**Name:** Anita Alvarez

**District running for:** Cook County State’s Attorney

**Political party:** Democrat

**Political/civic background:** Cook County State's Attorney, 2008 - Present

*Civic involvement:* Chicago Bar Association, President 2009-2010, Second Vice President 2007-2009, Secretary 2005-2007, Also served on Board of Managers; National Hispanic Prosecutor's Association, Judicial Evaluation Committee, Founding Member as well as National President 2001-2002; Hispanic National Bar Association; Hispanic Lawyers Association of Illinois; National District Attorneys Association; Women’s Bar Association of Illinois

**Occupation:** Cook County State's Attorney, 2008 - Present

**Education:** Chicago-Kent College of Law, Chicago, Juris Doctor, January 1986; Loyola University, Chicago, B.S., Social Work, 1982; Maria High School, Chicago

**Campaign website:** AnitaAlvarez.com

**Chicago Sun-Times Editorial Board questionnaire responses**

**Q) *Would you seek legislation or have a policy, as some reform advocates have called for, that all cases in which police are accused of crimes are referred to a court-appointed special prosecutor? If not, what would be your criteria for when to indict a police officer for a shooting while on duty?***

Under Illinois law, there is already a clear mechanism in place to appoint a special prosecutor as a judge may appoint one in any case where the State's Attorney has a demonstrated conflict of interest. As someone who has personally prosecuted and convicted corrupt police officers, I have not and never will shy away from bringing criminal charges against police officers who abuse their authority or commit a criminal offense. In fact, I have charged nearly 100 law enforcement officers with felony offenses during my administration as the Cook County State’s Attorney. My action to charge Officer Jason Van Dyke with First Degree Murder was the first of its kind in a police involved shooting in Cook County.

I do believe that we must strive to make any necessary changes or improvements to the way that our system addresses police-involved shootings. But taking these cases out of the capable hands of the elected prosecutor in favor of an appointed prosecutor is not a solution. Unlike the Superintendent of the Chicago Police Department, the Cook County State’s Attorney is elected rather than appointed because a prosecutor must have the independence to charge crimes and pursue justice free of outside influence. I answer to the public and elected prosecutors need to make tough decisions about complex cases such as police shooting incidents without fear of political reprisal.

Whether it is a state’s attorney or a special prosecutor, a criminal case against a police officer is only as strong as the preceding investigation. The investigation of an officer-involved shooting in Chicago is generally conducted by the Independent Police Review Authority, which is responsible for conducting interviews and collecting all available evidence.

However, as I did in the Laquan McDonald case and in other complex cases, I have also enlisted the superior resources of the Federal Bureau of Investigation as an investigative partner.

Once IPRA or the designated investigative agency completes its investigation, the evidence is submitted to the prosecutors in the Professional Standards Unit of the State’s Attorney’s Office who specialize in the handling of police misconduct cases. These prosecutors then analyze all of the evidence in its totality and review applicable laws to determine if the evidence establishes the elements of a criminal offense that can be proven beyond a reasonable doubt. This analysis also includes a very careful legal evaluation of the built in defenses that exist in the law that must be considered in police involved shootings that permit the use of deadly force by police officers in the line of duty.

It is after this comprehensive process that the determination is made to pursue or decline charges against a police officer.

**Q) *What professional experience would you bring to the job of state’s attorney that would best qualify you to handle the office’s wide variety of criminal and civil cases?***

Serving as a prosecutor in the Cook County State's Attorney's Office and advocating for the victims of crime has been my life’s work and passion. I have been a prosecutor for nearly 30 years and I have worked my way through the ranks and personally prosecuted every type of crime that there is. I have handled thousands of cases and personally tried more than 60 felony jury trials involving crimes ranging from gang-related homicides to police corruption and brutal sex offenses against women and children.

No other candidate can match or even approach my level of hands-on experience as a prosecutor or my demonstrated record of improvement and reform as the leader of the Cook County State’s Attorney’s Office.

My administration has led the charge across Illinois to enact public safety initiatives that have been signed into law.

This includes a tough law that increases criminal penalties for street gang members arrested by police in possession of guns as well as a new “Street Gang RICO” law that is enabling prosecutors across Illinois to target the illegal activities and structures of gangs.

A cornerstone of my criminal justice reform efforts has been the creation and expansion of alternative and deferred prosecution programs. We are ensuring appropriate alternatives to traditional prosecution for low-level offenders with behavioral health issues rather than subjecting them to traditional incarceration.

Since I took office I have more than tripled the number of Alternative Prosecution and Sentencing Programs, which means that non-violent individuals are getting a head start on rebuilding their lives rather than languishing in jail, receiving felony convictions and remaining stuck in a cycle of crime.

Last year alone, more than 5,400 individuals were routed by my Office to a diversion program instead of traditional prosecution and incarceration and these efforts have helped to contribute to a significant reduction in the Cook County Jail population. By reforming outdated practices and launching initiatives aimed at treatment and education over incarceration, we seek to provide a generation of young men and women with second chances.

I have also implemented a sweeping new drug policy for low-level drug offenses. This policy seeks to keep most low-level marijuana possession cases out of the system and divert individuals charged with felony controlled substance possession or marijuana possession to treatment instead of traditional prosecution. We have already seen improved outcomes as a result, with close to a 75 percent reduction in the number of misdemeanor drug cases being prosecuted by my office. We also expect to link several hundred repeat felony offenders per year with treatment through a newly created diversion program.

I believe that by shifting our resources away from low level offenses, we can step up our efforts against our greatest foe, which is the gang activity and senseless gun violence destabilizing our communities and killing far too many of our citizens.

I have also made it a priority to create new initiatives to tackle the crimes of human trafficking, sexual assault and domestic violence.  And I am very proud of the fact that I created the first ever Conviction Integrity Unit in the office. The subject of wrongful convictions must be dealt with in an open and proactive manner.  I have vacated the convictions of 14 individuals as a result of investigations by my Conviction Integrity Unit.

We also need to continue to work to make our justice system more accessible. That is why I have emphasized a community-oriented prosecution and crime prevention strategy at our four Community Justice Centers which are open in neighborhoods throughout the city. Cooperation between our staff and community leaders ensures that residents have a safe place to solve public safety problems, prevent crime, and improve the overall quality of life in their homes. A University of Chicago study found that the efforts of the community justice program caused significant reductions in violent crime in the areas they serve.

**Q)  *What would you as state's attorney do to address the increasing numbers of shootings and homicides in Chicago?***

There is no question that gun violence is the single greatest challenge facing Cook County today and in my view there needs to be a greater deterrent to illegal gun possession. We need to strengthen gun laws to give my office the proper tools to address violent gun crime. Studies show that nearly two-thirds of offenders convicted of illegal weapons charges re-offend within a year—and the subsequent offenses are often not just weapons charges, but attempted murders, murders, armed robberies or aggravated assaults.

I have changed policies and led efforts to implement new laws (as mentioned above) that help to crack down on illegal guns, but we need tougher and more effective gun sentencing structures, and I will continue to fight for them in Cook County and in Springfield.

But addressing violent crime goes beyond a change in laws. The best way to prioritize our resources to address violent crime is to be smarter about how we handle non-violent offenses. That's why I've made it a priority to develop alternative options for dealing with non-violent offenders, and am committed to continuing to develop programs to make the system more efficient and compassionate.

When I took office in 2008, there were eight felony alternative sentencing/diversion programs available for non-violent offenders. The number of programs now exceeds 30 and serves thousands of people each year. They include progressive new programs that I worked hard to develop, including deferred prosecution opportunities for both first-time and repeat felony offenders.

The felony Deferred Prosecution Program I created in 2010 was the first of its kind in Illinois and became the model for a state statute that enabled other counties to replicate its success. These programs have contributed to a reduction in the jail population and significant cost savings to the citizens of Cook County.

But more importantly, they have afforded many in our communities a second chance at finding employment, finishing school, joining the military and pursuing many other options that reduce recidivism. I plan to continue to expand these programs in the coming years, because a justice system with the right priorities helps ensure that our resources are spent addressing violent crime—and helps end cycles of crime and violence for those offenders who have made mistakes.

**Q) *Do you support a proposal to establish a special gun court in Cook County or, as an alternative, a special "gun call?" The gun call would establish a rotating panel of three judges to conduct bail hearings for every illegal gun possession case. Those cases would be heard in a courtroom at 26th and California that's normally reserved for violent crimes such as murder and sexual assault*.**

I have been an active participant in ongoing discussions with Cook County Chief Judge Timothy Evans and law enforcement partners to explore implementation of a “gun call” and I would certainly support such a measure if it could enhance the criminal justice system’s handling of gun cases. I think the creation of a gun call would send the proper message that these cases are being taken seriously and could also allow for improved data collection by all agencies involved so that crime prevention strategies could potentially be refined and made more effective.

I will continue to work with the Chief Judge to ensure that if such a proposal moves forward that it provides consistency, efficiency, and properly punishes gun offenders before they go on to commit violent crimes. I believe that such an implementation of a gun call can play a part in larger reforms to properly address illegal weapons offenses in our county.

**Q) *Cook County has begun to move toward reducing incarceration for low-level, nonviolent crimes. But some low-level drug offenses carry mandatory sentences because they take place near schools, churches, parks and other restricted areas.  Do you support that policy, or should it be changed?***

I believe that we need to take a new approach to how we prosecute low-level drug offenses and that we need to revisit and revise several drug-related laws, including the sentencing enhancements specifically referenced in this question.

In fact, a proposal to reduce both the distance and the list of sites that trigger this sentencing enhancement is included in my package of proposals for the 2016 legislative session.

Other legislative actions that I support include making more non-violent offenses eligible for probation, eliminating laws that upgrade certain narcotics offenses to Class X felonies, and creating new mid-tier sentencing categories for certain narcotics statutes which I believe are currently overly punitive.

In addition to supporting legislative action, I have unilaterally implemented policies and programs that have significantly reduced the number of individuals who become ensnared in the criminal justice system for committing low-level, nonviolent crimes. They include progressive new programs that I worked hard to develop, including deferred prosecution opportunities for both first-time and repeat felony offenders. These programs have contributed to a reduction in the jail population and significant cost savings to the citizens of Cook County.  But more importantly, they have afforded several thousand members of our communities a second chance at finding employment, finishing school, joining the military and pursuing many other options that reduce recidivism.

**Q) *What would be your policy as state's attorney with respect to making evidence — such as a police dashcam video — public in a case prior to charges being filed, a trial or a conviction?***

No prosecutor wants crucial evidence to be released in cases where it could affect the ability to effectively prosecute a case. And as prosecutors and attorneys, the Cook County State’s Attorney’s Office is obligated to follow the Rules of Professional Conduct issued by the Illinois Supreme Court. At times, these ethical rules prohibit public commentary about specific ongoing criminal investigations as such comments could jeopardize an accused’s right to a fair trial. So I could never support wholesale release of evidence if it could jeopardize the prosecution of a crime. These decisions must be made on a case-by-case basis.

In many ways, the criminal justice system is still working to catch up to changes in technology and we must do all that we can to get up to speed and ensure that we are fully utilizing all means of communication, including digital communication, to be as transparent as possible about the work of our office.

**Q) *Each candidate for state’s attorney has important political supporters or donors. What will you do to assure they do not have undue influence in your office*?**

When I ran for State's Attorney in 2008, I had no political experience and I ran without the formal support of the party or any other major institutional donors.

I won that election over experienced politicians because of my professional legal experience, my integrity and my ongoing commitment to advancing reform in the criminal justice system.

I certainly have many supporters, including many elected officials, but I have never been a party insider or a favored candidate of politicians. Nor have I sought to be their candidate. My record as an independent professional prosecutor is demonstrated and it is very clear: there has been no undue influence by political supporters or donors on my watch as the Cook County State’s Attorney.

**Q) *How would you assess the effectiveness of the existing Conviction Integrity Unit? Should changes be made going forward?***

I created the first ever Conviction Integrity Unit in the Cook County State’s Attorney’s Office in 2012 in order to place a new emphasis and a stronger focus on our review of cases involving questionable convictions. I created this unit without any additional funding or resources from Cook County government.

Since its formation, the investigators and prosecutors in this unit have been reviewing post-conviction cases, paying particular attention to the types of cases that we have seen that have led to wrongful convictions in the past. These are generally cases that involve single eyewitnesses or cases that have confessions with little or no supporting evidence. We are also paying close attention to cases that involve juvenile defendants or defendants with mental health issues. Part of this effort also involves providing ongoing training to all of our prosecutors to give them access to research and developing information that can help them ensure that only guilty people are charged and convicted here in Cook County.

Since the unit began, we have taken in and reviewed more than 450 cases and we are presently actively investigating more than 100 potential claims of innocence. And since that time I have taken the unprecedented action of vacating 14 convictions as a result of investigations by my Conviction Integrity Unit.

On a personal note, this process has also been an evolution for me in some ways as a career prosecutor. No one becomes a prosecutor thinking that they are going to be charged with reviewing potentially wrongful convictions; I know I certainly did not. But the truth is, that due to the progress and improvements that have occurred in the criminal justice system, including the manner in which interrogations and confessions are handled as well as marked advancements in DNA testing, we find ourselves at a unique time in history.

In my opinion, the subject of wrongful convictions is challenging, but I believe very strongly that it is an issue that we must deal with in an open and proactive manner. My job is not about racking up convictions; it is about always seeking justice, even if that measure of justice means that we must acknowledge mistakes of the past.

Our conviction integrity efforts here in Cook County have captured the attention of prosecutorial agencies across the nation and I am very proud of the fact that we are often contacted by other jurisdictions to share advice, information and data. In addition, we work very cooperatively with innocence projects and attorneys on any cases that they may bring to our attention. I recently met with Northwestern University’s Conviction Integrity Advisory Board and took suggestions on changes that could make our work more effective. I am also working with Northwestern officials to plan a Conviction Integrity Summit that will be held here in Chicago next fall.

**Q) *What ideas do you have to shorten the delays between and indictment and trial for defendants in Cook County Jail?***

Along with other representatives of the criminal justice system, I am a member of a working group chaired by Judge Evans that that has been meeting over the last two years to address this issue. To date we have identified specific strategies that have helped to expedite pending criminal cases. For example, through better communication and case management we have been able to reduce the time between indictment and arraignment in our criminal cases. We have also implemented procedures to acquire discoverable materials from police agencies in a more timely fashion. We have also eliminated the delay in acquiring 911 recordings when they are required in our criminal cases and we have shortened if not altogether eliminated the delay in obtaining physical evidence from individual police departments.

One very important issue that we have also been working to address is the delays that occur in obtaining the results of scientific testing by forensic labs. We have recently implemented a new policy with the Illinois State Crime Lab that we believe is going to help to expedite DNA analyses and expedite the associated cases.

In addition to these specific actions, I have also worked closely with Sheriff Tom Dart on the development and implementation of the “Rocket Docket” pilot program designed to expedite specific cases that involve non-violent offenses.

These examples are not just ideas; they represent a clear and demonstrated record of progress on this important issue.

I look forward to continuing to develop strategies with my partners in the criminal justice system to ensure that we are doing all that we can to expedite the cases of defendants in the Cook County Jail system.

Another important factor in this equation is pre-trial diversion programs, which not only give non-violent offenders an opportunity to avoid a felony conviction on their record, but also divert those offenders out of the system, reducing the burden on the jails and saving taxpayer dollars.

**Q) *When is it appropriate to recruit the FBI and United States attorney’s office for assistance in cases that fall under state jurisdiction?***

As an investigative authority, the FBI has nearly limitless access to resources and highly trained experts. I have a demonstrated record of partnering with the FBI and U.S. Attorney's office in many different types of cases when both state and federal charges may be warranted. In these instances, all of our collective agencies benefit as we work cooperatively to investigate and develop joint evidence that enables us to build the soundest and most effective criminal cases.

While I cannot mandate the involvement of our federal partners, I certainly seek and request their participation and assistance in a wide variety of cases including large scale narcotics and gang-related investigations, human trafficking operations, and police involved shootings. Federal investigations often move at a slow pace, but the benefits of coordination are substantial, allowing the State's Attorney's Office access to the sophisticated tools needed to win convictions in the most complex cases. I will continue to coordinate with my Federal partners whenever this collaboration can benefit our cases.

**Q) *Prisons across the country have become more crowded in part because sentences for serious crimes have steadily become longer. Are these sentences justified, necessary and effective or should Illinois stem or reverse this trend toward longer sentences?***

Criminal laws must be passed as a tool to aid prosecutors in promoting public safety—not a as a political football for legislators. We can all agree that many of the “tough-on-crime” laws of previous decades have proven to be failed policies, especially with regards to how we enforce drug laws, and my office now defers thousands of non-violent prosecutions so that felony convictions do not stand in these cases where they do not promote justice.

Of course, it is clear that Cook County does have a serious gun violence problem, and as a prosecutor it is important that I have the right laws in place to be able to enforce the laws properly and adequately address the violence in our communities. We must continue to analyze sentencing laws on a case-by-case basis, and ensure that longer sentences are reserved for violent criminals who present a demonstrated threat to public safety.

**Q) *The civil division of the U.S. attorney’s office collects judgments that return to taxpayers more money than the budget of the office. The Cook County state’s attorney’s civil division recovers far less money. How would you increase this recovery?***

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The total amount of revenue collected by my Civil Actions Bureau actually compares quite favorably with monies collected from civil actions by the U.S. Attorney’s Office for the Northern District of Illinois ($11.5 million) during 2015. In fiscal year 2015 the State’s Attorney’s Civil Actions Bureau assisted Cook County government in the collection of amounts totaling $7.8 million.

These collections include the following:

~~ Probate practice which resulted in deposits of $3,150,370.80 to the Cook County Treasurer’s Unknown Heirs Fund;

~~ Delinquent taxes collected in administrative hearings cases totaling $511,336.16 (a 20 percent increase over fiscal 2014);

~~ Fines collected in administrative hearings cases totaling $1,233,405.49;

~~ Delinquent taxes collected in condemnation cases totaling $293,484.55;

~~ Revenue recovery practice collected $1,174,985.06 (includes hospital liens; mortgage foreclosure liens, bond forfeitures, and civil contempt orders);

~~ Insurance fraud cases brought in $345,000.00;

~~ Unpaid taxes recovered in the Assessor’s erroneous homestead exemption call totaling $1,158,169.96.

Additionally, our Civil Actions Bureau obtained orders and judgments on behalf of Cook County in the sum of $21.6 million, some of which is reflected in the amounts collected.

The State’s Attorney’s Civil Actions Bureau’s collections on behalf of Cook County taxpayers should be considered very impressive in comparison with the U. S. Attorney’s Office given the much larger geographic jurisdiction covered by the Northern District of Illinois which not only includes Cook but also the counties of Du Page, Grundy, Kane, Kendall, Lake, La Salle, and Will. The U.S. Attorney also enjoys greater statutory authority that empowers the federal government to make collections in cases involving matters such as income tax fraud and Medicare fraud.

For example, in 2014 the U.S. Attorney reported collections in excess of $80 million in civil actions. But that number jumped significantly as a result of only two cases, both of which exemplify the greater statutory authority of the federal government:  a $53 million IRS penalty from a businessman who failed to report income from a secret foreign bank account, and $15.5 million from a pharmaceutical manufacturer to settle a Medicare false billing claim.

It should also be noted that due to budget cuts imposed by the Cook County Board and its President, the State’s Attorney’s Revenue Recovery Unit was eliminated and we were forced to merge its functions into the Municipal Litigation Unit. Unfortunately, because of the intensive workload in our Municipal Litigation Unit, we are no longer able to dedicate specific Assistant State’s Attorneys to focus exclusively on revenue recovery.  ASA’s assigned to revenue recovery-type cases must also handle other litigation and transactional matters due to our significant caseloads.

**Q)  *The U.S. and Illinois supreme courts have said mandatory life without parole is unconstitutional for juveniles. What, if anything, should be done about juveniles convicted in Cook County who already are serving such sentences?***

It is important to remember that juveniles who are serving mandatory life sentences are doing so because they committed the most heinous crimes, most cases involving the murder of more than one person or some other extremely heinous circumstance. It is also important to remember that these cases involve real victims and the families of these murdered victims who are entitled to and deserve to have their voices heard in the process as well.

With that being said, the Illinois Supreme Court ruling entitles these juvenile defendants to new sentencing hearings in which a Judge will hear all details of the case in order to make a determination if a life sentence is appropriate.

Prosecutors and defense attorneys present all of the details of the case to the Judge at the re-sentencing hearing. It is the Judge who is then responsible for determining if the life sentence should remain in place or if the defendant should instead be sentenced to a term of years in prison.

My office is reviewing these cases as they return to our courts for re-sentencing and making determinations on the sentencing recommendations we present before the Judge on a case-by-case basis. I believe that this is the proper process to follow and is in the best interests of our victims and their families and loved ones.

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