

1 AN ACT concerning criminal law.

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

4 Section 5. The Children and Family Services Act is amended  
5 by changing Section 17a-9 as follows:

6 (20 ILCS 505/17a-9) (from Ch. 23, par. 5017a-9)

7 Sec. 17a-9. Illinois Juvenile Justice Commission.

8 (a) There is hereby created the Illinois Juvenile Justice  
9 Commission which shall consist of 25 persons appointed by the  
10 Governor. The Chairperson of the Commission shall be appointed  
11 by the Governor. Of the initial appointees, 8 shall serve a  
12 one-year term, 8 shall serve a two-year term and 9 shall serve  
13 a three-year term. Thereafter, each successor shall serve a  
14 three-year term. Vacancies shall be filled in the same manner  
15 as original appointments. Once appointed, members shall serve  
16 until their successors are appointed and qualified. Members  
17 shall serve without compensation, except they shall be  
18 reimbursed for their actual expenses in the performance of  
19 their duties. The Commission shall carry out the rights,  
20 powers and duties established in subparagraph (3) of paragraph  
21 (a) of Section 223 of the Federal "Juvenile Justice and  
22 Delinquency Prevention Act of 1974", as now or hereafter  
23 amended. The Commission shall determine the priorities for

1 expenditure of funds made available to the State by the  
2 Federal Government pursuant to that Act. The Commission shall  
3 have the following powers and duties:

4 (1) Development, review and final approval of the  
5 State's juvenile justice plan for funds under the Federal  
6 "Juvenile Justice and Delinquency Prevention Act of 1974";

7 (2) Review and approve or disapprove juvenile justice  
8 and delinquency prevention grant applications to the  
9 Department for federal funds under that Act;

10 (3) Annual submission of recommendations to the  
11 Governor and the General Assembly concerning matters  
12 relative to its function;

13 (4) Responsibility for the review of funds allocated  
14 to Illinois under the "Juvenile Justice and Delinquency  
15 Prevention Act of 1974" to ensure compliance with all  
16 relevant federal laws and regulations;

17 (5) Function as the advisory committee for the State  
18 Youth and Community Services Program as authorized under  
19 Section 17 of this Act, and in that capacity be authorized  
20 and empowered to assist and advise the Secretary of Human  
21 Services on matters related to juvenile justice and  
22 delinquency prevention programs and services; ~~and~~

23 (5.5) Study and make recommendations to the General  
24 Assembly regarding the availability of youth services to  
25 reduce the use of detention and prevent deeper criminal  
26 involvement and regarding the impact and advisability of

1       raising the minimum age of detention to 14, and develop a  
2       process to assist in the implementation of the provisions  
3       of this amendatory Act of the 104th General Assembly; and

4               (6) Study the impact of, develop timelines, and  
5       propose a funding structure to accommodate the expansion  
6       of the jurisdiction of the Illinois Juvenile Court to  
7       include youth age 17 under the jurisdiction of the  
8       Juvenile Court Act of 1987. The Commission shall submit a  
9       report by December 31, 2011 to the General Assembly with  
10      recommendations on extending juvenile court jurisdiction  
11      to youth age 17 charged with felony offenses.

12           (b) On the effective date of this amendatory Act of the  
13      96th General Assembly, the Illinois Juvenile Jurisdiction Task  
14      Force created by Public Act 95-1031 is abolished and its  
15      duties are transferred to the Illinois Juvenile Justice  
16      Commission as provided in paragraph (6) of subsection (a) of  
17      this Section.

18      (Source: P.A. 96-1199, eff. 1-1-11.)

19           Section 10. The Juvenile Court Act of 1987 is amended by  
20      changing Section 5-410 as follows:

21           (705 ILCS 405/5-410)

22           Sec. 5-410. Non-secure custody or detention.

23           (1) Placement of a minor away from his or her home must be  
24      a last resort and the least restrictive alternative available.

1 Any minor arrested or taken into custody pursuant to this Act  
2 who requires care away from the minor's home but who does not  
3 require physical restriction shall be given temporary care in  
4 a foster family home or other shelter facility designated by  
5 the court.

6 (2) (a-1) On or after July 1, 2026 and before July 1, 2027,  
7 any minor 12 years of age or older arrested pursuant to this  
8 Act where there is probable cause to believe that the minor is  
9 a delinquent minor and that secure custody is a matter of  
10 immediate and urgent necessity, in light of a serious threat  
11 to the physical safety of a person or persons in the community  
12 or in order to secure the presence of the minor at the next  
13 hearing, as evidenced by a demonstrable record of willful  
14 failure to appear at a scheduled court hearing within the past  
15 12 months, may be kept or detained in an authorized detention  
16 facility. On or after July 1, 2027, minors age 12 years of age  
17 and under 13 years of age and charged with first degree murder,  
18 aggravated criminal sexual assault, aggravated battery in  
19 which a firearm was used in the offense, or aggravated  
20 vehicular hijacking, may be kept or detained in an authorized  
21 detention facility and any minor 13 years of age or older  
22 arrested pursuant to this Act where there is probable cause to  
23 believe that the minor is a delinquent minor and that secure  
24 custody is a matter of immediate and urgent necessity in light  
25 of a serious threat to the physical safety of a person or  
26 persons in the community, or to secure the presence of the

1 minor at the next hearing as evidenced by a demonstrable  
2 record of willful failure to appear at a scheduled court  
3 hearing within the past 12 months may be kept or detained in an  
4 authorized detention facility. ~~(a) Any minor 10 years of age~~  
5 ~~or older arrested pursuant to this Act where there is probable~~  
6 ~~cause to believe that the minor is a delinquent minor and that~~  
7 ~~(i) secure custody is a matter of immediate and urgent~~  
8 ~~necessity for the protection of the minor or of the person or~~  
9 ~~property of another, (ii) the minor is likely to flee the~~  
10 ~~jurisdiction of the court, or (iii) the minor was taken into~~  
11 ~~eustody under a warrant, may be kept or detained in an~~  
12 ~~authorized detention facility. A minor under 13 years of age~~  
13 ~~shall not be admitted, kept, or detained in a detention~~  
14 ~~facility unless a local youth service provider, including a~~  
15 ~~provider through the Comprehensive Community Based Youth~~  
16 ~~Services network, has been contacted and has not been able to~~  
17 ~~accept the minor.~~ No minor under 13 ~~12~~ years of age shall be  
18 detained in a county jail or a municipal lockup for more than 6  
19 hours.

20 (a-2) Probation and court services shall document and  
21 share on a monthly basis with the Illinois Juvenile Justice  
22 Commission each instance where alternatives to detention  
23 failed or were lacking, including the basis for detention, the  
24 providers who were contacted, and the reason alternatives were  
25 rejected, lacking or denied.

26 (a-3) Instead of detention, minors under the age of 13 who

1 are in conflict with the law may be held accountable through a  
2 community mediation program as set forth in Section 5-310 or  
3 through other court-ordered intervention services.

4 (a-5) For a minor arrested or taken into custody for  
5 vehicular hijacking or aggravated vehicular hijacking, a  
6 previous finding of delinquency for vehicular hijacking or  
7 aggravated vehicular hijacking shall be given greater weight  
8 in determining whether secured custody of a minor is a matter  
9 of immediate and urgent necessity for the protection of the  
10 minor or of the person or property of another.

11 (b) The written authorization of the probation officer or  
12 detention officer (or other public officer designated by the  
13 court in a county having 3,000,000 or more inhabitants)  
14 constitutes authority for the superintendent of any juvenile  
15 detention home to detain and keep a minor for up to 40 hours,  
16 excluding Saturdays, Sundays, and court-designated holidays.  
17 These records shall be available to the same persons and  
18 pursuant to the same conditions as are law enforcement records  
19 as provided in Section 5-905.

20 (b-4) The consultation required by paragraph (b-5) shall  
21 not be applicable if the probation officer or detention  
22 officer (or other public officer designated by the court in a  
23 county having 3,000,000 or more inhabitants) utilizes a  
24 scorable detention screening instrument, which has been  
25 developed with input by the State's Attorney, to determine  
26 whether a minor should be detained; however, paragraph (b-5)

1 shall still be applicable where no such screening instrument  
2 is used or where the probation officer, detention officer (or  
3 other public officer designated by the court in a county  
4 having 3,000,000 or more inhabitants) deviates from the  
5 screening instrument.

6 (b-5) Subject to the provisions of paragraph (b-4), if a  
7 probation officer or detention officer (or other public  
8 officer designated by the court in a county having 3,000,000  
9 or more inhabitants) does not intend to detain a minor for an  
10 offense which constitutes one of the following offenses, the  
11 probation officer or detention officer (or other public  
12 officer designated by the court in a county having 3,000,000  
13 or more inhabitants) shall consult with the State's Attorney's  
14 Office prior to the release of the minor: first degree murder,  
15 second degree murder, involuntary manslaughter, criminal  
16 sexual assault, aggravated criminal sexual assault, aggravated  
17 battery with a firearm as described in Section 12-4.2 or  
18 subdivision (e)(1), (e)(2), (e)(3), or (e)(4) of Section  
19 12-3.05, aggravated or heinous battery involving permanent  
20 disability or disfigurement or great bodily harm, robbery,  
21 aggravated robbery, armed robbery, vehicular hijacking,  
22 aggravated vehicular hijacking, vehicular invasion, arson,  
23 aggravated arson, kidnapping, aggravated kidnapping, home  
24 invasion, burglary, or residential burglary.

25 (c) Except as otherwise provided in paragraph (a), (d), or  
26 (e), no minor shall be detained in a county jail or municipal

1 lockup for more than 12 hours, unless the offense is a crime of  
2 violence in which case the minor may be detained up to 24  
3 hours. For the purpose of this paragraph, "crime of violence"  
4 has the meaning ascribed to it in Section 1-10 of the Substance  
5 Use Disorder Act.

6 (i) The period of detention is deemed to have begun  
7 once the minor has been placed in a locked room or cell or  
8 handcuffed to a stationary object in a building housing a  
9 county jail or municipal lockup. Time spent transporting a  
10 minor is not considered to be time in detention or secure  
11 custody.

12 (ii) Any minor so confined shall be under periodic  
13 supervision and shall not be permitted to come into or  
14 remain in contact with adults in custody in the building.

15 (iii) Upon placement in secure custody in a jail or  
16 lockup, the minor shall be informed of the purpose of the  
17 detention, the time it is expected to last and the fact  
18 that it cannot exceed the time specified under this Act.

19 (iv) A log shall be kept which shows the offense which  
20 is the basis for the detention, the reasons and  
21 circumstances for the decision to detain, and the length  
22 of time the minor was in detention.

23 (v) Violation of the time limit on detention in a  
24 county jail or municipal lockup shall not, in and of  
25 itself, render inadmissible evidence obtained as a result  
26 of the violation of this time limit. Minors under 18 years

1 of age shall be kept separate from confined adults and may  
2 not at any time be kept in the same cell, room, or yard  
3 with adults confined pursuant to criminal law. Persons 18  
4 years of age and older who have a petition of delinquency  
5 filed against them may be confined in an adult detention  
6 facility. In making a determination whether to confine a  
7 person 18 years of age or older who has a petition of  
8 delinquency filed against the person, these factors, among  
9 other matters, shall be considered:

10 (A) the age of the person;

11 (B) any previous delinquent or criminal history of  
12 the person;

13 (C) any previous abuse or neglect history of the  
14 person; and

15 (D) any mental health or educational history of  
16 the person, or both.

17 (d) (i) If a minor 12 years of age or older is confined in a  
18 county jail in a county with a population below 3,000,000  
19 inhabitants, then the minor's confinement shall be implemented  
20 in such a manner that there will be no contact by sight, sound,  
21 or otherwise between the minor and adult prisoners. Minors 12  
22 years of age or older must be kept separate from confined  
23 adults and may not at any time be kept in the same cell, room,  
24 or yard with confined adults. This paragraph (d) (i) shall only  
25 apply to confinement pending an adjudicatory hearing and shall  
26 not exceed 40 hours, excluding Saturdays, Sundays, and

1 court-designated holidays. To accept or hold minors during  
2 this time period, county jails shall comply with all  
3 monitoring standards adopted by the Department of Corrections  
4 and training standards approved by the Illinois Law  
5 Enforcement Training Standards Board.

6 (ii) To accept or hold minors, 12 years of age or older,  
7 after the time period prescribed in paragraph (d)(i) of this  
8 subsection (2) of this Section but not exceeding 7 days  
9 including Saturdays, Sundays, and holidays pending an  
10 adjudicatory hearing, county jails shall comply with all  
11 temporary detention standards adopted by the Department of  
12 Corrections and training standards approved by the Illinois  
13 Law Enforcement Training Standards Board.

14 (iii) To accept or hold minors 12 years of age or older,  
15 after the time period prescribed in paragraphs (d)(i) and  
16 (d)(ii) of this subsection (2) of this Section, county jails  
17 shall comply with all county juvenile detention standards  
18 adopted by the Department of Juvenile Justice.

19 (e) When a minor who is at least 15 years of age is  
20 prosecuted under the criminal laws of this State, the court  
21 may enter an order directing that the juvenile be confined in  
22 the county jail. However, any juvenile confined in the county  
23 jail under this provision shall be separated from adults who  
24 are confined in the county jail in such a manner that there  
25 will be no contact by sight, sound, or otherwise between the  
26 juvenile and adult prisoners.

1           (f) For purposes of appearing in a physical lineup, the  
2 minor may be taken to a county jail or municipal lockup under  
3 the direct and constant supervision of a juvenile police  
4 officer. During such time as is necessary to conduct a lineup,  
5 and while supervised by a juvenile police officer, the sight  
6 and sound separation provisions shall not apply.

7           (g) For purposes of processing a minor, the minor may be  
8 taken to a county jail or municipal lockup under the direct and  
9 constant supervision of a law enforcement officer or  
10 correctional officer. During such time as is necessary to  
11 process the minor, and while supervised by a law enforcement  
12 officer or correctional officer, the sight and sound  
13 separation provisions shall not apply.

14           (3) If the probation officer or State's Attorney (or such  
15 other public officer designated by the court in a county  
16 having 3,000,000 or more inhabitants) determines that the  
17 minor may be a delinquent minor as described in subsection (3)  
18 of Section 5-105, and should be retained in custody but does  
19 not require physical restriction, the minor may be placed in  
20 non-secure custody for up to 40 hours pending a detention  
21 hearing.

22           (4) Any minor taken into temporary custody, not requiring  
23 secure detention, may, however, be detained in the home of the  
24 minor's parent or guardian subject to such conditions as the  
25 court may impose.

26           (5) The changes made to this Section by Public Act 98-61

1 apply to a minor who has been arrested or taken into custody on  
2 or after January 1, 2014 (the effective date of Public Act  
3 98-61).

4 (Source: P.A. 103-22, eff. 8-8-23; 103-605, eff. 7-1-24.)

5 Section 15. The Unified Code of Corrections is amended by  
6 adding Sections 3-2.5-25 and 3-2.5-105 as follows:

7 (730 ILCS 5/3-2.5-25 new)

8 Sec. 3-2.5-25. Youth nonviolent crime resource program.

9 (a) The Department shall provide resources to persons  
10 under 18 years of age who have been adjudicated delinquent for  
11 a nonviolent crime. For the purpose of this Section, a  
12 nonviolent crime does not include the use or threat of force  
13 toward a person. The resources shall include:

14 (1) mentoring;

15 (2) access to educational resources in collaboration  
16 with the State Board of Education;

17 (3) employment training opportunities;

18 (4) behavioral health services, including trauma  
19 informed services;

20 (5) parent supports, including assistance applying for  
21 public health programs available through the Department of  
22 Human Services and other State agencies; and

23 (6) any other resources that the Department deems  
24 helpful to youth convicted of nonviolent crimes.

1       (b) The Department may provide services through existing  
2       or new service contracts with community agencies.

3       (c) The circuit courts and probation departments may refer  
4       youth to this program. The Department shall not provide any  
5       supervision of court-ordered conditions under this program.

6       (d) On or before July 1, 2028, the Department shall  
7       publicize on its website the program created under this  
8       Section and the process for referring eligible youth.

9       (e) The Department shall include the number of youth and  
10       families served and a summary of the types of services  
11       provided through this program in its annual report.

12       (730 ILCS 5/3-2.5-105 new)

13       Sec. 3-2.5-105. Child First Reform Task Force.

14       (a) The Child First Reform Task Force is created. The  
15       purpose of the Task Force is to review and study the current  
16       state of juvenile detention centers across the State. The Task  
17       Force shall consider the conditions and administration of  
18       individual juvenile detention centers, identify the resources  
19       needed to consistently meet the minimum standards set by the  
20       Department of Juvenile Justice and the Administrative Office  
21       of the Illinois Courts, evaluate complaints arising out of  
22       juvenile detention centers, identify best practices to provide  
23       detention center care, propose community-based alternatives to  
24       juvenile detention, and advise on the creation of the Youth  
25       Advisory Agency with youth justice advisors and district youth

1 advisory offices in each circuit court district. The Task  
2 Force shall also make recommendations for policy changes at  
3 the Department of Juvenile Justice to support child-first  
4 directives aligned with the policies and practices established  
5 in the Convention on the Rights of the Child that was adopted  
6 by the United Nations General Assembly on November 20, 1989,  
7 and became effective as an international treaty on September  
8 2, 1990.

9 (b) The Task Force shall consist of the following members:

10 (1) A member of the Senate appointed by the President  
11 of the Senate.

12 (2) A member of the Senate appointed by the Minority  
13 Leader of the Senate.

14 (3) A member of the House appointed by the Speaker of  
15 the House.

16 (4) A member of the House appointed by the Minority  
17 Leader of the House.

18 (5) A member appointed by the Director of Juvenile  
19 Justice.

20 (6) A member appointed by the Director of Human  
21 Rights.

22 (7) A member appointed by the Independent Juvenile  
23 Ombudsperson.

24 (8) A member appointed by the Independent Juvenile  
25 Ombudsperson who represents an organization that advocates  
26 for a community-based rehabilitation or systems impacted

1 individuals.

2 (9) A member appointed by the Independent Juvenile  
3 Ombudsperson who represents an organization that advocates  
4 for juvenile justice reform.

5 (10) Two members appointed by the Illinois Juvenile  
6 Justice Commission.

7 (11) A member appointed by the Director of the  
8 Governor's Office of Management and Budget.

9 (12) One member appointed by the Lieutenant Governor  
10 who is a member of a county board of a county operating a  
11 county detention facility.

12 (13) One member appointed by the Lieutenant Governor  
13 who is a juvenile detention officer, probation officer, or  
14 other facility employee at a county detention facility who  
15 makes the determination on whether to detain a juvenile at  
16 the county detention facility.

17 (14) A member appointed by the Lieutenant Governor  
18 from the Justice, Equity, and Opportunity Initiative.

19 (15) Two members appointed by the Director of Juvenile  
20 Justice who are over the age of 18 and who have served any  
21 amount of time in a county juvenile detention facility.

22 (16) A member appointed by the Director of the  
23 Illinois State Police.

24 (17) A member appointed by the Secretary of Human  
25 Services.

26 The Task Force may include 2 additional members appointed

1 by the Illinois Supreme Court.

2 (c) Appointments to the Task Force shall be made within 90  
3 days after the effective date of this amendatory Act of the  
4 104th General Assembly. Members shall serve without  
5 compensation.

6 (d) The Task Force shall meet at the call of a co-chair at  
7 least quarterly to fulfill its duties. The members of the Task  
8 Force shall select 2 co-chairs from among themselves at their  
9 first meeting.

10 (e) The Task Force shall:

11 (1) engage community organizations, interested groups,  
12 and members of the public for the purpose of assessing:

13 (A) community-based alternatives to detention and  
14 the adoption and implementation of such alternatives;

15 (B) the needs of juveniles detained in county  
16 detention facilities;

17 (C) strategic planning for a transition away from  
18 juvenile detention facilities;

19 (D) the establishment of more accountability  
20 between county facilities and the Department of  
21 Juvenile Justice, or if there would be a benefit for  
22 the State in operating detention centers for persons  
23 awaiting sentencing or court determination, in lieu of  
24 counties providing this service, when in extreme cases  
25 the county detention center is unable to pass minimum  
26 standards;

1           (E) evidence-based best practices regarding the  
2           delivery of services within detention centers,  
3           including healthcare and education;

4           (F) the integration of restorative practices into  
5           the juvenile detention system, focusing on healing,  
6           accountability, and community restoration;

7           (G) the implementation of child-first directives  
8           within the Department of Juvenile Justice and  
9           throughout the State;

10           (H) strategic planning for creating a Youth  
11           Advisory Agency with district youth advisory offices  
12           in each circuit court district;

13           (I) the implementation of youth justice advisors  
14           within the Youth Advisory Agency to guide juveniles  
15           through the juvenile justice process, including  
16           through interactions with law enforcement, the courts,  
17           and community-based alternatives to detention;

18           (J) how county juvenile detention facilities are  
19           currently funded;

20           (K) how to encourage the Illinois Supreme Court  
21           and relevant authorities to require, as a consistent  
22           part of continuing education, training on child-first  
23           directives, child rights, and the unique needs of  
24           minors in the justice system; and

25           (L) the establishment of training requirements by  
26           the Illinois Law Enforcement Training Standards Board

1 for law enforcement on child-first directives, child  
2 rights, and the unique needs of minors in the justice  
3 system;

4 (2) review available research and data on the benefits  
5 of community-based alternatives to detention versus the  
6 benefits of juvenile detention;

7 (3) review Administrative Office of the Illinois  
8 Courts, Department of Juvenile Justice, and Independent  
9 Ombudsperson monitoring reports to identify specific  
10 instances of non-compliance arising out of county juvenile  
11 detention facilities and patterns of noncompliance  
12 Statewide; and

13 (4) make recommendations or suggestions for changes to  
14 the County Shelter Care and Detention Home Act and the  
15 Unified Code of Corrections, including changes and  
16 improvements to the juvenile detention system.

17 (f) On or before January 1, 2029, the Task Force shall  
18 publish a final report of its findings and non-binding  
19 recommendations. The report shall, at a minimum, detail  
20 findings and recommendations related to the duties of the Task  
21 Force and the following:

22 (1) the process and standards used to determine  
23 whether a juvenile will be detained in a county facility;

24 (2) information and recommendations on detention  
25 facility standards, including how to ensure compliance  
26 with minimum standards, which facilities are chronically

1 noncompliant and the reasons for noncompliance, including  
2 specific instances of noncompliance, and penalties for  
3 noncompliance;

4 (3) strategic planning suggestions to transition away  
5 from juvenile detention;

6 (4) how county juvenile detention facilities are  
7 currently funded;

8 (5) recommendations on whether to establish more  
9 accountability between county facilities and the  
10 Department of Juvenile Justice, or whether the operation  
11 of all detention centers should be transferred to the  
12 Department of Juvenile Justice;

13 (6) how to incorporate restorative practices into the  
14 juvenile justice system;

15 (7) implementing child-first directives throughout the  
16 State;

17 (8) strategic planning suggestions on creating a Youth  
18 Advisory Agency with youth justice advisors and district  
19 youth advisory offices in each circuit court district;

20 (9) recommendations on the duties of youth justice  
21 advisors and the role they will serve in assisting  
22 juveniles through the juvenile justice process, including  
23 through interactions with law enforcement, the courts, and  
24 community-based alternatives to detention, and  
25 recommendations on how many youth justice advisors to  
26 staff for each circuit court district;

1           (10) strategic planning suggestions to encourage the  
2           Illinois Supreme Court and relevant authorities to  
3           require, as a consistent part of continuing education,  
4           training on child-first directives, child rights, and the  
5           unique needs of minors in the justice system; and

6           (11) strategic planning to require the Illinois Law  
7           Enforcement Training Standards Board to establish training  
8           for law enforcement on child-first directives, child  
9           rights, and the unique needs of minors in the justice  
10           system.

11           The final report shall be submitted to the General  
12           Assembly, the Offices of the Governor and Lieutenant Governor,  
13           the Chief Judge of each circuit court operating a county  
14           detention facility, the county board of each county operating  
15           a county detention facility, and the Office of the Attorney  
16           General.

17           (g) The Department of Juvenile Justice shall provide  
18           administrative support for the Task Force.

19           (h) This Section is repealed on June 1, 2029.

20           Section 99. Effective date. This Section and Section  
21           3-2.5-105 of the Unified Code of Corrections take effect June  
22           1, 2026. Section 3-2.5-25 of the Unified Code of Corrections  
23           takes effect January 1, 2028.