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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."*

September 29, 2020

**RE: Testimony  
Criminal Justice Subject Matter Hearing**

Members of the Legislature,

My name is Elizabeth Clarke and I am the founder and President of the Juvenile Justice Initiative, a nonprofit and independently funded juvenile justice public policy organization.

I want to thank Senate Criminal Law Chair Sims, Public Safety Chair Peters, and House Judiciary Criminal Chair Slaughter and the members of the committees for holding these hearings on these critical issues in criminal justice. We are particularly grateful that you are looking at the impact of arrests and considering civil citations rather than misdemeanor arrests.

JJI has been examining the issue of young adult justice over the last five years, compiling data and reports that document the particularly egregious impact of misdemeanor arrests on young adults.

Our reports reveal **misdemeanor arrests account for a quarter of jail admissions for young adults**. According to data from the Cook County Sheriff's Office of Research, in CY2018, of the 6,405 young adults (age 18-21) admitted to the Cook County Jail, 25% were arrested for misdemeanors. [Cannabis charges made up 8% of the young adult misdemeanor admissions.]. Even more troubling - an additional 810 young adults (13%) were admitted to Cook County jail in 2018 based on arrests for petty or traffic crimes.

**The racial disparities are profound.** In CY2018, only 6% of the young adult admissions to Cook County jail were White - 72% were Black and another 20% were Hispanic/Latino.

**Most young adult jail admissions are for short stays – indicating they are not a danger to the community.** The Cook County Sheriff's office reported that 52% of young adults spent less than a week in the jail in CY2018, and 42% spent less than 3 days. These short stays are highly disruptive to housing, education, employment and family connections. Pre-pandemic studies revealed that one in ten young adults ages 18 to 25 experience some form of homelessness each year.

A recent report focusing on the Great Lakes Region calls for a new approach to young adult justice.<sup>1</sup>

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<sup>1</sup> *Rethinking Justice for Emerging Adults: Spotlight on the Great Lakes Region*, <https://jlc.org/resources/rethinking-justice-emerging-adults-spotlight-great-lakes-region#:~:text=Rethinking%20Justice%20for%20Emerging%20Adults%3A%20Spotlight%20on%20the%20Great%20Lakes%20Region,-Karen%20U.&text=New%20research%20shows%20that%20emerging,they%20are%20treated%20very%20differently.>

*New research shows that emerging adults—young people roughly ages 18 to 24—share many of the same characteristics as teens in the juvenile justice system, yet they are treated very differently. Emerging adults ... experience the worst racial disparities in incarceration and arrest rates of any age group. This report aims to lay the groundwork for more developmentally appropriate responses to emerging adults at risk of justice system involvement, with a particular focus on opportunities for reform in the Great Lakes region.*

Communities are increasingly substituting civil citations for misdemeanor arrests.. Miami-Dade County has a nationally acclaimed civil citation program for juveniles with misdemeanor conduct that has dramatically reduced arrest and detention populations, has a successful completion rate of over 80%, and has a low recidivism rate of 9%.<sup>2</sup>

An alternative approach to young adult justice, already adopted by the state of Vermont, involves raising the age of juvenile court. State Sen. Laura Fine has a bill (SB239) which would raise the age of juvenile courts to 21 for misdemeanor charges.<sup>3</sup> This proposal includes a graduated implementation which gives the state time to study the population as they are integrated into the juvenile system for better long-term outcomes, would grant young adults access to aftercare services currently available to the juvenile population and would not prevent the transfer to adult court if the prosecutor and judge believe the case should be transferred.

We strongly urge the Legislature to look at these recommendations as we move towards building a more equitable system of justice based on stronger and more resilient communities.

Regards,

Elizabeth Clarke  
President, Juvenile Justice Initiative

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<sup>2</sup> <https://silo.tips/download/miami-dade-civil-citation-program>

<sup>3</sup>

<https://www.ilga.gov/legislation/billstatus.asp?DocNum=239&GAID=15&GA=101&DocTypeID=SB&LegID=116136&SessionID=108>