



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB3743

by Rep. La Shawn K. Ford

SYNOPSIS AS INTRODUCED:

See Index

Amends the Juvenile Court Act of 1987. Provides that if a minor is found to be guilty of a non-violent crime, the court shall first consider home confinement or an alternative sentence instead of: (i) incarceration in a facility of the Department of Juvenile Justice or (ii) confinement in a juvenile detention home. Provides that the court shall order a conference to be held to determine the alternative sentencing plan. Provides that the conference shall be held with representatives of the Illinois State Board of Education, the Department of Children and Family Services, the prosecutor of the minor, the court, the Department of Juvenile Justice, and the parent or legal guardian of the minor. Based upon recommendations made at the conference, the court shall order an alternative sentencing plan that meets the needs of the minor and leads the minor toward useful and non-criminal activities. Provides that the court may commit the minor to the Department of Juvenile Justice or place the minor in detention if the minor violates the terms and conditions of the home confinement or alternative sentence or if the family or household situation presents a danger to the minor that makes home confinement infeasible. Defines "non-violent crime" as an offense that is not a violent crime as defined in the Rights of Crime Victims and Witnesses Act and that is not a violation of the Dangerous Weapons Article of the Criminal Code of 2012 involving the illegal possession or use of a firearm.

LRB098 14642 RLC 49473 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning courts.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Juvenile Court Act of 1987 is amended by
5 changing Sections 5-710 and 5-901 as follows:

6 (705 ILCS 405/5-710)

7 Sec. 5-710. Kinds of sentencing orders.

8 (1) The following kinds of sentencing orders may be made in
9 respect of wards of the court:

10 (a) Except as provided in Sections 5-805, 5-810, 5-815,
11 a minor who is found guilty under Section 5-620 may be:

12 (i) put on probation or conditional discharge and
13 released to his or her parents, guardian or legal
14 custodian, provided, however, that any such minor who
15 is not committed to the Department of Juvenile Justice
16 under this subsection and who is found to be a
17 delinquent for an offense which is first degree murder,
18 a Class X felony, or a forcible felony shall be placed
19 on probation;

20 (ii) placed in accordance with Section 5-740, with
21 or without also being put on probation or conditional
22 discharge;

23 (iii) required to undergo a substance abuse

1 assessment conducted by a licensed provider and
2 participate in the indicated clinical level of care;

3 (iv) placed in the guardianship of the Department
4 of Children and Family Services, but only if the
5 delinquent minor is under 15 years of age or, pursuant
6 to Article II of this Act, a minor for whom an
7 independent basis of abuse, neglect, or dependency
8 exists. An independent basis exists when the
9 allegations or adjudication of abuse, neglect, or
10 dependency do not arise from the same facts, incident,
11 or circumstances which give rise to a charge or
12 adjudication of delinquency;

13 (v) if a minor found to be guilty of a violent
14 crime as defined in Section 3 of the Rights of Crime
15 Victims and Witnesses Act or found to be guilty of a
16 violation of Article 24 of the Criminal Code of 2012
17 involving the illegal possession or use of a firearm or
18 found to be guilty of a non-violent crime when the
19 minor has violated the terms and conditions of home
20 confinement or other alternative sentence or if home
21 confinement or other alternative sentence is
22 determined by the court to be infeasible, placed in
23 detention for a period not to exceed 30 days, either as
24 the exclusive order of disposition or, where
25 appropriate, in conjunction with any other order of
26 disposition issued under this paragraph, provided that

1 any such detention shall be in a juvenile detention
2 home and the minor so detained shall be 10 years of age
3 or older. However, the 30-day limitation may be
4 extended by further order of the court for a minor
5 under age 15 committed to the Department of Children
6 and Family Services if the court finds that the minor
7 is a danger to himself or others. The minor shall be
8 given credit on the sentencing order of detention for
9 time spent in detention under Sections 5-501, 5-601,
10 5-710, or 5-720 of this Article as a result of the
11 offense for which the sentencing order was imposed. The
12 court may grant credit on a sentencing order of
13 detention entered under a violation of probation or
14 violation of conditional discharge under Section 5-720
15 of this Article for time spent in detention before the
16 filing of the petition alleging the violation. A minor
17 shall not be deprived of credit for time spent in
18 detention before the filing of a violation of probation
19 or conditional discharge alleging the same or related
20 act or acts. The limitation that the minor shall only
21 be placed in a juvenile detention home does not apply
22 as follows:

23 Persons 18 years of age and older who have a
24 petition of delinquency filed against them may be
25 confined in an adult detention facility. In making a
26 determination whether to confine a person 18 years of

1 age or older who has a petition of delinquency filed
2 against the person, these factors, among other
3 matters, shall be considered:

4 (A) the age of the person;

5 (B) any previous delinquent or criminal
6 history of the person;

7 (C) any previous abuse or neglect history of
8 the person;

9 (D) any mental health history of the person;
10 and

11 (E) any educational history of the person;

12 (vi) ordered partially or completely emancipated
13 in accordance with the provisions of the Emancipation
14 of Minors Act;

15 (vii) subject to having his or her driver's license
16 or driving privileges suspended for such time as
17 determined by the court but only until he or she
18 attains 18 years of age;

19 (viii) put on probation or conditional discharge
20 and placed in detention under Section 3-6039 of the
21 Counties Code for a period not to exceed the period of
22 incarceration permitted by law for adults found guilty
23 of the same offense or offenses for which the minor was
24 adjudicated delinquent, and in any event no longer than
25 upon attainment of age 21; this subdivision (viii)
26 notwithstanding any contrary provision of the law;

1 (ix) ordered to undergo a medical or other
2 procedure to have a tattoo symbolizing allegiance to a
3 street gang removed from his or her body; or

4 (x) placed in electronic home detention under Part
5 7A of this Article.

6 (b) A minor found to be guilty of a violent crime as
7 defined in Section 3 of the Rights of Crime Victims and
8 Witnesses Act or found to be guilty of a violation of
9 Article 24 of the Criminal Code of 2012 involving the
10 illegal possession or use of a firearm or found to be
11 guilty of a non-violent crime when the minor has violated
12 the terms and conditions of home confinement or other
13 alternative sentence or if home confinement or other
14 alternative sentence is determined by the court to be
15 infeasible, ~~A minor found to be guilty~~ may be committed to
16 the Department of Juvenile Justice under Section 5-750 if
17 the minor is 13 years of age or older, provided that the
18 commitment to the Department of Juvenile Justice shall be
19 made only if a term of incarceration is permitted by law
20 for adults found guilty of the offense for which the minor
21 was adjudicated delinquent. The time during which a minor
22 is in custody before being released upon the request of a
23 parent, guardian or legal custodian shall be considered as
24 time spent in detention.

25 (c) When a minor is found to be guilty for an offense
26 which is a violation of the Illinois Controlled Substances

1 Act, the Cannabis Control Act, or the Methamphetamine
2 Control and Community Protection Act and made a ward of the
3 court, the court may enter a disposition order requiring
4 the minor to undergo assessment, counseling or treatment in
5 a substance abuse program approved by the Department of
6 Human Services.

7 (2) Any sentencing order other than commitment to the
8 Department of Juvenile Justice may provide for protective
9 supervision under Section 5-725 and may include an order of
10 protection under Section 5-730.

11 (3) Unless the sentencing order expressly so provides, it
12 does not operate to close proceedings on the pending petition,
13 but is subject to modification until final closing and
14 discharge of the proceedings under Section 5-750.

15 (4) In addition to any other sentence, the court may order
16 any minor found to be delinquent to make restitution, in
17 monetary or non-monetary form, under the terms and conditions
18 of Section 5-5-6 of the Unified Code of Corrections, except
19 that the "presentencing hearing" referred to in that Section
20 shall be the sentencing hearing for purposes of this Section.
21 The parent, guardian or legal custodian of the minor may be
22 ordered by the court to pay some or all of the restitution on
23 the minor's behalf, pursuant to the Parental Responsibility
24 Law. The State's Attorney is authorized to act on behalf of any
25 victim in seeking restitution in proceedings under this
26 Section, up to the maximum amount allowed in Section 5 of the

1 Parental Responsibility Law.

2 (5) Any sentencing order where the minor is committed or
3 placed in accordance with Section 5-740 shall provide for the
4 parents or guardian of the estate of the minor to pay to the
5 legal custodian or guardian of the person of the minor such
6 sums as are determined by the custodian or guardian of the
7 person of the minor as necessary for the minor's needs. The
8 payments may not exceed the maximum amounts provided for by
9 Section 9.1 of the Children and Family Services Act.

10 (6) Whenever the sentencing order requires the minor to
11 attend school or participate in a program of training, the
12 truant officer or designated school official shall regularly
13 report to the court if the minor is a chronic or habitual
14 truant under Section 26-2a of the School Code. Notwithstanding
15 any other provision of this Act, in instances in which
16 educational services are to be provided to a minor in a
17 residential facility where the minor has been placed by the
18 court, costs incurred in the provision of those educational
19 services must be allocated based on the requirements of the
20 School Code.

21 (7) In no event shall a guilty minor be committed to the
22 Department of Juvenile Justice for a period of time in excess
23 of that period for which an adult could be committed for the
24 same act.

25 (8) A minor found to be guilty for reasons that include a
26 violation of Section 21-1.3 of the Criminal Code of 1961 or the

1 Criminal Code of 2012 shall be ordered to perform community
2 service for not less than 30 and not more than 120 hours, if
3 community service is available in the jurisdiction. The
4 community service shall include, but need not be limited to,
5 the cleanup and repair of the damage that was caused by the
6 violation or similar damage to property located in the
7 municipality or county in which the violation occurred. The
8 order may be in addition to any other order authorized by this
9 Section.

10 (8.5) A minor found to be guilty for reasons that include a
11 violation of Section 3.02 or Section 3.03 of the Humane Care
12 for Animals Act or paragraph (d) of subsection (1) of Section
13 21-1 of the Criminal Code of 1961 or paragraph (4) of
14 subsection (a) of Section 21-1 of the Criminal Code of 2012
15 shall be ordered to undergo medical or psychiatric treatment
16 rendered by a psychiatrist or psychological treatment rendered
17 by a clinical psychologist. The order may be in addition to any
18 other order authorized by this Section.

19 (9) In addition to any other sentencing order, the court
20 shall order any minor found to be guilty for an act which would
21 constitute, predatory criminal sexual assault of a child,
22 aggravated criminal sexual assault, criminal sexual assault,
23 aggravated criminal sexual abuse, or criminal sexual abuse if
24 committed by an adult to undergo medical testing to determine
25 whether the defendant has any sexually transmissible disease
26 including a test for infection with human immunodeficiency

1 virus (HIV) or any other identified causative agency of
2 acquired immunodeficiency syndrome (AIDS). Any medical test
3 shall be performed only by appropriately licensed medical
4 practitioners and may include an analysis of any bodily fluids
5 as well as an examination of the minor's person. Except as
6 otherwise provided by law, the results of the test shall be
7 kept strictly confidential by all medical personnel involved in
8 the testing and must be personally delivered in a sealed
9 envelope to the judge of the court in which the sentencing
10 order was entered for the judge's inspection in camera. Acting
11 in accordance with the best interests of the victim and the
12 public, the judge shall have the discretion to determine to
13 whom the results of the testing may be revealed. The court
14 shall notify the minor of the results of the test for infection
15 with the human immunodeficiency virus (HIV). The court shall
16 also notify the victim if requested by the victim, and if the
17 victim is under the age of 15 and if requested by the victim's
18 parents or legal guardian, the court shall notify the victim's
19 parents or the legal guardian, of the results of the test for
20 infection with the human immunodeficiency virus (HIV). The
21 court shall provide information on the availability of HIV
22 testing and counseling at the Department of Public Health
23 facilities to all parties to whom the results of the testing
24 are revealed. The court shall order that the cost of any test
25 shall be paid by the county and may be taxed as costs against
26 the minor.

1 (10) When a court finds a minor to be guilty the court
2 shall, before entering a sentencing order under this Section,
3 make a finding whether the offense committed either: (a) was
4 related to or in furtherance of the criminal activities of an
5 organized gang or was motivated by the minor's membership in or
6 allegiance to an organized gang, or (b) involved a violation of
7 subsection (a) of Section 12-7.1 of the Criminal Code of 1961
8 or the Criminal Code of 2012, a violation of any Section of
9 Article 24 of the Criminal Code of 1961 or the Criminal Code of
10 2012, or a violation of any statute that involved the wrongful
11 use of a firearm. If the court determines the question in the
12 affirmative, and the court does not commit the minor to the
13 Department of Juvenile Justice, the court shall order the minor
14 to perform community service for not less than 30 hours nor
15 more than 120 hours, provided that community service is
16 available in the jurisdiction and is funded and approved by the
17 county board of the county where the offense was committed. The
18 community service shall include, but need not be limited to,
19 the cleanup and repair of any damage caused by a violation of
20 Section 21-1.3 of the Criminal Code of 1961 or the Criminal
21 Code of 2012 and similar damage to property located in the
22 municipality or county in which the violation occurred. When
23 possible and reasonable, the community service shall be
24 performed in the minor's neighborhood. This order shall be in
25 addition to any other order authorized by this Section except
26 for an order to place the minor in the custody of the

1 Department of Juvenile Justice. For the purposes of this
2 Section, "organized gang" has the meaning ascribed to it in
3 Section 10 of the Illinois Streetgang Terrorism Omnibus
4 Prevention Act.

5 (11) If the court determines that the offense was committed
6 in furtherance of the criminal activities of an organized gang,
7 as provided in subsection (10), and that the offense involved
8 the operation or use of a motor vehicle or the use of a
9 driver's license or permit, the court shall notify the
10 Secretary of State of that determination and of the period for
11 which the minor shall be denied driving privileges. If, at the
12 time of the determination, the minor does not hold a driver's
13 license or permit, the court shall provide that the minor shall
14 not be issued a driver's license or permit until his or her
15 18th birthday. If the minor holds a driver's license or permit
16 at the time of the determination, the court shall provide that
17 the minor's driver's license or permit shall be revoked until
18 his or her 21st birthday, or until a later date or occurrence
19 determined by the court. If the minor holds a driver's license
20 at the time of the determination, the court may direct the
21 Secretary of State to issue the minor a judicial driving
22 permit, also known as a JDP. The JDP shall be subject to the
23 same terms as a JDP issued under Section 6-206.1 of the
24 Illinois Vehicle Code, except that the court may direct that
25 the JDP be effective immediately.

26 (12) If a minor is found to be guilty of a violation of

1 subsection (a-7) of Section 1 of the Prevention of Tobacco Use
2 by Minors Act, the court may, in its discretion, and upon
3 recommendation by the State's Attorney, order that minor and
4 his or her parents or legal guardian to attend a smoker's
5 education or youth diversion program as defined in that Act if
6 that program is available in the jurisdiction where the
7 offender resides. Attendance at a smoker's education or youth
8 diversion program shall be time-credited against any community
9 service time imposed for any first violation of subsection
10 (a-7) of Section 1 of that Act. In addition to any other
11 penalty that the court may impose for a violation of subsection
12 (a-7) of Section 1 of that Act, the court, upon request by the
13 State's Attorney, may in its discretion require the offender to
14 remit a fee for his or her attendance at a smoker's education
15 or youth diversion program.

16 For purposes of this Section, "smoker's education program"
17 or "youth diversion program" includes, but is not limited to, a
18 seminar designed to educate a person on the physical and
19 psychological effects of smoking tobacco products and the
20 health consequences of smoking tobacco products that can be
21 conducted with a locality's youth diversion program.

22 In addition to any other penalty that the court may impose
23 under this subsection (12):

24 (a) If a minor violates subsection (a-7) of Section 1
25 of the Prevention of Tobacco Use by Minors Act, the court
26 may impose a sentence of 15 hours of community service or a

1 fine of \$25 for a first violation.

2 (b) A second violation by a minor of subsection (a-7)
3 of Section 1 of that Act that occurs within 12 months after
4 the first violation is punishable by a fine of \$50 and 25
5 hours of community service.

6 (c) A third or subsequent violation by a minor of
7 subsection (a-7) of Section 1 of that Act that occurs
8 within 12 months after the first violation is punishable by
9 a \$100 fine and 30 hours of community service.

10 (d) Any second or subsequent violation not within the
11 12-month time period after the first violation is
12 punishable as provided for a first violation.

13 (13) If a minor is found to be guilty of a non-violent
14 crime, the court shall first consider home confinement or other
15 alternative sentence instead of: (i) incarceration in a
16 facility of the Department of Juvenile Justice or (ii)
17 confinement in a juvenile detention home. The court shall order
18 a conference to be held to determine the alternative sentencing
19 plan. The conference shall be held with representatives of the
20 Illinois State Board of Education, the Department of Children
21 and Family Services, the prosecutor of the minor, the court,
22 the Department of Juvenile Justice, and the parent or legal
23 guardian of the minor. Based upon recommendations made at the
24 conference, the court shall order an alternative sentencing
25 plan that meets the needs of the minor and leads the minor
26 toward useful and non-criminal activities. The court may commit

1 the minor to the Department of Juvenile Justice or place the
2 minor in a juvenile detention home if the minor violates the
3 terms and conditions of the alternative sentence or if the
4 family or household situation presents a danger to the minor
5 that makes home confinement infeasible. For the purposes of
6 this Section, "non-violent crime" means an offense that is not a
7 violent crime as defined in Section 3 of the Rights of Crime
8 Victims and Witnesses Act and that is not a violation of
9 Article 24 of the Criminal Code of 2012 involving the illegal
10 possession or use of a firearm.

11 (Source: P.A. 97-1150, eff. 1-25-13; 98-536, eff. 8-23-13.)

12 (705 ILCS 405/5-901)

13 Sec. 5-901. Court file.

14 (1) The Court file with respect to proceedings under this
15 Article shall consist of the petitions, pleadings, victim
16 impact statements, process, service of process, orders, writs
17 and docket entries reflecting hearings held and judgments and
18 decrees entered by the court. The court file shall be kept
19 separate from other records of the court.

20 (a) The file, including information identifying the
21 victim or alleged victim of any sex offense, shall be
22 disclosed only to the following parties when necessary for
23 discharge of their official duties:

24 (i) A judge of the circuit court and members of the
25 staff of the court designated by the judge;

1 (ii) Parties to the proceedings and their
2 attorneys;

3 (iii) Victims and their attorneys, except in cases
4 of multiple victims of sex offenses in which case the
5 information identifying the nonrequesting victims
6 shall be redacted;

7 (iv) Probation officers, law enforcement officers
8 or prosecutors or their staff;

9 (v) Adult and juvenile Prisoner Review Boards.

10 (b) The Court file redacted to remove any information
11 identifying the victim or alleged victim of any sex offense
12 shall be disclosed only to the following parties when
13 necessary for discharge of their official duties:

14 (i) Authorized military personnel;

15 (ii) Persons engaged in bona fide research, with
16 the permission of the judge of the juvenile court and
17 the chief executive of the agency that prepared the
18 particular recording: provided that publication of
19 such research results in no disclosure of a minor's
20 identity and protects the confidentiality of the
21 record;

22 (iii) The Secretary of State to whom the Clerk of
23 the Court shall report the disposition of all cases, as
24 required in Section 6-204 or Section 6-205.1 of the
25 Illinois Vehicle Code. However, information reported
26 relative to these offenses shall be privileged and

1 available only to the Secretary of State, courts, and
2 police officers;

3 (iv) The administrator of a bonafide substance
4 abuse student assistance program with the permission
5 of the presiding judge of the juvenile court;

6 (v) Any individual, or any public or private agency
7 or institution, having custody of the juvenile under
8 court order or providing educational, medical or
9 mental health services to the juvenile or a
10 court-approved advocate for the juvenile or any
11 placement provider or potential placement provider as
12 determined by the court.

13 (c) The court file of a minor found to be guilty of a
14 non-violent crime as defined in subsection (13) of Section
15 5-710 of this Act shall be disclosed to the Illinois State
16 Board of Education, the Department of Children and Family
17 Services, the prosecutor of the minor, the court, the
18 Department of Juvenile Justice, and the parent or legal
19 guardian of the minor.

20 (3) A minor who is the victim or alleged victim in a
21 juvenile proceeding shall be provided the same confidentiality
22 regarding disclosure of identity as the minor who is the
23 subject of record. Information identifying victims and alleged
24 victims of sex offenses, shall not be disclosed or open to
25 public inspection under any circumstances. Nothing in this
26 Section shall prohibit the victim or alleged victim of any sex

1 offense from voluntarily disclosing his or her identity.

2 (4) Relevant information, reports and records shall be made
3 available to the Department of Juvenile Justice when a juvenile
4 offender has been placed in the custody of the Department of
5 Juvenile Justice.

6 (5) Except as otherwise provided in this subsection (5),
7 juvenile court records shall not be made available to the
8 general public but may be inspected by representatives of
9 agencies, associations and news media or other properly
10 interested persons by general or special order of the court.
11 The State's Attorney, the minor, his or her parents, guardian
12 and counsel shall at all times have the right to examine court
13 files and records.

14 (a) The court shall allow the general public to have
15 access to the name, address, and offense of a minor who is
16 adjudicated a delinquent minor under this Act under either
17 of the following circumstances:

18 (i) The adjudication of delinquency was based upon
19 the minor's commission of first degree murder, attempt
20 to commit first degree murder, aggravated criminal
21 sexual assault, or criminal sexual assault; or

22 (ii) The court has made a finding that the minor
23 was at least 13 years of age at the time the act was
24 committed and the adjudication of delinquency was
25 based upon the minor's commission of: (A) an act in
26 furtherance of the commission of a felony as a member

1 of or on behalf of a criminal street gang, (B) an act
2 involving the use of a firearm in the commission of a
3 felony, (C) an act that would be a Class X felony
4 offense under or the minor's second or subsequent Class
5 2 or greater felony offense under the Cannabis Control
6 Act if committed by an adult, (D) an act that would be
7 a second or subsequent offense under Section 402 of the
8 Illinois Controlled Substances Act if committed by an
9 adult, (E) an act that would be an offense under
10 Section 401 of the Illinois Controlled Substances Act
11 if committed by an adult, or (F) an act that would be
12 an offense under the Methamphetamine Control and
13 Community Protection Act if committed by an adult.

14 (b) The court shall allow the general public to have
15 access to the name, address, and offense of a minor who is
16 at least 13 years of age at the time the offense is
17 committed and who is convicted, in criminal proceedings
18 permitted or required under Section 5-805, under either of
19 the following circumstances:

20 (i) The minor has been convicted of first degree
21 murder, attempt to commit first degree murder,
22 aggravated criminal sexual assault, or criminal sexual
23 assault,

24 (ii) The court has made a finding that the minor
25 was at least 13 years of age at the time the offense
26 was committed and the conviction was based upon the

1 minor's commission of: (A) an offense in furtherance of
2 the commission of a felony as a member of or on behalf
3 of a criminal street gang, (B) an offense involving the
4 use of a firearm in the commission of a felony, (C) a
5 Class X felony offense under the Cannabis Control Act
6 or a second or subsequent Class 2 or greater felony
7 offense under the Cannabis Control Act, (D) a second or
8 subsequent offense under Section 402 of the Illinois
9 Controlled Substances Act, (E) an offense under
10 Section 401 of the Illinois Controlled Substances Act,
11 or (F) an offense under the Methamphetamine Control and
12 Community Protection Act.

13 (6) Nothing in this Section shall be construed to limit the
14 use of a adjudication of delinquency as evidence in any
15 juvenile or criminal proceeding, where it would otherwise be
16 admissible under the rules of evidence, including but not
17 limited to, use as impeachment evidence against any witness,
18 including the minor if he or she testifies.

19 (7) Nothing in this Section shall affect the right of a
20 Civil Service Commission or appointing authority examining the
21 character and fitness of an applicant for a position as a law
22 enforcement officer to ascertain whether that applicant was
23 ever adjudicated to be a delinquent minor and, if so, to
24 examine the records or evidence which were made in proceedings
25 under this Act.

26 (8) Following any adjudication of delinquency for a crime

1 which would be a felony if committed by an adult, or following
2 any adjudication of delinquency for a violation of Section
3 24-1, 24-3, 24-3.1, or 24-5 of the Criminal Code of 1961 or the
4 Criminal Code of 2012, the State's Attorney shall ascertain
5 whether the minor respondent is enrolled in school and, if so,
6 shall provide a copy of the sentencing order to the principal
7 or chief administrative officer of the school. Access to such
8 juvenile records shall be limited to the principal or chief
9 administrative officer of the school and any guidance counselor
10 designated by him or her.

11 (9) Nothing contained in this Act prevents the sharing or
12 disclosure of information or records relating or pertaining to
13 juveniles subject to the provisions of the Serious Habitual
14 Offender Comprehensive Action Program when that information is
15 used to assist in the early identification and treatment of
16 habitual juvenile offenders.

17 (11) The Clerk of the Circuit Court shall report to the
18 Department of State Police, in the form and manner required by
19 the Department of State Police, the final disposition of each
20 minor who has been arrested or taken into custody before his or
21 her 18th birthday for those offenses required to be reported
22 under Section 5 of the Criminal Identification Act. Information
23 reported to the Department under this Section may be maintained
24 with records that the Department files under Section 2.1 of the
25 Criminal Identification Act.

26 (12) Information or records may be disclosed to the general

1 public when the court is conducting hearings under Section
2 5-805 or 5-810.

3 The changes made to this Section by this amendatory Act of
4 the 98th General Assembly apply to juvenile court records of a
5 minor who has been arrested or taken into custody on or after
6 the effective date of this amendatory Act.

7 (Source: P.A. 97-1150, eff. 1-25-13; 98-61, eff. 1-1-14.)

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Statutes amended in order of appearance

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