

The MacArthur Justice Center

Northwestern University
School of Law
375 East Chicago Avenue
Chicago, Illinois 60611

phone 312-503-1016
fax 312-503-1272

Legal Director

Locke E. Bowman
312-503-0844

l-bowman@law.northwestern.edu

Lecturer and Trial Attorney

Joseph Margulies
312-503-0890

j-margulies@law.northwestern.edu

Board of Directors

Solange MacArthur
John R. MacArthur
James Liggett

MEDIA ADVISORY

February 1, 2008

For more information:

Nora Ferrell, 312-408-2580 x 24
773-510-4819 (cell)

JUDGE DECIDES TO VISIT COOK COUNTY JAIL TO SEE OVERCROWDED CONDITIONS

Calls People Sleeping on Floor “Unconstitutional,” Wants Overcrowding Addressed

Alarmed by persistent overcrowding at Cook County Jail, a federal judge decided today that she needed to see Cook County Jail conditions for herself and scheduled a visit for February 8. U.S. District Judge Virginia Kendall’s decision came after she ordered County officials in November to submit a proposal for alleviating overcrowding, which violates a 25-year-old consent decree.

“I’m willing to roll up my sleeves to make sure the consent decree is a healthy animal,” said Judge Kendall. “But if we don’t reach a point where overcrowding is addressed, I will be the judge and make the ruling that needs to be made.”

At today’s hearing, County officials presented their proposed solutions, which ranged from inmates sharing beds, also known as “hot bunking,” to moving psychiatric ward inmates to a different location.

“Many of these solutions will not result in a safer, healthier jail,” said Locke Bowman of the MacArthur Justice Center, which represents jail inmates harmed by the overcrowding problem. “We can’t put a band aid on this problem. County officials need to stop disobeying the 1982 consent decree and come up with long-term solutions to address overcrowding.”

The hearing today was the result of a motion filed in November by attorneys for jail inmates who are seeking to enforce a 1982 federal consent decree prohibiting overcrowding at the jail. In November 2007, the “overflow” population—or men forced to sleep on the floor—grew to 419 men, promoting unsanitary conditions. The overcrowding has been linked to diseases, such as CA-MRSA, a rare and deadly staph infection strain that has spiked in Chicago in recent months.

-more-

Although the overflow number decreased to about 160 men on average in January, Bowman suspects the number decreased due to lower admissions to the jail, which also decreased by 500 people from November to January.

Overcrowding has surged dramatically in the last year under the tenure of Cook County Sheriff Tom Dart.

For many years, overcrowding at Cook County Jail has been partly controlled by the electronic monitoring program (EMP), a successful system that allows the Sheriff to release selected non-violent pretrial detainees subject to supervision via an electronic monitor.

In April 2006, the Jail was in near compliance with the Consent Decree, with an average of only 3.4 overflow prisoners and an average of 1365 men in the EMP, according to a report by the John Howard Association, the court-appointed monitor.

However, in the summer of 2006, Sheriff Dart unilaterally cut back on the use of the EMP, claiming that EMP releases require input from the Cook County judges presiding in Central Bond Court. The plaintiff's motion claims that the Sheriff is sidestepping his responsibility to control the population—and the healthfulness—of the Jail.

Judge Kendall scheduled another hearing to discuss the ongoing issue for February 29, 2008, at 9:30 am.