

Winnebago County's Criminal Justice System: Trends and Issues Report 3rd Edition

Center for Criminal Justice Research, Policy and Practice

The Center promotes fair, informed, effective and ethical criminal justice approaches through collaborative interdisciplinary research, professional development and targeted projects.

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Introduction

In December 2016, the Illinois State Commission on Criminal Justice and Sentencing Reform recommended that the Illinois Criminal Justice Information Authority (ICJIA), the State's criminal justice research and grant-making agency, provide technical assistance to local jurisdictions to form county level Criminal Justice Coordinating Councils (CJCCs). Loyola University Chicago's Center for Criminal Justice Research, Policy and Practice has collaborated with ICJIA to support the development of these CJCCs. CJCCs convene elected and appointed executive-level policymakers, victim and other non-profit organizations and members of the public to collaboratively address issues facing the justice system and its constituent agencies. In June 2018, Winnebago County formally established its Criminal Justice Coordinating Council, which meets on a quarterly basis to provide an ongoing collaborative forum to study the Winnebago County juvenile and criminal justice system, identify deficiencies, and formulate policy, plans and programs for change when opportunities present themselves.

CJCCs use data-guided and structured planning processes to identify, analyze, solve, and manage justice system issues. Through a competitive process, Winnebago County was selected to participate in a pilot project whereby technical assistance in the form of research, analysis, and facilitated strategic planning would be provided by ICJIA and Loyola University Chicago. This report is designed to provide criminal justice practitioners, policy makers, community organizers, and members of the general public with an understanding of how the adult criminal justice system is organized, how it functions, and how each component of the system is interrelated to the others. Most of the data utilized in this report come from data and information available through state-level reporting mechanisms in Illinois, and thus allow for some comparisons to other jurisdictions in Illinois.¹ Indeed, part of the current effort is to better understand the utility of combining state-level and local data for planning purposes. Thus, this December 2020 edition of the *Trends and Issues* report is not only an update of the previously published reports, but *expands* upon previous editions by including information about adults on probation in Winnebago County and their outcomes. These probation analyses were only possible by combining state-level data available through the Illinois State Police and ICJIA with current, more detailed data provided by the Winnebago County Probation and Court Services Department.

¹ Comparisons in this report are made to jurisdictions in Illinois outside of Cook County, because Cook County trends tend to dramatically influence statewide patterns in crime and justice system activities.

Winnebago County's Criminal Justice System

Winnebago County, located in northern Illinois on the Wisconsin border, is the 7th largest county in Illinois, with an estimated population of 284,819 residents in 2019.² Between 2010 and 2019, Winnebago County's population decreased 3%. Winnebago County has 17 cities and towns, and Rockford is by far the largest, accounting for an estimated 52% (147,070 residents) of the entire population of Winnebago County in 2019. Indeed, Rockford is one of the top 5 largest cities in Illinois. The criminal justice system in Winnebago County can be broadly divided into three major components: law enforcement and policing, courts, and corrections. Within each of these general components are a number of different agencies, operating with specific goals and purposes, and also operating across different branches and levels of government.

Law Enforcement & Policing

When crimes are reported to the police, or when police observe criminal behavior during the course of patrol or investigations, the arrest of an individual is the starting point for the rest of the justice system and impacts the workload and activities of all of the other justice system agencies in Winnebago County. The majority of policing services are provided by municipal police departments. The Winnebago County Sheriff's Office provides policing services to unincorporated areas of the county as well as to specific towns in Winnebago County. The County Sheriff also provides security for the courts and operates the county jail. Of the 11 incorporated cities and towns in Winnebago County, nine operate their own police departments, with Rockford being the largest of these.³ Each municipal police department has a chief of police, appointed by the mayor of each city. The Winnebago County Sheriff's Office is led by an elected Sheriff. In addition to these municipal and county police agencies, there are a number of other police departments with very specific jurisdictions, such as the Rockford Park District Police and the Rockford Airport Police. There is also a multi-jurisdictional policing task force that operates in the Winnebago County area. The State Line Area Narcotics Task-force (SLANT) is a multi-jurisdictional drug task force that involves the cooperation and resource sharing among state, county and municipal law enforcement agencies in Winnebago County as well as a number of neighboring counties.⁴ These law enforcement agencies are responsible for responding to reported incidents of criminal activity as well as engaging in patrol and investigations to prevent, detect, and uncover criminal activity.

² Population estimates were generated using Social Explorer which relies on the U.S. Census Bureau, American Community Survey data.

³ The following incorporated cities and towns are in Winnebago County: Cherry Valley, Durand, Loves Park, Machesney Park, New Milford, Pecatonica, Rockford, Rockton, Roscoe, South Beloit, and Winnebago. All but New Milford and Machesney Park operate their own police department.

⁴ Illinois Criminal Justice Information Authority (2004): *Assessing Illinois' Metropolitan Enforcement Groups and Task Forces: A Profile of the State Line Area Narcotics Team*.

Courts

When an individual is arrested in Winnebago County, their case is referred to the Winnebago County State's Attorney's Office, which is led by an elected State's Attorney. Each county in Illinois has a separately elected State's Attorney. The Winnebago County State's Attorney's Office reviews arrest reports by the law enforcement agencies in Winnebago County to determine if criminal charges should be filed in court and, if so, they initiate a criminal case by filing a case with the Office of the Winnebago County Clerk of the Circuit Court. The case is then adjudicated within the circuit court. Winnebago County is part of Illinois' 17th Judicial Circuit, which includes Winnebago County and Boone County. Illinois has 23 separate judicial circuits, some of which include single counties, while others, like the 17th Circuit, include multiple counties. Within each judicial circuit are elected Circuit Court Judges and appointed Associate Judges. It is within these circuit courts that criminal cases are adjudicated. Each judicial circuit is led by a Chief Judge, selected by and from the Circuit Court Judges within the judicial circuit. The Circuit Judges of the circuit also appoint a Public Defender, who oversees the Winnebago County Public Defender's Office, an agency responsible for providing legal services to indigent persons arrested and charged with crimes in Winnebago County. The 17th Judicial Circuit, along with five other circuits in northern Illinois, make up Illinois' Second Appellate District, which hears cases on appeal from the circuit courts within the district. The Winnebago County Sheriff's Office provides security to the Winnebago County courts, both in the courthouse as well as in the individual courtrooms.

Corrections

The corrections component of the criminal justice system includes both institutional as well as community-based correctional agencies responsible for supervising and detaining those charged with crimes as well as those convicted of offenses. These agencies have varying functions and operate at different levels and branches of government. For example, the Winnebago County Sheriff's Office operates the Winnebago County Jail, which serves multiple functions. First, the Winnebago County Jail serves as a centralized booking facility for the county, meaning all adults arrested in Winnebago County are processed through the jail prior to their release or appearance at bond court. For those individuals who cannot post or are denied bail, the Winnebago County Jail serves as a pre-trial detention facility. Individuals can also be sentenced to serve time (less than a year) in the Winnebago County Jail upon conviction. The capacity of the Winnebago County Jail on 12/17/2019 was 1,324, and on that date a total of 732 detainees were being held.⁵ Based on the number of people detained, the Winnebago County Jail was the 2nd largest county jail in Illinois in 2019.

Depending on the nature of their offense, individuals convicted of a felony level offense can be sentenced either to supervision in the community (probation) or to prison (for a year or more).

⁵ Based on the 2019 inspection report for the Winnebago County Jail conducted by the Illinois Department of Corrections Jail and Detention Standards Unit. See <https://www2.illinois.gov/idoc/aboutus/JDS2017/2019%20Jail%20Inspections/Winnebago%20County.pdf>

Individuals sentenced to probation in Winnebago County are supervised and referred to services by the Winnebago County Probation and Court Services Department. The Probation and Court Services Department is funded through a mix of county and state resources, and is under the judicial branch of government. When a sentence to probation is imposed, the individual is supervised in the community by probation officers. In addition to supervision, the conditions of probation often include payment of fines, restitution, probation supervision fees, as well as participation in rehabilitative programs. Through the Resource Intervention Center (RIC), those on probation in Winnebago County are able to access a wide array of services and programs designed to address their criminal behavior and reduce their risk to continue their involvement in crime. If an individual fails to meet the terms of their probation or commits a new crime while under supervision, their probation may be revoked and they may serve the prison time associated with their sentence.

If someone convicted of a felony in Winnebago County is sentenced to prison, upon the imposition of that sentence the offender (if male) is transferred by the Winnebago County Sheriff's Office to the Illinois Department of Corrections (IDOC) Reception and Classification (R&C) Center at the Stateville Correction Center in Crest Hill, Illinois. Adult females are transferred to the Logan Correctional Center R&C in Lincoln, Illinois. After being processed through the R&C, they are then transferred to one of Illinois' 27 prisons based on their security classification and needs.

Incarcerated individuals then serve their prison sentence, and upon release, are supervised in the community under Mandatory Supervised Release (MSR, "parole") by parole officers that work for IDOC. Under Illinois' sentencing structure, inmates are released from prison after they have completed serving their court-imposed prison sentence, minus any sentence credits they may receive for time served in pre-trial detention, good conduct credits, or credits to their sentence for completing rehabilitative programming while in prison. Thus, while Illinois' Prisoner Review Board (PRB) sets the conditions of MSR (i.e., requirements to participate in programming in the community), under Illinois law they do not have the authority to determine whether someone should be released from prison. Individuals released from prison must have an approved host site where they will live, and most return back to the community where they lived before going to prison. The length of time individuals are supervised on MSR is set by state statute, and corresponds to the felony class of the crime for which they were sentenced to prison, generally ranging from 1 year (for Class 3 and 4 felonies) to 3 years (for Murder and Class X felonies). For sex offenders, their MSR period is indeterminate, with a minimum of 3 years and up to lifetime supervision. Those sentenced to prison for domestic violence offenses are supervised on MSR for 4 years. If during the period of MSR an individual violates the conditions of their supervision set by the PRB, or is rearrested for a crime, their MSR can be revoked and they can be returned to prison to serve out a portion, or the remainder of, their MSR period.

Reported Crime and Arrests in Winnebago County

To understand how the justice system responds to crime in Winnebago County, it is first important to understand how much crime occurs and the number of individuals subsequently arrested.

Importantly, research conducted by the U.S. Department of Justice reveals that not all crime occurrences in the United States are reported to the police. For example, the 2019 National Crime Victimization Survey (NCVS) estimates that 59% of violent crimes and 67% of property crimes in the United States were *not* reported to the police.⁶ Reporting variations also exist within large crime categories (e.g., violent and property). Nationally, the majority of thefts (property) and sexual assaults (violent) are *not* reported to the police while the majority of motor vehicle thefts (property) and robbery (violent) *are* reported. Thus, when considering how much crime is reported to the police it is important to keep in mind that this represents only a portion of the crime that actually occurs.

One of the primary ways crime in communities is measured is through a reporting system called the Uniform Crime Reporting (UCR) program, whereby individual law enforcement agencies report specific data to the Illinois State Police.⁷ These data include information about the number and type of crimes reported to the law enforcement agency as well as the number and type of arrests made by the agency. Although not exhaustive of all crimes, a Crime Index, consisting of eight crimes that are considered to be the most serious and consistently defined across jurisdictions in the United States, has been used since the 1930s. Specifically, there are four crimes used to calculate a Violent Crime Index, including: murder, rape (termed in Illinois as criminal sexual assault), robbery and aggravated assault/battery.⁸ In addition, there are four crimes used to calculate a Property Crime Index, including: burglary, larceny/theft, motor vehicle theft, and arson. Combined, these violent and property Index offenses are used to compute the total Crime Index. While violent and property Index offenses usually come to the attention of the police through reports by crime victims and are consistently defined across the country, there are a number of other crimes that are often only detected by the police or legally defined differently across the country, such as drunk driving, drug sales and possession, and illegal possession of firearms. Thus, there are many common offenses that are not part of the Crime Index because they go unreported to the police or because their legal definition varies significantly across states rendering meaningful comparison impossible.

⁶ See <https://www.bjs.gov/content/pub/pdf/cv19.pdf> for a detailed description of the National Crime Victimization Survey.

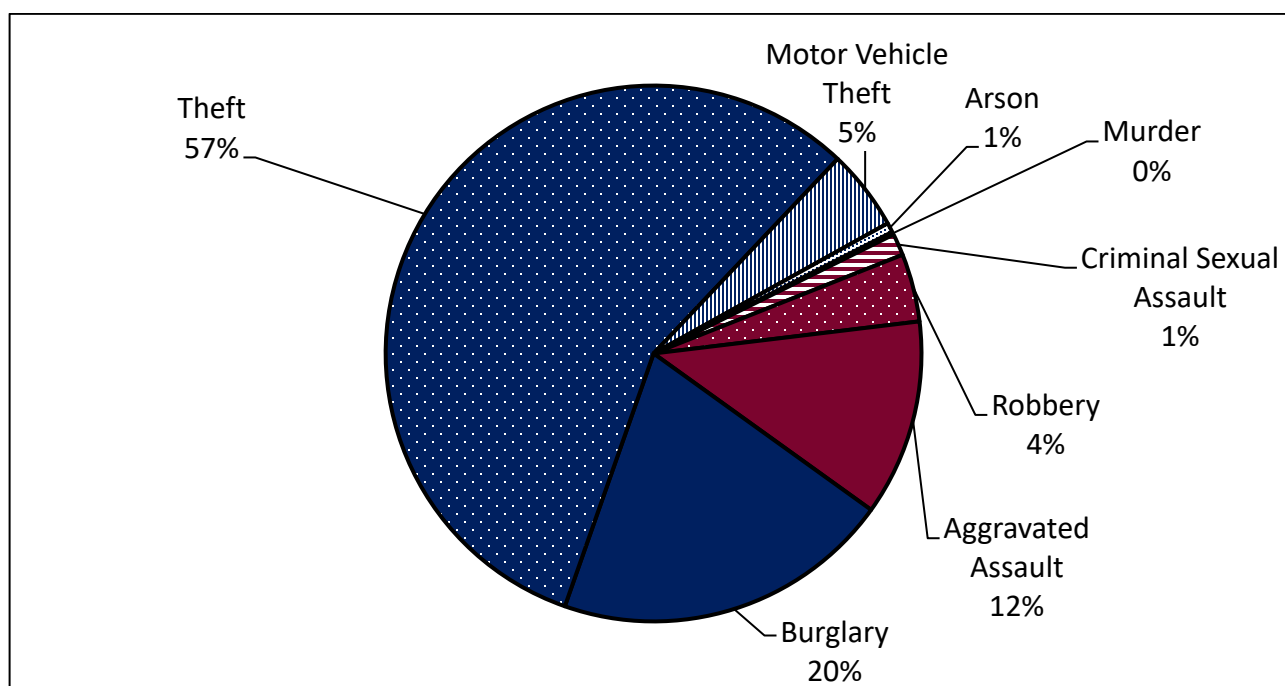
⁷ See <https://www.ucrdatatool.gov/> for a detailed description of the Uniform Crime Reporting Program.

⁸ In 2014 the crimes of Human Trafficking-Commercial Sex Acts and Human Trafficking-Involuntary Servitude were added to the Crime Index. From 2014 to 2019 combined, a total of 11 offenses and 6 arrests were reported under these acts in Winnebago County through the UCR program.

Crimes Reported in Winnebago County

In Winnebago County, the majority (83% between 2005 and 2019⁹) of all Index crimes reported to the police involved property Index crimes (Figure 1), a pattern similar to Illinois outside of Winnebago and Cook Counties.¹⁰

Figure 1. Crime Reported to the Police in Winnebago County, 2005-2019



Source: Analyses by Loyola's Center for Criminal Justice Research, Policy & Practice of aggregate, published I-UCR data.

Because these property crimes account for such a large portion of all Index crimes reported to the police, trends in property Index crime tend to influence the total Index crime rate in Winnebago County. Between 2010 and 2019, the number of property Index crimes reported to the police in Winnebago County decreased 42% (Figure 2), a trend similar to Illinois as a whole excluding Cook County and Winnebago County.¹¹ In 2019, the property Index offense rate in Winnebago County was 2,425.9 per 100,000 residents, 82% higher than the rate of 1,331.0 property index offenses per

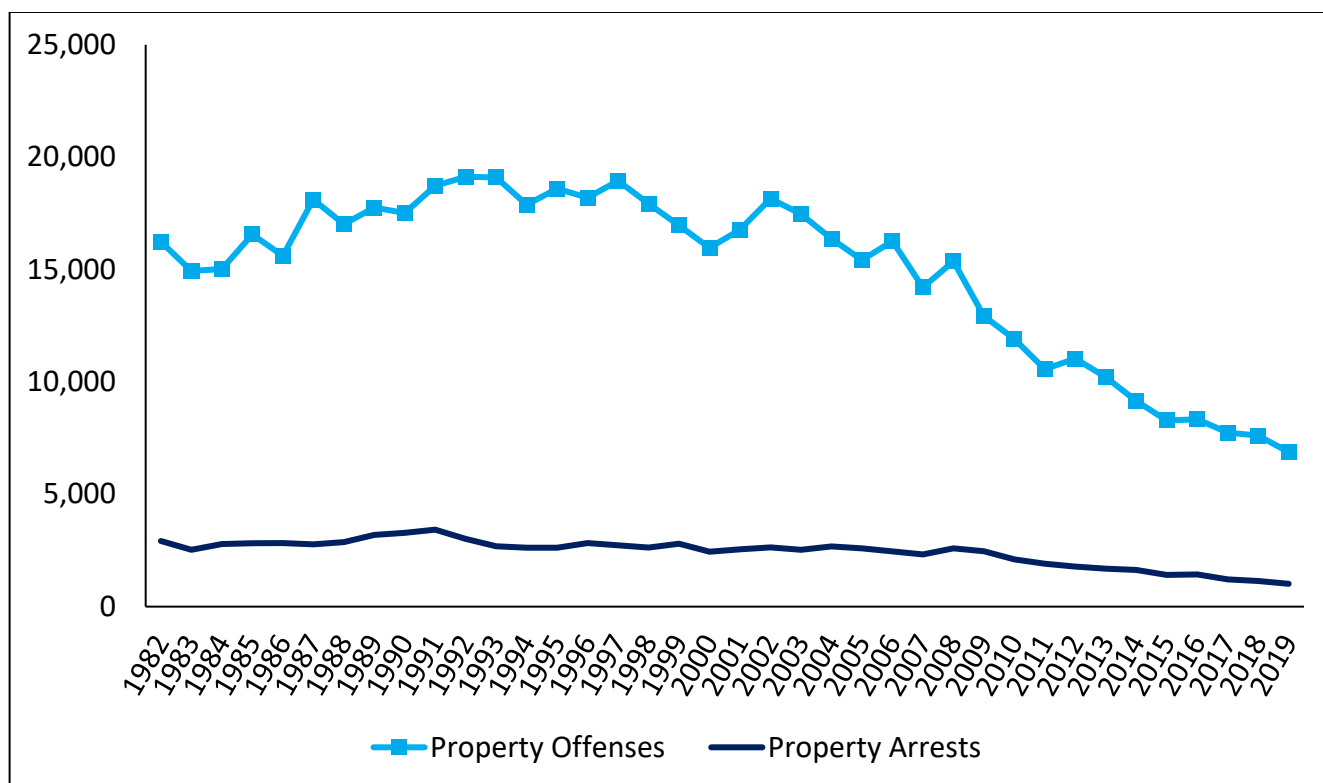
⁹ Illinois State Police Annual Report. Analyses of published aggregate I-UCR data by Loyola's Center for Criminal Justice Research, Policy and Practice.

¹⁰ Excluding Cook and Winnebago counties, property crime accounted for 80% of all reported Index crime from 2005 to 2019. Comparisons are made to jurisdictions in Illinois outside of Cook County, because Cook County trends tend to dramatically influence statewide patterns in crime and justice system activities.

¹¹ Between 2010 and 2019, in Illinois outside of Cook and Winnebago counties, the number of property Index crimes decreased by 37%.

100,000 residents in Illinois outside of Cook and Winnebago counties that year. In 2019, Rockford accounted for 72% of all property Index crimes reported to the police in Winnebago County.

Figure 2. Uniform Crime Report (UCR) Offense and Arrest Numbers for Property Index Crimes in Winnebago County, 1982-2019

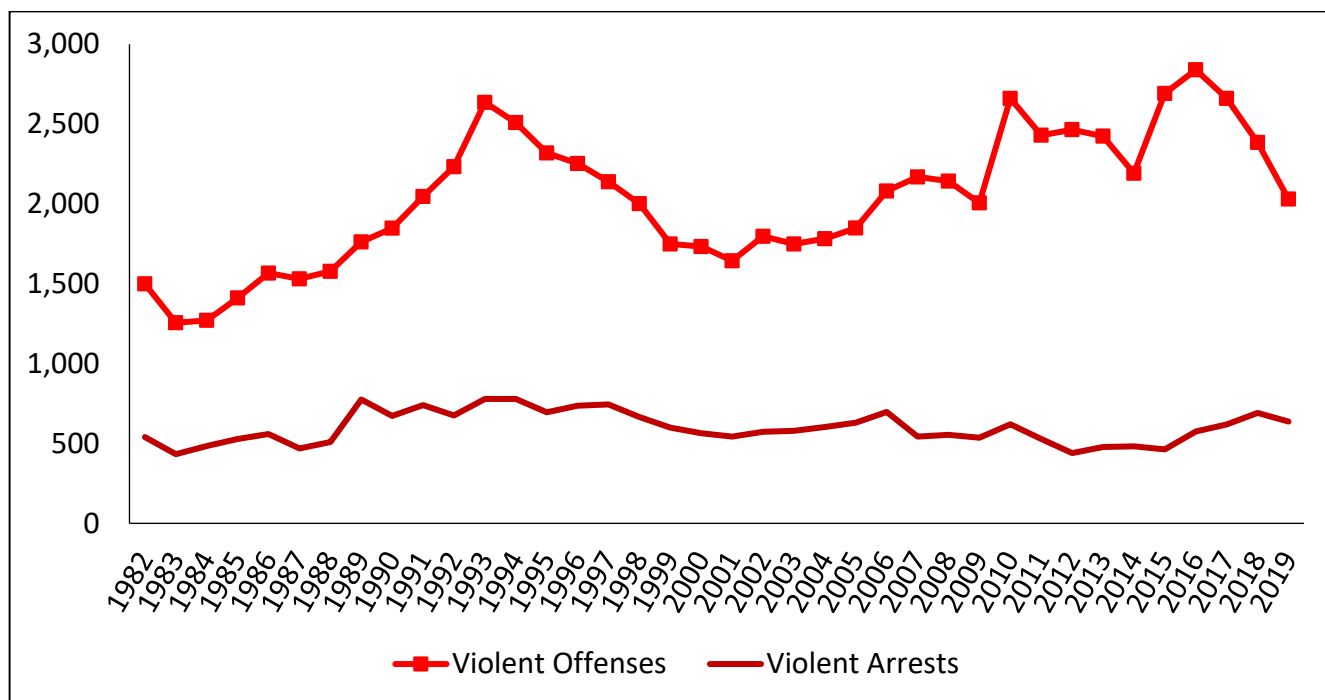


Source: Analyses by Loyola's Center for Criminal Justice Research, Policy & Practice of aggregate, published I-UCR data.

Although violent Index crimes account for a relatively small proportion (approximately 17% between 2005 and 2019 [Figure 1]) of all Index crimes reported to the police in Winnebago County, these involve the most serious offenses the justice system handles, including murder, aggravated assault/battery, robbery and criminal sexual assault. Between 2010 and 2019, the total number of violent Index crimes reported to the police in Winnebago County decreased by 23% (Figure 3). By comparison, the total number of violent Index crimes reported to the police in Illinois outside of Cook and Winnebago counties decreased 16% between 2010 and 2019. In 2019, the violent Index offense rate in Winnebago County was 728.0 per 100,000 residents, over three-times the rate of 238.8 per 100,000 residents in Illinois outside of Cook and Winnebago counties that year. In 2019, Rockford

accounted for 83% of all violent Index crimes reported to the police in Winnebago County, and the violent Index offense rate for Rockford was 1,175.1 offenses per 100,000 residents.¹²

Figure 3. Uniform Crime Report (UCR) Offense and Arrest Numbers for Violent Index Crimes in Winnebago County, 1982-2019



Source: Analyses by Loyola's Center for Criminal Justice Research, Policy & Practice of aggregate, published I-UCR data.

Arrests in Winnebago County

When crimes are reported to the police, or when police observe criminal behavior during the course of patrol or investigations, the arrest of an individual is the starting point for the rest of the justice system and impacts the workload and activities of all of the other justice system agencies in Winnebago County. There are a number of factors that can influence the number and rate of arrests, including the amount of crime, the nature of crime and victimization, and what police departments and officers focus their resources and attention towards. For example, if crime decreases, that will likely lead to fewer arrests. Further, if crimes are reported, but police have little evidence to work with or victims are unable to provide the police with information regarding the perpetrator, making an arrest in the case will be more difficult. Finally, if there are specific criminal behaviors that the public demands the police "do something about," such as visible signs of drug activity, prostitution, or

¹² Source: Analyses by Loyola's Center for Criminal Justice Research, Policy & Practice of aggregate, published I-UCR data.

drunk driving, the police may increase their attention towards these offenses in response to these expectations from the public, resulting in dramatic increases in arrests for some crimes.

In general, between 2010 and 2019, the trends in arrests in Winnebago County for property Index crimes have mirrored the number of these offenses reported to the police; reported property Index offenses decreased 42% and arrests for property Index offenses fell 52% (Figure 2). However, while reported violent Index offenses decreased 23% between 2010 and 2019, *arrests* for these offenses increased by 3% (Figure 3). Measuring crime clearance rates with just aggregate offense and arrest data has a number of limitations. However, comparing the number of reported offenses that result in an arrest to those that do not can provide a rough measure of how effective police are at solving crimes. Roughly 16% of property Index offenses and 23% of violent Index offenses reported to the police in the past few years (2014-2019) in Winnebago County resulted in an arrest. By comparison, in Illinois outside of Cook and Winnebago Counties the property crime “clearance rate” was 24% while the “clearance rate” for violent crime was 47% during that time period. Thus, the “clearance rate” for violent crimes is lower in Winnebago County than in the rest of Illinois outside of Cook County. This is most likely due to differences in the nature of the violent Index crimes (i.e., the degree to which victim and offender know each other) as well as other factors across the regions, which impacts the ability to arrest offenders.

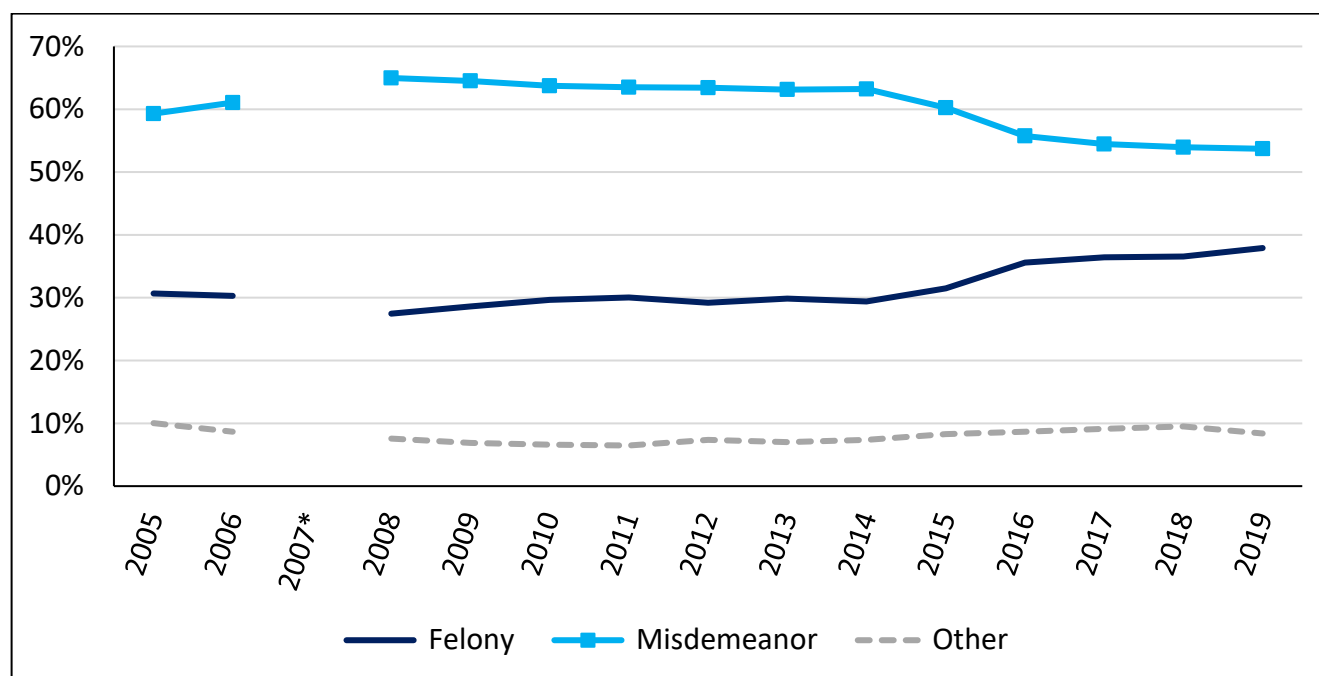
In addition to utilizing aggregate data reported through the Uniform Crime Report (UCR) program, it is possible to examine trends in arrest and characteristics of arrestees in more detail by using information collected during the processing of an individual through the justice system. In Illinois, when law enforcement agencies carry out a custodial arrest (an arrest that involves the fingerprinting of an individual), specific information about that arrest is reported to the Illinois Criminal History Record Information (CHRI) system, which comprises the criminal history record for each individual arrested in Illinois and is maintained by the Illinois State Police. The advantage of this information is that it contains information on arrests for all crimes,¹³ and is not restricted to only the Index offenses. Further, unlike the aggregate UCR data, the CHRI data contains information regarding the age, race and gender of the arrestee, allowing for a better understanding of the characteristics of those arrested in Illinois.

Under Illinois law, crimes are classified as either misdemeanors or felonies. From a legal standpoint, felony offenses are more serious since a conviction for these offenses can result in a prison sentence, and a felony conviction has potentially significant implications for employment, housing, and

¹³ State regulations require that police agencies submit arrest fingerprint cards to the Illinois State Police (ISP) within 24 hours of an arrest for all felony and Class A and B misdemeanor offenses. These contain not only the fingerprints of arrestees, but also arrestee demographic and arrest charge information. See <https://www.povertyactionlab.org/sites/default/files/documents/CHRI%20Ad%20Hoc%20Data%20Dictionary%202006-10-30.pdf> for a detailed description of the Illinois Criminal History Record Information reporting requirements.

eligibility for various government services. When arrest trends were examined specifically to differentiate between misdemeanors versus felony offenses, different patterns were evident. Although arrests for both felonies and misdemeanors decreased between 2010 and 2019, the decrease in arrests for misdemeanor crimes (down 42%) was much larger than the drop in felony arrests (down 12%). As a result, the percent of total arrest in Winnebago County involving a felony increased, while the percent of total arrests involving a felony fell. Specifically, in 2010, 30% of all arrests in Winnebago County were for felony level offenses; by 2019, 38% of arrests were for felony level offenses (Figure 4). By comparison, 64% of all arrests in 2010 were for misdemeanor crimes, and by 2019 the proportion of arrests accounted for by misdemeanors was 54%. For some crimes, whether the offense is a felony or a misdemeanor depends on specific characteristics of the arrestee, the victim or the crime that might not be known at the time of arrest (e.g., prior convictions for similar offenses). In these instances, the offense is classified at the point of arrest as “other” or “unknown.”

Figure 4. Percent of Arrests in Winnebago County, by Arrest Class



Source: Analyses by Loyola’s Center for Criminal Justice Research, Policy & Practice of CHRI data generated and provided by the Research and Analysis Unit, Illinois Criminal Justice Information Authority.

*Data omitted due to apparent reporting error in 2007

Further, the decrease in arrests between 2010 and 2019 for the least serious felony classes (Class 3 or 4 felonies, down 20%) was contrary to the *increase* in arrests for the more serious felony classes (Class 2 or higher felonies, up 4%), resulting in these more serious felony offenses accounting for a larger share of the felony arrests. Specifically between 2010 and 2019, the proportion of felony arrest accounted for by Class 2 or higher felonies increased from 33% to 39% of all felony arrests in Winnebago County. Thus, while there are fewer arrests entering the justice system in Winnebago County, a larger share of those arrests appear to involve more serious, felony crimes and a larger share are violent offenses.

Another apparent trend in the characteristics of arrests in Winnebago County is that a substantial portion of the decrease in arrests between 2010 and 2019 was the result of fewer arrests of younger adults, specifically those between the ages of 18 and 24. This population is often referred to as “emerging adults” because, despite having reached social and legal adulthood, research has shown that cognitively this age group still tends to exhibit immaturity when it comes to impulsivity and decision making.¹⁴ Between 2010 and 2019, the number of arrests involving 18 to 24 year-olds overall declined 52%, while those involving adults 25 and older declined by 20%. The 2019 arrest rate of 18 to 24 year-olds in Winnebago County was 670.8 arrests for every 10,000 residents in that age group, 50% lower than in 2010. By comparison, the arrest rate of 25 to 44 year-olds in Winnebago County fell by 19% between 2010 and 2019. In 2019, the arrest rate of 25 to 44 year-olds in Winnebago County was 543.9 per 10,000 residents in that age group (or 24% lower than the arrest rate of the emerging adults). Finally, the arrest rate in Winnebago County of those over the age of 44 was relatively low by comparison (113.9 arrests for every 10,000 residents in that age group) and was down 25% between 2010 and 2019.

Over the period examined there has been little change in the distribution of arrestee characteristics in terms of sex. From 2010 to 2019, arrests decreased for both men (down 30%) and women (down 33%), and the proportion of arrestees in Winnebago County accounted for by men remained constant at around 72%. Arrests in Winnebago County were also analyzed by race, however, during the time period examined changes were made to how race was reported through CHRI. Specifically, since 2015, agencies have had the option of reporting Hispanic as a unique category within the race field in CHRI. Prior to 2015, there was no ability in CHRI to indicate that the arrestee was Hispanic, and these arrests were primarily recorded as “white.” Thus, the ability to examine trends over time in the racial composition of arrestees is limited to just the 2015 to 2019 period. Overall, from 2015 to 2019, the total number of arrests reported through CHRI in Winnebago County decreased 8%, but the percent decrease in arrests for whites (a 24% decrease) was larger than for non-whites (a 10% decrease).

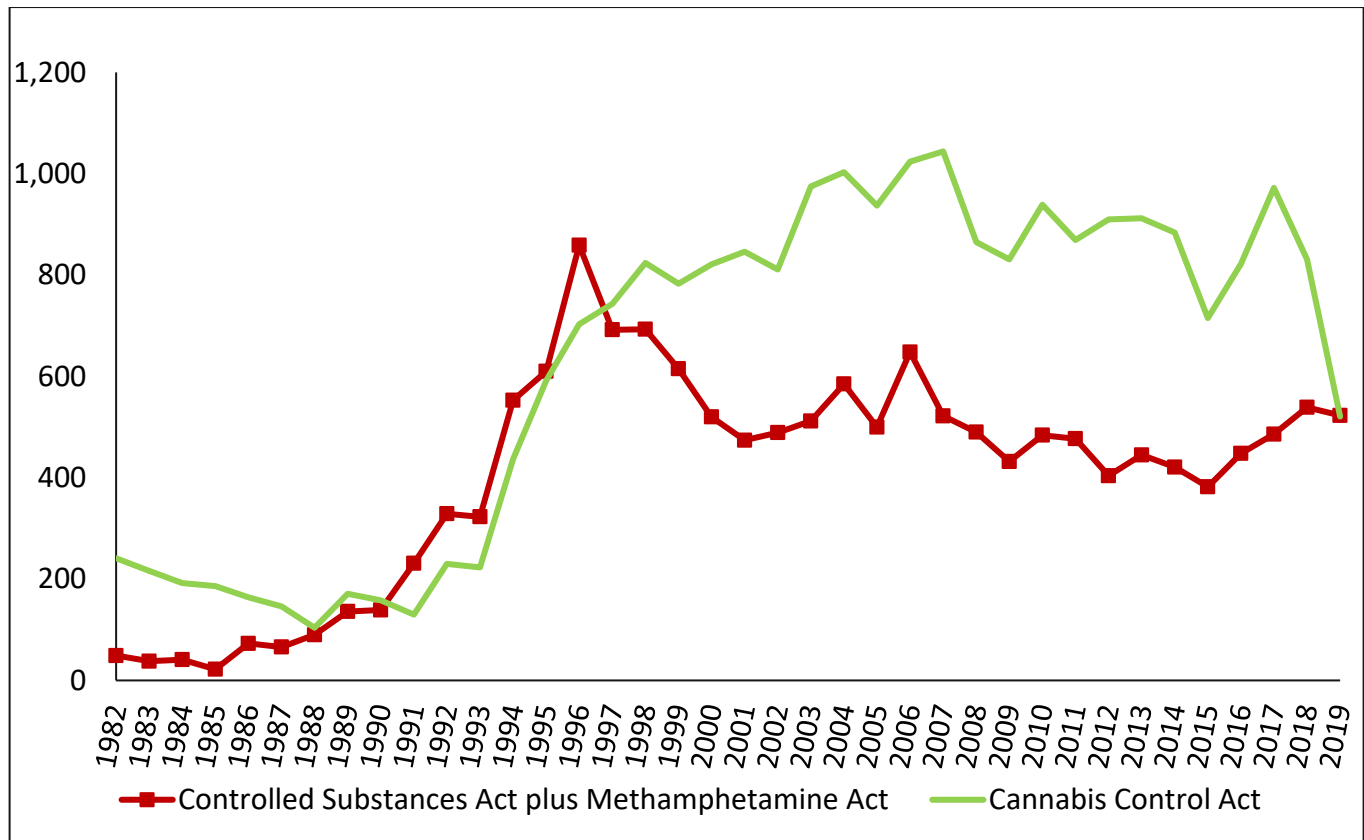
¹⁴ Loeber, R., & Farrington, D. 2012. *From juvenile delinquency to adult crime: Criminal careers, justice policy, and prevention*. New York: Oxford University Press.

Because white have experienced a larger decrease in arrests compared to non-whites, the proportion of those arrested who were identified as white fell from 53% in 2015 to 44% in 2019.

It is also possible to examine the long-term trends in arrests for drug-law violations through data reported to the UCR program in Illinois. These analyses are useful to illustrate how public expectations for police to address specific issues can result in large increases in arrests for specific crimes. During the 1980s, concern was raised at the national level about the dangers of drug use and the illicit drug market, and the prevailing view was that an appropriate response to this behavior and market would be to increase enforcement efforts and focus on this behavior. The response at the local level across most cities in the United States was to increase the enforcement of drug-laws, particularly those involving substances other than marijuana, such as cocaine, heroin and methamphetamine. In Illinois, the illegal possession and sale of these substances are articulated in Illinois' Controlled Substances Act, while offenses involving marijuana are classified under the Cannabis Control Act.

Arrests for violations of the Controlled Substances Act increased dramatically in Winnebago County during the late 1980s and early 1990s (Figure 5), and fueled a significant amount of the increases in the workload and activities of other criminal justice agencies in the county during that period. For example, prior to 1989, there were fewer than 100 arrests in Winnebago County annually for violations of the Controlled Substances Act. However, by 1996, more than 850 arrests were made in Winnebago County for offenses under this Act—an 850% increase from the 90 arrests made in 1988. Following this peak in arrests for the Controlled Substances Act in 1996, arrests for these offenses decreased and then stabilized. Between 2010 and 2019, the number of arrests for Controlled Substances Act fluctuated somewhat, ultimately increasing by 6% and totaling just over 510 arrests in 2019. By comparison, arrests for Controlled Substances Acts remained stabled in Illinois outside of Cook and Winnebago counties, decreasing by less than .5% during this time period.

Figure 5. Trends in Arrests for Drug-law Violations in Winnebago County



Source: Analyses by Loyola's Center for Criminal Justice Research, Policy & Practice of aggregate, published I-UCR data.

Starting in 2010, arrests for offenses involving the possession/sale/production of methamphetamine were reported separately from the arrests for the Controlled Substances Act as part of the Methamphetamine Control and Community Protection Act. Arrests for the Controlled Substances Act plus the Methamphetamine Act experienced an overall increase of 8% between 2010 and 2019 (approximately 39 more arrests). By comparison, counties in Illinois outside of Cook and Winnebago collectively saw a 49% increase in arrests for Controlled Substances Act plus Methamphetamine Act offenses between 2010 and 2019. Arrests for violations of the Cannabis Control Act in Winnebago County decreased 45% between 2010 and 2019, less than the 79% decrease to that seen in Illinois outside of Cook and Winnebago counties.

Criminal Court Filings and Dispositions in Winnebago County

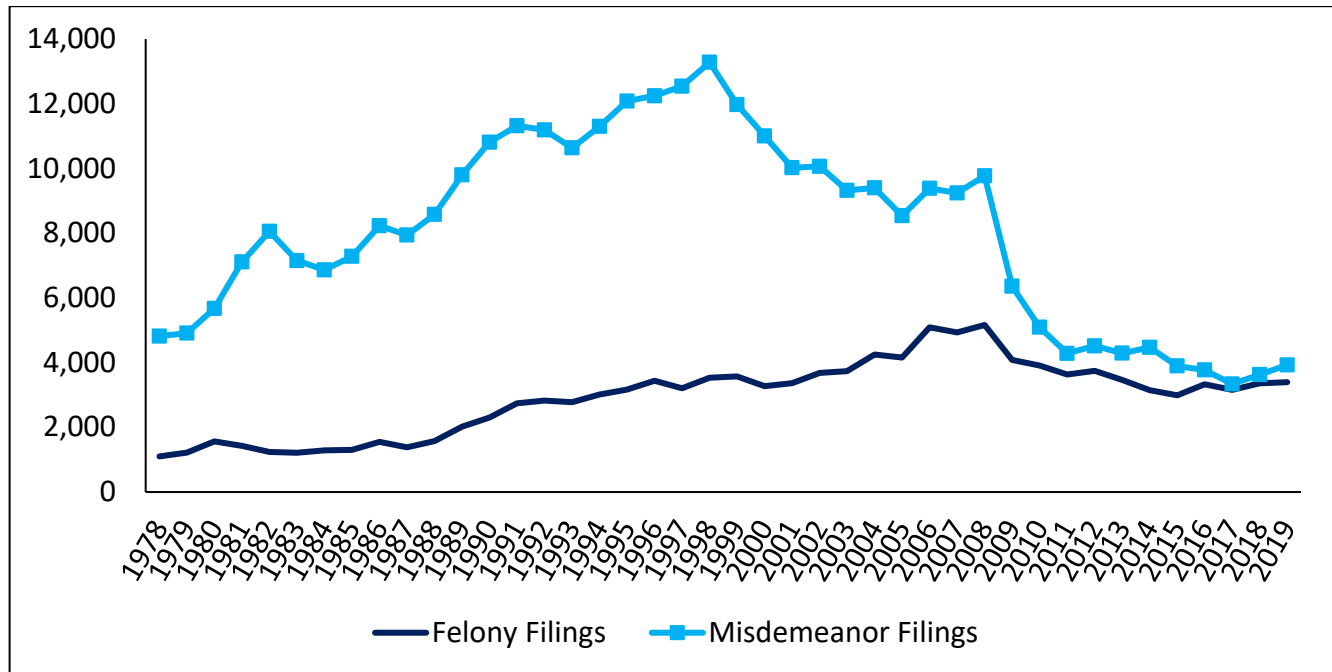
When police arrest an individual in Winnebago County, the Winnebago County State's Attorney's Office reviews the arrest charges, determines if filing charges in the Circuit Court are warranted, and, if so, the appropriate charges to be filed. The State's Attorney's Office has a great deal of discretion in deciding whether to file a criminal charge and what type and severity of charge to file. Broadly, the circuit courts and Illinois' criminal law distinguishes between misdemeanor and felony-level offenses, and this classification has implications both for the processes used to handle the cases in court as well as the potential sentences that can be imposed upon conviction.

The total number of cases filed—civil, domestic relations, criminal, quasi-criminal, and juvenile- in Winnebago County in 2019 was 60,464, of which 14% (8,384 cases) were criminal cases.¹⁵ These criminal cases included felony, misdemeanor, and driving under the influence of alcohol (DUI) cases. Thus, it is important to keep in mind that the proportion of criminal cases handled by the circuit court in Winnebago County is a relatively small percent of the overall cases filed and disposed of in the courts.

Misdemeanor court filings in Winnebago County have historically outnumbered felony filings by a 4 to 1 ratio. However, between 2010 and 2019, the decline in misdemeanor case filings outpaced the decline in felony case filings (Figure 6). As a result, misdemeanor filings in 2019 outnumbered felony filings only slightly (1.2 to 1). Between 2010 and 2019, misdemeanor case filings in Winnebago County decreased by 23%, smaller than the 42% decrease in misdemeanor arrests seen during that period (Figure 4). This decrease in misdemeanor filings in Winnebago County is also consistent with trends seen in Illinois outside of Cook and Winnebago counties, where misdemeanor filings decreased 38% between 2010 and 2019.

¹⁵ Source: Analyses by Loyola's Center for Criminal Justice Research, Policy & Practice of aggregate, published data from the Administrative Office of the Illinois Courts' Annual reports.

Figure 6. Felony and Misdemeanor Cases Filed in Winnebago County



Source: Analyses by Loyola's Center for Criminal Justice Research, Policy & Practice of aggregate, published data from the Administrative Office of the Illinois Courts' Annual reports.

*The number of felony filings in 2006-2008 may have reflected the number of *charges* rather than the number of *cases* being reported to AOIC.

The long-term trend in the number of felony cases filed in Winnebago County reveals a large and steady increase in felony filings during the 1980s, 1990s and into the 2000s (Figure 6), consistent with increases in crime and arrests in the 1980s and 1990s, and increases in arrests for felony drug-law violations. Between 1987 and 1996, felony filings in Winnebago County increased 149%—from 1,380 to 3,441—and increased another 49% from 1996 to nearly 2006. The number of felony filings peaked at 5,164 in 2008 before beginning to decline. Between 2010 and 2019, felony filings in Winnebago County decreased 13%, consistent with the 12% decrease in felony arrests during that period (Figure 4). This downward trend in felony filings in Winnebago County differed from the rest of the state. The number of felony filings in Illinois outside of Cook and Winnebago counties increased by 6% between 2010 and 2019.

The majority of felony cases filed in Winnebago County each year result in the defendant being convicted. During 2019, 54% of the felony defendants in Winnebago County who had their cases disposed of were convicted of a felony offense, a rate similar to Illinois outside of Cook and Winnebago counties.¹⁶ Most of the felony cases that did not result in a conviction were dismissed by the State's Attorney's Office, usually because it was determined there was not sufficient evidence to

¹⁶ Excluding Winnebago and Cook counties, 58% of the felony defendants in Illinois who had their cases disposed of were convicted of a felony offense.

obtain a conviction, witnesses were not willing to testify, or it was determined that pursuing a conviction was not in the interests of justice. Most of those who were convicted pled guilty to the crime, and very rarely were defendants charged with a felony found not guilty as a result of a trial. Over the past 19 years, 98% of all felony convictions in Winnebago County were the result of a guilty plea, and less than 2% of all felony defendants processed through the Winnebago County court for a felony between 2010 and 2019 went to trial. Of that small percent of felony defendants who opted for a trial—either a jury trial or a bench trial—roughly 65% were convicted at trial.¹⁷

Sentencing of Those Convicted of a Felony in Winnebago County

In Illinois, the possible sentences that can be imposed on those convicted of a felony-level offense are dictated by state statute, with the minimum and maximum allowable sentences to either prison or probation set by state law. In Winnebago County, as in most Illinois counties, the majority of people convicted of a felony offense are sentenced to probation rather than prison. Illinois' felony crimes are grouped into specific felony classes by the Illinois General Assembly, ranging from First Degree Murder, Class X felonies, and then Class 1 through 4 felonies. Class 4 felonies are the least serious felony-level offenses in Illinois, and allow a sentence of up to 30 months of probation or between 1 and 3 years in prison (Figure 7). As the seriousness of the felony conviction offense class increases (i.e., goes from 4 to 1, to X and Murder), the statutorily allowable sentence also increases. All Class X felonies require the imposition of a prison sentence of 6 to 30 years, and all Murder convictions carry a mandatory prison sentence of 20 to 60 years (or longer, up to natural life, depending on specific elements of the crime being present).

¹⁷ Source: Analyses by Loyola's Center for Criminal Justice Research, Policy & Practice of aggregate, published data from the Administrative Office of the Illinois Courts' Annual reports.

Figure 7. Penalties for Felony Crimes in Illinois

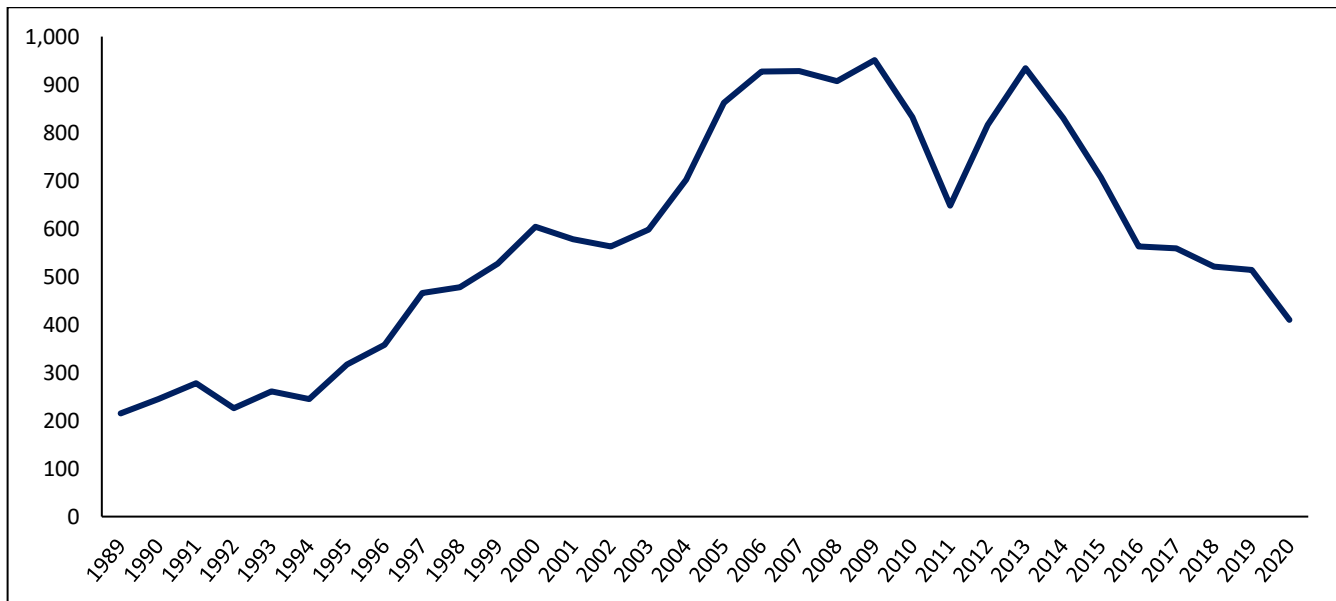
Category of Crime	Usual Prison Term	Probation Term	Length of MSR (Post-prison supervision)
1st Degree Murder	20-60 years	Not allowed	3 years
Class X	6-30 years	Not allowed	3 years
Class 1	4-15 years	Up to 4 years	2 years
Class 2	3-7 years	Up to 4 years	2 years
Class 3	2-5 years	Up to 2 ½ years	1 year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

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

When examining sentencing trends, there are multiple ways to consider the characteristics of those convicted and sentenced for felony-level offenses. First is to consider the sheer number of individuals convicted of a felony and sentenced in Winnebago County. These analyses reveal that, as a result of felony arrests and case filings decreasing between 2010 and 2019 (Figure 4 and Figure 6), the overall number of sentences imposed on persons convicted of a felony decreased 8% during that period, a trend similar to that seen in the rest of Illinois.¹⁸ When the types of sentences were disaggregated, some shifts in sentencing outcomes emerged. For example, between 2010 and 2019, the number of sentences to probation decreased by 4%, while the number of sentences to prison decreased by 35%. By comparison, in Illinois outside of Cook and Winnebago counties, sentences to probation *increased* by 7% and prison sentences fell by 25%. More current data from the Illinois Department of Corrections (IDOC) confirm this trend: between state fiscal years (SFY) 2010 and 2019, IDOC received 38% fewer inmates sentenced from Winnebago County, falling from 832 to 514, larger than the 9% decrease seen in the rest of Illinois outside of Cook and Winnebago. In fact, admissions to IDOC from Winnebago County in SFY 2019 were the lowest since 1998 (Figure 8). Admissions to prison from Winnebago County during SFY 2020 were on pace to be 7% higher than that seen in SFY 2019 through March of both years. However, due to COVID-19 restrictions starting in March 2020 (the last part of SFY 2020), sentences and admissions to prison during the period from April to June 2020 were relatively low. Thus, the 410 admissions to prison in SFY 2020 from Winnebago County were lower primarily due to the impact of COVID-19 on felony sentencing and admissions to prison. In 2020, 55% of prison admissions from Winnebago County were accounted for by violent offenses.

¹⁸ Between 2010 and 2019 the number of sentences imposed on those convicted of a felony in Illinois outside of Winnebago and Cook County decreased by 3%. Source: Analyses by Loyola's Center for Criminal Justice Research, Policy & Practice of aggregate, published data from the Administrative Office of the Illinois Courts' Annual reports.

Figure 8. Winnebago County Total Court Admissions to IDOC



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

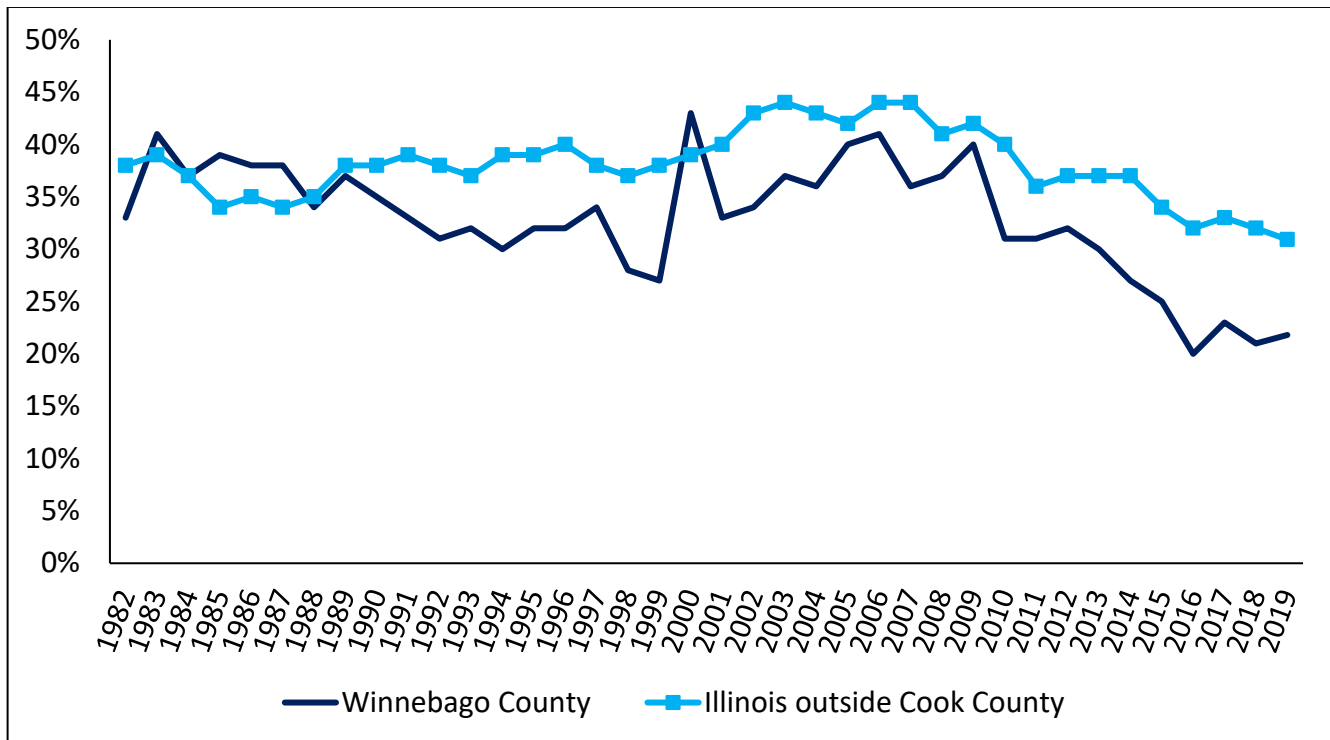
Because admissions during SFY 2020 were lower due to COVID-19 restrictions, analyses of trends in admissions to prison from Winnebago County by offense type focused on the period from SFY 2010 to 2019. While the total number of admissions to prison from Winnebago County decreased by 38% between 2010 and 2019 (figure 8), the decline in admissions to prison for non-violent offenses (i.e. property and drug offenses), outpaced the decline in admissions to prison for violent offenses. Admissions to prison for non-violent offenses from Winnebago County declined by 56%, while admissions to prison for violent offenses remained stable, increasing by 1%.¹⁹ As a result, the proportion of prison admissions accounted for by violent offenses increased from 31% in 2010 to 51% in 2019 (and 55% in SFY 2020). In comparison, the proportion of admissions to prison from Illinois outside of Cook and Winnebago counties accounted for by violent offenses increased from 25% in 2010 to 35% in 2019. Disaggregating the offenses resulting in a prison sentence further reveals that 60% of the decline in admissions to prison from Winnebago County between 2010 and 2019 can be accounted for by a decline in admissions for property offenses. An additional 29% of the decline in admissions to prison from Winnebago County during this time period can be accounted for by a decline in admissions for drug offenses. During the time period examined, the proportion of

¹⁹ Similarly, the number of admissions to prison for non-violent crimes from Illinois outside of Cook and Winnebago counties declined by 42%. However, admissions to prison for violent crimes declined by 9% in Illinois outside of Cook and Winnebago during the time period examined.

admissions of accounted for by non-white and white individuals remained stable, with 62% of admissions to prison from Winnebago County accounted for by non-white individuals.

Another way to examine the sentencing patterns for those convicted of a felony offense is to examine the percent of those convicted of a felony (i.e., eligible to be sentenced to prison) that receive a prison sentence. Doing so reveals that, as a result of the number of prison sentences decreasing more than probation sentences, in Winnebago County the *proportion* of individuals convicted of a felony sentenced to prison has also decreased. Between 2010 and 2019, the percent of people convicted of a felony that were sentenced to prison in Winnebago County decreased from 31% to 22% (Figure 9). In Illinois outside of Cook and Winnebago counties, the percent of people convicted of a felony sentenced to prison decreased from 40% in 2010 to 31% in 2019.

Figure 9. Percent of Persons with a Felony Conviction in Winnebago County Sentenced to Prison



Source: Analyses by Loyola's Center for Criminal Justice Research, Policy & Practice of aggregate, published data from the Administrative Office of the Illinois Courts' Annual reports.

Importantly, the percent of individuals convicted of a felony being sentenced to prison in Winnebago has decreased steadily since 2006, when more than 40% of those convicted of a felony were sentenced to prison. During this period of a lower rate of prison utilization, the overall Index crime rate in Winnebago County also decreased consistently. Some of the differences across jurisdictions in the likelihood of people convicted of a felony being sentenced to prison can be explained by differences in the types of conviction offenses (i.e., more serious felony classes) or differences in the

seriousness of the offender (i.e., more extensive criminal history). However, even after statistically controlling for the influence of the conviction offense and offender characteristics, *the odds of being sentenced to prison in Winnebago County are lower than when compared to Illinois as a whole*. This likely reflects a higher utilization of treatment courts and rehabilitative programs.

Detailed analyses of the characteristics that influenced the imposition of prison sentences on those convicted of a felony in Winnebago County using CHRI data²⁰ revealed that the three most influential factors were the felony class of the conviction offense, whether the person convicted of the felony had been previously sentenced to prison, and the age of the person convicted of the felony. Individuals convicted of a felony were more likely to be sentenced if they were convicted of a serious felony, if they had been previously sentenced to prison, or if they were younger offenders (those between 18 and 24). Within the sample examined of those arrested, and ultimately convicted for a felony-level offense during the 2012 to 2014 period, 37% were sentenced to prison overall. However, of those who had previously been sentenced to prison, 62% received a prison sentence for the current conviction, compared to 29% of those who had never previously been sentenced to prison. As would be expected, 100% of those convicted of Murder or a Class X felony were sentenced to prison, while 23% of those convicted of a Class 4 felony were sentenced to prison. Finally, 43% of those convicted of a felony between 18 and 24 were sentenced to prison, compared to 35% of those aged 25 and older. Of those convicted of a felony, men were slightly more likely to be sentenced to prison after controlling for the influence of other characteristics, while the defendant's race did not appear to be related to whether or not a prison sentence was imposed.

The substantial decrease in the proportion of persons with a felony conviction sentenced to prison in Winnebago County is likely due to a number of factors occurring simultaneously. First, Winnebago County enhanced and expanded a number of their diversionary programs designed to reduce their reliance on prison and enhance the services provided to felony offenders on probation supervision. Second, it is possible that as a result of a newly elected State's Attorney in 2008, there was a change in the practices and policy within the State's Attorney's Office. It is also possible that the characteristics of the cases moving through the system have changed. Arrest data suggests that fewer of the cases in Winnebago County during this time period involved younger offenders, a characteristic found to increase the imposition of a prison sentence. Collectively, the enhancements to the diversionary programs, changes in policy and practice, and some changes in the characteristics of those matriculating through the felony courts all likely played a part in explaining this decreased use of prison in Winnebago County.

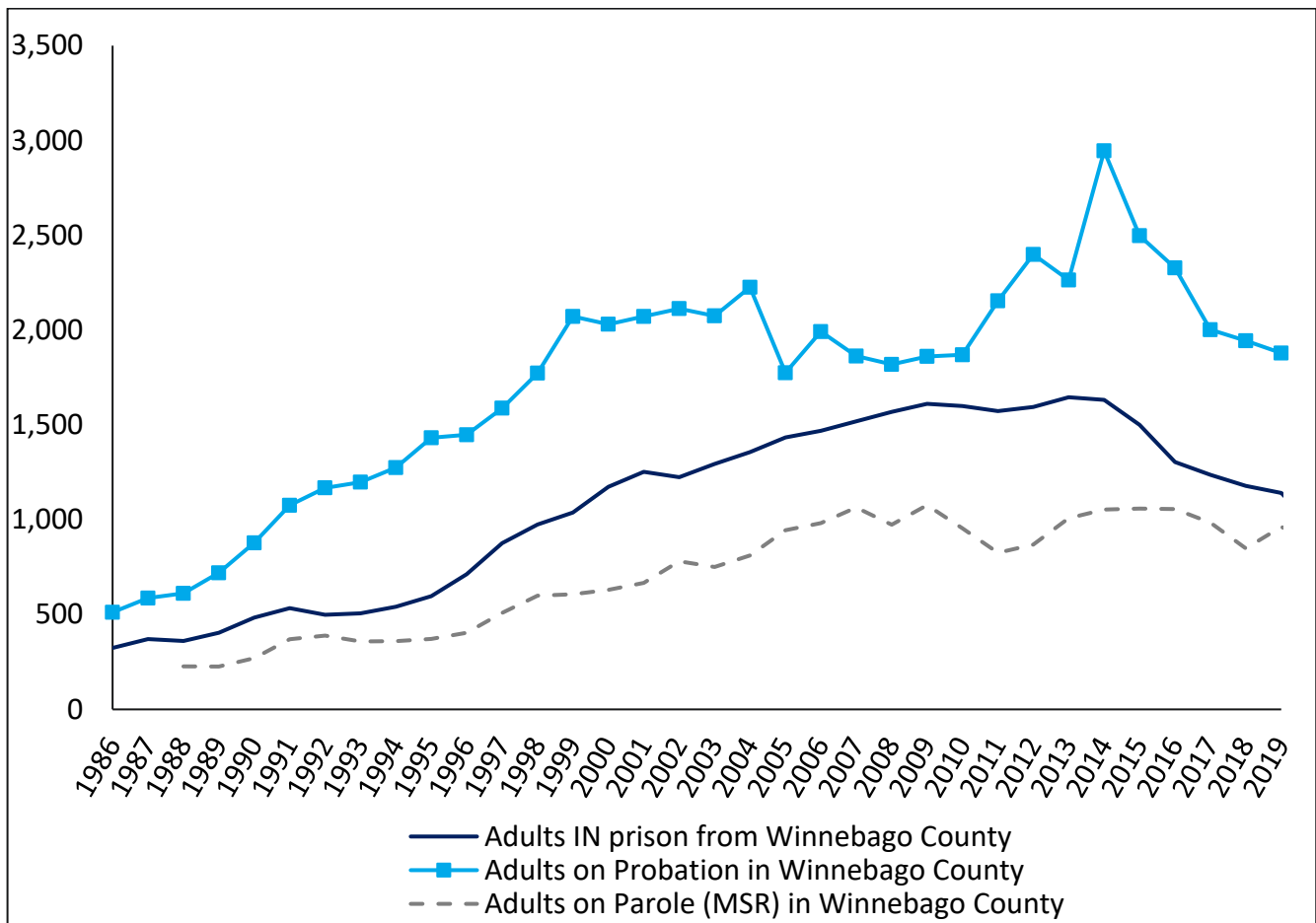
²⁰ Source: Analyses by Loyola's Center for Criminal Justice Research, Policy & Practice of data provided by the Illinois Department of Corrections' Planning and Research Unit and CHRI data generated and provided by the Research and Analysis Unit, Illinois Criminal Justice Information Authority.

Changing Correctional Populations

There are three possible jurisdictions under which people convicted of a felony in Winnebago County can be supervised: in prison, on probation or on Mandatory Supervised Release (MSR or “parole”). Increases in crime and arrests during the 1980s and 1990s, coupled with the changing sentencing practices for those convicted of a felony in Winnebago County in the past decade described above, have led to changes in the number of individuals with a felony conviction under the custody of the criminal justice system in/from Winnebago County.

As described above, the majority of people convicted of a felony in Winnebago County (and in most Illinois counties) are sentenced to probation. As a result, probation is the largest category where individuals convicted of a felony under the custody of the justice system are supervised (Figure 10).

Figure 10. Prison, Felony Probation, and “Parole” (MSR) Population in Winnebago County



Source: Analyses by Loyola’s Center for Criminal Justice Research, Policy and Practice of IDOC data provided by IDOC’s Planning and Research Unit, aggregate published data by IDOC, and aggregate published AOIC data.

Between the mid-1980s and the early 2000s, the number of people convicted of a felony on probation in Winnebago County increased four-fold, from just over 500 in 1986 to more than 2,000

by 1999 (Figure 10).²¹ The use of probation as a sentence actually decreased during the late 1990's and early 2000's. However, a small decrease in the use of probation in sentencing those convicted of a felony in Winnebago County since 2010 (down 4%) has led to a stabilization in the number of people on probation for a felony. The number of persons on probation for a felony offense at year-end in Winnebago County increased slightly from 1,870 on December 31, 2010 to 1,879 on that same date in 2019, a .5% increase. Similarly, the number of individuals convicted of a felony on probation at year-end in Illinois outside of Cook and Winnebago counties increased by 1% between 2010 and 2019. At the end of 2019, there were a total of 3,982 people convicted of a felony under the custody of the justice system (including probation, prison and MSR) from Winnebago County, with 47% of them supervised on probation.

The long-term trends in the number of individuals *in prison* from Winnebago County, as a result of either being sentenced to prison or being returned to prison as a technical MSR violator, increased dramatically during the 1990s through 2010 as a result of increases in crime, arrests, and the proportion of those convicted of a felony being sentenced to prison during much of that time period. For example, at the end of the state fiscal year (SFY) 1990 there were fewer than 500 adults in Illinois' prisons from Winnebago County, but by the end of SFY 2010 there were 3-times more (1,600 [Figure 10]).²² However, the decrease in crime, felony arrests and filings, combined with the lower likelihood of persons convicted of a felony being sentenced to prison, the number of people in prison from Winnebago County at the end of 2019 was 1,141, or 29% lower than at the end of SFY 2010. By comparison, the number of people in prison at the end of SFY 2019 from Illinois outside of Cook and Winnebago counties was only 9% lower than at the end of SFY 2010. Of the 3,982 individuals convicted of a felony under the custody of the justice system (including probation, prison and MSR) from Winnebago County at the end of 2019, 29% of them were incarcerated in an Illinois state prison.

Finally, as described previously, once an inmate has served their sentence they are released from prison onto MSR. Of the 3,393 persons convicted of a felony under the custody of the justice system (including probation, prison and MSR)²³ from Winnebago County at the end of 2019, 24% of them were being supervised by IDOC parole agents in Winnebago County. Generally, the number of people on MSR in Winnebago County has followed the trends in releases from IDOC, which is influenced by the admissions in previous years (Figure 10). Thus, when the number of those in prison is combined with those on MSR in Winnebago County, about one-half (53%) of the individuals serving a sentence

²¹ Analyses by Loyola's Center for Criminal Justice Research, Policy & Practice of aggregate, published data from the Administration Office of the Illinois Courts' Annual reports.

²² Source: Analyses by Loyola's Center for Criminal Justice Research, Policy & Practice of data provided by the Illinois Department of Corrections' Planning and Research Unit.

²³ Source: Analyses by Loyola's Center for Criminal Justice Research, Policy & Practice of aggregate, published data from the Administrative Office of the Illinois Courts' Annual reports and data provided by the Illinois Department of Corrections' Planning and Research Unit.

for a felony from Winnebago County and under the jurisdiction of the justice system were under the custody/supervision of IDOC.

Reentry and Recidivism of Those Released from Prison Who Return to Winnebago County

An important tenet within the area of sentencing and prison populations is that almost everybody sentenced to prison will eventually be released from prison. Although individuals convicted of murder serve extremely long sentences and a substantial portion are never released, these individuals account for a very small percent of all admissions to prison. In Winnebago County, for example, 2% of all the admissions to prison from Winnebago County between SFY 2010 and 2019 were for murder. Thus, most individuals sentenced to prison are released, and for the most part, those individuals who are sentenced to prison from Winnebago County return back to Winnebago County upon their release. Among those returning from prison to Winnebago County between SFY 2011 and 2015, 84% were originally sentenced to prison in Winnebago County.²⁴ Further, of those released from prison and returning to Winnebago County, the majority return to very specific neighborhoods within Rockford. Indeed, 87% of all prison releases coming back to Winnebago County returned to Rockford, and two-thirds (68%) of all releases coming back to Winnebago County returned to four specific zip-codes in Rockford: 61101, 61102, 61103, and 61104. Again, most inmates released from prison return back to where they lived prior to prison, usually living with family members or friends.

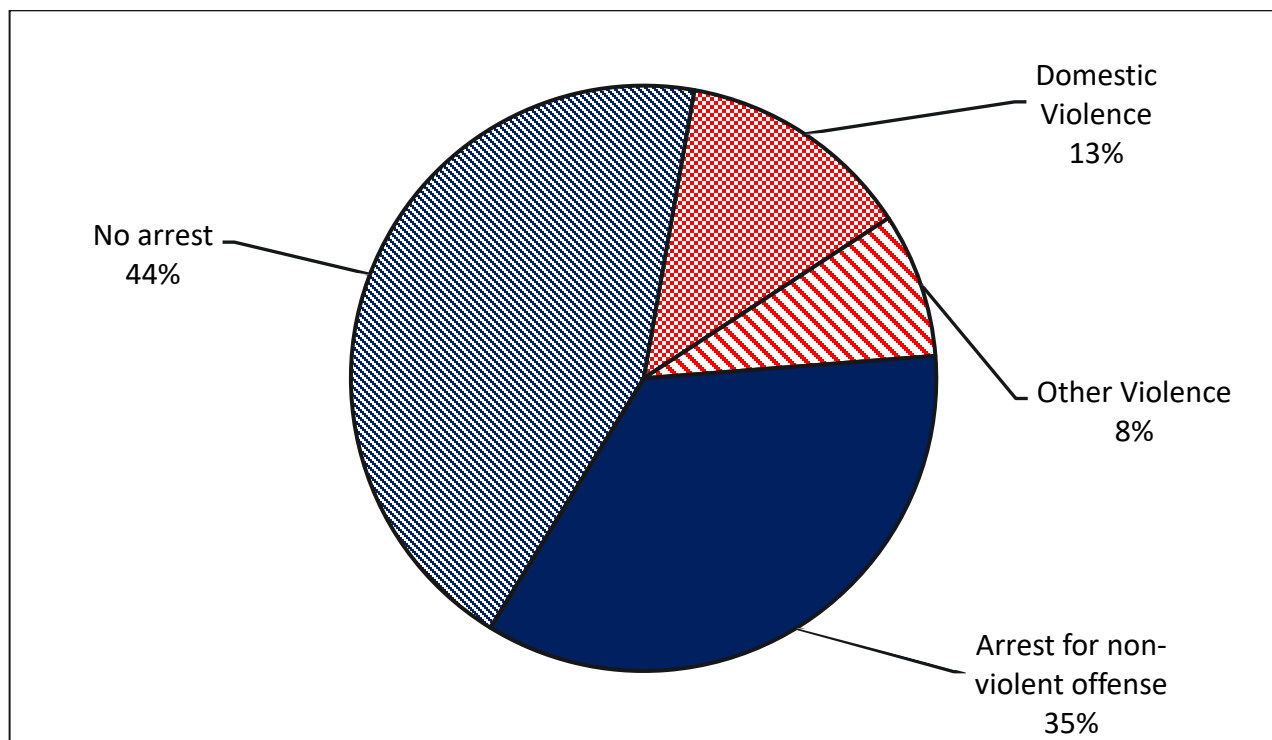
It's important to keep in mind that most individuals sentenced to prison from, and returning to, Winnebago County, were not incarcerated in prisons in close proximity to Winnebago County. In fact, only 31% of the inmates who returned to Winnebago County from prison were housed in IDOC correctional centers in the northern part of Illinois, limiting the ability of family members and community organizations that could support re-entry and reintegration from maintaining or establishing positive relationships and contact with those in prison.

Of particular concern for many, and one of the measures used to gauge the effectiveness of correctional interventions, is the degree to which those processed through the criminal justice system recidivate, or continue to engage in criminal behaviors. Although measuring someone's involvement in criminal behavior is difficult, given that such a large portion of crimes are not reported or known to the police, one way that recidivism has been measured is whether or not someone is rearrested for a new crime following the imposition or completion of their sentence. To examine recidivism among those released from prison who returned to Winnebago County, data were collected and analyses were performed to determine the rate and patterns of rearrest among those released from IDOC between SFY 2011 to 2014 who returned to Winnebago County. These analyses revealed that,

²⁴ Source: Analyses by Loyola's Center for Criminal Justice Research, Policy & Practice of data provided by the Illinois Department of Corrections' Planning and Research Unit.

overall, 56% of those released from prison were rearrested for any type of crime within three years of their release, a rate statistically similar to that seen in Illinois as a whole (Figure 11).²⁵ Consistent with prior research on the topic, the releasee's age and criminal history were the two strongest predictors of whether they were rearrested; younger individuals and those with more extensive criminal histories had the highest recidivism rates.

Figure 11. Examining Recidivism of Adult IDOC Releasees Returned to Winnebago County, Crimes of Violence



Source: Analyses by Loyola's Center for Criminal Justice Research, Policy & Practice of data provided by the Illinois Department of Corrections' Planning and Research Unit and CHRI data generated and provided by the Research and Analysis Unit, Illinois Criminal Justice Information Authority.

Often when the public hears or thinks about prison releasees committing new crimes, offenses such as murders or shootings come to mind. However, it is important to note that most of those that were arrested following their release from prison were arrested for non-violent crimes. Overall, 22% of those released from prison and returned to Winnebago County were arrested for a violent crime within three years of their release, and the majority of these arrests involved crimes of domestic violence. Specifically, 13% of Winnebago County releasees from IDOC were arrested for a domestic violence offense, while 8% were arrested for some other type of violent crime (Figure 11). This 13%

²⁵ During the same time period, 58% of those released from prison to any county in Illinois were arrested within 3 years of release.

domestic violence recidivism rate among those released to Winnebago County was slightly higher than the 11% rate seen among those released from prison in the rest of Illinois. Domestic violence is clearly a serious offense. Arrests for domestic violence also have significant implications for MSR supervision and revocation, since under Illinois law anyone on MSR who is rearrested for a domestic violence offense must have a warrant issued to revoke their MSR and be returned to prison as an MSR violator. Finally, a small percent of those released from prison and returned to Winnebago County were arrested for offenses involving either the illegal possession of a firearm (6%) or the use of a firearm in the commission of a crime (5%).

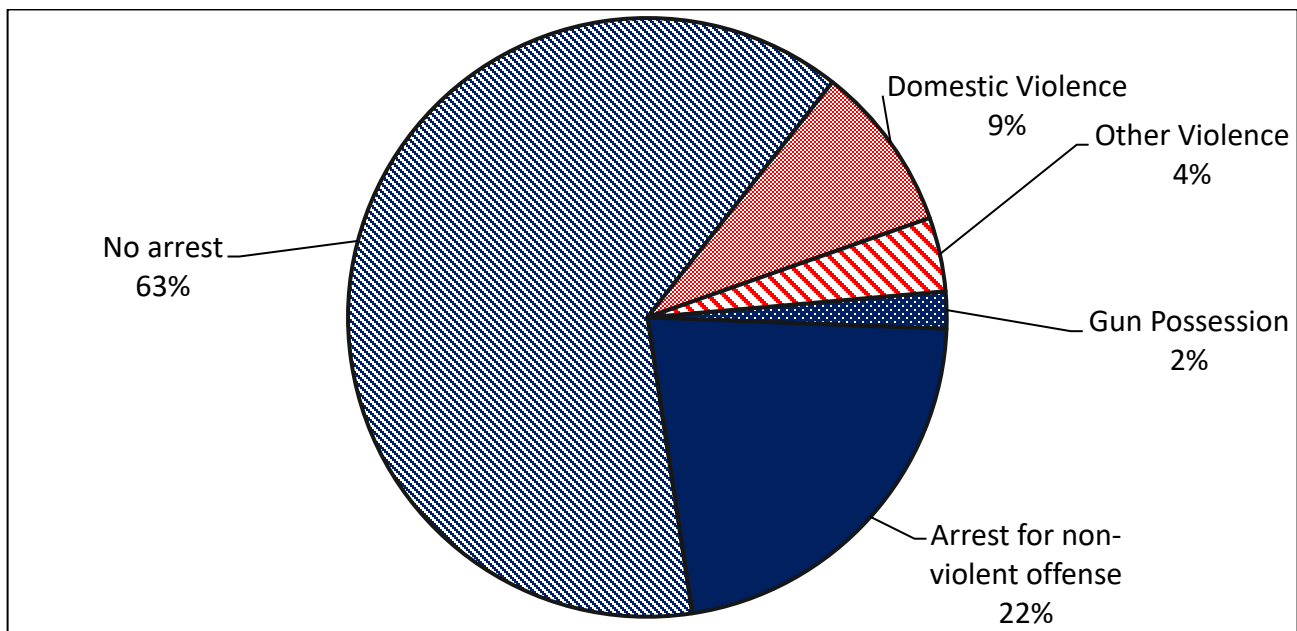
Recidivism of Those Discharged from Probation in Winnebago County

As noted previously, probation is a sentencing option for most felony-level crimes in Illinois (Figure 7) and an increasing proportion of individuals convicted of a felony in Winnebago have been sentenced to probation supervision by the Winnebago County Probation and Court Services Department in recent years (Figure 9). Supervision by the Winnebago County Probation and Court Services Department is also a sentencing option for those convicted of a misdemeanor offense. As with those exiting prison, examining the extent to which people discharged from probation go on to be arrested for additional offenses is one way to measure the effectiveness of probation as an intervention. To examine recidivism among those discharged from probation in Winnebago County, data were collected and analyses were performed to determine the rate and patterns of rearrest among those discharged from probation supervision between 2014 and 2017.

Most of the nearly 7,000 people discharged from probation supervision by the Winnebago County Probation and Court Services Department between 2014 and 2017 were men (75%), and the average age was 36 years old. One-half (50%) of those discharged were white, 36% were African-American, and 8% were Hispanic. Most were originally placed on probation supervision under the Winnebago County Probation and Court Services Department following a conviction for a felony level offense (70%), with the remainder (30%) on supervision for misdemeanor level offenses. Further, the majority of offenses (70%) resulting in probation supervision by the Winnebago County Probation and Court Services Department involved non-violent offenses (e.g., property crimes, drug-law violations, driving under the influence of alcohol). Roughly 30% of those placed on probation supervision had been convicted of a violent offense, with 15% specifically for an offense involving domestic violence and 15% for other probationable violent crimes (e.g., assault, battery). Overall, the average number of prior arrests among the group of discharged probationers was just under 7 (6.8).

Sixty-four percent of the people discharged from probation supervision between 2014 and 2017 were *not* rearrested for a new crime within three years of their discharge from supervision. Of the 36% of discharged probationers that were arrested, most of the arrests (65%) took place within Winnebago County²⁶ and were for non-violent crimes (Figure 12). Further, one-half of the arrests that involved individuals discharged from probation supervision between 2014 and 2017 were not for felony-level offenses.

Figure 12. Examining Recidivism of Individuals Discharged from Probation



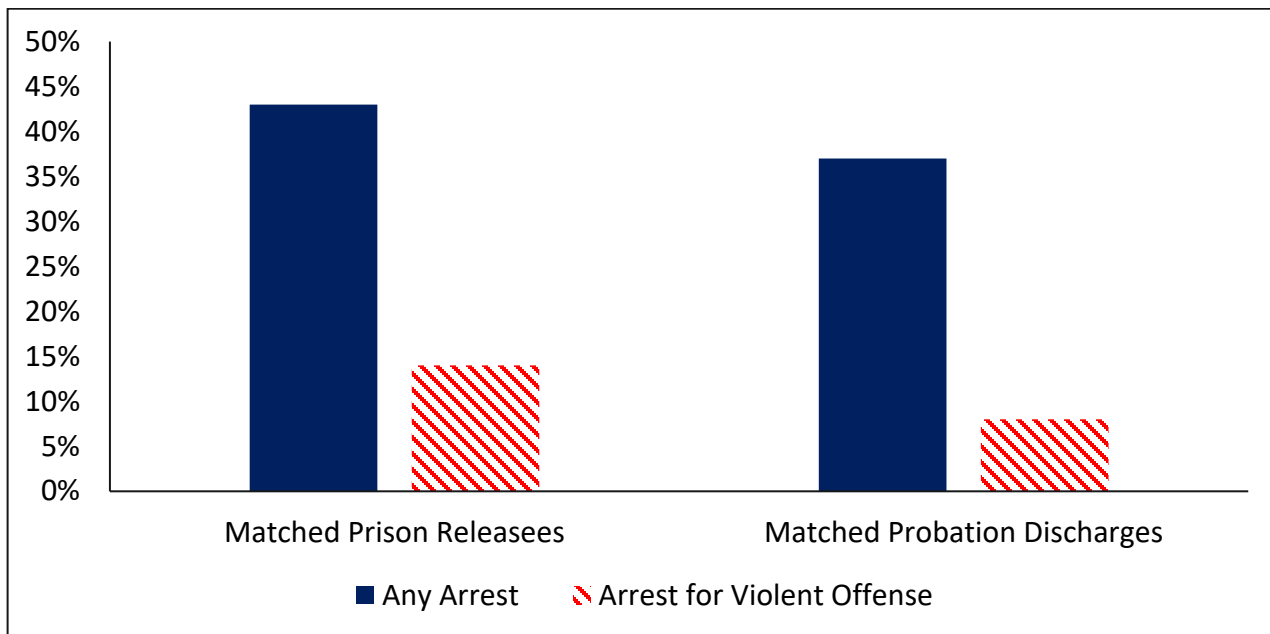
Source: Analyses by Loyola's Center for Criminal Justice Research, Policy & Practice of data provided by the Winnebago County Probation and Court Services Department.

Further, among the small proportion (13%) of discharged probationers that were arrested for a violent crime, domestic violence offenses accounted for the majority of those arrests (Figure 12). Detailed analyses of the characteristics that influenced the likelihood of being arrested within three years of discharge from probation supervision revealed that age, the number of prior arrests, and the probation risk level were all predictive of rearrest. The likelihood of being rearrested was higher for young individuals with multiple prior arrests and higher probation supervision risk levels. The most significant predictor of rearrest, however, was the status of the case at discharge. The risk of rearrest was highest for people who were discharged from probation supervision as a result of their probation sentence being revoked.

²⁶ Data for arrests were limited to only those that occurred in the State of Illinois. Thirty-five percent of the post-discharge arrests of probationers from Winnebago County occurred in jurisdictions outside of Winnebago County.

Because probation and prison are sentencing options for most felonies, it is possible to compare the outcomes of individuals who were sentenced to probation under the supervision of the Winnebago County Probation and Court Services Department with the outcomes of individuals who were sentenced to prison for similar offenses. Sophisticated analyses were performed using a statistical technique that allows for individuals in both groups (those placed on probation versus those sent to prison) to be *matched* so that the two groups were similar in the characteristics of the offenses for which they were sentenced and individual and case-level characteristics related to recidivism.²⁷ These analyses revealed that individuals who were sentenced to probation had a lower recidivism rate than those who had committed similar crimes (i.e. were convicted of the same class and type of offenses) and who had similar characteristics (i.e. were similar in terms of age, race, sex and criminal history) but who were sentenced to prison (Figure 13).

Figure 13. Comparing Recidivism Rates for Matched Individuals Released from Prison and Discharged from Probation (Percent Rearrested)



Source: Analyses by Loyola's Center for Criminal Justice Research, Policy & Practice of data provided by the Winnebago County Probation and Court Services Department, the Illinois Department of Corrections and the Illinois State Police/ICJA.

²⁷ A technique called Propensity Score Matching, or PSM, was used to match the probationers to the prison releasees on age, race, gender, total prior arrests, prior arrests for domestic violence, and prior arrest for other crimes. Among the prison group, all of those who had been in prison for a Murder or a Class X felony were excluded as these are non-probationable offenses. Among the probationers, only those placed on supervision for a felony were included. Further, only those in the community during the same time period were included in the analyses. As a result of this PSM, there were roughly 1,000 probationers and 1,000 prison releasees included in the analyses. Unlike the previous analyses of recidivism of all probationers, these analyses started tracking rearrests from the point of being sentenced to probation rather than after their discharge from supervision. For more detailed information about these analyses, results and findings, please contact Loyola's Center for Criminal Justice Research, Policy and Practice.

Specifically, 37% of the individuals who were sentenced to probation in Winnebago County were arrested within 2 years of being placed on probation. By comparison, 43% of individuals who committed similar crimes, and who had similar characteristics, but received prison sentences were arrested within 2 years of release from prison. A similar pattern was evident when arrests specifically for violent offenses were examined. Those sentenced to and discharged from probation had a lower recidivism rate than the matched group that was sentenced to and released from prison (8% vs. 14%, respectively). Thus, among people convicted of similar felony offenses in Winnebago and with similar characteristics, those who were sentenced to probation had lower rates of recidivism than those sentenced to prison. This difference is likely due, in part, to the access people on probation in Winnebago County have to rehabilitative services through the Resource Intervention Center (RIC). Prior research that examined access to substance abuse treatment within Illinois' prison found that the majority of those identified as in need of substance abuse treatment were not able to access those services while in prison.²⁸

Conclusions and Future Research

The analyses presented in this report highlight some of the major trends and issues within the Winnebago County criminal justice system. Similar to what has been seen across the country, and in Illinois, the overall crime rate in Winnebago County has decreased consistently over the past 15 years, driven primarily by a decrease in property crime.

As a result of the overall decrease in crime in Winnebago County, and evident shifts in drug enforcement practice since the 1990s, arrests in Winnebago County have also decreased in the past 10 years, resulting in fewer criminal court filings. With fewer court filings, and a clear shift in sentencing practices in Winnebago County, the number and proportion of those with a felony conviction sentenced to prison in Winnebago County has decreased, while the proportion and number of persons convicted of a felony sentenced to probation in the county has increased. Indeed, one of the recommendations by leading scholars and practitioners in the field is that strengthening probation is one of the critical elements needed to reduce the reliance on incarceration as a primary response to crime. It is clear that Winnebago County practitioners and policy makers have recognized this, increasing their utilization of probation and implementing evidence-based practices (EBPs).

The following staff from Loyola's Center for Criminal Justice Research, Policy, and Practice were involved in the analyses, writing and formatting of this report (in alphabetical order): Claire Fischer, M.A., Kaitlyn Foust, Cynthia Guzman, Lily Kreuter, Giulia Poropat, Christina Mazzucchi, Carly McCabe, M.A., Leti Monreal, David Olson, Ph.D., Henry Otto, Sophia Rana, John Specker, M.A., Donald Stemen, Ph.D., Amanda Ward, Ph.D., and Lauren Weisner, M.A..

²⁸ Sneed, E. (2015). *Predictors of Prison Based Treatment in Illinois*. (Unpublished Master's Thesis) Loyola University Chicago, Chicago Illinois.