



## Illinois Juvenile Justice Commission

815-823 East Monroe Street • Springfield, Illinois 62701

Telephone: 217-557-2109 • Facsimile: 217-524-5586

### Chairperson

George Timberlake  
Mt. Vernon

### Vice Chair

Lisa Jacobs  
Wheaton

### Commissioners

Rodney Ahitow  
Cuba

Julie Biehl  
Chicago

Jacqueline Bullard  
Springfield

Shelley Davis  
Chicago

Demarco Diggs  
Chicago

Veronica Dixon  
Decatur

Esther Franco-Payne  
Chicago

Arthur Bishop  
Springfield

Eugene Griffin  
Chicago

George H. Hill  
Decatur

Toni Irving  
Chicago

Ametra Jackson  
Chicago

Karina Martinez  
Berwyn

Patrick Nelson  
Chicago

Edward Rangle  
Chicago

Michael Rodriguez  
Chicago

Pamela F. Rodriguez  
Chicago

Ben Roe  
Rochelle

Randell Strickland  
Chicago

Rick Velasquez  
Oak Park

Ethan Viets-VanLear  
Chicago

Dana Weiner  
Chicago

**FOR IMMEDIATE RELEASE**  
Feb. 26, 2013

**Contact:** George W. Timberlake, Chair  
Illinois Juvenile Justice Commission  
618-237-3004 (mobile)

## Study Recommends Extending Juvenile Court Jurisdiction to Include 17-year-olds Charged with Felony Offenses

***Recommendation: To promote a juvenile justice system focused on public safety, youth rehabilitation, fairness, and fiscal responsibility, Illinois should immediately adopt legislation expanding the age of juvenile court jurisdiction to include 17-year-olds charged with felonies.***

SPRINGFIELD, IL – After examining the impact of a 2010 state law that places 17-year-olds in juvenile courts for misdemeanor charges but in adult criminal court for felony charges, the Illinois Juvenile Justice Commission has issued a report recommending an end to the practice in the interest of fairness and public safety.

“The number of states that routinely treat 17-year-olds as adults is dwindling, since states are trending toward making 18 the default age of adult criminal responsibility,” according to the Commission report issued Tuesday. “Only 11 other states use an age under 18 as the default age of adulthood for criminal charges. The age of majority for federal prosecutions, like many other federal programs, is also 18.”

Under the Commission’s recommendations, 17-year-olds would remain eligible for transfer to adult court for specific serious offenses as detailed in the state’s transfer laws.

“A legislative compromise led to the decision of the General Assembly to put 17-year-olds with misdemeanor charges in the juvenile system and those with felony charges in the adult criminal court,” said George W. Timberlake, who is Chair of the Illinois Juvenile Justice Commission and retired chief judge of the Second Judicial Circuit. “Before the law changed in 2010, anyone over the age of 16 was subject to the adult system, which is far less rehabilitative and carries an adult criminal record. The compromise was better than leaving all 17-year-olds in the adult system, and now that the research demonstrates the system can manage the addition of 17-year-olds charged with felonies, it’s time to complete the reform.”

When the compromise was debated, some expressed concerns about the impact of moving all 17-year-old misdemeanants into the juvenile system, and the legislation directed a study be done of the switch with recommendations regarding moving all 17-year-olds into the juvenile justice system.

-more-

*Ad 1*

*Feb. 26, 2013*

The Commission's study concluded that "none of the predicted negative consequences on the juvenile court system have occurred" due to the inclusion of 17-year-old misdemeanants in the juvenile justice system. The findings include the following:

- Due to a sharp decline in juvenile crime, there are currently fewer juvenile arrests after including 17-year-old misdemeanants than when the General Assembly began debating the change in 2008.
- County juvenile detention centers and state juvenile incarceration facilities were not overrun, as some had feared. Instead, one detention center and two state incarceration facilities have been closed, and excess capacity is still the statewide norm.
- Multiple federal juvenile policy briefs have now offered new insight into the potential for adolescent offenders to grow and change — and have warned of serious negative public safety consequences of sending minors through an adult criminal system.
- Instead of drawing a wise, safe or clear distinction between minor and serious offenses, the law splitting 17-year-olds between two court systems caused confusion, and jurisdictional questions still regularly arise when 17-year-olds are arrested.

A new federal law introduced another reason for placing all 17-year-olds in the juvenile system. The Commission report also warned that the new federal Prison Rape Elimination Act requires all offenders under 18, even those in the criminal system, to be housed separately from adults in all lockups, jails, detention centers, and prisons. Noncompliance can result in a 5 percent penalty on several federal formula funds and block grants, which support state and local law enforcement agencies throughout Illinois.

"The operational impact of raising the age for approximately 4,000 17-year-olds arrested for felony offenses will not crash the system," according to the Commission report. "In fact, most practitioners interviewed for this report believe the change will relieve some administrative burdens inherent in a 'bifurcated system' in which some 17-year-olds are handled as adults and others are considered juveniles."

The Commission's full report can be found here: [ijc.illinois.gov/rta](http://ijc.illinois.gov/rta)

###