

Testimony of Ben Wolf: Associate Director, ACLU of Illinois  
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# Illinois: Getting Smart on Incarceration Policy

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## Introduction

Illinois sits at a crossroads. The resources necessary to propel the state forward as a regional and national leader are severely limited by the increasing general fund appropriations going to the Department of Corrections, an amount that exceeded \$1.2 billion last year,<sup>1</sup> and the hundreds of millions spent last year on enforcement of low level offenses such as marijuana prohibition. So long as legislators allow overly punitive laws to stay on the books, Illinois taxpayers will remain on the hook for the money required to safely manage the eighth largest state prison system in the country.

In the absence of reform this problem is likely to get much worse in the next few years. Our state's backward policies have filled our state prisons with older, sicker people while failing to provide the resources necessary to meet their basic health and mental health needs. These inmates are likely to require substantially more resources in the coming years.

The impact of laws that unnecessarily criminalize certain non-violent behaviors, are enforced in a manner that disparately impacts people of color, confer very long sentences reaches far beyond the corrections budget: Illinois families are suffering deeply. Numerous studies have shown the devastating effects on children and households of incarceration.<sup>2</sup> Even beyond the family, the evidence suggests that many of these policies are doing more harm than good, trapping whole communities in a cycle of criminal justice system involvement that passes down through generations, with escape routes cut off by limitations on employment, education, and housing for those who have been convicted of crimes.<sup>3</sup>

Illinois has an opportunity now to address the incarceration crisis and pass laws pulling the state out of a mire of socially and fiscally destructive corrections policies. The good news is that safe solutions are available. Other states have led the way. This document shows how Illinois compares to other peer states, outlines the key structures of Illinois's corrections system, and identifies policy shifts that will put the state on the right track.

## Illinois in Context: Looking to Other States

While policymakers in states like New York, Michigan, and New Jersey made key changes over the last decade to significantly reduce the number of people who are criminalized and incarcerated in their systems, Illinois has missed the opportunity to slow its prison growth and is now facing the heavy consequences.

2013 Prison Admissions	2013 Prison Admissions Rate (per 100,000)	2013 Prison Population
<b>4) Illinois: 30,959</b> 5) New York: 22,740 6) Ohio: 21,998 8) Pennsylvania: 20,455 10) Indiana: 19,161 14) Michigan: 14,417 21) New Jersey: 9,802 27) Wisconsin: 7,343 33) Iowa: 5,159	9) Indiana: 292 <b>12) Illinois: 240</b> 24) Ohio: 190 30) Iowa: 167 31) Pennsylvania: 160 35) Michigan: 146 41) Wisconsin: 128 43) New York: 116 44) New Jersey: 110	5) New York: 53,550 6) Ohio: 51,729 7) Pennsylvania: 50,312 <b>8) Illinois: 48,653</b> 9) Michigan: 43,759 16) Indiana: 29,913 19) Wisconsin: 22,471 20) New Jersey: 22,452 34) Iowa: 8,697

Source: Bureau of Justice Statistics, Corrections Statistical Analysis Tool (CSAT) – Prisoners; “Prisoners in 2013.”

From 2008 to 2012 Illinois was second in the entire country in the rate it admitted people to its state prisons.<sup>4</sup> Illinois currently incarcerates over 48,000 people in prisons, giving it the 8<sup>th</sup> largest prison population in the nation. This huge prison population is in part driven by an extremely high number of prison admissions every year. Illinois has substantially more admissions than states with comparable, and even larger, prison systems like New York, Ohio, and Pennsylvania. Illinois admits 36% more people to prison every year than New York, 41% more than Ohio, and 51% more than Pennsylvania. A larger number of people churning in and out of prison means the incredibly destructive impacts of incarceration, such as much reduced employment, education, and housing prospects, are spread more broadly throughout the population, creating a bigger drag on the state's economy. Each new prison admission also requires a substantial medical and mental health screening and classification process, adding to the state's unsustainable financial burden.

While maintaining such a significant prison system has come at enormous and mounting human and financial costs to Illinois families, lawmakers can reverse these trends. Over the past decade, several states have squarely addressed longstanding patterns of over-incarceration with strong legislation that can be a model for reform in Illinois.

**South Carolina** passed legislation in 2010 that reduced sentences for drug and property crimes (even repeat offenses), instituted intermediate sanctions for people on community supervision, and instituted earned compliance credits for people in the community. South Carolina saw a 2.8% reduction in their prison population *in the first year alone*. Today, South Carolina has reduced its prison population by 8.2%. Even more impressive, new prison admissions in South Carolina have declined by 24%, almost entirely due decreased admissions for low-level, non-violent crimes, all while violent crime rates dropped statewide.<sup>5</sup>

**New York** capped a decade of reform by passing sweeping reforms to its drug laws, including the elimination of numerous mandatory minimums, in 2009. The prison population has declined almost 23% since 2000 and almost 9% since 2009.<sup>6</sup> Over the same decade New York saw roughly 25% reductions in both violent and property crime rates.

**Mississippi** passed legislation this year that substantially reduced sentences for drug and property crimes and eliminated numerous restrictions on both diversion and parole eligibility. The legislation is projected to reduce Mississippi's prison population by 10%.<sup>7</sup>

**Ohio** passed legislation in 2011 that reduced the maximum sentence for a mid-tier felony class from 5 to 3 years (the class includes some burglaries and robberies not resulting in injury, as well as numerous drug sale and

## MISSED OPPORTUNITIES

New York, New Jersey, and Michigan all put policies in place over the last decade that led to safe, substantial reductions in their prison populations – and correctional spending.

Illinois can join its neighbors in the push to implement smart incarceration policy to reduce corrections costs and create better policy for Illinois families.

possession offenses), eliminated several drug sale mandatory minimums and a severe enhancement for high volume sale, raised the felony theft threshold from \$500 to \$1,000, and more. Crime has continued to go down in the wake of these reforms. While the legislation successfully averted significant projected growth in Ohio’s prison population, more significant reforms will be required to see real reductions.

## Background: Sentencing in Illinois

Illinois has a determinate sentencing system with sentencing ranges defined by a given offense’s misdemeanor or felony class. At sentencing, a judge either sets a sentence within the applicable range or sentences a person to probation, so long as probation is not prohibited by statute. All Class X felonies and several Class 1 and 2 felonies are ineligible for a probation sentence (except in a few cases where defendants may be eligible for certain special drug-treatment probation programs), meaning that they carry mandatory prison sentences. For certain offenses and if certain conditions are met, such as the presence of aggravating factors, a judge can sentence within an extended range.

Felonies	Base Sentence	Extended Range with Aggravating Factors	Misdemeanors	
Class X	6-30 years	30-60 years	Class A	1 year
Class 1	4-15 years	15-30 years	Class B	6 months
Class 2	3-7 years	7-14 years	Class C	30 days
Class 3	2-5 years	5-10 years		
Class 4	1-3 years	3-6 years	<b>Petty Offenses</b>	6 mo. probation

Once in prison, a person can shorten the amount of time he or she remains inside through a combination of good time and earned time credits. These policies ensure that people in prison have the incentive to comply with prison rules, and also allow those who show willingness and ability to improve their situation to succeed. The number of credits a person can earn may be limited depending on crime of conviction, to ensure people remain incarcerated for a fixed percentage of the initial sentence.

## Illinois Has Missed Opportunities to Turn the Corner

Illinois has a long history of ratcheting up sentences. In the decades following 1978, when Illinois moved to a determinate sentencing system, the prison population has more than quadrupled, while the jail population has more than tripled.<sup>8</sup> This explosive growth was helped along the way by legislation lowering the drug quantity thresholds required for severe sentences in 1988, and the establishment of so-called ‘Truth in Sentencing’ in 1995, which required that people convicted of certain crimes remain in prison for a fixed portion of their sentence regardless of good time credits. The state’s high incarceration numbers are largely the result of these policies favoring extreme prison sentences. While, the number of admissions has been dropping, the numbers still remain extremely high relative to the state’s population and



compared to other peer states. Additional reductions will be necessary in order to bring down the state's incarceration numbers.

During the last fifteen years, while Illinois remained entrenched in expensive, failed policies from the 1980's and 1990's, states like New York, New Jersey, and California saw the writing on the wall and took substantial steps toward reducing incarceration. These states had experienced the same explosive growth in their prison populations in the 1990s, but then took steps to review, reform, and reverse the policies that were overwhelming their systems, achieving successful reductions of between 23% and 26%.<sup>9</sup>

Over the same period, Illinois allowed its prison population to balloon to nearly 50,000 people, with 11 facilities operating at over 190% of design capacity.<sup>10</sup> The result is that today, Illinois has an incarceration rate that is 40% higher than New York's and 50% higher than New Jersey's. Recent reforms like the code revision projects and the Crime Reduction Act of 2009 have been very modest steps in the right direction. However, they have not been enough to seriously reduce the huge numbers of people held in Illinois prisons and jails every year.

But while Illinois has fallen behind, the experience of other states provides an opportunity to adopt strategies that have worked. Like those states, in order to change course and reduce this state's counter-productive reliance on arrest and incarceration as the remedy for every social problem, we must identify the drivers of criminalization and incarceration under the current system, and make policy reforms to reduce the power of those drivers to allow more effective solutions to take root.

## Forging Ahead: Targets for Reform to Shrink the System

A review of Illinois criminal justice policy indicates that a clear place to start is with drug policy, which drives many thousands of people a year into Illinois jails and prisons. But we can't stop there if we want to see substantial results. Pulling back the lens further, we see that people convicted of nonviolent drug and property crimes make up more than half of all prison admissions and constitute a huge portion of those in jail. There is significant room to move here: polling shows that the public does not want to divert massive financial resources into incarceration of people convicted of nonviolent crimes. The policy suggestions below present some options for reformulating policies to shift our emphasis away from [unnecessary criminalization](#), which exposes people to arrest, jailing, and criminal records, and [unnecessary incarceration](#), which removes people from their families and communities, hugely complicates and lengthens the post-conviction reentry process, and costs the state billions of dollars.<sup>11</sup>

### [Criminalization Driver #1:](#) [Marijuana Criminalization](#)

As states around the country are recognizing, the time has come to abandon ineffective and racially unjust marijuana policies. The old objections to reform are proving to be ill founded: even with increasing marijuana reform around the country, teen marijuana use continues to drop.<sup>12</sup> Meanwhile, states that have reformed their laws have experienced a significant reduction in costs of enforcement and the social costs of criminalizing thousands of people a year.

Illinois has an especially powerful mandate to act, given the extreme racial disparities in marijuana enforcement in the state. Black people in Illinois are 7.6 times more likely than whites to be arrested for marijuana possession, a disparity that is roughly double the national average, notwithstanding the fact that black and white people use marijuana at roughly equal rates. By comparison, Indiana’s statewide disparity is 3.4 and Pennsylvania’s is 5.2. While black people are 7.2 times more likely than whites to be arrested for marijuana possession in Chicago, that disparity is only 3.0 in Houston, 4.9 in Philadelphia, 2.6 in Los Angeles, and 5.6 in Baltimore.<sup>13</sup>

Selective enforcement of marijuana laws against black communities comes at an immense social and financial cost. The ACLU has calculated that Illinois spends over \$220 million a year on marijuana enforcement.<sup>14</sup> The cost of sending the message to black communities that the law applies unequally and unfairly to them is incalculable, and will be repaid in unpredictable ways. Illinois must act to abandon a marijuana criminalization approach that has racially targeted certain communities, costs a huge amount of money, and does not work.

**Needed Reform:** Decriminalize the possession of small amounts of marijuana, ease penalties for low-level sale and possession with intent.

Last year, three bills to make marijuana possession a civil rather than criminal offense were introduced in the legislature, but none achieved enough support to pass. Lawmakers must take action now to reform the state’s costly and destructive marijuana policy. The ACLU found that marijuana possession accounted for over 45% of all drug arrests statewide, an astounding number in light of powerful public support for reform.<sup>15</sup> Earlier this year, the Illinois Sentencing and Policy Advisory Council has estimated reforming Illinois’s marijuana laws could result in over \$25 million in savings to jail, prison and probation costs (which does not include court and police costs) and over \$2 million in new revenue (from petty offense tickets) over three years.<sup>16</sup>

Washington, DC decriminalized the possession of up to an ounce of marijuana this year. Missouri also eased sentences for low-level marijuana sale.

## **Criminalization Driver #2: Out of Date Dollar Amounts for Theft**

Few people are aware that low-level theft of goods worth more than \$500 in Illinois is a felony, subjecting a person to lifelong exclusion from many forms of employment, public housing, and educational loans, and the many hundreds of other collateral consequences of a felony conviction. This is

**Since 2006:**

**Cook County Jail has booked more than 100,000 people for low-level possession alone.**

**It has cost \$778 million to lock people up on these charges in Cook County alone.**

**1/3 of these cases are eventually dismissed.**<sup>17</sup>

particularly striking in light of the fact that a single cell phone often costs more than \$500, putting the punishment far out of proportion to the scale of harm in many cases.

**Needed Reform:** Increase the theft thresholds to reflect inflation and relative seriousness of the crime.

In Illinois, theft jumps from misdemeanor to felony sentencing at \$500 (\$300 in the case of retail theft or shoplifting). While the legislature increased these thresholds in 2010 from \$300 to \$500 for felony theft and \$150 to \$300 for felony retail theft, these increases leave Illinois out of step with other states.

South Carolina's reform legislation included an update of their felony theft threshold, bringing it to \$2500, five times what Illinois has. Earlier this year, Mississippi re-examined their thresholds and raised the felony threshold to \$1,000, double that of Illinois. Ohio addressed the issue in 2011, bringing the threshold up from \$500 to \$1,000. Since 2009, 20 states have updated the dollar thresholds they use for theft grading. Illinois should follow suit.

**Needed Reform:** Eliminate felony enhancement for small time thefts with a prior property crime.

Thanks to second strike enhancements, a second theft conviction – even if the property is worth a few dollars – exposes someone to the consequences of felony conviction. The impact of this policy falls particularly hard on the most vulnerable, including those with mental illness or substance abuse disorders who engage in petty thefts. While a response is called for to address this behavior, the severe sanction of a lifelong felony conviction is inappropriate. Second strike enhancements should be eliminated, so that only serious thefts trigger the serious penalties and collateral consequences of a felony conviction.

## **Incarceration Driver #1:** **Drug Offenses**

Drug policy is a significant driver of incarceration and criminalization in Illinois. 19% of the people in prison in Illinois, over 9,000 people, are incarcerated for drug offenses, at a cost of nearly \$200 million per year.<sup>18</sup> Meanwhile, effective treatment facilities in communities that are equipped to help people address substance abuse problems and live productively are underfunded.<sup>19</sup> Health care reform provides an opportunity to secure federal funding support for expanding community services to meet those needs. The overwhelming emphasis on criminal justice responses to drug use is misplaced: the evidence indicates that severe punishments for drug crimes do not work. Addiction science tells us that community-based treatment is the most effective and least expensive form of intervention.<sup>20</sup> Illinois must reexamine its drug policies through the lens of public health, and identify policies that will foster safe and healthy communities.

**Needed Reform:** Reclassify the simple possession of small quantities of drugs as a misdemeanor.

Small-time drug possession does not merit the very serious and lifelong consequences of a felony conviction. Altering this policy would have a significant impact on incarceration, as small-quantity<sup>1</sup> drug possession was responsible for over 11% of all statewide prison admissions last year, with over 3,500 cases, more than any other offense.<sup>21</sup> Even when drug possession does not result in a prison sentence, there are substantial costs associated with arresting and jailing people charged with these offenses. This

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<sup>1</sup> Less than 15g or 30g for most Schedule I and II drugs.

is money that could have gone to support chronically underfunded community health and treatment programs as well as other social supports that enable people to conquer addiction. Indeed, a Washington State study found that when free substance use disorder treatment was provided to low-income people, arrests dropped by 17 to 33% and criminal justice costs dropped an average of \$5,000 to \$10,000 per person, plus an average income increase of \$2,000 for each person treated.<sup>22</sup>

Simple drug possession is already a misdemeanor in numerous other states and in the federal system. States that have made simple possession a misdemeanor include: Iowa, Maryland, Massachusetts, Mississippi, New York, Pennsylvania, South Carolina, Tennessee, and Wisconsin.

**Needed Reform:** Raise drug amounts required to trigger enhanced and mandatory sentencing.

In Illinois, the possession of drugs with the purported intent to sell them (which can be found based on the existence of only a few separate baggies) triggers the same penalties as actual sale. Moreover, low-level sale, which often occurs to feed drug addiction on the part of the seller, draws extreme penalties. The sale or possession with intent to sell 1 gram of cocaine or heroin is a Class 1 felony (the same as residential burglary or aggravated robbery). An offense involving 3 grams of heroin or 5 grams of cocaine cannot receive a probation sentence, meaning a prison sentence is mandatory. By comparison, Ohio requires 3 to 4 times the amount of drugs to trigger a mandatory sentence.

Mississippi has for years had destructively high rates of felony incarceration for people convicted of low-quantity drug offenses. Earlier this year the state passed legislation restructuring quantity thresholds and reducing sentences for low amounts of drugs (HB 585). Similarly, Ohio reduced low-level drug sentences in 2011 (HB 86). States from Arkansas to Rhode Island have regularly repealed mandatory minimum prison sentences for lower-quantity drug offenses over the last decade. In 2010, South Carolina eliminated mandatory sentences for most low-level drug sales, and has since seen significant drops in its prison population and new admissions as well as declining crime rates.<sup>24</sup>

**Needed Reform:** Scale the drug-free zone size down from 1,000 to 250 feet, limit the enhancement to schools, and require proof that the defendant intended to sell when school children are present.

**Almost 20% of Illinois' prison population is incarcerated for a drug offense.**

**In New York, only 13% of the prison population is incarcerated for a drug offense.**

**In Michigan, less than 8% of the prison population is incarcerated for a drug offense.<sup>23</sup>**



The school zone law was passed with good intentions, to limit the negative impact of drugs on children and other vulnerable populations. However, the effect is far more wide-ranging and destructive, without evidence that it is helping the people it was meant to help. Illinois's drug-free zone enhancement covers far more than schools. The law enhances sentencing within 1,000 feet of schools, public housing, public parks, churches and other places of worship, nursing homes, assisted living centers, and senior centers. It would be difficult to find a corner of Chicago not covered by this law. The enormous coverage of these zones makes it impossible for them to achieve their intended effect: moving drug activity away from children and other vulnerable populations. Moreover, there is no requirement in the law that the defendant must have the intent to sell when children are present. Making a sale at midnight in a house a few blocks away from a school, public housing complex, or senior center would trigger this enhancement.

We do not have an estimate of the effects of the school zone law on corrections costs, because often times it is used by prosecutors to secure a plea without keeping the charge through conviction. However, anecdotal evidence suggests that a huge number of defendants are pleading to high sentences in order to avoid the penalties associated with school/park/church zones, even if the sales in question had nothing to do with a school or children.

In recent years states like Kentucky, Indiana, Massachusetts, South Carolina, and New Jersey have all reformed their school zone enhancements in scale and substance to ensure that the harsh penalties they trigger are more closely aligned with the goal of moving drug trafficking activity away from children and other vulnerable populations.

**Needed Reform:** Exempt drug offenses from repeat felony enhancements.

In Illinois, a defendant is subject to a much higher sentence if he or she has prior convictions, even for low-level crimes. This scheme results in very severe penalties without evidence of any increase to public safety. Anyone sentenced on a Class 1 or 2 felony, who has a single prior Class 1 or 2 felony, cannot get probation, and therefore must be sentenced to a mandatory prison term. Anyone sentenced on a Class 1 or 2 felony with two prior Class 1 or 2 felonies is sentenced as a Class X felony, which is also ineligible for probation. This means that someone convicted of selling 1 gram of cocaine with prior conviction for selling half a gram of cocaine is looking at a mandatory Class 1 prison sentence of 4 years, and could be sentenced to as many as 15 years. If that person is convicted again, they face a mandatory 6 years, and could be sentenced to up to 30 years.

These heavy penalties come at a high price with little evidence that they actually work. In fact, research indicates that longer prison terms can actually *increase* recidivism.<sup>25</sup> These long prison terms for low level drug sales do little to deter a person who sells drugs to feed a drug addiction. Moreover, many who receive enhanced sentences for repeated convictions are likely unaware of the consequences, further reducing the deterrent effect.<sup>26</sup>

Whether through reclassifying the underlying drug felony, or exempting drug and property crimes from these enhancements, Illinois must ensure that repeat, low-level drug offenses do not trigger mandatory sentencing enhancements.

Colorado, Indiana, Missouri, and Texas have all reformed their habitual offense and repeat felony enhancements in recent years, recognizing that swiftly ratcheting up punishments does little to reduce crime and comes at a high price financially and socially.

## **Incarceration Driver #2:** **Extreme Sentencing**

People serving mandatory prison sentences account for 80% of the prison population.<sup>27</sup> This is a result of limits on judge's authority to sentence people to probation, the very long mandatory sentences under Illinois law, and the limitations on statutory and earned good time while incarcerated.

**Needed Reform:** Limit the crimes for which probation is not an option to the most serious offenses.

Illinois currently denies the judges the power to sentence people to probation when convicted of any of a long list of offenses, not all of them serious or violent. As discussed above, the sale of as little as 3 grams of heroin or 5 grams of cocaine is ineligible for probation. Any drug sale or possession with intent in a drug-free zone is ineligible for probation, as are a number of other drug offenses. Residential Burglary is not eligible for probation, regardless of whether someone was even in the home at the time of the break-in. Making an offense ineligible for probation is a severe sentencing restriction, and one that should be reserved for only the most serious offenses.

**Needed Reform:** Establish a system of risk-reductions credits so even people convicted of serious offenses can earn time off their sentences for completing in-prison programming.

Illinois currently denies people convicted of most serious offenses, including all Class X offenses, the opportunity to earn good time through full-time engagement in substance abuse treatment, work training, and other programming while incarcerated. Since even people convicted of these offenses will re-enter the community, smart policy says that they should have access to these programs and incentives to complete them.

## **Incarceration Driver #3:** **Sentences for Non-Violent Burglaries**

People convicted of non-residential burglaries, including commercial burglary as well as breaking into an outbuilding like a shed, make up a staggering 6.5% of Illinois' prison population (over 3,000 people).<sup>28</sup> These people are serving serious sentences despite the fact that another person may not even have been present at the time.

**Needed Reform:** Restructure commercial and non-residential burglary sentencing so sentences reflect whether or not anyone was present in the structure at the time of the offense.

Burglaries of empty commercial buildings and non-residential structures such as sheds are non-violent offenses and far less serious than invasions when people are present at the time of the offense. Illinois' burglary laws, however, treat these burglaries the same whether anyone else was present or not: as class 2 felonies. The code should reflect that burglary of an empty non-residential structure is a less serious crime by reclassifying it as a Class 3 felony.

Georgia, Indiana, and South Dakota have all recently restructured sentences for commercial burglary to sentencing ranges well below what Illinois currently has in place.

## *Conclusion*

Unnecessary criminalization and incarceration takes an enormous toll on Illinois families. Doing so on such a massive scale destabilizes communities and warps public safety priorities statewide by shifting funding away from common sense, proven solutions like drug treatment and mental health and other community services, and towards costly prisons.

Other states have led the way on safely and significantly reducing incarceration while maintaining overall declines in crime rates. Illinois simply cannot afford to stand back and let its prison system continue to vacuum in tens of thousands of people each year while leaving reform options on the table – options that other states have been pursuing for years. The common-sense solutions laid out above target the real drivers of Illinois’s criminalization and incarceration problems, and suggest policy reforms that will allow the state safely and effectively to reduce the strain these high levels of incarceration are putting on both the state budget and Illinois families.

Waiting is not an option. Now is the time to move away from failed policies of over-incarceration.

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- <sup>7</sup> Pew Public Safety Performance Project, “Mississippi’s 2014 Corrections and Criminal Justice Reform,” (May 2014) (available at: [http://www.pewtrusts.org/~media/legacy/uploadedfiles/pcs/content-level\\_pages/issue\\_briefs/2014/Mississippis2014SentencingandCorrectionsCostspdf.pdf](http://www.pewtrusts.org/~media/legacy/uploadedfiles/pcs/content-level_pages/issue_briefs/2014/Mississippis2014SentencingandCorrectionsCostspdf.pdf)); Bureau of Justice Statistics, Corrections Statistical Analysis Tool (CSAT) – Prisoners.
- <sup>8</sup> Bureau of Justice Statistics, Corrections Statistical Analysis Tool (CSAT) – Prisoners; Illinois Statistical Analysis Center, Illinois Criminal Justice Information Authority, County Average Jail Population (available here: <http://www.icjia.org/public/sac/index.cfm?metasection=forms&metapage=rawMetadata&k=120>).
- <sup>9</sup> Mauer and Ghandnoosh.
- <sup>10</sup> Illinois Department of Corrections, July 1, 2014 Quarterly Report (available here: [http://www2.illinois.gov/idoc/reportsandstatistics/Documents/IDOC\\_Quarterly\\_Report\\_Jul\\_%202014.pdf](http://www2.illinois.gov/idoc/reportsandstatistics/Documents/IDOC_Quarterly_Report_Jul_%202014.pdf)).
- <sup>11</sup> For more on collateral consequences of criminal convictions, see National Association of Criminal Defense Lawyers, “Collateral Damage: America’s Failure to Forgive or Forget in the War on Crime” (May 2014) (available here: <http://www.nacdl.org/restoration/roadmapreport>).
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<sup>22</sup> Community Oriented Correctional Health Services, "Frequently Asked Questions" (October 2013) (available here: [http://cochs.org/files/ACA/COCHS\\_FAQ\\_ACA.pdf](http://cochs.org/files/ACA/COCHS_FAQ_ACA.pdf)); Shah MF, Mancuso D, Yakup S and Felver B. The Persistent Benefits of Providing Chemical Dependency Treatment to Low-Income Adults. Washington State Department of Social and Health Services, Research and Data Analysis Division, November 2009 (available at: <http://publications.rda.dshs.wa.gov/1397>); Mancuso D and Felver B. Providing Chemical Dependency Treatment to Low-Income Adults Results in Significant Public Safety Benefits. Washington State Department of Social and Health Services, Research and Data Analysis Division, February 2009 (available at: <http://publications.rda.dshs.wa.gov/1372>).

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<sup>25</sup> Jonson, C. L. (2010). *The impact of imprisonment of reoffending: A meta-analysis*. Unpublished doctoral dissertation, University of Cincinnati, OH; Spohn, C., & Holleran, D. (2002). The effect of imprisonment on recidivism rates of felony offenders: A focus on drug offenders. *Criminology*, 40, 329-347.

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<sup>28</sup> Illinois Department of Corrections, "Fiscal Year 2012 Annual Report" (October, 2013) (available here: <http://www2.illinois.gov/idoc/reportsandstatistics/Documents/FY2012%20Annual%20Report.pdf>).