

**New Directions for Illinois Drug Policy:
An Update on Incarceration for Drug Offenses
In Illinois**

**A Project of the Illinois Consortium on Drug Policy
Housed at the Institute for Metropolitan Affairs
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Illinois Consortium on Drug Policy

The Illinois Consortium on Drug Policy is a project established in 2005 through a grant from the Drug Policy Alliance and is housed at Roosevelt University's Institute for Metropolitan Affairs in Chicago, Illinois.

Mission

The Consortium's primary objectives are to promote discussion of alternatives to Illinois' current drug policies and to serve as a forum for the open, honest and thoughtful exchange of ideas. We aspire to serve both the general public and populations significantly affected by drug policies through careful analysis of current policies in the areas of housing, employment, education, social services, healthcare and economics.

Vision

The Consortium envisions a time when Illinoisans discuss and view substance use disorders in a new way—as a public health problem, rather than simply a criminal justice issue. We aspire to see treatment delivered when individuals need it and to provide care based on individual needs. We endeavor to promote initiatives and policies that recognize the nexus between substance use, mental health problems and factors related to being a member of a disadvantaged population. We also encourage work that seeks to reduce the physical, psychological, social and legal harms associated with substance use. The Consortium sees a future where drug use declines as we reduce the demand for drugs through advancements in treatment and prevention programming, and where those who receive services help determine how these services are delivered. The Consortium pictures Illinois as a national leader in fostering healthy individuals and communities and providing evidence-based treatment for addiction disorders. The Consortium conceives of a world where individuals who have criminal records are given opportunities to contribute to society through employment, community building, and civic engagement. The Consortium sees these changes enacted by those who are most impacted by these policies, including individuals who have been incarcerated for drug offenses.

Acknowledgements

The Consortium would like to extend our thanks to Roosevelt University, the Woods Fund of Chicago, the Illinois Department of Corrections, with special thanks to Steve Karr for providing excellent up-to-date data on drug offenders incarcerated in Illinois, the Drug Policy Alliance and Protestants for the Common Good.

EXECUTIVE SUMMARY

Drug Use among Arrestees in Cook County Jail

Of the ten Arrestee Drug Use Monitoring II sites, Chicago (Cook County) had the greatest number of arrestees testing positive for drugs at 87 percent of the sample.

- Cook County also had the highest percentage of poly-substance use confirmed through the urine screen at 40 percent, an increase over the number of arrestees testing positive for poly-substance use in 2007.

Cocaine

- Cook County had the largest percentage of arrestees testing positive for cocaine at 43.8 percent.
- There was very little racial difference among arrestees testing positive for cocaine. Blacks and whites tested positive for cocaine in nearly similar percentages (46.2% and 45.7% respectively), though fewer Latinos tested positive for cocaine (33.4%) than whites or blacks.

Heroin

- Of the ten sites, Chicago had the highest percentage of arrestees testing positive for heroin at 29 percent. In comparison, Washington DC, which ranked second after Chicago, only had 12 percent of arrestees testing positive for heroin. Chicago's test results also represent a statistically significant increase over the percentage of arrestees testing positive for heroin in 2007.
- Racial differences were particularly pronounced for heroin use. The percentage of whites testing positive for heroin (41%) was nearly twice that of black and Latino arrestees (25% and 24% respectively).
- Individuals that tested positive for heroin were much more likely to have been arrested for a property crime. Forty-six percent of the arrestees charged with a property crime tested positive for heroin, followed by 27.4 percent of arrestees with a drug possession charge testing positive for heroin.

Drug Offenders Entering Prison in Illinois

In Illinois, the number of individuals entering Illinois' prisons for drug offenses increased 12 percent from 10,436 individuals in 2000 to 11,680 in 2008.

The peak year for drug offenders entering prison was 2005, when the number of drug offenders entering prison reached nearly 15,000 individuals. *Individuals entering prison for drug offenses have steadily declined from 2006 to 2008.*

- One reason for the large number of individuals entering Illinois prisons in 2005 is the large increase in technical violators admitted to prison. The number of these offenders

increased more than 290 percent over fiscal year 2000 numbers, from 955 individuals to 3,727 individuals in 2005

- Court commitments also increased, from about 7,800 in 2000 to about 9,600 in 2005, a 23 percent increase.
- The combination of increases in court commitments along with the very large increases in technical violations from parolees may partially explain the peak year numbers.

Sales and Possession Offenders

Individuals who entered prison for drug sales offenses declined during this period from 5,074 individuals in 2000 to 4,202 in 2008.

The number of individuals entering Illinois' prisons for drug possession of a controlled substance—that is possession of any drug besides marijuana—increased by more than 42 percent from 4,675 individuals in 2000, to 6,618 offenders in 2008.

Since 2002, nearly every year, the percentage of those going to prison for possession offenses has increased. For example:

- In 2000, 52 percent of those admitted to prison for drug offenses were convicted of sales offenses, and 48 percent were convicted of possession offenses.
- By 2008, possession offenders made up nearly 62 percent of drug offenders incarcerated for drug offenses, while sales offenders made up just 38 percent of individuals entering prison for drugs.
- In 2008, 53 percent of those entering prison for drug offenses were convicted of a Class 4 felony, the lowest-level possession offense.

The number of prison entrances for individuals convicted of the lowest level of drug offenses, Class 4 possession offenses, increased by 34 percent, from 4,634 individuals in 2000 to 6,188 individuals in 2008.

- In 2000, these offenders represented 44 percent of admissions to prison for all drug offenses, but by 2008, Class 4 possession offenders comprised 53 percent of admissions for drug offenses that resulted in prison terms.
- Imprisonment for individuals convicted of cannabis possession, although small in number, increased by 35 percent from 189 individuals in 2000 to 256 individuals in 2008.
- Technical violations among Class 4 drug possession offenders that resulted in a new prison admission increased from 279 individuals in 2000 to nearly 900 individuals in 2008. This was an increase of more than 220 percent.

Reducing Recidivism

- Drug treatment in jail reduces recidivism by about 4.5 percent.
- Drug treatment in prison provides a nearly 6 percent reduction in recidivism.
- Drug treatment in the community reduces recidivism by about 9.5 percent.

- The largest impact on recidivism rates occurs when individuals are given intensive supervision (parole or probation) with treatment, which reduces recidivism by more than 16 percent.

Cost of Incarcerating Lowest Level Drug Offenders in 2008

In Illinois, it costs about \$61.36 per day to house an offender in prison. The majority of low-level drug possession offenders will most likely spend a short period of time in prison (e.g. 120 days or less).

- The cost for an offender to spend 120 days in prison is approximately \$7,363.
- The cost of imprisoning the 4,379 Class 4 possession offenders (the lowest level drug offense) in 2008 (assuming an average stay of 120 days) was \$34,243,453.00.

National Comparisons

According to analysis of the National Corrections Reporting Program most recent data (2003):

All Drug Offenders Entering Prison

Illinois ranked third in the number of individuals entering prison for drug offenses in the nation, following California and Texas in 2003. During this time period, more than 13,000 drug offenders entered Illinois' prisons.

Drug Possession Offenders Entering Prison

Illinois ranked second in the nation in the number drug possession offenders entering prison in 2003, a total of 7,536 individuals. California had the largest number of drug possession offenders entering prison at 10,129 individuals.

Rate of Drug Possession Offenders Entering Prison

In order to adjust for population differences between states, a rate per 100,000 of drug possession offenders entering prison was calculated. For example, California's population is approximately 2.8 times the size of Illinois' population. While the number of persons entering prison in each state is interesting, the more meaningful statistic is one that adjusts for the number of people residing in the state.

- Nationally, Illinois ranked second behind Mississippi in the per capita rate of drug possession offenders admitted to prison. Illinois' rate of incarceration was 59.56 individuals per 100,000 residents and Mississippi had a rate of 70.56 individuals per 100,000 residents.

Race and Drug Offenders

Illinois ranked *first in the nation* in black to white disparity of those entering prison for drug offenses. For every white drug offender entering prison, there were more than four black drug offenders entering prison. The disproportionate incarceration of African Americans for drug offenses in the name of the war on drugs is often referred to as the "New Jim Crow."

- In absolute numbers, 9,937 African Americans entered Illinois' prisons for drug offenses, while just 2,361 whites entered prison for drug offenses in 2003. South Carolina ranked second in disparity, with 2,740 African Americans and 684 whites entering prison entering prison for drug offenses.
- Illinois also ranked first in the black to white disparity of those entering prison for drug possession offenses.
- Illinois incarcerated 6,028 black individuals for drug possession offenses in 2003 and just 1,122 white individuals for drug possession offenses.

POLICY RECOMMENDATIONS

Revisit Parole and Reentry Planning

The Pew Center on the States estimates that it costs Illinois taxpayers nearly the same amount to keep an individual in prison for one day as it does to supervise someone on parole for two full weeks. Technical violations make up about 15 percent of those incarcerated for drug offenses in Illinois in 2008, which is a significant decrease from the nearly 27 percent incarcerated for technical violations in 2006.

- Parole services need to move towards focusing on supportive services to ensure that individuals having difficulties meeting parole conditions are given escalating sanctions in the community rather than being sent back to prison.
- Prison should be the last resort for technical violations. More intensive supervision is preferable to a return to prison and saves taxpayers' money.

Adequately Fund Treatment

Treatment funding must be restored and more money must be invested in treatment services, as untreated use disorders cost the state \$4.6 billion per year. About one-quarter of these costs are shouldered by the criminal justice system (or \$1.16 billion per year).

- Less than one-half of one percent of Illinois' budget is spent on treatment for substance use disorders.
- Treatment funding remains the same as 1980s levels, despite increased need for services.
- The current proposed budget cuts will result in an additional 4,407 individuals added to Illinois drug treatment exiting waiting lists, for a total of 11,947 individuals waiting for treatment. These individuals are likely to find themselves in the criminal justice system if their needs for treatment remain unmet.

Divert Low-Level Drug Offenders to Community Corrections Programs

For each dollar invested incarcerating Class 4 drug possession offenders, 63¢ is wasted. If 4,379 Class 4 drug possession offenders were treated in the community at an annual cost of \$4,425 per individual, the total cost would be \$19,377,075. This is less than the upfront cost of incarcerating drug offenders for even a short stay of 120 days (\$32,243,453).

Treatment in the community is an investment that would return between \$155 million to \$300 million to Illinois taxpayers if all Class 4 offenders were diverted from incarceration.

INTRODUCTION TO THE ILLINOIS UPDATE

More than 1 in 100 adults in the United States are currently incarcerated in jails and state or federal prisons. This represents the highest incarceration rate in the world. Coupled with the current economic climate, the need to reduce spending on corrections at the state level takes center stage. The cost of maintaining current incarceration levels exceeds \$49 billion annually in the United States. If current trends hold, state and federal spending on corrections will increase another \$25 billion by 2011.¹ The question facing policymakers and taxpayers across the nation is simple: Are we getting enough bang for our buck?

Like most states, Illinois devotes significant resources to keeping its prisons and jails running safely. In fiscal year 2007, the State of Illinois budget devoted 4.4 percent of spending to corrections. This is the same amount it spent on administration – including all boards, commissions, agencies, authorities, districts, councils, and all legislative, constitutional and judicial offices *combined*.² State spending on corrections increased to 6.1 percent in fiscal year 2008, surpassing administration costs and nearing the amount spent on higher education.^{3,4}

The Pew Center on the States estimates that it costs Illinois taxpayers nearly the same amount to keep an individual in prison for one day as it does to supervise someone on parole for two full weeks.⁵ Providing treatment for individuals with substance use issues provides savings as well. It costs Illinois approximately \$4,425 per person annually to provide substance use treatment, whereas placing the individual in prison costs in excess of \$34,000 per person annually. Essentially, providing treatment costs less than 13 percent of what it does to house an individual in prison.⁶ These savings do not take into account savings from reduced crime, hospital emergency department spending, and lost worker productivity.

Incarceration is highly concentrated among men, racial and ethnic minorities, and 20- to 30-year olds. Despite African Americans only comprising 14 percent of regular drug users nationally, they comprise 37 percent of those arrested for drug offenses and 56 percent of those in prison for a drug offense. This disproportionate incarceration of African Americans for drug offenses in the name of the war on drugs is often referred to as the “New Jim Crow.”

According to 2003 data, thirty-seven percent of all individuals incarcerated in Illinois facilities are serving time for drug offenses. Less than one in four will receive addiction-related healthcare services.⁷ Nearly 6 in 10 individuals in prison for drug-related offenses have no history of either violence or high-level drug trafficking.⁸ Untreated addictions cause increased crime, domestic violence, foster care placement, hospital emergency department expenditures, lost worker productivity and tax revenue, criminal justice costs, etc. With the State of Illinois spending nearly \$3 billion on these collateral consequences, the bang for the buck is marginal at best.⁹

The movement away from the incarceration of drug offenders is not isolated to Illinois. Numerous studies by the Pew Center for the States, the Sentencing Project, and the Justice Policy Institute, and National Center on Addiction and Substance Abuse at Columbia University point to the need for implementing alternatives to incarceration. California, Washington, Oregon, Massachusetts, Switzerland, Portugal, and Canada have all enacted legislation in recent years promoting treatment, harm reduction, and diversion from incarceration. Illinois is at a crossroads where it must choose between more of the same or moving towards a new direction, a new approach in our thinking about drug policies.

PART I – DRUG USE PATTERNS AMONG COOK COUNTY ARRESTEES

The Arrestee Drug Abuse Monitoring II (ADAM II) project was developed to collect information on the drug use patterns of male arrestees within 48 hours of arrest, as well as the local drug market patterns. The project involves the collection of both self-reported substance use information through an interview and a urine screen testing for the presence of ten drugs. Of the ten ADAM II^a sites, Chicago had the greatest number of arrestees testing positive for drugs at 87 percent of the sample.¹⁰ Chicago also had the highest percentage of poly-substance use confirmed through urine screens at 40 percent, an increase over the number of arrestees testing positive for poly-substance use in 2007.^{11,b}

Cocaine

Chicago had the largest percentage of arrestees testing positive for cocaine at 43.8 percent.¹² Additionally, 24.2 percent self-reported past year use and 20.2 percent reported past week use of crack cocaine.¹³ Chicago was second only to Atlanta in these self-reported percentages. Roughly 16 percent reported past year use and 1.7 percent reported past week use of powder cocaine.¹⁴

Among arrestees testing positive for cocaine, the age group with the largest percentage of people testing positive for cocaine use was individuals aged 36 and older (67.7%), followed by individuals aged 31-35 (44.7%) and then youth aged 20 and under (40.9%).¹⁵ It is interesting to note the relatively high percentage of young people under age twenty – 40 percent – testing positive for cocaine use. There were minimal racial differences among arrestees testing positive for cocaine. Blacks and whites tested positive for cocaine in nearly similar percentages (46.2% and 45.7% respectively), though Latinos tested positive at a much smaller percentage (33.4%).¹⁶

Heroin & Other Opiates

Only two of ten sites had positive opiate screens on more than 10 percent of the arrestee samples.¹⁷ Of the ten sites, Chicago had the highest percentage of arrestees testing positive for heroin at 29 percent. In comparison, Washington DC, which ranked second after Chicago, only had 12 percent of arrestees testing positive for heroin. Chicago's test results also represent a statistically significant increase over the percentage of arrestees in 2007.¹⁸ Chicago also ranked

^a In 2008, ADAM II collected interview data from 4,592 booked arrestees and urine samples from 3,924 arrestees in 10 locations across the United States, including Cook County, Illinois. In 2008, the ADAM II project collected 485 interviews and 426 urine samples from a booked arrestee population of 6,697 detainees in Cook County.

^b The average age of Cook County arrestees sampled for this study is roughly 32 years of age. Almost 75 percent of the sample is single and 92 percent are United States citizens. About 52 percent were employed when arrested and almost 65 percent have a high school diploma or GED certificate. Nearly 7 percent of the sample did not have stable housing in the 30 days prior to arrest. Nearly 65 percent of the sample was comprised of black individuals, followed by 23 percent Latino, 10.6 percent white and 1.2 percent other race/ethnicities. Almost 94 percent of the sample had a prior arrest history and 23.3 percent had been arrested two or more times in the past year. Of the three arrest charge categories, 60 percent of arrestees were charged with a drug crime, 31.4 percent with a property crime and 19.4 percent with a violent crime.

highest for self-reported use of heroin. Nearly 27 percent of arrestees reported past year heroin use, while 24.4 percent reported past week use.¹⁹ Chicago far outweighed the other cities in this respect.

The pattern of positive test arrestees is somewhat similar for people testing positive for opiates as it is to cocaine, with 46.7 percent of individuals aged 36 and older testing positive, 44.3 percent of individuals aged 31-35 and 17.6 percent aged 26-30 testing positive.²⁰ Racial differences were particularly pronounced for heroin use, however. The percentage of whites testing positive for heroin (41%) was nearly twice that of black and Latino arrestees (25% and 24% respectively).²¹

Among arrestees, different types of crimes may be seen among individuals that use different types of substances. Individuals that tested positive for heroin were much more likely to have been arrested for a property crime. Forty-six percent of the arrestees charged with a property crime tested positive for heroin, followed by 27.4 percent of arrestees with a drug possession charge testing positive for heroin.²² As property crimes are often drug-related crimes – crimes used to support a drug habit – this pattern suggests that these individuals may be engaging in crimes to sustain their drug use.²³

This overview of arrestees in Cook County suggests that drug use is a prevalent and persistent problem among criminal justice populations in Illinois, particularly in Chicago and Cook County. The impact of incarceration for drug offenses in Illinois is discussed in Part II.

PART II –DRUG OFFENDERS INCARCERATED IN ILLINOIS

In Illinois, the number of individuals entering Illinois’ prisons for drug offenses increased 12 percent, from 10,436 individuals in 2000 to 11,680 individuals in 2008 (Table A1). The peak year for drug offenders entering prison was 2005, when the number of drug offenders entering prison reached nearly 15,000 individuals (Graph A1). Individuals entering prison for drug offenses steadily decreased from 2006 to 2008 (Graph A1). These prison entrances include those who were sent to prison from court, those paroled for drug offenses who committed a technical violation, and those parolees who committed a new drug offense^c (for more discussion of the types of commitments please see page 14).

The number of individuals entering Illinois’ prisons for possession of a controlled substance^d increased by more than 42 percent, from 4,675 individuals in 2000, to 6,618 individuals in 2008. Imprisonment for individuals convicted of cannabis possession, although small in number, increased by 35 percent from 189 individuals in 2000 to 256 individuals in 2008.

Individuals who entered prison for drug sales offenses (excluding cannabis) actually declined during this period from 5,074 individuals in 2000 to 4,202 in 2008. The number of individuals entering prison for controlled substance drug sales decreased by 17 percent during this period. However, the number of individuals imprisoned for cannabis (marijuana) sales increased during this period, from 498 individuals in 2000 to 604 individuals in 2008 – a 21 percent increase (Table 1).

Table A1: Number of Drug Offenders Entering Illinois Prisons by Offense Type, 2000-2008

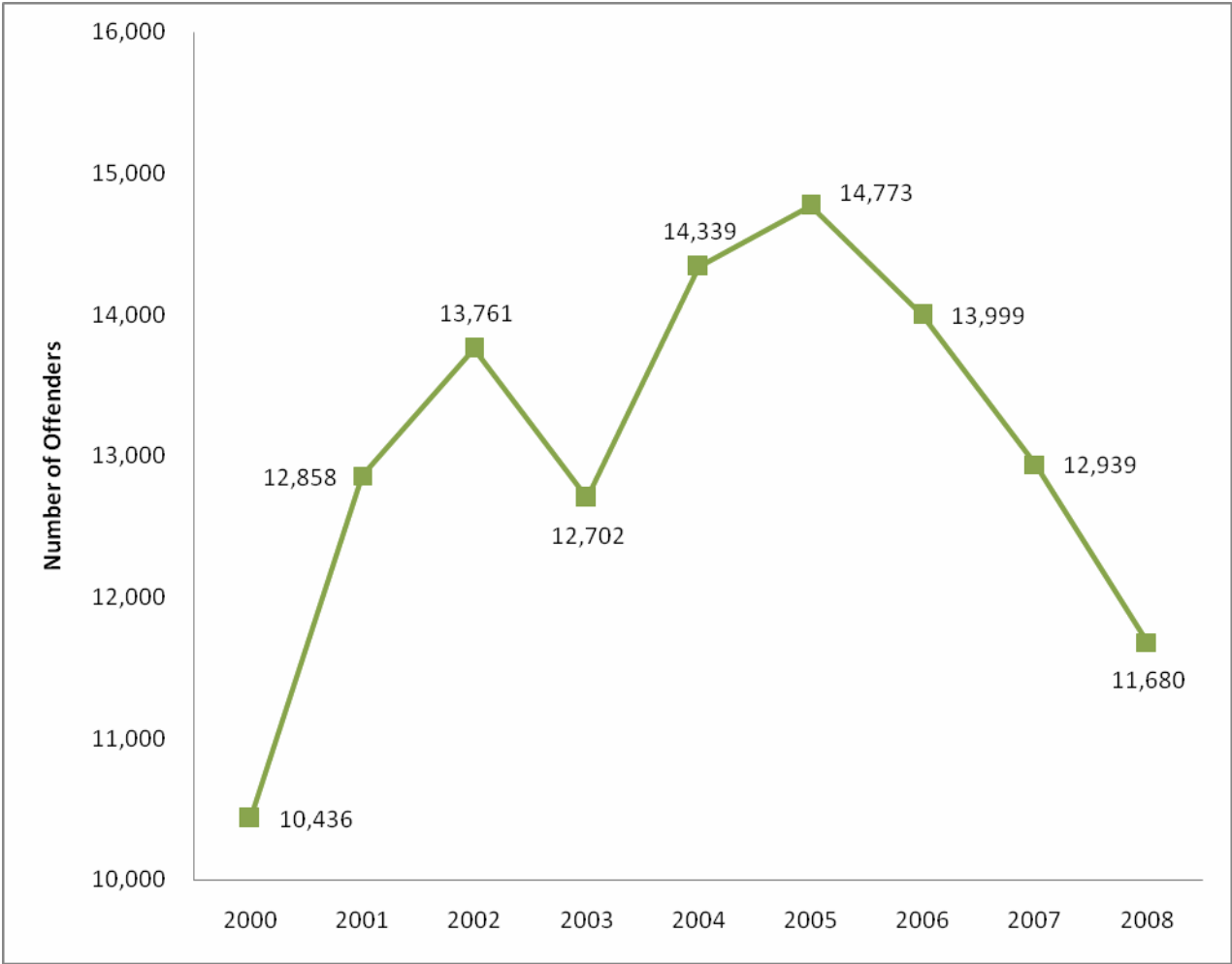
Type of Drug Offense	2000	2005	2008	Percent Change
Delivery/Trafficking Controlled Substance	5,074	5,256	4,202	-17%
Possession of a Controlled Substance	4,675	8,573	6,618	42%
Manufacture/Delivery/Trafficking of Cannabis	498	669	604	21%
Possession of Cannabis	189	275	256	35%
Total	10,436	14,773	11,680	12%

Source: Illinois Department of Corrections

^c It is important to understand the distinction between “technical violations” and other offenses. Technical violations are any violation of parole conditions and do not mean that a technical violator has committed a new crime. Individuals released on parole generally have many conditions surrounding their release (e.g., movement restrictions, meeting with a parole officer, abstaining from alcohol, urine screens for drug use, etc.). If a parolee violates a condition of parole, it is likely that the individual will be returned to prison. Parolees who committed a new drug offense are not counted as technical violators. Please see page 14 for more information.

^d Controlled substances include all drugs except for cannabis (marijuana).

Graph A1: Total Admissions for All Drug Offenses to the Illinois Department of Corrections: 2000-2008



Source: Illinois Department of Corrections

Understanding How Individuals Enter Prison in Illinois

It order to understand how the number of individuals incarcerated for drug offenses may increase or decrease from year to year, it is important to understand how these individuals enter prison in Illinois. The three ways in which individuals may enter prison for drug offenses include: 1) being sentenced by the court; 2) technical violations for those drug offenders already on parole; 3) and new sentence violations committed by individuals on parole, in which the original crime may or may not have been a drug offense.

1. **Court Commitments**: This is the most likely way for an individual to be sent to prison in Illinois. Under a “court commitment,” the individual is arrested and either found guilty or pleads guilty to a drug offense. The judge then determines the individual’s sentence, which, depending on the offense, original charge, and criminal background, may include a prison sentence.
2. **Technical Violations**: When an individual is released from prison for a drug offense, most often the individual is placed on parole or “mandatory supervised release.” Conditions of parole generally include regular reporting to the Parole Officer, keeping the Parole Officer advised of any intent to change residence, providing notice of change in employment within 72 hours, not associating with other felons, restricting travel away from home with either time or distance thresholds, having no weapons in the house, maintaining employment, etc. However, parole conditions vary by individual and may include additional restriction of movement (e.g., the parolee must be home at a specific time or must stay within specific boundaries), urine tests for drugs, drug or alcohol treatment, anger management training, GPS monitoring, no alcohol consumption, etc. Any violations of these conditions may result in the individual being returned to prison as a “technical violation” of parole. Technical violations are the second most likely reason for incarceration in prison. These individuals are still considered drug offenders entering prison, as their original charge was for a drug offense.
3. **New Sentence Violations**: New sentence violations occur for many offenses among those individuals on parole. If the parolee is arrested and found guilty of a drug offense while on parole, the individual will enter prison as a new sentence violator. This is the least typical type of drug offender entrance to prison.

Types of Prison Admissions for Drug Offenses: 2000 to 2008

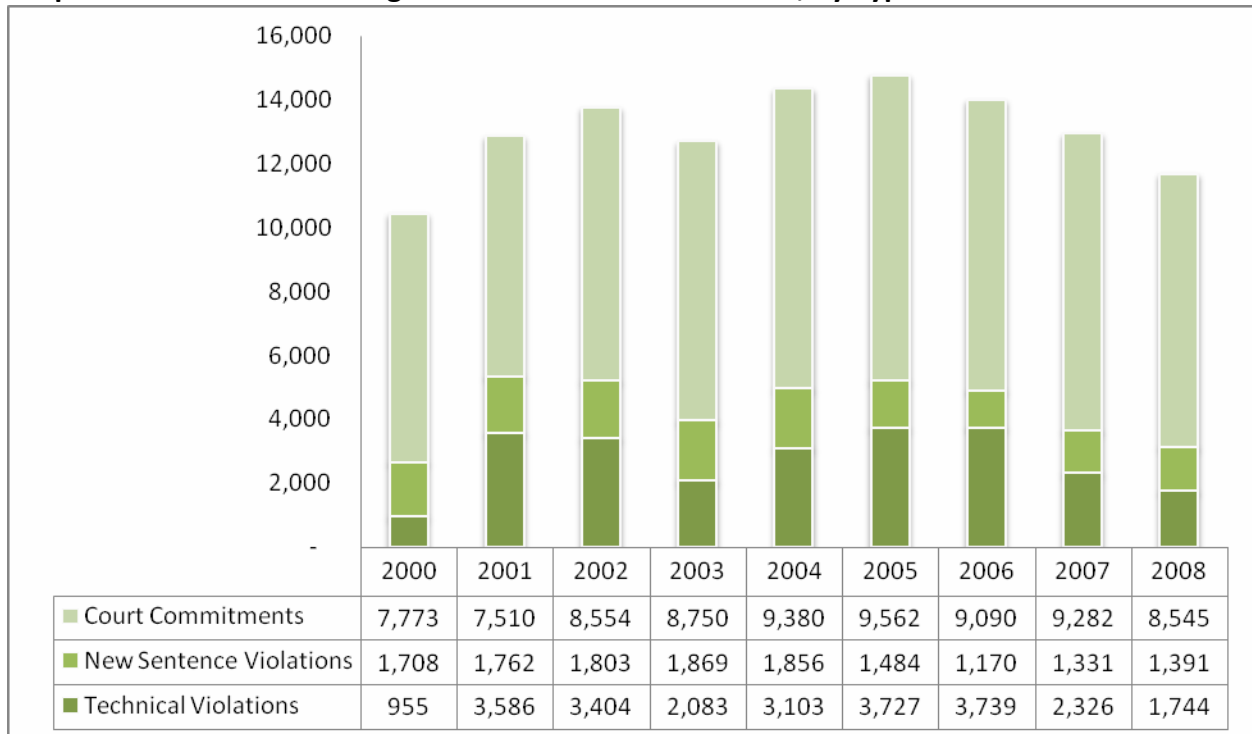
The number of court commitments for drug offenders entering prison increased by 10 percent from 7,773 individuals in 2000 to 8,545 individuals in 2008. Technical violations rose by 83 percent, from 955 individuals entering prison in 2000 to 1,744 entering prison in 2008. By admission type, the only decrease occurred among parolees who were convicted of a new drug offense, from 1,708 individuals in 2000, dropping to 1,391 individuals in 2008 – a nearly 20 percent decrease (Table C1, Graphs C1).

Table C1: Number of Drug Offenders Entering Prison by Admission Type: 2000 to 2008

How Admitted	2000	2005	2008	Percent Change
Court Commitments	7,773	9,562	8,545	10%
New Sentence (Parolees)	1,708	1,484	1,391	-19%
Technical Violations (Drug Parolees)	955	3,727	1,744	83%
Total	10,436	14,773	11,680	12%

Source: Illinois Department of Corrections

Graph C1: Number of All Drug Offense Admissions to Prison, by Type of Admission: 2000-2008

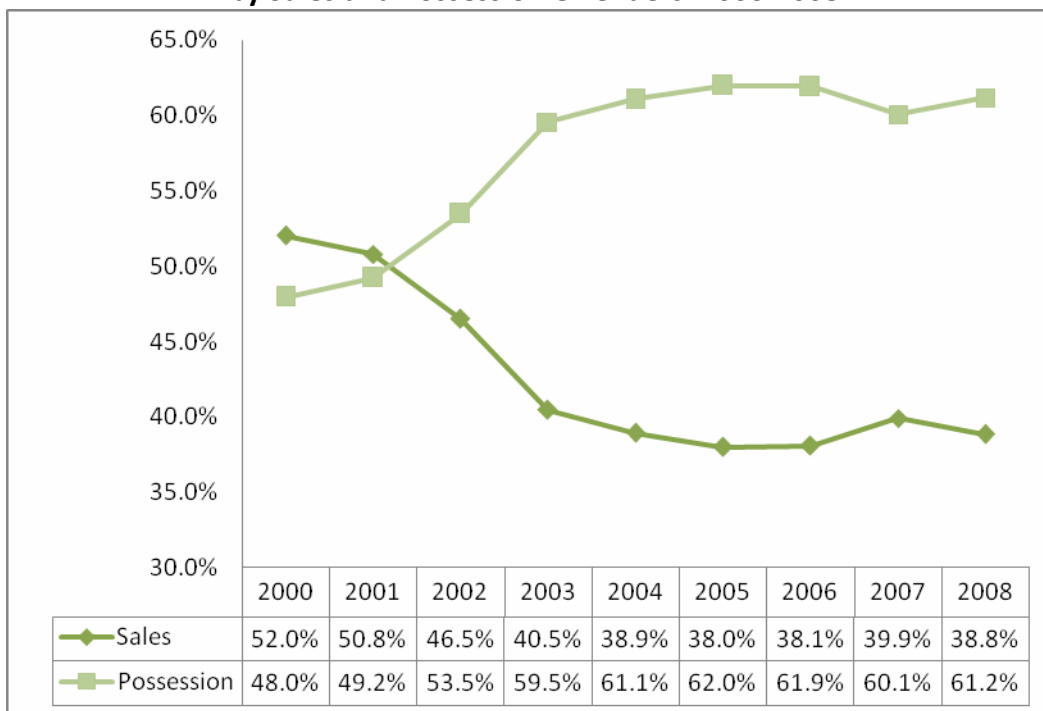


Source: Illinois Department of Corrections

Possession and Sales Offenders in Illinois

Closer examination of those who entered prison for drug offenses (excluding marijuana) during the period 2000 to 2008 demonstrates some revealing patterns. For example, the majority of those incarcerated for these drug offenses in 2000 were sales offenders. These offenders represented more than half (52 percent) of all individuals entering prison for drugs, while those convicted of possession offenses comprised about 48 percent of those incarcerated for drug violations in fiscal year 2000. As can be seen in Graph D1, the change in incarcerating those who were convicted of possession offenses began in 2002, the first year that possession offenders made up the majority of those entering prison for drug offenses. Nearly every year since 2002, the percentage of those going to prison for possession offenses has increased. By 2008, possession offenders made up nearly 62 percent of drug offenders incarcerated for drug offenses, while sales offenders made up just 38 percent of individuals entering prison for drugs (Graph D1).^e

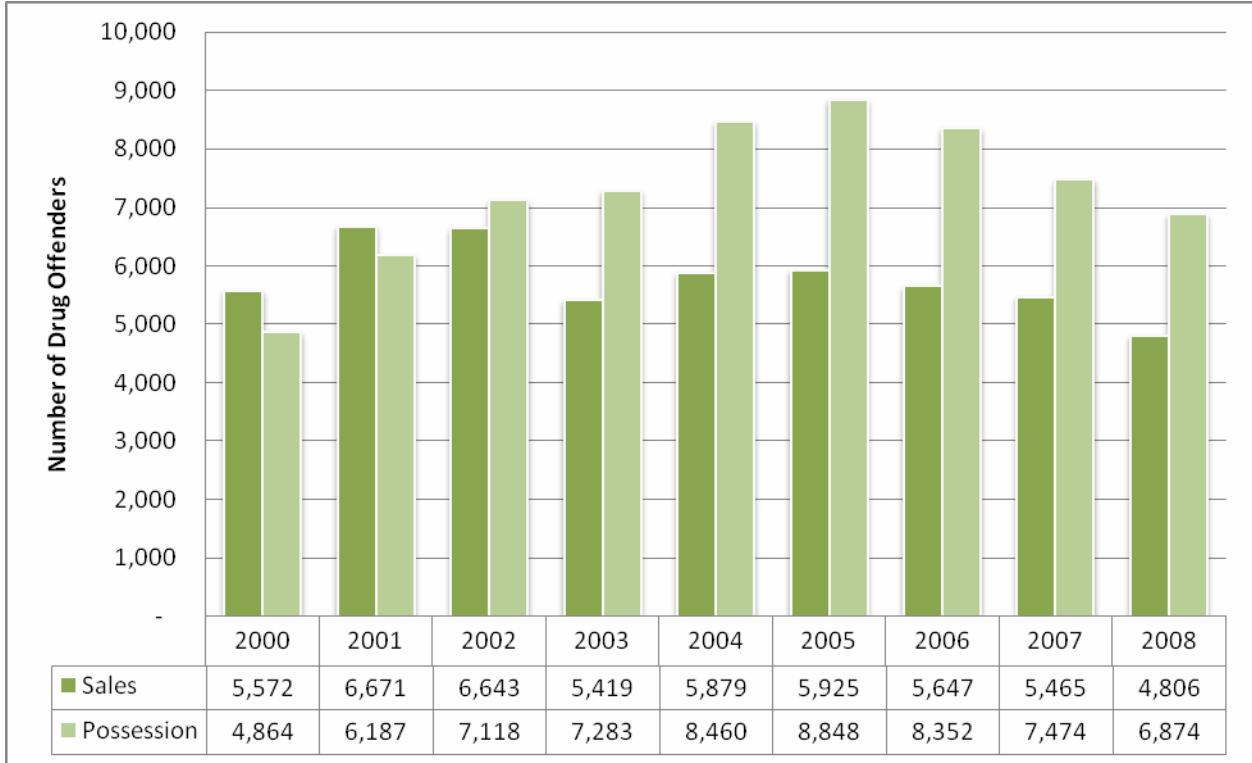
Graph D1: Percent of All Controlled Substance Admissions to Prison in Illinois, by Sales and Possession Offenders: 2000-2008



Source: Illinois Department of Corrections

^e It is common during the adjudication of drug offenses for individuals to plead guilty to a lesser sentence—which might be the case with some of the drug possession offenders. It is impossible to know, however, the proportion of those individuals who were originally charged with sales offenses and accepted a “plea bargain” to the lesser crime of drug possession during this period.

Graph D2: Number of All Controlled Substance Admissions to Prison in Illinois, by Sales and Possession Offenders: 2000-2008



Source: Illinois Department of Corrections

Understanding “Peak Year” Incarcerations: 2005

It is important to consider how individuals enter prison to begin to determine why the largest number of drug offenders entered prison during 2005. Returning to the number of people incarcerated for drug offenses in Illinois from 2000 to 2008, it is possible to see some patterns suggesting how Illinois might have reached the high level of individuals admitted to prisons in 2005. Nearly 15,000 individuals entered prisons for drug offenses during that year. One reason for the large number of individuals entering Illinois prisons in 2005 is the large increase in technical violators admitted to prison. The number of these offenders increased more than 290 percent over fiscal year 2000 numbers, from 955 individuals to 3,727 individuals in 2005 (Table E1). Court commitments also increased, from about 7,800 individuals in 2000 to about 9,600 individuals in 2005 – a 23 percent increase. New sentence violators entering prison actually decreased by about 13 percent during 2005, from 1,708 individuals to 1,484 individuals. The combination of increases in court commitments along with the very large increases in technical violations from parolees may partially explain the peak year numbers (Table E1).

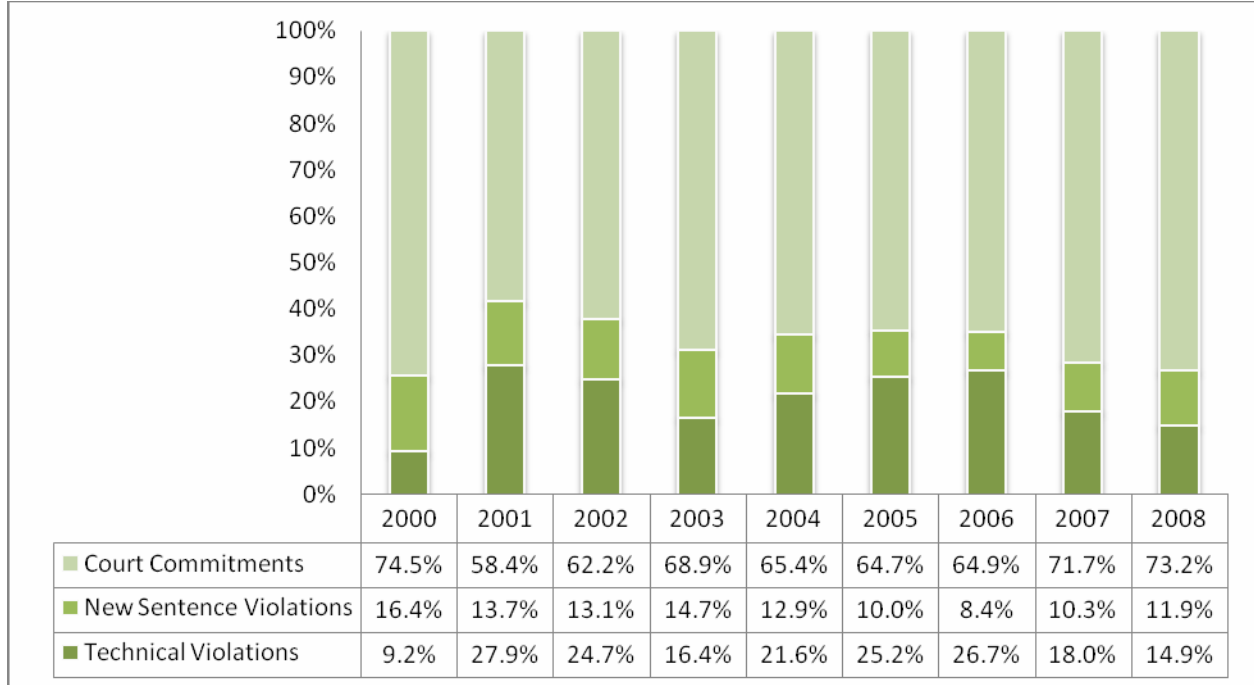
Table E1: Type of Admission to Prison for Drug Offenses: 2000 to 2005

Type of Admission	2000	2005	Percent Change
Court Commitments	7,773	9,562	23%
New Sentence (Parolees)	1,708	1,484	-13%
Technical Violations (Drug Parolees)	955	3,727	290%
Total	10,436	14,773	42%

Source: Illinois Department of Corrections

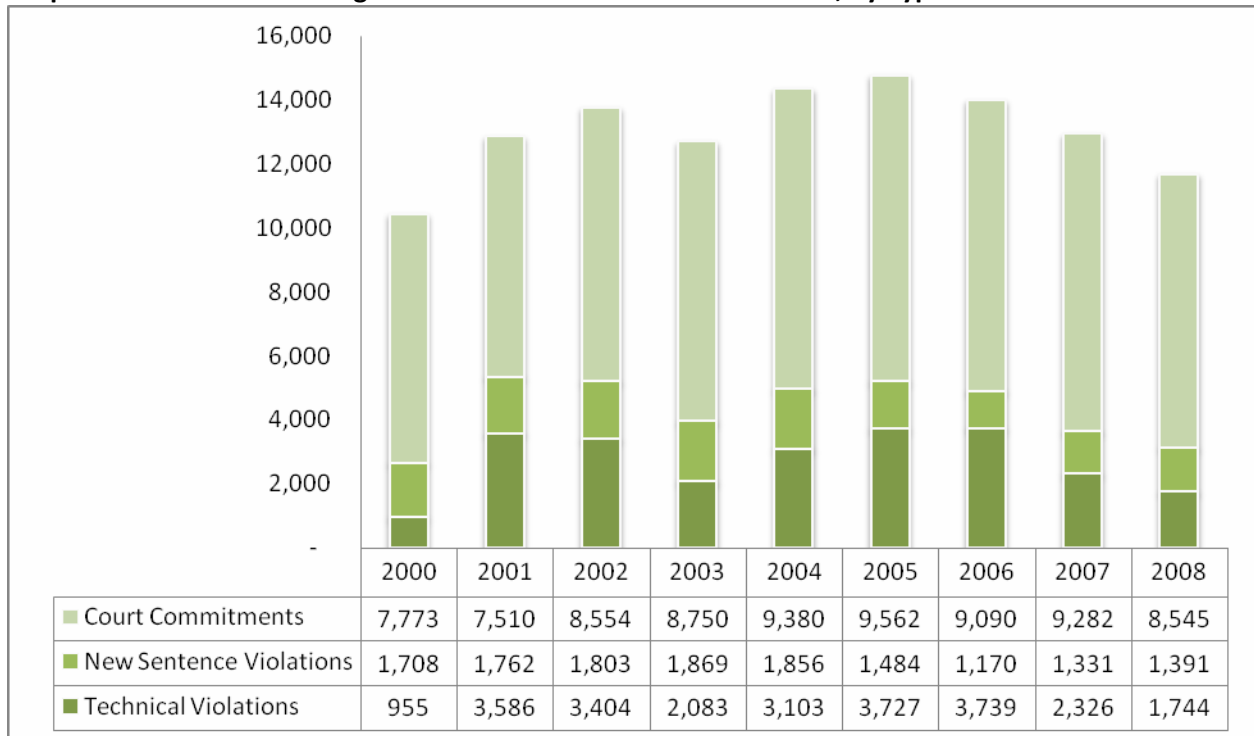
To look at these data in another way, it is useful to think of each type of offender admission as a percentage of the total drug offender prison admissions. Graph E1 displays data in this way. In 2005, technical violations increased to more than one-quarter of all prison admissions for drug offenses, while court commitments to prison represented about 65 percent of the total in 2005. By 2008, this pattern had changed, with technical violations decreasing to just 15 percent of drug offenders admitted to prison and court commitments increasing to 73 percent of all drug offender admissions.

Graph E1: Percent of All Drug Offense Admissions to Illinois' Prisons, by Admission Type: 2000-2008



Source: Illinois Department of Corrections

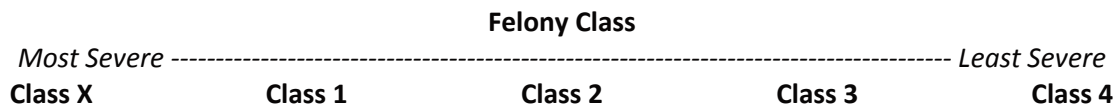
Graph E2: Number of All Drug Offense Admissions to Illinois' Prisons, by Type of Admission: 2000-2008



Source: Illinois Department of Corrections

Understanding Felony Class

The majority of drug offenses in Illinois are classified as felonies,^f with multiple classes in each category to account for differences in the severity of the crime. Most drug offenses in Illinois fall into one of two categories: a) possession, and b) manufacture, delivery and possession with intent to manufacture or deliver. In order to better understand felony class, it is helpful to know that the higher the number in the felony class, the less severe the crime under Illinois' criminal code. Possession offenses are either Class 4 or Class 1, depending on the amount of the drug in the individuals possession (e.g., possession of any amount under 15 grams of cocaine or heroin is considered a Class 4 felony, while possession of 15 grams or more is a Class 1 felony.) The least severe crime in terms of drug offenses is a Class 4 felony.



Examining Class 4 Drug Possession Offenders Entering Illinois' Prisons

Because Class 4 felonies are the least severe drug crime under Illinois' criminal code, these offenders represent the "lowest hanging fruit" in terms of diversion from prison. Therefore a closer examination of the number of individuals entering Illinois' prisons for Class 4 possession offenses is prudent.^g

Court Commitments

The number of individuals convicted of Class 4 possession entering prison from court commitments (including marijuana offenses) increased by 23 percent, from 3,547 individuals in 2000 to 4,379 individuals in 2008 (Table F1). In 2000, these offenders represented 46 percent of court admission for all drug offenses, but by 2008, Class 4 possession offenders comprised 51 percent of court commitments for drug offenses that resulted in prison terms (Table F2).

Technical Violations

Technical violations among Class 4 drug possession offenders that resulted in a new prison admissions increased from 279 individuals in 2000 to nearly 900 individuals in 2008, an increase of nearly 220 percent. The percentage of technical violations that resulted in a prison sentence among the lowest level possession offenders was about 30 percent of all technical violations in 2000, but by 2008, the percentage of Class 4 possession offenders who were incarcerated for a technical violation had reached more than 50 percent (Table F2).

New Sentences for Class 4 Drug Possession among Parolees

^f A first time offender possessing less than 30 grams of cannabis would face a misdemeanor charge. However, if an individual has a previous conviction for cannabis possession, even a very small amount may result in a felony conviction.

^g Again, it is important to remember that these represent convictions, not original charges.

During this period, parolees who were convicted of a new Class 4 drug offense increased by 13 percent, from 808 individuals in 2000 to 917 individuals in 2008. These offenders represented 47 percent of new sentence commitments in 2000, but increased to 66 percent of Class 4 offenders charged with a new drug crime in 2008 (Table F2).

Table F1: Number of Class 4 Possession Offenders Entering Illinois' Prisons: 2000 to 2008

Type of Commitment	2000	2008	Percent Change
Court Commitment	3,547	4,379	23%
New Sentence (Parolees)	808	917	14%
Technical Violations (Drug Parolees)	279	892	220%
Total	4,634	6,188	13%

Source: Illinois Department of Corrections

Table F2: Percentage of Class 4 Possession Offenders Entering Illinois' Prisons as Percent of Total by Commitment Type: 2000 and 2008

Type of Commitment	2000	2008
Court Commitment	46%	51%
New Sentence (Parolees)	47%	66%
Technical Violations (Drug Parolees)	29%	51%
Total	44%	53%

Source: Illinois Department of Corrections

Length of Stay in Prison

The Illinois Department of Corrections provided data based on the felony class and the length of time served in a state prison for the fiscal years 2005 to 2008. In 2005, about 31 percent of all offenders spent 90 days or less in prison, while that percentage decreased slightly to about 28 percent of offenders having spent 90 days or less in prison in 2008 (Table G1). Of those individuals who served sentences of 63 days or less in 2008, about 86 percent were Class 4 offenders (Table G2). The vast majority of Class 4 offenders spent less than 6 months in prison in 2008 (92.3%), with about 55 percent of Class 4 offenders spending less than 90 days in prison (Table G3).

The reason why short stays in prison are examined within this report is to draw attention to a prison sentence's effect on individuals' ability to successfully complete important rehabilitative services. If the point of prison is to punish, then a sentence of 6 months or less for drug offenders might be an appropriate punishment. However, if the purpose of the imprisonment is to rehabilitate the offender, short stays in prison do not usually accomplish this goal, as it takes some time for the offender in prison to complete rehabilitation programs. Therefore, policy objectives should focus on diverting these low-level offenders from prison, as even short stays are increasingly expensive. Research also demonstrates that treatment in the community provides a much greater impact on recidivism than treatment in prison.²⁴

**Table G1: Illinois Department of Corrections
Length of Stay-Court Commitments*
Prison Exits: FY05 - FY08
By Length of Time Served
(Includes all types of Offenders)**

	FY05		FY06		FY07		FY08	
<i>Time Served</i>	<i>Number</i>	<i>Percent</i>	<i>Number</i>	<i>Percent</i>	<i>Number</i>	<i>Percent</i>	<i>Number</i>	<i>Percent</i>
60 Days or Less	2,363	8.6%	1,449	5.4%	1,199	4.6%	665	2.5%
61 to 63 Days	4,586	16.8%	4,865	18.2%	4,659	17.9%	5,294	19.7%
64 to 90 Days	1,573	5.8%	1,672	6.2%	1,625	6.2%	1,638	6.1%
91 to 120 Days	1,504	5.5%	1,383	5.2%	1,348	5.2%	1,289	4.8%
121 to 150 Days	1,774	6.5%	1,963	7.3%	1,763	6.8%	1,717	6.4%
151 to 180 Days	1,271	4.6%	1,631	6.1%	1,662	6.4%	1,475	5.5%
181 Days to 1 Year	5,642	20.6%	5,529	20.6%	5,651	21.7%	6,377	23.7%
More than 1 Year	8,625	31.5%	8,302	31.0%	8,186	31.4%	8,397	31.3%
Total	27,338	100.0%	26,794	100.0%	26,093	100.0%	26,852	100.0%

Source: Illinois Department of Corrections

* Court commitments exclude technical violators

Note: Excludes participants in the Impact Incarceration Program and inmates sentenced under truth in sentencing

**Table G2: Illinois Department of Corrections
Length of Stay-Court Commitments*
Prison Exits: FY05 - FY08
Time Served-63 days or Less
(Includes All Types of Offenders)**

<i>Felony Class</i>	<i>FY05</i>		<i>FY06</i>		<i>FY07</i>		<i>FY08</i>	
	<i>Number</i>	<i>Percent</i>	<i>Number</i>	<i>Percent</i>	<i>Number</i>	<i>Percent</i>	<i>Number</i>	<i>Percent</i>
Murder	2	0.0%	0	0.0%	2	0.0%	1	0.0%
Class X	13	0.2%	8	0.1%	9	0.2%	12	0.2%
Class 1	102	1.5%	89	1.4%	73	1.2%	57	1.0%
Class 2	255	3.7%	195	3.1%	193	3.3%	198	3.3%
Class 3	688	9.9%	672	10.6%	559	9.5%	580	9.7%
Class 4	5,889	84.7%	5,350	84.7%	5,020	85.7%	5,111	85.8%
Unclassified	0	0.0%	0	0.0%	2	0.0%	0	0.0%
Total	6,949	100.0%	6,314	100.0%	5,858	100.0%	5,959	100.0%

Source: Illinois Department of Corrections

* Court commitments exclude technical violators

Note: Excludes participants in the Impact Incarceration Program and inmates sentenced under truth in sentencing

**Table G3: Illinois Department of Corrections
Length of Stay-Court Commitments*
Prison Exits for Class 4 Offenders: FY05 - FY08
(Includes Non-Drug Offenders)**

<i>Time Served - Class 4</i>	<i>FY05</i>		<i>FY06</i>		<i>FY07</i>		<i>FY08</i>	
	<i>Number</i>	<i>Percent</i>	<i>Number</i>	<i>Percent</i>	<i>Number</i>	<i>Percent</i>	<i>Number</i>	<i>Percent</i>
60 Days or Less	1,949	15.8%	1,158	9.9%	979	8.6%	500	4.3%
61 to 63 Days	3,940	32.0%	4,192	35.9%	4,041	35.6%	4,611	39.9%
64 to 90 Days	1,188	9.6%	1,267	10.8%	1,244	11.0%	1,242	10.7%
91 to 120 Days	881	7.2%	810	6.9%	793	7.0%	727	6.3%
121 to 150 Days	1,065	8.6%	1,016	8.7%	975	8.6%	961	8.3%
151 to 180 Days	704	5.7%	741	6.3%	761	6.7%	759	6.6%
181 Days to 1 Year	1,883	15.3%	1,798	15.4%	1,745	15.4%	1,879	16.2%
1.1 Years to 1.5 Years	459	3.7%	462	4.0%	467	4.1%	553	4.8%
1.6 Years to 2.0 Years	161	1.3%	163	1.4%	198	1.7%	176	1.5%
2.1 Years to 2.5 Years	52	0.4%	39	0.3%	58	0.5%	68	0.6%
2.6 Years or greater	39	0.3%	47	0.4%	91	0.8%	94	0.8%
Total	12,321	100.0%	11,693	100.0%	11,352	100.0%	11,570	100.0%

Source: Illinois Department of Corrections

* Court commitments exclude technical violators

Note: Excludes participants in the Impact Incarceration Program and inmates sentenced under truth in sentencing

Costs Associated with Incarceration in Illinois

In Illinois, it costs about \$61.36 per day to house an offender in prison.²⁵ Again, most drug offenders will most likely spend a short stay in prison. The cost for an offender to spend 120 days in prison is approximately \$7,363.20. The cost of imprisoning the 4,379 Class 4 possession offenders in 2008 (assuming an average stay of 120 days) would be about \$32,243,453. (Table H1).

Table H1: Estimated Cost to Illinois' taxpayers to Incarcerate the Lowest Level Drug Offenders: 2008

Description of Cost	Dollars
Cost per day in prison ²⁶	\$61.36
Cost for 120 days in prison (one offender)	\$7,363.20
Total Cost for 120 days in Prison for these offenders	\$32,243,453.00

Cost Effectiveness of Prison

Prison is not a cost effective solution for drug offenders, particularly those who suffer from substance use disorders. Because individuals exiting prison are very likely to return within three years (over 50 percent of all Illinois individuals released from prison will return), each dollar spent on prison translates into only a 37¢ benefit for the community. In contrast, drug treatment in prison returns \$5.88 for each dollar invested, while drug treatment in the community provides an \$18.52 return on each dollar invested.²⁷

Drug Treatment in the Community vs. Prison: For each dollar invested incarcerating Class 4 drug possession offenders, 63¢ is wasted. If 4,379 Class 4 drug possession offenders were treated in the community at a cost of \$4,425 per individual,²⁸ the total cost would be \$19,377,075, which is less than the upfront cost of incarcerating drug offenders for a short stay of 120 days (\$32,243,453). Treatment in the community would return more than \$300 million to Illinois' taxpayers, a prospective amount based on evidenced-based evaluation research from the Washington State Institute on Public Policy.²⁹ Using a more conservative estimate, Illinois taxpayers would save over \$155 million each year if these offenders were diverted to treatment (Table H2).

Table H2: Cost Savings of Diverting Lowest-Level Possession Offenders from Prison to Treatment

Description of Cost (Savings)	Dollars
Annual Cost of Treatment per Offender	\$4,425
Total Cost of Treatment for Possession Offenders	\$19,377,075
Estimated Savings to Taxpayers (High Estimate)	\$339,486,354
Estimated Saving to Taxpayers (Low Estimate)	\$155,016,600

Even if only 1,000 Class 4 drug possession offenders received treatment in the community instead of prison, Illinois taxpayers would save more than \$72 million.

Recidivism Rates and Alternatives to Incarceration and/or Incarceration Including Treatment

There have been many studies that indicate that alternatives to incarceration or treatment in prisons and jails significantly impacts recidivism rates.³⁰ Drug treatment in jail reduces recidivism by about 4.5 percent. Drug treatment in prison provides a nearly 6 percent reduction in recidivism, while drug treatment in the community reduces recidivism by about 9.5 percent. The largest impact on recidivism rates occurs when individuals are given intensive supervision (parole) with treatment, which reduces recidivism by more than 16 percent.³¹

PART III – COMPARISON OF ILLINOIS AND NATIONAL DATA

According to the National Corrections Reporting Program at the United States Department of Justice Statistics, the most recent year for which there is national data available for comparison is 2003.^h Therefore, it is impossible to compare current Illinois data (fiscal year 2008) with any other state as this data is not yet available for analysis.

Illinois placed 13,684 individuals in prison for drug offenses in 2003. This represented about 37 percent of all offenders entering prison during that year.

According to analysis data from the National Corrections Reporting Program, Illinois had the third highest number of individuals entering prison for drug offenses in the nation, following California and Texas. During this time period, more than 13,000 drug offenders entered Illinois' prisons (Table BB1).

Drug Possession Offenders Entering Prison

Illinois had the second highest number of drug possession offenders entering prison in the nation in 2003 – a total of 7,536 individuals – while California had the largest number of drug possession offenders entering prison at 10,129 individuals (Table BB2).³²

Rate of Drug Possession Offenders Entering Prison

In order to adjust for population differences between states, we calculated a rate per 100,000 residents of drug possession offenders. For example, California's population is approximately 2.8 times the size of Illinois' population. While the number of persons entering prison in each state is interesting, the more meaningful statistic is one that adjusts for the number of people residing in the state. Nationally, Illinois ranked second behind Mississippi in the per capita rate of drug possession offenders admitted to prison. Illinois' rate of incarceration was 59.56 individuals per 100,000 residents and Mississippi had a rate of 70.56 individuals per 100,000 residents.

Racial Disparity of Drug Offenders Entering Prison

Illinois ranked *first in the nation* in black to white disparity of those entering prison for drug offenses. For every white drug offender entering prison, there were more than four black drug offenders entering prison. In absolute numbers, 9,937 African Americans entered Illinois' prisons for drug offenses, while just 2,361 whites entered prison for drug offenses in 2003. South Carolina ranked second in disparity, with 2,740 African Americans and 684 whites entering prison entering prison for drug offenses. (Table BB4).³³

^h It is important to note that the number of drug admissions to prison reported by the National Corrections Reporting Program will not match numerical data from the Illinois Department of Corrections because the Department of Corrections provides numbers based on fiscal year data, while the national corrections reporting program provide prison entrances based on the calendar year.

Racial Disparity of Drug Possession Offenders Entering Prison

Illinois ranked second behind Tennessee in the black to white ratio of individuals entering prison for drug possession offenses. For each white individual incarcerated for drug possession offenses, more than five African Americans were incarcerated for drug possession offenses, for a rate of 5:37 to 1. Ranking third in black to white drug possession offender disparity was South Carolina. Illinois incarcerated 6,028 black individuals for drug possession offenses in 2003 and just 1,122 white individuals for drug possession offenses (Table BB5).

To control for differences in the racial composition of each state, calculations were made of the number of African Americans incarcerated for drug possession offenses over each state's black population and identical comparisons were made for the number of white offenders over each state's white population. Illinois ranked first in black to white disparity, after adjusting for these population differences (Table BB6).

PART IV – POLICY RECOMMENDATIONS

Revisit Parole and Reentry Planning

The Pew Center on the States estimates that it costs Illinois taxpayers nearly the same amount to keep an individual in prison for one day as it does to supervise someone on parole for two full weeks. Technical violations made up about 15 percent of those incarcerated for drug offenses in Illinois in 2008. Parole services need to move towards focusing on supportive services to ensure that individuals having difficulties meeting parole conditions are given escalating sanctions in the community rather than being sent back to prison. Prison should be the last resort for technical violations. More intensive supervision (parole or probation) is preferable to a return to prison and saves taxpayers' money.

Adequately Fund Treatment

Treatment funding must be restored and more money must be invested in treatment services as untreated use disorders cost the state \$4.6 billion per year. About one-quarter of these costs are shouldered by the criminal justice system (or \$1.16 billion per year).³⁴

- Less than one-half of one percent of the Illinois budget is spent on treatment for substance use disorders.³⁵
- Treatment funding remains the same as 1980s levels, despite increased need for services.
- According the University of Illinois-Chicago,³⁶ the current proposed budget cuts will result in an additional 4,407 individuals added to Illinois drug treatment exiting waiting lists, for a total of 11,947 individuals waiting for treatment.

Divert Low-Level Drug Offenders to Community Corrections Programs

For each dollar invested incarcerating Class 4 drug possession offenders, 63¢ is wasted. If 4,379 Class 4 drug possession offenders were treated in the community at an annual cost of \$4,425 per individual, the total cost would be \$19,377,075.³⁷ This is less than the upfront cost of incarcerating drug offenders for even a short stay of 120 days (\$32,243,453). So, it is possible to save money on the front end before incarceration. Treatment in the community would return more than \$300 million to Illinois taxpayers, a prospective amount based on evidenced-based evaluation research from the Washington State Institute on Public Policy.³⁸ Using a more conservative estimate, Illinois taxpayers would save over \$155 million each year if these offenders were diverted to treatment.

APPENDIX I: ADAM II TABLES

Table AA1: Percentage of Cook County Arrestees with Positive Urine Screens and Self-Reported Use, by Drug: 2008

Substance	Positive urine test	Past year use	Past week use
Cocaine (crack)	43.8%*	24.2%	20.2%
Cocaine (powder)	***	7.2%	1.7%
Heroin	28.6%*	26.7%**	24.4%**
Marijuana	48.6%	58.6%**	45.8%**
Methamphetamine	0.4%	0.3%	--
Poly-substance Use	40.4%*	--	--

Source: ADAM II

* Highest percentage of arrestees testing positive for this drug across all 10 sites. ** Highest percentage of arrestees self-reporting use across all 10 sites. *** The urine screen tested only for the presence of cocaine and did not specify whether the substance was crack cocaine or powder cocaine. So the 43.8% positive screen is for both crack/powder cocaine.

Table AA2: Percentage of Cook County Arrestees with Positive Urine Screens, by Race and Drug: 2008

Substance	Black	Latino	White
Cocaine	46.2%	33.4%	45.7%
Heroin	25.3%	24.3%	41%
Marijuana	50.6%	38.7%	32.5%
Poly-substance Use	38.9%	24.9%	33.3%

Source: ADAM II

Table AA3: Percentage of Cook County Arrestees with Positive Urine Screens, by Offense Category and Drug: 2008

Substance	Violent (n=42)	Property (n=55)	Drug Possession (n=105)
Cocaine	10.2%	56.7%	54.5%
Heroin	10.6%	46%	27.4%
Marijuana	50.1%	41.3%	55.3%
Poly-substance Use	10.2%	52.6%	43%

Source: ADAM II

APPENDIX II: NATIONAL COMPARISON TABLES

**Table BB1: Total Number of Drug Offenders
Admitted to Prison, by State Rank: 2003**

Rank	State	Total Drug Offenders
1	California	38,067
2	Texas	16,262
3	Illinois	13,106
4	New York	11,125
5	Florida	8,923
6	New Jersey	6,983
7	Georgia	6,571
8	Missouri	6,087
9	Louisiana	5,768
10	North Carolina	4,933
11	Pennsylvania	4,566
12	Kentucky	3,556
13	South Carolina	3,473
14	Oklahoma	3,430
15	Virginia	3,275
16	Tennessee	3,223
17	Mississippi	3,151
18	Alabama	3,019
19	Washington	2,611
20	Michigan	2,230

The following states are not included because they did not report for to the National Corrections Reporting Program or have a population less than 1,000,000 people: Alaska, Arizona, Arkansas, Connecticut, Delaware, District of Columbia, Idaho, Indiana, Kansas, Maine, Massachusetts, Montana, New Mexico, Ohio, Rhode Island, Vermont, and Wyoming. Maryland states that placing any value on issue analysis using their data is questionable due to a continuous problem in maintaining a high level of data entry accuracy, therefore, Maryland was not included in the analysis.

All data presented were obtained from the following source:

U.S. Dept. of Justice Statistics. NATIONAL CORRECTIONS REPORTING PROGRAM, 2003. United States computer file. Conducted by U.S. Department of Commerce, Bureau of the Census. ICPSR ed. Ann Arbor, MI: Inter-university Consortium for Political and Social Research, 2007.

Table BB2: Top 20 States for Total Number of Individuals Admitted to Prison for Drug Possession: 2003

Rank	State	Possession Offenders
1	California	10,129
2	Illinois	7,536
3	Georgia	3,957
4	Florida	3,866
5	New York	3,660
6	Missouri	3,240
7	Texas	2,336
8	New Jersey	2,210
9	Alabama	2,082
10	Mississippi	2,034
11	Virginia	1,995
12	Oklahoma	1,603
13	North Carolina	1,458
14	Kentucky	1,417
15	South Carolina	1,383
16	Colorado	1,356
17	Tennessee	1,067
18	Minnesota	742
19	Utah	727
20	Michigan	488

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Table BB3: Rate of Individuals Entering Prison for Drug Possession Convictions, per 100,000 Persons, by State Rank: 2003

Rank	State	Drug Possession Rate
1	Mississippi	70.56
2	Illinois	59.58
3	Missouri	56.65
4	Alabama	46.23
5	Oklahoma	45.72
6	Georgia	45.61
7	Kentucky	34.41
8	South Carolina	33.34
9	Utah	30.91
10	Colorado	29.82
11	California	28.56
12	Virginia	27.09
13	New Jersey	25.57
14	Florida	22.74
15	Nebraska	19.28
16	New York	19.05
17	Nevada	18.46
18	Tennessee	18.25
19	North Carolina	17.31
20	Minnesota	14.65

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Table BB4: Black to White Ratio of Individuals Admitted to Prison for Drug Offenses, by State Rank: 2003

Rank	State	Number White	Number Black	Rate
1	Illinois	2,361	9,937	4.21:1
2	South Carolina	684	2,740	4.01:1
3	New Jersey	1,369	4,950	3.62:1
4	Louisiana	1,317	4,435	3.37:1
5	Virginia	749	2,478	3.31:1
6	New York	2,081	6,736	3.24:1
7	North Carolina	1,169	3,445	2.95:1
8	Wisconsin	601	1,444	2.40:1
9	Michigan	691	1,527	2.21:1
10	Georgia	2,096	4,442	2.12:1
11	Florida	2,962	5,749	1.94:1
12	Tennessee	1,174	1,969	1.68:1
13	Mississippi	1,174	1,968	1.68:1
14	Pennsylvania	1,774	2,775	1.56:1
15	Texas	4,986	7,707	1.55:1
16	Alabama	1,361	1,652	1.21:1
17	California	12,064	12,747	1.06:1
18	Colorado	847	626	0.74:1
19	Missouri	3,634	2,361	0.65:1
20	West Virginia	134	83	0.62:1

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Table BB5: Disparity in the Proportion of Blacks to Whites Admitted to Prison for Drug Possession Convictions, by State Rank: 2003

Rank	State	Number White	Number Black	Rate
1	Tennessee	140	914	6.53:1
2	Illinois	1,122	6,028	5.37:1
3	South Carolina	382	1,847	3.90:1
4	Virginia	280	1,091	3.69:1
5	New York	420	1,548	3.41:1
6	New Jersey	676	2,307	2.26:1
7	North Carolina	633	1,429	2.25:1
8	Louisiana	439	988	2.19:1
9	Georgia	31	68	1.81:1
10	Pennsylvania	1,398	2,536	1.61:1
11	Texas	38	61	1.58:1
12	Florida	622	985	1.46:1
13	Michigan	1,547	2,254	1.40:1
14	Wisconsin	203	284	1.35:1
15	Mississippi	49	66	1.31:1
16	Alabama	877	1,151	1.22:1
17	Washington	938	1,140	1.00:1
18	Colorado	2	2	0.97:1
19	Kentucky	507	492	0.64:1
20	Missouri	861	549	0.56:1

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Table BB6: Rate of Black Individuals Incarcerated for Drug Possession Offenses per 100,000 Black Individuals in the State’s Populace, by State Rank: 2003

Rank	State	White Rate	Black Rate
1	Illinois	12.30	321.17
2	Colorado	14.24	298.07
3	Utah	33.37	249.19
4	Kentucky	23.65	185.48
5	Missouri	42.90	181.76
6	Oklahoma	38.54	161.32
7	New Jersey	10.37	125.15
8	Minnesota	11.25	120.54
9	Virginia	8.20	111.34
10	Mississippi	50.23	111.34
11	Georgia	26.24	107.94
12	Alabama	29.66	98.62
13	Tennessee	3.07	97.98
14	Florida	12.41	96.51
15	South Carolina	10.39	92.05
16	Nevada	16.45	81.93
17	New York	5.24	76.53
18	Iowa	12.99	75.99
19	Nebraska	18.33	62.74
20	North Carolina	7.56	56.86

The following states are not included because they did not report for to the National Corrections Reporting Program or have a population less than 1,000,000 people: Alaska, Arizona, Arkansas, Connecticut, Delaware, District of Columbia, Idaho, Indiana, Kansas, Maine, Massachusetts, Montana, New Mexico, Ohio, Rhode Island, Vermont, and Wyoming. Maryland states that placing any value on issue analysis using their data is questionable due to a continuous problem in maintaining a high level of data entry accuracy, therefore, Maryland was not included in the analysis.

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- ¹ Pew Center on the States. One in 100: Behind Bars in America. 2008. Available at http://www.pewcenteronthestates.org/uploadedFiles/8015PCTS_Prison08_FINAL_2-1-1_FORWEB.pdf Accessed June 8, 2009.
- ² Mancini, Chrissy. 2008. Citizen's Guide to the Illinois State Budget & Tax System. Center for Tax and Budget Accountability. Available at <http://www.ctbaonline.org/All%20Links%20to%20Research%20Areas%20and%20Reports/Budget,%20Tax%20and%20Revenue/Citizens%20Guide%20to%20the%20Illinois%20Budget%20and%20Tax%20System.pdf> Accessed June 8, 2009.
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- ⁴ Mancini, Chrissy. 2007. Analysis of the Fiscal Year 2008 Illinois General Fund Budget Proposal. Available at <http://ctbaonline.org/All%20Links%20to%20Research%20Areas%20and%20Reports/Budget,%20Tax%20and%20Revenue/Illinois%20Budget%20Analysis%202008%20FY%20-%20CTBA.pdf> Accessed June 8, 2009.
- ⁵ Pew Center on the States. One in 31: The Long Reach of American Corrections. Available at http://www.pewcenteronthestates.org/report_detail.aspx?id=49382 Accessed June 8, 2009.
- ⁶ IADDA Factsheet. Available at http://iadda.org/docs/waiting_for_treatment_2008.pdf Accessed June 8, 2009.
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