

Transfer Data in Illinois: Gaps and Opportunities

This summary of data about Illinois children transferred from juvenile court to face charges as adults in criminal court is one in a series of briefing documents highlighting key components of the state's juvenile justice system. These briefing documents are intended to inform and assist researchers, policy makers and practitioners and to respond to queries posed by the Illinois Juvenile Justice Leadership Council.

Overview: There is little official, statewide data available to inform policymakers about the numbers and characteristics of youth (13 to 17 years old) tried as adults in Illinois, the offenses involved, the disposition of these cases or the outcomes achieved through transfer. The data that is gathered and reported indicates stark patterns of racial, ethnic and geographic disparities in the use of transfer to adult courts.

Timely and complete data reporting on the trial and sanctioning of youth as adults – including fundamental information about the numbers of youth transferred and the sanctions applied to them – would aid policymakers and practitioners alike. Data on transfer could support effective policy and practice in a number of ways: addressing serious or violent offending by juveniles; crafting prevention and intervention strategies; reducing racial and ethnic disparities; ensuring effective court, probation and corrections practice; maintaining compliance with federal mandates on the incarceration of youth; and allocating program and personnel resources efficiently.

However, neither local or state justice agencies report or disseminate data on the transfer of youth to adult courts. As a result, there is no complete or timely statewide data on the number of youth tried, sentenced or sanctioned as adult in Illinois, the offenses alleged, conviction rates, incarceration rates, recidivism rates, victim characteristics, youth outcomes or the impact on public safety.¹ Research and data analysis prepared primarily by non-governmental organizations indicate racial, ethnic and geographic disparities in the trial of youth as adults in Illinois courts.²

This brief provides an overview of the transfer data collection mechanisms in place or lacking at each key “decision point” of the Illinois juvenile justice system. It is based, in part, on the analysis of the Center for Prevention Research and Development, University of Illinois at Champaign-Urbana, supported by the Models for Change Initiative.³

¹ Historically, limited data has been published in ad-hoc studies by non-governmental organizations or by the Criminal Justice Information Authority, often based on reconstructed data and / or review of individual youth files. While useful in the absence of other data sources, these studies are not long-term substitutes for readily-available, timely and complete public data sets.

² A 2014 report by the Juvenile Justice Initiative gathered individual youth files and data sets to examine transfers in Cook County from 2010 – 2012. JJI's report indicates that, of the 257 youth transferred during the report period, more than 98% were African American or Latino. *Automatic Adult Prosecution of Children in Cook County, Illinois (2010-2012)*, Juvenile Justice Initiative, April 2014.

³ For more information on Illinois' juvenile justice data systems, see *Overview of Illinois' Juvenile Justice Data Systems* in this briefing series.

Transfer Data Collection & Dissemination:

In Illinois, youth ages 13 – 17 can be tried, sentenced and sanctioned in adult courts under several statutory mechanisms, including excluded juvenile jurisdiction, mandatory transfer, presumptive transfer and discretionary transfer. Illinois law also provides that “once transferred / always transferred,” meaning that any subsequent cases involving the youth will be automatically transferred to the adult criminal court as well.

As with all juvenile justice data, information on transferred youth may be collected in a patchwork of municipal, county and state data systems. Not only do the actual data systems or programs vary, but there is wide variety in the types of data captured, the frequency with which data are recorded and reporting of that data.

Law Enforcement Contact: There is no uniform data system utilized by local law enforcement agencies to collect information on contacts with youth or the disposition of those contacts. Instead, agencies capture data manually, in a local database or in web-based systems. State law provides for reporting of crime and arrest data by law enforcement agencies into three statewide systems, including the **LEADS** system⁴ and the **Uniform Crime Reporting (UCR)** program,⁵ neither of which is designed nor intended to provide the kind of aggregate data needed on youth involved in the juvenile justice system for policy, research or planning purposes. In contrast, the **Criminal History Records Information (CHRI)** program is maintained by the Illinois State Police and utilized by over 1,200 agencies, beginning with law enforcement agencies for tracking individuals and cases throughout the court and corrections systems. CHRI is intended to capture individual criminal history record information and contains information on over 1.7 million offenders, including personal identification data, arrests, charging decisions, court disposition, sentencing data, and custody information.

While CHRI reporting is initiated by law enforcement agencies at arrest, the system is intended to capture information at *each stage of that individual's diversion from or progression through the criminal justice system*. Charge decisions, court processes, adjudication / convictions and sentencing information is to be reported by police agencies, state's attorneys and circuit court clerks. This reporting is mandated by the Illinois Criminal Identification Act (20ILCS 2630/2.1), which provides for reporting of all felony offenses. The act also allows (but does not require) the reporting of Class A or B misdemeanors for juveniles. However, as discussed below, CHRI reporting by justice system entities is incomplete and inconsistent.

State's Attorneys Information: Data on charges levied by prosecutors – including for transferred offenses – is largely unavailable at a local or state level.⁶ While state law requires that state's attorneys report disposition of every felony arrest to the state's CHRI system, reporting by state's attorneys is incomplete and inconsistent.

⁴ *The LEADS system is maintained by the Illinois State Police to provide real-time information on individuals and incidents to municipal, county, state and federal law enforcement, court and corrections agencies.*

⁵ *The UCR system is maintained by the Illinois State Police in accordance with federal law, which requires monthly reporting of aggregate and categorical information on crime and arrests. This UCR data is of limited utility, however, as it does not break down the information into juveniles vs. adults and reporting is not closely monitored.*

⁶ *While every prosecutor's office utilizes some method of capturing this information in individual cases, the methods of doing so range from paper case files and records to local electronic data systems for internal and confidential use.*

Court Functions: Court information is maintained in the data systems of 102 elected circuit court clerks, who have a great deal of autonomy in managing court information. As a result, clerks' data systems vary widely, and the manner of capturing data in transfer cases is not consistent, rendering collection of transfer data from multiple clerks' systems unfeasible, if not impossible. As with state's attorney data, reporting of court data and dispositions to the CHRI data system by circuit court clerks is inconsistent and often incomplete.⁷

Detention Data: The Illinois Juvenile Monitoring Information System (JMIS) is a web-based data platform that gathers and disseminates data on the detention of youth in all detention facilities in Illinois.⁸ While JMIS provides potentially robust information on the secure confinement of youth across the state, it is *not* intended to (and cannot reliably function as) a data source on transferred youth for several reasons: first, not all transferred youth are detained in a juvenile detention center; next, a youth's transfer status is often not settled at the time of detention admissions or release; and finally, transfer information may not be available to detention staff for entry into JMIS.

Probation: Like detention data, probation data cannot serve as a reliable source of complete information on transferred youth because not all transferred youth have contact with adult or juvenile probation systems. Some transferred youth are not convicted of the offenses charged; convicted youth may receive other sanctions or be committed directly to the Illinois Department of Corrections.⁹ While probation data is not a useful source of information on the entire population of youth transferred to adult courts in Illinois, aggregate probation assessment, services and outcome information could be used more fully at the local and statewide levels to analyze and successfully supervise and serve transferred youth placed on probation.

Illinois Department of Corrections and Department of Juvenile Justice: As with probation and detention data, neither IDJJ nor IDOC data can serve as a reliable source of complete information on transferred youth because only a fraction of transferred youth may be committed to the agencies. As with these other data sources, however, IDJJ and IDOC data could be more fully utilized to analyze the characteristics and outcomes of transferred youth who are incarcerated.

Conclusions / Recommendations:

Illinois continues to struggle with data gaps at all phases of the juvenile justice system, from arrest to court processes, to case disposition, probation and corrections. Improving the collection and dissemination of aggregate data on youth involved in the justice system, the justice system's response to youth and the outcomes achieved is a critical component of continued justice system improvement.

⁷ *The Administrative Office of the Illinois Courts collects annual aggregate / summary reports from trial courts; however, this data is not currently reported in a format that supports disaggregation or analysis.*

⁸ *JMIS is a collaborative data system. The Illinois Juvenile Justice Commission funded its development with support from the Illinois Department of Human Services; the Center for Prevention Research and Development at the University of Illinois Urbana-Champaign developed the program and infrastructure; and the Administrative Office of the Illinois Courts requires counties to report data on detention admission and utilizes JMIS data for analysis and planning. (For more information on the JMIS system, see the JMIS Brief in this series.)*

⁹ *Moreover, departments utilize one or more data bases, spreadsheets or systems which may or may not be connected or linked with juvenile detention or adult probation functions. Probation data is reported to the AOIC on a monthly basis in an aggregate format; much of this data is collected and tallied by hand.*

Because the trial and sentencing of teenagers as adults has profound consequences for young people, crime victims, communities, and justice systems, reporting transfer data is a particularly fundamental obligation of public justice systems.

In Illinois, the CHRI system appears to offer the best potential statewide data source on youth involved in the juvenile and adult justice systems – including transferred youth. As discussed above, however, reporting of prosecution and court information appears to be incomplete and inconsistent, hampering efforts to obtain a complete picture of the numbers, characteristics and outcomes of youth tried as adults. Addressing these data gaps, in turn, could provide policymakers, practitioners and advocates with information needed to assess the impact of the state’s transfer policies and practices on public safety and to craft intervention strategies which could more effectively prevent serious or violent offending, support crime victims and strengthen public safety.

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