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TO: Members of the Illinois Governor's Commission on Criminal Justice and Sentencing Reform  
FROM: David E. Olson, Ph.D., and Donald Stemen, Ph.D., Loyola University Chicago Department of Criminal Justice and Criminology  
DATE: July 17, 2015  
RE: Cook County Justice System Activities

Over the past few years, we have been working on a variety of projects with Cook County criminal justice agencies, and will be continuing to conduct research, analyses, and evaluations of criminal justice practices and policies in the county. However, we thought it would be useful to provide the Illinois Governor's Commission on Criminal Justice and Sentencing Reform with some general information to aid in the commission's work and place the crime and criminal justice system activities in Cook County into some context, particularly since the July 23, 2015 Commission meeting will focus on Cook County. Below (and in the separate PDF document that contains the graphs referred to in this document) we summarize some of the research we have done regarding trends in crime, arrests, felony case processing, sentencing and correctional outcomes in Cook County.

**Crime Trends:** In Cook County, violent crime increased substantially from 1987 to 1992, jumping 22 percent in just 5 years; however, despite public perception, crime in Cook County decreased dramatically between 1992 and 2013 (**Figure 1**). Specifically, the total number of violent crimes – murder, criminal sexual assault, aggravated assault/battery, and robbery – reported to the police decreased 39 percent between 1992 and 2000, and fell 45 percent between 2000 and 2013. Although these trends have not been consistent across all communities in Cook County, the violent crime rate in Cook County today is one-third of what it was two decades ago.

Similarly, total property crimes – burglary, larceny/theft, motor vehicle theft, and arson – reported to the police in Cook County fell by 21 percent between 1992 and 2000 and decreased 40 percent between 2000 and 2013 (**Figure 1**). Overall, property crimes outnumbered violent crimes by almost 5 to 1 in Cook County in 2013.

As would be expected, given the substantial reduction in the number of violent and property offenses reported to the police, there was also a proportionate decrease in the number of arrests for these offenses in Cook County during the time period examined (**Figure 2**).

**Trends in Drug Arrests:** Arrests for violations of Illinois' Controlled Substances Act (i.e., the illegal possession and sale/delivery/manufacture of drugs other than marijuana, like cocaine and heroin) increased dramatically in Cook County from 1987 through the late 1990s, before decreasing almost as dramatically from 2000 through 2013 (**Figure 3**) (all violations of the Controlled Substances Act are felony-level offenses). For example, arrests for violations of the Controlled Substances Act in Cook

County jumped 140 percent between 1987 and 1989, from fewer than 13,000 arrests per year to almost 30,000 arrests per year, despite research indicating that the use of illegal drugs by the general public was decreasing. By 2000, arrests for violations of the Controlled Substances Act in Cook County reached a peak of almost 46,000. Since 2000, arrests for these offenses have decreased almost every single year, and totaled fewer than 20,000 in 2013. On the other hand, arrests for violations of Illinois' Cannabis Control Act, which primarily involve misdemeanor-level offenses, decreased from the mid-1980s through the early 1990s, but have increased almost every year since 1992. By 2007, arrests for violations of the Cannabis Control Act exceeded arrests for Controlled Substance Act violations in Cook County, a pattern not seen since the mid-1980s.

**Felony Case Filings in Cook County:** The prosecutor has a great deal of discretion in determining whether to file a criminal charge and what type and severity of charge to file. Trends in the number of criminal charges filed will be influenced primarily by trends in crime and arrests made by the police. The long-term trends in felony cases filed in Cook County reveals a dramatic increase in felony filings beginning in the late 1980s and reaching a peak in the mid-1990s (**Figure 4**). Between 1987 and 1992, felony filings in Cook County increased 83 percent, a trend consistent with the dramatic increases in crime and arrest trends for violent and property crimes, as well as arrests for violations of Illinois' Controlled Substances Act. Thus, during the late 1980s and early 1990s, increases in arrests for most types of crimes in Cook County drove increases in felony filings. During the period from 1996 through 2004, felony filings in Cook County hovered around 40,000 per year, before decreasing consistently each year between 2004 and 2011. Between 2011 and 2013, felony filings in Cook County have increased 14 percent, reaching a total of 33,851 in 2013.

The availability of Cook County court data allowed for the examination of trends in case filings by felony class and offense type between 2000 and 2012. The number of felony filings in Cook County decreased across all felony classes between 2000 and 2012 (**Figure 4a**). As Figure 4a shows, for example, the number of Class 4 Felony filings peaked in 2004 at over 13,000 filings before declining to just 9,500 filings in 2011. In 2012, Class 4 Felony filings increased sharply to nearly 11,000 filings — a rise of roughly 15 percent in one year. Other felony classes experienced similar trends. After peaking in the early 2000s, filings for other felony classes decreased 25 percent (Class 2 Felonies) to 47 percent (Class 3 Felonies) through 2012. Since the trends in filings were fairly similar across felony classes between 2000 and 2012, the composition of felony cases filed remained largely stable between 2000 and 2012. For example, in 2000, roughly 30 percent of felony filings involved a Class 4 Felony as the most serious charge; by 2012, this increased slightly, to approximately 35 percent of felony filings. The percent of felony filings that involved a Class 3 Felony, a Class 1 Felony, or Murder as the most serious charge decreased slightly between 2000 and 2012, falling roughly 3 percentage points for each felony class. The percent of felony filings that involved a Class 2 Felony or a Class X Felony were unchanged between 2000 and 2012.

Most of the decline in case filings between 2000 and 2012 came from the decrease in the number of felony drug cases filed (**Figure 4b**). As Figure 4b indicates, the number of felony drug cases filed in Cook County decreased 48 percent, falling from roughly 20,200 cases in 2000 to just 10,500 cases in 2012. The only other offense type to show a decrease during this period was felony property offenses, falling 17 percent between 2000 and 2012 from roughly 8,400 cases to 7,000 cases. Although filing for violent felony cases increased slightly between 2000 and 2012 (rising roughly 7 percent), two offense types experienced significant increases in felony filings — sex offenses and DUI/Traffic offenses.

Between 2000 and 2012, cases involving felony sex offenses increased 23 percent from 900 cases to 1,100 cases. Filings involving felony DUI/Traffic offenses increases 480 percent during the same period, rising from just 472 cases in 2000 to over 3,300 cases in 2012.

**Case Dispositions for Felony Cases in Cook County:** The available Cook County court data also allowed for an examination of trends in conviction rates for felony cases. Conviction rates remained relatively stable and high for all felony classes between 2000 and 2012 (**Figure 4c**), with roughly 75 percent to 90 percent of filed cases resulting in a conviction across the different felony classes.

**Sentencing of Convicted Felons in Cook County:** In Illinois, those convicted of felony offenses can be sentenced to prison, probation, or in some jurisdictions an alternative sanction (jail, community service, fines, etc.). The exception is those offenses that have a term of mandatory incarceration, eliminating other sentencing options. In 2013, more than one-half (55 percent) of convicted felons in Cook County were sentenced to prison, down from 60 percent in 2009 (**Figure 5**). Still, the proportion of convicted felons sentenced to prison in Cook County is consistently higher than the rest of Illinois. The number of felons sentenced to prison from Cook County increased dramatically during the 1990s (**Figure 6**), before leveling off during the period from 1997 to 2005, and then decreasing substantially through 2011. As seen previously, these trends are consistent with the trends in the arrests for violent crimes, property crimes, and violations of the Controlled Substances Act in Cook County during those periods. In recent years there has been an increase in sentences to IDOC from Cook County. As seen in **Figure 7**, the proportion of statewide court sentences to IDOC from Cook County reached a high of 66 percent in 1995, and has since fallen to around 50 percent.

**Characteristics of Felons Sentenced to Prison from Cook County:** When the types of crimes individuals were sentenced to prison for were compared between Cook County and the rest of Illinois, a fairly similar pattern emerged (**Figure 8**). In terms of conviction crime type, admissions from Cook County and the rest of Illinois were roughly equally distributed across violent, property and drug-law violations. Similarly, there were few differences in the proportion of sentences to prison from Cook County and the rest of Illinois when the felony class of the conviction offenses were compared, with the exception that a slightly higher proportion prison sentences from Cook County were for Class 4 felonies (almost 40 percent), whereas in the rest of Illinois Class 4 felonies accounted for 33 percent of prison sentences.

The impact of the dramatic increase (and decrease) in arrests in Cook County for violations of the Controlled Substances Act on prison sentences during the period examined is illustrated in Figure 9. As seen in **Figure 9**, during the period when arrests for violations of the Controlled Substances Act increased in Cook County (from the late 1980s through 2000), sentences to prison from Cook County for Class 4 felony possession of a controlled substance went from fewer than 500 to more than 5,000 by 2004. Further, these Class 4 felony possession of a controlled substance prison sentences accounted for 30 percent of all admissions to prison from Cook County in 2004. Since then, primarily as a result of fewer arrests in Cook County for violations of the Controlled Substances Act, both the number and proportion of sentences to prison from Cook County for these offenses has decreased.

Still, a large number and proportion of the court admissions to IDOC from Cook County are accounted for by those convicted of non-violent Class 3 and 4 felonies (**Figures 10 and 11**). Since SFY 2000, more than 40 percent of all of those sentenced to IDOC from Cook County were convicted of a non-violent

Class 3 and 4 felony. Further, as a result of relatively short sentences, and relatively long lengths of pre-trial detention that these individuals received sentence credit for, more than 2,500 of those convicted of non-violent Class 3 and 4 felonies and sentenced to prison from Cook County in SFY 2014 spent less than 6 months in IDOC. On the other hand, when the population of sentenced inmates is examined (i.e., those in prison as opposed to those admitted to prison), as **Figure 12** shows, almost one-half of those in prison at the end of SFY 2014 from Cook County were serving sentenced for a Class X felony or murder, and 60 percent of those in prison from Cook County had been convicted of a violent offense. This pattern illustrates how the characteristics of those *admitted* to prison can differ from those *in prison* due to differences in length of stay.

Those sentenced to prison from Cook County also have different criminal history profiles than do those from the rest of Illinois (**Figure 13**), although the pattern that those sentenced to prison for more serious felony classes tended to have less extensive criminal histories than those sentenced to IDOC for the less serious Class 3 and 4 felonies. However, while the number of prior arrests for those sentenced to IDOC from Cook County were substantially higher than those from the rest of Illinois, the difference was less dramatic when the average number of prior convictions were compared.

### **Post-Sentence Recidivism Rates for Felons Sentenced to Prison and Probation from Cook County**

Using the Illinois Criminal Justice Information Authority's on-line recidivism analysis tool, **Figures 14 through 17** show the trends in the recidivism rates for felony probationers and prison releasees from Cook County. For these analyses, recidivism was defined as an arrest within three years following sentencing to probation or following release from prison, with separate analyses for those convicted of a Class 1 or 2 felony and those sentenced for a Class 3 or 4 felony. Also separated were recidivism analyses for an arrest for any crime and a new arrest specifically for a violent offense. As seen in Figures 14 through 17, recidivism rates have been fairly consistent over time for both probationers and prison releasees, and are much higher when an arrest for any offense versus rearrest specifically for a violent crime were considered. Importantly, these analyses do not account for or control for any other differences between the probation and prison samples, such as age, prior criminal history, or other factors that may influence recidivism rates.