



Rep. Robyn Gabel

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10200HB3767ham001

LRB102 15041 KMF 25184 a

1 AMENDMENT TO HOUSE BILL 3767

2 AMENDMENT NO. _____. Amend House Bill 3767, on page 4, by
3 replacing line 3 through line 20 with the following:

4 "(2) (a) On and after July 1, 2021, except for paragraphs
5 (a-1) and (a-2) of this subsection (2), any minor 13 years of
6 age or older arrested under this Act where there is probable
7 cause to believe that the minor is a delinquent minor and that
8 secure custody is a matter of immediate and urgent necessity
9 in light of a serious threat to the physical safety of a person
10 or persons in the community or to secure the presence of the
11 minor at the next hearing, as evidenced by a demonstrable
12 record of willful failure to appear at a scheduled court
13 hearing within the last 12 months, may be kept or detained in
14 an authorized detention facility. ~~Any minor 10 years of age or~~
15 ~~elder arrested pursuant to this Act where there is probable~~
16 ~~cause to believe that the minor is a delinquent minor and that~~
17 ~~(i) secure custody is a matter of immediate and urgent~~
18 ~~necessity for the protection of the minor or of the person or~~

1 ~~property of another, (ii) the minor is likely to flee the~~
2 ~~jurisdiction of the court, or (iii) the minor was taken into~~
3 ~~eustody under a warrant, may be kept or detained in an~~
4 ~~authorized detention facility. A minor under 13 years of age~~
5 ~~shall not be admitted, kept, or detained in a detention~~
6 ~~facility unless a local youth service provider, including a~~
7 ~~provider through the Comprehensive Community Based Youth~~
8 ~~Services network, has been contacted and has not been able to~~
9 ~~accept the minor.~~ No minor under 12 years of age shall be
10 detained in a county jail or a municipal lockup for more than 6
11 hours.

12 (a-1) Until July 1, 2022, any minor 11 years of age or
13 older arrested under this Act where there is probable cause to
14 believe that the minor is a delinquent minor and that secure
15 custody is a matter of immediate and urgent necessity in light
16 of a serious threat to the physical safety of a person or
17 persons in the community or to secure the presence of the minor
18 at the next hearing, as evidenced by a demonstrable record of
19 willful failure to appear at a scheduled court hearing within
20 the last 12 months, may be kept or detained in an authorized
21 detention facility. Prior to July 1, 2022, a minor aged 11
22 years old shall not be detained unless appropriate local
23 service providers, such as crisis intervention services
24 through Comprehensive Community Based Youth Services Network
25 or a local behavioral health service, have been contacted and
26 given an opportunity to develop an alternative to detention.

1 Until July 1, 2022, probation shall document and share on a
2 monthly basis with the Illinois Juvenile Justice Commission
3 each instance when alternatives to detention fail for a minor
4 aged 11, including the basis for detention, the providers that
5 were contacted, and the reason alternatives were rejected.

6 (a-2) Until July 1, 2023, any minor 12 years of age or
7 older arrested under this Act where there is probable cause to
8 believe that the minor is a delinquent minor and that secure
9 custody is a matter of immediate and urgent necessity in light
10 of a serious threat to the physical safety of a person or
11 persons in the community or to secure the presence of the minor
12 at the next hearing, as evidenced by a demonstrable record of
13 willful failure to appear at a scheduled court hearing within
14 the last 12 months, may be kept or detained in an authorized
15 detention facility. Prior to July 1, 2023, a minor aged 12
16 years old shall not be detained unless appropriate local
17 service providers, such as crisis intervention services
18 through Comprehensive Community Based Youth Services Network
19 or a local behavioral health service, have been contacted and
20 given an opportunity to develop an alternative to detention.
21 Until July 1, 2023, probation shall document and share on a
22 monthly basis with the Illinois Juvenile Justice Commission
23 each instance when alternatives to detention fail for a minor
24 aged 12, including the basis for detention, the providers that
25 were contacted, and the reason alternatives were rejected."