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On Good Authority is a periodic briefing on trends and issues in criminal justice research and program evaluation. This report was written by Research Analyst Sharyn Adams and David Olson, Ph.D., professor at Loyola University and senior scientist at the Authority. It is an analysis of data collected in the 2000 Illinois Probation Outcome Study conducted by the Authority and the Administrative Office of the Illinois Courts' Probation Division. Copies of the probation study are available from the Authority's Research and Analysis Unit.

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An analysis of gang members and non-gang members discharged from probation

By Sharyn Adams and
David Olson, Ph.D.

Although the prevalence of gang members on probation in Illinois is relatively low, these probationers tend to have characteristics that place them at a higher risk for recidivism than probationers who are not affiliated with a gang. This analysis compares gang members and non-gang members sentenced to probation by looking at differences in their demographic and socioeconomic conditions, conviction offenses, substance abuse and criminal histories, as well as probation conditions and outcomes. The data used in the analysis were collected through the 2000 Illinois Probation Outcome Study, which involved the collection of detailed data from a sample of more than 3,300 adult probationers in Illinois. Future analyses will examine other specific probation populations and issues, including domestic violence offenders.

Based on information reported by probation officers in Illinois, an estimated 6 percent of adults discharged from probation in 2000 were identified as gang members. That means nearly 5,000 of the more than 88,000 adult probationers discharged that year had gang affiliations. For approximately 16 percent of the sample in the Probation Outcome Study, probation officers reported not knowing if the probationer was a gang member or not.

Offender characteristics

In general, gang members on probation in Illinois were different from non-gang members in the following ways:

- They tended to be younger.
- They were more likely to be racial minority.
- They were more likely to be male.
- They were more likely to have never been married.
- They were less likely to have completed high school.
- They were less likely to be employed when sentenced to probation.
- They were less likely to have parented a child.
- They were more likely to have a history of illegal drug use/abuse.

More specifically, in terms of education, 45 percent of the gang members had completed high school or received a GED, while nearly 75 percent of the non-gang members had done so. Similarly, 80 percent of gang members were identified as having abused illegal substances, while 53 percent of the non-gang members were so identified.

Most of these differences between gang members and non-gang members also have been found in criminological

research to be strong predictors of recidivism. Thus, even without their gang affiliation, gang members tended to have characteristics or traits that placed them at increased risk of future criminal behavior (Figure 1).

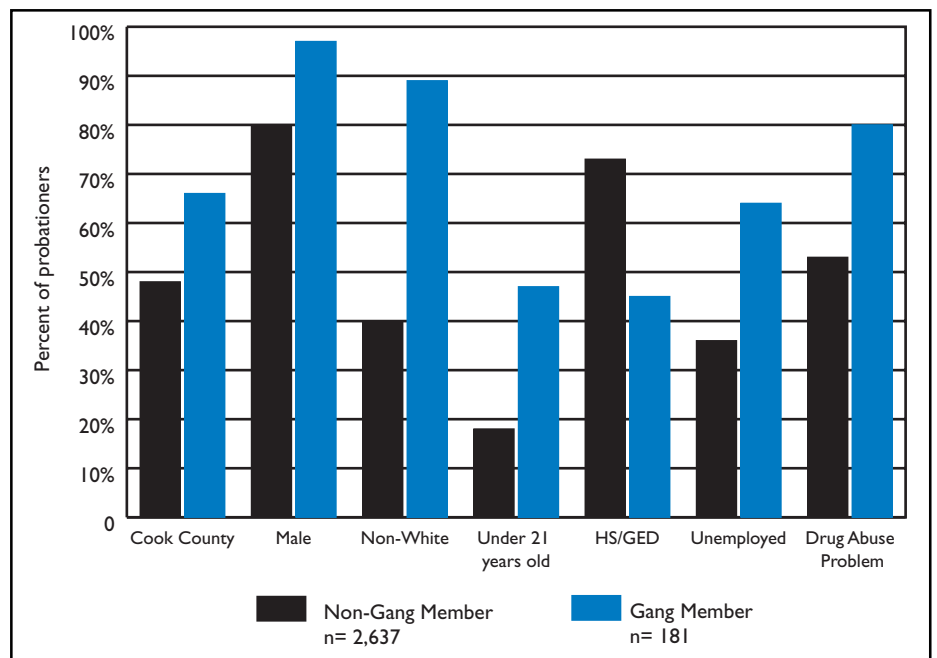
Some rather substantive differences also were found between gang members and non-gang members on probation when comparing the extent and nature of their criminal histories. Non-gang members averaged 3.3 total prior arrests, whereas gang members averaged 6.3 total prior arrests. Non-gang members averaged slightly less than one violent prior arrest and .4 prior drug arrests, while gang probationers averaged 1.5 violent arrests and one prior drug arrest.

Types of offenses

There also were some dramatic differences between gang members and non-gang members on probation regarding conviction offenses. One of the most striking differences had to do with the distinction between felony and misdemeanor offenses. Nearly 80 percent of the gang members were on probation for felony-level offenses, while only 45 percent of the non-gang members were serving felony sentences. When the specific class of offense (e.g., Class 1 through 4 felony and Class A through C misdemeanor) was examined, the differences were even more dramatic. For example, more than 25 percent of all gang members in the sample discharged from probation had been convicted of Class 1 felonies (the most serious offense class for which probation is an option), compared to 10 percent of non-gang members discharged from probation. At the other end of the spectrum, slightly more than 50 percent of the non-gang members discharged from probation had been convicted of Class A misdemeanors, compared to less than 20 percent of gang members.

Another way to consider the nature of the offenses for which probationers served their sentence is to classify or group them based on the type of crime. Traditionally, groupings of violent, property, drug, and DUI offenses have been used. A large disparity was seen in drug and DUI groupings among the

Figure 1
Probationer characteristics



probationers in the study. More than 40 percent of gang members in the sample had been convicted of drug-law violations, compared to 20 percent of non-gang members. On the other hand, more than 20 percent of non-gang probationers had been convicted of DUI, compared to just 2 percent of gang members. Another 20 percent of gang-member convictions involved weapons, such as unlawful use or possession of a weapon, compared to 10 percent of non-gang members.

Sentence conditions

When it came to comparing conditions imposed as part of probation sentences for gang and non-gang members, a number of differences again emerged. Approximately 60 percent of non-gang probationers and slightly more than 40 percent of gang probationers were ordered by the court or referred by their probation officer to some type of treatment. Outpatient substance abuse treatment was the most prevalent type ordered, with 40 percent of non-gang members and 26 percent of gang members being ordered to outpatient substance abuse treatment.

Nearly 90 percent of non-gang probationers had at least one financial

condition ordered, while slightly more than 66 percent of gang members had a financial condition ordered. Almost 75 percent of non-gang members and 56 percent of gang members were ordered to pay supervision fees, while more than 50 percent of non-gang members and 35 percent of gang members were ordered to pay fines or court costs.

Probation outcomes

There are a number of different discharge statuses possible for offenders who leave probation. Probationers were determined to have been “positively discharged” if they had a scheduled termination or early termination. Scheduled termination means that the probationer satisfied all of the conditions of the probation and served the entire sentence. Early termination means the probationer satisfied all the conditions of the probation early and the case was discharged prior to the expiration of the original sentence.

A “negative discharge” means a probationer’s sentence was revoked because they had a new offense/arrest, a technical violation (e.g., failure to participate in treatment, missed appointments with probation officer, etc.), were an absconder/had a warrant issued, or

they were discharged as an “unsatisfactory termination.” An unsatisfactory termination usually means that the sentence length has expired and the probationer did not satisfy all of the conditions of the sentence. Only about one-third of gang members had positive discharges, compared to more than two-thirds of non-gang members (Figure 2). Among those gang members who were negative discharges, the most frequent outcome category was “unsatisfactory termination.” Twenty percent of gang members discharged from probation were revoked on a new arrest, compared to only 5 percent of non-gang probationers.

However, not all probationers who technically violate the terms of their sentences or who get rearrested while on probation have their sentences revoked. So another way of looking at outcomes is the prevalence of technical violations and new arrests, regardless of whether they resulted in a revocation. Nearly 60 percent of gang members discharged during the study period had at least one technical violation during their period of supervision. During the same period, 40 percent of non-gang members had one or more technical violations. Roughly 70 percent of all gang probationers had one or more arrests for new offenses while on probation, compared to about 30 percent of non-gang members (Figure 3). Of the gang members who were rearrested, 17 percent of those arrests were for violent crimes, and approximately 36 percent were for drug crimes.

Regarding the revocation of probation sentences, gang members were more likely to have technical violations and get rearrested while on probation, and they were more likely to be sentenced to prison if their probation sentence was revoked. As noted earlier, approximately 30 percent of gang members discharged from probation had their sentence revoked. More than two-thirds of gang members whose probation sentences were revoked due to new arrests were sentenced to the Illinois Department of Corrections (IDOC), while half of the non-gang members who were revoked due to new arrests were sentenced to IDOC. More than half of gang members who had their sentence revoked due to technical violations were

sentenced to IDOC, compared to 38 percent of the non-gang members whose probation was revoked for technical violations.

Another outcome that can be considered is compliance with court-ordered treatment. A relatively large

proportion of adult probationers in Illinois (61 percent of non-gang members and 41 percent of gang members) were either ordered by courts to participate in various treatment programs or referred to treatment programs by their probation officers. The obvious goal of these court orders

Figure 2
Outcome category percentages

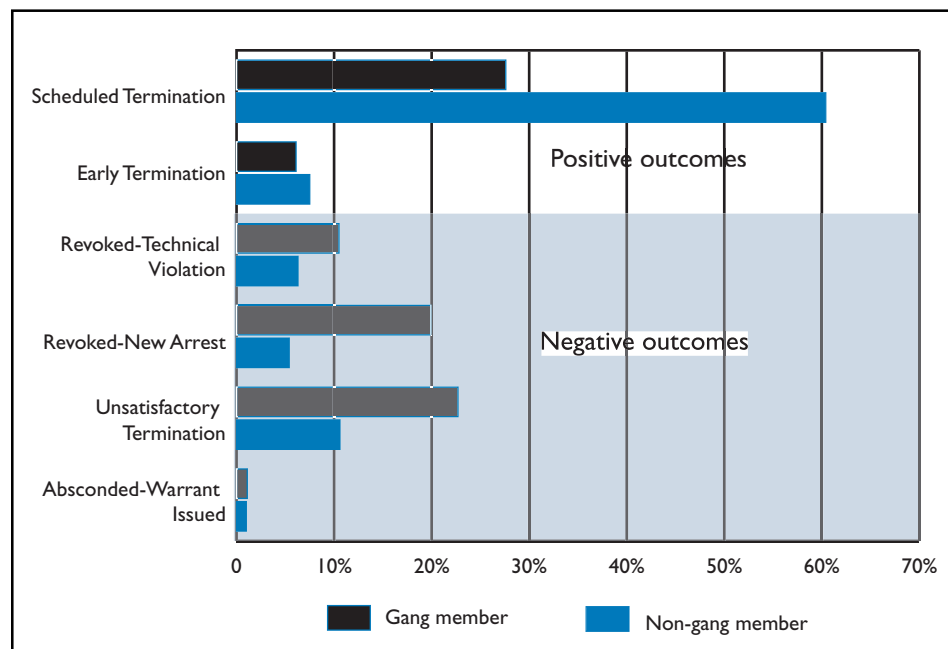
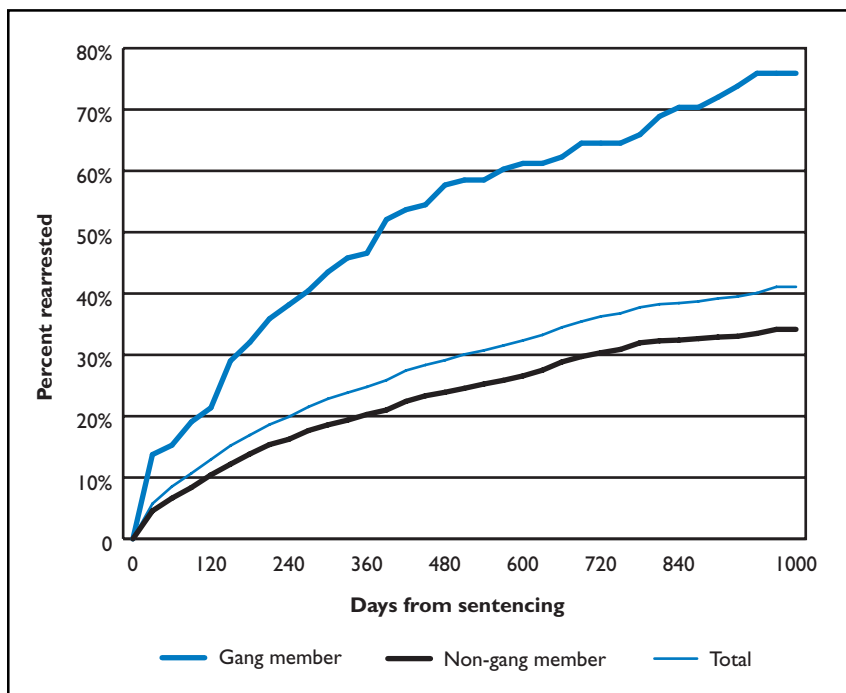


Figure 3

Cumulative percent rearrested since sentenced to probation



and referrals was to increase the potential that probationers would receive rehabilitative services and programs. The most frequent type of treatment ordered or referred was outpatient substance abuse treatment. Of those gang members ordered to outpatient substance abuse treatment, only 35 percent completed it or were still enrolled in the treatment at case discharge, compared to almost 80 percent of non-gang members.

Effect of gang membership on recidivism

Some obvious reasons for the differences in gang member and non-gang member recidivism were the differences in educational achievement, employment, age, marital status, and prior histories with drugs and crime. Given that the gang-members were more likely to have these high-risk characteristics, their higher rearrest rates were not surprising. Therefore, a multivariate analysis of recidivism was performed as a means of isolating the effects that gang membership had on recidivism. The most

influential factor found to predict probationer recidivism was gang membership. Gang members were almost 3.5 times more likely than non-gang members to be rearrested while on probation after statistically controlling for factors such as age, race, gender, education, employment, marital status, substance abuse, and conviction offense. While all of these factors were found to influence rearrests while on probation, gang membership was one of the strongest predictors. Still, the overall prevalence of known gang-members among Illinois' adult probation population is relatively low.

Conclusions

The analysis of gang member status with regard to offender characteristics and probation outcomes revealed a number of patterns that have implications for criminal justice policy and practice. First, while large numbers of Illinois' probationers bring with them a myriad of risk factors, including educational and employment deficits, substance abuse histories, and prior criminal histories, the

prevalence of these problems are higher for those identified as gang members. These factors aside however, it also appears that probationers involved in gangs are more likely to get rearrested while on probation. Put another way, after statistically controlling for the influence of these other factors, such as gang members being younger and more likely to be unemployed, undereducated, and involved with drugs or other crime, gang members were three times more likely to get rearrested while on probation than non-gang members. Thus, while gang members, or at least those identified as such, account for a relatively small proportion of adult probationers, their recidivism rates and social service needs may warrant some type of specialized supervision or increased surveillance. Similarly, for certain probationers, including gang members, repeat offenders, and substance abusers, more emphasis needs to be placed on keeping them engaged and enrolled in treatment programs. ♦

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