

# COST OF CONVICTION

*def.* A conviction is a guilty plea, guilty finding by a judge, guilty verdict by a jury, or adjudication of delinquency in juvenile court. You got convicted if your case ended with probation, conditional discharge, a fine, time served, or a jail or prison sentence.

## CONSEQUENCES

Getting convicted of a crime sets up barriers to many opportunities in life.

<p><b>Access to Public Housing</b> Chicago Housing Authority, FY2010 Admissions and Continued Occupancy Policy (ACOP), at 12-15 <a href="http://www.thecha.org/filebin/pdf/mapDocs/FY2010_ACOP_FINAL.pdf">http://www.thecha.org/filebin/pdf/mapDocs/FY2010_ACOP_FINAL.pdf</a> (accessed November 2010)</p>	<p>People convicted of drug-related and violent offenses are barred from public housing for 3 years. People convicted of arson, sex offenses that require registration, child molestation, and methamphetamine offenses are permanently barred from public housing.</p> <p>Members of a public housing applicant's household who are 18 and older must undergo a criminal background check. Sealed juvenile records are not reviewed in public housing applications.</p>
<p><b>Public Assistance Eligibility</b> Public Aid Code, Drug convictions, 305 ILCS 5/1-10</p>	<p>People convicted of Class X and Class 1 felony drug offenses are eligible for food stamps, but they cannot get cash assistance. People convicted of other drug felonies are eligible for food stamps but cannot get cash assistance for 2 years unless they are in drug treatment.</p>
<p><b>Student Financial Aid Eligibility</b> Student eligibility, Suspension of eligibility for drug-related offenses, 20 U.S.C.A. § 1091(r)</p>	<p>Students convicted of possession of a controlled substance may not get federal financial aid for 1 year after the 1st offense, 2 years after the 2nd offense, and forever after the 3rd offense. Students convicted of the sale of a controlled substance may not get federal financial aid for 2 years after the 1st offense and forever after the 2nd offense.</p> <p>Students may be able to restore their eligibility by completing a drug rehabilitation program or if the conviction gets reversed or set aside.</p>
<p><b>Right to Vote</b> Illinois Constitution, Article III, Section 2 10 ILCS 5/3.5, 730 ILCS 5/5-5-5(c)</p>	<p>People who are convicted of felonies or misdemeanors and sent to prison lose their right to vote while in prison. Voting rights are restored when a person gets released from prison or is on probation or parole.</p>
<p><b>Drivers' Licenses</b> Vehicle Code, Authority to cancel licenses, 625 ILCS 5/6-201(a)(7), 5/6-205(a)(2), 5/6-206.1(a)</p>	<p>People convicted of driving under the influence of alcohol or drugs may have their licenses suspended or revoked for 1 year. Drivers may also have their licenses suspended or revoked for drug-related convictions while they had physical control of a motor vehicle.</p>
<p><b>Foster Care &amp; Adoption</b> Child Care Act, 225 ILCS 10/17 Adoption Act, 750 ILCS 50/1, 2</p>	<p>People are barred from fostering or adopting children if they were convicted of child abuse, child neglect, or violent or sexual offenses. Convictions for drug and property offenses also bar a person from adopting or fostering children for at least 10 years.</p> <p>People with juvenile records are <u>not</u> prevented from fostering or adopting unless they were found delinquent of child abuse or neglect.</p>
<p><b>Fingerprint &amp; DNA Records</b> Criminal Identification Act, 20 ILCS 2630 Code of Corrections, Persons convicted of or found delinquent for certain offenses, 730 ILCS 5/5-4-3</p>	<p>The police take fingerprints of adults and juveniles who are arrested and keep the fingerprint records. The court orders DNA samples, such as saliva or blood, to be collected from people who get convicted of felonies. The Illinois State Police stores the records so that police can compare fingerprints and DNA to evidence in unsolved cases.</p>
<p><b>Sex Offender Registration</b> Sex Offender Registration Act, 730 ILCS 150 Sex Offender Community Notification Act, 730 ILCS 152, <a href="http://www.isp.state.il.us/sor/">http://www.isp.state.il.us/sor/</a></p>	<p>Adults or juveniles convicted of committing or attempting to commit sex offenses must register with the police as sex offenders. Child sex offenders cannot live within 500 feet of schools, playgrounds, parks &amp; child program centers. Sex offenders cannot live in public housing.</p> <p>The Illinois State Police publishes information online about registered sex offenders, including their names, photos, physical description, addresses, charges, and victims' ages.</p>

# EMPLOYMENT

Employers can look at conviction records when they decide whether to hire people.

**Employers ask about criminal convictions on job applications and run background checks.** Employers may not ask about arrests that did not result in conviction. Your record still shows the arrest and charge even if you did not get convicted. **Employers may not ask about or get copies of sealed or expunged arrest and conviction records.** 20 ILCS 2630/5, 775 ILCS 5/2-103, 705 ILCS 405/5-915.

## DEALING WITH CHARGES ON YOUR RECORD

Juvenile records are not automatically expunged when you turn eighteen. Adult records are public. **You might be able to get some arrests and charges sealed (hidden) or expunged (destroyed).**

### ADULT CRIMINAL RECORDS

*Whether you qualify for sealing or expungement depends on the charges and your whole record.*

**Step 1:** Get a copy of your RAP sheet from the Chicago Police Department Records Office.

**Location:** 4770 S. Kedzie Ave.  
**Hours:** Monday-Friday, 8:30 a.m.-3:30 p.m.  
**Telephone:** 312-745-5620

**Step 2:** Visit the Criminal Records Help Desk at the Daley Center. Bring a copy of your RAP sheet.

**Location:** 50 W. Washington St., 10th Floor  
**Hours:** Monday-Thursday, 9:00 a.m.-12:00 p.m.  
*Be early – the order is first-come, first-served.*

**Phone Advice:** State Appellate Defender, 866-787-1776

### JUVENILE DELINQUENCY RECORDS

*Juveniles may apply for expungement when they turn 17 and their juvenile sentences have ended.*

**Step 1:** Get a copy of your RAP sheet from the Chicago Police Department Youth Division.

**Location:** 3510 S. Michigan Ave.  
**Hours:** Monday-Friday, 9:00 a.m.-5:00 p.m.  
**Telephone:** 312-745-6004

**Step 2:** Visit the Juvenile Expungement Help Desk. Bring a copy of your RAP sheet.

**Location:** 1100 S. Hamilton Ave., 1st floor  
**Hours:** Monday & Friday, 9:00 a.m.-12:00 p.m.  
 Wednesdays, 12:00 p.m.-3:00 p.m.  
**Telephone:** 312-347-8373

# EXPENSES

In addition to incarceration and other barriers, convictions result in expensive fees and fines.

Court & State Fees	Sentencing	Probation Fines
<ul style="list-style-type: none"> <li>■ \$60 for each felony case</li> <li>■ \$20 for preliminary hearings</li> <li>■ \$50 for each day of trial</li> <li>■ \$200 DNA analysis fee</li> </ul>	<ul style="list-style-type: none"> <li>■ \$50,000 for 30-500g of cannabis</li> <li>■ \$500,000 for 100g+ of narcotics</li> <li>■ Fines doubled in school zones</li> <li>■ Forfeit vehicles used in crimes</li> </ul>	<ul style="list-style-type: none"> <li>■ \$200 for 2.5-10g of cannabis</li> <li>■ \$300 for 10-30g of cannabis on 1st offense</li> <li>■ \$500 on 2nd+ offense</li> </ul>

This is not a complete list of fees and fines associated with court processes and convictions.

# DID YOU KNOW?

It is more expensive to imprison people than it is to educate them.

- \$78,000.....*the cost of incarcerating a juvenile for one year in Illinois*
- \$24,971.....*the cost of incarcerating an adult for one year in Illinois*
- \$16,200.....*yearly in-state tuition & fees at the University of Illinois*
- \$10,500.....*yearly per-student spending by Chicago Public Schools*
- \$2,900.....*yearly in-district tuition & fees at City Colleges of Chicago*

All figures represent average annual expenditures.

### sources & resources

"It costs \$78,000 to keep a kid in jail for a year; panel's challenge is creative cost-cutting," *Medill Reports Chicago* (January 2010)  
 IDOC Financial Impact Stmt., [http://www.idoc.state.il.us/subsections/reports/financial\\_impact\\_statements/2009\\_Financial%20Impact%20Statement.pdf](http://www.idoc.state.il.us/subsections/reports/financial_impact_statements/2009_Financial%20Impact%20Statement.pdf)  
 "A \$340 million deficit leaves Chicago Public Schools pleading with Springfield for help," *Medill Reports Chicago* (February 2008)  
 University of Illinois Admissions website: [http://admissions.illinois.edu/cost/tuition\\_freshman.html](http://admissions.illinois.edu/cost/tuition_freshman.html) (accessed November 2010)  
 City Colleges of Chicago Tuition & Fees website: <http://www.ccc.edu/student/Tuition.asp> (accessed November 2010)  
 Chicago Office of the State Appellate Defender: 1-866-787-1776, <http://www.state.il.us/defender/expforms/2010instguide.pdf>  
 Legal Action Center, Roadblocks to Reentry: [www.lac.org/roadblocks-to-reentry/main.php?view=profile&subaction1=IL](http://www.lac.org/roadblocks-to-reentry/main.php?view=profile&subaction1=IL)

*report prepared by...* **First Defense Legal Aid, [www.first-defense.org](http://www.first-defense.org), 1-800-LAW-REP-4**