The data: What we do and don't know about Illinois' use of probation

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Outline

- Creating collaborative, learning communities
- The big picture of crime & arrests
- The rise (and partial fall) of correctional populations
  - Variation across Illinois
- Probation Outcomes
- Questions left unanswered: What We Don't Know

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Forms and Types of Data/Information About Probationers Available in Illinois

- Geographic coverage
- Aggregate versus case-level
- Populations versus samples
- Timeliness & Frequency
- Utility for practitioners and policy makers
- What is measured

Sources and Types of Data/Information About Probationers Available in Illinois

- AOIC's Probation Division
- Intake or Outcome Studies
- Criminal History Record Information (CHRI)
- Local probation departments
  - County-specific research

Complexities & Perspective

- By design, no single elected official or agency is "in charge"
- All criminal justice agencies are interconnected;
- The increases and decreases in crime due to factors beyond just what the criminal justice system does or does not do

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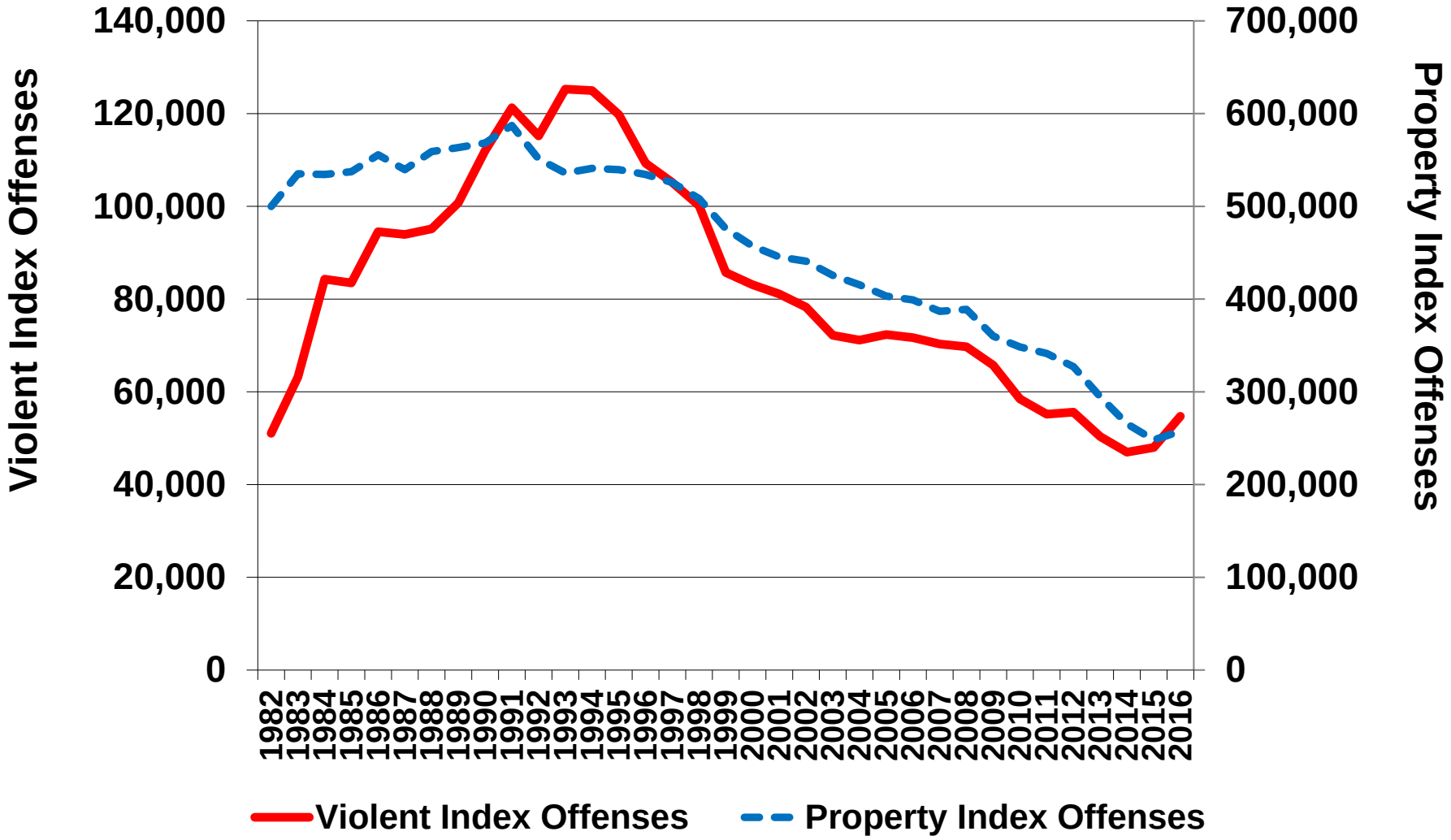
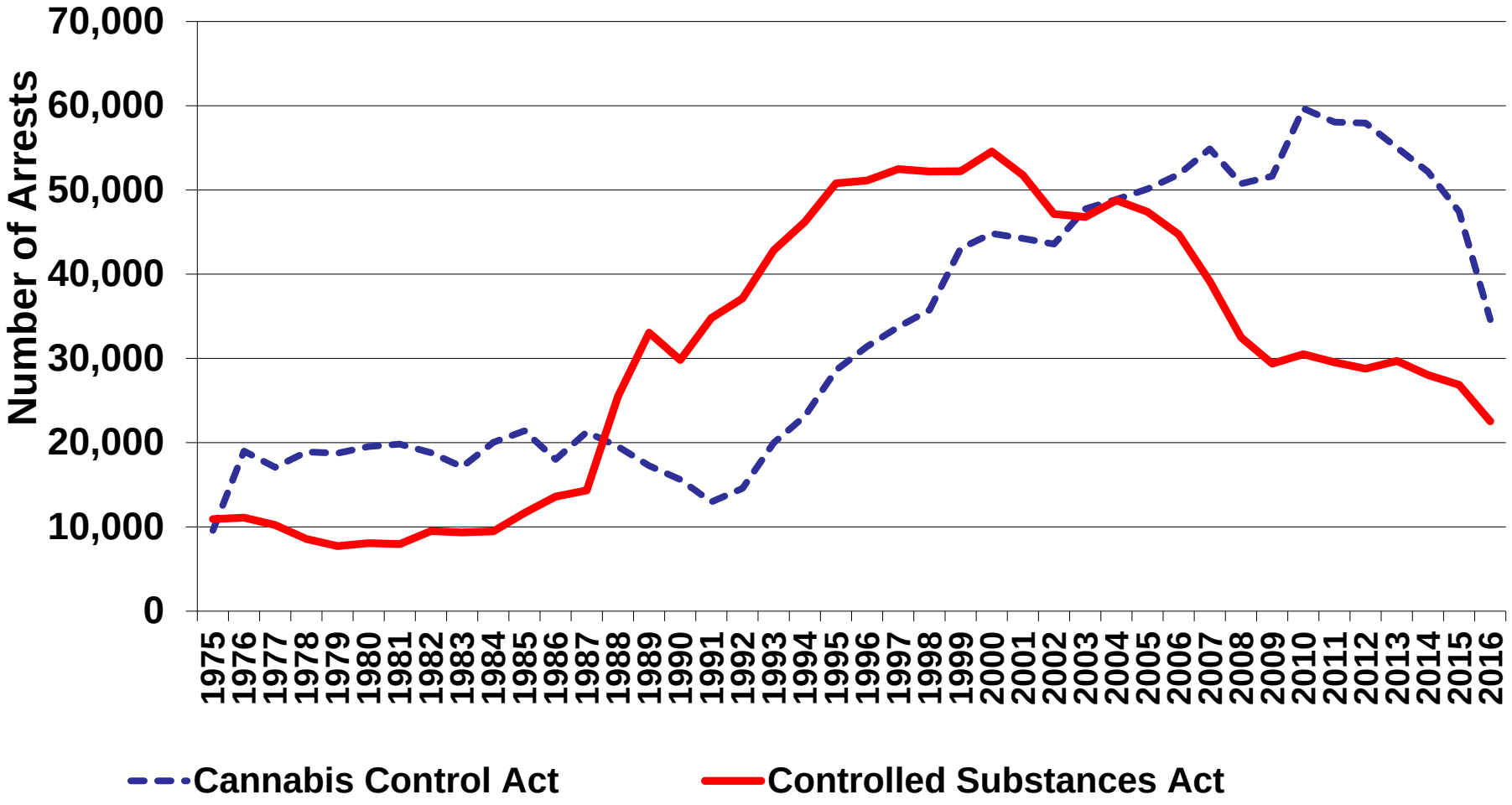
Violent & Property Index Offenses in Illinois, 1982-2016



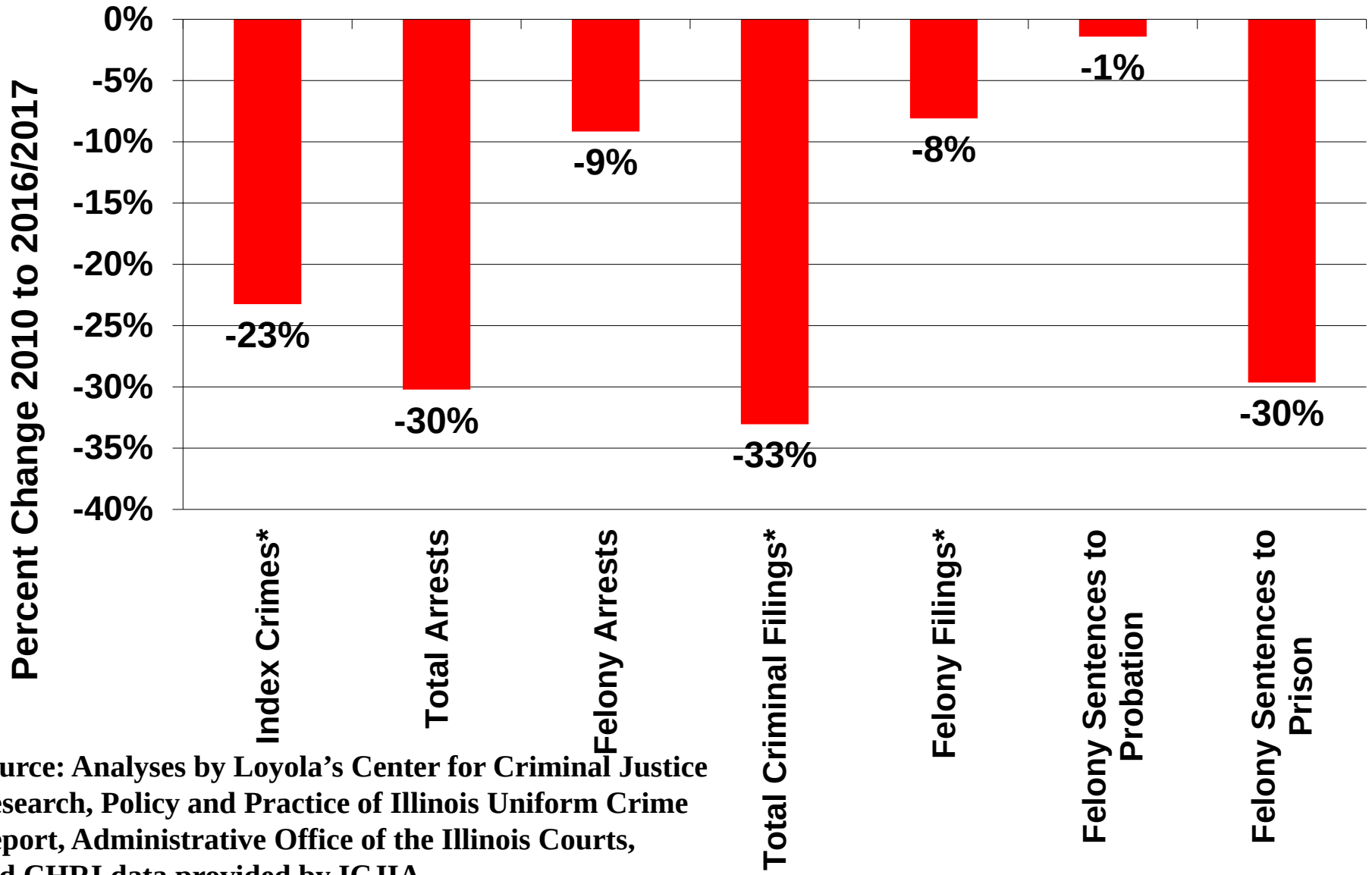
Source: Analyses by Loyola's Center for Criminal Justice Research, Policy and Practice of Illinois
Uniform Crime Report data provided by Illinois Criminal Justice Information Authority

Arrests for Drug-Law Violations in Illinois, 1975-2016



Source: Analyses by Loyola's Center for Criminal Justice Research, Policy and Practice of Illinois Uniform Crime Report data, provided by Illinois Criminal Justice Information Authority

Statewide Changes in Justice System Activities Between 2010 & 2016*/2017



Source: Analyses by Loyola's Center for Criminal Justice Research, Policy and Practice of Illinois Uniform Crime Report, Administrative Office of the Illinois Courts, and CHRI data provided by ICJIA

For most felonies, prison is an *option*

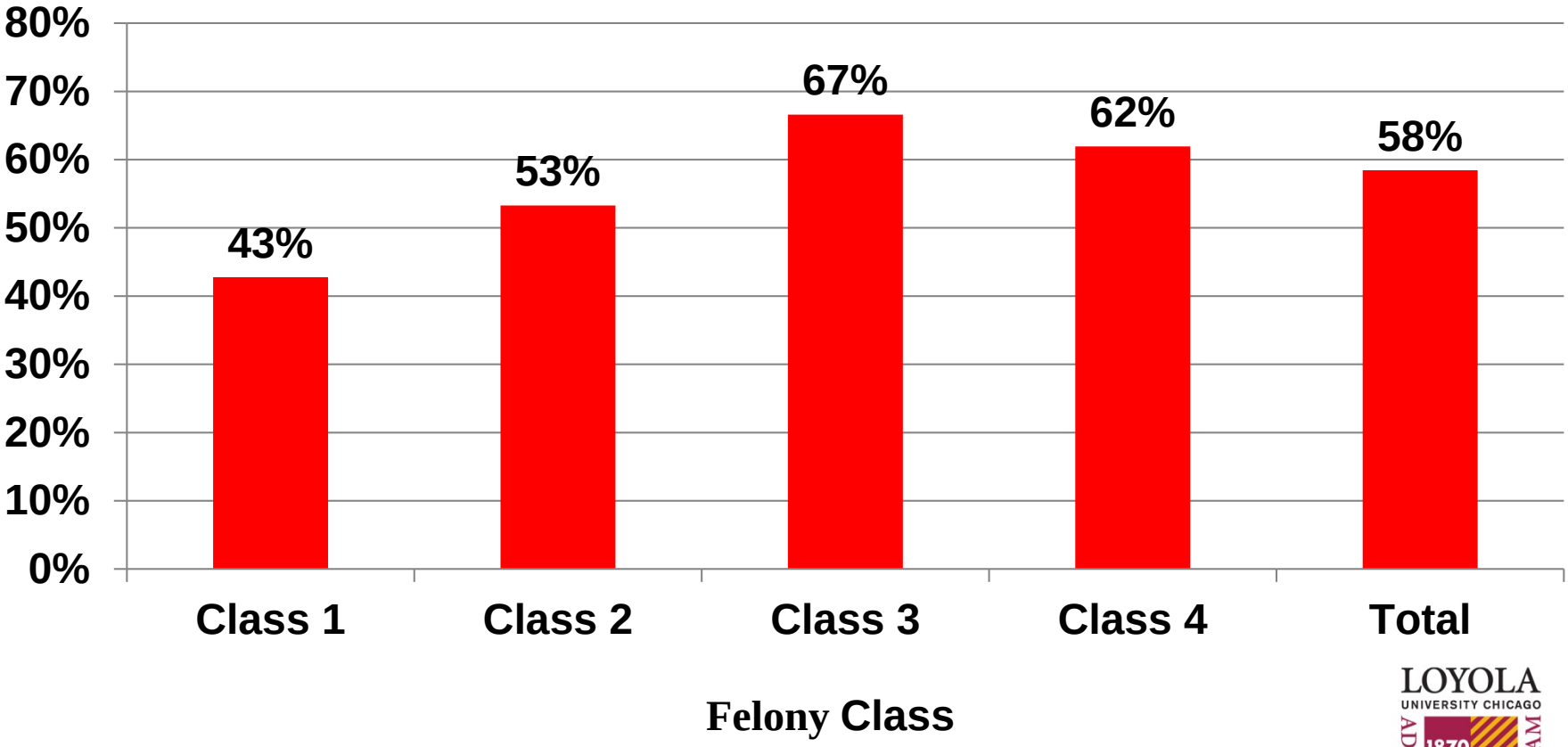
Category of Crime	Usual Prison Term + MSR	Probation Term
1st Degree Murder	20-60 years + 3 years	Not allowed
Class X Felony	6-30 years + 3 years	Not allowed
Class 1 Felony	4-15 years + 2 years	Up to 4 years
Class 2 Felony	3-7 years + 2 years	Up to 4 years
Class 3 Felony	2-5 years + 1 year	Up to 2 ½ years
Class 4 Felony	1-3 years + 1 year	Up to 2 ½ years

Source: 2014. "Penalties for Crimes in Illinois," published online by the Illinois General Assembly Legislative Research Unit. http://ilga.gov/commission/lru/2014PFC.pdf

Determinants of Sentences Imposed on Those Convicted of a Felony in Illinois (CHRI)

- Offense, defendant and jurisdiction characteristics
- Strongest predictors of a prison versus a probation sentence in Illinois
  - Felony class of conviction offense
  - Prior criminal history
  - Pre-trial detention
- Influential, but less so
  - Age, gender and race
- Independent effect of county where convicted

In Most Instances, Probation *is* Imposed: Percent of Those Convicted of a Felony in 2017 Sentenced to Probation, by Class



Source: Loyola's Center for Criminal Justice Research, Policy and Practice estimates based on data provided by AOIC's Probation Services Division and IDOC's Planning and Research Unit

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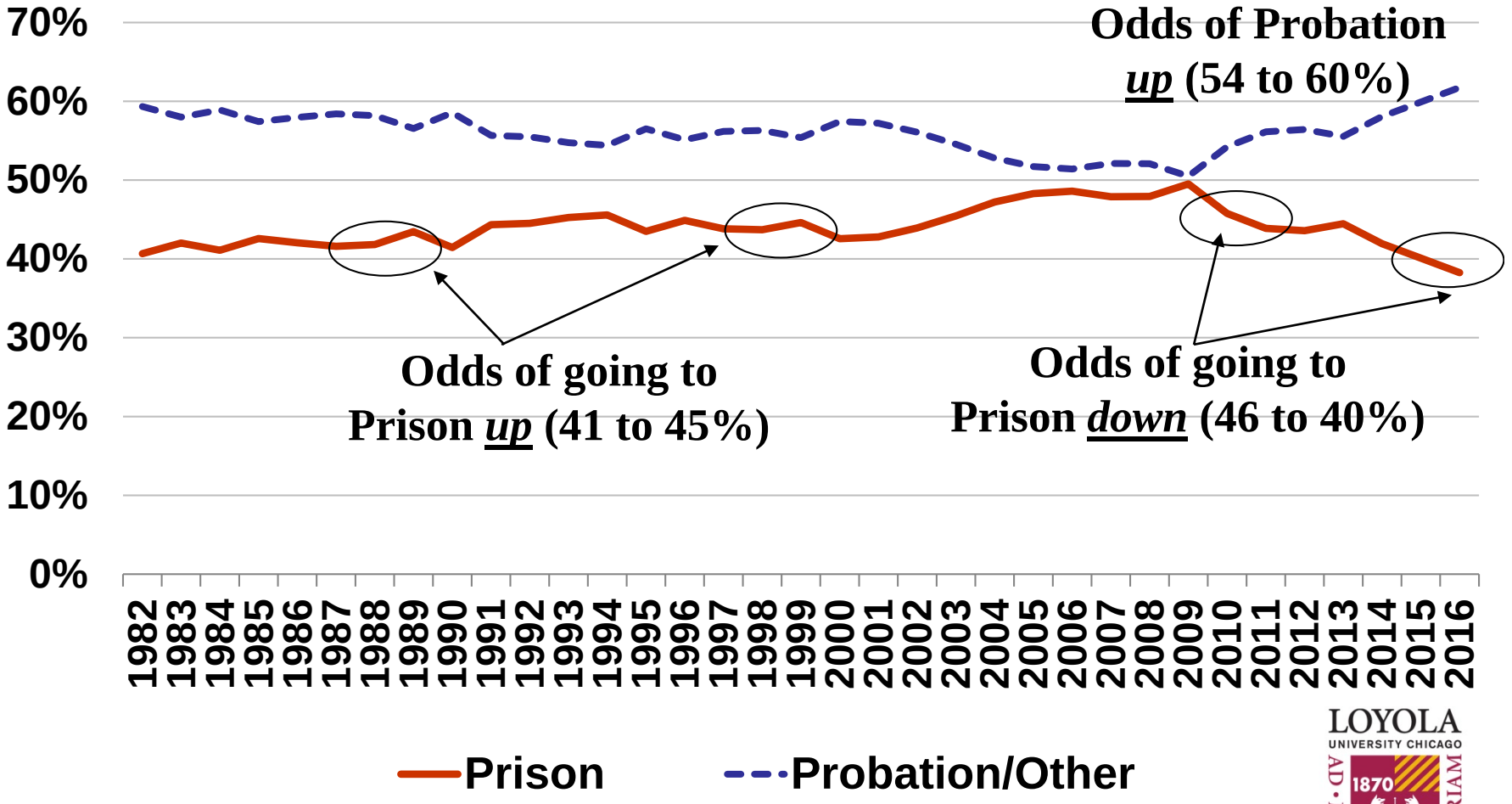
Percent of Convicted Felons Sentenced to Prison vs Probation in Illinois (X 102)



Source: Analyses by Loyola's Center for Criminal Justice Research, Policy and Practice of AOIC annual court statistics with adjustments made to address reporting issues.

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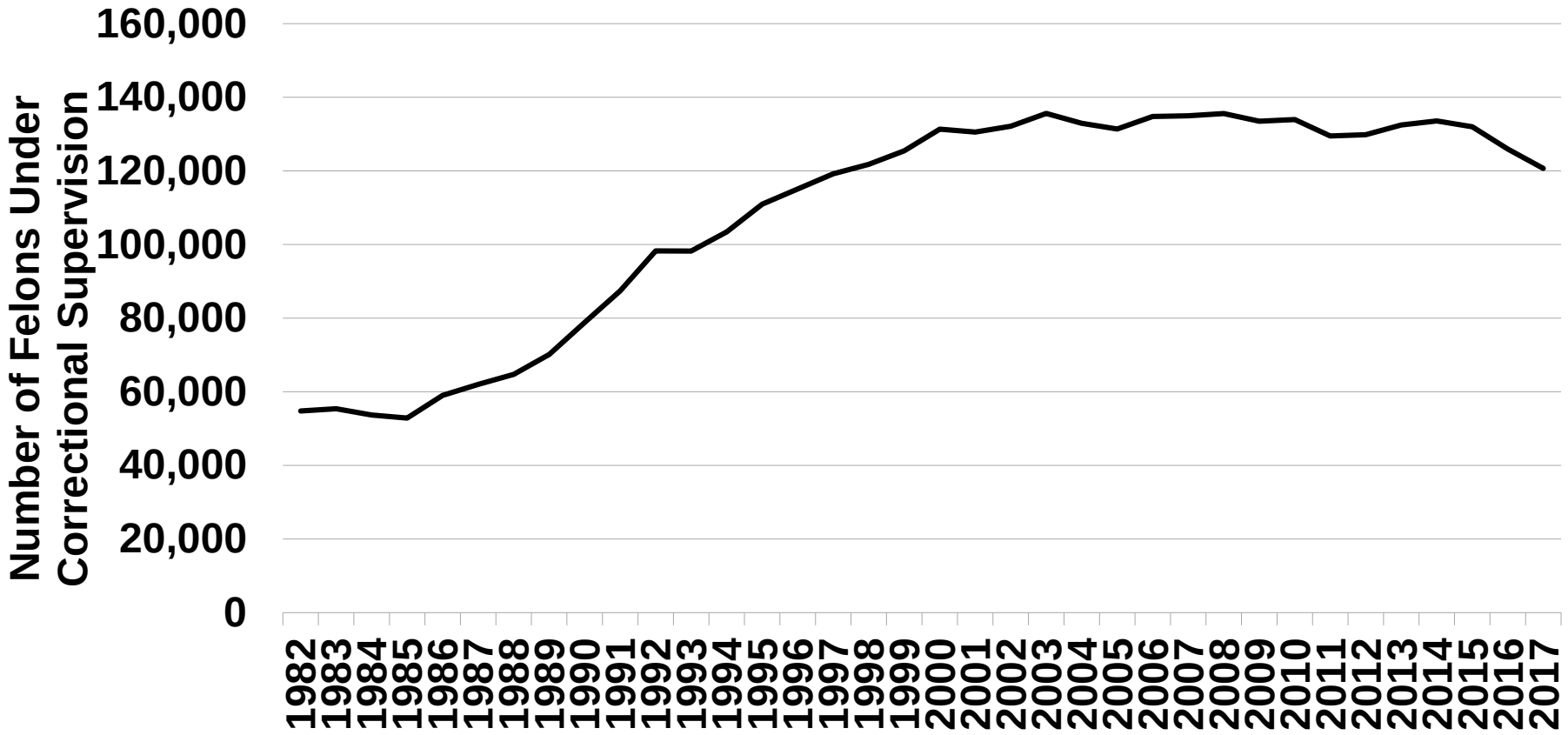
The "Iron Law" of Incarceration (and Probation?)

- Two factors drive correctional populations: ***admissions*** and/or "***lengths of stay***"
- From 1980s through 1990s, ***both*** of these occurred
  - Crime and arrests up; filings & sentences up
  - ***Felony drug arrests*** up due to a "real" War on Drugs
  - Odds of prison sentences increased
  - Odds of recidivism for prison releasees increased
- Since early 2000, crime, drug arrests, and felony filings are down
- Increased likelihood of probation sentences being imposed in recent years

Total Adults Convicted of a Felony Under Correctional Supervision in Illinois



Source: Analyses by Loyola's Center for Criminal Justice Research, Policy and Practice of IDOC and Administrative Office of the Illinois Courts data; felony probation cases estimated

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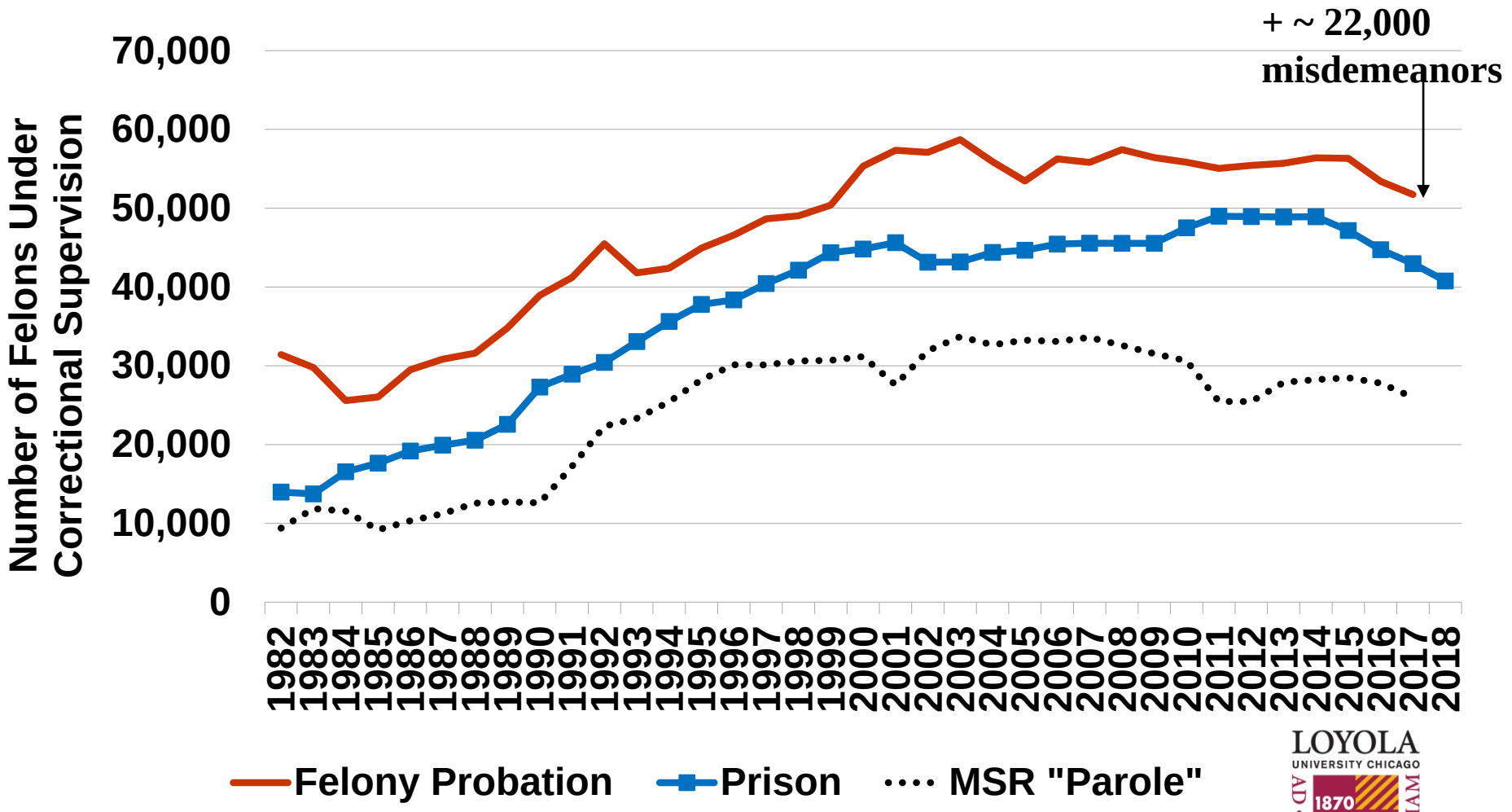
Trends in Felony Correctional Populations in Illinois



Source: Analyses by Loyola's Center for Criminal Justice Research, Policy and Practice of IDOC and Administrative Office of the Illinois Courts data; felony probation cases estimated

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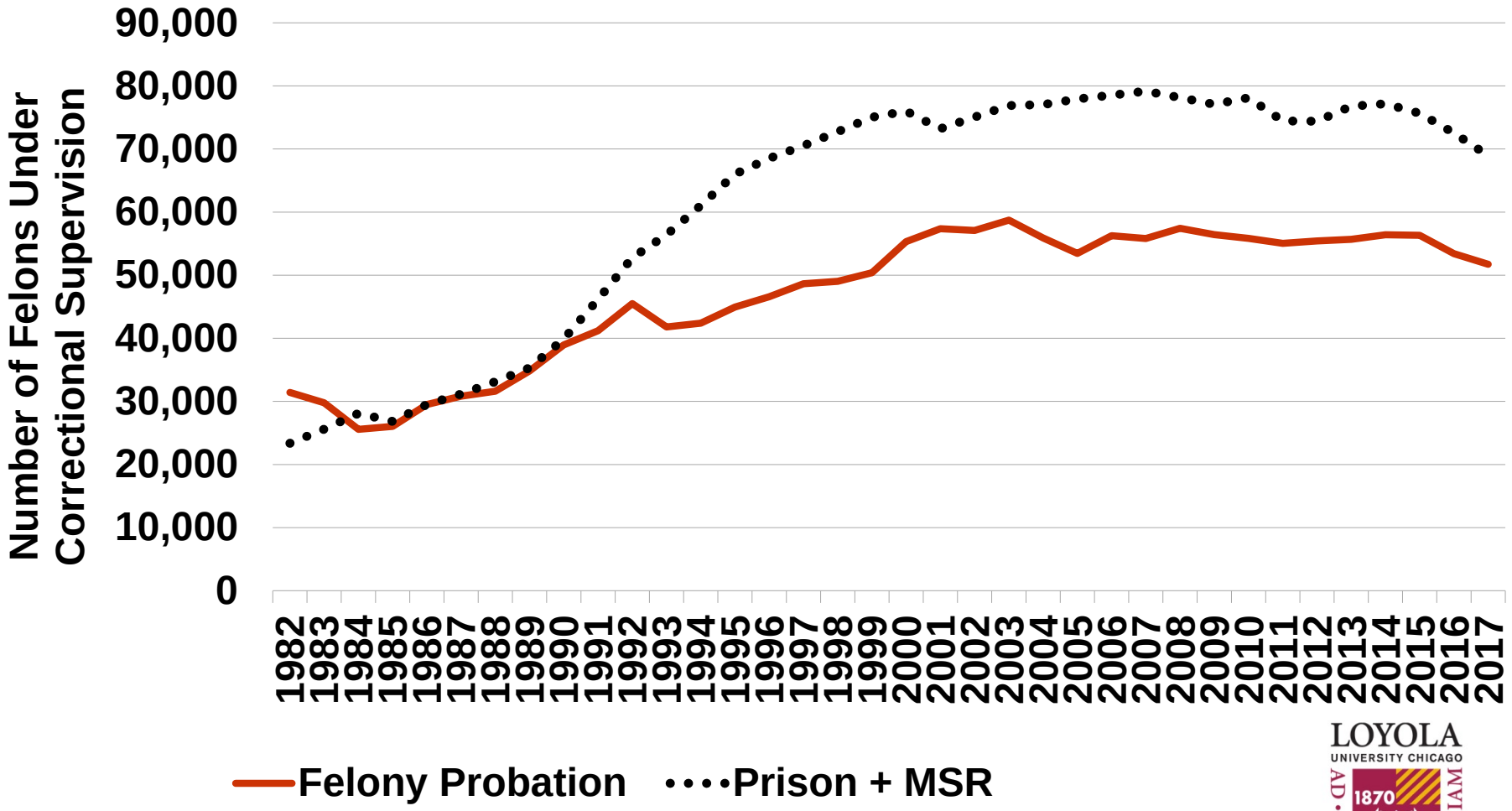
Trends in Felony Correctional Populations in Illinois: Probation vs. IDOC



Source: Analyses by Loyola's Center for Criminal Justice Research, Policy and Practice of IDOC and Administrative Office of the Illinois Courts data; felony probation cases estimated

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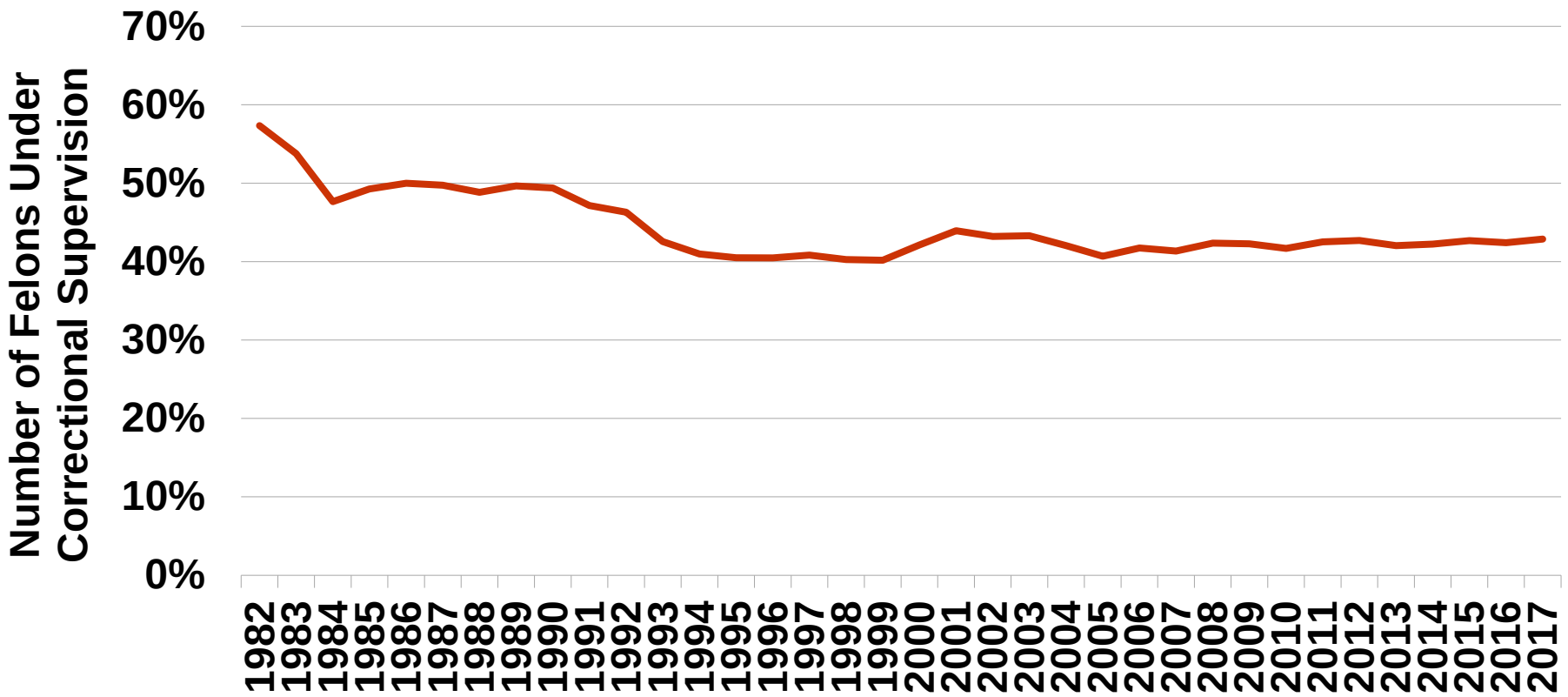
Percent of Felony Correctional Populations Under Probation Supervision in Illinois



Source: Analyses by Loyola's Center for Criminal Justice Research, Policy and Practice of IDOC and Administrative Office of the Illinois Courts data; felony probation cases estimated

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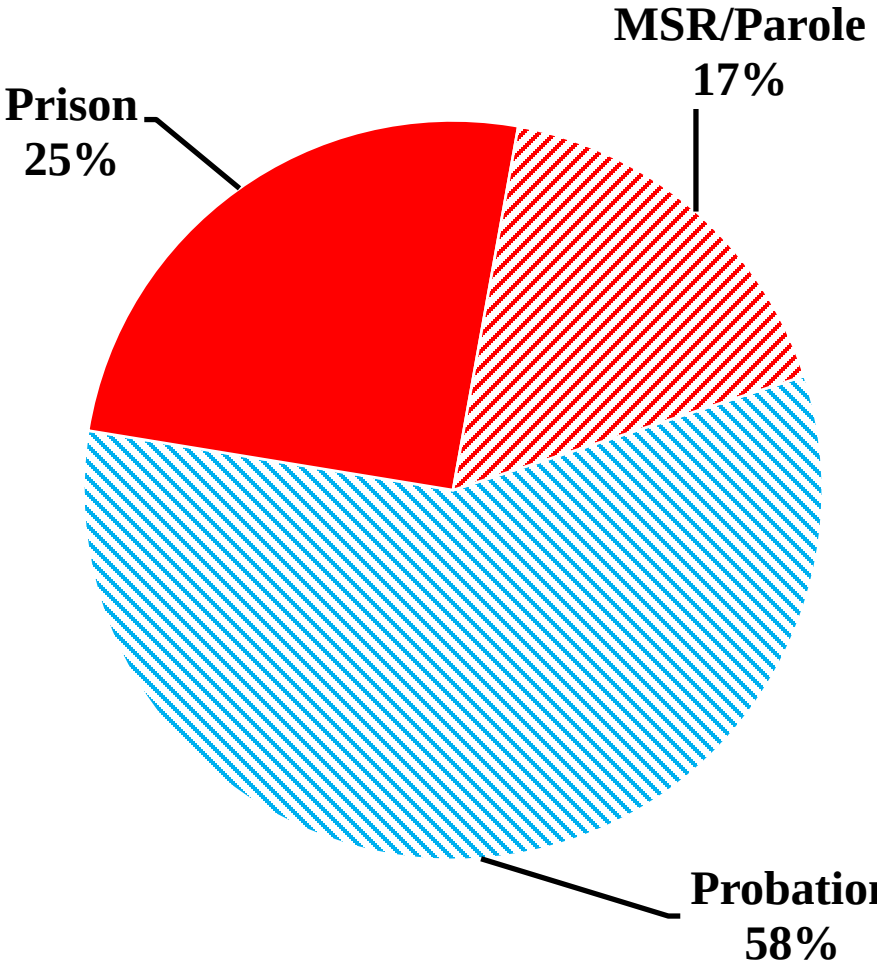
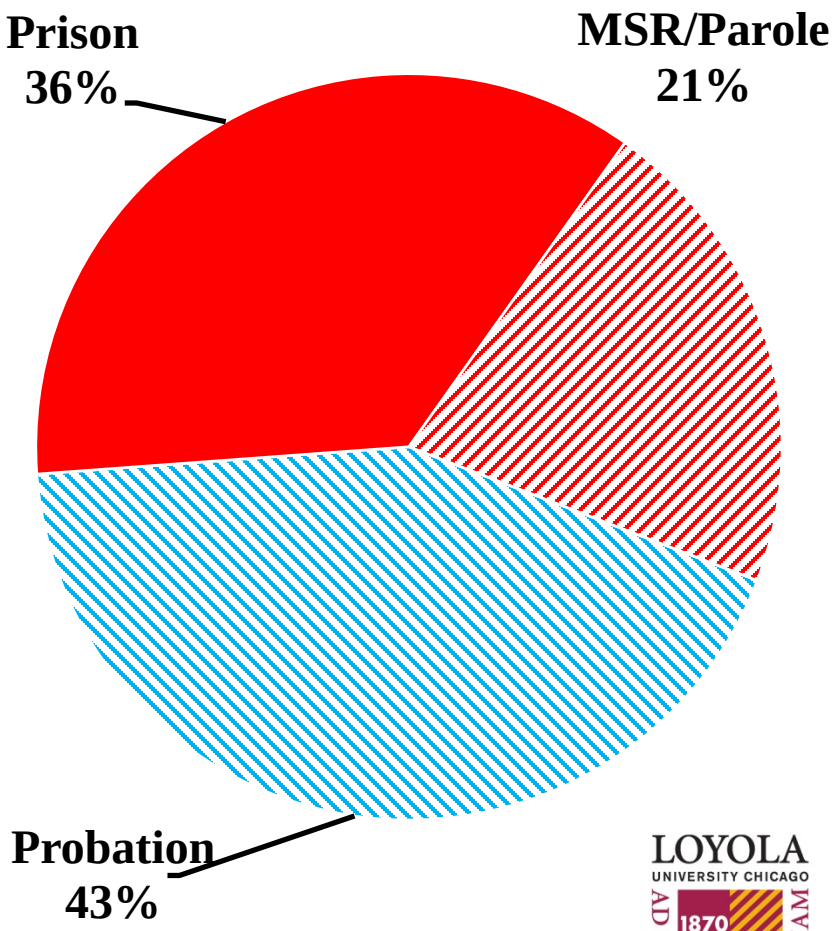
Felony Correctional Populations in Illinois

1982 (N=55,000)



2017 (N=120,000)



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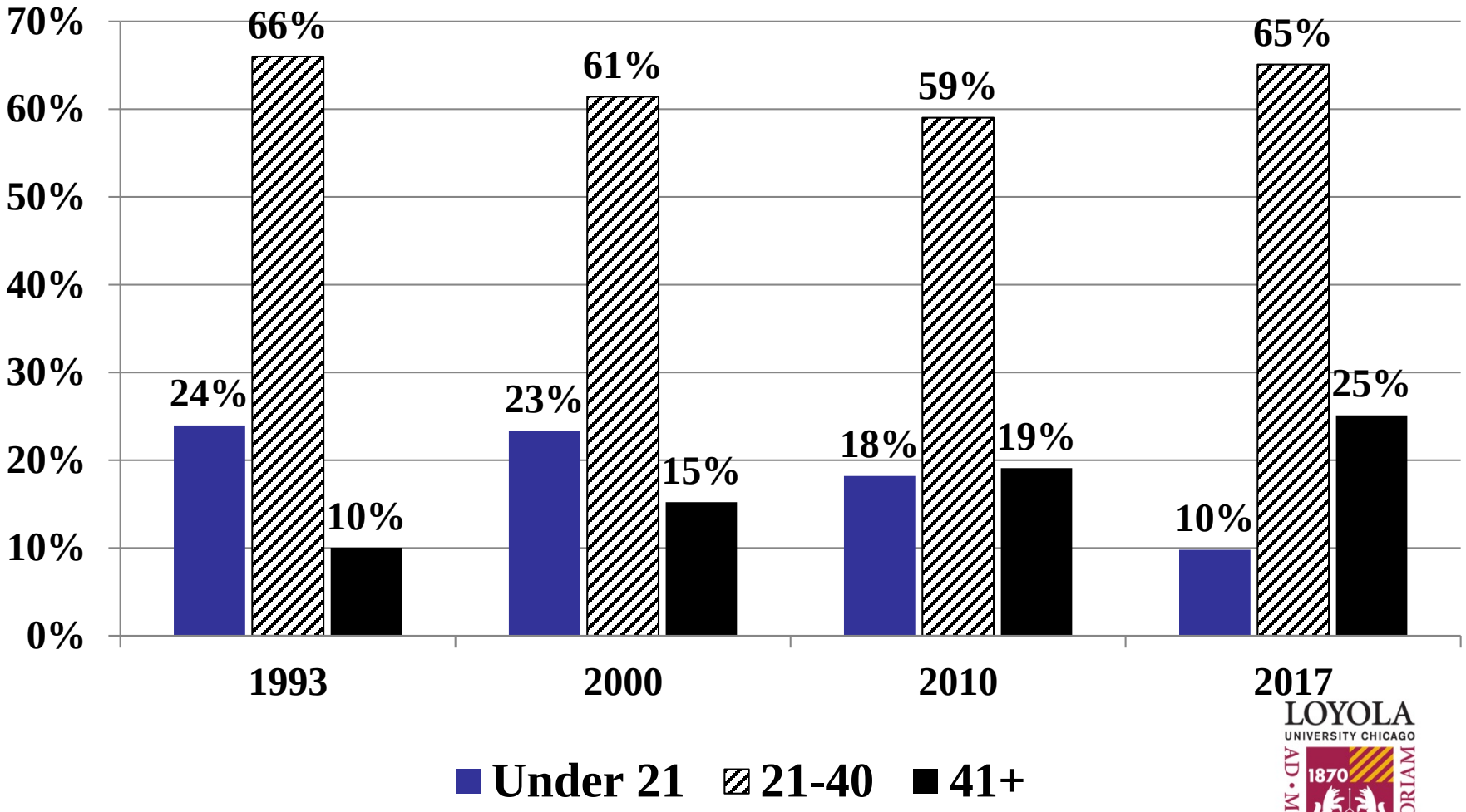
Source: Analyses by Loyola's Center for Criminal Justice Research, Policy and Practice of data provided by the Illinois Department of Corrections' Planning and Research Unit & AOIC annual reports

Examining Changes in the Characteristics of Felony Probationers

- Based on monthly data provided by each probation department to the AOIC, we can examine
  - Changes in probationer demographic characteristics (e.g., age, gender, and race)
  - Changes in crime class (e.g., felony classes)
  - However, reasons for changes are not fully known, and involve a combination of changes in the nature of crime, arrests, and sentencing patterns, across Illinois'102 counties

Felony Probationer Characteristics: By Age of Probation Intakes



Source: Analyses by David E. Olson, Ph.D. and Don Stemen, Ph.D., of Administrative Office of the Illinois Courts data

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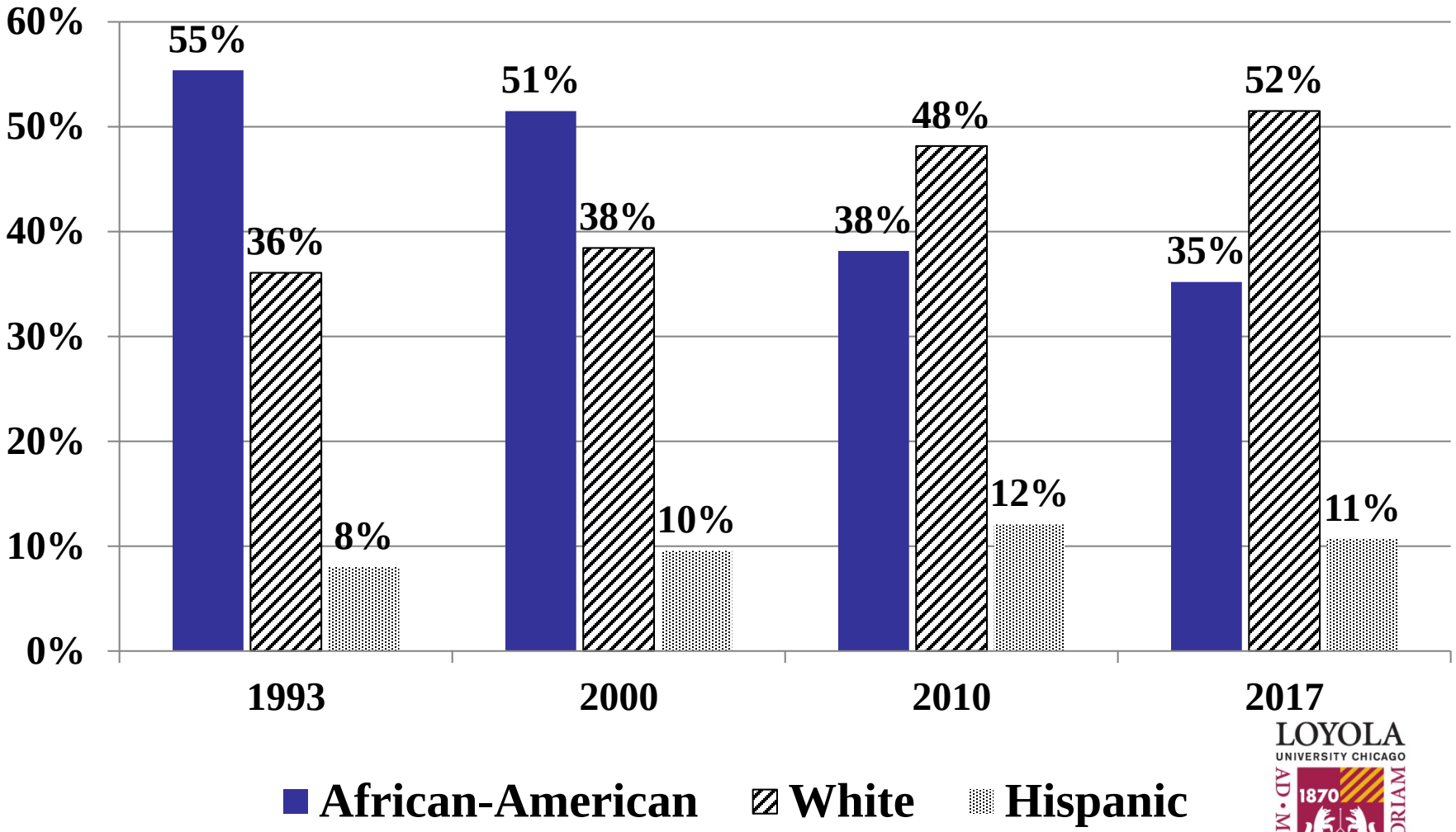
Felony Probationer Characteristics: By Race of Probation Intakes



Source: Analyses by David E. Olson, Ph.D. and Don Stemen, Ph.D., of Administrative Office of the Illinois Courts data

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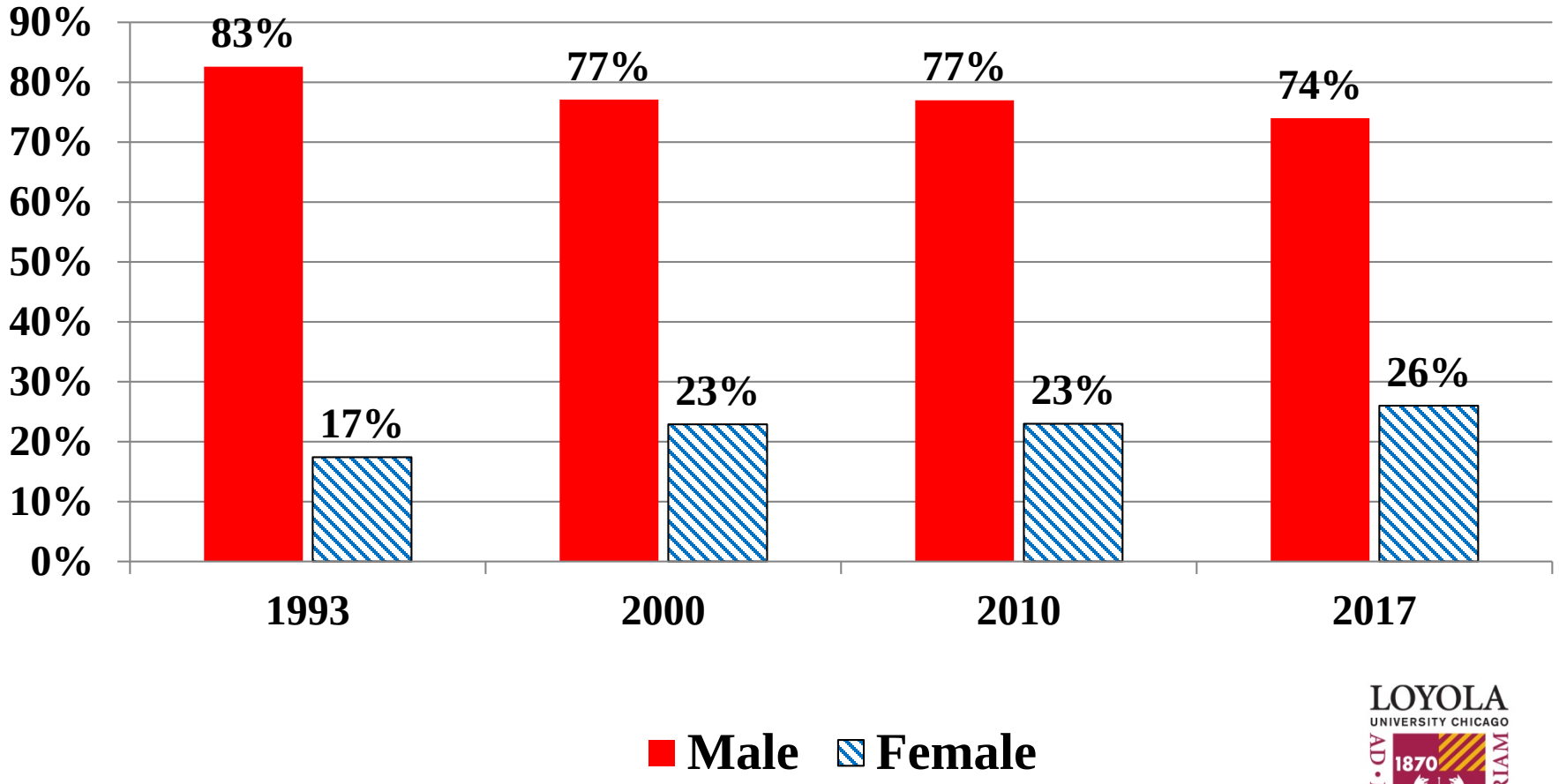
Felony Probationer Characteristics: By Gender of Probation Intakes



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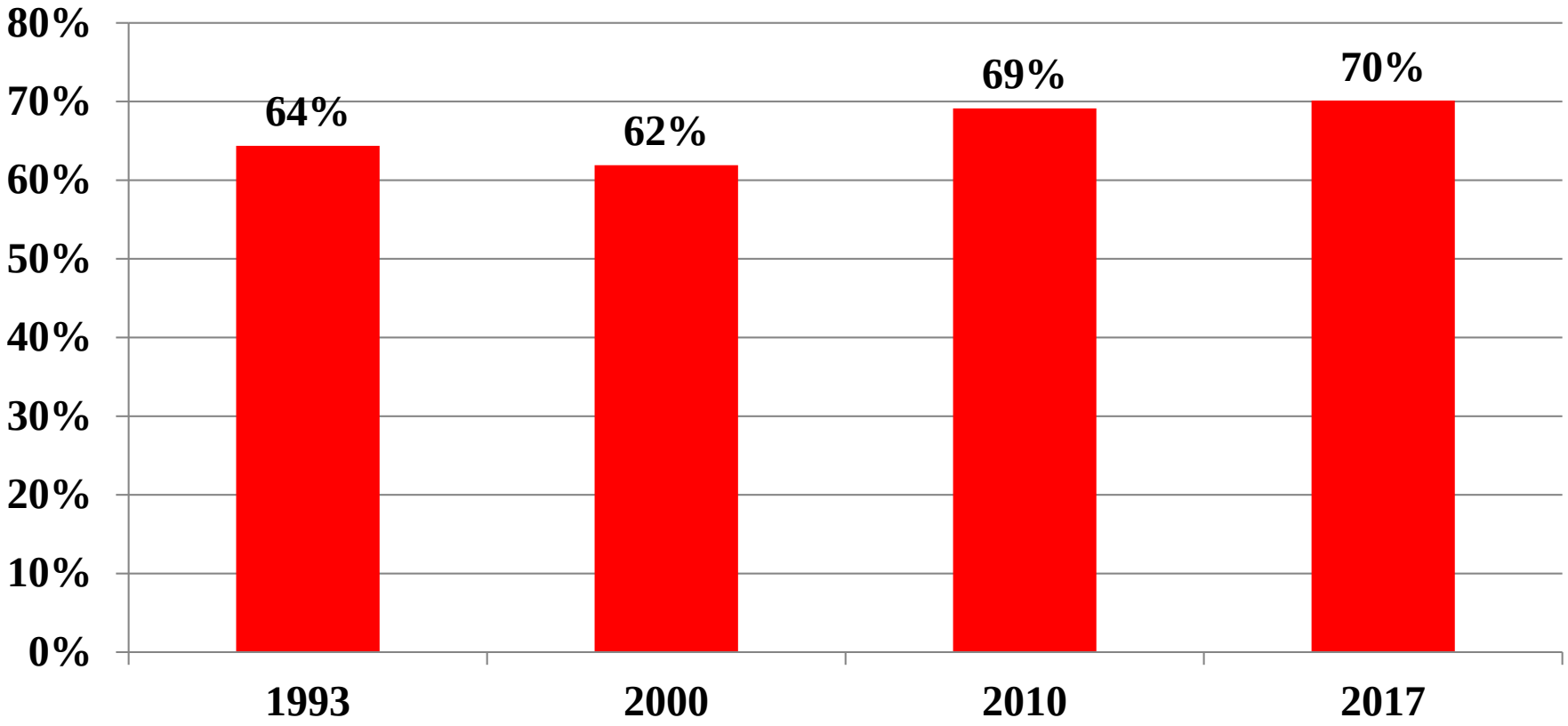
Felony Probationer Characteristics: Percent of Probation Intakes Class 3+4 Felonies



Source: Analyses by David E. Olson, Ph.D. and Don Stemen, Ph.D., of Administrative Office of the Illinois Courts data

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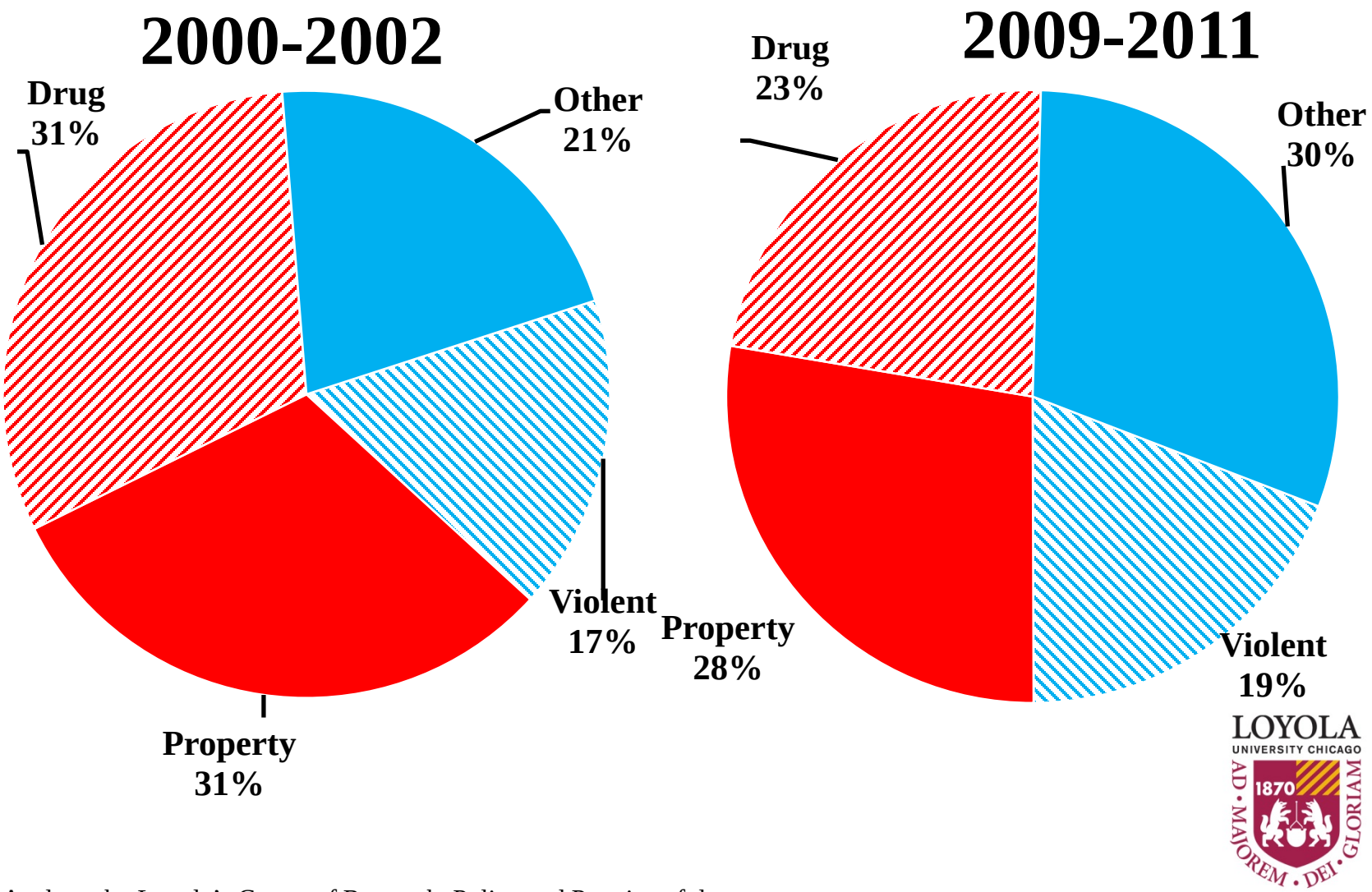
Probation Sentences in Illinois (CHRI data)



Source: Analyses by Loyola's Center of Research, Policy and Practice of data generated from the ICJIA On-Line Analysis tool

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Examining Changes in the Characteristics of Felony Probationers

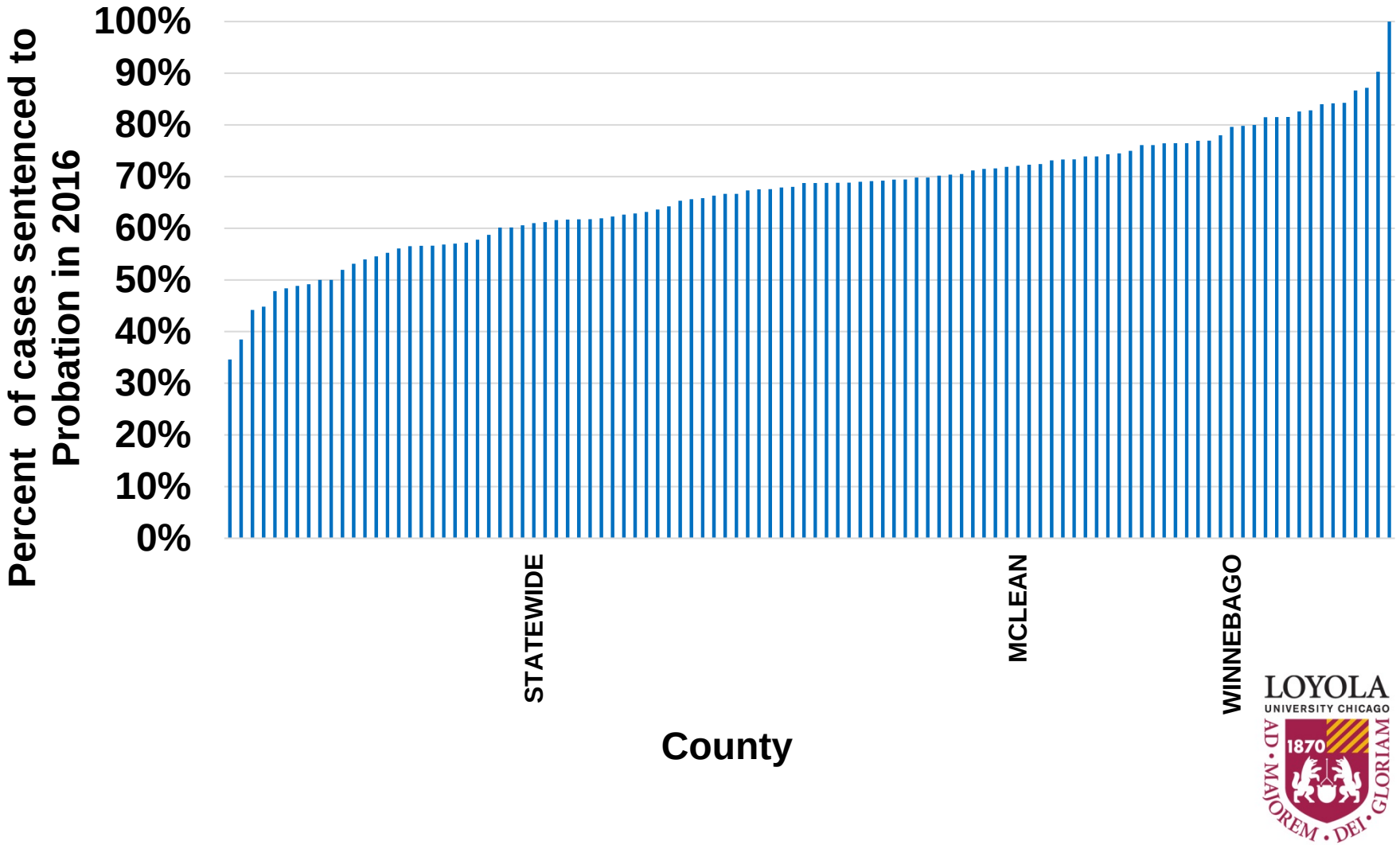
- Based on monthly data provided by each probation department to the AOIC, we know
  - Felony probationers getting older
  - Males account for majority of felony intakes, but women an increasing portion
  - Decrease in proportion of felony probation intakes accounted for by African-Americans, larger share accounted for by whites
  - Most are Class 3 & 4 felonies, and proportion growing slightly

  However, reasons for changes not known

Obstacles and challenges to understanding probation & developing policy

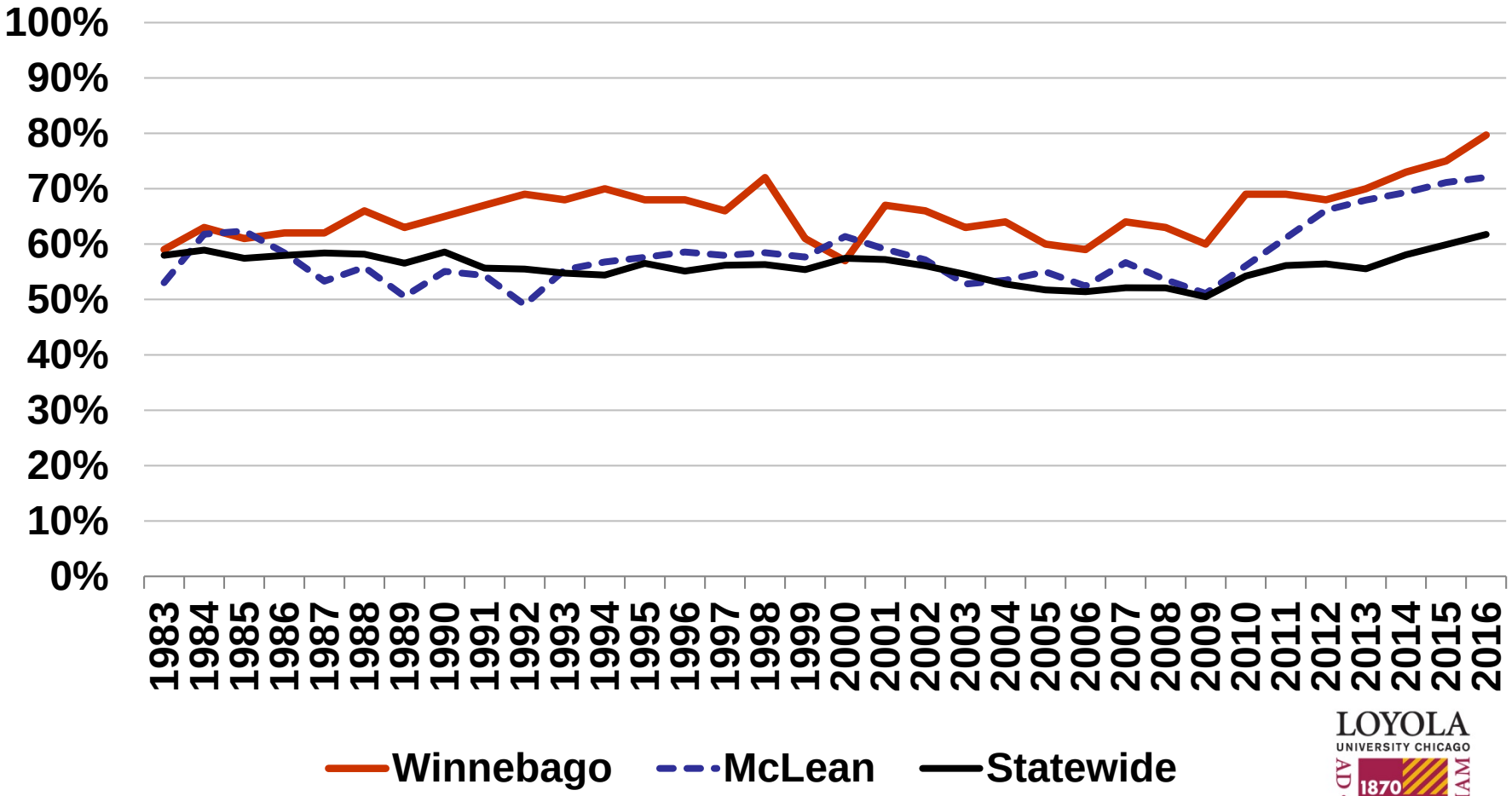
- "One size does not fit all"
  - National probation trends cannot be understood by lumping all states together
    - State probation trends cannot be understood by lumping all counties together
    - It is ***NOT*** Chicago/Cook County vs. "Downstate"
  - THUS, it's difficult to understand probation and craft solutions to challenges without zooming in
    - Criminal Justice Coordinating Council work in 5 counties
  - Despite statewide AOIC standards, 102 counties in Illinois, each operating within different environments, with different crime problems and probation populations

Percent of Convicted Felons Sentenced to Probation in 2016, by County



Source: David Olson & Donald Stemen analyses of AOIC annual court statistics.

Percent of Convicted Felons Sentenced to Probation in Illinois (X 100)



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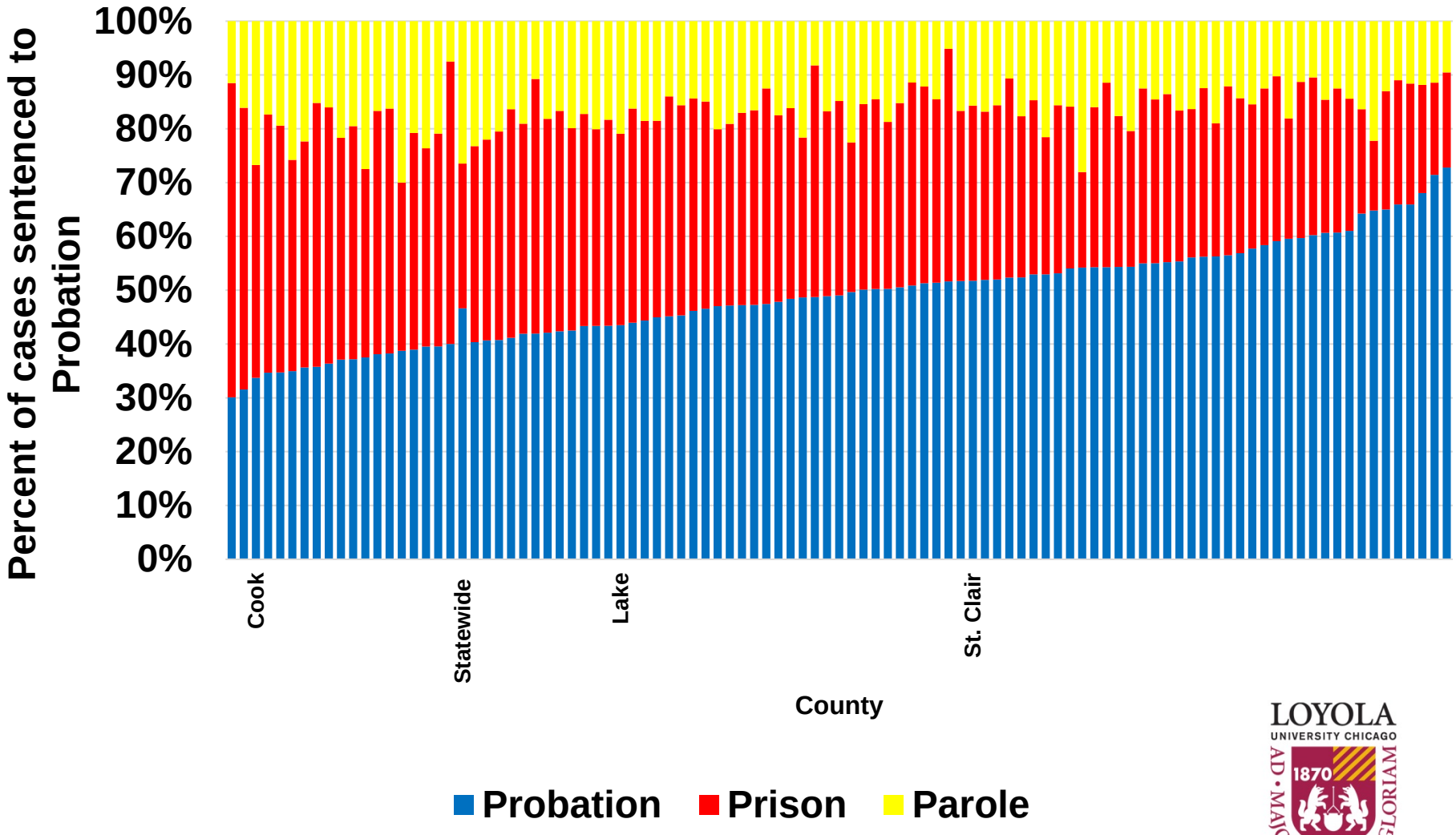
Percent of Those Convicted of a Felony Under Custody of Justice System (Prison+Parole+Probation) in 2016



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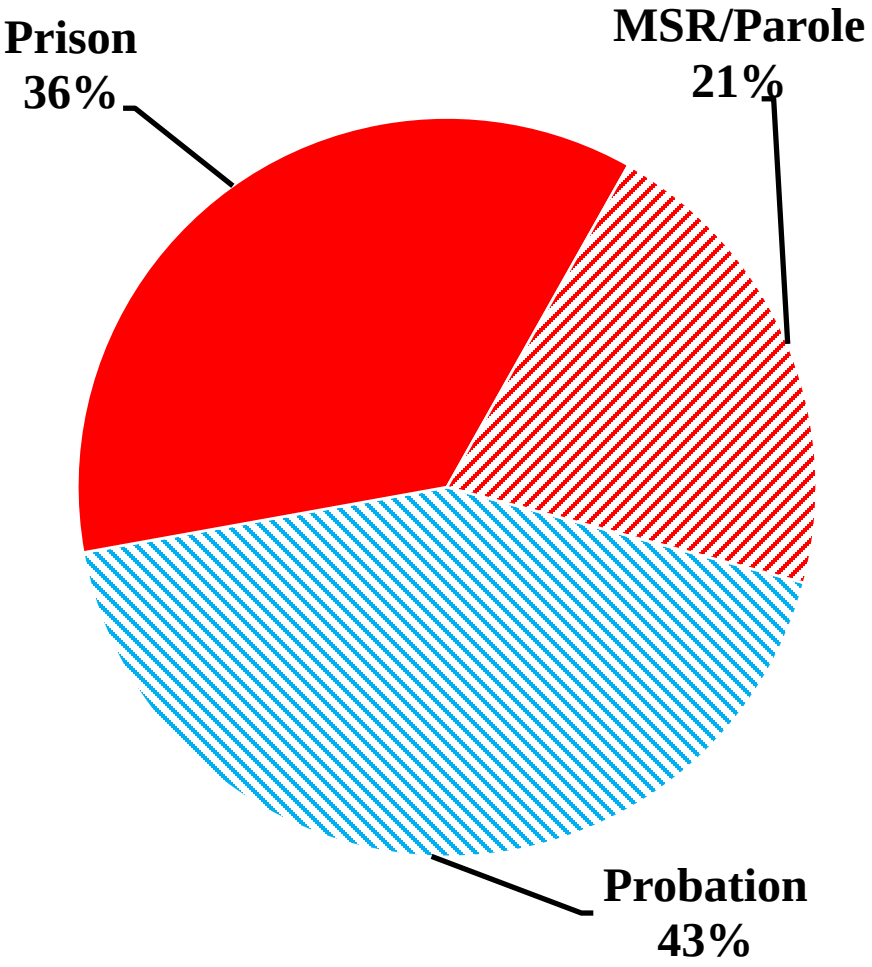
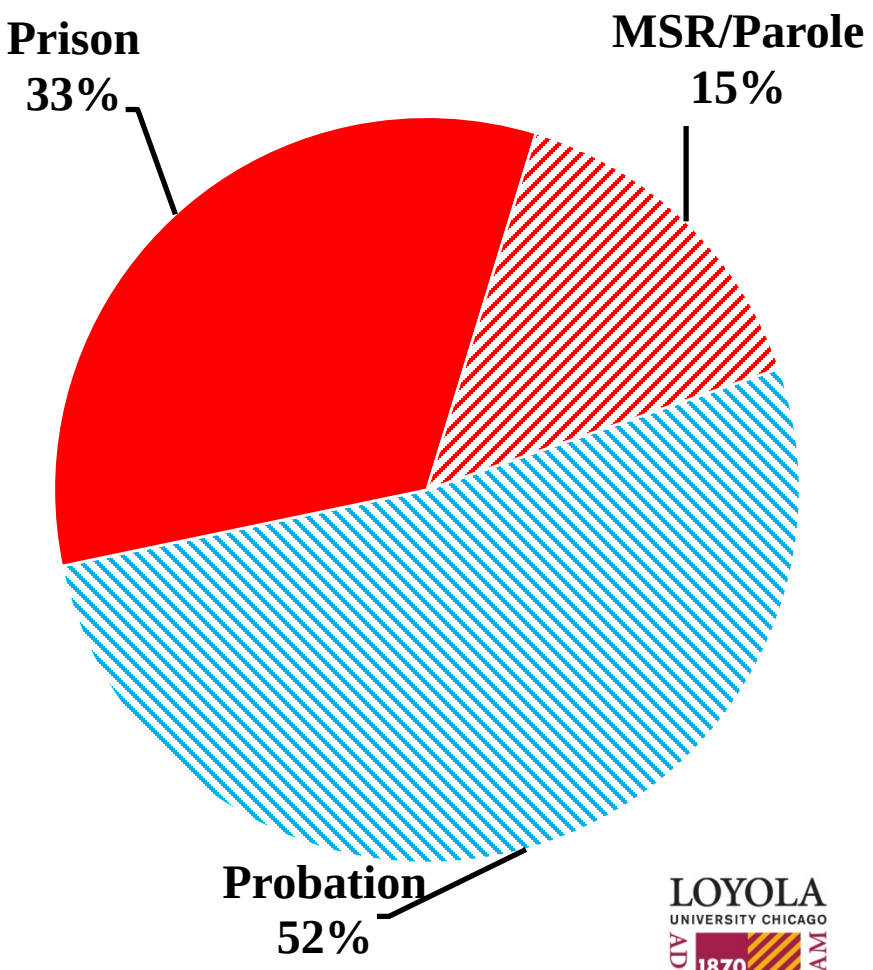
Source: David Olson & Donald Stemen analyses of AOIC annual court statistics.

2016 Felony Correctional Populations in Illinois

Lake County



St. Clair County



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Source: Analyses by Loyola's Center for Criminal Justice Research, Policy and Practice of data provided by the Illinois Department of Corrections' Planning and Research Unit & AOIC annual reports

Understanding the Characteristics of Probation *Sentences*

- Other than 2000 Probation Outcome Study, little is known in Illinois about
  - Probation sentence lengths
  - Financial conditions of probation
    - Fines, supervision fees, restitution ordered & paid
  - The criminogenic needs of probationers
  - Treatment orders & referrals of probationers
    - Access and completion of treatment
  - Other conditions of probation
  - What happens on probation
    - Employment & educational changes, housing, etc.

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Understanding the *Outcomes* of Probation Sentences

- We know short-term outcomes: the majority of probation cases are satisfactorily terminated and the minority end in revocation or unsatisfactory termination. It also varies by county/department.
  - We don't know the extent and nature of violations that drive revocation and unsatisfactory termination
  - We know about 15% of prison admissions in Illinois were accounted for by individuals who were revoked from probation or convicted of a new offense while on probation

Recidivism of Probationers

- It's not the ***only*** outcome that matters, but knowing it and ***understanding*** it is crucial
- We know meeting criminogenic needs reduces recidivism, but we don't know the degree to which needs are met.
  - Research indicates the degree to which other conditions of probation are met (e.g., financial conditions) may not be predictive of recidivism
- Definitions matter, and definitions are all over the board

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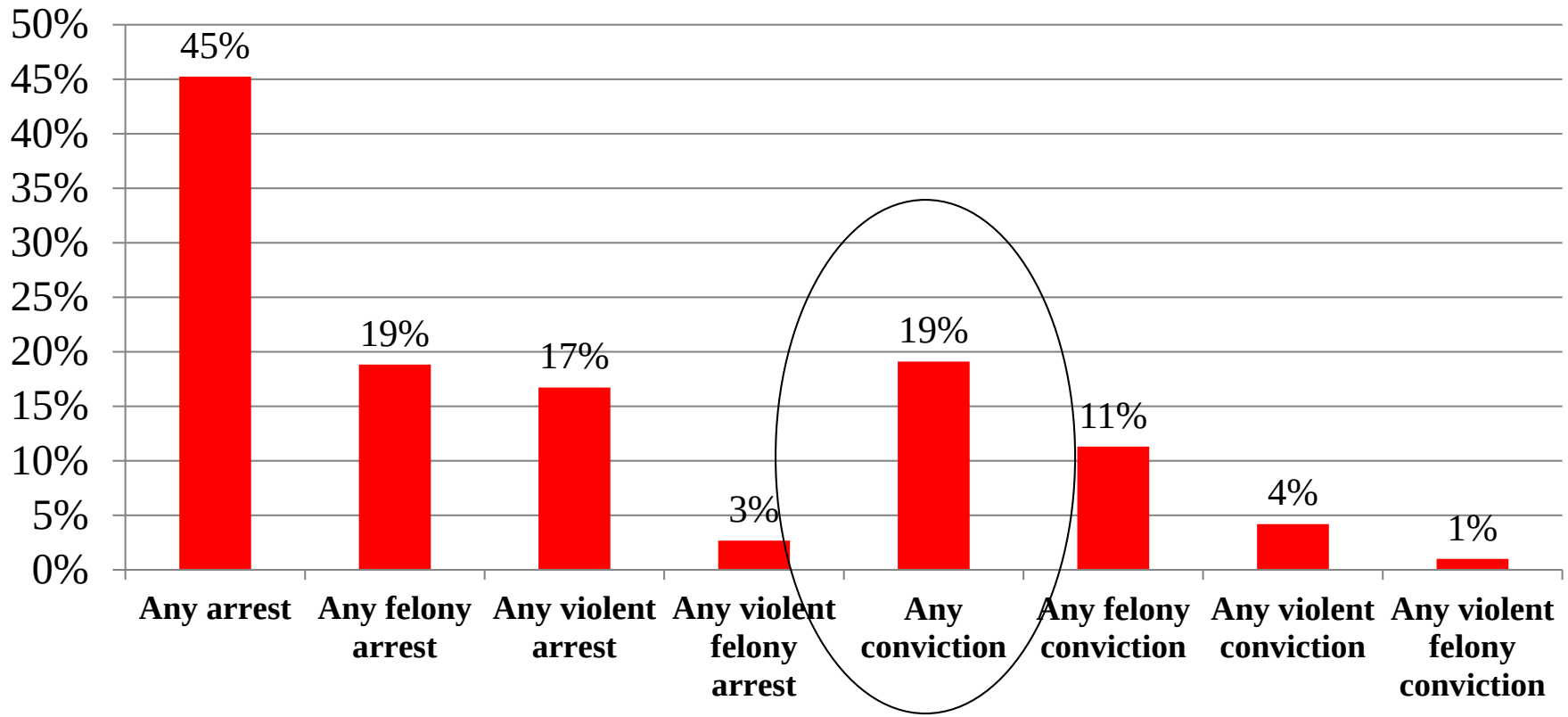
3-Year Rates of Recidivism, by Definition, Among Il. Probationers Discharged in 2000



Source: Analyses by David Olson, Ph.D. of the 2000 Illinois Probation Outcome Study data

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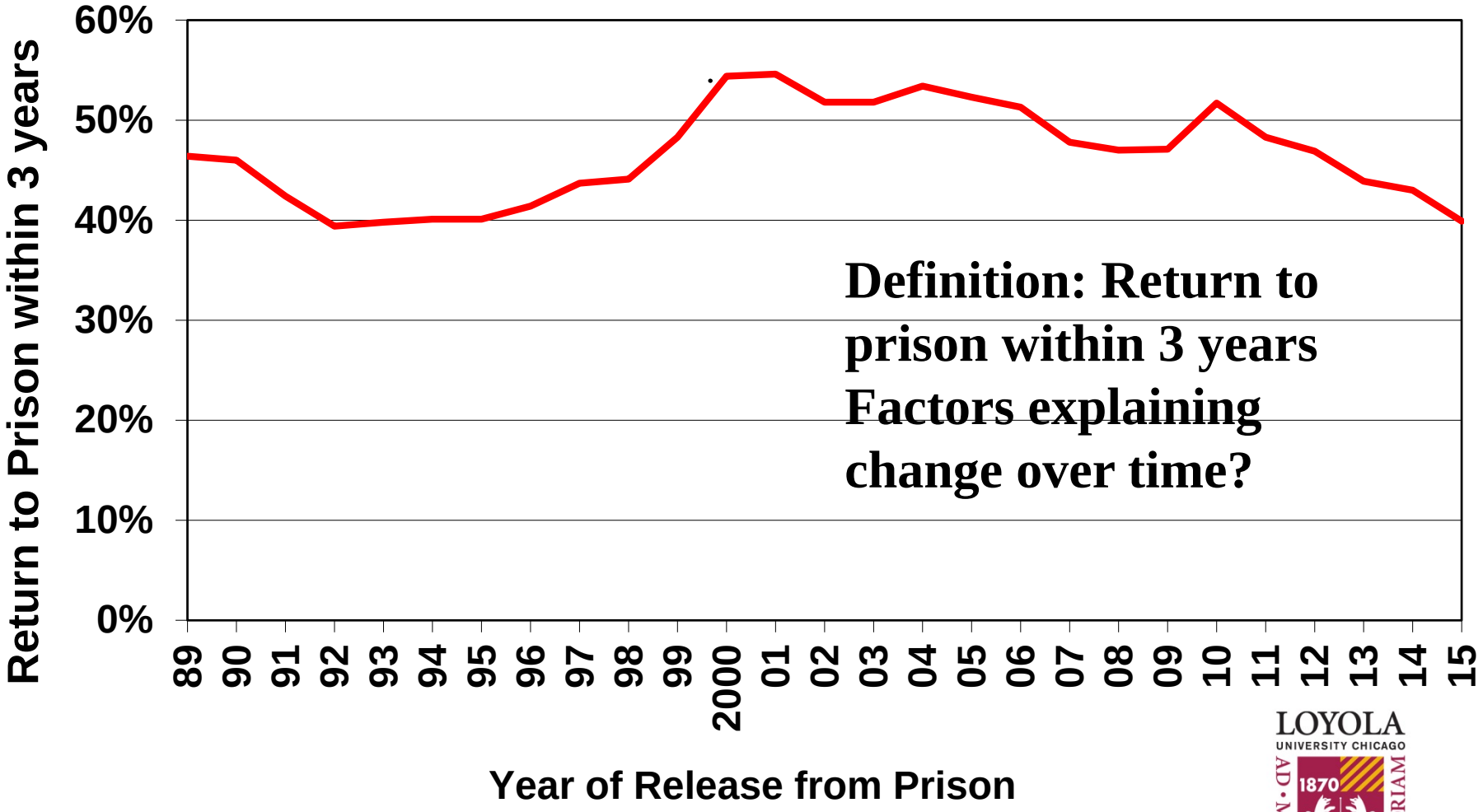
What else about recidivism do we know and need to understand?

- Rates can change over time, and rates can vary by jurisdiction (and by officer)
  - Need to recognize this, but more importantly, understand why
    - Changes/variation in community corrections policies, practices & capacity (are we getting "better" or "worse" at addressing needs)
    - Changes/variation in the characteristics of those served on community corrections (are probationers or parolees different in their levels of risks and needs)
    - Changes/variation in the practices and policies of other components of the justice (e.g., arrests, prosecution)

Illinois Adult *Prison* Recidivism Rate: The Need for a Sophisticated Understanding



Source: Illinois Department of Corrections Planning and Research Unit

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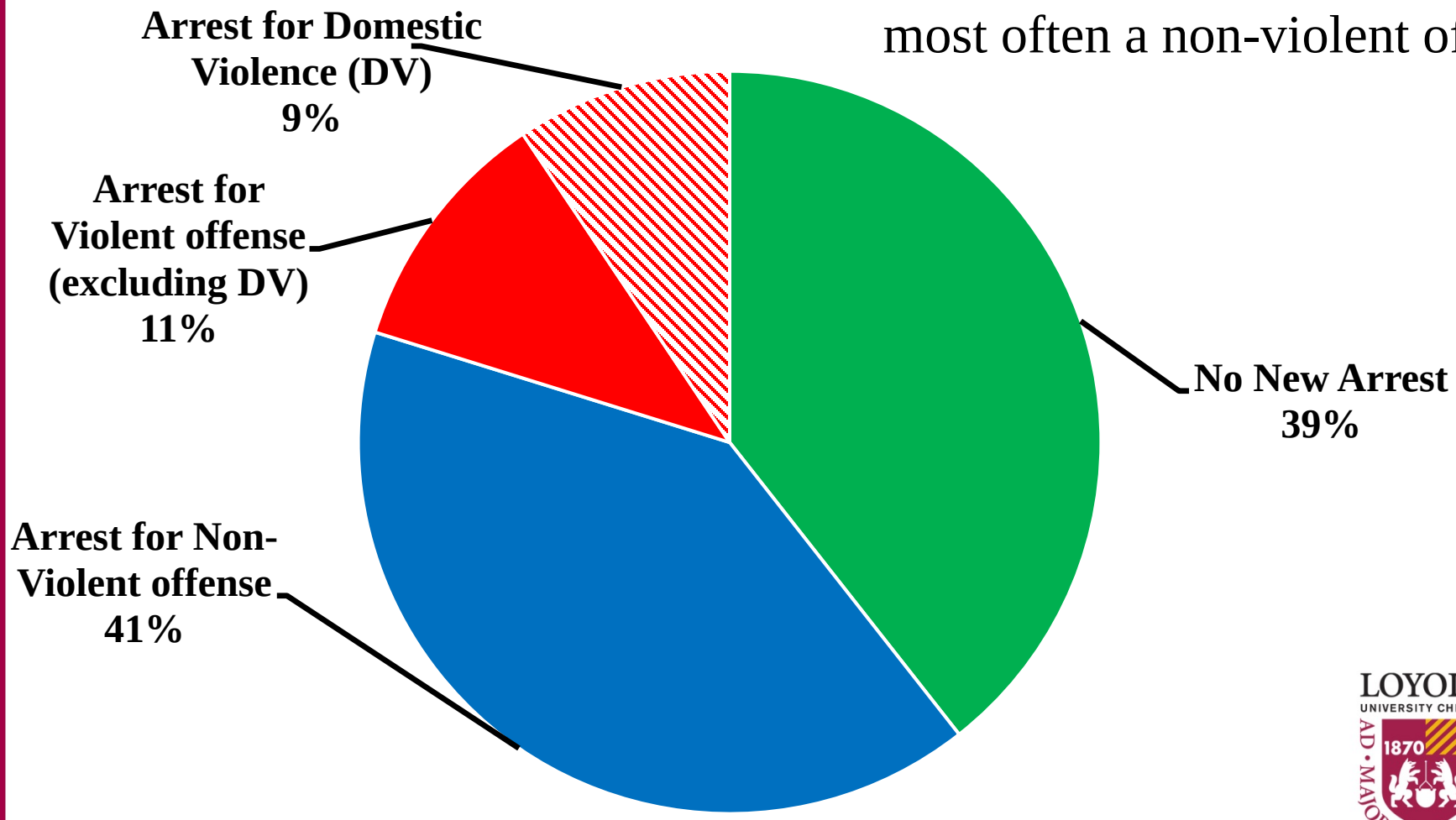
3-Year Post-Release Rearrest Rates Among *IDOC Exits*

61% arrested for something, most often a non-violent offense



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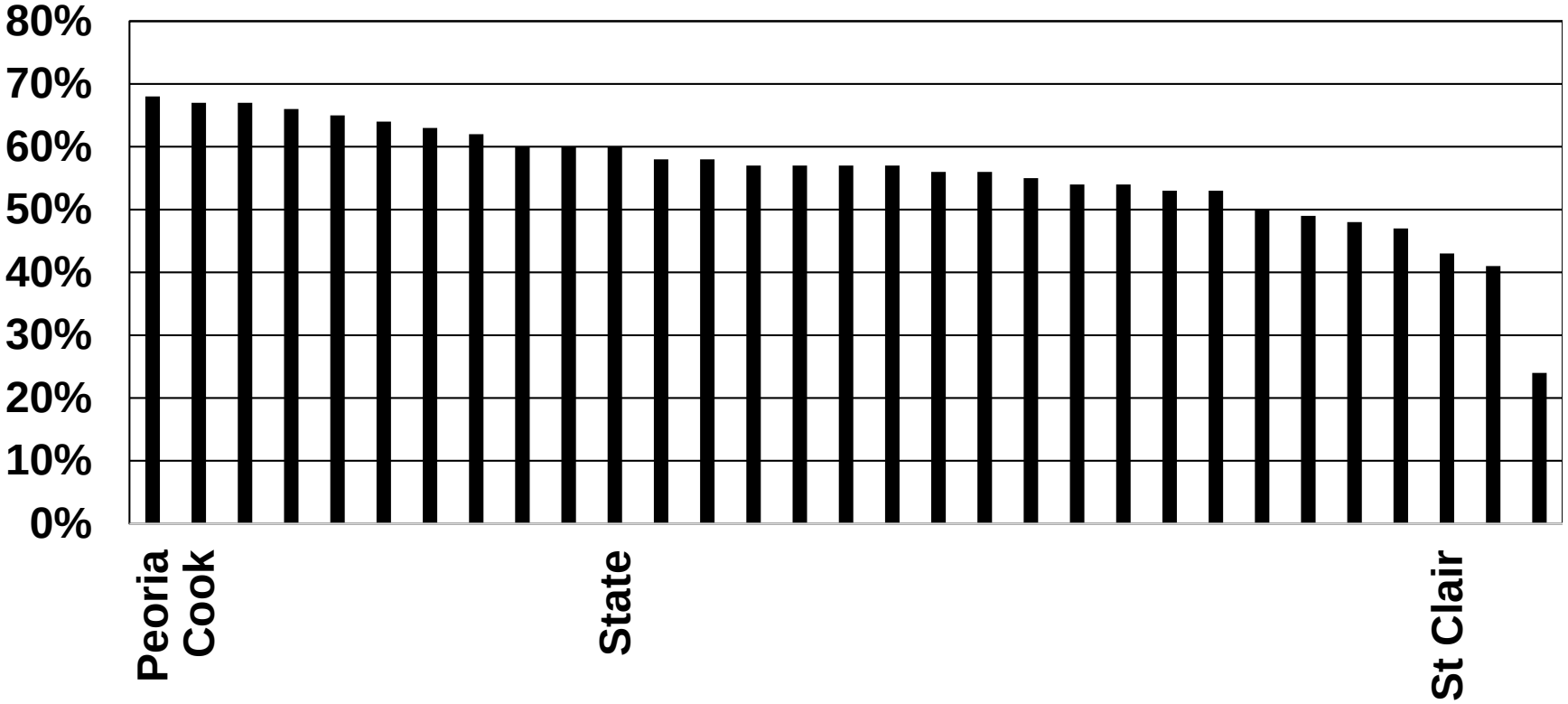
3-Yr Post-Release Arrest Rate, SFY 2011-2015 IDOC Exits, by County of Release (30 largest counties by number of releases)



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Where do we go from here

- Ensuring the types of questions asked by practitioners and policy makers at ***both*** the state and local level can be answered
- Statewide dialog and support
  - AOIC is moving towards a case-level data reporting system that will enhance our understanding of probationers and short-term outcomes
- Building local capacity and understanding
  - Loyola/ICJIA partnership to support County Criminal Justice Coordinating Councils (CJCCs)
  - Loyola/IPCSA/AOIC partnership to support local probation research and recidivism analyses

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