



INCLUDE 18, 19, & 20 YEAR OLDS IN YOUTH FIREARM SENTENCING LAW (A 2015 NEGOTIATED, BIPARTISAN BILL)

Young people are more impulsive, susceptible to peer pressure, and more likely to grow out of their mistakes; people 20 and younger cannot purchase alcohol or cigarettes, drive a commercial vehicle across state lines, or rent a car. **Our laws already treat teenagers and 20 year olds differently than adults.**

Neuroscience research has established the brain continues developing into a person's mid to late 20s. “[The] **qualities that distinguish juveniles from adults do not disappear when an individual turns 18,**” the U.S. Supreme Court explained (*Roper v. Simmons*). People continue leading with emotion into their 20s; the parts of the brain that allow for impulse control and that govern judgement are among the last to form. The amount of brain development in the 20s is comparable to the extent of development in early childhood.

Background: Acknowledging young people are different, Governor Rauner signed HB 2471 into law in 2015. **This negotiated legislation passed the Senate unanimously** and was chief co-sponsored in the House by Representatives Barbara Flynn Currie, Scott Drury, Ron Sandack, and Ed Sullivan. Public Act 99-069 (HB 2471) made firearm enhancements discretionary for people younger than 18 and established a nine-point framework for setting appropriate sentences, as opposed to mandatory gun enhancements for everyone, regardless of circumstances.

After years of experience and success for those under 18, HB 2989 would expand this successful sentencing framework to 18, 19, and 20 year olds. People who are 21 and older at the time of the crime would still be subject to mandatory sentences.

Illinois law **adds 15, 20, or 25 years to life** to prison sentences of people 18 and older who had firearms during the commission of certain felonies. Fifteen years are added if a firearm is possessed but not discharged; 20 years are added if the gun is discharged with no injuries; and 25 years to life are added if there is a death or grievous injury—no matter what.

- A 2015 report found no evidence that firearm enhancements reduced gun crime in any significant way (National Research Council's Committee).
- Long criminal sentences for young people disincentivize rehabilitation, consume limited carceral resources, and undermine public safety.

Solution: **HB 2989 would expand the Youth Firearm Sentencing Law to those 20 and under.** Judges would have the authority to decide whether enhancements make sense on a case-by-case basis using the existing nine-point guidelines and could apply the additional years to a sentence if appropriate.