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"The Juvenile Justice Initiative of Illinois works to achieve humane, equitable and sustainable reforms for children and young adults in the justice system."

Dear Member of the Chicago City Council,

We the undersigned organizations are writing in response to the recent subject matter hearing on Inspector General Joe Ferguson's audit on the Juvenile Intervention Support Center (JISC). IG Ferguson's report concluded that the JISC lacks data, and fails to follow national best practices so that it does not provide the deflection from the criminal justice system it was originally designed to do, and may cause more harm than good. We're encouraged to see the Mayor's office acknowledge this reality by planning to move resources in the Department of Family & Support Services away from this broken model, and believe this is an opportunity to reimagine how we deliver crucial services to children in need while truly deflecting them from any criminal record or involvement.

The JISC was founded in 2006 in an effort to replicate the nationally acclaimed diversion efforts developed by the Miami-Dade Juvenile Assessment Center. However, it failed from the beginning to follow the national model.

- **The Miami center applied to all juvenile arrests in the Miami Dade County, not just select zip codes.**¹ The Chicago JISC applies only to zip codes in the west and south sides of the city that include disproportionate numbers of low-income children of color.
- **The Miami center deflects low level misdemeanor offenses by using civil citations rather than arrests.**² By contrast, the Chicago JISC begins with an arrest, mostly for low level misdemeanor offenses, and then seeks to connect with services. An arrest record has serious, potentially lifelong, negative consequences due to the many collateral consequences of an arrest. An arrest, whether it goes to court or not, can stand in the way of employment and education.³
- **The Miami center deflects control to service providers, while Chicago JISC retains control by the police.**

Earlier this year, The Chicago City Council adopted a resolution (2019-688) calling for the city to review policies and practices to ensure they comply with international standards for human rights for children in conflict with the law. The fact that juvenile arrest records show up on criminal background checks violates international standards in the Beijing Rules that call for juvenile arrest and court records to be fully confidential.

In addition, the JISC violates international standards by arresting children as young as ten years old. International standards in the Convention on the Rights of the Child recommend a minimum age of criminal responsibility no lower than 14.

¹ <https://www.miamidade.gov/global/juvenileservices/admission-process.page>

² https://www.miamidade.gov/global/service.page?Mduid_service=ser1486136133522971

³ <http://ijjc.illinois.gov/publications/burdened-life-myth-juvenile-record-confidentiality-and-expungement-illinois>



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Building arrest records on elementary school age children accused of low-level conflict is deeply troubling. The JISC does not have adequate records to identify the scope of the harm, but as the report notes these are primarily children of color from low income communities. We can do better. Referrals to community services and centers, rather than arrests, would have far better results.

DFSS's announcement that they are shifting funding away from the JISC and have released an RFP for alternate programming that will be community and evidence based is an encouraging sign. These funds are critical to expand the limited resources of the current state network of emergency 24/7 services (CCBYS) for children at risk, including those at risk of justice system involvement.⁴ These services can be triggered by police contact under the Minors Requiring Authoritative Intervention Act, that allows police to take a child into custody without an arrest and without triggering detention. Additionally, funds could augment the limited resources in community-based organizations and collaboratives such as the Restorative Justice Hubs (RJHubs) whom currently provide support for justice involved youth in high crime - low resource areas. Sufficient funding from DFSS focused on these promising and evidence-based practices within these communities will provide resources necessary to effectively divert children and older adolescents from justice system involvement.

Chicago should base its response to juveniles in police custody on the best practices established by the Miami model. The new system must address equal justice concerns, be accessible to all children in Chicago in conflict with the law, and ensure police should be trained to know the broad range of community-based alternatives to arrest and referral to court.

To quote the Chicago Sun-Times editorial on 6/29/2020: ***A better model of juvenile justice diversion begins with dropping the threat of criminal charges.*** *In Miami, the police are more likely to issue "civil citations" to get kids into its diversion program. Social workers, family counselors and psychologists take it from there. As a society, how should we treat other people's children? With the patience, compassion and belief in second chances that we treat our own.*⁵

Thank you for your consideration and please feel free to reach out to Luis Klein at lk@jjustice.org if you have any questions.

Regards,

The Juvenile Justice Initiative

The John Howard Association

The Chicago Urban League

⁴ <https://www.dhs.state.il.us/page.aspx?item=30768>

⁵ <https://paper.suntimes.com/html5/reader/production/default.aspx?pubname=&pubid=09af93ab-fa0a-4724-88e1-d3357b312cf3>



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Illinois Collaboration on Youth

The Law Office of the Cook County Public Defender

The League of Women Voters of Illinois

Chicago Alliance Against Sexual Exploitation

Cabrini-Green Legal Aid

TASC (Treatment Alternatives for Safe Communities)

Community Behavioral Healthcare Association of IL (CBHA)

James B. Moran Center for Youth Advocacy

Herschella G. Conyers, Director, Juvenile & Criminal Justice Clinic, University of Chicago Law School

Mark Hassakis, Hassakis & Hassakis P.C. Mt. Vernon, IL