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'No easy answers,' but report says young drug users should stay in juvenile court

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SPRINGFIELD -- Keeping young drug offenders in the juvenile court system instead of automatically transferring them to adult court helps them move on to productive lives, a report released Thursday suggests.

In 2005, lawmakers changed state law so fewer 15- and 16-year-olds accused of some drug charges would be automatically transferred to adult courts, a practice that occurred almost exclusively in Cook County.

The report released Thursday by the state Juvenile Justice Initiative suggests the change to lessen transfers better allows young offenders to rehabilitate their lives and doesn't cause public safety problems.

"Reforming these laws can be done with keeping these communities safe," said Betsy Clarke, president of the Juvenile Justice Initiative.

Before 2005, the law called for young people arrested on drug charges near a school or public housing project to be immediately transferred to adult court without any review by a judge. About 99 percent of them were minorities, making the old process highly discriminatory, the report's authors said.

Even though the law to transfer young drug offenders was in place statewide, the vast majority were in Cook County.

"There are no easy answers for this," Clarke said.

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Law repeal benefitting state youth **'Automatic transfer' sent juveniles to adult court for certain drug crimes**

BY ADRIANA COLINDRES AND ANDY KRAVETZ
GHS

SPRINGFIELD — Illinois youths are benefiting from the 2005 repeal of a state law that automatically sent certain juvenile drug offenders to adult court, according to a new report released Thursday.

Repeal of the "automatic transfer" law has provided hundreds of youths with the chance to turn their lives around, says the report from the Illinois Juvenile Justice Initiative.

Being tried in juvenile court, rather than adult court, enables young offenders to "escape the cycle of crime and incarceration," Betsy Clarke, president of the Juvenile Justice Initiative, said in a telephone news conference.

Under the now-outdated law, 15- and 16-year-olds had to be tried as adults for drug offenses that took place within 1,000 feet of a school or public housing site.

The report breaks down its data into two areas: Cook County and the rest of Illinois. No other county-specific information is available. The automatic-transfer law was rarely used outside of Cook County, the report said.

Cook County Public Defender Edwin Burnette said it's hard to go anywhere in Chicago that is not within 1,000 feet of a school or public housing facility.

Certain offenses by a juvenile, such as murder, automatically get transferred to adult court. The law states that any crime in which someone who is age 15 or older uses a handgun must go to adult court. The same goes for sexual crimes in which the accused is at least 15 years old and the victim is younger than 9.

Peoria County Assistant State's Attorney Michael Spokely, who heads the juvenile division, said he can't remember the automatic provision being used and if it was, it involved only a handful of youths over the past decade or more.

State's Attorney Kevin Lyons' office tried in summer 2006 to transfer a juvenile drug case to adult court, but a judge left the matter in juvenile court.

In that case, police caught a 16-year-old boy with 180 grams of crack cocaine and a significant amount of marijuana in his backpack. Crack normally is sold in quantities of less than one gram.