

Illinois's Criminal Justice System

Edited by

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This book is dedicated to all of the outstanding men and women who serve the people of Illinois and make significant contributions to the professions within criminal justice.

This book is also dedicated to each and every individual residing within the borders of Illinois as justice is their inalienable right.

Finally, this book is:

for Haley

and

for Kole, Jesse, and Zachary.

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Series Note

Carolina Academic Press' state-specific criminal justice series fills a gap in the field of criminal justice education. One drawback with many current introduction to criminal justice texts is that they pertain to the essentially non-existent "American" criminal justice system and ignore the local landscape. Each state has its unique legislature, executive branch, law enforcement system, court and appellate review system, state supreme court, correctional system, and juvenile justice apparatus. Since many criminal justice students embark upon careers in their home states, they are better served by being exposed to their own states' criminal justice systems. Texts in this series are designed to be used as primary texts or as supplements to more general introductory criminal justice texts.

Preface

If you were to travel to the north side of Chicago, to the 600 block of Clark Street, you would likely see an old black school bus idling by the curb. On the side of this bus would be painted the words “Untouchable Tours.” For thirty dollars your guides would take you to view the locations of some of the most infamous gangland crimes in the history of Depression-era Chicago. The tour would take you from the location of the St. Valentine’s Day massacre, just blocks from Wrigley Field, to the spot on the sidewalk near the old Biograph Theater where, in 1934, the “Lady in Red” betrayed John Dillinger to his death at the hands of waiting federal agents. In 2004, the Biograph Theater ended its 90-year run as a movie theater. In honor of its most infamous customer, the theater played “Manhattan Melodrama” as its final picture, the same gangster movie that Dillinger viewed on the evening of his demise. For better or worse Chicago is known for its bloody history, a history in which Al Capone is sadly often better remembered than the many great men and women the city has produced in its colorful past.

Travel just 250 miles south of Chicago and you arrive in the Illinois state capitol and the “Land of Lincoln.” The city of Springfield and the surrounding areas are in many ways a living monument to the sixteenth president. From the New Salem state historic site where Lincoln spent his early adulthood, to his former home, to his presidential library, and finally to his tomb, one cannot drive for long in central Illinois without seeing a sign commemorating or celebrating the life of perhaps the nation’s greatest president. Central Illinois is a largely rural territory dotted with small towns and the countless acres of farmland connecting them. Serious violent crime in these communities is rare and, in many towns, the law enforcement presence consists of a single officer. The people are polite and considerate of one another, and largely wary of that large city to the north.

West Central Illinois, a geographical region cheekily known as Forgotonia, because of the lack of attention to the region by politicians in the urban-dominated state government, raises few criminal justice concerns. Crime rates

are low and respect for law enforcement is significant. As in many rural areas, the most serious crimes are domestic violence, abuse of illegal substances such as methamphetamine, and alcohol-related issues.

Located two hundred miles south of Springfield is Cairo, Illinois, one of the oldest cities in Illinois and a good representation of the “Southernness” of southern Illinois. Cairo played an important role in the Civil War as a center of river and rail commerce surrounding the Mississippi River, and served as headquarters for the Union Army’s western front. To visit southern Illinois is to feel as if one has stepped into the Deep South where individual liberties like the right to bear arms are held sacred, and where traditional notions of law and order are the norm. Like their fellow Illinoisans in the center of the state, the citizens of Southern Illinois are suspicious of Chicago, its politics, and its problems. The closest many of these downstate citizens ever get to Chicago is a class trip to the city as a child, or when they pass one of the rural prisons in their area that largely house convicts from the northern part of the state.

Political pundits have long described Illinois as representing a microcosm of the nation as a whole. With its urban versus rural tensions, its liberal north and conservative south, and its history of racial conflict, it mirrors the struggles of the nation as a whole. Like other states, Illinois has seen its share of political saints and scoundrels. Though citizens of Illinois would prefer the rest of the country think of Abraham Lincoln, Carl Sandburg, and John Deere when they consider the state, in recent years the specter of political corruption has repeatedly presented itself. In the past forty years, four Illinois governors have been convicted of serious crimes of corruption, with two of those governors still serving sentences in federal penitentiaries at the time of this writing. Likewise, the list of convicted state legislators, councilpersons, and aldermen is also long and bipartisan. This reputation for corruption is a source of embarrassment to the citizens of Illinois and belies the competence of its criminal justice system, and the dedication of its criminal justice professionals.

The primary purpose of this book is to describe the Illinois criminal justice system, and illustrate how the state struggles to create a system of justice that serves the needs of a geographically, politically, and culturally diverse population. In Chapter One, Todd Lough examines the crime picture in Illinois, dividing the criminal justice landscape logically between Chicago and the rest of the state. Like most other states, Illinois has enjoyed a significant decline in overall crime in recent decades. But, in certain sections of the city of Chicago, this improvement has not included a consistent reduction in homicides. Gang crime and gang violence on the south and west sides of the city have proven resistant to efforts by local, state, and federal law enforcement to bring these activities in check. Chapter One examines specifically how these pockets of

crime evolved and why they persist despite reductions in crime in almost every other area of the state.

In Chapter Two, LeAnn Cabage describes the constitution and governmental systems of Illinois. The foundation of an effective criminal justice system includes a commitment to civil rights. Chapter Two examines how these rights are embodied in the state constitution and how legal authority is apportioned in Illinois to allow for the defense of these principles. The functioning, and frequent dysfunction, of the Illinois General Assembly is described to illustrate how state lawmakers have historically both helped and hindered the promotion of effective criminal justice in the state. The chapter outlines the division of power delegated to the three branches of government, the legislative, judicial, and executive, and discusses how each branch serves as a check and balance on the entire criminal justice system.

The primary agents and agencies of law enforcement in Illinois are described in Chapters Three and Four. Thomas Meloni and Gregg Nozum devote special attention in these chapters to an examination of the three agencies that have had the most profound effect on the evolution of law enforcement in the state, the Chicago Police Department, the Illinois State Police, and the Chicago office of the Federal Bureau of Investigation. Special attention is also given to recent efforts at cooperation between these and the numerous other law enforcement agencies to meet the challenges facing the state in an era where potential threats to homeland security must be addressed at the same time the scourge of gang violence takes the lives of hundreds of citizens in the state every year.

In Chapter Five, three experts in police training in Illinois, Vladimir Sergevnin, Thomas Jurkanin, and Susan Nichols, examine systems in Illinois for the training and education of current and future criminal justice practitioners. Between its highly respected law enforcement academies and top-tier law schools, Illinois has been a national leader and innovator in the training of individuals choosing to pursue careers in criminal justice. Chapter Five describes the nature of this training and the current career opportunities it provides in Illinois.

Jill Joline Myers examines the historical and societal perspective and context for the development, functions, and structure of both state and federal judicial systems in Illinois in Chapter Six. Gregg Nozum's discussion of the primary judicial actors in Illinois, prosecutors, defense attorneys, and judges, follows in Chapter Seven. The state Attorney General and the State's Attorneys at the county level are the most powerful prosecutorial figures in Illinois, and both struggle at times to balance the neutral promotion of criminal justice with the political considerations that are an unavoidable aspect of being an elected official. In Illinois, as in other states, political considerations unfortu-

nately also affect the judiciary, at the very least in the way judges are selected. These realities will be examined as well as the general nature of the process of adjudication in Illinois.

In Chapter Eight, Anthony McBride describes the organization and administration of corrections in Illinois. The Illinois Department of Corrections is responsible for one of the largest inmate populations in the country, a population that has decreased in recent years as court-ordered reductions in prison overcrowding have forced the IDOC to release many inmates earlier than it would like. The chapter also discusses the controversy over capital punishment in Illinois, a controversy that led one former governor to stay executions and empty death row, and led the current governor to sign an abolition of the death penalty into law in 2011.

Kimberly Dodson examines the range of current services in Illinois for victims of crime in Chapter Nine. Like most states, Illinois was initially slow to recognize the rights of victims and the importance of providing services for victims and their families. But, in recent decades the state has made great strides in this area as demonstrated by the passage of landmark pieces of legislation such as the Violent Crime Victims Assistance Act and the Crime Victim Compensation Act. Through this legislation, the Violent Crime Victim Assistance Bureau was created to develop and improve programs and services for crime victims in the state.

Finally, in Chapter Ten, Barry McCrary discusses the Illinois juvenile justice system. Illinois was at one time a leader and innovator in juvenile justice treatment and reform, creating the first court reserved exclusively to adjudicate juveniles in 1899. The current Department of Juvenile Justice in Illinois administers one of the busiest juvenile justice systems in the country, and has had successes and failures in its mission to protect, to rehabilitate, and to hold accountable juvenile offenders.

It is our hope that these chapters, and the description of the Illinois criminal justice system contained therein, will be especially useful to those individuals seeking careers as public servants in the Illinois criminal justice system. Illinois is but one part of a large and complex national system of justice. But, as this volume will show, it is an important and innovative state that has played an influential role in the American justice system.