

JUVENILE JUSTICE DO'S & DON'TS

STOP. STAY CALM. THINK BEFORE YOU SAY OR DO ANYTHING.

DO NOT TALK TO POLICE WITHOUT YOUR LAWYER

NEVER TOUCH A POLICE OFFICER

BE RESPECTFUL IN COURT

*GET HELP IF YOU ARE VERY ANGRY OR VERY SAD OR
HAVING TROUBLE COPING WITH LIFE*

THE JUVENILE JUSTICE SYSTEM CAN BE SCARY AND CONFUSING, EVEN IF YOU HAVEN'T DONE ANYTHING WRONG. YOU MIGHT FEEL POWERLESS AND SCARED AROUND POLICE, LAWYERS AND JUDGES. THAT'S WHY IT'S IMPORTANT TO KNOW THAT YOU HAVE LEGAL RIGHTS THAT *NO ONE* CAN TAKE AWAY!



ModelsforChange

Systems Reform in Juvenile Justice

An initiative supported by the John D.
and Catherine T. MacArthur Foundation
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YOUR GUIDE TO THE
**JUVENILE
JUSTICE
SYSTEM**
IN ILLINOIS

**KNOW YOUR RIGHTS!
WHEN YOU KNOW YOUR
RIGHTS, YOU CAN PLAN
WHAT TO DO BEFORE
YOU HAVE A PROBLEM!**

This publication was prepared for the Illinois Mental Health and Juvenile Justice Action Network by Jean Davidson Meister, project manager, and Kim Miller, both of the Illinois Children's Mental Health Partnership; Elgin-Bokari T. Smith, illustrator, and Julie Biehl, Children and Family Justice Center, Northwestern University School of Law. Graphic design by Ashley Kittrell.

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Models for Change

Models for Change is an effort to create successful and replicable models of juvenile justice reform through targeted investments in key states, with core support from the John D. and Catherine T. MacArthur Foundation. Models for Change seeks to accelerate progress toward a more effective, fair, and developmentally sound juvenile justice system that holds young people accountable for their actions, provides for their rehabilitation, protects them from harm, increases their life chances, and manages the risk they pose to themselves and to the public. The initiative is underway in Illinois, Pennsylvania, Louisiana, and Washington, and through action networks focusing on key issues, in California, Colorado, Connecticut, Florida, Kansas, Maryland, Massachusetts, New Jersey, North Carolina, Ohio, Texas, and Wisconsin.

ModelsforChange
Systems Reform in Juvenile Justice



STOP. STAY CALM.

THINK BEFORE YOU SAY OR DO ANYTHING.

You **DO NOT** have to talk to police, no matter what police say.

You have a right to a lawyer, and police are supposed to stop questioning you as soon as you ask for one.

The police are supposed to contact your parent or an adult family member to tell them that you have been arrested. If you are stopped by police, stay calm and ask, "Am I free to go?" If the answer is yes, leave right away. If the answer is no, tell police you want a lawyer **AND** an adult family member. Don't say **ANOTHER** thing.



IF YOU ARE ARRESTED or held by police, tell police, "I don't want to talk." Just give your name and how to reach a parent or an adult family member. Even simple information, like where you were on a certain date, could hurt you later.

THE LAW ALLOWS POLICE TO SAY THINGS THAT ARE NOT TRUE to get information from you. For example, police might say that you can go home if you talk, or that someone says that he saw you commit a crime, even if this is not true.



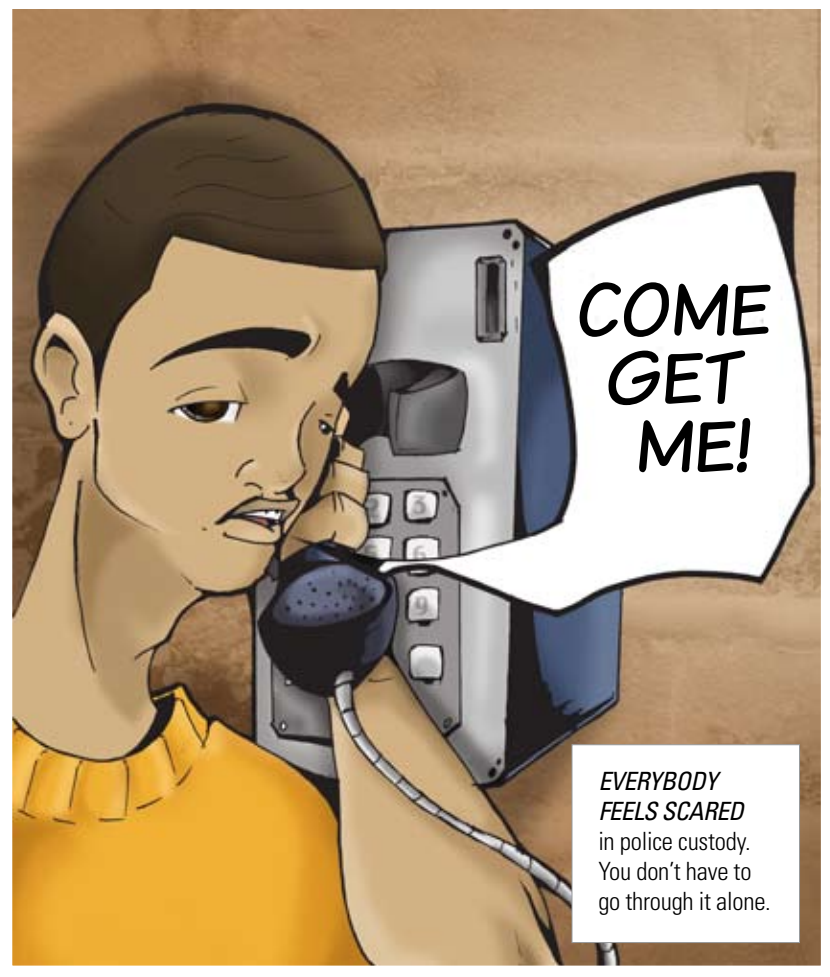
TELL POLICE HOW TO REACH YOUR PARENT or an adult family member. You should also tell police your name, address and date of birth.

IF YOU REFUSE TO TALK it doesn't mean you are guilty! You will have a chance to tell your side of the story later, with your lawyer to help you.

TELL POLICE THAT YOU WANT A LAWYER. You have a right to a lawyer, even if you can't pay for one. The court system will give you a lawyer for free. Don't say anything more, and don't sign anything. Wait for your lawyer to help you!



YOU DO NOT HAVE TO TALK TO POLICE, BUT YOU DO HAVE TO FOLLOW THEIR INSTRUCTIONS. POLICE MIGHT SEARCH YOU OR HANDLE YOU ROUGHLY. DON'T TALK BACK, AND KEEP YOUR HANDS WHERE POLICE CAN SEE THEM. NEVER TOUCH A POLICE OFFICER.

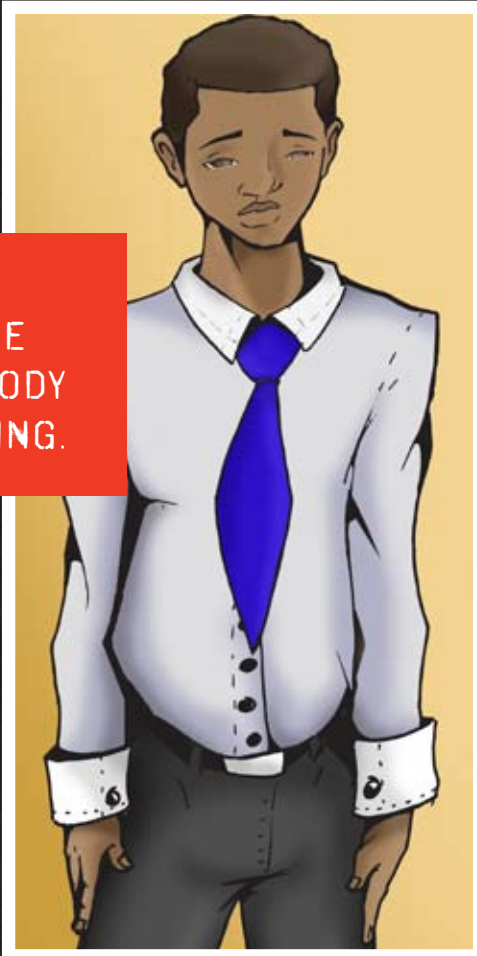


EVERYBODY FEELS SCARED in police custody. You don't have to go through it alone.



YOU HAVE A RIGHT TO SPEAK IN COURT

If you don't understand something, ask your lawyer or the judge *BEFORE* you leave court. If you still don't understand, *ASK* again, and keep asking until you get the information you need.



IF YOU ARE CHARGED WITH A JUVENILE CRIME, YOU COULD BE SENT HOME OR HELD IN CUSTODY UNTIL YOUR DETENTION HEARING.

ALWAYS SHOW RESPECT

when you speak to the judge and others in court. Call the judge "Your Honor." Be on time.

DRESS NEATLY. Wear a collared shirt if you have one, and cover tattoos if you can. Leave your hat at home, and turn off your cell phone.



YOU HAVE A RIGHT TO A TRIAL

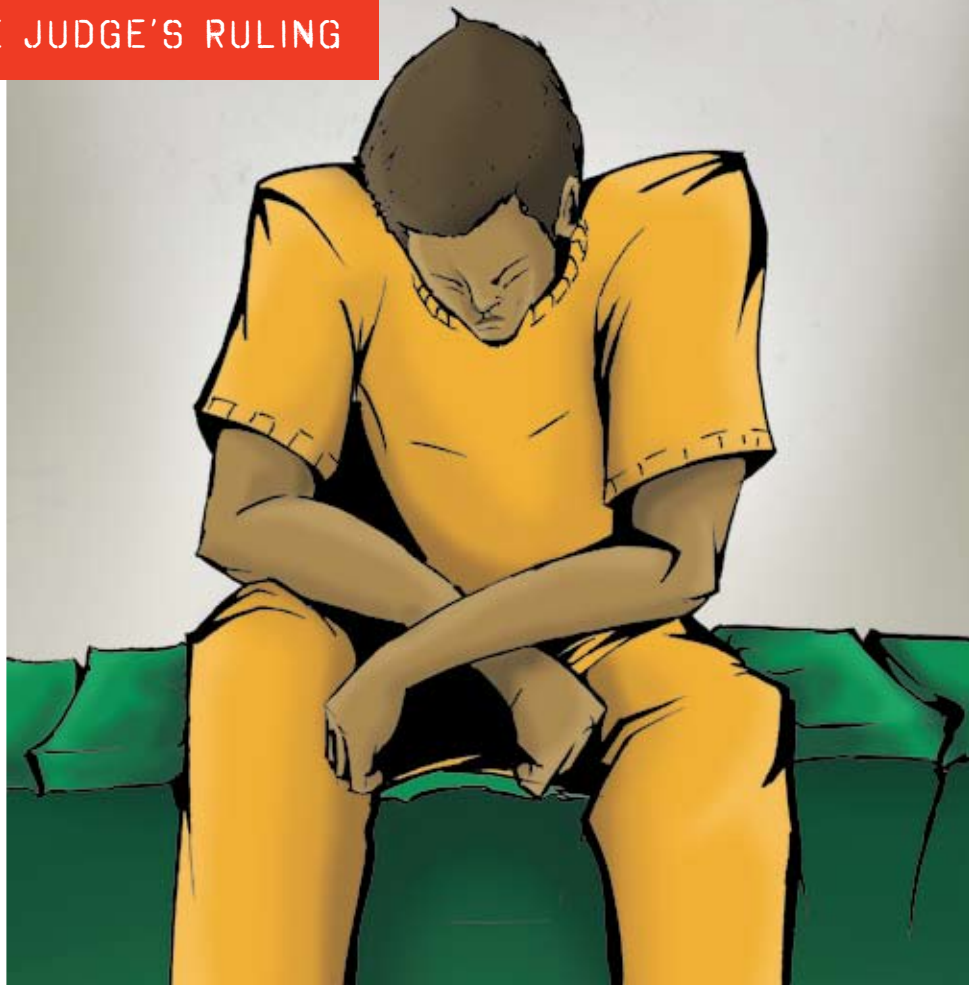
This is *YOUR* choice. Don't be pressured to plead guilty, even if you are told that you will be able to go home sooner. Take time to decide, because this choice will affect the rest of your life. A guilty plea could mean you will go to jail or be on probation for years. If you have a trial, you could be found not guilty.



WRITE DOWN EVERYTHING

or ask a family member to help you keep track of the names of police officers, your lawyer, probation officer and the judge. Get phone numbers too. Keep all notes and all letters about court dates or probation rules in a safe place, where you can find them. This information is important!

THE JUDGE'S RULING



IF THE JUDGE DECIDES THAT YOU ARE NOT GUILTY, THE CASE IS OVER AND YOU CAN GO HOME

IF THE JUDGE DECIDES THAT YOU ARE GUILTY, YOU COULD BE SENTENCED TO:

- Probation and allowed to go home
- Receive counseling and/or substance abuse treatment
- Placement in a residential treatment center
- Serve time in a juvenile detention center
- Serve time in a juvenile prison, called an Illinois Youth Center

AFTER THE JUDGE RULES IN YOUR CASE:

- Follow all probation rules!
- If you don't understand the rules, ASK!
- If you break the rules, you could go to jail.

YOU HAVE A RIGHT TO APPEAL THE JUDGE'S DECISION

- This means that another judge will decide if it is a good decision or a bad decision.
- You have to decide fast, because you have only 30 days after sentencing.
- You can get a lawyer to file your appeal for free.

IF YOU ARE SENT TO A JUVENILE DETENTION CENTER OR AN ILLINOIS YOUTH CENTER:

- Follow the rules! If you don't your sentence could be made longer and longer.
- If you don't follow the rules in the minimum-security youth center where most youths are sent first, you could also be sent to a higher security youth center.



COOPERATE IN THERAPY AND GO TO SCHOOL

- Ask for help if you are very sad or very angry.
- Take advantage of chances to go to school or to job training.



YOUR FAMILY IS IMPORTANT

- Stay in touch with calls and visits. Family therapy can help too.

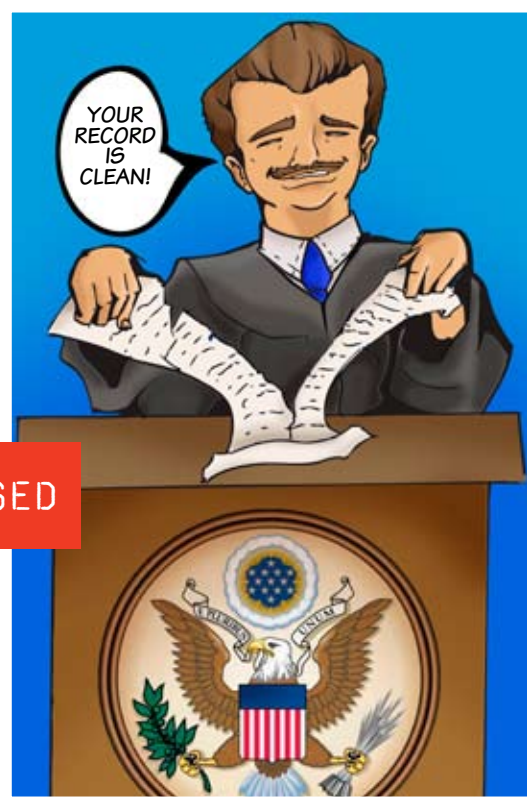


ASK FOR HELP

You will need support. Lean on your family, friends, your church, mentors or community leaders. Look for counseling near your home. Get involved in school, a job, or something else you enjoy.

START FRESH

An expungement erases your juvenile record, so you can get a job, go to college or join the military. You don't need a lawyer to get an expungement. You can find forms and information about how to get an expungement at the court clerk's office.



WHEN YOU ARE RELEASED



WHEN YOU GET OUT, STAY OUT!

Get help if you are sad or angry or having trouble coping with life. It's a big change to return to regular life, and it's normal to struggle for awhile. It helps to talk to somebody who understands. A doctor or a social worker can help you with emotional issues or trauma. In a crisis, you can call CARES (800-345-9049).

WHO'S WHO IN THE COURTROOM

THE JUDGE

The judge is in charge of the courtroom. The judge listens to information from your probation officer, lawyers, witnesses, and you. Based on this evidence, the judge decides if you are guilty or not guilty and sets the sentence.

THE STATE'S ATTORNEY

The state's attorney represents the people of Illinois. The state's attorney's job is to prove that charges against you are true. To do this, he or she presents evidence and witnesses against you.

DEFENSE LAWYER OR PUBLIC DEFENDER

The defense lawyer works for you. The defense lawyer's job is to tell you about the law and your choices, and to present evidence and witnesses to help you. If you cannot pay for a private lawyer, the court will appoint a lawyer called a public defender for free.

PROBATION OFFICER

The probation officer learns about your needs, sets up services for you, gives information to the judge, and supervises you while you are on probation.

CLERK

The clerk is seated next to the judge. The clerk is responsible for all legal records and information about the cases before the judge.

DEPUTY SHERIFF

A deputy sheriff is assigned to each courtroom to keep order and security in the court.

FACTS YOU SHOULD KNOW

1. If you are under 18, you are a juvenile according to Illinois law, but that doesn't always mean you will go to juvenile court. If you are under 17, you will go to juvenile court for most charges. However, you could go to adult court if you are over 15 and charged with a very serious crime such as murder, rape and certain crimes committed with a gun.
2. If you are under 10, you can be charged with a crime, but you can't be sent to a juvenile detention center.
3. If you don't speak English, you can get an interpreter for free in court and to speak with your lawyer.
4. It is important to know that a youth officer is a police officer.
5. In juvenile court, the first court hearing is called a detention hearing. At a detention hearing, the judge decides if there is enough evidence to believe you committed a crime, if your case should go to trial, and whether you can go home.
6. In juvenile court, sentencing is called disposition. At the disposition, a judge sets the penalty for a juvenile crime.
7. Probation is a period of time when you must follow rules set by the court. During this time, you are supervised by a probation officer.
8. Parole is a period of time after you are released from the Illinois Department of Juvenile Justice when you must follow ALL parole rules. Parole usually lasts until you are 21. During your time on parole, you are supervised by a parole officer. If you break parole rules, you can be sent to the Illinois Department of Juvenile Justice.

IMPORTANT INFORMATION

MY LAWYER'S NAME _____

PHONE NUMBER _____

MY PROBATION OFFICER'S NAME _____

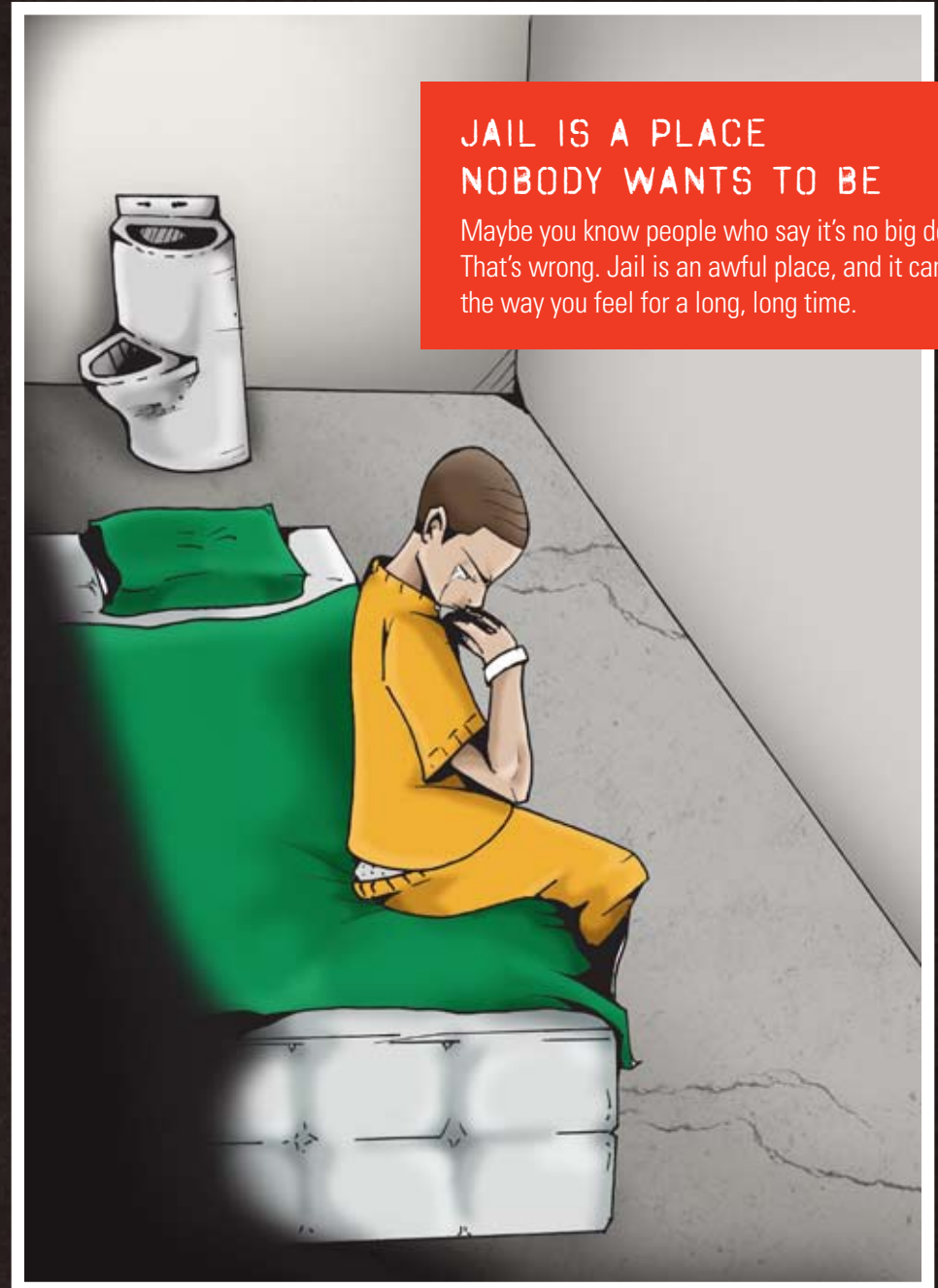
PHONE NUMBER _____

MY JUDGE'S NAME _____

COURTROOM NUMBER _____

COURT DATES AND TIMES _____

OTHER IMPORTANT PEOPLE _____



JAIL IS A PLACE NOBODY WANTS TO BE

Maybe you know people who say it's no big deal.
That's wrong. Jail is an awful place, and it can affect
the way you feel for a long, long time.