

Capital Punishment Reform Study Committee
Minutes of Subcommittee No. 2 meeting
with Richard A. Devine

August 27, 2008

Subcommittee 2 met on August 27, 2008 at the Office of Richard A. Devine, Cook County States Attorney. Present: Thomas P. Sullivan, Committee Chair, Richard D. Schwind, Committee Vice Chair, Leigh B. Bienen, subcommittee chair, and Gerald E. Nora, Committee Member.

The purpose of the meeting was to discuss how the Committee could obtain copies of the indictments for all first degree murders in Cook Country for the period 2003-2008, pursuant to our statutory mandate to assess the impact of the 2003 reforms to the operation of the capital punishment statute and rules instituted by the Illinois legislature and the Supreme Court of Illinois. It is our intention and purpose to obtain copies of the indictments from all 102 counties in Illinois for the period

in order to report back to the legislature as to the application of the capital punishment statute and the capital punishment system in Illinois. A number of counties have complied with the Committee's request to send copies of the indictments for first degree murder during the period. It is necessary to have the same information from Cook County.

A frank discussion of the bureaucratic and institutional challenges raised by obtaining copies of several thousand indictments ensued. Those present suggested that this objective could be best achieved by asking the Cook County States Attorney's office to assist the Committee by contacting some of the staff at the County Clerk's office with whom it has a reliable and regular working relationship. Mr. Sullivan reported that previously when doing research on this subject he had not obtained information from the County Clerk's office in a manner which would have made it practicable to obtain

information on a large number of cases.

In the meantime the Committee is compiling from several sources a list of all first degree murders in Cook County, and this list will be used to identify the cases in Cook County for which we need the original legal records of indictment and judgment.

Those present at the meeting will report back to the Committee as to progress on this matter. Messrs. Devine and Nora agreed they will assist us in our efforts to obtain cooperation from the Cook County Criminal Court Clerk's office, and that Mr. Schwind said he might be able to have a person from his office help us.

Leigh B. Bienen
9/10/08