



Office of the City Clerk

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Legislation Text

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Committee(s) Assignment:

Cappleman (46) Pawar (47) Osterman (48) Moore (49)
Smith (43) Resolution

Call for hearing(s) concerning costs for sealing or expunging criminal records
Committee on Human Relations

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RESOLUTION

WHEREAS, Section 5.2 of the Illinois Criminal Investigation Act ("the Act"), codified at 20 ILCS 2630/5.2, establishes a legal process to enable persons to seal or expunge their criminal record; and

WHEREAS, In Illinois, a person's criminal record contains his or her full arrest record;
and

WHEREAS, As a result, in Illinois, even in cases where a person who was arrested is not prosecuted for the underlying criminal offense, or is prosecuted but is found "not guilty" of the underlying criminal offense, the person must take affirmative steps to have his or her criminal record sealed or expunged; and

WHEREAS, Despite good faith efforts by The Office of the State Appellate Defender to improve its website to help persons clear their criminal records on their own and without the need for an attorney, the process of getting one's criminal record sealed or expunged in such cases remains daunting and is widely perceived as difficult and overwhelming; and

WHEREAS, It is costly to get one's criminal record sealed or expunged. Filing fees, which vary from county to county, must be paid at the courthouse. A \$60 processing fee is payable to the Illinois State Police. In addition, some local law enforcement assess their own processing fees. And, even though it is not necessary to enlist the aid of an attorney to seal or expunge a criminal record, many people nevertheless feel compelled to do so, thereby adding significantly to the overall cost of this process; and

WHEREAS, Many individuals, who were arrested but never prosecuted for the underlying criminal offense, or who were arrested but were found "not guilty" of the underlying criminal offense, will benefit if the Criminal Investigation Act is amended to make it easier and less costly for persons in this situation to have their criminal record sealed or expunged; now, therefore,

BE IT RESOLVED, That we, the Mayor and Members of the City Council of the City of Chicago, assembled this 8th day of October, 2014, do hereby direct the Chicago City Council Committee on Human Relations to hold an informational hearing on this matter; and

BE IT FURTHER RESOLVED, That suitable copies of this resolution be presented to Governor Patrick Quinn; Illinois Senate President John J. Cullerton; Illinois Senate Minority Leader Christine Radogno; Speaker of the House Michael J. Madigan; and Illinois House Minority Leader Jim Durkin, as a sign of our concern with this important issue.

Alderman Emma Mitts, 37th Ward

Alderman Jo Ann Thomson, 16th Ward

Alderman Michelle Harris, 8 Ward

Alderman Roderick Sawyer, 6th Ward
Alderman Natasha Holmes, 7th Ward
Alderman Anthony Beale, 9th Ward

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Alderman John A. Pope, 10th Ward
Alderman George A. Cardenas, 12th Ward
Alderman Marty Quinn, 13th Ward

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Alderman Michael Chafer, 5th Ward
Alderman Daniel Solis, 5th Ward

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man Roberto fff^emtfupe¹ Ward UJ^ljof- SiA^/-fy

Alderman Edward M. Burke, 14th Ward

Alderman Toni Foulkes, 15 Ward AJtferman Jojrtrfn^homsijln, 16th Ward
Alderma\Ray SuareQ 31st Ward

Alderman Deborah L. Mell, 33rd Ward Alderman Carrie M. Austin, 34th Ward

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Alderman Tinfothy M. Cullerton, 38th Ward Alderman Margaret La^idrioy&5^T7Ward Alderman Patrick J.

O'Connor, 40th Ward

Aldejuaogan Mary ^O'Connor, 41st Ward

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