

# REWRITING HISTORY: QUASHING NON-VIOLENT MISDEMEANOR WARRANTS THAT DISPROPORTIONATELY IMPACT MINORITIZED COMMUNITIES

September 30, 2022



Supported by the John D. and Catherine T. MacArthur Foundation

# Presenters

- **Georgette Greenlee**, Assistant State's Attorney
  - Cook County State's Attorney
- **Eduardo Garza**, Chief Deputy Clerk – Special Projects
  - Clerk of the Circuit Court of Cook County
- **Ana Yeli Ruiz**, Research Analyst
  - Office of the Chief Judge, Circuit Court of Cook County

# Moderator

- **Rebecca Barboza**, Senior Associate
  - Justice System Partners

# Agenda

- Understanding "Lay of the Land" and Identifying Key Stakeholders
  - Breakout Discussion
- Why Warrants as a Strategy
  - Breakout Discussion
- Strategy Overview: 3 Components
  - Understanding the Warrant Quash and Recall (Q/R) Process
  - Creating Buy-In and Efficiencies
  - Cases Quashed/Recalled Warrants to Date
    - Breakout Discussion
  - Data Gaps
  - Community Feedback (survey)
  - Dilemma: Addressing Newly Aged Warrants
- Q&A



# Cook County Judicial Districts

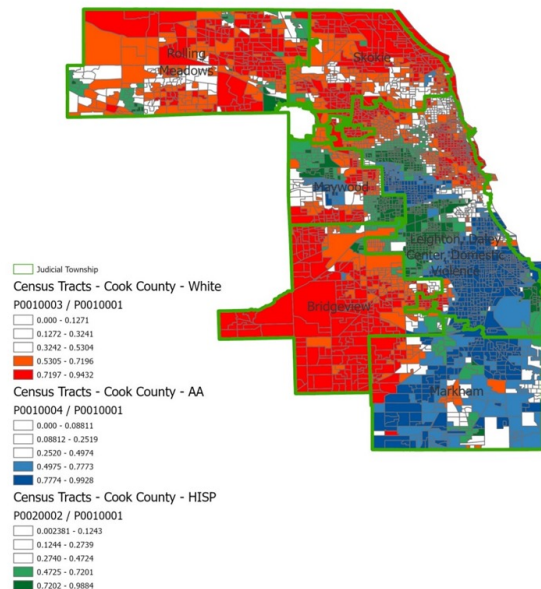
## 6 JUDICIAL DISTRICTS

Cook County 2020 Population:  
**5,275,541**  
Chicago: 2.71M

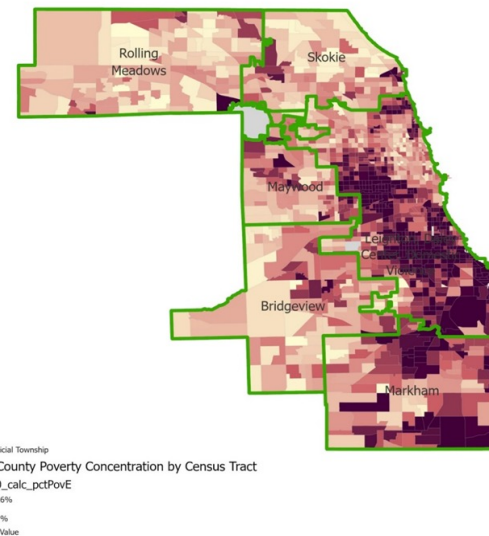


**\*note:** Judicial districts have set number of corresponding Law Enforcement Agencies (LEA) they serve

## 6 Judicial Districts by Race



## Cook County - Poverty Density



# The SJC Warrant Project Partners

## Office of the Chief Judge, Circuit Court of Cook County

Honorable Timothy C. Evans,  
Chief Judge

## Cook County State's Attorney's Office

State's Attorney  
Kimberly M. Foxx



## Clerk of the Circuit Court of Cook County

Cook County Clerk  
Iris Y. Martinez

# ***Discussion Question***

**How important is elected buy-in before proceeding?**

**How would you gauge your agency's appetite for a project like this?**



# Why Warrants Were Identified as a Strategy

- Warrants were the #1 reason for arrest by the Chicago Police Department (Burns Institute analysis, 2017)
- 62.5% of Cook County warrants were associated with misdemeanor cases (Clerk's Office reports, 2019)
- 72% of warrants were 5 years or older, according to Sheriff's data (*The State of Warrants in Cook County* report, 2017)



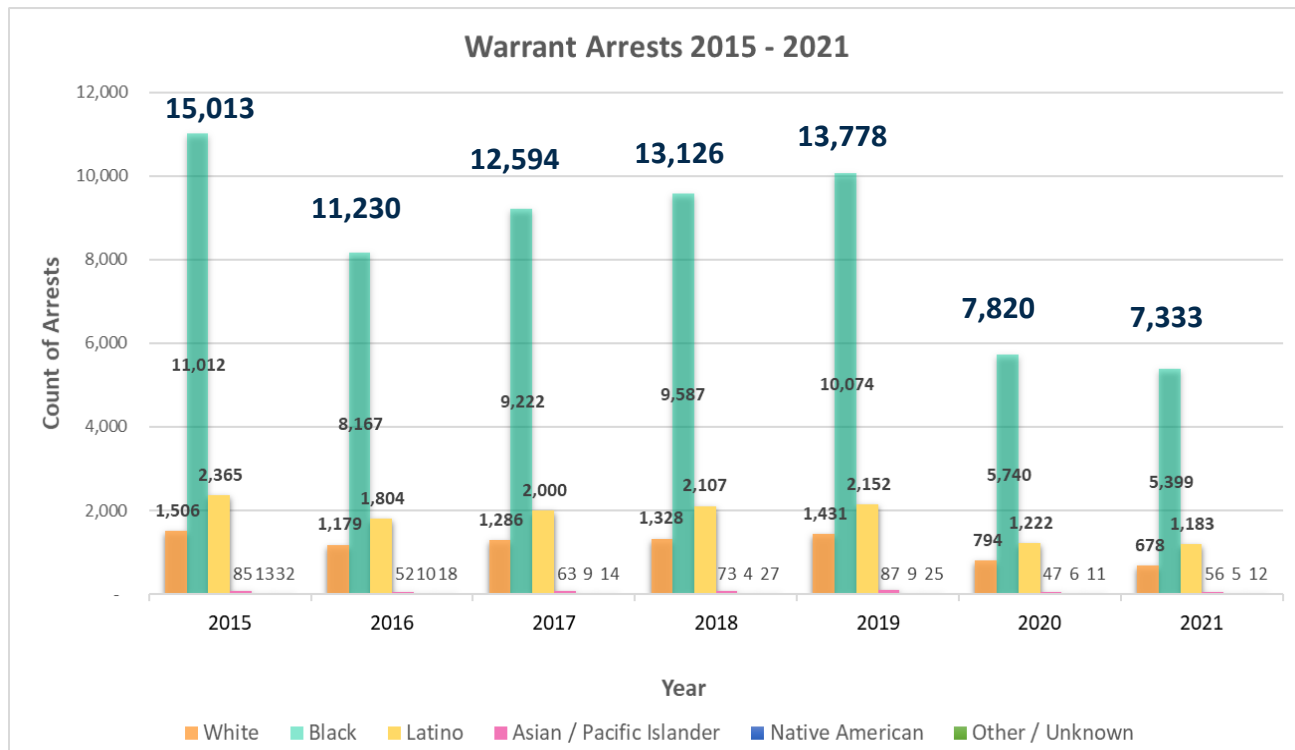
The State of Warrants  
in Cook County  
Full Report

April 4, 2017





# Why Warrants Were Identified as a Strategy Cont.

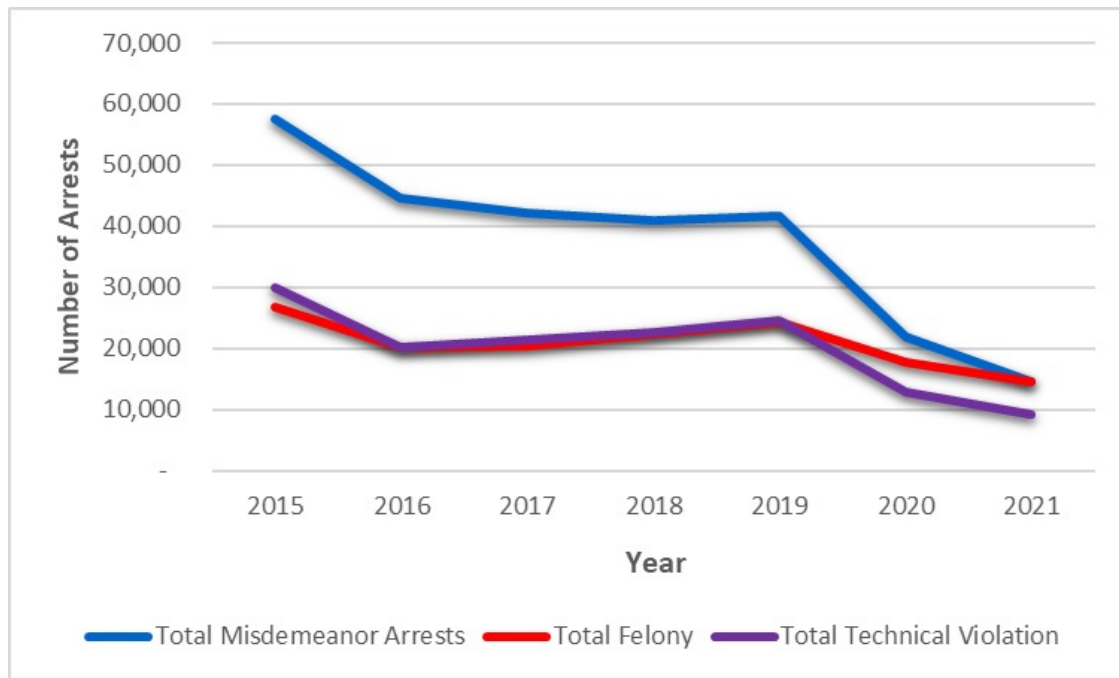


Warrants were the #1 reason for arrests in: **2017, 2018, 2020, and 2021**

And the #2 reason in: **2015, 2016, and 2019**

Source: CPD Arrest Data, 2015-2021

# Types of Arrests in Cook County

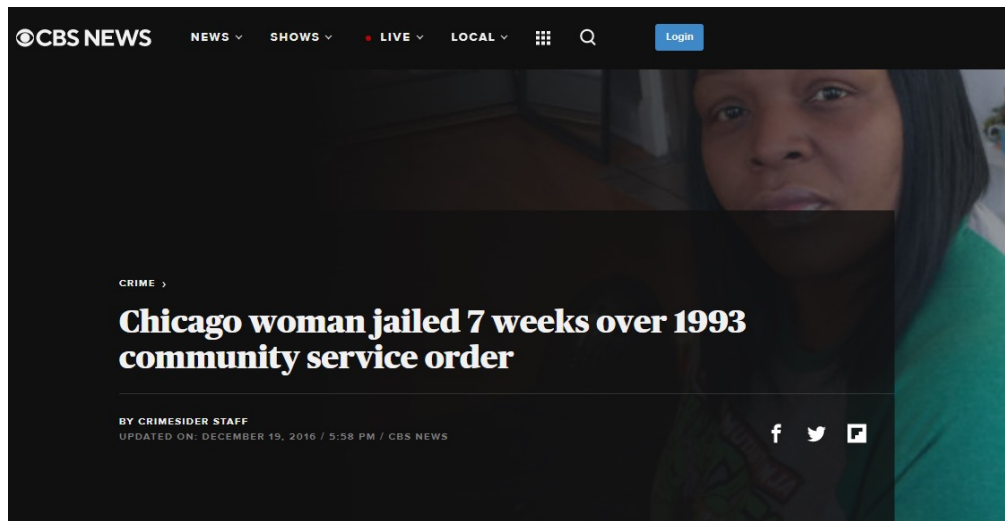


Until recently, misdemeanor arrests continued to be the highest type of arrest in Cook County.

In 2021, felony arrests surpassed misdemeanor arrests at 14,620 compared to 14,565.

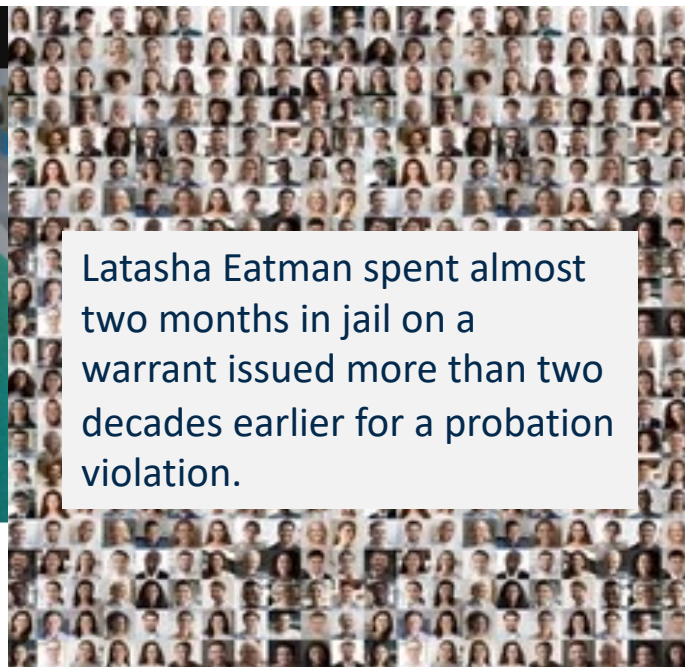
*Source: CPD Arrest Data, 2015-2021*

# The Face of Warrants for Non-Violent Offenses



**CHICAGO** – More than two decades after a judge waived Latasha Eatman's court-ordered community service, she was arrested and held in jail without bond for seven weeks, [reports CBS Chicago](#).

Eatman said she was in the store where she's worked for 15 years on Oct. 14 when two Chicago police officers came in to check if the store was selling illegal cigarettes. The officers issued the store a ticket and ran a check on Eatman's name. Moments later, she was in handcuffs.



## ***Discussion Question***



**What does the face of warrants look in  
your community?  
Consider age, race, and types of charges.**

# Strategy Overview

3 Components to the warrant strategy:

1. **Quash and recall eligible misdemeanor warrants issued in cases that will no longer be pursued by the SAO.**
2. Create opportunities for defendants to learn whether they have an active warrant, and ultimately create mechanisms for defendants to resolve certain types of warrants without fear of immediate detention.
3. Develop policies and practices within stakeholder offices to efficiently manage the influx of new warrants and resolution of old warrants.

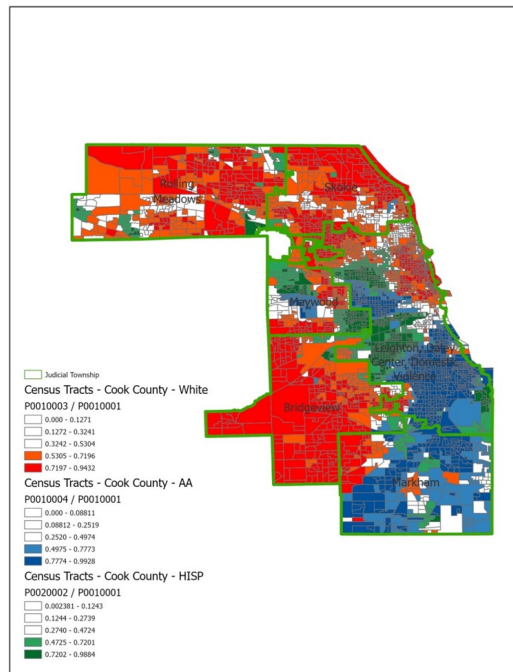
A workgroup of representatives from the stakeholder offices oversees the design, implementation and operation of the strategy.

# Eligibility Criteria for Quashing

- Must be misdemeanor
- Issue date of warrant must be 5 years or older
- Case must not involve domestic violence-related charge
- Defendant is not a convicted sex offender
- Victims are notified
- No other cases pending
- No "violent" cases
- No secondary charges for:
  - Weapons
  - DUI
  - Sex offense



# 6 Judicial Districts by Race



**17,425 Total Cases Eligible**

**District 1: 2,613**

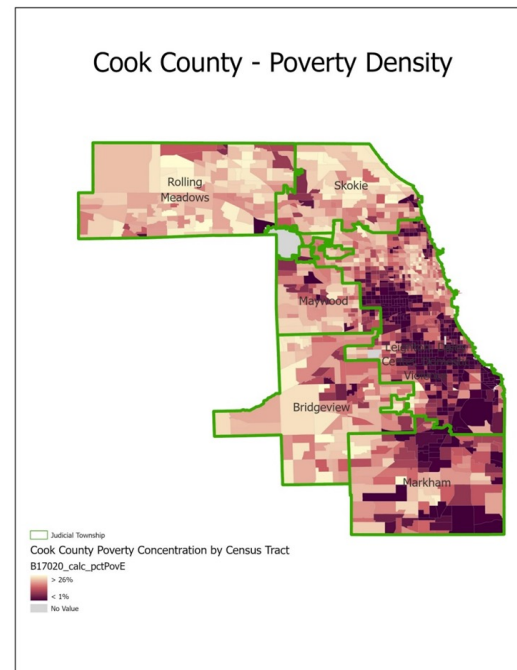
**District 2: 1,330**

**District 3: 1,736**

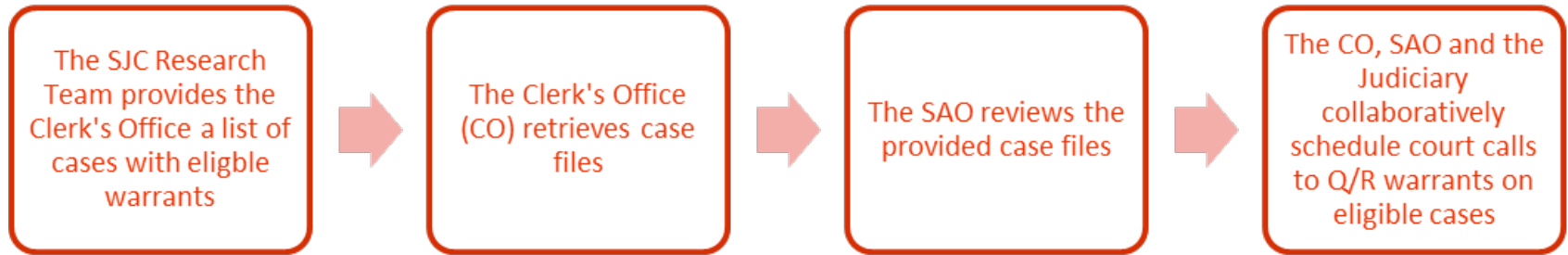
**District 4: 3,100**

**District 5: 3,773**

**District 6: 4,873**



# The Quash & Recall Process





# Creating Buy-In/Efficiencies

**District 1**  
Judge Gerardo Tristan Jr.

**District 2**  
Judge Shelley Sutker-Dermer

**District 3**  
Judge Jill Marisie

**District 4**  
Judge Ramon Ocasio III

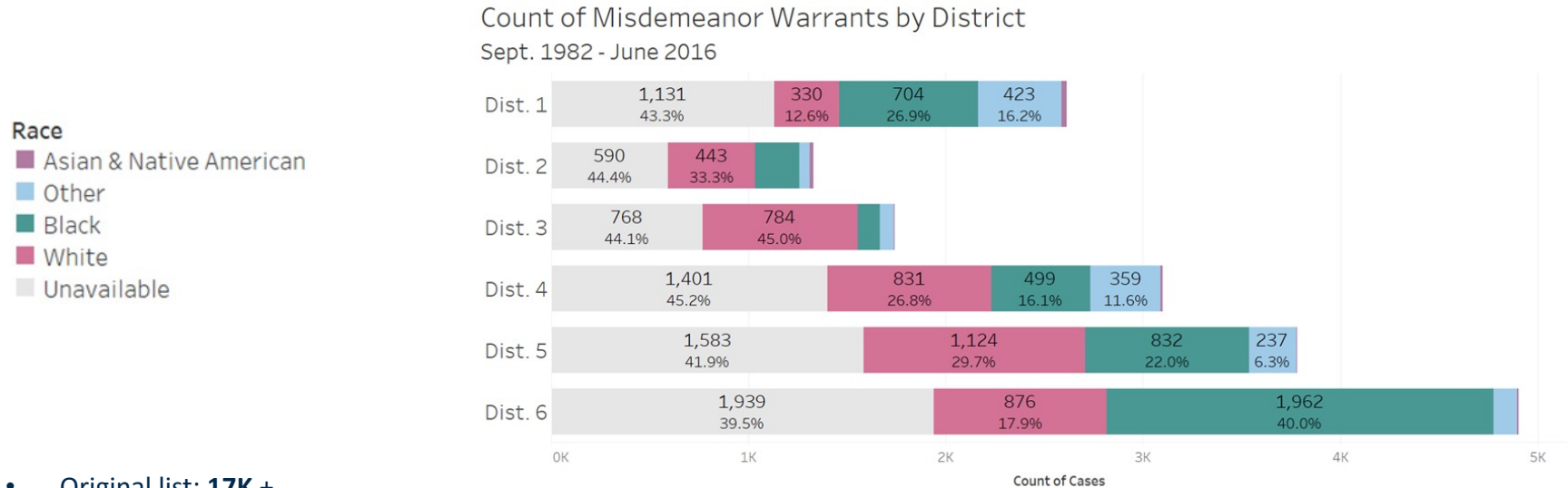
**District 5**  
Judge Margaret Ogarek

**District 6**  
Judge George Canellis

1. **Accommodate** Judge's schedules;
2. Provide additional Clerk **support** from Central Office;
2. Deliver **customized** required court forms 2-3 before court call.

# Demographics (17K+ cases eligible)

Audience: data capacity?

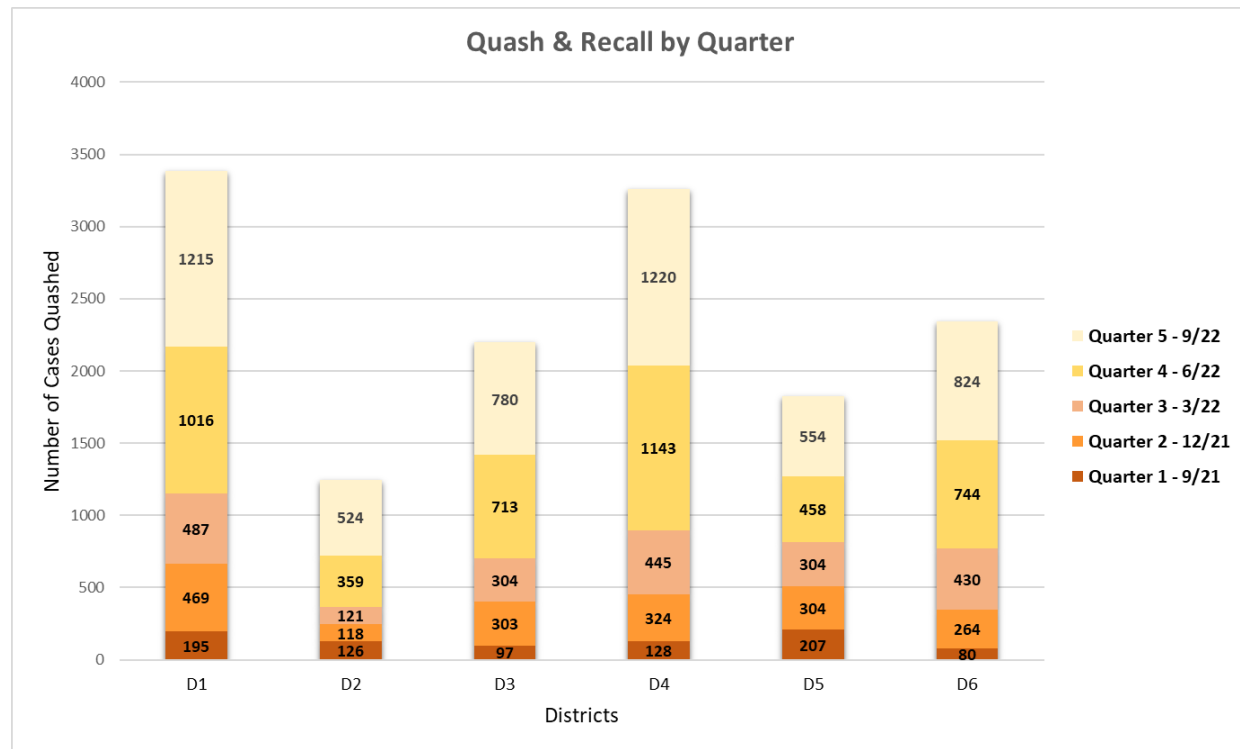


- Original list: **17K +**
- Over 7,000 cases are missing 'race.'
- Race was not collected prior to 2000.
- D1 and D6 have largest racial disparity, with a 1:2 ratio for White individuals to Black. Largest volume is in D6.

# Quash & Recalled Progress to Date

	Total Quashed for All Districts
Quarter 1	833
Quarter 2	1,782
Quarter 3	2,091
Quarter 4	4,433
Quarter 5	5,117

The quashing process began July of 2021



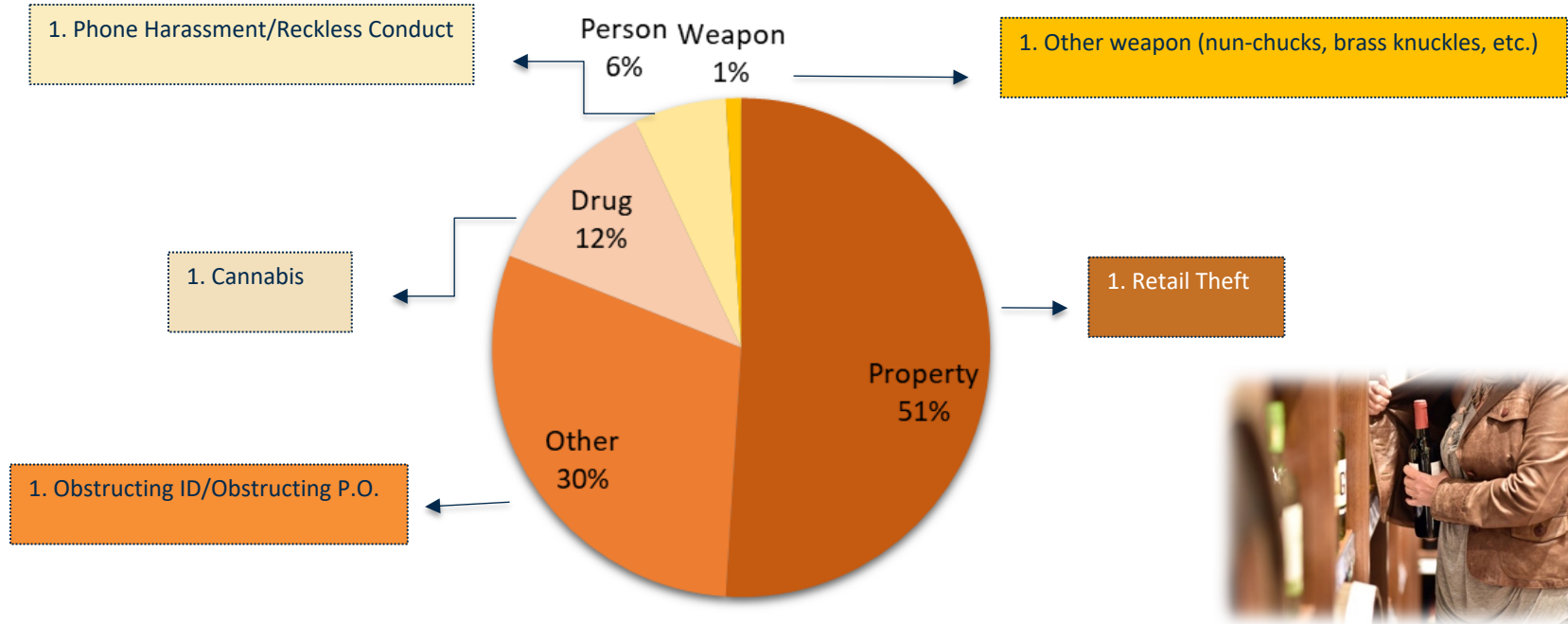
# ***Discussion Question***



**What capacity does your agency currently have to track warrant data? What is already being tracked/collected? Consider any tech resources.**

**What information would be useful for your agency to track?**

# Types of Warrants Quashed



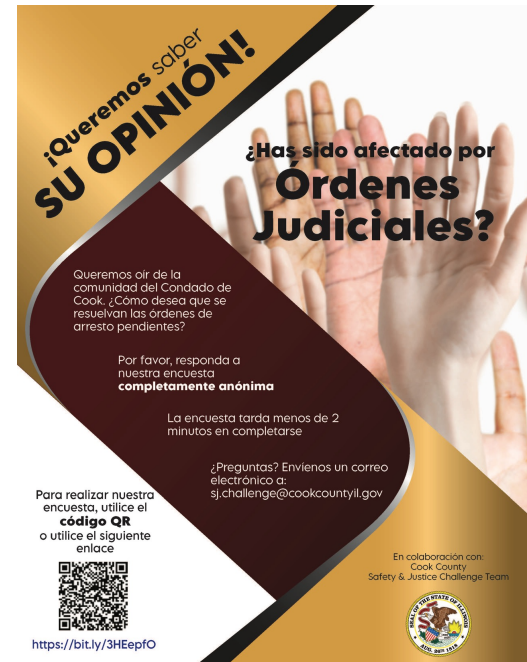
# Strategy Overview

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# Community Feedback

- Creation of community survey to receive input from Cook County residents
- Design and printing of flyers
- Seeking survey responses via Community Engagement Committee (CEC), at community events
  - Bud Billiken parade, CARIFETE Caribbean festival
- **300+** survey responses to-date, both paper & electronic



# Community Feedback Cont.

## Preliminary results:

Have you or someone you know had an arrest warrant?

**Yes – 61%**

**No – 29%**

**Unsure – 10%**

How did you or that person find out about the warrant?

**I/They were arrested – 76%**

**Had an attorney find out for me/them – 11%**

**I/They had someone call police/clerk's office – 3%**

**Other – 10%**

Did you or the person you know, try to resolve the warrant?

**Yes – 61%**

**No – 12%**

**I/They did not know how to resolve the warrant – 27%**





# Community Feedback Cont.

## Preliminary results:

If you thought you might have a warrant and wanted to find out, how would you like to go about doing that? Check all that apply

- Through a secure website – 49%**
- In person/walk-in location – 36%**
- A reminder phone call – 36%**
- A reminder email – 32%**
- Zoom or other virtual media platform – 11%**
- Other – 5%**

If you could receive information about a warrant in person, which of these locations feel the most safe and secure? Check all that apply

- Clerk of the Circuit Court via a courthouse location – 42%**
- A community-based organization, like a library – 40%**
- A faith-based organization, like a church – 35%**
- The Law Office of the Cook County Public Defenders – 25%**
- A law enforcement agency – 15%**
- Other – 3%**

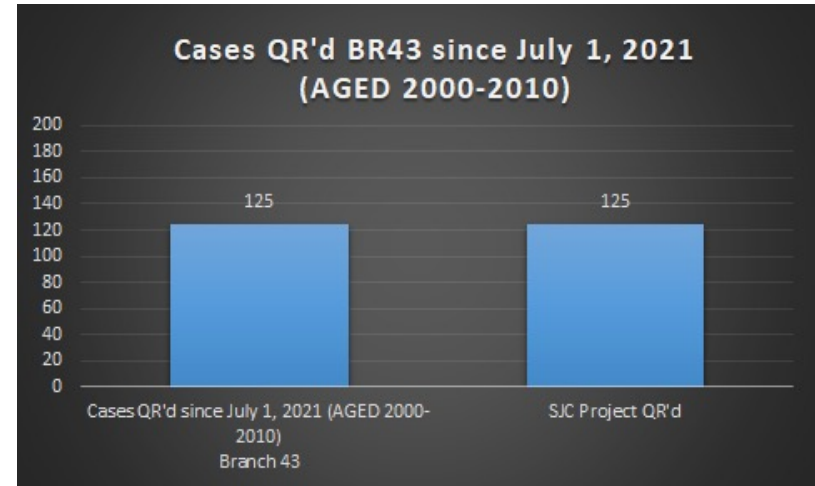
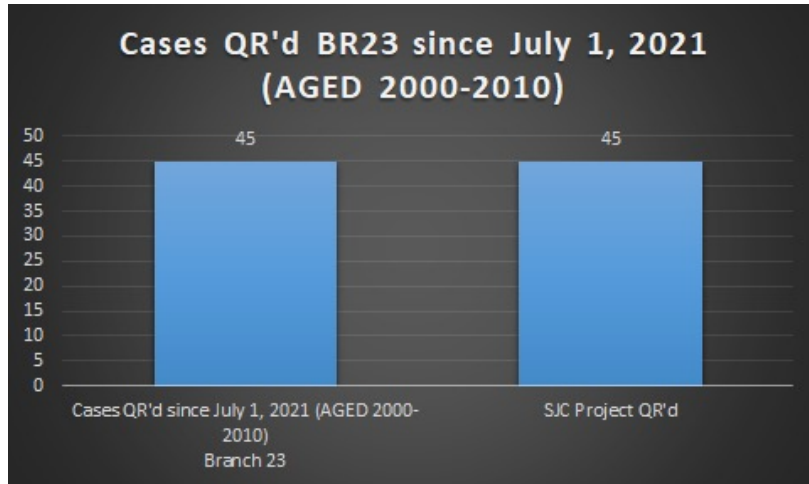


# Strategy Overview

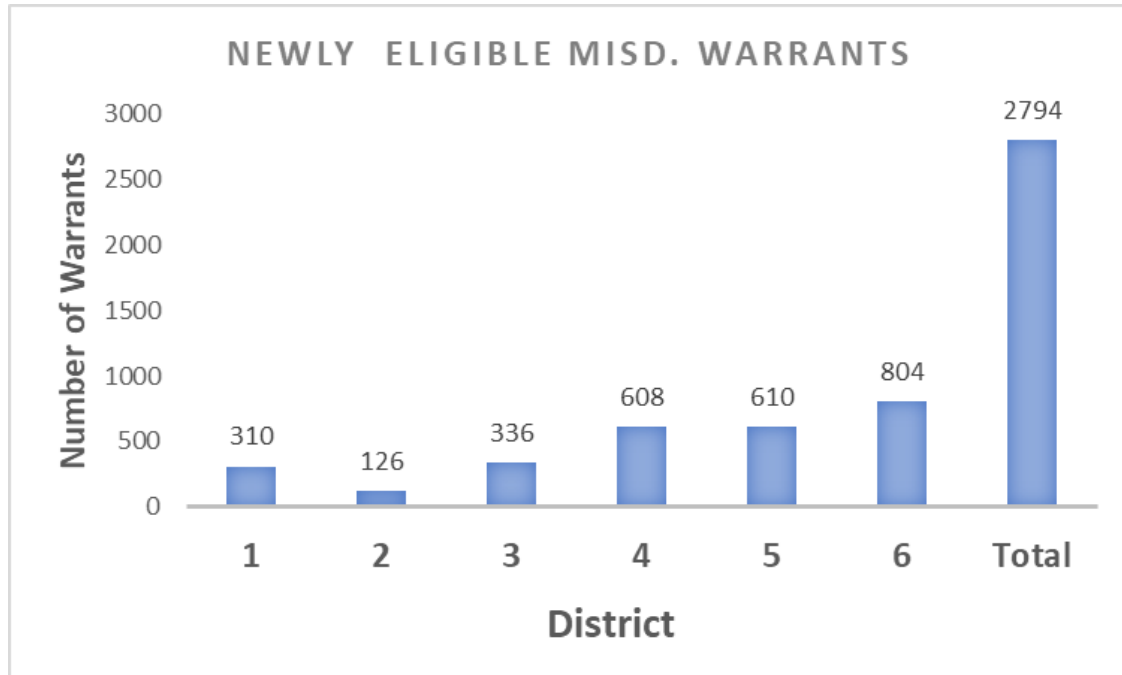
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3. **Develop policies and practices within stakeholder offices to efficiently manage the influx of new warrants and resolution of old warrants.**

# Cases Quashed & Recalled Since July 1st, 2021 (District 1 - Chicago) AGED 2000-2010



# The Dilemma – Aged in Warrants



The original list of 17K+ warrants contained warrants as early as June 2016 that were eligible.

Since then, more misdemeanor warrants have become eligible.

These 2,794 have become eligible in the last year (July 1, 2021 to September 1, 2022).

# QUESTIONS?



# Thank you!



[SafetyAndJusticeChallenge.org](https://SafetyAndJusticeChallenge.org)