



## **SIGNIFICANT JUVENILE JUSTICE LEGISLATION**

**September, 2017**

**EXPUNGEMENT REFORM-** (HB 3817 - Nekritz/Hastings) The Youth Opportunity and Fairness Act makes it easier to expunge juvenile records. The bill follows recommendations from the Illinois General Assembly’s commissioned report “Burdened for Life: The Myth of Juvenile Record Confidentiality and Expungement in Illinois” (2016). The report was prepared by the Illinois Juvenile Justice Commission, and contains recommendations in line with American Bar Association recommended guidelines. The bill was championed by Cook County Board President Toni Preckwinkle and had bi-partisan support.

FACT SHEET EXPLAINING PROVISIONS of HB 3817 is here  
<http://www.law.northwestern.edu/legalclinic/cfjc/documents/CFJC%20SUMMARY%20OF%20HB%203817.pdf>

HB 3817 was signed into law on 8/24/17 and is now House Public Act 100-0285 and will take effect on January 1, 2018. <http://ilga.gov/legislation/publicacts/100/PDF/100-0285.pdf>

**RESTORATIVE JUSTICE TRAINING FOR JUVENILE PRISON STAFF – HB 3165** (Stratton/Raoul) requires Illinois Department of Juvenile Justice (IDJJ) staff receive training in Restorative Justice - the hope is that restorative justice practices would promote better communication and understanding through competency development and accountability for actions inside and outside of facilities, while simultaneously fostering a safer culture inside DJJ. Training DJJ staff in restorative justice simply provides another outlet to rehabilitate the youth inside DJJ prior to their reentry into society. The bill passed both chambers unanimously and was signed into law on 8/18/2017 and is now House Public Act 100-0157 with January 1, 2018 as its effective date.  
<http://ilga.gov/legislation/publicacts/100/PDF/100-0157.pdf>

**REDUCING THE SCHOOL TO PRISON PIPELINE –**

**NO EXPULSION FROM EARLY CHILDREN PROGRAMS - HB 2663** (Stratton/Lightford)- ensures that early childhood programs engage in best practices in

their disciplinary actions by prohibiting the use of expulsions due to child behavior. Evidence links expulsion practices in preschool years to poor childhood outcomes, so instead of expulsions the bill allows “planned transitions to settings that are better able to meet a child’s needs”. The bill requires documentation of the school’s attempts to keep children in school prior to transition, and utilization of a range of community resources. The bill also puts in place a system to track transitions, and to annually report data to the State Board of Education, providing data to better understand issues and identify the need for additional resources.

HB 2663 was signed into law on 8/14/2017 and is now House Public Act 100-0105 with January 1, 2018 as it’s effective date. <http://ilga.gov/legislation/publicacts/100/PDF/100-0105.pdf>

**NO POLICE BOOKING STATIONS IN SCHOOL** - HB 3903-(Stratton/Hutchinson)- Passed both chambers unanimously. The bill bans police booking stations in schools. HB 3903 does not prohibit police in schools, but on-site stations are viewed as harmful to the learning environment, unnecessary and unhealthy for the development of improved police-community relations. The bill defines student booking stations as a building, office, room or any indefinitely established space or sit, mobile or fixed that’s predominant use is that of law enforcement officials. The bill goes on to further define the site as a place in which a student is detained in connection with or alleged criminal activities that creates a law enforcement record.

HB 3903 was signed into law and went into effect immediately 8/18/2017 and is now House Public Act 100-0204. <http://ilga.gov/legislation/publicacts/100/PDF/100-0204.pdf>

**INVEST IN KIDS ACT** - SB 1947 ( Manar/Davis) creates the Invest in Kids Act and provides that beginning July 1, 2018, every school district, charter school, or alternative school or any school receiving public funds shall collect and review its chronic absence data and determine what systems of support and resources are needed to engage chronically absent students and their families to encourage the habit of daily attendance and promote success. The act also provides tax credits to taxpayers who make authorized contributions to scholarship granting organization.

SB 1947 was signed into law on 8/31/2017 and became Senate Public Act 100-0465. <http://ilga.gov/legislation/publicacts/100/PDF/100-0465.pdf>

**PLACEMENT** - HB 2910 (Bellock/Nybo)- Amends the Juvenile Court Act requiring DCFS to document the resources used and the steps taken prior to the juvenile court recommending a minor for out of state residential placement. Passed both chambers on unanimous vote sent to the Gov. on 6/23/17

HB 2910 was signed into law and became effective on August 18, 2017 as House Public Act 100-0136. <http://ilga.gov/legislation/publicacts/100/PDF/100-0136.pdf>

## **Department of Juvenile Justice (IDJJ)**

**DJJ Personnel Qualifications** (Steans/Bellock) SB 1519- Deletes a provision that requires DJJ personnel who are hired by the Department and who participate or assist in the rehabilitative and vocational training of youth have a bachelor's or advanced degree from an accredited college or university with a specialization in criminal justice, education, psychology, social work, or a closely related social science or other bachelor's or advanced degree with at least 2 years' experience in the field of juvenile matters. Requires those persons to only have any bachelor's or advanced degree from an accredited college or university. This bill was signed into law on 6/23/2017 and became Senate Public Act 100-0019 with the effective date of January 1, 2018.

<http://ilga.gov/legislation/publicacts/100/PDF/100-0019.pdf>

## **RESOLUTIONS**

**Gault Resolution-** HR 432 (Sims) – recognizes the 50<sup>th</sup> anniversary of In re Gault, the landmark case that ensured lawyers and due process for children in delinquency proceedings. The House Resolution was adopted on May 25, 2017.

<http://ilga.gov/legislation/100/HR/PDF/10000HR0432lv.pdf>

**Redeploy in Cook Resolution – HR 7 (Ford)** – urges Cook County to enter into juvenile Redeploy Illinois. The House Resolution was adopted on March 15, 2017.

<http://ilga.gov/legislation/100/HR/PDF/10000HR0007lv.pdf>

## **SIGNIFICANT CRIMINAL JUSTICE REFORMS:**

**Bail Reform Act-** SB 2034 ( Trotter/Sims) The bill creates the Bail Reform Act of 2017. Under the act judges at bail hearings are required to consider other options prior to using cash bail. The act also requires the judge use the least restrictive condition of bail necessary to ensure a defendant's return to court and requires all defendants have access to counsel at bail hearings.

SB 2034 was signed by the Gov. on June 9, 2017 and is now Senate Public Act 100-0001. Senate Public Act 100-0001 has two separate effective dates as some provisions went into effect June 9, 2017 and the remaining provisions will go into effect January 1, 2018.

<http://ilga.gov/legislation/publicacts/100/PDF/100-0001.pdf>

## **Gun Bill**

**SB 1722-**( Raoul/Durkin)- SB 1722 was signed into law on 6/23/17 and is now Senate Public Act 100-0003 with an effective date of January 1, 2018.

<http://ilga.gov/legislation/publicacts/100/PDF/100-0003.pdf>

**Civil Asset Forfeiture**

HB 0303 (Zalewski) This bill creates the Seizure and Forfeiture Reporting Act requires a criminal conviction before property can be forfeited to the government, and the state provides clear and convincing evidence that the property is related to criminal activity before it is forfeited. The act also removes financial incentives from police and prosecutors to seize and forfeit property and makes information about civil asset forfeiture transparent and accessible to taxpayers and lawmakers.

HB 0303 is now House Public Act 100-0512 with an effective date of July 1, 2018.

<http://www.ilga.gov/legislation/publicacts/100/PDF/100-0512.pdf>