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## Our Opinion: House can fix juvenile justice inequity

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UNDER CURRENT Illinois law, a 17-year-old charged with a misdemeanor is tried in adult court and, if found guilty, probably pays a fine. End of story.

Except that this misdemeanor conviction goes on that 17-year-old's criminal record, hampering his or her efforts to find jobs for many years to come. And even though this 17-year-old may be only a junior in high school, Illinois law does not provide for remedial action that would be available to a younger offender.

After three previous unsuccessful tries, the Illinois General Assembly has a chance now to correct what we believe to be an injustice to 17-year-olds accused of misdemeanors in Illinois. A bill passed last month in the Illinois Senate would place 17-year-olds facing misdemeanor charges in the jurisdiction of juvenile courts.

THE LOGIC behind Senate Bill 2275 is much the same as that of the legislation that two years ago separated the juvenile and adult correctional systems in Illinois. Just as correctional facilities devoted to youngsters are better equipped to address those youngsters' needs — and maybe keep them from returning later to adult prisons — so are juvenile courts better suited to handle the unique circumstances of juvenile cases. And with 18 being the age of adulthood in most of this society's legal affairs, we believe 17-year-olds should be considered juveniles when accused of misdemeanor crimes.

"Oftentimes a 17-year-old is likely to either get a fine or get probation, and virtually nothing happens to the youth. It's looked upon as a minor offense in the adult courts," says Frank Kopecky, professor emeritus of the UIS Center for Legal Studies and a board member of the Juvenile Justice Initiative. "On one level, people might see that as good. But on another level, you're not doing any correction."

A 17-YEAR-OLD convicted of a misdemeanor in juvenile court could get some corrective attention from the court. If, for example, a drug or alcohol problem contributed to the act for which a 17-year-old is charged, he or she might get treatment as part of a sentence. He or she would still have a juvenile record, but that record is subject to confidentiality laws and is easier to expunge later than an adult record.

Thus a teenage mistake does not become a lifetime burden.

The bill now before the Illinois House also sets up a task force to look into making 18 the age of majority for felonies. We'd prefer a law that establishes 18 as the age of majority for all charges, felony or misdemeanor, but retains the current provision that allows some charges to be moved into adult court. Realistically, though, a provision extending to felonies probably would sink this bill.

IN 1899, Illinois became the first state in the nation to establish a separate court system for young offenders. This recognition of the fundamental differences between juvenile and adult offenders put Illinois at the forefront of justice reform at the time. Over the years, this progressive spirit gave way to the more politically palatable "tough-on-crime" approach that, in 1973, put all 17-year-olds into the jurisdiction of adult courts.

By passing this bill, the House can correct that mistake and continue the movement toward a more fair and effective system of juvenile justice and corrections in Illinois.