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An Examination of Felony Case Processing in the Circuit Court of Cook County, 2000-2012

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Cook County Justice Advisory Council Research Bulletin

SEPTEMBER 2013

HIGHLIGHTS

- The number of felony cases filed in the Circuit Court of Cook County decreased 20% between 2000 and 2012; during the same period, the number of misdemeanor cases filed dropped 38% (p. 1 & 2).
- The percent of felony cases closed within 12 months of filing steadily increased between 2000 and 2012—by 2012, over 80% of felony cases were closed within 12 months, up from 70% in 2000 (p. 3).
- The percent of felony cases closed within 60 days of filing increased through 2009 to over 30%; however, since 2009, the percent of cases closed within 60 days decreased to less than 25% by 2012 (p.4).
- Cases involving Class 4 Felonies experienced the largest change in early case processing—in 2009, over 42% of Class 4 Felonies were closed within 60 days of filing; however, by 2012, just 32% of Class 4 Felonies were closed within 60 days (p. 4).
- These changes in early case processing have resulted in an increase in overall case processing time; for felony cases closed within 12 months, the average time to case closure increased from 117 days in 2009 to 143 days in 2012 (p. 5).
- In 2012, the courts required 3,514,482 court days to close 24,559 felony cases within 12 months of filing; to close the same number of cases in 2009 required just 2,873,476 court days. Thus, the increase in time to case closure resulted in felony cases consuming an additional 641,000 court days in 2012 (p. 6).

An Examination of Felony Case Processing in the Circuit Court of Cook County, 2000-2012

Introduction

The Cook County Justice Advisory Council (JAC) is charged with the coordination and implementation of the Cook County Board President's criminal and juvenile justice reform efforts and public safety policy development. The JAC seeks to work collaboratively with the county's public safety stakeholders towards the specific goals of safely reducing the population of the Cook County Jail and Cook County Juvenile Temporary Detention Center while preserving public safety, reducing recidivism, and promoting fair and equitable access to justice. One of the first steps towards achieving these goals involves closely examining the functioning of the criminal justice system in Cook County in order to identify potential problems and suggest reforms for improving the efficiency, effectiveness, and fairness of the system.

This research bulletin provides an examination of felony cases filed in the Circuit Court of

Cook County between 2000 and 2012. The examination considers trends in the volume of felony cases filed, the percent of cases disposed of within twelve months of filing, and the average length of time to dispose of cases.

Felony Filings Have Declined

Since 2000, the number of felony cases filed in the Circuit Court of Cook County has declined steadily (Figure 1). In 2000, roughly 38,000 felony cases were filed in Cook County. After peaking in 2002 at over 42,000 felony filings, the number of felony cases decreased to just under 29,000 filings in 2011. In 2012, felony filings increased slightly to just over 30,000. Overall, the number of felony cases filed in Cook County decreased 20% between 2000 and 2012. During the same period, misdemeanor filings decreased 38%, from a high of 262,000 cases in 2000 to just under 163,000 cases in 2012. When considered together, there were nearly 107,000 fewer felony and misdemeanor cases filed in 2012 than in 2000.

Figure 1: Number of Felony Cases Filed in the Circuit Court of Cook County, 2000-2012

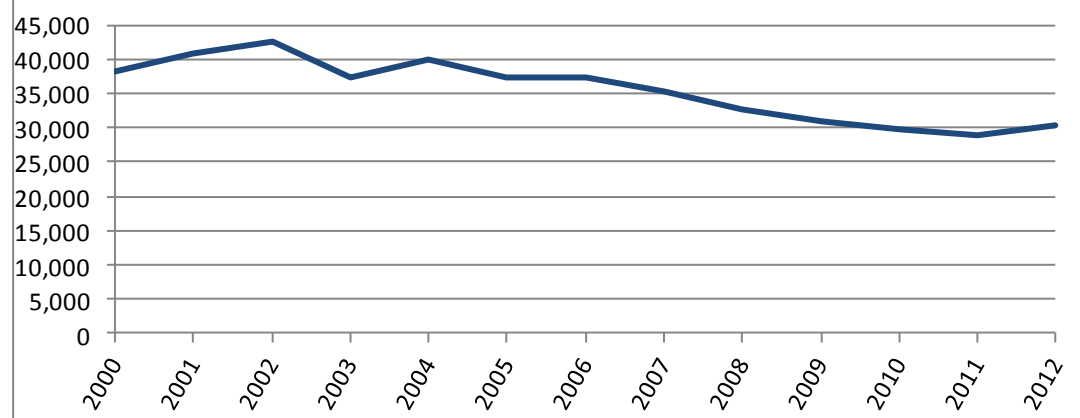
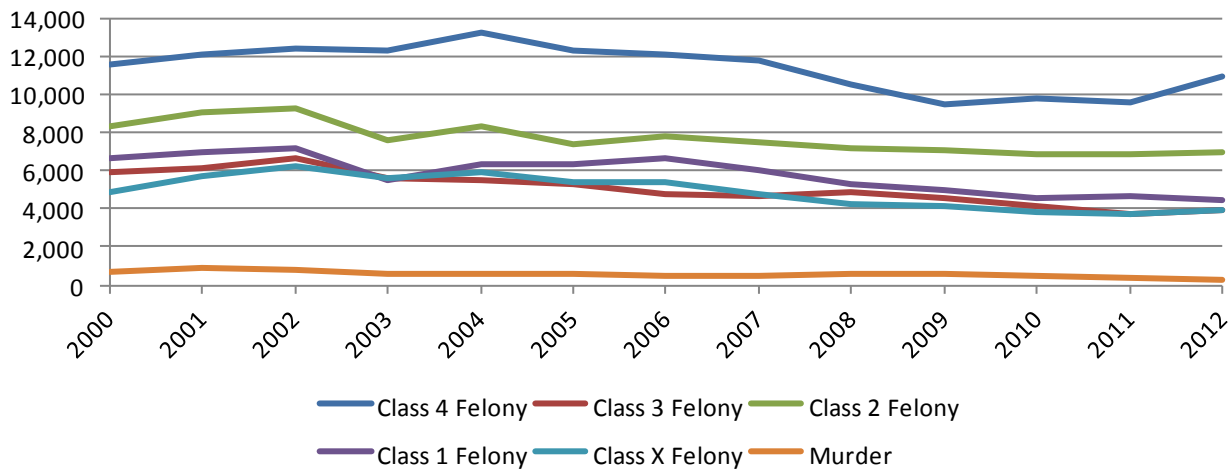


Figure 2. Number of Felony Cases Filed, by Felony Class, 2000-2012



The number of felony filings decreased across all felony classes between 2000 and 2012 (Figure 2). As Figure 2 shows, for example, the number of Class 4 Felony filings peaked in 2004 at over 13,000 filings before declining to just 9,500 filings in 2011. In 2012, Class 4 Felony filings increased sharply to nearly 11,000 filings — a rise of roughly 15% in one year. Other felony classes experienced similar trends. After peaking in the early 2000s, filings for other felony classes decreased 25% (Class 2 Felonies) to 47% (Class 3 Felonies) through 2012.

Since the trends in filings were fairly similar across felony classes, the composition of felony cases filed remained largely stable between 2000 and 2012 (Figure 3). For example, in 2000, roughly 30% of felony filings involved a Class 4 Felony as the most serious charge; by 2012, this increased slightly to approximately 35% of felony filings. The percent of felony filings that involved a Class 3 Felony, a Class 1 Felony, or Murder as the most serious charge decreased slightly between 2000 and 2012, falling roughly 3 percentage points for each felony class. The percent of felony filings that involved a Class 2 Felony or a Class X Felony were unchanged between 2000 and 2012.

Most Felony Cases Are Closed within 12 Months

Since 2000, the percent of felony cases disposed of within 12 months has steadily increased (Figure 4). In 2000, roughly 70% of felony cases were closed within 12 months of filing; by 2012, this had increased to over 80% of cases.

With the exception of cases involving a Class X Felony or Murder as the most serious charge, cases involving all other felony classes experienced a similar upward trend (Figure 5). For example, by 2012, roughly 88% of Class 4 Felony cases and 85% of Class 3 Felony cases were closed within 12 months of filing, up from roughly 75% of cases in 2000; similarly, by 2012, roughly 79% of Class 2 Felony cases and Class 1 Felony cases were closed within 12 months of filing, up from roughly 71% of cases in 2000. The percent of Murder cases closed within 12 months remained relatively stable through 2010 at

Figure 3: Percent of Felony Cases Filed, by Felony Class, 2000 and 2012

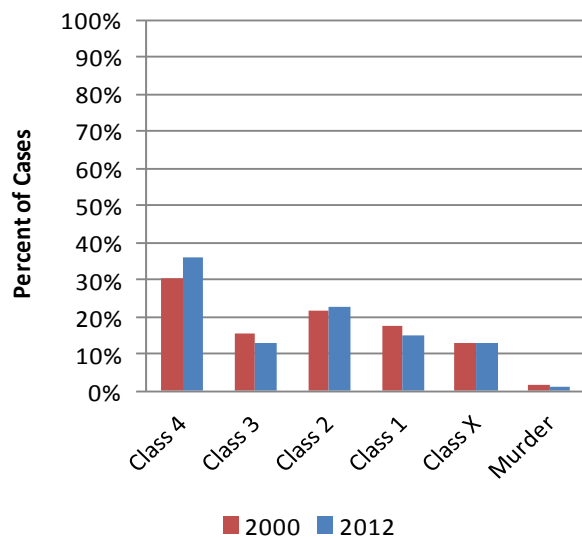
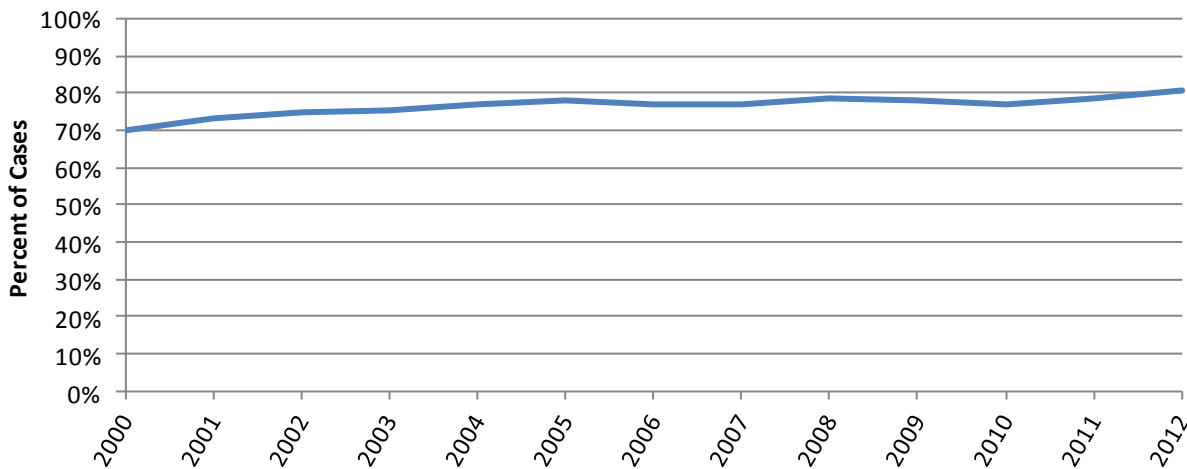


Figure 4: Percent of Felony Cases Closed within 12 Months of Filing, 2000-2012



roughly 20% of cases, before decreasing sharply to just 12% of cases in 2011; in 2012, the percent of Murder cases closed within 12 months rebounded to roughly 24% of cases.

Cases involving Class X Felonies displayed a trend markedly different from other cases. After rising through 2005 to over 67%, the percent of Class X Felony cases closed within 12 months decreased through 2011—in 2011, less than 50% of Class X Felony cases were closed within 12 months. However, like Murder cases, Class X Felony cases rebounded—in 2012, the percent of Class X Felony cases closed within 12 months increased to over 60% of cases.

The increase in the percent of felony cases closed within 12 months may be partially due to the decreasing number of felony and misdemeanor cases filed. With fewer cases, the court system may have more resources available to dispose of cases quickly.

Fewer Cases Are Being Closed within 60 Days

Between 2000 and 2009, the percent of felony cases closed within 60 days of filing also increased, indicating even quicker resolution for many cases (Figure 6). In 2000, roughly 23% of felony cases were closed within

Figure 5. Percent of Felony Cases Closed within 12 Months of Filing, by Felony Class, 2000-2012

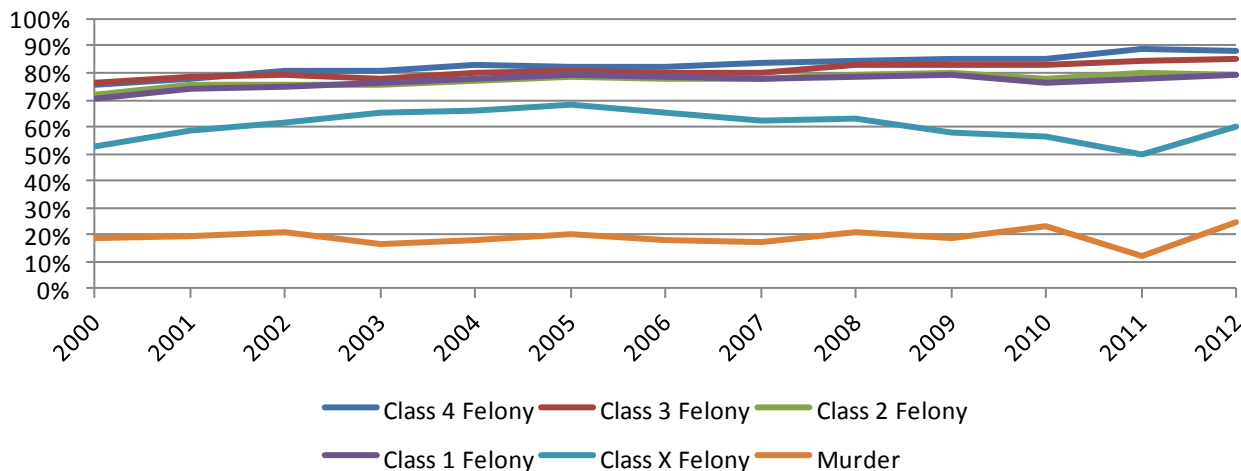
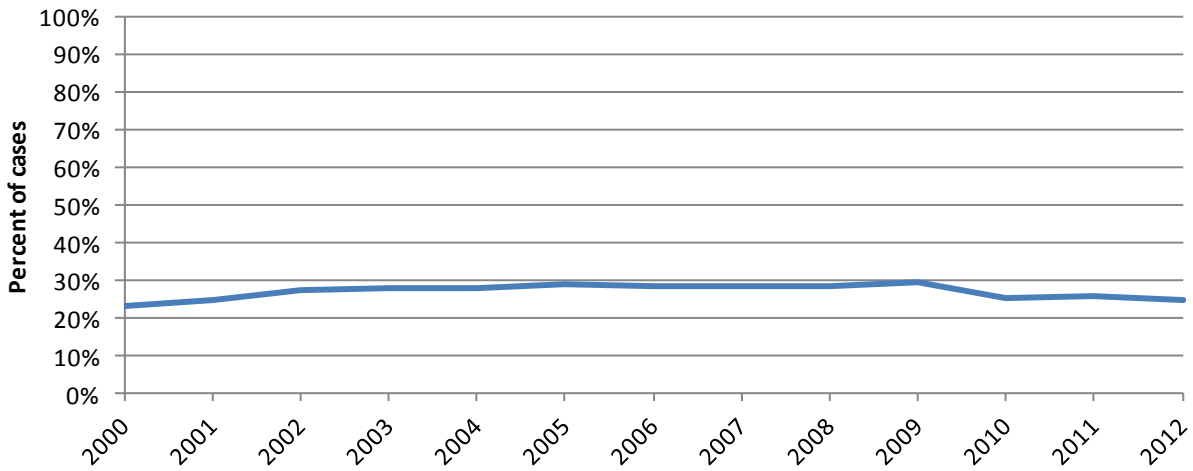


Figure 6. Percent of Felony Cases Closed within 60 Days of Filing, 2000-2012



60 days of filing; by 2009, this had increased to nearly 30% of cases. However, as Figure 6 indicates, in 2010, the percent of felony cases closed within 60 days of filing decreased to 25% and remained relatively stable through 2012.

This trend was similar across felony classes (Figure 7). After rising through 2009, the percent of felony cases closed within 60 days of filing decreased through 2012 for all felony classes. Cases involving a Class 4 Felony as the most serious charge experienced the largest changes. Between 2000 and 2009, the percent of Class 4 Felony cases closed within 60 days increased from 33% to 42%; through 2012, however, this decreased sharply — by 2012, just 32% of Class 4 Felony cases were closed within 60 days. With the exception of Class X Felony cases and Murder cases, all other felony classes experienced a 5 percentage point drop in the percent of cases closed within 60 day between 2009 and 2012.

The Time from Case Filing to Case Closure Is Increasing

Although the proportion of felony cases closed within 12 months continued to rise through 2012, the proportion closed within 60 days decreased. These opposing trends resulted in an *increase* in the time from case filing to case closure for closed felony cases (Figure 8). The analyses of time to case closure examined only cases closed within 12 months; the goal was to determine, for those cases closed within 12 months, how long did it take from the date of case filing to the date the case was closed.

As Figure 8 shows, the average number of days to case closure for cases closed within 12 months of filing decreased between 2000 and 2009, from roughly 130 days to just over 117 days—a drop of 13 days or roughly 10%. Beginning in 2010, however, the average time to case closure increased. By 2012, it took, on average, 143 days from case filing to case closure — an increase of 26 days or 22% in just three years.

Trends in time to case closure were similar for most felony classes, with the exception of cases involving a Class X Felony or Murder as the most serious charge (Figure 9). Time to case closure for Murder cases closed within 12 months increased between 2000 and 2007

Figure 7. Percent of Felony Cases Closed within 60 Days of Filing, by Felony Class, 2000-2012

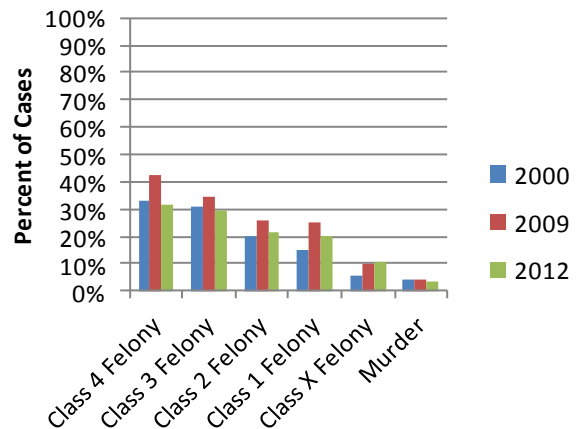
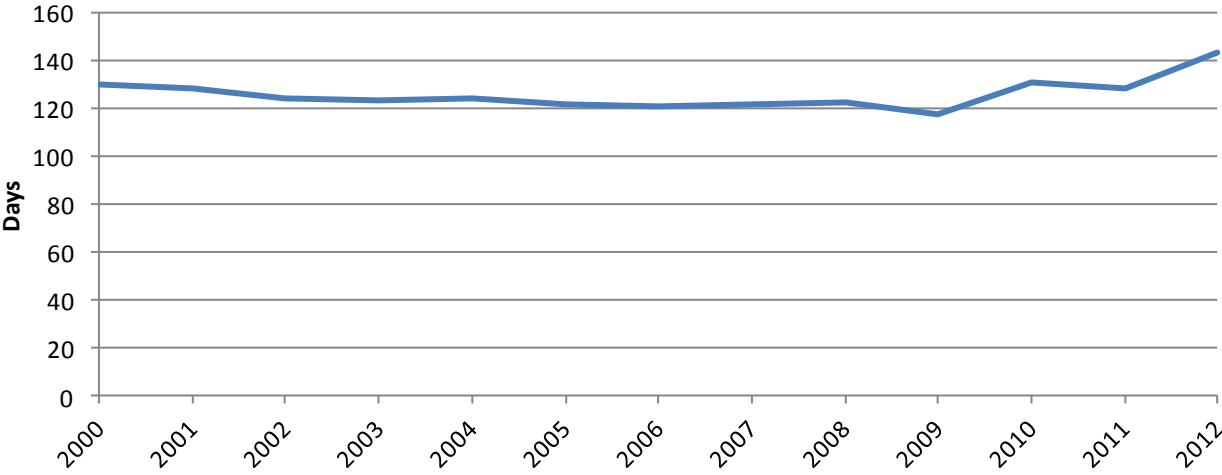


Figure 8. Average Number of Days to Case Closure for Felony Cases Closed within 12 Months of Filing, 2000-2012



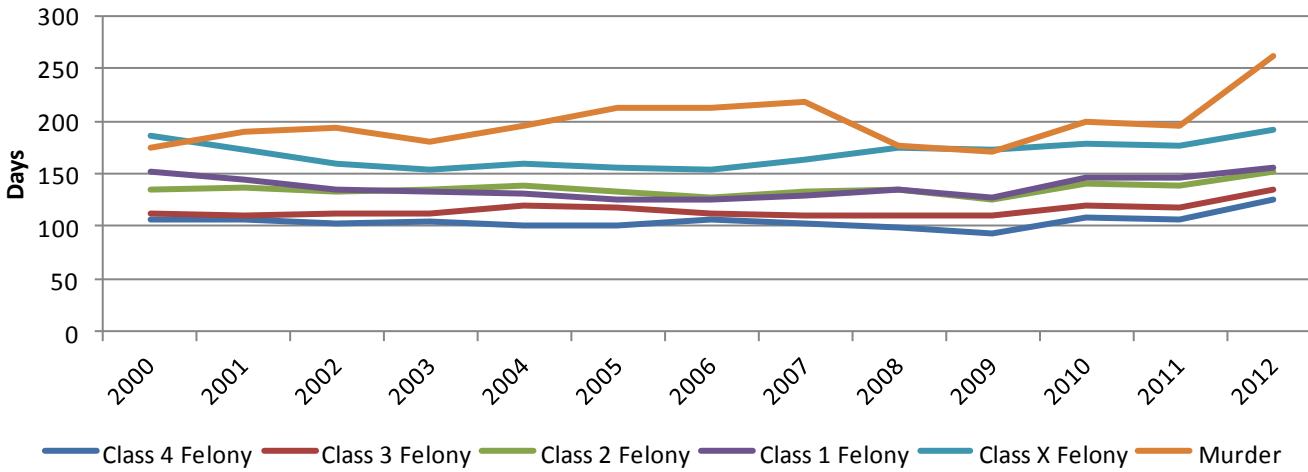
before decreasing through 2009; between 2009 and 2012, time to case closure for Murder cases then increased, rising to roughly 260 days. Time to case closure for Class X Felony Cases remained relatively stable through 2006 and then increased steadily through 2012, to roughly 191 days. Other felonies experienced fairly steady decreases in time to case closure between 2000 and 2009, followed by often steep increases through 2012.

Felonies increased to 126 days in 2012 — an increase of 33 days or 35% in just three years. Although not as large, the increases in time to case closure for other felony classes were significant. Between 2009 and 2012, the number of days to case closure increased by 25 days for Class 3 Felonies, 26 days for Class 2 Felonies, 27 days for Class 2 felonies, and 19 days for Class 1 Felonies. In all instances, the time to case closure was higher in 2012 than in 2009.

Cases involving a Class 4 Felony as the most serious charge experienced the largest increase in time to case closer. After falling from 107 days in 2000 to just 93 days in 2009, the number of days to case closure for Class 4

Longer Processing Times Have a Significant Impacts on the Courts
These increases in time to case closure can be translated

Figure 9. Average Number of Days to Case Closure for Felony Cases Closed within 12 Months of Filing, by Felony Class, 2000-2012



into the total number of court days required to close felony cases. By multiplying the total number of felony cases closed within 12 months by the average number of days to case closure, it is possible to determine the total number of court days consumed. Table 1 shows the additional days needed to close felony cases in 2012 compared to 2009. The first column in Table 1 shows the actual number of days necessary to close felony cases in 2012 — the 24,559 felony cases closed within 12 months in 2012 consumed 3.51 million court days. The second column in Table 1 shows projected number of days necessary to close these same cases *if* the average time to case closure had remained at the 2009 level — the 24,559 felony cases closed within 12 months in 2012 would have consumed 2.87 million court days.

Thus, the increase in time to case closure during this period resulted in an overall *increase* in the total number of court days consumed —in 2012, it took roughly

Table 1. Total Number of Days to Case Closure for Cases Closed within 12 Months of Filing, 2012 Actual and Projected Days

	2012 Actual	2012 projected based on 2009 time to case closure
Number of felony cases closed w/in 12 months	24,559	24,559
Average number of days to case closure	143	117
Total number of days to close cases	3,511,937	2,873,476
Additional days consumed	641,006	

641,000 more days to close cases within 12 months of filing than in would have if time to case closure had remained at 2009 levels.

Conclusion

The information presented in this *Research Bulletin* illustrates the recent trends in processing cases in the criminal courts in Cook County. Between 2000 and 2012, the number of felony filings declined roughly 20% and the number of misdemeanor filings declined roughly 38%; overall, there were 107,000 *fewer* felony and misdemeanor cases filed in 2012 than in 2000. During this same period, the percent of felony cases closed within 12 months of filing increased 10 percentage points—by 2012, over 80% of felony cases were closed within 12 months of filing. Although the proportion of felony cases closed within 12 months continued to rise through 2012, the proportion closed within 60 days decreased significantly after 2009; between 2000 and 2009, the percent of felony cases closed within 60 days of filing increased from 33% of cases to 42% of cases, before declining to just 32% of cases in 2012. As a result of the increase in early case closure between 2000 and 2009, the time to case closure decreased — in 2009, it took, on average, 117 days from filing to case closure for cases closed within 12 months, down from 130 days in 2000. However, the changes in early case closure after 2009 resulted in an increase in the time to case closure—by 2012, it took, on average 143 days to case closure.

These recent decreases in the percent of felony cases closed within 60 days and the increase in the average time to case closure have undone much of the impact that lower felony filings have had since 2000.

Although the analyses presented here are informative, they are only a necessary first step in examining court processes in Cook County and understanding recent changes in felony filings and case closures. The next step is to examine the underlying causes and consequences of these recent changes. This may include examining changes in policies and procedures that occurred in 2010 and understanding the impact of increases in time to case closure on jail populations and jail stays.

Data and Methods

The analyses presented in this report rely on data provided by the Clerk of the Circuit Court of Cook County. These data include information on all felony cases filed with the Clerk between 2000 and 2012 and provide details on the charges filed, the disposition of charges filed, and the dates and outcomes of specific court events. For each year, these data consist of three separate tables detailing defendant characteristics, charges and dispositions, and court events, respectively; a common identifier—case number — is present in all three tables and allows for linking information about a specific case across tables.

For the analyses, cases were defined as unique combinations of defendant and case number; thus, if a case involved more than one defendant, each defendant/case combination defined a unique case. Similarly, if a defendant was involved in more than one case, each defendant/case combination defined a separate case. The year in which a case was filed (CASEYEAR) was determined based on the first four digits of the case number, which designate the calendar year in which the case was filed. Cases were excluded from the analyses for several inconsistencies in date variables; these included: court events with dates occurring prior to the CASEYEAR; court events with dates occurring after the last date of data collection (June 6, 2013); charge disposition dates occurring after the last date of data collection (June 6, 2013).

The severity of the case was determined based on the most serious filed charge for the case. Because the data did not include a variable designating whether the case was open or closed, a case closure variable was created. A case was defined as closed if: all charges had a disposition of dismissed, not guilty, or guilty; the events data indicated a disposition; or the events data indicated a sentence had been imposed. Time to case closure was calculated as the difference between the date of the first court event designating a charge filing and the latest date at which charge was disposed, a disposition event was recorded, or a sentence was imposed; if a case was not closed (as defined above), then no time to disposition was calculated.

For the analyses of time to disposition reported here, only cases that were closed within 12 months of filing were included. Thus, the time to disposition reported here is not the average time to disposition for all cases filed; rather, it is only for those cases closed within 12 months. The overall average time to disposition for all filed cases is much longer than that reported here, as many cases (roughly 20% in 2012) were still open after 12 months.

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