

https://ocj-web-files.s3.us-east-2.amazonaws.com/documents/FAQs%20for%20Chief%20Judge%20on%20Electronic%20Monitoring%202025-03-31.pdf?VersionId=.vnQn9eRY1Tk0MAnWG4a321_3DCkqWqU (May 20, 2025)

FAQs for Chief Judge's Statement on EM

1. How will the EM Program change after April 1?

Starting on Tuesday, April 1, the Cook County Sheriff will stop accepting new Electronic Monitoring (“EM”) participants and all new court orders to EM will be sent to the Adult Probation Department Pretrial Services (“APD”). Operating under the Office of the Chief Judge (“OCJ”), APD has a long history running its EM program and will continue to operate the program based on the procedures it has developed over the past fourteen years.

On April 1, all new EM orders will go to APD in three different categories:

- Pretrial Electronic Monitoring as home confinement. This may be as a curfew (7pm-7am) or as a 24/7 confinement with essential movement as required by statute.
- Pretrial Electronic Monitoring as Domestic Violence Exclusion Zones. These orders are sometimes referred to as “Pretrial GPS” or “Cindy Bischoff GPS” orders.
- Orders to Electronic Monitoring while under a sentence of Probation.

APD has successfully operated an EM program within each of these categories and will continue its current operations. The main difference will be that starting April 1, all new pretrial EM orders will now be assigned to APD in its Pretrial Electronic Monitoring program. The Sheriff will continue to supervise EM participants that were ordered to its program prior to April 1; cases will not be transitioned from the Sheriff’s program to APD’s program.

2. What type of data/information do you plan to release?

OCJ and APD have data sharing and transparency practices in place regarding our EM programs. OCJ currently publishes weekly and monthly reports on its website. Weekly reports provide a demographic breakdown of the EM population and the split between curfews and Bischoff GPS cases. The monthly reports provide a breakdown of the “top charge” that people have been placed on EM for. The website also provides FAQs and other useful information on APD’s EM program.

- OCJ Reports: <https://www.cookcountycourt.org/department/adult-probation/adult-probation-department-research-statistics/electronic-monitoring>.
- FAQ regarding EM: <https://www.cookcountycourt.org/department/adult-probation/electronic-monitoring>

3. What are the key operational differences between the sheriff’s EM program and the OCJ programs?

Operational differences between the Sheriff and APD include:

- The Sheriff has arrest authority related to EM violations, APD pretrial officers do not. Pretrial officers instead bring EM violations to a court's attention or refer to local law enforcement.
- APD's program assigns every participant a pretrial services officer that provides both structure and support, the Sheriff's did not.

4. What guidance have judges been given about EM operational changes?

A judge may order 24/7 home confinement under APD's Pretrial EM program. The participant will be given essential movement spread across a minimum of two days as required by state law and as decided by the judge.

Judges have been provided updates regarding how APD operates its program which will help inform the judicial decisions regarding curfew and/or 24/7 home confinement.

Illinois statutes require that someone placed on pretrial electronic monitoring be given essential movement, to do such things as attend school, go to work, go to the doctor, or attend religious services, during a 48-hour period each week.

5. Can judges still order a defendant to the Sheriff's EM program after April 1?

As of April 1, the Sheriff will no longer accept EM orders. Judges are aware that the Sheriff would not accept new participants in its EM program.

6. What training do APD staff have on detaining someone who has violated the conditions of their release?

Home Confinement staff have training and equipment to coordinate with law enforcement who can arrest the individual.

7. What are the penalties a defendant may face for violation of the conditions of electronic monitoring?

A defendant who violates a condition of EM is subject to sanctions under state law, which could result in up to 30 days of detention. However, a defendant who disables, destroys, or circumvents EM equipment is potentially subject to a felony or misdemeanor escape charge, which carries separate penalties from the original charge that resulted in EM.

8. Has APD hired additional employees to address the transition?

APD has begun onboarding and pre-service training for a class of probation officers to fill existing vacant positions.

OCJ and APD continue to work with the county and the IL Supreme Court to secure resources for additional classes of probation officers before the end of FY25. For further information, this was discussed in greater detail in the Office of the Chief Judge presentation to the Cook County Board of Commissioners Criminal Justice Committee on 3/11/2025.

9. What is the status of state reimbursement for these additional employees?

Conversations regarding reimbursement from the state level, including both the AOIC and the Office of Statewide Pretrial Services, are ongoing and APD has provided information regarding the programs for them to consider. The reimbursements will depend on an appropriation from the General Assembly. APD is eligible for reimbursements for both approved pretrial services and for approved probation officers.

10. Will tech and equipment be transferred from the Sheriff's Office to Adult Probation?

APD and the Sheriff currently operate under the same vendor and contract for EM technology and equipment. APD is working with both the Sheriff, the vendor, and the County (through the President's Office) to facilitate transferring unused equipment from the Sheriff's office to APD.