

Lake County's Criminal Justice System: Trends and Issues Report 2nd Edition

**Center for Criminal Justice Research,
Policy and Practice**

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Introduction

In December 2016, the Illinois State Commission on Criminal Justice and Sentencing Reform recommended that the Illinois Criminal Justice Information Authority (ICJIA), the State’s criminal justice research and grant-making agency, provide technical assistance to local jurisdictions to form county level Criminal Justice Coordinating Councils (CJCCs). Loyola University Chicago’s Center for Criminal Justice Research, Policy and Practice has collaborated with ICJIA to support the development of these CJCCs. CJCCs convene elected and appointed executive-level policymakers, victim and other non-profit organizations, and members of the public to collaboratively address issues facing the justice system and its constituent agencies. In 2017, the Lake County Sheriff's Office Law Enforcement Community Policing Coordinating Council was established and met on a quarterly basis until the end of 2018. In September 2019, the Lake County Sheriff’s Office established a Criminal Justice Citizen’s Council, which will meet quarterly to provide an ongoing collaborative forum to study and reform the

Lake County criminal justice system, identify deficiencies, and formulate policy, plans and programs for change when opportunities present themselves.

CJCCs use data-guided and structured planning processes to identify, analyze, solve, and manage justice system issues. Through a competitive process, Lake County was selected to participate in a pilot project whereby technical assistance in the form of research, analysis and facilitated strategic planning would be provided by the ICJIA and Loyola University. This report is one of the first stages of this process and is designed to provide criminal justice practitioners, policy makers, community organizers and members of the general public with an understanding of how the justice system is organized, functions, and how each component of the system is interrelated to the others. The data utilized in this report come exclusively from data and information available through state-level reporting mechanisms in Illinois, and thus allow for some comparisons to other parts of Illinois.¹ While more current, and more detailed data are available locally, part of the current effort is to better understand the utility of these state-level data for planning purposes. This September 2019 *Trends and Issues* report is an update of the previously published July 2018 *Trends and Issues* report.

Lake County's Criminal Justice System

Located between Wisconsin (to the north) and Cook County (to the south), Lake County is the 3rd largest county in Illinois, with an estimated population of 700,832 residents in 2018.² Between 2010 and 2018, Lake County's population remained stable, declining by less than 1%. Lake County has 50 cities and towns,^{3,4} with Waukegan being the largest, with 86,792 residents, or 12% of the entire population of Lake County in 2018.⁵ The criminal justice system in Lake County can be generally divided into three major components: law enforcement and policing, courts, and corrections. Within each of these general components are a number of different agencies, operating with specific goals and purposes, and also operating across different branches and levels of government.

¹ Comparisons are made to Illinois outside of Cook County because Cook County trends tend to dramatically influence statewide patterns in crime and justice system activities.

² Population estimates were generated using American Factfinder, which relies on the U.S. Census Bureau, American Community Survey data.

³ The following incorporated cities and towns are in Lake County: Antioch, Bannockburn, Beach Park, Buffalo Grove, Beach Park, Buffalo Grove, Deerfield, Deer Park, Fox Lake, Fox River Grove, Grayslake, Green Oaks, Gurnee, Hainesville, Hawthorne Woods, Highland Park, Highwood, Indian Creek, Island Lake, Kildeer, Lake Barrington, Lake Bluff, Lake Forest, Lakemoor, Lake Villa, Lake Zurich, Libertyville, Lincolnshire, Lindenhurst, Long Grove, Mettawa, Mundelein, North Barrington, North Chicago, Old Mill Creek, Park City, Port Barrington, Riverwoods, Round Lake, Round Lake Beach, Round Lake Heights, Round Lake Park, Third Lake, Tower Lakes, Vernon Hills, Volo, Wadsworth, Wauconda, Waukegan, Wheeling, Winthrop Harbor and Zion.

⁴ Some towns, such as Arlington Heights and Palatine, are located both in Lake County and Cook County. As the majority of the towns are within Cook County and the police departments for these towns are included in the Cook County jurisdiction we do not include them amongst towns in Lake County.

⁵ Waukegan is the 9th largest city in Illinois.

Law Enforcement & Policing

When crimes are reported to the police, or when police observe criminal behavior during the course of patrol or investigations, the arrest of an individual is the starting point for the rest of the justice system and impacts the workload and activities of all of the other justice system agencies in Lake County. The majority of policing services are provided by municipal police departments. The Lake County Sheriff's Office provides policing services to unincorporated areas of the county as well as to specific towns in Lake County. The County Sheriff also provides security for the courts and operates the county jail. Of the 52 incorporated cities and towns in Lake County, 40 operate their own police departments, with the City of Waukegan being the largest of these.⁶ Each municipal police department has a chief of police, appointed by the mayor of each city. The Lake County Sheriff's Office is led by an elected Sheriff. In addition to these municipal and county police agencies, there are a number of other police departments with very specific jurisdictions, such as the College of Lake County Police Department and the Lake County Forest Preserve Police Department. There are also multi-jurisdictional policing task forces operating in the Lake County area that involve the collaboration and coordination of municipal, county, state and federal agencies. For example, the Lake County Gang Task Force, Lake County Metropolitan Enforcement Group (MEG) and Major Crime Task Force involve cooperation and resource sharing among state, county, municipal and federal law enforcement agencies operating in Lake County. These multi-jurisdictional law enforcement agencies are responsible for responding to reported incidents of criminal activity as well as engaging in patrol and investigations to detect and prevent criminal activity.

Courts

When an individual is arrested in Lake County, their case is referred to the Lake County State's Attorney's Office, which is led by an elected State's Attorney. Each county in Illinois has a separately elected State's Attorney. The Lake County State's Attorney's Office reviews arrest reports by the law enforcement agencies in Lake County to determine if criminal charges should be filed in court, and if so, they initiate a criminal case by filing a case with the Office of the Lake County Clerk of the Circuit Court. The case is then adjudicated within the circuit court. Lake County is part of Illinois' 19th Judicial Circuit. Illinois has 23 separate judicial circuits, some of which include multiple counties, while others, like Lake, are comprised of a single county. Within each judicial circuit are elected Circuit Court Judges and appointed Associate Judges. It is within these circuit courts that criminal cases are adjudicated. Each judicial circuit is led by a Chief Judge, selected by and from the Circuit Court Judges within the judicial circuit. The Chief Judge of the circuit also appoints a Public Defender, who oversees the Lake County Public Defender's Office, an agency responsible for providing legal services to indigent persons arrested and charged with crimes in Lake County. The 19th Judicial Circuit, along with

⁶ The following cities and towns in Lake County do not operate their own police departments: Beach Park, Green Oaks, Indian Creek, Lake Barrington, Lakemoor, Long Grove, Mettawa, Old Mill Creek, Port Barrington, Third Lake, Volo, and Wadsworth.

6 other circuits in northern Illinois, make up Illinois' Second Appellate District, which hears cases on appeal from the circuit courts within the district. The Lake County Sheriff's Office provides security to the Lake County courts, both in the courthouse as well as in the individual courtrooms.

Corrections

The corrections component of the criminal justice system includes both institutional and community-based correctional agencies responsible for supervising and detaining those charged with crimes as well as those convicted of offenses. These agencies have varying functions and operate at different levels and branches of government. For example, the Lake County Sheriff's Office operates the Lake County Jail, which serves multiple functions. First, for individuals who cannot post, or who are denied, bail, the Lake County Jail serves as a pre-trial detention facility. In addition to serving as a pre-trial detention facilities, individuals can also be sentenced to serve time (less than a year) in the Lake County Jail upon conviction. During 2017, there were almost 8,000 bookings into the Lake County Jail, with most (88%) being pre-trial detainees and the remaining 12% accounted for by those sentenced to the jail upon conviction.⁷ The capacity of the Lake County Jail on June 7, 2018, was 740, and on that date a total of 544 detainees were being held.⁸ Based on this number of people detained, the Lake County Jail was the 4th largest county jail in Illinois in 2018.

For those individuals convicted of a felony-level offense, depending on the nature of their offense, they can be sentenced either to supervision in the community (probation) or to prison (for a year or more). Individuals sentenced to probation in Lake County are supervised and referred to services by the Lake County Probation and Court Services Department. The Probation and Court Services Department is funded through a mix of county and state resources, and is under the judicial branch of government. When a sentence to probation is imposed, the individual is supervised in the community by probation officers. In addition to supervision, the conditions of probation often include payment of fines, restitution and probation supervision fees, as well as participation in rehabilitative programs.

If someone convicted of a felony in Lake County is sentenced to prison, upon the imposition of that sentence the person (if male) is transferred by the Lake County Sheriff's Office to the Illinois Department of Corrections (IDOC) Reception and Classification (R&C) Center at the Stateville Correction Center in Crest Hill, Illinois. Adult females are transferred to the Logan Correctional Center R&C in Lincoln, Illinois). After the inmates have been processed through the R&C, they are then transferred to one of Illinois' 27 prisons based on their security classification and needs. Inmates then serve their prison sentence, and upon release, are supervised in the community under Mandatory Supervised Release (MSR, "parole") by parole officers that work for IDOC. Under Illinois' sentencing

⁷ Based on monthly data reported by the Lake County Jail to the Illinois Department of Corrections Jail and Detention Standards Unit.

⁸ Based on the 2018 inspection report for the Lake County Jail conducted by the Illinois Department of Corrections Jail and Detention Standards Unit. See

<https://www2.illinois.gov/idoc/aboutus/JDS2017/2018%20Jail%20Inspections/Lake%20County.pdf>

structure, inmates are released from prison after they have completed serving their court-imposed prison sentence, minus any sentence credits they may receive for time served in pre-trial detention, good conduct credits, or credits to their sentence for completing rehabilitative programming while in prison. Thus, while Illinois' Prisoner Review Board (PRB) sets the conditions of MSR (i.e., requirements to participate in programming in the community), under Illinois law they *do not* have the authority to determine whether someone should be released from prison. Individuals released from prison must have an approved host site where they will live, and most return back to the community where they lived before going to prison. The length of time individuals are supervised on MSR is set by state statute and corresponds to the felony class of the crime for which they were sentenced to prison, generally ranging from 1 year (for Class 3 and 4 felonies) to 3 years (for Murder and Class X felonies). For sex offenders, their MSR period is indeterminate, with a minimum of 3 years and up to lifetime supervision. Those sentenced to prison for domestic violence offenses are supervised on MSR for 4 years. If during the period of MSR an individual violates the conditions of their supervision set by the PRB, or is rearrested for a crime, their MSR can be revoked and they can be returned to prison to serve out a portion, or the remainder of, their MSR period.

Reported Crime and Arrests in Lake County

To understand how the justice system responds to crime in Lake County, it is first important to understand how much crime occurs and the number of individuals subsequently arrested. Importantly, research conducted by the U.S. Department of Justice reveals that not all crime occurrences in the United States are reported to the police. For example, the 2018 National Crime Victimization Survey (NCVS) estimates that 57% of serious violent crimes and 66% of property crimes in the United States were *not* reported to the police.⁹ Reporting variations also exist within large crime categories (e.g., violent and property). Nationally, the majority of thefts (property) and sexual assaults (violent) are *not* reported to the police while the majority of motor vehicle thefts (property) and robbery (violent) *are* reported. Thus, when considering how much crime is reported to the police it is important to keep in mind that this represents only a portion of the crime that actually occurs.

One of the primary ways crime in communities is measured is through a reporting system called the Uniform Crime Reporting (UCR) program, whereby individual law enforcement agencies report specific data to the Illinois State Police.¹⁰ These data include information about the number and type of crimes reported to the law enforcement agency as well as the number and type of arrests made by the agency. Although not exhaustive of all crimes, a Crime Index, consisting of eight crimes that are considered to be the most serious and consistently defined across jurisdictions in the United States, has been used since the 1930s. Specifically, there are four crimes used to calculate a Violent Crime Index, including: murder, rape (termed in Illinois as criminal sexual assault), robbery and aggravated

⁹ See <https://www.bjs.gov/content/pub/pdf/cv18.pdf> for detailed description of the National Crime Victimization Survey.

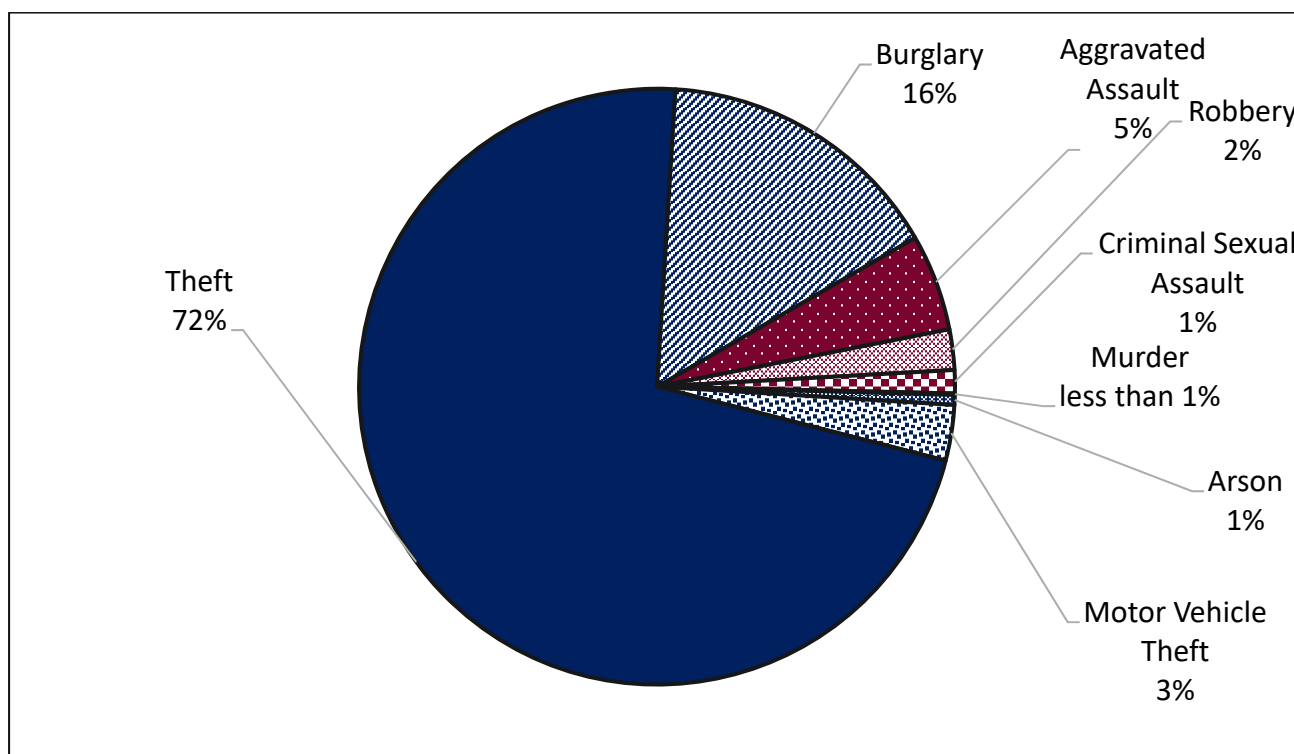
¹⁰ See <https://www.ucrdatatool.gov/> for a detailed description of the Uniform Crime Reporting Program.

assault/battery.¹¹ In addition, there are four crimes used to calculate a Property Crime Index, including: burglary, larceny/theft, motor vehicle theft, and arson. Combined, these violent and property Index offenses are used to compute the total crime Index. While violent and property Index offenses usually come to the attention of the police through reports by crime victims and are consistently defined across the country, there are a number of other crimes that are often only detected by the police or legally defined differently across the country, such as drunk driving, drug sales and possession, and illegal possession of firearms. Thus, there are many common offenses that are not part of the crime Index because they go unreported to the police or because their legal definition varies significantly across states rendering meaningful comparison impossible.

Crimes Reported in Lake County

In Lake County, the majority (91% between 2005 and 2017¹²) of all Index crimes reported to the police involved property Index crimes (Figure 1), a pattern similar to Illinois outside of Cook and Lake Counties.¹³

Figure 1. Crime Reported to the Police in Lake County, 2005-2017



Source: Analyses by Loyola's Center for Criminal Justice Research, Policy & Practice of aggregate, published I-UCR data.

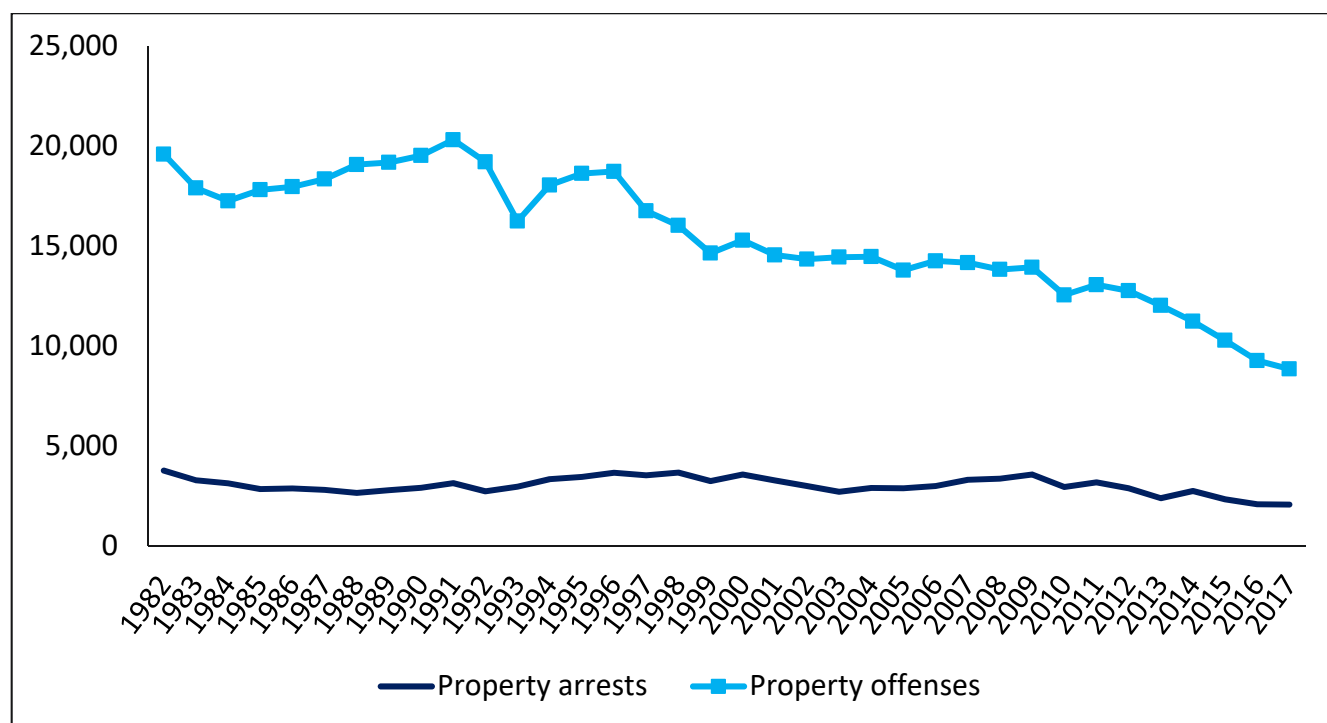
¹¹ In 2014 the crimes of Human Trafficking-Commercial Sex Acts and Human Trafficking-Involuntary Servitude were added to the Crime Index. In 2014 through 2017, no offenses or arrests under these two categories were reported in Lake County through the UCR program.

¹² Source: Illinois State Police Annual Report. Analyses of published aggregate IUCR data by Loyola's Center for Criminal Justice Research, Policy and Practice.

¹³ Excluding Cook and Lake Counties, property crime accounted for 92% of all reported Index crime from 2005 to 2017. Comparisons are made to Illinois outside of Cook County because Cook County trends tend to dramatically influence statewide patterns in crime and justice system activities.

Because these property crimes account for such a large portion of all Index crimes reported to the police, trends in property Index crime tend to influence the total Index crime rate in Lake County. Between 2009 and 2017,¹⁴ the number of property Index crimes reported to the police in Lake County decreased 36% (Figure 2), a trend similar to Illinois jurisdictions outside of Lake County and Cook County.¹⁵ In 2017, the property Index offense rate in Lake County was 1,246 per 100,000 residents, 20% lower than the rate of 1,554 per 100,000 residents in Illinois outside of Cook and Lake Counties that year. In 2017, Waukegan accounted for 23% of all property Index crimes reported to the police in Lake County.

Figure 2. Uniform Crime Report (UCR) Offense and Arrest Numbers for Property Index Crimes in Lake County



Source: Analyses by Loyola's Center for Criminal Justice Research, Policy & Practice of aggregate, published I-UCR data.

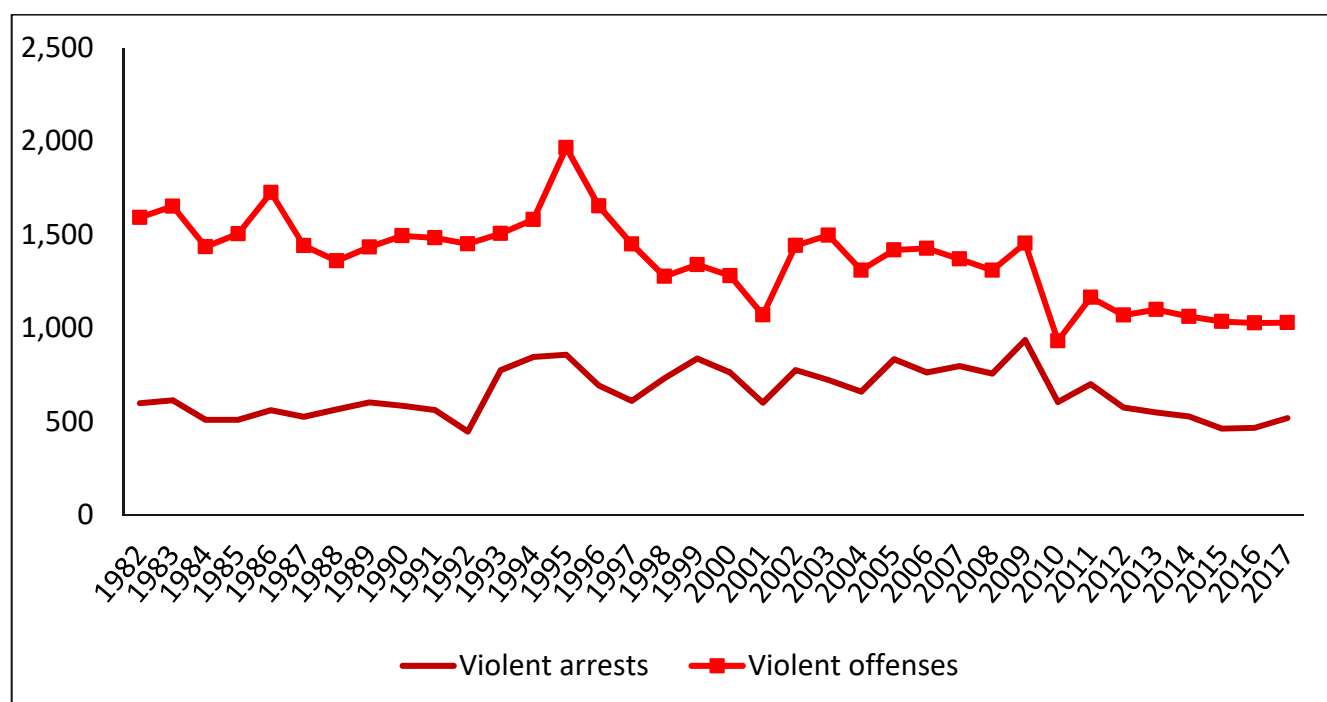
Although violent Index crimes account for a relatively small proportion (9% between 2005 and 2017 [Figure 1]) of all Index crimes reported to the police in Lake County, these involve the most serious offenses the justice system handles, including murder, battery with a firearm, and criminal sexual assault. Between 2009 and 2017, the total number of violent Index crimes reported to the police in

¹⁴ As violent Index crime reports and arrests dipped significantly in 2010 (Figure 3), we chose to highlight trends from 2009-2017 (rather than 2010-2017) in this text. Doing so better reflects overall trends in violent index crime arrests and reports in Lake County and allows for better comparison between violent and index property crimes over time.

¹⁵ Between 2009 and 2017, in Illinois outside of Cook and Lake counties, the number of property Index crimes decreased by 31%.

Lake County decreased 29% (Figure 3). By comparison, the total number of violent Index crimes reported to the police in Illinois outside of Cook and Lake Counties decreased 23% between 2009 and 2017. In 2017, the violent Index offense rate in Lake County was 145 per 100,000 residents, significantly lower than the violent Index offense rate in Illinois outside of Cook and Lake Counties that year.¹⁶ Waukegan accounted for 35% of all violent Index crimes reported to the police in Lake County in 2017.

Figure 3. Uniform Crime Report (UCR) Offense and Arrest Numbers for Violent Index Crimes in Lake County



Source: Analyses by Loyola's Center for Criminal Justice Research, Policy & Practice of aggregate, published I-UCR data.

Arrests in Lake County

When crimes are reported to the police, or when police observe criminal behavior during the course of patrol or investigations, the arrest of an individual is the starting point for the rest of the justice system and impacts the workload and activities of all of the other justice system agencies in Lake County. There are a number of factors that can influence the number and rate of arrests, including the amount of crime, the nature of crime and victimization, and what police departments and officers focus their resources and attention towards. For example, there will likely be fewer arrests if crime decreases. However, if more crimes are reported, but police have little evidence to work with or

¹⁶ The violent Index offense rate in Illinois outside of Cook and Lake counties was 268 per 100,000 residents in 2017.

victims are unable to provide the police with information regarding the perpetrators, making arrests will be more difficult and the arrest rate may not significantly increase. Finally, if there are specific criminal behaviors that the public demands the police “do something about,” such as visible signs of drug activity, prostitution, or drunk driving, the police may increase their attention towards these offenses in response to these expectations from the public. This will lead to dramatic increases in arrests for some crimes though the amount of crime has not increased.

In general, the trends in arrests in Lake County for property Index crimes have mirrored the number of these offenses reported to the police: between 2009 and 2017, *reported* property Index offenses decreased 36% and *arrests* for property Index offenses fell 42% (Figure 2). During the same time period the reported violent Index offenses decreased 29%, and arrests for these offenses fell 45% (Figure 3). Measuring crime clearance rates with just aggregate offense and arrest data has a number of limitations. However, comparing the number of reported offenses that result in an arrest to those that do not can provide a rough measure of how effective police are at solving crimes. Roughly 23% of property Index offenses and 48% of violent Index offenses reported to the police in the past few years (2013-2017) in Lake County resulted in an arrest. By comparison, in Illinois outside of Cook and Lake Counties the property crime “clearance rate” was 24%, while the “clearance rate” for violent crime was 47% during that time period. Thus, the “clearance rate” for property and violent Index crimes in Lake County generally matches the clearance rate for Illinois as a whole, excluding Cook County.

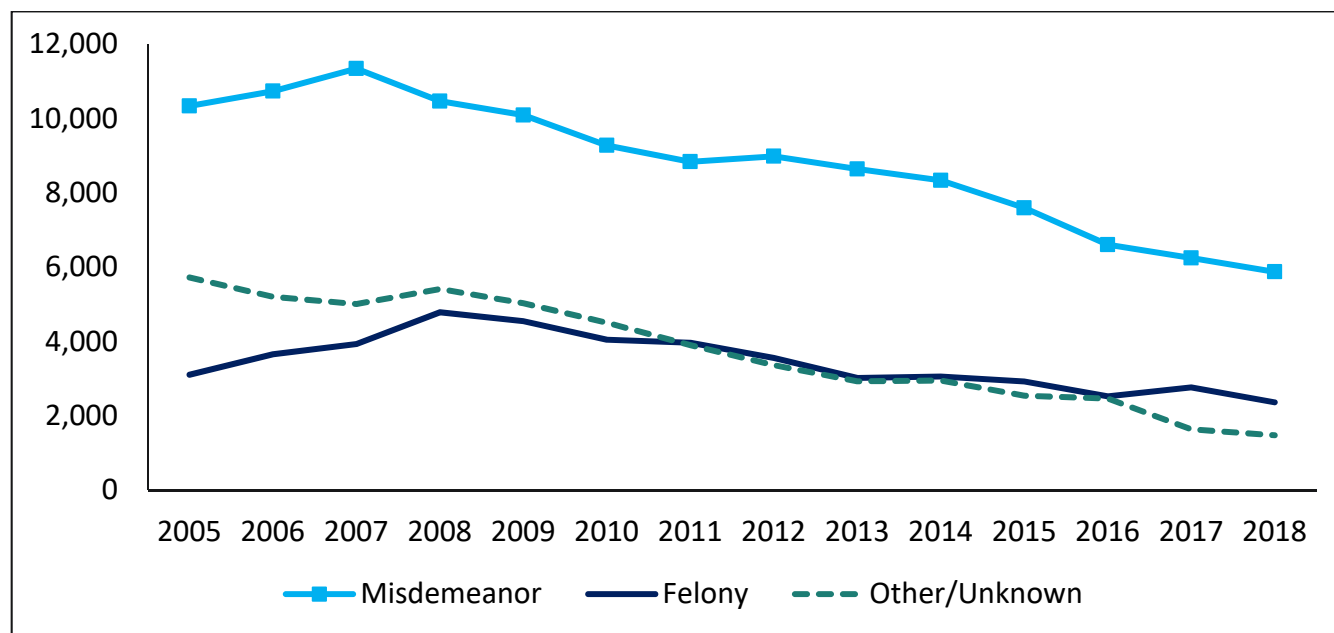
In addition to utilizing aggregate data reported through the Uniform Crime Report (UCR) program, it is possible to examine trends in arrest and characteristics of arrestees in more detail by using information collected during the processing of an individual through the justice system. In Illinois, when law enforcement agencies carry out a custodial arrest (an arrest that involves the fingerprinting of an individual), specific information about that arrest is reported to the Illinois Criminal History Record Information (CHRI) system, which comprises the criminal history record for each individual arrested in Illinois and is maintained by the Illinois State Police. The advantage of this information is that it contains information on arrests for all crimes¹⁷ and is not restricted to only the Index offenses. Further, unlike the aggregate UCR data, the CHRI data contains information regarding the age, race and gender of the arrestee, allowing for a better understanding of the characteristics of those arrested in Illinois.

The CHRI data reported to the Illinois State Police by law enforcement agencies in Lake County reveal similar trends to the Index Crime arrest data. Between 2010 and 2018, arrests for all violent crimes decreased 44%, while arrests for all property crimes fell 39% and arrests for drug-law violations

¹⁷ State regulations require that police agencies submit arrest fingerprint cards to ISP within 24 hours of an arrest for all felony and Class A and B misdemeanor offenses. These contain not only the fingerprints of arrestees, but also arrestee demographic and arrest charge information.

decreased 55%.¹⁸ Under Illinois law, crimes are classified as either misdemeanors or felonies. From a legal standpoint, felony offenses are more serious since a conviction for these offenses can result in a prison sentence, and a felony conviction has potentially significant implications for employment, housing, and eligibility for various government services. Arrests for misdemeanors decreased 37% between 2010 and 2018, while arrests for felonies decreased 42%, and arrests for “unknown” or other offenses decreased 67% (Figure 4). For some crimes, whether the offense is a felony or a misdemeanor depends on specific characteristics of the arrestee, the victim or the crime that may not be known at the time of the arrest (e.g., prior convictions for similar offenses), and thus are classified at the point of arrest as “other” or “unknown.” When the felony classes among felony arrests were examined in detail, differences emerged. Between 2010 and 2018, the decrease in arrests for the least serious felony classes (Class 3 or 4 felonies) was slightly larger (42%) than the decrease in arrests for the more serious felony classes (Class 2 or higher felonies) (40%). Thus, while there are fewer arrests entering the justice system in Lake County, the mix of cases is changing slightly. For example, among felony arrests, a slightly larger share are accounted for by more serious Class 2 or higher felonies.¹⁹

Figure 4. Arrests in Lake County, by Arrest Class



Source: Analyses by Loyola’s Center for Criminal Justice Research, Policy & Practice of CHRI data generated and provided by the Research and Analysis Unit, Illinois Criminal Justice Information Authority.

¹⁸ Source: Analyses by Loyola’s Center for Criminal Justice Research, Policy & Practice of CHRI data generated and provided by the Research and Analysis Unit, Illinois Criminal Justice Information Authority.

¹⁹ Source: Analyses by Loyola’s Center for Criminal Justice Research, Policy & Practice of CHRI data generated and provided by the Research and Analysis Unit, Illinois Criminal Justice Information Authority.

Another apparent trend in the characteristics of arrests in Lake County is that a substantial portion of the decrease in arrests between 2010 and 2018 was the result of fewer arrests of younger adults, specifically those between the ages of 18 and 24. This population is often referred to as “emerging adults” because, despite having reached social and legal adulthood, research has shown that cognitively this age group still tends to exhibit immaturity when it comes to impulsivity and decision making.²⁰ Between 2010 and 2018, the *number* of arrests of emerging adults declined by 61%. In comparison, the number of arrests of 25 to 44 year olds declined by 39%. The 2017 arrest *rate* of 18 to 24 year olds in Lake County was 440 arrests for every 10,000 residents in that age group, 58% lower than in 2010. By comparison, the arrest rate of 25 to 44 year-olds fell by 30% during the same time period. In 2017, the arrest rate of 25 to 44 year-olds in Lake County was 332 per 10,000 residents in that age group (32% lower than the arrest rate of the emerging adults). Finally, the arrest rate in Lake County of those over the age of 44 was relatively low when compared to younger age groups. In 2017, 67 per 10,000 residents over the age of 44 were arrested, a 32% decrease since 2010. Over the period examined there was little change in the distribution of arrestee characteristics in terms of gender; roughly 77% of arrestees in Lake County are male.

Arrests in Lake County were also analyzed by race. During the time period examined, however, the way race was reported in CHRI changed. Specifically, since 2015, agencies have had the option of reporting Hispanic as a unique category within the race field in CHRI. Prior to 2015, there was no ability in CHRI to indicate that the arrestee was Hispanic, and these arrests were primarily recorded as “white.” Thus, the ability to examine trends over time in the racial composition of arrestees is limited to just the 2015 to 2018 period. Overall, from 2015-2018, the total number of arrests reported through CHRI in Lake County decreased 26%, and the percent decrease in arrests for whites was larger (down 36%) than the percent decrease for non-whites (down 14%). In 2018, 55% of the total arrests in Lake County were accounted for by non-whites.

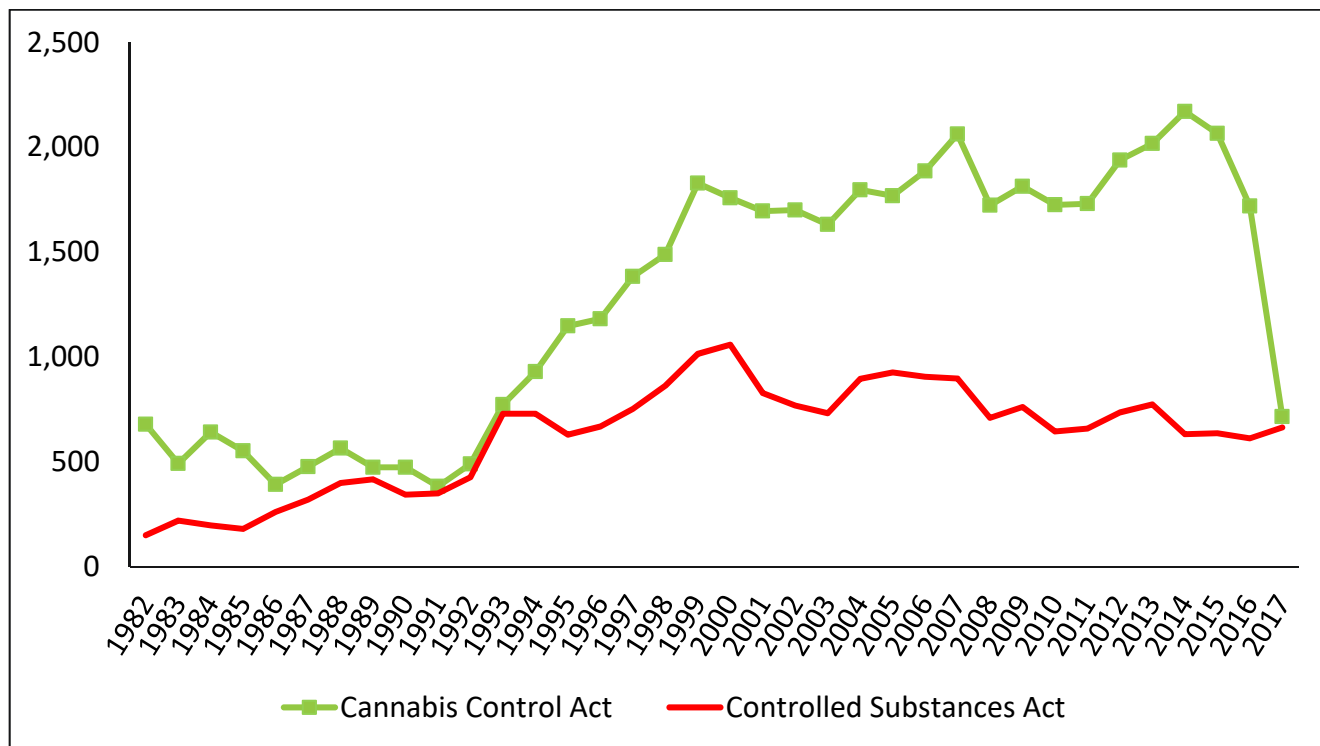
It is also possible to examine the long-term trends in arrests for drug-law violations with data reported to the UCR program in Illinois. These analyses are useful to illustrate how public expectations for police to address specific issues can result in large increases in arrests for specific crimes. During the 1980s concern was raised at the national level about the dangers of drug use and the illicit drug market, and the prevailing view was that an appropriate response to this behavior and market would be to increase enforcement efforts and focus on this behavior. The response at the local level across most cities in the United States was to increase the enforcement of drug-laws, particularly those involving substances other than marijuana, such as cocaine, heroin and methamphetamine. In Illinois, the illegal possession and sale of these substances is articulated in

²⁰ Loeber, R., & Farrington, D. 2012. *From juvenile delinquency to adult crime: Criminal careers, justice policy, and prevention*. New York: Oxford University Press.

Illinois' Controlled Substances Act, while offenses involving marijuana are classified under the Cannabis Control Act.²¹

Arrests for violations of the Controlled Substances Act increased dramatically in Lake County during the late 1980s and early 1990s and fueled a significant amount of the increases in the workload and activities of criminal justice agencies during that period (Figure 5). For example, prior to 1993 there were fewer than 450 arrests annually in Lake County for violations of the Controlled Substances Act. Between 1993 and 2000, the annual number of arrests for Controlled Substances Act more than doubled in Lake County, reaching more than 1,000 arrests in 2000. Following this peak in arrests for the Controlled Substances Act in 2000 (1,059), arrests for these offenses fluctuated but ultimately fell 39% between 2000 and 2010 and have not changed dramatically through 2017. In contrast, arrests for Cannabis Control Act violations declined dramatically in recent years (falling 64% between 2015 and 2017) due to changes in Illinois law in 2016,²² and will likely continue decreasing as a result of Illinois' new recreational marijuana law that will take effect January 1, 2020.

Figure 5. Trends in Arrests for Drug-law Violations in Lake County



Source: Analyses by Loyola's Center for Criminal Justice Research, Policy & Practice of aggregate, published I-UCR data.

²¹Prior to 2010, arrests involving methamphetamine offenses were included under the Illinois Controlled Substances Act for UCR reporting, but have since been reported separately in the Illinois UCR program. Based on UCR data, during the period from 2010 to 2017 a total of 65 arrests involving methamphetamine have been reported by law enforcement agencies in Lake County.

²²In July 2016, Illinois law changed whereby the possession of less than 10 grams of marijuana was no longer criminal and could only result in the imposition of a fine,

Criminal Court Filings and Dispositions in Lake County

When police arrest an individual in Lake County, the Lake County State's Attorney's Office reviews the arrest charges, determines if filing charges in the Circuit Court are warranted, and, if so, the appropriate charges to be filed. The State's Attorney's Office has a great deal of discretion in determining whether to file a criminal charge and what type and severity of charge to file. Broadly, the circuit courts and Illinois' criminal law distinguishes between misdemeanor and felony-level offenses, and this classification has implications both for the processes used to handle the cases in court as well as the potential sentences that can be imposed upon conviction.

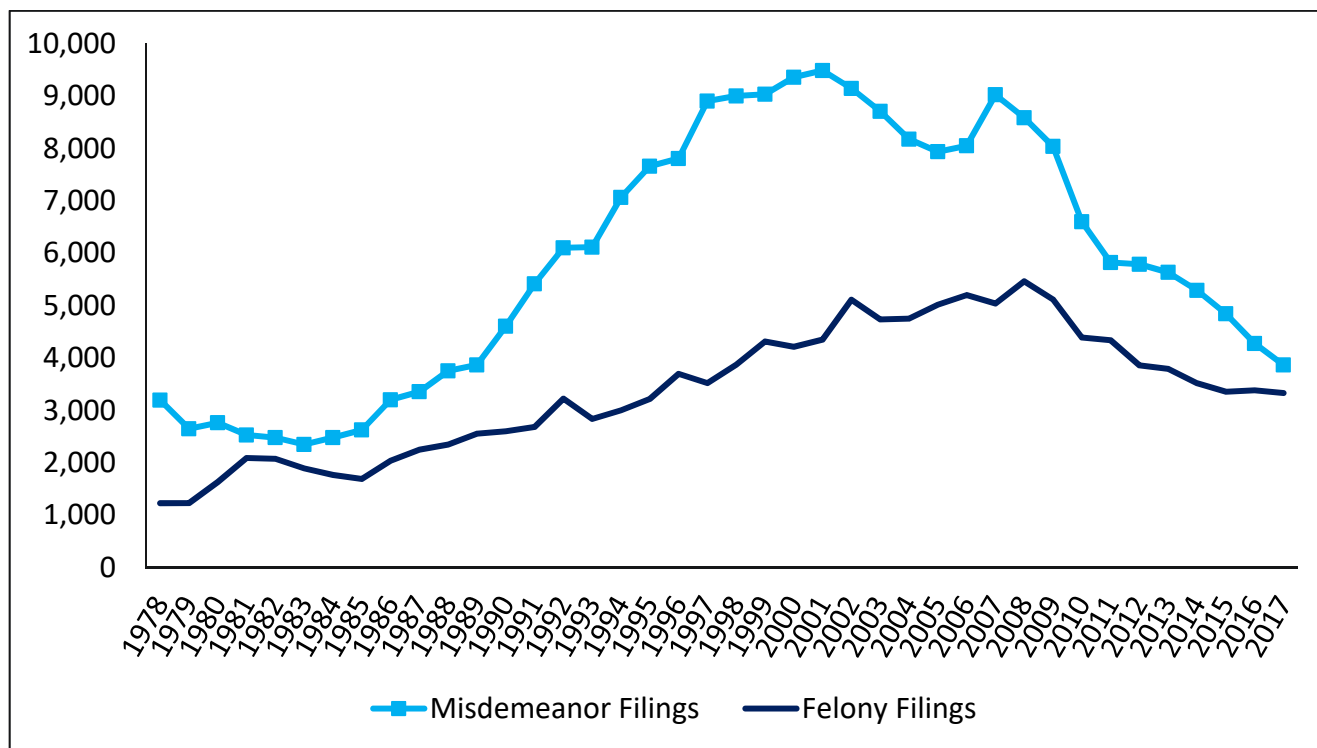
The total number of cases filed—civil, domestic relations, criminal, quasi-criminal, and juvenile- in Lake County in 2017 was 135,107, of which 7% (9,383 cases) were criminal cases.²³ These criminal cases included felony, misdemeanor, and driving under the influence of alcohol (DUI) cases. Thus, it is important to keep in mind that the proportion of criminal cases handled by the circuit court in Lake County is a relatively small percent of the overall cases filed and disposed of in the courts.

Misdemeanor court filings in Lake County outnumbered felony filings by a 2 to 1 ratio throughout the 1990s and early 2000s. However, between 2010 and 2017, misdemeanor filings decreased at a faster rate than felony filings. As a result, the ratio of misdemeanor to felony filings in 2017 was roughly 1.2 to 1. Between 2010 and 2017, misdemeanor case filings in Lake County fell 41% (Figure 6), which was consistent with the decrease in misdemeanor arrests seen during that period (Figure 4). This decrease in misdemeanor filings in Lake County is also consistent with trends seen in Illinois outside of Cook and Lake counties, where misdemeanor filings decreased 35% between 2010 and 2017.

The long-term trend in the number of felony cases filed in Lake County reveals a large and steady increase in felony filings during the 1980s, 1990s and into the 2000s (Figure 6), consistent with increases in crime and arrests in the 1980s and 1990s, and increases in arrests for felony drug-law violations (Figure 5). Between 1987 and 2008, felony filings more than doubled --from 2,247 to 5,468 before beginning to decline. Between 2010 and 2017, felony filings in Lake County decreased 25% (Figure 6), less than the 33% decrease seen in felony arrests in Lake County during that same time period (Figure 4). However, in Illinois outside of Cook and Lake Counties, there was a nearly 4% *increase* in felony filings from 2010 to 2017.

²³ Source: Administrative Office of Illinois Courts Annual Report, 2016. Analyses performed by Loyola's Center for Criminal Justice Research, Policy and Practice.

Figure 6. Felony and Misdemeanor Cases Filed in Lake County



Source: Analyses by Loyola's Center for Criminal Justice Research, Policy & Practice of aggregate, published data from the Administrative Office of the Illinois Courts' Annual reports.

A significant portion of the felony cases filed in Lake County each year result in the defendant being convicted. During 2017, 44% of the felony defendants in Lake County who had their cases disposed of were convicted of a felony offense, a lower rate than when compared to Illinois outside of Cook and Lake Counties.²⁴ Most of the felony cases that did not result in a conviction were dismissed by the State's Attorney's Office, usually because it was determined there was not sufficient evidence to obtain a conviction, witnesses were not willing to testify, or it was determined that pursuing a conviction was not in the interests of justice. Most of those who were convicted pled guilty to the crime, and very rarely were defendants charged with a felony found not guilty as a result of a trial. Over the past 16 years, 98% of all felony convictions in Lake County were the result of a guilty plea, and less than 3% of all felony defendants processed through the Lake County court for a felony between 2010 and 2017 went to trial. Of that small percent of felony defendants who opted for a trial—either a jury trial or a bench trial—roughly 43% were not convicted at trial.²⁵

²⁴ Excluding Lake and Cook counties, 63% of the felony defendants in Illinois who had their cases disposed of were convicted of a felony offense.

²⁵ Source: Analyses by Loyola's Center for Criminal Justice Research, Policy & Practice of aggregate, published data from the Administrative Office of the Illinois Courts' Annual reports.

Sentencing of Those Convicted of a Felony in Lake County

In Illinois, the possible sentences that can be imposed on those convicted of a felony-level offense are dictated by state statute, with the minimum and maximum allowable sentences to either prison or probation set by state law. In Lake County, as in most Illinois counties, the majority of people convicted of a felony offense are sentenced to probation rather than prison. Illinois' felony crimes are grouped into specific felony classes by the Illinois General Assembly, ranging from First Degree Murder, Class X felonies, and then Class 1 through 4 felonies. Class 4 felonies are the least serious felony-level offense in Illinois, and allow a sentence of up to 30 months of probation or between 1 and 3 years in prison (Figure 7). As the seriousness of the felony conviction offense class increases (i.e., goes from 4 to 1, to X and Murder), the statutorily allowable sentence also increases. All Class X felonies require the imposition of a prison sentence of 6 to 30 years, and all Murder convictions carry a mandatory prison sentence of 20 to 60 years (or longer, up to natural life, depending on specific elements of the crime being present).

Figure 7. Penalties for Felony Crimes in Illinois

Category of Crime	Usual Prison Term	Probation Term	Length of MSR (Post-prison supervision)
1 st Degree Murder	20-60 years	Not allowed	3 years
Class X	6-30 years	Not allowed	3 years
Class 1	4-15 years	Up to 4 years	2 years
Class 2	3-7 years	Up to 4 years	2 years
Class 3	2-5 years	Up to 2 ½ years	1 year
Class 4	1-3 years	Up to 2 ½ years	1 year

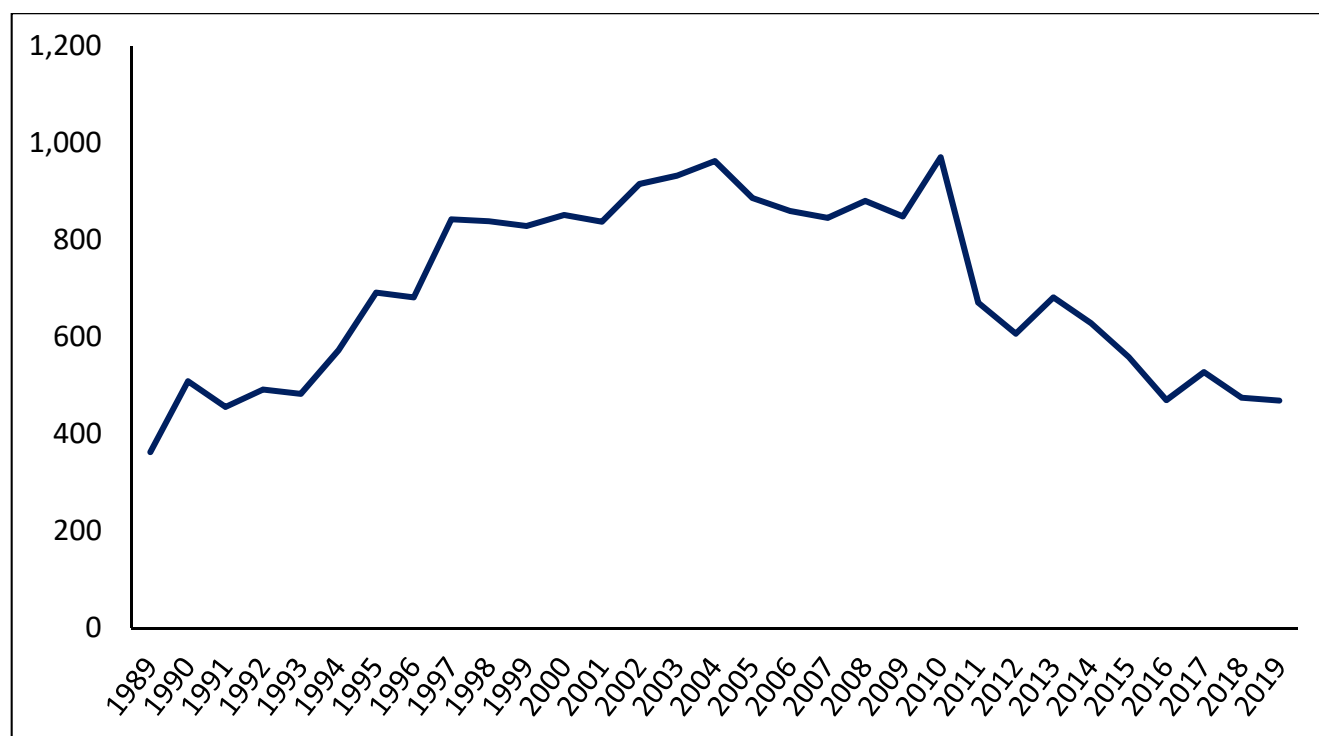
Source: 2014. "Penalties for Crimes in Illinois," published online by the Illinois General Assembly Legislative Research Unit. <http://ilga.gov/commission/lru/2014PFC.pdf>

When examining sentencing trends, there are multiple ways to consider the characteristics of those convicted and sentenced for felony-level offenses. First is to consider the sheer number of individuals convicted of a felony and sentenced in Lake County. These analyses reveal that, as a result of felony arrests and case filings decreasing between 2010 and 2017, the *overall number* of sentences imposed on those with felony convictions also decreased 25% during that period, a greater decrease than that seen in the rest of Illinois.²⁶ However, when the types of sentences were disaggregated, some different patterns emerged. For example, between 2010 and 2017 the number of sentences to

²⁶ Between 2010 and 2017, the number of sentences imposed on individuals convicted of felonies in Illinois outside of Lake and Cook counties decreased 7%. Source: Analyses by Loyola's Center for Criminal Justice Research, Policy & Practice of aggregate, published data from the Administrative Office of the Illinois Courts' Annual reports.

probation in Lake County decreased 28% and sentences to prison decreased 38%. By comparison, during the same time period, sentences to *probation* increased 2% and sentences to prison fell by 24% in Illinois outside of Cook and Lake Counties. More current data from the Illinois Department of Corrections (IDOC) confirms this trend: between state fiscal years (SFY) 2010 and 2019, IDOC received 52% fewer inmates sentenced from Lake County, falling from 971 to 469, larger than the decrease seen in the rest of Illinois (Figure 8).²⁷ In fact, the 469 people convicted of a felony and sentenced to prison from Lake County in SFY 2019 was the lowest number since SFY 1991.

Figure 8. Lake County Total Court Admissions to IDOC



Source: Analyses by Loyola's Center for Criminal Justice Research, Policy & Practice of data provided by the Illinois Department of Corrections' Planning and Research Unit.

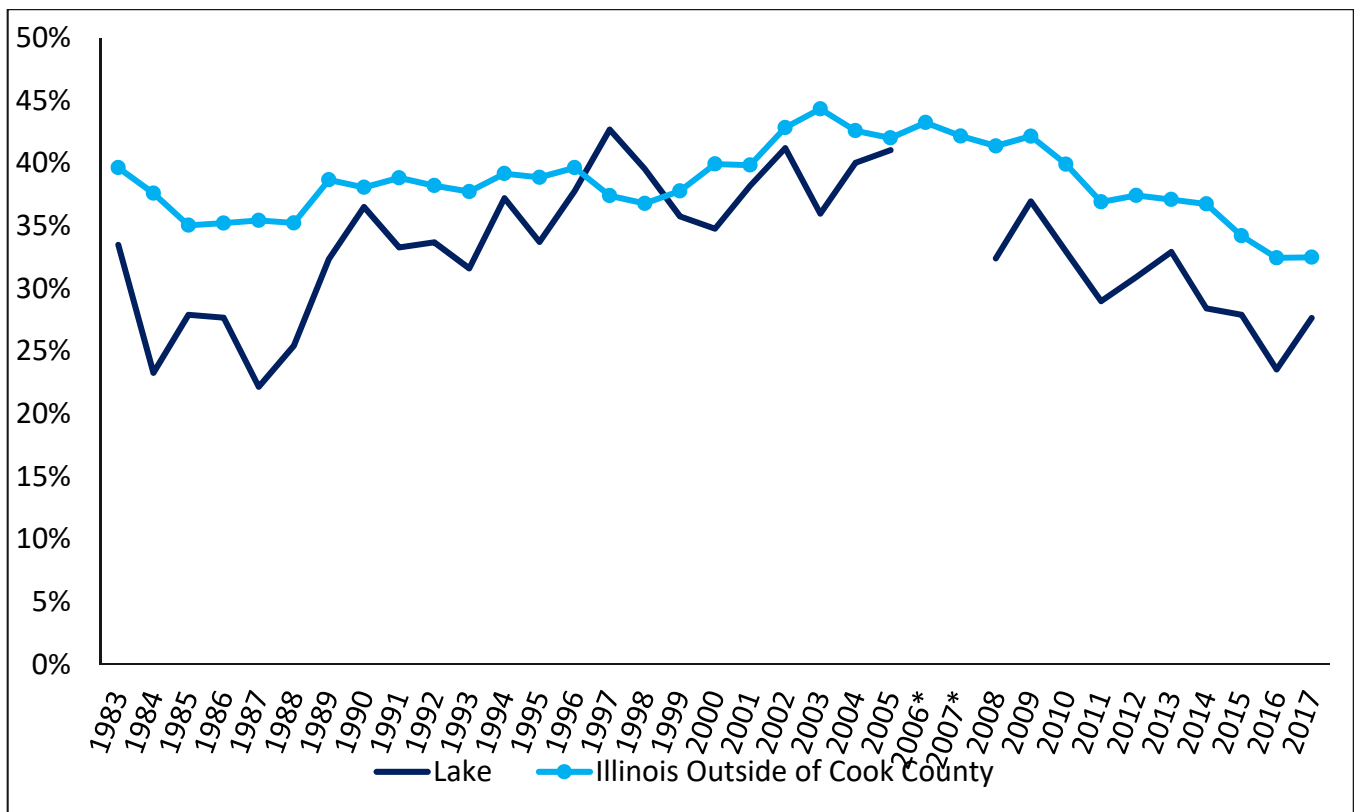
Another way to examine the sentencing patterns for those convicted of a felony offense is to examine the percent of those convicted of a felony (i.e., eligible to be sentenced to prison) that receive a prison sentence. Doing so reveals that, as a result of the number of prison sentences decreasing at a

²⁷ IDOC received 32% fewer inmates sentenced from Illinois outside of Lake and Cook counties between SFY 2010 and 2019. Source: Analyses by Loyola's Center for Criminal Justice Research, Policy & Practice of data provided by the Illinois Department of Corrections' Planning and Research Unit.

faster rate than probation sentences in Lake County, the *proportion* of those convicted of a felony who are sentenced to prison has also decreased. For example, between 2010 and 2017, the percent of individuals convicted of a felony sentenced to prison in Lake County decreased from 33% to 28% (Figure 9). In Illinois outside of Cook and Lake Counties, the percent of individuals convicted of a felony who are sentenced to prison decreased from 40% in 2010 to 32% in 2017. Importantly, the percent of those convicted of felonies being sentenced to prison in Lake County has decreased steadily since 2006, when more than 36% of individuals with felony convictions were sentenced to prison.

During this period of a lower rate of prison utilization, the overall Index crime rate in Lake County also decreased consistently. Some of the differences across jurisdictions in the likelihood of individuals convicted of a felony being sentenced to prison can be explained by differences in the types of conviction offenses (i.e., more serious felony classes) or differences in the seriousness of the individual's previous offenses (i.e., more extensive criminal history). However, even after statistically controlling for the influence of the conviction offense and defendant characteristics, *the odds of being sentenced to prison in Lake County is lower than when compared to Illinois as a whole.*

Figure 9. Percent of Persons with a Felony Conviction Sentenced to Prison in Lake County



Source: Analyses by Loyola's Center for Criminal Justice Research, Policy & Practice of aggregate, published data from the Administrative Office of the Illinois Courts' Annual reports.

*Apparent data reporting error in 2006 and 2007.

Detailed analyses of the characteristics that influenced the imposition of prison sentences on individuals with felony convictions in Lake County using CHRI data revealed that of those who were arrested and ultimately convicted of a felony-level offense during the 2012 to 2014 period, 36% were sentenced to prison. Further, these analyses found that the three factors that influenced the imposition of prison sentences in Lake County the most were the felony class of the offense, whether the defendant had previously been sentenced to prison and whether the defendant received credit for time served (a proxy for pretrial detention). Specifically, defendants who were charged with more serious felonies, who had previously been sentenced to prison and who received credit for time served were all more likely to be sentenced to prison than others. For example, of those convicted of a Class 1 felony, 65% were sentenced with prison, compared to 30% of those convicted of a Class 4 felony. Similarly, of those who had previously been sentenced to prison, 56% received a prison sentence for the current conviction, compared to 26% of those who had never previously been sentenced to prison. The race of the defendant did not appear to have an independent influence on whether or not a prison sentence was imposed on those convicted of a felony in Lake County during the time period examined.

The substantial decrease in the proportion of individuals convicted of a felony and sentenced to prison in Lake County is likely due to a number of factors occurring simultaneously. First, Lake County has operated a drug court program since 2010, and enhanced their problem solving courts with funding from Adult Redeploy Illinois in 2013. Second, it is possible that as a result of a newly elected State's Attorney in 2012, there was a change in the practices and policy within the State's Attorney's Office. It is also possible that the characteristics of the cases moving through the system have changed, such as a smaller proportion of the cases involving younger defendants. The analyses of factors influencing the imposition of a prison sentence in Lake County found that emerging adults (those between 18 and 24) were slightly more likely to be sentenced to prison, and the analyses of arrest trends in Lake County described earlier revealed a much larger decrease in arrests involving these young adults in Lake County. Collectively, the enhancements to the diversionary programs, changes in policy and practice, and some changes in the characteristics of those matriculating through the felony courts all likely played a part in explaining this decreased use of prison in Lake County. More detailed, and more current, analyses of the factors influencing sentencing practices and patterns in Lake County will be conducted in the future as part of the CJCC strategic planning efforts to better understand what has led to these changes.

Changing Correctional Populations

There are three possible jurisdictions under which individuals convicted of a felony in Lake County can be supervised: in prison, on probation or on Mandatory Supervised Release (MSR or “parole”). Increases in crime and arrests during the 1980s and 1990s, coupled with the changing sentencing practices for those convicted of a felony in Lake County in the past decade described above, led to changes in the number of those convicted of a felony under the custody of the criminal justice system in/from Lake County.

As described above, the majority of individuals convicted of a felony in Lake County (and in most Illinois counties) are sentenced to probation. As a result, probation is where the largest category of individuals with felony convictions who are under the custody of the justice system are supervised. Between the mid-1980s and the early 2000s, the number of individuals convicted of a felony on probation in Lake County nearly doubled, from just over 921 in 1986 to more than 1,700 by 1999 (Figure 10).²⁸ However, because of the steady decrease in felony arrests and felony filings, the number of sentences to probation and thus the probation population at year-end in Lake County over the past 8 years has decreased. For example, between December of 2010 and 2018, the number of individuals with felony convictions on probation dropped from 2,449 to 1,314, a 46% decrease.²⁹ By comparison, during that same time-period the number of individuals convicted of a felony on probation at year-end in Illinois outside of Cook and Lake Counties increased by less than 1%. At the end of 2018, there were a total of 2,907 individuals convicted of a felony under the custody of the justice system (including probation, prison and MSR) from Lake County, with 45% of them supervised on probation.³⁰

The long-term trends in the number of individuals *in prison* from Lake County, as a result of either being sentenced to prison or being returned to prison as a technical MSR violator, increased dramatically during the 1990s through 2001 due to increases in crime, arrests, and the proportion of individuals convicted of felonies being sentenced to prison increasing during much of that time period. For example, at the end of the state fiscal year (SFY) 1989 there were fewer than 800 adults in Illinois’ prisons from Lake County, but by the end of SFY 2001 there was nearly a 100% increase (1,430 [Figure 10]).³¹

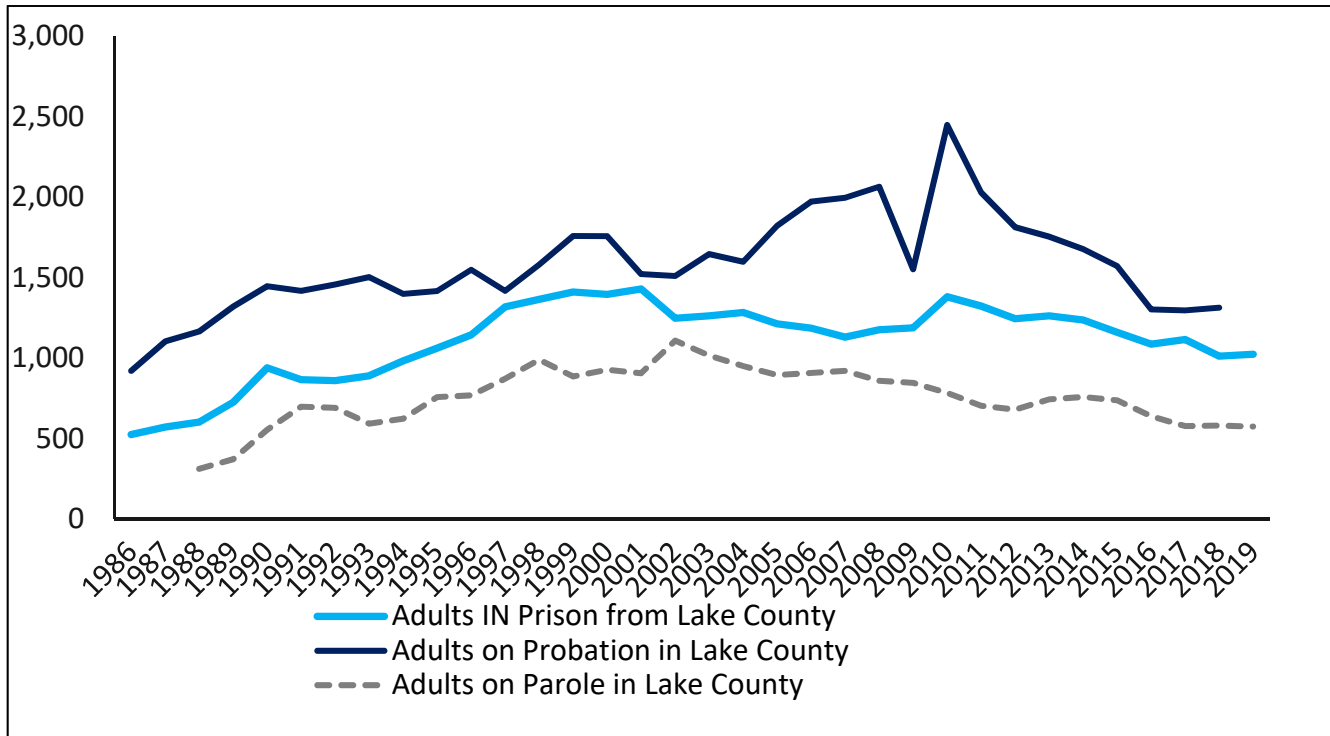
²⁸ Analyses by Loyola’s Center for Criminal Justice Research, Policy & Practice of aggregate, published data from the Administrative Office of the Illinois Courts’ Annual reports.

²⁹ Analyses by Loyola’s Center for Criminal Justice Research, Policy & Practice of aggregate, published data from the Administrative Office of the Illinois Courts’ Annual reports.

³⁰ Analyses by Loyola’s Center for Criminal Justice Research, Policy & Practice of data provided by the Illinois Department of Corrections’ Planning and Research Unit.

³¹ Analyses by Loyola’s Center for Criminal Justice Research, Policy & Practice of data provided by the Illinois Department of Corrections’ Planning and Research Unit.

Figure 10. Prison, Felony Probation, and “Parole” (MSR) Population in Lake County



Source: Analyses by Loyola’s Center for Criminal Justice Research, Policy and Practice of IDOC data provided by IDOC’s Planning and Research Unit, aggregate published data by IDOC, and aggregate published AOIC data.

However, as a result of the decrease in crime, felony arrests and filings, and a lower likelihood of individuals convicted of a felony being sentenced to prison, the number of people in prison from Lake County at the end of SFY 2019 was 1,038, or 25% lower than at the end of SFY 2010. By comparison, the number of people in prison at the end of SFY 2019 from Illinois outside of Cook and Lake Counties was only 9% lower than at the end of SFY 2010. Of the 2,907 individuals convicted of a felony under the custody of the justice system (including probation, prison and MSR) from Lake County at the end of 2018, 35% of them were incarcerated in a state prison.

Finally, as described previously, once an inmate has served their sentence they are released from prison onto MSR. Of the 2,907 individuals convicted of a felony under the custody of the justice system (including probation, prison and MSR) from Lake County at the end of 2018, 20% of them were being supervised by IDOC parole agents in Lake County. Generally, the number of people on MSR in Lake County has followed the trends in releases from IDOC, which is influenced by the admissions in previous years (Figure 10). Thus, when the number of those in prison is combined with those on MSR in Lake County, more than one-half (55%) of the sentenced individuals convicted of a felony from Lake County and under the jurisdiction of the justice system were under the custody/supervision of IDOC.

Reentry and Recidivism of Those Released from Prison Who Return to Lake County

An important tenant within the area of sentencing and prison populations is that almost everybody sentenced to prison will eventually be released from prison. Although individuals convicted of murder serve extremely long sentences and a substantial portion are never released, these individuals account for a very small percent of all admissions to prison. In Lake County, for example, 2% of all the admissions to prison from Lake County between SFY 2010 and 2018 were for murder. Thus, most individuals sentenced to prison are released, and for the most part, those individuals who are sentenced to prison from Lake County return back to Lake County upon their release. Among those returning from prison to Lake County between SFY 2011 and 2015, 75% were originally sentenced to prison in Lake County. Further, of those released from prison and returning to Lake County, over half (59%) return to three specific zip codes shared by Waukegan and North Chicago: 60085, 60099, and 60064. Again, most inmates released from prison return back to where they lived prior to prison, usually living with family members or friends.

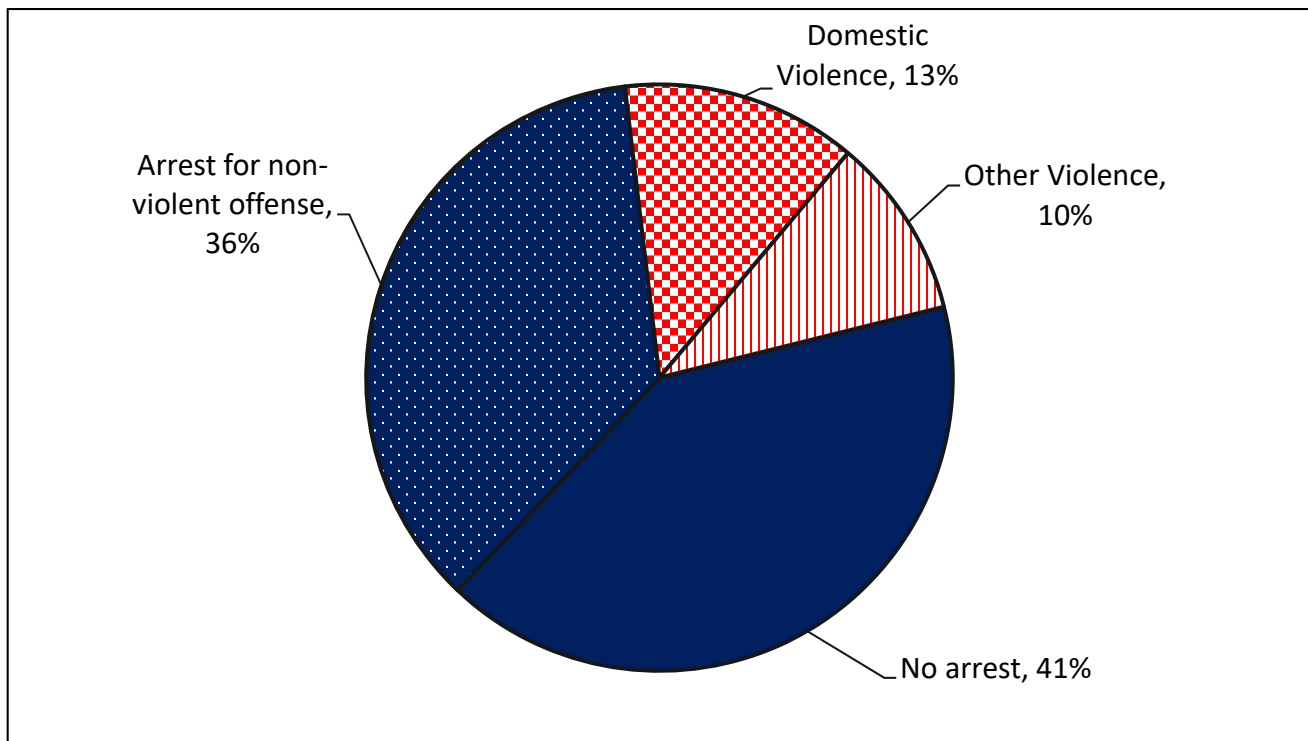
Of particular concern for many, and one of the measures used to gauge the effectiveness of correctional interventions, is the degree to which those processed through the criminal justice system recidivate, or continue to engage in criminal behaviors. Although measuring someone's involvement in criminal behavior is difficult, given that such a large portion of crimes are not reported or known to the police, one way that recidivism has been measured is whether or not someone is rearrested for a new crime following the imposition or completion of their sentence. To examine recidivism among those released from prison who returned to Lake County, data were collected and analyses were performed to determine the rate and patterns of rearrest among those released from IDOC between SFY 2011 to 2014 who returned to Lake County. These analyses revealed that, overall, 59% of those released from prison were rearrested for any type of crime within three years of their release, a rate statistically similar to that seen in Illinois as a whole (Figure 11). Consistent with prior research on the topic, the releasee's age and criminal history were the two strongest predictors of whether or not they were rearrested: younger individuals and those with more extensive criminal histories had the highest recidivism rates.

Often when the public hears or thinks about prison releasees committing new crimes, offenses such as murder or shootings come to mind. However, it is important to note that most of those that were arrested following their release from prison were arrested for non-violent crimes. Overall, 59% of those released from prison to Lake County were arrested within 3 years of release, a rate similar to that seen in Illinois as a whole.³² Further, 23% of those released from prison and returned to Lake County were arrested for a violent crime within three years of their release, and the majority of these

³² During the same time period, 58% of those released from prison to any county in Illinois were arrested within 3 years of release.

arrests involved crimes of domestic violence. Specifically, 13% of Lake County releaseses from IDOC were arrested for a domestic violence offense, while 10% were arrested for some other type of violent crime (Figure 11).

Figure 11. Examining Recidivism of Adult IDOC Releasees Returned to Lake County, Crimes of Violence



Source: Analyses by Loyola's Center for Criminal Justice Research, Policy & Practice of data provided by the Illinois Department of Corrections' Planning and Research Unit and CHRI data generated and provided by the Research and Analysis Unit, Illinois Criminal Justice Information Authority.

This 13% domestic violence recidivism rate among those released to Lake County was slightly higher than the 11% rate seen in the rest of Illinois. Domestic violence is clearly a serious offense. Arrests for domestic violence also have significant implications for MSR supervision and revocation, since under Illinois law anyone on MSR who is rearrested for a domestic violence offense must have a warrant issued to revoke their MSR and be returned to prison as an MSR violator. Finally, a small percent of those released from prison and returned to Lake County were arrested for offenses involving either the illegal possession of a firearm (7%) or the use of a firearm in the commission of a crime (4%).

Conclusions and Future Research

The analyses presented in this report highlight some of the major trends and issues within the Lake County criminal justice system. Similar to what has been seen across the country, and in Illinois, the overall crime rate in Lake County has decreased consistently over the past 15 years, driven primarily by a decrease in property crime.

As a result of the overall decrease in crime in Lake County, and evident shifts in drug enforcement practice since the 1990s, arrests in Lake County have also decreased in the past 10 years, resulting in fewer criminal court filings. With fewer court filings, and a clear shift in sentencing practices in Lake County, the number and proportion of individuals convicted of felonies being sentenced to prison in Lake County has decreased, while the proportion of individuals convicted of felonies being sentenced to probation in the county has increased. Indeed, one of the recommendations by leading scholars and practitioners in the field is that strengthening probation is one of the critical elements needed to reduce the reliance on incarceration as a primary response to crime.

The following staff from Loyola's Center for Criminal Justice Research, Policy, and Practice were involved in the analyses, writing and formatting of this report (in alphabetical order): Kathryn Bocanegra, Ph.D., Keeley Kolis, Carly McCabe, Holly Michalak, David Olson, Ph.D., Henry Otto, Avery Pankratz, Giulia Poropat, John Specker, M.A., Joe Schasane, Donald Stemen, Ph.D., and Amanda Ward, Ph.D.