

# Restore Justice Foundation

## Criminal Justice Issues and Prisoners' Rights

<https://restorejustice.org/learn/disparities/>

### Policy Issue Resources

*Most of Illinois 102 counties have committed a currently serving individual to life or de facto life for offenses before age 26.*

In Illinois, the extreme sentencing of youth to life and de facto life isn't just an urban issue. Most counties have dispensed at least one of these extreme sentences to a currently serving individual.

That said, some counties dispense these extreme sentences at [rates disproportionate to their share of the population](#) and black youth [bear a disproportionately large burden](#) of the states youth life and de facto life sentences.

In Illinois, not all counties sentence youth to life or de facto life at rates proportionate to their share of the states population.

Rather, the **top twelve counties** defined as counties that have sentenced **20 or more** currently serving individuals to these extreme terms are responsible for almost **90%** of the entire states youth life and de facto life population.

**Table 1** compares the population share of each county to its share of individuals currently serving life and de facto life for offenses before age 26.

County	Number of Individuals Sentenced to Youth Life or De Facto Life	Share of State Population	Share of Youth Life and De Facto Life Sentences	County Disparity
Cook	1265	40.7%	66.1%	162%
St. Clair	59	2.1%	3.1%	149%
Will	53	5.3%	2.8%	52%
Lake	52	5.5%	2.7%	50%
Peoria	52	1.5%	2.7%	187%
Winnebago	41	2.2%	2.1%	96%
DuPage	39	7.2%	2.0%	28%
Kane	36	4.1%	1.9%	46%
Madison	29	2.1%	1.5%	73%
Macon	28	0.8%	1.5%	174%
Champaign	24	1.6%	1.3%	78%
Rock Island	21	1.1%	1.1%	97%

**Caption.** Data were sourced from [Illinois Department of Corrections \(IDOC\) public report on prison population as of June 30, 2017](#) and the [U.S. Census](#). Top Illinois counties are defined as those that have sentenced 20 or more currently serving individuals to life or de facto life for offense before age 26.

Of these, **four counties** Peoria, Macon, Cook, and St. Clair contribute a disproportionately large share of individuals to the total pool.

Overall, these twelve counties are diverse. Three counties DuPage, Will, and Lake rank among Illinois most prosperous, measured by median household income. Five others St. Clair, Macon, Cook, Winnebago, and Peoria have some of the states highest rates of household poverty. Beyond economics, these counties are also distributed across Illinois, and range dramatically in their politics, demographics, and share of population.

Given these differences, to what degree might disparities reflect a specific and disproportionate harshness towards youth during sentencing, rather than harsher sentencing overall? To move toward an answer, Restore Justice evaluated each countys extreme youth sentences in the context of its broader sentencing trends.

**Table 2** compares each countys share of Illinois extreme youth sentences to their share of life and de facto sentences dispensed to individuals above the age of 26.

County	Share of Life and De Facto Life Sentences to Youth (age <25)	Share of Life and De Facto Life Sentences to non-Youth (age >25)	Disparity in Youth/Non-Youth Sentencing
Cook	66.1%	60.0%	91%
St. Clair	3.1%	2.2%	72%
Will	2.8%	2.7%	96%
Lake	2.7%	2.8%	104%

County	Share of Life and De Facto Life Sentences to Youth (age <25)	Share of Life and De Facto Life Sentences to non-Youth (age >25)	Disparity in Youth/Non-Youth Sentencing
Peoria	2.7%	2.4%	87%
Winnebago	2.1%	3.2%	151%
Dupage	2.0%	2.8%	140%
Kane	1.9%	1.8%	96%
Macon	1.5%	1.3%	84%
Madison	1.5%	2.1%	141%
Champaign	1.3%	1.8%	137%
Rock Island	1.1%	0.7%	61%

**Caption.** Data were sourced from [IDOCs public report on prison population as of June 30, 2017](#). Top Illinois counties are defined as those that have sentenced 20 or more currently serving individuals to life or de facto life for offense before age 26.

These data show that for at least some counties, the disproportionate sentencing of youth to life and de facto life cannot be explained solely by a broader, county-wide trend towards the dispensing of harsher sentences.

In Illinois, roughly **68%** of the individuals serving life and de facto life sentences for offenses before age 26 are black, even though black Illinoisans comprise just **15%** of the states total population.

This pattern of racial disparity reiterates at the county level.

All of the twelve Illinois counties that have sentenced more than 20 currently serving individuals to youth life or de facto life **dispensed those sentences disproportionately to black youth**.

This dynamic is represented in **Figure 1**, which compares for each county (1) the proportion of that county identified as black, as determined by the U.S. Census, versus (2) the proportion of that countys extreme youth sentences dispensed to black youth.

**Caption.** Data were sourced from [IDOCs public report on prison population as of June 30, 2017](#) and the [U.S. Census](#). Top Illinois counties are defined as those that have sentenced 20 or more currently serving individuals to life or de facto life for offense before age 26.

If a countys demographics should roughly reflect that of its incarcerated youth, these twelve counties sentence black youth to life and de facto life at rates between **three and seven times in excess** of those expectations.

The charging and sentencing of individuals should be just that: individual. Case details and specific circumstances matter. What then can we learn from trend data? We do not assume that state or county-level trends fully capture the truth of each unique case; that would do a disservice to the individuals involved.

That said, trends can reveal the systemic undercurrents that impact charging and sentencing. Disproportionate sentencing might reflect disproportionate rates of crime, but might also reflect the philosophy or predispositions of specific judges or states attorneys.

Trends in sentencing might also help us unearth corruption. In Illinois, one need only consider the case of disgraced former Chicago Police Commander Jon Burge who used torture to coerce false confessions from dozens of suspects over two decades as evidence of our justice systems susceptibility to perversions.

Racial disparities in sentencing also arent new. To the contrary, the ways specific legislative choices and racial bias at all stages of the criminal justice system contribute to these disparities are well documented (see [here](#), [here](#), and [here](#)).

Why do we aim to highlight geographic disparities evident when comparing counties? At one level, we hope to learn more about how statewide policies play out at the local level. At another, we seek to craft smarter policies that address significant county-level system differences.

But perhaps most fundamentally, we highlight disparity to remind ourselves and our colleagues that no matter how much we wish sentencing was dictated by the circumstances of each case, there are undeniable systemic issues that pervert our justice system and bias it against distinct, definable populations and geographies.

Data were sourced from the Illinois Department of Corrections (IDOC) records dated June 30, 2017. Economic indicators and county populations were sourced from the U.S. Census American FactFinder tool.

Analysis reflects prison population as of June 30, 2017. Individuals who meet the criteria for extreme youth sentencing may have left or entered IDOC custody since the time of analysis.

Data were analyzed using R.

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