

Ideas about use of juvenile records as evidence discussed by Disqualification subcommittee, 4/20/22

- Prohibit disqualification on juvenile records after juvenile supervision ends
 - Prohibit disqualifications based on juvenile records for offenses committed under the age of 14
 - Only use convictions (tried as an adult) and extended juvenile jurisdiction (EJJ) cases for disqualification determinations
 - Mirror the beginning date for the lookback periods used in the recent foster care licensing statute (eg, beginning the lookback period at the time of the offense, the time probation ends, etc).
 - Permit DHS to set-aside a permanent disqualification if said DQ was based on a juvenile record.
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- My suggestion involves cases where a person has a juvenile matter that remained within juvenile court and thus DOES NOT include the more serious cases routed through extended juvenile jurisdiction (EJJ) or where the person was tried as an adult. My suggestion is that juvenile cases, regardless of the DQ offense, are DQ'd for a maximum 7 years.
 - Consistent with Safety. If a juvenile reoffends in those 7 years, they will be DQ'd based on those actions. If the juvenile does not reoffend, it reflects a maturation consistent with brain science and reduction of risk of harm.
 - Consistent with Current Law. Under the current statute, if a person commits "maltreatment" of a child or a vulnerable adult, they are DQ'd for 7 years.
 - Example. JV is adjudicated delinquent at 15 y/o for burglary at a local liquor store. He completed the terms of his court obligations on January 1, 2015, when he was 17 years old. JV has not had any subsequent problems with the law. JV applies for a job as a PCA on January 2, 2022. He is not disqualified as his DQ expired on January 1, 2022 (7 years after his release from supervision).