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Connecticut youth deserve a clean slate Juveniles would benefit from automatic expungement of criminal records

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Youth who are arrested often find themselves on a path of family separation, educational disruption, and trauma. When they exit the juvenile justice system, youth are anxious to put the experience behind them. Yet, records of court involvement have the potential to stymie their future efforts to grow into productive citizens.

Criminal records impede employment, housing, professional licensure and other opportunities. Raised Bill 691, a bill the Connecticut legislature will consider today, would give adults a clean slate by automatically erasing certain records. We are proposing an amendment to ensure that youth with juvenile records, who also suffer devastating future consequences because of the stigma of a record, also receive this benefit.

Protecting the confidentiality of records is central to the juvenile justice system's goal of rehabilitation.

Connecticut law requires juvenile records to remain inaccessible to the public, but when a youth is arrested, a paper trail forms. This trail can follow a youth through adolescence and into adulthood, imposing barriers in school or job applications, professional licensure, enlistment in the armed forces, or housing. Despite perceived confidentiality, records are often inappropriately or inadvertently disclosed. Employers and others who obtain juvenile records may not appreciate the difference between juvenile and criminal court, or worse, may believe that any record is disqualifying.

Adolescents have a distinct capacity for change and rehabilitation, and almost every state provides a mechanism to eradicate juvenile records after court involvement has ended. But this mechanism is not meaningful if it is inaccessible.

Youth miss the opportunity to have records expunged because they believe that juvenile court operates under a veil of confidentiality and records disappear automatically after cases are closed. This is far from the truth, even in Connecticut.

As Connecticut law currently stands, youth must wait two to four years to petition for erasure. They often need an attorney to help file a petition. This can be an intimidating and arduous process.

Recidivism studies demonstrate that most youth criminal behavior desists over time: children grow out of delinquent behavior. However, barriers to expungement mean that most youths' records continue to impede future success.

Automatic expungement reduces racial and economic disparities in access to expungement. In at least 12 states, youth are not required to navigate the legal system and apply to the court to have a record expunged.

Today, the legislature will consider Raised Bill 691 to ensure future opportunities for adults with records; the Center for Children's Advocacy's proposed amendment would also ensure that youth are provided the same opportunity for a clean slate. We strongly encourage the Connecticut legislature to include the amendment and pass Raised Bill 691.

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