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HOUSE RESOLUTION

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WHEREAS, As set forth as Illinois' official public policy for the State's juvenile justice system in the Juvenile Court Act of 1987 (705 ILCS 405/5-101(1)), "it is the intent of the General Assembly to promote a juvenile justice system capable of dealing with the problem of juvenile delinquency, a system that will protect the community, impose accountability for violations of law, and equip juvenile offenders with competencies to live responsibly and productively."; and

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WHEREAS, In order to achieve these stated purposes, Illinois must build a comprehensive, statewide record keeping system that can track all juvenile arrests, charges, and dispositions, as well as a system that permits these records to be expunged once the youth has accepted responsibility and addressed the harm he or she has caused to the victim and the community; and

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WHEREAS, Illinois' current record keeping system is fragmented and incomplete, and, as such, does not provide vital information needed by legislators, state officials, court administrators, law enforcement officials, judges, community leaders, juvenile justice professionals, researchers, and government and non-government grant administrators; and

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WHEREAS, An essential means of developing the competencies of our youth who come into the juvenile justice system is to provide vocational and educational opportunities that assist them in becoming productive, law-abiding citizens; and

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WHEREAS, A criminal record can be a barrier to our youth in obtaining these educational and vocational opportunities when these law enforcement and court records are used by employers, school officials and others to deny our youth such

1 opportunities; and

2 WHEREAS, Many of our youth are not aware of their current
3 rights under the Juvenile Court Act of 1987 to expunge their
4 arrest and court records once they are eligible to do so, or,
5 are not able to take advantage of the expungement process
6 because of the filing and processing fees that are charged;
7 and

8 WHEREAS, Our communities are harmed by having their youth
9 denied educational and vocational opportunities on the basis
10 of criminal records that, under the existing provisions of
11 the Juvenile Court Act of 1987, could have been expunged and
12 never revealed; and

13 WHEREAS, For justice to be truly administered in a manner
14 that would foster respect and enhance the credibility of the
15 juvenile justice system, it is essential that Illinois build
16 and maintain a record keeping system that is complete,
17 accurate, and comprehensive, a system that allows judges,
18 prosecutors, probations officers, and law enforcement the
19 ability to access juvenile records of youth who, once they
20 become 17 years old, continue to commit crimes despite
21 juvenile court intervention, and a system that permits
22 expungement of records once our youth have redeemed
23 themselves to the victim and the community and are living
24 law-abiding lives; and

25 WHEREAS, Community safety is compromised by fragmented
26 record keeping systems that do not maintain accurate
27 information about juvenile arrests, charges, or dispositions,
28 particularly ones that occur in another municipality, county
29 or part of the State other than where the young person
30 resides; and

31 WHEREAS, Victims of juvenile crime are denied
32 opportunities for the harms caused to them by a juvenile to

1 be redressed through apologies, restitution and meaningful
2 community service when the criminal histories of youth are
3 not accurately documented, opportunities that can also be
4 important learning and even life changing experiences for the
5 youth; therefore, be it

6 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE
7 NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that
8 the General Assembly should undertake a comprehensive review
9 of all State statutes that govern record keeping in the
10 juvenile justice system with a view to revise these statutes,
11 as needed, to achieve the stated purposes of the Juvenile
12 Court Act of 1987 of enhancing community safety, insuring
13 that our youth are accountable for the harm they have caused,
14 and providing competency development of our youth so that
15 they become productive citizens; and be it further

16 RESOLVED, That the Illinois General Assembly should work,
17 in conjunction with the Illinois judiciary, the clerks of the
18 circuit courts, local government agencies who work in the
19 juvenile justice system, State's Attorneys and defense
20 counsel, the Illinois State Police, and local law enforcement
21 agencies, to examine ways to educate our youth about their
22 right to expunge their criminal records so that they can take
23 full advantage of all educational and vocational
24 opportunities that are available to them; and be it further

25 RESOLVED, That the Illinois General Assembly should work,
26 with the above-named groups, to examine ways to make the
27 expungement process more automated, accessible, and available
28 to those youth who, under the current statutory guidelines,
29 are entitled to have their records expunged.