



Rep. Justin Slaughter

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10400SB2418ham002

LRB104 10980 RLC 26884 a

1 AMENDMENT TO SENATE BILL 2418

2 AMENDMENT NO. _____. Amend Senate Bill 2418 on page 1, by
3 inserting immediately below line 3 the following:

4 "Section 5. The Children and Family Services Act is
5 amended 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

1 shall serve without compensation, except they shall be
2 reimbursed for their actual expenses in the performance of
3 their duties. The Commission shall carry out the rights,
4 powers and duties established in subparagraph (3) of paragraph
5 (a) of Section 223 of the Federal "Juvenile Justice and
6 Delinquency Prevention Act of 1974", as now or hereafter
7 amended. The Commission shall determine the priorities for
8 expenditure of funds made available to the State by the
9 Federal Government pursuant to that Act. The Commission shall
10 have the following powers and duties:

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

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

17 (3) Annual submission of recommendations to the
18 Governor and the General Assembly concerning matters
19 relative to its function;

20 (4) Responsibility for the review of funds allocated
21 to Illinois under the "Juvenile Justice and Delinquency
22 Prevention Act of 1974" to ensure compliance with all
23 relevant federal laws and regulations;

24 (5) Function as the advisory committee for the State
25 Youth and Community Services Program as authorized under
26 Section 17 of this Act, and in that capacity be authorized

1 and empowered to assist and advise the Secretary of Human
2 Services on matters related to juvenile justice and
3 delinquency prevention programs and services; ~~and~~

4 (5.5) Study and make recommendations to the General
5 Assembly regarding the availability of youth services to
6 reduce the use of detention and prevent deeper criminal
7 involvement and regarding the impact and advisability of
8 raising the minimum age of detention to 14, and develop a
9 process to assist in the implementation of the provisions
10 of this amendatory Act of the 104th General Assembly; and

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

19 (b) On the effective date of this amendatory Act of the
20 96th General Assembly, the Illinois Juvenile Jurisdiction Task
21 Force created by Public Act 95-1031 is abolished and its
22 duties are transferred to the Illinois Juvenile Justice
23 Commission as provided in paragraph (6) of subsection (a) of
24 this Section.

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

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

3 (705 ILCS 405/5-410)

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

5 (1) Placement of a minor away from his or her home must be
6 a last resort and the least restrictive alternative available.
7 Any minor arrested or taken into custody pursuant to this Act
8 who requires care away from the minor's home but who does not
9 require physical restriction shall be given temporary care in
10 a foster family home or other shelter facility designated by
11 the court.

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

1 vehicular hijacking, may be kept or detained in an authorized
2 detention facility. On and after July 1, 2026, any minor 13
3 years of age or older arrested pursuant to this Act where there
4 is probable cause to believe that the minor is a delinquent
5 minor and that secure custody is a matter of immediate and
6 urgent necessity in light of a serious threat to the physical
7 safety of a person or persons in the community, or to secure
8 the presence of the minor at the next hearing as evidenced by a
9 demonstrable record of willful failure to appear at a
10 scheduled court hearing within the past 12 months may be kept
11 or detained in an authorized detention facility. (a) Any minor
12 ~~10 years of age or older arrested pursuant to this Act where~~
13 ~~there is probable cause to believe that the minor is a~~
14 ~~delinquent minor and that (i) secure custody is a matter of~~
15 ~~immediate and urgent necessity for the protection of the minor~~
16 ~~or of the person or property of another, (ii) the minor is~~
17 ~~likely to flee the jurisdiction of the court, or (iii) the~~
18 ~~minor was taken into custody under a warrant, may be kept or~~
19 ~~detained in an authorized detention facility. A minor under 13~~
20 ~~years of age shall not be admitted, kept, or detained in a~~
21 ~~detention facility unless a local youth service provider,~~
22 ~~including a provider through the Comprehensive Community Based~~
23 ~~Youth Services network, has been contacted and has not been~~
24 ~~able to accept the minor.~~ No minor under 13 ~~12~~ years of age
25 shall be detained in a county jail or a municipal lockup for
26 more than 6 hours.

1 (a-2) Probation and court services shall document and
2 share on a monthly basis with the Illinois Juvenile Justice
3 Commission each instance where alternatives to detention
4 failed or were lacking, including the basis for detention, the
5 providers who were contacted, and the reason alternatives were
6 rejected, lacking or denied.

7 (a-3) Instead of detention, minors under the age of 13 who
8 are in conflict with the law may be held accountable through a
9 petition under Article 3, Minors Requiring Authoritative
10 Intervention, or may be held accountable through a community
11 mediation program as set forth in Section 5-310.

12 (a-5) For a minor arrested or taken into custody for
13 vehicular hijacking or aggravated vehicular hijacking, a
14 previous finding of delinquency for vehicular hijacking or
15 aggravated vehicular hijacking shall be given greater weight
16 in determining whether secured custody of a minor is a matter
17 of immediate and urgent necessity for the protection of the
18 minor or of the person or property of another.

19 (b) The written authorization of the probation officer or
20 detention officer (or other public officer designated by the
21 court in a county having 3,000,000 or more inhabitants)
22 constitutes authority for the superintendent of any juvenile
23 detention home to detain and keep a minor for up to 40 hours,
24 excluding Saturdays, Sundays, and court-designated holidays.
25 These records shall be available to the same persons and
26 pursuant to the same conditions as are law enforcement records

1 as provided in Section 5-905.

2 (b-4) The consultation required by paragraph (b-5) shall
3 not be applicable if the probation officer or detention
4 officer (or other public officer designated by the court in a
5 county having 3,000,000 or more inhabitants) utilizes a
6 scorable detention screening instrument, which has been
7 developed with input by the State's Attorney, to determine
8 whether a minor should be detained; however, paragraph (b-5)
9 shall still be applicable where no such screening instrument
10 is used or where the probation officer, detention officer (or
11 other public officer designated by the court in a county
12 having 3,000,000 or more inhabitants) deviates from the
13 screening instrument.

14 (b-5) Subject to the provisions of paragraph (b-4), if a
15 probation officer or detention officer (or other public
16 officer designated by the court in a county having 3,000,000
17 or more inhabitants) does not intend to detain a minor for an
18 offense which constitutes one of the following offenses, the
19 probation officer or detention officer (or other public
20 officer designated by the court in a county having 3,000,000
21 or more inhabitants) shall consult with the State's Attorney's
22 Office prior to the release of the minor: first degree murder,
23 second degree murder, involuntary manslaughter, criminal
24 sexual assault, aggravated criminal sexual assault, aggravated
25 battery with a firearm as described in Section 12-4.2 or
26 subdivision (e) (1), (e) (2), (e) (3), or (e) (4) of Section

1 12-3.05, aggravated or heinous battery involving permanent
2 disability or disfigurement or great bodily harm, robbery,
3 aggravated robbery, armed robbery, vehicular hijacking,
4 aggravated vehicular hijacking, vehicular invasion, arson,
5 aggravated arson, kidnapping, aggravated kidnapping, home
6 invasion, burglary, or residential burglary.

7 (c) Except as otherwise provided in paragraph (a), (d), or
8 (e), no minor shall be detained in a county jail or municipal
9 lockup for more than 12 hours, unless the offense is a crime of
10 violence in which case the minor may be detained up to 24
11 hours. For the purpose of this paragraph, "crime of violence"
12 has the meaning ascribed to it in Section 1-10 of the Substance
13 Use Disorder Act.

14 (i) The period of detention is deemed to have begun
15 once the minor has been placed in a locked room or cell or
16 handcuffed to a stationary object in a building housing a
17 county jail or municipal lockup. Time spent transporting a
18 minor is not considered to be time in detention or secure
19 custody.

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

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

1 (iv) A log shall be kept which shows the offense which
2 is the basis for the detention, the reasons and
3 circumstances for the decision to detain, and the length
4 of time the minor was in detention.

5 (v) Violation of the time limit on detention in a
6 county jail or municipal lockup shall not, in and of
7 itself, render inadmissible evidence obtained as a result
8 of the violation of this time limit. Minors under 18 years
9 of age shall be kept separate from confined adults and may
10 not at any time be kept in the same cell, room, or yard
11 with adults confined pursuant to criminal law. Persons 18
12 years of age and older who have a petition of delinquency
13 filed against them may be confined in an adult detention
14 facility. In making a determination whether to confine a
15 person 18 years of age or older who has a petition of
16 delinquency filed against the person, these factors, among
17 other matters, shall be considered:

18 (A) the age of the person;

19 (B) any previous delinquent or criminal history of
20 the person;

21 (C) any previous abuse or neglect history of the
22 person; and

23 (D) any mental health or educational history of
24 the person, or both.

25 (d) (i) If a minor 12 years of age or older is confined in a
26 county jail in a county with a population below 3,000,000

1 inhabitants, then the minor's confinement shall be implemented
2 in such a manner that there will be no contact by sight, sound,
3 or otherwise between the minor and adult prisoners. Minors 12
4 years of age or older must be kept separate from confined
5 adults and may not at any time be kept in the same cell, room,
6 or yard with confined adults. This paragraph (d)(i) shall only
7 apply to confinement pending an adjudicatory hearing and shall
8 not exceed 40 hours, excluding Saturdays, Sundays, and
9 court-designated holidays. To accept or hold minors during
10 this time period, county jails shall comply with all
11 monitoring standards adopted by the Department of Corrections
12 and training standards approved by the Illinois Law
13 Enforcement Training Standards Board.

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

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

1 (e) When a minor who is at least 15 years of age is
2 prosecuted under the criminal laws of this State, the court
3 may enter an order directing that the juvenile be confined in
4 the county jail. However, any juvenile confined in the county
5 jail under this provision shall be separated from adults who
6 are confined in the county jail in such a manner that there
7 will be no contact by sight, sound, or otherwise between the
8 juvenile and adult prisoners.

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

15 (g) For purposes of processing a minor, the minor may be
16 taken to a county jail or municipal lockup under the direct and
17 constant supervision of a law enforcement officer or
18 correctional officer. During such time as is necessary to
19 process the minor, and while supervised by a law enforcement
20 officer or correctional officer, the sight and sound
21 separation provisions shall not apply.

22 (3) If the probation officer or State's Attorney (or such
23 other public officer designated by the court in a county
24 having 3,000,000 or more inhabitants) determines that the
25 minor may be a delinquent minor as described in subsection (3)
26 of Section 5-105, and should be retained in custody but does

1 not require physical restriction, the minor may be placed in
2 non-secure custody for up to 40 hours pending a detention
3 hearing.

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

8 (5) The changes made to this Section by Public Act 98-61
9 apply to a minor who has been arrested or taken into custody on
10 or after January 1, 2014 (the effective date of Public Act
11 98-61).

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

14 on page 1, line 4, by renumbering "Section 5" as "Section 15";
15 and

16 on page 1, by replacing line 5 with the following:

17 "adding Sections 3-2.5-25 and 3-2.5-105 as follows:"; and

18 on page 2, by inserting immediately below line 11 the
19 following:

20 "(730 ILCS 5/3-2.5-105 new)

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

22 (a) The Child First Reform Task Force is created. The

1 purpose of the Task Force is to review and study the current
2 state of juvenile detention centers across the State. The Task
3 Force shall consider the conditions and administration of
4 individual juvenile detention centers, identify the resources
5 needed to consistently meet the minimum standards set by the
6 Department of Juvenile Justice and the Administrative Office
7 of the Illinois Courts, evaluate complaints arising out of
8 juvenile detention centers, identify best practices to provide
9 detention center care, propose community-based alternatives to
10 juvenile detention, and advise on the creation of the Youth
11 Advisory Agency with youth justice advisors and district youth
12 advisory offices in each circuit court district. The Task
13 Force shall also make recommendations for policy changes at
14 the Department of Juvenile Justice to support child-first
15 directives aligned with the policies and practices established
16 in the Convention on the Rights of the Child that was adopted
17 by the United Nations General Assembly on November 20, 1989,
18 and became effective as an international treaty on September
19 2, 1990.

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

21 (1) A member of the Senate appointed by the President
22 of the Senate.

23 (2) A member of the Senate appointed by the Minority
24 Leader of the Senate.

25 (3) A member of the House appointed by the Speaker of
26 the House.

1 (4) A member of the House appointed by the Minority
2 Leader of the House.

3 (5) A member appointed by the Director of Juvenile
4 Justice.

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

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

9 (8) A member appointed by the Independent Juvenile
10 Ombudsperson who represents an organization that advocates
11 for a community-based rehabilitation or systems impacted
12 individuals.

13 (9) A member appointed by the Independent Juvenile
14 Ombudsperson who represents an organization that advocates
15 for juvenile justice reform.

16 (10) Two members appointed by the Illinois Juvenile
17 Justice Commission.

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

20 (12) One member appointed by the Lieutenant Governor
21 who is a member of a county board of a county operating a
22 county detention facility.

23 (13) One member appointed by the Lieutenant Governor
24 who is a juvenile detention officer, probation officer, or
25 other facility employee at a county detention facility who
26 makes the determination on whether to detain a juvenile at

1 the county detention facility.

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

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

7 (16) A member appointed by the Director of the
8 Illinois State Police.

9 (17) A member appointed by the Secretary of Human
10 Services.

11 The Task Force may include 2 additional members appointed
12 by the Illinois Supreme Court.

13 (c) Appointments to the Task Force shall be made within 90
14 days after the effective date of this amendatory Act of the
15 104th General Assembly. Members shall serve without
16 compensation.

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

21 (e) The Task Force shall:

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

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

26 (B) the needs of juveniles detained in county

1 detention facilities;

2 (C) strategic planning for a transition away from
3 juvenile detention facilities;

4 (D) the establishment of more accountability
5 between county facilities and the Department of
6 Juvenile Justice, or if there would be a benefit for
7 the State in operating detention centers for persons
8 awaiting sentencing or court determination, in lieu of
9 counties providing this service, when in extreme cases
10 the county detention center is unable to pass minimum
11 standards;

12 (E) evidence-based best practices regarding the
13 delivery of services within detention centers,
14 including healthcare and education;

15 (F) the integration of restorative practices into
16 the juvenile detention system, focusing on healing,
17 accountability, and community restoration;

18 (G) the implementation of child-first directives
19 within the Department of Juvenile Justice and
20 throughout the State;

21 (H) strategic planning for creating a Youth
22 Advisory Agency with district youth advisory offices
23 in each circuit court district;

24 (I) the implementation of youth justice advisors
25 within the Youth Advisory Agency to guide juveniles
26 through the juvenile justice process, including

1 through interactions with law enforcement, the courts,
2 and community-based alternatives to detention;

3 (J) how county juvenile detention facilities are
4 currently funded;

5 (K) how to encourage the Illinois Supreme Court
6 and relevant authorities to require, as a consistent
7 part of continuing education, training on child-first
8 directives, child rights, and the unique needs of
9 minors in the justice system; and

10 (L) the establishment of training requirements by
11 the Illinois Law Enforcement Training Standards Board
12 for law enforcement on child-first directives, child
13 rights, and the unique needs of minors in the justice
14 system;

15 (2) review available research and data on the benefits
16 of community-based alternatives to detention versus the
17 benefits of juvenile detention;

18 (3) review Administrative Office of the Illinois
19 Courts, Department of Juvenile Justice, and Independent
20 Ombudsperson monitoring reports to identify specific
21 instances of non-compliance arising out of county juvenile
22 detention facilities and patterns of noncompliance
23 Statewide; and

24 (4) make recommendations or suggestions for changes to
25 the County Shelter Care and Detention Home Act and the
26 Unified Code of Corrections, including changes and

1 improvements to the juvenile detention system.

2 (f) On or before January 1, 2026, the Task Force shall
3 publish a final report of its findings and non-binding
4 recommendations. The report shall, at a minimum, detail
5 findings and recommendations related to the duties of the Task
6 Force and the following:

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

9 (2) information and recommendations on detention
10 facility standards, including how to ensure compliance
11 with minimum standards, which facilities are chronically
12 noncompliant and the reasons for noncompliance, including
13 specific instances of noncompliance, and penalties for
14 noncompliance;

15 (3) strategic planning suggestions to transition away
16 from juvenile detention;

17 (4) how county juvenile detention facilities are
18 currently funded;

19 (5) recommendations on whether to establish more
20 accountability between county facilities and the
21 Department of Juvenile Justice, or whether the operation
22 of all detention centers should be transferred to the
23 Department of Juvenile Justice;

24 (6) how to incorporate restorative practices into the
25 juvenile justice system;

26 (7) implementing child-first directives throughout the

1 State;

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

5 (9) recommendations on the duties of youth justice
6 advisors and the role they will serve in assisting
7 juveniles through the juvenile justice process, including
8 through interactions with law enforcement, the courts, and
9 community-based alternatives to detention, and
10 recommendations on how many youth justice advisors to
11 staff for each circuit court district;

12 (10) strategic planning suggestions to encourage the
13 Illinois Supreme Court and relevant authorities to
14 require, as a consistent part of continuing education,
15 training on child-first directives, child rights, and the
16 unique needs of minors in the justice system; and

17 (11) strategic planning to require the Illinois Law
18 Enforcement Training Standards Board to establish training
19 for law enforcement on child-first directives, child
20 rights, and the unique needs of minors in the justice
21 system.

22 The final report shall be submitted to the General
23 Assembly, the Offices of the Governor and Lieutenant Governor,
24 the Chief Judge of each circuit court operating a county
25 detention facility, the county board of each county operating
26 a county detention facility, and the Office of the Attorney

1 General.

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

4 (h) This Section is repealed on January 1, 2028.

5 Section 99. Effective date. This Section and Section
6 3-2.5-105 of the Unified Code of Corrections take effect upon
7 becoming law. Section 3-2.5-25 of the Unified Code of
8 Corrections takes effect July 1, 2026.".