

Chapter 10: Dispositional Alternatives in Illinois

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(Information in this section is condensed from 705 ILCS 405 unless otherwise noted)

Under the Illinois Juvenile Court Act, a judge has a variety of sentencing options available to ensure that juveniles adjudicated delinquent (up to age 16, found to be guilty of a criminal offense) are held accountable. A juvenile found delinquent will receive one or more of the following sentences (dispositions).

Referral to the Illinois Department of Corrections:

The Juvenile Division of the Illinois Department of Corrections employed some 1,276 workers in June of 2005 (Illinois Department of Corrections [IDOC], 2005). The per capita cost for housing a juvenile in one of the eight facilities was \$70, 827. The average length of stay for delinquents was 8.8 months and the recidivism rate for the period 2002 to 2005 was reported to be 48%.

There are several programs designed to assist the Department of Corrections in dealing with minors.

Juvenile Monitoring Information System (JMIS)

<http://www.dhs.state.il.us/page.aspx?item=32235>

“The Juvenile Monitoring Information System - JMIS - is a web-based management information system that allows all Illinois Juvenile Detention Centers to electronically submit data (either live or through uploading), search for detained youth and generate numerous reports about these youth so the information can be received quickly by the State. JMIS assists all of the Juvenile Detention Centers, the Illinois Juvenile Justice Commission (IJJC), the Department of Human Services (DHS), and the Administrative Office of the Illinois Courts (AOIC) in organizing, documenting and generating reports on the youth entering any Illinois juvenile detention facility. The JMIS system allows for submission of data from the juvenile detention centers in a way to allow counties and facilities to review their own data, view standardized reports, and to see if the juvenile they are holding has been held in the state anywhere before.

Restrictions

- JMIS Permissions are:
 - View Juvenile Records - view only, no modification of data.
 - View/Add Juvenile Records.
 - View/Add/Edit Juvenile Records.
 - View/Add/Edit/Delete Juvenile Records
 - View ALL Reports
 - View Detention Center Reports - this gives access to your specific detention center data only.
 - Detention Center Administrator - this is the person at each site that will administer the security levels and the access for all staff. (One administrator is recommended per site).
 - Upload Records - this gives ability to upload records from your information management system (i.e., Tracker) to JMIS.

- Multiple choices may be selected per user.
- Press Save to ensure the appropriate Permissions are saved to the user.”

Juvenile Justice Transportation

(Administered by: [Bureau of Youth Services and Delinquency Prevention](http://www.dhs.state.il.us/page.aspx?item=31992))
<http://www.dhs.state.il.us/page.aspx?item=31992>

“The Illinois Juvenile Court specifies that youth under the age of 17 who are accused of a criminal offense may not be held in an adult jail for longer than six hours. However, many of these young people do not have a way of getting to the youth detention facilities to which they have been assigned. Through Illinois' federal juvenile justice grant, the Division is able to provide grant funds to support the transportation of youth from county jails to juvenile detention centers, each grantee county serves a large, multi-county area.”

Probation or Conditional Discharge: For a juvenile adjudicated delinquent and sentenced to probation (for up to five years or until age 21, whichever comes first), the county probation department supervises and monitors the juvenile. In addition to monitoring compliance with court-imposed conditions, the probation department also provides both direct and referral services. Direct services range from general counseling to specific treatment and supervision strategies for specialized caseloads. Referral services range from professional assessment and psychological services to placements for residential treatment.

The standard for caseload sizes states that each probation officer should spend 120 hours per month supervising offenders. Also, the standard requires that each probationer receive three hours of supervision each month. This translates into probation officers having 40 cases. The Probation Division is exploring a more qualitative caseload standard with more emphasis on developing case plans based on the offender's individual needs.

The Administrative Office of the Illinois Courts Probation Division develops and monitors probation standards, including those related to hiring, promoting, training, and qualifications. Individuals interested in becoming probation officers must first receive certification from the Administrative Office of the Illinois Courts Probation Division in order to be hired. The Probation Division certifies candidates for employment if they possess a bachelor's degree in criminal justice, law enforcement, psychology, sociology, social work, or a related social science. Certified candidates are then placed on a hiring list. Probation officers must attend basic training within the first year of service. The Probation Division conducts a 40 hour, one week training session several times a year.

According to Adams, Olson, and Adkins (2002): “Despite the fact that most juveniles adjudicated delinquent are sentenced to probation in Illinois, relatively little is known about the characteristics of these offenders, the conditions imposed as part of their probation term, and the outcomes of these sentences. The lack of information is primarily due to the organization of probation in Illinois: while there is state involvement and some financial support provided through the Illinois Supreme Court's Administrative Office of the Illinois Courts (AOIC), for the most part probation is organized, supported and carried out by Illinois' county units of government. To fill the gap in information about Illinois' juvenile probation population, and the effectiveness of probation, AOIC has collaborated with local probation departments and the Illinois Criminal Justice Information Authority over the past 10 years to collect detailed, probationer-level data to support program and policy development in the state. The 2000 Illinois Probation Outcome Study is the latest, and most comprehensive, effort to assess the needs and impact of probation in Illinois. Based on the collection and analyses of data from a sample of more than 820 juvenile probationers discharged during 2000, the following conclusions are offered:

- Illinois' probation departments are handling larger caseloads than ever, comprised of juvenile probationers with a broad array of risk factors and needs. Specifically, almost 15 percent of juvenile probationers had dropped out or were truant from school, over 40 percent lived in households with annual incomes below \$20,000, the majority live with only one parent, over one-half had alcohol or

illegal drug abuse problems, and almost 20 percent had previously been through the justice system before;

- Juveniles placed on probation in Illinois are not only monitored by probation officers, but many are also required to participate in treatment programs, pay fees and fines to offset the costs of the justice system's operations, and some are also required to perform community service and submit to urinalysis. Statewide, over one-quarter of juvenile probationers were ordered to pay fees and over 20 percent to pay court costs, which averaged \$127 and \$108 per probationer, respectively. Of the 42 percent ordered to perform community service, each was ordered to perform, on average, 41 hours of this service;
- In general, the outcomes of juvenile probation sentences in Illinois are quite positive. Slightly more than one-third of juvenile probationers were rearrested for a new offense while on probation, and few of these were violent in nature. This is particularly encouraging given the extensive risk factors evident across this population. Overall, less than 15 percent of the probationers had their sentence revoked due to either a new crime or a technical violation, but of those revoked, almost 60 percent were sentenced to the Illinois Department of Corrections;
- There are also a number of other dimensions that were considered when assessing the impact and efficacy of probation in Illinois: overall, 70 percent of those ordered to treatment either completed it, or were still enrolled in it, by the end of probation; of those with financial conditions ordered, the majority paid the full amount by the end of the sentence (an average of \$136 per probationer); and over three-quarter of juvenile probationers completed all ordered community service.”

Foster Care Placement:

“Foster care is the temporary placement by the Department of children outside their homes due to abuse, neglect or dependency. Placing a child in substitute care - a foster family home, group home or institution - is not intended as a permanent living arrangement but to protect the child with the ultimate goal of returning the child home. Substitute care placements are selected to provide secure, nurturing and homelike settings for children. When it is not possible to return a child home safely, the Department seeks a new goal of adoption.

Substitute Care Services include Foster Family Care, Relative Care, Group Home or Institutional Care, Independent Living, Protective Day Care, Homemakers, Counseling, Psychological Assessments of Children, Health Care, Crisis Intervention, Aid for Pregnant or Parenting Teens, and Preparation of Youth for Independent Living. Services for special populations include Unaccompanied Minor (refugee) Assistance and Wraparound Services for children returning from institutional placements to their communities.

DCFS has taken steps to reduce the number of children who require substitute care. Through new early intervention services, called Front End Redesign, families are given help immediately after their needs become apparent, even before a child abuse or neglect investigation is completed. These services may help prevent the need for a child to be placed into substitute care. In accordance with state and federal laws, an increased emphasis has been placed on early permanency that includes a child's return home, adoption, or guardianship. At its height in Fiscal Year 1997, 51,331 Illinois children were living in substitute care. Because of an increased emphasis on early intervention and permanency services such as adoption, that number has declined to 16,160 children in June 2007 -- a 67 percent decline compared to June 1998.”

<http://www.state.il.us/dcf/foster/index.shtml>

Illinois Department of Children and Family Services (DCFS):

“The Illinois Department of Children and Family Services provides child welfare services in Illinois. It is also the nation's largest state child welfare agency to earn accreditation from the Council on Accreditation for Children and Family Services (COA). The Department's organization includes the Divisions of [Child Protection](#), [Placement Permanency](#), Field Operations, Guardian & Advocacy, Clinical Practice & Professional Development, Service Intervention, Budget & Finance, Planning & Performance Management, and Communications. Other offices reporting to the Director include Human Resources, Legislative Affairs, General Counsel, Affirmative Action, External Affairs, the Chief of Staff, the Management Team Coordinator and Strategic Partnerships & information. The Department's Inspector General reports to both the Governor and the Director.

The Department's field offices are divided into six geographic regions, including Chicago area's [Cook North](#), [Cook Central](#) and [Cook South](#) Regions, and downstate's [Northern](#), [Central](#) and [Southern](#) Regions.

Our goal is to make sure all Illinois children live in safe and loving homes. I hope that our web site can provide you with useful information to help you navigate the state's child welfare system.”
<http://www.state.il.us.dcfs/about/ab.shtml>

In 2006, DCFS reports indicate 110,240 reports of alleged victims in family reports of suspected abuse/neglect. A family report can contain multiple alleged child victims and for statistical purposes all alleged victims are counted. Investigation revealed credible evidence that the abuse/neglect occurred in 26,573 cases. The number of alleged child victims in abuse/neglect reports where the alleged victim was reported for at least one allegation of sexual abuse was 8,961 in 2006, with investigation revealing that credible evidence existed in 2,384 cases. These data include duplicative counts, because a family or child may be reported to the Department more than once during any reporting period.
http://www.state.il.us/dcfs/library/com_communications_zipcants.shtml

Juveniles in Illinois may also be referred to substance abuse treatment, mental health treatment, medical treatment, sex offender treatment, temporary detention (placement in a detention center for up to 30 days [if 10 years of age or older]), and/or ordered to pay restitution for property damage.

Careful consideration should be given to available alternatives to incarceration of juveniles. Probation, whether within the juvenile's own family or in a foster home, has the advantage of maintaining ties between the juvenile and the community. Proper supervision and careful selection procedures to determine whether a youth can benefit from probation are essential. When incarceration is necessary to protect society, programs directed toward the eventual return of the juvenile to society should be stressed since almost all of these youths will be returning to society, and efforts must be made to ensure that time spent in institutions produces beneficial, not negative results. The negative effects of the delinquent subculture that develops in most institutions be ignored. All programs should be routinely evaluated to determine whether they are meeting their goals and the more general goals of rehabilitating youth while protecting society.

Review Questions

1. What are some of the dispositions available to Illinois juvenile court judges? How do these dispositions compare with dispositions in other states as discussed in Chapter 10 of the text?
2. What is the purpose of the Illinois Juvenile Monitoring Information System?

3. What has happened to the caseloads of juvenile probation officers over the past several years? Is this consistent with what is occurring in other states (see Chapter 10 in the text).?
4. Is the death penalty available as a dispositional alternative in juvenile court in Illinois? Why or why not?
5. Are there programs in the State of Illinois to transport juveniles to various facilities throughout the state? If so, what programs?