

Description and Data Dictionary for Non-Probationable Offenses

In Illinois, crimes that are not eligible for probation are subject to mandatory minimum prison sentences. Offenses are considered non-probationable if they are listed in 730 ILCS 5/5-5-3 or if their specific sentencing statute states that “a term of imprisonment shall be imposed.” SPAC reviewed the Criminal Code of 2012, the Controlled Substances Act, the Methamphetamine Control and Community Protection Act, the Vehicle Code, and the non-probationable section of the Code of Corrections (730 ILCS 5/5-5-3) to identify offenses for which probation is prohibited.

Two resources are provided: a summary table and a detailed table based on the Administrative Office of the Illinois Courts’ (AOIC’s) official Offense Code Table. The summary table provides a general description of non-probationable offenses, the statute identifying the offense as non-probationable, and the statute citation of the offense(s), where applicable. The detailed table was compiled by manually identifying the AOIC codes for offenses that would always be non-probationable, i.e. the list does not include offenses that require specific circumstances to be non-probationable.

Detailed Table Data Dictionary

Variable	Description
non_prob_ref	Statutory authority excluding eligibility for probation sentences. Values are either 1-2 uppercase letters, representing a subparagraph of 730 ILCS 5/5-5-3(c)(2), or a reference to the act containing the non-probationable section. Offenses made non-probationable by multiple sections of 730 ILCS 5/5-5-3 are listed under the first subparagraph that they fall under.
aoic_code	A unique seven digit code assigned by the Administrative Office of Illinois Courts.
class	Class of the offense as defined in the Illinois Compiled Statutes.
offense_description	Short offense description to be used as a verification of the statute citation.
aoic_remarks	Contains notations relevant to public acts, penalty sections, repeals, and other miscellaneous information.
eff_date	The date on which the offense code became effective, provided as YYYYMMDD. If this field equals zeros, it means that the offense was in effect at the time of the original Offense Code Table’s compilation.
inactive_date	The inactive date of an offense. Offenses are made inactive when underlying statutes are altered or repealed. The table contains only, to the extent practicable with available historical information, those codes that were in effect after they were established as non-probationable. An entry of all zeros indicates the code is still active.
chapter	Chapter of the Illinois Compiled Statutes.
act	Act of the Illinois Compiled Statutes.
section	Section of the Illinois Compiled Statutes.
updated	Date SPAC added the code after initial publication in 2021.

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