

# Where Are We Now?

## Reasons for the Prison Population Decline

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June 23, 2017

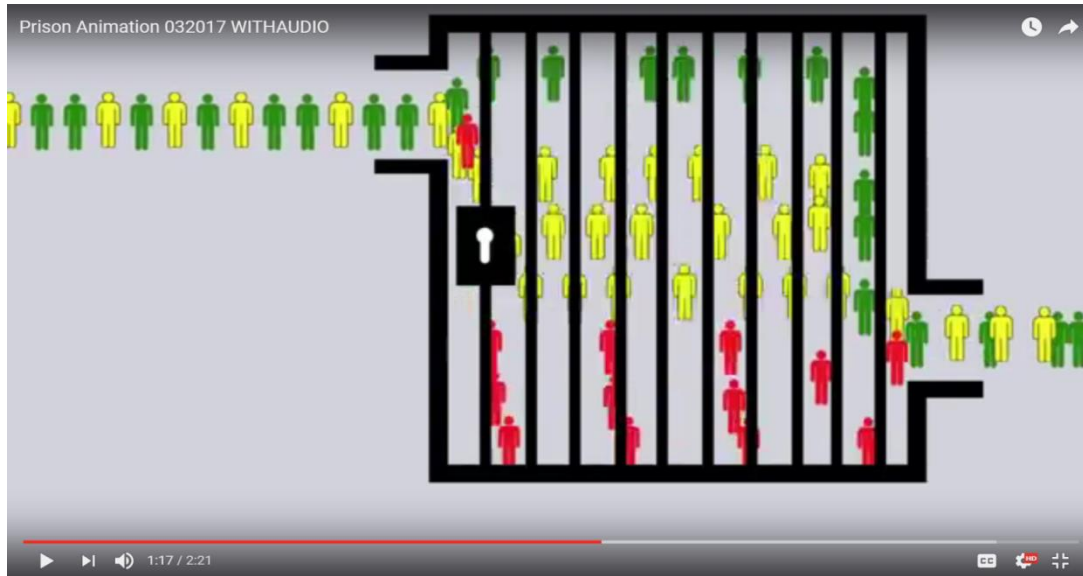


# Agenda

- **Where Are We Now?**
- **How Has the Prison Population Fallen?**
- **Why Are Admissions Down?**
- **What Have We Been Doing?**
- **Where Do We Go From Here?**



# Prison Mechanics: Two Levers



<https://www.youtube.com/watch?v=2tqlbIAhXUQ>



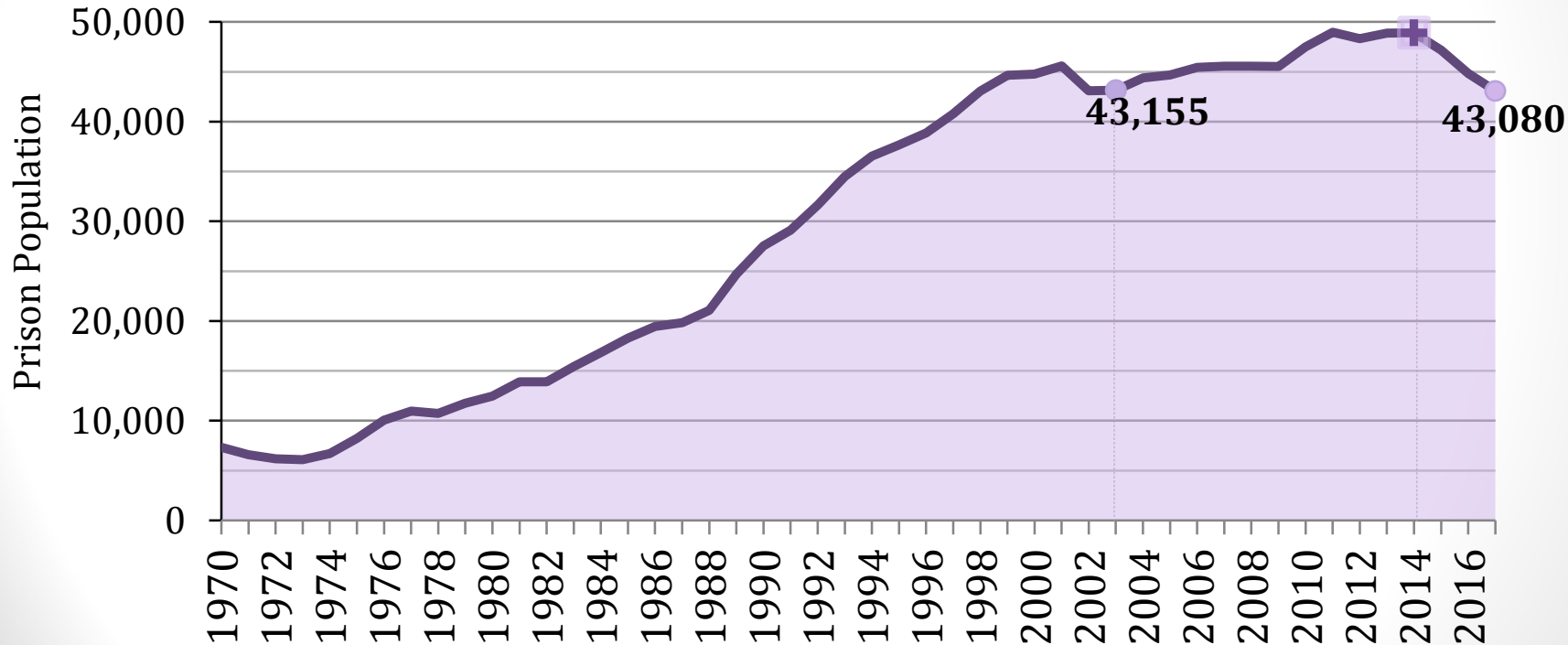
# Where Are We Now?



# Where Are We Now?

## Current IDOC Population

**11% Decline:**  
Dec 31, 2014  
to June, 2017



# Where Are We Now?

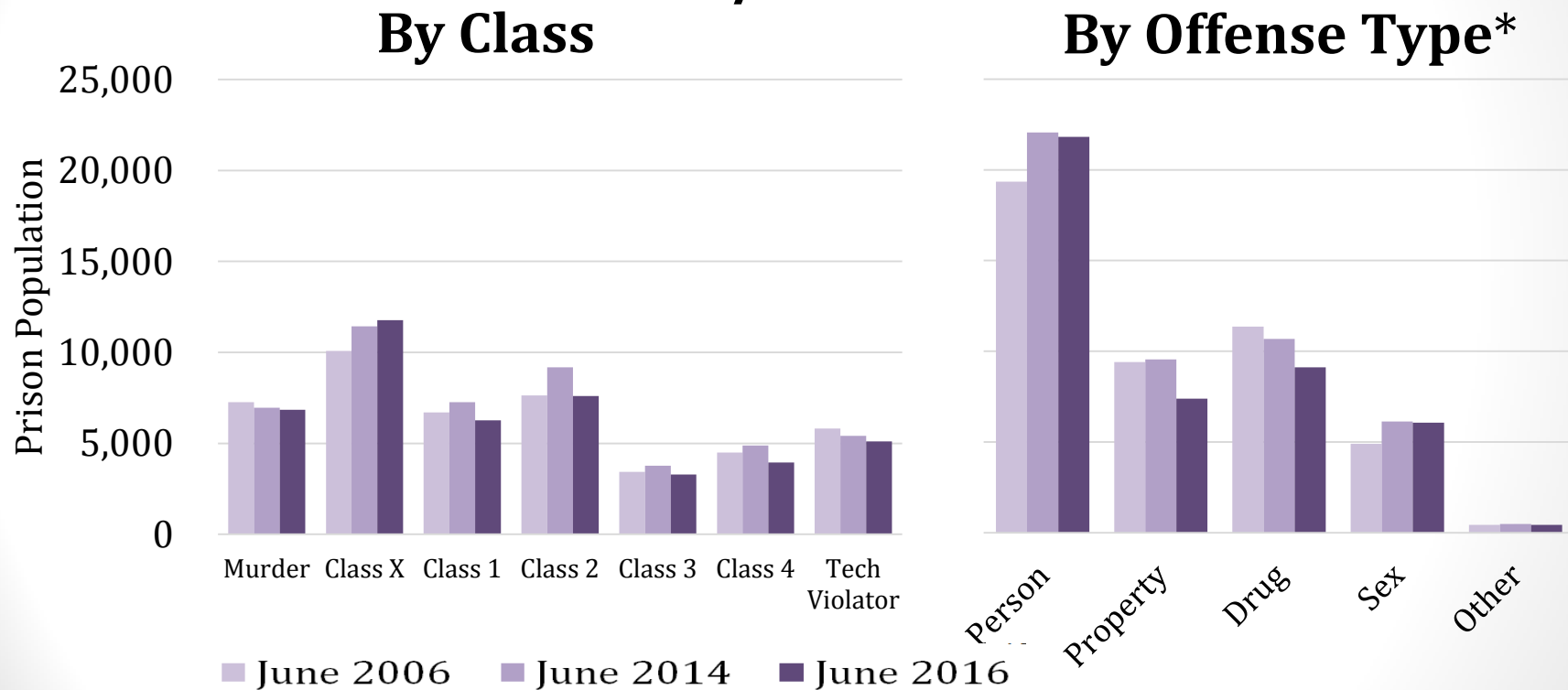
## Current IDOC Population

Region	12/31/2014	6/30/2016	Percent Change
<b>Cook</b>	24,564	22,065	-10%
<b>Collar</b>	5,636	5,133	-9%
<b>Urban</b>	10,586	9,725	-8%
<i>Central</i>	6,567	6,148	-6%
<i>Northern</i>	2,038	1,681	-18%
<i>South</i>	1,981	1,896	-4%
<b>Rural</b>	8,102	7,855	-3%
<i>Central</i>	3,608	3,538	-2%
<i>Northern</i>	1,506	1,408	-7%
<i>South</i>	2,988	2,909	-3%
<b>Grand Total</b>	48,921	44,822	-8%



# Where Are We Now?

## Different Classes/Offenses in IDOC



\* Technical violators are included as their original admission offense type.



# How Has the Prison Population Fallen?



# How Has It Happened?

## Length of Stay Lever Steady

	Murder		Class X		Class 1		Class 2		Class 3		Class 4	
<i>Fiscal Year</i>	<i>Male</i>	<i>Female</i>	<i>Male</i>	<i>Female</i>	<i>Male</i>	<i>Female</i>	<i>Male</i>	<i>Female</i>	<i>Male</i>	<i>Female</i>	<i>Male</i>	<i>Female</i>
2006	14.9	11.9	5.7	4.6	2.4	1.7	1.8	1.4	1.0	0.9	0.6	0.5
2007	15.1	12.0	5.8	4.5	2.3	1.8	1.8	1.4	1.0	0.9	0.6	0.6
2008	15.2	11.6	5.9	4.7	2.4	2.0	1.8	1.4	1.0	0.9	0.6	0.6
2009	16.2	14.9	5.9	4.7	2.4	1.8	1.8	1.4	1.0	1.0	0.6	0.6
2010	17.0	14.8	6.0	5.3	2.4	2.0	1.8	1.4	1.1	0.9	0.7	0.6
2011	17.2	17.1	6.4	5.0	2.6	2.2	2.0	1.8	1.4	1.3	0.9	0.8
2012	17.8	19.9	6.7	5.5	2.7	2.2	2.1	1.8	1.5	1.3	1.0	0.9
2013	19.1	17.5	6.5	6.1	2.8	2.3	2.1	1.7	1.5	1.3	0.9	0.8
2014	19.1	19.6	6.5	5.6	2.8	2.4	2.1	1.7	1.5	1.2	0.9	0.8
2015	19.1	21.0	6.5	5.8	2.8	2.2	2.1	1.7	1.5	1.2	0.9	0.8
2016	22.1	17.8	7.2	6.4	3.1	2.4	2.3	1.9	1.5	1.3	1.0	0.8



**Illinois Department of Corrections**  
 FY06 - FY16 Length of Stay Data by Offense Class  
 Comparison by Gender FY06 to FY16



# How Has It Happened?

## Regional Variation in New Admissions

Region	<u>2014</u>	<u>2016</u>	<u>2 Year Change</u>	<u>10 Year Change</u>
<b>Cook</b>	<b>12,018</b>	<b>9,705</b>	<b>-19%</b>	<b>-34%</b>
<b>Collar</b>	<b>2,790</b>	<b>2,358</b>	<b>-15%</b>	<b>-39%</b>
<b>Urban</b>	<b>4,688</b>	<b>3,647</b>	<b>-22%</b>	<b>-37%</b>
<i>Central</i>	2,688	2,181	-19%	-38%
<i>Northern</i>	1,036	714	-31%	-38%
<i>South</i>	964	752	-22%	-34%
<b>Rural</b>	<b>3,585</b>	<b>3,390</b>	<b>-5%</b>	<b>-24%</b>
<i>Central</i>	1,550	1,470	-5%	-28%
<i>Northern</i>	741	681	-8%	-28%
<i>South</i>	1,294	1,239	-4%	-16%
<b>Grand Total</b>	<b>23,081</b>	<b>19,100</b>	<b>-17%</b>	<b>-34%</b>



# How Has It Happened?

## Regional Variation in New Admissions

- Decline across all regions
- Two-thirds of decline is from Cook County



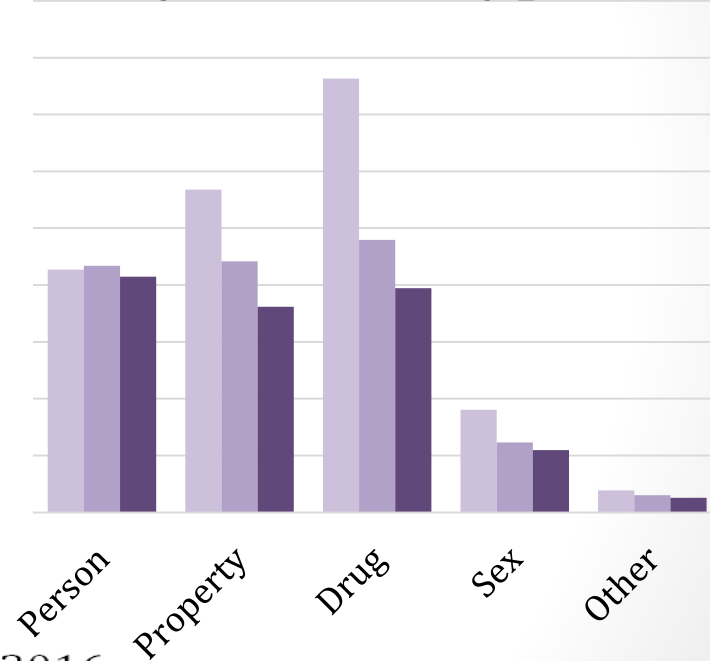
# How Has It Happened?

## Class and Offense in New Admissions

### By Class



### By Offense Type\*



■ FY2006 ■ FY2014 ■ FY2016

\* Technical violators are included as their original admission offense type.



# How Has It Happened?

## Class and Offense in New Admissions

- Decline occurred most in Class 1, Class 2, and Class 4
- Class X did not change significantly
- Drug and Property Offenses had the largest decline
- Possession of Controlled Substance declined across regions
- Possession of Cocaine declined across regions
- Burglary declined most in Cook County



# Why Are Admissions Down?



# Why Are Admissions Down?

## Possible Causes

- Increase in Probation Sentences
- Increase in Diversion Programs
- Statewide Policies
- Decrease in Convictions per Arrest
- Decrease in Charges per Arrest
- Decrease in Arrests



# Why Are Admissions Down?

## Possible Causes

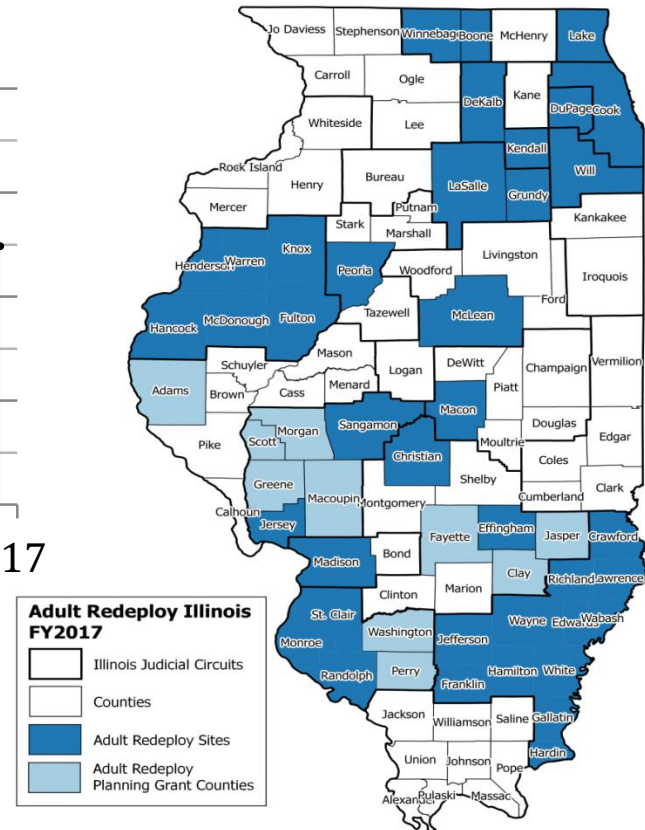
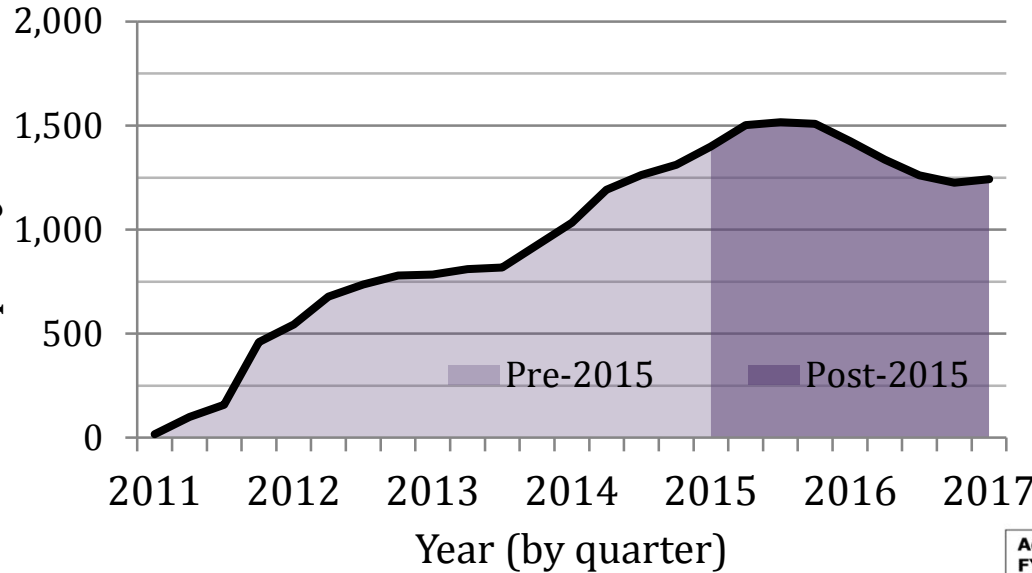
- ~~Increase in Probation Sentences~~
- Increase in Diversion Programs?
- Statewide Policies?
- ~~Decrease in Convictions per Arrest~~
- Decrease in Charges per Arrest?
- **Decrease in Arrests!**



# Why Are Admissions Down?

## Regional Variation

ARI Participants  
per Quarter

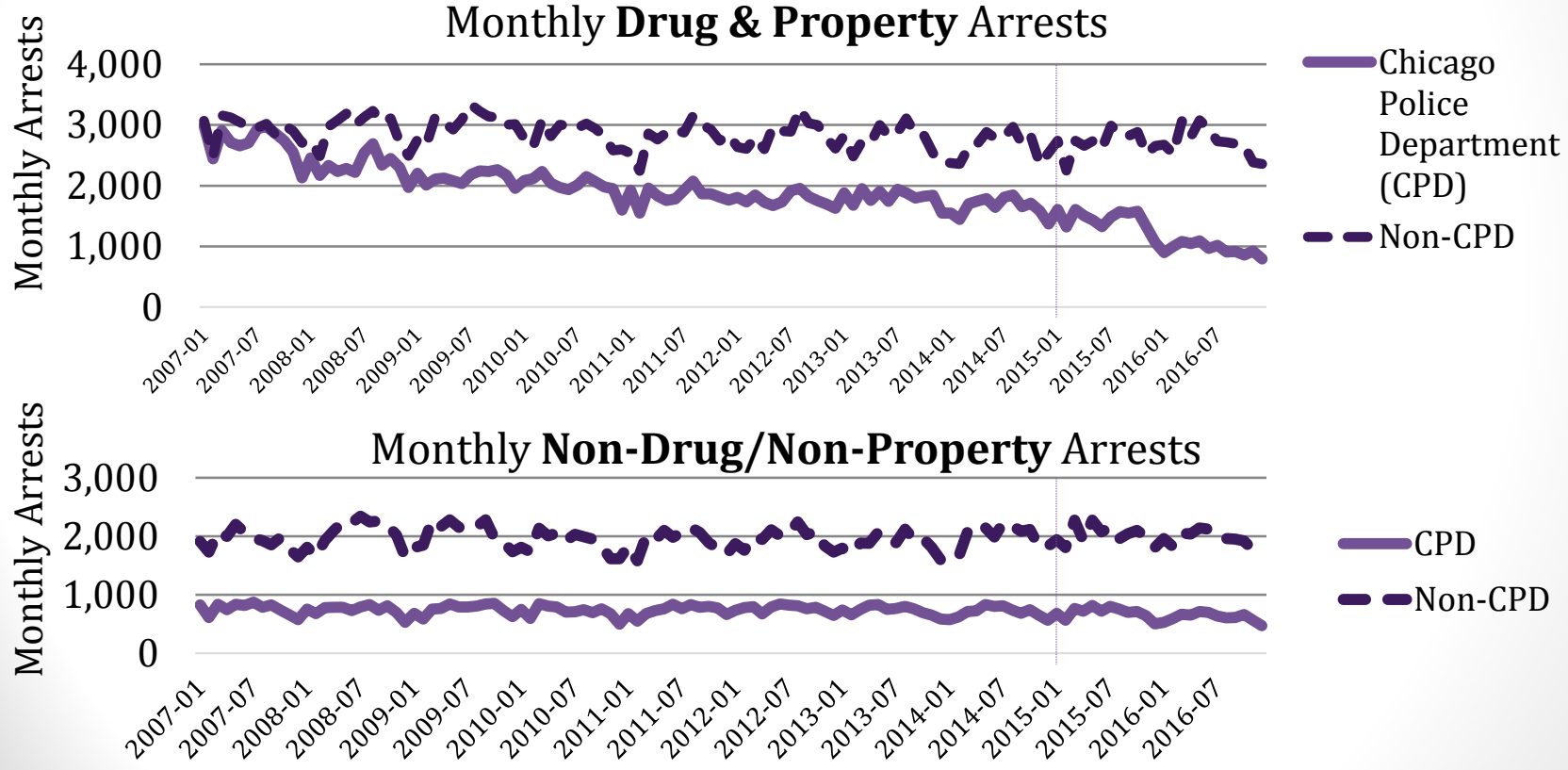


January, 2017



# Why Are Admissions Down?

## Classes 1-4 Arrests Have Declined



# What Have We Been Doing?



# **What Have We Been Doing?**

## Commission Recommendations





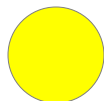
**Law or Statewide  
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**Nonviolent, First-time  
Class 3 & 4 Offenders  
(12)**

**Reduce Protected  
Zones' Distance &  
Add Nexus (16)**

**Remove Licensing  
Barriers (26)**

**Provide State ID's to  
All Returning Citizens  
(27)**



**Some parts enacted or policy  
implementation started**

**More Services &  
Treatment Capacity  
(1)**

**Risk Assessment Use  
(2)**

**Criminal Justice  
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(3)**

**Gender-Responsive  
Approach (4)**

**Implicit Bias Training  
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**Collect Race &  
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**Evaluate State-  
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**Probation Eligibility  
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**Improve Targeted  
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**Reduce Mandatory  
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**No change yet**

**Authorize Alternatives  
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**Raise Felony Theft &  
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**Reduce Minimum  
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**Limit Automatic  
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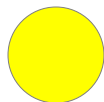
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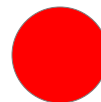
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Program (25)**



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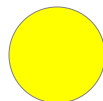
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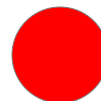
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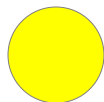
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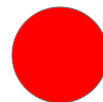
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# Reentry



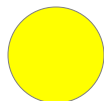
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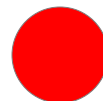
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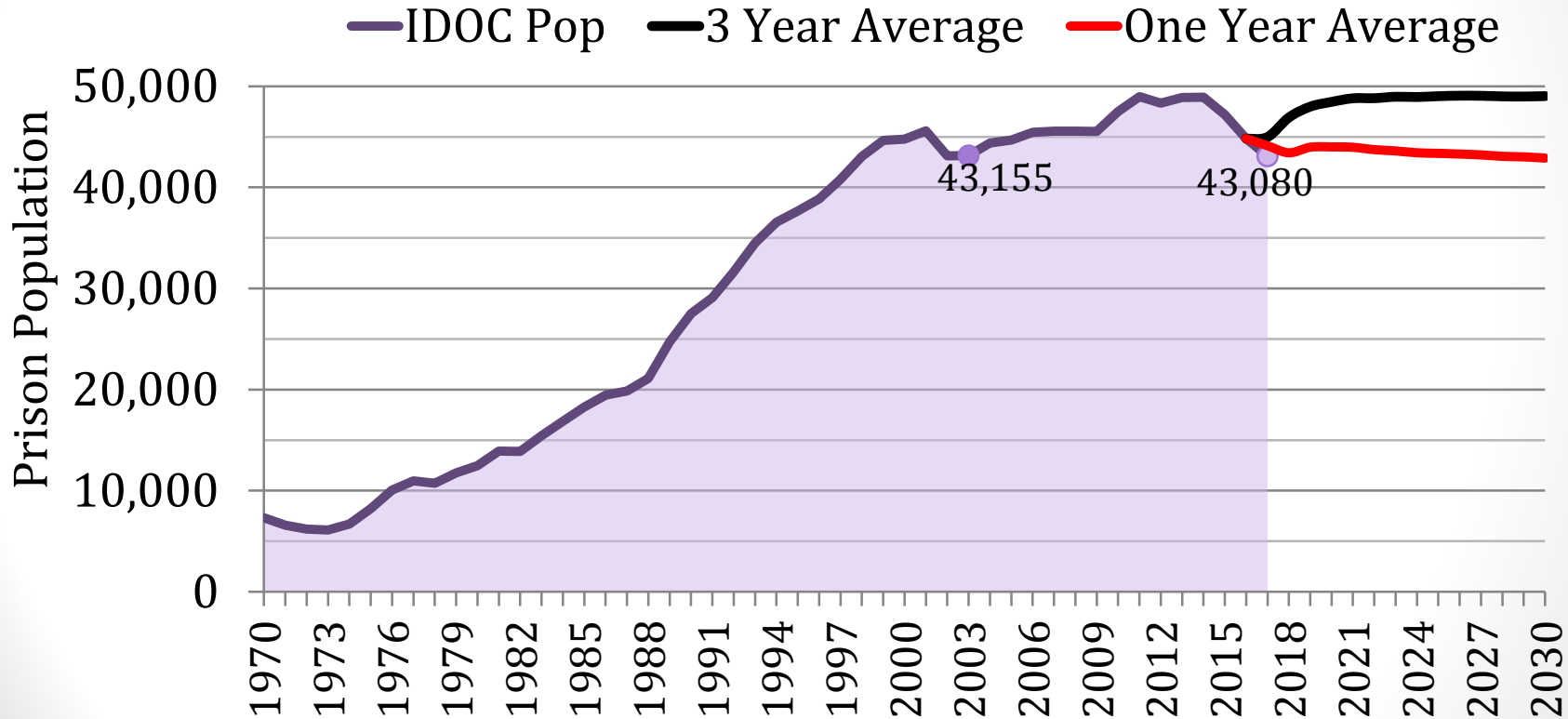
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# Where Do We Go From Here?



# Where Do We Go From Here?

FY2016 Admissions vs. Past Three Years' Admissions



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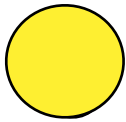




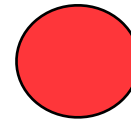
# Commission Recommendations Implementation



Law or Statewide policy  
changed



Some parts enacted or  
policy implementation started



No change yet

## Nonviolent, First-time Class 3 & 4 Offenders (12)

P.A. 99-861 requires judges to state on the record why prison is appropriate for nonviolent, first time offenders.

## Reduce Protected Zones' Distance & Add Nexus (16)

SB1722 enacts this recommendation.

## Remove Licensing Barriers (26)

P.A. 99-667, 99-876, & 99-886 remove barriers for educational & healthcare licensing, and for roofing, barber/cosmetology, and nail/salon jobs.

## Provide State ID's to All Returning Citizens (27)

P.A. 99-907 Secretary of State to provide ID, inmates must have birth certificates or social security card & proof of address.

## More Services & Treatment Capacity (1)

P.A. 99-938 creates comprehensive trauma recovery services. Pilot site started.

## Risk Assessment Use (2)

IDOC using new risk assessment tool.

## Criminal Justice Coordinating Council (3)

ICJIA in the planning process with five pilot sites.

## Gender-Responsive Approach (4)

HB3904 proposed to create a Woman's Division in IDOC & requires specialized training.

## Implicit Bias Training (5)

Some system actors are voluntarily taking implicit bias training.

## Data Exchange Coordinating Council (6)

DoIT is coordinating new integratino and data sharing agreements between State and local governments.

## Collect Race & Ethnicity Data (7)

Proposed in HB3341 and HB3815. ISP is working to improve race and ethnicity data at the State level.

## Evaluate State-Funded Criminal Justice Programs (8)

IDOC is assessing programming with Second Chance Act grant.

## Probation Eligibility Expansion (11)

P.A. 99-938 expands eligibility for Class 2 repeat offenders and certain drug offenses (not residential burglary).

## Expand Programming Credit Eligibility (18)

P.A. 99-938 allows repeat offenders to earn program credits. SB1722 allows 75% TIS to earn program credits.

## Reform Truth-in-Sentencing (19)

SB1722 allows 75% TIS to earn program credits.

## Improve Targeted Electronic Monitoring (21)

P.A. 99-797 authorizes chief judges to create an EM program by administrative order for drug & alcohol related offenses.

## Enhance Rehabilitative Programming (23)

HB3712 proposed content controlled tablets for education & HB698 proposed entrepreneurship training.

## Reduce Mandatory Supervised Release Terms (24)

SB1722 permits but does not mandate the PRB to discharge low-risk and low-needs offenders.

## Authorize Alternatives for Under 12 Month Prison Stays (9)

Proposed in HB3355.

## Raise Felony Theft & Retail Theft Thresholds (10)

Proposed in HB3337, HB3856, and HB3355.

## Reduce Minimum Sentences for Felonies (13)

## Limit Automatic Enhancements (14)

Proposed in SB1722.

## Reduce Drug Crimes One Felony Class (15)

Proposed in HB3355 and HB3235.

## Reduce Felony Class for Motor Vehicle Theft (17)

## Improve Adult Transition Centers (20)

IDOC is reviewing and working on improving referral procedures; no expansion of ATCs so far.

## Release for Elderly or Terminally Ill (22)

Proposed in HB1310, HB2726, and HB3816.

## Restore Halfway Back Program (25)

## RECOMMENDATIONS TO INCREASE EFFECTIVENESS OF SENTENCING AND REHABILITATIVE PROGRAMMING

REC. #	Description	Current Facts	Status
1	<p>Increase rehabilitative service and treatment capacity in high-need communities. Give the highest priority to behavioral health/trauma services, housing, and work force development with transportation support:</p> <ol style="list-style-type: none"> <li>Establish trauma recovery services in underserved communities that have disproportionate rates of crime and incarceration,</li> <li>Relax restrictions in state housing programs that prohibit renting to people with criminal records, and</li> <li>Provide sufficient reimbursement to service providers to allow them to expand their capacity.</li> </ol>	N/A	<ul style="list-style-type: none"> <li>▪ <b>In progress.</b></li> <li>▪ P.A. 99-938 creates comprehensive trauma recovery services. ICJIA is in planning process and some trauma recovery services are offered in Cook County.</li> <li>▪ No change to state law regarding housing programs' admissions.</li> <li>▪ Budget impasse has decreased rehabilitative and treatment capacity across the State.</li> </ul>
2	<p>Expedite the use of risk-and-needs assessment tools by the Illinois Department of Corrections and the Prisoner Review Board. Promote and expedite the use of risk and needs assessment tools by Illinois Circuit Courts in determining sentences in felony cases. IDOC should continue to implement the elements of the Crime Reduction Act of 2009 (730 ILCS §190/15). Support the expanded application of risk and needs assessment within probation departments.</p>	N/A	<ul style="list-style-type: none"> <li>▪ <b>In progress.</b></li> <li>▪ IDOC using the SPIn risk assessment tool; risk assessment specialists are in some facilities with more hires authorized.</li> </ul>
3	<p>Provide incentives and support for the establishment of local Criminal Justice Coordinating Councils to develop strategic plans to address crime and corrections policy.</p>	N/A	<ul style="list-style-type: none"> <li>▪ <b>In progress.</b></li> <li>▪ ICJIA is beginning with five pilot sites: Lake, McHenry, McLean, St. Clair, Winnebago counties.</li> </ul>
4	<p>Implement a Gender-Responsive Approach for Female Offenders:</p> <ol style="list-style-type: none"> <li>Implement a Gender Responsive Risk Assessment Tool,</li> <li>Implement the Women Offender Case Management Model or similar evidence based gender-responsive model,</li> <li>Adopt Model Disciplinary Policies tailored to female inmates, and</li> <li>Implement Gender Responsive Trauma-informed Treatment Programs.</li> </ol>	<ul style="list-style-type: none"> <li>▪ On June 30<sup>th</sup>, 2016, IDOC held <b>2,660</b> women.</li> </ul>	<ul style="list-style-type: none"> <li>▪ <b>In progress.</b></li> <li>▪ IDOC is implementing recommendations of the Gender-Informed Practice Assessment, released in Nov. 2016.</li> <li>▪ Proposed in HB3904 to codify a new Women's Division and enforce recommendation; passed House and, with amendment, Senate and has returned to the House for final concurrence.</li> </ul>
5	<p>Require periodic training on recognizing implicit racial and ethnic bias for individuals working in the criminal justice system, including but not limited to law enforcement officers, prosecutors, public defenders, probation officers, judges, and correctional staff.</p>	N/A	<ul style="list-style-type: none"> <li>▪ <b>In progress.</b></li> <li>▪ Some system actors are voluntarily taking implicit bias training, including ISP, state prosecutors, and some courts. Some training has been made periodic requirements.</li> </ul>

REC. #	Description	Current Facts	Status
6	Improve and expand data collection, integration and sharing. Support the establishment of the Illinois Data Exchange Coordinating Council (IDECC) to facilitate an information-sharing environment among state and local units of government.	N/A	<ul style="list-style-type: none"> <li>▪ <b>In progress.</b></li> <li>▪ DoIT is coordinating new integration and data sharing agreements between State and local governments.</li> </ul>
7	Collect and report data on race and ethnicity at every point in the criminal justice system to allow a systematic assessment of disproportionate minority impact.	N/A	<ul style="list-style-type: none"> <li>▪ <b>In progress.</b></li> <li>▪ Proposed in HB3341 and HB3815.</li> <li>▪ ISP is working to improve race and ethnicity data in State criminal history records to comply with P.A. 99-78, effective July 2015.</li> </ul>
8	Require all State agencies that provide funding for criminal justice programs to evaluate those programs. Agencies should eliminate those programs for which there is insufficient evidence of effectiveness and expand those that are proven effective. Ensure that programming appropriately targets and prioritizes offenders with high risk and needs.	N/A	<ul style="list-style-type: none"> <li>▪ <b>In progress.</b></li> <li>▪ IDOC is assessing programs, with Second Chance Act grant funds.</li> <li>▪ ICJIA continues to evaluate criminal justice programs.</li> <li>▪ No statewide requirement has been issued.</li> </ul>

#### RECOMMENDATIONS TO REDUCE THE NUMBER OF PRISON ADMISSIONS

REC. #	Description	Current Facts	Status
9	Prevent the use of prison for felons with short lengths of stay. IDOC should be authorized and encouraged to use existing alternatives to imprisonment for individuals with projected lengths of stay of less than 12 months. IDOC should be required to report its use of alternatives to imprisonment for these individuals in its Annual Report.	<ul style="list-style-type: none"> <li>▪ FY16 admissions: <b>13,711</b></li> <li>▪ Individuals eligible on June 30, 2016: <b>1,767</b></li> </ul>	<ul style="list-style-type: none"> <li>▪ <b>No implementation.</b></li> <li>▪ Proposed in HB3355.</li> </ul>
10	Raise the threshold dollar amounts for theft not from a person and for retail theft from their current level to \$2,000. Limit the automatic enhancement from misdemeanor theft to felony theft to cases where there has been a prior felony theft conviction.	<ul style="list-style-type: none"> <li>▪ FY16 admissions: <b>1,461</b></li> <li>▪ Individuals eligible on June 30, 2016: <b>958</b></li> </ul>	<ul style="list-style-type: none"> <li>▪ <b>No implementation.</b></li> <li>▪ Proposed in HB3337, HB3856, and HB3355.</li> <li>▪ Cook County State's Attorney implemented \$1,000 threshold for felony retail theft charging decisions.</li> </ul>

REC. #	Description	Current Facts	Status
11	Give judges the discretion to determine whether probation may be appropriate for the following offenses: a) Residential burglary; b) Class 2 felonies (second or subsequent); and c) Drug law violations.	<ul style="list-style-type: none"> <li>FY16 admissions eligible: <b>4,303</b> (533 for 11(a); 2,291 for 11(b); and 1,479 for 11(c))</li> <li>Individuals eligible on June 30, 2016: <b>8,748</b> (1,268 for 11(a); 4,401 for 11(b); and 3,079 for 11(c))</li> </ul>	<ul style="list-style-type: none"> <li><b>Partial implementation.</b></li> <li>P.A. 99-938 gives judges discretion to impose probation on most Class 2 felonies (second or subsequent) and certain drug offenses.</li> <li>SB1722, the Safe Neighborhoods Reform Act, expands eligibility for specialty probation programs for first-time offenders.</li> </ul>
12	Before an offender is sentenced to prison for a Class 3 or 4 felony, require that a judge explain at sentencing why incarceration is an appropriate sentence when: a) The offender has no prior probation sentences, or b) The offender has no prior convictions for a violent crime.	<ul style="list-style-type: none"> <li>FY16 admissions eligible: <b>1,310</b></li> <li>Individuals eligible on June 30, 2016: <b>824</b></li> </ul>	<ul style="list-style-type: none"> <li><b>Implemented.</b></li> <li>P.A. 99-861 enacts this recommendation when both conditions are met (“and” rather than “or”).</li> </ul>
13	Reduce the minimum sentence authorized for each felony class except for Class 4.	<ul style="list-style-type: none"> <li>FY16 admissions eligible: <b>21,127</b></li> <li>Individuals eligible on June 30, 2016: <b>44,822</b></li> </ul>	<ul style="list-style-type: none"> <li><b>No implementation.</b></li> </ul>
14	Limit the automatic sentence enhancement for a third or subsequent Class 1 or Class 2 felony conviction to cases where both the current and the two prior convictions involve forcible felonies.	<ul style="list-style-type: none"> <li>Admissions and inmates eligible depend on eligibility criteria.</li> </ul>	<ul style="list-style-type: none"> <li><b>No implementation.</b></li> <li>Proposed in SB1722 as filed but removed by later amendments.</li> </ul>

#### RECOMMENDATIONS TO REDUCE LENGTH OF STAY

REC. #	Description	Current Facts	Status
15	Reduce the sentencing classification for felony drug crimes set forth in the Controlled Substances Act, the Methamphetamine Control and Community Protection Act, and the Cannabis Control Act by one class.	<ul style="list-style-type: none"> <li>FY16 admissions eligible: <b>5,933</b></li> <li>Individuals eligible on June 30, 2016: <b>7,825</b></li> </ul>	<ul style="list-style-type: none"> <li><b>No implementation.</b></li> <li>P.A. 99-697 expands civil violations to some misdemeanor and Class 4 marijuana possession offenses.</li> <li>Proposed in HB3355 and HB3235.</li> </ul>

REC. #	Description	Current Facts	Status
16	<p>Change the mandatory felony classification increase for drug crimes committed near a protected area:</p> <ul style="list-style-type: none"> <li>a) Conviction for delivery, or possession with intent to deliver, certain drugs within 1,000 feet of a school, park, church, or senior-citizen facility results in an automatic increase of the seriousness of the offense by one felony class. Reduce the size of the protected area from 1,000 feet to 500 feet,</li> <li>b) Require the prosecutor to establish a nexus – an effect or a likely effect of the crime on the protected area – between the location and the drug offense before that offense is increased by one felony class, and</li> <li>c) Remove public housing from the current statute as a protected area.</li> </ul>	<ul style="list-style-type: none"> <li>▪ FY16 admissions eligible: <b>394</b></li> <li>▪ Individuals eligible on June 30, 2016: <b>729</b></li> </ul>	<ul style="list-style-type: none"> <li>▪ <b>Implemented.</b></li> <li>▪ SB1722, the Safe Neighborhoods Reform Act, enacts this recommendation.</li> </ul>
17	<p>Reduce the crime of possession of a stolen motor vehicle from a Class 2 felony to a Class 3 felony. Make a conforming change for conspiracy to possess stolen motor vehicles by lowering the classification from a Class 2 to a Class 3 felony.</p>	<ul style="list-style-type: none"> <li>▪ FY16 admissions eligible: <b>288</b></li> <li>▪ Individuals eligible on June 30, 2016: <b>438</b></li> </ul>	<ul style="list-style-type: none"> <li>▪ <b>No implementation.</b></li> </ul>
18	<p>Expand eligibility for programming credits. All inmates should be eligible to earn programming credits for successfully completing rehabilitative programming, with the exception of credits that would reduce a sentence below Truth-in-Sentencing limits.</p>	<ul style="list-style-type: none"> <li>▪ Admissions and inmates eligible depend on eligibility criteria.</li> </ul>	<ul style="list-style-type: none"> <li>▪ <b>Partial implementation.</b></li> <li>▪ P.A. 99-938 removes the ban on repeat offenders receiving programming credit.</li> <li>▪ SB1722, the Safe Neighborhoods Reform Act, permits inmates subject to 75% truth-in-sentencing to receive programming credit.</li> </ul>

REC. #	Description	Current Facts	Status
19	<p>Allow inmates who are currently required by statute to serve 75%, 85%, or 100% of their sentence to earn programming credit and supplemental sentence credit for good conduct that could reduce their sentence below the currently-required percentage. The amount of programming and supplemental sentence credit available to these inmates should be capped as follows:</p> <p>a) Inmates who currently are required to serve 100% of their sentence should be required to serve no less than 90% of their sentence.</p> <p>b) Inmates who currently are required to serve at least 85% of their sentence should be required to serve no less than 75% of their sentence.</p> <p>c) Inmates who currently are required to serve 75% of their sentence should be required to serve no less than 60% of their sentence.</p> <p>d) Beginning on the date these changes take effect, inmates may begin earning credit on their current sentence for programs successfully completed after that date. Inmates should not be granted credit for programs completed before these changes take effect.</p>	<ul style="list-style-type: none"> <li>FY16 admissions eligible: <b>2,071</b> 75%: 71 individuals 85%: 1,772 individuals 100%: 228 individuals</li> <li>Individuals eligible on June 30, 2016: <b>18,341</b> 75%: 430 individuals 85%: 12,453 individuals 100%: 5,458 individuals</li> </ul>	<ul style="list-style-type: none"> <li><b>Partial Implementation.</b></li> <li>SB1722, the Safe Neighborhoods Reform Act, permits inmates subject to 75% truth-in-sentencing to receive programming credit.</li> <li>Proposed in HB3355 and HB2882.</li> </ul>
20	<p>Make better use of Adult Transition Centers. Ensure that use of Adult Transition Centers is informed by the risk-and-needs research and evidence, which shows that residential transitional facilities, paired with appropriate programming, should be primarily reserved for high and medium risk offenders to obtain the greatest public safety benefit.</p>	<ul style="list-style-type: none"> <li>Admissions and inmates eligible determined by eligibility criteria.</li> </ul>	<ul style="list-style-type: none"> <li><b>No implementation.</b></li> </ul>
21	<p>Improve and expand the use of electronic monitoring technology based on risk, need, and responsivity principles.</p> <p>a) The Illinois Department of Corrections should increase the use of electronic detention in lieu of imprisonment for both short-term inmates and inmates who are ready to be transitioned out of secure custody.</p> <p>b) Allow IDOC to use electronic monitoring for up to 30 days without Prisoner Review Board approval as a graduated sanction for those on Mandatory Supervised Release.</p> <p>c) Ensure that Prisoner Review Board orders requiring electronic monitoring are based on risk assessments.</p> <p>d) Encourage and support the use of electronic monitoring within local jurisdictions as an alternative to incarceration and pretrial detention.</p>	<ul style="list-style-type: none"> <li>FY16 admissions eligible: <b>11,869</b></li> <li>Individuals eligible on June 30, 2016: <b>1,734</b></li> </ul>	<ul style="list-style-type: none"> <li><b>Partial implementation.</b></li> <li>No change on permitting IDOC to use electronic monitoring (EM) without PRB approval.</li> <li>No change in PRB's EM policies.</li> <li>P.A. 99-797 authorizes chief judges to create an EM program by administrative order for drug- and alcohol-related offenses.</li> </ul>
22	<p>Develop a protocol to provide for the placement to home confinement or a medical facility for terminally ill or severely incapacitated inmates, excluding those sentenced to natural life. The determination of illness or severe incapacity is to be made by the Illinois Department of Corrections medical director.</p>	<ul style="list-style-type: none"> <li>Admissions and inmates eligible depend on eligibility criteria.</li> </ul>	<ul style="list-style-type: none"> <li><b>No implementation.</b></li> <li>Proposed in HB2726 and HB3816.</li> </ul>

## RECOMMENDATIONS TO REDUCE RECIDIVISM BY INCREASEING THE CHANCES OF SUCCESSFUL REENTRY

REC. #	Description	Current Facts	Status
23	Enhance rehabilitative programming in IDOC. Implement or expand evidence-based programming that targets criminogenic need, particularly cognitive behavioral therapy and substance abuse treatment. Prioritize access to programming to high-risk offenders. Evaluate those programs identified as promising and eliminate ineffective programs.	N/A	<ul style="list-style-type: none"> <li>▪ <b>Partial implementation.</b></li> <li>▪ Proposed in HB3712 (content-controlled tablets for education) and HB698 (entrepreneurship training).</li> <li>▪ IDOC has implemented some cognitive behavioral therapy.</li> <li>▪ IDOC is using a Second Chance Act grant to assess programs and determine evidence base for existing programs.</li> </ul>
24	Limit the maximum term of Mandatory Supervised Release to 18 months for Class X, Class 1 and Class 2 felonies. Require the Prisoner Review Board, based on a risk and needs assessment, to discharge low-risk and -needs offenders from MSR.	N/A	<ul style="list-style-type: none"> <li>▪ <b>Partial implementation.</b></li> <li>▪ SB1722, the Safe Neighborhoods Reform Act, permits but does not mandate the PRB to discharge low-risk and –needs offenders.</li> </ul>
25	Restore the halfway back program as an alternative to incarceration violations of mandatory supervised release.	N/A	<ul style="list-style-type: none"> <li>▪ <b>No implementation.</b></li> </ul>
26	Remove unnecessary barriers to those convicted of crimes from obtaining professional licenses. Review all licensure restrictions to identify those necessary for public safety.	N/A	<ul style="list-style-type: none"> <li>▪ <b>Implemented.</b></li> <li>▪ P.A. 99-667 adds a seven-year decay provision for educational licensing and revocation.</li> <li>▪ P.A. 99-876 removes barriers for roofing, barber/cosmetology, and nail salons.</li> <li>▪ P.A. 99-886 removes barriers for some healthcare licensing.</li> <li>▪ SB1688 sets broad changes on how IDFPR is to use convictions in determining whether to grant a license.</li> <li>▪ Additional changes proposed in SB1821 and HB3342.</li> <li>▪ IDFPR reviewed licensing procedures and policies to ease restrictions except where necessary for public safety.</li> </ul>

REC. #	Description	Current Facts	Status
27	Require IDOC and the Secretary of State to ensure inmates have a State identification card upon release at no cost to the inmates, when their release plan contemplates Illinois residence. IDOC must report in its Annual Report the percentage of offenders released from custody without a valid official State Identification card or some other valid form of identification.	N/A	<ul style="list-style-type: none"> <li>▪ <b>Implemented.</b></li> <li>▪ P.A. 99-907 requires Sec. of State to provide IDs if inmate has birth certificate or a social security card and proof of address.</li> <li>▪ SB1413, Provides that a person shall not be required to pay a search fee for a birth record search or an additional fee for a certified copy of the record upon the person's release on parole, mandatory supervised release, final discharge, or pardon from the IDOC if the person presents a specified form completed by IDOC.</li> </ul>

The numbers in parentheses are the Commission recommendation numbers. The following pages list in more detail the progress on each recommendation. SPAC surveyed criminal justice stakeholders but did not verify implementation.

*Data sources:* SPAC analysis of IDOC and CHRI data. The full Commission recommendations are available at: <http://www.icjia.org/cjreform2015/>.

*Note:* The number of admissions and June 30, 2016 populations show the eligible population for each recommendation. **The numbers are not presented as an estimate of the potential impact.** The total impact depends on future admissions and criminal justice actors' decisions based on the laws and policies in place at that time. SPAC could not estimate the eligible populations for recommendations that do not directly affect admissions or length of stay.

*The Sentencing Policy Advisory Council (SPAC) is a statutorily created council that does not support or oppose legislation. Data analysis and research is conducted by SPAC's research staff. The analysis presented here is not intended to reflect the opinions or judgments of SPAC's member organizations. More information is available at <http://ilspac.illinois.gov>.*

# Illinois State Commission on Criminal Justice and Sentencing Reform – Related Legislation

## 99<sup>th</sup> General Assembly – 2015-16

[HB4360](#) (P.A. 99-667) – Limits the education employment licensing barrier for drug offenders to seven years after the sentence has been discharged. (Rec. 26)

[HB5973](#) (P.A. 99-0876) – Removes license barriers from the Illinois Roofing Industry Licensing Act and the Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Tech Acts. (Rec. 26)

[SB42](#) (P.A. 99-0886) – Removes license barriers for some healthcare professionals. (Rec. 26)

[SB2870](#) (P.A. 99-0797) – Authorizes Chief Judges to create an electronic monitoring program by administrative order for drug and alcohol related offenses. (Rec. 21)

[SB2872](#) (P.A. 99-0938) – Expands probation eligibility for Class 2 repeat offenders and certain drug crimes; expands eligibility for earned sentence credits by eliminating some restrictions based on the crime of conviction and the prohibition on credits to repeat offenders. (Rec. 18 & 11)

[SB3164](#) (P.A. 99-0861) – Requires judges to state on the record why incarceration is an appropriate sentence when sentencing Class 3 and 4 felons who have not previously been sentenced to probation or who have no prior convictions for violent crimes. (Rec. 12)

[SB3368](#) (P.A. 99-0907) – SOS to provide state IDs for those released from IDOC. (Rec. 27)

## 100<sup>th</sup> General Assembly – 2017-16

[HB698](#) (Passed Both Houses) – Creates and establishes a 5-year pilot Prisoner Entrepreneur Education Program to be administered by IDOC. (Rec. 23)

[HB3712](#) (Passed Both Houses) – IDOC will provide educational and visitation opportunities to people in its institutions through temporary access to content-controlled tablets that may be provided to induce or reward compliance. (Rec. 23)

[HB3904](#) (Passed Both Houses) – Creates a Woman's Division in IDOC and will require specialized training for CO's. (Rec. 2)

[SB1413](#) (Sent to Governor) – Provides that a person shall not be required to pay a search fee for a birth record search or an additional fee for a certified copy of the record upon the person's release on parole, mandatory supervised release, final discharge, or pardon from the IDOC if the person presents a specified form completed by IDOC. (Rec. 27) **NOTE: Birth records are required to obtain a state of Illinois ID.**

[SB1688](#) (Passed Both Houses) – Establishes limits for how IDFPR can use convictions when determining whether to grant a license. (Rec. 26)

**SB1722** (Passed Both Houses) – UUW Presumptive Minimums: higher presumptive minimum prison sentence for those offenders convicted of UUW by a Felon or Aggravated UUW when the offender has a prior qualifying predicate conviction. Burglary: lowers the felony class for some burglary offenses. Programming Credits for TIS Offenders: expands eligibility for programming credits to those serving under 75% TIS. Protected Zone Reforms: reduces the penalty enhancement zone from 1,000 to 500 feet and adds requirements that the people who are supposed be protected are in the zone at the time of the offense. Specialty Second Chance Probation Reform: expands eligibility for alternatives to prison for offenders who are addicted to drugs. (Rec. 11, 14, 16, 18)