

REVISED ON APRIL 22, 2014¹
Multiple Bills for Cannabis Control Act
RECLASSIFICATION & SENTENCE REDUCTIONS FOR CANNABIS OFFENSES
720 ILCS 550 SECTIONS 4, 5, 5.2, AND 8

The tables below summarize the SPAC estimates of the costs of the several Cannabis Control Act proposals under consideration. For each proposal, SPAC used data from 2010 through 2012 to calculate average sentence lengths, the number of offenders, and costs under each subsection. SPAC then calculated the expected costs and the difference, either positive or negative, which represents the change in costs had the proposals been in effect for those years. The total benefits include both local and state costs avoided and revenue generated from petty offense fines.

The table to the right breaks out the total benefits into state and local categories. The cost of mandatory supervised release, a required term of supervision administered by the Illinois Department of Corrections (IDOC) after release from prison, is not included due to data limitations. Negative benefits are additional costs that would have been incurred had the proposal been in effect.

	HB4299	HB5708	HB4091
	Mitchell	Cassidy	Zalewski
Local Detention Benefits	\$386,588	\$3,811,011	\$1,947,950
Local Probation Benefits	\$19,262,517	\$20,408,703	\$18,853,425
Total Local Benefits	\$19,649,105	\$24,219,714	\$20,801,375
State Prison Benefits	\$2,515,813	\$1,245,210	\$2,060,440
State Supervision Benefits	\$0	\$0	\$0
Total State Benefits	\$2,515,813	\$1,245,210	\$2,060,440
Total Costs Avoided (Benefits)	\$22,164,918	\$25,464,924	\$22,861,815
Revenue	\$885,630	\$891,100	\$2,110,160
Total Benefits	\$23,050,548	\$26,356,024	\$24,971,974

The table below shows the benefits divided by subsection of the Cannabis Control Act:

Current 720 ILCS 550 Section:	Statute Description	HB4299 Benefits	HB5708 Benefits	HB4091 Benefits
4(a)	Possession Less Than 2.5 grams Cannabis	\$7,145,162	\$7,145,162	\$7,244,571
4(b)	Possession 2.5 to 10 grams Cannabis	\$7,367,561	\$7,367,561	\$7,142,664
4(c)	Possession 10 to 30 grams Cannabis	\$8,732,929	\$12,633,367	\$11,521,418
4(d)	Possession 30 to 500 grams Cannabis	-\$1,161,660	-\$790,066	-\$790,066
4(f)	Possession 2,000 to 5,000 grams Cannabis			-\$1,577
5(a)	Manufacture or Delivery Less Than 2.5 grams	\$144,978		\$0
5(b)	Manufacture or Delivery 2.5 to 10 grams	\$1,429,865		-\$364,679
5(c)	Manufacture or Delivery 10 to 30 grams	-\$977,727		\$192,585
5(d)	Manufacture or Delivery 30 to 500 grams			\$748,713
5(f)	Manufacture or Delivery 2,000 to 5,000 grams			-\$706,372
8(a)	Possession of Cannabis Plants, Fewer Than 5	\$347,151		
8(b)	Possession of Cannabis Plants, 5 to 20 Plants	\$22,290		
5.2	Manufacture or Delivery near a School			-\$15,281
	TOTAL BENEFITS	\$23,050,548	\$26,356,024	\$24,971,974

The estimates use the following costs:

Custody type:	Amount
Local Jail Cost	\$15,256
Local Probation	\$1,800
State Prison Marginal Cost	\$5,961

To calculate the cost of public spending on this offense for 2010 through 2012, SPAC used Criminal History Reporting Information (CHRI) and IDOC data on the number of arrests, convictions, admissions to prison and probation and the average length of stay in criminal justice facilities. During these three years, the data show:

Cannabis	Possession			Manufacture or Delivery			Other	Plant Production
	2010	2011	2012	2010	2011	2012	2010-2012	2010-2012
Arrests	49,050	44,615	41,423	4,413	4,101	4,010	3,650	1,269
Convictions	5,840	4,942	3,128	1,524	1,475	1,371	650	323
Probation	780	730	705	783	758	689	264	183
Withheld Judgments	3,242	2,717	1,746	355	347	325		
IDOC Admissions	253	215	243	452	426	396	180	39
Average Sentence Imposed	2.2 yrs	2.2 yrs	2.0 yrs	3.3 yrs	3.4 yrs	3.5 yrs	3.5 yrs	3.0 yrs
Average Prison Time Served	0.5 yrs	0.6 yrs	0.7 yrs	1.0 yrs	1.0 yrs	1.2 yrs	1.1 yrs	0.8 yrs
Average Pretrial Detention Period	0.2 yrs	0.3 yrs	0.3 yrs	0.3 yrs	0.3 yrs	0.3 yrs	0.3 yrs	0.2 yrs
Total time in custody (years)	0.7	0.9	1.0	1.3	1.3	1.5	1.4	1.0

NOTE: The differences in arrest, conviction and sentencing numbers reflect the effect of charging decisions, plea bargains, and trial outcomes. Many individuals arrested for cannabis possession or possession with intent have charges dropped without a guilty plea or trial. Other cases receive probation sentences that are not technically convictions but instead “withheld judgment” adjudications. Once an offender successfully completes probation, the charges are withdrawn. The withheld judgment totals count only the subsection of cannabis cases charged under offenses altered by the legislative proposals analyzed here.

¹ SPAC updated the cannabis analyses to correct the number of arrests for Cannabis Possession of between 2.5 and 10 grams and the number of withheld judgments with supervision requirements for Cannabis Possession of between 10 and 30 grams in Illinois from 2010 to 2012. The latter change increased the potential benefits in all three legislative proposals. The potential benefits increased because more offenders than originally identified would be removed from probation caseloads.