

**What this Ordinance Does:**

**Sets the minimum age of detention at 13** to make it consistent with national research that documents that children under the age of 13 are too young to understand and reason in proceedings in which they are accused of crime – let alone be placed in detention.

- In *Juveniles’ Competence to Stand Trial: A Comparison of Adolescents’ and Adults’ Capacities as Trial Defendants*, Thomas Grisso concluded that 30% of children ages 11 through 13 were significantly impaired in their ability to understand and reason in proceedings in which they were accused of crimes. 27 Law & Hum. Behav. 333 (2003). Cowden and McKee, in *Competency to Stand Trial in Juvenile Delinquency Proceedings*, found that only 18.2% of 11 year olds, and 27.3% of 12 year olds, were considered competent under the conditions of their study. As to the nine and ten year old children facing trial in the juvenile court, 0.00% - none – were considered competent. 33 U. Louisville J. Fam. Law 629.

**COOK COUNTY HAS ALREADY ENDED DETENTION of Ten & Eleven year olds**

- . In 2017, and to date in 2018 Cook County did not hold any 10/11 year olds
- . In 2017, Cook held only 9 twelve year olds in detention.

**COOK COUNTY HAS ALTERNATIVES for this young population –** The Comprehensive Community Based Youth Services (CCBYS) is a network of statewide providers charged with 24/7 emergency services to youth at risk of involvement with either child welfare or juvenile justice system.

**CCBYS alternatives include:**

- Placement (shelter/foster care/etc)
- Assessment (YASI, mental health, substance abuse, trauma,etc)
- Crisis stabilization plan

**American Pediatrics Assoc. finds Confinement as a Child has lifelong adverse health consequences**

A study by the American Pediatrics Association (APA), *How Does Incarcerating Young People Affect their Adult Health Outcomes*, concludes that youth who are incarcerated have poor health outcomes as adults including adult depressive symptoms from incarceration for less than a moth.

**BETTER OUTCOMES if use alternatives to detention with young children:**

Locked detention facilities are intended to be used only for those youth who pose a serious threat to the community or a risk of flight. **The lasting negative impact of detention is especially harmful to very young children.** Further, research documents less repeat offending from alternatives to detention, especially alternatives that can address underlying issues.

**COOK COUNTY, home of the world’s first juvenile court,** will continue its leadership by codifying what is already the practice in utilizing alternatives to detention for very young children.

## **Supporters of Cook County Ordinance 18-4955**

**ACLU of Illinois**

**Archdiocese of Chicago**

**Business Professionals People for the Public Interest**

**Cabrini Green Legal Aid**

**Chicago Appleseed Fund for Justice**

**Chicago Urban League**

**Community Renewal Society**

**Diane C Geraghty, Civitas Child Law Center, Loyola University Chicago**

**Illinois Justice Project**

**James B. Moran Center for Youth Advocacy**

**John Howard Association**

**Julie Biehl, Director Children and Family Justice Center Bluhm Legal Clinic,  
Northwestern Pritzker School of Law**

**Juvenile Justice Initiative**

**League of Women Voters Illinois**

**Mothers Against Wrongful Convictions**

**Parent Teacher Association of Illinois**

**Precious Blood Ministries**

**Strengthening Chicago's Youth**

**Thomas Geraghty, Associate Dean for Clinical Education, Northwestern Pritzker School of  
Law**

**United Congress of Community and Religious Organizations**