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**Evaluation of Illinois' Multijurisdictional Drug  
Prosecution Programs  
And Local Drug Prosecution Support Programs**

**October 1999**

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Illinois Criminal Justice  
Information Authority**

George H. Ryan, Governor  
Peter B. Bensinger, Chairman



**ILLINOIS  
CRIMINAL JUSTICE  
INFORMATION AUTHORITY**

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**Research and program evaluation in Illinois:  
Studies on drug abuse and violent crime**

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## TABLE OF CONTENTS

<b>EXECUTIVE SUMMARY .....</b>	<b>1</b>
<b>INTRODUCTION .....</b>	<b>1</b>
SCOPE OF THE EVALUATION.....	2
METHODOLOGY .....	2
<b>PROGRAM CHARACTERISTICS .....</b>	<b>3</b>
MULTIJURISDICTIONAL DRUG PROSECUTION UNITS.....	3
<i>Size of program and volume</i> .....	3
<i>Law enforcement relations</i> .....	4
<i>Court and judicial environments</i> .....	4
<i>Prosecution policies</i> .....	5
LOCAL DRUG SUPPORT UNITS.....	5
<i>Size of program and volume</i> .....	5
<i>Law enforcement relations</i> .....	6
<i>Court and judicial environments</i> .....	7
<i>Prosecution policies</i> .....	7
<b>FINDINGS .....</b>	<b>7</b>
RELATIONSHIPS BETWEEN MJDP/LDP UNITS AND LAW ENFORCEMENT AGENCIES.....	8
MJDP/LDP ORGANIZATIONAL STRUCTURE AND CASE MANAGEMENT .....	8
ROLE IN LAW ENFORCEMENT INVESTIGATIONS.....	10
PROSECUTION AND DISPOSITIONS.....	10
<b>CONCLUSIONS AND RECOMMENDATIONS.....</b>	<b>11</b>
CONCLUSIONS.....	11
RECOMMENDATIONS .....	13
<i>MJDP/LDP Recommendations</i> .....	13
<i>General criminal justice system recommendations</i> .....	14
<b>FINAL REPORT .....</b>	<b>16</b>
<b>INTRODUCTION .....</b>	<b>16</b>
SCOPE OF THE EVALUATION.....	16
FOCUS OF THE EVALUATION .....	16
METHODOLOGY .....	17
ORGANIZATION OF THE REPORT .....	18
ACKNOWLEDGMENTS.....	19
<b>I. MULTIJURISDICTIONAL DRUG PROSECUTION UNITS.....</b>	<b>20</b>
BACKGROUND.....	20
CHARACTERISTICS OF MJDP PROGRAMS .....	21
VARIATIONS IN MJDP ENVIRONMENTS.....	21
<i>Size of program and volume</i> .....	22
<i>Law enforcement relations</i> .....	22
<i>Court and judicial environments</i> .....	23
<i>Prosecution policies</i> .....	23

RESULTS OF MJDP EVALUATION .....	24
<i>Relationships between MJDP units, local law enforcement agencies, MEG units, task forces and federal agencies.</i> .....	24
<i>Coordination of MJDP units with other drug prosecution activities and the office in general.</i> .....	26
<i>Asset forfeiture procedures</i> .....	27
<i>Obtaining warrants for eavesdrops and other court authorized warrants.</i> .....	28
<i>The role of the MJDP unit in law enforcement investigations.</i> .....	28
<b>II. LOCAL DRUG SUPPORT UNITS.....</b>	<b>29</b>
BACKGROUND.....	29
CHARACTERISTICS OF THE LDP PROSECUTOR PROGRAMS.....	29
VARIATIONS IN LDP ENVIRONMENTS.....	29
<i>Size of program and volume</i> .....	30
<i>Law enforcement relations.</i> .....	31
<i>Court and judicial environments.</i> .....	32
<i>Prosecution policies</i> .....	32
RESULTS OF LDP EVALUATION.....	32
<i>Relationships between LDP units, local law enforcement agencies, MEG units, task forces and federal agencies</i> .....	33
<i>Coordination of LDP units with other drug prosecution activities and the office in general.</i> .....	34
<i>Asset forfeiture.</i> .....	35
<i>Obtaining warrants for eavesdrops and overhears and other court authorized warrants</i> .....	36
<i>The role of the LDP in law enforcement</i> .....	37
<b>III. ANALYSIS OF PROGRAM DATA.....</b>	<b>38</b>
INTRODUCTION.....	38
<i>Description of data.</i> .....	38
<i>Scope of analysis</i> .....	38
RESULTS OF THE ANALYSIS.....	39
<i>Arrest Trends</i> .....	39
<i>Dispositions</i> .....	46
<i>Sentences</i> .....	51
<i>Forfeiture Investigations and Search Warrants</i> .....	53
<i>Forfeitures and Judgments</i> .....	53
<i>Conclusion</i> .....	54
<b>IV. PROGRAM EVALUATION FINDINGS .....</b>	<b>56</b>
OVERVIEW.....	56
RELATIONSHIP BETWEEN THE MJDP/LDPs AND LAW ENFORCEMENT AGENCIES.....	56
4.1 <i>Operations are not standardized among the programs.</i> .....	56
4.2 <i>Within the sphere of local drug prosecutions, MJDP/LDP relations with the MEGs and TFs vary from neutral to proactive.</i> .....	57
4.3 <i>Drug prosecutors are responsive to law enforcement requests for assistance.</i> .....	57
4.4 <i>The primary training method provided by MJDP/LDP prosecutors to law enforcement agencies is on-the-job training.</i> .....	57
4.5 <i>MJDP/LDPs generally believe they receive better investigated cases from local law enforcement after officers have served on the MEG/TFs.</i> .....	57
4.6 <i>With few exceptions, obtaining test results from crime labs is not a problem.</i> .....	58

MJDP/LDP ORGANIZATIONAL STRUCTURE AND CASE MANAGEMENT .....	58
4.7 <i>The MJDP/LDPs are staffed by highly experienced prosecutors.</i> .....	58
4.8 <i>Assignments to MJDP/LDP units are typically sought after.</i> .....	58
4.9 <i>Most LDPs operate their programs with little supervision or oversight by the state’s attorney.</i> .....	58
4.10 <i>Some drug prosecutors prosecute non-drug cases in addition to drug cases.</i> .....	58
4.11 <i>There is substantial variation in the intake and screening procedures and charging policies of the MJDP/LDP units.</i> .....	59
4.12 <i>The MJDP/LDP prosecution units are integrated with the rest of the office.</i> .....	59
4.13 <i>Problems were noted in coordinating the MJDP/LDP’s priorities and diversion programs.</i> .....	59
4.14 <i>Problems were noted in coordinating misdemeanor probation with 410 and 710 probation.</i> .....	59
4.15 <i>The MJDP/LDP units keep statistics about the volume of cases and forfeitures processed but do not use them for management or program evaluation.</i> .....	59
4.16 <i>All offices engaged in asset forfeiture and did so with systematized procedures.</i> .....	60
4.17 <i>The role of the MJDP/LDP in the development and approval of warrants varied widely among jurisdictions.</i> .....	60
 ROLE IN LAW ENFORCEMENT INVESTIGATIONS.....	60
4.18 <i>Most drug prosecutors are not involved in law enforcement investigations</i> .....	60
4.19 <i>MJDP/LDPs primarily handle street-level to intermediate-level drug cases.</i> .....	60
 <b>V. CONCLUSIONS AND RECOMMENDATIONS.....</b>	<b>61</b>
INTRODUCTION.....	61
CONCLUSIONS.....	61
C.1 <i>The inter-jurisdictional nature of drug trafficking justifies the existence of MEGs and task forces.</i> .....	61
C.2 <i>The creation of MJDP/LDPs is a logical response to the need to balance system resource requirements for processing an increased volume of drug cases.</i> .....	61
C.3 <i>The work and caseload of MJDP/LDPs are profoundly affected by law enforcement priorities.</i> .....	61
C.4 <i>MJDP/LDPs must be flexible and adapt to changing law enforcement environments.</i> .....	61
C.5 <i>The prosecutor may have to take on a new role as information coordinator if participation in MEGs diminishes.</i> .....	62
C.6 <i>The most important benefits to law enforcement agencies and the state’s attorney’s offices stem from the specialization introduced by the MJDP/LDP projects.</i> .....	62
C.7 <i>Prosecutors may adopt a variety of responses to law enforcement anti-drug activities ranging from reactive to proactive without negative effects.</i> .....	62
C.8 <i>The prosecutor may adopt a variety of intake and screening procedures without negative effects.</i> .....	63
C.9 <i>The key to successful drug prosecutions is a strong police-prosecutor interface.</i> .....	63
C.10 <i>.....The state’s attorneys have the ability to recognize changes in the nature of drug crimes in the county.</i> .....	64
C.11 <i>.State’s attorney’s office and law enforcement agencies are able to develop new tactics and strategies in response to changing environments.</i> .....	64
C.12 <i>In developing new strategies, the independent and conflicting goals between law enforcement and the state’s attorney’s office need to be recognized and taken into consideration.</i> .....	64
C.13 <i>Reducing funding for MJDP and LDP operations would have substantial negative effects on law enforcement’s anti-drug activities.</i> .....	64
 RECOMMENDATIONS .....	65
MJDP/LDP Recommendations.....	65
R.1. <i>State’s attorneys should be encouraged to establish informal advisory committees to coordinate law enforcement and prosecution efforts and priorities.</i> .....	65
R.2 <i>ICJIA should support efforts of state’s attorneys who are willing to establish informal advisory committees.</i> .....	67

R.3	<i>The drug prosecutor should coordinate the flow of information among law enforcement agencies if the MEG does not include all law enforcement agencies in the county.</i>	67
R.4	<i>ICJIA should play a key role by supporting the planning, design and utilization of management information by the prosecutor.</i>	67
R.5	<i>MJDP/LDP prosecutors should meet regularly to share knowledge, experiences and expertise about the program.</i>	68
R.6	<i>ICJIA should take an active role in institutionalizing the systematic exchange of information among prosecutors statewide.</i>	68
	<i>General criminal justice system recommendations</i>	68
R.7	<i>A comprehensive examination of the police-prosecutor interface that includes all activities not just drug-related ones should be undertaken.</i>	68
R.8	<i>ICJIA should take an active role in expanding the scope of improved police-prosecutor communication and relations.</i>	68
R.9	<i>An overall assessment should be made of the level and types of prosecutorial organizations, resources and strategies needed to provide effective prosecution services overall not only in drug crimes.</i>	69
R.10	<i>ICJIA should address the broader issues of prosecutorial strategies and their effectiveness.</i>	69
<b>APPENDIX A ARREST DATA</b>		<b>1</b>
<b>APPENDIX B PROJECT REPORT STATISTICS</b>		<b>4</b>
<b>APPENDIX C SURVEYS FROM MEG COMMANDERS, MJDP AND LDP PROSECUTORS</b>		<b>22</b>
	MEG COMMANDER SURVEY RESPONSES	23
	MJDP SURVEY RESPONSES	32
	LDP SURVEY RESPONSES	38



**EVALUATION OF ILLINOIS  
MULTIJURISDICTIONAL DRUG PROSECUTION  
AND  
LOCAL DRUG PROSECUTION SUPPORT PROGRAMS**

**EXECUTIVE SUMMARY**

**INTRODUCTION**

In 1977 the Illinois state legislature appropriated a block of money to establish Metropolitan Enforcement Groups (MEG). In the early 1980's the Illinois State Police (ISP) established task forces to conduct multijurisdictional drug investigations in jurisdictions not covered by the MEGs.

The Illinois Criminal Justice Information Authority (ICJIA) recognized the need for additional prosecutorial resources to handle the work of the MEGs and the ISP task forces. Through federal Anti-Drug Abuse Act funds, it funded seven Multijurisdictional Drug Prosecution (MJDP) units for Cook County, the five collar counties surrounding Cook County and St. Clair county and 11 Local Drug Prosecution Support (LDP) programs. Funds for the LDPs were transferred to the Illinois State's Attorney's Appellate Prosecutor's office which entered into contracts with counties to employ assistant state's attorneys for drug case prosecutions. The MJDPs and LDPs have been in operation since the late 1980s; almost ten years now for some.

In June 1998, the Illinois Criminal Justice Information Authority awarded a contract to the Jefferson Institute for Justice Studies (JI) to conduct a statewide evaluation of the Multijurisdictional Drug Prosecution (MJDP) and the Local Drug Prosecution Support (LDP) programs, both of which are funded by the Authority through federal Anti-Drug Abuse Act awards. Seven state's attorney's offices received direct funding from the Illinois Criminal Justice Information Authority (ICJIA) as MJDP project sites, including the counties of: Cook, DuPage, Kane, Lake, McHenry, St. Clair and Will. Eleven state's attorney's offices received funding or staff support from the Illinois State's Attorney's Appellate Prosecutor as LDP project sites including the counties of: Champaign, Jefferson, Kankakee, Macon, Madison, McLean, Peoria, Rock Island, Sangamon, Tazewell, and Winnebago. Of primary interest to the Authority are the status and effects of these programs so that the findings may assist future policy decisions.

## **SCOPE OF THE EVALUATION**

The majority of these programs have been in existence since the late 1980's. Because of their longevity, and limited funds for this evaluation, assessing each of the 18 state's attorney's programs was not possible. Therefore, this evaluation is program-specific not site-specific. It assesses the MJDP/LDP programs as a whole, not individually. It examines the programs; identifies major areas of interest; and, presents findings and recommendations for consideration by the Authority.

The assessments focused on six major areas involving:

1. How the MJDP/LDP unit interacts and coordinates with local law enforcement agencies, MEG units, task forces and the federal agencies;
2. How the MJDP/LDP unit coordinates its work with the prosecution of other drug cases in the office and the office in general;
3. The procedures used for asset forfeiture;
4. The procedures used for obtaining warrants for eavesdrops and overhears;
5. The role of the MJDP unit in law enforcement investigations by law enforcement agencies; and,
6. The impact of reduced funding on drug prosecutions and police-prosecutor relations.

## **METHODOLOGY**

The evaluation was conducted by a team experienced in management appraisal and organizational analysis, evaluations of criminal justice systems, police-prosecutor relations, and prosecution. The team included: from the Jefferson Institute, Joan Jacoby, Executive Director and Carl B. Hammond, Staff Associate; Edward Ratledge, Director, Center for Applied Demography and Survey Research, University of Delaware, and Steven Ward, Assistant District Attorney, Mecklenburg County (Charlotte) North Carolina.

The methodology used both qualitative and quantitative assessments of the MJDP and LDP projects based on information collected from survey instruments and through on-site visits and workshops. The Jefferson Institute developed and analyzed three survey instruments.

1. A baseline survey of all project sites to collect background information about the prosecutor's office, activities and policies;
2. A survey of the MJDP offices focusing on more specific MJDP issues; and,
3. A survey of the Metropolitan Enforcement Groups (MEG) and Illinois State Police Drug Task Force (TF) Commanders collecting information about the police-prosecutor interface with MJDP and LDP programs.

On-site visits to five of the seven MJDP units were made by the Jefferson Institute's evaluation team. Interviews were conducted with the heads of the MJDP programs, the MJDP prosecutors, top management staff including the chief of criminal trials, felony prosecutors, task force or MEG officials, detectives and investigators. A one-day workshop for all eleven LDP prosecutors was conducted in Springfield under the auspices of the Illinois State's Attorney's Appellate Prosecutor. Additionally, five MEG directors, four state task force commanders and, where available, detectives were interviewed on -site.

The purpose of these meetings was to obtain an overall view of the organization, management and operations of the state's attorney's programs; to determine how well the programs were operating, and the relationship of the programs with the rest of the office and law enforcement agencies; and, to determine the impact or effect of the programs on drug prosecution.

### **PROGRAM CHARACTERISTICS**

A survey of the offices participating in the MJDP/LDP programs focused on variations in the local criminal justice environments that may influence policy and procedures for drug prosecutions and affect program outcomes. The factors examined included:

- the size of the office and the resources available for drug prosecution;
- the nature of the MJDPs relationship with law enforcement;
- the volume and type of cases prosecuted;
- the characteristics of the court and judicial environment;
- case management practices; and
- prosecutorial policy for dispositions.

### **MULTIJURISDICTIONAL DRUG PROSECUTION UNITS**

Each MJDP unit has taken on the characteristics of the office in which they are located. The criminal justice environments are noted more for their differences than for their similarities. On the whole, because of the length of time the programs have existed, they appear to be well integrated into the local office's policy and procedures.

As expected, there was a wide variety of responses and issues raised by the units. No two units looked alike, nor was there a commonality in how they operated. Some of the more salient features of the MJDP programs illustrating the variations that have occurred follow.

#### **Size of program and volume**

The size of the offices participating in the MJDP program varied widely. Cook County was the largest with

886 attorneys (excluding the state's attorney) and McHenry County the smallest with 19 assistant state's attorneys (ASA).

The number of ASAs assigned to the MJDP program unit also varied widely. Cook County had seven full-time attorneys and McHenry had one and a half full-time and one half-time. The other units had between three and five attorneys assigned to the unit.

There is no constant ratio of MJDP prosecutors to office size or the volume of drug cases prosecuted because the selection criteria used by the MJDP varies. Some accept only felony drug cases; others include misdemeanor drug cases. Also non-MJDP attorneys may prosecute drug cases especially simple possession cases resulting from normal patrol or arrest activities.

Excluding Cook County, where the MJDP unit primarily handled complex drug cases, the other MJDP units prosecuted primarily possession and unlawful delivery cases. Four MJDP units reported that the most prevalent drug offense was possession; in two units, offenses involving the delivery of drugs were the most prevalent type of drug case. The number of drug cases prosecuted by the units also varied largely because of differences in the types of drug cases prosecuted. MJDP units that primarily handled possession cases had the highest number of prosecutions.

### **Law enforcement relations**

With three exceptions (Cook, Kane and Lake counties), the MJDP units receive cases from almost all the law enforcement agencies in their counties. Except for Cook County, the largest law enforcement agency in the county does not necessarily supply the largest volume of drug cases to the MJDP unit.

With the exception of McHenry County, the prosecutors were generally satisfied with the quality of reports received from the police (most law enforcement agencies received a grade of B or C). McHenry County rated the quality of police reports for drug cases as excellent. The grades do not appear to be dependent on whether the prosecutor trains police in drug investigations. All units except St., Clair and Will are active in training. The prosecutors rated the working relationship between their unit and the TF/MEG as either good or excellent. This is also probably due in large part to the length of time that these programs have existed.

### **Court and judicial environments**

Court procedures do not vary substantially among the MJDP counties. Only two courts were considered backlogged (McHenry and Will counties). Only Kane County processed misdemeanor cannabis drug cases in their MJDP unit.

Felony intake review is performed by designated ASAs with the exception of Will County, where any ASA available conducts screening and Kane County, where ASAs rotate assignments. The sheriff's office provides centralized booking service in all the MJDP counties except Cook and Kane counties.

Most of the counties file felonies by grand jury indictments (only Cook and St. Clair typically use preliminary hearings). There is wide variation among the offices with respect to the percent of cases that plead guilty on the day of trial or during the trial. The percents range from a low of three and one half in St. Clair County to a high of 75 percent in Will County.

### **Prosecution policies**

The plea bargaining policies of the offices allow for both charge and sentence bargaining; with two exceptions. Cook and DuPage Counties permit only sentence bargaining. The policy governing plea offers varies. DuPage County has a no reduced plea after a specified cut off date. Two offices leave the offers to the discretion of the ASA and three offices have policies based on the type of offense. Three offices required supervisor approval for negotiating certain types of cases.

Dismissals appear to be more controlled. Five offices require dismissals to be approved by a senior ASA or the SA. One office (Kane County) does not allow dismissals unless there are special circumstances, Lake County leaves discretion with the ASA.

### **LOCAL DRUG SUPPORT UNITS**

The LDP program provided drug prosecution support and specialization to the more rural and less populated areas of Illinois (counties with populations under 200,000). The eleven offices participating in the program are located in *Champaign, Jefferson, Kankakee, Macon, Madison, McLean, Peoria, Rock Island, Sangamon, Tazewell, and Winnebago counties*. These offices were chosen as a cross-section of Illinois to represent the large northern and downstate population centers. The nature of the LDP program differs from the MJDP because LDP programs typically consist of a single drug prosecutor operating within a state's attorney's office not an organizational entity.

It appears that the LDP program has attained its overall objective of enhancing the quality and quantity of drug prosecutions in the jurisdictions they serve. This is primarily due to the fact that the LDP program links law enforcement officers with prosecutors who specialize in drug prosecution, and that MEGs and TFs develop better investigations as a result of the skills they obtain from specialization.

### **Size of program and volume**

The jurisdictions ranged in population from 168,500 in Champaign County to 37,000 in Jefferson County. The

LDP units in these jurisdictions have one to three full-time prosecutors with limited administrative support positions, ranging from none to one and one-half.

None of the LDP units has its own grant-funded investigative personnel. The investigative function (initial and follow-up) is the responsibility of the law enforcement entity that brings the case forward. In some instances, the LDP prosecutors indicated that they received limited investigative support from office investigators who were not funded through the program.

All LDP units accepted cases from a combination of MEGs, ISP, local task forces and local law enforcement agencies in their jurisdiction. Although LDPs prosecute all cases generated by the MEGs and TF, the largest volume of cases is generated by the local law enforcement agencies. Caseloads generated by local law enforcement ranged from a high 80 percent in Peoria, Sangamon and Jefferson counties to a low of 20-30 percent in Madison County.

The workload of the units varied widely from a high of 750 filed felonies in Champaign County during 1997 to a low of 50 felonies filed in Kankakee County. These cases range from street to intermediate level cases with the majority being "buy-bust" type cases.

Differences in the volume and type of drug cases generated by law enforcement define the caseload of the LDP prosecutors. For example, in some jurisdictions, the LDP prosecuted only felony drug cases; misdemeanor drug cases were handled by the office's misdemeanor attorneys. In other offices, the LDP handled both felony and misdemeanor drug cases. In some offices, the LDP's primary responsibility was shared between felony and misdemeanor drug cases and other felony cases such as sexual assault, burglaries, etc.

### **Law enforcement relations**

The number of law enforcement agencies serviced by the LDP ranged from a high of 25 in Madison County to a low of six in Macon County. With the exception of the Jefferson County LDP, which works exclusively with the local law enforcement and a local drug task force, all LDPs are associated with either a MEG or an ISP TF.

None of the LDP units is physically located full-time in the same space with the MEGs, TFs or law enforcement agencies. Most of them indicated that they did have some type of work area available at the MEGs and TFs, although they only used it on special occasions. The LDP prosecutors were divided on the issue of work space. One group wanted to be physically located with the MEGs and TFs because they believed it would enhance working relationships and make their jobs easier. The other group agreed that it would enhance the relationship, but expressed concern that it would make it difficult for them to remain

objective.

The overall impact of the LDP program on the working relationship between prosecution and law enforcement is extremely positive. Both law enforcement and the LDP prosecutors characterize their relationships as “excellent.” The only exceptions are the relationships between prosecutors and the MEG in Peoria County and the ISP TF in Sangamon County where there are differences in their perceptions of roles and responsibilities.

None of the LDPs provides formal or regularly scheduled training for law enforcement personnel. The training is characterized as “on-the-job”. Having the LDP prosecutors available for consultation about the development of affidavits for arrest and search warrants helps law enforcement officers learn from experience. However, many expressed that while this approach is helpful and needed, it is no substitute for some level of formal training.

#### **Court and judicial environments**

The number of felony drug trials handled by the LDPs in 1997 ranged from a high of 70 in both Rock Island and McLean counties to a low of five in Kankakee County.

The interface and coordination between the LDPs and special programs (drug court and diversion programs) varied from jurisdiction to jurisdiction. The level of coordination ranged from none to seamless, where LDP prosecutors were consulted on every case and both programs cross-referenced defendants. In jurisdictions where the LDP was involved in case decisions about defendants eligible for these programs, the relationship was good. The LDP prosecutors indicated that the programs complimented and supported each other. In jurisdictions where the LDP was not involved or informed of case decisions, the relationship was not good. In these situations, the LDP prosecutors believed that the programs were in direct conflict with each other.

#### **Prosecution policies**

While all of the LDP prosecutors stated that they followed the overall policy and philosophy of their offices, they indicated that charging decisions and handling of defendants was left to their individual discretion. Only one LDP unit (Sangamon County) developed written policies, procedures and guidelines for the handling of drug cases.

## **FINDINGS**

The decision to fund drug prosecution had the effect of supporting specialization in drug prosecution along with all its benefits. Specialization enhances on-the-job training between police and prosecutors as detectives and prosecutors work together to achieve successful dispositions. It improves police/prosecutor relationships and morale and gives detectives a single point of contact for communication, advice and training. It introduces police to the needs of prosecution, and vice-versa. In the end, it improves the strength of cases presented for prosecution and, hence, increases successful outcomes.

Drug cases spotlight the value of good police/prosecutor relations. With a common focus on drugs, both investigators and prosecutors become experts and drug cases receive special attention and priority. The police/prosecutor interaction is at the heart of this evaluation because it is difficult to evaluate the MJDP and LDP programs without considering their relationships with law enforcement and with the state resources that support them. What we found was that the interactions between the law enforcement agencies and the MJDP/LDP prosecutors were notable for their variation and diversity.

#### **RELATIONSHIPS BETWEEN MJDP/LDP UNITS AND LAW ENFORCEMENT AGENCIES**

- Operations are not standardized among the programs. Within the sphere of local drug prosecutions, MJDP/LDP relations with the MEGs and TFs vary from neutral to proactive. Most program prosecutors become involved in the work of the drug investigators only when they bring cases to the office.
- Drug prosecutors are responsive to law enforcement requests for assistance. Law enforcement agencies are provided the names and cell phone or pager numbers of the specific prosecutor on call after hours.
- The primary training method provided by MJDP/LDP prosecutors to law enforcement agencies is on-the-job training. However, we believe that if the drug prosecutors instituted a formal training session with newly assigned detectives, then OJT would be enhanced.
- MJDP/LDPs generally believe they receive better investigated cases from local law enforcement after officers have served on the MEG/TFs. With few exceptions, obtaining test results from crime labs is not a problem.

#### **MJDP/LDP ORGANIZATIONAL STRUCTURE AND CASE MANAGEMENT**

The organizational and management environment within which the MJDP/LDP prosecutors work, varies according to the state's attorney's policies and procedures, the size of the office and the resources available to handle the workload. Within these environments, there are many features common to the projects as noted below.



- The MJDP/LDPs are staffed by highly experienced prosecutors. Assignments to MJDP/LDP units are typically sought after.
- Most LDPs operate their programs with little supervision or oversight by the state's attorney. Since they typically are highly experienced prosecutors, the state's attorney's position is not unexpected.
- Some drug prosecutors prosecute non-drug cases in addition to drug cases. It is difficult to judge whether carrying a non-drug caseload reflects the volume of cases in the office, the priority assigned to drug case prosecutions, or the need to maintain attorney morale.
- There is substantial variation in the intake and screening procedures and charging policies of the MJDP/LDP units. Some prosecutors were involved at the screening stage, reviewing cases and filing charges. Others received cases only after the regular intake unit had assessed the merits of the case and filed the charge.
- The MJDP/LDP prosecution units are integrated with the rest of the office. Information was shared between MJDP units and other programs such as repeat offender strike forces, gangs and firearms task forces or programs. Work was divided among the entities without noticeable conflict.
- Problems were noted in coordinating the MJDP/LDP's priorities and diversion programs. Part of the reason for a lack of coordination may be due to differences in goals since most MJDP/LDP prosecutors were seeking substantial sentences. Part also could be due to the nature of the cases eligible for diversion since MJDP/LDP prosecutors typically prosecute more serious cases.
- Problems were noted in coordinating misdemeanor probation with 410 and 710 probation. If defendants are sentenced to probation for misdemeanor offenses, they are ineligible for 410 and 710 probation which accepts only first offenders.
- The MJDP/LDP units keep statistics about the volume of cases and forfeitures processed but do not use them for management or program evaluation.
- All offices engaged in asset forfeiture and did so with systematized procedures. In general, the law enforcement agencies prepare the forfeiture papers for the attorney's review and approval. Most of the units had a specific person assigned to asset forfeiture.

- The role of the MJDP/LDP in the development and approval of warrants varied widely among jurisdictions. Often the level of involvement and work depended on procedures established by the state's attorney and requirements of the court.

#### **ROLE IN LAW ENFORCEMENT INVESTIGATIONS**

- Most drug prosecutors are not involved in law enforcement investigations. Most justify this limited role as based on the need to assure the quality of the product rather than a desire to follow the investigation and be informed about its progress.
- MJDP/LDPs primarily handle street-level to intermediate-level drug cases. If drug prosecutors encounter cases involving major level targets, they generally pass them on to federal agencies for prosecution citing a lack of resources required for these types of cases.
- The most striking characteristic of the MJDP/LDP units is their diversity. There is no common model for the prosecution of drug cases. Rather there is a rich mosaic of policies, procedures and staffing that characterize the state's attorneys' responses to the prosecution of drug cases.

#### **PROSECUTION AND DISPOSITIONS**

- An examination of the program data presents a picture of a stable prosecution environment which, during the years between 1995 and 1998, showed little change. The work of the LDP and MJDP prosecutors is remarkably similar although the volume of cases is larger in the MJDP program primarily due to Cook County activity. There were no substantial changes over time nor were there substantial differences due to the type of offense or drug involved over time.
- There are real differences in the types of cases referred by MEGs and non-MEGs for prosecution. MEG cases were more likely to be more complex, dealing with production, manufacturing and delivery with the intent to distribute. Non-MEG cases were more likely to be for possession of drugs. Aside from this difference, the pattern of dispositions was remarkably similar for MJDP and LDP prosecutions.
- The prosecutorial outcomes of MEG cases and non-MEG cases are very similar. The data suggest that once a drug case is accepted by MJDP or LDP prosecutors, it does not matter what its source was – either a MEG or non-MEG law enforcement agency. The results of the prosecutions do not indicate a different set of prosecutorial priorities based on either the offense or the crime type. This suggests that there is a uniform prosecutorial policy for drug cases that produces expected results.

- There were no substantial changes over time in either of the programs either by the type of cases presented or the types of drugs involved. However, proportionately, more cocaine cases were prosecuted by MJDP prosecutors, and more cannabis cases were prosecuted by LDP prosecutors.
- A major change was observed in the extremely high number of administrative forfeitures filed by MJDP prosecutors in 1998. The 20,115 filings in 1998 accounted for 89 percent of all filings over the four year period. The total value of assets forfeited was \$21 million.

## **CONCLUSIONS AND RECOMMENDATIONS**

### **CONCLUSIONS**

- The inter-jurisdictional nature of drug trafficking justifies the existence of MEGs and task forces. The creation of MJDP/LDPs is a logical response to the need to balance system resource requirements for processing an increased volume of drug cases.
- The work and caseload of MJDP/LDPs are profoundly affected by law enforcement priorities. Priorities may range from buy/busts to the deep penetration of an organized crime cartel. Typically, drug prosecutors may have little influence on changing police priorities. They do, however, have the discretionary authority to define how the cases will be prosecuted and with what priority.
- MJDP/LDPs must be flexible and adapt to changing law enforcement environments. MEGs are dynamic. Over time, police priorities may shift, especially as well-trained MEG resources increase and are available for use by local police departments. As a result, the MJDP/LDPs need to recognize that their relationships with the law enforcement agencies may change and that they should be flexible so they can adapt to revised directions in drug enforcement.
- The prosecutor may have to take on a new role as information coordinator if participation in MEGs diminishes. If the multijurisdictional benefits of the MEG/TFs wane because local law enforcement agencies pull out of a MEG, then the responsibility for coordination and program leadership tends to fall on the shoulders of the prosecutor not the MEG. By default, the prosecutor may be given a new role of communicator, intelligence gatherer and coordinator of information among the local law enforcement agencies.
- The most important benefits to law enforcement agencies and the state's attorney's offices stem from the specialization introduced by the MJDP/LDP projects. Specialization in the state's attorneys' offices fosters good police-prosecutor working relationships. Specialization sharpens a program's focus, leads

to better investigative techniques and enhances performance by increasing the experience of the participants. Communication and training is improved in both directions. In addition, the added emphasis increases the probability that some or many drug cases will be brought into the criminal justice system that would otherwise be rejected for prosecution if these new resources were not available.

- Prosecutors may adopt a variety of responses to law enforcement anti-drug activities ranging from reactive to proactive without negative effects. MJDP/LDP prosecutors must decide where and how to interface with the police. As past experience with other joint police-prosecutor programs has indicated, the quality of the program does not depend on the type of response, rather on the degree to which the agencies are supportive of each other, share the same goals and work together to implement them.
- The prosecutor may adopt a variety of intake and screening procedures without negative effects. The choice is largely dependent on the amount of control the MJDP/LDP drug unit wishes to exercise; the quality of screening done by the central charging unit and the complexity of the drug cases prosecuted in the jurisdiction. In general, the most efficient and effective situation is to have the MJDP/LDP review all cases (some would even argue for the inclusion of misdemeanor cases).
- The key to successful drug prosecutions is a strong police-prosecutor interface. The closer the police-prosecutor interface is at intake and screening, the less likely it is that a strategic opportunity for successful adjudications will be botched or lost. The essential ingredient is not the form but the degree of communication between the police and prosecutor. Even after dispositions have been obtained, the prosecutor's feedback to police agencies is essential for maintaining strong working relationships and doing maximum damage to the drug traffickers and their distribution mechanisms.
- The state's attorneys have the ability to recognize changes in the nature of drug crimes in the county. Since the state's attorney's offices see the results of all law enforcement efforts, they are better able to observe changes that may not be noted by an individual law enforcement agency. The state's attorney office may be the only agency with this overview especially if a multijurisdictional task force or MEG does not exist.
- State's attorney's office and law enforcement agencies are able to develop new tactics and strategies in response to changing environments. In most jurisdictions, the state's attorney's office is the appropriate vehicle for periodically looking at the county's drug problem strategically, assessing victories and defeats, and deciding how they can be even more effective in the future.

- In developing new strategies, the independent and conflicting goals between law enforcement and the state's attorney's office need to be recognized and taken into consideration. The state's attorney's office must maintain its independence in the adjudication process even though the law enforcement agencies push for more service especially in the areas of specialization like drug prosecution.
- Reducing funding for MJDP and LDP operations would have substantial negative effects on law enforcement's anti-drug activities. The consensus of the project participants was that a more traditional form of prosecution of drug cases would emerge and, probably some form of a drug unit would continue to exist. However, most MJDP/LDPs expected a decline in the quality of services that the MEGs and TFs currently receive from the state's attorney. Specifically:
  - Both law enforcement and the state's attorneys will lose the cross-over benefits created by specialization;
  - Specialized prosecution assistance 24 hours a day, 7 days a week, to law enforcement agencies on drug cases will be reduced;
  - Law enforcement will lose the quality of on-the-job training provided by the prosecutors;
  - Law enforcement will lose access to prosecution expertise and specialization;
  - Coordination with police investigations will diminish;
  - Less experienced prosecutors will be assigned to drug cases;
  - Intake and adjudication decisions will change dramatically as drug cases are mingled with the general caseload;
  - Cases will be disposed of with more lenient pleas, more dismissals, less severe sentences;
  - State's attorneys will have to reallocate reduced resources.

## **RECOMMENDATIONS**

There are two sets of recommendations. The first set presents recommendations that address improving the MJDP/LDP programs. The second set addresses broader criminal justice system issues that affect not just drug prosecutions but all prosecutions in a local criminal justice environment.

### **MJDP/LDP Recommendations**

- State's attorneys should be encouraged to establish informal advisory committees to coordinate law enforcement and prosecution efforts and priorities. It is important that all involved parties share the same philosophy in prioritizing cases.
- ICJIA should support efforts of state's attorneys who are willing to establish informal advisory committees in the form of conferences or workshops that will educate state's attorneys about the most

effective uses for these advisory committees would substantially help in improving coordination and priority setting.

- The drug prosecutor should coordinate the flow of information among law enforcement agencies if the MEG does not include all law enforcement agencies in the county. The prosecutor may act as a *de facto* clearinghouse for cases initiated by a variety of local law enforcement agencies; letting departments know if their suspects have activity in other areas. In those counties where MEGs are not overreaching, the prosecutor should take a coordinating role and create an information system that supports their coordinating role and monitors changes in trends and populations.
- ICJIA should play a key role by supporting the planning, design and utilization of management information by the prosecutor. We are cognizant that previous attempts by the Authority to implement information systems statewide have not been successful and we are not recommending another attempt. This recommendation is for the Authority to support local initiatives to conceptually design management information systems that capture the information needed for planning, managing and operating drug prosecution programs.
- MJDP/LDP prosecutors should meet regularly to share knowledge, experiences and expertise about the program. There is a crucial need for conferences and/or training sessions to enhance communication and sharing of experiences among the drug prosecutors. The day-long workshop held for the LDP prosecutors indicated the value of this type of forum. Most prosecutors expressed interest in attending additional workshops.
- ICJIA should take an active role in institutionalizing the systematic exchange of information among prosecutors statewide. To do this, there should be a mechanism that permits all drug prosecutors to share intelligence about drug prosecutions; examine legislative issues and discuss the implications and responses that apply to special issues or problems. This mechanism should support discussions about prosecution tactics for various types of cases, explore issues for emphasizing deeper penetrations into the drug trafficking organizations, and the institutionalization of this program by local governments.

#### **General criminal justice system recommendations**

- A comprehensive examination of the police-prosecutor interface that includes all activities not just drug-related ones should be undertaken. The power of the police-prosecutor interface extends beyond drug prosecutions. The interface between the police and the prosecutor can substantially influence and effect the quality of prosecution – both misdemeanors and felonies. A comprehensive examination of this area

should provide valuable assistance to state's attorneys who would like to improve relations but lack knowledge about available strategies and tactics.

- ICJIA should take an active role in expanding the scope of improved police-prosecutor communication and relations. The Authority has been instrumental in promoting joint police-prosecutor programs including the MJDP/LDP projects. We believe that the Authority should consider the issue of continued funding for this program and others from a comprehensive police-prosecutor perspective.

This perspective would consider the essential ingredients for successful relations supporting activities that improve communication, policy agreements, specialization, teamwork, on-the-job training and long-term relationships, among others.

- An overall assessment should be made of the level and types of prosecutorial organizations, resources and strategies needed to provide effective prosecution services overall not only in drug crimes. The wide diversity in the size of state's attorneys' offices in Illinois and the workload they handle points up the need for an assessment of the delivery of prosecution services throughout the state. Even though prosecution is locally funded, there is an overreaching need to ensure that the delivery of services is uniform and equitable throughout the state. A needs assessment focusing on the delivery process, its requirements and resources should provide guidance to state's attorneys and give direction to improvements in service.
- ICJIA should address the broader issues of prosecutorial strategies and their effectiveness. The Authority has focused efforts on targeted crimes. One impact of targeted crime projects in state's attorneys' offices is to provide resources directed toward the targeted crimes often without regard to the other needs of the office. The Authority is in a position to examine the broad issues of prosecution and identify which strategies are most effective for prosecution. It is important that prosecutors, the state and the federal governments have this knowledge since the effect of program decisions is felt not only by the prosecutor, but also by the rest of the criminal justice system that has to respond to them.

**EVALUATION OF ILLINOIS  
MULTIJURISDICTIONAL DRUG PROSECUTION  
AND  
LOCAL DRUG PROSECUTION SUPPORT PROGRAMS**

**FINAL REPORT**

**INTRODUCTION**

In June 1998, the Illinois Criminal Justice Information Authority awarded a contract to the Jefferson Institute for Justice Studies (JI) to conduct a statewide evaluation of the Multijurisdictional Drug Prosecution (MJDP) and the Local Drug Prosecution Support (LDP) programs, both of which are funded by the Authority through federal Anti-Drug Abuse Act awards. Seven state's attorney's offices received direct funding from the Illinois Criminal Justice Information Authority (ICJIA) as MJDP project sites, including the counties of: Cook, DuPage, Kane, Lake, McHenry, St. Clair and Will. Eleven state's attorney's offices received funding or staff support from the Illinois State's Attorney's Appellate Prosecutor as LDP project sites including the counties of: Champaign, Jefferson, Kankakee, Macon, Madison, McLean, Peoria, Rock Island, Sangamon, Tazewell, and Winnebago. Of primary interest to the Authority are the status and effects of these programs so that the findings may assist future policy decisions.

**SCOPE OF THE EVALUATION**

The majority of these programs have been in existence since the late 1980's. As a result of their longevity, and given the time and funding limitations under this contract, evaluations of each of the 18 state's attorney's programs are not possible. Therefore, this evaluation assesses the MJDP/LDP as a whole, not individually. It examines the programs, identifies major areas of interest, the factors crucial for success and presents recommendations for consideration by the Authority.

This report describes the activities of the evaluation. It synthesizes the information gathered from on-site visits to selected project sites, a one-day workshop with LDP project attorneys and a survey completed by each project site and by Metropolitan Enforcement Groups( MEG).

**FOCUS OF THE EVALUATION**

The assessments focused on six major areas involving:

1. How the MJDP/LDP unit interacts and coordinates with local law enforcement agencies, MEG



- units, task forces and the federal agencies;
2. How the MJDP/LDP unit coordinates its work with the prosecution of other drug cases in the office and the office in general;
  3. The procedures used for asset forfeiture;
  4. The procedures used for obtaining warrants for eavesdrops and overhears;
  5. The role of the MJDP unit in law enforcement investigations by law enforcement agencies;
  6. The impact of reduced funding on drug prosecutions and police-prosecutor relations.

The team focused on identifying factors in each of these areas that were critical to effective operation. No two units looked alike, nor was there a commonality in how they operated. As expected, there was a wide variety of responses and issues raised by the units.

## **METHODOLOGY**

The evaluation was conducted by a team experienced in management appraisal and organizational analysis, evaluations of criminal justice systems, police-prosecutor relations, and prosecution. The team included: from the Jefferson Institute, Joan Jacoby, Executive Director and Carl B. Hammond, Staff Associate; Edward Ratledge, Director, Center for Applied Demography and Survey Research, University of Delaware, and Steven Ward, Assistant District Attorney, Mecklenburg County (Charlotte) North Carolina.

The methodology used both qualitative and quantitative assessments of the MJDP and LDP projects based on information collected from survey instruments and through on-site visits and workshops. The Jefferson Institute developed and analyzed three survey instruments.

1. A baseline survey of all project sites to collect background information about the prosecutor's office, activities and policies;
2. A survey of the MJDP offices focusing on more specific MJDP issues; and,
3. A survey of the Metropolitan Enforcement Groups (MEG) and Illinois State Police Drug Task Force (TF) Commanders collecting information about the police-prosecutor interface with MJDP and LDP programs.

If clarification or additional information was needed, it was collected by the evaluators through follow-up telephone interviews with project personnel.

After receiving the survey instruments, a series of on-site visits to MJDP units were conducted by the Jefferson Institute's evaluation team. The purpose of these visits was to obtain an overall view of the organization, management and operations of the state's attorney's programs; to determine how well the programs were operating, and the relationship of the programs with the rest of the office and law enforcement agencies; and, the impact or effect of the programs on drug prosecution.

Mr. Hammond interviewed, on-site, five MEG directors, four state task force commanders and, where available, detectives. Ms. Jacoby, Mr. Ratledge and Mr. Ward visited five of the seven MJDP offices. At the MJDP sites, interviews were conducted with the heads of the MJDP programs, the MJDP prosecutors, top management staff including the chief of criminal trials, felony prosecutors, task force or MEG officials, detectives and investigators. Evaluation team members conducted at a one-day workshop for all eleven LDP prosecutors in Springfield under the auspices of the Illinois State's Attorney's Appellate Prosecutor. The group was divided into two focus groups for a day-long discussion about the programs.

A synthesis meeting was held in Washington for the evaluation team. At this meeting, the knowledge, information and findings were synthesized for the final report, its conclusions and recommendations.

The evaluation design adopted for this study was program-specific, not site-specific. Time and funds limited our ability to conduct process and early impact evaluations at each program site (a total of 18 programs were involved). Therefore, the evaluation focuses on the overall operations and effects of MJDP and LDP programs. Site-specific information is presented only to clarify or support the program findings.

## **ORGANIZATION OF THE REPORT**

This report is divided into five sections and three appendices.

**Section 1** presents the results of our examination of the Multi-Jurisdictional Drug Prosecution (MJDP) program.

**Section 2** presents information about the Local Drug Prosecution Support (LDP) program.

**Section 3** presents the results of the analysis of program data.

**Section 4** presents the findings of the evaluation.

**Section 5** presents conclusions and recommendations.

**Appendix A** contains trend data for drug arrests.

**Appendix B** contains statistics compiled from project reports submitted by the grantees.

**Appendix C** contains the data from the surveys of MEG commanders, MJDP and LDP prosecutors.

The baseline survey information provided by the MJDP/LDP offices and information collected from the MEG and state task forces supporting the MJDP programs have been submitted previously to ICJIA as part of the interim report.

## **ACKNOWLEDGMENTS**

The Jefferson Institute would like to acknowledge the support, assistance and cooperation provided by the state's attorneys, their administrative staff and the MJDP and LDP prosecutors during this evaluation.

We would like to especially thank the MEG directors, Illinois State Police (ISP) Task Force (TF) commanders, and detectives who cooperated and assisted in this evaluation by completing the baseline surveys, participating in the on-site meetings and quickly responding to telephone calls from the evaluation team.

We would like to thank Patrick Delfino, Deputy Director, Illinois State's Attorney's Appellate Prosecutor's Office for his support in organizing and hosting the meeting with the LDP prosecutors and providing assistance to the Jefferson Institute upon our frequent requests.

Finally, we would like to acknowledge and thank Maureen Brennan and Tracy Hahn at the Illinois Criminal Justice Information Authority for their continuous support, quick response to requests and their overall assistance in helping move our evaluation forward without unnecessary delay.

## I. MULTIJURISDICTIONAL DRUG PROSECUTION UNITS

### BACKGROUND

In 1977 the Illinois state legislature appropriated a block of money to establish Metropolitan Enforcement Groups (MEG). In the early 1980's the Illinois State Police (ISP) established task forces to conduct multijurisdictional drug investigations in jurisdictions not covered by the MEGs<sup>1</sup>.

The Illinois Criminal Justice Information Authority (ICJIA) recognized the need for additional prosecutorial resources to handle the work of the MEGs and the ISP task forces. Through federal Anti-Drug Abuse Act funds, it funded seven Multijurisdictional Drug Prosecution (MJDP) units for Cook County, the five collar counties surrounding Cook County and St. Clair county and 11 Local Drug Prosecution Support (LDP) programs. Funds for the LDPs were transferred to the Illinois State's Attorney's Appellate Prosecutor's office which entered into contracts with counties to employ assistant state's attorneys for drug case prosecutions. The MJDPs and LDPs have been in operation since the late 1980s; almost ten years now for some.

In this section, we present the general findings from our examination of the MJDP units in seven state's attorneys' offices. These offices include the counties of: Cook, DuPage, Kane, Lake, McHenry, St. Clair and Will. Table 1 presents selected characteristics of the counties with MJDP programs based on data collected through the surveys. On-site visits were made to five of the seven MJDP projects<sup>2</sup>. Because of scheduling difficulties and last minute emergencies, it was not possible to interview the state's attorney's MJDP prosecutors in McHenry County. However, the team was able to interview the Illinois State Police (ISP) task force (TF) commander for the North Central Narcotics Task Force. The site visits included interviews with the head of the MJDP unit, the chief of the criminal or felony division, the major law enforcement officials such as MEG commanders or task force commanders, persons handling asset forfeiture, detectives and investigators.

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<sup>1</sup> It is important to note that the amount of money allocated for MEGs is a fixed sum. As a result, it is unlikely that the number of MEGs will increase without additional funding. Similarly, although the ISP supports the task force, it too has other demands on its budget which may limit the expansion of its task forces.

<sup>2</sup> St. Clair and Kane Counties MJDP units were not visited by the evaluation team.

## CHARACTERISTICS OF MJDP PROGRAMS

Table 1 compares selected characteristics of the seven MJDP programs.

**Table 1.**  
**Selected Characteristics of Multi-Jurisdictional Drug Prosecution Units**

	Cook	DuPage	Kane	Lake	McHenry	St.Clair	Will
Population (approximate)	5,200,000	880,000	391,000	605,000	241,000	262,000	459,000
Number of Attorneys (excluding SA)	886	80	59	54	19	21	45
Number of Drug Prosecutors (FT & PT) assigned to unit	7	4	6	6	2	3	6
Number of support staff assigned to unit	6 invest.	1 inves. 1 admin	2 admin.	1 inves. 1 admin	2 admin.	1 invest. 1 admin.	3 admin.
Anti-Drug Abuse Act Funds (FFY 97)	\$1,028,358	\$180,663	\$166,302	\$236,640	\$101,956	\$124,760	\$153,089
Matching Funds	\$342,786	\$60,221	\$55,434	\$78,880	\$33,985	\$41,587	\$51,030
Over match	\$237,404		\$34,580	\$68,677			\$56,221
Total funds	\$1,608,548	\$240,884	\$256,316	\$384,197	\$135,941	\$166,347	\$260,340
MJDP work with:							
State Police Task Force	--	--	Yes	Yes	Yes	Yes	Yes
Multi-jurisdictional Enforcement Group (MEG)	--	Yes	Yes	Yes	--	Yes	Yes
Local Law Enforcement/ Task Force	Yes	--	Yes	Yes	--	Yes	Yes
Number Felony Drug Cases Filed 1997	171	170	20	944	210	504	656
Number of local law enforcement agencies refer drug cases to unit	12-15	40	12	21	18	36	35

## VARIATIONS IN MJDP ENVIRONMENTS

The survey of the seven offices participating in the MJDP program focused on variations in their criminal justice environments that may influence policy and procedures for drug prosecutions and affect program outcomes. The factors examined included:

- the size of the office and the resources available for drug prosecution;
- the nature of the MJDPs relationship with law enforcement;
- the volume and type of cases prosecuted;
- the characteristics of the court and judicial environment;

- case management practices; and
- prosecutorial policy for dispositions.

### **Size of program and volume**

The size of the offices participating in the MJDP program varied widely. Cook County was the largest with 886 attorneys (excluding the state's attorney) and McHenry County the smallest with 19 assistant state's attorneys (ASA).

The number of ASAs assigned to the MJDP program unit also varied widely. Cook County had seven full-time attorneys and McHenry had one and a half full-time and one half-time. The other units had between three and five attorneys assigned to the unit.

There is no constant ratio of MJDP prosecutors to office size or the volume of drug cases prosecuted because the selection criteria used by the MJDP varies. Some accept only felony drug cases; others include misdemeanor drug cases. Also non-MJDP attorneys may prosecute drug cases especially simple possession cases resulting from normal patrol or arrest activities.

Excluding Cook County, where the MJDP unit primarily handled complex drug cases, the other MJDP units prosecuted primarily possession and unlawful delivery cases. Four MJDP units reported that the most prevalent drug offense was possession; in two units, offenses involving the delivery of drugs were the most prevalent type of drug case.

The number of drug cases prosecuted by the units also varied largely because of differences in the types of drug cases prosecuted. MJDP units that primarily handled possession cases had the highest number of prosecutions.

### **Law enforcement relations**

With three exceptions (Cook, Kane and Lake counties), the MJDP units receive cases from almost all the law enforcement agencies in their counties. Except for Cook County, the largest law enforcement agency in the county does not necessarily supply the largest volume of drug cases to the MJDP unit.

With the exception of McHenry County, the prosecutors were generally satisfied with the quality of reports received from the police (most law enforcement agencies received a grade of B or C). McHenry County rated the quality of police reports for drug cases as excellent.

The grades do not appear to be dependent on whether the prosecutor trains police in drug investigations. All

units except St., Clair and Will are active in training. More likely, the relatively high grades are based on the long-term relationships established by the programs and the informal on-the-job-training that results from specialization in the investigation and prosecution of drug cases.

The prosecutors rated the working relationship between their unit and the TF/MEG as either good or excellent. This is also probably due in large part to the length of time that these programs have existed.

### **Court and judicial environments**

Court procedures do not vary substantially among the MJDP counties nor would one expect them to vary. However, the administrative authority of the chief judge varied from extensive in Cook, Lake and St. Clair counties to limited in the other MJDP counties. Associate judges with authorization from the chief judge may take pleas in lower court. Only two courts were considered backlogged (McHenry and Will counties). Only Kane County processed misdemeanor cannabis drug cases in their MJDP unit.

The sheriff's office provides centralized booking service in all the MJDP counties except Cook and Kane counties. This service enhances the prosecutor's ability to conduct intake and screening. Felony intake review is performed by designated ASAs with the exception of Will County, where any ASA available conducts screening and Kane County, where ASAs rotate assignments..

Most of the counties file felonies by grand jury indictments (only Cook and St. Clair typically use preliminary hearings). Thus it is not unexpected to find that very few of the felony cases are disposed at a preliminary hearing by a plea of guilty.

There is wide variation among the offices with respect to the percent of cases that plead guilty on the day of trial or during the trial. The percents range from a low of three and one half and nine percent in St. Clair, DuPage, and Lake counties, respectively to a high of 45 and 75 percent in McHenry and Will counties, respectively.

### **Prosecution policies**

The plea bargaining policies of the offices allow for both charge and sentence bargaining; with two exceptions. Cook and DuPage Counties permit only sentence bargaining. The policy governing plea offers varies. DuPage County has a no reduced plea after a specified cut off date. Two offices leave the offers to the discretion of the ASA and three offices have policies based on the type of offense. Three offices required supervisor approval for negotiating certain types of cases.

Dismissals appear to be more controlled. Five offices require dismissals to be approved by a senior ASA or the SA. One office (Kane County) does not allow dismissals unless there are special circumstances, Lake

County leaves discretion with the ASA.

Four of the seven offices provide informal discovery. One office provides discovery at preliminary hearing, another after arraignment before trial and two provide discovery after indictment before arraignment.

*In summary*, it appears that each MJDP unit has taken on the characteristics of the offices in which they are located. The criminal justice environments are noted more for their differences than for their similarities. On the whole, because of the length of time the programs have existed, they appear to be well integrated into the local office's policy and procedures. Whether the office's policies and procedures can or should be improved is not the subject of this evaluation. However, it appears that with the wide variations in management and operating styles, increased communication among the MJDP offices may result in changes and improvements to the program.

#### **RESULTS OF MJDP EVALUATION**

The assessments focused on five major areas involving:

1. How the MJDP unit interacts and coordinates with local law enforcement agencies, MEG units, task forces and the federal agencies;
2. How the MJDP unit coordinates its work with the prosecution of other drug cases in the office and the office in general;
3. The procedures used for asset forfeiture;
4. The procedures used for obtaining warrants for eavesdrops and overhears; and,
5. The role of the MJDP unit in investigations by law enforcement agencies.

For each of these areas, the team focused on identifying areas and the factors that were critical to the effective operation of the unit. As expected, there was a wide variety of responses and issues raised by the units. No two units looked alike, nor was there a commonality in how they operated. In the following sections we will present some of the more salient features of the projects to illustrate the variations that have occurred as these projects have become institutionalized within the state's attorney's offices.

#### **Relationships between MJDP units, local law enforcement agencies, MEG units, task forces and federal agencies.**

Most of the MJDP units receive their caseload from a mix of local law enforcement agencies, MEGS, and state police and/or local task forces. The MJDPs generally do not deal exclusively with MEGs because they do not generate enough volume to become the sole providers of drug cases.



The main task force used in the MJDP counties is either the MEG or the Illinois State Police (ISP). The exception is Cook County MJDP which deals exclusively with the Chicago Police Department<sup>3</sup>. Typically, nearly every municipality in a county is part of a cooperative task force, be it a MEG, Repeat Offender Program Strike Force, ISP, DEA, FBI, or ATF. In some instances, the sheriff's office participates in more than one task force. The overlapping jurisdictions for some cases may result in more than one unit working on the same target. Thus there is a need for coordination through communication. The term in use is "deconfliction" (i.e. reduce the probability of danger when two or more agencies work the same case undercover without knowledge of the other's involvement).

There is a division of labor between the law enforcement entities. MEGs typically focus on short-term cases and are more responsive to local police department requests, especially from those departments that are members of the MEG. The MEG may be asked to take a case by a small municipal police department if it requires a week or more of surveillance. The MJDP attorneys believe that the training officers received while on the MEG has raised the overall quality of the drug cases referred to the state's attorney's office by local law enforcement agencies.

Each MEG has a policy board that usually meets quarterly and is composed of representatives from the participating law enforcement agencies. There is little direct involvement by the MJDP attorneys in policy board matters. In one county, the MJDP attorney acts as legal counsel to the MEG and in Will County, the state's attorney is a member of the board.

The relationship between the ISP task forces and MJDP units is generally very good. A procedural problem often cited was caused by ISP's requirement that all reports be sent to Springfield for typing and review. The MJDP attorneys believe that this creates unnecessary delay in turnaround time for the state's attorney's office.

One area requiring close collaboration between the police and the MJDP prosecutors occurs when offenders are converted (or "flipped") into informants. If the opportunity occurs immediately upon or at arrest, achieving it may require ASA involvement as soon as possible to "unarrest" the offender. There may be extensive negotiations involving defense counsel, MEGs, police departments, task forces, the court and the defendant. The MJDP units have established a variety of procedures to achieve this through the use of pagers, contracts (oral and written) and guidelines. In most jurisdictions, the actors know the "rules and regulations" under which conversions may occur.

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<sup>3</sup> In 1998, the MEG in Cook County disbanded resulting in a loss of funding for the MJDP project. As of June, 1999 drug prosecutions are conducted by the Cook County State's Attorney's Strike Force.

Most of the offices have developed either written or oral contracts with offenders who “flip” and will become informants. These contracts outline what the prosecution will offer in return for a specified number of informant contacts or buys. In most instances, this process begins when the MJDP attorneys are paged at the time of the arrest to either authorize warrants or “flip” arrestees into informants.

Of major concern has been a perceived shift in law enforcement emphasis from long-term investigations (involving penetrating the organization and moving up the ladder) to short-term activities (increasing the number of arrests). Prosecutors believe that more damage is inflicted on the drug trafficking network by long-term investigations rather than by increasing the volume of street level cases.

Training provided by MJDP units to law enforcement agencies varies. Some offices train police yearly about constitutional issues, others provide up-to-date information through newsletters, presentations and in-service training. All provide on-the-job training as a result of the close working relationship between agents and the MJDP attorneys.

#### **Coordination of MJDP units with other drug prosecution activities and the office in general.**

Working in the MJDP unit is typically considered a “plum” assignment in the offices because of the seriousness of the cases, the high levels of experience required by the unit and the opportunity to gain specialized knowledge about complex statutes and procedures. Most of the MJDPs are staffed with experienced attorneys. In some offices, the assignments are permanent, in others, assignments are rotated every two years or so.

Most of the MJDP units are special units within the felony criminal division. MJDP prosecutors may participate as members of trial teams assigned to courtrooms. In those offices where they are not part of trial teams, and cases are assigned randomly to courtrooms, the MJDP attorneys encounter scheduling conflicts. Rarely are the MJDPs felony drug cases handled by other assistants in the office; although drug cases may follow ASAs if they transfer to another unit and the case is complex or is attached to a more serious case. In Cook County, separate drug prosecution units exist in addition to the MJDP unit.

With few exceptions, the MJDP unit screens and files charges for felony drug cases. They also present the cases to grand jury for indictment. If the unit does not screen felony drug cases, they typically review the charging decisions of the screening and intake warrant desk and amend indictments if necessary. The MJDP attorneys do not view this procedure as a loss of control but rather a more efficient method for screening. If the felony review units are effective in screening out weak cases, doing triage, and reducing the high volume of cases, the effect is to free-up MJDP attorneys to work on other cases.

Most MJDP units are not involved with misdemeanor drug prosecutions. Misdemeanor drug cases typically involve cannabis offenses and are processed by less experienced ASAs as part of the regular misdemeanor caseload.

The standards for acceptance of cases for prosecution vary among the MJDP units. In some offices, felony cases will not be accepted unless all police reports are completed and early discovery is available. In other offices, the level of information required is less stringent.

The amount of penetration and the complexity of the investigations defines much of the MJDP's operations. It varies substantially by office, greatly influenced by the policies of law enforcement agencies and the type of drug crime in the county. The Cook County MJDP unit focuses on complex drug investigations and prosecutions primarily because of the nature of its drug crime problem. Its investigative level of penetration is the highest of the MJDP units because most of organized crime in Illinois is located in the Chicago area. The other MJDPs deal primarily with street level drug crimes and, with relatively few exceptions, do not handle cases that require long-term investigations or penetrations high "up the trafficking ladder"

In some offices there is potential overlap in the prosecution of drug cases by the MJDP unit and other programs that are related to drugs such as, gangs, violent offenders, repeat offenders, domestic violence and crimes with guns. In these offices criteria or guidelines have been established to ensure coordination and communication among the programs and their attorneys. At the state level the attorney general has initiated a statewide grand jury in the early 1990's. If two or more counties have a joint case, the attorney general may take jurisdiction.

### **Asset forfeiture procedures**

The majority of law enforcement agencies prepare the initial requests for forfeiture and bring them to the MJDP attorneys for review and approval. In some counties, the police departments will ask the MJDP attorney and his asset investigators for help if they have had little or no experience in preparing reports or forms.

Most state's attorney's offices use MJDP attorneys to process forfeitures and the associated activities. Some MJDP units have drug investigators and financial investigators (non-attorney) who keep the official records for forfeitures and additionally perform other duties such as maintaining logs for telephonic eavesdrops (also referred to as overhears) and search warrants, providing training at the state police academy, and doing some on-scene work with law enforcement.

Only a few of the MJDP units conduct extensive financial investigations to identify additional assets. If they work in that area, they typically use the ISP databases to obtain bank assets and real estate information. McHenry County has developed spreadsheets to monitor the status of forfeiture cases.

Most of the forfeiture cases remain with the ASA who will handle both the civil and criminal aspects. The MJDP supervisor generally negotiates the terms of the forfeitures. Some MJDPs resolve forfeiture cases at the same time as the criminal prosecution; others wait until the criminal prosecution has been completed. Some MJDP units use their distribution of proceeds for non-salary purposes (e.g. equipment) to avoid relying on the funds for salaries.

### **Obtaining warrants for eavesdrops and other court authorized warrants.**

With the exception of Cook County<sup>4</sup>, there are two approaches for obtaining search, eavesdrop and wiretap warrants. In one, law enforcement agencies are trained to develop the affidavits and submit them to the MJDP attorneys for review and approval. In the other, the MJDP unit prepares the warrants at the request of the law enforcement agency.

Since warrants require a quick response, a variety of methods are used, ranging from telephone authorizations to the use of pagers and fax machines. In some MJDPs, the attorneys accompany police to the court; in others, they telephone or fax their authorization to the court. It should be noted that some MJDP units have very little experience doing wiretaps. As a result, they typically use consensual overhears.

### **The role of the MJDP unit in law enforcement investigations**

Most of the MJDP units play a limited role in the investigative activities of law enforcement. Unless they are dealing with very complex investigations, most MJDP attorneys do little to define or direct investigations (Cook County excepted).

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<sup>4</sup> In Cook County, the State's Attorney's MJDP unit runs the overhears directly from the State's Attorney's office.

## II. LOCAL DRUG SUPPORT UNITS

### BACKGROUND

The Local Drug Prosecution Support program (LDP) was initiated in the late 1980's by the Illinois Criminal Justice Information Authority (ICJIA) through federal Anti-Drug Abuse Act awards. This program is basically a "modified" version of the MJDP program described earlier. The LDP program allowed ICJIA to provide drug prosecution support and specialization to the more rural and less populated areas of Illinois (counties with populations under 200,000). The intent of the program was to enhance the quality and quantity of drug prosecutions. The program is set up as a "pass through" of funds from ICJIA to local state's attorney's offices through the Illinois State's Attorney's Appellate Prosecutor's Office, which contracts with eleven counties to hire prosecutors for the local state's attorney's offices. The eleven offices participating in the program are located in *Champaign, Jefferson, Kankakee, Macon, Madison, McLean, Peoria, Rock Island, Sangamon, Tazewell, and Winnebago counties*. These offices were chosen as a cross-section of Illinois to represent the large northern and downstate population centers.

### CHARACTERISTICS OF THE LDP PROSECUTOR PROGRAMS

Table 2 summarizes selected characteristics of the LDP programs.

### VARIATIONS IN LDP ENVIRONMENTS

A survey of the 11 offices participating in the LDP program was conducted to identify variations in their criminal justice environments that may influence the policy and procedures for drug prosecutions and affect program outcomes. The factors examined include:

- the size of the office and the resources available for drug prosecution;
- the nature of the LDPs relationship with law enforcement;
- the volume and type of cases prosecuted;
- the characteristics of the court and judicial environment;
- case management practices; and,
- prosecutorial policy for dispositions.

It was expected that the results of this survey would differ from those supplied by the MJDP units because they primarily reflected a single drug prosecutor operating within a state's attorney's office as an individual not as an organizational entity. The results of the survey follow.

## Size of program and volume

The jurisdictions ranged in population from 168,500 in Champaign County to 37,000 in Jefferson County. The LDP units in these jurisdictions have one to three full-time prosecutors with limited administrative support positions, ranging from none to one and one-half.

Table 2.

Selected Characteristics of Local Drug Prosecution Units

	Champaign	Jefferson	Kankakee	Macon	Madison	McLean	Peoria	Rock Island	Sangamon	Tazewell	Winnebago
Population (approximate)	168,000	37,000	102,000	114,000	259,000	143,000	182,000	148,000	191,000	128,000	268,000
Number of Attorneys (excluding SA)	18.5	4	17	17	29	19	25	15	25	9	37
Number of Drug Prosecutors (FT & PT) assigned to unit.	3	1	1	2	1	1	1	1	1	1	3
Number of ASAs funded by grants	1	1	1	1	1	1	1	1	1	1	1
Number of support staff funded by grants	None	None	None	None	None	None	None	None	None	None	None
Grant Funds received (10/97-11/15/98)	\$50,895	\$47,917	\$46,875	\$48,958	\$48,958	\$50,917	\$46,875	\$37,708	\$44,792	\$43,750	\$39,063
LDP work with:											
State Police Task Force	--	Yes	--	Yes	--	Yes	--	--	Yes	--	Yes
Multijurisdictional Enforcement Group (MEG)	--	--	Yes	--	Yes	Yes	Yes	Yes	Yes	Yes	--
Local Law Enforcement/Task Force	Yes	Yes	--	Yes	Yes	Yes	--	Yes	Yes	--	Yes
Number of felony drug cases filed by unit, 1997	750	111	50	257	211	150	Unknown	147	350	74	540
No. local law enforcement agencies refer drug cases to unit	12	2	4	6	21	15	6	15	22	20	2
No. local law enforcement agencies in jurisdiction	12	2	15	6	25	15	6	15	22	20	20

None of the LDP units has its own grant-funded investigative personnel. The investigative function (initial and follow-up) is the responsibility of the law enforcement entity that brings the case forward. In some instances, the LDP prosecutors indicated that they received limited investigative support from office investigators who were not funded through the program.

All LDP units accepted cases from a combination of MEGs, ISP, local task forces and local law enforcement agencies in their jurisdiction. Although LDPs prosecute all cases generated by the MEGs and

TF, the largest volume of cases is generated by the local law enforcement agencies. Caseloads generated by local law enforcement ranged from a high 80 percent in Peoria, Sangamon and Jefferson counties to a low of 20-30 percent in Madison County.

The workload of the units varied widely from a high of 750 filed felonies in Champaign County during 1997 to a low of 50 felonies filed in Kankakee County. These cases range from street to intermediate level cases with the majority being “buy-bust” type cases.

Differences in the volume and type of drug cases generated by law enforcement define the caseload of the LDP prosecutors. For example, in some jurisdictions, the LDP handled only felony drug cases; misdemeanor drug cases were handled by the office’s misdemeanor attorneys. In other offices, the LDP handled both felony and misdemeanor drug cases. In some offices, the LDP’s primary responsibility was shared between felony and misdemeanor drug cases and other felony cases such as sexual assault, burglaries, etc.

#### **Law enforcement relations**

The number of law enforcement agencies serviced by the LDP ranged from a high of 25 in Madison County to a low of six in Macon County. With the exception of the Jefferson County LDP, which works exclusively with the local law enforcement and a local drug task force, all LDPs are associated with either a MEG or an ISP TF.

None of the LDP units is physically located full-time in the same space with the MEGs, TFs or law enforcement agencies. Most of them indicated that they did have some type of work area available at the MEGs and TFs, although they only used it on special occasions. The LDP prosecutors were divided on the issue of work space. One group wanted to be physically located with the MEGs and TFs because they believed it would enhance working relationships and make their jobs easier. The other group agreed that it would enhance the relationship, but expressed concern that it would make it difficult for them to remain objective. All agreed that LDP prosecutors had to constantly guard against becoming “closet cops.”

The overall impact of the LDP program on the working relationship between prosecution and law enforcement is extremely positive. Both law enforcement and the LDP prosecutors characterize their relationships as “excellent.” The only exceptions are the relationships between prosecutors and the MEG in Peoria County and the ISP TF in Sangamon County where there are differences in their perceptions of roles and responsibilities. In both counties, it appears that these differences may be the result of missed communication and a lack of coordination on the part of the participants.

None of the LDPs provides formal or regularly scheduled training for law enforcement personnel. The training is characterized as “on-the-job”. Having the LDP prosecutors available for consultation about the development of affidavits for arrest and search warrants helps law enforcement officers learn from experience. However, many expressed that while this approach is helpful and needed, it is no substitute for some level of formal training. The LDP prosecutors attributed the lack of formal training to their workloads and also to resistance from law enforcement.

### **Court and judicial environments**

The number of felony drug trials handled by the LDPs in 1997 ranged from a high of 70 in both Rock Island and McLean counties to a low of five in Kankakee County.

The interface and coordination between the LDPs and special programs (drug court and diversion programs) varied from jurisdiction to jurisdiction. The level of coordination ranged from none to seamless, where LDP prosecutors were consulted on every case and both programs cross-referenced defendants. In jurisdictions where the LDP was involved in case decisions about defendants eligible for these programs, the relationship was good. The LDP prosecutors indicated that the programs complimented and supported each other. In jurisdictions where the LDP was not involved or informed of case decisions, the relationship was not good. In these situations, the LDP prosecutors believed that the programs were in direct conflict with each other.

### **Prosecution policies**

While all of the LDP prosecutors stated that they followed the overall policy and philosophy of their offices, they indicated that charging decisions and handling of defendants (flipping) was left to their individual discretion. This was especially true in offices that had only one LDP prosecutor. Only one LDP unit (Sangamon County) developed written policies, procedures and guidelines for the handling of drug cases.

*In summary, based on interviews with the MEGs, ISP TFs, law enforcement and the LDP prosecutors, it appears that the LDP program has attained its overall objective of enhancing the quality and quantity of drug prosecutions in the jurisdictions they serve. This is primarily due to the fact that the LDP program links law enforcement with prosecutors who specialize in drug prosecution; and that MEGs and TFs develop better investigations as a result of the skills they obtain from specialization.*

### **RESULTS OF LDP EVALUATION**

Eleven jurisdictions were present at a one-day workshop sponsored by the Illinois State's Attorney's Appellate Prosecutor's office. The group was divided in two based on size of office. One group included assistant state's attorneys from McLean, Peoria, Sangamon, Madison and Winnebago Counties. The second group included assistant state's attorneys from Champaign, Jefferson, Macon, Rock Island,



Tazewell and Kankakee counties. Eight questions were asked of the groups. Their responses are summarized below.

### **Relationships between LDP units, local law enforcement agencies, MEG units, task forces and federal agencies**

*The group was asked about their role with respect to law enforcement investigations?*

With few exceptions, the LDPs are not active participants in the law enforcement agencies' investigative activities unless the case involves long-term investigation. For standard street cases, unless their advice or assistance is specifically requested, prosecutors generally do not participate in this part of law enforcement.

Most LDPs expressed an interest in becoming more involved. However, they noted that the volume of drug cases and their workload did not permit it.

*The group was asked what type of law enforcement organization is most effective for drug prosecutions.*

The LDPs were unanimous in their belief that all types of law enforcement organizations were necessary to control the drug problem in their jurisdictions. However, they agreed that it would be most helpful if there was more coordination between all the entities on the local, state and federal levels. They do not believe that the agencies communicate as well as they should.

*The group was asked about their satisfaction with the present level of cooperation and coordination with law enforcement and task forces. What changes should be made? How can coordination and cooperation be improved?*

All indicated that they had established good working relationships with all of the task forces and MEGs in their counties.

A discussion ensued about the role of the LDP prosecutor in bringing the law enforcement entities together. Although they agreed that the LDP was the natural leader to improve coordination, they all agreed that the volume of work did not allow them to have much impact in this area.

Several complained that when more than one law enforcement agency worked on major cases, there may be problems. An example cited was the competition between agencies for taking credit for cases that make headlines. Another complaint was the tendency of law enforcement agencies to be driven by the numbers at the expense of deep penetration into the organized crime drug network. Many of the LDPs would like to see less priority given to street crime arrests and more to more extensive investigations.

### **Coordination of LDP units with other drug prosecution activities and the office in general.**

*The group was asked whether they experienced any difficulty in coordinating drug prosecution work with other drug cases that are prosecuted by other attorneys in the office.*

They noted difficulties with the loss of prosecutorial control over misdemeanor drug cases and the impact of drug courts on the goals of drug prosecutors.

Some LDP prosecutors noted that there were advantages to reviewing and/or charging misdemeanors. Some noted that they would begin to see the same names over and over and often recognize that the offenders were on probation and make easier prosecutions using probation revocations. Others noted that reviewing misdemeanor arrests gave them the opportunity to recognize serious criminals or those privy to information that would be of interest to on-going police investigations. In most cases, the LDP prosecutors did not prosecute misdemeanor drug cases but referred them to the misdemeanor ASAs for handling.

Negative effects were noted in a number of areas if the LDP prosecutors did not review or charge misdemeanor cases. They did not have control over the dispositions of misdemeanor drug prosecutions. Law enforcement officers could “assistant shop” for charging decisions producing inconsistencies in charging policy. In some offices, plea negotiations and offers were made by the ASAs prosecuting drug cases. If the LDP was not involved in the decision process, it made it more difficult to create consistency for drug prosecutions. Younger, less experienced ASAs who were most often assigned to misdemeanor court could produce inconsistent prosecutions. Sometimes they did not charge the cases adequately, and sometimes they did not seek the maximum penalties possible. Additionally, some prosecutors expressed difficulty in prosecuting misdemeanor drug cases because the scheduling of these cases in district court conflicted with their felony calendars in circuit court. The result was a recognized need for guidelines about misdemeanor drug prosecutions.

Other problems arise when the decisions about prosecuting drug cases are made by persons outside the county state’s attorney’s office. In some counties, the city attorney can prosecute ordinance violations and in other counties, probation officers make referrals to drug court or other deferred prosecution programs. Under these circumstances the drug prosecutors lost control over the disposition of cases, but gain a reduction in work.

Finally, concern was expressed about the fact that when misdemeanor defendants were given supervision as a sentence. If convicted again, it makes them ineligible for 710 and 410 probation which applies only to first offenders and includes conditions that require two years of supervision, participation in treatment programs and obtaining a GED diploma. The need for close coordination and communication with all parts of the system was universally accepted.

Drug court and the larger environment of diversion programs also were discussed with respect to

coordination and information sharing. Some LDP prosecutors believed that the existence of drug courts undermined their ability to prosecute cases to the fullest. Others felt that deferred prosecution of drug cases was being phased out in response to drug courts. LDPs who exercised referral authority to drug court generally were not critical of it. Prosecutors were critical when the referral authority was lodged in the court or probation department. The issue appears to be one of control.

The group unanimously agreed that the essential problem was the volume of cases that they had to prosecute. The high volume of cases was at the heart of the other problems they cited and was related to every area discussed. They cited a number of ways to resolve this problem.

- Intake and screening, properly done, could have a substantial impact on the volume and quality of cases accepted for prosecution.
- They all agreed that vertical prosecution was one of their most effective tools because they have the opportunity to deal with drug cases early on and avoid problems that might arise later during the process.
- They recognized the need for paralegals to assist with the research and ordinary paperwork associated with drug cases, i.e. warrants, motions to suppress, etc.
- They also recognized the need for more criminal adjudication outlets especially diversion programs.
- Finally, they noted that the high volume of cases and associated paperwork restricts them from devoting time to more complex investigations involving penetration into the organization and conspiracy.

When asked specifically about delays or problems in obtaining laboratory testing results, the consensus was that delays were not a common problem. In the mid to late 1980s, ICJIA provided substantial financial support to the Illinois crime labs in order to reduce case processing times and backlogs. It appears to have been effective. The close working coordination with the laboratories and their responsiveness was praised by the group. LDP prosecutors in two counties stated that they have developed informal procedures by which they receive monthly case status reports from the laboratories. The LDP prosecutors compare the projected dates for test results with their case trial dates and identify cases that may conflict. The information is then forwarded to the laboratories.

### **Asset forfeiture**

*The group was asked about their satisfaction with procedures for handling asset forfeitures.*

The majority of the group agreed that most personnel assigned to the state task forces and MEGs completed the paperwork for asset forfeitures and brought it to the LDP prosecutors for review and

approval. Local law enforcement agencies and local task forces were more likely to rely on the prosecutor to do the paperwork. However, the LDP prosecutors noted that once the decisions to forfeit were made, the LDPs assumed the work associated with notifications and contested matters. Although non-LDP attorneys may not be familiar with forfeiture statutes and proceedings, the LDPs noted that this was not necessarily a serious problem because they would come to the LDP for the forfeiture paperwork.

Some of the participants were concerned about asset forfeiture being handled by the same prosecutor who prosecutes the cases criminally. Some felt there was a distinct conflict and a potential for asset forfeiture to be used in the plea negotiation process. They noted that some counties separated criminal prosecutions from forfeitures by assigning the responsibilities to two different attorneys.

### **Obtaining warrants for eavesdrops and overhears and other court authorized warrants**

*The group was asked to critique the present methods for obtaining warrants for eavesdrop, searches, etc.*

Procedures varied from jurisdiction to jurisdiction. Some LDPs were not involved in the process at all unless called by law enforcement; some simply reviewed the requests and then called the judge with their authorization; some reviewed the requests and physically appeared with the officers before the judge to present the warrant; and, other LDPs did all of the preparation including typing the affidavit for the officers. All agreed that eavesdrop and overhear warrants were more complicated than search warrants.

They noted that this is a critical part of any drug case. Most expressed confidence in their law enforcement agencies and noted few or no problems in preparing affidavits. All LDPs who were involved in the warrant process agreed that it was very time-consuming and a substantial drain on their time - especially after normal working hours.

They offered some suggestions for improvement. One would be to provide officers with computers that had templates of the warrants and standardized wording so that they could fill them in and bring them to the prosecutor for review and approval. Most all agreed that if this was available law enforcement could handle the majority of the work associated with the development of search warrants. At the same time, they agreed that LDPs should have laptops and printers at home so they could develop warrants after hours and/or approve them on-line.

They believed that the prosecutor and the court should establish procedures that would allow the LDPs to communicate with the judges by phone and certify that they had reviewed the warrants rather than having to travel with the officers to the judge.

### **The role of the LDP in law enforcement**

Most LDP prosecutors play a limited role in the investigative activities of law enforcement. One reason for this is due to the nature of the offenses (more often simple possession and cannabis cases) which do not lend themselves to substantial investigative activity. Another reason is due to the small number of LDP drug prosecutors available which restricts their involvement in activities other than prosecution.

### III. ANALYSIS OF PROGRAM DATA

#### INTRODUCTION

Each MJDP project submitted monthly reports to ICJIA documenting the volume and type of cases processed by the participants in the projects. LDP prosecutors submitted their reports to the Illinois State's Attorney's Appellate Prosecutor who submitted a combined monthly report for the 11 LDP prosecutors.

#### Description of data

The data submitted to ICJIA described:

1. Prosecutions initiated
2. Drug dispositions including convictions, not guilty and nolle prosequi (dismissals)
3. Sentences imposed
4. Search warrants and forfeiture activity.

*Prosecutions initiated and conviction data* were further classified by the type of offense, type of drug and whether the case was submitted by a MEG or non-MEG. *Sentence data and other dispositions* were classified by type of drug. *Forfeiture data* recorded investigative activity, the results of the forfeitures and their value. *The number of search warrants* prepared monthly was reported.

#### Scope of analysis

Data were analyzed for the four calendar years of 1995 through 1998. If monthly reports were missing, weights were developed to estimate the monthly totals thereby permitting annual comparisons. The analysis examines the MJDP and LDP programs as a whole. Given the funding and time limitations of this evaluation, it was not possible to analyze each project separately. Annual program statistics are presented in Appendix B.

An examination of the trends in arrests as reported by the Illinois State Police for 1994 - 1997 was made to determine whether there were changes in drug crimes that might influence the number and type of cases referred for prosecutions. Data for 1998 arrests were not available at the time of this analysis. Therefore the examination was made for the four-year period 1994-1997.

The analysis of the MJDP/LDP project data focused on the following questions:

1. With respect to prosecutions initiated, were there changes over time for the MJDP and LDP programs in the types of cases presented for prosecution or the type of drugs involved? What were they?

2. With respect to dispositions, were there changes over time in the pattern of dispositions? What were the acquittal, dismissal and conviction rates? Were there differences between the types of cases or drugs involved? Was there a different pattern for MEG cases as compared to non-MEG cases?

3. With respect to sentences imposed, were there changes over time in the pattern of sanctions imposed? Did they differ by the type of crime or drug involved?

4. With respect to forfeitures and search warrants, were there changes over time in investigations, and judgments? What was the value of forfeitures during the four-year period?

5. Were there differences between MJDP programs and LDP prosecutors? In what areas?

Appendix A contains the trend data for drug arrests reported by the Illinois State Police

Appendix B contains the data upon which this analysis is based.

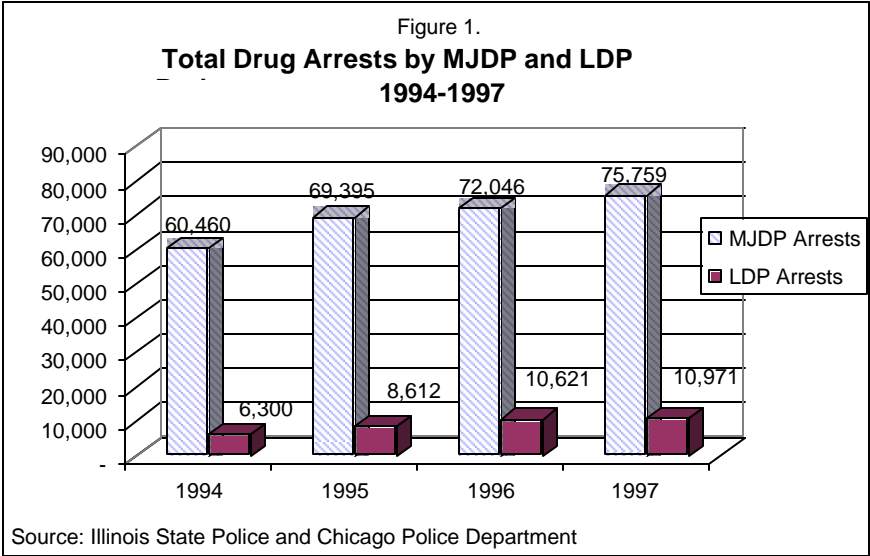
## **RESULTS OF THE ANALYSIS**

In the following section, we examine trends in arrest data, and present the findings from the analysis of the reported and estimated project data. Because there is so little variation in the project data reported annually, the results of the project analysis is presented as the average estimated totals and percent distributions for the calendar years 1994 through 1998.

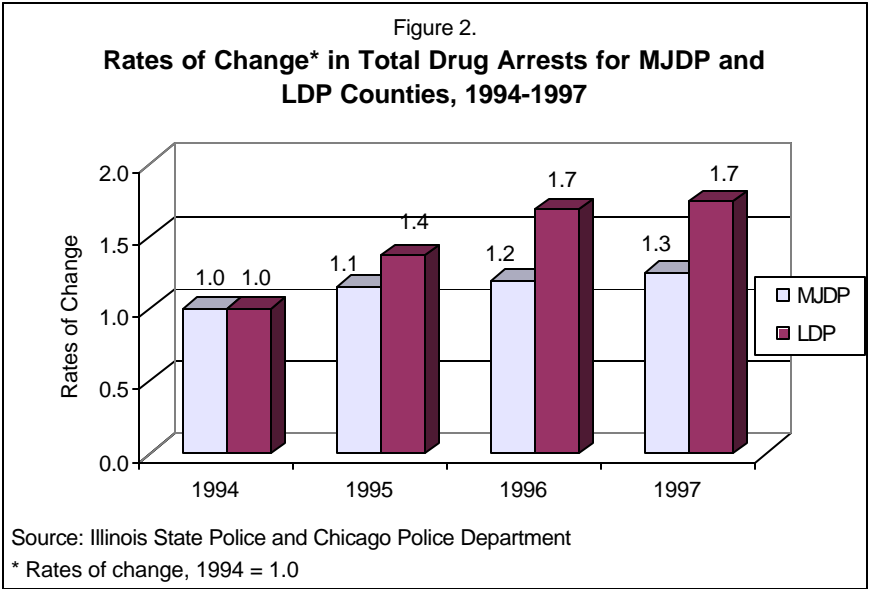
### **Arrest Trends**

An examination of arrest data supplied by the Illinois State Police and Chicago Police Department indicate that there has been an increase in the total number of drug arrests during the period from 1994-1997. For the MJDP counties, the number of drug arrests increased from 60,460 in 1994 to 75,759 in 1997. For the LDP counties, the number of drug arrests increased from 6,300 in 1994 to 10,971 in 1997. (Figure 1).

Looking at the rates of change since 1994, it is clear that the LDP counties are experiencing a rate of increase that is three times faster than the increase in the MJDP counties. LDP county drug arrests have increased 74 percent since 1994 while MJDP counties experienced only a 25 percent increase during the same time period. (Figure 2).



The increase in total drug arrests is not reflected by increases in MJDP and LDP prosecutions. This is not unexpected. Since the MJDP and LDP program resources have remained fairly constant over the life of their projects, they do not have the capacity to handle increases. Further, both projects tend to spend their time on the “higher end” and more serious cases. As a result, the impact of the drug arrest increases is absorbed by the rest of the state’s attorney’s office rather than by the MJDP or LDP prosecutors.

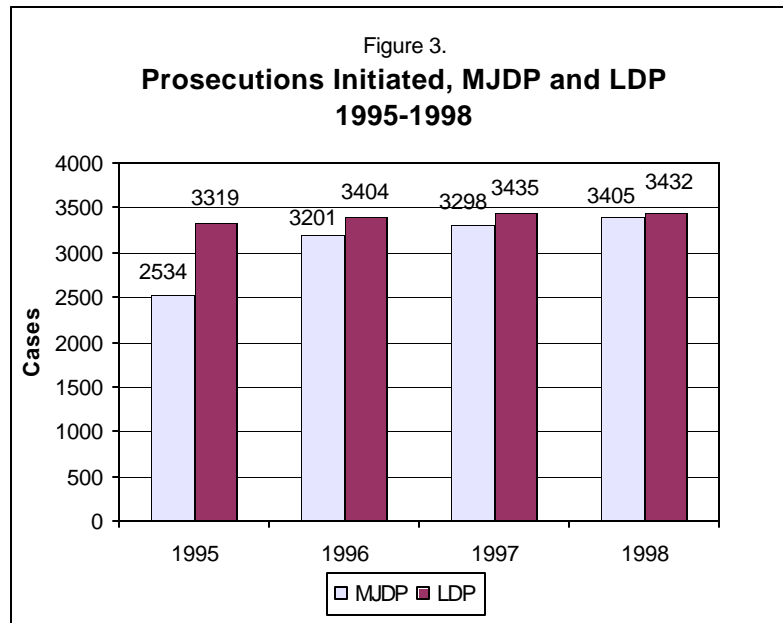




## Prosecutions Initiated by MJDP and LDP projects

1. During 1995-1998, the volume of cases increased for MJDP programs and remained stable for LDP programs.

The number of cases initiated by MJDP prosecutors increased from 1995 to 1998 from 2,534 to 3,405. Almost all the increase occurred between 1995 and 1996. The number of LDP prosecutions initiated is fairly stable, with 3,319 cases in 1995 and 3,432 in 1998. (Figure 3).

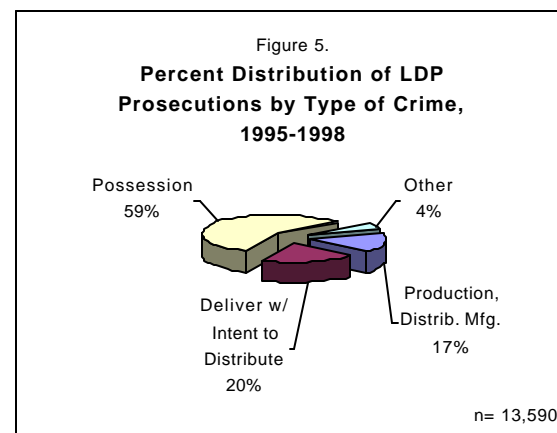
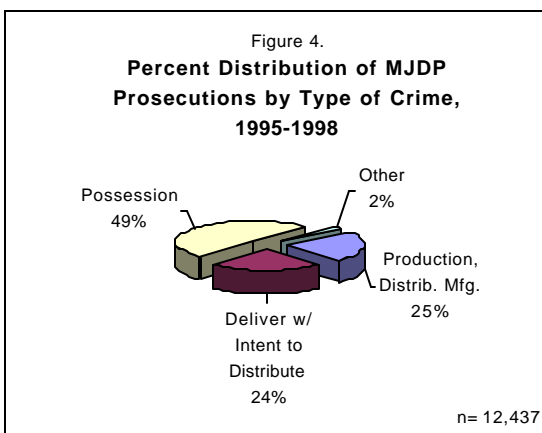


The statistics for the seven MJDP projects reflect large urban areas and are strongly influenced by the large number of drug cases in Cook County. The 11 LDP projects are located in smaller urban areas throughout the state. They reflect more diverse environments. Despite these differences in environments, it is the stability of the size of the caseload in the programs that is noteworthy.

Because there is substantial stability in the programs, we will use the totals and averages for the years 1995-1998 in presenting the findings, rather than annual data that are presented in Appendix B.

2. There is little difference between the MJDP and LDP programs with respect to types of drug crimes prosecuted.

The types of drug crimes referred to the prosecutor include: (1) production, distribution and manufacturing offenses; (2) delivery with intent to distribute; (3) possession; and, (4) other. The proportional distribution of the prosecutions initiated indirectly reflect law enforcement priorities and activities. For example, a high proportion of “possession” cases may indicate a high level of routine stops and street level enforcement that lead to drug arrests. LDPs prosecuted more possession cases as a percent of all drug prosecutions

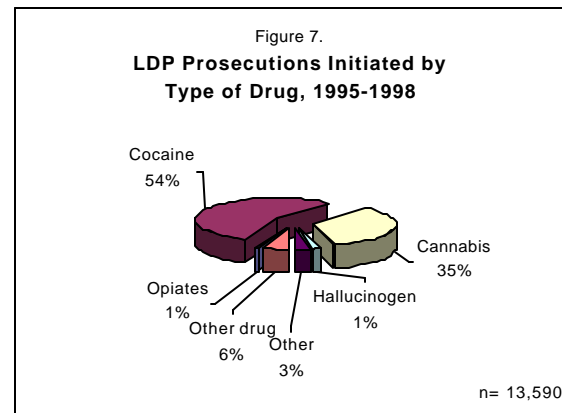
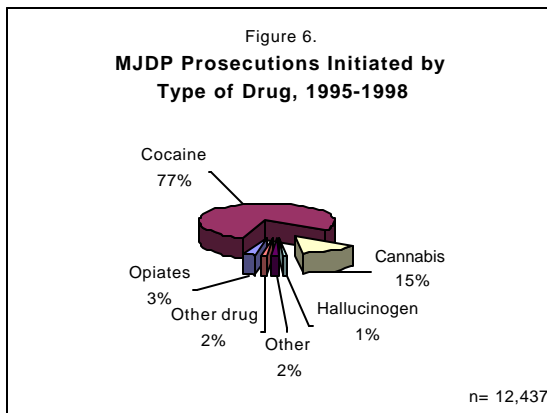


initiated than MJDP cases. The percent of possession cases initiated by LDP prosecutors was 59 percent of their caseload. The percent initiated by MJDP prosecutors during the period 1995-1998 was 49 percent. (Figures 4 and 5).

If we look at the more difficult investigative cases that result in prosecutions for production, distribution, manufacturing and importation, then we see that the MJDP program prosecutes slightly more of these cases than the LDP prosecutors (25 percent compared to 17 percent, respectively). For this offense, the percent of MJDP prosecutions initiated has declined since 1996. The average for 1995-1998 was 24.5 percent. However, in 1996 the percent of prosecutions was 31.8; in 1997, the percent was 26.3 and in 1998, it was only 19.2 percent of the total MJDP caseload. (Appendix B Table B-1).

3. *The type of drug cases prosecuted by the MJDP and LDP programs is distinctly different*

Figures 6 and 7 compare the differences in the types of drug cases prosecuted by MJDP and LDP prosecutors. Seventy-seven percent of the cases initiated by MJDP prosecutors dealt with cocaine compared to 54 percent of the LDP cases. LDP prosecutors were more likely to have cases involving cannabis (35 percent) than MJDP prosecutors (15 percent). Opiates, while few in volume, are four times more prevalent in MJDP prosecutions than LDP prosecutions.



**Prosecutions initiated for MEG and non-MEG cases**

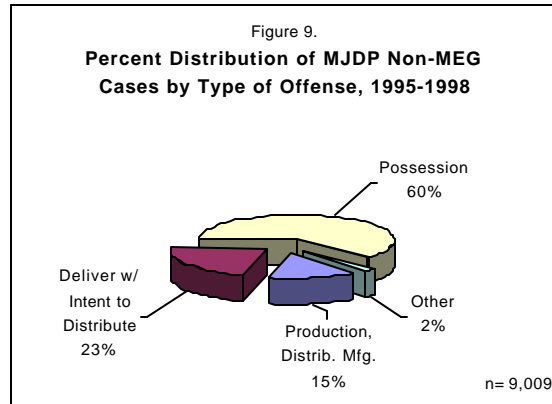
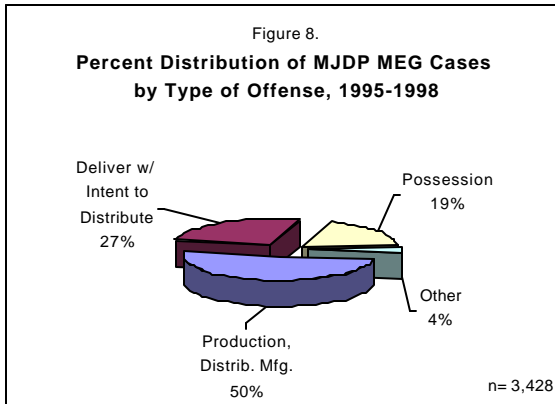
4. *The ratio of non-MEG cases to MEG cases is about three to one for both MJDP and LDP projects.*

Non-MEG cases comprise the largest proportion of the MJDP and LDP prosecutions. The ratio is three to one for LDP programs and 2.7 to one for MJDP cases. This ratio has not changed substantially over time.

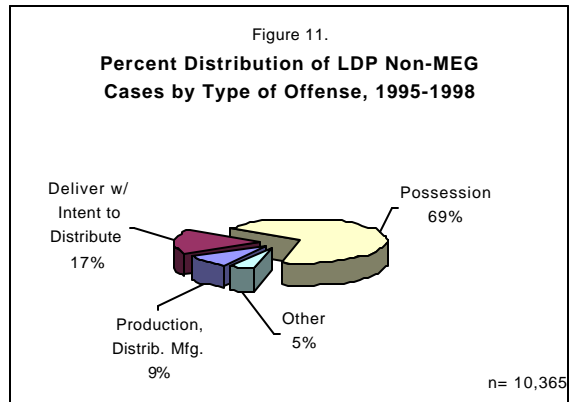
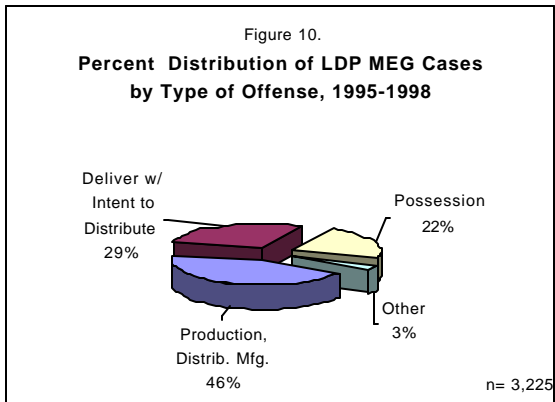
In 1995-1998, the total volume of MJDP prosecutions submitted by MEG/task forces was 3,428 compared to 9,009 submitted by non-MEGs. For LDP prosecutions, the total number of MEG cases was 3,225, compared to 10,365 non-MEG cases.

5. *There are substantial differences in the type of crimes submitted by MEGs as compared to non-MEGS reflecting differences in law enforcement activity*

About one half of the cases submitted to MJDP prosecutors by MEG/TFs involved production, distribution and manufacture of drugs. In contrast, only 15 percent of the cases submitted by non-MEGs were for this offense. The non-MEG cases were primarily for possession offenses (60 percent). Thus, while non-MEG cases account for a larger percentage of cases, MEG cases are more serious and complex. (Figures 8 and 9).



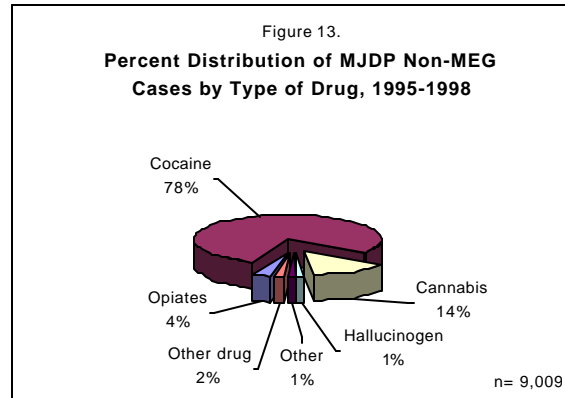
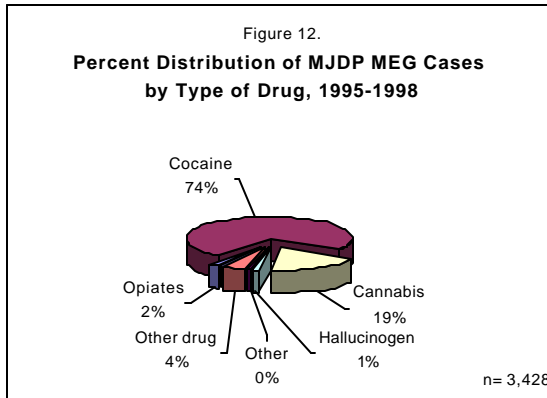
A similar pattern is seen with the LDP prosecutors. (Figures 10 and 11). Forty-six percent of the MEG cases were for production, distribution and manufacture compared to only nine percent of the non-MEG cases. Almost 70 percent of the non-MEG cases submitted for LDP prosecution were for possession.



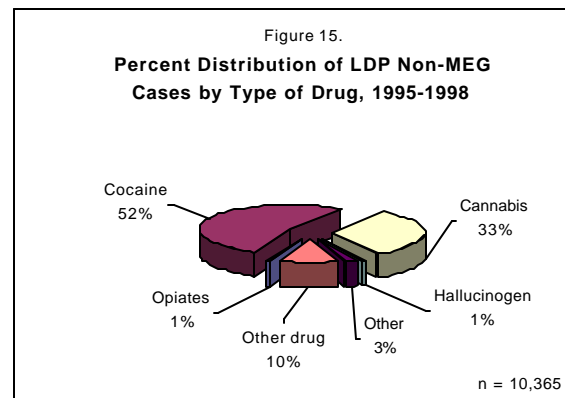
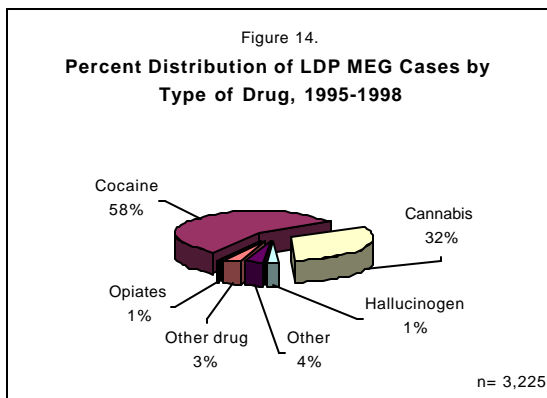
The results reflect the differences in functions and resources between MEGs and non-MEGs. Typically, MEGs are better equipped and charged with the responsibility to support longer term investigations and more complex cases.

6. There is very little difference between the drugs involved in cases submitted by MEGs and non-MEGs to the MJDP/LDP prosecutors. The predominant drug is cocaine.

When the type of drug involved in MEG versus non-MEG cases was compared, few differences were identified. (Figures 12 and 13). About three out of every four MJDP case involved cocaine regardless of the source of the case.



By comparison, about one half of the LDP cases involved cocaine and one-third, cannabis. The proportions did not vary substantially by their source, MEG or non-MEG. (Figures 14 and 15). This is not an unexpected result since law enforcement agencies respond to the drug use pattern that is common throughout the county.



7. The pattern of prosecutions initiated is remarkably stable from 1995 to 1998.

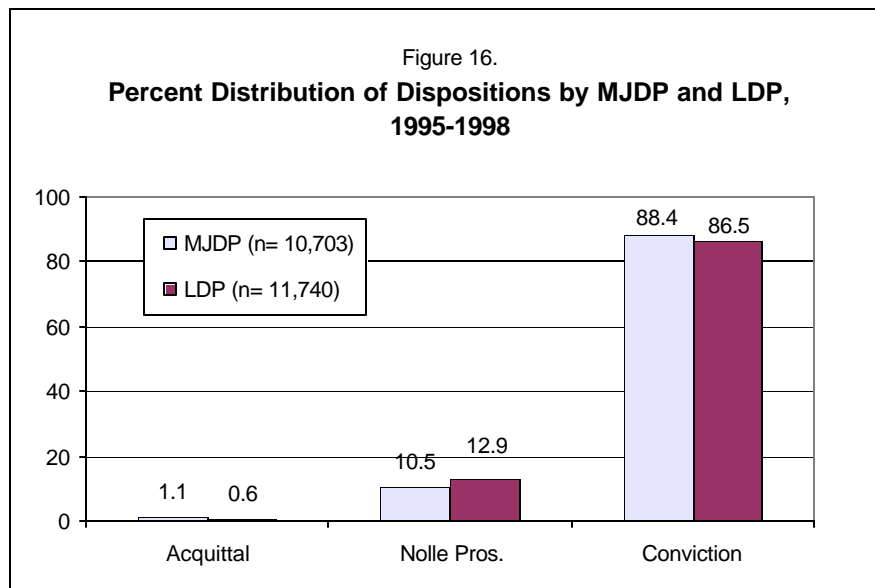
The trends show little evidence of change that could be attributed to changes in law enforcement emphasis on certain types of crimes, changes in drug usage, or changes in priorities set by MEGs and non-MEGs.

In one sense, this is to be expected since the programs have a long history of operations and have established coordinating procedures and priorities for the drug crimes that are typical in their counties.

### Dispositions

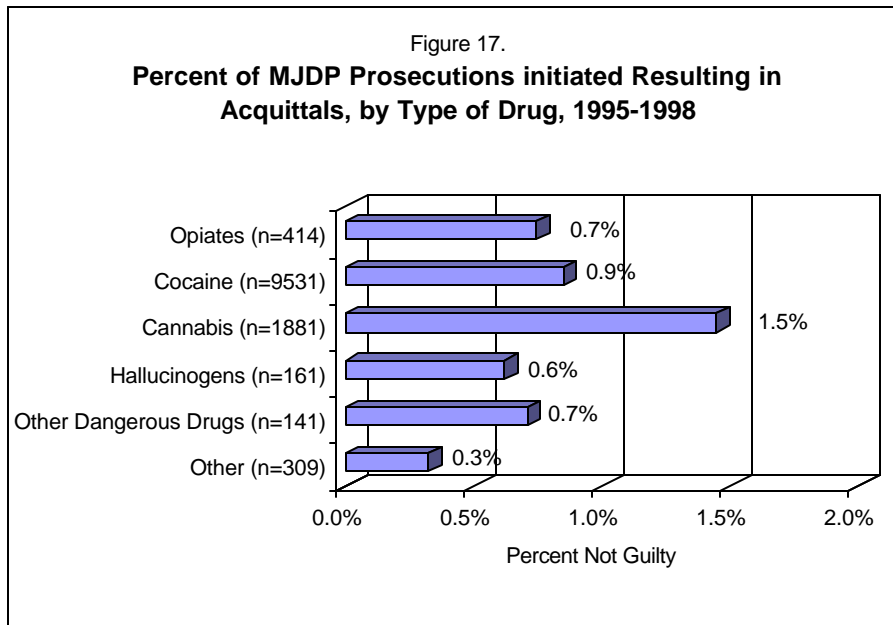
8. Conviction rates for both MJDP and LDP programs are in the high eighties. There are no substantial variations over time.

Overall the pattern for dispositions is acceptable. Acquittals are low, one percent or less, *nolle prosequis* (nolles) average 11 to 13 percent and convictions average 87 to 88 percent. The pattern is stable over time for both MJDP and LDP cases. (Figure 16).

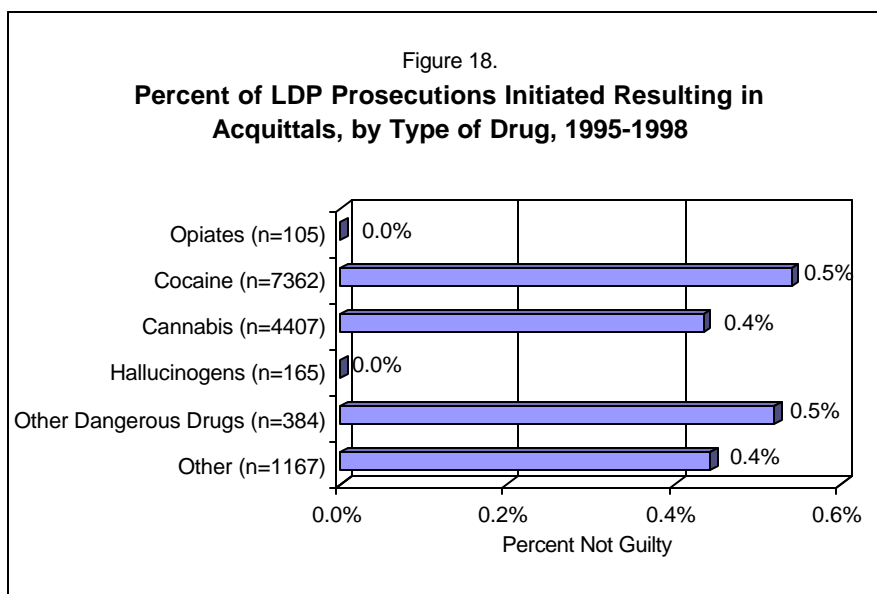


9. Acquittal rates are very low, less than two percent. The highest acquittal rate occurs when the drug involved is cannabis.

The acquittal rates for cases initiated by MJDP prosecutors are very low. Cases involving cannabis have the highest rate (one and one half percent of all cannabis prosecutions initiated). When the other types of drugs are examined, the results show acquittal rates of less than one percent (Figure 17).

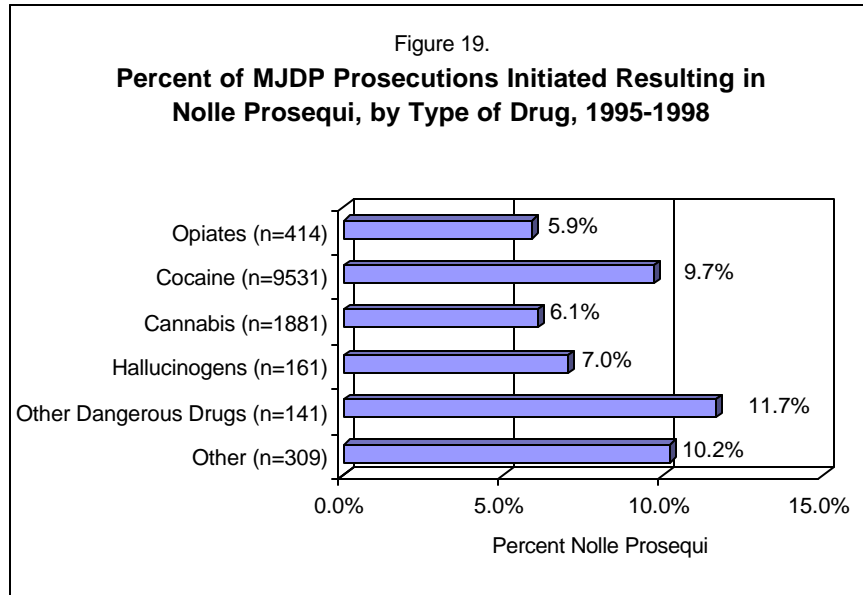


LDP prosecutions resulted in slightly lower acquittal rates for cases involving different types of drugs. On the whole, the acquittal rates hovered about five tenths of a percent. (Figure 18).

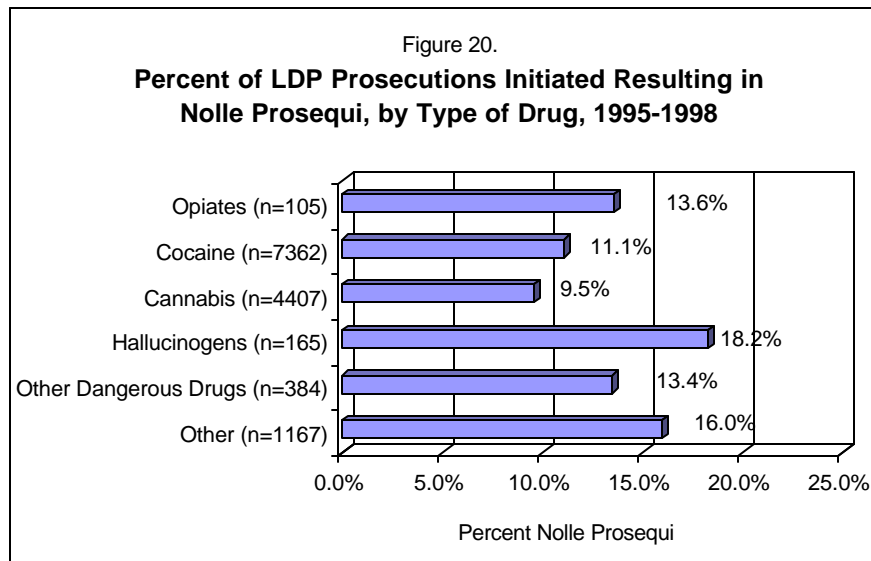


10. The percent of cases disposed by nolle prosequi varies by the type of drug involved.

The highest *nolle prosequi* rates for MJDP cases occur in the other dangerous drug category (12 percent). The lowest rates of nolle occur with cases involving opiates (5.9 percent) and cannabis (6.1 percent). (Figure 19).



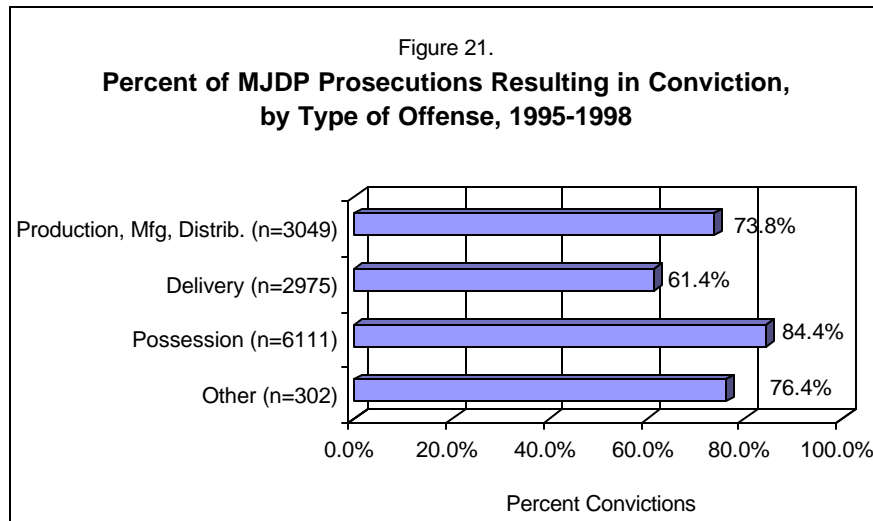
The nolle rates for LDP prosecutions are higher than MJDP cases. Most notable are the rates for opiates which are about six percent for MJDP cases and 14 percent for LDP cases, and rates for hallucinogens which are seven percent for MJDP cases and 18 percent for LDP cases. (Figure 20).



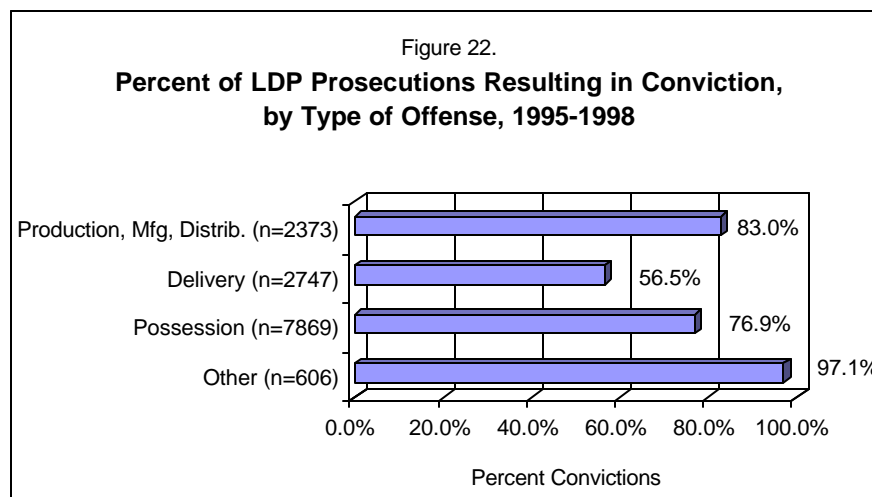


11. The percent of convictions is highest for possession and “other” types of offenses.

For MJDP cases, the highest conviction rate is 84 percent for possession cases. The lowest conviction rate (61 percent occurs with delivery with intent to distribute cases. (Figure 21).

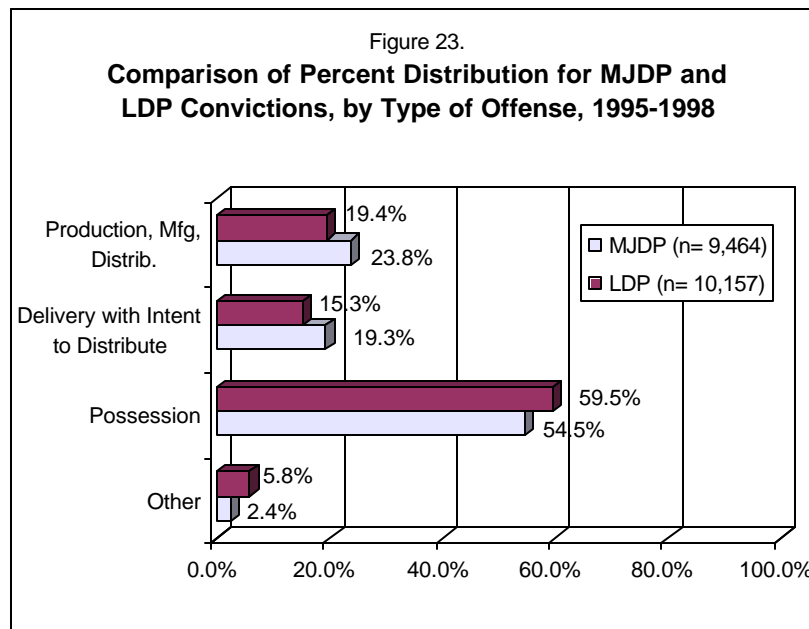


LDP cases show the highest conviction rates for drug cases classified as other (97 percent) and the offenses of production, manufacturing and distribution (83 percent). Like the MJDP cases, the lowest LDP conviction rates are for delivery with intent to distribute (57 percent). (Figure 22).



12. The majority of all drug case convictions are for possession cases and there is little difference between MJDP and LDP prosecutors in the distribution of convictions by offense.

Over the four year period, MJDP prosecutors obtained convictions in 9,464 cases. About one half (55 percent) of the convictions are for possession, followed by convictions for production, manufacturing and distribution (24 percent) and delivery with the intent to distribute (19 percent). With slight variations, the same pattern is followed by LDP prosecutions. (Figure 23).

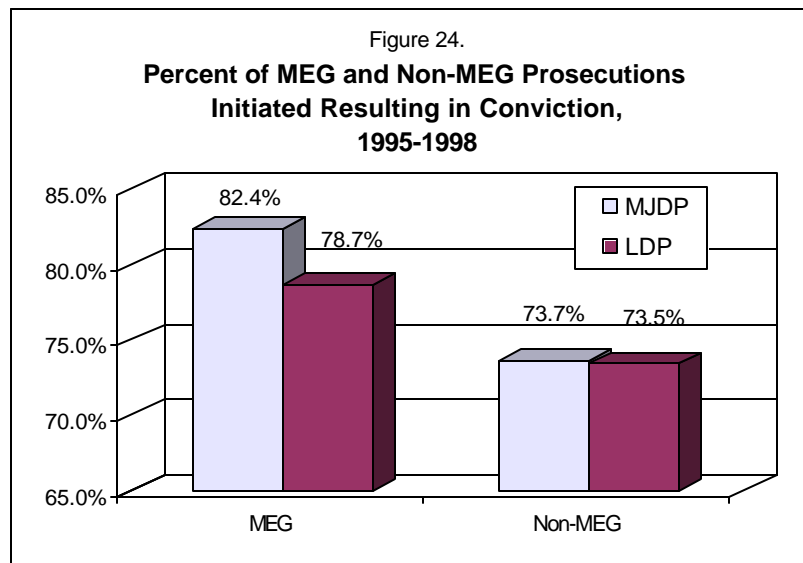


13. Most convictions involve cocaine as the type of drug.

Seventy-seven percent of the MJDP convictions involved cases with cocaine. Fifty-three percent of LDP convictions involved cocaine. Cannabis was the drug involved in the second largest proportion. (16 percent for MJDP convictions and 34 percent for LDP convictions).

14. A comparison of convictions between MEGS and non-MEGS indicates that MEG cases generally result in higher conviction rates than non-MEG cases. The pattern is similar for both MJDP and LDP cases.

A comparison of the conviction rates for MJDP and LDP cases classified by their origins (MEG and Non-MEG) indicates a slightly higher conviction rate for MJDP MEG-originated cases than LDP MEG-originated cases (82 percent compared to 79 percent, respectively). However, the conviction rates for non-MEG cases are similar for both MJDP and LDP prosecutions. (Figure 24)

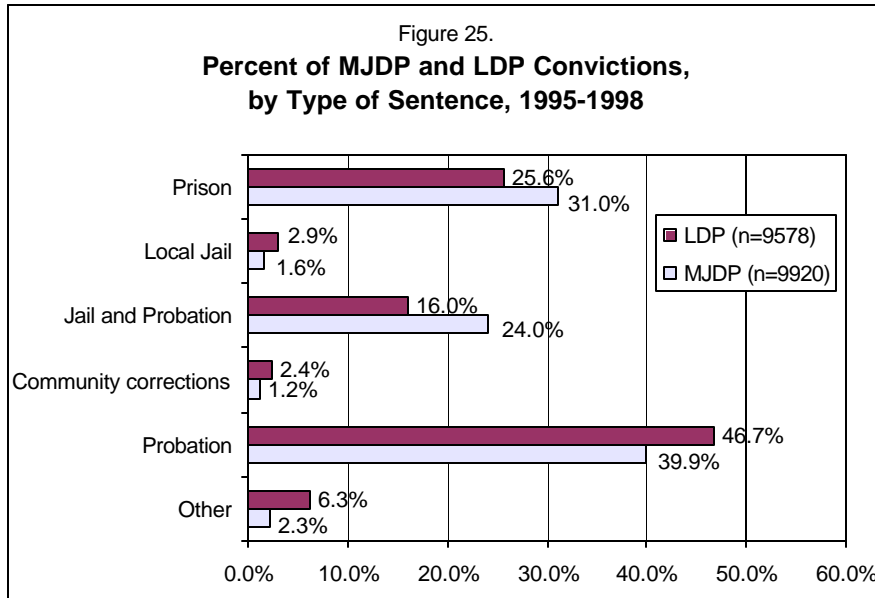


For MJDP convictions, 70 percent of the convictions originated as non-MEG cases and 30 percent resulted from MEG referrals. LDP convictions were similarly aligned. Twenty-five percent of the LDP convictions originated as MEG cases and 75 percent were Non-MEG cases.

### Sentences

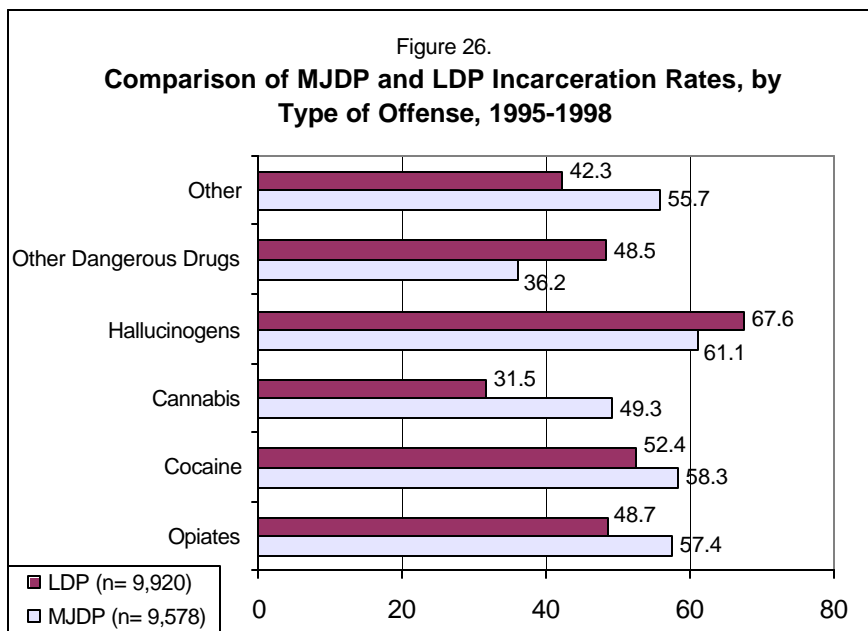
15. MJDP prosecutions resulted in slightly higher proportions of sentences involving incarceration than LDP prosecutions.

Thirty-one percent of MJDP cases resulted in prison sentences as compared to 26 percent for LDP prosecutions. Sentences that imposed some jail time were included in 26 percent of the MJDP cases and 19 percent of LDP cases. Proportionately more LDP cases received probation (47 percent) compared to MJDP cases (40 percent). Since more LDP prosecutions were for possession and involved cannabis and more MJDP cases were felonies, this is not an unexpected result. (Figure 25).



16. *The type of drug involved in the offense varies slightly with respect to Incarceration rates.*

With the exception of cases involving hallucinogens and other dangerous drugs, MJDP prosecutions obtained higher proportions of sentences imposing incarceration (either jail or prison, or both) than LDP prosecutions. Cocaine and cannabis had incarceration rates of 58 and 49 percent, respectively for MJDP prosecutions as compared to 52 and 32 percent, respectively for LDP prosecutions. (Figure 26).



## **Forfeiture Investigations and Search Warrants**

*17. MJDP prosecutors were involved in almost all the forfeiture investigations.*

During 1995-1998, MJDP prosecutors reported activity on 4,749 forfeiture investigations. Of these, 616 were closed during this period. In contrast, LDP prosecutors reported 67 investigations pending at the end of 1998 calendar year and 6 closed during this period.

*18. The number of search warrants prepared by MJDP and LDP prosecutors was about the same.*

During 1995-1998, MJDP prosecutors reported the preparation of 2,101 search warrants. The LDP prosecutors prepared 2,148.

## **Forfeitures and Judgments**

*19. During the four year program, almost \$21 million in cash and other assets were forfeited.*

\$13.3 million was forfeited through the MJDP programs and \$7.7 million through the LDP program. For both MJDP and LDP forfeitures, cash forfeitures exceeded the forfeiture of other assets. For MJDP forfeitures, the cash value of judgments was \$10.2 million and other assets constituted \$3.1 million. For the LDP forfeitures, the cash value of judgments was \$6.4 million and the other assets was \$1.3 million.

Based on Illinois law, prosecutors receive 12.5 percent of the amount forfeited. Thus, in 1995-1998 prosecutors were eligible to receive about \$2.6 million.

*20. The overwhelming majority of forfeitures were processed administratively.*

Administrative forfeitures are available when the assets are less than \$25,000 and the matter is not contested. Ninety-eight percent of MJDP forfeitures were processed administratively compared to 90 percent of the LDP forfeitures.

Based on 4,749 investigations, the MJDP prosecutors filed 23,493 forfeitures in 1995-1998. Almost all of this total (20,661) was filed in 1998. In the previous years, the number of filings ranged from a low of 644 to a high of 960. MJDP judicial filings also varied by year, but they did not experience a major increase in 1998, rather a slight decrease from 120 filings in 1997 to 110 in 1998.

The LDP prosecutors filed 4,762 forfeitures in 1995-1998. LDP filings remained fairly constant. Administrative filings declined from 1281 in 1997 to 893 in 1998; judicial filings ranged from a low of 113 in 1996 to a high of 144 in 1995.

## **Conclusion**

The examination of the program data presents a picture of a stable prosecution environment which during the years between 1995 and 1998 showed little change. The work of the LDP and MJDP prosecutors is remarkably similar although the volume of cases is larger in the MJDP program primarily due to Cook County activity.

There are real differences in volume and the types of cases referred by MEGs and non-MEGs for prosecution. MEG cases tend to include more distribution, production and manufacture crimes, while the non-MEG cases emphasize possession cases.

However, the prosecutorial outcomes of MEG cases and non-MEG cases are very similar. The data suggest that once a drug case is accepted by MJDP or LDP prosecutors, it does not matter what its source was – either from a MEG or non-MEG law enforcement agency. The results of the prosecutions do not indicate a different set of prosecutorial priorities based on either the offense or the crime type. This suggests that there is a uniform prosecutorial policy for drug cases that produces expected results.

The examination also yields the following responses to the questions posed initially.

*1. With respect to prosecutions initiated, were there changes over time for the MJDP and LDP programs in the types of cases presented for prosecution or the type of drugs involved? What were they?*

There were no substantial changes over time in either of the programs either by the type of cases presented or the types of drugs involved. However, proportionately, more cocaine cases were prosecuted by MJDP prosecutors, and more cannabis cases were prosecuted by LDP prosecutors.

*2. With respect to dispositions, were there changes over time in the pattern of dispositions? What were the acquittal, dismissal and conviction rates? Were there differences between the types of cases or drugs involved? Was there a different pattern for MEG cases as compared to non-MEG cases?*

The only differences that were substantial were due to the types of cases referred by MEGs and non-MEG departments. MEG cases were more likely to be more complex, dealing with production,

manufacturing and delivery with the intent to distribute. Non-MEG cases were more likely to be for possession of drugs. Aside from this difference, the pattern of dispositions was remarkably similar for MJDP and LDP prosecutions.

*3. With respect to sentences imposed, were there changes over time in the pattern of sanctions imposed? Did they differ by the type of crime or drug involved?*

There were no substantial changes over time nor were there substantial differences due to the type of offense or drug involved.

*4. With respect to forfeitures and search warrants, were there changes over time in investigations, and judgments? What was the value of forfeitures during the four year period?*

The only major change was observed in the extremely high number of administrative forfeitures filed by MJDP prosecutors in 1998. The 20,115 filings in 1998 accounted for 89 percent of all filings over the four year period. The total value of assets forfeited was \$21 million.

*5. Were there differences between MJDP programs and LDP prosecutors? In what areas?*

The only noticeable differences between the two programs were due to the types of cases initiated. LDP prosecutors tended to have fewer complex drug cases and more possession cases. Although cocaine was the drug of choice, cannabis was proportionately higher in LDP cases than in MJDP cases. There also were differences between the type of cases referred for prosecution by MEGS and non-MEGs. Non-MEG cases were predominately for possession and MEG cases were largely for production, manufacturing and distribution of illegal drugs. However, once prosecutions were initiated, there was no substantial difference in results.

## IV. PROGRAM EVALUATION FINDINGS

### OVERVIEW

The team evaluating the MJDP and LDP programs focused on three sets of relationships integral to the operation of these programs. They were the relationship between:

1. Law enforcement and MJDP/LDP prosecutors
2. MJDP/LDP prosecutors and the organization and operations of the state's attorney's office
3. MJDP/LDP programs and state agencies, federal agencies and other resources that support the programs.

### RELATIONSHIP BETWEEN THE MJDP/LDPS AND LAW ENFORCEMENT AGENCIES

The decision to fund drug prosecution had the effect of supporting specialization in drug prosecution along with all its benefits. Specialization enhances on-the-job training between police and prosecutors as detectives and prosecutors work together to achieve successful dispositions. It improves police/prosecutor relationships and morale and gives detectives a single point of contact for communication, advice and training. It introduces police to the needs of prosecution, and vice-versa. In the end, it improves the strength of cases presented for prosecution and, hence, increases successful outcomes.

Drug cases spotlight the value of good police/prosecutor relations. With a common focus on drugs, both investigators and prosecutors become experts and drug cases receive special attention and priority. The police/prosecutor interaction is at the heart of this evaluation because it is difficult to evaluate the MJDP and LDP programs without considering their relationships with law enforcement and with the state resources that support them. What we found was that the interactions between the law enforcement agencies and the MJDP/LDP prosecutors were notable for their variation and diversity.

#### **4.1 Operations are not standardized among the programs.**

Each MJDP/LDP unit tailors its operations to what works in its jurisdiction and consistent with its prosecution policies and law enforcement procedures. This produces distinct differences in the way the MJDP/LDP's function and interact with law enforcement based on their geographic location and the type of drug cases that are handled. For example, in Cook County MJDP prosecutors work almost exclusively with Chicago Police Department detectives. In contrast, the LDP's prosecute all MEG and non-MEG felony drug cases regardless of origin.



**4.2 Within the sphere of local drug prosecutions, MJDP/LDP relations with the MEGs and TFs vary from neutral to proactive.**

Most program prosecutors become involved in the work of the drug investigators only when they bring cases to the office. The most proactive units are the MJDPs in Cook and Kane counties. In other counties, coordination is emphasized. In Will and Peoria counties, the state's attorney is a member of the MEG policy board. In Kankakee and Rock Island counties, the LDP prosecutor communicates with and involves the MEG director at every step of the process in plea negotiations.

**4.3 Drug prosecutors are responsive to law enforcement requests for assistance.**

Law enforcement agencies are provided the names and cell phone or pager numbers of the specific prosecutor on call after hours.

Drug prosecutors are especially aware of the need for rapid response when law enforcement is negotiating to "flip" newly apprehended suspects. In some MJDP units (e.g. Kane County) and LDP offices (e.g. Rock Island, Macon and McLean counties), the assistants are present during negotiations and written contracts are prepared by the drug prosecutor, law enforcement and the suspect spelling out the conditions of the negotiation.

**4.4 The primary training method provided by MJDP/LDP prosecutors to law enforcement agencies is on-the-job training.**

On-the-job training (OJT) has informally become the primary training vehicle for MEG, non-MEG and task force personnel. This is primarily due to specialization in drug cases and the long-term, close working relationships that have developed between the MJDP/LDP prosecutors and law enforcement . Because of the wide differences in policy and procedures, we believe that the informal OJT provided by the drug prosecutors is an effective means for ensuring quality investigations and cases. However, we also believe that if the drug prosecutors instituted a formal training session with newly assigned detectives, then OJT would be enhanced.

**4.5 MJDP/LDPs generally believe they receive better investigated cases from local law enforcement after officers have served on the MEG/TFs.**

Interviews with MJDP chiefs in all five collar counties surrounding Cook County recorded high levels of satisfaction with investigations conducted by local law enforcement agencies. It appears that the MEGs and task forces provide rich training experience for local police departments. This belief is also supported by the creation of drug bureaus in local departments and independent task forces. Kankakee County, for example, has both a drug unit in the Kankakee Police Department and a local police officer who serves as director of the MEG.

**4.6 With few exceptions, obtaining test results from crime labs is not a problem.**

As a result of the financial support provided to crime labs by ICJIA in the mid to late 1980s and some innovative procedures, delays due to crime lab testing are not routine. Some units have developed procedures that inform crime labs when cases will be heard so they can have the lab reports ready in time. The longest delay was noted by Will County which reported a 8-9 week processing time.

**MJDP/LDP ORGANIZATIONAL STRUCTURE AND CASE MANAGEMENT**

The organizational and management environment within which the MJDP/LDP prosecutors work, varies according to the state's attorney's policies and procedures, the size of the office and the resources available to handle the workload. Within these environments, there are many features common to the projects as noted below.

**4.7 The MJDP/LDPs are staffed by highly experienced prosecutors.**

This finding is not unexpected since the funding for these positions enable the drug case prosecutors to be paid higher salaries than they might receive otherwise.

**4.8 Assignments to MJDP/LDP units are typically sought after.**

The opportunity to prosecute more complex cases and to gain specialized knowledge about drug prosecutions plays a large part in the units being considered as a "plum" assignment. It is even more attractive if non-MJDP assistants handle some of the drug caseload, especially misdemeanors. An exception to this finding is Lake County where assignment to the MJDP is simply another step in the office's normal rotation procedures.

**4.9 Most LDPs operate their programs with little supervision or oversight by the state's attorney.**

Most of the LDPs state that the state's attorney is not involved in their operations unless there is a complaint from law enforcement. Since they typically are highly experienced prosecutors, the state's attorney's position is not unexpected. Also, LDP office operations, policies and procedures generally are informal and fluid, typical of smaller offices.

**4.10 Some drug prosecutors prosecute non-drug cases in addition to drug cases.**

The reasons for this vary. In Lake County, the decision was based on the MJDP attorney's personal desire to try different types of cases. In other offices, the volume of the caseload was small enough and the resources were available to permit this. In McHenry County, the head of the MJDP allocated one half of his time as head of the civil division.

It is difficult to judge whether carrying a non-drug caseload reflects the volume of cases in the office, the priority assigned to drug case prosecutions, or the need to maintain attorney morale.

**4.11 There is substantial variation in the intake and screening procedures and charging policies of the MJDP/LDP units.**

Some prosecutors were involved at the screening stage, reviewing cases and filing charges. Others received cases only after the regular intake unit had assessed the merits of the case and filed the charge. Intake policy also varied. Some assistants exercised little discretion in charging, taking most cases sent by law enforcement. Other offices use a two-level screening procedure. Felony intake units first review the case, then refer them to the MJDP/LDP prosecutors. In these instances, there is a potential for the intake unit to have different charging policies from those of the drug prosecutor.

**4.12 The MJDP/LDP prosecution units are integrated with the rest of the office.**

When attorneys are organized by “special” programs or units, there is always a potential for jealousy and complaints of elitism from the rest of the staff. This was not apparent during our visits. It appears that the units have been successfully integrated with the office. A reason offered by the attorneys was that “there was more than enough work to go around.” Information was shared between MJDP units and other programs such as repeat offender strike forces, gangs and firearms task forces or programs. Work was divided among the entities without noticeable conflict.

**4.13 Problems were noted in coordinating the MJDP/LDP’s priorities and diversion programs.**

Part of the reason for a lack of coordination may be due to differences in goals since most MJDP/LDP prosecutors were seeking substantial sentences. Part also could be due to the nature of the cases eligible for diversion since MJDP/LDP prosecutors typically prosecute more serious cases. Although some handle misdemeanors, most have developed their own policy about the cases they will prosecute and what they expect as a satisfactory disposition. If drug courts operated in the county, then coordination problems seemed to exist when prosecutors did not make or were not involved in the referral decisions.

**4.14 Problems were noted in coordinating misdemeanor probation with 410 and 710 probation.**

If defendants are sentenced to probation for misdemeanor offenses, they are ineligible for 410 and 710 probation which accepts only first offenders. The value of 410 and 710 probation for drug prosecutions is that the defendant is required to complete two years of supervision, treatment and obtain a GED. Increased coordination of policy and procedures should reduce this conflict.

**4.15 The MJDP/LDP units keep statistics about the volume of cases and forfeitures processed but do not use them for management or program evaluation.**

Statistical records are kept for reporting purposes to the Authority, but they are not relevant for managing or evaluating project operations. Part of this is because the type of information collected has little value for managing programs other than indicating the volume of work handled by the units. Another reason may be due to an overall absence of training available to prosecutors about management information and its uses.

**4.16 All offices engaged in asset forfeiture and did so with systematized procedures.**

Since by law offices receive 12.5 percent of the forfeitures, forfeiture procedures are well developed. In general, the law enforcement agencies prepare the forfeiture papers for the attorney's review and approval. Most of the units had a specific person assigned to asset forfeiture. Sometimes it was an attorney; in a few offices, it was an investigator. The majority of offices handled only simple cash and car forfeitures and did not attempt to investigate real estate or other money laundering operations. Most of the forfeitures were processed administratively because they were uncontested and their value was less than \$25,000.

**4.17 The role of the MJDP/LDP in the development and approval of warrants varied widely among jurisdictions.**

Often the level of involvement and work depended on procedures established by the state's attorney and requirements of the court. These varied among the individual jurisdictions.

**ROLE IN LAW ENFORCEMENT INVESTIGATIONS**

**4.18 Most drug prosecutors are not involved in law enforcement investigations**

With two exceptions, drug prosecutors do not play an active role in the investigation other than acting as the drafters of search warrants, wiretaps and eavesdrops. Most justify this limited role as based on the need to assure the quality of the product rather than a desire to follow the investigation and be informed about its progress.

Drug prosecutors in Cook and Rock Island counties participate in the investigation of complex drug cases. It should be noted that in these jurisdictions, investigations give priority to penetrating the drug organization, not just controlling street level drug crimes.

**4.19 MJDP/LDPs primarily handle street-level to intermediate-level drug cases.**

Complex drug prosecutions are infrequent with the exception of Cook, Lake and Rock Island counties because the prosecutor's workload reflects the type of law enforcement activity in the jurisdictions and their priorities. If drug prosecutors encounter cases involving major level targets, they generally pass them on to federal agencies for prosecution citing a lack of resources required for these types of cases.

In conclusion, the most striking characteristic of the MJDP/LDP units is their diversity. There is no common model for the prosecution of drug cases. Rather there is a rich mosaic of policies, procedures and staffing that characterize the state's attorneys' responses to the prosecution of drug cases.

## V. CONCLUSIONS AND RECOMMENDATIONS

### INTRODUCTION

The evaluation of the MJDP/LDP programs is different from traditional evaluations in two respects. First because the 18 funded programs varied in size, resources, policy and procedures, the evaluation had to focus on the essential issues surrounding these programs rather than their internal operations or individual program effects. Secondly, the evaluation could not ignore the interaction between the police and the prosecutor as it changed over time. It had to lay bare the dynamics of these programs so that the good and valuable aspects could be retained or even expanded into other prosecution areas while the debilitating aspects could be identified and ultimately resolved.

### CONCLUSIONS

#### **C.1 The inter-jurisdictional nature of drug trafficking justifies the existence of MEGs and task forces.**

State block grant funds from the Byrne Formula Grant Program support multijurisdictional task force programs nationwide. They help state and local jurisdictions maximize the ability of the criminal justice system to control drug trafficking. In Illinois, Byrne funds support Metropolitan Enforcement Groups (MEGS) and the Illinois State Police Task Force (ISP/TF).

#### **C.2 The creation of MJDP/LDPs is a logical response to the need to balance system resource requirements for processing an increased volume of drug cases.**

The decision to fund MJDP and LDP projects is a logical response to the existence of the multijurisdictional task forces. To maintain a balance between the additional law enforcement resources and the prosecutor's increased caseload, additional funds support 18 state's attorneys' offices through the MJDP and the LDP programs.

#### **C.3 The work and caseload of MJDP/LDPs are profoundly affected by law enforcement priorities.**

The nature of the work handled by MJDP/LDP prosecutors is profoundly affected by the priorities established by law enforcement for investigations and arrests. They may range from buy/busts to the deep penetration of an organized crime cartel. Typically, drug prosecutors may have little influence on changing police priorities. They do, however, have the discretionary authority to define how the cases will be prosecuted and with what priority.

#### **C.4 MJDP/LDPs must be flexible and adapt to changing law enforcement environments.**

MEGs are dynamic. Over time, police priorities may shift, especially as well-trained MEG resources

increase and are available for use by local police departments. As officers complete their tour of duty with the MEG/TFs and return to their local departments, they will bring their new skills to their departments and often give more priority to moving drug case investigations “up the ladder”. The local department may even establish its own narcotics bureau, in competition with the MEG/TF. This intensifies the problems of “deconfliction.” Even the task force may change its priorities over time. As a result, the MJDP/LDPs need to recognize that their relationships with the law enforcement agencies will be affected and that they should be flexible so they can adapt to directions of drug enforcement.

**C.5 The prosecutor may have to take on a new role as information coordinator if participation in MEGs diminishes.**

If the multijurisdictional benefits of the MEG/TFs wane because local law enforcement agencies pull out of a MEG, then the responsibility for coordination and program leadership tends to fall on the shoulders of the prosecutor not the MEG. By default, the prosecutor may be given a new role of communicator, intelligence gatherer and coordinator of information among the local law enforcement agencies.

**C.6 The most important benefits to law enforcement agencies and the state’s attorney’s offices stem from the specialization introduced by the MJDP/LDP projects.**

Anti-drug law enforcement programs encourage specialization in the state’s attorneys’ offices and foster good police-prosecutor working relationships. Generally, specialization on the police side elicits specialization by the prosecutor and maximizes the effectiveness of joint police-prosecutor programs. We can look at career criminal programs, violent offender prosecution programs and more recently, domestic violence and child sexual abuse programs each of which provokes special prosecutorial responses. Specialization sharpens a program’s focus, leads to better investigative techniques and enhances performance by increasing the experience of the participants. Communication and training is improved in both directions. In addition, the added emphasis increases the probability that some or many drug cases will be brought into the criminal justice system that would otherwise be rejected for prosecution if these new resources were not available.

With a combination of multiple local law enforcement agencies and MEGs or TFs existing within a county, specialization may also occur among police agencies, e.g. the local police may concentrate on street level drug traffic and car stops while the MEGs or TFs may concentrate on higher level crimes. This division was initially envisioned by the Authority and others and justified the establishment of MEGs, TFs and MJDP/LDP programs.

**C.7 Prosecutors may adopt a variety of responses to law enforcement anti-drug activities ranging from reactive to proactive without negative effects.**

MJDP/LDP prosecutors must decide where and how to interface with the police. Should they be proactive

with respect to the investigative phase and provide in depth assistance on legal issues? Should they just be reactive to requests for search warrants, eavesdrops/consensual overhears? Should they assist in finding assets or simply approve asset/forfeiture processing? The answers will vary and, in large part, will depend on the types of cases being investigated by the police and the prosecutor's concern about prosecutorial independence. The MJDP/LDP prosecutors tend more toward the reactive end of the continuum with Lake and Cook Counties as exceptions.

As past experience with other joint police-prosecutor programs has indicated, the quality of the program does not depend on the type of response, rather on the degree to which the agencies are supportive of each other, share the same goals and work together to implement them.

**C.8 The prosecutor may adopt a variety of intake and screening procedures without negative effects.**

The initial intake and screening procedures may be conducted in a variety of ways. Differences in charging standards and procedures for "flipping" offenders indicate the wide range of choices available to the prosecutor. For example in screening cases in one office, a central charging unit may screen all felony cases referred to the office. Drug cases that pass review and meet the MJDP/LDP selection criteria are referred to the MJDP/LDP unit. In another office, all drug cases are referred to the MJDP/LDP unit for screening, by-passing the central charging unit. In the largest offices, most drug cases may go to the general felony units and only selected cases will be handled by the drug unit. The choice is largely dependent on the amount of control the MJDP/LDP drug unit wishes to exercise; the quality of screening done by the central charging unit and the complexity of the drug cases prosecuted in the jurisdiction. In general, the most efficient and effective situation is to have the MJDP/LDP review all cases (some would even argue for the inclusion of misdemeanor cases).

Potential informants present a different set of choices. If offenders are identified as potential informants, it is crucial that they be kept out of the jail population. Again prosecutors need to decide whether to play an active role in the negotiation and signing of written contracts, or leave the police to negotiate informal agreements. Under the best circumstances, it is important that written contracts be drafted and signed before any defendant is permitted to become an informant.

**C.9 The key to successful drug prosecutions is a strong police-prosecutor interface.**

The closer the police-prosecutor interface is at intake and screening, the less likely it is that a strategic opportunity for successful adjudications will be botched or lost. The essential ingredient is not the form but the degree of communication between the police and prosecutor.

A strong working relationship between the two specialized units (e.g. MEG/TFs and MJDP/LDPs) virtually

assures police interest and attention throughout the adjudication process. As a result, a consistent and coordinated disposition policy can be implemented by the prosecutor that will have the most impact on reducing drug trafficking.

As drug cases head for their dispositions, the involvement of the police in the adjudication process has a positive effect. Their input is crucial if they gather additional information during the course of adjudication. Even after dispositions have been obtained, the prosecutor's feedback to police agencies is essential for maintaining strong working relationships and doing maximum damage to the drug traffickers and their distribution mechanisms.

**C.10 The state's attorneys have the ability to recognize changes in the nature of drug crimes in the county.**

Since the state's attorney's offices see the results of all law enforcement efforts, they are better able to observe changes that may not be noted by an individual law enforcement agency. For example, if the demographics of a county changes, there may also be a change in drug usage patterns and drug crimes. The change may be felt by one police department but not by others. The state's attorney office may be the only agency with this overview especially if a multijurisdictional task force or MEG does not exist.

**C.11 State's attorney's office and law enforcement agencies are able to develop new tactics and strategies in response to changing environments.**

In most jurisdictions, the state's attorney's office is the appropriate vehicle for periodically looking at the county's drug problem strategically, assessing victories and defeats, and deciding how they can be even more effective in the future.

**C.12 In developing new strategies, the independent and conflicting goals between law enforcement and the state's attorney's office need to be recognized and taken into consideration.**

The state's attorney's office must maintain its independence in the adjudication process even though the law enforcement agencies push for more service especially in the areas of specialization like drug prosecution. Maintaining the balance between independence from supporting law enforcement needs may not be an easy task but the potential conflict should be recognized and proactively addressed.

**C.13 Reducing funding for MJDP and LDP operations would have substantial negative effects on law enforcement's anti-drug activities.**

If funding for the MJDP/LDP projects were to cease or be curtailed, the consensus of the project participants was that a more traditional form of prosecution of drug cases would emerge and, probably some form of a drug unit would continue to exist. However, most MJDP/LDPs expected a decline in the quality of services that the MEGs and TFs currently receive from the state's attorney. Specifically:



- Both law enforcement and the state's attorneys will lose the cross-over benefits created by specialization;
- Specialized prosecution assistance 24 hours a day, 7 days a week, to law enforcement agencies on drug cases will be reduced;
- Law enforcement will lose the quality of on-the-job training provided by the prosecutors;
- Law enforcement will lose access to prosecution expertise and specialization;
- Coordination with police investigations will diminish;
- Less experienced prosecutors will be assigned to drug cases;
- Intake and adjudication decisions will change dramatically as drug cases are mingled with the general caseload;
- Cases will be disposed of with more lenient pleas, more dismissals, less severe sentences;
- State's attorneys will have to reallocate reduced resources.

The impact of reduced funding would create grave problems for law enforcement in addition to the prosecutors because they would simply have to accept the filing authorizations made by whichever ASA was on call or available and lose the benefits that accrue from specialization.

## **RECOMMENDATIONS**

In this section we present two sets of recommendations. The first set presents recommendations that address improving the MJDP/LDP programs. The second set addresses broader criminal justice system issues that affect not just drug prosecutions but all prosecutions in a local criminal justice environment.

### **MJDP/LDP Recommendations**

#### **R.1. State's attorneys should be encouraged to establish informal advisory committees to coordinate law enforcement and prosecution efforts and priorities.**

Even though drug prosecutions proceed independent of the initiating law enforcement agency, MEG or task force, it is important that all involved parties share the same philosophy in prioritizing cases. We noted that some MEG/TFs have good communication with the MJDP/LDP attorneys about case priority and focus while others have little or no communication about policy or priorities.

Since it is not possible to make the prosecutor a member of a multijurisdictional law enforcement task force (thereby giving him a voice in setting policy or priorities) nor is it desirable if his independence and autonomy is to be respected, we believe that another vehicle is needed. We believe that the prosecutor should establish an informal advisory committee composed of representatives from the community, law enforcement and the county to help focus the efforts of the law enforcement community on drug crimes and coordinate their priorities with those of the prosecutor. Based on input from the advisory committee, the

state's attorney's office should develop a set of specific, measurable goals and objectives for the MJDP/LDP programs.

**R.2 ICJIA should support efforts of state's attorneys who are willing to establish informal advisory committees.**

Support in the form of conferences or workshops that will educate state's attorneys about the most effective uses for these advisory committees would substantially help in improving coordination and priority setting.

**R.3 The drug prosecutor should coordinate the flow of information among law enforcement agencies if the MEG does not include all law enforcement agencies in the county.**

In some counties, all the local law enforcement agencies participate in the MEG (e.g. DuPage). In other counties, the MEG has dissolved (e.g. Cook) or only represents a limited number of law enforcement agencies. In those counties where the MEG is not overreaching (i.e. not all agencies are participants), the prosecutor should take on an information coordinating role.

We noted that MEGs are subject to change in both composition and focus. They may expand, dissolve or change priorities for enforcement. In brief, they are not stable. The MJDP/LDP units are not affected by changes in the MEGs *per se* since the stream of cases coming into the unit comes from all sources not just MEGs and task forces, including local police agencies and on occasion, federal agencies. They are, however, affected if they have to assume a larger coordinating role for sharing information about pending cases and active defendants.

The prosecutor may act as a *de facto* clearinghouse for cases initiated by a variety of local law enforcement agencies; letting departments know if their suspects have activity in other areas. Much like Lake County, where the MJDP attorneys coordinate the flow of information needed by other agencies. Since the prosecutor has in his office all drug cases regardless of source, he is theoretically able to cross-reference information about cases and suspects and, identify trends in drug offenses.

We believe that in those counties where MEGs are not overreaching, the prosecutor should take a coordinating role and create an information system that supports their coordinating role and monitors changes in trends and populations. At this time, information is not routinely available or accessible.

**R.4 ICJIA should play a key role by supporting the planning, design and utilization of management information by the prosecutor.**

We are cognizant that previous attempts by the Authority to implement information systems statewide have not been successful and we are not recommending another attempt. This recommendation is for the Authority to support local initiatives to conceptually design management information systems that capture the information needed for planning, managing and operating drug prosecution programs. With the Authority's support in conducting workshops and training, each state's attorneys office could be educated about the basic information they should be collecting (manually or otherwise) and how it can be used.

Properly designed, the information system could be extended office-wide for even more benefits.

**R.5 MJDP/LDP prosecutors should meet regularly to share knowledge, experiences and expertise about the program.**

There is a crucial need for conferences and/or training sessions to enhance communication and sharing of experiences among the drug prosecutors. The day-long workshop held for the LDP prosecutors indicated the value of this type of forum. Most prosecutors expressed interest in attending additional workshops.

**R.6 ICJIA should take an active role in institutionalizing the systematic exchange of information among prosecutors statewide.**

We see the need for the Authority to develop the ability to coordinate LDP and MJDP programs in such a way as to expand the value of the program. To do this, there should be a mechanism that permits all drug prosecutors to:

1. Share intelligence about drug prosecutions;
2. Examine legislative issues and discuss the implications and responses that apply to special issues or problems;
3. Discuss prosecution tactics for various types of cases including drug paraphernalia and fines;
4. Explore the issues for emphasizing deeper penetrations into the drug trafficking organizations;
5. Discuss the institutionalization of this program by local governments.

**General criminal justice system recommendations**

**R.7 A comprehensive examination of the police-prosecutor interface that includes all activities not just drug-related ones should be undertaken.**

The power of the police-prosecutor interface extends beyond drug prosecutions. It can be seen in other programs jointly involving the police and the prosecutor, such as career criminals or domestic violence. But it extends beyond the program level into the broader areas of active police involvement and assistance in obtaining convictions and appropriate sanctions. The interface between the police and the prosecutor can substantially influence and effect the quality of prosecution – both misdemeanors and felonies. A comprehensive examination of this area should provide valuable assistance to state's attorneys who would like to improve these relations but lack knowledge about available strategies and tactics.

**R.8 ICJIA should take an active role in expanding the scope of improved police-prosecutor communication and relations.**

The Authority has been instrumental in promoting joint police-prosecutor programs including the MJDP/LDP projects. We believe that the Authority should consider the issue of continued funding for this program and others from a comprehensive police-prosecutor perspective. This perspective would consider the essential ingredients for successful relations supporting such areas that have improved communication, policy agreements, specialization, team work, on-the-job training and long-term relationships, among others.

**R.9 An overall assessment should be made of the level and types of prosecutorial organizations, resources and strategies needed to provide effective prosecution services overall not only in drug crimes.**

The wide diversity in the size of state's attorneys' offices in Illinois and the workload they handle points up the need for an assessment of the delivery of prosecution services throughout the state. Even though prosecution is locally funded, there is an overreaching need to ensure that the delivery of services is uniform and equitable throughout the state. A needs assessment focusing on the delivery process, its requirements and resources should provide guidance to state's attorneys and give direction to improvements in service.

**R.10 ICJIA should address the broader issues of prosecutorial strategies and their effectiveness.**

The Authority has focused efforts on targeted crimes. One impact of targeted crime projects in state's attorneys' offices is to provide resources directed toward the targeted crimes often without regard to the other needs of the office. If, for example, a state's attorney's office does not review cases until after they have been filed in court and the control over the gate to the court is exercised by young, inexperienced ASAs, then a program targeting child sexual abuse for example, would not be as effective. More effective would be an office where caseload management is supervised by experienced attorneys. The Authority is in a position to examine the broad issues of prosecution and identify which strategies are most effective for prosecution. It is important that prosecutors, the state and the federal governments have this knowledge since the effect of program decisions is felt not only by the prosecutor, but also by the rest of the criminal justice system that has to respond to them.

## **Appendix A**

### **Arrest Data**

Table A-1.

**Total Drug Arrests**

County	Number			
	1994	1995	1996	1997
<b>MJDP</b>				
Cook	53798	60144	62274	64790
DuPage	1613	2512	2585	2809
Kane	1343	1624	1560	1890
Lake	1776	2123	2197	2655
McHenry	498	910	890	887
St. Clair	631	832	878	995
Will	801	1250	1662	1950
<i>Total MJDP</i>	<i>60460</i>	<i>69395</i>	<i>72046</i>	<i>75976</i>
<b>LDP</b>				
Champaign	455	861	1059	1128
Jefferson	93	242	290	286
Kankakee	378	455	571	701
McLean	466	909	1082	1004
Macon	565	546	954	921
Madison	1013	1360	1643	1695
Peoria	524	568	703	833
Rock Island	752	958	965	1115
Sangamon	768	995	1084	1088
Tazewell	252	396	621	650
Winnebago	1009	1305	1637	1625
<i>Total LDP</i>	<i>6275</i>	<i>8595</i>	<i>10609</i>	<i>11046</i>
<b>Rates of change</b>				
MJDP	1.000	1.148	1.192	1.257
LDP	1.000	1.370	1.691	1.760

*Source : Illinois State Police and Chicago Police Department*

The totals for Chicago do not include arrests for HSNA or Drug Para. Act.

**Table A-2.**

Total Drug Arrest Rates per 100.000 persons

Rates per 100.000 persons

<b>County</b>	<b>1994</b>	<b>1995</b>	<b>1996</b>	<b>1997</b>
MJDP				
Cook	1028	1148	1187	1236
DuPage	198	306	312	335
Kane	351	412	385	453
Lake	331	390	394	467
McHenry	233	411	391	380
St. Clair	239	316	335	380
Will	213	320	411	466
LDP				
Champaign	273	516	630	669
Jefferson	250	649	777	766
Kankakee	376	451	565	705
McLean	341	655	775	713
Macon	484	470	827	806
Madison	392	524	632	648
Peoria	287	310	385	456
Rock Island	502	640	650	752
Sangamon	403	521	566	568
Tazewell	199	311	487	509
Winnebago	384	493	617	608

*Source : Illinois State Police and Chicago Police Department*

The totals for Chicago do not include arrests for HSNA or Drug Para. Act.



## **Appendix B**

# **Project Report Statistics**

Table B-1

## MJDP Prosecutions Initiated by Type of Offense, 1995-1998

	1995	1996	1997	1998	Total
<i>Total</i>	2534	3201	3298	3405	<b>12437</b>
Production, Distribution, and Manufacturing	510	1018	867	655	<b>3049</b>
Delivery with Intent to Distribute	591	731	794	860	<b>2975</b>
Possession	1384	1378	1553	1795	<b>6111</b>
Other	49	74	84	95	<b>302</b>
Percent Distribution					
<i>Total</i>	100	100	100	100	<b>100</b>
Production, Distribution, and Manufacturing	20.1	31.8	26.3	19.2	<b>24.5</b>
Delivery with Intent to Distribute	23.3	22.8	24.1	25.3	<b>23.9</b>
Possession	54.6	43.1	47.1	52.7	<b>49.1</b>
Other	1.9	2.3	2.5	2.8	<b>2.4</b>

Table B-2

## LDP Prosecutions Initiated by Type of Offense, 1995-1998

	1995	1996	1997	1998	Total
<i>Total</i>	3319	3404	3435	3432	<b>13590</b>
Production, Distribution, and Manufacturing	556	619	615	583	<b>2373</b>
Delivery with Intent to Distribute	677	742	675	653	<b>2747</b>
Possession	1890	1865	1979	2130	<b>7864</b>
Other	196	178	166	66	<b>606</b>
Percent Distribution					
<i>Total</i>	100	100	100	100	<b>100</b>
Production, Distribution, and Manufacturing	16.8	18.2	17.9	17.0	<b>17.5</b>
Delivery with Intent to Distribute	20.4	21.8	19.7	19.0	<b>20.2</b>
Possession	56.9	54.8	57.6	62.1	<b>57.9</b>
Other	5.9	5.2	4.8	1.9	<b>4.5</b>

Table B-3

## MJDP Prosecutions Initiated by Type of Drug, 1995-1998

<b>Year</b>	<b>1995</b>	<b>1996</b>	<b>1997</b>	<b>1998</b>	<b>Total</b>
<i>Total</i>	2534	3201	3298	3405	<b>12437</b>
Opiates	71	172	73	98	<b>414</b>
Cocaine	1967	2463	2473	2627	<b>9531</b>
Cannabis	379	476	560	467	<b>1881</b>
Hallucinogen	27	16	64	55	<b>161</b>
Other	46	24	29	42	<b>141</b>
Other drug	44	50	99	116	<b>309</b>
<b>Percent Distribution</b>					
<i>Total</i>	100	100	100	100	<b>100</b>
Opiates	2.8	5.4	2.2	2.9	<b>3.3</b>
Cocaine	77.6	77.0	75.0	77.2	<b>76.6</b>
Cannabis	15.0	14.9	17.0	13.7	<b>15.1</b>
Hallucinogen	1.1	0.5	1.9	1.6	<b>1.3</b>
Other	1.8	0.7	0.9	1.2	<b>1.1</b>
Other drug	1.7	1.6	3.0	3.4	<b>2.5</b>

Table B-4

## LDP Prosecutions Initiated by Type of Drug, 1995-1998

<b>Year</b>	<b>1995</b>	<b>1996</b>	<b>1997</b>	<b>1998</b>	<b>Total</b>
<i>Total</i>	3319	3404	3435	3432	<b>13590</b>
Opiates	26	29	33	17	<b>105</b>
Cocaine	1810	1824	1767	1961	<b>7362</b>
Cannabis	1159	1089	1150	1009	<b>4407</b>
Hallucinogen	47	47	47	24	<b>165</b>
Other	92	74	104	114	<b>384</b>
Other drug	185	341	334	307	<b>1167</b>
<b>Percent Distribution</b>					
<i>Total</i>	100	100	100	100	<b>100</b>
Opiates	0.8	0.9	1.0	0.5	<b>0.8</b>
Cocaine	54.5	53.6	51.4	57.1	<b>54.2</b>
Cannabis	34.9	32.0	33.5	29.4	<b>32.4</b>
Hallucinogen	1.4	1.4	1.4	0.7	<b>1.2</b>
Other	2.8	2.2	3.0	3.3	<b>2.8</b>
Other drug	5.6	10.0	9.7	9.0	<b>8.6</b>

Table B-5

MJDP Prosecutions Initiated by MEG and Non-MEG by Type of Offense, 1995-1998

MEG Cases

	1995	1996	1997	1998	Total
<i>Total</i>	691	848	998	891	3428
Production, Distribution, and Manufacturing	364	445	512	386	1706
Delivery with Intent to Distribute	190	236	250	261	937
Possession	117	142	188	208	655
Other	20	24	49	37	130
Percent Distribution					
<i>Total</i>	100	100	100	100	100
Production, Distribution, and Manufacturing	52.7	52.5	51.2	43.3	49.8
Delivery with Intent to Distribute	27.5	27.9	25.1	29.3	27.3
Possession	16.9	16.8	18.8	23.4	19.1
Other	2.9	2.9	4.9	0.04	3.8

Non-MEG Cases

	1995	1996	1997	1998	Total
<i>Total</i>	1843	2353	2299	2513	9009
Production, Distribution, and Manufacturing	146	573	355	269	1343
Delivery with Intent to Distribute	401	494	544	599	2038
Possession	1267	1236	1366	1587	5456
Other	29	50	35	58	172
Percent Distribution					
<i>Total</i>	100	100	100	100	100
Production, Distribution, and Manufacturing	7.9	24.3	15.4	10.7	14.9
Delivery with Intent to Distribute	21.8	21.0	23.6	23.8	22.6
Possession	68.7	52.5	59.4	63.1	60.6
Other	1.6	2.1	1.5	2.3	1.9

Table B-6

LDP Prosecutions Initiated by MEG and Non-MEG by Type of Offense, 1995-1998

MEG Cases

	1995	1996	1997	1998	Total
<i>Total</i>	756	753	824	892	3225
Production, Distribution, and Manufacturing	306	339	423	392	1460
Delivery with Intent to Distribute	215	257	218	244	934
Possession	169	139	166	247	721
Other	66	18	17	8	109
Percent Distribution					
<i>Total</i>	100	100	100	100	100
Production, Distribution, and Manufacturing	40.5	45.0	51.3	44.0	45.3
Delivery with Intent to Distribute	28.4	34.1	26.5	27.3	29.0
Possession	22.4	18.5	20.1	27.7	22.4
Other	8.7	2.4	2.1	0.9	3.4

Non-MEG Cases

	1995	1996	1997	1998	Total
<i>Total</i>	2563	2651	2611	2540	10365
Production, Distribution, and Manufacturing	250	280	192	191	913
Delivery with Intent to Distribute	462	485	457	409	1813
Possession	1721	1726	1813	1883	7143
Other	130	160	149	58	497
Percent Distribution					
<i>Total</i>	100	100	100	100	100
Production, Distribution, and Manufacturing	9.8	10.6	7.4	7.5	8.8
Delivery with Intent to Distribute	18.0	18.3	17.5	16.1	17.5
Possession	67.1	65.1	69.4	74.1	68.9
Other	5.1	6.0	5.7	2.3	4.8

Table B-7

**MJDP Prosecutions Initiated by MEG and Non-MEG by Type of Drug, 1995-1998**

## MJDP MEG Cases

	<b>1995</b>	<b>1996</b>	<b>1997</b>	<b>1998</b>	<b>Total</b>
<i>Total</i>	691	848	998	891	<b>3428</b>
Opiates	23	36	8	10	<b>78</b>
Cocaine	515	616	714	668	<b>2513</b>
Cannabis	120	161	195	147	<b>624</b>
Hallucinogen	4	9	20	13	<b>46</b>
Other	6	3	1	5	<b>15</b>
Other drug	23	22	60	47	<b>152</b>
Percent Distribution					
<i>Total</i>	100	100	100	100	<b>100</b>
Opiates	3.3	4.3	0.8	1.2	<b>2.3</b>
Cocaine	74.5	72.7	71.5	75.0	<b>73.3</b>
Cannabis	17.4	19.0	19.5	16.5	<b>18.2</b>
Hallucinogen	0.6	1.1	2.0	1.5	<b>1.3</b>
Other	0.9	0.4	0.1	0.6	<b>0.4</b>
Other drug	3.3	2.6	6.1	5.3	<b>4.4</b>

## MJDP Non-MEG Cases

	1995	1996	1997	1998	<b>Total</b>
<i>Total</i>	1843	2353	2299	2513	<b>9009</b>
Opiates	48	136	64	88	<b>336</b>
Cocaine	1452	1848	1760	1958	<b>7018</b>
Cannabis	259	315	365	319	<b>1258</b>
Hallucinogen	23	6	44	41	<b>115</b>
Other	40	21	28	37	<b>126</b>
Other drug	21	28	39	69	<b>157</b>
Percent Distribution					
<i>Total</i>	100	100	100	100	<b>100</b>
Opiates	2.6	5.8	2.8	3.5	<b>3.7</b>
Cocaine	78.8	78.5	76.5	77.9	<b>77.9</b>
Cannabis	14.1	13.4	15.9	12.7	<b>14.0</b>
Hallucinogen	1.2	0.3	1.9	1.6	<b>1.3</b>
Other	2.2	0.9	1.2	1.5	<b>1.4</b>
Other drug	1.1	1.2	1.7	2.8	<b>1.7</b>

Table B-8

LDP Prosecutions Initiated by MEG and Non-MEG by Type of Drug, 1995-1998

LDP MEG Cases

	1995	1996	1997	1998	Total
<i>Total</i>	756	753	824	892	<b>3225</b>
Opiates	1	9	18	2	<b>30</b>
Cocaine	408	434	485	528	<b>1855</b>
Cannabis	289	243	228	278	<b>1038</b>
Hallucinogen	14	20	29	8	<b>71</b>
Other	24	18	38	37	<b>117</b>
Other drug	20	29	26	37	<b>112</b>
Percent Distribution					
<i>Total</i>	100	100	100	100	<b>100</b>
Opiates	0.1	1.2	2.2	0.3	<b>0.9</b>
Cocaine	54.0	57.6	58.9	59.2	<b>57.5</b>
Cannabis	38.2	32.3	27.7	31.2	<b>32.2</b>
Hallucinogen	1.9	2.7	3.5	0.9	<b>2.2</b>
Other	3.2	2.4	4.6	4.2	<b>3.6</b>
Other drug	2.6	3.9	3.2	4.2	<b>3.5</b>

LDP Non-MEG Cases

	1995	1996	1997	1998	Total
<i>Total</i>	2563	2651	2611	2540	<b>10365</b>
Opiates	25	20	15	14	<b>74</b>
Cocaine	1402	1390	1282	1433	<b>5507</b>
Cannabis	870	846	922	731	<b>3369</b>
Hallucinogen	33	27	18	16	<b>94</b>
Other	68	56	66	77	<b>267</b>
Other drug	165	312	308	270	<b>1055</b>
Percent Distribution					
<i>Total</i>	100	100	100	100	<b>100</b>
Opiates	1.0	0.8	0.6	0.6	<b>0.7</b>
Cocaine	54.7	52.4	49.1	56.4	<b>53.1</b>
Cannabis	33.9	31.9	35.3	28.8	<b>32.5</b>
Hallucinogen	1.3	1.0	0.7	0.6	<b>0.9</b>
Other	2.7	2.1	2.5	3.0	<b>2.6</b>
Other drug	6.4	11.8	11.8	10.6	<b>10.2</b>

Table B-9

Dispositions by Type for MJDP and LDP, 1995-1998

MJDP

	1995	1996	1997	1998	Total
<i>Total</i>	2280	2556	2958	2885	<b>10703</b>
Acquitted	34	22	40	19	<b>115</b>
Nolle Pros.	262	225	276	337	<b>1124</b>
Convicted	1984	2309	2642	2529	<b>9464</b>
Percent Distribution					
<i>Total</i>	100	100	100	100	<b>100</b>
Acquitted	1.5	0.9	1.4	0.7	<b>1.1</b>
Nolle Pros.	11.5	8.8	9.3	11.7	<b>10.5</b>
Convicted	87.0	90.3	89.3	87.7	<b>88.4</b>

LDP

	1995	1996	1997	1998	Total
<i>Total</i>	2997	2807	3159	2777	<b>11740</b>
Acquitted	20	10	22	14	<b>66</b>
Nol. Pros.	340	406	451	320	<b>1517</b>
Convicted	2637	2391	2686	2443	<b>10157</b>
Percent Distribution					
<i>Total</i>	100	100	100	100	<b>100</b>
Acquitted	0.7	0.4	0.7	0.5	<b>0.6</b>
Nolle Pros.	11.3	14.5	14.3	11.5	<b>12.9</b>
Convicted	88	85.2	85	88	<b>86.5</b>



Table B-10

## MJDP Cases Found Not Guilty by Type of Drug, 1995-1998

	1995	1996	1997	1998	Total
<i>Total</i>	34	22	40	19	<b>115</b>
Opiates	2	1	0	0	<b>3</b>
Cocaine	23	16	29	13	<b>81</b>
Cannabis	9	5	9	4	<b>27</b>
Hallucinogens	0	0	0	1	<b>1</b>
Other Dangerous Drugs	0	0	1	0	<b>1</b>
Other					
Percent Distribution					
<i>Total</i>	100	100	100	100	<b>100</b>
Opiates	5.9	4.9	0.0	0.0	<b>2.7</b>
Cocaine	67.5	71.3	73.0	71.9	<b>70.8</b>
Cannabis	26.7	23.8	21.7	22.7	<b>23.8</b>
Hallucinogens	0.0	0.0	2.5	0.0	<b>0.9</b>
Other Dangerous Drugs	0.0	0.0	0.0	5.4	<b>0.9</b>
Other	0.0	0.0	2.5	0.0	<b>0.9</b>

Table B-11

## LDP Cases Found Not Guilty by Type of Drug, 1995-1998

	1995	1996	1997	1998	Total
<i>Total</i>	20	10	22	14	<b>66</b>
Opiates	0	0	0	0	<b>0</b>
Cocaine	14	6	10	10	<b>40</b>
Cannabis	4	3	10	2	<b>19</b>
Hallucinogens	0	0	0	0	<b>0</b>
Other Dangerous Drugs	0	0	2	0	<b>2</b>
Other	2	1	0	2	<b>5</b>
Percent Distribution					
<i>Total</i>	100	100	100	100	<b>100</b>
Opiates	0.0	0.0	0.0	0.0	<b>0.0</b>
Cocaine	70.0	60.0	45.5	70.1	<b>60.3</b>
Cannabis	20.0	30.0	45.5	15.6	<b>29.1</b>
Hallucinogens	0.0	0.0	0.0	0.0	<b>0.0</b>
Other Dangerous Drugs	0.0	0.0	9.1	0.0	<b>3.0</b>
Other	10.0	10.0	0.0	15.6	<b>7.9</b>

Table B-12

**MJDP Cases Disposed by Nolle Prosequi by Type of Drug, 1995-1998**

	<b>1995</b>	<b>1996</b>	<b>1997</b>	<b>1998</b>	<b>Total</b>
<i>Total</i>	262	225	276	337	<b>1124</b>
Opiates	8	4	8	4	<b>24</b>
Cocaine	226	192	216	269	<b>927</b>
Cannabis	14	22	41	37	<b>114</b>
Hallucinogens	3	1	5	2	<b>11</b>
Other Dangerous Drugs	9	0	1	6	<b>16</b>
Other	2	5	5	19	<b>32</b>
Percent Distribution					
<i>Total</i>	100	100	100	100	<b>100</b>
Opiates	3.1	1.9	2.9	1.2	<b>2.2</b>
Cocaine	86.4	85.3	78.1	79.7	<b>82.4</b>
Cannabis	5.3	9.7	15.0	10.9	<b>10.2</b>
Hallucinogens	1.1	0.5	1.9	0.6	<b>1.0</b>
Other Dangerous Drugs	3.5	0.0	0.4	1.9	<b>1.5</b>
Other	0.8	2.3	1.8	5.7	<b>2.8</b>

Table B-13

**LDP Cases Nolle Prosequi by Type of Drug, 1995-1998**

	<b>1995</b>	<b>1996</b>	<b>1997</b>	<b>1998</b>	<b>Total</b>
<i>Total</i>	340	406	451	320	<b>1517</b>
Opiates	3	7	1	3	<b>14</b>
Cocaine	196	179	264	176	<b>815</b>
Cannabis	87	126	114	93	<b>420</b>
Hallucinogens	11	7	11	1	<b>30</b>
Other Dangerous Drugs	9	12	11	20	<b>52</b>
Other	34	75	50	27	<b>186</b>
Percent Distribution					
<i>Total</i>	100	100	100	100	<b>100</b>
Opiates	0.9	1.7	0.2	1.0	<b>0.9</b>
Cocaine	57.6	44.1	58.5	54.9	<b>53.7</b>
Cannabis	25.6	31.0	25.3	29.0	<b>27.7</b>
Hallucinogens	3.2	1.7	2.4	0.3	<b>2.0</b>
Other Dangerous Drugs	2.6	3.0	2.4	6.1	<b>3.4</b>
Other	10.0	18.5	11.1	8.5	<b>12.3</b>

Table B-14

## MJDP Convictions by Type of Offense. 1995-1998

	<b>1995</b>	<b>1996</b>	<b>1997</b>	<b>1998</b>	<b>Total</b>
<i>Total</i>	1984	2309	2642	2529	<b>9464</b>
Production, Distribution, Manufacturing	396	630	646	579	<b>2251</b>
Delivery with Intent to Distribute	346	405	544	532	<b>1827</b>
Possession	1211	1226	1381	1338	<b>5156</b>
Other	31	49	71	80	<b>231</b>
Percent Distribution					
<i>Total</i>	100	100	100	100	<b>100</b>
Production, Distribution, Manufacturing	20.0	27.3	24.5	22.9	<b>23.8</b>
Delivery with Intent to Distribute	17.4	17.5	20.6	21.0	<b>19.3</b>
Possession	61.0	53.1	52.3	52.9	<b>54.5</b>
Other	1.6	2.1	2.7	3.1	<b>2.4</b>

Table B-15

## LDP Convictions by Type of Offense. 1995-1998

	<b>1995</b>	<b>1996</b>	<b>1997</b>	<b>1998</b>	<b>Total</b>
<i>Total</i>	2637	2391	2686	2443	<b>10157</b>
Production, Distribution, Manufacturing	494	419	553	503	<b>1969</b>
Delivery with Intent to Distribute	406	390	378	378	<b>1552</b>
Possession	1562	1377	1614	1495	<b>6048</b>
Other	175	205	141	67	<b>588</b>
Percent Distribution					
<i>Total</i>	100	100	100	100	<b>100</b>
Production, Distribution, Manufacturing	18.7	17.5	20.6	20.6	<b>19.4</b>
Delivery with Intent to Distribute	15.4	16.3	14.1	15.5	<b>15.3</b>
Possession	59.2	57.6	60.1	61.2	<b>59.5</b>
Other	6.6	8.6	5.2	2.8	<b>5.8</b>

Table B-16

**MJDP Convictions by Type of Drug, 1995-1998**

	<b>1995</b>	<b>1996</b>	<b>1997</b>	<b>1998</b>	<b>Total</b>
<i>Total</i>	1984	2309	2642	2529	<b>9464</b>
Opiates	25	65	50	62	<b>202</b>
Cocaine	1581	1765	1987	1955	<b>7287</b>
Cannabis	303	383	451	353	<b>1490</b>
Hallucinogen	27	30	43	51	<b>151</b>
Other	12	21	26	26	<b>86</b>
Other drug	36	46	85	82	<b>248</b>
Percent Distribution					
<i>Total</i>	100	100	100	100	<b>100</b>
Opiates	1.3	2.8	1.9	2.4	<b>2.1</b>
Cocaine	79.7	76.4	75.2	77.3	<b>77.0</b>
Cannabis	15.3	16.6	17.1	14.0	<b>15.7</b>
Hallucinogen	1.4	1.3	1.6	2.0	<b>1.6</b>
Other	0.6	0.9	1.0	1.0	<b>0.9</b>
Other drug	1.8	2.0	3.2	3.2	<b>2.6</b>

Table B-17

**LDP Convictions by Type of Drug, 1995-1998**

	<b>1995</b>	<b>1996</b>	<b>1997</b>	<b>1998</b>	<b>Total</b>
<i>Total</i>	2637	2391	2686	2443	<b>10157</b>
Opiates	20	25	11	10	<b>66</b>
Cocaine	1450	1241	1385	1327	<b>5403</b>
Cannabis	940	782	853	827	<b>3402</b>
Hallucinogen	25	40	36	34	<b>135</b>
Other	69	46	69	65	<b>249</b>
Other drug	133	257	332	181	<b>903</b>
Percent Distribution					
<i>Total</i>	100	100	100	100	<b>100</b>
Opiates	0.8	1.0	0.4	0.4	<b>0.6</b>
Cocaine	55.0	51.9	51.6	54.3	<b>53.2</b>
Cannabis	35.6	32.7	31.8	33.8	<b>33.5</b>
Hallucinogen	0.9	1.7	1.3	1.4	<b>1.3</b>
Other	2.6	1.9	2.6	2.7	<b>2.4</b>
Other drug	5.0	10.7	12.4	7.4	<b>8.9</b>

Table B-18

**MJDP Convictions by MEG and Non-MEG Cases. 1995-1998**

	1995	1996	1997	1998	Total
<i>Total</i>	1984	2309	2642	2529	<b>9464</b>
MEG	380	714	885	847	<b>2826</b>
Non-MEG	1604	1595	1757	1683	<b>6639</b>
Percent Distribution					
<i>Total</i>	100	100	100	100	<b>100</b>
MEG	19.2	30.9	33.5	33.5	<b>29.9</b>
Non-MEG	80.8	69.1	66.5	66.5	<b>70.1</b>

Table B-19

**LDP Convictions by MEG and Non-MEG Cases. 1995-1998**

	1995	1996	1997	1998	Total
<i>Total</i>	2637	2391	2686	2443	<b>10157</b>
MEG	645	516	602	776	<b>2539</b>
Non-MEG	1992	1875	2084	1667	<b>7618</b>
Percent Distribution					
<i>Total</i>	100	100	100	100	<b>100</b>
MEG	24.5	21.6	22.4	31.8	<b>25.0</b>
Non-MEG	75.5	78.4	77.6	68.2	<b>75.0</b>

Table B-20

**Distribution of MJDP Cases by Type of Sentence. 1995-1998**

	<b>1995</b>	<b>1996</b>	<b>1997</b>	<b>1998</b>	<b>Total</b>
<i>Total</i>	2205	2333	2537	2503	<b>9578</b>
Prison	708	733	810	723	<b>2974</b>
Local Jail	33	32	26	61	<b>153</b>
Jail and Probation	429	540	661	669	<b>2299</b>
Community corrections	62	36	11	5	<b>114</b>
Probation	912	958	970	981	<b>3822</b>
Other	61	33	59	64	<b>217</b>
Percent Distribution					
<i>Total</i>	100	100	100	100	<b>100</b>
Prison	32.1	31.4	31.9	28.9	<b>31.0</b>
Local Jail	1.5	1.4	1.0	2.4	<b>1.6</b>
Jail and Probation	19.5	23.2	26.0	26.7	<b>24.0</b>
Community corrections	2.8	1.6	0.4	0.2	<b>1.2</b>
Probation	41.4	41.1	38.2	39.2	<b>39.9</b>
Other	2.8	1.4	2.3	2.5	<b>2.3</b>

Table B-21

**Distribution of LDP Cases by Type of Sentence. 1995-1998**

	<b>1995</b>	<b>1996</b>	<b>1997</b>	<b>1998</b>	<b>Total</b>
<i>Total</i>	2499	2446	2598	2377	<b>9920</b>
Prison	568	629	691	654	<b>2542</b>
Local Jail	91	82	44	76	<b>293</b>
Jail and Probation	407	384	410	382	<b>1583</b>
Community corrections	95	135	6	5	<b>241</b>
Probation	1230	1084	1275	1048	<b>4637</b>
Other	108	132	172	214	<b>626</b>
Percent Distribution					
<i>Total</i>	100	100	100	100	<b>100</b>
Prison	22.7	25.7	26.6	27.5	<b>25.6</b>
Local Jail	3.6	3.4	1.7	3.2	<b>2.9</b>
Jail and Probation	16.3	15.7	15.8	16.1	<b>16.0</b>
Community corrections	3.8	5.5	0.2	0.2	<b>2.4</b>
Probation	49.2	44.3	49.1	44.1	<b>46.7</b>
Other	4.3	5.4	6.6	9.0	<b>6.3</b>

Table B-22

MJDP Incarceration Rates\* by Type of Drug, 1995-1998

	1995	1996	1997	1998	Total
Opiates					
Initiated	73	61	50	48	233
Incarcerated	42	35	21	36	134
Cocaine					
Initiated	1731	1773	1905	1939	7348
Incarcerated	967	1000	1164	1154	4285
Cannabis					
Initiated	325	392	433	359	1509
Incarcerated	126	214	222	182	744
Hallucinogen					
Initiated	30	38	40	52	159
Incarcerated	13	23	27	34	97
Other Dangerous Drug					
Initiated	14	21	29	27	91
Incarcerated	5	9	13	6	33
Other Drug					
Initiated	32	47	81	78	237
Incarcerated	17	25	50	40	132
Incarceration rates					
Opiates	57.5	56.8	41.8	74.4	57.4
Cocaine	55.9	56.4	61.1	59.5	58.3
Cannabis	38.8	54.5	51.3	50.7	49.3
Hallucinogens	43.3	61.7	68.3	65.3	61.1
Other dangerous drugs	35.7	40.0	46.2	23.1	36.2
Other	53.1	53.2	61.8	52.0	55.7

\*Incarceration includes sentences with prison and/or jail.

Table B-23

LDP Incarceration Rates\* by Type of Drug, 1995-1998

	1995	1996	1997	1998	Total
Opiates					
Initiated	15	23	16	10	64
Incarcerated	8	6	11	6	31
Cocaine					
Initiated	1385	1232	1355	1259	5231
Incarcerated	697	635	721	690	2743
Cannabis					
Initiated	870	850	796	853	3369
Incarcerated	254	306	235	268	1063
Hallucinogen					
Initiated	26	42	33	30	131
Incarcerated	15	24	22	28	89
Other Dangerous Drug					
Initiated	75	49	67	64	255
Incarcerated	29	21	41	32	123
Other Drug					
Initiated	128	250	331	162	871
Incarcerated	63	103	115	88	369
Incarceration rates					
Opiates	53.3	26.1	68.8	62.5	48.7
Cocaine	50.3	51.5	53.2	54.8	52.4
Cannabis	29.2	36.0	29.5	31.4	31.5
Hallucinogens	57.7	57.1	66.7	92.0	67.6
Other dangerous drugs	38.7	42.9	61.2	50.9	48.5
Other	49.2	41.2	34.7	54.1	42.3

\*Incarceration includes sentences with prison and/or jail.



Table B-24

**MJDP Forfeiture Investigations and Search Warrants, 1995-1998**

	<b>1995</b>	<b>1996</b>	<b>1997</b>	<b>1998</b>	<b>Total</b>
Investigations Pending at Beginning	1573	1234	1045	892	<b>4744</b>
Investigations Initiated	306	226	109	145	<b>786</b>
Investigations Closed	234	111	96	175	<b>616</b>
Investigations Pending at End	1639	1256	1030	824	<b>4749</b>
Search Warrants Prepared	358	539	610	594	<b>2101</b>

Table B-25

**LDP Forfeiture Investigations and Search Warrants, 1995-1998**

	<b>1995</b>	<b>1996</b>	<b>1997</b>	<b>1998</b>	<b>Total</b>
Investigations Pending at Beginning	0	0	64	0	<b>64</b>
Investigations Initiated	0	0	9	0	<b>9</b>
Investigations Closed	0	0	6	0	<b>6</b>
Investigations Pending at End	0	0	67	0	<b>67</b>
Search Warrants Prepared	524	569	604	451	<b>2148</b>

Table B-26

## MJDP Forfeitures and Judgments. 1995-1998

	1995	1996	1997	1998	Total
<b>Forfeitures Filed</b>					
Administrative	850	644	960	20661	<b>23115</b>
Judicial	60	88	120	110	<b>378</b>
<b>Fofeiture Judgements</b>					
Administrative	743	522	623	648	<b>2536</b>
Judicial	1355	94	132	157	<b>1738</b>
<b>Value of Forfeitures</b>					
Administrative Forfeitures -- Cash	\$ 1,977,177	\$ 1,676,844	\$ 619,662	\$ 480,020	<b>\$ 4,753,704</b>
Administrative Forfeitures -- Other	\$ 362,952	\$ 204,042	\$ 483,970	\$ 347,513	<b>\$ 1,398,477</b>
Judicial Forfeitures -- Cash	\$ 1,704,801	\$ 518,055	\$ 745,130	\$ 2,465,506	<b>\$ 5,433,492</b>
Judicial Forfeitures -- Other	\$ 476,925	\$ 151,472	\$ 508,976	\$ 592,249	<b>\$ 1,729,622</b>
<b>Total Value of Fofeitures</b>	<b>\$ 4,521,855</b>	<b>\$ 2,550,413</b>	<b>\$ 2,357,738</b>	<b>\$ 3,885,288</b>	<b>\$ 13,315,294</b>

Table B-27

## LDP Forfeitures and Judgments. 1995-1998

	1995	1996	1997	1998	Total
<b>Forfeitures Filed</b>					
Administrative	979	1118	1281	893	<b>4271</b>
Judicial	144	113	118	116	<b>491</b>
<b>Fofeiture Judgements</b>					
Administrative	960	875	1284	925	<b>4044</b>
Judicial	125	119	79	91	<b>414</b>
<b>Value of Forfeitures</b>					
Administrative Forfeitures -- Cash	\$ 901,693	\$ 832,977	\$ 1,127,075	\$ 656,278	<b>\$ 3,518,022</b>
Administrative Forfeitures -- Other	\$ 227,803	\$ 183,434	\$ 275,524	\$ 274,203	<b>\$ 960,964</b>
Judicial Forfeitures -- Cash	\$ 497,200	\$ 995,133	\$ 867,703	\$ 527,191	<b>\$ 2,887,226</b>
Judicial Forfeitures -- Other	\$ 107,156	\$ 103,083	\$ 52,461	\$ 16,340	<b>\$ 279,040</b>
<b>Total Value of Fofeitures</b>	<b>\$ 1,733,851</b>	<b>\$ 2,114,626</b>	<b>\$ 2,322,763</b>	<b>\$ 1,474,012</b>	<b>\$ 7,645,253</b>

## **Appendix C**

### **Surveys from MEG Commanders, MJDP and LDP Prosecutors**

# MEG Commander Survey Responses and Survey Instrument

**Characteristics of Multi-jurisdictional Enforcement Groups and Task Forces**

	<b>South-western Illinois MEG</b>	<b>Multi-County Narcotic MEG</b>	<b>Quad City MEG</b>	<b>Kankakee Area MEG</b>
<b>Counties served</b>	Madison & St. Clair Counties	Peoria, Tazewell, Knox, Marshall, Stark	Rock Island County (IL), Scott County (IA)	Kankakee County
<b>Q1</b>				
Total number of personnel assigned to MEG:	23	11	17	19
<i>Full-time law enforcement officers</i>	19	10	13	16
<i>Part-time law enforcement officers</i>			1	
<i>SA's investigators assigned full-time</i>			1	
<i>Financial investigators assigned part-time</i>	1			1
<i>Financial investigators assigned full-time</i>			1	
<i>Support staff</i>	3	1	1	2
<b>Q2</b>				
Number of local law enforcement agencies in MEG/TF jurisdiction	28	19	26	8
<b>Q3</b>				
Number of local law enforcement agencies with personnel assigned to unit	10	7	7	5
<b>Q4</b>				
Number of state and/or federal law enforcement personnel assigned to the MEG/TF	5 state	3 state	2 state	1 state
<b>Q5</b>				
Number of drug cases investigated by the unit in 1997	281	211	200	115
<i>Felonies</i>				
<i>Misdemeanors</i>	12			2

**Characteristics of Multi-jurisdictional Enforcement Groups and Task Forces**

	<b>South-western Illinois MEG</b>	<b>Multi-County Narcotic MEG</b>	<b>Quad City MEG</b>	<b>Kankakee Area MEG</b>
Q6 The three most prevalent drug felonies investigated: <i>First Prevalent</i> <i>Second Prevalent</i> <i>Third Prevalent</i>	delivery of a controlled substance manufacture or delivery of cannabis possession of controlled substance	cocaine cannabis LSD	cannabis cocaine meth	cocaine cannabis heroin
Q7 MEG/TF grade of the typical quality of drug case reports received from law enforcement officers	B	rarely receive reports	C	A
Q8 MEG/TF has written policies and procedures for operation and management	yes	yes	yes	yes
Q9 Number of other drug task forces in operation in jurisdiction	2	1	1	0
Q10 Involvement in other task forces activities (if they exist)	frequent	frequent	frequent	no answer provided
Q11 Written agreement between the MEG and the MJDP or LDP	no answer provided	no answer provided	no	no
Q12 MEG/TF personnel who handles the asset forfeitures	MEGS/state police or DEA	MJDP or LDP prosecutor	asset seizure coordinator	asset forfeiture officer

**Characteristics of Multi-jurisdictional Enforcement Groups and Task Forces**

	<b>South-western Illinois MEG</b>	<b>Multi-County Narcotic MEG</b>	<b>Quad City MEG</b>	<b>Kankakee Area MEG</b>
Q13 Characterization of the working relationship between the MEG/TF and the MJDP or LDP	no answer provided	excellent	good	excellent
Q14 To what do you attribute the relationship between the MEG and the MJDP?	no answer provided	She has a good rapport with all local agencies. She is very diligent.	working closely together	understanding of each others needs, LDP need quality paperwork to prosecute cases, timely paperwork. Officers need to be involved & informed about cases and decisions in cases
Q15 Prosecutor's office provides police training in drug investigative methods	none	on the job	none	formal & on the job
Q16 Grade of formal training	no answer provided	no answer provided	no answer provided	B
Q17 MJDP or LDP prosecutor guides o directs investigations	no answer provided	never	seldom	sometimes
Q18 MJDP or LDP prosecutor involvement in search warrant preparation	no answer provided	never	seldom	always
Q19 MJDP or LDP prosecutor involvement in the preparation of court orders for wire taps and other MEG activity	no answer provided	never	sometimes	always
Q20 Frequency of the MJDP or LDP prosecutor accompany the MEG/TF on raids?	no answer provided	never	seldom	seldom
Q21 MJDP or LDP prosecutor accompanies the MEG in field exercises	no answer provided	never	never	seldom
Q22 Grade of MJDP or LDP prosecutor's trial abilities	no answer provided	never	never	seldom
		B	B	B

**Characteristics of Multi-jurisdictional Enforcement Groups and Task Forces**

	<b>South-western Illinois MEG</b>	<b>Multi-County Narcotic MEG</b>	<b>Quad City MEG</b>	<b>Kankakee Area MEG</b>
Q23 Decisionmaker to close a case or investigation	MEG commander	MEG commander	MEG unit supervisors usually	joint decision
Q24 Level of involvement of the MEG in decisions to make an arrest	involved at each level	no answer provided	involved at each level	involved at each level
Q25 SA personnel who reviews or authorizes felony drug case intake filings	prosecutors rotate duty on regular basis	varies with each county	LDP prosecutor	MJPD or LDP prosecutor
Q26 Frequency of MEG/TF cases authorized by the MJDP or LDP prosecutor before they are filed in the court <i>Felonies</i> <i>Misdemeanors</i>	no answer provided no answer provided	never never	frequently no answer provided	always always
Q27 MJDP or LDP prosecutor's plea offer policy	no answer provided	no answer provided	no stated office policy, ASA discretion	no stated office policy, ASA discretion
Q28 Level of involvement of the MEG in plea negotiations	limited involvement	varies with each county	involved at each level	involved at each level
Q29 Impact that the loss of the MJDP or LDP program have on the unit's ability to function	no answer provided	it would make our jobs much more difficult, but we could still function	it would make our jobs much more difficult, but we could still function	it would make our jobs much more difficult, but we could still function



**Characteristics of Multi-jurisdictional Enforcement Groups and Task Forces**

	<b>Champaign Task Force</b>	<b>Jefferson Task Force</b>	<b>Task Force X</b>	<b>McLean Task Force</b>	<b>Sangamon Task Force</b>
Counties served	Champaign County	Jefferson County	Macon County	McLean County	Sangamon County
Q1 Total number of personnel assigned to MEG:	18	4	10	16	18
<i>Full-time law enforcement officers</i>	14	4	9	14	17
<i>Part-time law enforcement officers</i>	1				
<i>SA's investigators assigned full-time</i>	1				
<i>Financial investigators assigned part-time</i>					
<i>Financial investigators assigned full-time</i>	1				
<i>Support staff</i>	1		1	2	1
Q2 Number of local law enforcement agencies in MEG/TF jurisdiction	5	2	3	7	15
Q3 Number of local law enforcement agencies with personnel assigned to unit	5	2	3	5	8
Q4 Number of state and/or federal law enforcement personnel assigned to the MEG/TF	2 state 1 federal	1 federal	2 state	6 state	7 state 2 federal
Q5 Number of drug cases investigated by the unit in 1997	406	115	406	197	no answer provided
<i>Felonies</i>		95		11	no answer provided
<i>Misdemeanors</i>					

**Characteristics of Multi-Jurisdictional Enforcement Groups and Task Forces**

	<b>Champaign Task Force</b>	<b>Jefferson Task Force</b>	<b>Task Force X</b>	<b>McLean Task Force</b>	<b>Sangamon Task Force</b>
Q6 The three most prevalent drug felonies investigated:					
<i>First Prevalent</i>	crack cocaine	delivery controlled substance crack	crack cocaine	cocaine	cocaine
<i>Second Prevalent</i>	cannabis	possession controlled substance crack	heroin & powder	marijuana	meth-amphetamine
<i>Third Prevalent</i>	heroin & powder cocaine	manufacture/delivery cannabis	marijuana	meth-amphetamine	cannabis
Q7 MEG/TF grade of the typical quality of drug case reports received from law enforcement officers	B	B	C	B	B
Q8 MEG/TF has written policies and procedures for operation and management	yes	yes	yes	yes	yes
Q9 Number of other drug task forces in operation in jurisdiction	0	1	0	0	3
Q10 Involvement in other task forces activities (if they exist)	no answer provided	only in special circumstances	rarely or never	no answer provided	frequent
Q11 Written agreement between the MEG and the MJDP or LDP	no	no	no answer provided	no	no
Q12 MEG/TF personnel who handles the asset forfeitures	asset forfeiture and seizure clerk through LDP prosecutor or federal prosecutor		MJDP/LDP prosecutor	MJDP/LDP prosecutor & federal prosecutors	federal prosecutors & individual county prosecutors

Characteristics of Multi-jurisdictional Enforcement Groups and Task Forces

	Champaign Task Force	Jefferson Task Force	Task Force X	McLean Task Force	Sangamon Task Force
Q13 Characterization of the working relationship between the MEG/TF and the MJDP or LDP	good	excellent	excellent	excellent	good
Q14 To what do you attribute the relationship between the MEG and the MJDP?	good communication & response	trust in each others judgements/decisions	no answer provided	no answer provided	smaller counties, person to person contact
Q15 Prosecutor's office provides police training in drug investigative methods	none	on the job	none	none	none
Q16 Grade of formal training	no answer provided	no answer provided	no answer provided	no answer provided	no answer provided
Q17 MJDP or LDP prosecutor guides o directs investigations	never	sometimes	always	seldom	seldom
Q18 MJDP or LDP prosecutor involvement in search warrant preparation	frequently	always	always	frequently	frequently
Q19 MJDP or LDP prosecutor involvement in the preparation of court orders for wire taps and other MEG activity	always	frequently	always	always	frequently
Q20 Frequency of the MJDP or LDP prosecutor accompany the MEG/TF on raids?	sometimes	seldom	never	seldom	seldom
Q21 MJDP or LDP prosecutor accompanies the MEG in field exercises	never	seldom	never	sometimes	seldom
Q22 Grade of MJDP or LDP prosecutor's trial abilities	B	A	A	B	varies by county

Characteristics of Multi-jurisdictional Enforcement Groups and Task Forces

	Champaign Task Force	Jefferson Task Force	Task Force X	McLean Task Force	Sangamon Task Force
Q23	Decisionmaker to close a case or investigation	depends on the stage of the investigation	MEG commander	MEG commander	case agent, squad leader & prosecutor
Q24	Level of involvement of the MEG in decisions to make an arrest	involved at each level	involved at each level	involved at each level	involved at each level
Q25	SA personnel who reviews or authorizes felony drug case intake filings	no felony review	MJDP or LDP prosecutor	MJDP or LDP prosecutor	any prosecutor is available to review and authorize, warrant officer
Q26	Frequency of MEG/TF cases authorized by the MJDP or LDP prosecutor before they are filed in the court <i>Felonies</i> <i>Misdemeanors</i>	always always	always always	frequently sometimes	always always
Q27	MJDP or LDP prosecutor's plea offer policy	no stated office policy, ASA discretion	no stated office policy, ASA discretion	no stated office policy, ASA discretion	no stated office policy, ASA discretion
Q28	Level of involvement of the MEG in plea negotiations	limited involvement	limited involvement	limited involvement	varies by county
Q29	Impact that the loss of the MJDP or LDP program have on the unit's ability to function	it would make our jobs much more difficult, but we could still function	it would make our jobs much more difficult, but we could still function	it would make our jobs much more difficult, but we could still function	no answer provided

# MJDP Survey Responses and Survey Instrument

Comparison of Survey Responses from Multi-Jurisdictional Drug Prosecution Units

Q#	Cook	DuPage	Kane	Lake	McHenry	St.Claire	Will
Q1	5 million +	1 million	300,000	550,000	225,000	262,852	400,000
Q2	Chicago	Naperville	Aurora	Waukegan	18,000	Belleville	Joliet
Q3	886 Attorneys excluding SA 800 Non-attorney staff 173 Investigators (SA)	80 80 10	59 2	54 43 5	19 13 2	21 16 6	45 37 1
Q4	Number of Attorneys assigned						
	to:						
	Felony prosecution	22	21	22	6	9	23
	Misdemeanors	15	6	7	4	2	7
	Juveniles and Family	12	12	5	2	2	4
	Child support	5	5	3	1	3	1
	Traffic	5	8	6	1	2	3
	Civil	21	7	10	4	1	5
	Other			1 (computer liaison)			2 (Grand Jury)
Q5	65,283	2,551	2,800	3,526	1,580	2,025	2,191
Q6	Charges	Defendants	Defendants	Defendants	Defendants	Charges	Defendants (per incident)
Q7	Three most prevalent felonies						
	First prevalent	Possession of Controlled Substance	Possession of Controlled Substance	Unlawful Possession of Controlled Substance	Aggravated Battery	Theft	Possession of Controlled Substance
	Second prevalent	Retail theft	Property	Burglary	Theft	Burglary	Burglary
	Third prevalent	Criminal Damage to Property	Violent	Retail Theft	Criminal Damage to Property	Violation of CSA	Aggravated Battery
Q8	Number of personnel assigned						
	to unit						
	Full-time prosecutors	4	3	5	1.5	3	5
	Part-time prosecutors	0	3	0	0.5	0	1
	Law enforcement officers	10	0	0	0	0	0
	SA investigators	1	0	1	0	1	0
	Administrative Staff	1	2	2	2	1	3

Comparison of Survey Responses from Multi-Jurisdictional Drug Prosecution Units

Q#	Cook	DuPage	Kane	Lake	McHenry	St.Claire	Will
Q9	Number of Drug Cases investigated by unit last year <i>Felonies</i> <i>Misdemeanors</i>	190 0	200 50	n/a n/a	0 0	504 None	0 0
Q10	Number of Drug Cases filed by unit last year <i>Felonies</i> <i>Misdemeanors</i>	170 0	20 25 by own unit only	944 0	210 Not handled by unit	504 None	656 0
Q11	Three most prevalent drug felonies <i>First prevalent</i> <i>Second prevalent</i> <i>Third prevalent</i>	Cocaine Heroin Marijuana	Possession of Controlled Substance Possession w/ intent to deliver CS Delivery of Controlled Substance	Possession of Controlled Substance Possession w/ intent to deliver CS Delivery of Controlled Substance	Unlawful Delivery Of Cocaine Unlawful Delivery Of Cannabis Unlawful Possession w/ Intent to Deliver Cocaine	Possession of Controlled Substance Possession w/ intent to deliver CS Sale of Controlled Substance	Possession of Controlled Substance Delivery Of Controlled Substance Delivery of Cannabis
Q12	Number of local law enforcement agencies in jurisdiction	140+	20	37	18	36 (4 federal agencies)	35
Q13	Number of local law enforcement agencies who refer cases to unit	12-15	12	21	18	36	35
Q14	Percent of workload provided by largest LLE	80%	45%	567 cases	5%	12%	40%
Q15	Overall quality of reports received from police	B	C	C	B	C	D
Q16	Overall quality of drug reports received from police	C	C	C	A	C	C
Q17	Prosecutor trains police in drug investigation	Yes	Yes	Yes	Yes	No	No

Comparison of Survey Responses from Multi-Jurisdictional Drug Prosecution Units

Q#	Cook MEG, LDIF, S&FDTF	DuPage MEG	Kano MEG, LDIF, S&FDTF	Lake MEG, LDIF, S&FDTF	McHenry S&FDTF	St.Claire MEG, LDIF, S&FDTF	Will MEG, LDIF, S&FDTF
Q18	C	B	B	B	A	C	C
Q19	Yes	Yes	Yes	Yes	No	No	No
Q20	Good	Excellent	Excellent	Excellent	Excellent	Fair	Good
Q21	300?	41	18	31	10	20	22
Q22	38	6	6	5	2	4	5
Q23	0	7	3	4	2	1	2
Q24	0	3	2	2	1	1	1
Q25	0	4	3	7	1	1	3
Q26	0	21	3	13	4 (Civil)	1	11 (Civil)
Q27	No	No	Sometimes	Sometimes	No	No	No
Q28	No such thing	Yes	Yes	No district judges	Yes	Associate judges, if authorized by chief judge	Yes
Q29	Yes	Yes	Yes	Yes	No	Yes	No
Q30	Extensive	Limited to specified areas	Limited to specified areas	Extensive	Very limited/ none	Extensive	Limited to specified areas
Q31	504	46	100	n/a	20	38	49
Q32	93	8	15-20	n/a	6	5	12
Q33	Yes	No	Yes	No	No	No	No
Q34	No	Yes	No	Yes	Yes	Yes	Yes
Q35	Sometimes	Yes	Yes	Yes	Yes	Yes	Yes
Q36	No	No	No	No	No	No	No



Comparison of Survey Responses from Multi-Jurisdictional Drug Prosecution Units

Q#	Cook	DuPage	Kane	Lake	MHenry	St. Claire	Will
Q33	X drug charges not reviewed	X	X	X ongoing charged by ASA who handled investigation	X	X	X
Q34	X	X	X	X	X	X	X
Q35	Horizontal/ certain crimes vertical	Vertical	Trial team	Vertical	Horizontal	Horizontal	Horizontal
Q36	No, unless extreme circumstances	Yes, high profile cases	Yes, high profile cases	Yes, high profile cases	No, never	Yes, high profile cases	Yes, high profile cases
Q37	very few	<1%	30 (50?)	1-2%	0	0	0
Q38	X	X	X	X	X	X	X

Comparison of Survey Responses from Multi-Jurisdictional Drug Prosecution Units

Q#	Cook	DuPage	Kane	Lake	McHenry	St. Claire	Will
Q39							
Plea offer policy best describes office: No reduced plea allowed, after some cutoff date No reduced plea on day of trial No stated office policy, ASA discretion Office policy based on type of case/offense Other		X		X			X
	X		X	certain class of cases require division chief approval	X	Set by disposition policy	
				X			
			X	Approval often sought by division chief	X		X
Q40							
Dismissal policy best describes office: Discretion given to ASAs Dismissals must be OK'd by senior ASASA No dismissals unless special circumstances Other	X	X	X		X		X
Q41							
Informal, open discovery policy for felonies	Yes	No	Yes	No	No	Yes	Yes
Q42							
Discovery begins: At preliminary hearing/ before grand jury After indictment/ upon arraignment After arraignment/ before trial		n/a	X	n/a	n/a	X	X
Q43							
Percent of felonies cases that plead guilty: At felony arraignment After arraignment/ before trial Day of trial/ during trial	0% 85% 15%	2% 93% 5%	50% 30% 23%	1% 90% 9%	5% 50% 45%	5% 86% 3%	5% 20% 75%
Q44							
Evidentiary strength of majority of felony cases	Marginal to strong	Strong	Strong	Strong	Strong	Strong	Marginal

# LDP Survey Responses and Survey Instrument

Comparison of Survey Responses from Local Drug Prosecution Units

Q#	Champaign	Jefferson	Kankakee	Macon	Madison	McLean
Q1	Population	37,000	96,255	115,000	255,000	140,000
Q2	Largest City	Champaign	Kankakee	Decatur	Alton	Bloomington
Q3	Number of Employees	4	17	17	29	19
	Attorneys excluding SA	4.5	15	24	19	18
	Non-attorney staff	0.5	1	2	1	0
	Investigators (SA)					
Q4	Number of Attorneys assigned to:					
	Felony prosecution	2	7	5	11	9
	Misdemeanors	2	2	2	3	3
	Juveniles and Family	2	2	2	2	3
	Child support	0	2	2	5	0
	Traffic	1	2	3	8	2
	Civil	1	2	2	4	2
	Other	n/a	n/a	probation violations	n/a	0
Q5	Number of felonies filed in 1997	363	787	1400	2664	1300
Q6	Filings based on:	defendants	defendants	event or incident	defendants	cases/defendants
Q7	Three most prevalent felonies					
	First prevalent	unlawful delivery of controlled substance	drugs	n/a	retail/theft	domestic violence offenses
	Second prevalent	possession of cocaine	retail thefts	n/a	drug felony	drug
	Third prevalent	aggravated battery	weapons	n/a	battery	theft/burglary

Comparison of Survey Responses from Local Drug Prosecution Units

Q#	Champaign	Jefferson	Kankakee	Macon	Madison	McLean
Q8	Number of personnel assigned to unit Full-time prosecutors Part-time prosecutors Law enforcement officers SA investigators Administrative Staff	1 n/a n/a n/a n/a	1 n/a n/a n/a n/a	1 1 n/a n/a 1	1 0 0 0 1	1 n/a n/a n/a 1.5
Q9	Number of Drug Cases investigated by unit last year Felonies Misdemeanors	n/a n/a	100 100	n/a n/a	n/a n/a	150-200 0
Q10	Number of Drug Cases filed by unit last year Felonies Misdemeanors	750 250	50 78	257 n/a	211 n/a	150 n/a
Q11	Three most prevalent drug felonies First prevalent Second prevalent Third prevalent	possess w/intent to distribute cocaine possession w/intent to distribute cannabis possession of cocaine	unlawful possession of controlled substance unlawful possession of controlled substance manufacture/delivery of cannabis	unlawful possession of cocaine unlawful delivery of cocaine unlawful possession of cannabis	unlawful possession of controlled substance possession of controlled substance unlawful possession of cannabis	delivery of cocaine delivery of other controlled substance possession of controlled substance

Comparison of Survey Responses from Local Drug Prosecution Units

Q#	Champaign	Jefferson	Kankakee	Macon	Madison	McLean
Q12	12	2	15	6	25	15
Q13	12	2	4	6	85	15
Q14	45	80	60	City of Decatur PD	20-30%	60
Q15	B & C	C	C	C+	A & B	B & C
Q16	B	B	C	C+	A & B	A & B
Q17	no	yes	no	yes	no	yes
Q18	LDTF	LDTF, state/federal task force	MEG	LDTF, state/federal drug task force	MEG & LDTF	LDTF, state/federal drug task force
Q19	B	B	B	A-	A	A & B
Q20	no	yes	no	no	no	yes
Q21	good	excellent	excellent	excellent	excellent	excellent
Q22	10	4	8	9	20	10
Q23	3	4	2	2	13	3
Felony cases	1	2	3	2	8	4
Misdemeanor cases	0	2	1	1	1	2
Juvenile cases	1	2	1	1	8	2
Traffic and DUI	0	0	6	0	0	n/a
Other						

Comparison of Survey Responses from Local Drug Prosecution Units

Q#	Champaign	Jefferson	Kankakee	Macon	Madison	McLean
Q24	Have mixed criminal and civil dockets	yes	no	yes	yes	yes
Q25	District court judges take pleas to felonies	yes	yes	yes	no	yes
Q26	Felony court backlogged	no	yes	no	yes	no
Q27	Administrative authority of chief judge over court and its procedures	limited	extensive	limited	extensive	by consensus only
Q28	Number of felony trials conducted in 1997	84	5	19	11	70
Q29	Number of felony drug trials in 1997	42	4	7	<5	10
Q30	Jail under court order for overcrowding	no	no	no	no	no
Q31	Sheriff provide centralized booking for arrests	yes	yes	yes	yes	yes
Q32	Charges authorized by prosecutor before they are filed	yes	yes	yes	yes	yes
	<i>Felonies</i>	yes	yes	yes	yes	yes
	<i>Misdemeanors</i>	yes	yes	yes	no	yes
Q33	Felony intake review carried out by:					
	<i>Designated prosecutor or intake unit</i>	X	X	X	X	X
	<i>Prosecutors on rotation</i>	X				
	<i>Any prosecutor available</i>					
	<i>Other</i>					

Comparison of Survey Responses from Local Drug Prosecution Units

Q#	Champaign	Jefferson	Kankakee	Macon	Madison	McLean
Q34	Most frequently used accusatory process for felonies <i>Filing to preliminary hearing, grand jury waived</i> <i>Filing to grand jury for indictment</i> <i>Filing to preliminary hearing for bindover to grand jury</i> <i>Other</i>	X	X	X	X	X
Q35	Type of ASA case assignment most often used for felonies	horizontal	horizontal	vertical	vertical	vertical - for drugs, major cases, dom. viol. horizontal - general/less serious
Q36	Chief prosecutor try cases	yes - high profile/sensitive cases	no - never	yes - regular	yes - regular caseload	yes - high profile/sensitive cases
Q37	Percent of felony cases disposed at preliminary hearing by guilty plea	0	1	25	15	0
Q38	Plea bargaining policy best describes office: <i>Charge bargaining permitted</i> <i>Sentence bargaining permitted</i> <i>Both charge and sentence bargaining permitted</i> <i>No bargaining</i> <i>Other</i>	X	X	X	X	X



Comparison of Survey Responses from Local Drug Prosecution Units

Q#	Champaign	Jefferson	Kankakee	Macon	Madison	McLean
Q39	<b>Plea offer policy best describes office:</b> No reduced plea allowed, after some cutoff date No reduced plea on day of trial No stated office policy, ASA discretion Office policy based on type of case/offense Other					
	X	X	X	X	X	X
Q40	<b>Dismissal policy best describes office:</b> Discretion given to ASAs Dismissals must be OK'd by senior ASA/SA No dismissals unless special circumstances					
	X	X	X	X	X	X
Q41	<b>Other</b> Informal, open discovery policy for felonies					
	yes	yes	no	no	no	yes
Q42	<b>Discovery begins:</b> At preliminary hearing/ before grand jury After indictment/ upon arraignment After arraignment/ before trial					
	X	X	n/a	n/a	n/a	X
Q43	<b>Percent of felonies cases that plead guilty:</b> At felony arraignment After arraignment/ before trial Day of trial/ during trial					
	X	1 97 2	X	25 65 2	15 75 5	0 80 13
Q44	<b>Evidentiary strength of majority of felony cases</b>					
	strong	marginal	marginal	strong	strong	strong

Comparison of Survey Responses from Local Drug Prosecution Units

Q#	Peoria	Rock Island	Sangamon	Tazewell	Winnebago
Q1	180,000	140,000	190,000	158,000	260,000
Q2	Peoria	Moline	Springfield	Pekin	Rockford
Q3	25	15	25	9	37
Attorneys excluding SA	20	15	27	11	25
Non-attorney staff	1	3	2	2	1
Investigators (SA)					
Q4					
Number of Attorneys assigned					
to:	9	11	8	5	13
Felony prosecution	2	4	8	1	8
Misdemeanors	3	2	3	1	4
Juveniles and Family	3	0	2	0	0
Child support	3	4	see misd.	1	3
Traffic	3	2	4	1	4
Civil	0	0		0	5 (intake/ screening)
Other					
Q5	1148	1132	1,246	697	3205
Number of felonies filed in 1997					
Q6	charges	defendants	defendants	defendants	charges
Filings based on:					
Q7					
Three most prevalent felonies					
First prevalent	retail theft	unlawful possession of controlled substance	unlawful use of weapons	Burglary	controlled substance violation
Second prevalent	unlawful possession of controlled substance	Forgery	unlawful possession of controlled substance	aggravated battery	vehicle burglary
Third prevalent	aggravated battery	Deceptive Practices	aggravated battery	retail theft	felony theft

Comparison of Survey Responses from Local Drug Prosecution Units

Q#	Peoria	Rock Island	Sangamon	Tazewell	Winnebago
Q8					
Number of personnel assigned to unit	1	1	1	9	3
Full-time prosecutors	n/a	0	0	0	0
Part-time prosecutors	n/a	0	0	0	0
Law enforcement officers	n/a	0	0	2	0
SA investigators	n/a	1	0	11	1
Administrative Staff					
Q9					
Number of Drug Cases investigated by unit last year	0	190	~400-500	unknown	unavailable
Felonies	n/a	50	~600-700	unknown	unavailable
Misdemeanors					
Q10					
Number of Drug Cases filed by unit last year	0	147	350	74	~540
Felonies	n/a	32	430	184	unavailable
Misdemeanors					
Q11					
Three most prevalent drug felonies					
First prevalent	possession of controlled substance	possession of controlled substance	possession of controlled substance	possession of cannabis	possession of small amounts
Second prevalent	unlawful possession w/intent to deliver	delivery of other controlled substance	possession of cannabis	delivery of cannabis	delivery of small amounts
Third prevalent	unlawful delivery of controlled substance	delivery of cannabis	delivery of controlled substance	possession of cocaine	mid-level delivery

Comparison of Survey Responses from Local Drug Prosecution Units

Q#	Peoria	Rock Island	Sangamon	Tazewell	Winnebago
Q12	6	15	22	20	20
Q13	6	15	22	20	city of Rockford and 2 sheriff's depts.
Q14	80	33	80	30	75
Q15	C	B	B	C	C
Q16	C	B	B	B	B
Q17	yes	no	no	no	yes, partially
Q18	MEG	MEG/LDTF	MEG/LDTF/S&FDTF	MEG	LDTF/S&FDTF
Q19	C	A	A	A	B
Q20	no	no	no	no	yes, partially
Q21	good	excellent	good	excellent	excellent
Q22	14	14	14	6	21 (8 circuit, 13 associate)
Q23	2	3	2	1	6
Felony cases	1	5	4	1	4
Misdemeanor cases	2	1	1	1	2
Juvenile cases	2	5	see misd.	1	2
Traffic and DUI	0	5	7		6
Other					

Comparison of Survey Responses from Local Drug Prosecution Units

Q#	Peoria	Rock Island	Sangamon	Tazewell	Winnebago
Q24	no	sometimes	yes	no	no
Q25	yes	associate judges, sometimes	yes	yes	associate, sometimes (if certified by Supreme Ct.)
Q26	yes	Yes	no	no	yes, partially
Q27	extensive	by consensus only	extensive	extensive	by consensus only
Q28	20	70	25	12	approx. 50
Q29	5	30	6	0	approx. 15
Q30	no	yes	no	no	no
Q31	yes	no	yes	no	yes
Q32	yes yes	yes yes	yes yes	yes yes	yes no
Q33	X	X	X	X	X

Comparison of Survey Responses from Local Drug Prosecution Units

Q#	Peoria	Rock Island	Sangamon	Fazewell	Winnabago
Q34	Most frequently used accusatory process for felonies Filing to preliminary hearing grand jury waived Filing to grand jury for indictment Filing to preliminary hearing for handover to grand jury Other	X	X	X	X
Q35	Type of ASA case assignment most often used for felonies	horizontal	horizontal	other- attorneys are assigned to all attorneys even though they work in associate courts	trial team
Q36	Chief prosecutive cases	yes high profile sensitive cases	yes- high profile repetitive cases	yes- has regular caseload	no, never
Q37	Percent of felony cases disposed at preliminary hearing by guilty plea	1	3	2	1-3
Q38	Plea bargaining policy best describes office Charge bargaining permitted Sentence bargaining permitted Both charge and sentence bargaining permitted No bargaining Other	X	X	X	X

Comparison of Survey Responses from Local Drug Prosecution Units

Q#	Peoria	Rock Island	Sangamon	Fazewell	Winnebago
Q19	<p>Plea offer policy best describes office:</p> <ul style="list-style-type: none"> <li>No reduced plea allowed, after some cutoff date</li> <li>No reduced plea on day of trial</li> <li>No stagger office policy. ASA discretion</li> <li>Office policy based on type of case/balance</li> <li>Other</li> </ul>	X	X	X	X
Q40	<p>Dismissal policy best describes office</p> <ul style="list-style-type: none"> <li>Discretion given to ASAs</li> <li>Dismissals must be OK'd by senior ASAs/SA</li> <li>No dismissals unless special circumstances</li> </ul>	X	X (in random cases)	X	when period is week or as part of B plea negotiation on multiple charges
Q41	Other				
Q41	<p>Informal, open discovery policy for felonies</p>	no	yes	yes	no n/a
Q42	<p>Discovery begins:</p> <ul style="list-style-type: none"> <li>All preliminary hearings/ before grand jury</li> <li>After indictment/ upon arraignment</li> <li>After arraignment/ before trial</li> </ul>	n/a			
Q43	<p>Percent of felonies cases that plead guilty</p> <ul style="list-style-type: none"> <li>All felony arraignment</li> <li>After arraignment/ before trial</li> <li>Day of trial during trial</li> </ul>	1 25 74	50 60 5	2 80 18	0 75 25
Q44	<p>Evidentiary strength of majority of felony cases</p>	marginal	strong	strong	strong

Comparison of Survey Responses from Local Drug Prosecution Units







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