Civic Federation Testimony
Illinois Supreme Court Commission on Pretrial Practices
Public Hearing, Monday, June 17, 2019

Good afternoon Honorable Chairman Stuckert and members of the Illinois Supreme Court Commission on Pretrial Practices. I am Laurence Msall, president of the Civic Federation—a 125-year-old, non-partisan government research organization in Chicago. Thank you for the opportunity to testify today.

The Civic Federation believes in efficient, effective government, which requires transparency and accountability. The Supreme Court recognized the importance of these principles in its 2017 statement on pretrial practices. In line with that statement, we urge the Commission to recommend the creation of a statewide system for the collection and public dissemination of data on pretrial actions and outcomes.

Currently no such system exists. This is problematic because without this data there is no way for criminal justice professionals or the public to evaluate policy reforms. Even with recent improvements in data disclosure—in particular by the Cook County Chief Judge’s Office—there are still unanswered questions and conflicting information.

In order to make informed decisions and measure progress, policy makers need statistics to answer basic questions such as:

- How many people are held in custody without bail?
- How many pay for their release?
- How long do defendants stay in jail?
- What conditions are placed on released defendants such as electronic monitoring or home confinement?
- How do bond court judges make their decisions and how uniform are they?
- How frequently do released defendants miss court dates or commit new offenses?

Ideally, the collection and public release of data about bond court and pretrial jail populations should be done by a statewide agency with authority to require collection of the data from circuit court clerks and sheriffs. The data should be collected electronically and housed in a single repository. Reports with the compiled statistics should then be made available to the public.

The Civic Federation has been working with criminal justice advocates on House Bill 2689, a legislative proposal that would make this kind of data available statewide, and we would be happy to discuss it further.

In keeping with transparency and accountability, we encourage the Commission to expand the public availability of information about its own activities. Unless there is a compelling reason for
closed meetings, we believe the Commission should err on the side of transparency by allowing the public to attend meetings of the Commission and its subcommittees. We also request that the Commission post information on its website about its proceedings, including presentations and subcommittee membership. These steps would increase public confidence in the Commission’s recommendations, along with public awareness and discussion of these important issues.

Thank you for the opportunity to share the Civic Federation’s perspective on this matter. I would be happy to answer any questions.