

Better Outcomes for 18-20 Yr-Olds Charged w. Misdemeanor Offenses

LEAD SPONSORS: SB 2385 (Fine). HB 111/133 (Mayfield)

What this Bill Does Begins cases of older teens charged with misdemeanor offenses in juvenile, rather than adult court.

- As of Jan 1, 2022, “delinquent minor” includes 18 year-olds charged with misdemeanors.
- As of Jan 1, 2024, “delinquent minor” includes 19 & 20 year-olds charged with misdemeanors.

This **gradual approach** gives the state time to study the population as they are integrated into the juvenile system for better long-term outcomes. Further, the bill encourages the IL Juvenile Justice Commission to make recommendations regarding services for this emerging adult population.

These cases are still eligible for transfer to adult court if the prosecutor believes the misdemeanor should be transferred.

WHY THIS BILL IS NECESSARY –

- **Avoids an Adult Arrest Record.** An adult arrest record, even for a minor offense that never goes to court, can be a significant barrier to housing, education and employment.
- **More diversion options** - Once a teenager turns 18, (s)he is not eligible for the extensive and effective diversion options that benefit younger teens in the juvenile court. This bill would allow police to utilize community alternatives to address issues of young adults in low level (misdemeanor) cases.
- **Promotes public safety** –Most young people “age out” of offending by their mid-twenties, particularly with developmentally appropriate interventions.

PROFOUND RACIAL DISPARITIES- African American Young Adults are 9.4 times more likely to be incarcerated in Illinois than their white peers. Illinois has an incarceration rate for young adults 3.5 times higher than New York and 2.4 times higher than California¹.

THIS BILL EXPANDS POLICE DISCRETION by allowing police to utilize juvenile diversions including “station house adjustments”. Emerging adults will have access to juvenile diversion programs and practices. Criminal repeat offending decreases with effective diversion and treatment, so the public will benefit from lower repeat offending and from lower costs from fewer jail admissions.

NO FISCAL IMPACT – No Fiscal Impact to state Dept of Corrections as adults cannot be incarcerated for a misdemeanor offense.

Numbers low – Cannabis reform already ended prosecution for low level marijuana misdemeanors, and the new Criminal Justice Reform calls for the lowest levels of misdemeanors (Class B and C) to be civil citations rather than arrests.

¹ <https://justicelab.columbia.edu/sites/default/files/content/EAJ%20in%20Illinois%20Report%20Final.pdf>

Better Outcomes for 18-20 Yr-Olds Charged w. Misdemeanor Offenses

LEAD SPONSORS: SB 2385 (Fine). HB 111/133 (Mayfield)

SUPPORTERS INCLUDE:

- IL Dept of Juvenile Justice
- Office of the President - Cook County Government
- Parent Teacher Association of Illinois
- League of Women Voters of Illinois
- Chicago Urban League
- Community Behavioral Healthcare Association of IL
- Children's Home and Aid
- Illinois Collaboration on Youth
- James B. Moran Center for Youth Advocacy
- ACLU of Illinois
- National Association of Social Workers, IL Chapter
- Community Renewal Society
- Strengthening Chicago's Youth
- Juvenile Justice Initiative