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SHERIFF'S OFFICE OF COOK COUNTY, ILLINOIS

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CHICAGO, IL 60602

THOMAS J. DART

SHERIFF

March 2, 2016

Honorable Judge Timothy C. Evans
Chief Judge
Circuit Court of Cook County
2600 Richard J. Daley Center
Chicago, Illinois 60602

Dear Chief Judge Evans:

I write in response to your February 29, 2016 correspondence to Bilqis Jacobs-El, Director of the Department of Facilities Management ("DFM") concerning responsibility for the public lockers located throughout the county that were necessitated as a result of General Administrative Order No. 2013-05.

As Ms. Jacobs-El set forth in her February 19th letter, DFM was requested by your office to provide oversight of and support for the public lockers after the vendor that was awarded the contract "abruptly" relinquished the responsibility for doing so in 2014-2015. Ms. Jacobs-El advises that effective March 7th, DFM will no longer provide oversight of the public lockers.

Contrary to the assertion in your letter that the "Sheriff's office secured and maintained temporary storage receptacles in some of the courthouses in which the public could store items...", my office does not, and has never, secured storage receptacles in the courthouses.

In light of the impending March 7th date, we must take immediate action to prevent chaos and confusion in courthouses throughout the County next week. Without DFM overseeing and maintaining the locker process, I suggest General Administrative Order No. 2013-05 be amended to permit the public to bring cell phones into courthouses across the County no different than they are allowed in the Daley Center and Police Courts North and South. Moreover, this amendment would put courts throughout our County on the same footing as the Federal Court which permits the public to bring their cell phones into the building.



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The DFM has agreed to print signage which can be posted throughout court facilities to emphasize that the taking of photos or videos is prohibited and may result in criminal sanctions. This amendment would obviate the need for DFM to embark on a procurement process and the further expenditure of tax dollars on this process.

My office does not have the capacity and will not assume this function. I look forward to working with you on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Dart', with a stylized flourish at the end.

Thomas J. Dart
Sheriff of Cook County

cc: The Honorable Toni Preckwinkle, President
The Honorable Cook County Board of Commissioners
Bilqis Jacobs-El, Director, Department of Facilities Management



State of Illinois
Circuit Court of Cook County

Chambers of
Timothy C. Evans
Chief Judge

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MARCH 18, 2016
PRESS RELEASE
FOR IMMEDIATE RELEASE

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**Removal of lockers to store smartphones at
Leighton Criminal Court Building beginning April 2, 2016**

CHICAGO (March 18, 2016) – The Circuit Court of Cook County is alerting the public that effective April 2, 2016, the Cook County Department of Facilities Management will no longer provide storage lockers for the public to store banned items at courthouses. This includes the Leighton Criminal Court Building, at 26th Street and California Avenue, where smartphones have been banned for the past 3 years.

Chief Judge Timothy C. Evans was notified by the Cook County Department of Facilities Management that, due to security and staffing concerns, it will remove all storage lockers that it had installed at courthouses as a service for the public to safely store banned items while they conduct court business.

“It is critical that the message gets out that there will no longer be lockers available beginning April 2 at any of the courthouses,” said Chief Judge Evans. “At the Leighton Criminal Court Building, my particular concern is that people who are relying on the county’s storage lockers won’t be able to clear security and will miss court if they bring a smartphone.”

People who miss court could be subjected to bail forfeitures, be held in contempt of court or have warrants issued for their arrest. Family and friends of defendants and victims could also miss court hearings, and subpoenaed witnesses would be subject to being held in contempt of court and possible civil liability to the party issuing the subpoena.

The Sheriff has banned approximately two dozen items from all Cook County courthouses, and the list includes items such as knives, mace spray, cameras and recording devices.

Three years ago, Chief Judge Evans entered an order for the Leighton Criminal Court Building that reinforced the Sheriff's ban on cameras and recording devices by explicitly including smartphones and electronic devices that can take photos, record audio and video, and connect to the Internet.

Chief Judge Evans entered the smartphone order in 2013 after numerous judges at the Leighton Criminal Court Building had reported that individuals were illegally using their smartphones in courtrooms to take video and photographs of criminal court proceedings and court participants.

These photos and recordings presented a serious threat to public safety because they potentially could be used to intimidate jurors, witnesses, defendants, attorneys and judges – and subject them to physical harm. The illegal and unauthorized use of the smartphones also threatened the integrity and decorum of court proceedings.

Chief Judge Evans's smartphone order in 2013 was guided by the need for public safety and to maintain the integrity of court proceedings. Chief Judge Evans's order is the only guaranteed way to prevent the misuse of cameras and recording devices at the Leighton Criminal Court Building.

"We must ensure the safety of witnesses, jurors, judges, defendants and attorneys. That safety absolutely cannot be threatened," Chief Judge Evans said. "Our justice system must operate free of fear or harm, and we cannot let gang members and others try to intimidate the people who come to court every day to play key roles in our courtrooms."

The Cook County Department of Facilities Management, which installed and managed the lockers, reported to Chief Judge Evans that the lockers present a security concern as courthouse patrons have placed contraband in them, placing staff members at risk when they engage the individuals about the illegal items. The department also reported that funding and staff members were being deflected to service the lockers, which compromised its duties to the county. The department said it is spending money – on labor and material for the locker service – that is not in its budget.

Facilities Management will eliminate lockers not only at the Leighton Criminal Court Building where the smartphone order is in effect but all other courthouses that currently have them. The smartphone order does not apply to any courthouse other than the Leighton Criminal Court Building. Signs are posted in courthouses listing the banned items.

Anyone illegally using a camera or recording device in a courtroom could face prosecution for contempt of court. Chief Judge Evans also noted that the Supreme Court of Illinois forbids the use of cameras and audio and video recording devices in all courtrooms throughout Illinois except by order of the Supreme Court.

For the past 3 years, these individuals have been exempt from the smartphone ban, and the exemption will continue pursuant to General Administrative Order No. 2013-05 - Cell Phones and Other Electronic Devices:

- current or former judges;

- licensed attorneys;
- authorized employees of attorneys;
- members of the news media, who may use their electronic devices in court subject to the approval of the trial judge.
- local, state, and federal law enforcement officers;
- employees of any local, state, or federal government agencies and/or offices;
- any person reporting for jury duty pursuant to summons. Individuals selected for jury service are also subject to the order(s) of the trial judge presiding, who may make orders as to the possession or use of electronic devices by potential or sworn jurors during trial sessions and deliberations.
- building and maintenance tradespeople, equipment repair persons, and vendors with proper authorization for whom such devices are necessary in the performance of their job;
- domestic violence advocates or counselors as defined by 750 ILCS 60/227(a)(2);
- persons who are present at the court facility to obtain civil orders of protection as defined in Part 22 of the Rules of the Circuit Court of Cook County or to attend court proceedings related to the incident(s) underlying the order of protection or other proceedings;
- participants in a domestic violence assistance program, as defined and identified by the Presiding Judge of the Domestic Violence Division;
- disabled persons, as defined by the Americans with Disabilities Act, whose disabilities necessitate the use of an electronic device to communicate and who are permitted by the Court Disabilities Coordinator or court order to possess and use such devices in the court facility, including the courtrooms;
- persons required by court order or the sheriff to wear an electronic monitoring device;
- parties to orders of protection, as defined in Part 22 of the Rules of the Circuit Court of Cook County, who are furnished with or required to carry global positioning (GPS) devices; and
- any other person or category of persons authorized by order of court to possess an electronic device as defined above in the court facility.

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