ILLINOIS
CRIMINAL JUSTICE
INFORMATION AUTHORITY

On Good Authority

Vol. 6, No. 4
November 2002

On Good Authority is a periodic briefing on trends and issues in criminal justice research and program evaluation. This report was written by staff Research Analyst Timothy Lavery. It is a summary of an implementation evaluation of the Juvenile Justice Reform Provisions of 1998 conducted by the Authority for the Illinois Juvenile Justice Commission. Copies of the evaluation are available from the Authority's Research and Analysis Unit.

The **Illinois Criminal Justice Information Authority** is a state agency dedicated to improving the administration of criminal justice in Illinois. The basic functions of the Authority are criminal justice research, federal and state grants administration, and information systems development and support.

For more information, or for copies of this or other publications, contact the Authority at (312) 793-8550, or visit our Web site at www.icjia.state.il.us.

The evaluation was supported by a contract with the Illinois Juvenile Justice Commission, in partnership with the Illinois Department of Human Services, using federal funds allocated pursuant to the Juvenile Justice Delinquency Prevention Act. Points of view in this document do not necessarily represent the official position or policies of the U.S. Department of Justice, the Illinois Department of Human Services, or the Illinois Juvenile Justice Commission.

Printed by authority of the State of Illinois, October 2002. Printing order #03-103; 6,500 copies.

Police use of formal and informal station adjustments for juveniles in Illinois

By Timothy Lavery
Research Analyst

Juvenile police officers in Illinois have the authority to resolve juvenile cases by issuing station adjustments. Station adjustments allow officers to intervene and redirect delinquent minors, while still ensuring that minors are held accountable for their actions. When juvenile police officers issue a station adjustment, they arrest the minor, handle the case at the police station, and then release the minor without referring the case to court. Minors who are issued station adjustments may be required to complete one or more conditions as part of a station adjustment plan. Station adjustments are typically issued for less serious offenses.

The Juvenile Justice Reform Provisions of 1998 made changes to Illinois station adjustment laws that require juvenile police officers to distinguish between two types of station adjustments: formal and informal. No such distinction existed prior to the reform provisions.

Laws describing how formal and informal station adjustments are to be handled appear in the Illinois Juvenile Court Act (705 ILCS 405/5-301). Table 1 describes the necessary prerequisites for issuing formal and informal station adjustments, conditions that may be imposed, and the consequences if minors fail to abide by the conditions.

Table 1 also looks at distinctions between the two types of station adjustments. It shows that the formal station adjustment section in the Illinois Juvenile Court Act includes more detail than the informal station adjustment section, and suggests that formal station adjustments are intended to be a more rigorous response to juvenile crime than informal station adjustments.

Last spring, the Illinois Criminal Justice Information Authority completed an evaluation examining the implementation of the reform provisions throughout Illinois. Two components of the evaluation examined how juvenile police officers are responding to the distinction between formal and informal station adjustments. First, a survey was distributed to juvenile police officers throughout Illinois. The survey asked officers a number of questions regarding how they handle formal and informal station adjustments. The survey was completed by a random sample of 69 juvenile police officers, approximately two-thirds of whom work in urban counties in northern Illinois. Surveys were administered during spring and summer of 2000. The responses, therefore, reflect the situation as it stood approximately a year and a half after enactment of the new laws.

Another component of the evaluation was a case study describing how formal and informal station adjustments are handled in one Illinois law enforcement agency. The case study made it possible to obtain detailed information

regarding formal and informal station adjustments that could not be captured through the survey. The law enforcement agency examined in the case study is located in an urban county in northern Illinois. Data for the case study was collected during the summer of 2000.

This *On Good Authority* summarizes results from the surveys and from the case study. The full evaluation report is available from the Authority. These results suggest that, at the time of data collection, a large number of law enforcement agencies were not distinguishing between formal and informal station adjustments. These law enforcement agencies were not utilizing the distinction as a means to enhance the utility of station adjustments. The results of the evaluation also suggest some potential obstacles to implementation.

For those law enforcement agencies that were distinguishing between formal and informal station adjustments, the surveys and the case study examined the factors that were considered by juvenile police officers when they were deciding whether to issue station adjustments or handle the case in some other manner. These factors provide insight into how the distinction between formal and informal station adjustments is being put into practice.

Implementing the distinction

Results from the surveys suggest that, at the time of data collection, a large number of law enforcement agencies throughout Illinois were not distinguishing between formal and informal station adjustments. Of the 69 juvenile police officers who completed the survey, only 35 reported that they distinguish between formal and informal station adjustments. Under the Juvenile Justice Reform Provisions of 1998, the station adjustment laws in the Illinois Juvenile Court Act are almost exclusively described in terms of formal and informal station adjustments. The expressions "formal station adjustment" and "informal station adjustment" are used throughout the laws, but the more general expression "station adjustment" is almost never used. Law enforcement agencies that are not distinguishing between formal and informal station

Table 1

Comparison of formal and informal station adjustments

	Informal Station Adjustment	Formal Station Adjustment
Necessary prerequisites:	An informal station adjustment may be issued when there is probable cause to believe that a minor has committed an offense.	A formal station adjustment may be issued when there is probable cause to believe that a minor has committed an offense, the minor has admitted to the offense, and the minor and the minor's parents sign a written agreement form. The written agreement form is to include a description of the offense, the station adjustment conditions, the consequences if the minor fails to abide by the conditions, an acknowledgement that the police department's record of the formal station adjustment can be expunged, and an acknowledgement that the minor's admission of the offense can be used in future court hearings.
Conditions that can be imposed:	Informal station adjustment conditions include: (1) curfews, (2) restrictions from entering designated geographic areas, (3) restrictions from contacting specified persons, (4) school attendance, (5) up to 25 hours of community service, (6) community mediation, (7) teen court, and (8) pay restitution within 90 days.	Formal station adjustment conditions include: (1) curfews, (2) restrictions from entering designated geographic areas, (3) restrictions from contacting specified persons, (4) school attendance, (5) up to 25 hours of community service, (6) community mediation, (7) teen court, (8) restitution, (9) refraining from possessing a firearm, and (10) reporting to a police officer at designated times, including verification that the minor is at home during designated hours. Minors have up to 120 days to complete all formal station adjustment conditions.
Consequences for failing to abide by conditions:	If a minor fails to abide by the conditions of an informal station adjustment, then the juvenile police officer may: (1) impose a formal station adjustment, or (2) refer the minor to court.	If a minor fails to abide by the conditions of a formal station adjustment, then the juvenile police officer may: (1) give the minor a warning, (2) extend the time period of the formal station adjustment, (3) extend community service hours, (4) terminate the formal station adjustment and take no other action, or (5) terminate the formal station adjustment and refer the minor to court.

adjustments (and, hence, may be issuing more general "station adjustments") may have difficulty adhering to laws regarding station adjustments.

Survey results also suggest that a number of the law enforcement agencies that are distinguishing between formal and informal station adjustments may not be adhering to all aspects of station adjustment law. For example, of the 35 juvenile police officers who reported that they distinguish between formal and informal station adjustments, only 23 reported using written agreement forms for formal station adjustments. According to Illinois law it is mandatory that the minor and the minor's parent(s) or guardian(s) sign a written agreement form for a formal station adjustment.

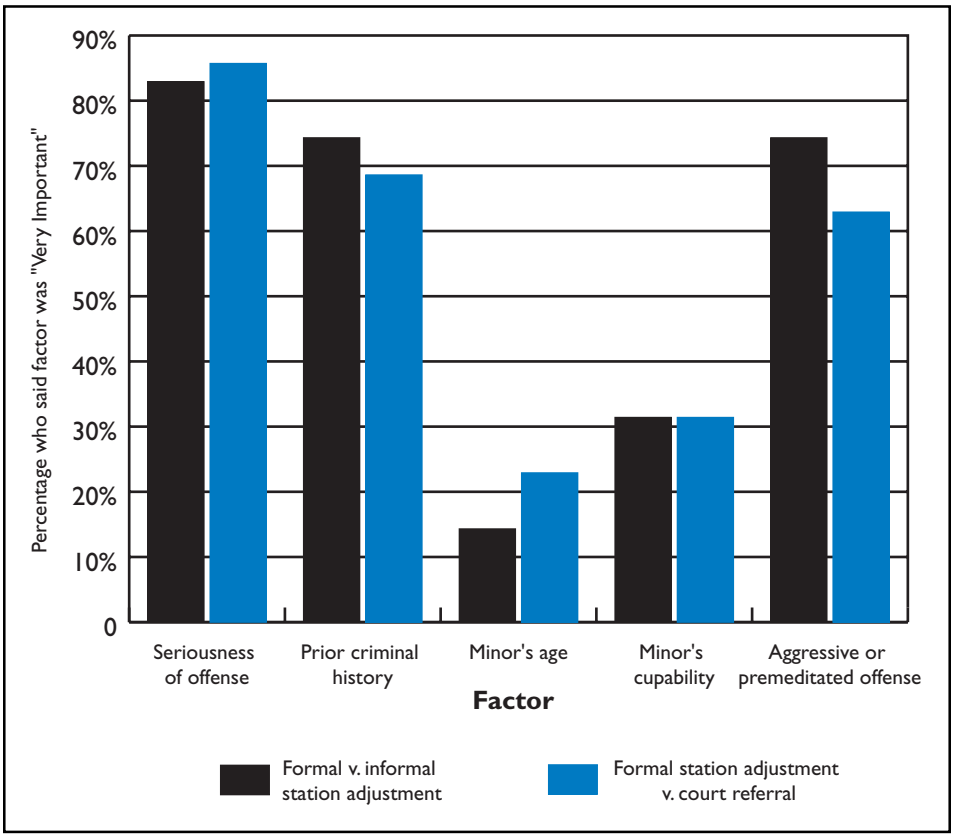
Obstacles to implementation

Results from the juvenile police officer surveys and the case study report suggest at least two reasons why law enforcement agencies are not distinguishing between formal and informal station adjustments. First, law enforcement agencies may not be aware of the distinction. The surveys asked juvenile police officers to respond to the statement "I consider myself knowledgeable on the reform provisions" (strongly agree, agree, neutral, disagree, strongly disagree). Only 22 of the 69 juvenile police officers strongly agreed or agreed with the statement. If juvenile police officers are not knowledgeable on the reform provisions, then they may not be aware of the distinction between formal and informal station adjustments. Lack of knowledge may also explain why law enforcement agencies are not consistently using written agreement forms for formal station adjustments.

Second, law enforcement agencies may not be convinced that the distinction is useful and, thus, may be hesitant to implement the distinction. For the case study, a juvenile police officer handling an appreciable number of the law enforcement agency's juvenile cases participated in interviews regarding formal and informal station adjustments. The law enforcement agency distinguishes between formal and informal station adjustments. During the interviews, however, the juvenile police officer reported that despite adhering to the distinction, he was skeptical as to its utility. In large part, this skepticism stemmed from two opinions held by the officer: (1) that, in order for the distinction to be useful in his agency, he would need more time and resources than are currently available to monitor station adjustment plans and to engage in multiple contacts with delinquent minors, and (2) even if resources were available to implement rigorous station adjustments, many delinquent minors have poor home environments and it would be difficult to use station adjustments as a means of counteracting such environments.

Figure 1

Importance of five factors when deciding how to handle juvenile cases



Decision-making processes

The Illinois Juvenile Court Act lists six factors that juvenile police officers should consider when determining whether a station adjustment (formal or informal) is appropriate: (1) the seriousness of the alleged offense, (2) the minor's prior delinquency history, (3) the minor's age, (4) the culpability of the minor in committing the alleged offense, (5) whether the offense was committed in an aggressive or premeditated manner, and (6) whether the minor used or possessed a deadly weapon when committing the offense. With the exception of the deadly weapon factor, the surveys asked juvenile police officers who reported that they distinguish between formal and informal station adjustments (35 officers) how important each of these factors are when deciding between a formal station adjustment and an informal station adjustment and when deciding between a formal station adjustment and referring a minor to court (very important, important, slightly important, not important). Figure 1 shows the percentage of the 35 officers who reported that each of the remaining five factors are very important when deciding between a court referral, formal station adjustment, or informal station adjustment.

Figure 1 shows that a majority of the juvenile police officers reported that the seriousness of the offense, the minor's prior criminal history, and whether the offense was committed in an aggressive or premeditated manner are very important factors both when deciding between formal and informal station adjustments and when deciding between formal station adjustments and court referrals.

Interviews with the juvenile police officer for the case study also revealed that when deciding whether to issue a station adjustment or handle the case in some other manner, factors in addition to those listed in the Illinois Juvenile Court Act may also be important. For example, the juvenile police officer considers whether it is appropriate for the juvenile offender to pay restitution. Restitution, or repayment for monetary losses caused by criminal offenses, may be appropriate for offenses such as criminal damage to property or retail theft. If restitution is appropriate, then the juvenile police officer is more likely to issue a formal station adjustment than an informal station adjustment. In the juvenile police officer's opinion, formal station adjustments require higher levels of monitoring by juvenile police officers, which is necessary to ensure that the offender pays the restitution.

The juvenile police officer also considers whether the minor is an appropriate candidate for local diversion programs. If so, then the officer is more likely to issue a formal station adjustment than an informal station adjustment, since the increased rigor implied by formal station adjustments provides the officer with more leverage to ensure that the minor completes the program.

Finally, the juvenile police officer considers whether the county state's attorney's office will respond favorably to the case. The officer reported that if he has reservations about the strength of the evidence against a minor, or if the state's attorney's office is likely to perceive the case as frivolous or trivial, then he will not refer the case to court. Instead, he may issue a station adjustment.

Conclusion

Results from the Authority's implementation evaluation of the Juvenile Justice Reform Provisions of 1998 suggest that, at the time of data collection, a number of law enforcement agencies throughout Illinois were not distinguishing between formal and informal station adjustments. If law enforcement agencies are not implementing the distinction, then the vision of more effective station adjustments implied by the distinction will likely not become a reality. Results from the Authority's evaluation suggest that some law enforcement agencies may not be aware of the distinction or fully understand the distinction. Other law enforcement agencies may be skeptical as to the utility of the distinction. It may be prudent for policymakers to explore these and other obstacles to implementing the distinction between formal and informal station adjustments.◆

ICJIA
Criminal Justice Information Authority
120 S. Riverside Plaza, Suite 1016
Chicago, Illinois 60606
312.793.8550, TDD: 312.793.4170, Fax: 312.793.8422
www.icjia.state.il.us

PRESORTED STANDARD
U.S. POSTAGE
PAID
CHICAGO, IL
PERMIT NUMBER 4273