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To: Honorable John P. Daley, *Chairman, Finance Committee*
From: Kimberly M. Foxx, *State's Attorney*
Cook County State's Attorney Office

CC: Annette C.M. Guzman, *Budget Director*
Department of Budget & Management Services

Date: SAO Response to Budget Hearing Questions

Re: Request for Information from FY2022 Budget Hearing

The following information is provided in response to questions posed at the Cook County State's Attorney's Office's ("SAO") budget hearing held on October 27, 2021.

I. Request ID #1250-01

Commissioner Sean Morrison has requested your office to justify each new position by title, and, if the funding for the positions is temporary, how your office will support the continued funding of such positions. Attached to this memo is a list of your new FTEs in the FY22 Executive Budget Recommendation. For each new position, please respond to the questions set forth in the list.

Response:

During the pandemic, the SAO has taken on heavier caseloads while adapting operations to remote, hybrid, and modified in-person settings, all during which many SAO employees have struggled with trauma, loss, and life disruptions.

Burnout is happening across the country in prosecutorial offices, including the SAO. The daily caseload for Assistant State's Attorneys (ASA) started at roughly 193 cases at the beginning of the pandemic. Currently, it is roughly 201 cases per ASA (4% increase). Caseloads peaked at around 244 cases per ASA during summer 2021 (a 16% increase) but has come down as the courts have reopened and the SAO has been able to close cases with pleas and trials.

The SAO is requesting 28 new positions, none of which are using temporary funding. The breakdown is below:

- Legal: 20 positions
 - Gun Crime Strategies Unit: 5 ASAs
 - Conviction Integrity Unit: 3 ASAs
 - Civil: 3 ASAs
 - Juvenile Justice: 3 ASAs
 - Post-Conviction Unit: 2 ASAs
 - Resentencing Unit: 2 ASAs
 - Grand Jury: 1 ASA
 - Preliminary Hearings: 1 ASA
- Administrative Services: 4 positions
 - 4 Clerk I
- Investigations: 4 positions
 - 4 Investigator I

II. Request ID #1250-02

Commissioner Deer requested three specific recommendations for the Board, State's Attorney's Office, and Cook County Health to target the areas of violence and domestic violence prevention and mental health treatment.

Response:

Unmet mental health needs constitute a public health crisis in Cook County and are one of the drivers of incarceration. For too long, state and local governments have slashed programs and closed clinics in areas experiencing the greatest trauma and mental health needs. Too many people receive mental health care for the first time while incarcerated. Greater resources need to be invested in mental health at the diversionary level in addition to community-based mental health treatments that prevent people from entering the criminal justice system.

Below are a few areas the SAO believes are critical to improving mental health treatment in Cook County.

1. **Work together:** Creating a task force/working group of stakeholders that work to address violence and the trauma caused by it, including the criminal justice and public health sectors, but also to include educators as well.
2. **Increase funding:** Restoring funding and access to mental health clinics and services, especially in historically disinvested and marginalized communities.
3. **Address trauma:** Investing in community-based, trauma-informed care, especially for children. Ensure schools whose students suffer the most from violence and trauma have fully staffed counselors and social workers. SAO personnel that work with people

experiencing trauma are trained in the most current approaches to trauma-informed care. In addition, the SAO also provides victims and witnesses a trained comfort dog named Hatty to help provide comfort and relaxation while victims are in the courthouse or while they are giving their testimony.

4. ***Partnerships with Cook County Health:*** Increasing opportunities for the criminal justice system to identify when individuals may be better served by mental or behavioral health services, to divert or proceed with cases appropriately. One option would be to create a partnership with Cook County Health as a designated service provider for diversion programs. Ideally, a partnership with CCH would provide on-site case management for individuals with mental and behavioral health needs in the SAO diversion programs.
5. ***Expand partnerships:*** Expanding the number of providers (and funding for those providers) that can help address unmet needs, such as housing, education and financial stability, may contribute to individuals' overall wellness and reduce their likelihood of encountering a mental health crisis and/or interacting with the criminal justice system. The SAO is often limited in the types of services it can refer to by the ability for insurance to cover those services.

