

2003 Chicago Murders: 140 Death Eligible Murders in Cook County, Illinois in 2003

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This is a snapshot of a bureaucracy. The website is a compendium of numbers, system identifiers, dates and other information regarding 140 death eligible murders in Cook County, all cases where an indictment for murder, a true bill, was returned during the period January 1, 2003 to June 30, 2003.

These 140 murders were all identified as death eligible (i.e. meeting the then statutory requirements for capital prosecution) by the then Cook County State's Attorney. This research did not address or consider the merits of any individual case or sentence. Nor was information sought or taken from documents other than official Cook County Court records.

The information on these cases is presented here:

[Table 1 \(all cases N=140\)](#)

[Table 2 \(The Zeros N= 43\)](#)

[Table 3 \(The Middles N= 67\)](#) and

[Table 4 \(The Highs N= 30\).](#)

Background

This research grew out of earlier work on homicide in Chicago and capital punishment, some of which focused on patterns of prosecutorial discretion in the selection of murders for capital prosecution in the 102 autonomous Illinois counties prior to the abolition of the death penalty in Illinois in 2011. That research is reported [here](#). The history of capital punishment in Illinois and the eventual abolition of the death penalty is detailed [here](#).

After then Governor George Ryan's Commission on Capital Punishment issued a [Report](#) and detailed recommendations. None of the suggested reforms was enacted during the 2002 session of the Illinois General Assembly.

During the 2003 session of the General Assembly, some of the Commission recommendations were enacted, and the legislature created the Capital Punishment Reform Study Committee. The Report of that Committee is [here](#).

The identification of these 140 death eligible cases in Cook County in the first half of 2003 was based upon the identification of all murders designated as death eligible by all then county State's Attorneys (the county prosecutors in Illinois) during the period 2000-2009, information requested during the pendency of the Capital Punishment Reform Study Committee.

The then law regarding capital punishment stating the then relevant statutory aggravating factors to qualify a case for capital prosecution were very [broad](#).

In 2003 almost every defendant in a murder case, including a non-slayer participant, was circumstantially eligible for capital prosecution due to the encompassing definition of the 21 statutory aggravating factors designated by the Illinois legislature. In practice, a small proportion of circumstantially death eligible cases were actually prosecuted as capital cases, and wide disparities in practice among the 102 Illinois counties were [observed](#). [Tables 1-7, Bienen, 100 J. Crim. L. and Crimin. 1326, 1324- 1348; and Appendix A and Appendix B, 1391-1402.]

The defendants in this group of Cook County cases in the first half of 2003 are a small, distinct subset of potentially capital cases identified by State's Attorneys across Illinois when capital punishment was in effect in the state, until 2011. These defendants were overwhelmingly men in their early twenties who spent a significant amount of time, typically close to two years, in Cook County jail in pretrial detention when conditions at the Cook County jail were overcrowded, unsafe, unsanitary and allegedly [unconstitutional](#).

Under Illinois practice at the time, the county State's Attorney was required to formally declare the intention to prosecute a possibly death eligible murder as a capital case only at the time of jury selection, when the trial court judge was required to empanel specially death qualified jurors for trial.

In 2003, when these cases were before the Cook County courts, the Illinois legislature required a sentence of not less than 20 years and not more than 60 years to be imposed by a judge for the highest category of murder, which was capital murder, if the death sentence was not imposed. [2003 739 ILCS 5/5-8-1(d)(i-iii). The 2020 renumbered statute provides for a minimum of 20 years for the highest category of murder: 730 Ill. Comp. Stat. 5/5-4.5-20.] If there were statutory aggravating factors (the factual or circumstantial basis for death eligibility) as would have been arguably present in all of these cases (according to the Cook County State's Attorney's own designation) the mandatory sentence was 'natural life imprisonment' when the death penalty was not imposed.

The county state's attorneys, and the Cook County State's Attorney, and all trial and appellate judges in Illinois, including judges of the Illinois Supreme Court, and all of the trial court judges

of Cook County presiding over these cases, were and continue to be elected. A majority of the public and voters supported capital punishment and executions in 2003. The Cook County State's Attorney had the sole and unreviewable discretion to declare a case capital and to decide to prosecute a murder in a capital trial. In 2003 and at present, there were both state and federal constitutional guarantees of the right to a speedy trial.

None of these 140 cases, which were all identified as death eligible murders by the 2003 Cook County State's Attorney, resulted in a death sentence being imposed, and none was prosecuted as a capital case. The threat of a capital prosecution was relevant to plea negotiations between the State's Attorney and the attorney for the defense during the entire period of pretrial detention. The State's Attorney of Cook County could raise the possibility of a capital prosecution and trial, and the death penalty being imposed, up until the moment of jury selection.

Sources: Circuit Court of Cook County Indictments (A True Bill) and Circuit Court of Cook County Certified Statements of Conviction/ Disposition, both Official Public Records on file at the Clerk of the Circuit Court of Cook County

Copies of the official records for these 140 cases are on file at the Northwestern Pritzker School of Law.

For each case two public records were the source of information: first, the Circuit Court of Cook County Indictment (voted out by a majority of a Cook County Grand Jury upon presentation of evidence by the State's Attorney) identifying and charging the particular defendant with death eligible murder and other crimes by count, with each count being a separate crime, and second, the official Circuit Court of Cook County Certified Statement of Conviction/ Disposition, which is a record of the final disposition of the Indictment count by count by a named Cook County judge on a specific date. The Statement of Conviction/ Disposition recorded each court appearance prior to final disposition and the name of the judge, the date of the court appearance, as well as the ruling or sentence imposed at each court appearance prior to disposition. The final court appearance resulted in the imposition of the legal result in the case, and was a record of the conviction and disposition.

The values recorded on this website are taken directly from one of these two public records. The Indictment itself included the indictment number, the name of the defendant, the number of counts and crimes charged, the name of the victim, other miscellaneous or demographic information. The Certified Statement of Conviction/ Disposition was the source of the number of court appearances, the length of pretrial incarceration, the time elapsed between events and legal appearances, the result in the case, the sentence imposed and the manner of disposition (plea or trial) and other miscellaneous and identifying bureaucratic information.

The number of court appearances was counted from the official record of every court appearance before a trial court judge on a particular date for each defendant as recorded in the Certified Statement of Conviction/ Disposition. Values such as age of defendant at sentencing, length of pretrial detention, are calculated by a subtraction of dates from the Certified Statement of Conviction/ Disposition.

The Plea/Trial value is included on the record of disposition count by count of the Indictment, i.e. dismissal or the withdrawal of charges (*nolle prosequi*) or other disposition on the Certified Statement of Conviction/ Disposition.

Findings

The Findings are based upon the information presented on the website, presented as four Tables (Table 1-Table 4). The Case Number in the left column is the Project case number. The case numbers are sequential; however there are gaps so that the highest case number is greater than 140. Following is a series of columns with the names, dates and other identifying demographic information for the defendant and victim. The dates of sequential dispositions, outcomes and results follows. Calculations of time periods and time spent in custody are based upon a simple tabulation and/or counting, or a subtraction of dates. The official credit for time served is part of the sentence imposed.

[Table 1 All Cases \(N=140\)](#) is all values for all cases on the website, ranked by Project case number [first column on the left]. Each count in the indictment must be disposed of separately. Only a Circuit Court of Cook County Judge can impose sentence or issue an Order dismissing a count of an indictment. The State's Attorney may recommend a *nolle prosequi* (no prosecution) on a particular count. The judge must then dismiss the count. It is theoretically possible but exceedingly rare that the trial court judge would refuse to grant the request for a *nolle prosequi* on a particular count of an indictment. No such instances were found here.

All cases are then divided into three subgroups: The Zeros (N=43), The Middles (N=67), and The Highs (N=30), based upon the sentence imposed.

Table 2 The Zeros: (N=43).

These are the cases where all counts of the indictment were dismissed (by the judge) or a *nolle prosequi* was entered for all counts in the indictment. *Nolle prosequie* (NP) means the State's Attorney asked to drop the count at sentencing. In other words the Cook County State's Attorney asked to withdraw the charge which had been voted out by the Grand Jury. Or, the defendant was acquitted at an actual trial on those counts by jury or by a judge in a bench trial: (JT=jury trial; BT= bench trial).

Table 2 The Zeros (N=43) are ranked by the Project's case number on the left. There is no entry for sentence since all of these cases resulted in a sentence of Zero.

The Middles: (N=67) Table 3 Cases with a sentence greater than zero and less than 41 years (sentences between 0 and less than 41 years).

Table 3 The Middles (N=67) Cases with a numerical sentence of years greater than zero and less than 41 years (sentences between zero and less than 41 years).

The Middles are ranked by sentence imposed (years). The Project's identifying case number remains as the first column.

Table 4 The Highs (N=30) These are cases where a defendant was sentenced to a term of 41 years or more, up to a life term (coded as 98), the highest possible sentence, if not death. The Highs are ranked by sentence imposed (years). The Project's identifying case number continues to appear as the first column.

Table 2 (The Zeros) (N= 43) (Ranked by Project case number)

Persons awaiting trial in Cook County jail had dozens, as many as 60, 70 or 65 routine in court appearances before a trial court judge, with attorneys for both prosecution and defense present, between their first appearance in court and the final disposition of their case in court by a trial court judge. At the time, and at present, there were both state and federal constitutional guarantees of the right to a speedy trial.

In the 140 cases of death eligible murder in Cook County in the first half of 2003 a large number (43 of 140 cases) and percentage of cases resulted in an acquittal, or a *nolle prosequi* recommendation by the Cook County State's Attorney, or a complete dismissal of all charges in the indictment by a trial court judge, either at trial [Jury trial (JT) or bench trial (BT)] or as a result of a plea [P].

During the first six months of 2003 in Cook County, the county with the largest number of murders in the state, close to a third (43/140) of all indictments for death eligible murder, the most serious of all criminal charges, resulted in an acquittal, or all charges being dropped, or dismissed, or withdrawn at the request of the Cook County State's Attorney with no sentence imposed. This is in spite of the fact that at the time the Illinois legislature and the State's Attorney of Cook County advocated long terms for first degree murder and the possibility of a death sentence for these murders such as the murders in this group of cases.

The number of in court appearances for the Zeros (N=43) ranges from a high of 65 in court appearances to a low of four in court appearances (three codefendants). There are ten (10) cases with 40 or more in court appearances. The amount of time between the first in court appearance and disposition ranged from lows of three cases at 28 days (the three co-defendants) to 18 defendants who spent 700 or more days in pretrial detention, and one defendant who spent 1,876 days in county jail waiting for his case to be decided, although eventually all charges were dropped.

A large number and proportion of those whose charges were eventually entirely dismissed went to trial, and close to a quarter (11/43) went to jury trial (JT). All but four (4) of these cases listed shooting as cause of death at a time when the legislature added 20 years to a sentence for a gun homicide.

There were no female defendants in this group (the Zeros).

These were overwhelmingly men in their early twenties, younger than 25 at the time of their arrest (30/43) (9 were under 21 at arrest) and at the disposition of their case. They spent their twenties, hundreds of days and in several cases more than 1500 days, in Cook County jail

awaiting disposition when all charges against them were eventually dismissed. Most of the Zeros spent hundreds of days between their initial court appearance and the final disposition of their indictment. In this group where no sentence was imposed at final disposition, twenty-two (22) persons spent more than 500 days in pretrial detention, and nine (9) spent more than a 1,000 days in pretrial incarceration prior to being released without a finding a guilt.

Table 3 The Middles (N=67) (Ranked by sentence imposed)

This group of defendants, all of whom were indicted for first degree, death eligible murder, received a sentence of a term of years from 3 years to 40 years. Most sentences (48/67) were under 25 years. Sixteen (16) sentences were 10 years or under. Nine (9) defendants received sentences of over 30 years.

In this group, twenty-three (23) defendants were under 20 at the time of their arrest. Ten (10) defendants were under 18 at the time of the offense and at the time of their arrest. They were tried and sentenced as adults. Two defendants were 15 at the time of the offense; two defendants were 16 at the time of the offense.

For the Middles there were 13 bench trials (BT) and two (2) jury trials (JT). The remainder of the cases (52/67) were disposed of by Plea (P). There were seven (7) female defendants in this group, and one case with two victims. Forty-three (43) of these 67 cases, more than half, listed shooting as the circumstance of the murder.

For the Middles, the numbers of court appearances were more than 20, more than 30 and more than 40 in court appearances. In one case there were 96 court appearances, as well as cases of 84 and 85 court appearances, a couple of cases with more than 70 court appearances, and a number of defendants with more than 60 court appearances. One defendant was granted bail for some part of his time in pretrial detention. The rest were in custody for all of the time awaiting their trial court disposition.

Table 4 The Highs (N=30) (Ranked by sentence imposed)

These defendants received the highest sentences: between 43 years and life (coded 98). This group had tens of court appearances, some having more than 40, more than 50 or several more than 80 court appearances. One defendant had 88 court appearances. Twenty (20) of these defendants spent more than 1,000 days in pretrial detention waiting for disposition of their case; and six (6) defendants spent more than 2,000 days in pretrial detention.

In this group there were ten (10) jury trials (JT) and nine (9) dispositions by plea (P) and eleven (11) bench trials (BT). Of the seven (7) life sentences imposed, the longest possible sentence if not death, there was one life sentence imposed by plea (P). Of the life sentences imposed, three (3/7) were imposed after a jury trial; three (3) after a bench trial.

Five (5) of the defendants sentenced to Life (98) spent more than 1,000 days in custody, and of the group of the Highs five (5) spent more than 2,000 days in pretrial detention awaiting the disposition of their case. The remaining two defendants sentenced to Life (98) spent 712 days and 969 days, respectively, in custody awaiting the trial court disposition of their case. In this group many spent more than 1,500 days awaiting trial, or about five (5) years.

All but one in this group were in custody the entire time between their first court appearance and the disposition of their indictment before a trial court judge.

For this group the number of court appearances are typically between 40 in court appearances and 70 in court appearances, with two thirds (20/30) having forty (40) or more in court appearances, four (4) cases having more than 80 in court appearances and an additional four (4) having more than 70 in court appearances.

Of the Highs, nine (9) were 25 or under at the time of disposition, facing at least 40 years in prison at the time of sentencing.

Conclusion

This is a snapshot of a case processing system a picture of the criminal justice process in a small subset of criminal cases of murder at a specific time and place: persons indicted for death eligible murder moving through a particular bureaucracy, the Circuit Court of Cook County pretrial detention system in the first six months of 2003. During this period and for these court appearances, a number of bureaucrats, guards, lawyers, judges and other salaried public employees were required to be present at every in court appearance which took place as part of the processing of these cases prior to their final disposition.

Any aggregate analysis of cases, or defendants, classified by their status or position in the criminal justice system, e.g. number of days to trial, sentence received, judgment and sentence imposed, etc. is dehumanizing. Nonetheless, abstraction allows for a focus on how this institutional system, the pretrial detention system in the Circuit Court of Cook County, Illinois during the first half of 2003, treated these persons indicted for first degree, death eligible murder while waiting for the formal charges against them, represented by counts in an indictment, to be disposed of by a trial court judge.

This compilation of facts from official records, while saying nothing about the merits of the cases, or the demographics of the defendants, or the circumstances of the offenses, does expose the bureaucratic skeleton of the Circuit Court of Cook County pretrial detention system, as it was in place for death eligible, first degree murders during the first half of 2003. There is no reason to think this system has significantly changed, even after the abolition of the death penalty in 2011. [[An Act concerning criminal law, Pub. Act 96-1543 \(March 9, 2011\)](#)]

For every one of these recorded in court appearances before a trial court judge, the number of salaried people being paid to administer cases in the courtroom of each individual judge, where these appearances took place, was routinely a dozen or more: Every court appearance required

the physical presence of one or more State's Attorneys, Defense Attorneys, the Circuit Court of Cook County Judge, the Judge's clerks and assistants, guards at the doors and at the entries to the court room, guards bringing up the defendants and into the courtroom, and other incidental, paid personnel.

This does not count the administrators whose job it was and is to record appearances and movements in and out of the criminal court building and the jail outside the courtroom, nor does it count staff at the jail or in the hallways and corridors, persons guiding outsiders and family members in and out of the building, scanning witnesses and briefcases and backpacks.

In the great majority of the many repetitive court appearances recorded here the only legal action taken was to grant a mutually agreed upon continuance to a later date. The bureaucratic structure required many, many salaried people to be paid to show up and perform a routine bureaucratic function, where no significant, or final legal action took place. At the end of each individual court appearance a person in shackles is brought into the courtroom and stands before the judge, an entry is made on the record of the appearances, and typically the case is continued with the consent of all involved, until the same hearing takes place again after at a specific, agreed upon later date.

The Cook County pretrial detention process is a large county and state bureaucracy, with many salaried and paid employees. It continues under its own self-perpetuating momentum with little scrutiny or incentive to disrupt or change current bureaucratic practices costing millions of taxpayer dollars and employing many thousands of people.

Note: Many indictments here recorded can be found at the companion website [Illinois Murder Indictments 2000-2010](#). The individual case records, including the Circuit Court of Cook County Indictment and the Circuit Court of Cook County Certified Statement of Conviction/ Disposition for each case are on file at the Northwestern Pritzker School of Law. In some very few cases information not available on these records, e.g. date of birth of defendant, was taken from another official court record.

Some columns have partial or incomplete information, e.g. the listing of judges is necessarily partial and incomplete, due to the number of court appearances. The names of defense attorneys, and whether or not a case was a Public Defender case, was incomplete in the records. Only a few names appeared on the record. In only a few cases was the individual name of the State's Attorney listed on the record.

The name of the trial court judge at sentencing or disposition was always recorded on the Circuit Court of Cook County Certified Statement of Conviction/ Disposition. The name of the judge in the Judge column, however, is not necessarily or even likely to be the name of the trial court judge at sentencing.

Errors in transcription, coding, counting or copying are inevitable, inadvertent and deeply regretted. They are the sole responsibility of the author. The entire data set is available for researchers and other interested parties to download and investigate.