

Testimony of

Thomas J. Dart

November 19, 2008

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Testimony of Sheriff Tom Dart Sheriff of Cook County, Illinois before the U.S. Senate Judiciary Committee

Hearing on "Helping Families Save Their Homes: The Role of Bankruptcy Law" Wednesday, November 19, 2008

Good morning, Senator Durbin, Chairman Leahy, Ranking Member Specter, and committee members.

Let me first say what an honor it is to be here before you today and what a privilege it is to be able to represent the voices of the thousands of homeowners in Chicago and suburban Cook County who are currently facing foreclosure, as well as the thousands more who, despite their best efforts, know that foreclosure is just a few days away.

I'm here today because of the bold stand we took in Cook County, to stop all mortgage foreclosure evictions. It was the first move of its kind in the country and one that drew national attention to the crisis faced by so many Americans. That growing crisis in our county couldn't be ignored any longer and a drastic step had to be taken.

When I took office just two years ago, there were 18,916 mortgage foreclosure cases filed in Cook County. This year, we project 43,000 will be filed. And when I took office, we were evicting 1,771 families from their homes due to foreclosures. This year, we are on track to evict 4,500 families.

But we stopped all foreclosure evictions until protections could be built into the system. The result of that stand was the creation of new layers of protections for those living in foreclosed homes, as well as for taxpayers. But it was a solution that worked only for Cook County. It was a band aid that has helped problems locally, but what remains is a dire need for a more systemic solution.

Sen. Durbin's plan to allow for the restructuring of mortgage debt during a bankruptcy proceeding is exactly the type of bold stand American homeowners need.

And it's clear from the economy, as well as the continuing rise in foreclosure cases, that the time for talking has long passed. A solution - a bold stand - is needed now.

All you have to do is drive down one of the many blocks our eviction teams drive down each and every day - from the wealthiest suburbs to the inner-city neighborhoods - and the effects of this crisis are easy to see.

Consider a block in Chicago's poverty-ravaged Englewood neighborhood. Once home to 16 houses, that block now has just 4 homes standing. The rest have been demolished and two of the remaining homes are boarded up. A third is about to have a knock on the door from our deputies, explaining that everyone's got to get out.

Statements

Witness Testimony

Thomas J. Dart

Michael D. Calhoun

David G. Kittle

Adam J. Levitin

Dr Christopher J. Mayer

Scott A. Stengel

Member Statements

The Honorable Patrick Leahy

The Honorable Richard J. Durbin

The Honorable Russ Feingold