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Cook County Board of Commissioners
118 N. Clark Street
Chicago, IL 60602

Re: HB 172 Restoring Judicial Discretion in the Transfer of Juveniles to Adult Court.

Dear Cook County Board,

I write this letter to persuade you to adopt a resolution urging the Illinois General Assembly to Pass HB 172 to Restore Judicial Discretion in the Transfer of Juveniles to Adult Court.

I am particularly interested in this topic as I represent a wonderful 15 year old (see attached photos) who is being tried as an adult under circumstances that highlight just how unfair the current law is in its draconian and rigid application.

My client, Eduardo Moreno is a good kid with good grades, who was the star of his bowling team and played soccer. His family is made up of his hard working parents and sister and constitutes what some might see as the ideal immigrant family. My client's predicament began like any other day for a 15 year kid; he was hanging out with some friends. His life changed when another kid from his neighborhood came by with a gun. A third kid, who was 19 years old, and a member of a local gang, came by and formulated a plan to attack some rival gang members a block away.

Eduardo never touched the gun. He didn't help formulate the plan. All Eduardo understood was that he was walking down the street to watch what would happen when the other two were going to do something exciting to some allegedly bad people. As soon as shots were fired Eduardo ran. A block later he practically ran into the arms of a police officer who was in the area. Eduardo wasn't present for the death of the young man shot in the street that day. It never occurred to Eduardo that what he was doing, going along to watch what some other people were doing, was illegal; which is why he fully cooperated with the police. Neither his Mother nor his Father were present for the questioning.

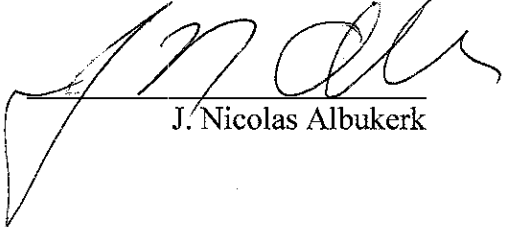
Eduardo in an attempt to assist the police ended up uttering the words that resulted in his being charged with murder.. As most adults can't comprehend accomplice liability, it is especially unfair to expose 15 year old children to adult consequences for something we can't realistically expect them to understand. . Punishing someone for a minimum of twenty years for something

he didn't physically do, didn't materially help, didn't understand was illegal and didn't plan serves no societal purpose.

With Eduardo's strong family support and good work in school, there should be no doubt that when Eduardo is old enough and experienced enough to understand the criminality of his conduct, rehabilitation, if it is in fact needed, should practically be instantaneous. . This is why a judge should have the discretion to analyze the individual circumstances of the crime, the role the child played in the crime and the other statutory factors before exposing a 15 year old to adult consequences. Eduardo, with the guidance and rehabilitation incumbent in Juvenile Court, will almost certainly be a productive member of society. A minimum of twenty years in the Illinois Department of Corrections for behavior Eduardo could not comprehend can only ensure that his employment opportunities are forever stunted, which could only encourage a future life of crime.

Please encourage our law makers to join the majority of states and allow judges the discretion to determine whether a juvenile is so bereft of humanity that such a child should be exposed to adult consequences.

Respectfully Submitted,



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