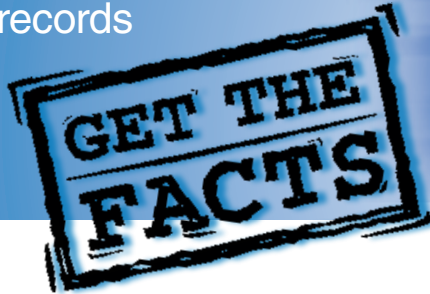




Juvenile justice system

Juvenile criminal records



The Illinois juvenile justice system was created to address the unique needs of young offenders. This Get the Facts provides an overview of the juvenile criminal records, including obtaining copies, access to records, and record expungement.

What are criminal records?

Criminal records, commonly known as rap sheets, are compiled by the Illinois State Police Department (ISP) based on arrest and court information received from local jurisdictions.

Upon arrest, fingerprints are taken by the local police department and submitted to ISP. ISP only requires submission of juvenile felony arrest records by local police departments, but juvenile misdemeanor records also may be submitted. Submission of other related information, including findings of guilty or not guilty, and any other action taken by the court, is required if the arrest results in a court proceeding.

A fingerprint-based criminal record remains in the ISP database, regardless of whether an arrest results in a court proceeding or the outcome of that proceeding.

How can I get a copy of my criminal records?

Copies of your criminal records may be obtained from the local police department that arrested you, the clerk of the circuit court in the county where your case was handled (if your arrest resulted in a court proceeding), or the ISP Bureau of Identification. A copy of your fingerprints may be required.

For information on how to obtain a copy of your records from ISP, visit www.isp.state.il.gov or e-mail boi_customer_support@isp.state.il.us.

How does having a juvenile criminal record affect me?

Theoretically, juvenile criminal records are not available to the public, so your records should not affect you unless you are seeking employment in certain government agencies or are seeking employment in certain regulated fields, such as law enforcement or nursing. However, juvenile records can be mistakenly shared with private employers and the general public. The only way to ensure there is no access to your juvenile criminal records is by expunging them.



What does it mean when a record is expunged?

When a criminal record is expunged, the record is destroyed.

What juvenile criminal record information can be expunged?

By law, juvenile records of arrest, and, under some circumstances, convictions may be expunged. In misdemeanor cases resulting in a court proceeding, regardless of the outcome, a motion for expungement may be filed by an attorney within 30 days of judgment on the case. An expungement hearing will be set within one month before your 18th birthday or within one month after completion of your sentence, whichever is later.

You also may file a petition to expunge the following after your 17th birthday, the end of your judicial proceeding, or the end of sentence, whichever comes later: arrests without a charge, arrests with a charge that was dismissed, a court proceeding resulting in a finding of not guilty, a court proceeding resulting in a sentence of supervision, and a court proceeding resulting in a Class B or C misdemeanor or a petty/business offense conviction. If you have no adult convictions on your record, you can file a petition to expunge felony and Class A misdemeanor convictions after your 21st birthday or five years after the end of your sentence, whichever is later.

How do I expunge my juvenile criminal records?

Petitions to expunge must be filed in the court of the county where your arrest occurred or where the charge was filed against you. Petition forms for sealing or expungement are available at county courthouses. Certain fees apply, but fee waivers are available upon request. Petitions require a list of charges to be expunged, the date or approximate date of arrest, and the name of the police department that arrested you. Petitions are submitted by the court to ISP for review.

Depending upon the county in which you reside, a decision regarding your expungement may be mailed to you, or a court hearing will be set. You may wish to hire an attorney to represent you.

Where can I get more information on expunging juvenile criminal records?

The Illinois State Appellate Defender's Office can answer questions on eligibility and provide an information packet explaining the process and requirements for records expungement. Go to <http://state.il.us/defender/exp.html>. ISP's Bureau of Identification also can provide more information. Call (815) 740-5160.



About *Get the Facts: Juvenile Justice System*

This *Get the Facts* series was created to answer common questions about the juvenile justice system. Other topics in this series include juvenile arrests, the pretrial process, the courts, and corrections.



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