

The Impact of Truth-in-Sentencing on Lengths of Time to Serve and Institutional Adjustment of Murderers and Sex Offenders in Illinois

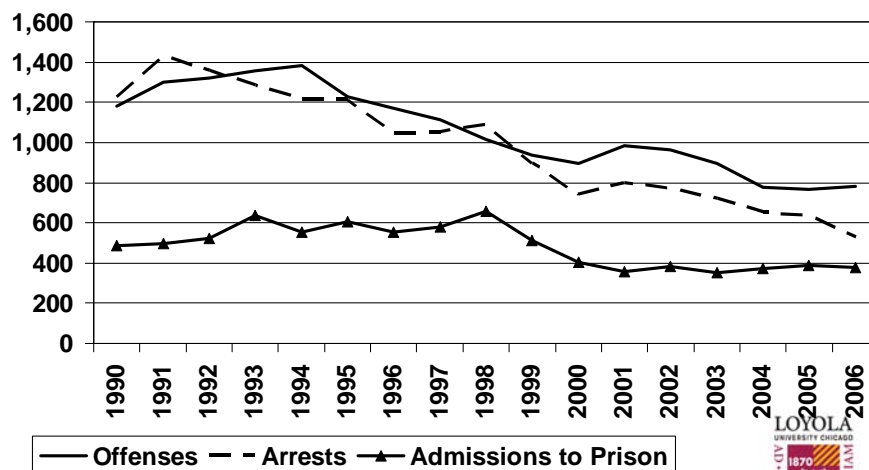
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Murder Offenses, Arrests & Admissions to Prison in Illinois



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Murder & Sexual Assault Sentencing

- **Statutorily allowable sentences for Murder**
 - Mandatory 20-60 year determinate sentence to prison
 - Possible sentences with specific aggravating circumstances
 - More than 60 years
 - Natural life
 - Death penalty with unanimous decision by jury to impose death penalty
- **Statutorily allowable sentences for Aggravated Criminal Sexual Assault (Non-Probationable Sex Offenses)**
 - Mandatory 6 to 30 year determinate sentence to prison
 - Possible sentences with specific aggravating circumstances
 - Up to 60 years
 - Natural Life
 - Sexually Dangerous Person (SDP):Prison + Civil Commitment



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Illinois' Truth-in-Sentencing Law

- Passed in State Fiscal Year 1996 & 1998
- Those convicted of murder must serve 100% of their court-imposed sentence (i.e., no day-for-day good conduct credit);
- Those convicted of aggravated criminal sexual assault must serve 85% of their court-imposed sentence;
- Those convicted of other violent crimes with court finding of "great bodily harm" must serve 85% of their court-imposed sentence.



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Pre-TIS Views

- Many experts felt truth-in-sentencing would have little impact on the time felons serve in prison, arguing judges would simply adjust their sentencing to the new law.
“This is just another political response to the never-ending problem of crime. Judges know how to divide. They have calculators. The system learns how to accommodate itself to all changes.” Former prosecutor and judge quoted in the Chicago Tribune, 7/3/1994.
- **“It robs corrections officials of one of the few management tools to control the inmate population and that’s ‘good time.’”** President of the John Howard Association quoted in the Chicago Tribune 8/21/1995.



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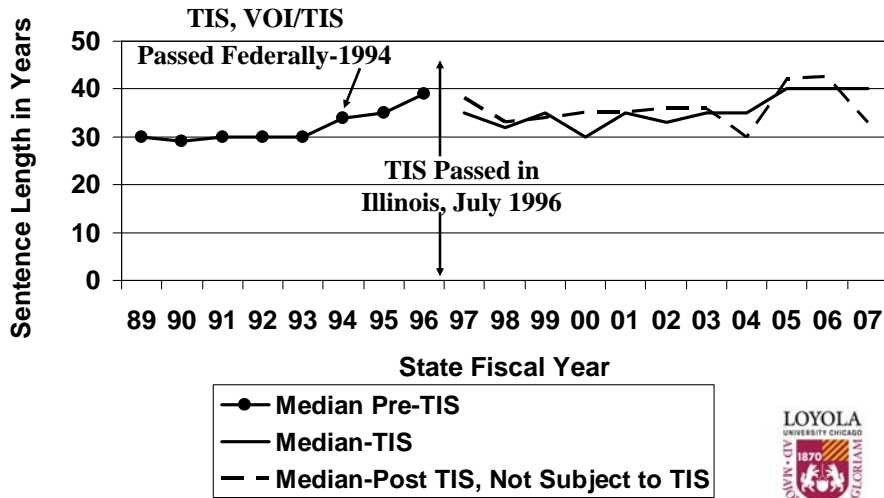
Research Questions

- Did truth-in-sentencing impact the sentence lengths/lengths of time to serve for those convicted of murder & sex offenses?
- Did truth-in-sentencing impact the extent and nature of disciplinary infractions among those incarcerated for murder & sex offenses?



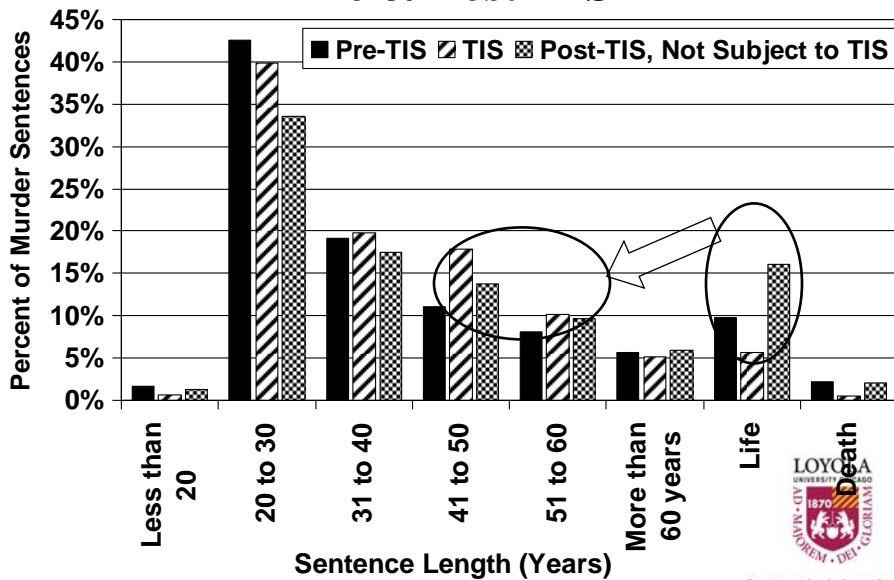
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Median 1st Degree Murder Sentences Imposed (Excluding Life & Death)



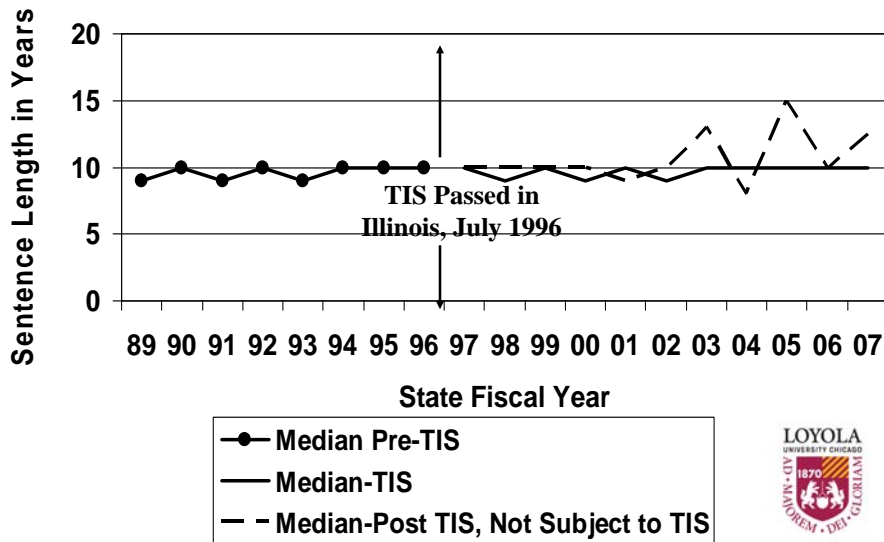
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Distribution of Murder Sentences Imposed, Pre & Post-TIS

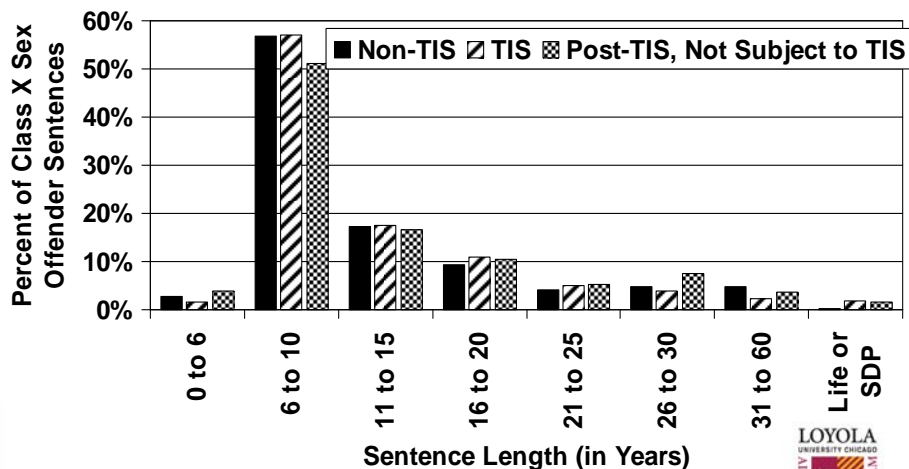


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Median Class X Sex Offender Sentences Imposed (Excluding Life & Death)



Distribution of Class X Sex Offender Sentences Imposed, Pre & Post-TIS



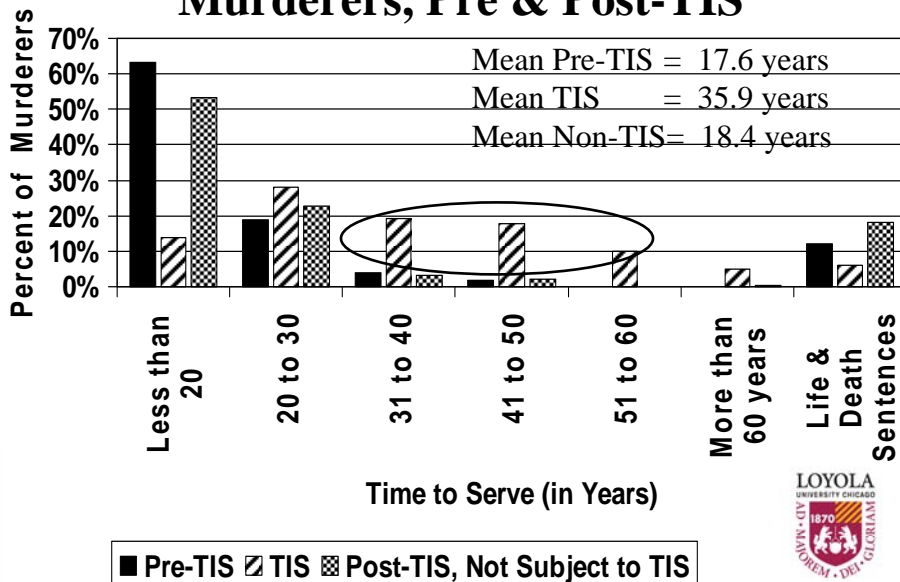
Multivariate Analyses

- What impact did TIS have on sentence lengths, after statistically controlling for age, race, gender, marital status, education level, number of children, gang involvement, prior prison sentences, and committing county;
- **Murder**
 - Murderers subject to TIS had a 57% **lower** likelihood of receiving a sentence beyond the statutory maximum of 60 years than pre-TIS; Murderers not subject to TIS had a slightly **higher** likelihood of receiving a sentence beyond the statutory maximum than pre-TIS.
 - Of those given a determinate sentence (i.e., excluding life or death sentences), Murderers subject to TIS received sentences that were an average of 4 years **shorter** than pre-TIS.
- **Class X Sex Offenders**
 - Of those given a determinate sentence (i.e., excluding life or SDP sentences), Class X Sex Offenders subject to TIS received sentences that were an average of 0.8 years (9 months) **shorter** than pre-TIS.



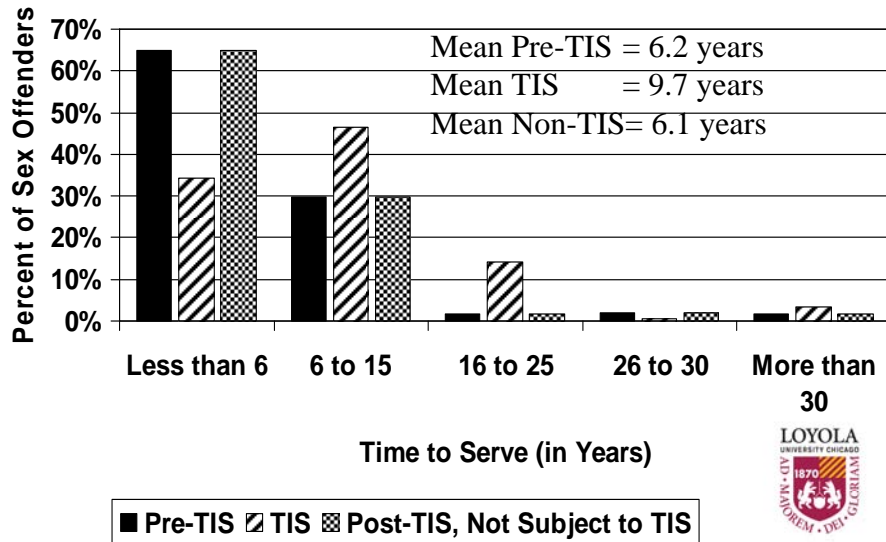
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Projected Time to Serve for Convicted Murderers, Pre & Post-TIS

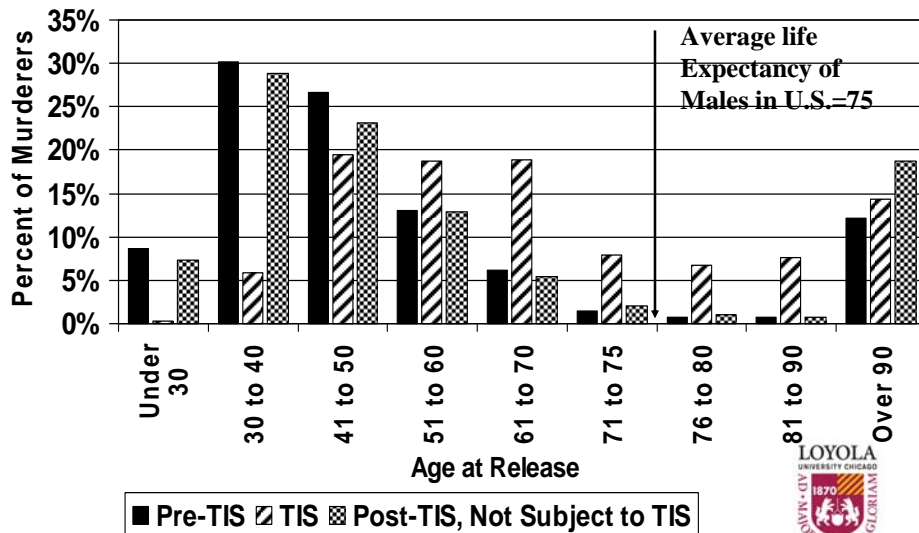


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Projected Time to Serve for Convicted Class X Sex Offenders, Pre & Post-TIS

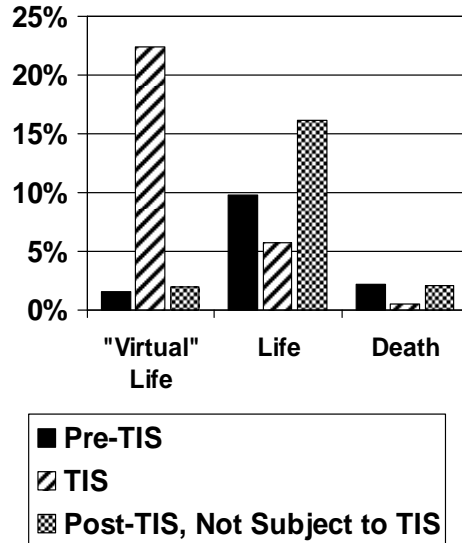


Projected Age at Release for Convicted Murderers, Pre & Post-TIS

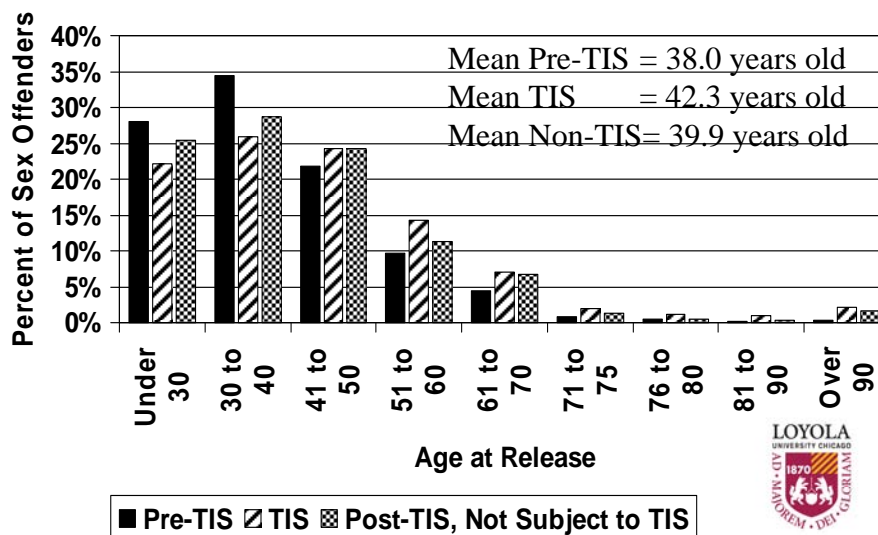


Proportion of Murderers Projected to be in Prison Beyond 75th Birthday

- Percent of murderers projected to be in prison beyond their 75th birthday
 - Pre-TIS = 14%
 - TIS = 29%
 - Non-TIS = 20%
- Average/median age at release of those not receiving life or death sentence
 - Pre-TIS = 44 / 42
 - TIS = 63 / 61
 - Non-TIS = 44 / 41



Projected Age at Release for Convicted Class X Sex Offenders, Pre & Post-TIS



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Thus

- TIS was associated with slight reductions in the sentences imposed on murderers and sex offenders, but nowhere near the magnitude expected;
- TIS was associated with a substantially longer projected time to serve, and as a result, offenders will be considerably older when (and if) released from prison;
- Implications for health care & recidivism.



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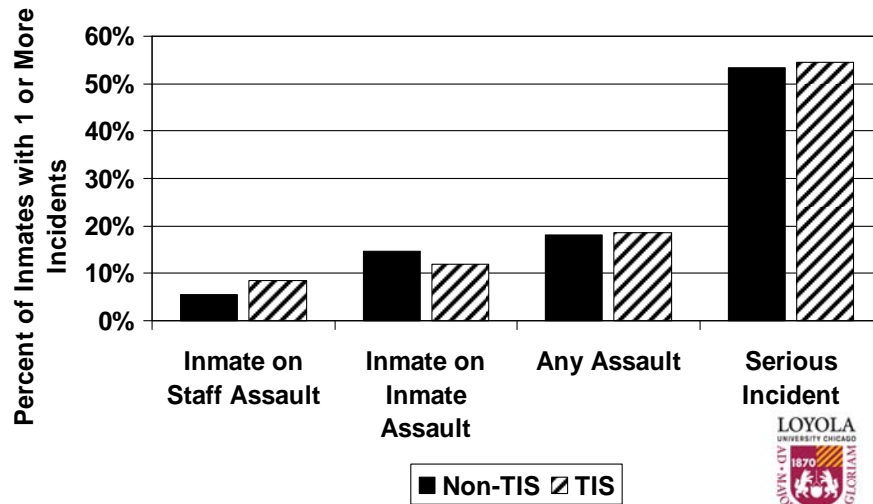
Disciplinary Incidents- Sample

Detailed information for every disciplinary ticket issued against inmates admitted between July 1999 & June 2001, including date, nature of violation, and sanction imposed.

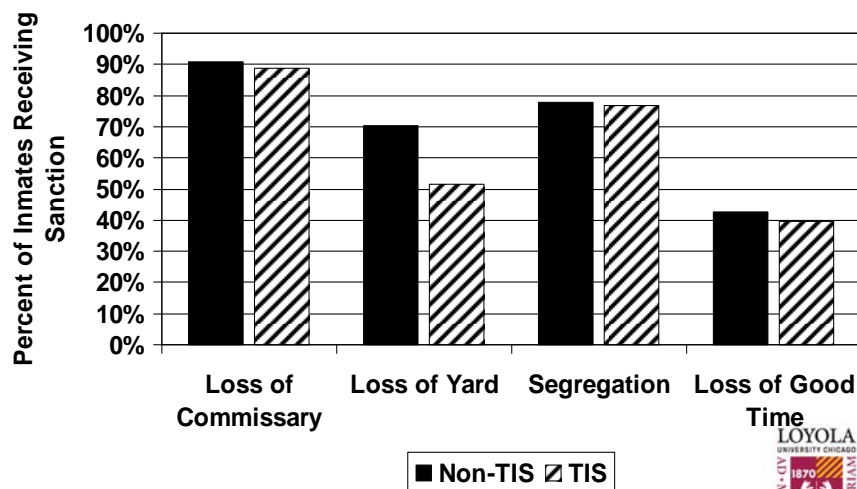
- | | |
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| <ul style="list-style-type: none">• <u>Murderers</u>• Total of 849 cases, 35% of which were TIS;• Disciplinary record as of June 2008• All had at least 1 ticket; mean=22, median=16;• Non-TIS had an average of 24 tickets, TIS an average 18. | <ul style="list-style-type: none">• <u>Sex Offenders</u>• Total of 631 cases, 67% of which were TIS;• Disciplinary record as of June 2008• All had at least 1 ticket; mean=23, median=13• Non-TIS had an average of 22 tickets, TIS an average 24. |
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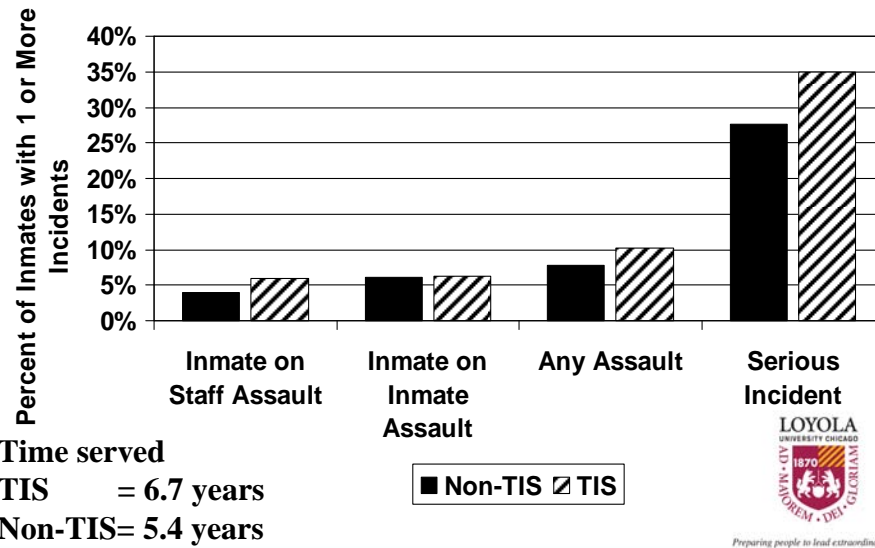
Prevalence of Disciplinary Incidents Among Murder Sample, by TIS Status



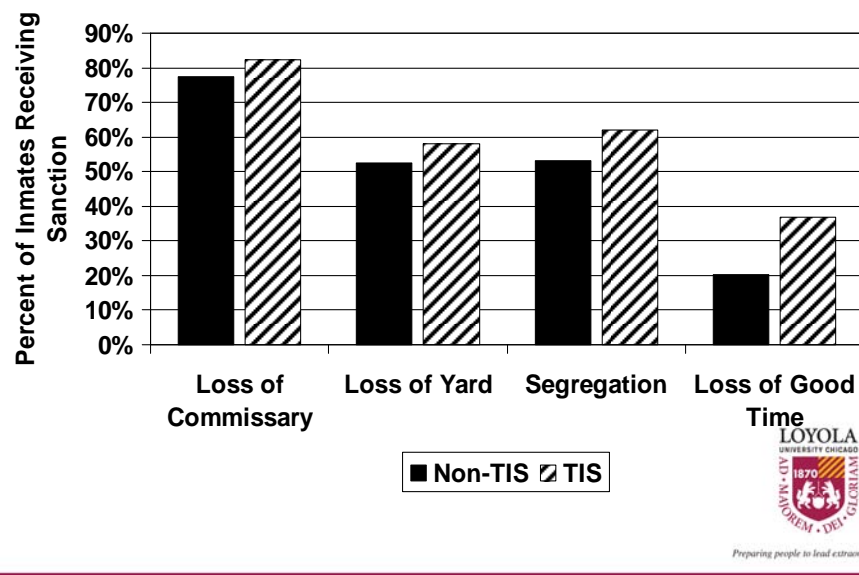
Sanctions Imposed on Murderers with Disciplinary Incidents, by TIS Status



Prevalence of Disciplinary Incidents Among Sex Offender Sample, by TIS Status



Sanctions Imposed on Sex Offenders with Disciplinary Incidents, by TIS Status



Multivariate Analyses

- Separate models generated for murderers and sex offenders, and for various indicators of disciplinary incidents (overall number of tickets, incidents of assault, and serious incidents) and disciplinary outcomes (segregation and loss of good conduct credit);
- Sought to determine the impact of TIS, after statistically controlling for age, race, gender, marital status, education level, number of children, gang involvement, prior prison sentences, committing county, security classification of facility, specific facility, length of time in prison, and projected length of time to serve.



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Variables Associated with Incidents

- **Murderers**
 - **Serious Incident:** Age (inverse), time served (positive), gang membership (gang), and security level of facility;
 - **Assaults:** no variables found to be significant;
 - **Total Number of Tickets:** Age (inverse), gender (female), time served (positive), projected time to serve (inverse), **TIS Status (Non-TIS)**, security level of facility.
- **Sex Offenders**
 - **Serious Incident:** Age (inverse), time served (positive), has children (no), committing county, and security level of facility.
 - **Assault:** Age (inverse), race (African-American), committing county (Cook/Chicago), and security level (higher security)
 - **Total Number of Tickets:** Age (inverse), time served (positive), projected time to serve (inverse), has children (no), education level (HS/GED), gang status (gang member), and security level of facility.

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Conclusions on Disciplinary Incidents

- The only indicator of disciplinary infractions that had an independent relationship to TIS was the overall number of tickets for murderers, which revealed those subject to TIS had fewer tickets;
- Time served was positively correlated with all of the disciplinary indicators, for both murderers and sex offenders;
- It appears that loss of good conduct credit is used less often than other forms of discipline, such as segregation, commissary, and yard time, for all offenders. TIS offenders may be eligible for good conduct credit for other crimes they were convicted of concurrent to their TIS-offense.



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Answers to Research Questions

- Did truth-in-sentencing impact the sentence lengths/lengths of time to serve for those convicted of murder & sex offenses?
 - For murderers, TIS reduced likelihood of life sentences being imposed, and reduced the average sentence length of determinate sentences by roughly 4 years. However, TIS increased the projected time to serve by an average of 18 years.
 - For sex offenders, TIS reduced the average sentence length by less than 1 year, but increased the projected time to serve by an average of 3.5 years.
- Did truth-in-sentencing impact the extent and nature of disciplinary infractions among those incarcerated for murder & sex offenses?
 - Only for murderers in terms of the overall number of tickets, and not in the direction predicted. Those subject to TIS had fewer overall tickets than those not subject to TIS.



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