

Juvenile Justice Initiative

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Illinois Laws Offer Youth New Opportunities in 2010

SPRINGFIELD, IL – Three new juvenile justice reform laws taking effect on January 1 will divert more low-level offenders from expensive incarceration, will reach more youths with counseling and drug treatment needed to help keep them out of trouble and will improve the chances for some to get a job with a clean record.

“All three of these new laws improve juvenile justice in Illinois – an advancement based on research findings and acknowledgement that locking up low-level offenders in state prisons is not just expensive but can spur repeated offenses by juveniles following the harsh punishment,” said Betsy Clarke, President of the Juvenile Justice Initiative (JJI). “Sending juveniles to state prisons is very expensive, and it often doesn’t change the behavior of youths or keep communities safer.”

Clarke noted that a recent report from a national long-term study of juvenile offenders shows that institutional placement appears to have no advantage over probation in reducing rates of re-arrest or self-reported offending. The length of institutional stay also does not appear to make a difference. (The Research on Pathways to Desistance Study – a multi-site, collaborative project launched in 2000 – is designed to identify and better understand factors that contribute to desistance, or ceasing to commit additional crimes. The first in a series of reports is available in the publications section of www.modelsforchange.net.)

The new Illinois laws to take effect Jan. 1, 2010 include the following:

- **Youth 17 years old charged with a misdemeanor will be under the jurisdiction of the Juvenile Court Act** instead of the adult court. (Public Act 95-10310) Those 17-year-olds charged with a felony will still be under the adult court, but 17-year-olds charged with misdemeanor offenses will be tried in juvenile court where they are more likely to receive the rehabilitation services to change their behavior. Illinois will join 38 other states and the District of Columbia that consider 18 as the age of adult jurisdiction for misdemeanors.

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"For good reason, 17-year-olds -- most of them still in high school -- are not considered adults in other areas of Illinois law, and it makes no sense to throw them into the adult court system," said George W. Timberlake, former Chief Judge of the Second Judicial Circuit and member of the JJI Board. "That only increases the odds that they will commit more crimes when they leave prison. By raising the age, there is a better chance we can change their lives and make our communities safer," stated Timberlake.

Research from the U.S. Centers for Disease Control concluded that trying youth in juvenile court keeps communities safer since youth tried in the adult court are 34 percent more likely to reoffend than youth tried in the juvenile court.

- **The Redeploy Illinois program** will be given the opportunity to reach juveniles statewide. (Public Act 95-1050) Through the creation of a pool of money, smaller counties will be eligible to apply for services that will keep delinquent youth in their own community instead of committing them to the much more expensive state youth prison system. Begun as a pilot program in 2004, Redeploy Illinois has expanded gradually and was responsible for reducing the number of youths sent to state prisons by about 400 in just the first three years of the pilot sites.
- **The process for juveniles with arrests for misdemeanor offenses to clear their records will be improved and safeguards to ensure public safety will be maintained.** (Public Act 96-0707) The new law provides for a hearing to be held when a juvenile with a first offense misdemeanor turns 18 or upon completion of the sentence, whichever comes later. If local prosecutors do not file objections as outlined in the law, expungement of the record will be automatic. To further prevent the unnecessary release of confidential juvenile data, the Act also prohibits the transfer of confidential juvenile arrest records from the Department of State Police to the Federal Bureau of Investigation.

"If we want to give youth the best possible chances for an education, jobs, and housing, we must give them a clean start for bad decisions made when they were young," Clarke said.

Visit the website (www.jjustice.org) of the Juvenile Justice initiative for additional information about the new laws.

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