

# Young Children in Trouble Need Services, Not Confinement

Sponsor: Sen. Annazette Collins

SB3196

## What this Bill Does:

SB 3196 **increases the minimum age of detention from 10 to 13** to make it consistent with the minimum age to sentence youth to the Department of Juvenile Justice.

## Setting Consistent Minimum Age for Confinement:

The minimum age to hold youth in pre-trial detention is currently 10. The minimum age to sentence youth to juvenile state prison (Department of Juvenile Justice) after trial is 13. This bill resolves this discrepancy by raising the minimum age of detention to 13.

## Impacted Youth – Numbers are Low:

According to the Illinois Criminal Justice Information Authority, there were **306 youth ages 10 thru 12 held in detention centers statewide in 2010**, (down from 436 in 2008. Few counties hold any 10-12 year olds – in 2010 less than half of the counties in Illinois held any youth age 10-12, and of those that did 60% held 5 or fewer. Cook County held 40 youth age 10-12 in 2010.

## More Harm Than Good:

Interventions such as community-based counseling and mentoring are more cost effective than detaining a youth by reducing recidivism, promoting public safety, and meeting the needs of youth.

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 critical on very young children.**

Findings from a policy brief from the Justice Policy Institute released in 2006 found that incarcerating youth in secure detention centers across the country can contribute to their future delinquent behavior and harm their education, employment, and health.

Instead of reducing crime, the act of incarcerating high numbers of youth may in fact facilitate increased crime by aggravating the recidivism of youth who are detained. Incarcerating juveniles may also interrupt and delay the normal pattern of “aging out” of delinquent behaviors because it interrupts their natural

engagement with families, school, and work. Detention can also make mentally ill youth worse, and can increase the rate of suicide.

## Better Options to Keep Communities Safe:

The average cost of detention statewide is approximately \$100/day. The average cost of community-based services provided through Redeploy Illinois is approximately \$20/day. **Youth served in the community generally have a higher success rate than youth held in confinement.**

The small number of very young youth impacted by this legislation could be absorbed within the state’s existing network of community-based childcare and intervention services. As is the current case with youth under age 10, young children caught up in the justice system for serious offenses could be treated in residential treatment facilities, or group homes that best meet their individualized developmental needs.

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.**

## SUPPORTERS INCLUDE:

Juvenile Justice Initiative  
Illinois Parent Teacher Association  
ACLU of Illinois  
John Howard Association  
DLA Piper, LLP  
Project Nia  
Metropolis Strategies (formerly Chicago Metropolis 2020)

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