

Senate Bill 92, Amendment #6

Separating the Juvenile Division from the Department of Corrections

What Does It Do?

House Amendment #6 **creates a separate Department of Juvenile Justice**. The mission for the Department is to “provide treatment and services through a comprehensive continuum of individualized education, vocational, social, emotional, and basic life skills to enable youth to avoid delinquent futures and become productive, fulfilled citizens.”

- **Removes the Juvenile Division** from the Department of Corrections and creates a separate department with the authority to provide for “an appropriate mix of programs and services within the juvenile justice continuum, including prevention, diversion, nonresidential and residential commitment programs, day treatment, and conditional release programs and services, with the support of educational, vocational, alcohol, drug abuse, and mental health services where appropriate.”
- Provides **transitional and post-release treatment programs** for juveniles, including counseling, referral, mental health, educational and substance abuse services.
- Moves the current 8 juvenile facilities and the DOC School District to the new department.
- Moves current staff to the new department with all current contracts, rights, and benefits.
- Requires all **new staff hired who deal directly and regularly with youth** to have a college degree with specialization in criminal justice, education, psychology, sociology, social work, or a closely related specialization appropriate for the needs of at-risk youth. This requirement is not intended to apply to security, clerical, food service, and maintenance staff that do not have direct and regular contact with youth. This degree requirement is similar to other state employees working with youth such as downstate probation and detention, DCFS caseworkers, and teachers.
- Administration for the department will be **revenue neutral**.

Why?

Over time, the adult side of IDOC has absorbed services for juvenile offenders, who are now treated much like adult prisoners. As a result, nearly 47 percent of juvenile offenders return to the juvenile system.

Fixing a failed system is **not about additional money and staff – that has been tried**. Fixing the system requires a **new approach and philosophy** that has been proven to work in other states where the focus is on youth and rehabilitation.

	FY99	FY04	%Change
Juvenile Division Budget	\$119.8 million	\$131.9 million	Up 10%
Juvenile Per Capita Cost	\$36,031	\$64,406	Up 79%
GRF Staff Juvenile Division	1,420	1,337	Down 6%
Juvenile Population in Institutions	2,199	1,603	Down 27%
Recidivism Rate (3-yr. return to Juv.)	32.7%	46.6%	Up 43%

WHAT CORRECTIONS OFFICIALS IN ILLINOIS SAY ABOUT THE NEED FOR A NEW DEPARTMENT OF JUVENILE JUSTICE

Department of Corrections Director, Roger E. Walker, Jr.:

“I think starting all over with a stand-alone system” for juveniles would be the best way to make the necessary changes. (As reported in the Chicago Daily Law Bulletin, September 21, 2005)

Department of Corrections Juvenile Division Director, Kurt Friedenauer:

“Reality is, as states have found, when juvenile corrections is housed with adult corrections, it has resulted in a trend toward what’s called ‘the adultification of juvenile justice.’” (As reported in the Chicago Tribune, September 22, 2005).

A diverse coalition of organizations across the state support SB 92, as amended. The coalition includes:

- ACORN
- American Civil Liberties Union of Illinois
- Aunt Martha’s Youth Service Center
- Black Women Lawyers Association
- Boys & Girls Clubs of Freeport
- Catholic Conference of Illinois
- Center for Urban Economics
- Chicago Area Project
- Chicago Council on Urban Affairs
- Chicago Department of Children & Youth Services
- Chicago Metropolis 2020
- Chicago Urban League
- Child & Family Law, Loyola University
- Child Care Association of Illinois
- Children & Family Justice Center, Northwestern University
- Children’s Home Association of Illinois
- Civic Federation
- Community Behavioral Healthcare Association of Illinois
- Community Justice for Youth Institute
- Cook County Bar Association
- Cook County Public Defenders Office
- DuPage County Area Project
- Edwin F. Mandel Legal Aid Clinic, University of Chicago Law School
- Family Cares Mission
- Fight Crime: Invest in Kids Illinois
- Generations of Hope, Rantoul
- Illinois Association of Chiefs of Police
- Illinois Chapter of the American Association of Pediatrics
- Illinois Coalition for Community Services
- Illinois Collaboration on Youth
- Illinois Sheriffs Association
- Illinois State’s Attorneys Association
- Illinois State PTA
- Jewish Children’s Bureau
- John Howard Association
- Juvenile Justice Commission
- Juvenile Justice Initiative
- Kids Hope United
- Latino Youth
- League of Women Voters of Illinois
- Loyola University Chicago, Civitas Childlaw Center
- Lutheran Child and Family Services of Illinois
- Martin Luther King Jr. Center, Freeport
- Metropolitan Alliance of Congregations
- Our Children’s Homestead
- Protestants for the Common Good
- Safer Foundation
- South Suburban DMC
- TARGET Area Development Corp.
- Treatment Alternatives for Safe Communities
- Voices for Illinois Children
- Youth Network Council
- Youth Outreach Services

NEWSPAPERS THROUGHOUT ILLINOIS SUPPORT LEGISLATION TO CREATE A NEW DEPARTMENT OF JUVENILE JUSTICE

“An amendment to a bill coming before the House would allow the creation of a Department of Juvenile Justice but would also guarantee present union jobs and allow workers special training to deal with young offenders. The amendment makes absolute sense and should be approved by the House before this veto session ends. The sooner we help our young people who've gone astray to be rehabilitated, the sooner we will make our state a safer place to live.”

CHICAGO SUN-TIMES editorial (November 1, 2005)

“It is in everyone’s best interest to place the emphasis on rehabilitation in the juvenile justice system; the best first step in that direction is to take the kids out of the adult corrections department so the new mission can clearly be targeted.”

DAILY SOUTHTOWN editorial (October 17, 2005)

“There are a hundred reasons why radical change is needed within the state’s juvenile prison system. . . . This is not a popular idea with leaders of unions that represent Corrections Department employees. They argue it will create more bureaucracy and that they can start doing better by kids if they just have more money. Unfortunately, it’s going to take a lot more than money to change what has become a counterproductive, punitive culture in juvenile corrections. It’s going to take a new start, a new mindset, and a separate department.”

CHICAGO TRIBUNE editorial (September 22, 2005)

“The current system provides Stateville for adults and Jr. Statevilles for younger offenders. It is acting more like a prison preparatory school than a place to get youthful offenders back on the straight and narrow. It is time for a change. The current system is both ineffective and inefficient.

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“This reform is too important to be sidetracked by parochial job concerns. The General Assembly should be more concerned about doing the job of juvenile justice right than in guaranteeing union jobs. Juvenile justice needs independence from the adult system as is the case in 39 other states.”

STATE JOURNAL-REGISTER editorial (October 23, 2005)

“By any measure, Illinois’ juvenile corrections system is not working. Lawmakers need to create a new Department of Juvenile Justice, like a similar agency in Missouri, that would put an emphasis on rehabilitation for juvenile offenders.”

CHAMPAIGN-URBANA NEWS-GAZETTE editorial (October 18, 2005)

“The current system does juvenile inmates a disservice, and puts their hometowns at risk when they return from prison worse than when they went in. . . .the status quo cannot continue and that an agency focused solely on youth, while not a panacea, would serve them better. Lawmakers ought to give this a chance. “

PEORIA JOURNAL STAR editorial (October 22, 2005)

“Taxpayers don’t need any new bureaucracies to support. Fortunately, proponents of the change are aware of this and have worked with the state Office of Management and Budget to ensure that the existing Department of Corrections would still handle such matters as human resources, payroll and other administrative duties that would be expensive to duplicate in a new department.”

THE DAILY HERALD OF ARLINGTON HEIGHTS editorial (October 25, 2005)

Getting lost behind bars

Editorial: Chicago Tribune

October 28, 2005

Nearly half of all juvenile offenders in Illinois will return to the state's youth prison system within three years.

That's a disgrace. It doesn't have to be that way, though. Other states, with Missouri leading the pack, are radically reforming their juvenile corrections systems. The first step is to separate the juvenile division into its own, independent department. The results can be seen in thousands of lives turned around, lower recidivism rates and small numbers of youths in prison.

Therein lies one beauty of youth; research shows adolescents are far more amenable to rehabilitation than adults.

But the Illinois correctional system is virtually incapable of distinguishing between adult and juvenile inmates. That's because juveniles make up only 3 percent of the total inmate population. They're pretty much an afterthought for the Department of Corrections.

Don't take our word for how bad Illinois' system is. Take it from Will County Sheriff Paul Kaupus. "When juveniles in Illinois are removed from society and sent to the Illinois Department of Corrections, they are punished, put behind barbed wire and bars. But they usually don't `learn their lesson.' They learn more about being criminals and frequently come right back into the system for more punishment at a high cost to taxpayers, as well as the child's future," Kaupus wrote in Tuesday's Joliet Herald News. "The juvenile correctional system in Illinois has become more a breeding ground for future criminals than a system aimed at rehabilitating youths."

Unfortunately, the political debate on this has turned more on who might lose their jobs in a prison reorganization--and who might lose their political base among state prison workers--rather than on how well kids would be rehabilitated.

If you better handle kids who are in trouble, you will improve public safety.

Nothing short of a cultural revolution inside the state's youth prisons will turn this situation around and put Illinois on the track that other states are on.

State legislators have the opportunity right now to do something about it.

The General Assembly is poised to vote on a measure to separate the juvenile correctional system from the adult system and to increase education and training standards for youth officers. That's a critical step toward changing the juvenile corrections culture so it focuses more on treatment, counseling and planning for what happens after a youth is released.

Legislative leaders, Gov. Rod Blagojevich and others have worked out a way to accomplish this without creating a large new bureaucracy and adding significant expense for the state.

Forty states have recognized it makes no sense to mix kids and adults and have created separate penal systems. Today it should be our turn.