



# Research Bulletin

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## A profile of Class 4 felony offenders sentenced to prison in Illinois

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The overall prison population in Illinois has experienced unprecedented growth during the past 20 years, due to increased admissions for drug offenses, longer sentences for violent offenders, and increased numbers of drug, violent, and property offense convictions requiring prison

***Class 4 felony prison sentences for drug offenses account for a substantial proportion of the increase in Illinois Department of Corrections admissions.***

terms. Class 4 felony prison admissions, particularly those involving drug offenses, account for a substantial proportion of the increase in admissions to the Illinois Department of Corrections (IDOC). At the same time a dramatic increase was seen in the number of adults given probation sentences for felony drug offenses.

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This *Research Bulletin* examines the criminal histories and incarceration trends of Class 4 felons. Illinois officials have grappled with increasing funding demands by the criminal justice system during a period of declining state fiscal resources. According to IDOC, the monthly cost of housing an inmate rose 7 percent between state fiscal years (SFY) 1999 and 2003 (state fiscal years run from July 1 through June 30). Results of this study may assist justice practitioners and policymakers as they determine whether incarceration is appropriate for this population of offenders.

In Illinois, felony offenses that can result in prison sentences range from murder and Class X, which are non-probationable, to Class 1 through Class 4. Results of this study may assist justice practitioners and policymakers as they determine whether incarceration is appropriate for this population of offenders. Class 4 felonies include theft, possession of a controlled substance, and driving under the influence. Only a

Table 1  
Felony court commitments to IDOC, SFY95-SFY04

	SFY95	SFY04	Percent change	Percent of total admissions SFY04*	Percent of total population SFY04**
<b>Class 4</b>	3,428	9,773	+185%	26%	22%
<b>Class 3</b>	3,388	4,037	+19%	11%	9%
<b>Class 2</b>	5,324	4,888	-8%	13%	11%
<b>Class 1</b>	3,584	3,298	-8%	9%	7%
<b>Class X</b>	2,479	1,876	-24%	5%	4%

\* Includes court commitments and parole violators (n=37,898).

\*\* Total population is the total IDOC population on the day of June 30, 2004 (n=44,379).

small proportion of those convicted of a Class 4 felony are sentenced to prison.

A 1996 study funded by the Authority profiled criminal histories of incarcerated Class 4 felons from 1985 to 1994.<sup>1</sup> This *Research Bulletin* analyzes the total population of Class 4 felons, and includes:

- Incarceration trends from SFY95 to SFY04.
- A profile of felony offenders committed to IDOC in SFY04, including demographics, offense type, and sentence length.
- The criminal histories of incarcerated Class 4 felony offenders including the extent and nature of prior arrests and convictions.

**Incarceration trends, SFY95 to SFY04**

Adult offenders are admitted to IDOC in two ways. They are either committed by the courts post-conviction or committed due to a violation of parole. This study focuses only on those committed to IDOC by the courts after being convicted of an offense. Class 4 felons committed by the courts in SFY 2004 comprised 26 percent of all total admissions, and 22 percent of the total incarcerated IDOC population at the end of that year (Table 1).

As seen in Table 1 and Figure 1, the number of Class 4 felons committed to IDOC rose dramatically between SFY95 and SFY04, by 185 percent. Total court commitments rose by 5,448 inmates, and Class 4 felony court

commitments rose by 3,391 inmates. While in SFY95 Class 4 felons accounted for just 18 percent of all court commitments, by SFY 2004 this figure had escalated to 40 percent. Sixty-two percent of the rise in total court commitments during the period studied can be attributed to the increasing number of Class 4 felons.

The number of Class 4 felony drug offenders committed to IDOC more than doubled over the 10-year span, from 2,297 to 5,994.

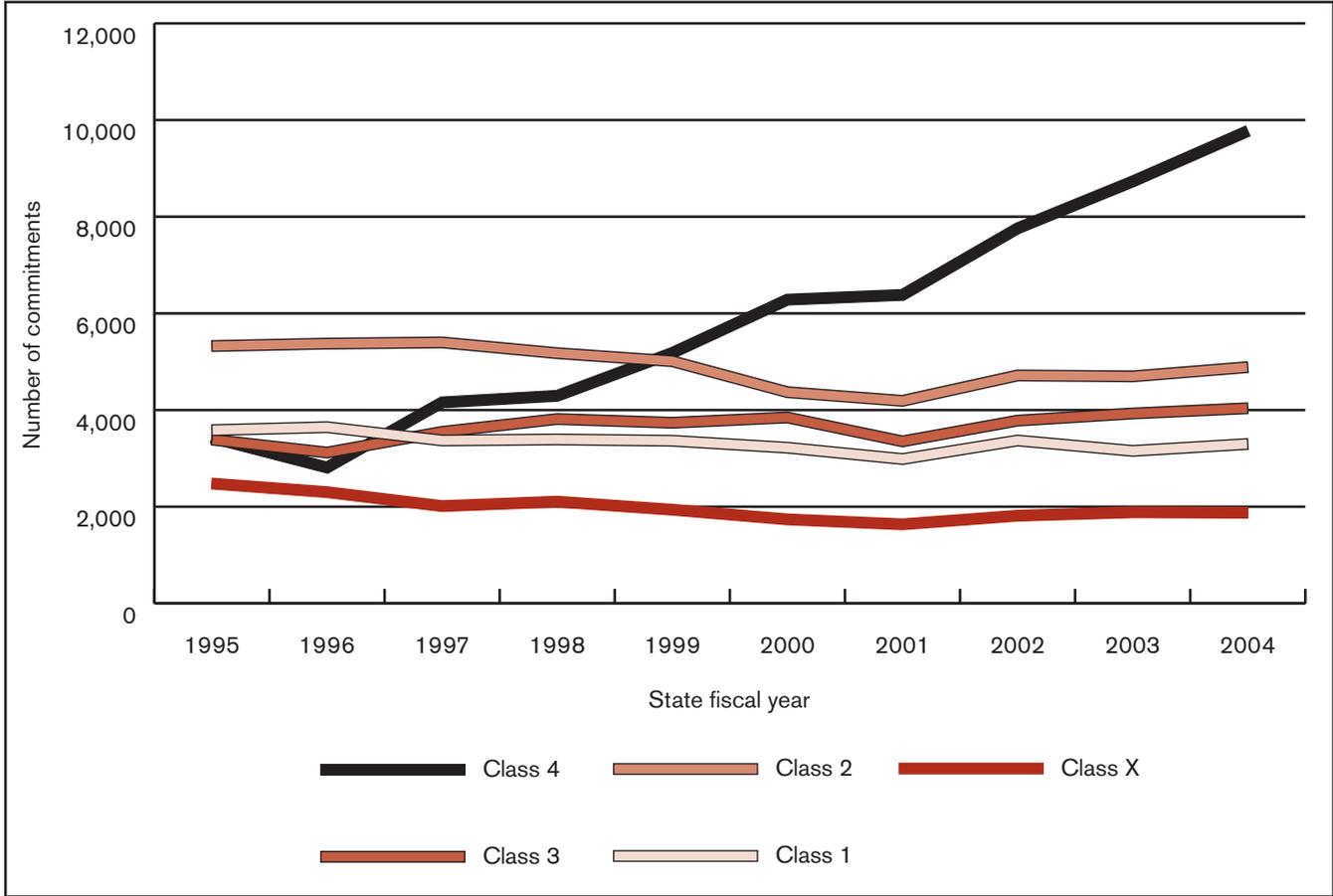
But while the overall number of felony offenders increased, sentence lengths slightly decreased from an average of 1.9 years sentence to an average of 1.8 years. Also during this time slight increases in sentence lengths were noted in person, property, and sex offenses.

**Offender characteristics**

Many factors may contribute to the incarceration of a Class 4 felon, such as prior record, available community-based sentencing options, and plea agreements, which can reduce charge(s) or sentence length in exchange for a guilty plea.

In rounded numbers, 40 percent of felony offenders court-committed in SFY04 were Class 4 (n=9,773); 20 percent were Class 2 offenders; 17 percent were Class 3 offenders; and 14 percent were Class 1 offenders. Eight percent were Class X felons, and two

Figure 1  
Total court commitments by offense class, SFY95-SFY04



percent had murder convictions, a separate crime classification.

Offenses

Drug offenders constituted 55 percent of Class 4 felony offenders committed to IDOC in SFY04, with 94 percent having convictions for possession of a controlled substance. Possession of a controlled substance accounted for 52 percent of all court commitments. In addition, 6 percent were committed for driving under the influence, 1.8 percent for the manufacture, delivery, or production of cannabis, and 1.4 percent for the possession of cannabis. Table 2 depicts Class 4 felony commitments by offense type.

Just more than 20 percent of all Class 4 felony commitments to IDOC were for property offenses, the largest group (29 percent) for retail theft. Eight percent involved crimes against a person, 24 percent of which were for aggravated unlawful use of a weapon /vehicle.

Sex offenders constituted six percent, with 49 percent of those commitments for felony prostitution.

Sentence lengths and incarceration time

Prison sentences imposed on Class 4 felons are usually shorter than those given to other offense classes. While the average sentence length of all other convicted felons in SFY04 was 4.1 years, the average sentence length for Class 4 felons was 1.8 years. Furthermore, felons may shorten their court-mandated length of stay by earning good conduct credits.

Demographics

In SFY 2004, the demographic characteristics of Class 4 felony commitments were consistent with overall prison admissions. Class 4 felons were mostly male (84 percent) compared with overall admissions (90 percent male). Nearly 85 percent were black, compared to 63 percent of admissions overall. The average age of Class 4 felons committed was 31 years old,

Table 2  
Class 4 felony court commitments to IDOC by offense type, SFY95-SFY04

Offense Type	SFY95	SFY04	Percent change	Percent of total admissions SFY04*	Percent of total court commitments SFY04	Percent of total population SFY04**
Person	130	745	+473%	2%	8%	2%
Property	841	2,041	+143%	5%	21%	5%
Drug	2,137	5,421	+154%	14%	55%	12%
Sex	24	606	+2,425%	2%	6%	1%
DUI	160	573	+258%	2%	6%	1%
Other	136	387	+185%	1%	4%	<1%
<b>Total</b>	<b>3,248</b>	<b>9,773</b>	<b>+185%</b>	<b>26%</b>	<b>100%</b>	<b>22%</b>

\* Includes court commitments and parole violators.

\*\* Total population is the total IDOC population on the day of June 30, 2004.

while the average age of all prison admissions was 32 years old.

Cook County had the highest felony commitment rate in SFY04 at 112 commitments per 100,000 population. Rural areas recorded 71 commitments per 100,000 population; urban areas had a rate of 60 commitments per 100,000 population; and collar counties had the lowest at 33 per 100,000 population.<sup>2</sup>

#### Criminal histories

Computerized criminal history records of Class 4 felons were obtained for analysis from Illinois' criminal history record information system (CHRI), maintained by the Illinois State Police. Individual IDOC data records were compared and matched to the criminal history data records. In the 1996 study, researchers analyzed a sample size of 354 Class 4 felons. Due to increased availability and accuracy of criminal history data, in this study, researchers were able to access criminal histories for nearly every Class 4 felon committed to IDOC in SFY04.<sup>3</sup>

The following sections on the arrest histories of the Class 4 felons committed to IDOC summarize arrest charges. Each arrest incident may have multiple arrest charges. For example, a person who was arrested by law enforcement may accrue drug possession, posses-

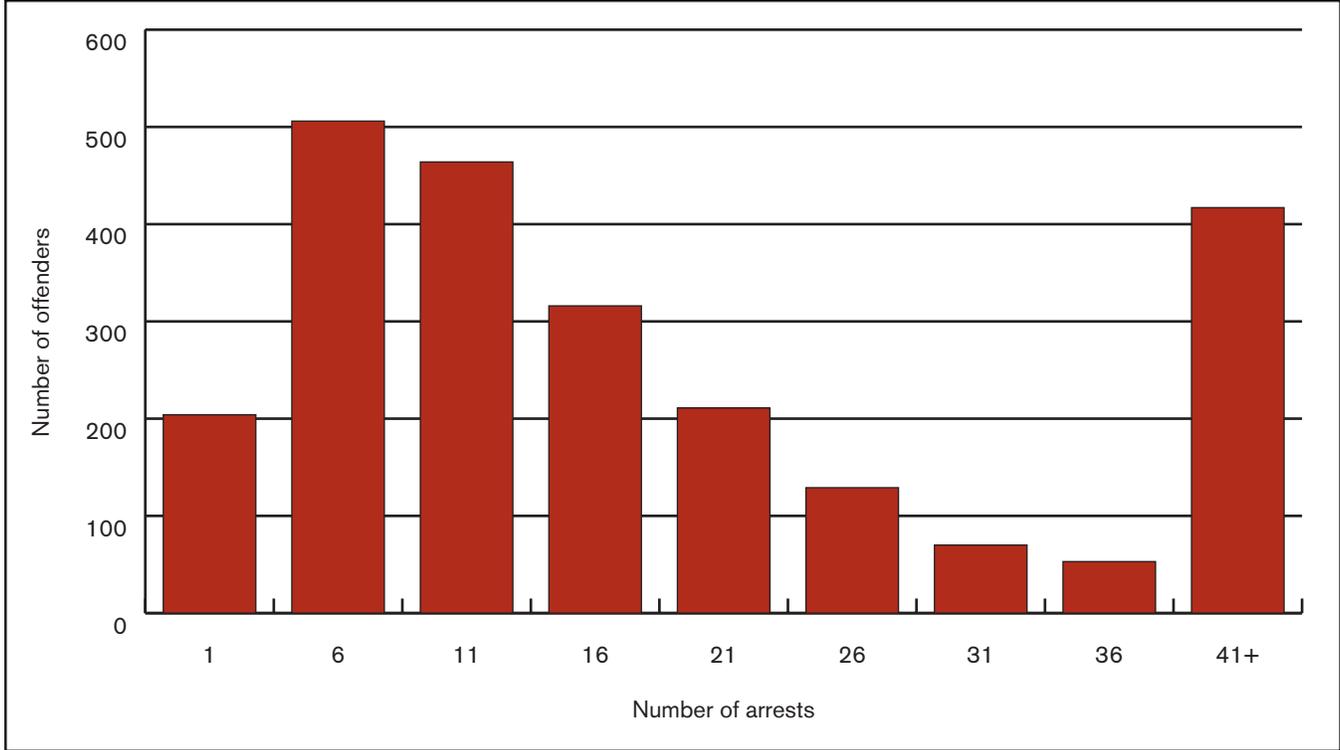
sion of drug paraphernalia, and resisting arrest charges in a single incident. Individuals may or may not have any of the charges filed against them by the state's attorney's office, or eventually be convicted of those arrest charges. Therefore, in the following sections, *arrests* should be considered *arrest charges*.

#### Arrests

In general, Class 4 felons committed to IDOC in SFY04 had an average of 15 prior arrests per person. Twenty-five percent had between 6 and 10 arrests, and 22 percent had between 11 and 15 arrests. Ninety-two percent of offenders had a prior felony arrest, and averaged five prior felony arrests. Ninety-three percent had at least one prior misdemeanor arrest, averaging nine prior misdemeanor arrests. Only two percent of Class 4 felons committed to IDOC in SFY04 had just one prior arrest (n=204), and of those, 63 percent were drug-related offenses. Nearly 45 percent of Class 4 offenders with one prior arrest had been arrested for possession of a controlled substance, with 19 percent of the arrests for the manufacture or delivery of a controlled substance. Figure 2 summarizes the arrest history of Class 4 felony offenders committed to IDOC in SFY04.

Most Class 4 felons (82 percent) committed to IDOC in SFY04 had a prior Class 4 felony arrest (n=7,935),

Figure 2  
Arrest history of Class 4 felons committed to IDOC, SFY04



averaging two such arrests. Nearly 40 percent of this felony class had a prior Class 1 arrest; 36 percent had a prior Class 3 arrest; 35 percent had a prior Class 2 felony arrest; 19 percent a prior Class X felony arrest; and two percent had a prior murder arrest. Figure 3 summarizes arrest history by offense class.

Class 4 felony offenders committed to IDOC in SFY04 averaged six prior arrests for property offenses. Ten percent of these felons had a prior arrest for retail theft (n=16,873), and 6 percent had no prior theft arrests (n=12,049). These offenders averaged five previous drug convictions, with the most common prior arrest charge being possession of a controlled substance, excluding cannabis. Class 4 felons had an average of four prior arrests for possession, or 12 percent of all prior arrests. Four percent of prior arrests were for possession of cannabis.

Additionally, in SFY04 Class 4 felony offenders averaged three prior arrests for committing an offense against a person. Nearly 20 percent of them had at least one previous arrest for a sex-related offense, including prostitution. This class of offenders had on average six previous arrests for other offenses, such as

those involving weapons, child neglect, motor vehicles, gambling, fraud, and driving under the influence.

Class 4 felony offenders committed to IDOC in SFY04 averaged 13 years between their first arrest and most recent arrest. Six to 10 years elapsed between the first and most recent arrest for 25 percent of those committed to IDOC, and 11 to 15 years elapsed between first and last arrest for 21 percent of them. The average age at first arrest for this felon group was 20 years old.

*Convictions*

The average age of first conviction for Class 4 felons committed to IDOC in SFY04 was 24 years old. This group averaged five previous convictions, and all of them had at least one conviction prior to the one that led to their incarceration.<sup>4</sup> Most (73 percent) had between one and five convictions prior to the one for which they were incarcerated (Figure 4).

*Incarceration*

Class 4 felons committed to IDOC in SFY04 averaged three prior incarcerations. Just more than 85 percent had five or fewer prior incarcerations, and 34 percent

Figure 3  
Class 4 felony offender prior arrests

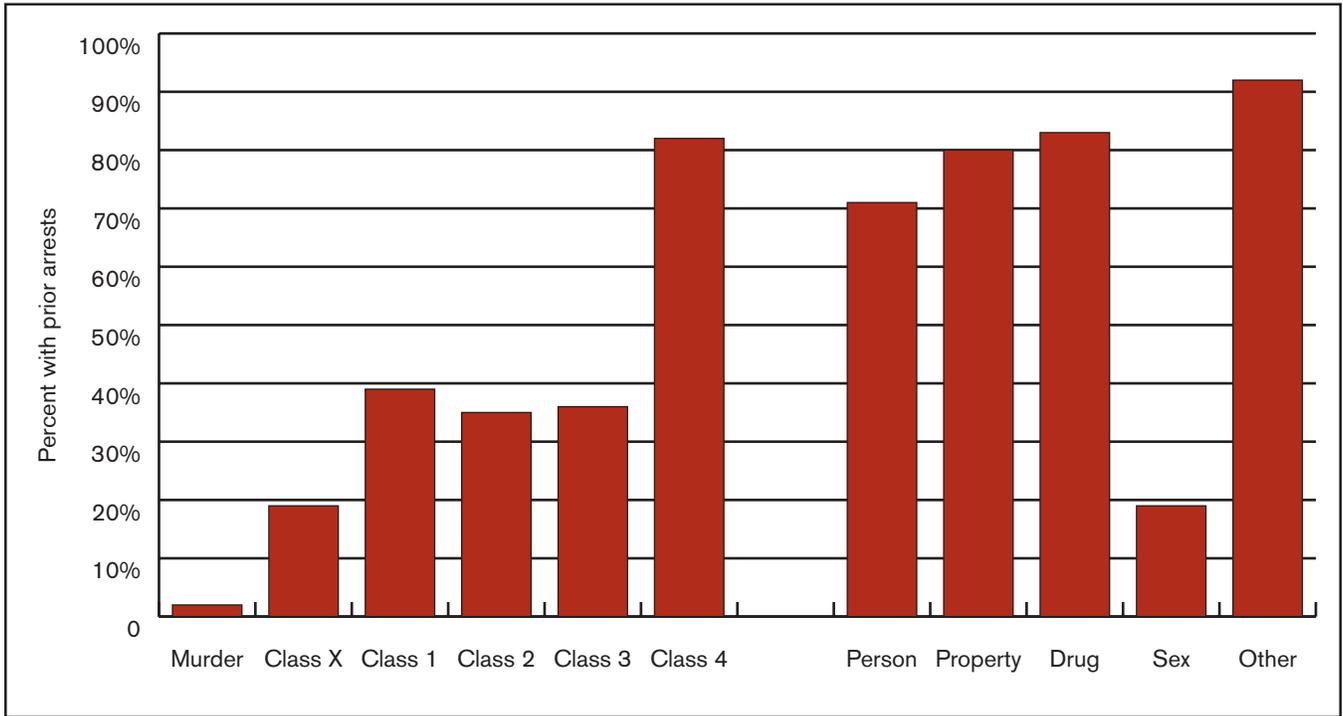
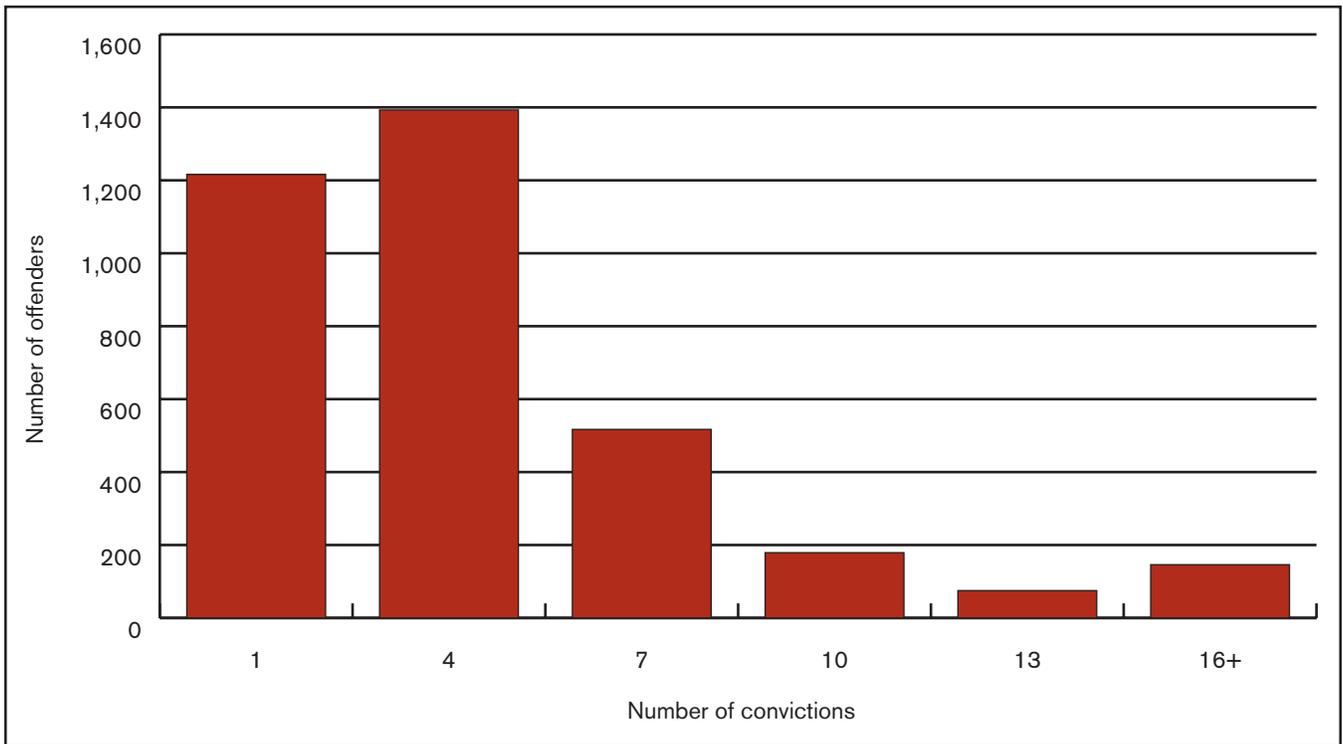


Figure 4  
Conviction history of Class 4 felons committed to IDOC, SFY04



had only one. CHRI data indicated the average age at first incarceration for these felons was 28 years old.

### Conclusion

This updated study utilized current criminal history data drawn from sophisticated and accurate data systems that allowed the examination of the total population of Class 4 felons.

During the past 10 years, there has been an overall increase both in the number of total court commitments and in Class 4 felony commitments to IDOC. The number of Class 4 felons committed to IDOC rose nearly threefold between SFY95 and SFY04, with drug offense convictions, particularly possession of a controlled substance, causing the highest number of incarcerations. The length of incarceration was relatively short for this class of offender, however. While the average sentence length for Class 4 felons was 22 months, the average time spent in an IDOC facility was four months.

First-time Class 4 felony offenders are not sent to prison. In SFY04, Class 4 felons committed to IDOC averaged 15 prior arrests, and possessed a 13-year

arrest history. This group's most common prior arrests were for property offenses, with an average six previous arrests; and drug offenses, with an average of five previous arrests. In addition, Class 4 felons averaged three prior periods of incarceration.

Results of this study confirm that Class 4 offenders typically have lengthy criminal backgrounds and relatively short prison stays. Results of this study may assist criminal justice practitioners and policymakers as they determine whether incarceration is appropriate for this population of offenders.

### Notes

<sup>1</sup> Cowles, Ernest L., Ph.D., Gransky, Laura A., M.S., "A Review of Incarcerated Illinois Class 4 Felony Offenders: Are Alternative Sanctions Appropriate?" *Illinois Criminal Justice Information Authority* (July 1996).

<sup>2</sup> Collar counties include DuPage, Kane, Lake, McHenry, and Will.

<sup>3</sup> CHRI provided criminal history records for 99.3 percent of the Class 4 felons committed to IDOC in SFY04 (n=9,714).

<sup>4</sup> Prior audits of the CHRI system used in this research have found some incomplete data records on convictions.



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