

THE CIVIC FEDERATION

Elimination of Cash Bail in Illinois: Financial Impact Analysis *Updates and New Data*

Presentation to the
Illinois Supreme Court Pretrial Practices
Implementation Task Force

October 7, 2022



Three Documents for Task Force Review/Approval

1. Revised version of the Financial Impact of Eliminating Cash Bail Report (originally released in September 2021, revised August 2022)
2. Revised Executive Summary accompanying the original Financial Impact of Eliminating Cash Bail Report
3. New 2021 Data Addendum to the Financial Impact of Eliminating Cash Bail Report

Recap: Financial Impact Analysis of Elimination of Cash Bail



- In September 2021, the Illinois Supreme Court/AOIC & Civic Federation released a report on the Financial Impact of the Elimination of Cash Bail
 - 5 years of data: 2016-2020
 - Included total bond payments collected and disbursed
 - Received data from 96 counties (excluded 6 small counties: Kankakee, Knox, Fulton, McDonough, Hancock and Henderson)
- Bond payments collected and applied (i.e., processed and distributed) with specific breakdowns about how applied bonds were distributed
 - Fees
 - Fines
 - Restitution
 - Refunds



Summary of Revisions to September 2021 Report

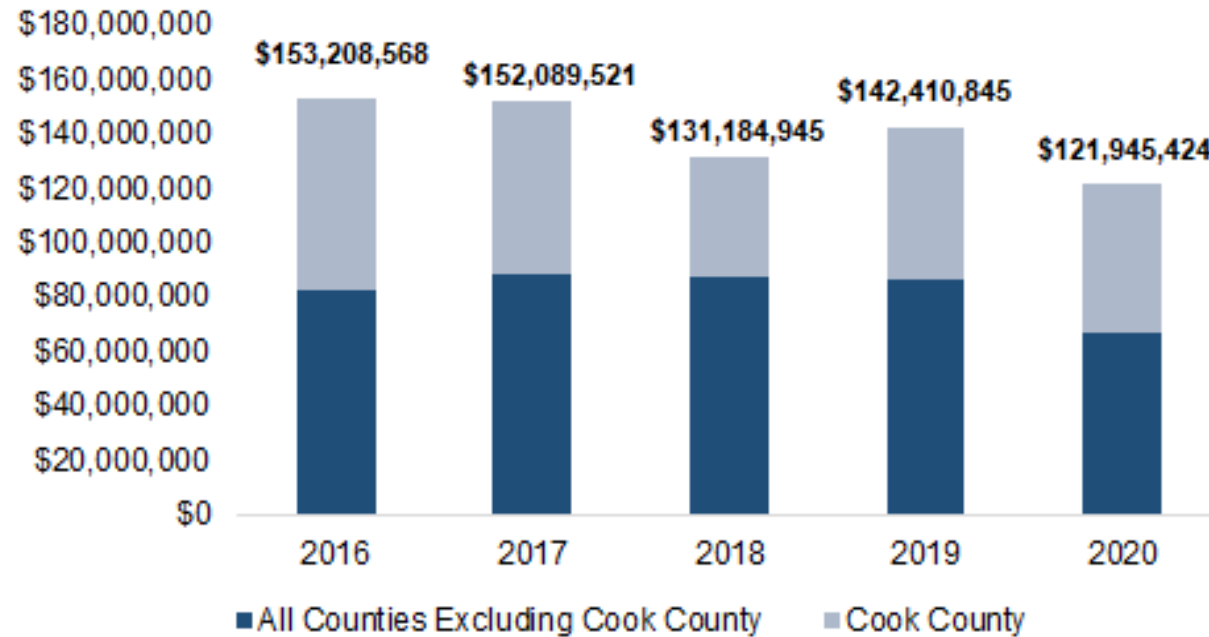
- Corrected data:
 - Total bond applied number in 2020 for Champaign County
 - Bond Processing Fees and Other Clerks' fee categories for Sangamon County
- Addition of Lee County (not included in original report)
- Added additional detail for county-level fees for: Will County, McLean County and DuPage County
- Recategorized a small number of fees for a handful of counties
- *Statewide totals did not change significantly*

Total Bonds Applied



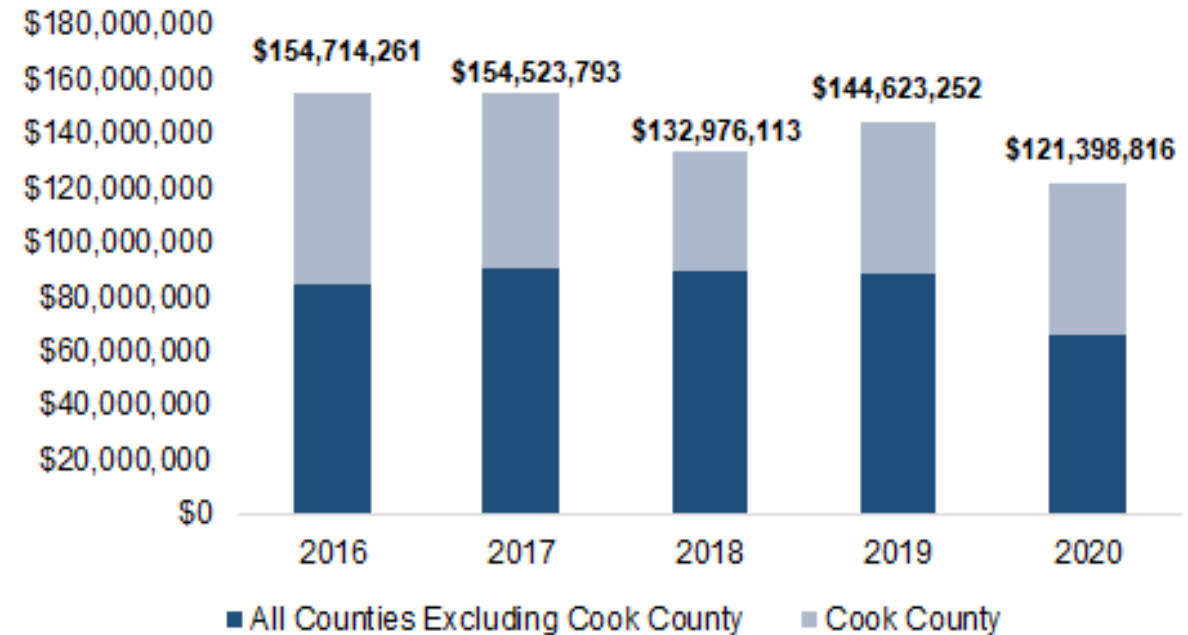
Before Revisions:

Total Bond Payments Applied in Illinois



After Revisions:

Total Bond Payments Applied in Illinois

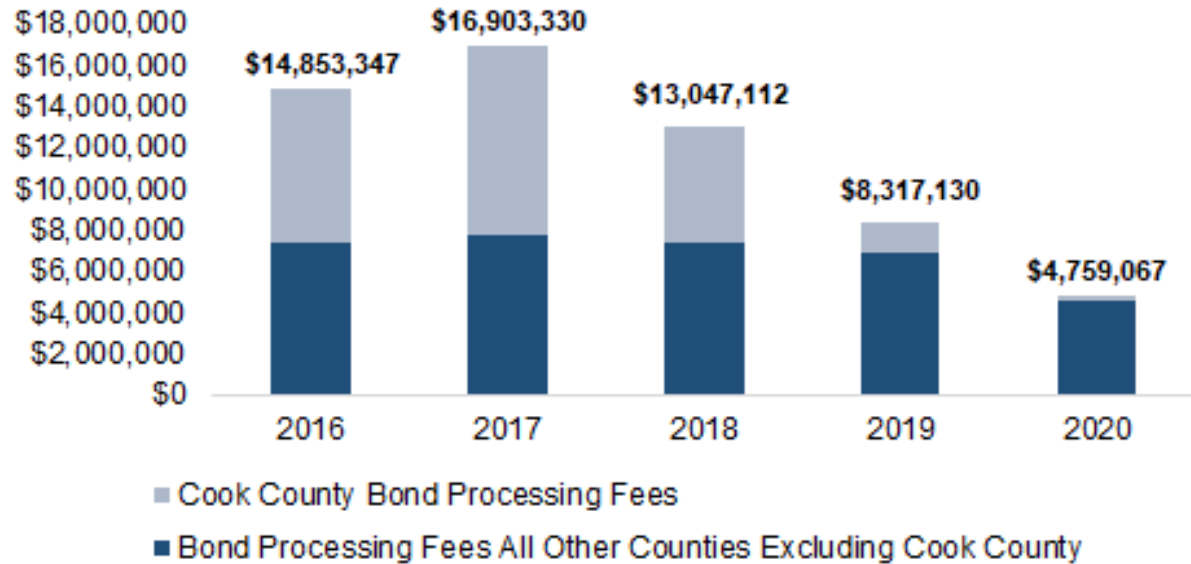


10% Bond Processing Fees (i.e. “bail bond costs”)



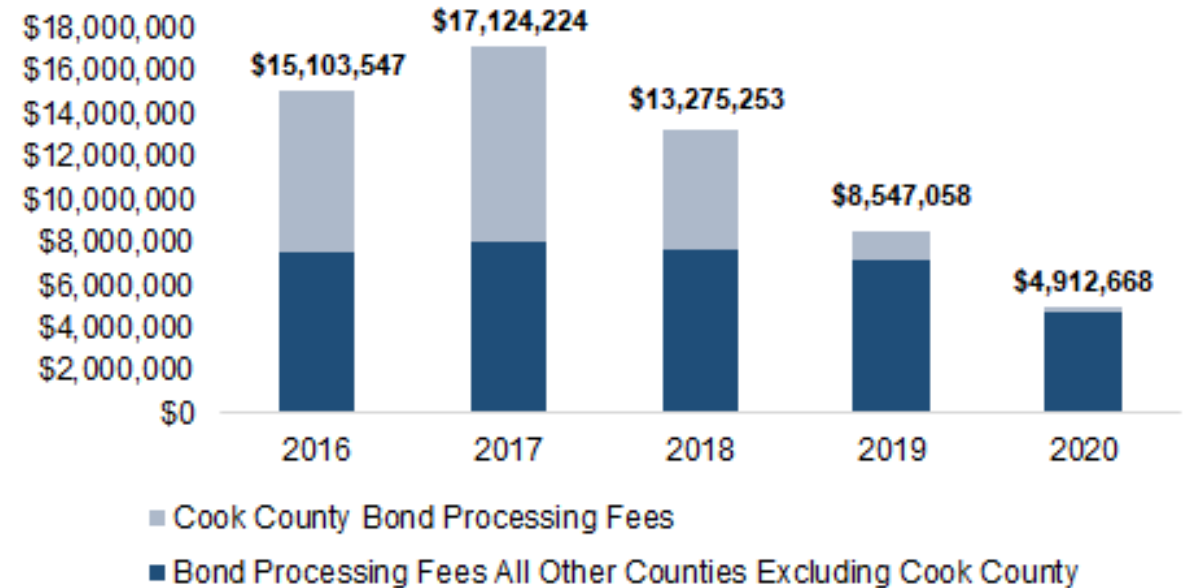
Before Revisions:

Bond Processing Fees Received by Circuit Court Clerks in Illinois



After Revisions:

Bond Processing Fees Received by Circuit Court Clerks in Illinois





Data Problems/Limitations:

- Incomplete data
- Missing fields
- Different terminology
- Potential errors/misclassifications
- Changes in data entry/fields used over time
- In 77 counties using the PC Jims system, bond processing fees were recorded with other clerks' fees prior to CTAA, so the numbers are likely inflated by 10-20%
 - Across all the counties the difference was calculated to be only about 4%

*****Numbers should be considered estimates***



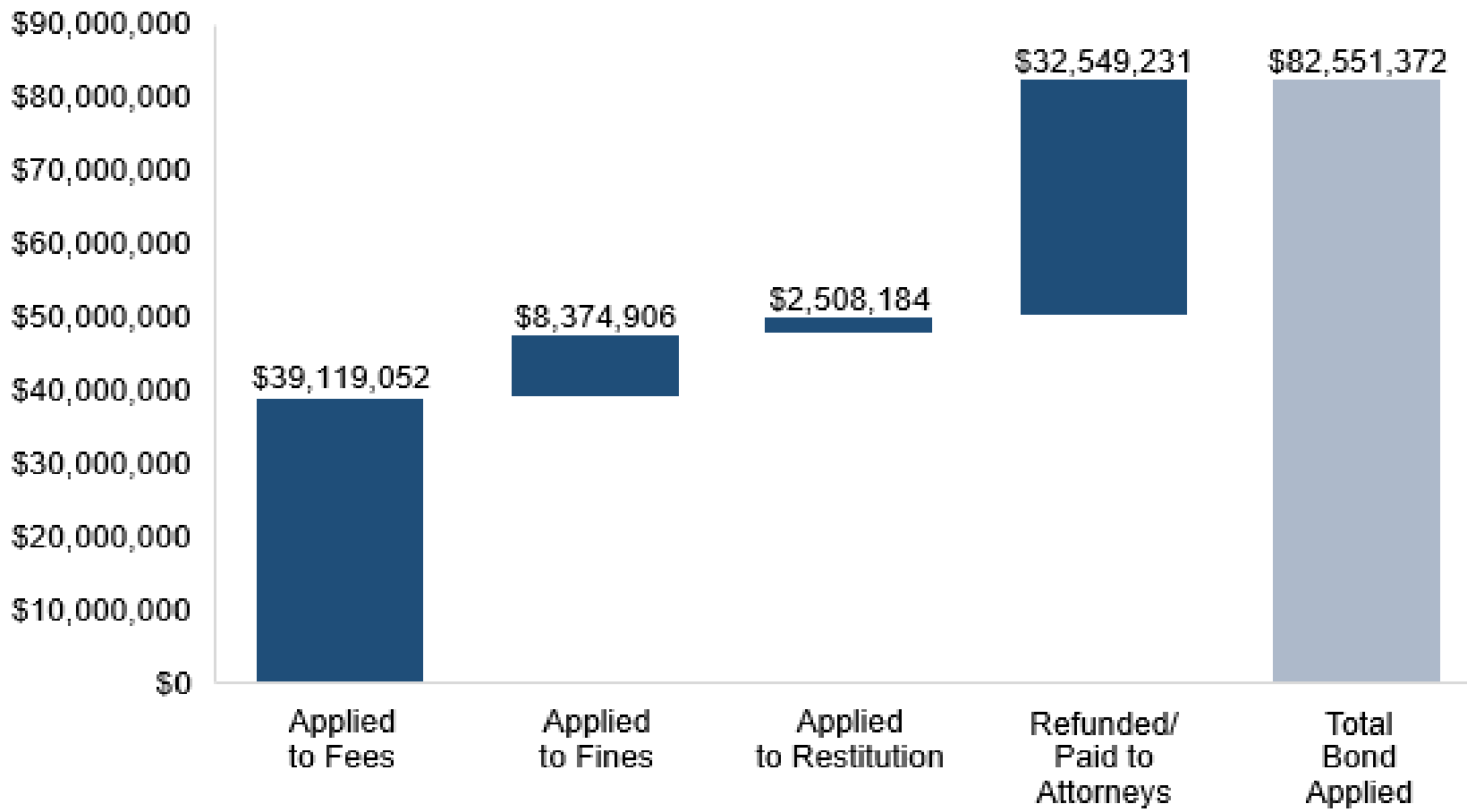
2021 Data Addendum:

- Includes 95 counties (missing Cook and the same 6 small counties excluded from original report: Kankakee Knox, Fulton, McDonough, Hancock and Henderson)
- Data presented slightly differently than 2016-2020 to better show distribution of bond payments across key uses:
 - Fees
 - Fines
 - Restitution
 - Refunds/Payments to Attorneys
- Includes breakdowns of fees applied to:
 - Bond processing fees
 - Other Circuit Clerk Fees
 - Other County Fees (fees used to support county functions)
 - Fees to all other agencies (e.g. State of Illinois, municipalities, other local governments)



2021 Data: Total Bonds Applied

Distribution of Total Bond Payments Applied in Illinois: 2021
n = 95 Counties

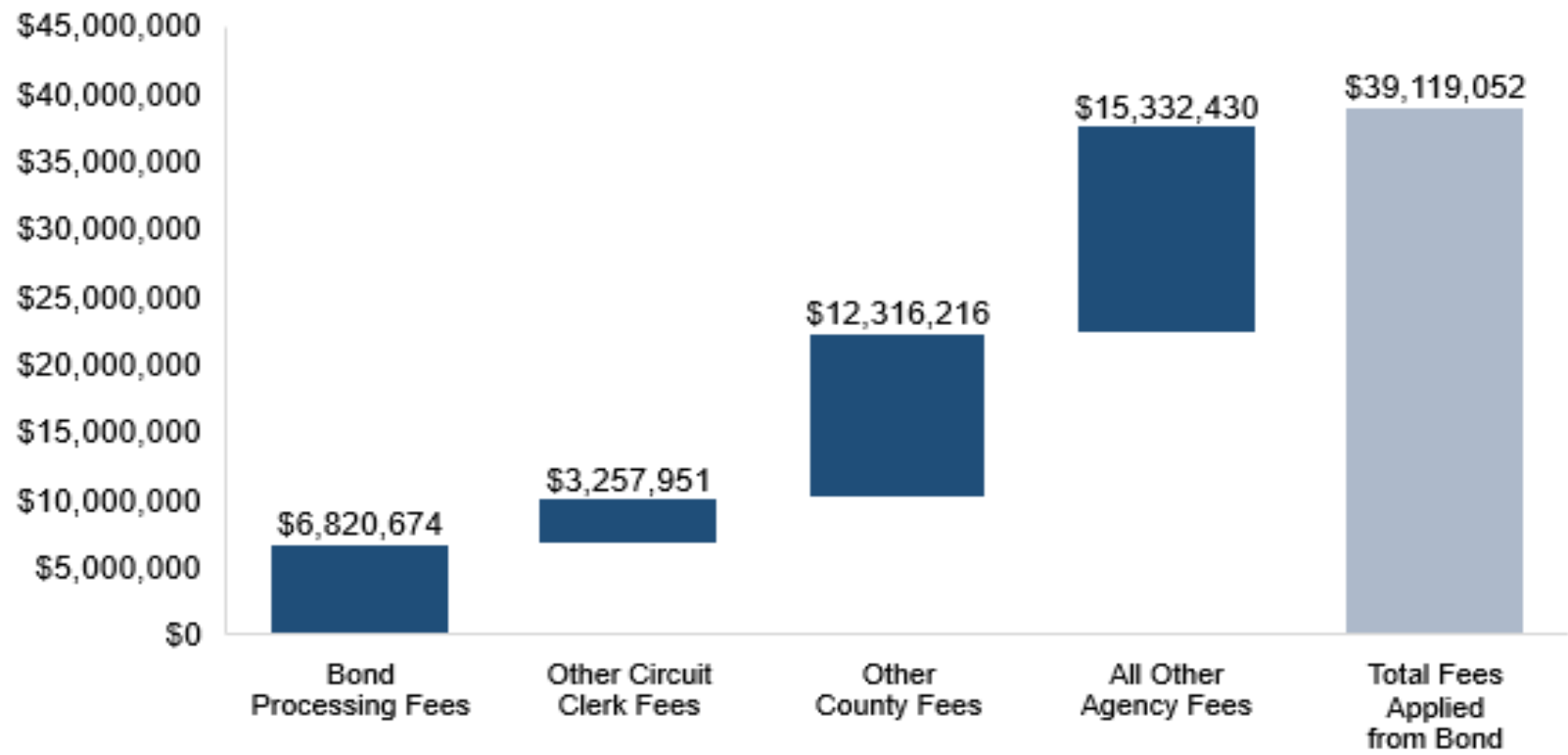


- Fees: 47%
- Fines: 10%
- Restitution: 3%
- Refunds/Payments to Attorneys: 39%



2021 Data: Breakdown of Bonds Applied to Fees

Distribution of Bond Payments Applied to Fees in Illinois: 2021
n = 95 Counties



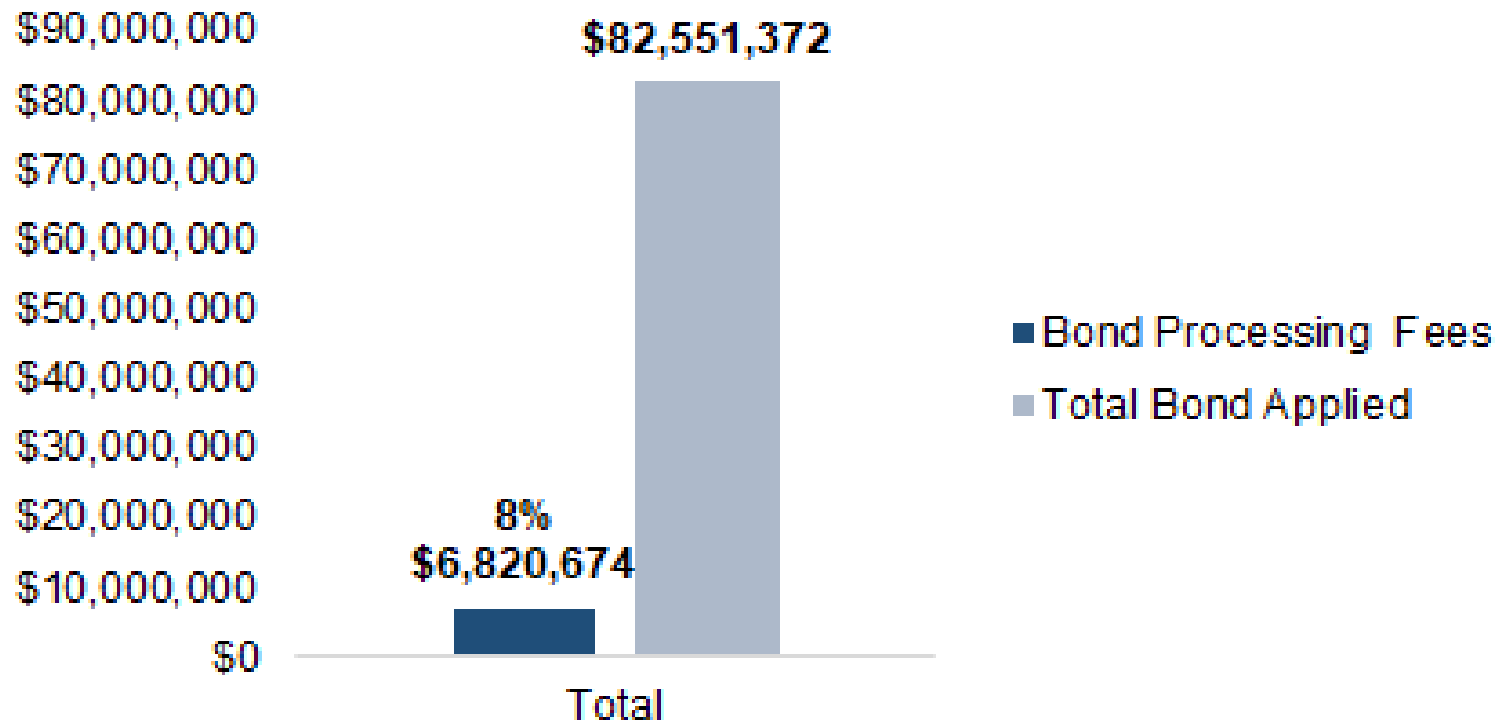
- Fees to Counties: 57%
 - Bond processing fees
 - Other Circuit Clerk Fees
 - Other County Fees
- Fees to All Other Agencies: 39%
- Note: not all counties provided information allowing for fee breakdown by agency type, so their total fee allocations are included in total.

Note: Components parts do not add to Total Fees Applied from Bond because three counties (Sangamon, St. Clair and Tazewell) were not able to provide detailed breakdowns of bond payments applied specifically to Other Circuit Clerk Fees, Other County Fees and Other Agency Fees. For those counties, bonds applied to fees are grouped together and included in the Total Fees Applied from Bond category.

2021 Data: Bond Processing Fees



Bond Processing Fees as a Percentage of Total Bonds Applied
n = 95 Counties





Example of Total Bond Distribution: Will County

**Total Bond Payments Applied:
\$10,940,617**

**Bonds Applied to Fees:
\$4,876,315
(51% of Total)**

**Bonds Applied to
Fines:
\$695,358
(12% of Total)**

**Bonds Applied to
Restitution:
\$695,358
(3% of Total)**

**Bonds Refunded:
\$2,997,860
(27% of Total)**

**Bonds Applied to
Payments to
Attorneys:
\$728,771
(7% of Total)**

**Circuit Clerk Bond
Processing Fees:
\$695,358
(6% of Total)**

**Fees to County:
\$2,871,475
(26% of Total)**

**Fees to State
Agencies:
\$1,855,923
(17% of Total)**

**Fees to All Other
Agencies/Municipalities:
\$148,916
(1% of Total)**

Example of One Bond Payment: DuPage County



<u>Amount</u>	<u>Account</u>	<u>Payable Agency</u>	<u>Total</u>
\$200.00	EARNED BOND FUND	DUPAGE COUNTY TREASURER	Bond Processing Fee: \$200.00
\$5.00	CIRCUIT CLERK OP ADMIN	CIRCUIT CLERK AF	Circuit Clerk Fees
\$8.00	E-CITATION FEE	CIRCUIT CLERK E-CITATION FUND	
\$20.00	COURT AUTOMATION FEE	CIRCUIT CLERKS OFFICE	
\$20.00	DOCUMENT STORAGE FEE	CIRCUIT CLERKS OFFICE	
			\$53.00
\$10.00	COUNTY JAIL MEDICAL COSTS FUND FEE	DUPAGE COUNTY TREASURER	County Fees
\$185.00	COURT GENERAL FUND ASSESSMENT	DUPAGE COUNTY TREASURER	
\$20.00	PROBATION OPERATIONS FEE	DUPAGE COUNTY TREASURER	
\$2.00	PUBLIC DEF RECORDS AUTO	DUPAGE COUNTY TREASURER	
\$60.00	SWAP PER DIEM FEE	DUPAGE COUNTY TREASURER	
\$40.00	SWAP REGISTRATION FEE	DUPAGE COUNTY TREASURER	
\$750.00	ANTI-CRIME PROGRAM REIMBURSEMENT	DUPAGE COUNTY TREASURER C/O ANTI CRIME COMMITTEE	
			\$1,067.00
\$10.00	CHILD ADVOCACY CENTER FEE	STATES ATTORNEY	County State's Attorney
\$2.00	E-CITATION FEE	STATES ATTORNEY	
\$75.00	FINE	STATES ATTORNEY	
\$2.00	SA RECORDS AUTOMATION FEE	STATES ATTORNEY	
			\$89.00
\$10.00	STATE POLICE MERIT BOARD PUBLIC SAFETY FUND	ILLINOIS STATE TREASURER	State of Illinois
\$50.00	STATE POLICE OPERATIONS FEE	ILLINOIS STATE TREASURER	
\$20.00	TRAFFIC CRIM CONVICTION SURCHARGE	ILLINOIS STATE TREASURER	
\$75.00	VIOLENT CRIME VICTIMS ASSISTANCE FUND	ILLINOIS STATE TREASURER	
			\$155.00
		Total Fees Applied from Bond Payment	\$1,564.00

An aerial view of a city skyline, likely Chicago, at sunset. The sky is filled with soft, colorful clouds in shades of orange, pink, and blue. The city is densely packed with skyscrapers of various heights and colors, including gold, silver, and blue. The water of a large body of water is visible in the background, reflecting the colors of the sky.

Thank You!

Questions/Discussion