells closed for repair or renovation during the period covered in this report. During this eight-month period, an average of 96.4% of all beds have been available for use as inmate housing, only incrementally lower than the 96.9% availability level noted in our report of May 22, 2009.

Living units in various divisions have been closed for varying periods to permit repairs and renovations, which have generally been relatively brief in duration, normally ranging from one to three weeks. During this period, various “building initiatives” to renovate living units have continued, although these have been relatively few in number. Additional observations regarding these projects is provided in Section II. A.

### **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.**

As of mid-January 2010, the design of the new building that will contain a new Receiving Room and housing for inmates with medical and psychiatric conditions is nearing completion. The Cook County Office of Capital Projects will be requesting permission to advertise for bids from the Cook County Board of Commissioners on January 26, 2010. Cook County officials have indicate that they hope to be ready to bid the documents before the end of February 2010 and possibly award the construction contract in April 2010. Groundbreaking for this project could occur in early summer 2010, with anticipated completion within 24 – 36 months.

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

This portion of the report contains sections dealing with most of the major provisions of the Consent Decree in order 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.*

In the months since our last report, CCDOC administrators and staff have continued their 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 a few areas have been marginal. The number of individual cells closed because of plumbing, electrical or structural problems has remained quite few in number, due to efforts by the Department of Facilities Management (DFM). At the same time, Cook County officials have taken the opportunity presented lower inmate population levels to expand the scale of “building initiatives”, which are essentially renovation projects resulting in closure of living units in several divisions at a time. Despite these initiatives, numerous maintenance problems have been observed throughout this period; however, DFM administrators and tradesmen have done a remarkable job with grossly insufficient resources to attempt to stem the ceaseless tide of damage to the buildings and systems of the jail.

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

*1. Division I*

During the period covered in this report, most inmate living units, as well as exercise areas, the dispensary, and other areas were well maintained. The chronic water leakage affecting the law library for years was finally repaired in December 2009. Shower areas in some living units still exhibit problems of inadequate sanitation, lighting, and peeling paint due to inadequate ventilation, although a number of shower areas were repainted with more scheduled for repainting. There has been some discussion about a capital project to address the long-standing problem of lack of toilets in dayrooms in this 80-year-old facility, but no tangible plans have been made to date.

The major exception to our observation above was a highly publicized problem with cell locks in Division I. Inmates had discovered how to jam locks to prevent their secure closure, although this would not necessarily register on security panels at the Officer's station. A program involving DFM tradesmen and outside contractors was accelerated to devise means of reducing the frequency of these incidents, and few reports of extensive problems with this phenomenon have been received in recent months.

*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. Damaged ceilings in some bathroom areas were repaired during this period.

Bathrooms and showers serving one-half of Dorm 4 were still affected by maintenance and sanitation problems for a number of months during this period. More recently, these areas

were repainted, which has also improved sanitation. Routine maintenance of toilets, sinks, and showers in this area has been performed, although the extraordinarily heavy usage of these facilities leads to frequent damage to toilets.

### *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 this period, and most maintenance needs appear to have been handled in a reasonably timely and appropriate fashion. Some bathrooms areas are still affected by recurrent problems involving damaged and/or missing floor and wall tiles and damage to toilet stalls. During this period, we did not observe any clogged drains or comparable problems similar to those noted in our May 22, 2009 report.

Complaints about maintenance in the Division III Annex were relatively few during the period covered in this report. A number of shower areas have been repainted and new wall coverings installed in others, and more are scheduled for repainting and other repairs in the near future. Leakage at the entrances to several dormitories was repaired. Despite these repairs, shower walls in several units are still severely discolored because of water leakage from shower fixtures.

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*

Few significant maintenance problems were noted, and DFM tradesmen completed a relamping project in all living units during the period covered in this report. This has resulted in

a major improvement in lighting in cells throughout the division, although the durability of these repairs is questionable since current fixtures permit inmates to easily remove light bulbs and damage fixtures.

Temperature control and airflow in this building remain a chronic problem, primarily due to air vents that are blocked by inmates. Tradesmen can do little more than remove material covering these vents in every cell, but they are almost immediately replaced by the occupants.

#### *5. Division V*

Since the submission of our last report on May 22, 2009, Division V reverted back to a general population, medium-security facility for male inmates. Previously, the building had served as the primary reception facility for many male inmates admitted to CCDOC.

Dayrooms in the living units appear fairly clean and open. A recent project to replace damaged stair treads in all dayrooms was completed in recent months. Another initiative to remove graffiti from walls and cell doors was also completed. Damaged floor tile in dayrooms, cells, and bathrooms was removed in many areas throughout the building, alleviating this chronic problem. Major repairs to bathrooms and shower areas were completed, resulting in improvements regarding plumbing fixtures, lighting, and ventilation. Cells in the entire division were all re-lamped during recent months, but we already observed some recurring problems because inmates are still able to damage fixtures or remove bulbs. We must restate our position that poor facility design and construction make the numerous renovations and repairs performed in Division V little more than temporary fixes.

This observation certainly applies to the recurrence of another major problem involving seepage through the east wall of the building affecting many cells in a number of living units on the first floor. Moderate to heavy seepage has affected many cells, and there is no practical means of repairing this problem until warmer, drier weather occurs. CCDOC administrators

have closed cells affected by significant seepage, although a few cases of water seepage from other sources were not handled in timely fashion.

*6. Receiving Room (Division V)*

Improvements in sanitation and mechanical maintenance in the Receiving Room described in our reports of August 7, 2008 and May 22, 2009 continue to benefit this area. Despite these improvements, this area still suffers from a wide range of problems. 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. Sanitation in the area containing toilets and urinals has been improved and maintained at reasonable levels, an extraordinary accomplishment given the usage. Conditions in bullpens have been maintained reasonably well, and we were informed of plans to perform some security enhancements to these enclosures in the near future.

*7. Division VI*

Conditions in Division VI regarding sanitation and mechanical maintenance have been generally acceptable during the period covered in this report. A re-lamping project recently completed has at least temporarily improved this chronic problem, although the lack of secure fixtures make the durability of these repairs suspect. All switch and outlet cover plates were repaired in recent months, and relatively little new damage has been noticed since that time. A number of toilets and urinals were repaired in recent months, and relatively few have been out of order since that time. Bathrooms and shower areas have been fairly sanitary. Extensive wall washing and repainting has resulted in the removal of most graffiti, 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.

A chronic ventilation problem affecting the South Tower and the gym was finally resolved in November 2009, with the installation of new equipment. 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 still problematic, and we urge CCDOC administrators to review this situation to determine means of effecting improvement. Much of the damage to dayroom floors noted in our last report was repaired, with concrete surfaces ground and patched in July 2009.

*10. Division X*

Many of the maintenance problems noted in our report of May 22, 2009 have been repaired since that time. Cover plates for light switches and electrical outlets were replaced, and many of these and other repairs have been maintained. Power washing of cells has been performed, and this has resulted in some improvements, and cell walls in many of the cells in six living units were washed and/or repainted several months ago.

*11. Division XI*

Sanitation and most mechanical maintenance issues have been generally satisfactory throughout the period covered in this report; however, damage to light fixtures in some cells continues to occur. Shower stalls are reasonably clean, but many were affected by peeling paint. A project to repaint these stalls with epoxy based paint was initiated on several units, and we are hopeful that it will continue through all 32 units in the building.

As in several other divisions, many living units are still affected by damage to toilets in dayroom areas, although the number of such problems is not significant. 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.

*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. 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 we have stated repeatedly, thousands of maintenance problems have been addressed during the period covered in this report, yet numerous problems remain. In a number of 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, and repairs are

rarely enduring. Only within the past 30 days have new fixtures for in-cell lighting been acquired and installed in Division IX in a pilot project. To date, none of these fixtures have been vandalized, although more testing is needed to determine durability. If these fixtures prove suitable, a plan and funding for their installation in several divisions should be developed and implemented without delay.

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 were hired in recent weeks, many more tradesmen are still needed to address the enormous volume of repairs.

The staffing and budgetary limitations affecting the Department of Facilities Management described above and in a long series of previous reports have been described in the Report Regarding Department of Facilities Management Tradesmen Staffing at the Cook County Department of Corrections, submitted to the Court in October 2009.

#### *16. General Sanitation Issues*

Although there has been some improvements in this regard, we still feel obligated to report that marginal or problematic sanitary conditions in areas within some jail divisions appear to be attributable to cleaning products not strong enough to sanitize effectively and insufficient quantities of disinfectant issued to inmates; in addition, inmates are still not supplied with sponges or other effective 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.*

Throughout the period covered in this report, the great majority of CCDOC 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 uniform<sup>10</sup>, toothbrush and toothpaste, toilet paper, and soap upon their arrival at the division to which they have been assigned. Most of the uniforms, blankets, and linen that we observed were in reasonably good condition, but a few were worn, frayed or damaged. Sheets are damaged, mainly by vandalism, quite frequently, although CCDOC staff has become much more vigilant in their efforts to cite inmates with disciplinary infractions in these and similar cases, often resulting in restitution orders.

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. While we occasionally seen damaged mattresses including some consisting only of the foam core, these have become progressively fewer in number, apparently due to the vigilance of jail staff. When these conditions have been observed, jail officials have promptly provided replacements.

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<sup>10</sup> Female inmates are supplied with two uniforms.

The rubber-soled, canvas shoes issued to inmates during this period and previously 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 in this report. Few complaints about inadequate laundering or infrequent linen or clothing exchanges were received in recent months. Most inmates were observed to be wearing clean uniforms, and supplies of uniforms on the shelves in divisional supply rooms were adequately clean. We heard few complaints about delays in the weekly laundry exchange process in some divisions, even during lockdowns.

It is distressing that some divisions still do not have washers and dryers to augment the regular CCDOC laundry service. It is unclear whether this situation is attributable to difficulties in providing electrical and plumbing connections, the chronic shortage of tradesmen, or other factors.

In recent months, CCDOC provided cloth jackets to inmates making court appearances, using outdoor exercise areas, or moving about the complex for other reasons. JHA visitors observed that most of the jackets were in good condition, but some jackets are still not washed as often as needed.

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. Female inmates have clothing and linen laundered regularly, and mattresses and other items appear to be in good condition.

Issuance and control of disposable razors, a problem noted in previous reports, appears to have been handled without incident during the period covered in this report.

The most distressing chronic problem relating to personal hygiene remains the processing of new admissions through the Receiving Room without showering and in the same clothes they have worn for at least several days since their arrest. The lack of adequate shower facilities and clothing storage in this area results in a situation in which inmates travel throughout the jail complex in dirty, contaminated clothing; in addition, some of these inmates are afflicted with lice, crabs, or other infestations that can be transmitted to other inmates or staff.<sup>11</sup> As noted previously, this situation cannot be remedied until the opening of a new Receiving Room several years from now (if that project remains on schedule).

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<sup>11</sup> 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.*

Food service operations at CCDOC have continued without significant change during the period covered in this report. Food services are still 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 inspected the Central Kitchen facility, including food storage and preparation areas and other portions of the building, and tasted food prepared for inmates.

Some new cooking equipment, including three new ovens, were acquired and installed during the period covered in this report. These ovens permit a higher quality of food preparation than was previously possible in recent years, and they are a welcome addition. We did observe some cooking equipment without appropriate coverings over electrical components, a situation that presents a potential risk of injury and acquisition of contraband. This situation should be remedied without delay.

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 quantity of food served, particularly cold lunches. The use of these lunch meals as dinner servings for inmates returning from court was a source of scores of complaints, and we urge CCDOC administrators to review this practice to determine a means whereby inmates returning from court before dinner is delivered can receive regular dinner trays rather than cold



lunch meals.

During this period, we heard no complaints about spoiled lunches, which had been a recurring problem for a number of years. JHA staff has 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. Complaints about the monotony of receiving nearly identical lunch meals daily were received on virtually every visit, as they have been for many years.

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 no complaints about spoilage or damaged wrapping.

CCDOC continues to employ a Registered Dietician who monitors menu plans and meals prepared in the Central Kitchen. The incidence of meals returned to the Central Kitchen when the Dietician has concluded that they were improperly prepared or failed to meet contract specifications have apparently been very few in number during this period.

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 continues to use food delivery carts constructed of plastic and stainless steel first acquired in 2006, and these carts remain fully serviceable. We have not observed any occasions in which these carts were not adequately sanitized when delivered to the divisions during meal times.

Food trays and carts are essential components of the food service delivery system at the jail. Meal delivery occurs in timely fashion, although complaints about cold food are still

occasionally received. In recent months, maintenance problems with heaters on the dock area in the Central Kitchen, where many food carts are loaded onto trucks for delivery to some divisions, have left this area extremely cold. This situation contributes to the problem of thermal degradation, which is exacerbated by the lengthy delivery process, and is also extremely uncomfortable for inmate workers.

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. Special diet meals are now delivered in Styrofoam clamshell containers sealed with plastic wrap, which enhances both sanitation and temperature maintenance. Special diet meals we observed on a recent visit included roasted chicken quarters that were pleasantly aromatic as well as fruit, which is not included in regular meal trays.

Conditions in the Central Kitchen facility have generally been satisfactory during the period covered in this report. Conditions in the room used for tray and cart washing, which had previously been problematic due to sanitation and maintenance problems, were considerably improved, although this area appears to be due for repainting with an epoxy-based paint (to resist moisture). Additional boots should be acquired, to ensure that all inmate workers assigned to areas around food or moisture have appropriate footwear. Reasonable sanitation has been maintained throughout the period, and no significant maintenance problems 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 Correctional Officers (CO's) and supervisors, including data on budgeted positions, and positions filled, inactive, and vacant are provided, as well as observations by JHA staff during visits to all divisions of the jail. This section also incorporates and provides commentary on previous submissions by Sheriff Dart on his plans to fill newly created CO positions included in the FY 2010 Cook County budget. This section also contains an updated assessment of how current and projected 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.

Until recently, 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. Recent changes in the number of CO positions at the jail are described following Table 1.13 below.

**Table 1.13**  
**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 <sup>12</sup>	3379
Nov 2009	50	73	185	3122	3430
Increase/ Decrease	<u>+ 17</u> (+51.5%)	<u>+ 2</u> (+2.8%)	<u>+ 9</u> (+5.1%)	<u>+ 642</u> (+25.9%)	<u>+ 670</u> (+24.3%)

As always, not all of the 3,122 budgeted CO positions were filled by staff who were actually at or available for work. As of November 6, 2009, 2,736 CO's were actually available for work at CCDOC, while 246 CO positions were vacant and 140 CO's were being carried in

<sup>12</sup> 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).

active status, including individuals on disability, suspension, leave of absence, military leave, or duty injury. The number of CO's on active status (i.e. - available for work) has increased by 73 CO's, which represents an increase of 2.7%. 246 CO positions were vacant in November 2009, representing 7.9% of the total number of budgeted positions (FY 2009), an incremental improvement over the vacancy rate of 8.7% in May 2009.<sup>13</sup> As we informed the Court and the parties in previous hearings, these vacancies reflect positions in the FY 2009 budget that took effect in December 2008 and do not include additional positions included in the FY 2010 budget that was passed in mid-November 2009. The number of inactive positions has remained virtually unchanged, totaling 140 in November 2009 and 139 in May 2009. Table 1.14 summarizes CO staffing data since June 2008.

**Table 1.14**  
**Correctional Officer Staffing Status**  
**June 2008 – November 2009**

	Jun 2008	May 2009	Nov 2009
Budgeted Positions	3068	3068	3122
Filled Positions	2895 (94.4%)	2802 (91.3%)	2876 (92.1%)
Active	(2757) (89.9%)	(2663) (86.8%)	(2736) (87.6%)
Inactive	(138) (4.5%)	(139) (4.5%)	(140) (4.5%)
Vacant Positions	173 (5.6%)	266 (8.7%)	246 (7.9%)

These data reveal that the number of CO's available for work at the jail increased slightly between May 2009 and November 2009; however, this most recent total is still lower than the number of CO's on active status in June 2008, reflecting a continuing need for expeditious action

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<sup>13</sup> A new class of 42 cadets began training on November 9, 2009, which should have reduced the number of vacant positions by that amount.

to fill vacancies. Additional commentary and recommendations on the hiring of Correctional Officers is provided at the conclusion of this section.

Observations of security staffing on almost every visit during the period covered in this report reflect that a number of living units in almost every division of the jail 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. The use of “lunch premiums” and extensive use of overtime, often mandated, has reduced the severity of staffing shortages, but the situation still falls far short of substantial compliance with the provisions of the Consent Decree. Perhaps the most telling indicator of the adequacy of current staffing levels is the fact that CCDOC exceeded the eight million dollars budgeted for overtime during FY 2009, spending a total of approximately 19.9 million dollars last year. While many staff have welcomed substantial overtime, it is clear that Cook County officials could have utilized these funds to begin the hiring of new cadets much earlier.

Members of JHA visiting teams received few complaints of delays in essential activities, including sick call and clinic appointments, family and attorney visits, and exercise periods during the period covered in this report. It is not clear, however, whether these activities are routinely being performed with CO’s whose regular assignments are living units.

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. This study found that 3,278 CO’s are needed to achieve compliance with the Consent Decree. While the number of budgeted CO positions (n = 3,122) in November 2009 might be construed to mean that CCDOC needs only 156 additional CO positions to achieve compliance. It is more accurate, however, to use the cadre of active CO’s, which numbered 2,736 in November 2009, as the baseline for

calculating the number of CO's needed to achieve this goal. Using this figure, 542 additional CO's are needed, which closely approximates the number specified in the Sheriff's Proposal. It is also possible that the current total of budgeted positions for CCDOC includes CO's who were transferred back to the jail from CCDCSI during the past year, when the staffing of the various release mechanisms was reduced as part of the downsizing of these program. If the hiring initiative now underway results in more Officers than required graduating from training classes, any "extra" Officers can and should be assigned to the Electronic Monitoring Program to enable this program to increase its active caseload.

In our May 22, 2009 report, we noted that psychiatric training for had been reinitiated, and these 80-hour classes have continued since that time. CCDOC officials have indicated plans to continue this initiative until all CO's and supervisors have received this valuable training, which nonetheless results in approximately 50 CO's and supervisors being unavailable for duty at any given time. This training is separate from the 40-hour annual refresher training, required by state law and professional standards. These training requirements entail additional security staff to replace those individuals involved in training.

The Sheriff's Written Proposal Regarding Improvements in the Hiring Process, filed with this Court on November 24, 2009, outlined a schedule for hiring a total of 580 CO's between January 19, 2010 and December 27, 2010. Counsel for the plaintiffs and the Court Monitor both indicated their agreement with this schedule, which will gradually alleviate the chronic shortage of Correctional Officers that has affected the jail for years. While this proposal is acceptable and appropriate, we recommend that the defendants submit status reports on the hiring process to the Court within ten working days of the starting date for each new cadet class to ensure reasonable adherence to the schedule and the number of recruits hired and enrolled in training. These reports should also include data on the number of cadets successfully completing each academy

class, to permit prompt adjustment to the hiring schedule. Finally, reports to the court should include data on the deployment of the new CO's, to ensure that all divisions receive the number of staff needed to comply with the specifications of the MGT staffing study.



**E. Overcrowding**

In our May 22, 2009 report, we commented on three issues involving inmate population and crowding. These issues are (1) the use of “hot bunking” or “share bunking” in selected portions of the jail; (2) the capacity of Dorm 4 in Division II; and (3) the practice of housing some CCDOC inmates in jails in Kankakee and Jefferson counties. The current status of these situations and our recommendations regarding them are provided below.

The population and capacity summaries in Section I of this report reflect the fact that, while overcrowding has been eliminated in most divisions of the jail, Cermak Health Services routinely houses a fairly small number of inmates whose number exceeds the number of available beds in that facility. While this is clearly an undesirable situation, we remain in agreement with the judgment of medical and psychiatric staff that the health status of these inmates require their placement in these areas for observation and treatment, despite the crowding. As noted in previous reports, most of these inmates are housed in these units for fairly short periods, usually 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 is not likely to occur until the opening of the new building planned as a replacement for the RU Building. It is likely that a properly designed facility of this type could provide suitable accommodations for some of the inmates currently housed in the CHS facility, eliminating the recurrent crowding that has affected this building for several years. Had Cook County officials initiated this project several years ago, the current occurrence of crowding in Cermak might not have occurred.<sup>14</sup>

As described in several previous reports, the status of Dorm 4 in Division II remains a matter of concern. The conversion of this former kitchen area into dormitory housing was

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<sup>14</sup> Had Cook County officials heeded the recommendation of JHA staff and increased the number of beds in the current CHS facility in the plans for the CHS facility, this crowding could also have been avoided.

prompted by persistent crowding at CCDOC. The original plan to install a total of 300 beds in this facility was doubled by installing bunk beds in response to the size of the overflow population at that time. But the renovation of this facility did not include a sufficient number of toilets and showers for the 600 inmates housed in Dorm 4, representing a continuing violation of Illinois County Jail Standards. As noted previously, this situation was more manageable when Dorm 4 housed a significant number of inmate workers, because many of those inmates were out of the building on work details for eight-hour shifts daily. More than one year ago, however, inmate workers were transferred to other divisions, resulting in a population of 600 inmates who rarely leave the building. Throughout the period covered in this report, JHA staff has received dozens of complaints from inmates and security staff, who object to the operation of huge, open dormitories with 300 beds. The position of the John Howard Association is that this violates principles of good correctional practice. Given the continuing decrease in inmate population at CCDOC, we restate our recommendation that CCDOC administrators downsize this facility to its original design capacity of 300 beds.

As noted in Section I, the number of CCDOC inmates housed in jails in Kankakee and Jefferson counties has continued to decrease during the period covered in this report. In recent months, these jails have housed relatively few CCDOC inmates, with only nine CCDOC inmates in Kankakee County and 23 in Jefferson County in mid-January 2010. The primary concern regarding these placements pertains to difficulties in visiting for families, friends, and attorneys. It should be noted, however, that JHA staff have received a number of complaints from these inmates during recent months, most pertaining to property issues and some regarding health services. We recommend that Cook County officials assess the need for continuing this practice, which should be strictly limited to cases involving imminent security threats unless overcrowding recurs.

## **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 eight month period from April 1, 2009 to December 31, 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 1.15 contains aggregate data regarding these categories for this period.

**Table 1.15**  
**Cook County Department of Corrections**  
**LAW LIBRARY SERVICES**  
**January 1, 2009 – December 31, 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	5481	456.8	5509	459.1	100.5%	4.6%	13.2%
II	7204	600.3	4199	349.9	58.3%	18.9%	12.4%
III	3472	289.3	2309	192.4	66.5%	14.7%	7.5%
IV	5090	424.2	4186	348.8	82.2%	11.4%	0.0%
V	2074	172.8	1007	83.9	48.6%	11.8%	<0.1%
VI	7201	600.1	5076	423.0	70.5%	15.2%	0.0%
IX	8374	697.8	7052	587.7	84.2%	12.2%	15.6%
X	6219	518.3	6884	573.7	110.7%	15.8%	0.0%
XI	<u>10411</u>	867.5	<u>7120</u>	593.3	68.4%	17.4%	0.6%
TOTAL	55526		38266				
$\bar{X}/\text{mo}$		4627.2		3188.8	68.9%	14.2%	2.2%

The completion rate is derived by dividing the number of visits actually made by the number of requests received. The data reveal that, between April 1, 2009 and December 31, 2009, two divisions --- Divisions I and X --- reported completion rate in excess of 100%. This is attributable to inmates being granted access to libraries on more than occasion although only one request was submitted. Such instances are fairly common, particularly when court orders for ongoing access have been issued.

During this period, seven of the 10 libraries achieved completion rates of 60% or higher. This is consistent with our findings in the May 22, 2009 report; however, all 10 libraries had previously achieved completion rates of 60% during the period January 1, 2007 – April 30, 2008.

During the period covered in this report, five libraries --- Divisions I, IV, VI, IX, and X --- achieved completion rates of 70% or higher. This is somewhat lower than the performance reported in May 22, 2009, when seven libraries --- Divisions I, IV, VI, VIII, IX, X, and XI --- achieved this distinction.

During the current period, four libraries --- Divisions I, IV, IX, and X --- achieved completion rates of 80% or higher, and two of these --- Divisions I and X --- achieved completion rates in excess of 100%. This is a slight but notable improvement over the performance noted in our May 22, 2009 report, when three libraries --- Divisions I, VI, and X --- achieved completion rates of 90% or higher.

At the same time, CCDOC administrators should be concerned about a continuing problem with low completion rates in Divisions II (58.3%) and V (48.6%). These divisions had comparably low completion rates during 2008 – 2009 as described in our May 22, 2009 report. The completion rate in Division III increased from 58.6% in May 2009 to the current rate of

66.5%. Accessibility of law library services in Division V should have improved since this building ceased operations as a reception center housing inmates for relatively short periods following admission. In this and the other divisions mentioned, CCDOC administrators should take appropriate action to increase the accessibility of law libraries to the pretrial detainees in these facilities.

For CCDOC libraries as a whole, the completion rate during the period covered in this report was 68.9%, which is noticeably lower than the completion rate of 75.0% noted in the May 22, 2009 and the 76.2% completion rate achieved during 2007. The current completion rate is now only slightly higher than the 64.2% completion rate achieved in 2006, 66.5% in 2005, 68.7% in 2004, and slightly lower than the rate of 69.4% in 2003. We restate our belief that completion rates of 70% to 80% for all libraries should be established as the minimally acceptable levels of performance.

The data also reveal that 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. During 2009, four libraries --- Divisions II, VI, X, and XI --- reported that more 15% or more of the inmates for whom law library passes were issued declined these opportunities. This is slightly higher than reported in May 2009, when three libraries --- Divisions II, VI, and X --- reported that more than 15% of inmates declined to avail themselves of law library passes. 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 recurrence of security delays in honoring law library passes in

several divisions. While five divisions reported virtually no such problems, three divisions --- Divisions I, II, and IX --- reported security delays in more than 10% of the situations in which passes were issued. As noted previously, 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 the May 22, 2009 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. Problems with printed materials, particularly the Illinois criminal code and procedure, affected several libraries in recent months. Damage to these soft cover books, whether from frequent use, vandalism, or both causes, left several libraries with no complete books for inmates to review. This problem was brought to the attention of CCDOC administrators, although we are uncertain of what remedial action has been taken to date.

## **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.*

Since our last report, JHA staff received very few complaints regarding visitation. Most portions of visiting areas in the divisions remained in service for the great majority of this period, although some divisions continue to experience recurring maintenance problems affecting some visiting booths. This damage and the subsequent closures are attributable to vandalism 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 throughout this period, with at least one CO in every visiting area at all times when inmates and/or visitors are present. Searches of inmates and visitors are conducted routinely, and all divisions continue to utilize metal and drug detection equipment.

The daily volume of visitors to the various divisions of CCDOC has remained sizeable throughout this period. Despite this volume, JHA staff and volunteers have rarely observed long lines of visitors forced to wait outdoors during visiting hours, and we have received relatively few complaints about visiting procedures or practices during this period. The one exception to this observation pertains to the length of visits, which almost never exceed 30 minutes and are frequently shorter, but this practice appears to be the only practical means of accommodating the



number of visitors coming to CCDOC on a daily basis.

As a long-term measure, we recommend that CCDOC officials continue to make efforts to expand the use of video visitation that currently is limited to Division XI. It is our belief that this practice can effectively increase the frequency and length of visits while reducing the security and maintenance problems inherent in the traditional, face to face visiting arrangement. We recommend an expanded video visitation program as an adjunct to, rather than a total replacement for, current visiting accommodations.

## **H. Health Issues and Services**

In our reports of August 7, 2008 and May 22, 2009, 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 pertained to health services. Since that time, complaints about health services received during visits, described in correspondence to JHA from inmates, and documented in CCDOC's own grievance procedure have remained the most numerous complaints. The situations described in these more recent complaints are now somewhat less serious and alarming than those we described in our report of May 22, 2009.

Avery Hart, M.D. is now midway through his second year as Medical Director at CHS. Shortly before the submission of our last report, he has recruited Michael Puisis, D.O. to serve as the Chief Operating Officer at CHS, and they have worked collaboratively since that time to address many of the problems affecting health services at the jail. Their efforts have resulted in the hiring of some additional health providers, including several dentists and some nursing staff. In addition, a number of projects involving collaborative efforts and shared services with other components of the Cook County Bureau of Health Services have continued, including the ongoing development of a new electronic medical records system. Many of these programs, however, remain works in progress and have not paid tangible dividends to date.

Hanke Gratteau, the former Executive Director at JHA, and Charles A. Fasano met with Doctors Hart and Puisis in November 2009 to discuss the state of health services at Cermak and the jail. Our frank discussion was helpful, although we remain concerned about the slow progress of many projects, particularly those involving the expenditure of funds for additional staff and services.

In our report of May 22, 2009, we described the creation of several task forces to review

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 were also charged with evaluating the costs associated with various diagnostic services needed to ensure that adequate intake screening is performed on all admissions to CCDOC. We are eagerly awaiting the findings and recommendations of these task forces and any initiatives resulting from them in terms of new or restored services at CCDOC.

Despite the hiring of some additional dental staff, dental problems remain among the most numerous of all complaints received by JHA staff. Inmates with a variety of complaints were encountered on a number of 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. Delays in medication, including the initiation of medication recently prescribed by physicians, continues to occur, affecting many inmates.

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. No significant progress on the project to convert to electronic medical records has not yet reached Cermak Health Services, and health providers and inmates are still affected by the consequences of this situation.

During our visits to the jail and based on inmate correspondence, the majority of complaints about health services allege delays and other difficulties in being seen by nurses and physicians at divisional sick calls and comparable problems seeing various medical specialists at weekly clinics. Some progress appears to have been made in these regards, but these problems remain significant in number and the nature of some of the complaints.

Problems regarding the safety of male inmates with psychiatric needs housed in Division

X that were described in our report of May 22, 2009 appear to have been resolved. Throughout the period covered in this report, these inmates have been housed exclusively in dayrooms during the day and afternoon shifts, ensuring that they are under constant visual supervision by CO's, one of whom is routinely stationed inside these dayroom areas. A related problem involving the number of CO's who have completed the 80-hour psychiatric training course is also being addressed, since classes of 40 – 50 CO's and supervisors have been undergoing training throughout the period covered in this report.

The result of this ongoing training is that the cadre of CO's and security supervisors now familiar with signs and symptoms of psychiatric problems and appropriate responses has increased in virtually all divisions of the jail. More appropriate and timely responses to actual psychiatric and medical crises have occurred as a result of the increase in the number of security staff who have completed this training.

## **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.*

The inmate grievance procedure at CCDOC has operated in the same fashion as described in previous reports during the period covered in this report. The average number of grievances submitted monthly since April 1, 2009 was significantly than during 2008 or the first three months of 2009. While increased numbers of grievances are a matter of concern regarding jail operations, programs, services, or other conditions, an increased utilization of the grievance procedure also attests to the viability of this mechanism for expressing complaints about matters pertaining to jail policies, procedures, and practices.

As noted in previous court monitoring reports, monthly 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.

Table 1.16  
**INMATE GRIEVANCES**  
 Cook County Department of Corrections  
 JANUARY 2009 – DECEMBER 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 GRIEVANCE:
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
APR	122	24	22	21	0	0	6	3	198	275
MAY	93	16	8	11	0	0	3	4	135	189
JUN	119	25	9	14	1	0	9	0	177	249
JUL	133	15	1	9	0	0	4	2	164	235
AUG	118	14	9	6	0	0	4	2	153	225
SEP	117	9	5	17	0	1	8	3	160	230
OCT	138	17	5	18	0	1	5	1	185	290
NOV	93	6	6	6	1	1	9	1	123	179
DEC	155	3	8	15	0	2	21	2	206	288
<u>TOTAL</u>	1321	168	124	159	2	6	75	26	1881	2717
X (MO)	110.8	14.0	10.3	13.3	<0.1	0.5	6.3	2.2	156.8	226.4

Table 1.17  
**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
AN	93	8	9	16	0	1	0	1	128	181
EB	130	3	16	12	0	0	1	2	164	226
IAR	92	8	6	13	0	1	0	0	120	186
APR	99	12	13	13	0	0	0	1	138	200
IAY	111	8	13	10	0	0	3	3	148	199
JN	107	12	9	9	0	0	1	4	142	205
JL	104	5	11	18	0	0	0	6	144	181
UG	100	11	12	15	0	0	15	2	155	204
EP	129	13	5	19	0	0	10	6	182	250
CT	89	7	8	11	0	0	1	2	118	174
DV	55	5	3	9	0	0	1	2	75	113
EC	113	15	15	18	0	0	4	5	170	210
TOTAL	1222	107	120	163	0	2	36	34	1684	2329
(MO)	101.8	8.9	10.0	13.6	0.0	0.2	3.0	2.8	140.3	194.1

Data from the past several years reveal an overall increase with recent fluctuation in utilization of the inmate grievance procedure. During 2005, an average of 91.6 grievances were submitted monthly, in comparison to an average of 127.5 grievances monthly in 2006. During 2007, inmates submitted an average of 211.1 grievances monthly, and the grievance procedure was utilized somewhat less frequently in 2008, when inmates submitted an average of 194.1 grievances monthly. In 2009, inmates submitted an average of 266.4 grievances monthly, which is the highest utilization rate in recent years. It should be noted that this increase in grievances has occurred during a period of decreasing inmate population.

The most numerous categories of complaints continues to involve medical treatment, unprofessional conduct by medical staff, verbal and physical abuse by security staff, living conditions, and law libraries.

Among our selected categories of grievances, medical treatment continues to be the most common cause of complaint, constituting nearly one-half (48.6%) of all grievances submitted during 2009. This is a slightly lower frequency than during 2008, when medical grievances constituted 52.5% of all grievances. This also 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,<sup>15</sup> 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 2009, inmates submitted a total of 2,041 grievances about health services issues, representing 75.1% of all grievances submitted by CCDOC inmates. The incidence of grievances of this type is even greater than during 2008,

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



when health-related grievances represented 71.3% of all grievances submitted by CCDOC inmates. This is virtually identical to the incidence of such complaints in 2007, when 71.2% of all grievances involved health-related matters.

Table 1.18 provides the number of grievances submitted in each of the eight selected categories since 2005.

Table 1.18  
Cook County Department of Corrections  
**Inmate Grievances: Selected Categories**  
**2005 - 2009**

	2005	2006	2007	2008	2009
Medical Treatment	555	911	1680	1222	1321
Verbal Disrespect - Medical Staff	35	62	84	107	168
Verbal Disrespect - Security Staff	76	106	149	120	124
Inapprop Use of Force – Security Staff	122	13	185	163	159
Verbal Disrespect - ERT/SORT	17	6	2	0	2
Inapprop Use of Force – ERT/SORT	8	3	11	2	6
Living Conditions	47	50	46	33	81
Law Library	32	45	83	34	27
Subtotal	892	1356	2240	1681	1888
<b>Total Grievances</b>	<b>1099</b>	<b>1530</b>	<b>2553</b>	<b>2329</b>	<b>2717</b>

These data reveal the persistence of numerous grievances about medical treatment. Complaints about disrespect or verbal abuse by security staff and inappropriate use of force

remain fairly numerous, and the number of complaints about these issues has remained relatively constant between 2008 and 2009. Complaints about verbal disrespect and inappropriate use of force by ERT staff have remained at very low levels. Complaints about living conditions and law library services have remained few in number.

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 1.19 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 1.19  
Cook County Department of Corrections  
**MOST FREQUENT GRIEVANCES**

2008	2009
1. Medical Treatment (1,222; 52.5%)	1. Medical Treatment (1321; 48.6%)
2. Dental Treatment (301; 12.9%)	2. Dental Treatment (485; 17.9%)
3. Inapprop Use of Force – Sec Staff (163; 7.0%)	3. Verbal Abuse/Disrespect – Medical Staff (168; 6.2%)
4. Verbal Abuse/Disrespect – Sec Staff (120; 5.2%)	
5. Verbal Abuse/Disrespect – Med Staff (107; 4.6%)	4. Inapprop Use of Force – Sec Staff (159; 5.9%)
6. Detainee on Detainee Issues (80; 3.4%)	5. Verbal Abuse/Disrespect – Sec Staff (124; 4.6%)
7. Strip Searches (54; 2.3%)	
8. Miscellaneous (44; 1.9%)	6. Detainee on Detainee Issues (71; 2.6%)
9. Law Libraries (34; 1.5%)	
10. Psychiatric Treatment (27; 1.2%)	7. Psychiatric Treatment (64; 2.4%)
10. Sanitation (27; 1.2%)	8. Strip Searches (59; 2.2%)
	9. Food Service (56; 2.1%)
	10. Miscellaneous (36; 1.3%)

CCDOC grievance reports also reveal that responses to grievances have been timely during 2008 and 2009. During 2009, only 1 grievance (<0.1%) of the 2,717 grievances submitted took more than 30 days to resolve. An additional 52 grievances (1.9%) took less than 30 days but more than the time limits established in the Consent Decree. This is a slight improvement over 2008, when 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 specified time limits.

The CCDOC reports also reflect that a sizeable majority of grievances --- 82.8% 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 728 appeals (30.0%) in 2009 and 743 appeals (31.9%) in 2008.

The integrity of the grievance procedures remains as important as ever. We reiterate our recommendation that CCDOC administrators use the grievance procedure to identify emerging or persistent problems at the jail and implement systemic changes to jail operations and programs that address the collective concerns of inmates. Given the persistently high number of grievances regarding health services, the same recommendation is made once again 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.*

In accordance with the practice established in the Court Monitor's May 4, 2004 report, this section includes an assessment 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. Copies of the rules and regulations for inmates are posted in most living units in all divisions, as well as in the Receiving Room, law libraries, and other appropriate areas. As described previously, 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 during six months in 2009, 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 treated appropriately 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 1.20 - 1.21 describe the handling of incident reports for the period April 1, 2009 – December 31, 2009 in addition to data for 2008 and the first three months of 2009. 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 1.20**  
**CCDOC Disciplinary Procedures**  
**HANDLING OF INCIDENT REPORTS**  
**January 1, 2009 - December 31, 2009**

	<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	1,498	1,446	1,677	2,086	991	1,702	1,760	1,119	1,154	1,696	1,284	1,188	17,601
Reports <u>Ineligible</u> for Disciplinary Action													
*Inmates Discharged	-63	-63	-82	-141	72	92	92	101	85	147	71	115	1,124
Reports <u>Eligible</u> for Disciplinary Action	1,435	1,383	1,595	1,945	919	1,610	1,668	1,018	1,069	1,549	1,213	1,073	16,477
Dismissal of Charges *72-hr. Limitation	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	1 (<0.1%)	1 (<0.1%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	2 (<0.1%)
*Incomplete Report	0 (0.0%)	0 (0.0%)	2 (0.1%)	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%)	2 (<0.1%)
*Psychiatric	0 (0.0%)	1 (<0.1%)	3 (0.2%)	3 (0.1%)	0 (0.0%)	1 (<0.1%)	9 (0.5%)	2 (0.2%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	19 (0.1%)
Total Incident Reports Not Adjudicated:	0 (0.0%)	1 (<0.1%)	5 (0.3%)	3 (0.1%)	0 (0.0%)	2 (0.1%)	10 (0.6%)	2 (0.2%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	23 (0.1%)

**Table 1.21**  
**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%)



The data reveal that the total number of incident reports filed in 2009 (17,868) was 7.5% lower than the total for 2008 (19,310), 19.5% higher than the total for 2007 (14,943) and 57.3% higher than the total for 2006 (11,359). The nature of the data does not lend itself to a conclusion whether the increased numbers of incidents reported reflect fewer problems at the jail, a less aggressive practice of reporting incidents of all kinds, or both. Only two cases each in which charges were dismissed due to failure to conduct timely hearings were reported in 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. 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.

Table 1.22 shows dismissal rates on an annual basis from mid-1990's to the present.

**Table 1.22**  
**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	- 99.3%

The data reflect continuing success by CCDOC administrators and staff in keeping the number of disciplinary case dismissals due to the inability to comply with the provisions of the

Consent Decree to a minimum. 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.

Prior to 2008, we routinely reported that the dispositions of disciplinary charges were dominated by findings of guilt, frequently exceeding 95% of all cases. Our analysis of monthly disciplinary reports during 2009 reveals that 43.2% of all disciplinary charges adjudicated resulted in findings of guilt, even lower than the 46.1% of guilty findings during 2008. 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 1.23 shows injuries and injury rates (i.e., injuries per 1,000 inmates) from January 1, 2008 through December 31, 2009.

**Table 1.23**  
**INJURIES SUSTAINED AT CCDOC**  
**January 1, 2008 – December 31, 2009**

	<u>Staff Injuries</u>	<u>Inmate Injuries</u>	<u>Average Daily Population</u>	<u>Injuries per 1,000 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
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
Apr	11	155	9013	17.2
May	7	69	8990	7.7
Jun	6	132	8990	14.7
Jul	22	168	9135	18.4
Aug	8	117	9203	12.7
Sep	14	41	9272	4.4
Oct	12	115	9343	12.3
Nov	17	70	9081	7.7
Dec	15	98	8708	11.3
Total	139	1275	na	na
$\bar{X}$ (mo)	11.6	106.3	9043.0	11.8

The data in Table 1.23 reveal considerable fluctuation in the inmate injury rate during 2009, without any clear trend during the year. Between April 1, 2009 and December 31, 2009, the average rate of 11.8 injuries was consistent with the rate for calendar year 2009.

For an additional perspective on injuries to inmates and staff, Table 1.24 shows inmate injury rates and the average number of staff injured monthly since 1991.

**Table 1.24**  
**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 <sup>a</sup>	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	11.8	- 13.2%	11.6	+ 38.1%
Cumulative Change	- 11.5	- 49.3%	+ 10.9	+1557.1%

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.

<sup>a</sup> The only data available for 1999 cover the months of January and August through December

The data in Table 1.24 reveal that 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 2009 is somewhat lower than during the previous year and is in fact lower than at any time since 1991.

The data in Table 1.24 reveal 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 then increased slightly during 2009. The occurrence of injuries to staff at present, however, is lower than at any time since 1999.

### ***SPECIAL MANAGEMENT UNITS***

In previous reports, we have described conditions in protective custody and other special management units in CCDOC and general changes in 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 description of these units and some of the conditions therein during the period covered in this report. 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 described in previous reports, inmates in general population units throughout the jail

continue to experience limited out of cell time on a daily basis.<sup>16</sup> CCDOC also continues to utilize a behavioral level system, intended to provide special incarceration for inmates deemed a security threat to CCDOC personnel, civilians, and inmates. Conditions of confinement for inmates in protective custody, described in several previous 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***

CCDOC has continued to follow 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 since early 2007. During the period covered in this report, JHA staff received virtually no complaints that these periods did not occur as scheduled, as it is clear that observance of this practice is routinely occurring as scheduled. Whether there is empirical justification for the continuation of this practice is a dubious matter, and we recommend that future monitors evaluate this practice to determine whether it should be continued in all divisions of the jail or at all. We restate our position that 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.

Throughout the period covered in this report, CCDOC administrators have adhered to

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<sup>16</sup> 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.

different arrangement for out-of-cell time for inmates with medical and/or psychiatric problems confined in Divisions X (males) and III (females). These inmates are now kept in dayrooms in 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. This practice has enabled security staff to respond promptly to health crises when they have occurred. While we received some complaints from inmates who would prefer access to their cells to sleep, particularly following administration of psychotropic medication, these inmates are permitted to bring their mattresses and blankets into dayrooms during these times.

### **Special Incarceration Level System**

CCDOC has continued to operate special incarceration units for inmates deemed 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, although few of these individuals are currently serving terms of confinement in disciplinary segregation. While the restrictive conditions of confinement experienced by these inmates are arguably problematic, their numbers have decreased significantly during recent months. During a visit to Division IX on November 10, 2009, we learned that only 17 inmates were confined in the level system, which is significantly fewer than noted in previous visits and monitoring report. In addition to these inmates, 18 inmates were confined on a “WIMP” (weapon in my possession) unit, which is a



component of the level system. On January 13, 2010, we were informed that only 23 inmates, all single-celled, were confined in the level system, and 18 inmates were confined in the WIMP unit, now being treated as part of the level system (Level 4, the highest level). As we have noted in our May 22, 2009 report, the level system is a *de facto* system of administrative segregation, a punitive practice unless strictly limited to an appropriately small number of cases. We are pleased to report that CCDOC has reduced the numbers of inmates so confined to a reasonable number.

### **Protective Custody Units**

In several previous reports, we expressed our concern about the confinement of 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. During recent months, CCDOC administrators have increased the amount of out of cell time to two hours daily, one hour each on the 7:00 a.m. – 3:00 p.m. and 3:00 p.m. – 11:00 p.m. shifts. While we agree with this increase, we feel that the amount of out of cell time for PC inmates should be increased by several more hours daily, on both the day and afternoon shifts. We restate our position that CCDOC administrators have failed to produce any

significant evidence to support the systematic practice of confining all inmates in PC status for 22 or 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.<sup>17</sup>

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

## **APPENDICES**

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

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YEAR-TO-  
DATE  
TOTAL

na	na	na	na	na
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DAILY

AVERAGE	9824.8	9600.9	429.3	1573.4	362/365
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JOHN HOWARD ASSOCIATION

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<sup>18</sup> ADP/C: average daily population or caseload.

**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
<hr/>					
YEAR-TO-DATE TOTAL	na	na	0	365/365	na
<hr/>					
DAILY AVERAGE	9837.6	9359.8	0.0	na	266.5

**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 <sup>19</sup>	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

<sup>19</sup> Since January 1, 2005, CCDOC figures for available beds accurately reflect beds closed in various divisions due to routine maintenance problems.

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

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

**Cook County Department of Corrections  
2003 POPULATION AND CAPACITY SUMMARY**

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



**Cook County Department of Corrections  
2002 POPULATION AND CAPACITY SUMMARY**

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

**Cook County Department of Corrections  
2001 POPULATION AND CAPACITY SUMMARY**

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

**Cook County Department of Corrections  
2000 POPULATION AND CAPACITY SUMMARY**

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

**Cook County Department of Corrections  
1999 POPULATION AND CAPACITY SUMMARY**

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

**Cook County Department of Corrections  
1998 POPULATION AND CAPACITY SUMMARY**

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

**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

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ANNUAL

TOTAL	na	na	18624	365	na
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DAILY

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

**Cook County Department of Corrections  
1991 POPULATION AND CAPACITY SUMMARY**

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

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ANNUAL  
TOTAL

na

na

21,982

365

na

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DAILY  
AVERAGE

6173

7589.8

60.2

na

1499.4

**Cook County Department of Corrections  
1990 POPULATION AND CAPACITY SUMMARY**

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