

# ADMINISTRATIVE OFFICE OF THE NINETEENTH JUDICIAL CIRCUIT



Division of Adult Probation Services

Lake County, Illinois

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## 19<sup>th</sup> Judicial Circuit's Adult Probation Division's Pretrial Services Unit

The Pretrial Services Unit has been an established program for the 19<sup>th</sup> Judicial Circuit's Adult Probation Division since 1983. Pretrial assists in mitigating jail overcrowding and has a substantial daily cost savings over incarceration. Individuals released from jail and placed on Pretrial Bond Supervision are monitored in the community by Pretrial Bond Supervision Officers thereby enhancing community safety while helping to insure defendants appear at scheduled court hearings. The unit is responsible for:

- Providing verified background information on pretrial defendants for review of bond. The bond report is an informational report presented to the Court at the bond hearing. The report documents a defendant's personal and social background, including prior criminal record, failure-to-appear history, residence, employment, health, alcohol/drug use and community ties. An evidence based risk assessment and case classification tool was added in 2006 that identifies Pretrial Failure (failure to appear and risk to reoffend). The evidence-based instrument is called the Lake County Pretrial Risk Assessment and was adopted from the Virginia Risk assessment. In addition, in 2009, because of legislative mandates, the unit began utilization of the Ontario Risk Assessment for Domestic Abuse(ODARA) to assess risk for Felony Violation of Order of Protection. In 2011 this assessment was expanded to cover multiple offenses related to intimate partner violence. The Bail Reform Act recommends that a statewide risk assessment tool be used in bail proceedings. The 19<sup>th</sup> Judicial Circuit has utilized these assessments in bond hearings for several years.
- Providing a supervised pretrial release alternative to jail incarceration that can assure court appearance and community safety. Conditions of release include court-date reminders, regular face to face contact, drug and alcohol testing when the offense is drug or alcohol related, curfew restrictions at Pretrial discretion, criminal record checks for new arrests, GPS monitoring for selected intimate partner violence and, when applicable, victim notification of the defendant's release from custody. The benefits are wide ranging for individuals placed on bond supervision. Defendants can maintain employment, take care of their family needs and to maintain community involvement. Pretrial Bond Supervision helps insure that the defendants make all scheduled court hearings and abide by all conditions of release.

The Pretrial Services Unit has experienced an increase in the number of bond investigations and the number of defendants placed on Pretrial Bond Supervision. Since 2011 there has been a 12% increase in the number of bond investigations ordered by the Court. The average number of offenders supervised

each month by Pretrial Services since July 2014 has exceeded the monthly cap of 600. In the last 16 months, the average number of defendants under bond supervision total 742.

Pretrial Reform has been in the forefront on a national level and in Illinois specifically. On June 9, 2017, Governor Rauner signed a comprehensive criminal justice reform bill that reportedly would transform the bail process (PA100-001). Changes in the Act will require additional responsibilities for Pretrial Services requiring bond reviews of certain category of offenses, administration of a Pretrial Risk Assessment and an expansion of conditions of bond supervision. The Bail Reform Act requires that any person in custody, where they cannot post monetary bail, and are charged with specific identified offenses must be brought before the Court at the next available court date or within seven calendar days for review of bond.

Nationally, it is considered “best practices” to provide bond investigations on all remanded defendants. To get a better picture of the percentage of bond investigations being conducted on remanded defendants, a snapshot of Lake County Sheriff’s Jail booking data was reviewed regarding admission and discharge of individuals in jail during a 10-week time frame from May 2017 to Mid-July 2017. The admission and discharge data were compared with the Court ordered bond investigation data during that same time frame. The results of the snapshot reflected 60% of inmates booked into the jail were released within two days during that time frame of individuals that remained in jail three days or more only 50% of these individuals received a bond investigation.