

Cook County Board of Commissioners
118 N. Clark Street
Chicago, IL 60602
February 6, 2015

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

Dear Cook County Board,

I am writing to support passage by the Cook County Board of Commissioner's of the resolution urging the Illinois General Assembly to Pass HB 172.

I am a private individual who is not part of an organization working in the juvenile justice area. I attended a speech given by Cook County President Toni Preckwinkle before the Union League Club of Chicago on Martin Luther King Day two weeks ago. I was moved by her call to the audience to become involved as volunteers in making our legal system more effective in dealing with juvenile offenders. I was glad to respond because this issue has been on my mind for a long time but I have felt powerless to do anything to make a difference.

I have lived in the Edgewater neighborhood of Chicago since 1987 and have spent many years attending CAPS meetings and hearing the pleas of community members for police to remove gang members and drug dealers from our community's streets. The more I participate the less I believe that incarceration for long periods is the uniformly appropriate way to deal with young lawbreakers. Some may have reached a mental state in which rehabilitation appears not to be possible, but it is both unjust and short-sighted not to give the majority of them the opportunity to be served by the resources of the juvenile court.

I recognize that the legal system is by its nature a blunt instrument that is difficult to tailor to meeting the needs of individual offenders and victims. But I believe House Bill 172 sponsored by State Representative Elaine Nekritz takes an important first step in dealing with juvenile offenders in a way that can lead to their rehabilitation rather than furthering their education as adult criminals, which is what incarceration as adults often achieves. Too often I have seen young gang members sent to prison at the community's behest only to be told by the CAPS officers that they were back on the streets as adults and this time having more responsible positions within the gang.

While, as a volunteer in the 48th Ward Court Advocacy program, I respect the effort of prosecutors in bringing these cases to trial, I do not believe that prosecutors should make the decision regarding the trial of juveniles as adults. We have given the experiment of removing judicial discretion from juvenile court judges just under thirty years to be a successful at improving public safety and juvenile incarceration outcomes. It has done neither. Judges are in a far better position to make an independent determination in these cases. As a friend of mine says, if judges are not allowed to make these decisions, then what are they there for? They are just referees, not judges.

Very truly,

Marsha F. Holland