

Brings Illinois in line with 38 Other States in the Age of Juvenile Jurisdiction

SB2275, As Amended

Sponsors: Senators Cullerton-Raoul-Hunter-Trotter & Representatives Turner-Bellock-Collins-Jefferies-Currie

What This Bill Does:

As amended, amends the Juvenile Court Act of 1987 by raising the age of juvenile court jurisdiction in Illinois by one year from the youth's 17th to the 18th birthday, for **misdemeanor offenses only effective January 1, 2010**. Minors charged with a misdemeanor and a felony are sent to the adult court. The bill sets up a task force to study the impact of raising the age for felonies.

What This Bill Does Not Do:

The bill does not change any transfer statutes so youth would still be subject to all adult court transfer provisions. The bill does not apply retroactively.

History of Issue:

This concept has passed both the House and Senate under three different bill numbers since 2004. In 2007, this version with misdemeanors only passed both the House and Senate. Historically, in Illinois from 1905 until 1973, the age of 18 was used for girls and 17 for boys. An equal protection suit was successfully litigated and, effective January 1973, the age was changed to 17 for both with no floor debate. In 2007, the State of Connecticut increased its juvenile court age from 16 to 18.

Why is it Needed:

1. The **age of majority for most legal matters is the 18th birthday and 38 other states and the federal government use the 18th birthday as the age of adult criminal jurisdiction.**
2. **Benefits of juvenile court jurisdiction** such as mental health, drug treatment and more appropriate community-based services under the new Balanced and Restorative Justice approach to juvenile justice would be available to the 17 year old age group.
3. From a **developmental and social perspective it also makes sense to raise the age.** The large majority of youth under 18 are still in high school. By adopting 18 as the accountability age, we would be using high school graduation as the milestone that separates minority from adulthood.

4. The **fiscal impact of this legislation would be minimal.** The vast majority of those who are adjudicated for misdemeanors only would not be placed in detention nor in the Department of Juvenile Justice under this bill. The DJJ is neutral on this bill. **The Illinois Criminal Justice Information Authority found in 2005 that there were only 285 seventeen year olds who were convicted of a misdemeanor and were placed on probation statewide.**

5. Sentencing 17 year old youth as adults **disproportionately impacts** African American and Latino youth. Of those 17 year olds held in the Cook County jail, over 95% are youth of color (7/3/06 -- 83% Black & 14% Latino).

Illinois Groups recommending Increasing Age of Juvenile Court Jurisdiction Include:

- Illinois Juvenile Justice Initiative
- League of Women Voters of Illinois
- Illinois PTA
- Voices for Illinois Children
- Chicago Council on Urban Affairs
- Catholic Conference
- Illinois State Bar Association
- Behavioral Healthcare Association of Illinois
- American Civil Liberties Union of Illinois
- Chicago Area Project
- Children & Family Justice Center, Northwestern University
- Edwin F. Mandel Legal Aid Clinic, Univ. of Chicago
- Chicago Metropolis 2020
- Child Care Association of Illinois
- Physicians for Human Rights
- National Council of La Raza
- Kolbe House, Prison & Jail Agency, Archdiocese of Chicago
- Martin Luther King Jr. Center, Freeport
- Boys & Girls Club of Freeport
- First Defense Legal Aid
- African American Family Commission
- United Way of Illinois
- Justice Coalition of Greater Chicago
- Puerto Rican Bar Association
- Cook County Bar Association
- Chicago Urban League
- John Howard Association
- Developing Justice Coalition
- Protestants for the Common Good
- Agape Youth Dev. & Family Support Services, Inc.
- Illinois Chapter, American Academy of Pediatrics
- Illinois Academy of Family Physicians
- Illinois Psychiatric Society
- National Alliance on Mental Illness – Illinois Chapter
- Mental Health Association in Illinois
- National Association of Social Workers – IL Chapter

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