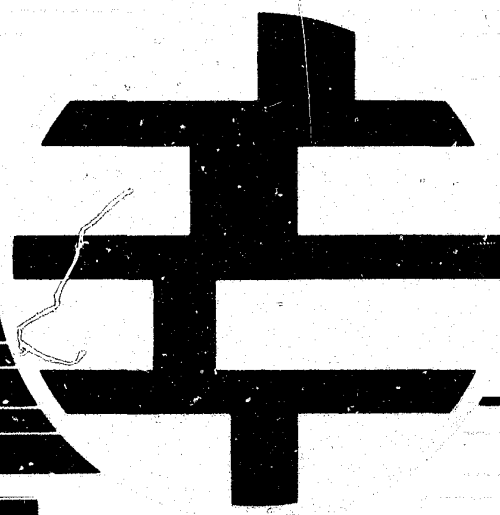




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Comparing Illinois Police Data to
Courts and Corrections Data:
The Problems and a Suggested Solution

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Abstract

The comparison of statistics from one criminal justice agency to another is one of the most useful methods of criminal justice system analysis. However, published statistics of the three types of agencies - police, courts and corrections - are not directly comparable in Illinois. Police-level statistics, such as reported crimes or arrests, are not comparable to court-level statistics, such as cases begun, defendants convicted or defendants sentenced to prison, or to corrections-level statistics, such as prison populations or parole violations.¹

This paper first demonstrates that these statistics are, indeed, not comparable, either by definition or as a rough approximation of total numbers. It then suggests a method by which police statistics may be recoded to make comparison to courts and corrections statistics possible. This system of recoding appears as Appendix B. The suggested method is not perfect, and its drawbacks are discussed in detail. However, it allows a much more accurate comparison than do the alternative methods currently in use, such as Part I or Index Crime classifications.

¹Some data in individual corrections files are comparable to police statistics; however, data in published summary reports are not.

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Introduction

Illinois state agencies use two entirely different official classification systems for criminal offenses. One is used mainly by police agencies; the other, mainly by courts and corrections agencies.

These two classification systems were developed for different purposes, to answer the individual needs of the agencies they serve. As long as the statistics of only one agency are analyzed, there should be no confusion about their interpretation. However, if it becomes necessary to compare police data to either courts data or corrections data, a problem is created, especially if broad categories of data are used. It is a mistake, for example, to compare total "Part I arrests" to total "Felony cases begun" on the assumption that the two categories refer to approximately the same types of crime. They do not.

This report will outline one aspect of this problem - that the categories of the two classification systems do not refer to the same criminal offenses. It then will suggest a solution, a coding scheme which allows the comparison of offenses in one classification system with offenses in the other. This coding scheme is used in the SAC version of the Illinois UCR files, which now includes data from January, 1972 through December, 1977.

Two Classification Systems

Illinois courts and corrections agencies classify crimes according to the Illinois statutory classification system. Illinois law classifies each criminal offense as a felony, misdemeanor, petty, or business offense, depending on the possible severity of the sentence. For example, where it is possible to be sentenced to over six months but under a year in jail or to be fined \$500 to \$1000, the offense is a Class A Misdemeanor.

Until recently there were four classes of felonies in addition to murder and three classes of misdemeanors, a Class 1 Felony having the most severe possible sentence after Murder.² Appendix A is a summary of the statutory classifications as given in the Illinois Revised Statutes.

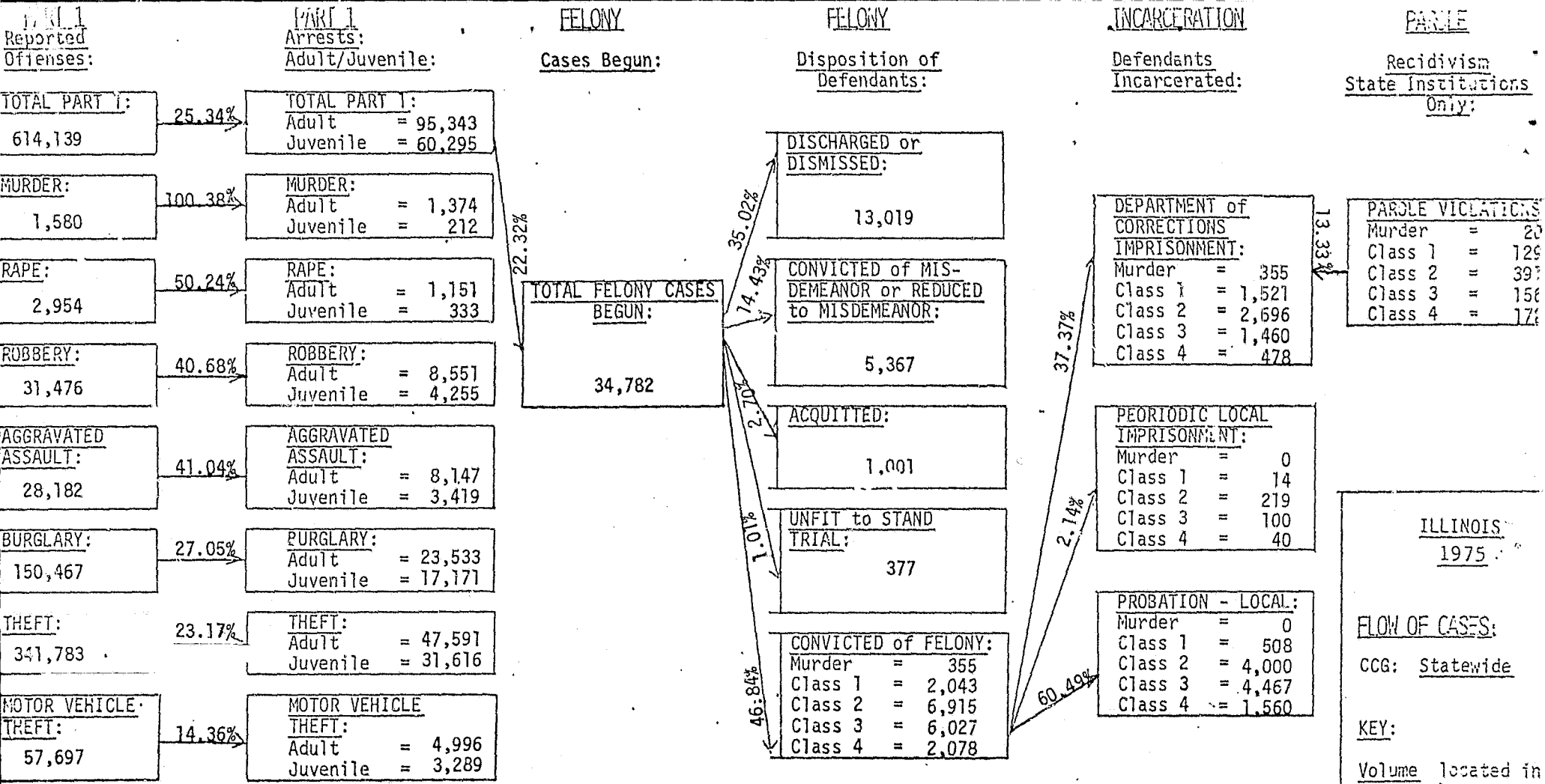
Illinois courts and corrections agencies classify offenses according to this statutory system. Class of felony or misdemeanor is recorded as part of an individual's court or correctional file. Standard reports, such as the "Annual Report of the Administrative Office of the Courts", and the Corrections "DOC-01 Report" categorize aggregate statistics by statutory classes.

Illinois law enforcement agencies also use the statutory classification, but only to a very limited extent. The classification system most relied on by law enforcement includes over 200 offense categories especially developed for law enforcement use. (Most of these categories are listed in Appendix B.) Individual law enforcement records for each offense or arrest classify it as one of these categories of crime. Standard law enforcement reports, such as "Crime in Illinois," present totals of incidents in these categories, and in broader categories such as Robbery or Burglary, or Part I Crimes, Index Crimes, Violent Crimes or Property Crimes.

Valid and Invalid Comparisons

Chart 1 is an example of an invalid comparison between categories in the two classification systems. It is a flow chart of 1975 Illinois cases and people, flowing from the law enforcement system, through the court

²The Amendatory Act of 1977 (House Bill 1500,) which took effect February 1, 1978, reorganized these statutory classifications and added a new one, Class X. For the years 1972 through 1977, which are the years currently available on the SAC version of the Illinois-UCR data files, the old classification system in Appendix A still applies. When a SAC version of I-UCR 1978 data is available, SAC will expand the coding system in this report to correspond to the House Bill 1500 changes.



Sources: Illinois Uniform Crime Reports (1975), Crime Studies Section, Illinois Department of Law Enforcement. (1975) Annual Report of the Administrative Office of the Illinois Courts. IDOC (1975). - DOC(1) Reports - Adult Division.

CHART 1

Source: Table 32: ILEC 1975 Comprehensive Plan, pg I-118

system, and on to the correctional system. Although there are a number of validity problems with this sort of flow chart, this discussion will be limited to one problem - that of the comparison between the definition of "Part I" and the definition of "felony."³

A flow chart such as Chart 1 describes units of measurement, either cases or individuals, "flowing through" the criminal justice system from the beginning to the end. That is, some reported offenses result in arrest, while others do not. Of those that result in arrest, some result in at least one defendant being convicted; others do not. At each decision point, some units drop out and others continue on to the next point. By its very form, such a flow chart implies that the number of units at a later stage may be validly compared to the number of units at an earlier stage. However, in Chart 1, units of Felony Cases Begun are compared, through percentages, to units of Part I Arrests. This is not a valid comparison, unless Part I Arrests are the same thing as Felony Arrests. The following discussion will show that they are not.

Some Part I offenses are not felonies in Illinois, and some felonies are not Part I offenses. Thus, Part I arrests should not be assumed to be the same as felony arrests. The same is true of another commonly used law enforcement category, the Crime Index. These two category systems (Part I and the Crime Index) were developed by the FBI Uniform Crime Reports (UCR) for the purpose of standard comparison among the states.

³Other threats to the validity of such a flow chart are the use of a case and an individual as the units of measurement at separate points in the chart, the problem of using one year's totals at all points in the chart when an actual case usually takes over a year to flow from beginning to end, the use of "arrest" rather than "arrest: held for prosecution," and the problem of juvenile cases which may be disposed of either in juvenile court or in adult felony court. Also, DLE and the courts differ in their system of counting crimes when more than one crime occurs in the same incident. (See the SAC publication, Crime Rates Workbook.)

In Illinois, certain of the Department of Law Enforcement (DLE) categories are combined to yield Part I or Index offenses for reporting to the UCR. The DLE categories that make up Part I or Index aggregate crime categories bear no necessary relationship to felonies and misdemeanors as defined by statute.

Chart 2 illustrates this point. It shows four aggregate classification systems, FBI Index Offenses, Illinois Index Crimes reported to the FBI, FBI Part I Offenses, and examples of statutory felonies by class. FBI Part I and FBI Index classifications are quite similar, except that Part I crimes include one additional crime category: manslaughter by negligence. The titles of the crime categories in Illinois Index Crimes are slightly different from the titles of the FBI Crime Index categories, but as far as possible they refer to the same sort of crime. For example, the Illinois offense "Burglary from Motor Vehicle" is counted as a "Larceny - Theft" for FBI/UCR reporting. In both the FBI and the Illinois Index Crimes, attempts are included in each category, except that attempted murder is counted as an aggravated assault instead of homicide. The FBI views Illinois Index Crimes as comparable to FBI Index Offenses.

However, the final classification system in Chart 2, Statutory Felonies, is not comparable to any of the other three. Statutory felonies include a number of crime types not included in FBI Part I, offenses, the FBI Crime Index or Illinois Index crimes. The list of felonies in Chart 2 is not complete, but does mention some of the more numerous and serious felonies, such as various drug offenses, unlawful use of a weapon, arson, indecent liberties with a child, escape, and kidnapping, none of which is included in the Crime Index or Part I offenses. In addition, Part I and the Crime Index include three crimes

Chart 2

Comparison of Aggregate Classification Systems

FBI Index Offenses

- 1 Murder and Non-negligent manslaughter
- 2 Forcible rape
- 3 Robbery
- 4 Aggravated assault

- 5 Burglary
- 6 Larceny-theft
- 7 Motor vehicle theft

Illinois Index Crimes

- 1 Murder and Voluntary manslaughter
 - 2 Forcible rape
 - 3 Robbery
 - 4 Aggravated assault, Aggravated battery, Attempt murder¹

 - 5 Burglary
 - 6 Theft, Burglary from motor vehicle
 - 7 Motor vehicle theft
- Violent Crimes
- Property Crimes

FBI Part I Offense

- Murder and Non-negligent manslaughter
- Manslaughter by negligence
- Forcible rape
- Robbery
- Aggravated Assault
- Burglary
- Larceny-theft
- Motor vehicle theft

Statutory Felonies

- Murder Murder
- Class 1 Attempt murder, Aggravated kidnapping, Armed robbery, Rape, Indecent liberties, Various drug acts.
- Class 2 Attempt Class 1, Burglary, Arson, Voluntary manslaughter, Robbery, Escape felon, Other drug laws.
- Class 3 Attempt Class 2, Theft \$150 and over, Unlawful use of weapon after felony, Forgery, Involuntary manslaughter, Deceptive practices, Incest, Aggravated battery, Perjury, Kidnapping, Drug offenses.
- Class 4 Attempt Class 3, Armed escape, Theft under \$150: second offense, Unlawful use of weapon, Reckless homicide, Obstructing justice, Possession of burglary tools, Additional drug offenses.

Sources: FBI, Uniform Crime Reports, "Crime in the United States 1977," p.2,7, 13,16,20,23,27,32; DLE, "Crime in Illinois 1977," p.1; S.H.A. ch.38 Illinois Revised Statutes, p.21-28 preceding Section 1001-1-1.

¹DLE categories 0445, Aggravated Battery: Hands: Public Official and 0545, Aggravated Assault: Hands: Public Official are not included here.

which are not felonies in Illinois - aggravated assault, first offense theft under \$150, and attempted theft under \$150, which are all Class A misdemeanors.

These differences in definition of crime categories produce differences in the total number of felonies and Part I or Index crimes. Table 1 shows the total offenses actually occurring in the three categories for the years 1972 through 1977, for Illinois as a whole and for Cook County and the other Illinois counties separately.⁴ The choice of classification system makes a tremendous difference in the totals and therefore in any analysis. There are a third to a half more Part I Crimes or Index offenses than felony offenses in each year of Table 1.

Table 2 subdivides the total offenses actually occurring in Illinois into the seven Index crimes and the felony or misdemeanor classes. None of the seven Index crimes has approximately the same number of offenses in any year as any statutory class. Therefore, no single Index crime may be approximately compared to a single statutory class. Further, the grand total of "offenses," which includes Index plus non-Index, contains some categories which are either not crimes at all or are not Illinois state crimes. When the DLE totals in Table 2 are classified according to statutory class, between 31,667 and 206,687 of these instances (four to 18 per cent) are not criminal offenses in Illinois.⁵ Therefore, total offenses, as recorded by DLE, cannot be compared to total criminal offenses as defined by statute.

⁴Offenses Actually Occurring are reported offenses minus unfoundeds and those referred to another responsible jurisdiction. The number of felonies was calculated using the coding system described in the next section of this paper.

⁵The recording of these non-criminal instances changes from year to year. For example, Other Departmental (DLE 5080) was not used until 1974, and was used much less in 1977 than in the three previous years.

TABLE #1

Comparison of Part I Index Crime Offenses Actually Occurring
and Felony Offenses Actually Occurring 1972-1977

	<u>Cook County</u>					
	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>
Part I Crimes	274,933	300,581	345,479	353,417	329,187	316,442
Index Crimes	274,620	300,224	345,172	353,070	328,874	316,175
Felonies ^a	159,640	186,165	196,343	194,164	180,584	175,016
	<u>Illinois except Cook County</u>					
Part I Crimes	162,931	188,495	227,165	252,630	243,107	236,595
Index Crimes	162,889	188,459	227,107	252,558	243,059	236,539
Felonies ^a	105,650	128,050	154,820	178,452	174,929	168,152
	<u>Total Illinois</u>					
Part I Crimes	437,864	489,076	572,644	606,047	572,294	553,037
Index Crimes	437,509	488,683	572,279	605,628	571,933	552,714
Felonies ^a	265,290	314,215	351,163	372,616	355,513	343,168

^aDLE categories coded as to class of felony or misdemeanor according to Appendix B.

Source: SAC edition of I-UCR data files.

TABLE 2

Comparison of Index and Statutory Classifications

Index and Non-Index Offenses Actually Occurring

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>
1 ^a	974	1,159	1,328	1,210	1,205	1,172
2	2,633	2,694	3,075	2,889	2,412	2,459
3	29,589	31,232	34,831	31,068	24,788	23,936
4	24,886	28,541	30,397	26,556	24,538	23,564
5	95,406	115,311	139,277	144,815	124,062	123,578
6	234,067	251,827	304,536	342,125	338,109	318,527
7	<u>49,954</u>	<u>57,919</u>	<u>58,835</u>	<u>56,965</u>	<u>56,819</u>	<u>59,478</u>
Total Index	437,509	488,683	572,279	605,628	571,933	552,714
Non-index	<u>321,851</u>	<u>374,397</u>	<u>566,090</u>	<u>592,121</u>	<u>596,820</u>	<u>519,269</u>
Grand Total	759,360	863,080	1,138,369	1,197,749	1,168,753	1,071,983

Statutory Classes of Offenses Actually Occurring

Felonies						
Murder	885	1,074	1,291	1,178	1,164	1,149
Felony 1	21,351	23,165	26,711	22,995	18,278	17,470
2	122,893	143,701	170,741	189,433	175,224	161,442
3	109,660	131,649	133,959	139,411	141,974	143,002
4	<u>10,501</u>	<u>14,626</u>	<u>18,461</u>	<u>19,599</u>	<u>18,873</u>	<u>20,105</u>
Total Felonies	265,290	314,215	351,163	372,616	355,513	343,168
Misdemeanor A	314,673	351,864	436,448	473,709	466,477	473,732
Mis. B,C, petty	107,343	113,880	132,926	135,561	128,469	138,667
Other Criminal ^b	<u>40,387</u>	<u>40,596</u>	<u>13,051</u>	<u>13,104</u>	<u>11,607</u>	<u>6,765</u>
Total Non-felonies	<u>462,403</u>	<u>506,340</u>	<u>582,425</u>	<u>622,374</u>	<u>606,553</u>	<u>619,164</u>
Total Criminal	727,693	820,555	933,588	994,990	962,066	962,332
Not State Crimes ^c	31,667	42,525	45,095	45,792	41,497	34,782
Other Departmental ^d	0	0	121,356	113,625	124,590	29,051
Other Traffic ^e	<u>0</u>	<u>0</u>	<u>38,330</u>	<u>43,342</u>	<u>40,600</u>	<u>45,818</u>
Total Non-Criminal	31,667	42,525	204,781	202,759	206,687	109,651

^aIndex Crime classes. See Chart 2.

^bA residual category used by DLE, probably consisting of very minor crimes.

^cSee category 8 in Appendix B.

^dCategories used for police department record-keeping, but not criminal offenses.

^eNon-criminal traffic violations and nonviolative incidents. Criminal traffic violations are not included here.

Source: SAC files of I-UCR data.

No combination of Part I Crimes or Index offenses is therefore interchangeable with statutory felonies, either by definition or as an approximate indicator of the total number. Indeed, to use Index crimes as a substitute for total felonies would produce greatly misleading results. For example, the per cent flow from offenses to cases begun would be one-third to one-half less using total Index Crimes rather than total felonies (Table 1). This would also be true of per cent flows from Part I or Index totals to corrections totals, such as defendants incarcerated (Chart 1), since corrections data are also based on the statutory classification system. Thus, the use of Part I or Index crime classifications as a substitute for or an approximate indicator of total felonies should be avoided, and analyses which do use Part I or Index crimes in a comparison with total felonies should be disregarded or interpreted with extreme care.

An Additional Problem

Even though the Part I and Index classification systems are convenient and useful for analysis of law enforcement data, the statutory classification system should be used when comparisons are made between law enforcement and courts or corrections data. Unfortunately, the use of the statutory system with law enforcement data presents a problem.

The statutory class of the offense is not officially assigned until the case comes into the court system. Although each of the 200 DLE crime codes corresponds to an Illinois statute, some DLE codes correspond to more than one felony or misdemeanor class. For example, a Theft under \$150 (DLE category 0820) is a Misdemeanor A if it is a first offense or if it is not a theft of a firearm, a Felony 3 if it is a second-offense theft of a firearm, but a Felony 4 otherwise. Other types of theft, such

as Theft by Lessee (DLE 1205) or Possession of Stolen Property (DLE 1200), are subject to the same qualifications if they are under \$150, but are Felony 4 if over \$150. The statutory class of DLE attempt categories, such as Attempts: Sex Offenses (DLE 1590), is also not clear. According to Illinois law (Ch. 38 §8-4) the class of felony attempts "shall not exceed" one class less than the class of the attempted crime.⁶ Most of the ambiguity in drug offense classes has to do with the amount involved and whether it is a first offense or not. For example, DLE 1811, possession of 30 Grams or Less Cannabis, is a Misdemeanor A or B, depending on the amount, for a first offense, and a Felony 4 for a second or subsequent offense.

In all, there are 38 DLE categories which correspond to more than one statutory classification.⁷ Chart 3 lists them, with their DLE code, the relevant Illinois statute, the felony or misdemeanor classes possible under the statute, and the number of Illinois offenses in 1976.

These 38 crimes accounted for a total of 370,932 offenses in Illinois in 1976, which was slightly less than a third of all offenses. One crime, Theft under \$150, accounted for the majority of these. The next most frequent 1976 offense of the 38 was Criminal Damage to Property. However, some of the affected DLE crimes are decidedly infrequent, so infrequent as to have a negligible effect on aggregate totals. Theft by Lessee, Numbers-Lottery, Failure to Keep Records, Harmful Materials, Card Game: Operating, Dice Game: Operating, Gambling Devise, Casual Delivery, Interfering with Judicial Procedure, Controlled Substance: Manufacture or Deliver, Under 18 Delivery: Cannabis and Under 18

⁶However, attempted Class 4 felonies "shall not exceed" a Class 4 felony. The class of attempted misdemeanors is undefined in Illinois law.

⁷DLE categories 2100 and 2110, Possession or Sale, were used in different years to refer to the same crime.

CHART 3

Coding of DLE Crime Categories which have More Than One
Misdemeanor or Felony Class

<u>DLE CRIME CODE</u>	<u>DESCRIPTION</u>	<u>ILLINOIS STATUTE</u>	<u>1976</u>		<u>SAC FILE CODE</u> ^b
			<u>ILLINOIS OFFENSES</u> ^a	<u>POSSIBLE CLASSES</u>	
0820	Theft Under \$150	38.161	224,182	A,4,3	6
1150	Credit Cards	121½.601-624	470	B,A,4,3	6
1205	Theft by Lessee	38.16.1d	44	A,4,3	6
1310	Criminal Damage to Property	38.21.1	75,675	A,4	6
1320	Criminal Damage to Vehicle	38.21.1	47,520	A,4	6
1535	Obscenity	38.11.20	71	A,4	6
1620	Numbers-Lottery	38.28.1a(7)	16	A,4	6
1630	Keeping a Gambling Place	38.28.3	87	A,4	6
1710	Endangering Life or Health of a Child	23.2354	373	A,3	6
1811	Possession 30 grams or Less Cannabis	56½.704	5,799	B,A,4	6
2120	Failure to Keep Records	38.22.52	8	A,4	6
3100	Mob Action	38.25	125	C,A,4	6
3500	Public Nuisance	38.37.1	108	A,4	6
0850	Attempt:Theft	38.8.4	4,004	B,A,4	5
1200	Buy, Receive or Possess Stolen Property	38.16.1d	789	A,4,3	5
1210	Theft of Labor, Service, Use of Property	38.16.3	2,284	A,4	5
1340	Criminal Damage to State Supported Land	38.21.3	1,339	A,4	5
1410	Unlawful Use of Weapons	38.24.1	3,604	A,4,3	5
1540	Harmful Material	38.11.21	24	A,4	5
1650	Card Game: Operating	38.28.1a(3)	10	A,4	5
1660	Dice Game: Operating	38.21.1a(3)	6	A,4	5
1670	Gambling Devise	38.21.1	31	A,4	5
1812	Possession over 30 Grams Cannabis	56½.704	1,080	4,3	5
1830	Casual Delivery	56½.706	28	B,A,4,3	5
2110 ^c	Possession or Sale	38.22.50-53	404	A,4	5

^a Source: Crime in Illinois: 1977, Illinois Department of Law Enforcement

^b 2 = Felony 1; 3 = Felony 2; 4 = Felony 3; 5 = Felony 4; 6 = Misdemeanor A

^c In some years was coded 2100

CHART 3-Continued

<u>DLE CRIME</u> <u>CODE</u>	<u>DESCRIPTION</u>	<u>ILLINOIS</u> <u>STATUTE</u>	1976	<u>POSSIBLE</u> <u>CLASSES</u>	<u>SAC FILE</u> <u>CODE</u>
			<u>ILLINOIS</u> <u>OFFENSES^{ct}</u>		
3200	Armed Violence	38.33A	85	4,1	5
3750	Escape	38.31.6	232	A,4,2	5
3800	Interfering with Judicial Procedure	38.32	40	petty, B,A,4,3	4
1822	Manufacture or Deliver: Over 10 Grams Cannabis	56½.705	154	4,3,2	4
1860	Calculated Cannabis Conspiracy	56½.709	55	3,1	4
2010	Controlled Substance: Manuf. or Deliver	56½.1401	31	4,3,2,1	4
2020	Possessing Controlled Substance	56½.1402	1,630	3,1	4
2030	Counterfeit Substance: Manufacture or Deliver	56½.1403	32	A,4,3,2	4
2040	Delivery or Possession with Intent to Deliver	56½.1404	422	A,4,3,2	4
1590	Attempt: Sex Offense	38.8.4	144	petty,C, B,A,4,3,2	3
1840	Under 18 Delivery: Cannabis	56½.707	18	double	3
2070	Delivery Under 18: Controlled Substance	56½.1407	<u>14</u>	double	2
		Total	370,932		

Delivery: Controlled Substance and Counterfeit Substance: Manufacture or Deliver accounted for 50 or fewer offenses each in 1976.

Any comparison of law enforcement and court or correction statistics for these 38 DLE crime categories will be inaccurate, unless the statutory class is determined for each individual law enforcement case. This is usually not possible, especially for large numbers of cases. It is difficult to obtain individual-level statistics in Illinois and it is even more difficult to trace an individual case from one system to another. The alternative to tracing individual cases through the criminal justice system is to compare the total in a category of law enforcement cases to the total in the same category of court or correction cases, that is, to compare felonies to felonies. However, any law enforcement category that includes one of the 38 crimes in Chart 3 cannot be accurately compared to a court or corrections felony category. If, for example, all Thefts over \$150 (DLE 0820) are assumed to be Class A Misdemeanors for comparison, those Thefts over \$150 which are really Felony 4 or Felony 3 will be misclassified. If Thefts over \$150 are compared to Class 4 Felonies, those that are really Class A Misdemeanors or Class 3 Felonies will be misclassified. In either case, a comparison of law enforcement to court or corrections data will be inaccurate for Misdemeanor A and Felony 3 and 4 to the extent of the misclassification. Unfortunately, without tracing individual cases, there is no way of knowing the exact extent of this misclassification error.

Although it is impossible to know exactly how many DLE cases would be misclassified if they were assigned to one statutory class rather than another, it is possible to control the degree of misclassification error by analyzing narrow rather than broad statutory class categories. The difference between the broad categories, Felonies versus Misdemeanors,

is greater than the differences between the narrower statutory class categories, Misdemeanor A versus Felony 4, Felony 4 versus Felony 3, and so on. Depending on the requirements of the analysis, it may not be such a great conceptual error to mistake a Misdemeanor A for a Felony 4 as to mistake a Misdemeanor (in general) for a Felony.

In addition, the more serious statutory classes involve fewer of the 38 DLE crime categories in Chart 3 than the less serious classes. Four DLE codes could possibly be a Class 1 Felony, six could be Class 2, 16 could be Class 3, but 32 could be Class 4 and 29 could be a Class A Misdemeanor. The DLE crime codes which could be more serious statutory classes thus involve many fewer possible misclassified cases than do DLE codes which could be less serious. Also, in many cases, the more serious possible class will involve the fewest cases. For example, a Felony 3 Theft under \$150 (DLE 0820) only occurs for a second offense theft of a firearm under \$150, a relatively unlikely occurrence.

Therefore, there will be fewer misclassification errors and the degree of the errors will be less if comparisons are made within each statutory class rather than using the broad Felony versus Misdemeanor comparison, and if the more serious felonies rather than the less serious are analyzed.

However, even if a researcher is willing to ignore the less serious felonies, it is difficult to analyze each statutory class separately. Summary court statistics, for example, are not always categorized by statutory class. Unless a researcher has access to raw Administrative Office of the Courts data, it is necessary to use Total Felonies if a comparison with DLE data is to be made.

A Suggested Solution

Obviously, there is no perfect solution short of abandoning all efforts

to compare law enforcement and courts or corrections data in Illinois. Since such comparisons are necessary to even a basic understanding of the process of criminal justice decision making, they will undoubtedly continue to be made. Therefore, it is necessary to propose a less-than-perfect solution to the problem, one that will allow a more accurate comparison than would the use of Part I or Index crime classifications.

This suggested solution is outlined in the last column of Chart 3, where one of the possible statutory classes is chosen for each of the 38 ambiguous DLE crimes.

The choice of statutory class in Chart 3 is not entirely arbitrary. Since exact data are unavailable, the choice was based on expert opinion. A panel of three Illinois lawyers agreed on the choice of class for each DLE crime category (except one.) They used the following criterion: the statutory class they had found, in their experience, to be most common when an accused person is actually charged with the crime. Thus, first offense Theft under \$150 (Misdemeanor A) was judged to be a more common charge than second-offense Theft under \$150 (Felony 4,) or theft of a firearm (Felony 3.)

The criterion did not consider how many DLE crimes of a statutory class occur, but rather how many charges occur. Thus, Misdemeanor C Attempt:Sex Offense (DLE 1590) may occur, but it was judged unlikely that anyone would be charged with such a crime. The panel judged that a charge of Attempt:Sex Offense is most likely an attempt Class 1 crime, such as Deviate Sexual Assault (DLE 1550), Indecent Liberties with a Child (DLE 1550) or Rape of Mentally Deranged (DLE 1583.) Since these crimes are Class 1 Felonies, their attempts are Class 2 Felonies.

The panel could not determine the most likely statutory class for one crime, Possessing a Controlled Substance. The panel agreed that the

class of this crime is a function of area of the state. In the Chicago area, most people are charged with a Class 3 Felony, but outside of Chicago, the most likely charge is more serious, a Class 1 Felony. The panel suggested, therefore, that cases be allocated to each class depending on where they originate. For the practical purpose of creating the SAC file, however, we choose to allocate all Possessing a Controlled Substance cases to one category, Class 3 Felony, since 74 per cent of all arrests for this crime are made in Chicago.⁸ Users who have a particular interest in this crime may decide to recode it according to their own purposes.

Using the panel's decisions, a usable estimate of statutory class may be determined for each DLE crime code. Statistics based on these estimates may be more validly compared to courts or corrections data than statistics based on Part I or Index Crimes. The complete coding system, including the suggested class codes for the 38 ambiguous crimes, is given in Appendix B.

Table 3 and 4 present data which could be used to produce a flow chart of 1975 Illinois data similar to Chart 1, except that the statutory felony classes are used instead of Part I crimes. (Also, Arrest: Held for Prosecution, Juveniles: Juvenile Court and Juveniles: Adult Court are used instead of Arrests, and Offenses Actually Occurred are used instead of Reported Offenses.) Table 3 presents case data; Table 4, individual data.⁹ These are the sort of data produced when the suggested coding scheme is used.

⁸ Source: Calculation from SAC files of 1977 I-UCR data.

⁹ An "offense" is not an individual-level statistic. One offense may involve more than one offender, and one offender may commit more than one offense. Similarly, a court "case begun" is not an individual-level statistic. Offenses and cases begun are both case-level data. The extent to which they refer to the same or comparable kinds of cases is questionable, but is beyond the scope of this report.

TABLE 3

Flow of Cases: 1975 Illinois Felonies

	<u>Downstate</u>	<u>Cook County</u>	<u>Total Illinois</u>
Offenses Reported to Police			
Murder	291	1,058	1,349
Class 1	5,113	24,448	29,561
Class 2	98,199	106,111	204,310
Class 3	68,224	87,687	155,911
<u>Class 4</u>	<u>12,409</u>	<u>8,204</u>	<u>20,613</u>
Total Reported	184,236	227,508	411,744
Offenses Actually Occurred ^a			
Murder	266	912	1,178
Class 1	4,866	18,129	22,995
Class 2	96,056	93,377	189,433
Class 3	65,418	73,993	139,411
<u>Class 4</u>	<u>11,846</u>	<u>7,753</u>	<u>19,599</u>
Total Occurred ^a	178,452	194,164	372,616
Offenses Cleared by Arrest ^b			
Adult ^b			
Murder	160	763	923
Class 1	1,320	6,504	7,824
Class 2	6,316	15,490	21,806
Class 3	9,943	10,187	20,130
<u>Class 4</u>	<u>4,452</u>	<u>2,462</u>	<u>6,914</u>
Total Adult	22,191	35,406	57,597
Juvenile ^b			
Murder	10	4	14
Class 1	160	84	244
Class 2	3,382	1,526	4,908
Class 3	2,129	986	3,115
<u>Class 4</u>	<u>760</u>	<u>822</u>	<u>1,582</u>
Total Juvenile	<u>6,441</u>	<u>3,422</u>	<u>9,863</u>
Total Offenses Cleared by Arrest	28,632	38,828	67,460
Cases Begun or Reinstated ^c	22,627	14,571	37,198
Cases Terminated ^c	16,088	12,632	28,720

^aOffenses that actually occurred are reported offenses minus those that were unfounded and those that were referred to another responsible jurisdiction.

^bIf at least one person is arrested and charged with an offense, the offense is cleared by arrest. An offense may be cleared only once, regardless of how many people are arrested. If both adults and juveniles are arrested for an offense, it is counted as an adult clearance.

^cFelony adult court cases, including cases involving juveniles being tried as adults. See footnote, page 3.

Sources: SAC files of I-UCR data; 1975 Annual Report, Administrative Office of the Illinois Courts.

TABLE 4

Flow of Individuals: 1975 Illinois Felonies

	<u>Downstate</u>	<u>Cook County</u>	<u>Total Illinois</u>
Police Dispositions			
Adults arrested: Held ^a			
Murder	213	63	276
Class 1	1,913	549	2,462
Class 2	7,174	1,779	8,953
Class 3	11,594	3,109	14,703
Class 4	<u>5,314</u>	<u>2,420</u>	<u>7,734</u>
Total Adults	26,208	7,920 ^c	34,128 ^c
Juvéniles: Adult Court ^b			
Murder	5	0	5
Class 1	23	4	27
Class 2	143	40	183
Class 3	130	15	145
Class 4	<u>60</u>	<u>16</u>	<u>76</u>
Total Juvéniles: Adult Court	361	75 ^c	436 ^c
Juvéniles: Juvenile Court ^b			
Murder	4	3	7
Class 1	144	76	220
Class 2	2,262	1,126	3,388
Class 3	1,138	594	1,732
Class 4	<u>307</u>	<u>165</u>	<u>472</u>
Total Juvenile Court	3,855	1,964	5,819
Total Police Dispositions to Adult Court	<u>26,569</u>	<u>7,995^c</u>	<u>34,564^c</u>
Court Dispositions			
Discharged or Dismissed	9,278	4,469 ^c	13,747 ^c
Convicted of or Reduced to Misdemeanor	4,639	^c	4,639 ^c
Acquitted	412	589 ^c	1,001 ^c
Unfit to Stand Trial	47	330 ^c	377 ^c
Convicted of Felony			
Murder	63	^c	63 ^c
Class 1	648	^c	648 ^c
Class 2	3,087	^c	3,087 ^c
Class 3	3,043	^c	3,043 ^c
Class 4	<u>658</u>	^c	<u>658^c</u>
Total Convicted of Felony	7,499	9,889	17,388
Total Court Dispositions	<u>21,875</u>	<u>15,277^c</u>	<u>37,152^c</u>

TABLE 4-Continued

	<u>Downstate</u>	<u>Cook County</u>	<u>Total Illinois</u>
Sentenced to Prison			
Murder	63	c	63 ^c
Class 1	494	c	494 ^c
Class 2	1,204	c	1,204 ^c
Class 3	757	c	757 ^c
Class 4	116	c	116 ^c
Total Sentenced to Prison	2,634	3,603	6,237

^aIncludes adults arrested and held for prosecution whether incarcerated or not. Does not include those summoned, cited or notified, or released without charge. Does not include those referred to another agency, but does include those arrested by another agency and turned over to the agency in question for prosecution.

^bDoes not include juveniles handled within the department, summoned, cited or notified, or referred to a welfare agency, or those referred to another responsible jurisdiction. A juvenile referred to juvenile court, or an officer of the juvenile court such as a juvenile probation officer is counted under Juveniles: Juvenile Court.

^cData only partially available.

Sources: SAC files of I-UCR data; 1975 Annual Report, Administrative Office of the Illinois Courts.

In Downstate Illinois, 184,236 felonies were reported to police in 1975. Of these, 178,452 (97%) were founded and occurred in Illinois jurisdictions. There were 28,632 felonies cleared by the arrest of at least one adult or juvenile, and 22,627 felony cases were begun in the adult court system.

In 1975, 26,569 adults and juveniles were arrested and sent to adult court in Downstate Illinois. The courts disposed of 21,875 felony defendants, 7,499 of whom were convicted of felonies; 2,634 of these were sentenced to prison.¹⁰

Per cent flows calculated with the data in Tables 3 and 4 would reflect reality more closely than the per cent flows in Chart 1. For example, Chart 1 tells us that total felony cases begun in Illinois were less than six per cent (34,782/614,139) of Part I reported offenses. Table 3 tells us that total felony cases begun in Illinois were nine per cent (37,198/411,744) of reported felonies, ten per cent (37,198/372,616) of felonies actually occurring, and 65 per cent of felony offenses cleared by an adult arrest.

Drawbacks to the Suggested Solution and Additional Problems

The major drawback to the suggested coding scheme is obvious in Chart 3. One of the DLE crimes, Theft under \$150, accounts for so many offenses, 224,182 in 1976, that a change in deciding the statutory class of this crime could dramatically alter the resulting statistics. For example, if the panel's decision had been to code Theft under \$150 as Felony 4 instead of Misdemeanor A, total 1976 felonies occurring would have been 579,695, which is slightly more than either the number of Part I or Index crimes occurring, instead of 343,168, which is much less. Reality is somewhere in between. As discussed

¹⁰ Since Chart 1 was based on the preliminary data available at the time, there are some differences in court statistics between Tables 3 and 4 and Chart 1. Also, as noted above (footnote page 3) the court figures do not refer to exactly the same group of individuals as do the police figures.

above, the number and degree of such errors of miscalculation is greater for Misdemeanor A and Class 4 Felony and least for Felonies 3,2,1 and Murder. Therefore, wherever possible, comparisons should be made within each statutory class rather than for total Felonies versus total Misdemeanors, and more serious felonies should be analyzed in preference to Felony 4. SAC welcomes comments and suggestions on the coding of the 38 ambiguous crimes, especially Theft under \$150. With more information, it may become possible to allocate some percentage of Theft under \$150 to each class, A and 1.

The SAC coding scheme gives a statutory class for each DLE crime category. However, it does not give a DLE crime category for each statutory class offense. Some statutory offenses do not have a corresponding DLE code, usually because they seldom come to the attention of the police. For example, there are no business offenses among the DLE categories. A partial list of Illinois statutory felonies for which no DLE category exists follows.

<u>Offense</u>	<u>Felony Class</u>
Treason	1
Attempt: Treason	2
Criminal misrepresentation of factoring	3
Advocating overthrow of government	3
Juice racketeering	3
Legislative misconduct	3
Concealment of homicidal death	3
Inducement to buy or sell property on account of race, color or religion (2nd offense)	4
Official misconduct	4
Misprison of treason	4

Compelling confession by force or threat	4
Criminal usury	4
Tampering with public records	4 ¹¹

Court cases for these crimes usually begin in the court or prosecutorial systems rather than in the law enforcement system and with a Grand Jury arraignment rather than with an arrest. Therefore, the lack of a DLE crime category does not make much difference in tracing crimes from law enforcement to the courts. However, these cases, though few, do add some crime types to court and corrections summary statistics that are not counted at the law enforcement level. To this extent, comparisons between the two are less accurate.

Even if there were a perfect solution to the problem of comparing the DLE to the statutory classification system, other problems would still remain. A full discussion of these problems is beyond the scope of this paper, but they have been mentioned briefly in the footnotes. Some of the differences between Table 3 and Chart 1 result from an attempt to rectify these problems, at least in part.

There are additional problems which only exist for Chicago and Cook County data, and consequently for aggregate totals such as total Illinois figures. Chicago law enforcement and Cook County court reporting practices differ from practices in the rest of Illinois. The result is incomplete and missing data in Table 4 and similar analyses. For details of Chicago and Cook County reporting, see the SAC publications, I-UCR User's Guide and Codebooks and Guide to the Sources of Data on Criminal Cases Processed in the Cook County Circuit Court.

¹¹Source: Table IV, p 21-28, S.H.A. ch. 38 Illinois Revised Statutes, preceeding Section 1001-1-1. Also see Appendix A.

Summary

This report describes a serious problem inherent in a common practice in analysis of criminal justice data - comparing two different classification systems. It analyzes the usual solution, the comparison of Part I or Index Crimes to statutory felonies, and finds that this solution produces inaccurate comparisons and should therefore be avoided. It then suggests a alternative solution, a coding scheme which gives a statutory class for every DLE crime category (Appendix B.) This solution is not perfect, and in fact, has at least one major drawback which results in the misclassification of some crimes. However, it is a much more valid representation of reality than the use of Part I or Index Crimes.

Appendix A

Classification of Offenses
In Illinois Law

Table IV, p. 21-28, S.H.A. ch. 38 Illinois Revised
Statutes, preceeding Section 1001-1-1

This classification of offenses applies to offenses committed during the years 1972 through 1977. House Bill 1500 changed the classification of some offenses committed on or after February 1, 1978.

This table includes all offenses in Chapter 38 as amended in 1973. For offenses in other chapters, see SHA ch. 38, p. 29-56 preceeding Section 1001-1-1.

OFFENSES IN CHAPTER 38

And Chapter 56½: Illinois Controlled Substances Act
Cannabis Control Act

Offense	Classification	Former Sentence
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MURDER

Sentence: Death or Imprisonment
for 14 to any number of years (plus
5 years parole). NLT 14 years or death [9-1(b)]

CLASS 1 FELONY

Sentence: Imprisonment for 4 to any number of years
(plus 5 years parole).

Fine: \$10,000 or greater amount stated in offense.

Attempt to commit murder	NTE 20 years [8-4]	^a
Aggravated kidnapping	NLT 2 years or death [10-2]	^b
Armed robbery	NLT 5 years [18-2(b)]	
Armed violence (2nd offense)	NLT 8 years [33A-3]	
Treason	NLT 14 years or death [30-1(c)]	
Rape	NLT 4 years [11-1(c)]	
Indecent liberties with a child	4-20 years [11-4(c)]	
Deviate sexual assault	4-14 years [11-3(b)]	
Illinois Controlled Substances Act (Chapter 56½)		
Sections: 1401(a)	10 years to life and NTE \$200,000	
1402(a)	3 years to life and NTE \$100,000	
1405	10 years to life and NTE \$200,000	
Cannabis Control Act (Chapter 56½)		
Section 709 (2nd offense)	5 to 20 years and NTE \$200,000	

CLASS 2 FELONY

Sentence: Imprisonment for 1-20 years (plus 3 years parole);
Fine: \$10,000 or greater amount stated in offense.

Attempt to commit treason	NTE 20 years [8-4(c) (2)]	
Aggravated incest	2-20 years [11-10(c)]	
Possession of explosives or incendiary devices	1-20 years [20-2]	
Burglary	NLT 1 year [19-1(b)]	
Arson	NLT 1 year [20-1]	
Voluntary manslaughter	1-20 years [9-2(c)]	
Robbery	1-20 years [18-1]	
Aiding escape (person charged with felony)	1-10 years [31-7(b)]	
Escape (felon or charged with felony)	1-10 years [31-8(a)]	
Illinois Controlled Substances Act (Chapter 56½)		
Sections: 1401(b)	1-20 years and NTE \$25,000	
1403(a)	1-12 years and NTE \$25,000	
Cannabis Control Act (Chapter 56½)		
Section 705(e)	1-7 years	

^a NTE = "Not to Exceed"

^b NLT = "Not Less Than"

Offense	Classification	Former Sentence
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CLASS 3 FELONY

Sentence: Imprisonment for 1-10 years (plus 3 years parole);
 Fine: \$10,000 or greater amount stated in offense.

Attempted Class 2 felony	NTE 14 years [8-4(c) (3)]
Criminal misrepresentation of factoring	5-10 years or \$5,000 or both [40-3]
Advocating overthrow of government	1-10 years [30-3]
Conspiracy (refer to law for specifics)	NTE 10 years [8-2]
Juice racketeering	1-10 years or \$5,000 or both [39A-2]
Theft (more than \$150)	1-10 ⁴ years [10-1(e-2)]
Unlawful use of weapon (within 5 years of felony conviction)	1-10 years [24-1(b)]
Forgery	1-14 years or \$1,000 or both [17-3(d)]
Involuntary Manslaughter	1-10 years [0-3(c)]
Abortion	1-10 years [23-1(b)]
Deceptive Practices (credit card use in excess of \$150 within 90 day period)	1-10 years [17-1]
Incest	1-10 years [11-11(b)]
Aggravated battery (disfiguration)	1-10 years or OTP 1 year [12-4(d)] ^a
Perjury	1-14 years or OTP 1 year or \$1,000 or both [32-2(d)]
Kidnapping	1-5 years or OTP 1 year [10-1(e)]
Legislative misconduct: acceptance of money	1-10 years or OTP 1 year or \$10,000 or both fine and imprisonment [90-2]
Aggravated battery (with a deadly weapon)	1-5 years or OTP 1 year [12-4(d)]
Syndicated gambling	1-5 years [28.1-1(f)]
Concealment of homicidal death	2-8 years [9-3.1(c)]
Intimidation	1-5 years or OTP 1 year or \$5,000 or both [12-6(b)]
Illinois Controlled Substances Act (Chapter 56½)	
Sections: 1401(c)	1-10 years and NTE \$20,000
1401(d)	1-8 years and NTE \$15,000
1402(b)	1-8 years or OTP 1 year and NTE \$15,000
1403(b)	1-8 years and NTE \$20,000
1404	1-10 years or OTP 1 year and NTE \$15,000
Cannabis Control Act (Chapter 56½)	
Sections: 704(d) (2nd offense)	2-6 years
704(e)	1-5 years
705(d)	2-7 years (2nd offense)
	1-4 years
	2-8 years (2nd offense)
709 (1st offense)	3-10 years and NTE \$200,000

^a OTP = "Other Than Penitentiary"

Offense	Classification	Former Sentence
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CLASS 4 FELONY

Sentence: Imprisonment for 1-3 years (plus 2 years parole);

Fine: \$10,000 or greater amount stated in offense.

Attempted Class 3 felony	NTE 14 years [8-4(c)(3)]
Pandering (by compulsion)	1-10 years [11-16(b)]
Pandering (other than compulsion)	1-5 years or OTP 1 year [11-16(b)]
Escape (armed with a deadly weapon)	1-5 years [31-6(d)]
Violation of bail bond (if felony)	NTE 5 years or \$5,000 or both [32-10]
Subornation of perjury	1-5 years or \$1,000 or both [32-3(b)]
Criminal damage to property (more than \$150)	NTE 5 years or \$500 or both [21-1]
Inducement to buy or sell property on account of race, color or religion (2nd offense)	1-5 years or \$10,000 or both [70-52]
Offering a bribe (in contests)	1-5 years or \$1,000-\$5,000 [29-1]
Accepting a bribe (in contests)	1-5 years or \$1,000-\$5,000 [29-2]
Theft (less than \$150, 2nd offense)	1-5 years [16-1]
Unlawful use of weapon	1-5 years [24-1(b)]
Gambling (organizer): (2nd offense)	1-5 years and \$5,000 or OTP 6-12 months [28-1(c)]
Reckless homicide	1-5 years or OTP 1 year or \$1,000 or both fine and imprisonment [9-3(c)(2)]
Mob action (inflicts violent injury)	1-5 years or OTP 1 year or \$1,000 or both fine and imprisonment [25-1(c)]
Official misconduct	1-5 years or OTP 1 year or \$1,000 or both fine and imprisonment [33-3 (d)]
Bribery	1-5 years or OTP 1 year or \$1,000- \$5,000 or both fine and imprisonment [33-1(f)]
Communicating with jurors or wit- nesses	1-3 years or OTP 1 year or \$500 or both fine and imprisonment [32-4(b)]
Criminal damage to State supported property (more than \$500)	NTE 5 years or \$5,000 [21-4]
Armed violence (1st offense)	NLT 2 years nor more than the maxi- mum penalty for the offense committed had it been done unarmed [33A-3]
Obstructing justice	1-3 years or OTP 1 year or \$1,000 or both fine and imprisonment [31-4(d)]
Keeping a gambling place (2nd of- fense)	1-3 years or \$1,000 or both [28-3]
Harmful material (2nd offense)	1-3 years or \$1,000-\$5,000 or both fine and imprisonment [11-21(d)]
Obscenity (2nd offense)	1-3 years or \$1,000-\$5,000 or both fine and imprisonment [11-20(d)]
Possession of burglary tools (with in- tent to commit a felony or theft)	1-2 years [19-2(b)]
Imprison of treason	1-2 years [30-2]
Unlawful restraint	1-2 years or \$500 or both [10-3(b)]
Concealing or aiding a fugitive	1-2 years or \$1,000 or OTP 1 year or both fine and imprisonment [31-5]
Looting	1-3 years or OTP 6 mos.-1 year [42-2]
Compelling confusion by force or threat	1-3 years or OTP 1 year [12-7]
Criminal usury	1-5 years or OTP 1 year or \$1,000 or both [39-2]
Tampering with public records	1-5 years or OTP 1 year or \$1,000 or both fine and imprisonment [32-8]
Destroying draft card	1-5 years or \$10,000 or both [90-11]
Bigamy	1-5 years or OTP 1 year [11-12]
Performance of unauthorized acts (of judicial procedure)	1-5 years or OTP 1 year or \$500 or both fine and imprisonment [32-6]

Offense	Classification	Former Sentence
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Class 4 Felony--Cont'd

Theft from coin-operated machines (2nd offense)	NTE 5 years [16-5]	
Damage to state property	NTE 5 years or \$5,000 [21-4]	
Hypodermic needles (3rd offense)	NTE 2 years [22-53]	
Illinois Controlled Substances Act (Chapter 56½)		
Sections: 1401(e)	1-3 years or OTP 1 year and NTE \$10,000	
1401(f)	1-3 years or OTP 1 year and NTE \$5,000	
1403(c)	1-5 years or OTP 1 year and NTE \$15,000	
1406(a) (2nd offense)	1-3 years or OTP 1 year and NTE \$10,000	
1406(b) (2nd offense)	1-3 years or OTP 1 year and NTE \$30,000	
Cannabis Control Act (Chapter 56½)		
Sections: 704(c) (2nd offense)	1-2 years or OTP 1 year	
704(d) (1st offense)	1-3 years	
705(c)	1-3 years or OTP 1 year	

Offense Classification Former Sentence

CLASS A MISDEMEANOR

Sentence: Imprisonment for any term less than 1 year;
Fine: NTE \$1,000

Aiding escape (misdemeanor)	NTE 1 year [31-7(c)]
Escape (charged with misdemeanor)	NTE 1 year [31-6(b)]
Violation of bail bond (if misdemeanor)	NTE 1 year or \$1,000 or both [32-10]
Official misconduct: failure to report bribe	NTE 1 year or \$1,000 or both [33-2]
Maintaining a public nuisance (1st offense)	NTE 1 year or \$1,000 or both [37-1]
Soliciting for a prostitute	NTE 1 year or \$200 or both [11-15(b)]
Prostitution	NTE 1 year or \$200 or both [11-14(b)]
Theft of labor or services or use of property	NTE 1 year or \$500 or both [16-3(c)]
Deceptive practices	NTE 1 year or \$500 or both [17-1]
Criminal damage to property (less than \$150)	NTE 1 year or \$500 or both [21-1]
Defacing identification marks of firearms	NTE 1 year or \$500 or both [24-5]
Gambling (playing)	NTE 1 year or \$500 or both [28-1(a)]
Keeping a gambling place (1st offense)	NTE 1 year or \$500 or both [28-3]
Registration of federal gambling stamps (2nd offense)	NTE 1 year or \$500 or both [28-4(a)]
Indecent solicitation of a child	NTE 1 year or \$500 or both [11-6(c)]
Adultery	NTE 1 year or \$500 or both [11-7(b)]
Public indecency	NTE 1 year or \$500 or both [11-9(c)]
Keeping a place of prostitution	NTE 1 year or \$500 or both [11-17(b)]
Pimping	NTE 1 year or \$500 or both [11-19(b)]
Theft (less than \$150, 1st offense)	NTE 1 year or \$500 or both [16-1(a)]
Failure to report bribe (contests)	NTE 1 year or \$500 or both [29-3]
Resisting or obstructing a peace officer	NTE 1 year or \$500 or both [31-1]
Harassment of jurors	NTE 1 year or \$500 or both [32-4(a)]
Aggravated assault	1-5 years or OTP 1 year or \$1,000 or both [12-2(b)]
Obscenity (1st offense)	NTE 1 year or \$1,000 or both [11-20(d)]
Harmful material (1st offense)	NTE 1 year or \$1,000 or both [11-21(d)]
Reckless conduct	NTE 1 year or \$1,000 or both [12-5(b)]
Criminal housing management	NTE 1 year or \$1,000 or both [12-5.1(b)]
Aerial exhibitions with inadequate safety equipment	NTE 1 year or \$1,000 or both [50-3]
Public demonstrations without permit (if necessary)	NTE 1 year or \$1,000 or both [85-8]
Deceptive altering or sale of coins	NTE 1 year or \$1,000 or both [17-4(c)]
Unlawful sale of firearms	NTE 1 year or \$1,000 or both [24-3(b)]
Unlawful possession of firearms and firearms ammunition	NTE 1 year or \$1,000 or both [83-14]
Concealing death of a bastard	NTE 1 year [9-4(c)]
Inducements to sell or purchase property by reason of race, color or religion (1st offense)	NTE 1 year or \$1,000 or both [70-52]
Contributing to the sexual delinquency of a child	NTE 1 year or \$1,000 or both [11-3(c)]
Marrying a bigamist	NTE 1 year [11-13(b)]
Disorderly conduct (false alarms—bomb or other explosives)	NTE 1 year or \$2,500 or both [26-1(b)]
Eavesdropping	1-2 years or OTP 1 year or \$1,000 [14-4]
Duelling	1-5 years or OTP 1 year [12-8(b)]
Bigamy	1-5 years or OTP 1 year [11-12(c)]
Recklessly permitting escape	NTE 1 year or \$1,000 or both [31-7(c)]

Offense	Classification	Former Sentence
CLASS A MISDEMEANOR (Cont'd)		
Battery	NTE 0 months or \$500 or both	[12-3(b)]
Criminal trespass to vehicles	NTE 1 year or \$500 or both	[21-2]
Criminal damage to state supported property	NTE 1 year or \$1,000 or both	[21-4]
Criminal trespass to state supported land	NTE 1 year or \$1,000	[21-5]
Unauthorized possession or storage of weapons	NTE 1 year or \$1,000	[21-6]
Sells, manufactures, purchases, possesses or carries any black-jack, metal knuckles, dagger, tear gas gun, pistol, etc. (refer to law for specifics)	NTE 1 year or \$500 or both	[24-1(a)]
Unlawful possession of firearms and firearm ammunition by certain persons (refer to law for specifics)	NTE 1 year or \$1,000 or both	[24-3(b)]
Continued mob action after a warning by a peace officer (refer to law for specifics)	NTE 1 year or \$500 or both	[25-1(d)]
Criminal defamation	NTE 1 year or \$500 or both	[27-1(b)]
Operates a gambling facility (refer to law for specifics)	1-5 years or OTP 1 year or \$5,000 or both	[28-1(c)]
Gambling (refer to law for specifics)	NTE 1 year or \$500 or both	[28-1(c)]
Escape from lawful custody (refer to law for specifics)	NTE 1 year	[31-6(c)]
Escape of a misdemeanant (refer to law for specifics)	NTE 1 year	[31-6(c)]
Aiding escape of a misdemeanant, etc. (refer to law for specifics)	NTE 1 year or \$1,000 or both	[31-7(a)]
Maintaining public nuisance (refer to law for specifics)	NTE 1 year or \$1,000 or both	[37-1(b)]
Theft from coin-operated machines (1st offense)	NTE 1 yr.; \$1,000	[16-5]
Coin-operated machine key or device	NTE 1 yr.; \$1,000	[16-6]
Damage to state property	NTE 1 yr.; \$1,000	[21-4]
Hypodermic needles (1st and 2nd offenses)	NTE 1 yr.; \$2,000	[22-53]
Confidential tax information	No penalty stated	[65-11]
Employee information	No penalty stated	[201-12]
Non-public records	No penalty stated	[206-7]
Illinois Controlled Substances Act (Chapter 501½)		
Sections: 1403(d)	1-3 years or OTP 1 year and NTE \$10,000	
1403(e)	NTE 1 year or \$5,000	
1406(a) (1st offense)	1-3 years or OTP 1 year and NTE \$10,000	
1406(b) (1st offense)	1-3 years or OTP 1 year and NTE \$30,000	
Cannabis Control Act (Chapter 501½)		
Sections: 704(c) (1st offense)	NTE 1 year	
705(b)	1-2 years or OTP 1 year	
708	NTE 1 year or \$1,500 or both	

Offense Classification Former Sentence

CLASS B MISDEMEANOR

Sentence: Imprisonment up to 6 months;

Fine: NTE \$500

Fornication	NTE 6 months or \$200 or both [11-8(b)]
Registration of federal gambling stamps (1st offense)	NTE 6 months or \$200 or both [28-4(a)]
Distributing abortifacients	NTE 6 months or \$500 or both [23-2]
Registration of firearms sales by dealer	NTE 6 months or \$500 or both [24-4(d)]
False personation of judicial or governmental officials	NTE 6 months or \$500 or both [32-5]
Simulating legal process	NTE 6 months or \$500 or both [32-7]
Sale of harmful material to minor who states he is over 18	NTE 6 months or \$500 or both [11-21(f)]
Disorderly conduct	NTE 6 months or \$500 or both [20-1(b)]
Violation of civil rights	NTE 6 months or \$1,000 or both [13-3]
Criminal damage of fire fighting apparatus, hydrants or equipment	NTE 6 months or \$500 or both [21-1.1]
Residential picketing	NTE 6 months or \$500 or both [21.1-3]
Obstructing service of process	NTE 6 months or \$500 or both [31-3]
Patronizing a prostitute	NTE 6 months or \$200 or both [11-18(b)]
Boarding airplane with firearms	NTE 6 months or \$500 or both [84-7]
Impersonating a private detective	NTE 6 months or \$500 or both [201-14]
Defective Examiners Act	NTE 6 months or \$500 or both [202-28]
Advertising abortion	NTE 6 months or \$500 or both [23-3]
Interference with a public institution of higher education	
(1st offense)	NTE 30 days or \$300 or both [21.2-4]
(2nd offense)	NTE 120 days or \$500 or both [21.2-4]
Cannabis Control Act (Chapter 56½)	
Sections: 704(b)	NTE 180 days
705(a)	NTE 100 days

CLASS C MISDEMEANOR

Sentence: Imprisonment up to 30 days;

Fine: NTE \$500

Criminal trespass to land	10 days or \$100 [21-3(a)]
Mob action	OTP 30 days or \$500 or both [25-1(b)]
Impersonating a member of police, fraternal or veterans organization or charitable organization	\$200 [17-2(b)]
Assault	\$500 [12-1(b)]
Denying a blind person accompanied by a dog admission to place of public accommodation	No penalty stated [65-1]
Use or sale of certain intoxicating compounds	No penalty stated [81-4]
Tattooing body of a minor	No penalty stated [12-10]
Breach of peace and annoying telephone calls	NTE \$500 [26-1(b)]
Handicap discrimination	NTE 30 days or \$2,000 [65-28]
Cannabis Control Act (Chapter 56½)	
Section 704(a)	NTE 90 days

Offense	Classification	Former Sentence
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PETTY OFFENSE

Sentence: Fine: NTE \$500 or lesser amount stated in offense

Misuse of air rifle	\$25-\$200	[82-7]
Illegal sale of air rifle	\$25-\$200	[82-7]
Soliciting purchase of alcohol:		
(1st offense)	\$50-\$75	[26.1-5]
(2nd offense)	\$75-\$125	[26.1-5]
Refusing to aid an officer	\$100	[31-8(b)]
Compounding a crime	\$500	[32-1(b)]
Misuse of official stationery seal of		
institution of higher learning	\$50-\$500	[70-2]
Theft of lost or mislaid property	\$500 or twice the value of the property	(whichever is greater) [16-2]
Tampering with public notice	NTE \$200	[32-9]

BUSINESS OFFENSE

Sentence: Fine stated in offense

Antitrust Act	NTE 6 months or \$50,000 or both	[60-6]
Containers and Labeling Act	NTE \$1,000	[50-33]
Commercial bribery or commercial bribe receiving	NTE \$5,000	[29A-3]

Appendix B

Suggested Statutory Class Codes
for DLE Crime Categories

Codebook of
Felony and Misdemeanor Classes

<u>DLE/UCR</u> <u>CRIME CODE</u>	<u>DESCRIPTION</u>	<u>STATUTORY</u> <u>CLASS</u>	<u>SAC</u> <u>FILE CODE</u>
0110	Murder	Murder	1
0121	Attempt Murder: Firearm	1	2
0122	Attempt Murder: Knife	1	2
0123	Attempt Murder: Other Weapon	1	2
0124	Attempt Murder: Hands	1	2
0211	Forcible Rape: Firearm	1	2
0212	Forcible Rape: Knife	1	2
0213	Forcible Rape: Other Weapon	1	2
0214	Forcible Rape: Other	1	2
0311	Armed Robbery: Firearm	1	2
0312	Armed Robbery: Knife	1	2
0313	Armed Robbery: Other	1	2
1550	Deviate Sexual Assault	1	2
1555	Indecent Liberties with a Child	1	2
1583	Rape of Mentally Deranged	1	2
2050	Criminal Drug Conspiracy	1	2
2070	Delivery to persons under 18	(double)	2
4220	Aggravated Kidnapping; Aggravated Kidnapping for Ransom ^a	1	2
0130	Voluntary Manslaughter	2	3
0220	Attempts: Forcible Rape	2	3
0320	Strong Arm Robbery	2	3
0330	Attempts: Armed Robbery: Firearm	2	3
0334	Attempts: Armed Robbery: Knife	2	3
0337	Attempts: Armed Robbery: Other Weapon	2	3
0610	Burglary: Forcible Entry	2	3
0620	Burglary: Unlawful Entry-No Force	2	3
0710	Burglary: Mobile Vehicle: Over \$150	2	3
0720	Burglary: Mobile Vehicle: \$150 and under	2	3
1005	Arson: All Types (1972)	2	3
1010	Arson-Explosive Device	2	3
1020	Arson-Incendiary Device	2	3
1030	Possession: Explosives	2	3

^a However, a death penalty is possible in the case of Aggravated Kidnapping for Ransom. See §38.10.2b.

<u>DLE/UCR</u> <u>CRIME CODE</u>	<u>DESCRIPTION</u>	<u>STATUTORY</u> <u>CLASS</u>	<u>SAC</u> <u>FILE CODE</u>
1575	Aggravated Incest	2	3
1590	Attempt: Sex Offense	petty C,B, A,4,3,2	3
1840	Under 18 Delivery of Cannabis	(double)	3
2500	Criminal Abortion	2	3
0141	Involuntary Manslaughter & Reckless Homicide-Non Vehicle	3	4
0340	Attempts: Strong Arm Robbery	3	4
0410	Aggravated Battery: Firearm	3	4
0420	Aggravated Battery: Knife	3	4
0430	Aggravated Battery: Other Dangerous Weapon	3	4
0440	Aggravated Battery: Hands: Great Bodily Harm	3	4
0445	Aggravated Battery: Hands: On Public Figure	3	4
0630	Attempts: Burglary	3	4
0750	Attempts: Burglary Mobile Vehicle	3	4
0810	Theft: Over \$150	3	4
0900	Motor Vehicle Theft: All Types (1972)	3	4
0910	Auto Theft	3	4
0915	Truck, Bus Theft	3	4
0918	Other Vehicle Theft	3	4
1090	Attempts: Arson	3	4
1120	Forgery	3	4
1580	Incest	3	4
1610	Bookmaking	3	4
1822	Manufacture or Deliver: Over 10 Grams Cannabis	4,3,2	4
1860	Calculated Cannabis Conspiracy	3,1	4
2010	Manufacture: Controlled Substance	4,3,2,1	4
2020	Possess: Controlled Substance	3,1 ^a	4
2040	Delivery or Possession with Intent to Deliver	4,3,2	4
2090	Other Controlled Substance	petty,B,A,4,3	4
3800	Interference with Judicial Proceedings	petty,B,A,4,3	4
3960	Intimidation	3	4
4210	Kidnapping	3	4
2030	Counterfeit Substance: Manufacture, Delivery	A,4,3,2	4

^a This should be allocated 25% to Class 1 and 75% to Class 3, or Class 1 outside of Chicago, and Class 3 in Chicago. The SAC files code it as Class 3 (code 4).

<u>DLE/UCR</u> <u>CRIME CODE</u>	<u>DESCRIPTION</u>	<u>STATUTORY</u> <u>CLASS</u>	<u>SAC</u> <u>FILE CODE</u>
0142	Involuntary Manslaughter & Reckless Homicide - Vehicle	4	5
0850	Attempts: Theft	B,A,4	5
0920	Attempts: Auto Thefts	4	5
0925	Attempts: Truck and Bus Theft	4	5
0930	Attempts: Other Vehicle Theft	4	5
1200	Stolen Property: Buy, Receive, Possess	A,4,3	5
1210	Theft of Labor, Services, Use of Property	A,4	5
1340	Criminal Damage to State Supported Property	A,4	5
1410	Unlawful Use of Weapons	A,4,3	5
1515	Pandering	4	5
1540	Harmful Material	A,4	5
1650	Card Game: Operating	A,4	5
1660	Dice Game: Operating	A,4	5
1670	Gambling Device	A,4	5
1812	Cannabis: Possession over 30 Grams	4,3	5
1830	Casual Delivery	B,A,4,3	5
1880	Other Cannabis Control	A,4,3	5
2100,2110 ^a	Possession or Sale: Syringes	A,4	5
2840	False Fire Alarm	4	5
3200	Armed Violence	4,1	5
3400	Looting	4	5
3730	Obstructing Justice	4	5
3740	Concealing or Aiding a Fugitive	4	5
3750	Escape	A,4,2	5
3910	Bribery	4	5
4230	Unlawful Restraint	4	5
4310	Possession of Burglary Tools	4	5
4410	Draft Card Destruction	4	5
0460	Simple Battery	A	6
0470	Reckless Conduct	A	6
0510	Aggravated Assault: Firearm	A	6
0520	Aggravated Assault: Knife	A	6
0530	Aggravated Assault: Other Weapon	A	6
0540	Aggravated Assault: Hands: Harm	A	6

^a Code changed in 1972.

<u>DLE/UCR</u> <u>CRIME CODE</u>	<u>DESCRIPTION</u>	<u>STATUTORY</u> <u>CLASS</u>	<u>SAC</u> <u>FILE CODE</u>
0545	Aggravated Assault: Hands: Public Official	A	6
0820	Theft: \$150 and under	A,4,3	6
1110	Deceptive Practices	A	6
1130	Fraud	A	6
1140	Embezzlement	A	6
1150	Credit Cards	B,A,4,3	6
1160	Deceptive Altering of Coins	A	6
1205	Theft by Lessee	A,4,3	6
1230	Possession of Keys Coin Operated Machines	A	6
1310	Criminal Damage to Property	A,4	6
1320	Criminal Damage to Vehicle	A,4	6
1350	Criminal Trespass State Supported Land	A	6
1360	Criminal Trespass Vehicle	A	6
1380	Unauthorized Possession or Storage of Weapons	A	6
1420	Unlawful Sale of Firearms	A	6
1430	Unlawful Possession Firearms and Ammunition	A	6
1450	Defacing Identification Marks Firearms	A	6
1460	Firearms and Ammunition - No ID	A	6
1490	Attempts: Deadly Weapons	A	6
1505	Postitition	A	6
1510	Soliciting for a Prostitute	A	6
1520	Keeping a Place of Prostitution	A	6
1530	Pimping	A	6
1535	Obscenity	A,4	6
1560	Contributing to Sexual Delinquency of a Child	A	6
1565	Indecent Solicitation of a Child	A	6
1570	Public Indecency	A	6
1620	Numbers - Lottery	A,4	6
1630	Keeping a Gambling Place	A,4	6
1640	Registration of Federal Gambling Stamps	A	6
1651	Card Game: Playing	A	6
1661	Dice Game: Playing	A	6
1680	Other Gambling	A,4	6
1710	Endangering Life or Health of Child	A,3	6
1720	Contributing to Delinquency of a Minor	A	6
1811	Cannabis: Possession 30 Grams or less	B,A,4	6
1821	Cannabis: Manufacture, Delivery 10 Grams or less	B,A	6

<u>DLE/UCR</u> <u>CRIME CODE</u>	<u>DESCRIPTION</u>	<u>STATUTORY</u> <u>CLASS</u>	<u>SAC</u> <u>FILE CODE</u>
1850	Production of Cannabis Plant	A	6
2120	Failure to Keep Records: Hypodermic Syringes	A,4	6
2410	Driving Under the Influence - Alcohol	A	6
2420	Driving Under the Influence - Drugs	A	6
2445	Hit and Run	A	6
2480	Suspended, Revoked Driver's License	A	6
2850	Bomb Threat	A	6
3100	Mob Action and Related Offenses	C,A,4	6
3300	Public Demonstration	A	6
3500	Property Forfeiture (Public Nuisance)	A,4	6
3710	Resisting or Obstructing a Police Officer	A	6
3760	Other Interfering with Police	A	6
3810	Contempt of Court	A	6
4100	Criminal Defamation	A	6
4902	Refuse Disposal	A	6
4909	Abandonment of Motor Vehicle	A	6
0560	Simple Assault	C	7
1170	Impersonating an Officer	B	7
1190	Attempt: Deception	C,B,4	7
1220	Theft of Lost or Mislaid Property	petty	7
1330	Criminal Trespass to Land	C	7
1370	Criminal Damage of Fire Fighting Equipment	B	7
1440	Register of Firearms Sales	B	7
1525	Patronizing a Prostitute	B	7
1542	Sales of Obscene Publications to Distributors	petty	7
1585	Other Disorderly Conduct		7
1730	Contributing to Curfew Violation	petty	7
1900	Intoxicating Compounds	C	7
2200	All Liquor Control Act Violation (1972)	B	7
2210	Sales to Minors, Drunkards, etc.	B	7
2220	Illegal Possession by Minor	C	7
2230	Illegal Consumption by Minor	C	7
2240	Misrepresentation of Age by Minor	C	7

<u>DLE/UCR</u> <u>CRIME CODE</u>	<u>DESCRIPTION</u>	<u>STATUTORY</u> <u>CLASS</u>	<u>SAC</u> <u>FILE CODE</u>
2250	Other Liquor Control Act Violations		7
2300	Soliciting Alcoholic Beverages	petty	7
2430	Transportation of Alcoholic Liquor	B	7
2440	Reckless Driving	B	7
2450	Drag Racing	B	7
2455	No Registration	B	7
2460	Revoked, Cancelled Registration	B	7
2465	Improper Use of Registration	B	7
2470	No Drivers License	B	7
2490	Unlawful Use of Drivers License	B	7
2495	Fleeing or Attempting to Elude Police Officers	E	7
2810	Prowler	C	7
2820	Telephone Threat	C	7
2830	Obscene Phone Call	C	7
2860	False Police Report	B	7
2870	Peeping Tom	B	7
2890	Other Disorderly Conduct: Not Drunkenness		7
2900	Air Rifles	petty	7
3610	Interfering with a Public Institution	B,C	7
3720	Refusing to Aid an Officer	B	7
4000	Violation of Civil Rights	B	7
4901	Hitchhiking	B	7
4903	Dumping Garbage - City, Village, Town	petty	7
4904	Dumping Garbage - Private Property	petty	7
4905	Littering on Toll Highways	petty	7
4906	Dumping, Depositing, Littering	petty	7

The following DLE categories are not Illinois statutory crimes. They include status offenses, federal crimes, regulations with no penalty, local ordinances, etc. They are not included in the calculation of "Total Crimes" in this report.

<u>DLE/UCR</u> <u>CRIME CODE</u>	<u>DESCRIPTION</u>	<u>SAC</u> <u>FILE CODE</u>
1740	Run-Away (Juvenile)	8
1750	Child Abuse Reporting Regulations	8
1760	Paternity Regulations	8
1770	Truancy (Juvenile)	8
1780	Other Offenses Involving Children	8
2060	Licensed Operations - Registration	8
2080	Failure to Keep Records: Controlled Substance Act	8
2805	Vagrancy (Local Laws)	8
2807	Drunkenness (Local Laws)	8
2880	Confinement to Prevent a Crime	8
3000	Fireworks Regulations	8
3970	Extortion (Federal)	8
4510	Probation Violation	8
4625	Parole Revocation	8
4710	Suspicion	8
4720	AWOL and Desertion (Armed Forces)	8
4730	Illegal Entry - Alien	8
4907	Trash or Leaf Burning (Local Laws)	8
4908	Dog Leash Law (Local Laws)	8
4910	Minor Alcohol Possession (Local Laws)	8

The following DLE categories are not otherwise classified

5000	Other Criminal Offense	0
5060	Other Traffic Offense	0
5080	Other Departmental Service	0

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DATA SOURCES ON THE INCIDENCE OF ARSON IN ILLINOIS, by Chip Coldren (November, 1977)

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