

# Expungement Review of Juvenile Records

Sponsors: Senators Haine-Collins-Trotter-Delgado-Hunter/Representatives Turner-Golar-Reboletti-Collins, Hoffman, Sacia, Bellock, Jackson, Dugan, Gordan, May, M. Davis, Jefferson

**SB1030**  
As Amended

## What this Bill Does:

- ✓ **Provides a balanced approach** to allow youth an opportunity to develop competencies to live responsibly and productively.
- ✓ **Misdemeanors only** - This bill allows for juveniles charged with a misdemeanor as a first offense to file a petition for an expungement review hearing to be held within a month of their 18<sup>th</sup> birthday or upon completion of the minor's sentence or disposition of the charge.
- ✓ **Allows opportunity for review and OBJECTION by juvenile court** – as amended, expungement will be granted by the court unless one of the following objections is filed:
  - The arrest was for a homicide, an offense involving a deadly weapon, a sex offense, or aggravated domestic battery.
  - The offense for which the minor was arrested is still under active investigation.
  - The minor is a potential witness in an upcoming court proceeding.
- ✓ **Maintains the current process of expunging juvenile records by a minor's petition.**

## Benefits of Juvenile Expungement:

**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.

**Removes some barriers to expungement:** Currently in Illinois, the process of expungement must be initiated by a former juvenile offender. The petitioning process for expungement is complicated, lengthy, and cost-prohibitive. In 2005, youth petitioned to have their law enforcement records expunged less than 1% of the time the records were eligible for expungement.

**Reduces the disproportionately negative impact on minority youth:** People who cannot afford expungement fees and attorneys are less able to get records expunged. This negatively impacts people of color and inner-city residents.

## Expungement in Other States:

Many states automatically expunge juvenile arrest records, including: Alaska, Florida, Maryland, Montana, Nevada, North Carolina, Oregon and Pennsylvania.

## Organizations Supporting Removing Barriers to Juvenile Expungement:

Developing Justice Coalition of Chicago  
Juvenile Justice Initiative  
PTA of Illinois  
Community Behavioral Health Association  
Illinois Collaboration on Youth  
Chicago Area Project  
John Howard Association  
Violence Prevention Collaborative  
Latino Juvenile Justice Network  
Enlace Chicago  
Youth Connection Charter School  
North Lawndale Juvenile Justice Collaborative  
Telpochcalli Community Education Project  
Institute for Metropolitan Affairs, Roosevelt University  
Central States SER-Jobs for Progress  
Build, Inc.  
Holy Corinthian M.B. Church  
Youth Pride Services  
UCAN  
Agape Family Life Center  
AFORCE Community Development  
TASC, Inc.  
Metropolis 2020  
Office of the Cook County Public Defender  
Sargent Shriver National Center on Poverty Law

Juvenile Justice Initiative  
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