

# **FISCAL STRATEGIES**

FOR THE

## ***COOK COUNTY SHERIFF'S OFFICE***



**PREPARED BY:**

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**MIKE QUIGLEY  
COOK COUNTY COMMISSIONER—10TH DISTRICT  
AND STAFF**

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## EXECUTIVE SUMMARY

Cook County runs the largest and most extensive county public safety operation in the State of Illinois. The public safety fund pays for many different components of the criminal justice system, from state's attorney and public defender salaries to sheriff services and courthouses. In recent years, appropriations for these services have risen dramatically. Public safety operating funds increased from \$413 million in 1990 to \$953 million in 2001, an increase of 131%. Not surprisingly, the county public safety fund has been the fastest growing component of the county budget in the last decade.

Among the many different offices and departments that comprise our overall public safety operation, the Sheriff's Office plays a very important role. The Sheriff's Office staffs the largest single site jail in the country, secures county courtrooms, provides numerous public safety programs, and has sole responsibility for patrolling unincorporated Cook County. The Cook County Sheriff's Office has instituted numerous new initiatives, from community outreach and educational programs to alternative sentencing and impact incarceration programs.

Undeniably, the Sheriff's Office plays an integral role in providing for the public safety of Cook County citizens. The vast number of responsibilities inherent to such a role requires ever increasing appropriations. Past budgets show that appropriations have increased at an average rate of 10% per year since 1990.<sup>1</sup> The Sheriff's operating budget expanded from \$169 million in FY1990 to \$378 million in FY2001.<sup>2</sup> In the past five years alone, appropriations for the Cook County Sheriff's Office have increased by 22.65%;<sup>3</sup> salaries and wages have increased 25%.<sup>4</sup>

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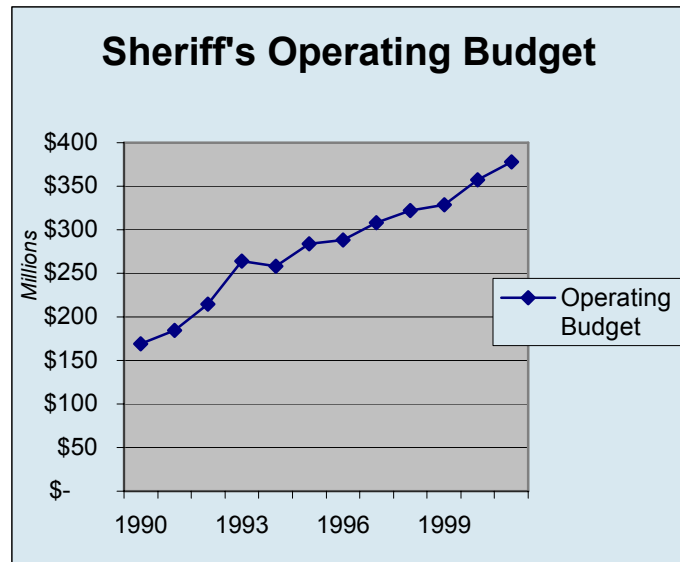
<sup>1</sup> Cook County CORT Report 2001; For the purposes of this report, all figures refer to budget appropriations unless otherwise noted.

<sup>2</sup> Appropriations; FY1990 and FY2001 Cook County Annual Appropriation Bill

<sup>3</sup> All figures, unless otherwise noted, are from Cook County Annual Appropriations Bills; for the purposes of this analysis, figures refer to operating funds

<sup>4</sup> Figure does not include benefits and additional compensation such as overtime and premium pay

This budget growth does not correspond with an increasing jurisdiction, service population, or crime rate. In fact, unincorporated Cook County, the Sheriff's jurisdiction, currently 75.66 square miles<sup>5</sup>, has decreased in overall square mileage by 53%<sup>6</sup> since 1997. The population of unincorporated Cook County has decreased by 54.9%<sup>7</sup> in the past ten years. It is currently at a low of 109,300.<sup>8</sup> In addition, overall crime has been decreasing; last year there was a 6% decrease in total crimes in Cook County; a 2.2% decrease in total crimes in suburban Cook County.<sup>9</sup> The budget increase is also not a direct result of an increasing jail population. Since 1997, all other departmental appropriations within the Sheriff's Office, outside the Department of Corrections, have increased by 27%.



**Chart A: Since 1990, the operating budget of the Sheriff has increased 124%, from \$169 million to \$378 million.<sup>2</sup>**

If the Sheriff's growing budget does not correspond to a larger jurisdiction, increased population, an increased crime rate, or the jail population, what does it correspond to? Generally speaking, two things: One, an increase in self-initiated activities,<sup>10</sup> many of which are duplicative of services already offered by the county or another municipality. Two, inefficient management and a lack of accountability, including a reluctance to outsource services that are better suited to the private sector.

<sup>5</sup> Square mileage of unincorporated Cook County minus the square mileage of the unincorporated square mileage of the Cook County Forest Preserve District which maintains their own police department.

<sup>6</sup> Cook County Comprehensive Land Use Plan 1999; Cook County Highway Department 2001; figure based on 230 square miles in 1997 and 145 square miles as of 7/13/01.

<sup>7</sup> Cook County Comprehensive Land Use Plan 1999; U.S. Census 2000.

<sup>8</sup> U.S. Census 2000.

<sup>9</sup> Illinois State Police, 2001.

<sup>10</sup> Refers to activities outside statutory responsibilities, i.e., those created/initiated by the Sheriff's Office.

## **SELF INITIATED ACTIVITIES**

The Sheriff has assumed a role resembling the Chief of Police of Cook County. While the jurisdiction of the Sheriff is unincorporated Cook County, the office is involved in patrolling virtually all areas of the county, most of which have local police forces already in place to serve and protect their communities. The Sheriff's Office also assists in the Cook County Forest Preserves, while taxpayers already pay for the services of a Forest Preserve Police Force.

In addition to expanded patrolling, the Sheriff's Office has instituted a plethora of educational and preventive programs in incorporated Cook County. The Sheriff's Office also operates a County Boot Camp, although the state operates three boot camps of its own, all with high vacancy rates.<sup>10</sup> While patrolling, preventive programming, and alternative incarcerations systems are important, many are not only costly, but duplicative.

## **MANAGEMENT AND ACCOUNTABILITY**

Inefficient management exists throughout the Cook County Sheriff's Office. There are numerous areas in which turning over services to the private sector simply is the more practical choice. While the county as a whole has been slow to outsource certain services ripe for privatization, this reluctance to privatize is especially evident in several departments of the Sheriff's Office, including janitorial services, vehicle maintenance, and recycling. Accountability is lacking in the Office as well, meaning effectiveness of various services is not known or reported. This is true of the service of process operation, our in-house vehicle maintenance program and other services.

Crime prevention, incarceration, and public safety are, inarguably, costly, yet invaluable services. However, as the county faces more challenging fiscal times, both the role and the efficiency of the Sheriff's Office must be reevaluated, and changes must be made. As unincorporated Cook County has diminished in size, the Sheriff's Office has increased,

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<sup>10</sup> IDOC Public Information office

both in number of activities and operating budget. The office has overstepped its duties and role in county government. This merits an examination of the responsibilities of the Cook County Sheriff's Office, its management, and its accountability to the taxpayers.

The report that follows is an analysis of the Cook County Sheriff's Office. Each section first presents an issue overview outlining relevant facts and statistics. It is followed by our perspective, containing suggested courses of action.

## DUPLICATIVE PROGRAMS & SERVICES

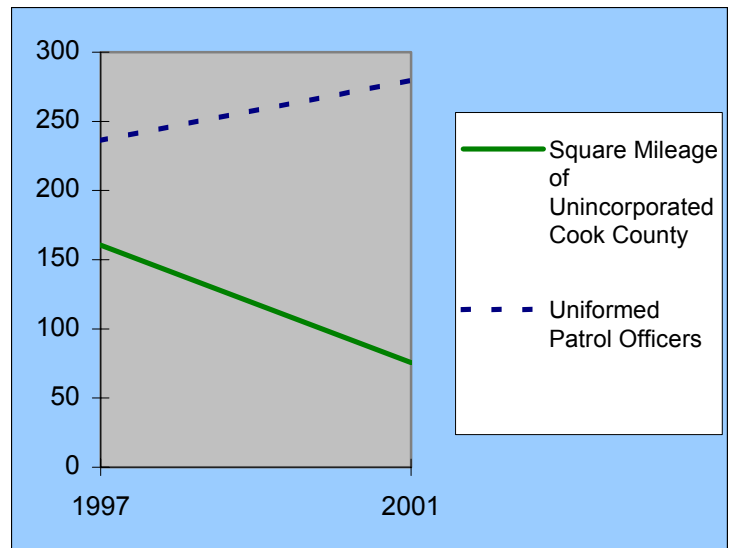
Many services and programs run by the Sheriff's Office duplicate existing state and local programs. In addition, many of these self-initiated activities fall outside the scope of the Sheriff's Office. This duplication is evident in overlapping patrolling and a boot camp mirroring the State's own underutilized boot camp. The scope of the Office has expanded through self-initiated activities placing the Sheriff in patrolling, educating, and incarcerating in areas under others' jurisdiction. These self-initiated activities serve to bill the Cook County Taxpayers for services that are not our county's responsibility.

## PATROLLING

The sheriff in each county having more than 1,000,000 inhabitants shall maintain a division to be known as the county police department and to consist of such deputy sheriffs charged with the duty of law enforcement in such county... See 55 ILCS 5/3-7001.

### OVERVIEW

Since 1990, the number of appropriated positions for the Cook County Sheriff's Office has increased by 28%; from 5,101 in 1990 to 6,517 in 2001.<sup>11</sup> While staffing has increased, the jurisdiction of the Sheriff's Office has diminished in size, the patrol area population has decreased, and total crimes have fallen.



**Chart B:** The number of uniformed patrol officers has increased from 236 in 1997 to 280 in FY2000. At the same time, their patrol area, Unincorporated Cook County, has decreased from 161 to 76 square miles.

Unincorporated Cook County is the Sheriff's patrol jurisdiction. (See Chart C). Over the past five years, the patrol area of the Cook County Sheriff's Office has decreased by 53%.<sup>12</sup> Moreover, the population of unincorporated Cook has also decreased by 55% since 1990. Their patrol area population now stands at only 109,300.<sup>13</sup>

In spite of a decreasing patrol area, and a decreased population, the Sheriff's Uniformed Patrol Division has *increased* its patrol positions (see Chart B). Total positions in the

<sup>11</sup> County Operations Review Team Report, 2001; FY2001 Annual Appropriation Bill

<sup>12</sup> The patrol area of the Cook County Sheriff's Office is unincorporated Cook County minus the square mileage of the Unincorporated Forest Preserve District. In 1997, the square mileage was approximately 160.66; in 2001, the square mileage is approximately 75.66. Mileage numbers are from the 1997 Land Use Plan; Cook County Highway Department and the Cook County Forest Preserve District.

<sup>13</sup> U.S. Census 2000

Sheriff's Uniformed Patrol Division have increased from 149 in 1991 to 281 in FY2001.<sup>14</sup> According to the Cook County Bureau of Administration, "...the increase in patrol positions does not correspond with trends in population and square miles in unincorporated Cook County, nor with recent trends in serious crime..." (Cook County Bureau of Administration, 2000). The number of patrol officers per square mile of unincorporated Cook County increased from 1.1 patrol officers in 1993 to 2.5 patrol officers in 2000; an increase of 127%.<sup>15</sup> In addition, the ratio of total patrol officers per 10,000 unincorporated population also increased from 11.3 patrol officers per 10,000 residents in 1991 to 21.7 in 2000; an increase of 94%.<sup>16</sup>

**"...the number of patrol officers per square mile of unincorporated Cook County increased from 1.1 patrol officers in 1993 to 2.5 patrol officers in 2000; an increase of 127%.."**

Based on figures presented in the FY1991 and FY2001 Cook County Annual Appropriation Bill and current population statistics, the ratio of uniformed patrol officers per 10,000 residents of unincorporated Cook County has further increased to 25.67 uniformed patrol officers per 10,000 residents; an increase of 127% since 1991.<sup>17</sup> In addition, the number of officers per square mile of unincorporated Cook County has increased in the last five years alone from 1.5 officers in 1997 to 3.7 in 2001; an increase of 152%.<sup>18</sup>

Since 1991, the Sheriff's Office has expanded duties such as truck enforcement. This expansion added an additional 72 patrol positions. However, this expansion still does not account for the burgeoning patrol staff. According to the Cook County Bureau of Administration, even if these positions are not included in the statistics, patrol staffing levels have still increased by 42%.

<sup>14</sup> Cook County Bureau of Administration, 2000

<sup>15</sup> Cook County Bureau of Administration, 2000

<sup>16</sup> Cook County Bureau of Administration, 2000

<sup>17</sup> Current ratio based on appropriated uniformed patrol positions in the FY2001 Cook County Annual Appropriation Bill and U.S. Census 2000 unincorporated population figures

<sup>18</sup> Figure based on square mileage provided by 1997 Comprehensive Land Use Plan and Cook County Highway Department; staffing numbers based on FY1997 and FY2001 Cook County Annual Appropriation Bill

In addition, the Patrol Division has changed its scheduling from five 8.5 hour work days, with two or three days off, to four 10 hour work days with three days off.<sup>19</sup> This change has resulted in higher costs to the taxpayers. Based on data from the Bureau of Administration, the minimum number of regular patrol officers needed to cover each shift is 25; resulting in a minimum of 78 officers per day. To meet this minimum, 100 officers should actually be scheduled to account for vacations, sick days, etc. The new 4/10 scheduling system staffs 122 patrol officers per day, leaving an excess of 22 additional staff.

The new schedule also creates an staffing overlap of 5.5 shift hours per day and causes an increase in overtime, as vacation and sick days are still recorded as an 8.5 hour work day. A Northwestern University study, cited by the Bureau of Administration, reports that many police departments who moved towards a 4/10 schedule have reverted back to the 8.5 hour schedule in response to higher costs, inflexible schedule, increased overtime, and more costs for sick leave.<sup>20</sup>

In addition to the scheduling change, overstaffing also occurs on shifts because staffing is not proportional and officers are not assigned based on need or activity. In some police districts, each shift receives the same number of officers, regardless of activity level.<sup>21</sup>

## **PERSPECTIVE**

Based on statistics, it is obvious that as the patrol area of the Cook County Sheriff's Office, unincorporated Cook County, has decreased, the number of Sheriff's appropriated uniformed patrol positions have increased dramatically. The reason for this is unclear. However, it seems as if patrolling is expanding into incorporated Cook County as the jurisdiction and the role of the Cook County Sheriff diminishes.

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<sup>19</sup> Cook County Bureau of Administration, 2000

<sup>20</sup> Cook County Bureau of Administration 2000

<sup>21</sup> Cook County Bureau of Administration 2000



## **PREVENTIVE PROGRAMS**

The sheriff is conservator of the peace in the county and shall prevent crime... See 55 ILCS 5/3-6021.

### **OVERVIEW**

Nationally, public safety agencies have gravitated towards crime prevention programs, especially among juveniles. The Cook County Sheriff's Office has joined this effort, initiating a plethora of prevention-based initiatives including (but not limited to):

#### **Gang Awareness and Education**

- *V.E.G.A.* (Violence Education Gang Awareness -- 6<sup>th</sup> grade students)
- *E.D.G.E.* (Education for Gang Evasion—middle school students)
- *G.R.E.A.T.* (Gang Resistance Education and Training)
- *CHOICES* (for junior high youth who demonstrate criminal tendencies)
- *Gang Awareness* (presentations to community groups, faculty, and, adult education)

#### **Drug Awareness and Education**

- *D.A.R.E.* (Drug Abuse Resistance Education)
- *Pharmacology* (basic information on gateway drugs-junior high school students)

#### **Mentoring Programs**

- *DARE Mentor Program*
- *FRIEND Mentor Program* (uniformed officers read to primary school children)
- *Police and Children Together Camp* (high-risk youth and law enforcement personnel work together to foster positive relationships)

#### **Violence/Abuse Programs**

- *Child Sexual Assault Prevention* (acquaints kindergarten through 3rd graders with information about ownership of one's body)

- *Loves Me..Loves Me Not* (teen and adult awareness of dating abuse)

### **Special Event Programming**

- *Children's Fingerprint Program* (for countywide events)
- *Crime Prevention Trailer* (appears at community events and schools; exhibit to educate children and adults about gangs, drugs, and safety measures)
- *Kids in Court* (helps familiarize children with proceedings and terms used in court)
- *Safety Presentations* (all age levels; often accompanied by McGruff the crime dog)
- *Summer Camp Programs* (presented at day camps throughout Cook County; grades K-8)
- *Law Enforcement Explorer Program* (program for Boy Scouts)

### **Conflict Resolution/Mediation**

- *Peer Mediation* (how to mediate conflict; Jr. High or High School Students)
- *Conflict Resolution* (4th-6th grade)
- *Iron Oaks Outdoor Teams Challenge Course* (youth and/or adult obstacle course)

### **Adult Education**

- *DARE Parent Component Program*
- *Mind Your Kids Business* (internet safety information and guidelines)
- *Senior Safety Awareness Program*

While prevention is key in reducing crime, not all of the preventive programs run by Cook County Sheriff's Office have been proven effective. It is difficult to ascertain the true costs of these programs from the budget, and the services are decentralized throughout three separate departments: Court Services, the Police Department, and Community Services.

According to the U.S. Surgeon General, the least cost effective programs are school based programs that target all students. Those specifically targeting problem youth are most effective. A key example of mis-targeted prevention programming is the Drug Abuse Resistance Education program, most commonly referred to as D.A.R.E. It is the most widely implemented youth drug prevention program in the world (U.S. Surgeon General 2001); eighty percent of U.S. School Districts currently use the program (Kalb 2001).

**“...D.A.R.E. receives enormous financial support, yet there is little evidence of program effectiveness... researchers revealed that students who completed the D.A.R.E. program used drugs at even slightly higher rates than their peers who had not completed the program...”**

Nationally, D.A.R.E. receives enormous financial support, yet there is little evidence of program effectiveness. The program’s evaluation reveals that children participating in the program are as likely as non-participants to use drugs (see also U.S. Surgeon General 2001; University of Illinois at Chicago, 1998; Research Triangle Institute; Aniskiewicz, 1994; Kalb 2001; Anderson 2000). The Department of Education prohibits usage of grant funds for the D.A.R.E. program because it has not proven its effectiveness (Sack 2001). Analysis released by the National Academy of Sciences in February 2001 not only reiterated these results, but researchers revealed that students who completed the D.A.R.E. program used drugs at even *slightly higher rates* than their peers who had not completed the program (Sack 2001).

In response, numerous school districts have pulled the program. While D.A.R.E. is revamping itself, the new version will only be available in 80 high schools this fall. This leaves the other school districts with a politically popular, feel-good program, that is proven ineffective (Lord 2001).

## **PERSPECTIVE**

Despite the good intentions of the program, resources should not be allocated for a program that has been proven ineffective. In addition, it is questionable whether

prevention programs should be offered in incorporated Cook County. Municipalities, such as the City of Chicago, offer preventive programming and education through Chicago's Alternative Policing Strategy (CAPS).

From a fiscal perspective, it is impossible to ascertain the costs of preventive programs and education from the Cook County Annual Appropriation Bill. Three distinct divisions maintain the programs: Court Services, the Police Department, and Community Services. The cost of salaries for preventive programs in the Court Services Division is at least \$831,245;<sup>22</sup> the cost in the other divisions is unknown. The decentralization of these programs allows for duplicative programming. It may be more cost effective to centralize all preventive programming into one department.

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<sup>22</sup> The Court Services Division, Office of Community Based Prevention Programs appropriates \$521,451 for salaries for 12 employees. Calculation based on this appropriate plus the additional 10.5 FTE positions allocated to the D.A.R.E. program (based on the average salary of the Division --\$36,944)

## **COOK COUNTY BOOT CAMP**

The Cook County Sheriff is permitted to operate an impact incarceration program for those who would otherwise serve a term of imprisonment. With the approval of the County Board, the Sheriff may enter into a cooperative agreement with the Illinois Department of Corrections, under which persons in the IDOC may participate in the county impact incarceration program.

See 55ILCS 5/3-6038.

### **OVERVIEW**

Historically, Cook County Jail inmates who receive sentences of one year or longer become the responsibility of the Illinois Department of Corrections (IDOC) and serve the remainder of their term in a state prison. Yet in 1997, Cook County started a boot camp intended as a *prison* alternative for non-violent offenders facing sentences of longer than one year. The Cook County Boot Camp (CCBC) is a strict, military-style program consisting of two phases, lasting a total of about one year. Phase I of the program is completed on site at a complex adjacent to the Cook County Department of Corrections and lasts for eighteen weeks. Phase II consists of an eight-month after care, supervision and follow-up program. Correctional officers provide security and act as drill sergeants during the incarceration phase, and then oversee the electronic monitoring throughout the day reporting phase. There is a total capacity of 240 inmates in Phase I of the program at any one time.<sup>23</sup>

The program is intended to change the inmate's pattern of behavior and reduce his chances of returning to prison through a regimen of strict discipline, skills training, education, alcohol/substance abuse treatment and intensive supervision. While the Boot Camp program has realized a good deal of success in achieving this end, the population rehabilitated by the CCBC are individuals whose sentences would have been served in state prison facilities, or state boot camp, not the Cook County Jail. Thus, the Cook County Department of Corrections is voluntarily housing and providing services to prisoners who are the state's responsibility.

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<sup>23</sup> John Howard Association for Prison Reform 2001 Report entitled, "Jail Conditions a the CCDOC and Compliance with the Consent Decree."

Moreover, the IDOC runs three boot camps of its own throughout Illinois with large numbers of available beds. The qualifications for acceptance, operation philosophy, duration, and aftercare programs in the IDOC are nearly identical to the county's. While the combined total capacity of the three IDOC camps is 640, the current combined occupancy is 425, an occupancy rate of approximately 66%. Dixon Springs, the state's largest boot camp with 240 beds, currently has the lowest occupancy rate, housing only 141 inmates, making for a 59% occupancy rate. The other boot camp facilities located in DuQuoin and Green County each have capacities of 200 inmates, while the current populations are only 148 and 136 respectively.<sup>24</sup>

**“...neither the objective of the County program nor its effectiveness is being questioned...the inmates eligible for the County Boot Camp could participate in a virtually identical program managed and financed by the state.... Cook County taxpayers could avert a cost of at least \$8 million...”**

## **PERSPECTIVE**

The costs of operating the Cook County Boot Camp can conservatively be estimated at \$8 million annually.<sup>25</sup> While the County Boot Camp houses an average of 210 inmates, 215 beds currently remain unoccupied in the state's camps. While neither the objective of the county program nor its effectiveness is being questioned, its duplicative nature must be. The county is allocating large financial resources to provide a service that is not needed. The inmates eligible for the County Boot Camp could participate in a virtually identical program managed and financed by the state. While the service provided by the program to the inmate and to society at large would remain the same, Cook County taxpayers could avert a cost of at least \$8 million a year.

<sup>24</sup> Illinois DOC Public Information Office

<sup>25</sup> FY 2001 Annual Budget Recommendations

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## MANAGEMENT & ACCOUNTABILITY

Throughout the Sheriff's Office, a lack of accountability and ineffective management practices persist. There needs to be improvement in management in a variety of areas from janitorial services to budgeting. In janitorial services, turning to the private sector would increase efficiency and offer millions of dollars in potential savings. In budgeting, annual mid-year transfers of salary surpluses raise questions of how accounts can be grossly over-appropriated each year.

A lack of accountability exists to the degree that mandatory standards of performance have not been set in certain departments, or where in place, have not been enforced. The Court Services department handles service of process, in which a fee for service system is in place, yet there is no guarantee of service delivery nor statistics released on the rate of success. Vehicle maintenance of the Sheriff's fleets is currently handled by an internal maintenance program that offers no evidence of savings over the private sector. In the Department of Corrections, the continual slow rate of response to inmate grievances demonstrates a tolerance for employee non-compliance with court-imposed regulations and a lack of accountability by upper management.

## MANAGEMENT

### JANITORIAL/RECYCLING SERVICES

The custody and care of the courthouse are under the jurisdiction of the sheriff. The sheriff has the power to employ custodial personnel. See 55 ILCS 5/3-6017 and 1977 Op. Atty.Gen.No. S-1282.

#### OVERVIEW

Privatization of janitorial services provides the opportunity to more efficiently allocate personnel resources, thereby reducing labor costs and saving taxpayer dollars. The County Operations Review Team (CORT)<sup>26</sup> report estimated that privatization could save between \$3-\$5 million.

In addition, the Sheriff's Custodial Department currently handles the recycling collection at nine county facilities.

The Sheriff's employees collect, separate, and deliver the recyclables to a private company. This company then finds a market for the recyclables, providing the county with a share of the revenue. However, certain companies, including the county's current depository, are capable of managing the entire procedure from beginning to end. In the past, proposals have been made to provide all the equipment and transportation services for recycling at all facilities currently maintained by the Sheriff at no charge to the county. In addition, the provider would still reimburse the county for a share of the revenue that the goods generate on the market.

**“...proposals have been made to provide all the equipment and transportation services for recycling at all facilities currently maintained by the Sheriff at no charge to the County...the provider would still reimburse the county for a share of the revenue that the goods generate on the market ...”**

#### PERSPECTIVE

Janitorial services should be privatized to reduce labor costs and save taxpayer dollars. In addition, the Custodial Department should outsource recycling services at all of its facilities.

<sup>26</sup> Led by President John Stroger, Jr.

## **STAFFING**

### **OVERVIEW**

Since 1997, appropriated salaries and wages for the Cook County Sheriff's Office have increased overall by 27%; a 14% increase from last year alone. For the Sheriff's Executive Office, appropriated salaries and wages have increased by 30%.<sup>27</sup>

These increases are in part due to annual salary increases that are higher than average increases for county employees. According to the Government Finance Officers Association, public sector employees receive an average of 5% in salary increases per year. Each year, county employees receive an annual cost of living adjustment of 3% plus .10/hour. In addition, all employees receive an anniversary step increase. This anniversary step increase varies by years of service, position grade, and department.

The Sheriff's Office is above average in this area. To illustrate, in the Cook County Police Department, an employee (at grade level PI), receives a biweekly salary of \$1,601.28 their first year and a 6.1% anniversary increase after the first year<sup>28</sup>. A typical county employee under the Bureau of Human Resources who receives a biweekly salary of \$1,735.28 (grade 19), only receives a 4.96% anniversary increase after the first year. A nurse, at a biweekly salary of \$1,722.32, receives only a 2.79% anniversary increase after the first year.

### **PERSPECTIVE**

The Cook County Sheriff's Office receives higher than average salary increases on a yearly basis. The office should offer increases in accordance with the other departments throughout Cook County.

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<sup>27</sup> FY2001 Cook County Annual Appropriation Bill

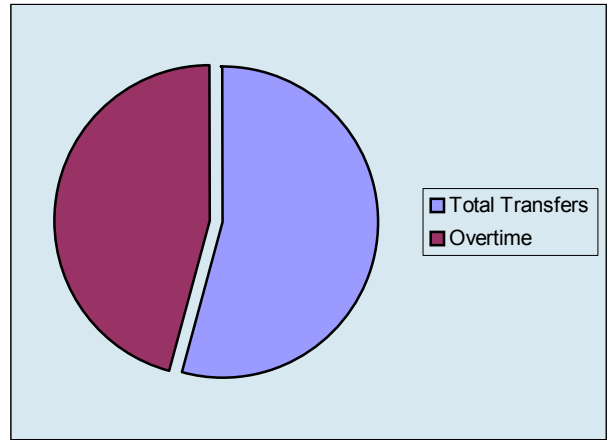
<sup>28</sup> Based on FY2001 Appropriations

## FINANCIAL MANAGEMENT

### TRANSFERS OF FUNDS

#### OVERVIEW

Like all county departments, the Sheriff's Office experiences mid-year shortfalls. These budgetary shortfalls are often remedied by intra-departmental transfers from funds with surpluses to those funds with deficits. Each year, these transfers occur without much debate. However, what begins to interfere with normal budgetary operations are recurring transfers within the same funds of the same departments every year.



**From FY1997 to FY2001, 46% of mid-year transfers went to overtime.**

Since 1997, the Sheriff's Office has transferred \$11.7 million through the mid-year process. Of these transfers, 65.40% of the transfers came from excess salary appropriations in the Sheriff's Office. Thus, in just a four-year period, approximately \$7.7 million appropriated for salaries and wages was not used for this purpose.

#### PERSPECTIVE

Salary surpluses can be attributed to a variety of causes, including unpaid leave, disciplinary actions resulting in pay deduction, and new personnel with lower salaries. Most commonly, however, these salary surpluses are attributable to unfilled positions. Throughout the Sheriff's Office, a large number of services are provided to citizens, and a certain amount of resources are necessary to adequately provide them, with the workforce being the most costly resource of all. However, when more than \$1 million each year is over-appropriated to salaries and wages, it appears that the number of personnel needed is being over-estimated on an annual basis. Thus, the Sheriff's Office either poorly anticipates budgetary needs or the Office intentionally

creates surpluses to have flexibility in transferring funds to cover other expenses later in the year. These types of transfers are commonplace in many offices of Cook County government.

The number of positions appropriated to perform a certain duty must be in accordance with the actual number of personnel needed to perform that function. For example, if 18 window washer positions are annually appropriated in the Custodian Department, it should be demonstrated that this number of laborers will be necessary to adequately carry out the duties prescribed to this job classification.

Since 1997, the Sheriff has transferred a total of \$11.7 million between its departments; 45.7%,<sup>29</sup> or \$5.4 million, went to cover overtime expenses. Yearly transfers ranged from a low of \$600,000 in 1999 to over \$1.6 million in 1998. In FY01, approximately \$1 million was transferred for overtime. This is too great a total to reasonably be justified as unforeseen expenses at budget time. This is indicative of inefficient delivery of services; taxpayers are paying more for a service than is necessary.

In 1997, a significant portion of the money transferred for overtime costs went to cover personnel expenses of employees working on preventive programs or community service and intervention programs such as S.W.A.P. and electronic monitoring. While some of these programs can only be held on weekends, this schedule should be anticipated at budget time and personnel with regular weekend work shifts should be used to cover these functions.

In 1998 and 1999, transfers to overtime compensation (of \$180,000 and \$290,000 respectively) were needed to cover staffing shortfalls caused by unanticipated early retirement. Transfers to overtime remain high due to poor planning. If a more accurate assessment of the workforce needed to perform the tasks was done in the planning stage, monies appropriated for salaries and wages could be used to cover the costs of services

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<sup>29</sup> Data from Transfer of Funds Requests FY1997-FY2001

rather than overtime. Better budget planning and a higher level of accountability must occur to better assess budgetary needs.

## **FORFEITURE FUNDS**

### **OVERVIEW**

The Cook County Sheriff and the Cook County State's Attorney's Office both maintain forfeiture accounts containing funds forfeited pursuant to state or federal law. The State's Attorney provides an annual audit of these funds to the Board of Commissioners. Although the Sheriff's forfeiture fund contains roughly three million dollars, the Sheriff provides no audit of these funds to the Board. The Sheriff also omits these funds from his annual budget submitted to the Board. This omission allows his office to spend these funds with no Board oversight or input. In fact, as discussed above, there is a question as to whether the Sheriff used these funds to build an entire in-house vehicle maintenance complex on county property without the permission of the Board of Commissioners.

### **PERSPECTIVE**

The Sheriff should submit an annual audit of these funds to the Board of Commissioners, similar to the Cook County State's Attorney's practice.

## ACCOUNTABILITY

### SERVICE OF PROCESS

Under state law, the sheriff's office is required to serve process. However, the court may, in its own discretion, upon a motion, order that service be made by a private citizen, provided that person is 18 years old or more and is not a party to the suit. See 735 ILCS 5/2-202 (a).

### OVERVIEW

Plaintiffs who file civil lawsuits in the Circuit Court of Cook County must pay the Sheriff a fee for service of the summons and complaint upon the defendant. Generally, the fee for service of a summons in a civil lawsuit is \$23.00 per defendant plus 40 cents per mile. A Sheriff's deputy attempts to serve the summons upon the defendants by a certain date. By most anecdotal accounts, the Sheriff's success rate is poor, less than fifty percent (his actual success rate is not known or reported). If the Sheriff fails to serve, the plaintiff must make another trip to court to request permission to appoint a special process server. Once the court grants permission, the plaintiff hires a private firm to serve the defendant and pays another fee above the non-reimbursable fee paid to the Sheriff. This additional step delays the progress of many court proceedings and contributes to the backlog of cases in the circuit courts.

### PERSPECTIVE

While the accepted practice is to let the Sheriff's Office make the first attempt at service, the statute does not state that this must be the initial course of action. This practice could simply be amended so that the plaintiff had the authority to hire a private process server from the beginning. By instituting this alternative, the plaintiff would be afforded the opportunity to expedite the process of bringing a defendant to court. This would also reduce court costs and relieve the county's overcrowded courts. Furthermore, if the Sheriff's Office desires to continue to play a role in serving process, the department

should record and disclose the success rate. When a fee for service system is in place, the public should have the ability to know the effectiveness of the service they are paying for. If the service is not being delivered in an effective manner, a litigant could hire a private entity which they feel will return a better value for the fee enacted. This would allow the party to circumvent the losses in both time and money that are often incurred with the current system.

## **VEHICLE MAINTENANCE**

**"...no officer of Cook County, or other person shall incur any indebtedness on behalf of the county, unless first authorized by said Board of Commissioners." (Cook County Ordinances, ch.10, section 7).**

### **OVERVIEW**

In November of 1998, the Sheriff's Vehicle Services Department began an internal maintenance program for all vehicles in the Sheriff's fleet.<sup>30</sup> The Sheriff operates the internal maintenance program from a building the Sheriff built on county-owned property. The Board of Commissioners did not approve the use of this property for this purpose. Nor did the Board approve any contract for the construction of this facility. Nor did the Board appropriate any funds for the building of this facility. It is unclear where the Sheriff obtained the funds to build this facility, though it is a fair question whether asset forfeiture funds paid for its construction.

At any rate, this year, the county appropriated approximately \$4.9 million for supplies and materials needed to maintain, repair, and operate automotive equipment.<sup>31</sup> Additionally, the county appropriated over \$634,000 for vehicle maintenance salaries. This figure does not include the costs of health, dental, vision insurance, pensions, etc. Thus, total appropriation for labor and supplies add up to over \$5.5 million in FY 2001. While the costs of vehicle services are high at commercial service stations, a national chain offered the county a contract proposal to provide oil changes and other vehicle maintenance services at a per vehicle cost well below market price.

### **PERSPECTIVE**

The upkeep of a large fleet of vehicles such as the Sheriff's is sure to entail sizeable costs, but the expenses of the building, a fourteen-person staff, and all maintenance supplies are too great to make it a cost efficient operation. Even if several dollars were saved on the

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<sup>30</sup>Taken from the report entitled, "Cook County Sheriff's Office, Ten Years of Progress," disseminated by Sheriff Sheahan.

<sup>31</sup> FY 2001 Executive Budget Recommendations

repair of every vehicle that is brought in for service, it would take tens of thousands of vehicles to offset the \$600,000 first costs spent in salaries alone. When considering the \$5.5 million total price tag in conjunction with the approximately 1300<sup>32</sup> vehicles the Sheriff's department has, the average cost of maintenance per car totals over \$4,200 for one year. Clearly, more than 1300 cars are serviced as some cars require maintenance and repair multiple times during the year, but the per car average does not give an indication that the internal maintenance program is producing significant savings. Simply put, although the cost of vehicle maintenance could previously be determined, since the change to an in house operation, the per vehicle costs can no longer be assessed. As a result, it is impossible to determine whether in-house maintenance is cost-effective or not.

The Sheriff's Office should demonstrate the per vehicle cost of maintenance or return to this service to the private sector. Furthermore, in the future, the Sheriff should not be permitted to use unauthorized county funds or build on county property without Board approval.

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<sup>32</sup> FY 2000 Executive Budget Recommendations, the figure for FY 2001 was not included in the budget recommendations.

## **JAIL OVERCROWDING**

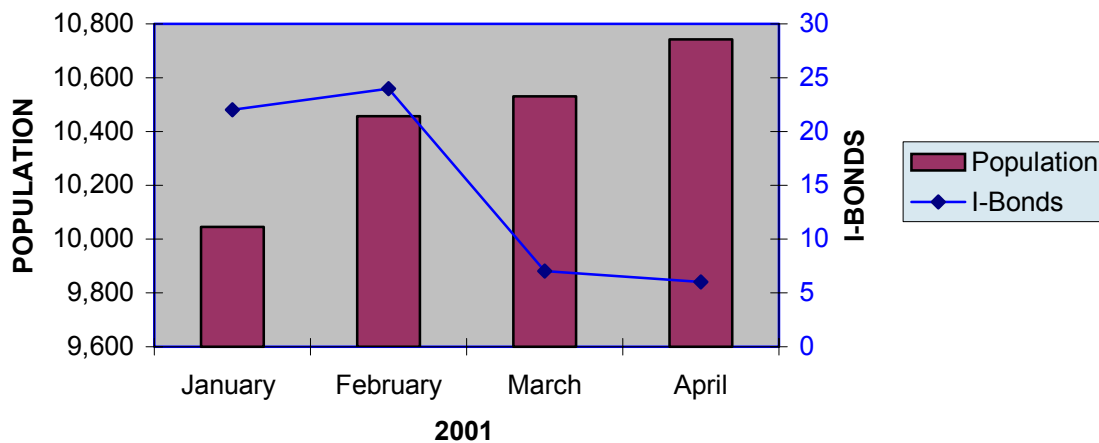
**The Sheriff of each county in this State shall be the warden of the jail of the county, and have the custody of all prisoners in the jail... See 730 ILCS 125/2.**

### **OVERVIEW**

According to the John Howard Association, in January of 2001, the average daily population at Cook County Jail was 10,046 while only 9,752 beds were available. In the same month, the daily average number of I-bonds issued by the Cook County Department of Corrections was 21.7. During the month of February, the average daily population rose to 10,457.6, the number of available beds remained constant, and the daily average number of I-bonds issued rose slightly to 23.5. In March, the population continued to rise, reaching a daily average of 10,531.8. The number of available beds actually decreased slightly to 9,710, while the daily average number of I-bonds issued dipped drastically to only 7.1 per day. In April this trend continued; the average daily prison population escalated to 10,743, the daily average number of I-bonds dipped to 6.4.

Early in the calendar year, the prison population often swells due to the end of the "quiet" period that is characteristic of the holiday season, when significant decreases in daily intakes are common. The populations in the early months of 2001 compared to December of 2000 reflect this, as the daily average overflow population rose from 420.9 in December, to 588.5, and 954.2 in January and February respectively. Coinciding with a large number of daily intakes, the average daily number of I-bonds issued rose from 13.3, to 21.7, to 23..5 in those same three months. However in March, when the average daily population escalated by 74 inmates, there was a sudden drop in the daily average of I-bonds to 7.1.

### TRENDS IN I-BONDS ISSUED



#### PERSPECTIVE

This sharp decrease in I-bonds issued can only be attributed to a sudden change in policy by the Cook County Department of Corrections because the average population was higher than in the previous month and there is no evidence to suggest the pool of candidates eligible for I-bonds decreased. Although the reasons for this change in policy are not known, one explanation warrants consideration: the decrease in the issuance of I-bonds provides a means of artificially maintaining a high jail population.

While the issuance of I-bonds is not a cure all for controlling prison population, there remains a sizeable number of minimum risk defendants that could receive I-bonds but currently do not. The DOC should once again issue I-bonds in a manner that is reflective of the jail's population; if the population is increasing by the month, the number of I-bonds issued per month should also increase. By doing so, the DOC can take one important step toward reducing numbers in a vastly overcrowded jail and realize savings of between \$10 and \$15 million.

## INMATE GRIEVANCES

### OVERVIEW

When an inmate has a concern or complaint relating to his or her health, welfare, or the programs and services provided by the CCDOC, he or she may file a grievance. Grievance boxes are located in or near almost all living units at the CCDOC. The collection, recording, initial review, and routing of all grievances is done by Correctional Rehabilitation Workers of the Program Services. The grievances are then reviewed by divisional superintendents, and those that do not relate to their jurisdiction are forwarded on to the appropriate department. All inmates are entitled to written responses to their grievances. The relevant provisions of the Consent Decree, a court ordered code of conduct resulting from a judgment against Sheriff Sheahan in the Duran suit, specify time limits for the various stages of the grievance procedure.<sup>33</sup>

The provisions state that grievances are to be collected daily by the Rehabilitation Workers. Yet, a John Howard Association study reveals that during 2000 only half of all grievances were collected within 24 hours, and almost one-third (32.1%) were delayed between 4-8 days or more before collection. Comparable delays occurred only half as often in 1996 (16.1%) and 1997 (17.5%). The John Howard report states that it would expect an average of approximately 70% of grievances to be picked up within 24 hours of submission.<sup>34</sup>

**“...Even more troubling, there are many grievances filed which are never responded to... the John Howard Report determined that by CCDOC's own records, out of a total of 2427 grievances filed, only 1485 (61.2%) were responded to at all...”**

The second phase of the grievance procedure is the investigation and preparation of a written decision supported by reasons, as well as the implementation of that decision, which is to occur within five days of the receipt of a grievance. However, the John

<sup>33</sup>John Howard Association/For Prison Reform 2001 report, entitled, "Jail Conditions at the CCDOC and Compliance with the Consent Decree."

<sup>34</sup> John Howard Association 2001

Howard report states that in its review of grievances with dated responses, the average time between filing a grievance and response was nearly 10 days<sup>35</sup>.

Even more troubling, there are many grievances filed which are never responded to. After compiling data contained in monthly summaries prepared by the CCDOC staff from January 2000 through November 2000, the John Howard Report determined that by CCDOC's own records, out of a total of 2,427 grievances filed, only 1,485 (61.2%) received responses. The same pattern continued during the following three months for which data is available. During the period from December 2000 through February 2001, 585 grievances were filed, of which 321 (54.9%) received responses.<sup>36</sup>

Ninety-five percent of the grievances filed were directed at three broad categories: Superintendents, Programs and Services, and Health Services. All three of these areas failed to achieve response rates of 50%, with the lowest response rate coming from Health Services at only 28%.<sup>37</sup>

The JHA report concludes, "the most glaring problems are (1) the pervasive failure to provide any response at all to many grievances and (2) lengthy delays in responding to these grievances which are answered. Such problems can only be remedied with appropriate leadership and oversight from the highest administrative levels at CCDOC."<sup>38</sup>

## **PERSPECTIVE**

During a time in which the jail population continues to swell well over capacity, the CCDOC must follow the recommendation of the JHA and institute greater involvement from the highest administrative levels. By failing to do so, the Sheriff's office leaves itself vulnerable to an increase in damaging lawsuits and large monetary losses.

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<sup>35</sup> John Howard Association 2001

<sup>36</sup> John Howard Association 2001

<sup>37</sup> John Howard Association 2001

<sup>38</sup> John Howard Association 2001

reflective of the jail's population; if the population is increasing by the month, the number of I-bonds issued per month should also increase. By doing so, the DOC can take one important step toward reducing numbers in a vastly overcrowded jail and realize savings of between \$10 and \$15 million.

# Appendix 1

## UNANSWERED QUESTIONS

**At the time of the completion of the report, the Sheriff's Office had not yet responded to these questions. These answers would have yielded a more detailed analysis of the office.**

1. Which areas does the Police Department currently patrol within incorporated Cook County? How many officers are used to patrol these areas? What were the total operational costs of patrolling these areas in FY99, FY2000, FY2001?
2. Are there areas being patrolled which are also patrolled by a local government's police force?
3. How many officers are used to patrol unincorporated Cook County? What were the total operational costs associated with patrolling these areas in FY99, 2000, 2001?
4. As unincorporated Cook County has grown smaller over the last decade, how have the duties of the Sheriff's Office changed?
5. Listing of self-initiated activities the Sheriff's Office currently operates?
6. What was the monetary sum that the Sheriff's Office collected in forfeiture funds in FY2000? What is the sum collected to this date in FY2001? What are these monies typically used for?

*The following were research questions for which no data was found.*

7. What was the total number of positions actually filled in the Sheriff's Office for each year from 1990 until 2001?
8. How many positions, and how much money, is directly related to community education/prevention activities?
9. How many uniformed officers perform administrative functions? Why are personnel with higher salaries acting in this capacity?
10. How much does the building used for vehicle maintenance cost to maintain? How much did the building cost to build?
11. What vehicles are maintained through the Sheriff's office vehicle maintenance program?

# Appendix 2

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