



Office of the Kane County State's Attorney
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FOR IMMEDIATE RELEASE

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New law gives police discretion in juvenile domestic violence cases

St. Charles, Ill. – Beginning Thursday, November 13, Illinois law enforcement will no longer be required to arrest juveniles accused of domestic violence. Thanks to legislation championed by Kane County State's Attorney Jamie L. Mosser and State Representative Matt Hanson, police officers will now have the discretion to divert juveniles to social services and resources better equipped to address their needs.

Since 1986, the Illinois Domestic Violence Act has required officers to make arrests in nearly all domestic violence cases, including those involving juveniles. While intended to protect victims and ensure accountability, this mandate often forced police to arrest youth even when it was not in the best interest of the child or family. The newly amended law allows officers to assess each situation and determine when intervention, rather than arrest, is the appropriate response.

"Throughout my career as a prosecutor, I have specialized in domestic violence cases and seen how this behavior is often learned and passed down through generations," said State's Attorney Mosser. "Because research shows that young people's brains are still developing, we must treat them differently from adults. Our Juvenile Justice Center is filled with youth accused of domestic violence, and many of them need counseling or family support, not detention. This law gives officers the flexibility to connect kids and families to the help they need instead of relying on a one-size-fits-all response."

"I am grateful to States Attorney Mosser and all the advocates and stakeholders for their input in crafting this legislation now signed into law," said Rep. Hanson. "Allowing law enforcement to use discretion in response to juvenile domestic violence situations is overdue, and they now have the ability to help and support young people when diversion is a safe alternative to an arrest."

House Bill 3281, now Public Act 104-0290, was signed by the governor on August 15 and will take effect November 13, 2025. State's Attorney Mosser is providing statewide training for law enforcement on implementing the new law.

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