EMERGING ADULTS & THE ILLINOIS CRIMINAL JUSTICE SYSTEM

As new research and demographic data make clear, emerging adults, those between the ages 18 – 24, disproportionately affect Illinois’ criminal justice system. Not only are they overrepresented among the state’s criminal justice population, they often have worse outcomes than their older counterparts.

This Issue Brief presents data and findings regarding the impact of emerging adults on the Illinois criminal justice system and suggests that policy makers and other justice system stakeholders identify and implement evidence-based approaches for dealing with this unique population.

Emerging adults are not only a large proportion of criminal justice caseloads at all stages of the justice system, but are significantly overrepresented compared to their share of the overall population.

In Illinois, emerging adults comprise approximately 15% of the adult population (18 – 65 year olds), but they account for approximately 33% of all adult arrests. Moreover, both the number of arrests and rates of arrest peak in the young adult years and decline steadily among those in their late twenties and older. These patterns are similar to those seen in national data.

![Figure 1: Illinois Arrests (2015)](image-url)
EMERGING ADULTHOOD DEFINED

Modern neuroscience has revealed that the human brain is not fully developed until well into the mid-twenties. Just as importantly, this research indicates that maturation occurs in phases, with different parts of the brain developing at different times. The last regions of the brain to mature are those controlling risk-taking, impulsivity, susceptibility to peer influence and decision-making. These developmental factors render emerging adults particularly attracted to risky behaviors and new and intense experiences.

Emerging adults may also be more vulnerable to peer pressure and have more difficulty than older adults in predicting long-term consequences of their actions or in conforming behaviors accordingly. Compounding these normative developmental characteristics, behavioral health needs – including mental health disorders and substance abuse – often emerge and can become acute during this period of human development. Developmental immaturity also presents opportunities to criminal justice systems. Emerging adults are highly capable of learning new, positive behaviors and skills that help them “desist” from criminal conduct, if provided pro-social supports and opportunities.

ARRESTS AND COURT FILINGS

Arrest totals and arrest rates have fallen for all age groups in Illinois over the last decade, but arrests of emerging adults have declined more sharply than for other adults. There has been a 47% decrease in the number of emerging adult arrests during this time period, compared to a 28% decrease for 25 -44 year olds and a 23% decrease for adults 45 years old or older. In addition, rates of arrest per 100,000 declined for all age groups, with the largest decrease in the rates of emerging adult arrests.

Notably, the difference in arrest rates between emerging adults and older arrests has narrowed considerably. In 2005, there was a 109% difference between emerging adult arrest rates and those of 25 – 44 year olds. By 2017, that difference had narrowed to 55%. Despite these overall declines, emerging adults continue to be arrested at significantly higher rate than all other adults.

Emerging adult felony arrests are, however, somewhat less likely to result in a court filing. Illinois Criminal History Records Information System (CHRI) data indicates that only 52% of felony arrests for emerging adults resulted in a court filing as compared to 59% among older adults. This pattern, however, varies significantly from county to county, suggesting a need for stakeholders to assess this information for their jurisdiction.
CONVICTION TYPES AND CLASS
From 2012 to 2014, a similar proportion of emerging adults and older adults were convicted of Class X felonies and murder (an average of 5% of convictions for all age groups). However, a higher proportion of emerging adults were convicted of Class 1 and 2 felonies, with 39% of emerging adult felony convictions for these higher-level felonies, compared to 28% for those over age 25.

Figure 3: Offense Class for Illinois Felony Convictions (2012-2014)

PRIOR CONVICTIONS AND SENTENCES
A significantly higher proportion of emerging adults convicted of a felony had no prior convictions, compared to older adults. Among those under age 24, 48% have never been convicted of an adult offense, while 21% of 25 to 40 year olds and 18% of those older than 40 have no prior convictions. A significantly higher proportion of emerging adults convicted of a felony have never received a prior adult probation sentence, with 72% of emerging adults having no history of probation services, while 49% of 25 to 40 year olds and 45% of those over 40 are in this category.
An even larger proportion of emerging adults convicted of felonies between 2012 and 2014 have not received a prior prison sentence. Eighty percent of convicted emerging adults have not received a prior prison sentence, as compared to 61% of 25 to 40 year olds and 48% of those 40 and above.

These data may suggest opportunities for implementation of developmentally-tailored alternatives to incarceration (including specialized probation strategies) which can reduce recidivism risk and enhance positive individual and community outcomes.

**SENTENCING TRENDS**

Overall, a similar proportion of emerging adults convicted of a felony receive a prison sentence (46%) as do adults 25 to 40 years old (49%). When controlling for all other factors other than age (e.g. current offense, criminal history, race and gender), emerging adults in Illinois are slightly more likely to have a conviction result in a prison sentence, but less likely to receive a lengthy prison sentence.

**CORRECTIONS POPULATIONS**

The prevalence of emerging adults in the arrest and convicted populations carries forward into the corrections population, where emerging adults make up a disproportionate share of those admitted to the Illinois Department of Corrections. As of 2014, 33% of the Illinois corrections population was under 25 years old when originally taken into custody and 17% of the total corrections population was under age 25 at the time of sampling.

**EMERGING ADULT OUTCOMES**

Due to data limitations, little is currently known about outcomes of emerging adults involved in Illinois’ criminal justice systems. However, the available data indicates that emerging adults experience more negative outcomes than older adults. Among those sentenced to prison as emerging adults, over 70% are rearrested within a three year period following release, compared to 55% of all other adults. After release, 12% of emerging adults are arrested for illegal possession of a gun (compared with 3% of other adults) and 31% are arrested for a violent offense (compared with 17% of all other adults).
Key outcomes of emerging adults placed on probation were also worse than those of other adults. A 2000 probation outcome study conducted by Loyola University Chicago provides the most recent probation outcome data available. That study indicated that emerging adults (17 – 24 years old) have higher rates of probation revocation, higher rates of reconviction for a new offense following probation discharge and higher rates of “failure” in court-ordered drug treatment. While the higher rates of negative outcomes for emerging adults are notable, it should also be recognized that these data indicate that over 80% of emerging adults complete probation without revocation, and 75% are not convicted of a new offense within three years of probation discharge.

These outcome data – though limited – suggest a need for developmentally-tailored supervision and services for emerging adults on probation or leaving prison. Given the prevalence of substance abuse treatment needs among emerging adults – as well as their unique characteristics and needs -- justice system practitioners should also pay special attention to the quantity and quality of behavioral health resources, particularly substance abuse treatment, available to emerging adults in their communities.
POLICY AND PRACTICE IMPLICATIONS

These data on emerging adults in the Illinois justice system suggest several possible next steps for state and local jurisdictions committed to improving their criminal justice systems. These may include implementation of policy and practices to prevent arrest and system referral of emerging adults (when consistent with public safety); use of specialized services and supervision with emerging adults who do become system-involved; and development of supports for emerging adults exiting the criminal justice system successfully. Specific strategies may include the following:

• Collect and analyze local jurisdiction data on emerging adults in the criminal justice system.
• Utilize pre-arrest diversion options designed to address the unique needs of young adults.
• Explore deferred prosecution options tailored to the needs, risks and strengths of emerging adults.
• Emphasize use of developmentally-tailored alternatives to jail and incarceration, including specialized probation strategies.
• Ensure identification and treatment of behavioral health (mental health, substance abuse and trauma) needs among system-involved young adults.
• Reduce barriers to education and employment for emerging adults exiting the criminal justice system and support community reentry and engagement.
• Evaluate emerging adult outcome data, including recidivism and probation violation rates.
• Identify evidence-based strategies used successfully in other jurisdictions to respond to the unique circumstances of young adults in contact with the justice system.

CONCLUSION

Emerging Adults are a population deserving of special focus in the criminal justice system. This unique developmental phase is characterized by distinct features – such as identity exploration, impulsivity, susceptibility to peer influence and risk taking – which may give rise to particular risks for criminal justice system involvement. While young adults are significantly overrepresented at every phase of the criminal justice system, research suggests that this age cohort is highly amenable to positive change and “desistance” from criminal offending.

Taken together, the developmental research and data analyses demonstrate that attaining positive criminal justice outcomes requires developmentally appropriate, fair and effective interactions with this important population of emerging adults.
DATA SOURCES

Figure 1: Analysis of Criminal History Record Information (CHRI) data provided by the Illinois Criminal Justice Information Authority (ICJIA).

Figure 2: Analysis of CHRI data provided by ICJIA.

Figure 3: Analysis of 2012-2014 CHRI data provided by ICJIA.

Figure 4: Analysis of 2012-2014 CHRI data provided by ICJIA.

Figure 5: Analysis of data provided by the Illinois Department of Corrections (IDOC) data.

Figure 6: Analysis of 2011-2014 IDOC exit data and CHRI data provided by ICJIA.

Figure 7: Analysis of 2000 Illinois Probation Outcome Study data.

REFERENCES


