

The issue is that over a decade ago, IL made a policy change that ALL juvenile felony arrests would go to the state police (discretionary with misdemeanor arrests) – whether they end up in court or not. Youth who have their case disposed of at the police station and think it is all over, can find out years later that they have an arrest reported in the state criminal records database.

Going to court to clear up arrest records in a case that never went to court is a daunting process. Youth in Illinois face a confusing, costly, cumbersome and delayed expungement process, even to clear up juvenile arrests that never went to court – as a result, WBEZ reported that out of an average of 25,000 juvenile arrests annually in Cook County, there were only 58 juvenile record expungements in 2008 and 95 in 2009. <http://www.wbez.org/story/news/local/job-and-future-stalled-juvenile-records-thought-be-secret>

What this Bill Does:

Juvenile arrests will no longer go to State Police. Of the 25,000 juvenile arrests annually in Cook County, over half never go to court, and those that are misdemeanors are not currently required to go to State Police – this expands to include felonies that do not get charged in court. *If the police do not send records to prosecutor, then they should not send the records to the State Police.*

Benefits:

Allows youth to have a fresh start: Juvenile records carry countless negative consequences on youth which may prevent them from:

- Pursuing a higher education;
- Securing employment;
- Joining the military; and/or
- Obtaining or maintaining public housing.

Organizations Supporting this Bill Include:

Juvenile Justice Initiative
Illinois Parent Teacher Association
ACLU of Illinois
DLA Piper, LLP
Project Nia
DLA Piper
Enlace Chicago
Metropolis Strategies Loyola Childlaw Cntr

History of provision - Prior to 1988, no juvenile records were forwarded to the State Police. In 1988, records of minors charged with UUW and forcible felonies were included. By 1997 this category had expanded to include substance abuse and vehicle code charges, This was then expanded to cover all felonies and discretionary with misdemeanors, as part of the juvenile justice reform act in 1998.