Illinois Sentencing Policy Advisory Council

2025 Data, Costs, and Baseline Projection for Impact Analyses

Contents

Introduction

The Sentencing Policy Advisory Council (SPAC) produces impact analyses of proposed legislation every year. These analyses are intended to provide policymakers with data, cost estimates, projections, and other policy analysis for changes proposed by the legislature that likely will impact the prison population. With some exceptions, SPAC generally uses the same sets of data and cost estimates across all analyses published in each year. This report summarizes the data, costs, and baseline projection that SPAC is using in our 2025 impact analyses. Questions about the data, costs or SPAC's use of these costs, or projections should be directed to SPAC.General@Illinois.gov.

Data Used in Fiscal Impacts

In general, SPAC uses the prior three fiscal years (FY) of data to estimate costs and projections for proposed legislation. SPAC is using the following data in our 2025 impact analyses:

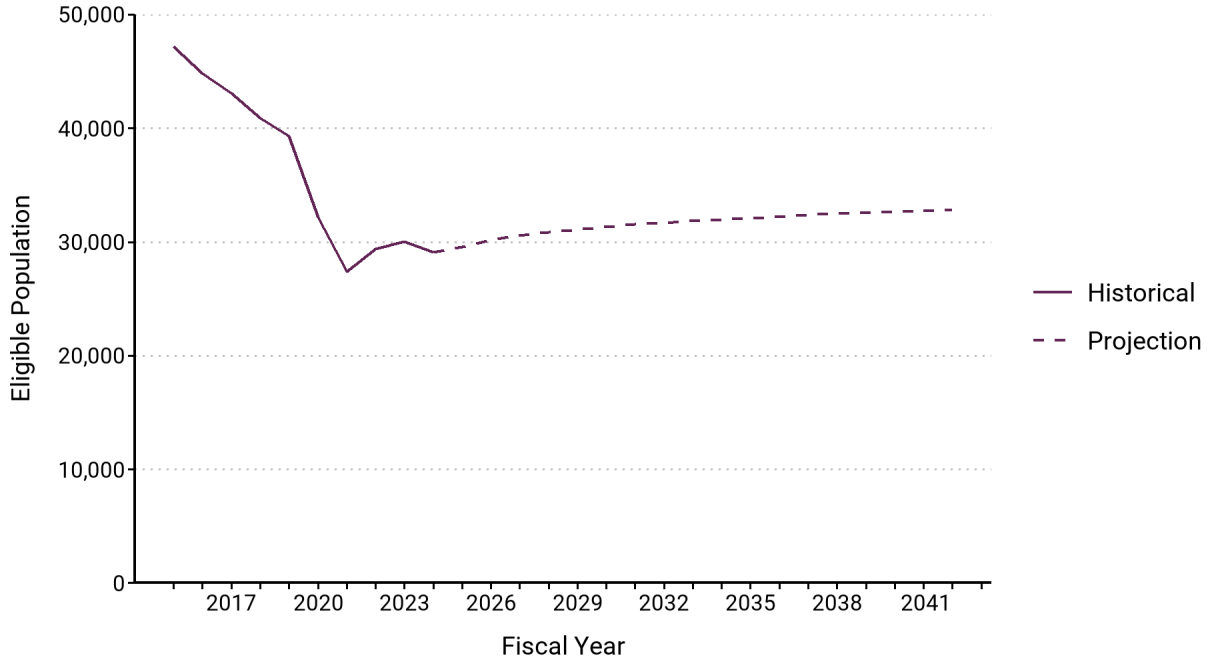
- Arrests, convictions, jail sentences, and probation sentences are SPAC analyses of extracts from the Illinois State Police Criminal History Record Information system for the past three fiscal years, FY 2022-2024. SPAC may supplement this with Circuit Clerk or State's Attorney's Office data from counties if we believe there are missing data issues.
- Prison and mandatory supervised release data are from FY 2022-2024 data extracts provided by the Illinois Department of Corrections (IDOC) Planning and Research Unit and supplemented as needed from data extracted from the Offender 360 case management system.
- Data on time served in pretrial detention (jail or electronic monitoring) for the prison-sentenced population are estimated from the prison admissions data. SPAC currently does not have data on the pretrial detainment for those sentenced to probation and does not include that in fiscal impacts.
- Recidivism data are from linking Illinois State Police conviction data (CHRI) and national crime-specific victimization cost estimates to a recent cohort of prison exits. Recidivism is calculated based on an arrest for a new offense within three years since exiting prison if that

arrest results in a conviction. Using the arrest date is the best way to capture when the victimization occurred for the purpose of calculating recidivism costs, as the conviction date can be after three years after exiting prison. Arrests that do not result in a conviction are not included in the recidivism cost calculations.

Baseline Prison Projection

SPAC is statutorily required to produce an annual prison population projection. Once this projection is developed, SPAC uses this projection model in our analyses of proposed legislation where proposed changes to offense class, sentence length, and/or other factors will have measurable impacts on the future prison population.[1] SPAC uses a discrete event simulation (DES) to model the future Illinois prison population. DES is a technique used to model systems that involve events occurring at specific points in time, such as prison admissions and exits. Figure 1 shows the historical and projected prison population determined by the methodology described below.

Figure 1: Prison Population and Projection from FY 2015 Through FY 2045



SPAC uses prison admissions, exits, and population data for Illinois in the projection model, produced and provided by the IDOC Planning and Research Unit. SPAC used population data from June 30, 2024 as the starting point for the model. Then SPAC simulated the passage of time, year by year, using admission data from FY 2024 to model future admissions, assuming each year in the future will be similar to the FY 2024 admissions. To project the simulated exit date for the June 30, 2024 population SPAC used the projected mandatory supervised release date. To determine the simulated exit date for future admissions, SPAC estimated the length of stay. For both the June 30, 2024 population and the future admissions, the projected simulation exit date is then compared to the current year of the simulation to determine if the person should be filtered out as having exited prison. This ensures that

[1] 730 ILCS 5/5-8-8.

the simulation accurately reflects the changing composition of the prison population over time, under the assumption that admissions in the future will be the same as those in FY 2024.

The actual length of stay in prison is determined by a combination of an individual's sentence length truth-in-sentencing requirements, and pretrial credits, which are all generally known at the time of admission. Sentence credits can shorten the actual length of stay but vary from person to person and can change during the length of incarceration.[2] An initial estimated length of stay for future admissions was calculated using an individual's sentence, less their time spent in jail prior to IDOC custody, multiplied by the applicable statutory sentence credit percentage, also known as truth-in-sentencing. To address the unknown impact of sentence credits such as Earned Discretionary Sentence Credit (EDSC) and programming credits, SPAC applied the same initial estimated length of stay calculation described above, to the FY 2024 prison exit data and compared that estimate to the actual length of stay. That comparison was used to adjust the estimated length of stay and calculate the projected exit date for future admissions as follows:

- No adjustments were made for future admissions subject to truth-in-sentencing.
- All other future admissions were adjusted by the median difference between the estimated length of stay and actual length of stay for FY 2024 exits by the holding offense category.
- Technical violators were given the median stay from FY 2024 technical violator exits by offense type.

This projection assumes that future admissions will mirror those of FY 2024. Given it is unlikely that future admissions and lengths of stay will remain static at FY 2024 levels, especially through changes in pre-trial practices and the expansion of credits, the projection is not an exact forecast. However, it provides a basis for demonstrating the potential impacts of proposed legislation compared to the status quo baseline projection. As always, SPAC will reassess these assumptions in the future as data allows.

[2] SPAC has published short summaries for the felony sentencing structure, https://spac.icjia-api.cloud/uploads/Felony%20Sentences%20V2%20(4)-20241127T15193511.pdf, prison sentences, https://spac.icjia-api.cloud/uploads/Prison%20101%20(5)-20241127T15160944.pdf, and sentence credits, https://spac.icjia-api.cloud/uploads/Copy%20of%20Sentence%20Credits%20101-20241127T15205761.pdf.

Costs in Fiscal Impact Analyses

This section updates the cost estimates SPAC is using in 2025 SPAC impact analyses. Based on reported expenditure data and Illinois budgeting practices, SPAC periodically updates the costs to estimate fiscal impacts of legislation and policy changes. SPAC generally uses marginal costs where possible in impact analyses and average or per-capita otherwise.

Marginal costs are the costs of adding additional incarcerated persons compared to maintaining the status quo. The marginal costs can include: (1) **variable costs**, costs that directly relate to services (laundry, food, etc.); (2) **personnel costs** which change when staffing levels change; and (3) **fixed costs**, costs related to physical space that vary only with large service changes. The types of costs included depends on the size of the change to the incarcerated population and if the expenditures for variable, personnel, and fixed costs change in tandem.

Prison and jail costs are shown in Table 1. Prison costs are from a SPAC analysis of IDOC FY 2024 expenditures and multi-year trend analysis of inflation adjusted IDOC variable costs. The IDOC personnel costs for state prisons includes both personnel line items in the IDOC expenditures and an estimate for the off-budget expenditures of personnel medical insurance, workers compensation, and pension contributions. The IDOC true total cost per incarcerated person includes fixed costs of not only infrastructure expenditures, but also the operational costs of non-prison IDOC activities, including ATCs, field services, and administrative oversight of these functions.

Table 1: Prison and Jail Costs, 2025

	State Prison per Year	County Jail per Year
Variable Costs	$12,098	$4,068
Personnel Costs	$66,130	$42,837
Fixed Costs	$11,181	$2,349
True Total Costs	$89,408	$49,254

SPAC is currently using only the variable costs changes and not estimating costs that may include staffing changes in the prison and jail populations. The prison population has decreased by nearly twenty thousand people since 2012, a historic change. This reduction has not had a parallel change in the Department of Corrections staffing or budget.[3] Based on this recent history, SPAC does not believe that even relatively large increases to the prison population would necessarily require staffing changes. Likewise, SPAC is not confident that further reductions to the prison population would

[3]However, IDOC has taken steps to prioritize and identify IDOC's physical plant needs that would allow it to more effectively meet its mission and goal**,** as described in their master plan at https://idoc.illinois.gov/content/dam/soi/en/web/idoc/reportsandstatistics/documents/IDOC-Master-Plan-Report-FINAL-MAY-2023-07-12-23-67.pdf.

necessarily reduce staffing, particularly over the three-year timeframe that SPAC uses for fiscal impacts.

The statewide jail costs are from SPAC analysis of a sample of seven counties' sheriff's budgets in previous years after adjusting for inflation.[4] For some counties, SPAC averaged budgets for several years to account for unexpected spikes or dips in spending. At the time of estimation and publication of this document, cash-bail has only been phased out for less than two years, and SPAC has not had the capacity to estimate the impact of the change to risk-based pretrial detention on costs. SPAC hopes to update these cost estimates in the future.

Community Supervision Costs

For probation and parole, SPAC uses the average "per capita" costs.

The cost of one year of supervision on **Mandatory Supervised Release** by IDOC's Parole Division is estimated at **$5,814** per person supervised per year. This cost includes the true employee costs of pensions, workers compensation, and health benefits for parole agent staff.

The cost of one year of supervision on **Probation** by county probation departments is estimated at **$3,762** per person supervised per year, not adjusting for contact standards due to differing client risk levels. This average cost reflects the county and state per capita spending primarily on the variable costs of probation including staffing and services provided to clients in 2021 and have been adjusted for inflation.[5] Pretrial services provided by probation officers are not included in this estimate.

Victimization Costs

SPAC is unaware of research that has estimated victimization costs in Illinois for different types of crimes. However, recent national research has provided cost estimate for violent offenses, other person offenses, and property offenses for 2017.[6] SPAC has updated our cost estimates by mapping Illinois statutes to align to this research and adjusted costs to 2025 for inflation to estimate the impacts from changes to incapacitation and the age of exit from prison.[7]

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[4] See, *Quantifying County Adult Criminal Justice Costs*, available at: https://archive.icjia.cloud/files/spac/Quantifying_County_Adult_Criminal_Justice_Costs_in_Illinois_120616-20200106T17365237.pdf.

[5] Estimates are from https://www.probation.illinoiscourts.gov/data/spending-on-active-caseloads with additional calculations for inflation and removing items that do are not likely variable costs.

[6] Miller TR, Cohen MA, Swedler DI, Ali B, Hendrie DV. (2021). Incidence and Costs of Personal and Property Crimes in the USA, 2017. *Journal of Benefit-Cost Analysis.* 2021;12(1):24-54. doi:10.1017/bca.2020.36 https://www.cambridge.org/core/journals/journal-of-benefit-cost-analysis/article/abs/incidence-and-costs-of-personal-and-property-crimes-in-the-usa-2017/37CD0589C84DAEF0FEC415645A6D7977

[7] In previous years, SPAC relied on two national studies that estimated the tangible and intangible victimization costs for different felony offense types. These had a smaller number of offenses and were from over ten years ago. SPAC compared our new estimates to these for a typical conviction and found they were reasonably close overall, with the tangible costs increasing but the intangible costs staying about the same after adjusting for inflation. Those studies were:
Cohen, M. A., & Piquero, A. R. (2009). New evidence on the monetary value of saving a high risk youth. *Journal of Quantitative Criminology, 25*(1), 25–49. https://doi.org/10.1007/s10940-008-9057-3;

By default, SPAC includes both the tangible and intangible costs (Table 2) in fiscal impacts, but either cost can be subtracted out by the reader. Offenses not listed in Table 2, such as drug possession and illegal weapons possession, are assumed to have no victimization costs.[8] The SPAC Victimization Supplement further describes the methodology.[9]

Table 2: Felony Victimization Costs, 2025 Dollars

	Cost Type		
Offense Type	**Tangible**	**Intangible**	**Total**
Murder	$2,376,238	$6,603,351	$8,979,589
Criminal Sexual Assault*	$22,039	$409,767	$431,806
Other Sex Offenses	$5,274	$105,774	$111,048
Robbery*	$10,357	$18,789	$29,146
Assault*	$6,236	$27,113	$33,349
Intimate Partner Violence	$2,976	$32,614	$35,589
Child Maltreatment	$19,293	$52,221	$71,514
Arson	$32,819	$8,243	$41,062
Impaired Driving with Crash	$37,205	$68,521	$105,726
Burglary*	$3,745	$0	$3,745
Larceny Theft*	$1,388	$0	$1,388
Motor Vehicle Theft*	$9,406	$0	$9,406
Fraud	$2,450	$0	$2,450
Fraud (FTC)	$3,508	$0	$3,508
Fraud (identity theft)	$915	$0	$915
Buying Stolen Property	$0	$0	$0
Vandalism	$500	$0	$500

*These costs are for police-reported offenses. SPAC has estimates from this same source for offenses not police-reported, however, our victimization costs in fiscal impacts relies on the offense to involve a conviction or other guilty finding.

McCollister, K. E., French, M. T., & Fang, H. (2010). The cost of crime to society: New crime-specific estimates for policy and program evaluation. *Drug and Alcohol Dependence, 108*(1), 98–109. https://doi.org/10.1016/j.drugalcdep.2009.12.002

[8] Victimization costs borne by the perpetrator are available in Miller et al., 2021, but SPAC is not including them at this time. These costs would include wages lost from time spent in the criminal justice system, but because our victimization cost changes in our fiscal impacts are only for those incarcerated and exiting state prisons and not the general public, SPAC was not confident that they would be applicable for our impact statements, although may be appropriate in other analyses SPAC produces.

[9] https://spac.icjia-api.cloud/uploads/Victimization_Supplement_0415-20191127T15023943.pdf. The methodology SPAC currently uses follows this except with newer cost estimates from Miller et al., 2021.

Cost Definitions

Marginal Costs: SPAC-calculated the cost of adding or subtracting one incarcerated person into or out of the criminal justice system. Specifically:

- All changes to the incarcerated population are estimated to involve variable costs.
- Personnel costs change if staffing changes occur.

Variable Costs: The direct relationship to the addition or subtraction of one incarcerated person into or out of the criminal justice system. A variable cost is a cost that directly relates to agency services/output. Variable costs are incurred if the agency must process one additional incarcerated person and would change directly as the number of people incarcerated increases or decreases. Examples include:

- Laundry, food, and medical costs for a person incarcerated in a jail; and
- Staff overtime costs.

Personnel Costs: Driven primarily by increasing or decreasing full-time employment in the justice system. Personnel costs are incurred when the change in population is sufficient to alter staffing levels and is reflected in expenditures and actual staffing levels; for example, opening or closing a portion (wing, housing unit, etc.) of a facility and altering staffing. Examples include:

- Staff salaries, benefits, and pension costs; and
- Office supplies, vehicles, and other equipment or training for staff.

Fixed Costs: Costs that are primarily driven by factors other than the prison population or employees. A fixed cost is one that does not change with an increase or decrease in the number of incarcerated people or employees. Examples include:

- Capital costs for construction;
- Overhead and constant administrative offices; and
- Interest payments on bonds.

Assumptions and Limitations

SPAC has analyzed each key component of the criminal justice system on the state and county level to develop a reliable top-down budgetary analysis of the costs. SPAC assumes that the resource needs are roughly in line with the current costs. If costs and resources used do not reflect the level of services provided, the impact analysis could misstate future costs. However, the analysis relies on the best available data and presents these fiscal impacts as reasonable estimates.

The capital construction costs, as well as bond and debt repayments, are not unless noted in an impact analysis. In addition, no continuous escalation rates are included in the estimates.

The analysis excludes consistent growth in costs caused by inflation and/or regular increases in costs. For example, if correctional medical care costs increase regularly over time, it would be wrong to assume that no change in population means no change in future costs. Further, because the model does not control for inflation, if medical costs per person or staff wages grow faster than overall inflation, the estimates of future costs will be low.

Jail costs are consolidated for a statewide estimate. In other words, a 6% increase in the statewide jail population is assumed to be an increase of 6% in each county's jail population.

Victimization costs included in fiscal impacts only include crimes where a conviction occurs after an arrest. This would underestimate victimization costs by excluding any crimes that involve victims that involved an offense(s) that was not reported to police or an arrest did not lead to a conviction.

SPAC is a statutorily created council that does not support or oppose legislation. Data analysis and research is conducted by SPAC's research staff. The analysis presented here is not intended to reflect the opinions or judgments of SPAC's member organizations.