

**HB3771 and HB4378
INCREASING FELONY AMOUNTS FOR PROPERTY THEFT
720 ILCS 5/16-1(b)**

House Bills [3771](#) and [4378](#) propose two changes that impact the sentenced population: (1) increase the dollar value required for theft crimes of higher misdemeanor and felony levels and (2) increase the number of prior theft convictions required to elevate from a misdemeanor to felony offense. By increasing the property value amount, fewer individuals would be incarcerated which would decrease the average daily population in both the Illinois Department of Corrections (IDOC) and county jails housing misdemeanor offenders.

SPAC used criminal history (CHRI) and IDOC data from 2010, 2011, and 2012 for arrests, convictions, IDOC admissions, and probation sentences for theft. During these three years, the property theft data show:

Theft	2010-2012
Arrests	40,665
Convictions	13,411
Probation	5,405
IDOC Admissions	2,359
Average Sentence Imposed	2.8 yrs
Average Prison Time Served	0.92 yrs
Average Pretrial Detention Period	0.33 yrs
Total time in custody	1.25 yrs

SPAC reviewed 2011 property theft value data from the National Incident-Based Reporting System (NIBRS) for Rockford, Illinois (the only Illinois jurisdiction reporting to NIBRS¹); national data; and select neighboring states.² Based on this NIBRS data, it is a reasonable expectation that between 7% and 9% of all Illinois thefts are for property valued between \$500 and \$1,000. The distribution of thefts suggests that between 2010 and 2012, about 1,000 theft convictions might have been affected in Illinois, or 8% of the 13,411 theft convictions during those years. Importantly, this estimate assumes that the reported values in NIBRS match the value proven during trial.³

Cumulatively, over two-thirds of all thefts are for items valued below \$500, while about 80% are for items valued below \$1,000. These numbers are not fully representative of theft in Illinois, but the data allow evaluation of the scope of the proposed legislation. Because factors other than the value of the property stolen affect the sentence imposed, SPAC was unable to accurately determine the fiscal impact of changing the value threshold for theft offenses.

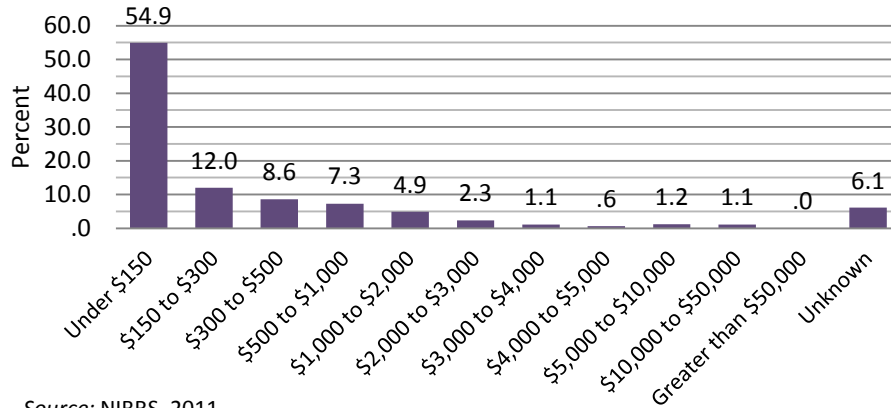
It is reasonable to expect that reducing these sanctions will produce some change in the number theft offenses. With the data SPAC has available we cannot project what that change will be. Research indicates that a high number of theft offenders have substance abuse and/or mental health issues. Evidence-based alternatives to incarceration can be effective in reducing recidivism when they successfully address the root causes of criminal behavior.

¹ Illinois jurisdictions are currently not required to submit incident report data to NIBRS, which significantly limits the relevant data available for analysis.

² 2011 data is the most recent publically available date from NIBRS. National Archive of Crime Justice Data, Uniform Crime Reporting Program Data: National Incident-Based Reporting System, 2011 (ICPSR 34585): <https://www.icpsr.umich.edu/icpsrweb/NACJD/studies/34585?archive=NACJD&q=nibrs+2012&searchSource=revise>.

³ "When a charge of theft of property exceeding a specified value is brought, the value of the property involved is an element of the offense to be resolved by the trier of fact. . ." 720 ILCS 5/16-1(c).

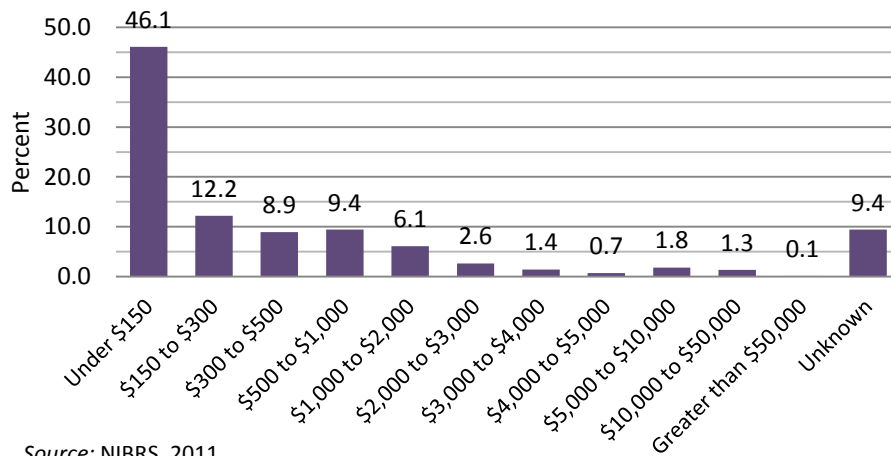
**Percent of Theft Cases, by Value
reported by Rockford, Illinois**



Source: NIBRS, 2011

The thefts in Rockford follow the national distribution trends and closely match neighboring states' NIBRS-reported values of thefts. The chart below shows the national distribution, and the table below lists the percentages in states neighboring Illinois that reported theft values to NIBRS.

**Percent of Theft Cases, by Value
reported nationally**



Source: NIBRS, 2011

Theft Values from Rockford and From Neighboring States

State	Unknown	Under \$150	\$150 to \$300	\$300 to \$500	\$500 to \$1,000	\$1,000 to \$5,000	\$5,000 to \$10,000	\$10,000 to \$50,000	Over \$50,000
Rockford, Illinois	6.1%	54.9%	12.0%	8.6%	7.3%	8.9%	1.2%	1.1%	0.0%
Iowa	12.7%	47.8%	11.2%	8.0%	8.1%	9.2%	1.7%	1.2%	0.1%
Kentucky	5.5%	38.5%	13.9%	11.9%	12.5%	13.8%	2.3%	1.5%	0.2%
Michigan	10.8%	44.6%	12.4%	8.6%	9.3%	10.7%	1.9%	1.6%	0.1%
Missouri	10.1%	47.7%	10.9%	8.2%	8.6%	10.8%	1.9%	1.7%	0.1%
Ohio	15.6%	43.3%	11.1%	8.4%	8.9%	10.1%	1.5%	1.0%	0.1%
Wisconsin	4.0%	57.4%	12.6%	8.3%	7.8%	7.9%	1.1%	0.8%	0.1%
National	9.4%	46.1%	12.2%	8.9%	9.4%	10.7%	1.8%	1.3%	0.1%

