

1 AN ACT concerning government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Opportunities for Youth Diversion Task Force Act.

6 Section 5. Findings. The General Assembly finds that:

7 (1) an estimated 70% of youth who are arrested in the
8 United States have a mental health disorder;

9 (2) in many cases, this may contribute to the cause of
10 their arrest or may remain undiagnosed as they progress through
11 the juvenile justice system;

12 (3) in Cook County, at least one study found that 60% of
13 boys and 66% of girls detained in the Juvenile Temporary
14 Detention Center met the diagnostic criteria for one or more
15 psychiatric disorders;

16 (4) an appropriate system of care would be one in which
17 youth with identified mental health needs receive care through
18 the health care system in the community rather than in the
19 juvenile justice system;

20 (5) while some youth are diverted to hospitals while they
21 are in mental health crisis, often these youth do not require
22 hospitalization but are funneled through these hospitals
23 unnecessarily because of the lack of less intensive options

1 available to receive intermediate care;

2 (6) youth in these situations often need a quick assessment
3 and intermediate care, such as crisis intervention,
4 counseling, or case management;

5 (7) in contrast, a hospital assessment and a referral for
6 later community treatment are unnecessarily costly and
7 specialized;

8 (8) youth with undiagnosed mental health issues may be
9 arrested and processed through the juvenile justice system and
10 only receive treatment once they are deep in the juvenile
11 justice system;

12 (9) opportunities exist in several areas to eliminate
13 barriers to community based treatment for youth and increase
14 diversion programming that allows youth to receive treatment
15 and avoid further involvement with law enforcement or the
16 juvenile justice system; and

17 (10) establishing an Opportunities for Youth Diversion
18 Task Force to review best practices and guarantee
19 cross-collaboration among government entities and community
20 partners is essential to eliminating these barriers and
21 ensuring that youth in this State with mental health needs do
22 not end up unnecessarily tangled in the juvenile justice
23 system.

24 Section 10. Opportunities for Youth Diversion Task Force.

25 (a) There is created the Opportunities for Youth Diversion

1 Task Force within the Department of Human Services. The Task
2 Force shall be composed of no more than 23 voting members
3 including:

4 (1) Two members of the House of Representatives, one
5 appointed by the Speaker of the House of Representatives
6 and one appointed by the Minority Leader of the House of
7 Representatives.

8 (2) Two members of the Senate, one appointed by the
9 President of the Senate and one appointed by the Minority
10 Leader of the Senate.

11 (3) One representative of the Office of the Governor
12 appointed by the Governor.

13 (4) Fourteen members of the public:

14 (A) two representatives from health and hospital
15 systems, one appointed by the Speaker of the House of
16 Representatives and one appointed by the Minority
17 Leader of the House of Representatives;

18 (B) two representatives from community based
19 mental health providers that serve youth, one
20 appointed by the President of the Senate and one
21 appointed by the Minority Leader of the Senate;

22 (C) one representative from a statewide youth
23 juvenile justice advocacy organization, appointed by
24 the Speaker of the House of Representatives;

25 (D) one representative of an organization that
26 advocates for families and youth with mental illness,

1 appointed by the President of the Senate;

2 (E) two representatives from organizations with
3 expertise in Medicaid, health care, and juvenile
4 justice, one appointed by the Speaker of the House of
5 Representatives and one appointed by the President of
6 the Senate;

7 (F) one faculty member from a law school institute
8 with experience in juvenile justice, appointed by the
9 President of the Senate;

10 (G) one representative from law enforcement,
11 appointed by the Minority Leader of the Senate;

12 (H) one representative from law enforcement from
13 the Crises Intervention Training Unit, appointed by
14 the Minority Leader of the House of Representatives;

15 (I) one representative from the juvenile division
16 of a State's Attorney's office, appointed by the
17 Minority Leader of the Senate;

18 (J) one representative from the juvenile division
19 of a Public Defender's office, appointed by the
20 Minority Leader of the House of Representatives; and

21 (K) one representative from a clinical unit of
22 juvenile community corrections, appointed by the
23 Speaker of the House of Representatives.

24 (5) The following 4 officials shall serve as ex-officio
25 members:

26 (A) one representative from the Department of

1 Human Services Mental Health and Juvenile Justice
2 Program, appointed by the Secretary of Human Services;

3 (B) one representative from the Department of
4 Human Services Comprehensive Community Based Youth
5 Services Program, appointed by the Secretary of Human
6 Services;

7 (C) the Director of Healthcare and Family
8 Services, or his or her designee; and

9 (D) one representative from the Administrative
10 Office of the Illinois Courts, appointed by the
11 Director of the Administrative Office of the Illinois
12 Courts.

13 (b) Members shall serve without compensation and are
14 responsible for the cost of all reasonable and necessary travel
15 expenses connected to Task Force business. The Task Force
16 members shall not be reimbursed by the State for these costs.
17 Task Force members shall be appointed within 60 days after the
18 effective date of this Act. The Task Force shall hold its
19 initial meetings within 60 days after at least 50% of the
20 members have been appointed. The representatives of the
21 organization that advocates for families and youth with mental
22 illness and one of the representatives from an organization
23 with an expertise in Medicaid, health care, and juvenile
24 justice shall serve as co-chairs of the Task Force. At the
25 first meeting of the Task Force, the members shall select a 5
26 person Steering Committee that includes the co-chairs. The Task

1 Force may establish committees that address specific issues or
2 populations and may appoint individuals with relevant
3 expertise who are not appointed members of the Task Force to
4 serve on committees as needed.

5 (c) The Task Force shall:

6 (1) develop an action plan for State and local law
7 enforcement and other agencies to divert youth in contact
8 with law enforcement agencies that require mental health
9 treatment into the appropriate health care setting rather
10 than initial or further involvement in the juvenile justice
11 system;

12 (2) review existing evidence based models and best
13 practices around diversion opportunities for youth with
14 mental health needs from the point of police contact and
15 initial contact with the juvenile justice system;

16 (3) identify existing diversion programs across this
17 State and highlight implemented programs demonstrating
18 positive evidence based outcomes;

19 (4) identify all funding sources which can be used
20 towards improving diversion outcomes for youth with mental
21 health needs, including funds controlled by the State,
22 funds controlled by counties, and funding within the health
23 care system;

24 (5) identify barriers to the implementation of
25 evidence based diversion models and develop sustainable
26 policies and programs to address these barriers;

1 (6) recommend an action plan required by paragraph (1)
2 of this subsection (c) that includes pilot programs and
3 policy changes based on the research required by paragraphs
4 (3), (4), and (5) of this subsection (c) for increasing the
5 number of youth diverted into community based mental health
6 treatment rather than further engagement with the juvenile
7 justice system; and

8 (7) complete and deliver the action plan required by
9 paragraph (1) of this subsection (c) with recommendations
10 to the Governor and General Assembly within one year of the
11 first meeting of the Task Force.

12 (d) Upon the completion and delivery of the action plan to
13 the Governor and General Assembly, the Task Force shall be
14 dissolved.

15 Section 15. Repeal. This Act is repealed on December 31,
16 2018.