

# STATIONHOUSE REPRESENTATION

IN COOK COUNTY

Legal representation at the time of detainment by police or arrest, pre-bond - usually at the police "stationhouse" - helps people understand and safely invoke their 5th and 6th Amendment rights, minimizing the risk of false or coerced confessions.

Any denial of access to counsel within a reasonable time, rather than as soon as possible, increases the opportunity for and risk of false confessions. False confessions disproportionately affect the most vulnerable arrestees, including children and people with special needs or mental illnesses.

## COOK COUNTY LEADS THE UNITED STATES IN EXONERATIONS BASED ON FALSE CONFESSIONS.

**1972 - 1991** CHICAGO POLICE COMMANDER JON BURGE TORTURED AT LEAST 119 PEOPLE, MOST OF WHOM WERE YOUNG BLACK MEN, IN ORDER TO FORCE FALSE CONFESSIONS.

IN COOK COUNTY, 95 PEOPLE WERE EXONERATED - AND FALSE CONFESSIONS ACCOUNTED FOR ALMOST 40% OF THE WRONGFUL CONVICTIONS. **1989 - 2013**

*Illinois law mandates people get a "reasonable number of telephone calls within a reasonable time after arrival in the place of custody" after being detained to contact an attorney, friends, and/or family - but the discretionary room around "reasonable" leaves many detainees without access to a phone.*

*The Public Defender's Police Station Representation Unit (PSRU) is the primary provider of no-cost stationhouse representation Cook County. Prior to March 2019, First Defense Legal Aid (FDLA) shared these responsibilities with the PSRU.*

**2017** CHICAGO POLICE MADE 50,083 ARRESTS BETWEEN APRIL AND OCTOBER (2017), BUT FDLA AND PSRU MADE A TOTAL OF JUST 644 STATION VISITS DURING THE SAME PERIOD.

PUBLIC DEFENDER'S DATA SHOWS THAT 33% OF 1,468 PEOPLE SURVEYED (APRIL TO JUNE, 2020) RECOUNTED THAT POLICE NEVER OFFERED ACCESS TO A PHONE. THOSE WHO DID RECEIVE A PHONE WAITED AN AVERAGE OF 4.2-HOURS FOR ACCESS. **2020**

## ILLINOIS HB 4796:



Illinois House Bill 4796 (sponsored by Representative Justin Slaughter) amends the Code of Criminal Procedure (1963) to explicitly provide that every person in police custody has the right to communicate, free of charge, with an attorney of their choice and family members "as soon as possible, upon being taken into police custody, but no later than one-hour after arrival at the first place of custody and before any questioning by law enforcement occurs."

Under this amended rule, detained individuals must be given access to a phone to make at least three calls; the ability to retrieve phone numbers contained in their cell phone; and, if the jurisdiction of custody has a stationhouse representation unit like Cook County, that telephone number must be prominently displayed.

**MORE INFORMATION ON YOUR RIGHTS:**

[WWW.FIRSTDEFENSE.ORG/COMMUNITY](http://WWW.FIRSTDEFENSE.ORG/COMMUNITY)  
[WWW.COOKCOUNTYPUBLICDEFENDER.ORG](http://WWW.COOKCOUNTYPUBLICDEFENDER.ORG)