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SENATE JOINT RESOLUTION

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WHEREAS, In many parts of the State, juveniles are held in
3 detention facilities that are located hours away from the
4 courthouse in which their appearance is required; and

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WHEREAS, Many juveniles committed to the Department of
6 Juvenile Justice must return to juvenile courts across the
7 State for subsequent proceedings, often hours away from the
8 courthouse in which their appearance is required; and

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WHEREAS, In many counties throughout this State and in
State facilities the staff and resources needed to transport
11 juveniles for appearances in court are the same staff and
12 resources needed to operate State facilities or county juvenile
13 detention facilities and to continually monitor and provide for
14 juvenile detainees; and

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WHEREAS, Despite recent reductions in the rate of juvenile
detention and commitment to the Department of Juvenile Justice,
understaffing in juvenile institutions remains a critical
issue for State and local law enforcement; and

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WHEREAS, Decreased funding across all levels of law
enforcement continues to strain their ability to maintain
adequate facility staffing while also being responsible for the

1 transportation of the juveniles to the courthouse; and

2 WHEREAS, In addition to the financial burden on the State
3 and law enforcement to transport juveniles for court
4 appearances, inclement weather and the great distances
5 traveled, sometimes more than once in a day, place a strain on
6 the juvenile and may even pose a safety concern for everyone
7 involved; and

8 WHEREAS, There are constitutional mandates and practical
9 benefits to having the physical presence of a juvenile in
10 court; therefore, be it

11 RESOLVED, BY THE SENATE OF THE NINETY-EIGHTH GENERAL
12 ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES
13 CONCURRING HEREIN, that the Illinois Juvenile Justice
14 Commission is directed to study and make recommendations to the
15 Governor and General Assembly on cost-effective alternatives
16 to requiring the physical appearance of juveniles at every
17 court appearance, which may include the use of audio-visual
18 communication, waiver of appearance, or alternate hearing
19 schedules; and be it further

20 RESOLVED, That the Illinois Juvenile Justice Commission,
21 in consultation with the Department of Juvenile Justice, shall
22 utilize available information and research on best practices

1 within the State and across the nation, shall analyze current
2 funding for juvenile detention facilities, and shall work with
3 local judges, prosecutors, defense attorneys, and law
4 enforcement in finding alternatives to the current practices of
5 transporting juveniles among courthouses, county jails,
6 regional juvenile detention centers and State facilities while
7 ensuring that juveniles continue to have access to counsel and
8 upholding the constitutional and legal rights of all juveniles
9 involved in the justice system; and be it further

10 RESOLVED, That local judges, prosecutors, defense
11 attorneys, public defenders, and law enforcement are
12 encouraged to participate in this study and to also begin a
13 conversation of their own on ways of lessening the need for
14 juveniles to appear in person at every court appearance; and be
15 it further

16 RESOLVED, That the Illinois Juvenile Justice Commission
17 shall submit a report by March 1, 2015 to the Governor and
18 General Assembly with its recommendations and suggested
19 statutory changes; and be it further

20 RESOLVED, That a copy of this resolution shall be presented
21 to the Director of the Administrative Office of the Illinois
22 Courts, the Executive Director of the Office of the State's
23 Attorneys Appellate Prosecutor, the President of the Illinois

1 Public Defender Association, the President of the Illinois
2 Sheriff's Association, and the Executive Director of the
3 Illinois Juvenile Justice Commission who are each encouraged to
4 share this Resolution with their membership.