



POLICY BRIEF Community Justice in Cook County

Part II: Strategies for Cook County

February, 2013

Recommended Resources

Community Courts: The Research Literature; a review of findings, Center for Court Innovation

Community Justice: An Emerging Field, David Karp

Developing a Community Court, Part I: Obstacles, Center for Court Innovation

Developing a Community Court, Part II: Practical Advice, Center for Court Innovation

Principles of Problem-Solving Justice, Center for Court Innovation

Introduction

In Part I of our Policy Brief: Community Justice in Cook County, we compared Cook County’s current misdemeanor justice system with community justice systems in Minnesota and New York. In Part II, we’ll now share strategies for Cook County to implement such a system.

Problem-solving justice is defined as a process by which criminal justice practitioners, “focus on identifying and addressing patterns of crime, ameliorating the underlying conditions that fuel crime, and engaging the community as an active partner.”¹ As such, courts following this principle seek to undermine the psychosocial causes of low-level crimes. When applied to misdemeanor crimes, problem-solving initiatives have sought to lower case dismissals, expand sentencing options, and improve offender compliance.²

The Cook County courts, due to administrative reforms, ongoing budgetary constraints, and the legislature’s minimum sentencing mandates, have largely taken the traditional road. The results have been mixed, with some glaring faults. While the total number of crimes committed is down significantly from the previous decade, the percentage of criminals jailed has increased by almost 25%.³ Yet, somewhat counter-intuitively, recidivism rates rose to above 50%.⁴ In essence, there are fewer crimes, but more criminals sent to jail; more manpower used per criminal, and yet more offender reoffending. This combination creates a vicious cycle, as repeat offenders receive longer jail sentences each time they reenter the court system.

Implementing a community court is a complex process and entails up-front costs, but in the long run promises cost savings and less crime. To achieve true reform, Cook County would need to major restructuring and stakeholder champions. In light of those realities, the following five strategies are incremental reforms aimed at strengthening the current community justice system based on the practices outlined Part I. Yet, community-based initiatives enacted by community police and community prosecutors will fall short without a community court—i.e., localized teams of practitioners creating and delivering tailored sanctions. Therefore, these strategies also provide suggestions for how to begin building the political and administrative support necessary for establishing a community court.

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Strategy: Establish a Community Advisory Board

Establish a community advisory board to gather community feedback and build a team of dedicated community supporters



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A community justice system functions best when supported by a team of engaged community members. The County's four community prosecutors offices, along with the County's five branch courts, should consider establishing community advisory boards—teams made up of residents, small business owners, and non-profits—to build the community's support for a community court. This support will be crucial in leaping the political and administrative hurdles of building a new court. Active involvement from the community will help convince the County to redirect funding towards a new specialty court. Public support will moreover provide leverage in encouraging the public defender, state's attorney, police and probation departments to lend dedicated manpower to the effort.⁵

Some community courts struggled to convince residents who worry about the increased criminal traffic that accompanies a court. A community advisory board can educate the public about the court's unique characteristics, including a focus on local justice.

Strategy: Coordinate Beat Assignments

Coordinate the beat assignments of judicial practitioners at the Cook County State's Attorneys Office, Cook County Public Defender's Office, Chicago Police Department, and Circuit Court of Cook County Criminal Division.

Community justice systems enact problem-solving methods and maintain high-efficiency levels largely by utilizing their close proximity to the community. However, these courts are only able to do this if filled with a team of dedicated judicial practitioners. By building a team of carefully selected police officers, attorneys, and judges targeted to a single area with high-crime rates, these practitioners can familiarize themselves with habitual offenders, and begin to recognize the community's crime patterns. Cook County's criminal justice agencies should therefore comprehensively restructure their departments to match up the beat assignments of the County's many judicial practitioners.

Currently, jurisdictional assignments among the many agencies are scattered and conflicted. Each of the five Cook County branch courts has a jurisdiction encompassing about five surrounding police precincts. The State's Attorney's Office, meanwhile, has established four community prosecutors offices, each covering two or three police districts. The Chicago Police Department assigns its officers throughout the approximately 250 precincts, some of whom are community police officers focusing on particular high-crime areas. To complicate matters, each of these agencies has its own specialty units—i.e. drug or domestic violence teams—whose jurisdictions overlap with community police and prosecutors policies regarding the rotations of their employees from one assignment to another.

Better coordination between criminal justice agencies in organizing practitioner beat assignments can shrink the organizational gaps between these agencies while strengthening ties with the community.⁶ The most direct



way to do this is through the creation of a community court, which matches a team of judicial practitioners to a targeted region. Short of this change, the following is a list of structural reforms that could be implemented to better coordinate the work of these agencies: 1) Realign prosecutorial jurisdictions so specialty drug and domestic violence units sync up with community prosecutor units, 2) Integrate community policing and community prosecutor efforts by stationing police in established community prosecutor offices, 3) Restructure the branch courts so each day of the week is dedicated to a single precinct within their larger jurisdictions.

Strategy: Expand Alternatives to Incarceration

Broaden the types of alternative sanctions available to misdemeanor offenders by improving coordination with community service provider.

There is currently a shortage of sentencing alternatives for misdemeanor offenders in Cook County. Instead of getting to choose from a vast array of available social services, prosecutors and judges are often left having to choose between a limited selection of diversion programs, basic community services, or jail-time. This lack of flexibility makes it difficult to take into consideration the uniqueness of the individual offender, and subsequently provide the specific treatments necessary to improve problematic behaviors. By coordinating services with a wider-range of community providers, Cook County can provide more individualized, evidence-based sanctions and services to misdemeanor offenders.⁷

Fortunately, many of the services needed by offenders are already available in Cook County. The issue, therefore, is merely one of access and coordination. The most direct way to improve access to services is to station probation officers and social service representatives in the court itself. If space is an issue, another option, as mentioned above, is to restructure branch courts so each day is coordinated to a particular region of its jurisdiction. Since most community service providers have relatively local clienteles, matching the court's days with individual communities will make it easier for social workers and counselors to attend court, since most of their potential clients will be in court on the same day.

Strategy: Engage with the Public

Chicago's established community justice organizations should strive to be better connected and engaged with the public.

Consistently one of the more difficult tasks for community justice organizations is to engage the public. While many community justice offices are storefronts on streets with heavy traffic, community members are unlikely to randomly stop by to share their thoughts on local crime. This is particularly the case where perceptions of the traditional criminal justice system are less positive. Consequently, the job of building community involvement and goodwill lies primarily with community prosecutors and community police.



Currently, Cook County Community Prosecutors interact with residents primarily by holding information sessions and attending neighborhood meetings. This may establish the prosecutor's presence in the community to an extent, but it does not fully create the community partnerships envisioned by problem-solving justice advocates. Chicago CAPS has done more to interact with the community, both through monthly beat meeting and online complaint forms, but they have also encountered some difficulties in interacting with the public. In Wes Skogan's 2003 report on Chicago CAPS, he noted one of the program's biggest shortfalls was the one-sidedness of the officer-run community beat meetings.⁸

To improve community involvement, both Chicago CAPS and the four community prosecutor's offices should look for ways to establish long-term, two-way relationships with residents. In particular, the community prosecutor's offices should seek out a core of dedicated community members to give advice on prosecutorial priorities. Ideally, these residents would represent the diversity of the community.⁹

Strategy: Collect and Share Data

Cook County's Criminal Courts Division should implement evidence-based data collection systems to track the progress of misdemeanor case processing and offender rehabilitation.

Community courts are rarely perfect on the day they open. Inherently, these courts are meant to improve with experience, as practitioners within the court grow used to the unique characteristics of the community, and the community builds trust in the court's services. Therefore, it is essential in developing a community justice system that Cook County establish and collect quantitative data that tracks the progress of the misdemeanor courts, and provides a basis for which future improvements can be made.

To do this, Cook County will have to be creative in using its resources in a way that accurately depicts success in the courtroom. Social service providers must collect data on court-related programs and client outcomes. The County should also look to teaming with universities and non-profit research organizations to conduct system evaluations.¹⁰ Researchers, moreover, need to broaden the quality-defining variables used to evaluate these processes.¹¹ There is currently little available data on offender demographics, length of participation, and compliance with sentencing, let alone information on public perception of the court's fairness and effectiveness. This information can help provide a more comprehensive understanding of the court's relationship with the community and its offenders, and thereafter allow judicial practitioners to strengthen community ties and fine tune offender services where needed.

¹ Robert Wolf, *Principles of Problem-Solving Justice*, Center for Court Innovation, New York, NY (2007), Pg. 1.

² Kellii Henry and Dana Kralstein, *Community Courts: The Research Literature; a review of findings*, Center for Court Innovation, New York, NY (2011), Pg. 6-7.

³ *Research and Program Evaluations in Illinois*, ICJIA (2004), Pg. 15.

⁴ Ibid. In 2003, 41% of those on probation were misdemeanor offenders, whereas only 10% of the County's probation budget is assigned to misdemeanor cases.

⁵ *Developing a Community Court, Part I: Obstacles*, Center for Court Innovation, <http://www.courtinnovation.org/research/developing-community-court-part-i-obstacles>.

⁶ See *Strategies for Implementing a Community Justice System in Cook County*, Pg. 4, which presents the faster arrest-to-arraignment times and increased compliancy rates that result from reorganizing departments around the community court model.

⁷ See *Strategies for Implementing a Community Justice System in Cook County*, Pg. 9, which discusses how local social service providers can help drastically enhance treatment alternatives for offenders.

⁸ Skogan, *Caps at Ten, Community Policing in Chicago*, Pg. iii.

⁹ Ibid.

¹⁰ Wolf, *Principles of Problem-Solving Justice*, Pg. 8-9

¹¹ Ibid.