Dialogue, Education & Advocacy.

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Juvenile Justice Initiative

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A Message from JJI

In the mid-2000's, Illinois began two key reforms in juvenile justice. One reform, Redeploy Illinois, was a fiscal reinvestment strategy to shift limited state resources to more effective and less costly community-based alternatives to state corrections facilities. The other reform was an effort to shift the culture in state youth corrections facilities to a therapeutic environment, and involved the creation of new state agency separate from adult corrections, the Department of Juvenile Justice.

Eight years later, the fiscal reinvestments of Redeploy Illinois have proved so successful the state has been able to close two juvenile prisons based on the population reductions facilitated by Redeploy funding and Redeploy planning grants. The success has convinced the legislature to increase funding in community based alternatives through Redeploy to ensure the alternatives are available statewide. You can read more about the success and funding of Redeploy Illinois, a nationally acclaimed model of fiscal reinvestment, on page 3.

The other reform is struggling. Changing the culture in juvenile prisons is a failed proposition across the nation – and Illinois is no exception. The reports of court appointed experts, filed in October in a class action against the Dept. of Juvenile Justice, on lack of education, mental health treatment and concerns over discipline within our remaining six juvenile facilities are a sobering reminder of the grim conditions and the inability of the facilities to “rehabilitate”. The concerns are augmented by a federal report on sexual abuse – some instances by the guards – against the youth in the facilities. Finally, a complete lack of due process in the release and juvenile parole process is the allegation in another outstanding class action – this one against the Prisoner Review Board. These reports are summarized on pages 8-9.

Other states have faced similar challenges regarding conditions in their youth prisons. Ohio, Texas, New York, D.C and California – to name a few – have responded by downsizing (including closing the door to misdemeanants and low level felony offenders), and shifting the savings to community based alternatives. To ensure some minimum level of oversight on the youth that remain in facilities, several states including Texas and Ohio have put in place Ombudsman agencies to monitor conditions. Illinois is now poised to follow both these best practices.

With increased funding for Redeploy Illinois, we have already added additional sites including Winnebago, Kankakee, and the First Judicial Circuit (now Juvenile Redeploy covers 12 sites and 36 counties). And a proposal for a separate office of an Ombudsman to monitor and report on conditions in the remaining facilities in the Dept. of Juvenile Justice is expected to be reviewed in this fall’s veto session.

These are promising indications that Illinois will continue to follow the national best practice of shifting the bulk of its limited resources into community based resources, based on overwhelming evidence that community programming is more successful in reducing repeat offending. Now it’s time as well to provide independent oversight for the few youth who remain the justice system facilities. With your support, the Juvenile Justice Initiative will continue advocacy efforts to ensure both reforms are effectively implemented.

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Opinions expressed in this newsletter are those of JJI alone.

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Illinois is one of the states leading the nation in reducing the number of youth in confinement

Although we are confronting serious issues about the conditions of confinement for youth in our prisons, Illinois can—and must—celebrate the significant successes we have made by stopping more and more young people each year from crossing the doorway to one of the state’s juvenile prisons.

In fact, the number of youth confined in Illinois state and county facilities declined by 38 percent from 2001 to 2010, according to the “Comeback States,” a recently released report by the National Juvenile Justice Network (NJJN) and the Texas Public Policy Foundation’s Center for Effective Justice (TPPF).

“Local leaders know that youth coming out of prison too often return to prison and that rehabilitation services delivered in their home communities are much more effective and cost less than the nearly $90,000 annual cost of sending a child to a state prison.”

For youth being held in local detention centers awaiting trial or incarcerated in state juvenile facilities after trial, this is a critical change.

Youth who are locked up are separated from their families, and struggle when they get out, trying to complete high school, get jobs or go to college. Aside from the human toll, the financial costs of maintaining large secure facilities have also made it critical to rethink juvenile justice in every community.

The report argues that the turnaround can be broadened by changes to state policy like those made in the comeback states that reflected declines in youth crime, new understandings of the teenage brain and adolescent development, availability of less costly, evidence-based alternatives to incarceration, and constrained state budgets.

These policy reforms include:

1. Increasing the availability of evidence-based alternatives to confinement;
2. Requiring intake procedures that reduce the use of detention facilities;
3. Closing or downsizing youth confinement facilities;
4. Reducing schools’ overreliance on the justice system to address discipline issues;
5. Disallowing incarceration for minor offenses; and
6. Restructuring juvenile justice responsibilities and finances among states and counties.

NJJN and TPPF identified these six policies as key measures of positive reform – five of which were adopted by Illinois – because they all encourage reduced reliance on detention and incarceration across the U.S.

The Comeback States highlighted in the report were selected because they adopted at least two-thirds of the policy changes the report focused on, exceeded the national-average reduction in youth confinement between 2001 and 2010, and experienced a decline in youth arrests during the same period. States that met this threshold included: California, Connecticut, Illinois, Ohio, New York, Mississippi, Texas, Washington, and Wisconsin.

Despite the turnaround seen nationwide and in the Comeback States, NJJN and TPPF caution that the high cost of youth incarceration to taxpayers and society, the infrequent use of cost-effective alternatives to youth incarceration, and the high level of youth confined for non-serious offenses, remain a serious cause of concern.

In Illinois, we are on the right track. We will work to ensure that every child in conflict with the law has community-based alternatives to incarceration.

- Marc Levin
  Director of the Center for Effective Justice at TPPF

In a tough economic climate, lawmakers face difficult budget decisions. This year was no different; many cuts occurred. Rather than simply making across the board cuts, legislators sought to make fiscally-sound decisions. Accordingly, lawmakers recognized that some programs are actually saving the state money and providing positive outcomes for Illinois’ future. One of these programs, Redeploy Illinois, also plays a significant role in the state’s ability to successfully reduce unnecessary and costly incarceration of our youth. As statutorily established, the program allows counties or groups of counties to enact plans to reduce their levels of commitments to state incarceration by 25 percent over a three year period in return for fiscal support to provide these alternatives. Redeploy Illinois sites surpassed this threshold, reducing the average number of youth commitments by 51 percent since 2006, according to the Department of Human Services (DHS) annual report to the legislature. Moreover, DHS reported that “for every state dollar invested in Redeploy 2012, the state saw a $9.06 return on its investment.”

The cost-savings, positive outcomes for public safety, and transparency in expenditures, helped lawmakers consider the program’s value. By the end of the budget process, funding for the Redeploy Illinois program had been doubled. Both Governor Quinn and the members of the Illinois General Assembly should be commended for this bold move which allows expansion of community-based and cost-effective interventions across the state. Four jurisdictions already participated in Redeploy Illinois planning grants this spring: Cook County, the First Judicial Circuit, Vermillion County, and Winnebago County.

The Redeploy Illinois Oversight Board reviewed applications and approved funding for the First Circuit, Kankakee County, and Winnebago County. The three new sites, comprising eight counties, are a great expansion to the program. Both Kankakee County and the First Circuit are planning to use Washington Aggression Intervention Training groups and evidence-based, in-home family counseling programs. Winnebago County plans to use behavioral health interventions, along with a crisis intervention approach.

With responsible planning, decision-making, and funding determinations, it should be no surprise that Illinois is receiving national recognition for our alternatives to youth incarceration. Both the state and the counties are building stronger citizens for tomorrow.


“We’re in it for the Long Haul”

While Illinois has made great strides to improve opportunities for youth in conflict with the law, we still have more to accomplish. “We’re in it for the long haul: Alternatives to incarceration for youth in conflict with the law,” a new paper, addresses alternatives to incarceration in Chicago. The Project Nia report authors, Michelle VanNatta and Mariame Kaba, specifically identify five programs which provide alternatives for young people charged with or convicted of crimes. Programs selected for this report shared an emphasis on long-term investment in youth:

> At their core, the interventions and programs that are highlighted in this paper privilege relationship-building above everything else. This will not be satisfying for those who seek a quick-fix to address the needs of youth in conflict with the law. The organizations and programs featured define success based on whether they have been able to connect young people with a person who will walk with them through a perilous road littered with pitfalls and danger.

VanNatta and Kaba explore issues of cost, effectiveness, capacity, and the needs of youth and organizations moving forward to increase comprehension of programming and challenges within Chicago. Ultimately though, the authors hope this report will result in a successful call to action in order to increase access and resource allocations for alternatives to incarceration.

Read the related posting on The Chicago Youth Data Project website at www.chyouthjustice.wordpress.com

Read the full Project Nia report "We’re in it for the long haul": Alternatives to incarceration for youth in conflict with the law at http://chicagojustice.files.wordpress.com/2013/08/alt_to_incarcerationfinal3.pdf
Illinois’ 98th General Assembly and Governor Pat Quinn demonstrate commitment to public safety, smart investment, and data-driven policy-making.

Public Act 098-0061 (House Bill 2404)
House Leader Barbara Flynn-Currie
Sen. Heather Steans
Sen. Pres. John J. Cullerton, chief-cosponsor

Extends juvenile court jurisdiction to include 17-year-olds charged with felonies.
House Bill 2404 is the second step in a reform process that began in 2010 when 17-year-olds charged with misdemeanors were moved to juvenile courts where the youth are more likely to receive rehabilitative services.

It takes effect January 1st. Specifically, the public act amends the definition of delinquent minor in the Juvenile Court Act of 1987 to include a person who was under 18 (rather than 17) years of age when he or she committed an offense classified as a felony. The amendatory changes are prospective. This does not change any transfer statutes to shift jurisdiction to adult criminal court.

This reform brings Illinois in line with the federal government and thirty-eight other states. Massachusetts lawmakers followed Illinois’ lead, passing legislation in July.


Public Act 098-0060 (House Bill 2401)
(Rep. Kelly Cassidy / Sen. Patricia Van Pelt)

Targeted implementation of Redeploy Illinois in Cook County.
The Redeploy statute required counties – or groups of counties – to apply as a county-wide Redeploy project. This change allows Cook County to develop a less costly proposal by addressing only a targeted subsection of the County. The bill does not require Cook to participate in Redeploy.


Public Act 098-0062 (House Bill 3172)

Amends the "continuance under supervision" section to track the procedure followed in adult court, including judicial discretion to continue a case under supervision following a finding of delinquency. Retains current law prohibiting supervision for forcible felony, a Class-X felony, and First Degree murder.


To view the opinion: [http://www.state.il.us/court/Opinions/SupremeCourt/2013/114994.pdf](http://www.state.il.us/court/Opinions/SupremeCourt/2013/114994.pdf)

Illinois Case Law Update
No Incarceration for Status Offense such as Underage Drinking

In re Shelby R., is a decision by the Illinois Supreme Court, authored by Justice Theis, that clarifies that the Juvenile Court Act does not allow commitment of a minor to the Department of Juvenile Justice for a “status offense” such as underage drinking (the minor in the case was adjudicated delinquent based on unlawful consumption of alcohol – an offense only because the minor was underage, hence the term “status offense”).

Justice Theis concluded the opinion by noting the “statutory policy of promoting the development and implementation of community-based programs to prevent delinquent behavior.”

To view the opinion: [http://www.state.il.us/court/Opinions/SupremeCourt/2013/114994.pdf](http://www.state.il.us/court/Opinions/SupremeCourt/2013/114994.pdf)
**Public Act 98-0547 (SB1006)**

**Electronic Recordings in Custodial Interrogations**

*Sen. Raoul, Rep. Drury*

Amends the Juvenile Court Act of 1987 and Code of Criminal Procedure of 1963. Provides an oral, written, or sign language statement of a person made as a result of a custodial interrogation at a police station or other place of detention shall be presumed to be inadmissible against the minor or adult in a juvenile or criminal court proceeding for certain criminal offenses unless an electronic recording is made of the custodial interrogation and the recording is substantially accurate and not intentionally altered. Provides that subject to appropriation, an Electronic Recordings Database is created within the ICJIA. Changes standard for admissibility of a statement given in violation of additional offenses to the recording of the interrogation requirement from the interrogators lack reasonable suspicion that the person had committed one of the offenses added to the recording requirement to the standard that the interrogators were unaware of facts and circumstances that would create probable cause to believe the person had committed one of the offenses. **Effective January 1, 2014.**


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**Public Act 98-0558 (SB1192)**

**DJJ Aftercare**

*Sen. Delgado, Rep. Turner*

Amends the Unified Code of Corrections. Provides that a person committed to IDJJ shall be paroled for supervision by either DOC or DJJ. It makes the aftercare program applicable throughout the State granted DJJ parole officer authority. **Effective August 16, 2013.**


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**Public Act 98-0536 (SB1844)**

**Detention-Youth Over 18 Years Old**

*Sen. Mulroe, Rep. Hoffman*

Amends the Juvenile Court Act of 1987. Provides that the limitation that the minor shall only be placed in a juvenile detention home does not apply to persons 18 years of age and older who have a petition of delinquency filed against them. **Effective August 23, 2013.**


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**Public Act 98-0528 (SB1598)**

**Data for Racial and Ethnic Impact Research Task Force**

*Sen. Hunter, Rep. Ford*

Amends the act, revising ethnic and racial data collection provisions. Requires collection of ethnic and racial data on each adult or juvenile arrested at points of contact: (1) at law enforcement arrest/booking; (2) upon imprisonment in DOC or DJJ; and (3) upon transfer from DJJ to DOC. Provides data collection procedures. **Effective January 1, 2015.**


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**Public Act 98-0374 (HB946)**

**Creates the Young Adults Heroin Use Task Force**

*Rep. Yingling, Sen. Manar*

Amends the School Code. New Act: Creates Task Force to address the growing problem of heroin use in high schools across Illinois by conducting a study on the heroin use problem in high schools and suggested programs for high schools to use to address the problem, which programs may involve local law enforcement agencies. Provides recommendations to General Assembly and Governor on or before June 30, 2014. **Effective August 16, 2013.**


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**Public Act 98-0194 (SB2879)**

**Creates Violence Prevention Task Force Act**


Establishes Task Force to address violence and report to Governor and General Assembly, annually Dec. 1. **Effective August 7, 2013.**


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**Public Act 98-0555 (SB115)**

**Stops Profiting in Distribution of Criminal Records**

*Sen. Mulroe, Rep. Martwick*

Amends the Consumer Fraud and Deceptive Business Practices Act. Provides that it is an unlawful practice for any person engaged in publishing or otherwise disseminating criminal record information through a print or electronic medium to solicit or accept payment of fee or other consideration to remove, correct, or modify said criminal record information. Defines "criminal record information". Amends State Records Act and Local Records Act. **Effective January 1, 2014.**


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**Public Act 98-0133 (HB821)**

**Wrongful Conviction Expungement**


Amends Criminal Identification Act, Unified Code of Corrections, and Code of Civil Procedure. Provides that if conviction has been set aside on direct review or on collateral attack and the court determines by clear and convincing evidence that the petitioner was factually innocent of the charge, the court shall enter an expungement order for the conviction for which the petitioner has been determined to be innocent. **Effective January 1, 2014.**


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**Public Act 98-0142 (HB3061)**

**Expands Criminal Record Sealing**

*Rep. Ford, Sen. Raoul*

Amends the Criminal Identification Act. Allows person to petition court and the court to order sealing of some class 2, 3, and 4 felony convictions. **Effective January 1, 2014.**

On October 10th, the Campaign for Youth Justice released a new report on legislative successes across the nation which recognize that Kids are Different from adults. Laws must reflect this fact to hold youth accountable in a meaningful way and accomplish rehabilitation.

Over the past eight years, twenty states enacted forty pieces of legislation to reform laws that prosecuted youth in adult criminal settings. Here is their report, “State Trends Legislative Victories from 1011-2013 Removing Youth from the Adult Criminal Justice System.”

The report reveals four major trends:


2. Four (4) states expand juvenile court jurisdiction so that older youth—who previously would be automatically tried as adults— are not prosecuted in adult criminal court: Connecticut, Illinois, Mississippi, and Massachusetts.

3. Twelve (12) states modify transfer provisions so that more youth will have opportunities for rehabilitation within the juvenile justice system: Arizona, Colorado, Connecticut, Delaware, Illinois, Nevada, Utah, Virginia, Washington, Ohio, Maryland and Nevada.

4. Eight (8) states reform mandatory minimum sentencing laws to take into account the developmental differences between youth and adults, allow for post-sentence review for youth facing juvenile life without parole, or other sentencing reform for youth sentenced as adults: California, Colorado, Georgia, Indiana, Texas, Missouri, Ohio, and Washington.

Congratulations to all the policymakers and advocates who fought to change the lives of our young people in conflict with the law, emphasizing the importance of data-driven decision-making to reform juvenile justice. Such efforts show that being "smart on crime" can be synonymous with being "tough on crime.”


Youth Justice Awareness Month (YJAM) is an opportunity for advocates, families, and youth to host community-led actions and events that expose the negative consequences of children being involved in the criminal justice system. Over 20 organizations around the country are hosting YJAM events this year to raise awareness, build collective action, and to strengthen relationships with other allies interested in creating long-lasting change in their state.

Every year in the U.S. an estimated 250,000 youth are tried, sentenced, or incarcerated as adults. And each year, we build momentum to end the criminalization of our youth and the devastating long-term consequences they must face.

Celebrate success and increase awareness that holding youth accountable works within the juvenile justice system much more effectively than treating youth like adult criminals.

Check out the Campaign for Youth Justice website for resources: http://www.campaignforyouthjusticeblog.org
Fact or Fiction? Only guilty kids confess to crimes

If you said fact, think again.

False confessions are real and these erroneous statements are even more likely to come from juveniles than adults.

According to the data from the National Registry of Exonerations, youth under 18 represented 38 percent of the exonerations relating to false confessions in the last quarter century. Research demonstrates that false confessions are almost twice as likely when the wrongfully convicted was a young person.

Why? Custodial interrogations are systematically established as an intense process with the intent to persuade the accused that it would be in their best interest to confess. Categorically, juveniles are more vulnerable during interrogations regardless of their intellect or maturity. The adolescent brain reacts differently when faced with stress. Subsequently, adolescents are more likely to react to the stress of an interrogation by making involuntary or false statements.

Juvenile brains are less capable of understanding their constitutional rights. Research --- not to mention the multiple U.S. Supreme Court cases --- find that children are less competent than adults to make legal decisions and may lack true comprehension of Miranda warnings. For example, 63.3 percent of minors fail to understand at least one “critical” word in the standard Miranda warnings. Further, the least understood warning among minors, is the right to consult with an attorney prior to responding to police questioning. In 2011, both the majority and dissenting opinions issued by the U.S. Supreme Court in the case of J.D.B. v. North Carolina shared the same point: “juveniles are significantly more likely than adults to succumb to the intense pressure of custodial interrogations by making involuntary and false confessions.”

False confessions effect us all.

According to an investigative report by the Better Government Association and the Center for Wrongful Convictions, human costs and fiscal impact is high. In their review of 85 wrongful convictions, innocent people were incarcerated for a combined 926 years for crimes they did not commit. Taxpayers foot a hefty bill for wrongful conviction legal settlements costing $214 million even before new settlements came forward after 2011.

Not only are the innocent incarcerated, but the true perpetrators remain free to claim more victims. During the 26 lost years of one innocent’s wrongful conviction, “the actual perpetrator, attacked at least four women, raping three; committed aggravated battery on 11 police officers; and attacked a man with a chain.”

The false confession capital.

“What Cooperstown is to baseball, Chicago is to false confessions. It is the hall of fame,” according to co-founder of the Innocence Project, Peter Neufeld who was interviewed for a December 2012 report by CBS 60 Minutes. In fact, Neufeld said, “there are more juvenile false confessions in Chicago than any place in the United States,” which he explains result from intense custodial interrogations of youth who are more prone to confessing falsely. In 2011, Cook County vacated the convictions of eleven men. Nine African American children were wrongfully convicted and served a total of 145 years in prison for rape/murders they did not commit. Seven of those nine children falsely confessed to these crimes and these confessions were used to obtain their convictions. Some examples of fiscal consequences are seen in Illinois: $25 million jury award to a 13-year-old boy; $6.2 million settlement to a 8-year-old boy; $2.2 million settlement to 7-year-old boy.

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1 The National Registry of Exonerations is a joint project of the University of Michigan Law School and the Center on Wrongful Convictions at the Northwestern University School of Law, which provides information about exonerations from wrongful convictions in the United States: https://www.law.umich.edu/special/exoneration/Pages/about.aspx
7 Id.
8 Chicago: The false confession capital. CBS 60 Minutes, December 9, 2012.
Dept. of Juvenile Justice Class Action
Update on R.J. v. Bishop

On September 23rd, three expert reports were filed with the Court in R.J. v. Bishop. The class action lawsuit was filed last September on behalf of nearly 1,000 youth incarcerated in DJJ prisons. The reports document continuing concerns over the issues identified in the complaint. The ACLU listed serious concerns about the conditions in Illinois juvenile prisons including:

- minimally adequate mental health and education services are not provided for youth;
- unwarranted use of solitary confinement;
- IDJJ staff fail to protect youth from each other, use excessive force and encourage youth to attack each other;
- youth are kept in prison beyond their anticipated release dates because appropriate community placement has not been found.

A proposed settlement agreement negotiated between the parties was approved in federal court in December 2012. As agreed, three independent court-appointed experts began with an assessment of IDJJ prisons with a focus on improving conditions. It is important to note that since the proposed consent decree, three additional reports unrelated to the lawsuit have been released echoing many of the violations in the ACLU complaint. The independent experts considered findings of those reports during their analysis.

Education
Dr. Leone, an education professor at the University of Maryland with extensive knowledge about incarcerated youth, was tasked with assessing education conditions related to the ACLU complaint that “youth do not receive minimally adequate education services, including general education and special education; and, youth are being denied the rights guaranteed by the federal Individuals with Disabilities Education Act (‘IDEA’).”

Dr. Leone’s report delineates findings in detail. More generally though, he states:

- Inadequate instruction and inadequate opportunities for students to learn;
- Inadequate special education services;
- Minimal career and technical education;
- Absence of post-secondary education and preparation for post-secondary education;
- Inadequate transition services and supports;
- Frequent use of punitive and ineffective responses to student behavior;
- Inefficient management of human and fiscal resources;
- Inconsistent collaboration between education and custody staff;
- Demoralized teaching and support staff; and,
- Inadequate infrastructure and support for education services.

Mental Health Mental Health Services
Dr. Kraus, Chief of Child and Adolescent Psychiatry and a professor at Rush University Medical Center, was tasked with assessing the ACLU compliant issues related to the “inadequate provision of mental health services to IDJJ youth,” including screening and assessment, treatment planning, diagnoses with treatment modalities, confidentiality, and discharge planning.

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“The education program in the Illinois Department of Juvenile Justice (IDJJ) facilities is inadequate. The program operates far below minimally accepted standards at comparable facilities across the country, does not appear to meet minimal standards for education as specified in the Illinois School Code, does not meet the needs of students with disabilities, and appears to violate both State regulations and Federal legislation.”

- Dr. Leone, Independent Education Expert
The Dr. Kraus report summarizes its findings:

It is difficult to fully assess the workings of mental health treatment at the IDJJ, because:

1) they do not have a full complement of services, and
2) even with the groups they have right now, a number of the facilities cannot function because of the paucity of security, and essentially are not getting youth to groups or are getting them there significantly late so they cannot run the program. No matter how many groups are described as evidence-based, and no matter how much support is being described for these groups, they are not actually functioning, consistently. The reality is that many of these youth are not getting the mental health support they need.

Some concerns Dr. Krisberg’s report notes:

- IDJJ faces significant staffing problems in terms of direct care staff, educators and mental health staff. Idleness is endemic.
- IDJJ makes extensive and varied use of its confinement units; rules governing confinement appear arbitrary. The living conditions in the confinement units were often harsh and of substandard quality. Youth in confinement status receive no schooling, no resource groups, and only about 90 minutes per day of recreation.

IDJJ faces a very serious problem in terms of living unit staff verbally abusing the youth with demeaning, racial and sexualized insults. Staff sometimes minimized the seriousness of this behavior as “teasing or horseplay,” but it was my strong impression that many youth were frightened and upset by this staff behavior. A survey of youth by the US DOJ on sexual abuse of youth found that Illinois had one of the highest percentages of residents that reported being sexually abused or molested, mostly by staff. Fully 15 percent of IDJJ youth said that they had been victimized in a sexual manner.

Youth do not have confidence that the existing complaint or grievance system is sufficient to resolve serious problems. Many IDJJ youth express concern for their personal safety. Approximately two-thirds of the IDJJ youth that I interviewed said that they did not feel safe.

“The continuing legacy of that prison culture is a major challenge faced by IDJJ,” states Dr. Krisberg, Safety& Well-Being Expert; “rules governing who enters confinement and when youth are permitted to return to regular living units seem fairly arbitrary and not connected to treatment plans for individual youth.”

These experts concluded the evaluation portion via the reports filed Monday. The next step is development of the remedial plan to ensure provision of adequate mental health services; general and special education services; physical exercise, recreation, and work details; and supervised programming reasonably directed towards rehabilitation for youth with a high school diploma or GED. The plan is also expected to address room confinement; physical safety of youth from assaults by youth and staff; minimization of continued commitment of youth solely because a community placement has not been secured for them; and planning for and assistance with successful re-entry.

Related media coverage:

- Chicago Bureau, Battle Over Youth Solitary Coming to Head in Illinois with Suit (http://www.chicago-bureau.org/?p=5154)
  - The Dispatch and The Rock Island Argus, Editorial: Pay now or pay more later (http://qconline.com/archives/qco/display.php?id=654708)

Daily Journal, New reports detail bad conditions lingering at Illinois youth homes a year after settlement (http://www.dailyjournal.net/view/story/3cf5451441343978363992bb8157e41/IL--Juvenile-Justice/)

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Juvenile Justice Initiative - Fall 2013

In the News

Juvenile Justice Issues: A Sampling of National and Illinois Media

Incarceration Research

Chicago Tribune
Locking up juveniles may plant seeds of more crime; Incarcerating the young is often counterproductive, new research shows.
July 17, 2013
Economics professor at the MIT Sloan School of Management, Joe Doyle, released research attempting to provide a partial answer to the question: would being locked up hurt or help? The research suggests that juvenile incarceration can actually increase crime. The research also documents wide disparity in sentencing: “the judge makes a difference.” Read more: http://articles.chicagotribune.com/2013-07-17/news/ct-met-schmich-0717-20130717_1_joe-doyle-offenders-juvenile-incarceration

Washington Post
Throwing children in prison turns out to be a really bad idea
June 15, 2013
Another article on professor Doyle’s research documents that incarceration is counterproductive. Read more: http://www.washingtonpost.com/blogs/wonkblog/wp/2013/06/15/throwing-children-in-prison-turns-out-to-be-a-really-bad-idea/

The Economist
Locked In
August 3, 2013

Reforms Across the Nation

The New York Times
Once Again, California Eases Harsh Sentencing Laws
September 25, 2013
For the third time in a year, California has changed its laws to show more leniency toward the state’s most harshly punished prisoners. In September 2012, Gov. Jerry Brown signed a law allowing juvenile offenders sentenced to life without parole to petition for a resentencing. This September Gov. Brown signed SB 260, which requires the state parole board to consider releasing juvenile offenders who have served at least 15 years of a long sentence. Read more: http://takingnote.blogs.nytimes.com/2013/09/25/once-again-california-eases-harsh-sentencing-laws/?_r=0

The Chronicle of Social Change
Why Massachusetts’ Age-Raise Matters
September 24, 2013
Massachusetts has long had a good reputation for its low reliance on secure settings and for its development-minded approach to secure services. It will now include 17-year-olds, who have long been considered adults in the Bay State, in its juvenile justice system. Read more (requires subscriber login): https://chronicleofsocialchange.org/newsmaker/why-massachusetts-age-raise-matters/4033

Omaha
Gov. Heineman signs juvenile justice reform into law
May 30, 2013
Nebraska: Gov. Dave Heineman signed major reform bill to shift focus from incarceration to treatment for youthful offenders and puts state probation officers in charge of that rehabilitation work instead of state social workers. Read more: http://www.omaha.com/article/20130529/NEWS/705309881

The Texas Tribune
Law Could Set Stage for Juvenile Justice Reforms
June 28, 2013
Travis County has decided to send youth in conflict law to the local detentions, rather than large state institutions operated by Texas Juvenile Justice Department. Read more: http://www.texastribune.org/2013/06/28/pilot-could-set-stage-juvenile-justice-reforms/

Chicago Tribune
Quinn signs bill expanding recording of police interrogations
August 27, 2013
Gov. Pat Quinn signed a bill on August 26 to mandate the recording of police interrogation of people suspected of 8 violent felony crimes including aggravated criminal sexual assault and armed robbery. Under the new law, courts will presume inadmissible any statement a suspect in one of the specified felonies makes unless the interrogation is either audio- or video-recorded to prevent false confessions. Read more: http://www.chicagotribune.com/news/local/ct-met-ct-met-videotaped-interrogations-law-20130827,0,4894506.story
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National Accolades JJI President, Elizabeth E. Clarke honored for her tireless work on behalf of kids in trouble with the law

(Washington, DC) Elizabeth “Betsy” Clarke, president of the Illinois-based Juvenile Justice Initiative, was recognized recently for her tenacious work on behalf of young people in trouble with the law. Clarke is the second recipient of the Beth Arnovits Gutsy Advocate for Youth Award, which is given annually by the National Juvenile Justice Network to individuals who advocate for youth justice and juvenile justice reform and who embody “the tenacity, vision, fearlessness and wisdom of Beth Arnovits.”

The award was given August 1, 2013, at an annual gathering of juvenile justice advocates from across the country, recognizing Clarke as one of the foremost leaders in juvenile justice reform in the country. Thanks to her work, Illinois was the first state in the nation to reverse state laws requiring that certain youth be tried in adult court— as a result, in the first two years that followed, nearly 500 youth of color received individualized assessment and treatment in juvenile court rather than being tried as adults. She also helped persuade the Illinois General Assembly to fund a pilot program called Redeploy Illinois, aimed at increasing the use of alternatives in the community to hold kids accountable instead of secure confinement, which has been shown to be ineffective and damaging to kids. Between 2005 and 2010, Redeploy Illinois reduced youth commitments to Illinois prisons by 51 percent (from 1,737 youth to 854). During that period, the 28 participating counties kept 883 youth away from state prisons, saving the state an estimated $40 million. More recently, Clarke led a successful effort to expand Redeploy to more Illinois counties, and another to require that 17-year-olds in Illinois fall under the jurisdiction of juvenile court instead of adult court.

In addition, Clarke was instrumental in founding the National Juvenile Justice Network—which leads a national movement of state-based organizations seeking to make the juvenile justice system fair, equitable, and age-appropriate—and the Midwest Juvenile Defender Center, a national organization dedicated improving access to legal counsel and improving the quality of representation for children in the justice system.

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The National Juvenile Justice Network advocates for state and federal laws, policies and practices that are fair, equitable and developmentally appropriate for all children, youth and families involved in—or at risk of becoming involved in—the justice system. For more information, visit www.njjn.org.

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Also shown in Illinois Lawyers Now http://iln.isba.org/blog/2013/08/21/betsy-clarke-honored-national-youth-advocate-award
The Juvenile Justice Initiative presents Visioning Conversation and Reception

**A Vision for the Future: Reimagining the System When Young People Come into Conflict with the Law**

Thursday, October 24 at 5 PM at Winston & Strawn, Chicago

Thanks to the Juvenile Justice Initiative and a host of statewide partners, the system of justice for our young people is undergoing a historic transformation. The state’s fiscal investment is shifting away from incarceration to an expanded array of community-based alternatives. The state has raised the age of jurisdiction of juvenile court from 17 to 18. More of our young people are benefitting from the broad-based and statewide commitment to restorative justice.

What does this all mean for the future?

Illinois, the home of the world’s first juvenile court, is a leader in the nation’s rapidly shifting focus away from cookie-cutter law and order approaches to individualized community based justice. Illinois and the US are international leaders in research documenting that youth are different from adults. Join us as we celebrate victories and examine implications for the future when young people come into conflict with the law.


This event is free, but registration is required. Visit our website for registration, directions, [http://jjustice.org/jjievent/](http://jjustice.org/jjievent/)

For information about becoming a sponsor for this JJI event, please complete the [JJI Event Sponsorship Form for October 24th](http://jjustice.org/jjievent/) via our website event page.

For additional information about this event, [contact us](http://jjustice.org/jjievent/).

Thank you to [Winston & Strawn](http://www.winston.com) for hosting this event and reception on the future of children in Illinois.