

**Access to Community-Based Treatment (ACT) Court:  
*Preliminary Research on Target Population***

June 2013



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# Access to Community-Based Treatment (ACT) Court: Preliminary Research on Target Population (June 2013)

## **Introduction**

The Access to Community-Based Treatment (ACT) Court is a proposed problem-solving court to be piloted at the George N. Leighton Criminal Courthouse. The ACT Court aims to divert nonviolent offenders from the Illinois Department of Corrections and the Cook County Jail, promote access to community-based treatment, optimize the Affordable Care Act expansion (i.e., "CountyCare") for a justice population, achieve differentiated case management goals, and ultimately reduce future recidivism.

In order to secure Adult Redeploy funding for the ACT Court, the implementation plan must justify a target population, describe key partners, identify gaps in current programming, and explain the ACT Court model. This first report focuses on the ACT Court target population, paying particular attention to the following: legal eligibility, Adult Redeploy mandates, case process, court objectives, plea bargaining strategy, crime data, existing programs, and evidence-based practices. In developing this preliminary report, the researchers considered justice data (requests for more of which are still pending), secondary research, and qualitative interviews with stakeholders, including representatives from the Cook County Criminal Court, Adult Redeploy, Public Defender's Office, State's Attorney's Office, Justice Advisory Council, Adult Probation, TASC, and the Cook County Sheriff's Department. To summarize: in order to achieve its goals, ACT Court participants must be statutorily eligible, face a credible risk of being sentenced to prison, possess treatment needs, and not qualify for existing diversion programs.

## **ACT Court Eligibility**

The ACT Court may only target individuals who meet eligibility criteria established by Adult Redeploy, Illinois legislation, and, less formally, Cook County State's Attorney policy. Adult Redeploy aims to divert non-violent offenders from state prisons by providing community-based services. In order to achieve this goal, an ARI initiative must target prison-bound offenders--that is, individuals who are very likely to be sentenced to the Illinois Department of Corrections (IDOC) as a result of their offense. According to the Adult Redeploy implementation grant proposal standards, "The selected target population should result in the greatest possible number of individuals diverted from state prisons, while preserving public safety." In particular, the Crime Reduction Act (PA 96-0761) excludes "violent offenders" from Adult Redeploy Illinois programs. A violent offender, for the purposes of Adult Redeploy, means a person convicted of a "violent



crime” as defined in subsection (c) of Section 3 of the Rights of Crime Victims and Witnesses Act.

Adult Redeploy provides statistical data on "Suggested Program Eligible Individuals"-- i.e., individuals who qualify for Adult Redeploy funding. Table 1 below provides a data portrait of number and type of Adult Redeploy-eligible commitments to the IDOC originating from Cook County for the past three years. Eligible felony offense types include: DUI, Property, Controlled substance, Cannabis, Nonviolent sex offenses, and other nonviolent offenses, for Class types 1, 2, 3, and 4. Counting all of these offenses and classes, Adult Redeploy suggests a total of 6,463 eligible offenders, based upon 2012 IDOC commitments of nonviolent felony offenders.

**Table 1. Adult Redeploy Suggested ACT Court Eligible Individuals**

<b>Data For Question 2c: IDOC Holding Offense By Class, For Suggested Program Eligible Individuals *</b>					
SFY 2010	Class 1	Class 2	Class 3	Class 4	Total
DUI	-	-	16	749	765
Property	57	844	1,033	1,444	3,378
Controlled substance	171	487	44	2,398	3,100
Cannabis	18	15	71	176	280
Non-violent sex offenses (prostitution, sex offender registry violations)	0	92	121	149	362
Other offenses (obstructing justice, mob action, violation of bail bond, etc.)	8	6	57	40	111
<b>TOTAL suggested program eligible individuals</b>	<b>254</b>	<b>1,444</b>	<b>1,342</b>	<b>4,956</b>	<b>7,996</b>

SFY 2011	Class 1	Class 2	Class 3	Class 4	Total
DUI	-	-	3	485	488
Property	56	716	765	1,072	2,609
Controlled substance	177	289	25	1,758	2,249
Cannabis	20	19	54	166	259
Non-violent sex offenses (prostitution, sex offender registry violations)	1	101	104	79	285
Other offenses (obstructing justice, mob action, violation of bail bond, etc.)	10	3	55	31	99
<b>TOTAL suggested program eligible individuals</b>	<b>264</b>	<b>1,128</b>	<b>1,006</b>	<b>3,591</b>	<b>5,989</b>

SFY 2012	Class 1	Class 2	Class 3	Class 4	Total
DUI	-	-	5	428	433
Property	50	768	649	1,315	2,780
Controlled substance	132	385	31	1,918	2,466
Cannabis	18	13	53	207	291
Non-violent sex offenses (prostitution, sex offender registry violations)	0	97	114	125	336
Other offenses (obstructing justice, mob action, violation of bail bond, etc.)	13	5	110	29	157
<b>TOTAL suggested program eligible individuals</b>	<b>213</b>	<b>1,266</b>	<b>962</b>	<b>4,022</b>	<b>6,463</b>

\* These numbers may include an unknown number of duplicate individuals admitted more than once in a year



Compared with the statutory and internal policy eligibility requirements for Cook County's existing diversion programs, Adult Redeploy is considerably more expansive. Table 2 below summarizes the statutory eligibility requirements for each of Cook County's existing diversion programs. For example, the Drug Court Treatment Act not only excludes those presently charged with a crime of violence, but also those convicted of a crime of violence within the past ten years. Similarly, TASC probation excludes any person who has a record of two or more convictions for a crime of violence. The Cook County State's Attorney's deferred prosecution program excludes any person with a prior felony conviction. Drug Probation offered pursuant to the Illinois Substance Control Act, 720 ILCS 570/410 (often referred to as "1410 probation"), or the Cannabis Control Act, 720 ILCS 550/10 (sometimes referred to as "710 probation") is only offered to those charged with possession of a controlled substance and only to those have never previously been convicted of, or been placed on probation or court supervision, for any offense related to cannabis or controlled substances.



**Table 2. Cook County Diversion Programs as of June 2013**

Name	Controlling Legislation	Eligible Population	Requirements for Completion	Outcome Upon Completion
<i>Pre-Plea*</i>				
<b>Drug School</b>	Cook County State's Attorney's Office Policy	Adult "low-level, nonviolent" misdemeanor and felony defendants with "limited and nonviolent criminal history."	Attend educational sessions on weekend. One or two court appearances.	Charges are dismissed by motion of the state.
<b>Deferred Prosecution</b>	Cook County State's Attorney's Office Policy	Adult felony defendants with no prior felony convictions. Disqualifying current offenses: delivery of illegal drugs or intent to deliver or manufacture certain drugs. Most common current offenses include: retail theft (24%), PCS/Cannabis (20%), burglary (17%), theft (14%), and more.	Attend quarterly status meetings at "Branch 9" (Courtroom 102). May include: community service (40%), TASC assessment (32%), academic activities (13%), drug education/treatment (12%) and other.	Charges are dismissed by motion of the state.
<i>Post-plea**</i>				
<b>TASC Probation</b>	Illinois Alcoholism and Other Drug Dependency Act (20 ILCS 301/40)	Drug-involved offenders who meet TASC's criteria for acceptability. Disqualifying factors: current or contemporaneous violent charge, two or more prior violent convictions, two prior failures to complete TASC probation within past 2 years, current charge is related to methamphetamines, current charge is manufacturing, delivery, or intent thereof.	Satisfactorily complete all treatment requirements, maintain a substance-free status for a minimum of the final four months of probation, secure a stable living environment upon discharge from treatment, and secure a legitimate, stable source of income or have full-time student status.	If no prior felony conviction, court shall vacate judgment on motion of the court. If prior felony conviction, then court will vacate judgment.
<b>Mental Health Court</b>	Mental Health Court Treatment Act (730 ILCS 168/)	Adult felony defendants with diagnosable mental illness, typically with an established history of mental health treatment. Disqualifying factors: current charge is violent, current charge involves a civilian victim, or violent conviction within past 10 years,	24 months of probation during which participant must successfully complete multi-phased, jail- and community-based treatment, educational, and vocational services.	Court may dismiss charges, successfully terminate defendant's probation, or otherwise discharge from any further proceedings in the original prosecution.
<b>Veterans Court</b>	Veterans and Servicemembers Court Treatment Act (730 ILCS 167/)	Adult felony defendants who are servicemembers or veterans. Disqualifying factors: current charge is violent, violent conviction within past 10 years.	24 months of probation during which participant must successfully complete multi-phased, jail- and community-based treatment, educational, and vocational services.	Court may dismiss charges, successfully terminate defendant's probation, or otherwise discharge from any further proceedings in the original prosecution.
<b>Women In Need of Gender-Specific Services (WINGS) and Feathers Court</b>		All defendants charged with felony prostitution are sent to WINGS, unless a pre-trial screening determines that the individual is better suited for a different specialty court. By agreement of the state and the defense, defendant is sentenced to two-year probation.	24 months of probation during which participant must successfully complete multi-phased, jail- and community-based treatment, educational, and vocational services.	Court may dismiss charges, successfully terminate defendant's probation, or otherwise discharge from any further proceedings in the original prosecution.
<b>Adult Redeploy Probation</b>	Crime Control Act	Probationers convicted of non-violent Class 1-4 felony offenses who have at least six months left on their probation sentences. Disqualifying factors: violent convictions within past 10 years.	Probationer's supervision is transferred to ARI judge. Probationer must submit to frequent, random drug testing, and possibly other jail or community-based services.	Probation sentence is terminated successfully.



<b>Rehabilitation Alternative Probation (RAP) &amp; Women's RAP (WRAP) Drug Court</b>	Drug Court Treatment Act (730 ILCS 166/)	Adult felony probationers who are arrested for possession of a controlled substance and found to be in violation of their probation. Disqualifying factors: current charge is violent, violent conviction within past 10 years, denial of addiction, unwillingness to participate, or past participation in drug court.	24 months of probation during which participant must successfully complete multi-phased, jail- and community-based treatment, educational, and vocational services.	Court may dismiss charges, successfully terminate defendant's probation, or otherwise discharge from any further proceedings in the original prosecution.
<b>Cannabis "710" Probation</b>	Cannabis Control Act (720 ILCS 550/10)	A person who is charged for Possessing Marijuana is eligible for drug probation if: (1) they plead guilty; (2) there was no Manufacturing and/or Trafficking involved; and (3) they have never before been convicted of, or been placed on probation or court supervision for, any drug-related crime in the past, be it for marijuana or any other controlled substance, which includes previously having been given drug probation. This probation is sometimes referred to as "710" probation in reference to the law before it was revised.	24 months probation with conditions including periodic drug testing, 30 hours of community service; and the judge may put in place other conditions, including reporting, treatment for substance abuse or alcoholism, a course of study or vocational training, support for his dependents, payment of fees and costs, and more.	Charges are dismissed by the court.
<b>Methamphetamine "Section 70" Probation</b>	Methamphetamine Control Act (720 ILCS 646/70)	A person is charged with possessing less than 15 grams of methamphetamine, is also eligible for drug probation if they plead guilty and have never before been convicted of, or been placed on probation or court supervision for, any drug-related crime in the past, be it for marijuana or any other controlled substance, which includes previously having been given drug probation. This probation is often referred to as "Section 70" probation.	24 months probation with conditions including periodic drug testing, 30 hours of community service; and the judge may put in place other conditions, including reporting, treatment for substance abuse or alcoholism, a course of study or vocational training, support for his dependents, payment of fees and costs, and more.	Charges are dismissed by the court.
<b>Other Drug (non-Cannabis) "1410" Probation</b>	Illinois Substance Control Act, (720 ILCS 570/410)	A person who is charged for possessing controlled substances (excepting those that fall under "710" or "Section 70" probation) or possessing an unauthorized prescription form, is eligible for drug probation if they plead guilty and have never before been convicted of, or been placed on probation or court supervision for, any drug-related crime in the past, be it for marijuana or any other controlled substance, which includes previously having been given drug probation. This probation is sometimes referred to as "1410" probation in reference to the law before it was revised.	24 months probation with conditions including periodic drug testing, 30 hours of community service; and the judge may put in place other conditions, including reporting, treatment for substance abuse or alcoholism, a course of study or vocational training, support for his dependents, payment of fees and costs, and more.	Charges are dismissed by the court.

\*A program is considered to be "pre-plea" when it expedites the defendants criminal case *before* conviction, or before filing of a criminal case.

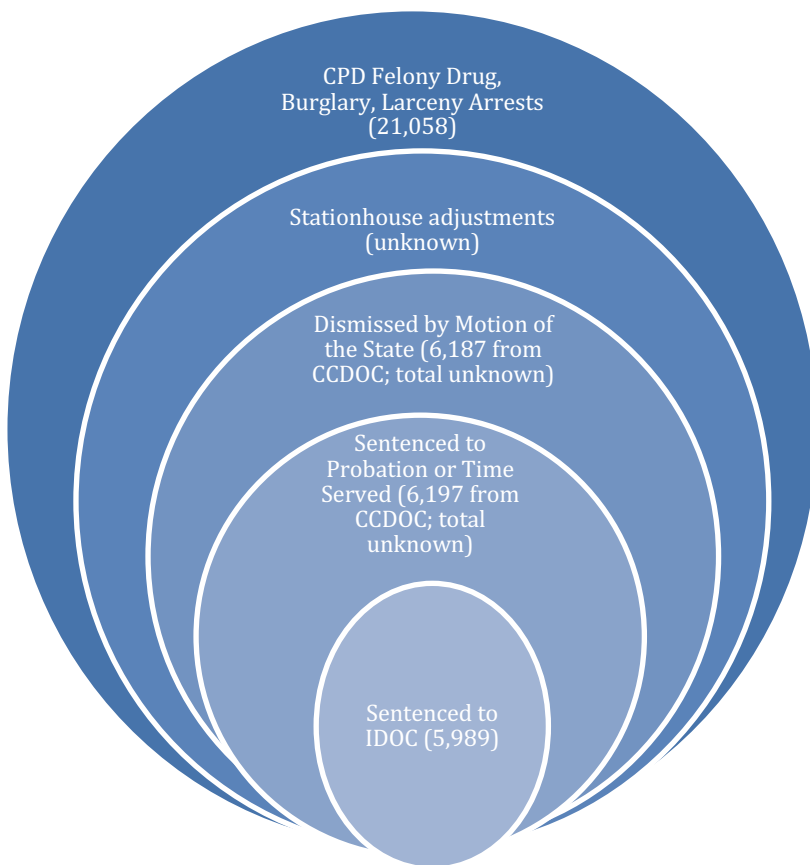
\*\*A program is considered to "post-plea" when the defendant must admit guilt or have been found guilty before agreeing to enter the program as part of his or her sentence.



## Identifying IDOC-Bound Defendants

Since the ACT Court aims to reduce the number of individuals committed to IDOC, it is essential that the target population be prison-bound. Over 20,000 individuals are arrested by the Chicago Police Department for nonviolent drug and property crimes, all of which are eligible for an IDOC sentence. As Figure 1 illustrates, however, between arrest and IDOC, however, defendants may avoid a prison sentence at several points (the concentric rings represent these points). Figure 1 shows that while tens of thousands of felony drug and property offenders are arrested, far fewer are ever arraigned, let alone sentenced to IDOC. So as to avoid being overly broad, the ACT Court target population cannot be defined by current arrest alone.

**Figure 1. Dispositions for Nonviolent Felony Drug and Property Offenses in Cook County (2011)<sup>i</sup>**



Source: Chicago Police Department, Chicago Appleseed Analysis, and Illinois Criminal Justice Information Authority.

In order to attract participants and meet the aims of Adult Redeploy, the ACT Court must also appeal to defendants. As Figure 1 shows, over half of arrests are disposed of through dismissal, acquittal, time served, and probation. A defendant who anticipates a reasonable likelihood of these outcomes may prefer to take his or her chances rather than participate in the ACT Court--which will likely entail a sentence of probation with fairly demanding conditions. In other words, target defendants must not only objectively face a prison sentence, but they must subjectively believe they may be sentenced to prison. Realistically, most defendants cannot credibly assess their prospects until after preliminary hearing, when a



significant proportion of cases are dismissed.

In 2011, there were 21,058 nonviolent felony drug and property arrests and 5,989 individuals being sentenced to IDOC for nonviolent drug and property crimes. We do not know what proportion was sentenced to IDOC following an arrest or as a result of a probation violation. When asked which procedural path leads most individuals to IDOC, interviewees for this research invariably stated that while violations of probation often led to prison sentences, independent arrests for low-level felonies did not. Unless or until the planning committee can determine the procedural path to IDOC, the planning committee may wish to consider including probationers in its eligible population.

To summarize, the ACT Court must target individuals who are likely to be facing a prison sentence for two reasons: First, Adult Redeploy requires the program to reduce IDOC commitments. Second, the ACT Court will be more appealing to defendants who are facing a credible risk of prison. Identifying this group could be challenging early on in the case process, though. An estimated three-quarters of target felony cases are disposed of in some way other than a prison sentence.<sup>ii</sup> And of those sentenced to IDOC, a significant proportion is sentenced following a probation violation, as opposed to an entirely new arrest.

### **Criminal History of Class 4 Felony Offenders**

One short-hand method for identifying prison-bound offenders is to compare the individual's criminal history with that of IDOC prisoners. The most comprehensive profile of Class 4 felony offenders sentenced to IDOC was created by the Illinois Criminal Justice Information Authority (ICJIA) in 2005.<sup>iii</sup> The data they used reflect years 1995-2004; for year 2004 in particular ICJIA was able to analyze the criminal histories of virtually every Class 4 Felon sentenced to IDOC.





The text box to the right breaks down criminal histories for Class 4 felony offenders who were sentenced to IDOC. On the whole, the profile suggests that first-time class 4 felony offenders are not the ones being sent to prison. Rather, those who are sentenced to IDOC have lengthy and varied criminal involvement. In order to reduce IDOC commitments, the ACT Court will need to target a population with a fairly serious background.

Note that the profile has two shortcomings for the purposes of the ACT Court: it does not consider the offenders' procedural path to the IDOC (i.e., sentence following conviction vs violation of probation), and it does not break out characteristics by offense category.

To the extent that this ten-year-old profile holds descriptive power for our population today, it tells us this: In terms of criminal history, typical ACT Court candidates likely have a lengthy arrest record, at least one prior felony conviction, and have served more than one prison sentence.

### **Criminal History of Class 4 Felons Committed to IDOC 1995-2004**

#### **Arrests**

- Average total prior arrests: 15
- 92% have a previous felony arrests
- 93% have at least 1 misdemeanor arrest
- Averaging prior misdemeanor arrests: 9
- 82% have a prior class 4 felony arrest
- 36% have a prior class 3 felony arrest
- 35% have a prior class 2 felony arrest
- 40% have a prior class 1 felony arrest
- 19% have a prior class X felony arrest

#### **Convictions**

- Average age at their first convictions: 24
- Average 5 previous convictions
- 73% had 1-5 previous convictions
- Average number of prior IDOC commits: 3
- Average age at first incarceration: 28



**Table 3. Cook County Felony Court Commitments to IDOC for Felony Possession of a Controlled Substance, Cannabis, and Retail Theft (2010, 2011, 2012)<sup>iv</sup>**

	Possession of a Controlled Substance			Cannabis			Retail Theft		
	2010	2011	2012	2010	2011	2012	2010	2011	2012
<b>Offense Class</b>									
<b>Class 4</b>	2392	1755	1912	106	99	121	867	607	728
<b>Class 3</b>	9	4	12	9	8	11	537	329	211
<b>Class 2</b>	0	5	1	5	4	2	1	0	0
<b>Class 1</b>	148	160	121	11	11	10	0	0	0
<b>Race</b>									
<b>Black</b>	2090	1589	1757	90	90	111	231	668	680
<b>White</b>	209	170	134	7	7	4	135	184	146
<b>Hispanic</b>	243	157	149	33	23	29	11	79	104
<b>Other</b>	7	6	6	1	2	0	1	5	7
<b>Unknown</b>	0	2	0	0	0	0	0	0	2
<b>Sex</b>									
<b>Female</b>	219	126	150	2	4	2	272	189	210
<b>Male</b>	2330	1798	1896	129	118	142	1133	747	729
<b>Total</b>	<b>2549</b>	<b>1924</b>	<b>2046</b>	<b>131</b>	<b>122</b>	<b>144</b>	<b>1405</b>	<b>936</b>	<b>939</b>
<b>Average Age</b>	34.61	34.95	35.38	29.78	30.27	31.72	41.23	40.32	41.68

## **Closer Look: Felony Possession of a Controlled Substance, Cannabis, and Retail Theft**

Treatment-focused problem-solving courts that admit individuals charged with non-drug crimes (including theft and property crimes) have consistently been shown to produce a much greater financial and criminogenic impact than those admitting only drug offenders.<sup>v</sup> Taking this research into account, we asked stakeholders to recommend other “drug related” offenses that might be included in the ACT Court Target population. We examined five felony offense types in greater detail: possession of a controlled substance, cannabis, retail theft, obstruction of justice, and theft from a vehicle. Obstruction of justice and theft from a vehicle produced too few IDOC commitments to impact the ACT Court's goal of reducing the prison population. The three remaining offenses--felony possession of a controlled substance, cannabis, and retail theft offenses--resulted in significant numbers of IDOC commitments: 3,129 total for 2012. The table above shows these figures in greater detail.

Including offenders seems to be a foregone conclusion of the ACT Court planning committee, so we will only analyze the felony retail theft category in this report. The average age of those committing felony retail theft is approximately 10 years higher than that of drug possession offenses (approximately 41 vs 35 and 31 for pcs and cannabis, respectively). Furthermore, a far great percentage of women are going to prison for retail theft rather than possession of controlled substances (22% versus 7% for year 2012). Older defendants and women are more responsive to treatment than younger and more male defendants.<sup>vi</sup> However, women and older individuals tend to commit fewer and less serious crimes; as a result, treating these individuals may yield relatively fewer gains in terms of reduced recidivism and incarceration. Retail theft also relates to a high incidence of mental illness and drug and alcohol abuse. A national, large-scale study of shoplifters found that 76% of shoplifters had a substance use disorder. Dependence, which is more serious than abuse, was also common: 35% demonstrated alcohol dependence, and 13% reported illicit drug dependence, compared with 9.6% and 1.28% of the general population, respectively.<sup>vii</sup>

### **Target Population Members Being Served by Existing Programs**

Each year, Cook County diversion programs offer community-based services in lieu of prison to thousands of defendants who likely have similar backgrounds as potential ACT Court participants. Avoiding overlap and clearly defining the remaining eligible population, then, depends upon analyzing the demographics of current program participants. Some programs selectively admit participants following an individual assessment, while others automatically admit all offenders of a particular type. As an example of automatic enrollment, all legally eligible individuals charged with felony prostitution are invited to participate in the WINGS and Feathers problem-solving court.



Understanding that fact means that the ACT Court should exclude felony prostitution from its eligible offenses.

Post-plea programs--where the defendant must plead guilty as a condition of participation--are most likely to target prison-bound defendants, while pre-plea programs target less serious offenders. Table 2 summarizes each of the programs, including controlling legislation, eligibility criteria, requirements for completion, and outcomes upon completion. The RAP, WRAP, Mental Health, Veterans, WINGS Court ("specialty courts") and TASC Probation all likely target IDOC-bound individuals. Of these, TASC Probation (under the Illinois Alcoholism and Other Drug Dependency Act) offers the most expansive eligibility criteria. While the specialty courts disqualify any person convicted of a violent crime in the past decade, TASC disqualifies only those with two or more such convictions.

We are in the process of compiling current data on diversion program participants. But for the purposes of this preliminary analysis, we estimate that approximately 500 individuals were admitted to the RAP, WRAP, Mental Health, Veterans, and WINGS Courts, in 2011.<sup>viii</sup> At least 2,000 more individuals were order to "TASC Probation," and potentially another 2,000 IDOC-bound individuals are participating in other forms of specialized probation. Individuals who fail these programs are often sentenced to IDOC, meaning that some proportion of the Adult Redeploy Suggested Eligible Population may be former participants in diversion programs. In any case, obtaining a clear picture of current participants in post-plea programs is essential to understanding the remaining eligible defendants for the ACT Court.

### **Target Population Most Responsive to Community-Based Treatment**

While resources for community-based treatment are expanding through the Affordable Care Act, they are still scarce. In light of this reality, it is useful to consider which populations benefit the most from court-supervised community-based treatment. The literature finds overwhelmingly--and somewhat surprisingly--that all participants with diagnosed substance abuse or addiction respond similarly and positively to problem-solving courts, regardless of age, gender, race, criminal history, or current offense.<sup>ix</sup> Participants with low criminogenic risk and/or without diagnosed addiction benefit the least from court-supervised treatment, and may even be harmed by it.<sup>x</sup> The ACT Court will be most effective if it sets expansive eligibility criteria, tailoring the court's intervention according to the individual's clinical needs.

The National Institute of Justice, which compiles research on target populations and their outcomes in problem-solving courts, emphasizes the importance of involving High Risk and Serious Offenders in treatment courts, while avoiding intensive intervention with Low Risk Offenders.<sup>xi</sup> Studies of drugs courts have shown that treating High Risk and Serious Offenders produces, on average, twice the effect of treating low risk



offenders in drug courts.<sup>xiii</sup> High Risk Offenders characteristics tend to include: younger age during treatment (especially younger than age 25); male gender; early onset of substance abuse or delinquency; prior felony convictions and previously unsuccessful attempts at treatment or rehabilitation. Serious Offenders tend to have an extensive history of arrests and convictions, which may include violent crimes. Even though their rates of success are lower, any improvement translates into significant gains in terms of reduced future drug use, drug-related crime, crime *unrelated* to drugs, and incarceration.

On the other hand, intensive intervention can be ineffective and even harmful when required of Low Risk Offenders. Low Risk Offenders who participate in treatment courts have shown significantly poorer outcomes and higher recidivism rates than Medium and High Risk Offenders. The reason for this effect is not well understood, but courts are advised against "over-treating" individuals with lower risk profiles. Instead, less intensive diversion, such as deferred prosecution or probation with an accountability emphasis rather than a treatment one.

The ACT Court will produce the greatest impact by targeting individuals who will benefit the most from court-supervised treatment. Yet, admitting High Risk and Serious Offenders may be unappealing or even statutorily prohibited--as with many violent offenses or offenses involving the sale of illicit drugs. The literature suggests that eligibility remain as broad as legally possible, while tailoring subsequent interventions to the individual's clinical and personal needs.

## **Conclusion**

We have established that ACT Court participants must be legally eligible, IDOC-bound adult offenders who possess diagnosable treatment needs, but who also have not been admitted to existing diversion programs. These are important steps toward estimating the target population. However, two more key pieces of information are necessarily to define the target conclusively: the procedural path to IDOC for existing prisoners, and the demographics of participants in existing Cook County post-plea diversion programs.



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Figure 1 is meant to illustrate the concept of population narrowing. It draws from data that is inadequate in a couple of ways: it comprises all classes of all drug and property offenses, including some of which may legally disqualify a person from the ACT Court. Arrest data covers only the City of Chicago (and not the rest of Cook County), while jail dismissals and IDOC commitments reflect Cook County numbers. Also, it relies only on CCDOC discharge data to estimate the number of felony drug and property offenses resulting in dismissal, acquittal, and sentences to probation and time served. Since many defendants are released pretrial, the graphic likely underestimates these numbers considerably.

<sup>ii</sup> Chicago Appleseed Analysis of Administrative Office of Illinois Courts data, 2007 - 2011.

<sup>iii</sup> ICJIA: "A profile of Class 4 felony offenders sentenced to prison in Illinois." (2005)

<sup>iv</sup> Data provided by Illinois Criminal Justice Information Authority.

<sup>v</sup> Marlowe, Douglas, National Institute for Justice, "Who Should Go to Drug Court?" (2012)

[http://research2practice.org/projects/population/pdf/R2PWebinarWhoGoesToDrugCourt-Webinar\\_Version.pdf](http://research2practice.org/projects/population/pdf/R2PWebinarWhoGoesToDrugCourt-Webinar_Version.pdf)

<sup>vi</sup> National Institute for Justice, "Who Should Go to Drug Court?" (2012)

[http://research2practice.org/projects/population/pdf/R2PWebinarWhoGoesToDrugCourt-Webinar\\_Version.pdf](http://research2practice.org/projects/population/pdf/R2PWebinarWhoGoesToDrugCourt-Webinar_Version.pdf)

<sup>vii</sup> Blanco, Carlos, "Prevalence and Correlates of Shoplifting in the United States: Results From the National Epidemiologic Survey on Alcohol and Related Conditions (NESARC)" (*Am J Psychiatry* 2008; 165:905–913) table on pg 309 illustrates. <http://ajp.psychiatryonline.org/data/Journals/AJP/3864/08aj0905.PDF>

<sup>viii</sup> Estimates based upon Chicago Appleseed Fund for Justice report, "Strategies to Enhance and Coordinate Cook County Diversion Programs." (2012) <http://chicagoappleseed.files.wordpress.com/2012/06/chicago-appleseed-diversion-strategies-for-cook-county1.pdf>

<sup>ix</sup> Rossman, Renkel, et al, "The Multi-Site Adult Drug Court Evaluation: The Impact of Drug Courts, Volume 4." (2011) <https://www.ncjrs.gov/pdffiles1/nij/grants/237112.pdf> See also, Chandler, Fletcher, et al "Treating Drug Abuse and Addiction in the Criminal Justice System: Improving Public Health and Safety." *Journal of the American Medical Association*. (2009)

<sup>x</sup> Ibid.

<sup>xi</sup> Marlowe, Douglas, "Targeting the Right Participants for Adult Drug Courts." (2012)

[http://dn2vfhykblonm.cloudfront.net/sites/default/files/targeting\\_3-14-12\\_0.pdf](http://dn2vfhykblonm.cloudfront.net/sites/default/files/targeting_3-14-12_0.pdf)

<sup>xiii</sup> Latessa, E.J. & Lowenkamp, "Increasing the effectiveness of correctional programming through the risk principle: Identifying offenders for residential placement." *Criminology & Public Policy*, 4, 263-290.

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