

Sentencing Reform for Nonviolent Offenses: Benefits and Estimated Savings for Illinois

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The United States is the global leader in incarceration, with the highest rate of incarceration and more people in prison and jail—nearly 2.1 million—than any other country in the world. The rate of incarceration in the United States rose by 49% between 1991 and 2002. Illinois follows the national trend of skyrocketing numbers of incarcerated adults. Sentencing practices and statutory revisions in Illinois contributed to a 5.6% annual growth rate in the adult prison population between 1977 and 2002—from nearly 11,000 to 42,700. In 2003 in Illinois, 43,200 adults were incarcerated in state prisons; and there were 33,700 adults on parole; and 144,400 adults on probation. When the number of persons in jail is included, Illinois had a total of 244,400 adults under correctional supervision in 2003.

To better understand the potential effects of sentencing reform on the state budget, the Developing Justice Coalition requested CIR to conduct a study that estimates costs of alternative sentencing programs, such as substance abuse treatment programs for nonviolent offenders, and compare them with the costs associated with incarceration. CIR reviewed both research on costs and outcomes of substance abuse treatment, and research on sentencing reforms in other states and estimates of their effect on reducing the costs of incarceration.

Key findings include:

- In fiscal year 2003, the Illinois Department of Corrections (IDOC) spent \$1.2 billion, which was 6.3% of the state's general fund expenditure and 3.3% of its total expenditures. The annual cost to incarcerate an adult in an IDOC facility in 2003 was \$22,627.
- In 2003, nonviolent drug offenders constituted 25% of the Illinois adult inmate population, which was nearly 11,000 persons. It cost Illinois taxpayers an estimated \$246 million per year to incarcerate these inmates for nonviolent drug offenses.
- Incarceration creates social and economic costs that arise when inmates return to their communities. In Illinois, 30,068 adults were released from prison in 2001, more than two-and-a-half times the number released in 1983. Of the adult inmates released in 2001, 51% returned to Chicago, and of those returning to Chicago's 77 communities, 34% went to six low-income minority communities (Austin, Humboldt Park, North Lawndale, Englewood, West Englewood, and East Garfield Park).

- The recidivism rate in Illinois for inmates released in fiscal year 2001 was reported to be 54.6%—that is over one-half of inmates released in 2001 were returned to prison within three years of their release.
- Effective programs for inmates can be an efficient and low-cost way to increase access to substance abuse treatment for a large number of drug involved offenders. Drug treatment programs can reduce recidivism by as much as 31%.
- A national study estimated the average benefit per person of treatment to be three times the cost of treatment. The benefit to society of treatment includes reduced costs related to crime and health care and increased earnings. **Using this model, the potential economic benefit to Illinois of the treatment of 10% (1,089) of inmates with nonviolent drug offenses would be nearly \$10 million, compared to an estimated cost of \$3.2 million for treatment services.**
- Even modest increases in the number of drug offenders sentenced to treatment and community supervision instead of prison would have considerable cost-savings implications. **For example, if 10% (1,089) of the nonviolent drug offenders in prison in 2003 were instead sentenced to community supervision and treatment, the state could have saved an estimated \$17 million in annual incarceration costs.**
- Drug Courts are an effective and increasingly adopted alternative to incarceration for nonviolent offenders that increases participation in substance abuse treatment programs and reduces recidivism. Illinois had 18 adult drug courts at the end of 2003. **Illinois could realize an annual cost savings of \$15 million if 10% of nonviolent drug offenders were brought before drug court instead of being convicted in court and sentenced to prison.**
- Recent studies of public opinion find that the majority of respondents consider prison sentences for nonviolent drug offenders the wrong approach to the problem of addiction and crime. A 2002 public opinion poll in Illinois found that 95% of respondents regarded addiction to be a pervasive illness that affects people across the social spectrum; and 74% thought that mandatory drug treatment is a better response to the problem of nonviolent crime committed by drug users compared to 9% supporting conventional prison sentencing for these offenders. **A key finding on public opinion about sentencing issues pertains to the importance of informing the public about alternatives to incarceration: the more the public knows about sentencing options, the more likely it is to support them.**