

HB2567, HA#1/ Rep. Gabel

Reduce Detention of Children Ages 10 -12 through Community Alternatives

What This Bill Does:

HB2567 requires that a determination be made that local youth service providers can not accept a child under the age of 13 prior to admitting the child to a detention facility.

Why This Bill is Needed:

Illinois allows children as young as 10 to be confined before trial in county juvenile detention centers but sets a minimum age of 13 for commitment to a state juvenile prison. Detained children are isolated from their families, their schools and their communities, and studies reveal significant harm to children from even a short period of confinement in detention – such as increased suicide or suicide ideation, higher recidivism and schooling disruption.

Alternatives Exist:

- The small number of children ages 10 through 12 years currently placed in detention could be accommodated through existing community services, particularly the CCBYS network of providers that are available with emergency housing and assistance on a 24/7 basis across the state.
- The Mental Health Juvenile Justice program administered by the Department of Human Services was designed to meet the needs of youth with mental health needs in the juvenile justice system. Evaluations of the program show that when youth with mental illnesses involved with the juvenile justice system receive community treatment instead of detention, their clinical symptoms improve, school attendance goes up, and their reoffending rate goes down dramatically.

Detention Harms Children:

- Children who have spent time in detention are 39 percentage points less likely to graduate from high school than other public school students from the same neighborhood.
- The overall mortality rate of juvenile detainees is more than 4 times the rate in the general population.
- Confinement can delay children's natural development that allows them to "age out" of delinquency – research documents that detained children are more likely to reoffend compared to their peers.

The Numbers are Small – Admissions of children ages 10-12 make up for 2.3% of all the admissions.

- 262 detention children ages 10 – 12 were held in detention in CY2013 in Illinois. *See Table 1.*
- The most common charge for admissions was delinquent warrant, followed by probation violations. Four children were confined for disorderly conduct, two for false fire alarms, and another two children were detained for delinquent contempt of court. *See Table 2.*

Table 1. Detention Admissions of Children Ages 10-12 in Illinois in CY2013

Detention Center	Age 10	Age 11	Age 12	Total
Cook	0	4	39	43
Peoria	1	7	25	33
St. Clair	0	1	31	32
Winnebago	1	4	20	25
Will	1	2	14	17
Other	3	22	87	112
Total	6	40	216	262

Table 2. Top 10 Holding Offenses for Children Ages 10-12 in Detention in Illinois in CY2013

Holding Offense	Admissions
Warrant	30 (11.5%)
Probation Violation	28 (10.7%)
Domestic Battery	27 (10.3%)
AGG Battery	24 (9.2%)
Residential Burglary Forcible Entry	20 (7.6%)
AGG Crim. Sex Assault	16 (6.1%)
Burglary	12 (4.6%)
Robbery	10 (3.8%)
Battery	9 (3.4%)
Armed Robbery	6 (2.3%)
Arson	6 (2.3%)
Mob Action	6 (2.3%)