

The background is a collage of various analog watches and clocks, some with multiple dials, overlapping each other. The watches have different face colors like white, black, and gold, and some have leather straps. The overall color palette of the background is warm, with shades of orange, yellow, and pink.

**500 DAYS
FORWARD.....**

**10 YEARS
BACK.**

THE BURKE ADMINISTRATION

Eileen O'Neill Burke assumed the role of Cook County State's Attorney on December 2, 2024.

In its first 500 days, the Burke administration reshaped the office's priorities around:

- Charging, detention, diversion, & sentencing
- Accountability of law enforcement
- Court transparency

CHARGING, DETENTION, DIVERSION, & SENTENCING



FELONY RETAIL THEFT

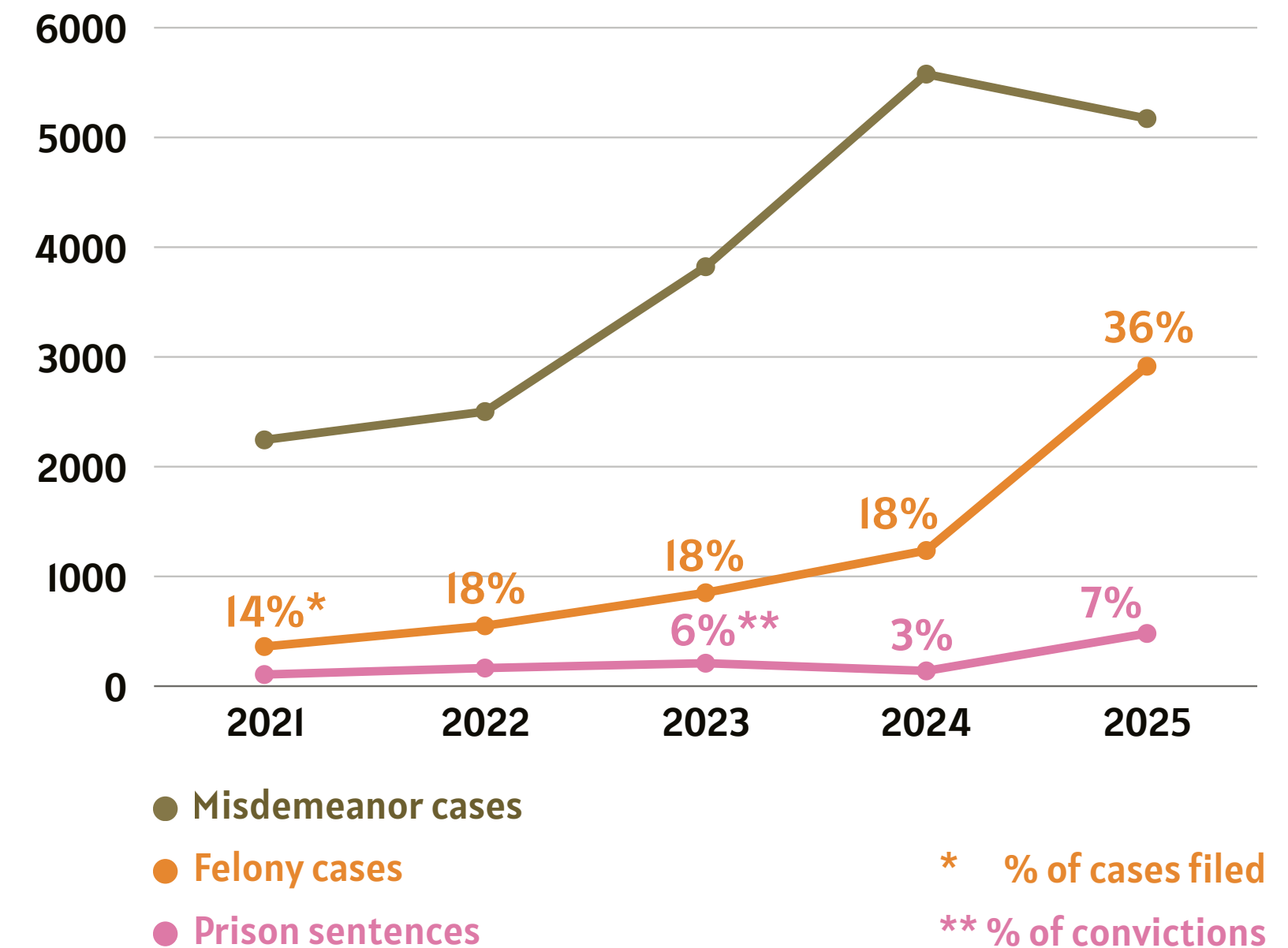
Burke lowered the felony threshold for retail theft:

- From \$1,000 to \$300 of goods allegedly stolen
- From 10 retail theft convictions to a single felony retail theft conviction

As a result, the CCSAO charges more retail theft cases as felonies: 36% rather than 18%.

Felony convictions have lifelong consequences on people's lives.

RETAIL THEFT CHARGES FILED BY CLASS AND SENTENCES IMPOSED IN COOK COUNTY BY YEAR, 2021 – 2025



Note: Burke took office in December 2024

JAILING FOR GUN POSSESSION

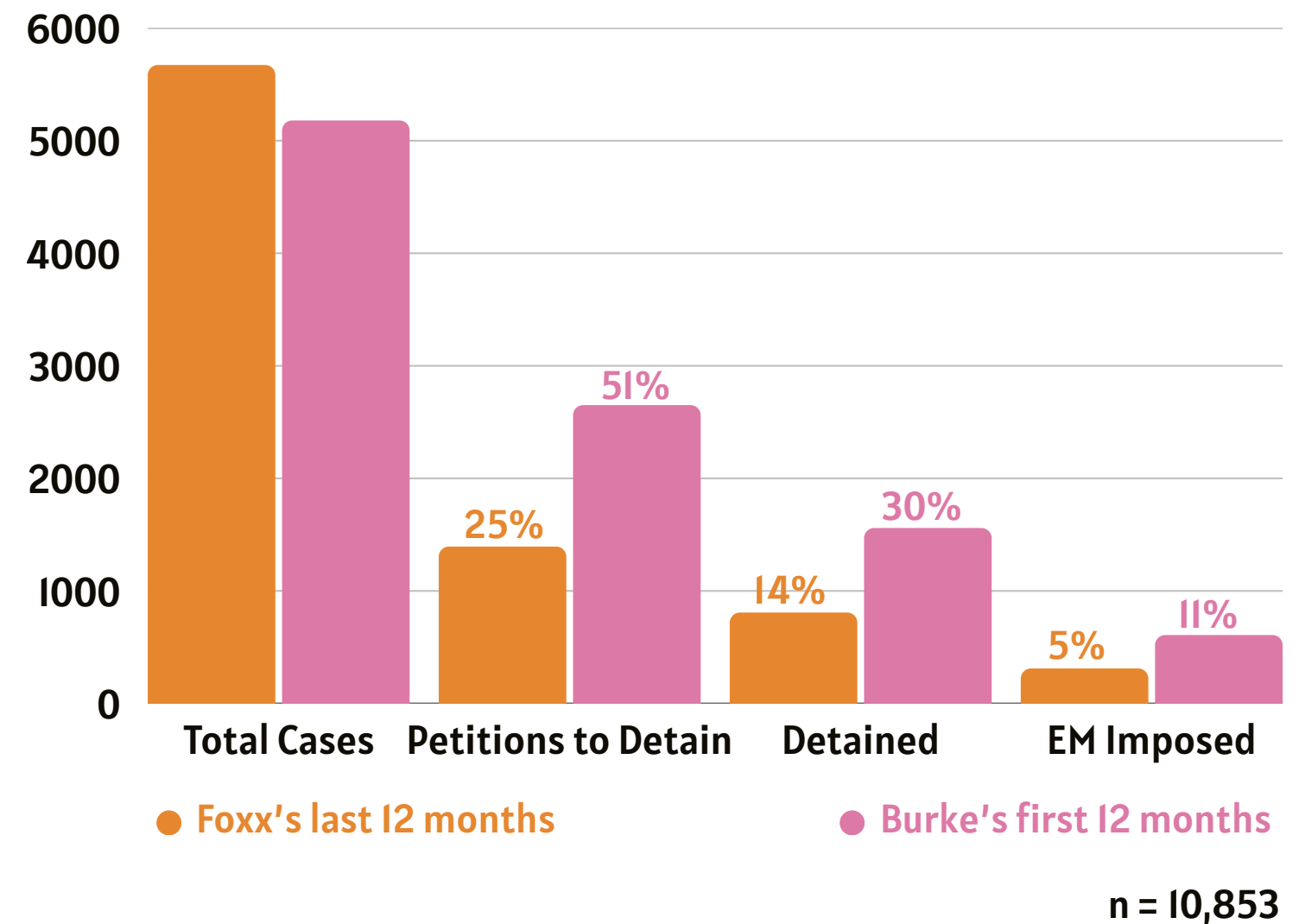
The Pretrial Fairness Act requires individualized decisions about detention.

Yet, the Burke administration seeks detention indiscriminately, including for any gun possession case where the gun is untraceable or defaced.

As a result, the Burke administration requests detention in a majority of gun possession cases.

This has increased jailing for many charge categories, especially gun possession.

PRETRIAL DETENTION REQUESTS AND OUTCOMES FOR UPW, AUPW, AND UPWF CASES IN THE YEAR BEFORE AND AFTER BURKE TOOK OFFICE



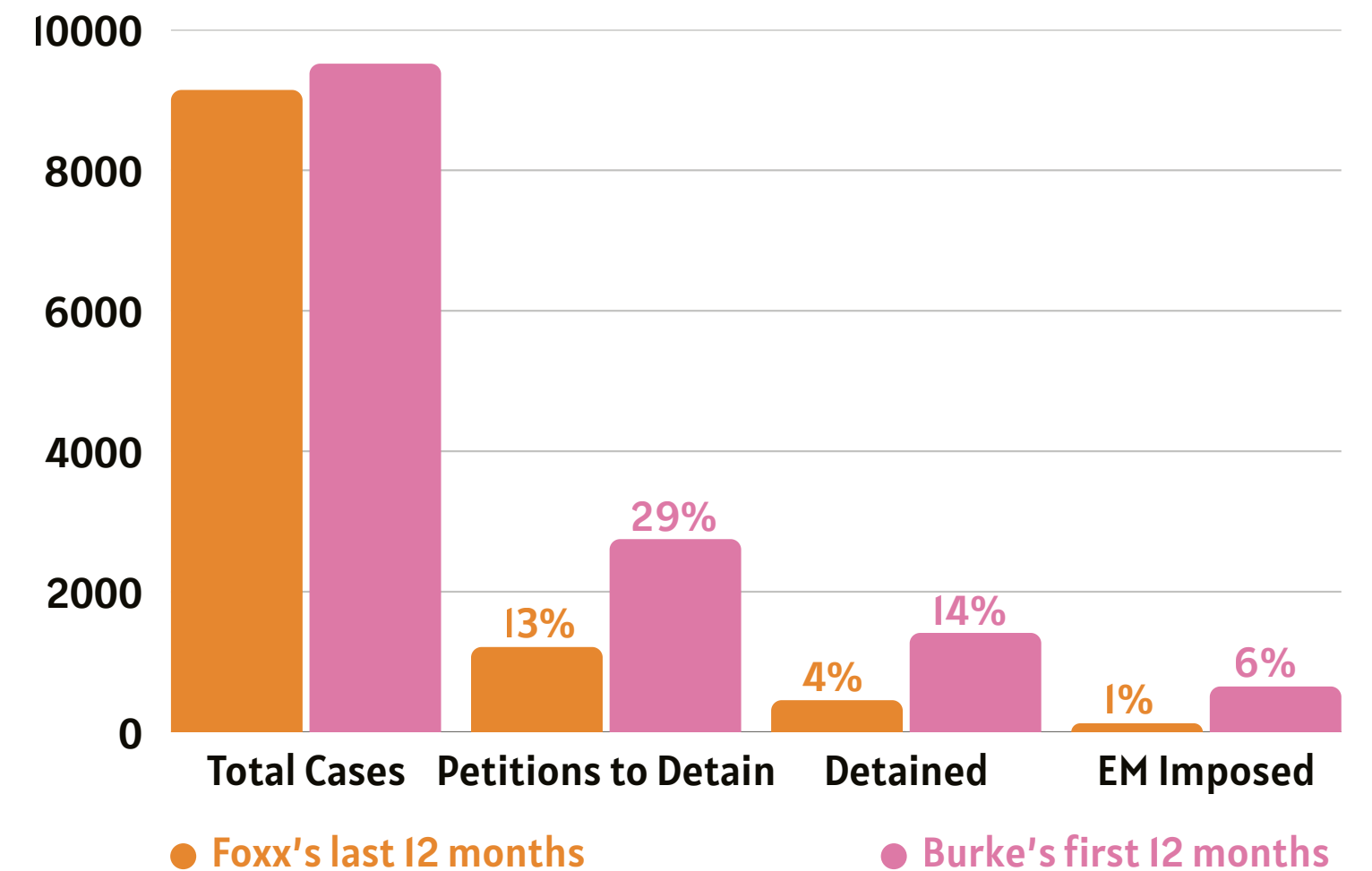
JAILING FOR DOMESTIC VIOLENCE

Blanket detention policies also apply to domestic violence cases.

By policy, the CCSAO seeks detention for domestic battery whenever it is charged as a felony or allegedly involved a firearm.

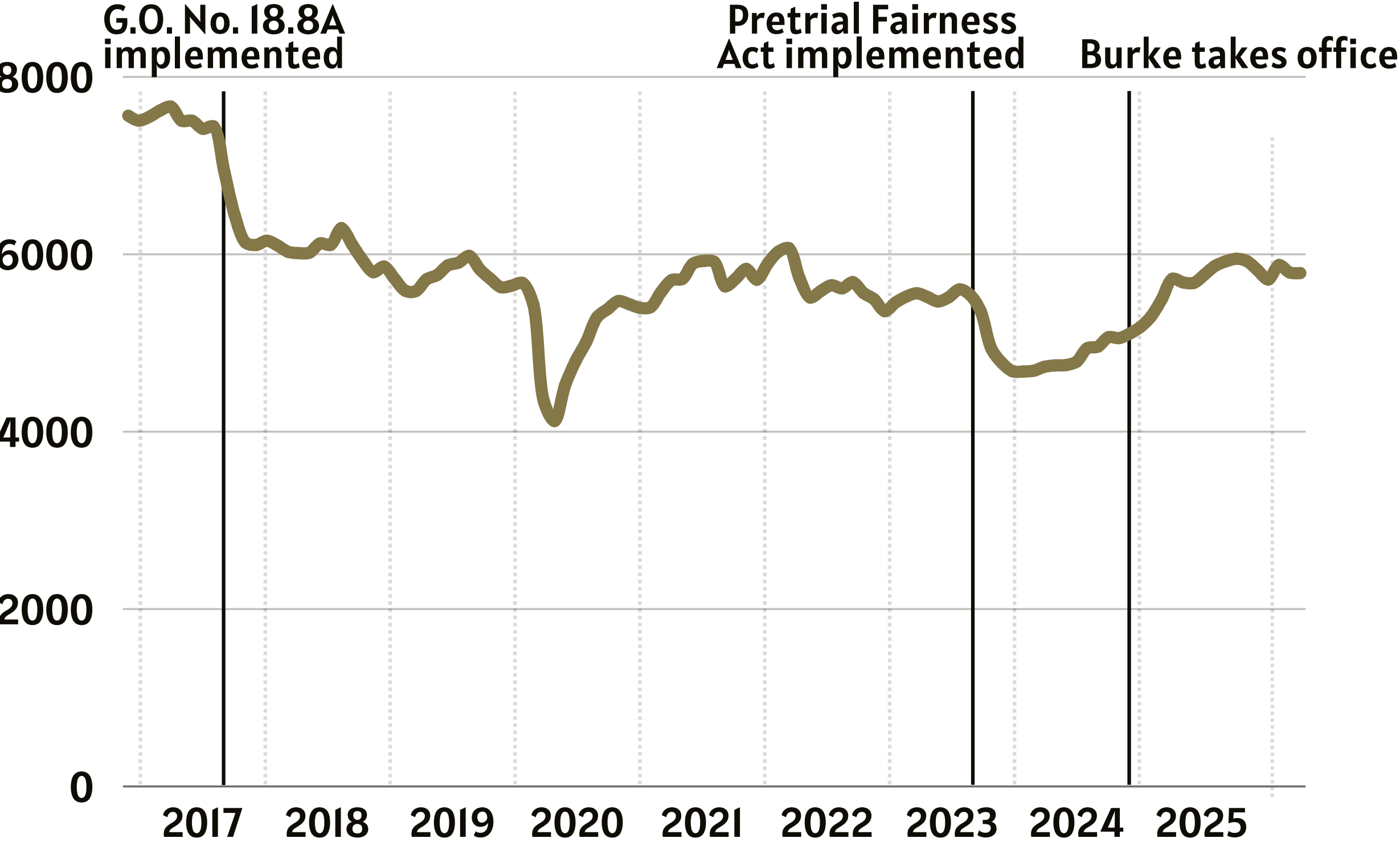
This does not leave space for the input of survivors to affect the pretrial outcome, denying survivors autonomy.

PRETRIAL DETENTION REQUESTS AND OUTCOMES FOR DOMESTIC-RELATED BATTERY CASES IN THE YEAR BEFORE AND AFTER BURKE TOOK OFFICE



n = 18,662

AVERAGE DAILY POPULATION OF THE COOK COUNTY JAIL BY MONTH, JAN 2017 — MAR 2026



DIVERSION FOR GUN POSSESSION

Burke stopped diverting gun cases to the RJCCs then later reversed this policy.

TABLE COMPARING COOK COUNTY DIVERSION PROGRAMS ACCEPTING GUN POSSESSION CASES

	Restorative Justice Community Courts (RJCCs)	First Time Weapon Offense Program (FTWOP)	Gun Accountability Program (GAP)
Year established	2017	2018	2026
Age requirement	18-26	None	21+
Eligible charges	Nonviolent felony or misdemeanor	Class 4 or misdemeanor, UPW or AUPW	Class 4, UPW or AUPW
Guilty plea required	No	Yes	No
Duration	Most often 5-16 months	6-24 months	9-12 months
Required programming	Repair of harm agreement, gun education (for gun possession cases)	None	2.5-hour firearm safety course

ACCOUNTABILITY OF LAW ENFORCEMENT



FLOWCHART OF THE FELONY REVIEW PROCESS



FLOWCHART OF THE "EXPEDITED FELONY REVIEW" PROCESS



BYPASSING FELONY REVIEW

The CCSAO began piloting the policy in January 2025 in two predominantly Black police districts (5 and 7).

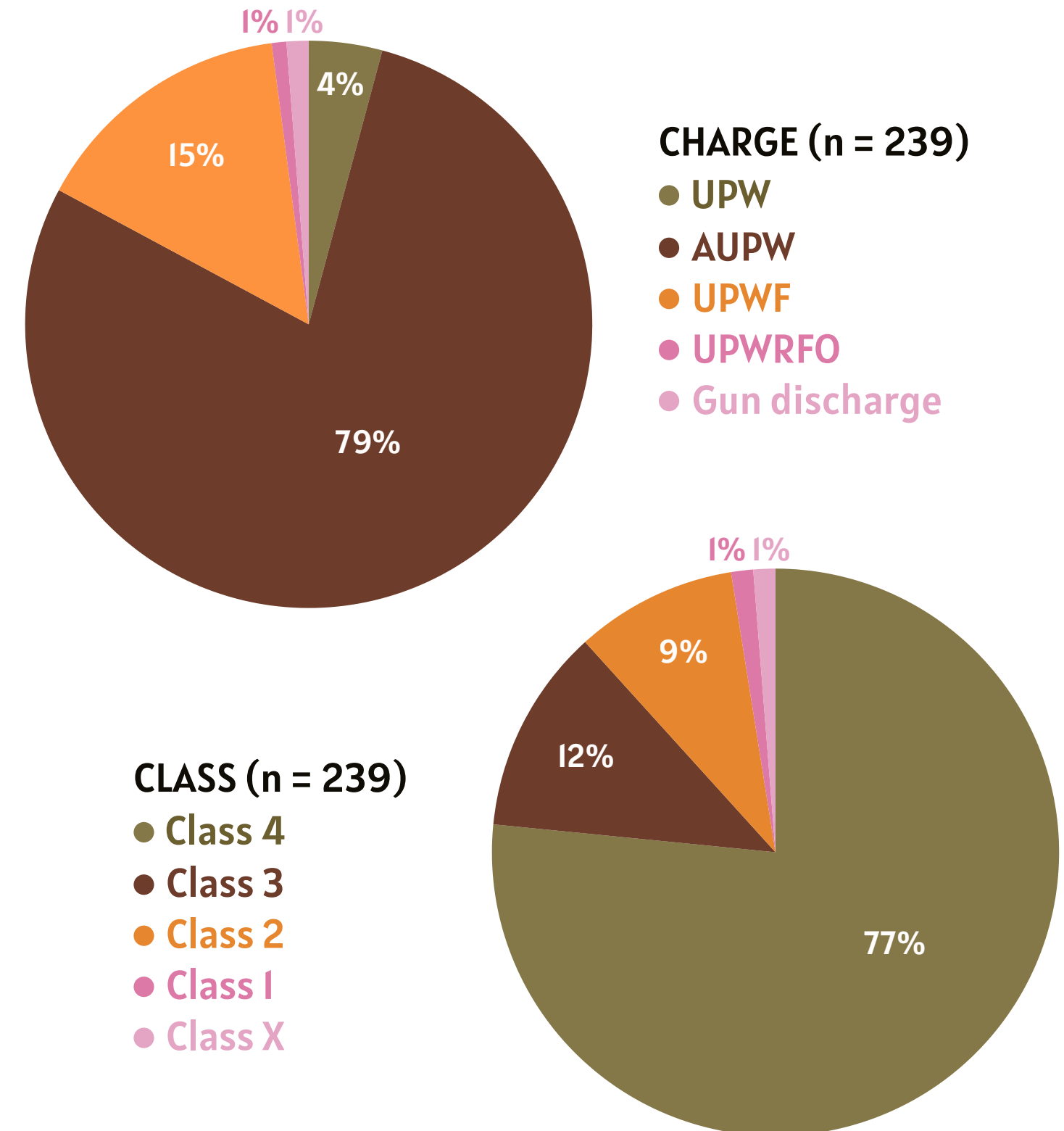
In November 2025, it expanded the policy citywide.

This policy presents due process concerns, especially given police misconduct in Chicago.

2010-2025: 10 people were exonerated for weapon possession/sale after spending a collective 20+ years imprisoned. All 10 cases involved police misconduct.

The policy primarily affects Black and Latine people, who made up all but five of the 200+ people prosecuted through the policy in its first 15 months.

CHARGES AND CLASSES OF FELONY GUN CHARGES
FILED THROUGH EXPEDITED FELONY REVIEW, JAN
2025 — MAR 2026



BRADY LISTS

The prosecution has a responsibility under *Brady v. Maryland* to disclose to the defense when there is evidence that a witness may be unreliable, as this is considered “exculpatory evidence.”

2010-2025: 89% of exonerated cases involved the CCSAO withholding exculpatory evidence (370+).

Under Kim Foxx, the CCSAO maintained an internal **disclosure list** and public **do-not-call list**.

The **disclosure list** documented officers who had lied on the stand, had a history of complaints, or had been arrested. The CCSAO disclosed to the defense whenever a witness they called was on the list.

The **do-not-call list** documented 300+ officers the CCSAO would never call as witnesses due to serious misconduct.

Burke changed the CCSAO’s policy to replace these lists with an internal, less comprehensive list. The policy also reduces the avenues the office will use to identify evidence that discredits a witness.

PROSECUTING FEDERAL AGENTS

Operation Midway Blitz began in September 2025, and federal agents (e.g. ICE agents) have been committing on-duty crimes in Cook County since then. In the first week, an ICE agent fatally shot Chicago resident Silverio Villegas-Gonzalez during a traffic stop.

The CCSAO did not announce a plan to prosecute federal agents until it was pressured to by the public and Mayor Brandon Johnson. The CCSAO announced a policy in February 2026.

The CCSAO's policy is only triggered if a law enforcement agency conducts an investigation and brings charges to the CCSAO. *People v. Ringland* allows a prosecutor to investigate a crime if law enforcement does not adequately handle the case. This applies because the CPD has failed to bring charges despite documented evidence.

Loevy & Loevy petitioned the court to appoint a special prosecutor, but a judge denied the petition.

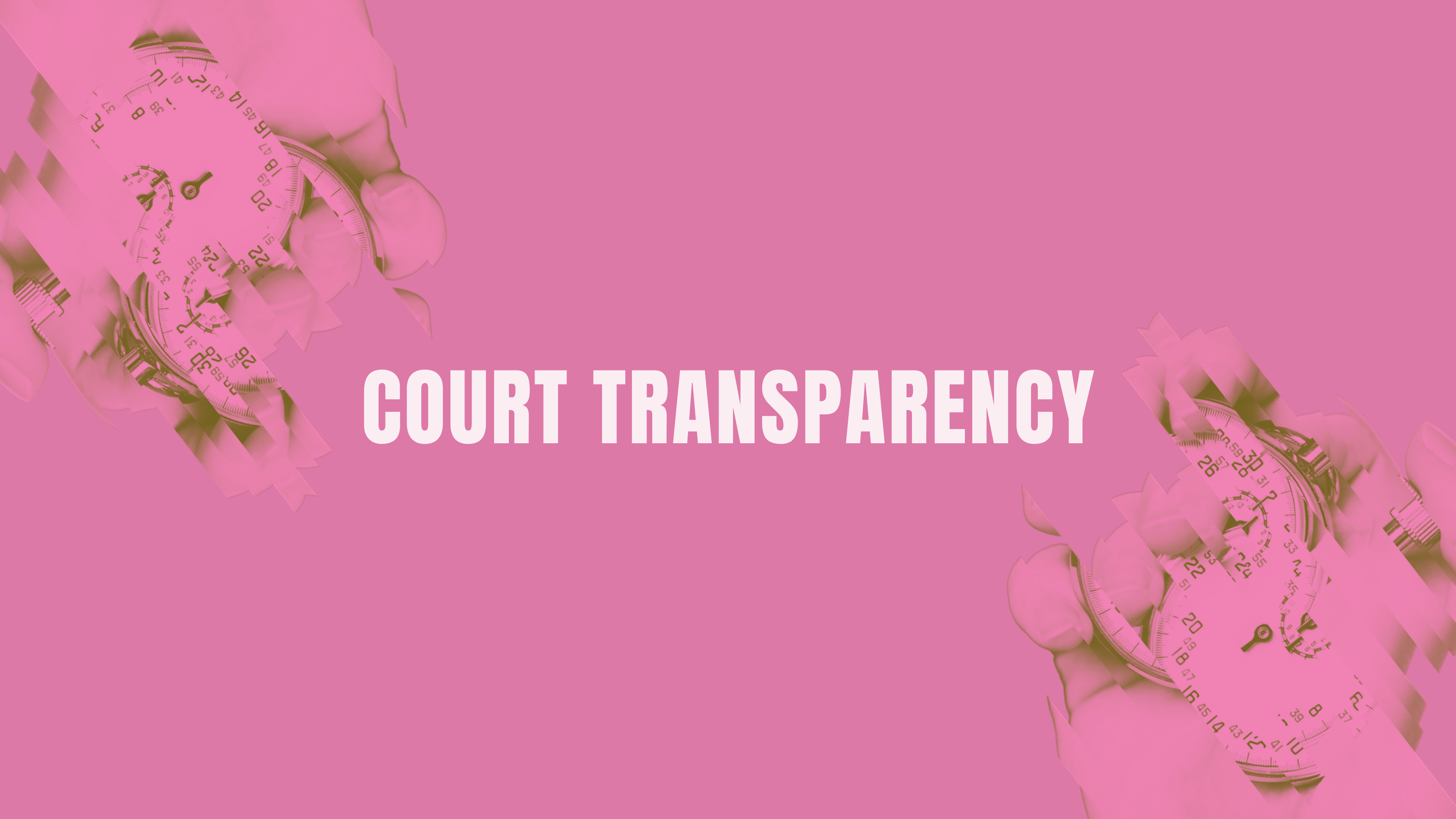
RECTIFYING WRONGFUL CONVICTIONS

The Burke administration narrowed the scope of the Conviction Integrity Unit to exclude cases currently pending in the post-conviction petition process.

It is important to provide people multiple avenues to rectify wrongful convictions, especially a non-adversarial one like the CIU.

The Burke administration also objects to certificates of innocence by default and says these should only be granted when there is “concrete, irrefutable evidence” of innocence, a higher burden of proof than the statute requires.

Certificates of innocence are a useful tool for exonerated people to get their records expunged and get compensated for the time they spent incarcerated.



COURT TRANSPARENCY

DATA DASHBOARDS

Foxx improved court transparency through her unaggregated data sets on the Felony Dashboard. These data sets covered intake, charging, pretrial detention, case outcomes, sentencing, and diversion.

Burke stopped updated these data sets and failed to meaningfully replace them.

The CCSAO has multiple aggregated data dashboards, which do not allow researchers to ask their own questions of the data.

The CCSAO's Detention Dashboard is a good start, but it is not downloadable as a table on the website which makes it practically unusable. Adding a download button is a very easy fix.

RECOMMENDATIONS

CCSAO RECOMMENDATIONS

1. Reinstate the higher charging threshold for felony retail theft.
2. **End blanket detention policies.**
3. Automatically divert eligible gun possession cases to diversion programs and expand eligibility to people of all ages.
4. Reinstate felony review for gun possession charges.
5. **Reinstate disclosure and do-not-call lists.**
6. Accept CIU cases with pending post-conviction proceedings and stop objecting to certificates of innocence by default.
7. Publish the Detention Dashboard as a downloadable data set.
8. Collect and publish more case-level data.

ILGA RECOMMENDATIONS

1. Increase the felony threshold for retail theft.
2. Protect the Pretrial Fairness Act's detention eligibility net.
3. Allow diversion without approval from the state's attorney.



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