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SPAC
Illinois Sentencing Policy Advisory Council

Joe R.T. (Joe Retail Theft)

6 of every 100 inmates leaving state prison in FY 2017 had sentences for retail theft.

Who is the typical offender? To promote discussion of the common rather than the extreme case, SPAC analyzed the most common characteristics of people leaving state prison from July 2016 to June 2017 (fiscal year 2017) for each type of crime. SPAC used people exiting prison to be able to accurately reflect their length of stay and recidivism patterns. The analysis uses the most common, average, and median (50th percentile) metrics to produce a hypothetical Joe R.T. with a composite offender's experience.

Who is the average retail theft offender coming out of state prison?

Joe R.T. is a 40-year-old, black male, born in Illinois. He considers himself single and reported to the Illinois Department of Corrections that he finished his junior year in high school.
- For every 100 retail theft offenders released in FY 2017, 23 were women.
- 56 were black, 36 white, and 7 Hispanic.
- 81 were born in Illinois.
- 8 out of every 100 exiting retail theft offenders were younger than 25 and 9 were older than 55.
- Most retail theft offenders reported being single like R.T., but 14 reported being married, 11 divorced.
- R.T. may have exaggerated on his education, but he probably completed at least half of high school (51 of every 100 reported completing high school or obtaining a GED, 29 completed less than that, and 19 were missing education-level data).

Before this incident, R.T. had **8 prior arrests for felonies** and **12 prior arrests for misdemeanors** (most were property offenses), as well as **8 prior arrests** for an unknown or petty offense.
- Out of those 20-plus arrests, R.T. has been convicted of *5 felonies* and *2 misdemeanors*, most of which were **property** offenses.

What was his sentence?

R.T. was sentenced to **1 year and 10 months in prison for Class 4 Retail Theft felony**
- Data do not show whether there was a plea agreement.
- 26 out of every 100 offenders were sentenced for Class 3 or 4 felony retail theft.
- 19 of every 100 retail thieves exiting prison had been readmitted for violating the conditions of mandatory supervised release (MSR, commonly known as "parole").
- R.T. was one of the 74 of these 100 whose highest holding offense class was a Class 4 felony.
    o 26 were held on Class 3 felonies.
- R.T. was not limited in good-time credits under truth-in-sentencing laws.

How long was he incarcerated?

After being arrested in 2016, R.T. spent **98 days in jail** prior to sentencing (median).

R.T. was **released from Stateville CC** in FY 2017 after **9 months of incarceration in prison and jail**.
- 9 of every 100 retail theft offenders were released from Vandalia (minimum security facility).
- Very few were released from adult transition centers and almost none from electronic monitoring program.
- Individuals are typically released on a Friday.

R.T. was **released to Mandatory Supervised Release**. Past trends show that, by June 2020 (three years from release), R.T. is likely to be **rearrested 3 times**.
- Most likely rearrested for property offenses.
- Of all the arrests, R.T. is likely to be convicted for 1 more property offense (usually a felony) within 3 years.
- 15 of every 100 retail theft offenders released in 2017 will return to prison for violating conditions of supervised release, for which they will serve the remainder of the supervision period before being fully discharged.