

Appendix A:

Written Submissions of Testifying Witnesses



Average DOC Offender Profiles

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Joe V. (Violent Felon)

8 of every 100 inmates leaving prison had sentences for assault, battery, or forcible harm in 2009.

Who is the average inmate coming out of state prison? What crime did he or she commit? How long did he or she spend in the system? What was his or her experience? To begin answering these questions, SPAC analyzed state prison releases from July 2008 to June 2009 (SFY 2009) to create an average “profile” using the most often occurring characteristics, as well as average and median (50th percentile) lengths of stay. The composite result, the hypothetical Joe, follows one average offender’s experience to promote discussion of the regular DOC inmate released from state prison.

V. is a black male, born in Illinois as a U.S. citizen, and is 31. He considers himself single and reported to the Illinois Dept of Corrections (DOC) that he finished his junior year in high school.

- For every 100 violent offenders released in SFY 2009, 6 were women.
- 49 were black, 39 white, 12 Hispanic.
- 80 were born in Illinois, 95 born in the United States.
 - o After Illinois, next largest birthplaces were Mississippi, Missouri, and Mexico (2 each).
- 28 of every 100 battery offenders released were younger than 25.
- Most reported being single like V., but 15 reported being married and 11 divorced.
- V. might have exaggerated on his education, but he probably completed at least half of high school (70 of the 100 reported completing more than 10th grade: 22 said 11th grade level and 17 said GED).

After being arrested in 2008, V. spent **104 days (3.5 months) in the local jail** prior to sentencing.

- A few of the 100 with long pre-custody jail time pulled the average upwards to 155 days (5 months).

Before this incident, V. had been **arrested 15 times before** (at least 4 of which were for other person offenses, 4 were property, and 4 were “other” offenses). 4 were felony arrests.

- From those 15 arrests, V. has been convicted of 1 felony property offense. V. has at least 4 other convictions (for misdemeanors).

V. received a **sentence for Aggravated Battery, a Class 3 felony** in 2008.

- Data do not show whether there was a plea agreement.
- 43 of every 100 violent offenders were sentenced for Assault, Battery, or Forcible Harm, 24 of these 43 were specifically for aggravated battery.
- 27 of every 100 battery offenders had been admitted to state prison due to mandatory supervised release (MSR) technical violations prior to their release in SFY 2009.
- V. was one of the 42 of these 100 whose highest holding offense-class was a Class 3 felony.
 - o 37 were held on a Class 4 felony;
 - o 15 were held on a Class 2 felony;
 - o 5 were held on a Class X felony;
 - o 1 was held on a Class 1 felony.

V. was not limited in good-time credits under Truth-In-Sentencing laws.

- 5 of these 100 aggravated battery offenders were sentenced under the 85% TIS rules.

V. **spent 5 months in state prison.**

- A few of the 100 aggravated battery offenders released with longer sentences brought the average up to 10 months of time served.

V. was **released from Vienna CC** on Friday, June 19, 2009.

- 8 of the 100 battery offenders released were from Vienna (minimum security facility) and 8 were from Vandalia (minimum). 15 came from Shawnee (medium), Lawrence (medium), and Stateville (maximum) CCs.
- No aggravated battery offenders were released from adult transition centers (ATC) or DOC’s electronic monitoring.

V. was **released to Mandatory Supervised Release**. By June 2012 (3 years from release), V. was **rearrested twice**.

- Most likely arrested for other (category) or person (i.e., violent) offenses.
- Of all the arrests, V. has a chance of having 1 person felony conviction.
- 16 of every 100 aggravated battery offenders released in 2009 had been returned to prison for violating conditions of supervised release where they served the remainder of their time before being discharged without further

Joe D.O. (Drug Felon)

26 of every 100 inmates leaving state prison had controlled substance sentences in SFY 2009.

Who is the average inmate coming out of state prison? What crime did he or she commit? How long did he or she spend in the system? What was his or her experience? To begin answering these questions, SPAC analyzed state prison releases from July 2008 to June 2009 (SFY 2009) to create an average “profile” using the most often occurring characteristics, as well as average and median (50th percentile) lengths of stay. The composite result, the hypothetical Joe, follows one average offender’s experience to promote discussion of the regular DOC inmate released from state prison.

D.O. is a black male, born in Illinois as a U.S. citizen, and is 31. He considers himself single and reported to the Illinois Department of Corrections (DOC) that he completed high school.

- For every 100 drug felons released in SFY 2009, 10 were women.
- 75 were black, 17 white, 8 Hispanic.
- 84 were born in Illinois, 96 born in the United States.
 - o After Illinois, the next largest birthplaces were Mississippi (3) and Mexico (3).
- 25 of these 100 drug felons were younger than 25, but the average was in his 30s.
- 76 were single like D.O.; 15 reported being married, 6 divorced.
- D.O. might have exaggerated on his education, but he probably completed at least half of high school (20 of the 100 reported completing high school, another 15 GEDs, and 9 some college, graduate, or technical schooling).

After being arrested for possession of a controlled substance in early 2008 in Cook County, D.O. spent **92 days (3 months) in local jail** prior to sentencing.

- A few of the 100 with long pre-custody jail time pulled the average upwards to 132 days (4 months).

Before this incident, D.O. had been **arrested 18 times before** (at least 6 of which were for drug offenses, 5 were property offenses, and 3 were person (i.e., violent) offenses).

- From those 18 arrests, D.O. has been convicted of 2 felony drug offenses, 1 felony property, and 1 felony person offenses. D.O. has at least 2 other convictions (for misdemeanors).

D.O. was charged with felony drug possession and received a **1-year-and-3-month sentence for a Possession of a Controlled Substance violation, a Class 4 felony**.

- 58 of 100 drug offenders released in SFY 2009 received a sentence for Possession while 41 received a sentence for Manufacture or Delivery.
- 23 of 100 drug offenders had returned to prison on technical violations of their mandatory supervised release (MSR) terms prior to their release in SFY 2009.
- D.O. was one of the 52 of the 100 felons whose highest holding offense-class was a Class 4 felony.
 - o 23 were held on Class 1 felonies;
 - o 17 were held on Class 2 felonies;
 - o 6 were held on Class X felonies.

D.O. was not limited in good-time credits under Truth-In-Sentencing laws.

- 1 of every 100 drug offenders faced TIS terms in SFY 2009 (same as admissions in SFY 2012).

D.O. spent **6 months in state prison**. DOC credited D.O. 3 months for his 92 days in local jail.

- A few of the 100 released drug offenders with long sentences brought the average up to 12 months of actual time served.

D.O. was **released from Stateville CC** on Friday, August 8, 2008.

- 10 of the 100 drug offenders released were from Stateville (a maximum security facility). 10 were from Pinckneyville (medium) and 7 from Vienna (minimum) CCs. Sheridan (medium) released 4 in SFY 2009.
- 6 were released from adult transition centers (ATC) and 1 from electronic monitoring by DOC.

D.O. was **released to Mandatory Supervised Release**, as required by statute, for 1 year. By June 2012 (3 years from release), D.O. was **rearrested 3 times**.

- Most likely arrested for drug, property, or other (category) offenses.
- Of all the arrests, likely to be convicted for 1 drug offense.
- 12 of drug offenders released in 2009 had been returned to prison for violating conditions of supervised release where they served the remainder of their time before being discharged without further supervision.

J.T. (Joe Retail Theft)

6 of every 100 inmates leaving state prison had sentences for retail theft in SFY 2009.

Who is the average inmate coming out of state prison? What crime did he or she commit? How long did he or she spend in the system? What was his or her experience? To begin answering these questions, SPAC analyzed state prison releases from July 2008 to June 2009 (SFY 2009) to create an average “profile” using the most often occurring characteristics, as well as average and median (50th percentile) lengths of stay. The composite result, the hypothetical Joe, follows one average offender’s experience to promote discussion of the regular DOC inmate released from state prison.

J.T. is a black male, born in Illinois as a U.S. citizen, and is 40. He considers himself single and reported to the Illinois Dept of Corrections (DOC) that he finished his junior year in high school.

- For every 100 retail theft offenders released in SFY 2009, 21 were women.
- 66 were black, 27 white, 7 Hispanic.
- 80 were born in Illinois, 98 born in the United States.
 - o After Illinois, next largest birthplaces were Mississippi (4), Missouri (3), and Arkansas and Tennessee (1 each).
- 9 out of every 100 exiting retail theft offenders were younger than 25.
- Most retail theft offenders reported being single like J.T., but 15 reported being married, 12 divorced.
- J.T. may have exaggerated on his education, but he probably has completed at least half of high school (79 of every 100 reported completing more than 10th grade; 20 said 11th grade level, 16 said GED).

After being arrested in 2008, J.T. spent **53 days (2 months) in the local jail** prior to sentencing.

- A few of the 100 with long pre-custody jail time pulled the average upwards to 79 days (3 months).

Before this incident, J.T. had **7 arrests for felonies** and **13 arrests for misdemeanors** (most were property or drug offenses).

- From those 20-plus arrests, J.T. has been convicted of 1 felony property offense.

J.T. received a **sentence for a Retail Theft offense, a Class 4 felony**.

- Data do not show whether there was a plea agreement.
- 22 out of every 100 property offenders were sentenced for Retail Theft under Class 3 and 4 felonies.
- 17 of every 100 retail thieves had been admitted to state prison due to mandatory supervised release (MSR) technical violations prior to their release in SFY 2009.
- J.T. was one of the 58 of these 100 whose highest holding offense-class was a Class 4 felony.
 - o 42 were held on Class 3 felony.
- J.T. was not limited in good-time credits under Truth-In-Sentencing laws.

J.T. **spent 4 months in state prison**.

- A few of the 100 retail theft offenders with longer sentences brought the average up to 6 months of time served.

J.T. was **released from Vandalia CC** on Thursday, July 3, 2008.

- 20 of the 100 retail theft offenders released were from Vandalia (minimum security facility) and Vienna (minimum). 15 releases were from East Moline (minimum), Lawrence (medium), and Shawnee (medium) CCs.
- Very few were released from adult transition centers (ATC) and none from DOC’s electronic monitoring.

J.T. was **released to Mandatory Supervised Release**. By June 2012 (3 years from release), J.T. was **rearrested 3 times**.

- Most likely arrested for property or “other” offenses.
- Of all the arrests, J.T. is likely to be convicted for 1 more property offense (possibly a felony).
- 10 of every 100 retail theft offenders released in 2009 had been returned to prison for violating conditions of supervised release where they served the remainder of their time before being discharged without further supervision.

Joey M. (Murderer)

2 of every 100 inmates leaving state prison had sentences for murders in SFY 2009.

Who is the average inmate coming out of state prison? What crime did he or she commit? How long did he or she spend in the system? What was his or her experience? To begin answering these questions, SPAC analyzed state prison releases from July 2008 to June 2009 (SFY 2009) to create an average “profile” using the most often occurring characteristics, as well as average and median (50th percentile) lengths of stay. The composite result, the hypothetical Joey, follows one murder offender’s experience to promote discussion of the regular DOC inmate released from state prison.

M. is a black male, born in Illinois as a U.S. citizen, and is 35. He considers himself single and reported to the Illinois Dept of Corrections (DOC) that he finished his junior year in high school.

- For every 100 murderers released in SFY 2009, 8 were women.
- 67 were black, 16 Hispanic, 16 white.
- 78 were born in Illinois, 83 born in the United States.
 - o After Illinois, next largest birthplaces were Mexico and Mississippi (4 each).
- 8 of these 100 murderers were younger than 25.
- Most reported being single like M., but 13 reported being married and 5 divorced.
- M. might have exaggerated on his education, but he probably completed at least half of high school (64 of the 100 reported completing more than 10th grade; 16 said 11th grade level, 11 said GED).

After being arrested for the murder in 1996, M. spent **501 days (1.5 years) in the local jail** prior to sentencing.

- A few of the 100 with long pre-custody jail time pulled the average upwards.

Before this incident, M. had been **arrested 6 times before** (1 was for a violent felony).

- From those 6 arrests, M. has been convicted of 1 felony for a person (i.e., violent) offense.

M. received a **sentence for First Degree Murder** in 1997.

- Data do not show whether there was a plea agreement.
- 43 of every 100 homicide offenders released in 2009 had sentences for First Degree Murder while 22 had sentences for Attempted Murder.
- 27 murderers had been admitted to state prison due to mandatory supervised release (MSR) technical violations prior to their release in SFY 2009.
- M. was one of the 55 of these 100 whose highest holding offense-class was a Murder Class felony.
 - o 24 were held on a Class X felony;
 - o 10 were held on a Class 1 felony;
 - o 6 were held on a Class 2 felony;
 - o 4 were held on a Class 3 felony.

M. received Day-for-Day good-time credits and received a determinate sentence.

- 2 of the 100 murderers released in SFY 2009 were still on indeterminate sentences.
- 3 had served 100% of their sentence under TIS laws (16 served on TIS-85% rules).

M. spent **9 years and 11 months in state prison**.

- A few of every 100 murderers have longer sentences and brought the average up to 10 years and 8 months of time served.

M. was **released from Stateville CC** on Friday, September 26, 2008.

- 11 of the 100 murderers released were from Stateville (maximum security) and another 11 were from Dixon (medium). 9 were from Illinois River (medium) and 7 from Danville (medium).
- No murder offenders were released from adult transition centers (ATC) or IDOC's electronic monitoring.

M. was **released to Mandatory Supervised Release**. By June 2012 (3 years from release), M. was **rearrested once**.

- Most likely arrested for a misdemeanor person offense.
- M. is unlikely to be convicted again.
- 16 of every 100 murderers released in 2009 had been returned to prison for violating conditions of supervised release were they served the remainder of their time before being discharged without further supervision.

Joe Wey Ponn (Weapon Felon)

6 of every 100 inmates leaving state prison had a sentence for a weapon violation in SFY 2009.

Who is the average inmate coming out of state prison? What crime did he or she commit? How long did he or she spend in the system? What was his or her experience? To begin answering these questions, SPAC analyzed state prison releases from July 2008 to June 2009 (SFY 2009) to create an average "profile" using the most often occurring characteristics, as well as average and median (50th percentile) lengths of stay. The composite result, the hypothetical Joe, follows one average offender's experience to promote discussion of the regular DOC inmate released from state prison.

Ponn is a black male, born in Illinois as a U.S. citizen, and is 27. He considers himself single and reported to the Illinois Dept of Corrections (DOC) that he finished his junior year in high school.

- For every 100 weapons offenders released in SFY 2009, 1 was a woman.
- 77 were black, 14 Hispanic, 9 white.
- 89 were born in Illinois, 99 born in the United States.
 - o After Illinois, next largest birthplaces were Mississippi and Mexico (2 each).
- 41 of these 100 weapon offenders were younger than 25.
- Most reported being single, although 11 reported being married, 4 divorced.
- Ponn might have exaggerated on his education, but he probably completed at least half of high school (66 of the 100 reported completing more than 10th grade, 29 said 11th grade, 14 said GED).

After being arrested in 2007, Ponn spent **117 days (4 months) in the local jail** prior to sentencing.

- A few of the 100 with long pre-custody jail time pulled the average upwards to 160 days (5 months).

Before this incident, Ponn had been **arrested 15 times before** (at least 2 of which were for felony drug arrests and 1 for a felony "other" arrests).

- From those 15 arrests, Ponn has been convicted twice for a felony "other" offense, once for a felony drug offense.

Ponn received a **sentence for UUW-Felon, a Class 2 felony** in 2007.

- 56 of the 100 weapon offenses were sentenced for UUW-Felon while 35 were for aggravated UUW.
- 36 of the 100 weapon offenders had returned to prison on technical violations of their mandatory supervised release (MSR) terms prior to their release in SFY 2009.
- 6 had received completely new sentences during their supervision.
- Ponn was one of the 67 of the 100 weapons offenders held as a Class 2 felon.
 - o 33 were held on a Class 3 felony.
- Ponn was not limited in good-time credits under Truth-In-Sentencing laws.

Ponn **spent 6 months in state prison.**

- A few of the 100 weapons offenders with longer sentences brought the average up to 10 months of time served.

Ponn was **released from Stateville CC** on Friday, May 15, 2009.

- 10 of the 100 weapons offenders released were from Stateville (maximum security). Vienna (minimum) and Pinckneyville (medium) had 9 each.
- 1 of these offenders was released from an adult transition center (ATC) and none from DOC's electronic monitoring.
- For most weeks, Friday is the most typical date for individuals to be released.

Ponn was **released to Mandatory Supervised Release**. By June 2012 (3 years from release), Ponn was **rearrested 3 times**.

- Most likely arrested for "other," drug, or person (i.e., violent) offenses.
- Of all the arrests, has a small chance of being convicted of an "other" offense.
- 14 of the weapon offenders released in 2009 had been returned to prison for violating conditions of supervised release where they served the remainder of their time before being discharged without further supervision.

Prop Joe (Property Felon)

7 of every 100 inmates leaving state prison had sentences for burglary in SFY 2009.

Who is the average inmate coming out of state prison? What crime did he or she commit? How long did he or she spend in the system? What was his or her experience? To begin answering these questions, SPAC analyzed state prison releases from July 2008 to June 2009 (SFY 2009) to create an average “profile” using the most often occurring characteristics, as well as average and median (50th percentile) lengths of stay. The composite result, the hypothetical Joe, follows one average offender’s experience to promote discussion of the regular DOC inmate released from state prison.

Prop Joe is a black male, born in Illinois as a U.S. citizen, and is 35. He considers himself single and reported to the Illinois Department of Corrections (DOC) that he completed high school.

- For every 100 property offenders released in SFY 2009, 12 were women.
- 49 were black, 41 white, 10 Hispanic.
- 78 were born in Illinois, 96 born in the United States.
 - o After Illinois, the next largest birthplaces were Mississippi (3), Missouri (2), and Mexico (2).
- 25 of every 100 exiting burglars were younger than 25, but the average was in his 30s.
- Most reported being single like Prop Joe, but 16 reported being married and 11 said divorced.
- Prop Joe might have exaggerated on his education, but he probably completed at least half of high school (70 of every 100 reported completing more than 10th grade; 19 reported graduating high school and 18 reported a GED).

After being arrested in 2007, Prop Joe spent **118 days (4 months) in the local jail** prior to sentencing.

- A few of the 100 with long pre-custody jail time pulled the average upwards to 156 days (5 months).

Before this incident, Prop Joe had been **arrested 16 times before** (at least 8 of which were for other property offenses, 3 were “other” offenses, and 3 were person (i.e., violent) offenses). 5 were felony arrests.

- From those 16 arrests, Prop Joe had been convicted of 2 felony property offenses. He had 5 total convictions, including those property convictions.

Prop Joe received a **sentence for a Burglary offense, a Class 2 felony** in 2008.

- Data do not show whether there was a plea agreement.
- 36 of every 100 property offenders were sentenced for burglary or residential burglary (mostly Class 2 and 1 felonies, respectively) while 32 were sentenced for Theft or Retail Theft (Class 3 and 4 felonies). 12 were sentenced for Motor Vehicle Offenses (DUIs).
- 21 of every 100 burglars had been admitted to state prison due to mandatory supervised release (MSR) technical violations prior to their release in SFY 2009.
- Prop Joe was one of the 86 of these 100 whose highest holding offense-class was a Class 2 felony.
 - o 10 were held on Class 3 felonies;
 - o 2 were held on Class 4 felonies;
 - o 2 were held on Class 1 felonies.
- Prop Joe was not limited in good-time credits under Truth-In-Sentencing laws.

Prop Joe **spent 10 months in state prison.**

- A few of the 100 burglars released with long sentences brought the average up to 1 year and 3 months of time served.

Prop Joe was **released from Pinkneyville CC** on Friday, March 13, 2009.

- 7 of the 100 burglars released were from Vienna (minimum). Illinois River CC (high medium) and Vandalia CC (minimum) were the next largest with 6 out of the 100 in SFY 2009.
- Very few offenders were released from adult transition centers (ATC) and none from DOC’s electronic monitoring.

Prop Joe was **released to Mandatory Supervised Release**. By June 2012 (3 years from release), Prop Joe was **rearrested 2 times.**

- Most likely arrested for a property offense or, less likely, a category “other” offense.
- From these two arrests, he may have 1 additional conviction (likely another property offense).
- 12 of every 100 burglary offenders released in 2009 had been returned to prison for violating conditions of supervised release where they served the remainder of their time before being discharged without further supervision.

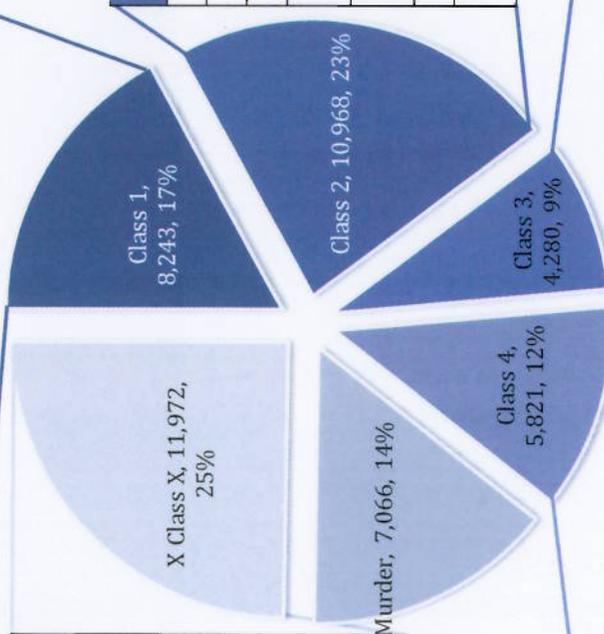


June 30, 2013 IDOC Population

48,877 Inmates Held
Six Felony Classes
Top 7 Largest Crimes

Crime Type	Holding Crime Top Class 1 Felonies	Number of Cases	Percent of Class
Property	Residential Burglary	2,077	25.2
Drug	Manufacture/Delivery 1-15 Grams Cocaine	855	10.4
Person	Aggravated Robbery	619	7.5
Drug	Manufacture/Delivery 1-15 Grams Heroin	585	7.1
Drug	Manufacture/Delivery Narcotic Schedule I&II, School/High School/Park	389	4.7
Person	Aggravated Discharge Firearm/Occupied Vehicle	257	3.1
Sex	Criminal Sexual Assault	245	3.0

Crime Type	Holding Crime Top Class X Felonies	Number of Cases	Percent of Class
Person	Predatory Criminal Sexual Assault	1,751	14.6
Person	Armed Robbery, No Firearm	1,025	8.6
Person	Armed Robbery, With Firearm	637	5.3
Person	Aggravated Battery, With Firearm	620	5.2
Person	Attempt Murder/Intent to Kill/Injure	1,102	9.2
Person	Armed Habitual Criminal	493	4.1
Person	Manufacture/Delivery 15 to 100 Grams Cocaine	472	3.9



Crime Type	Holding Crime Top Class 2 Felonies	Number of Cases	Percent of Class
Property	Burglary	2,725	24.8
Person	UUW Felony Possession, With Prior	1,215	11.1
Person	Robbery	667	6.1
Property	Aid/Abet/Possession/Selling of Stolen Vehicle	491	4.5
Person	Aggravated Battery/Harm to Peace Officer	253	2.3
Person	Aggravated Domestic Battery	249	2.3
Other	DUI or Driving with Suspended or Revoked License, 4th Offense	240	2.2

Crime Type	Holding Crime Top Class 4 Felonies	Number of Cases	Percent of Class
Drug	Possession of Other Controlled Substance, Not 402(a) or (d)	1,835	31.5
Property	Retail Theft, Less Than \$300 with Previous Conviction	506	8.7
Person	Domestic Battery/Bodily Harm	242	4.2
Other	Aggravated DUI with License Suspended or Revoked	229	3.9
Property	Retail Theft, Less Than \$150, With 2 or more violations	188	3.2
Other	Driving with Suspended or Revoked License, 4-9 violations	187	3.2
Other	DUI, Driving with Suspended or Revoked License, 2nd Offense	166	2.9

Crime Type	Holding Crime Top Class 3 Felonies	Number of Cases	Percent of Class
Person	UUW Felony Possession	272	6.4
Property	Theft, \$300 to \$10,000	254	5.9
Property	Retail Theft/Display Merchandise, More Than \$300	232	5.4
Property	Attempt Burglary	184	4.3
Sex	Sex Offender Registration Violation	180	4.2
Property	Forgery/Issue/Deliver Document	168	3.9
Other	Escape/Violate Electronic Monitoring	159	3.7

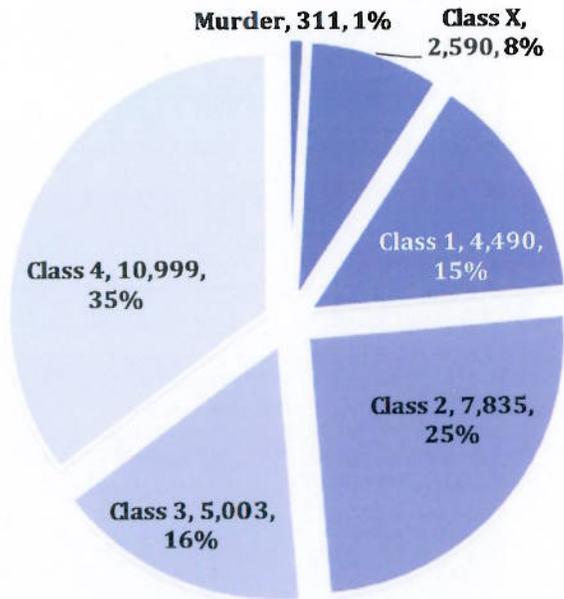
Source: Illinois Department of Corrections, Planning & Research Department, inmate population and felony classification as of June 30, 2013. Analysis excludes a small number of special cases.



Illinois Sentencing Policy Advisory Council

2013 Admissions to IDOC

State Fiscal Year 2013,
31,280 total admissions



Crime Type	Admission Crime Top Class 4 Felonies	Number of Cases	Percent of Class
Drug	Possession Controlled Substance, Not 402(a) or (d)	3,575	32.5
Property	Retail Theft, Less Than \$300, With Previous Conviction	947	8.6
Person	Aggravated UUW	573	5.2
Drug	Aggravated DUI with License Suspended or Revoked	506	4.6
Property	Retail Theft, Less Than \$150, With 2 or more violations	415	3.8

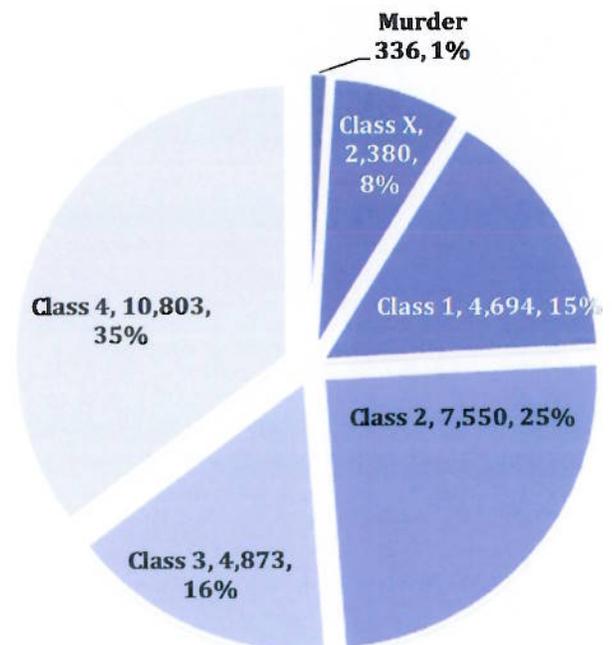
Crime Type	Admission Crime Top Class 2 Felonies	Number of Cases	Percent of Class
Property	Burglary	1,763	22.5
Drug	Manufacture/Delivery Other Narcotic Schedule I&II	909	11.6
Person	UUW Felony, With Prior	896	11.4
Person	Robbery	551	7.0
Property	Aid and Abet the Possession or Selling of Stolen Vehicle	322	4.1

2013 Exits from IDOC

State Fiscal Year 2013,
30,692 total exits

Crime Type	Exits Top Class 4 Felonies	Number of Cases	Percent of Class
Drug	Possession Controlled Substance Not 402(a) or (d)	3,599	33.3
Property	Retail Theft, Less Than \$150, With 2 or More Violations	746	6.9
Person	Aggravated UUW	582	5.4
Drug	Aggravated DUI with License Suspended or Revoked	526	4.9
Property	Retail Theft, Less Than \$300, With Previous Conviction	481	4.5

Crime Type	Exits Top Class 2 Felonies	Number of Cases	Percent of Class
Property	Burglary	1,810	24.0
Person	UUW-Felony, With Prior	925	12.3
Drug	Manufacture/Delivery Other Narcotic Schedule I&II	803	10.6
Person	Robbery	504	6.7
Property	Aid and Abet the Possession or Selling of Stolen Vehicle	357	4.7



Illinois Results First Cost-Benefit Analysis

The Results First cost-benefit analysis (CBA) model is a tool that can help focus resources on programs that produce positive results.¹ It quantifies not only the money spent but also the economic value of the outcomes produced by that spending. By focusing resources on programs that work, you get a better return on your spending.

In state fiscal year 2012, IDOC re-admitted to prison over 1,600 offenders on new, court-ordered sentences. If a policy intervention created even a 5% reduction in reconvictions, the intervention would prevent 80 reconvictions. Using the Illinois' Results First calculation of one reconviction costing \$116,104, the prevention of 80 reconvictions would create net benefits of over \$9 million.

The model permits a ranking of programs by the returns on investment for selected programs. The programs below are ranked starting with the largest benefit to cost ratio, which is the expected benefits for every dollar spent.²

Adult Programs	Program in Illinois	Costs (annual, based on estimates)	Benefits				Net: Benefits minus Costs	Benefit to Cost ratio (benefits for every \$1 of costs)
			To taxpayers	To other beneficiaries	Other indirect benefits	Total benefits		
Preventing One Reconviction	--	--	\$41,295	\$53,587	\$21,222	\$116,104	\$116,104	--
Employment Training/Job Assistance in Community	Limited	\$137	\$1,836	\$4,424	\$850	\$7,110	\$6,973	\$51.86
Cognitive Behavioral Treatment for high and moderate risk offenders	Only probation	\$420	\$3,163	\$8,148	\$1,395	\$12,705	\$12,285	\$30.34
Drug Courts	Yes	\$4,269	\$2,798	\$14,664	\$254	\$19,716	\$15,446	\$4.63
Intensive Supervision with Surveillance	Yes	\$4,210	-\$98	-\$237	-\$2,154	-\$2,490	-\$6,701	-\$0.59
Local Probation	Yes	\$2,076	--	--	--	--	--	--
Local Jail	Yes	\$15,256	--	--	--	--	--	--
State Prison	Yes	\$22,700	--	--	--	--	--	--
Deploy One Additional Police Officer - Hotspot Strategies ³	Limited	\$93,007	\$142,085	\$1,465,666	\$24,433	\$1,632,184	\$1,539,178	\$17.71
Deploy One Additional Police Officer - Average Practices ³	Yes	\$89,240	\$126,397	\$1,316,639	\$19,777	\$1,462,812	\$1,373,572	\$16.48

These programs create benefits by reducing recidivism rates of released offenders and therefore reducing crime. The benefits accrue to taxpayers, state and local governments, offenders and high-crime communities:

- Taxpayers see the benefits as reduced spending on police, prosecution/courts, and incarceration.
- Other beneficiaries are primarily potential victims: family, neighbors, and community businesses.
- Indirect benefits are broad economic benefits of reduced criminal justice spending.

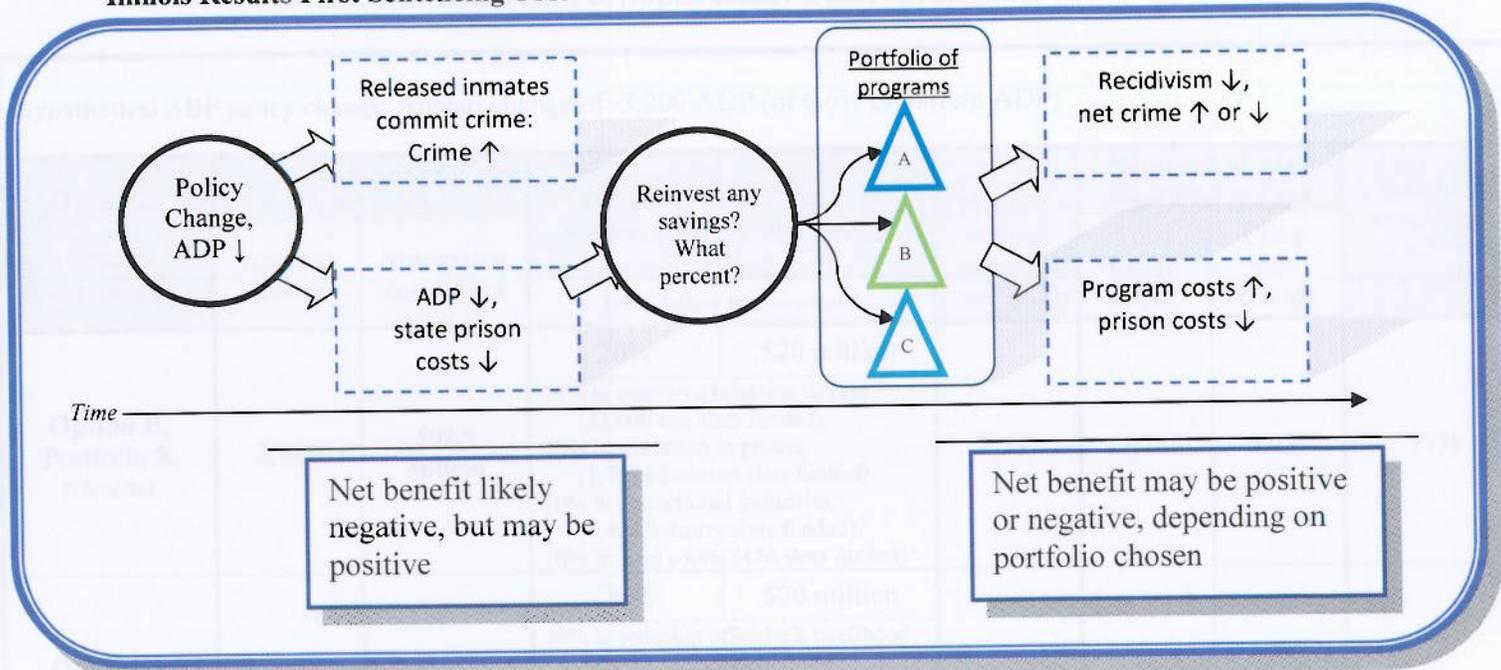
¹ Illinois is one of 14 states that are participating in the Pew-MacArthur Results First Initiative, a joint project of The Pew Charitable Trusts and the John D. and Catherine T. MacArthur Foundation.

² These are evidence-based programs that have been evaluated nationally over many years. The expected benefits are calculated from a compilation, a "meta-analysis," of these evaluations conducted by the Washington State Institute for Public Policy (WSIPP). Full descriptions of the programs and the expected benefits can be found at the WSIPP website: <http://www.wsipp.wa.gov/BenefitCost>

³ Estimates of the impact of police deployment are in draft stage and may be subject to future revision as of July 2015.

Illinois Results First Cost-Benefit Analysis

Illinois Results First Sentencing Tool



To demonstrate the use of the Results First Sentencing Tool, SPAC hypothesizes a policy that would reduce the average daily prison population (ADP) 6.6%, or 3,200 of the 48,000 current IDOC inmates. This percentage is representative of the number of inmates housed in four wings of an IDOC facility.

Hypothetical ADP policy change: Annual change of -3,200 ADP (or 6.6% of current ADP)

Option	Changes due to ADP policy		Percent Reinvested	Dollars Reinvested	Victimizations prevented	Net result of ADP and Reinvestment		Percent of simulations with fewer victimizations
	Victimizations	State prison costs saved				Total victimizations	Crime rate change	
A	2,800	\$99.5 million	5%	\$5 million	1,889	+904	+0.01%	28%
B	2,800	\$99.5 million	20%	\$20 million	7,551	-4,746	-0.03%	97%
C	2,800	\$99.5 million	50%	\$50 million	18,910	-16,131	-0.10%	100%

Option A, B, and C all invest in the same "Portfolio" of programs:

- 70% in cognitive behavior therapy,
- 10% in education in prison,
- 10% in correctional industries, and
- 10% in drug courts.

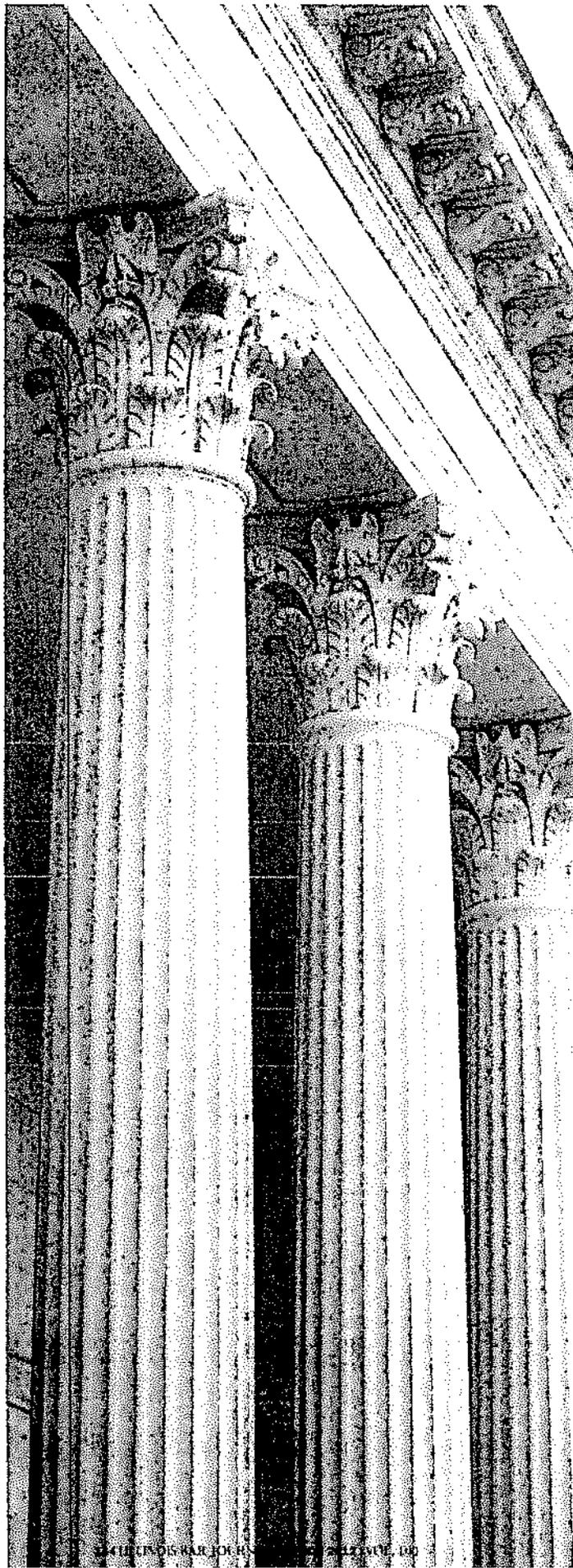
Illinois Results First Cost-Benefit Analysis

Limitations:

- Many of the programming cost estimates in the model are based on information from Washington State.
- The cost of capital and real escalation rates (when new construction is necessary) is based on information from Washington State.
- Victimization estimates and costs are national estimates, such as:
 - Percent of crimes reported to the police
 - Victim tangible and intangible costs.
- Some important variables are unknown:
 - Police, court and prosecutor, and juvenile costs are unknown (model uses Washington State estimates).
 - Supervision costs are estimated by the marginal cost of post-prison parole.

Strengths:

- Vary the cost estimates for both criminal justice and victim costs larger than Washington State (to adjust for the uncertainty and weaknesses listed in Limitations).
- Model assumes almost *no* ability for IDOC to release the most appropriate offenders; therefore all offenders have the same expected recidivism rates after prison. In reality, IDOC could use RANA or another assessment method to reduce uncertainty on who is released. Washington State estimated that those offenders released under their targeted release program have 50% of the general population's recidivism rate.



By Cynthia Y. Cobbs and
Michael J. Tardy

Since the state has to pay the tremendous cost of incarceration, the state should see to it that the number to be incarcerated is kept as low as possible with security to society. In the field of crime prevention, the maintenance of probation is of far greater importance to the community...¹⁾

The wisdom of Mrs. George Thomas Palmer, Illinois' first State Probation Officer, memorialized more than 78 years ago in the *State of Illinois Probation Manual* of 1932, is viewed with growing importance today to the citizens of Illinois. In these difficult times of the global economic recession, including substantial government cutbacks, Illinois probation has not shied from the challenge to "achieve more with less." Probation's core mission of promoting public safety through offender risk reduction remains constant; the resources to achieve the mission, however, have not.

The goal is clear: achieve the mission through the cost-effective stewardship of a judicial branch-based probation system that works effectively, efficiently, and with integrity and accountability. Opportunity is embedded in every crisis, and thus the chronic funding shortage for Illinois probation has also served as a catalyst for continued change – the implementation of "evidence-based practices" (EBP).

Nearly one percent of Illinois' 12.9 million residents is serving varying types and lengths of sentences of probation in our communities, resultant from their criminal or delinquent misconduct.² With a combined active caseload of almost 115,000³ probationers, Illinois' circuit court-based system of adult and juvenile probation is the workhorse of Illinois criminal and juvenile justice systems. It is crucial, therefore, that this system be effective in its work, efficient with its resources, measurable by its outcomes, and accountable to the courts and the public whom it serves.

Although over 70 percent of Illinois' probationers are timely

1. Mrs. George Thomas Marie Palmer *State of Illinois Probation Manual*, Department of Public Welfare, April 1932, p. 26. *Probation Manual*.

2. Administrative Office of the Illinois Courts, 2009 *Annual Report of the Illinois Courts Statistical Summary*. Compiled and published by the Administrative Office of the Illinois Courts. Available at http://www.state.il.us/courts/supremecourt/AnnualReport/2009/StatsSummary2009_Statistical_Summary.pdf

3. *Id.* The term "active caseload" is used to reflect those cases in which a probation court services officer provides risk driven case supervision to an offender.

The Journey to Evidence-Based Practices in Illinois Probation

The article is an overview of the history, structure, and evolutionary changes in Illinois' adult and juvenile probation system from its historic roots as a county-based non-system to its current status as an emerging profession that is a statewide function of the Illinois judicial branch.

discharged from their sentences, we know that almost 20 percent of probationers are terminated "unsatisfactorily" from their sentences for failure to complete all conditions of their sentence. Generally, an "unsatisfactory" discharge from a sentence of probation is resultant from a probationer's failure to complete or comply with education or employment requirements, or an inability to meet all financial obligations. Additionally, we know that 10 percent of probationers are revoked either for willful non-compliance with their sentence or for a new offense violation. That is almost 12,000 offenders. We can do better.

Illinois probation has evolved through multiple eras and phases in its over 110-year journey from a volunteer, untrained work force which performed a "friendly visitor" role to an emerging profession that requires as the threshold for employment eligibility a bachelor's degree. Additionally, officers are required to meet basic and annual professional training requirements, as well as adhere to standards of probation casework practices. Adult and juvenile probation services in Illinois are delivered by 64 local probation departments which employ over 2,800 officers who are under the direct authority of the chief circuit judge of each of the 23 judicial circuits. Sixteen youth detention centers are also administered by the circuit courts.

By statute, the Illinois Supreme Court was authorized to develop a Probation Services Division in the Administrative Office of Illinois Courts (AOIC) to develop, establish, promulgate, and enforce uniform standards for probation services in Illinois.⁴ Additionally, the AOIC provides reimbursement to the counties for a portion of the salaries paid to probation and detention staff. The AOIC also provides for a system of basic and advanced training as well as technical assistance to the trial courts for their probation systems.

Today, in 2012, notwithstanding the continuation of the state's ongoing and severe fiscal crisis that has resulted in long-term position vacancy freezes, reduction in work force, and diminished capacities, Illinois probation remains unequivocally

committed to its mission of promoting public safety through offender risk reduction. The vehicle to achieve its mission is the full application of the principles and programs of EBP in community corrections. The journey to achieve EBP has been neither a simple nor a short-term undertaking.

Early history

Since its inception, Illinois probation has been a component of the judicial branch of government at the local level. The birth of probation in Illinois was an outgrowth of the establishment of the world's first juvenile court in Cook County in 1899, which among other things created a juvenile probation service within the court.

Outside of Cook County, the first Illinois counties to establish a probation service were Kane and Peoria in 1908. Illinois' system of probation was formalized with the 1911 enactment of the Probation and Probation Officers Act.⁵ The act extended the official use of probation to include adults convicted of certain minor crimes.⁶

Notwithstanding this substantial legacy of time, during which probation has been a component of the Illinois justice system landscape, what Palmer said in the 1932 State Probation Manual holds substantially true today: "Many people of our day do not know what probation means, as a legal term, or they confuse it with parole."⁷ In Illinois, adult parole services are provided by the Department of Corrections and juvenile parole is a function of the Department of Juvenile Justice, both agencies of the executive branch of government.

Ongoing legislative modifications and updates to the Probation and Probation Officers Act have occurred regularly to reflect the evolution of the prevailing models of justice that direct probation's work. These models have at times either singularly

4. 730 ILCS 110/15.

5. 730 ILCS 110/0.01.

6. *Short History of Probation in Illinois*. Administrative Office of the Illinois Courts (*Short History*).

7. *Probation Manual* at 13 (cited in note 1).

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embraced or have blended various justice philosophies, including but not limited to offender rehabilitation, punitive/retributive justice, and more recently, restorative justice principles. These models focus on offender accountability to the victim and the community while building core pro-social competencies that reduce recidivism.

Despite these evolutions, there are a number of core duties performed by probation officers for the court that remain constant. Investigation and offender supervision are two of the cornerstones of probation's work. Preserved and contained within the Probation and Probation Officers Act is language from the early years of probation which delineate the duties of probation as follows: "To take charge of and watch over all persons placed on probation under such regulations and for such terms as may be prescribed by the court."⁸

A state system emerges

For nearly six decades, from 1915 to 1978, Illinois' probation services remained simply a non-system, county-based, and an almost exclusively county-funded function of local government. This decentralized non-system, absent uniform standards of practice, was generally underfunded, and in turn, promoted a growing lack of confidence in probation from the public, the criminal justice system, and the judiciary. Notwithstanding some reform efforts, such as the 1923 creation of the position of state probation officer, first filled in 1929 and eliminated shortly thereafter, probation remained in the backwaters of justice administration.

During the 1960s and early 1970s, there were a number of efforts to introduce reform to Illinois probation. In 1962, the Cook County Council of the League of Women Voters recommended the creation of a state probation system, or, in the alternative, a state oversight agency for county-based probation services.⁹

In 1966, the Illinois Commission on Children successfully promoted enactment of a \$300 per month salary subsidy for juvenile probation officers, with minimum qualifications for probation employment to be established by the Conference of Chief Circuit Judges.¹⁰ The salary subsidy appropriation was not renewed in the subsequent fiscal year.

In 1972, The John Howard Associa-

tion published a report entitled *Probation in Illinois: A Politically Entrenched Over-Burdened Non-System*, which strongly criticized the status quo. The report recommended a state probation system and that no new prisons be built until probation was reformed.¹¹ In 1974, resulting from the convening of a statewide probation forum funded via a federal grant awarded to the Illinois Probation and Court Services Association,¹² a position paper was issued recommending a 50/50 state-county funded system to be administered by a State Probation Commission.

In 1978, a relatively modest probation subsidy bill was enacted (PA 80-1483). The new law was a step toward probation reform, and provided for a \$400 per month salary subsidy for all qualified personnel. The Probation Division of the AOIC was created, pursuant to approval of the Illinois Supreme Court, to administer the probation system.

In addition to providing a significant level of state funding for the expansion of probation programs and services, the reform legislation authorized the AOIC to establish minimum hiring and training qualifications for probation personnel and comprehensive standards for operations. Implementation of the reforms included the development of a system of basic, advanced, and specialized professional training for probation personnel and the establishment of a system of statewide data collection and analysis for probation policy and program design and evaluation.

In 1983 Governor James R. Thompson signed into law HB 2317, which was to be "Phase 1" of a state-administered probation system. The legislation (PA 83-982) took effect on April 1, 1984 and significantly expanded state funding and oversight of the county-based system through the expanded duties of the AOIC.

The new legislation, in addition to committing nearly \$18 million in state dollars to the supreme court for salary subsidies of existing and expanded probation positions, also funded the expansion of the system of basic and advanced probation officer training. As a prerequisite to additional state funding, the leg-

islation mandated the development and submission of an annual probation plan to be approved by the AOIC.

Spurred on by the growing momentum of legislative support for probation reform in Illinois, advocates introduced the "Probation and Community Justice Act" in March 1985. At that time, the act was viewed as the final step in building a genuine state and local partnership to provide a comprehensive and uniform system of probation and related court services in Illinois.

Securing adequate resources to fund probation during these most difficult of times continues to challenge probation, as it does all public sector programs.

The act established a three-tier system of services subsidized either fully or partially by the state, under the supreme court's authority. Tier One, "Basic Services," included compliance with adult and juvenile workload standards, as well as authorized programs of intensive supervision, community service, intake services, and home detention. Departments requiring additional personnel to meet basic services standards were reimbursed for these positions.

Tier Two, "New or Expanded Services," included a wide range of supplemental probation services subsidized at the flat rate of \$1,000 per month, contingent upon approval of the Administrative Office. Tier Three, "Individualized Services and Programs," included a variety of community correctional services purchased by probation departments, such as substance abuse treatment, psychological services and vocational/employment initiatives.

The act required all departments to establish a personnel compensation schedule based upon such factors as oc-

8. 730 ILCS 110/12(5).

9. *Short History* (cited in note 6).

10. *Id.*

11. S Ct Rule 42. Conference of Chief Circuit Judges.

12. The John Howard Association, *Probation in Illinois: A Politically Entrenched Overburdened Non-System*, 1972. (Chicago).

cupational qualifications, performance, and length of service. The act significantly expanded the oversight authority of the AOIC, and upon implementation, the goal of 50-percent state/50-percent county funding for probation had also been realized.

With the envisioned governance model in place, and a stable and predictable revenue stream, Illinois' system of probation was able to make progress in implementing proven practices that lessen the threat to public safety posed by the offender population. The mid to late 1980s was marked by the expansion of programs to more effectively manage serious offenders sentenced to probation while offering an accountable system to aid in diminishing prison costs and overcrowding. With a view toward reducing the number of felony offenders sentenced to terms of incarceration, probation programs such as intensive probation supervision, sex offender supervision, specialized drug offender probation, and specialized DUI probation became the centerpieces of probation pro-

gramming during this period.

However, these probation programs and their concomitant case supervision requirements failed to address the psychology of criminal conduct, that is, the offender's motivation for continued criminal behavior. Rather, these programs simply consisted of quantitative activities, such as the frequency of contacts between officer and probationer or compliance with conditions of the sentence such as curfew or completion of public/community service work. They did not include qualitative measures, such as risk reduction or changes in an offender's antisocial values, attitudes, and beliefs.

Probationers were placed in various specialized probation programs based upon their charge of conviction, generally absent individualized assessment of their risk to re-offend. Thus, probationers convicted of the same offense were generally subject to the same program components, same program duration, and same dosage of intervention. Absent substantial focus on individual risk factors, the various probation interventions

suggested "one size fits all" in community corrections.

In July 1995, Governor Edgar signed into law PA 89-198¹³ (Intermediate Sanctions Program), creating the statutory authority for the administrative sanctioning of adult and juvenile offenders by probation officers as a consequence of offender noncompliance with the conditions of probation. The objective of the act was to respond to technical violations of probation conditions with swift, certain, and fair intermediate sanctions. Consistent with the act, the AOIC promulgated both administrative sanctions program (ASP) guidelines as well as sanctioning grids designed to address the seriousness of the non-compliant conduct with the severity of the sanction.

The rise of evidence-based practice

Nationally, as well as internationally, the period from the late 1970s through the early 1990s was one of great chal-

13. 730 ILCS 5/5-6.1.



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challenge and fundamental change in community corrections. In 1974, New York sociologist Robert Martinson raised the international debate regarding the effectiveness of the offender rehabilitation model, in both institutional and community-based corrections, with his pub-

bation began its journey towards adopting EBP as the principled and proven foundation for probation case management standards. In March 1993, the AOIC sponsored Illinois' first formal training for Illinois' probation directors, presenting the evolving research on the "What Works" movement with Drs. Don Andrews, Paul Gendreau, and Joan Petersilia.

EBP in probation is anchored in the risk-need-responsivity model: (1) the *risk principle* asserts that criminal behavior can be reliably predicted and that treatment should focus on the higher risk offenders; (2) the *need principle* highlights the importance of criminogenic needs in the design and delivery of treatment; and (3) the *responsivity principle* describes how treatment should be provided.

Under the risk principle, offender recidivism can be reduced if the level of treatment services provided to the offender is proportional to the offender's risk to re-offend. There are two parts to this principle: 1) the level of treatment, and (2) the offender's risk to re-offend. Essential to probation's main goal of reducing offender recidivism is the need to ensure the differentiation of low risk offenders from high-risk offenders to provide the appropriate level of treatment.

In Illinois, pursuant to standards established by the AOIC, the level of risk identification is achieved through the statewide use of the youth assessment screening instrument in the juvenile arena, and the level of service inventory – revised instrument for adult offenders. Both of these "third generation" actuarial risk assessment instruments¹⁷ measure dynamic and static risk, assess offender protective factors, and serve as a foundation for effective probation casework intervention.

EBP research identifies the "Big Four"¹⁸ risk factors that are strong predictors for criminal behavior: (1) history of anti-social behavior (e.g., arrests, convictions, rule violations, probation violations), (2) antisocial personality pattern (impulsive, aggressive, callous disregard for others, pleasure seeking), (3) anti-social cognitions (rationalizing crime, victim deserved it/liked it, system is unfair,

system is corrupt), and (4) anti-social associates (relates closely to others who support crime). These factors, particularly when more than one is identifiable in a single offender, become cumulative and create an elevated risk profile. Common among probationers are behavioral issues related to substance abuse and mental health that exacerbate risk and frequently are the targets of case management interventions.

Generally, the responsivity principle refers to the fact that cognitive social learning interventions are the most effective way to teach people new behaviors and skills to engage in pro-social conduct. Through the probation casework relationship, and establishing both motivation for change and a collaborative working alliance, the probation intervention directs behavioral change through appropriate modeling, reinforcement, problem solving, and other skill building initiatives.

For example, within Illinois' system of juvenile probation, many innovative cognitive/behavioral curriculums are offered in a number of the circuit court probation departments. Curriculums such as multi-systemic therapy, functional family therapy, and life skills training¹⁹ offer much promise in reducing recidivism in high-risk youth.

Conclusion

The pursuit of EBP has been planned and purposeful. Integrating the risk, need, and responsivity principles into the foundation of Illinois probation practice framework is an on-going journey. The successful movement to EBP has only been possible because of the continued commitment of each circuit's judicial acceptance of leadership, dedicated probation staff, and the on-going partnership with the AOIC. Since state fiscal year 2008, fiscal resources allocated by the

(Continued on page 165)

14. Robert Martinson, *The Public Interest*, 35:22-54 (1974), available at http://www.nationalaffairs.com/public_interest/detail/what-worksquestions-and-answers-about-prison-reform.

15. Id.
16. D.A. Andrews and James Bonta, *The Psychology of Criminal Conduct* (Matthew Bender 5th ed 2010) (Psychology).

17. D. A. Andrews, James Bonta, and J. S. Wormith, *Correctional Services of Canada* (2001).

18. Psychology cited in note 16).
19. MST, FFT, & LSI are model programs from the Center for the Study and Prevention of Violence, University of Colorado, Boulder.

The continued investment in an effective, evidence-based, data-driven system of probation as one of the pillars of our juvenile and criminal justice systems will drive probation's success.

lished review of 231 studies on offender rehabilitation, *What works? Questions and answers about prison reform*.¹⁴ In sum, Martinson concluded that "these data give us very little reason to hope that we have in fact found a sure way of reducing recidivism through rehabilitation....rehabilitative efforts that have been reported so far have no appreciable effect on recidivism."¹⁵

While Martinson questioned offender rehabilitation as a sound criminological approach, his assertion that nothing works in offender rehabilitation resulted in a research boom that identified and verified effective interventions to change criminal conduct. Led by a cadre of Canadian social psychologists, prominent among them Drs. Don Andrews and James Bonta, the "What Works" in offender rehabilitation meta-analysis studies gained wide international exposure and acceptance in the field of corrections. Andrews' and Bonta's work, *The Psychology of Criminal Conduct*,¹⁶ explores a broad scope of criminal conduct, including predictor variables, dynamic predictors, and focuses on social learning theory as both a cause for delinquent conduct and a vehicle from which to begin modifying criminal attitudes, values, and beliefs.

Anchored in a substantial review and acceptance of the research literature that demonstrated that successful rehabilitation of offenders both had been, and continued to be, accomplished, Illinois pro-

for organizers.

Some might oppose creating new entity types if existing ones can achieve the same results. Others would argue that creating a legal framework for a business trust entity, even if using an existing entity could achieve the same results, would help bring organizers to Illinois.

The Institute of Illinois Business Law has established a subcommittee to review whether Illinois should have a business trust statute and, if so, the provisions the statute would contain. The subcommittee will work with officials from the Illinois Secretary of State and comparable committees of the Illinois State Bar Association and the Chicago Bar Association. Comments from attorneys are welcome, either by logging in and posting a public comment on the ISBA website with this article at www.isba.org/ibj or by contacting coauthor William Price. ■

PROBATION | Continued from page 158

AOIC to the counties have been based upon EBP principles to target high-risk offenders.

Securing adequate resources to fund probation during these most difficult of times continues to challenge probation, as it does all public sector programs. Applying measures designed to implement corrective strategies that promote rehabilitation and reduce the risk of recidivism is complex.

As is the case with all complex issues, it is not singularly the availability of more resources that will achieve the goal of EBP. Instead, it is the continued commitment to, leadership of, and investment in an effective, evidence-

based, data-driven system of probation as one of the pillars of our juvenile and criminal justice systems that will drive probation's success in this on-going journey.

A systematic commitment, at the state level, at the county level, and within each probation department, will allow Illinois probation to begin producing and demonstrating its own evidence that "evidence-based practices" in probation really works. In so doing, Illinois probation can continue its proud heritage of being both tough and smart about achieving outcomes that fundamentally advance and sustain public safety. ■

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Illinois Probation at a Glance

Probation

- **139,119:** adult and juvenile offenders on active supervision on December 31, 2013
- **67%:** percentage of maximum and moderate risk adult and juvenile probationers
- **66%:** percentage of adult and juvenile offenders who completed terms of probation successfully
- Average Yearly Cost of Probation by Risk Level and Program Type:

	MAXIMUM	MODERATE	MINIMUM	PRETRIAL	IPS	DUI
ADULT	\$3,967	\$1,587	\$793	\$624	\$6,585	\$3,967
JUVENILE	\$6,585	\$4,443	\$793	NA	\$6,585	NA

- **100%:** percentage of Illinois' probation departments administering a validated risk assessment tool to measure risk factors and determine proper supervision of each adult and juvenile offender
- **6,026:** adult and juvenile Interstate Compact cases monitored as of December 31, 2013
- **\$15,844,480:** restitution collected on probation cases which were dispersed to Illinois crime victims
- **\$20,316,049:** in fines, fees and costs with each dollar being used to support and enhance local courts and probation departments

Pretrial Programming

- **6,111:** active adult pretrial supervision cases monitored as of December 31, 2013
- **90%:** percentage of pretrial cases which completed the terms of pretrial release successfully
- **10,516:** pre-sentence investigations and **6,131** social history reports were completed by probation officers to assist Judges in determining release conditions
- **43,066:** pre-trial bond reports were completed for the court, to assist Judges in determining release conditions

Specialized Programs

- **1,876,626:** hours of public service work was completed by probationers in Illinois
- **914:** number of offenders on Intensive Probation Supervision (IPS) on December 31, 2013. IPS is a highly structured, surveillance oriented, prison diversion program for nonviolent felony offenders sentenced to probation. There are currently 9 jurisdictions which utilize IPS as a sentencing option
- **1,491:** number of offenders sentenced to Specialized DUI Probation, a program aimed for individuals who have been evaluated Level II or Level III by a DASA licensed evaluator. There are currently 4 jurisdictions which utilize this specialized program
- **103:** operational problem solving courts, including drug, veteran and mental health programs
- **67:** number of probation-facilitated Cognitive Behavioral Therapy (COG) programs, which research has shown to be effective in addressing criminal thinking, thereby reducing recidivism amongst participants
- **2,435:** approximate number of adult and juvenile probationers who participated in COG programs
- **51:** number of Juvenile Detention Alternative Initiative (JDAI) programs. JDAI programs are a range of community-based services and initiatives designed to divert youth from incarceration.
- **1,838:** approximate number of youth served by JDAI programs in 2013

Thank you, Mr. Chairman,

I congratulate you and the committee members for accepting the challenge of sentencing laws. This is a daunting, controversial challenge but also of critical importance.

I am Bill Ryan and belong to several groups, including the Community Institute, the National Alliance Against Racist and Political Repression-Chicago, and Project 1-11. I am also a founder and former publisher of *Stateville Speaks*, a prison newspaper now in its 10th year.

There are too many people in prison in Illinois—about 49,000 in prison and another 25,000 on parole. About 49% are African American and 13% are Latino. That is, 62% of the people under correctional supervision are from communities of color. Part of the charge of this committee is to develop solutions that address racially discriminatory outcomes in the criminal justice system. Such a change cannot come soon enough.

Our sentencing practices must be especially alert to the long history of unequal protection of black Americans. We fool ourselves if we simply trust that the system is working fairly, that it gets most cases more or less right.

With the movement to abolish the death penalty, Illinois was a national leader. The same concern for justice that made visible wrongful convictions and a host of procedural failures in the capital system now motivates us to reflect on what is happening to men, women, and teenagers in the overwhelmed state prisons. This committee can be beginning of a movement to create a criminal justice system that is driven by hope, fairness and rehabilitation rather than fear, arbitrariness, and cynicism.

Too many men and women (90% men and 10% women) are entering and re-entering Illinois prisons. About 60% come back within 3 years. It costs about \$23,000/year to keep a person in general population. (This is the operating cost; it does not include medical or physical plant maintenance.) The elderly are estimated to cost \$75,000/year. Taxpayers pay over 1 billion in annual operating costs for prisons, plus another billion for medical costs.

Many states, including several red states, are reforming sentencing and reducing prison population. My home state Kentucky had the highest incarceration rate of any state a few years ago. This is being reversed now. Other states are developing community based alternatives to prisons, such as, Georgia, Kansas, Texas, and New York. In your packet, there is a summary of what conservatives are saying and what states are doing.

Illinois is among the missing.

We must commit ourselves to comprehensive and creative re-entry programs. An investment now will yield enormous savings down the road. We need to do as Kentucky is doing and direct money to re-entry.

There are those who will say we can't afford to change. Hogwash. We can't afford to continue what we are doing. If we don't change, some federal judge is going to make us change. There are also several pending federal lawsuits regarding medical malfeasance.

We do not need to reinvent the wheel. There are plenty examples of successful programs, such as, Safer, St. Leonard's, Rita's in Aurora, the Youth Advocate Program for which I have done consulting. There are also religious-oriented programs that are successful in assisting with the transition from prison. But these programs struggle with limited funding and overwhelming demand. They deserve more state support.

There are those who say public safety will not be served by community alternatives. Hogwash again. Does anyone really think the safety of DOC staff is served by the severe overcrowding? We hear of trouble every day.

We need to have smart sentencing laws that provide security, create savings, and conform to democratic ideals. I suggest we begin this journey by focusing at the beginning and the end of the system—with first-time nonviolent offenders and the elderly.

Right now, a young woman convicted for the first time of prostitution may end up in prison. A young man convicted for the first time of nonviolent robbery may end up in prison—and if he is a person of color that likelihood becomes a certainty. There are better ways to respond to these actions that will be more effective and less costly. We know that a little bit of prison time tends to be a springboard for many more years inside.

I leave it to the committee to define “first-time offender” and the particular offenses that would make a person eligible for alternative sentencing.

As for the elderly, I urge the committee to support the provisions in HB 3668. HB 3668 allows prisoners who are age 50 or more and who have served at least 25 years to apply for parole. Because of stress and bad medical care, both prior to and while in prison, a person's medical age is generally calculated to be about 10 years older than their actual age. Think 60.

Currently there are about 800 men and women that meet these criteria. (Twenty years ago there were 32.) If 100 of the 800 eligible people were to earn parole, the state would reduce expenditures by 7.5 million dollars.

After an initial screening by the DOC, petitions would be forwarded to the Prison Review Board (PRB) for a thorough review and decision. Families of victims should be included in any parole process and would be notified within 30 days of a petition being forwarded to PRB. The family would be permitted to submit an impact statement, attend hearings and, if desired, obtain an order of protection. If parole is granted, restorative justice can be presented as an option, but both the prisoner and victim's family have to agree on it.

I have gotten to know many hundreds of people in prison. I know many are not reformed and should not be paroled. I also know some who are. I believe that a human being is more than the worse thing he or she has done.

Here are a few examples of elderly people who should be at least be allowed to make their case:

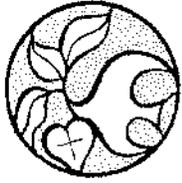
RH committed a murder during a botched robbery while high of drugs. He was 19, illiterate and gang involved. After almost 30 years in prison, he is an ordained minister with a college degree. He can go to a halfway house or if none available live with me.

DM wrote, "My husband was sexually abusing my daughter. I arranged for a contract killing. I am sorry and remorseful that I took the law in my own hands. I am first time offender. I have options with family to support me."

PT explained: "I am a 67 year old female who has been in prison since 1979. I killed a person during a robbery. I am a first time offender. Not a day goes by that I don't think about and am sorry for the victim's family. I have numerous medical issues."

JB wrote, "I am a 52 years old with 29 years in prison. I am first time offender. I was high on drugs, robbed a house and killed a woman. The police had not a clue who did this. I felt guilty and confessed. I am serving life. I am remorseful and do not feel sorry for myself. I have taken advantage of every program I can."

Again, I thank you for taking on the challenge of reforming sentencing. I have included in your packet letters from men and women in prison, most of whom I know. Please read these, and I urge you to visit prisons and talk with the men and women there. Talk with people in communities and see if they feel safer because of our prison system. We can and must do better. Thanks so much.



Lutheran Child and Family Services of Illinois

House-Senate Joint Criminal Justice Reform Committee
Meeting on Sentencing Strategies and Suggested Reform
August 19, 2014

Thank you for this opportunity.

I am Gene Svebakken, President & CEO of Lutheran Child and Family Services of Illinois (LCFS).

LCFS is a non-profit human services organization annually helping some 40,000 individuals statewide by nurturing and protecting children, empowering families and transforming communities through our programs and services. Among our services, LCFS helps children in foster care to be safe, find a permanent home, and do well over the long term. LCFS serves about 1,400 children in foster homes across Illinois.

There are fifteen thousand children and youth in substitute care in Illinois as a result of abuse or neglect. It is a safe estimate that many thousands of these have a parent who is incarcerated.

I appeal to you to consider the needs and interests of these children as you reform criminal justice sentencing policy.

It is widely understood that criminal justice sentencing policy ought to protect public safety, hold offenders accountable, and provide opportunities for offenders to become responsible citizens.

But that is not enough. In addition, criminal justice sentencing policy ought to do the least possible harm to children affected by the incarceration, to safeguard the child's growth and development.

The majority of individuals who serve time in correctional facilities are parents of dependent children.

Despite poverty and numerous personal and social problems, the majority of prisoners had family roles and commitments prior to incarceration.

Parental incarceration is a fact of life for millions of children and families and not simply a criminal justice issue or individual matter. For all intents and purposes, parental incarceration is a matter of children's well-being, where child welfare services and intervention clearly matter. (Hairston in CW360: a comprehensive look at a prevalent child welfare issue: Children of Incarcerated Parents; University of Minnesota Center for Advanced Studies in Child Welfare 2008)

A result of the trend toward incarceration of greater numbers of people for longer periods of time is that an increasing portion of the caseload of child welfare agencies will likely involve children of incarcerated parents. (Genty, CW360)

Children are deeply affected by the incarceration of a parent.

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To understand the impact of incarceration on children, it is important to understand how children think differently than adults.

A child's sense of time is different than an adult's. Unlike adults, who measure the passing of time by clock and calendar, children have their own built-in time sense, based on the urgency of the instinctual and emotional needs. This results in ...an intense sensitivity to the length of separations. (Beyond the Best Interests of the Child, Goldstein, Freud and Solnit, 1973)

"Three years is a moderate sentence for petty drug possession but three years is an eternity for a child of six." (Patricia Davis, O.P., Lutheran Social Services of Illinois, 2008)

For all children of prisoners, the separation can be damaging. For children in foster care, there are additional risks.

When parents are serving time in correctional facilities that are geographically distant from where their children live, it may take a full day of traveling to have a child visit with a parent, meaning a day's absence from school. How does one make that choice: school attendance or family connection? (Beverly Jones, LCFS Chief Program Officer)

The average prison term for most parents in prison is longer than the period in which child authorities may begin proceedings for the legal termination of parental rights.

Most parents in prison cannot meet the expectations of child visitation, parenting classes and substance abuse treatment that may be required to show responsible parenting. (Hairston)

This causes two kinds of conflict for children. On the one hand, it may force termination of parental rights and permanent separation from the child unnecessarily. On the other hand, it may bring uncertainty and lengthened stay in foster care, where the judge is wary about terminating rights for a parent who is incarcerated. (Beverly Jones, LCFS Chief Program Officer)

Therefore, when a child is in foster care, the involvement of their parent in the criminal justice system could have very significant impact on the likelihood that the children will achieve the best permanent home possible, with the least amount of harm in the process.

Very specifically, unnecessary imprisonment and unnecessarily long imprisonment of parents can be unnecessarily harmful to their children in foster care.

Sentencing reform is child welfare services reform. Community-based alternatives to incarceration and sentences that allow parents to return to the community in the shortest possible time – these allow parents to remediate family issues and regain custody are good for the safety, permanency and well-being of children in foster care whose parents have been incarcerated.

Thank you.

For more information:

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