

## **DESCRIPTION OF THE ISSUE**

### Violent Crime in East. St. Louis, St. Clair County Illinois

In 2011, Illinois Senator Dick Durbin said “Residents of East St. Louis suffer from one of the highest violent crime and homicide rates in the country. It’s not a new problem, but it’s a problem that demands a new solution. The people living in and raising their families in this community deserve better.” In the last ten years, little has changed. As the national homicide rate hovered around 5 homicides per 100,000 population, East St. Louis suffers a homicide rate approximately 28 times the national average. In 2019 the homicide rate was 137 per 100,000 people. Other homicides rates in 2018 or 2019 (depending on most recent statistics) per 100,000 population were by comparison: St. Louis, MO (61); Detroit, MI (39); Washington D.C. (23); and Chicago, IL (22). Sadly, Tijuana, Mexico, considered the “most dangerous city in the world” had 134 homicides per 100,000 in 2019, three less than East St. Louis. According to a Belleville News Democrat article published in 2019, you are 19 times more likely to be murdered in East St. Louis than in any other U.S. City. An average of 100 people are shot annually, and there are an average of 14 incidents of shots fired every day. There were 36 homicides in 2019 and 2020. As of April 1, 2021, there have already been 10 homicides in 2021.

There were 121, and 127 non-fatal shootings in 2019 and 2020 respectively. As of April 9, 2021 there have already been 22 non-fatal shootings. This is all in a city with a population of 26,000 per estimates from the United State’s Census Bureau 2019 estimate. The results of this gun violence? Lasting damage to the community at large. Take for example the young man who at three years old watched, while strapped into his car seat, his mother taking her last breaths after being shot. Three years later he lost his father to a shooting at a neighborhood barbeque, witness to his other parent dying in the grass in his presence. Or the one-year old female caught

in gang cross-fire and shot in the chest in January of 2019 and then shot again on June 9, 2020 during a gun battle between different gangs. Entire generations are taught survival techniques more consistent with growing up in a war zone than an American city.

This lived trauma contributes to a cycle of violence as noted by the American Academy of Pediatrics on their website wherein they describe how, “[s]ome children exposed to violence learn to resolve their own conflicts in a violent manner. Others seem to become desensitized to violence and the pain and distress of others. Some retreat into a shell, avoiding people and the world around them. These children with long-term exposure are at an increased risk for: [b]ehavioral, psychological, and physical problems, [a]cademic failure, [a]lcohol and substance use, [d]elinquent acts, (and) [a]dult criminality. When these children repeat the violence they have experienced, they perpetuate a cycle of violence that can continue throughout future generations. . . . Children who are exposed to violence on a regular basis often experience many of the same symptoms and lasting effects as children who are victims of violence themselves, including post-traumatic stress disorder (PTSD). These kids can feel emotional and physical "aftershocks" for months or even years. They can relive the event again and again in their minds, and be less able to function normally in their day-to-day lives. Some may become more aggressive, violent, and self-destructive.” Childhood Exposure to Violence, *available at* <https://www.healthychildren.org/English/safety-prevention/at-home/Pages/Crime-Violence-and-Your-Child.aspx>. This cycle of violence works to the detriment of the individuals exposed and the community at large because it necessarily affects the availability of meaningful economic opportunity needed to bring economic opportunity to a city that had an official unemployment rate that was double the national average in 2019 at 7.1% (actual rate undoubtedly higher).

Looking at violent crime more generally, East St. Louis 2019 crime statistics per 100,000

population from areavibes.com (using FBI Data) show the following:

Statistic	East St. Louis	Illinois	United States
Murder	137.0	6.6	5.0
Rape	102.8	48.0	42.6
Robbery	121.8	98.4	81.6
Assault	658.4	254.0	250.2
Violent Crime	1020	407	379

While these violent crime statistics are telling and grim, it is probable that the reality of East St. Louis is much worse. For instance, the statistics do not consider the inaccuracy or lack of Uniform Crime Reporting (UCR) by the under-trained, under-resourced, and under-staffed police departments in the most crime-ridden areas. Additionally, crime statistics do not account for the probability that many crimes go unreported due to fear of retaliation and lack of faith and/or trust in law enforcement largely caused by fiscal challenges, lack of manpower, and overwhelming crime. The crime in this community overwhelmingly affects blacks and African Americans.

Beginning in 2017, money from the Federal Project Safe Neighborhood program became available to law enforcement *but not* the St. Clair County State's Attorney's Office. Recognizing that additional resources are necessary to stem the tide of violence in East St. Louis, the Director of Illinois State Police, and former St. Clair County State's Attorney, dedicated 15 Illinois State Police Investigators (led by a retired Federal Bureau of Investigation previously assigned to the East St. Louis area) to help the East St. Louis Police Department (ESLPD) with the creation of a special unit: Public Safety Enforcement Group (PSEG). The purpose of PSEG, is to serve as a multi-jurisdictional capable of conducting covert and overt operations and investigations with specific emphasis on unlawful use and possession of firearms, non-fatal violent crimes, juvenile delinquency, and property crimes. PSEG collects and develop intelligence data regarding criminal activity; and assists with case development for those investigations that are beyond the capabilities of ESLPD. PSEG liaises with the State's Attorney's Office and the United States

Attorney’s Office for legal advice, warrant application, and encouragement of vigorous prosecution of developed cases. Since it’s activation on October 19, 2020 PSEG alone investigated over 180 cases not including ESLPD cases or ESLPD with PSEG assist. The State’s Attorney’s Office made a Criminal Division Chief one point of contact for PSEG but is unable to staff an assistant to work exclusively with PSEG and ESLPD to maximize this new law enforcement resource and handle the influx of cases previously not investigated or submitted for application. The inability to have an exclusive ASA liaison assigned to PSEG means sub-optimal collaboration between law enforcement and local prosecutors with jurisdiction over the area.

The St. Clair County State’s Attorney’s Office

The St. Clair County State's Attorney’s Office (SAO) is the primary law enforcement and legal agency for St. Clair County, Illinois. The office is located in Belleville, Illinois which is also the county seat. St. Clair County is located in Southwestern Illinois on the eastern banks of the Mississippi River across from St. Louis, Missouri. The State’s Attorney’s Office has a long history of zealously prosecuting cases in St. Clair County. Comprised of the State’s Attorney, 29 Assistant State’s Attorneys (ASA), and a dedicated support staff, the SAO is structurally organized into separate divisions: Governmental Affairs, Criminal, and Children’s Justice. During a 2013 visit to St. Clair County, Former United States Attorney General Eric Holder congratulated local prosecutors and police for “fighting above your weight.” Over the last three years the SAO has prosecuted:

	Felony	Juvenile	Total
2018	1,964	275	2,239
2019	1,995	282	2,277
2020	1,817	235	2,052

This practically results in (as of April 22, 2021) each Violent Crime Attorney carrying a caseload in the 40-60s, each General Felony Attorney carrying a caseload between 230 – 260 cases, the

Auto Theft attorney carrying a caseload in the low 100s, each Domestic Violence & Special Victim's Unit Attorney carrying a caseload between 100 – 130 cases, each Juvenile Delinquency attorney carrying a caseload between 125 – 250 (plus another 125-150 cases assigned to them under juvenile abuse and neglect) cases, and the ASAs assigned to prosecuting serious crimes against children carrying a caseload between 20 – 30. Furthermore, these caseloads do not reflect the time spent on reviewing warrant applications, charging new cases, petitions to revoke probation, post-conviction matters, and other administrative duties.

The SAO has either had its budget cut or had to fight off the threat of budget cuts every year since 2010. In addition to budget cuts, the Office was forced to reallocate money from existing budget lines to pay for Westlaw access in 2018 so attorneys could have access to the basic legal resources needed to ethically prosecute cases. The result of these budget cuts and additional expenditures is that the Office has lost funding for attorneys and has been unable to keep up with modern office and case management technology that would allow the Office to more efficiently prosecute cases with its limited resources. Each year the Office expends substantial amounts of time creating increasingly voluminous paper files, maintaining these paper files (support staff and attorneys), and then scanning the files to close the case out before physically filing each folder away. Finally, Office staff handle each file one last time to prepare each file for movement to a safe site for final storage. Overworked attorneys spend hours each week handling and updating paper files with limited ability to meaningfully track over time the criminality of any one person or group without having to go through burdensome processes across multiple software interfaces. Furthermore, communication between ASAs and the Office's victim/witness personnel must occur through phone, email, or in person conversations for each case as there is no ability for office staff to collaborate through one central system. This

makes it time consuming and difficult to efficiently communicate with victims and prepare for trials. The ASAs and staff at the SAO make do with the existing structures in order to serve the people of St. Clair County, but new initiatives are virtually impossible without both additional attorneys and a more efficient office system that will 1) provide better data management and tracking abilities and 2) free up staff and ASA hours by eliminating inefficiencies. Meaningful progress in prosecuting violent crimes is difficult is a difficult task in and of itself. Trying to make meaningful progress while dealing with the budget shortfalls, staffing shortfalls, and technological deficiencies faced by the SAO makes it all the more difficult if not impossible. Absent a more efficient system, it will continue to be virtually impossible to, in almost real time, track criminal actors, their associates, and the patterns of crime they are engaged in through the court system. Instead of being proactive in identifying certain persons or groups who pose a high risk and tailoring the prosecutorial response appropriately, the office is reactionary because of the lack of readily available data, information, and ability to identify overlapping issues across divisions without the significant use of already limited time.

21st century case management software would streamline multiple processes allowing better tracking of the most-dangerous offenders and those whose path of criminal conduct appears primed to escalate until it culminates in the commission of a homicide offense. In that sense, the improved technology would allow for a greater ability to prioritize offenders. Prosecution of cases would also be improved by allowing for better communication with victims and witnesses which will improve cooperation and improve case outcomes. The time saving that will follow the updating of systems would allow that valuable time to be spent working with law enforcement to build new cases and to more thoroughly prepare and prosecute current cases.

## **PROJECT DESIGN AND IMPLEMENTATION**

The St. Clair County State's Attorney's Office Modernization and Targeted Enforcement Initiative is designed with the following mission in mind:

*Maximize prosecutorial efforts in conjunction with local, State, and Federal investigative agencies in East St. Louis, IL to combat violent crime by effectively modernizing the Office and using 21<sup>st</sup> century technology to efficiently and proactively monitor criminal actors and trends in East St. Louis.*

To accomplish this mission the SAO would use grant money create one fully funded attorney position and designate this individual as an ASA fully dedicated to working with PSEG and East St. Louis Police Department (ESLPD). This prosecutor's responsibilities will be both traditional (in that they will review, charge, and prosecute cases) and non-traditional (in that the prosecutor will have a more active role in liaising with PSEG and ESLPD to identify "hot spots" in the city and specific actors/priority violent offenders to focus prosecutorial resources on). This is a variation of the focused deterrent approach which as noted by the Oakland Ceasefire GVRs is effective, ". . . by targeting particular criminal offenses perpetrated by a small number of highly active offenders who are exceedingly susceptible to criminal justice sanctions (Durlauf and Nagin 2011), focused deterrence has been characterized as having important crime control characteristics. Focused deterrence strategies, such as Ceasefire, communicate directly to targeted offenders that their continued criminal behavior will no longer be tolerated and that the criminal justice system will apply a variety of punishments when these behavioral standards are violated (Braga et al. 2019). Focused deterrence strategies intentionally exploit social ties among gangs and criminally active groups to produce "spillover" violence reduction impacts. This concept is consistent with general deterrence theory and suggests that individuals are discouraged from committing crimes because of their knowledge of punishments experienced by

other law violators (Stafford and Warr 1993).”

This prosecutor will utilize updated case management capabilities to track these actors and/or criminal defendants who might provide actionable information if offered cooperation agreements and communicate relevant information to the other Assistant State’s Attorneys so that the information may be utilized in the formulation of criminal dispositions that are both just and contribute to the overall safety of the community. Specific objectives and measurements include:

Objective	Measurement
Assuming primary point of contact for non-homicide PSEG and ESLPD active investigations. This can include the preparation of search warrants, advising on necessary investigative steps to ready an investigation for warrant application	<ol style="list-style-type: none"> <li>1) Number of contacts between ASA and PSEG/ESLPD</li> <li>2) Number of search warrants prepared by ASA</li> <li>3) Number of cases in which ASA consulted during investigative phase</li> </ol>
Meet with PSEG and ESLPD detectives to identify and discuss active “hot spots” (areas where there is currently an unusually high amount of criminal activity), “Priority Violent Offenders” (PVO) (those individuals who are/suspected to be actively engaged in violent criminal activity but there is insufficient evidence to support the filing of criminal charges), and active criminal groups <sup>1</sup> .	<ol style="list-style-type: none"> <li>1) Number of in person meetings between ASA and PSEG/ESLPD</li> </ol>
Reviewing warrants and assuming vertical prosecution responsibilities over cases in which the offense is committed in an active “hot spot”, by a PVO, or by an individual associated with known criminal groups in East St. Louis that are a priority focus of law enforcement at the time of application. Assistant will charge a minimum 80% of non-homicide cases that fit this criterion.	<ol style="list-style-type: none"> <li>1) Number of warrants reviewed for vertical prosecution</li> <li>2) Number of cases charged</li> <li>3) Rate of Charging</li> </ol>

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<sup>1</sup> For purposes of this grant application we use the term “criminal groups” to describe the often-amorphous associations of people that for all intents and purposes create the same havoc and engage in similar behavior as traditional street gangs but generally lack the structure or longevity of groups like the Bloods, Crips, Gangster Disciples, etc. These groups are increasingly younger in age and prove difficult to eradicate as they frequently subdivide into new groups and/or merge with other groups.



<p>Ensure appropriate criminal justice sanction are imposed in 100% of cases selected for vertical prosecution consistent with the aims of a focused deterrent approach and the duty of a prosecutor</p>	<p>1) Measured by rate of conviction</p>
<p>Coordinate with law enforcement and the United States Attorney’s Office for the Southern District of Illinois and the United States Attorney’s Office for the Eastern District of Missouri to identify the jurisdiction that is best suited to successfully prosecute criminal defendants when there is a diversity of jurisdictions.</p>	<p>1) Number of cases in which federal prosecutors are consulted to determine best venue for criminal prosecution.</p>
<p>Utilize updated case management software to communicate relevant information to other ASAs and Victim Witness Specialists regarding criminal activity in East St. Louis. This could include (but not be limited to) when a victim or witness may be helpful in multiple prosecutions or have information that could be utilized in the prosecution of other individuals; when an assistant is prosecuting an individual whose name is coming up in additional investigations whether as a suspect or witness; when a person may be associated with other criminal activities.</p>	<p>1) Number of cases in which the designated prosecutor collaborates with other ASAs to leverage active investigations or prosecutions to eliminate hot spots, prosecute PVOs and/or prosecute individuals associated with known criminal groups.</p>
<p>Utilize updated case management software to identify criminal activity committed by PVOs and individuals associated with known criminal groups that resulted in charges requested by other investigative agencies outside of East St. Louis and communicate that information to PSEG and ESLPD in an effort to engage in predictive and proactive policing to prevent further criminal activity</p>	<p>1) Number of cases referred to PSEG and ESLPD.</p>
<p>Be an active participant in community and law enforcement efforts to (within the grant period) create a de-escalation program designed to divert those on a path to future criminal conduct away from the criminal justice system by exposing the effects of criminal conduct on victims/victims families and connecting them with social services in a timely manner.</p>	<p>1) Creation of at least one (1) de-escalation program</p>

The SAO will move to a paperless case management system to reduce inefficiencies and maximize ASA and office staff resources allocated to the actual prosecution of cases. This will take place in phases with specific objectives and measurables:

Objective	Measurable
Obtain multiple bids and finalize estimates for a contractual agreement for case management system specifically designed for prosecutor's office with the necessary capabilities to use the technology and data in ways that allow the office to improve operations/efficiency, improve services and communications with victims and witnesses to maintain cooperation, and reduce caseloads by reallocation of resources to the successful prosecution of violent offenders.	1) Solicitation of at least three bids
Selection of a cost-efficient system that capable of being sustained after the expiration of federal funding.	1) The execution of a contract for said system
Training support staff on the utilization of the new system	1) Number of support staff trained
Training all attorneys on the utilization of the new system	1) Number of attorneys trained
Training Victim/Witness Coordinators and SAO Investigators on utilization of the new system	1) Number of Victim/Witness Coordinators and SAO Investigators trained
All new criminal cases will be paperless files after system implementation	1) Percentage of new cases that do not required support staff to prepare paper file
Upload 100% of newly closed files into the new system	1) Percentage of closed files scanned into new system
Upload 100% of previously closed and scanned files into the system	1) Number of previously closed and canned files uploaded into the system.

Finally, the last objective and measurable is the reduction of prosecutor caseloads across the office as a result of the additional staff, office modernization, and the targeted efforts to reduce crime in East St. Louis. This will be measured by the percent reduction in cases from the beginning of the project to the end of the grant period.

### **Capabilities and Competencies**

The grant ASA will be supervised by Criminal Division Chief Jason Emmanuel who has worked with Federal and State partners since 2018 on a Priority Violent Offender Initiative and is presently the primary point of contact for PSEG at the State's Attorney's Office. ASA Emmanuel's time in the office has included participating in the targeted prosecution of members of local gangs in the East St. Louis area, specifically CTE/4Block, Kutt Boys, and JDS. Supervising both the new prosecutor and Jason Emmanuel will be First Assistant State's Attorney Daniel Lewis. First Assistant Lewis is returning to the SAO after working as Major Case Counsel for Illinois State Police. Mr. Lewis also brings experience as the former Chief of Special Prosecutions (a former division of the SAO) wherein he worked with state and federal law enforcement in efforts to explore an actionable RICO case against CTE/4Block. Finally, the State's Attorney will be an active participant in all efforts in relation to the execution of the Grant.

The designated assistant will be an experienced prosecutor selected from existing staff with a proven track record in regard to time management, ability to build relationships with law enforcement, and the capacity to comply with grant reporting requirements. Prior to the beginning of federal funding, the SAO will identify this individual and make the necessary introductions to external partners so that upon start of the program, the assistant can immediately engage in the objectives set forth above. The salary currently budgeted to pay for the designated assistant will be reallocated to hire an additional Assistant State's Attorney.

St. Clair County employs an internal IT department which currently services all branches of county government for their IT needs. This department will be capable of working with any system provider to ensure a seamless transition from existing systems to the new system. The SAO employees a full-time office manager and a support staff supervisor who can ensure that

the staff are trained in the new system and are working toward completing all objectives for the project consistent with projected timelines. The SAO currently has access to basic hardware necessary to implement this project including archival quality scanners capable of digitizing paper files. The SAO recently hired a new Victim Witness Coordinator who demonstrated competencies in implementing new systems with the expectation that in the near future the office would be able to transition to a new case management system. The SAO has a history of successfully implementing grants and meeting the objectives contained therein as demonstrated by successful execution of state grants funded by both VOCA and VAWA.

### **Plan for Collecting Performance Data**

Performance data will be collected by an assigned support staff member in conjunction with the assigned attorney. The assigned attorney will be responsible for reporting performance and outcome measurements. The Criminal Division Chief and 1<sup>st</sup> Assistant State's Attorney will utilize the information to identify opportunities to improve implementation of the grant each quarter. Efforts to improve implementation could include (but not be limited to) including additional community partners that could help in breaking through particularly difficult barriers, reallocating additional office resources to ESL/PSEG as the office becomes more efficient, and the creation of an "after action" program that identifies the strengths and weaknesses of this targeted effort so that written policies and procedures can be developed to build off the successes and learn from any identified failures. This will allow the SAO to continue the efforts and not lose ground in the fight to reduce crime/violent crime in East St. Louis and St. Clair County generally.