

HOUSE BILL 6193

SENTENCE ENHANCEMENTS FOR UNLAWFUL USE OF A WEAPON (UW) OFFENSES 720 ILCS 5/24-1.1, 24-1.6, AND 24-1.8

TOTAL COSTS INCREASED OVER THREE YEARS: between \$114 MILLION and \$181 MILLION
TOTAL VICTIMIZATION BENEFITS RANGE OVER THREE YEARS: between \$17 MILLION and \$27 MILLION

NET BENEFITS (BENEFITS MINUS COSTS): -\$97.9 MILLION to -\$154.1 MILLION
A negative benefit indicates that costs are greater than benefits

Table 1. Total Change in State Prison Costs over Three Years, If 50% Receive Judicially Authorized Sentence Credits

720 ILCS 5/24	Statute Description	Current costs	Proposed costs	Victimization benefits	Total Benefits*
24-1.1	UW-Felon	\$175,343,044	\$241,972,438	\$10,627,795	-\$56,001,600
24-1.6	Aggravated UW	\$73,485,168	\$142,160,812	\$9,753,685	-\$58,921,960
24-1.8	UW-Gang Member	\$10,593,084	\$22,833,545	\$1,142,599	-\$11,097,862
	TOTAL	\$259,421,296	\$406,966,795	\$21,524,078	-\$126,021,421

* Negative net benefits are additional costs to the system that are not offset by benefits to victims. In other words, the costs under this proposal are greater than the current costs.

Source: CHRI and IDOC data, SPAC calculations

POLICY QUESTION: Will these policies deter gun crime and reduce recidivism sufficiently to justify the increased corrections costs? How will the increased need for prison beds be funded?

House Bill ([HB 6193](#)) changes current UW sentencing scheme as follows: (1) increases the minimum sentence for some offenses; (2) applies truth-in-sentencing restrictions; and (3) eliminates probation eligibility for UW by a gang member when the weapon is not loaded.¹ The table on the second page lists the proposed changes. These changes result in significant cost increases for the Illinois Department of Corrections (IDOC) and cause some benefits to Illinois victims.

Although HB 6193 would apply truth-in-sentencing credit restrictions to almost all the UW offenders admitted to prison, the bill creates judicially authorized sentence credits (JASCs) for certain offenders. Up to 180 days of sentence credit may be granted by IDOC if a convicted individual proves by a preponderance to the sentencing court that (a) he or she was not the leader, manager, or supervisor of others in criminal conduct, (c) sentence credits serve the goals of rehabilitation and reentry, and (d) sentence credits are in the interests of protecting the public. The credits may only be given for every day the offender is in programming and are contingent on successful completion of that program.

In Table 1, the total benefits column subtracts the proposed costs from the current costs and then adds in the victimization benefits. For this bill, the proposed costs are larger than the current costs. These costs are not offset by the benefits of reduced victimizations. Table 2 breaks out these costs in more detail. The following pages explain the full calculations.

Table 2. Total Change in Costs over Three Years

Change in	Three Year Value of Benefits
Local Detention Benefits	\$0
Local Probation Costs Avoided	\$847,080
Total Local Costs Avoided	\$847,080
State Prison Costs	\$147,702,387
State Supervision Costs	\$690,193
Total Additional State Costs	\$148,392,579
Change in State and Local Costs	\$147,545,499
Victimization Benefits	\$21,524,078
Total Costs	\$126,021,421

¹ HB 6193 further clarifies that UW convictions remain a barrier for some employment opportunities and additional fines may be levied against defendants.

Table 3. Sentencing Changes to U UW – HB 6193

Unlawful Use of a Weapon		Incarceration Term		Probation and Programming Eligibility		Sentence Credits	
		Current Law	Proposed	Current Law	Proposed	Current Law	Proposed ^b
U UW-Felon 720 ILCS 5/ 24-1.1	Any Prior Conviction (e)(1)	<i>Class 3</i> 2-10 years	<i>Class 3</i> 3-10 years	Not permitted	Not permitted; Impact Incarceration Prohibited	Day-for-day	Day-for-day
	Prior Conviction within 10 Years (e)(2)		<i>Class 2</i> 3-14 years				4.5 days/month
	Prior Conviction of Enumerated Crimes ^a and 2 nd or Subsequent Offense (e)(3)	<i>Class 2</i> 3-14 years	<i>Class 2</i> 4-14 years				4.5 days/month
	While on Parole or MSR (e)(4)	<i>Class 2</i> 3-14 years	<i>Class 2</i> 4-14 years				4.5 days/month
	When Weapon Is Machine Gun (e)(5)	<i>Class X</i> 6-30 years	<i>Class X</i> 6-30 years				4.5 days/month
	While Wearing Body Armor (e)(6)	<i>Class X</i> 10-40 years	<i>Class X</i> 10-40 years				4.5 days/month
U UW-Felon in IDOC Custody 720 ILCS 5/ 24-1.1-5	Any Weapon (d)(1)	<i>Class 1</i> 4-15 years	<i>Class 1</i> 4-15 years	Not permitted	Not permitted; Impact Incarceration Prohibited	Day-for-day	Day-for-day
	Firearm, Ammunition, or Explosive (d)(1)	<i>Class X</i> 6-30 years	<i>Class X</i> 6-30 years				
	Machine Gun (d)(1)	<i>Class X</i> 12-50 years	<i>Class X</i> 12-50 years				
	While Wearing Body Armor (d)(2)	<i>Class X</i> 10-40 years	<i>Class X</i> 10-40 years				
Agg U UW 720 ILCS 5/ 24-1.6	First Offense (d)(1)	<i>Class 4</i> 1-3 years	<i>Class 4</i> 1-3 years	Not permitted	Not permitted; Impact Incarceration Prohibited	Day-for-day	Day-for-day
	2 nd or Subsequent (d)(1)	<i>Class 2</i> 3-7 years	<i>Class 2</i> 4-10 years				4.5 days/month
	Any Prior Felony (d)(2)	<i>Class 2</i> 3-7 years	<i>Class 2</i> 3-10 years				
	Prior Felony within Past 10 years (d)(3)		<i>Class 2</i> 4-10 years				
	Body Armor (d)(4)	<i>Class X</i> 6-30 years	<i>Class X</i> 6-30 years				
U UW-Gang 720 ILCS 5/ 24-1.8	Not Loaded (b)	<i>Class 2</i> 3-10 years	<i>Class 2</i> 4-10 years	Probation permitted	Not permitted; Impact Incarceration Prohibited	Day-for-day	4.5 days/month
	Loaded (b)	<i>Class 2</i> 3-7 years		Not permitted			

^a Forcible felony, a felony FOID violation, stalking or aggravated stalking, or a drug felony Class 2 or greater (same in current law).

^b Up to 180 days of sentence credit may be granted by IDOC if a convicted individual proves by a preponderance to the sentencing court: (a) the offender was not the leader, manager, or supervisor of others in criminal conduct, (c) sentence credits serve the goals of rehabilitation and reentry, and (d) sentence credits are in the interests of protecting the public. The credits may only be given for every day the offender is in programming and are contingent on successful completion of that program.

METHODOLOGY: SPAC used the most recent data from fiscal years 2013, 2014, and 2015 for arrests, convictions, IDOC admissions, and probation sentences to calculate the cost of the proposed sentences had they been in effect for those years. SPAC has refined its methodology by adding an estimate of victimization costs and benefits. Changes in sentence length may affect victims in two ways. First, as the average age of exiting offenders increases, their likelihood of recidivating generally decreases. Second, some crimes are delayed because offenders are incapacitated, creating the benefit of longer time periods without victimization by that offender.

This year a demographic impact section has also been added to show how the proposed bill would impact the subpopulations (based on race, gender, or geography) in the IDOC.

Cost figures are updated annually. Beginning this year, SPAC includes both direct personnel costs such as salaries, and indirect spending, including pension, healthcare, and workers compensation, which are borne by

taxpayers but are paid from outside the IDOC budget. Including these expenses yields a more accurate estimate of taxpayer expenses to operate prisons in Illinois. These costs will be reflected in the per capita costs used when the population impact is sufficient to implicate increased administrative costs. SPAC also added the impact on IDOC's supervision of offenders in the community after their release from prison.

To calculate the cost of state corrections spending on these three offenses for 2013 through 2015, SPAC used Criminal History Reporting Information (CHRI) and IDOC data on (A) the number of convictions for first and subsequent arrests under the applicable statutes, (B) the average length of stay in IDOC facilities, and (C) the per capita cost per inmate per year. SPAC sometimes uses the marginal cost figure of \$6,405 per inmate, which represents the cost of adding one additional inmate. Because the population affected is greater than 800 inmates, the equivalent of a housing unit, SPAC used the per capita cost of \$41,052 per inmate, which includes costs for criminal justice employees' benefits that are carried in the Central Management Services (CMS) budget.

After calculating the average sentence imposed on offenders over the past three years, SPAC estimated the proposed costs of the minimum prison time mandated under the proposed legislation by multiplying the per capita cost and the estimated average length of stay (i.e., 85% of the mandatory minimum minus the average time-served in jail).

For local costs, SPAC surveyed county jails on marginal costs. The responses provided a statewide average cost of \$15,749 per person that incorporates Cook County, suburban counties, and counties across the state. The Administrative Office of the Illinois Courts (AOIC) calculated the cost of probation based on risk level. The \$1,900 per person per year is the average of these annual costs. To calculate the cost of pretrial detention, local supervision (probation), SPAC examined the CHRI data for time served (pretrial detention) and the sentence lengths ordered by the court for jail or probation terms. When these costs would be affected by the bill, the impact is counted as part of the changes in costs for the past three years. These costs were all inflated using the federal Bureau of Labor Statistics Consumer Price Index inflation index.

SPAC was unable to estimate approximations of the impact of the judicially authorized sentence credits. No data exist on whether UUW offenders could prove by a preponderance of the evidence to a judge that they were not a leader of the criminal conduct and that rehabilitation and public safety would be served by programming credits. Once the JASCs are approved, the offender must still enroll in 180 days of programming and successfully complete the program before being eligible for the full allowance. The credits are also subject to IDOC discretion. Because of these uncertainties, SPAC estimated a wide range of impacts, showing the effects if 0%, 50%, or 100% of inmates received the credits.

Table 4. Range of Impacts for Judicially Authorized Sentence Credits (JASC)

0% of eligible inmates get JASCs						
Statute	Current Costs	Proposed Costs	Total Costs	Total Victimization Benefits	Benefits minus Costs	
UUW/Felon (24-1.1)	\$175,343,044	\$268,635,712	\$93,292,668	\$14,173,012	-\$79,119,656	
Agg UUW (24-1.6)	\$73,485,168	\$146,840,740	\$73,355,572	\$10,691,102	-\$62,664,470	
UUW/Gang (24-1.8)	\$10,593,084	\$24,650,096	\$14,057,012	\$1,747,677	-\$12,309,335	
<i>Totals</i>	<i>\$259,421,296</i>	<i>\$440,126,548</i>	<i>\$180,705,252</i>	<i>\$26,611,791</i>	<i>-\$154,093,461</i>	
Overall Costs:			\$180,705,252	\$26,345,537	-\$154,359,715	
50% of eligible inmates get JASCs						
Statute	Current Costs	Proposed Costs	Total Costs	Total Victimization Benefits	Benefits minus Costs	
UUW/Felon (24-1.1)	\$175,343,044	\$241,972,438	\$66,629,394	\$10,627,795	-\$56,001,599	
Agg UUW (24-1.6)	\$73,485,168	\$142,160,812	\$68,675,644	\$9,753,685	-\$58,921,959	
UUW/Gang (24-1.8)	\$10,593,084	\$22,833,545	\$12,240,461	\$1,142,599	-\$11,097,862	
<i>Totals</i>	<i>\$259,421,296</i>	<i>\$406,966,795</i>	<i>\$147,545,499</i>	<i>\$21,524,079</i>	<i>-\$126,021,420</i>	
Overall Costs:			\$147,545,499	\$21,524,079	-\$126,021,420	
100% of eligible inmates get JASCs						
Statute	Current Costs	Proposed Costs	Total Costs	Total Victimization Benefits	Benefits minus Costs	
UUW/Felon (24-1.1)	\$175,343,044	\$215,309,164	\$39,966,120	\$7,070,130	-\$32,895,990	
Agg UUW (24-1.6)	\$73,485,168	\$137,480,884	\$63,995,716	\$8,813,981	-\$55,181,735	
UUW/Gang (24-1.8)	\$10,593,084	\$21,016,994	\$10,423,910	\$649,855	-\$9,774,055	
<i>Totals</i>	<i>\$259,421,296</i>	<i>\$373,807,042</i>	<i>\$114,385,746</i>	<i>\$16,533,966</i>	<i>-\$97,851,780</i>	
Overall Costs:			\$114,385,746	\$16,533,966	-\$97,851,780	

As SPAC builds its capability for estimating costs and benefits to other stakeholders—the judicial system, probation systems, law enforcement, and communities—SPAC will include impact on these areas and constituencies in its analysis of proposed legislation.

LIMITATIONS AND ASSUMPTIONS:

- SPAC does not include local costs for detaining offenders who are arrested but not convicted or given a withheld judgment verdict. SPAC assumes these costs are unaffected by the legislation.
- The administrative costs of court time spent determining the exception criteria were not included.
- In calculating the increase in length of stay, SPAC used the new mandatory minimum sentence, which does not account for offenders who are sentenced to more than the minimum. In general, the majority of offenders receive the minimum sentence; this sentence is less than the average sentence imposed because some offenders receive higher sentences. This difference, as well as the fact that not all offenders receive the maximum good-time credits, results in a conservative calculation of the costs of the legislation.
- In estimating the effect of mandatory minimums, SPAC could not identify how alternate charges or plea deals would be affected.
- The capital cost of building or acquiring more prison beds is not included.

SPAC’S FIGURES DIFFER FROM IDOC’S FISCAL NOTES FOR THE FOLLOWING REASONS:

- IDOC projects forward ten years based on past years’ admissions to prison. In contrast, SPAC analyzes the last three years and calculates the costs that would have occurred had the proposed changes been the law. Both methods assume that there are no additional offenders being sentenced as a result of this proposal.
- IDOC accounts for the increased space needed due to keeping the same number of offenders incarcerated for a significantly longer amount of time by adding capital costs of construction to their estimate when the change to the population exceeds 500 beds. Please note that “costs of construction” reflect the higher operational costs of providing additional beds over time, whether that is done through construction of new facilities or other means such as reopening closed facilities or renting space in other jurisdictions. SPAC does not include costs of construction but uses the higher per capita cost.
- SPAC determines annual cost estimates at the beginning of each year and uses these estimates in every analysis. This method allows for comparisons of measures throughout the legislative session.
- IDOC uses an average sentence imposed, which is slightly longer than the minimum sentence, because it accounts for individuals who must be housed by IDOC due to longer sentences. SPAC assumes the minimum sentence for all offenders because the majority of offenders (roughly 70%) receive the minimum sentence; however, this is a more conservative approach that underestimates the costs to IDOC.

IMPACTS OF PROPOSED LEGISLATION:

The following pages describe the impact categories that the proposed sentencing change would have on the Illinois criminal justice system. First, a narrative section describes each impact and how SPAC estimated the dollar value of the impact. Second, the tables used to create the estimates are shown in full detail.

IMPACT OF PROPOSED LEGISLATION ON STATE PRISONS:

Between \$114,542,634 and \$180,862,140

Additional costs over three years.

The above estimates are the total additional costs to IDOC had these policies been in place from 2013 through 2015. The low estimate is if 100% of UYW offenders prove eligibility and receive 180 days of program sentencing credit. The additional costs are based on the increase in the average daily population that would have been caused by the combined effect of raising the minimum sentences, removing probation eligibility, and requiring offenders to serve 85% of the sentence imposed in an IDOC facility.

- Without increased appropriations, IDOC would have to adjust spending on treatment, workforce development, and other alternative programming to accommodate increased costs.

- The increase in the prison population would challenge IDOC to provide all UUW inmates with the required programming for inmates to receive the JASCs.

IMPACT OF PROPOSED LEGISLATION ON STATE SUPERVISION:

\$690,193

Additional costs over three years.

Some UUW-Felon and UUW-Gangmember offenders currently receive probation that would no longer be eligible under the bill. These additional inmates would, upon exit from IDOC, increase the mandatory supervised release caseload of the IDOC's Parole Division.

IMPACT OF PROPOSED LEGISLATION ON COUNTY JAILS:

N/A

No reliable data exist on the possible effects of changes in mandatory minimums on county jails. Jails would continue to house UUW offenders before sentencing. For this analysis, SPAC assumes that the average length of jail time served from 2013 through 2015 is unchanged by this legislation. Because the effect of the legislation on prosecution and law enforcement are unknown, we conservatively assume that no more offenders would be charged and held by jails during judicial processing. Thus, we assume that the county jail system would have no budgetary change. However, the county jail systems must continue to accommodate:

- Almost six thousand UUW offenders were detained prior to sentencing, costing counties approximately \$46,992,496 for three years. SPAC surveyed county sheriffs to determine the marginal costs for housing additional individuals in county jails. The responses were weighted by the size of the average daily population of the jail. These costs do not reflect the costs incurred for processing the 16,740 total UUW arrestees.

IMPACT OF PROPOSED LEGISLATION ON LOCAL PROBATION:

-\$847,080

Avoided costs over three years.

HB 6193 removes probation as an option for sentencing of UUW-Felons and UUW-Gang members. These offenders would be removed from probation caseloads and placed in state prisons.

IMPACT OF PROPOSED LEGISLATION ON VICTIMS AND COMMUNITIES:

Between \$16,533,966 and \$26,611,791

Avoided victimization costs over three years.

Increasing sentences incapacitates offenders for a longer time period. SPAC incorporates the incapacitation effect on victims in two ways:

1. Offenders may age out—because the average age at exit would be older, the recidivism rate may be lower as older felons generally recidivate less (*Recidivism Benefits*). SPAC reviewed historical data to find recidivism rates at each age from 18 through 60 and applied these recidivism rates and trends to the age offenders would have exited, had the bill been in effect.²
 - The estimate presented here calculates the benefits due to changes in recidivism for three age groups: those offenders under 28, who have falling recidivism rates with increased age; those offenders between 28 and 36 with rising recidivism rates; and those offenders older than 37, who exhibit gradual reductions in recidivism rates. Because these age groups' recidivism rates changed consistently across crime types, felony classes, and gender, SPAC found these methods reasonable

² These impacts were measured against the national dollar values of index crimes. The dollar values include both tangible (medical and employment losses, property losses) and intangible (pain and suffering) costs, following the best national research completed in 2010. A full description of the methodology is available in the Victimization Supplement.

for calculating changes in recidivism due to sentencing changes. The SPAC Victimization Supplement further describes the methodology.

- Crimes are delayed because offenders are incapacitated meaning crimes may occur earlier or later because of the timing of the offenders' release (*Incapacitation Benefits*). Because a dollar not stolen today is worth more than a dollar stolen tomorrow, crime delays create benefits to crime victims. This effect is generally referred to as the social discount rate. SPAC used a 3% discount rate to victimizations under the different incapacitation lengths to estimate a possible benefit of delayed crime.

Table 5 lists the victimization costs caused by UUW offenders in the past, within both one and three years from release. The table shows the benefits of delayed release due to the new sentence lengths and the benefits of changing the age at release (benefits of changing recidivism levels). The table shows the maximum predicted benefits—the benefits possible if no offenders received the judicially authorized sentence credits.

Table 5. Maximum Victimization Effects (If No Offenders Received JASCs)

	First Year Victimization Costs	Three Years Victimization Costs	Incapacitation Benefits	Recidivism Benefits	Total Victimization Benefits
UUW-Felon, Agg UUW, and UUW-Gang	\$95,285	-\$161,346	\$11,550,009	\$15,061,783	\$26,611,791

IMPACT OF PROPOSED LEGISLATION ON LAW ENFORCEMENT:

N/A

This proposed policy likely does not impact utilization of law enforcement resources and should not have any monetary impact on law enforcement.

IMPACT OF PROPOSED LEGISLATION ON THE JUDICIAL SYSTEM:

N/A

This proposed policy may increase the time required for sentencing UUW offenders due to determinations of JASC eligibility. However, SPAC was unable to find reliable cost estimates of the size of this impact.

DEMOGRAPHIC IMPACT OF PROPOSED LEGISLATION:

Table 6 shows the race and gender of offenders admitted to IDOC. Table 7 shows where UUW commitments to IDOC originate. Finally, Table 8 shows the relationship between geography and race for UUW commitments to state prisons. Here, race is self-identified upon admission to prison. The “Other” includes self-identified Hispanic, Asian/Island Pacific, Native American, and Unknown races.

Table 6. Past Three Years Admissions to IDOC by Race and Gender

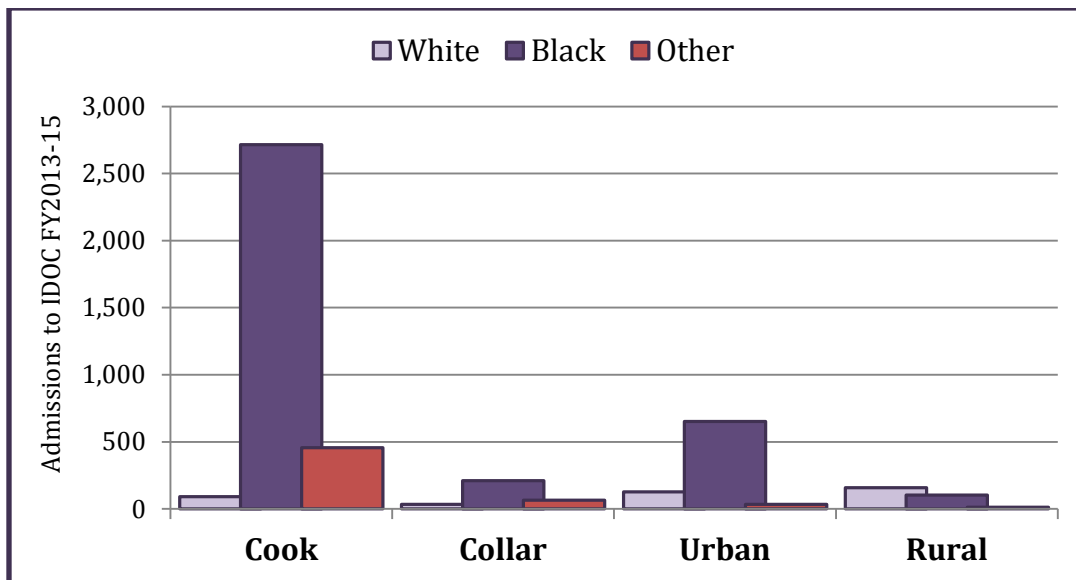
	Male	Female	Total	Percent
White	389	20	409	8.8%
Black	3,622	59	3,681	79.0%
Other	557	11	568	12.2%
Total	98.1%	1.9%	4,658	

Table 7. Top 10 Admitting Counties of UYW Offenses Over Past Three Years

County	Number of Admissions	Percent
Cook	3,264	70%
Winnebago	172	4%
Peoria	157	3%
Will	130	3%
Lake	100	2%
Sangamon	95	2%
St. Clair	93	2%
Macomb	70	2%
Champaign	69	1%
Kankakee	62	1%
Other	446	10%
Total	4,658	

Table 8. Race by Committing County Over Past Three Years

	Cook	Collar	Urban	Rural	Percent
White	92	33	126	158	8.8%
Black	2,715	210	653	103	79.0%
Other	457	65	33	13	12.2%
Total	70.1%	6.6%	17.4%	5.9%	4,658



UUW-Felon
720 ILCS 5/24-1.1
 For Fiscal Years 2013, 2014, and 2015

Total arrests	9,822
Total convictions	4,351
Total withheld judgments	1

Withheld judgments are charges that are dismissed or judgment of built vacated upon completion of a set period of time and tasks.

	Dollar Value from 2013-15
Current Costs	\$175,343,044
Proposed Costs	\$241,972,438
Victimization Benefits	\$10,627,795
Total Costs	\$56,001,600

Sentences		Number of Offenders	Max Number Eligible for JAS Credits	Average Sentence Imposed (years)	Average Jail Stay Prior to IDOC Sentence (years)	Average Sentence Served in IDOC (years)
	Pretrial Detention	2,797			0.51	
	Probation	199		2.11		2.11
	First Offense	862	431	3.23	0.47	1.01
	Second Offense	1,718	859	4.54	0.65	1.52
	UUW-Felon in Prison/on Parole	18	9	3.39	0.39	0.78

** An unknown number of offenders would be eligible to meet the new judicially authorized sentence credit requirements. To qualify, a judge must state on the record the person is not a leader of the conduct, can be rehabilitated, and credits improve public safety. If eligible, they must successfully complete programming in IDOC to receive the maximum of 180 day JAS credits.*

** This is the term of the sentence less credit for time served in pretrial detention and any sentence credits for which the offender is eligible.*

Current Cost		Cost	Length of Stay (Years)	Current Cost for Each Offender	Number of Offenders	Total Cost of Current System
		C	L	C x L	N	C x L x N
Pretrial Detention	\$15,749	0.51	\$8,032	2,797	\$22,465,476	
Probation	\$1,900	2.11	\$4,005	199	\$797,090	
First Offense	\$41,052	1.01	\$41,463	862	\$35,740,692	
Second Offense	\$41,052	1.52	\$62,399	1,718	\$107,201,551	
* UUW-Felon Prison	\$41,052	0.78	\$32,021	18	\$576,370	
IDOC Supervision	\$2,841	1.16	\$3,296	2,598	\$8,561,865	
Total				2,598	\$175,343,044	

Note: SPAC uses the average cost of supervising all risk levels of offenders from AOIC's 2011 calculations, inflated to 2015 dollars. Supervision is average time spent on MSR for these offenders.

Predicted Sentence (Length of Stay Under Bill)	First Offense	(50% of 3 years)	Less Avg. Jail Time	Total Sentence Without JAS Credits (years)	Total Sentence With JASCs (years)
		1.5	0.47	1.03	0.53
	Second Offense	(85% of 4 years)	Less Avg. Jail Time	Total Sentence (years)	Total Sentence (years)
	3.4	0.65	2.75	2.25	
* UUW-Felon Prison	(85% of 4 years)	Less Avg. Jail Time	Total Sentence (years)	Total Sentence (years)	
	3.4	0.39	3.01	2.51	

Effect of Legislative Proposal		Cost	Length of Stay Proposed (Years)	Predicted Cost for Each Offender	Number of Offenders	Total Cost of Predicted System
		C	L'	L' x C	N	L' x C x N = TC'
Pretrial Detention	\$15,749	0.51	\$8,032	2,797	\$22,465,476	
Probation	\$1,900	0.00	\$0	199	\$0	
First Offense (w/o JASC)	\$41,052	1.03	\$42,284	431	\$18,224,214	
Second Offense (w/o JASC)	\$41,052	2.75	\$112,893	859	\$96,975,087	
* UUW-Felon Prison (w/o JASC)	\$41,052	3.01	\$123,567	9	\$1,112,099	
First Offense (w/ JASC)	\$41,052	0.53	\$21,758	630	\$13,707,263	
Second Offense (w/JASC)	\$41,052	2.25	\$92,367	859	\$79,343,253	
* UUW-Felon Prison (w/ JASC)	\$41,052	2.51	\$103,041	9	\$927,365	
IDOC Supervision	\$2,841	1.16	\$3,296	2,797	\$9,217,681	
Total				2,797	\$241,972,438	

Note: Probation eligibility removed; these offenders added to first-offense with JASC group.

Incapacitation Benefits		Length of Stay (Years)	Length of Stay Proposed (Years)	Difference in Years	Price of One Year Victimization per Offender	Net Present Value of Victimization Price under Proposal (3% discount rate)	Net Present Value of Delayed Release	Number of Offenders	Victimization Benefits
		L	L'	L' - L = T	V1	$V1/[(1+0.03)^T] = V1'$	$NPV = V1' - V1$	N	$NPV \times N$
First Offense	1.01	0.73	-0.28	\$95,285	\$96,068	-\$783	1,061	-\$830,831	
Second Offense	1.52	2.50	0.98	\$95,285	\$92,565	\$2,721	1,718	\$4,673,975	
* UUW-Felon Prison	0.78	2.76	1.98	\$95,285	\$89,869	\$5,417	18	\$97,500	
Total							Total	\$3,940,643	

Recidivism Benefits First Offense	Age Group	Percent of Offenders in Each Age Group	Number Offenders	Recidivism Rate Change per Year	Average Difference in Years	Predicted Recidivism Rate Change	Ratio of Convictions to Recidivists	Three Year Victimization Costs per Offender	Victimization Benefits
		P	$N \times P = N'$	K	$L' - L = T$	$K \times T = E$	$(\text{Victims:Conviction}) = Z$	$V3$	$N' \times E \times Z \times V3$
	18 to 27	46.3%	1,295	-2.1%	0.89	-1.9%	1.68	-\$161,346	\$6,592,899
28 to 36	36.2%	1,013	0.3%	0.89	0.3%	1.68	-\$161,346	-\$736,387	
37 to 50	17.5%	489	-0.7%	0.89	-0.6%	1.68	-\$161,346	\$830,639	
Total	100%	2,797				Total	\$6,687,151		

Aggravated UUW

720 ILCS 5/24-1.6

For Fiscal Years 2013, 2014, and 2015

Total arrests	6,493
Total convictions	3,002
Total withheld judgments	12

Withheld judgments are charges that are dismissed or judgment of built vacated upon completion of a set period of time and tasks.

	Dollar Value from 2013-15
Current Costs	\$73,485,168
Proposed Costs	\$142,160,812
Victimization Benefits	\$9,753,685
Total Costs	\$58,921,960

Sentences		Number of Offenders	Max Number Eligible for JAS Credits	Average Sentence Imposed (years)	Average Jail Stay Prior to IDOC Sentence (years)	Average Sentence Served in IDOC (years)
		Pretrial Detention	2,830			
Probation	947	474				1.94
First Offense	1,427	714		1.29	0.42	0.31
Second Offense	456	228		4.00	0.61	1.28
* Agg UUW allows probation sentences (Class 2 or 4) for 1.6(a)(1) and (a)(2).						
* This is the term of the sentence less credit for time served in pretrial detention and any sentence credits for which the offender is eligible.						

Current Cost		Cost	Length of Stay (Years)	Current Cost for Each Offender	Number of Offenders	Total Cost of Current System
		C	L	C x L	N	C x L x N
Pretrial Detention	\$15,749	0.51	\$8,032	2,830	\$22,730,532	
Probation	\$1,900	1.94	\$3,693	947	\$3,497,613	
First Offense	\$41,052	0.31	\$12,726	1,427	\$18,160,173	
Second Offense	\$41,052	1.28	\$52,547	456	\$23,961,231	
IDOC Supervision	\$2,841	0.96	\$2,727	1,883	\$5,135,619	
Total				1,883	\$73,485,168	

Note: SPAC uses the average cost of supervising all risk levels of offenders from AOIC's 2011 calculations, inflated to 2015 dollars. Supervision is average time spent on MSR for these offenders.

Predicted Sentence (Length of Stay Under Bill)	First Offense	(50% of 3 years)	Less Avg. Jail Time	Total Sentence Without JAS Credits (years)	Total Sentence With JASCs (years)
		1.5	0.42	1.08	--
Second Offense	(85% of 4 years)	Less Avg. Jail Time	Total Sentence (years)	Total Sentence (years)	
	3.4	0.61	2.789	2.289	

Effect of Legislative Proposal		Cost	Length of Stay Proposed (Years)	Predicted Cost for Each Offender	Number of Offenders	Total Cost of Predicted System
		C	L'	L' x C	N	L' x C x N = TC'
Pretrial Detention	\$15,749	0.51	\$8,032	2,830	\$22,730,532	
Probation	\$1,900	1.94	\$3,693	947	\$3,497,613	
First Offense (w/o JASC)	\$41,052	1.08	\$44,336	1,427	\$63,267,700	
Second Offense (w/o JASC)	\$41,052	2.79	\$114,494	228	\$26,104,638	
Second Offense (w/ JASC)	\$41,052	2.29	\$93,968	228	\$21,424,710	
IDOC Supervision	\$2,841	0.96	\$2,727	1,883	\$5,135,619	
Total					\$142,160,812	

Note: No change in probation eligibility.

Incapacitation Benefits		Length of Stay (Years)	Length of Stay Proposed (Years)	Difference in Years	Price of One Year Victimization per Offender	Net Present Value of Victimization Price under Proposal (3% discount rate)	Net Present Value of Delayed Release	Number of Offenders	Victimization Benefits
		L	L'	L' - L = T	V1	$V1 / ((1+0.03)^T) = V1'$	$NPV = V1' - V1$	N	$NPV \times N$
First Offense	0.31	1.08	0.77	\$95,285	\$93,141	\$2,144	1,427	\$3,059,806	
Second Offense	1.28	2.54	1.26	\$95,285	\$91,804	\$3,481	456	\$1,587,255	
Total							Total	\$4,647,062	

Recidivism Benefits First Offense	Age Group	Percent of Offenders in Each Age Group	Number Offenders	Recidivism Rate Change per Year	Average Difference in Years	Predicted Recidivism Rate Change	Ratio of Convictions to Recidivists	Three Year Victimization Costs per Offender	Victimization Benefits
		P	$N \times P = N'$	K	$L' - L = T$	$K \times T = E$	$(\text{Victims:Conviction}) = Z$	V3	$N' \times E \times Z \times V3$
18 to 27	46.3%	872	-2.1%	1.01	-2.1%	1.68	-\$161,346	\$5,034,648	
28 to 36	36.2%	682	0.3%	1.01	0.3%	1.68	-\$161,346	-\$562,340	
37 to 50	17.5%	330	-0.7%	1.01	-0.7%	1.68	-\$161,346	\$634,315	
Total	100%	1,883					Total	\$5,106,623	

UUW-Gangmember
720 ILCS 5/24-1.8
For Fiscal Years 2013, 2014, and 2015

Total arrests	425
Total convictions	202
Total withheld judgments	<10

Withheld judgments are charges that are dismissed or judgment of built vacated upon completion of a set period of time and tasks.

	Dollar Value from 2013-15
Current Costs	\$10,593,084
Proposed Costs	\$22,833,545
Victimization Benefits	\$1,142,599
Total Costs	\$11,097,862

Sentences		Number of Offenders	Max Number Eligible for JAS Credits	Average Sentence Imposed (years)	Average Jail Stay Prior to IDOC Sentence (years)	Average Sentence Served in IDOC (years)
	Pretrial Detention		187			0.61
Probation		10				2.63
Prison		177	89	3.85	0.61	1.12

** This is the term of the sentence less credit for time served in pretrial detention and any sentence credits for which the offender is eligible.*

Current Cost		Cost	Length of Stay (Years)	Current Cost for Each Offender	Number of Offenders	Total Cost of Current System
		C	L	C x L	N	C x L x N
Pretrial Detention		\$15,749	0.61	\$9,607	187	\$1,796,488
Probation		\$1,900	2.63	\$4,999	10	\$49,990
Prison		\$41,052	1.12	\$45,978	177	\$8,138,148
IDOC Supervision		\$2,841	1.21	\$3,438	177	\$608,457
Total					177	\$10,593,084

Note: SPAC uses the average cost of supervising all risk levels of offenders from AOIC's 2011 calculations, inflated to 2015 dollars. IDOC Supervision is average time spent on MSR for these offenders.

Predicted Sentence (Length of Stay Under Bill)	UUW-Gang Offense	(85% of 4 years)	Less Avg. Jail Time	Total Sentence Without JAS Credits (years)	Total Sentence With JASCs (years)
			3.4	0.48	2.92

Effect of Legislative Proposal		Cost	Length of Stay Proposed (Years)	Predicted Cost for Each Offender	Number of Offenders	Total Cost of Predicted System
		C	L'	L' x C	N	L' x C x N = TC'
Pretrial Detention		\$15,749	0.61	\$9,607	187	\$1,796,488
Probation		\$1,900	0.00	\$0	10	\$0
Prison (w/o JASCs)		\$41,052	2.92	\$119,872	89	\$10,608,658
Prison (w/ JASCs)		\$41,052	2.42	\$99,346	99	\$9,785,565
IDOC Supervision		\$2,841	1.21	\$3,438	187	\$642,833
Total						\$22,833,545

Note: Probation eligibility removed; these offenders added to first-offense with JASC group.

Incapacitation Benefits		Length of Stay (Years)	Length of Stay Proposed (Years)	Difference in Years	Price of One Year Victimization per Offender	Net Present Value of Victimization Price under Proposal (3% discount rate)	Net Present Value of Delayed Release	Number of Offenders	Victimization Benefits
		L	L'	L' - L = T	V1	$V1 / [(1+0.03)^T] = V1'$	$NPV = V1' - V1$	N	$NPV \times N$
Prison		1.12	2.66	1.54	\$95,285	\$91,054	-\$4,231	89	-\$374,455
Total									\$374,455

Recidivism Benefits First Offense	Age Group	Percent of Offenders in Each Age Group	Number Offenders	Recidivism Rate Change per Year	Average Difference in Years	Predicted Recidivism Rate Change	Ratio of Convictions to Recidivists	Three Year Victimization Costs per Offender	Victimization Benefits
		P	$N \times P = N'$	K	$L' - L = T$	$K \times T = E$	$(\text{Victims:Conviction}) = Z$	V3	$N' \times E \times Z \times V3$
	18 to 27	46.3%	87	-2.1%	1.54	-3.2%	1.68	-\$161,346	\$757,317
	28 to 36	36.2%	68	0.3%	1.54	0.5%	1.68	-\$161,346	-\$84,588
	37 to 50	17.5%	33	-0.7%	1.54	-1.1%	1.68	-\$161,346	\$95,414
	Total	100%	187					Total	\$768,144