

March 2021

# Reducing Structural Barriers to School and Work for People with Juvenile Records



**Justice Center**  
THE COUNCIL OF STATE GOVERNMENTS

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This project could not have happened without the support and information provided by individuals across a variety of organizations that work directly with structural barriers that impact people with juvenile records every day. The CSG Justice Center would like to extend a special thank you to FHI 360 and the young adults of the Compass Rose Collaborative who shared their lived experiences navigating structural barriers and provided invaluable context. Additional thanks goes to the American Association of Collegiate Registrars and Admissions Officers, the Society for Human Resource Management, Fair and Just Prosecution, National Juvenile Defender Center, and Juvenile Law Center for providing their expertise and feedback. This research was funded by the Annie E. Casey Foundation. We thank them for their support but acknowledge that the findings and conclusions presented in this report are those of the author(s) alone and do not necessarily reflect the opinions of the Foundation.

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Suggested Citation: Josh Weber, *Reducing State-Imposed Barriers to School and Work for People with Juvenile Records* (New York: The Council of State Governments Justice Center, 2021).

Given the COVID-19-related economic challenges that states will likely face for the foreseeable future, state leaders will undoubtedly prioritize policies and programs to increase access to postsecondary education and employment. However, millions of people will face significant, often lifelong barriers to these opportunities due to their past involvement with the juvenile justice system.

From 2014 to 2018, nearly 1.5 million cases were adjudicated in juvenile court.<sup>1</sup> It is a misconception that these adjudications, even for minor offenses such as trespassing, truancy, or marijuana possession, don't have lasting consequences. Like adults, people with juvenile adjudications can experience an array of restrictions to their continued education, credentialing, and employment. These restrictions especially affect people of color due to persistent racial and ethnic disparities in rates of juvenile justice involvement. Moreover, economic downturns historically have exacerbated these restrictions, particularly affecting employment rates for people of color, youth and young adults, and individuals without a college degree.<sup>2</sup> Indeed, COVID-19 has already disproportionately affected the employment and financial security of communities of color.<sup>3</sup> It is more critical than ever, then, for states to ensure that their policies don't unnecessarily prevent people who have juvenile adjudications from taking part in an inclusive economic recovery.

Even before the pandemic, states had good reason and growing momentum to evaluate the collateral consequences of juvenile adjudications. More than two-thirds of states have passed "ban the box" and/or "fair chance" legislation to ensure that people with a criminal record can pursue employment without their records being held against them. However, these efforts have focused on providing relief to adults with criminal histories and have rarely, if ever, sought to distinguish between juvenile and criminal records and extend reforms accordingly. Likewise, some states have acknowledged the growing research that youth and young adults are developmentally distinct from adults<sup>4</sup> by adjusting how young people are supervised in the justice system and adopting a positive youth development approach. But states haven't generally applied this research to reducing the collateral consequences associated with juvenile adjudications beyond scattered reforms to sealing and expungement laws.<sup>5</sup>

To aid states, The Council of State Governments (CSG) Justice Center conducted a first-of-its-kind examination of state statutory and administrative barriers that affect people who have been adjudicated of an offense in juvenile court. With a specific focus on education- and employment-related collateral consequences, the study examined those consequences that follow young people after the conclusion of their juvenile justice system involvement.<sup>6</sup> This brief summarizes key findings from the analysis and provides recommendations for state statutory reform. Policymakers and other state leaders can use these recommendations to ensure that state policies don't unduly hamper people from continuing their education or obtaining employment due to the mistakes of their youth. An accompanying toolkit includes sample legislative language and state best practice examples to help advance these efforts.

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## Methodology

CSG Justice Center staff selected a representative sample of 12 states and conducted a comprehensive review of juvenile justice, criminal justice, education, occupational licensing, and employment state statutes. In addition, staff reviewed applications in each state for admission to all public universities and for the largest (by enrollment) community colleges and private colleges and universities. Staff also reviewed employment applications for the largest public and private employers in each of the 12 states. Finally, to complement the state-specific analysis, CSG Justice Center staff conducted national focus groups with a diverse set of stakeholders, including employers, human resource professionals, postsecondary admissions officers, licensing board members, judges, prosecutors, public defenders, and individuals with lived experience who had juvenile adjudications. The focus groups examined policies and practices related to the imposition of collateral consequences of juvenile adjudications as well as participants' perspectives on the merits of using a more developmentally appropriate approach. (See the Appendix for a more detailed description of the study methodology and selected states.)

## Key Findings

Likely due to the limited attention that most states have given to the collateral consequences of a juvenile adjudication, no state in the study demonstrated a comprehensive approach to treating juvenile adjudications differently than criminal convictions. Instead, education- and employment-related collateral consequences manifest in all 12 of the studied states as an opaque patchwork of policies, application requirements, and inadequate relief mechanisms. As a result, state policies are confusing to the affected individuals and ultimately fail to ensure that people with juvenile adjudications face few, if any, barriers to their ongoing education and employment.

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## **Key Finding 1: State statutes appear to be designed to limit the imposition of collateral consequences based on a juvenile adjudication, but these provisions may not achieve their intended purpose in practice.**

Every state examined in the study has an overarching clause within its juvenile justice statute that explicitly distinguishes “juvenile adjudications” from “criminal convictions.” These clauses are designed to clarify that juvenile adjudications don’t give rise to the same collateral consequences that result from a criminal conviction. However, such legal provisions are undermined in state policies in a variety of ways.

**A. Inexact Language:** The 12 studied states don’t use consistent statutory language to indicate how collateral consequences are triggered. Although many consequences are imposed based on a “criminal conviction,” others are triggered by “findings of guilt,” “violations of law,” or “commission of a crime.” While likely unintentional, this language is vague enough that it can be interpreted as pertaining to juvenile adjudications.

**B. Explicit Exceptions:** Most of the studied states impose legal barriers explicitly as a result of adjudications, including restrictions on law enforcement appointments and occupations in industries involving health care, childcare/education, and the care of vulnerable adults. Such restrictions are often mandatory, particularly for violent/sex offenses. At the same time, states also impose some restrictions irrespective of the severity of the offense or whether the offense is logically related to the affected professions. While less common, a few states restrict people with juvenile adjudications from receiving postsecondary financial aid. For example, a young honors student who was involved in a school fight and ended up in juvenile court would be permanently ineligible for a merit-based scholarship to a state university.

**C. Good Moral Character Provisions:** In many of the studied states, licensing boards—which oversee credentialing for an array of occupations from health care to education to legal and financial professions—are governed by statutory provisions that require eligible applicants to be of “good moral character.” These provisions are almost always vague and lack criteria for how such determinations are made. Some of the studied states expressly prohibit licensing boards from considering juvenile adjudications when they evaluate a person’s “moral character,” but the majority of states have no such restrictions.

**D. Record Confidentiality:** In most of the studied states, juvenile arrest and court records are confidential by default. Yet records for youth who commit serious offenses and/or commit repeated offenses are often exempt and available to the same degree as adult records. In a few states, information about juvenile adjudications, regardless of offense, is even available to the public. State statutes meant to limit collateral consequences due to juvenile adjudications are insufficient and ineffective when information on juvenile adjudications

is readily available. In fact, this information can be used by a variety of entities to make education, employment, or licensing decisions—including in ways that undermine states’ own sealing and expungement laws—with no way for states to know how often or in what ways such use is occurring.

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**Key Finding 2: The majority of public and private postsecondary institutions and some employers in the studied states ask applicants about their criminal history and/or require background checks. Almost none of the states make distinctions between juvenile adjudications and adult convictions.**

State statutes designed to limit the collateral consequences of juvenile adjudications are rendered relatively toothless in practice if postsecondary education and employment applications require the disclosure of juvenile adjudications and if statute places no limitations on such requirements. This is the case, in at least some fashion, in all of the studied states.

**A. Postsecondary Education:** The majority of postsecondary institutions across all studied states require applicants to disclose their criminal history, including if they have ever been adjudicated guilty of a misdemeanor, felony, or other crime (and often if they have been subjected to any form of school discipline going back to ninth grade). While only a quarter of the largest community colleges require this disclosure, the majority of all public universities in the studied states require it as do almost 80 percent of the largest private institutions. Research shows that asking applicants to disclose their criminal history is a significant disincentive for people with a record to complete their application. In one study, application attrition rates were over 60 percent—3 times higher than their peers without records.<sup>7</sup> At the same time, few studies have examined whether screening applicants for their criminal history improves campus safety. And those that do exist have found little to no relationship between prior criminal history and campus behavior.<sup>8</sup>

In most cases, postsecondary institutions that ask applicants to report their criminal history state that expunged or sealed records don’t require disclosure. Otherwise, no institution makes distinctions between juvenile adjudication and criminal convictions. In addition, most do not provide exceptions for less serious offenses. For example, in many of the studied states, youth who committed a “status offense,” such as truancy or running away from home, would need to disclose this offense, without context or explanation, in the same way as a youth who committed multiple violent felonies. Lastly, most institutions provide no explanation about how criminal history information is used and whether it automatically disqualifies the applicant.

**B. Employment:** Most of the studied states have enacted “ban the box” or “fair chance” legislation. As a result, public and private employers largely do not require applicants to disclose their criminal history, including

juvenile adjudications. However, over a quarter of the largest private employers in the studied states and almost half of state government applications require a criminal background check and explicitly state this on employment applications. Individuals with juvenile adjudications who participated in the study focus groups shared that such requirements often discouraged them from completing employment applications. This is particularly true when, as in most instances, there is no explanatory language about how information revealed by background checks will be considered in the hiring process. Likewise, applicants have no assurance that juvenile adjudications are considered differently than criminal convictions or that distinctions are made based on the severity of offenses. Unfortunately, people with a juvenile record have good reason to worry about how such information will be used. Despite shifting attitudes, research has consistently shown that employers are more reluctant to interview and hire people who have been convicted of a crime—including individuals whose only offenses are juvenile adjudications—compared to similar peers without a record.<sup>9</sup>

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**Key Finding 3: The studied states have established relief mechanisms to mitigate collateral consequences that result from juvenile adjudications, but significant exceptions, procedural challenges, and a lack of transparency and public education limit their effectiveness.**

Every studied state has legally established opportunities for people who have juvenile adjudications to clear their records, whether through sealing (removal/destruction of records so they are no longer accessible), expungement (erasing records as if they never existed), or some combination of the two. However, many states also impose substantial limitations on who is eligible for record clearance. At the same time, research shows that the majority of eligible people don't take advantage of these relief mechanisms because they aren't aware of their rights, don't have the time or resources to tackle what are often cumbersome and costly record clearance processes, or both. Due to these challenges, the most robust study conducted on the use of sealing and expungement found uptake rates of less than 7 percent within 5 years of eligibility.<sup>10</sup> Consequently, juvenile records remain obstacles to people's education and employment for the rest of their lives.<sup>11</sup> Major barriers to more effective record clearance processes for juvenile adjudications in the studied states include the following.

**A. Exceptions:** In many of the studied states, record clearance is not available to people adjudicated of serious offenses. And, in some cases, such individuals are also restricted from clearing any offense for which they have been adjudicated even if those offenses, on their own, would otherwise meet state eligibility criteria.

Clearance is also often unavailable for people with pending charges; those convicted as adults of certain, or in some instances, any offense; and people transferred from juvenile to adult court at any time. Of particular note, in some of the studied states, people who committed multiple juvenile offenses—no matter how minor the offenses—are not eligible for record clearance. As a result, individuals who received multiple adjudications must bear the burden of their records for their lifetimes. This includes adjudications for risk-taking behaviors common in adolescence, such as underage drinking and shoplifting, but that are often criminalized, particularly in communities of color.

**B. Procedural Challenges:** Record clearance is automatic in some of the studied states. Yet in many states, people who committed any offense, or sometimes only serious offenses, must proactively petition the court for a record clearance hearing. In these instances, individuals must often navigate a host of confusing legal and administrative processes, typically without the guidance of legal counsel, and pay record clearance fees that can cost hundreds of dollars. Record clearance also usually requires a waiting period of two to five years, which can overlap with the critical time that young adults are seeking to transition to independence, making barriers to education and/or employment especially damaging. Finally, the studied states are split regarding whether record clearance is mandatory or discretionary if state requirements are met. When discretionary, states offer minimal guidance to help judges make these decisions in an objective, consistent manner beyond ill-defined terms such as “public interest” or factors like “evidence of rehabilitation.”

**C. Awareness and Transparency:** Perhaps most importantly, record clearance policies are moot in practice if individuals who have juvenile adjudications don’t know about them or their effects. Most of the studied states do not require in statute that juvenile courts or public defenders explain the collateral consequences of an adjudication. Consequently, many youth (and families) agree to plea deals without realizing that such a plea can result in lifelong collateral consequences. Most states also lack robust systems for ensuring that youth and young adults are educated about available relief mechanisms at the time of their court hearing and upon reaching the age of eligibility. In addition, states don’t legally require applications for occupational licensing, postsecondary education, and employment to clearly state that expunged juvenile records do not need to be disclosed and that such records will not show up on background checks.

Focus groups with people with juvenile adjudications demonstrated the impacts of a confusing system that lacks transparency. People reported that they struggled to understand the variety and imprecise nature of the disclosure requirement language used in postsecondary and employment applications and that they were unsure how such information would be considered. Thus, they said they chose to disclose every offense they have ever committed, including those that have been sealed/expunged, for fear of being accused of withholding information or that such information would show up on background checks regardless. Or they felt that the odds were too stacked against them and gave up trying to access traditional pathways for education, credentialing, and employment.

# Recommendations

The current ways that education and employment collateral consequences of a juvenile adjudication manifest in practice are disparate, disjointed, and often indistinguishable from how criminal convictions are treated. And such consequences can have a profound effect on people's ability, particularly people of color, to continue their education, earn critical credentials, and obtain meaningful employment for the rest of their lives. As a result, policymakers and other state leaders have good reasons to establish a more comprehensive, developmentally appropriate approach that eliminates barriers to continued education and employment for the vast majority of people with juvenile adjudications.<sup>12</sup>

**First, the economic and public safety benefits of such reforms, which accrue for individuals and communities, are likely to be both significant and timely.**

As detailed throughout this report, research and study focus groups have shown that, in the absence of greater protections, individuals with a juvenile record may limit their pursuit of education and employment for fear that their records will be used against them. And even if they don't, they may face institutional bias from post-secondary institutions and employers if forced to disclose their history, particularly without details or context. On the other hand, research has also shown that people who have their records cleared, and therefore are no longer required to disclose their history, experience a substantial increase in their employment rates and wages. A recent study showed that people with records had a 22 percent increase in earnings within one year compared to pre-expungement.<sup>13</sup> More generally, robust research has shown that educational obtainment and employment are associated with a host of positive outcomes for both individuals and communities, including improved lifetime earnings and reduced crime.<sup>14</sup> Further, given that all people, particularly young adults, are likely to face a daunting set of obstacles for the foreseeable future due to COVID-19, the benefits of reducing barriers to education and employment for those with a juvenile record might never be greater.

**Second, policy changes are readily achievable.**

State policymakers can enact a set of straightforward policy solutions to clarify the currently confusing bureaucracy of juvenile collateral consequence law. These policy solutions can establish a comprehensive, developmentally appropriate approach to ensuring that people who make mistakes during their youth have a fair chance to pursue and achieve their education and employment goals. Critically, in a time of state budget constraints, most of these reforms are cost neutral.

**Finally, juvenile collateral consequences policy changes are likely to draw broad public and political support,** outside of potentially thornier questions on how to treat people who commit violent offenses (which account for only 6 percent of all juvenile arrests<sup>15</sup>). Public support for collateral consequence reform has proved robust.<sup>16</sup> And while few studies have examined support specifically related to juvenile adjudications, public support is high for generally treating people who committed juvenile offenses more leniently than those convicted of crimes as adults.<sup>17</sup> Indeed, most study focus group participants had not previously considered the question of whether juvenile adjudications should be treated differently from criminal convictions when it comes to education and employment collateral consequences. However, upon reflection, a diverse group of participants—including human resource officers, licensing board members, higher education admissions officers, prosecutors, public defenders, and judges—expressed broad support for making such distinctions and employing a more developmentally appropriate approach.

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## **Recommendation 1: Establish overarching state law that clearly distinguishes juvenile adjudications from criminal convictions and that prohibits inquiry into and consideration of adjudications in education and employment decisions.**

The simplest, most important step that state policymakers can take is to establish a comprehensive legal provision stating that juvenile adjudications cannot be used as the basis for education or employment decisions by employers, education institutions, and other public or private entities. Such a provision is likely best placed within juvenile justice statute but with references to and linkages within relevant education and employment statutes. The adoption of such an overarching statute would establish a statewide guiding principle; provide clear direction to the many agencies involved in making licensing, education, and employment determinations as well as to affected individuals; and eliminate the current ambiguities and inconsistencies within and across state statute, applications, and actual practice. Key dimensions of this superseding statute should include the following.

**A. Eliminate licensing and occupational restrictions due to juvenile adjudications, including as part of “moral character” and related considerations.** If needed, ensure that any exceptions for serious/violent offenses have a clear rationale connected to the affected industry/occupation (e.g., limitations on people with sex offense adjudications from child service-oriented professions) and are time limited. In addition, offense exceptions should be discretionary rather than mandatory to allow for consideration of individual offenses, context, and evidence of rehabilitation and demonstrated efforts to restore the harm caused to victims/communities (restorative justice).

**B. Eliminate financial aid restrictions for postsecondary education.** People with juvenile adjudications should be eligible for need and merit-based financial aid from public and private postsecondary institutions, regardless of their offense. This is particularly important given the overwhelming, proven benefits associated with educational obtainment for individuals and community safety.

**C. Require all public and private postsecondary institutions and employers and related institutions/organizations to eliminate application questions related to criminal history generally.** More specifically, if needed, clearly state that applicants don't need to disclose juvenile adjudications (or school discipline history) and that juvenile adjudications will not be considered if identified as part of broader criminal history background checks. If necessary, ensure that

any offense exceptions are limited to violent/serious offenses and detailed in precise legal language. Additionally, applications should include statements indicating that cleared records don't require disclosure as well as how any information that is disclosed will be used as part of the review process, including whether it's automatically disqualifying.

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## **Recommendation 2: Make all juvenile arrest and court records and associated information presumptively confidential at all times with limited exceptions for clearly designated public safety purposes.**

While statute can bar inquiry into and consideration of juvenile adjudications for the purposes of education and employment decisions, state policy will have limited impact in practice if juvenile records are readily accessible. Policymakers can enact further statutory changes to close this loophole.

### **A. Restrict access to juvenile arrest, court, and other records to the public at large and for employment, licensing, admissions, and other similar purposes.**

Records should only be available after case closure to law enforcement and other select entities, either by default or for clearly defined public safety reasons. Dissemination/disclosure by any entities with record access should be prohibited without court permission.

### **B. Eliminate most automatic exceptions to confidentiality law for certain offenses or people who commit repeated offenses.**

Other than for potentially the most violent/serious offenses, statute should authorize courts to make records non-confidential only on a case-by-case basis where there is a specific public safety need. This public safety need should have defined standards/criteria, and the state should bear the burden of proving that it exists.

### **C. Ensure that all juvenile records, potentially excluding only the most serious offenses, are not reported to the Federal Bureau of Investigation for background check purposes.**<sup>18</sup>

In many cases, this will eliminate adjudications from showing up on standard background checks.

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### **Recommendation 3: Ensure that record clearance processes are universal, automatic, and free of charge.**

Some states may feel uncomfortable with comprehensively eliminating education and employment collateral consequences that result from juvenile adjudications or want to at least maintain limited offense exceptions. In such instances, robust sealing and expungement laws remain critical to ensuring that people who have likely had the deepest and most sustained involvement with the juvenile justice system also have a fair chance at continuing their education and obtaining employment. Policymakers should ensure that juvenile record clearance systems reflect the following components.

**A. Establish automatic, no-cost expungement of juvenile adjudications within one to two years of juveniles reaching the age of majority, including for repeat juvenile offenses.** Once records are cleared, affected individuals should have the right to deny such adjudications ever occurred.

**B. If exceptions are made for serious, violent offenses, states should still require automatically scheduled hearings to review the possibility of sealing/expungement for these cases and strive to reduce the associated administrative, time, and cost burdens for affected individuals.** In conjunction, policymakers should establish specific guidance for judges on how to make such determinations, including evidence of rehabilitation and restorative justice.

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### **Recommendation 4: Establish mechanisms to ensure that people who become involved with the juvenile justice system are informed about the consequences of an adjudication as well as their rights and obligations.**

Statutory changes will have limited impact if affected individuals are not aware of the law. This could result in people unnecessarily restricting themselves from pursuing their education and employment goals out of fear that they will need to disclose their record. Or it could deter people from standing up for their rights if they are required to disclose such information despite legal restrictions to the contrary. State leaders can address this concern by adopting a number of key policies.

**A. Require and support juvenile courts and/or defense attorneys to make youth (and their families) aware of potential collateral consequences before they agree to a plea deal.**

As the Supreme Court<sup>19</sup> and American Bar Association<sup>20</sup> have affirmed, it's critical that defendants are made aware of the consequence of an adjudication so they can make informed decisions. And generally, while plea colloquies have become more routine in the criminal justice system, few jurisdictions have adopted robust policies or formal processes to guide the consistent disclosure of information before a plea in juvenile courts. States will need to find creative ways to require youth and families to be informed about collateral consequences amidst what is often a bewildering court process for families while also not overwhelming under-resourced courts and attorneys. The development of a simple fact sheet for youth and families on the potential collateral consequences of an adjudication—written in reader-friendly terms and available in multiple languages—could serve as a valuable resource to aid courts and attorneys in this task.

**B. Require and support state court administrative offices to develop and disseminate brief written guidance that summarizes the collateral consequences that follow people after case closure as well as eligibility and the process for sealing and expungement.**

This information should include who is impacted, the circumstances in which people do and don't need to disclose their adjudications, the process and timelines for getting their record cleared, and how record clearance impacts record disclosures. States should require this written information to be provided to all adjudicated individuals and their legal guardians. It should also be broadly distributed to the wide range of attorneys that defend youth in juvenile court, prosecutors, judges, juvenile probation and corrections agencies, employers, licensing boards, postsecondary institutions, workforce development agencies, and service providers.

**C. Upon successful record clearance, ensure that affected individuals receive written notification that includes a clear explanation of their rights and obligations**

in terms of disclosure of their offenses (e.g., that the individual shall not be required to disclose any cleared records and may properly and legally reply that no such records exist) as well as a copy of their records.

For further guidance on how to adopt these recommendations, see the accompanying policy solutions toolkit which includes sample legislative language and state best practice examples. Visit <https://csgjusticecenter.org/publications/juvenile-consequences/>

# Appendix: Methodology

The key findings presented in this brief draw on an analysis of state statutory and administrative barriers that affect people who have been adjudicated of an offense in juvenile court. The study examined education and employment-related collateral consequences that follow people after the conclusion of their juvenile justice system involvement. In 2020, CSG Justice Center staff analyzed statutes and applications from 12 states and conducted a series of virtual national focus groups.

## State Selection

Analyses and findings are based upon an examination of laws, policies, and hiring and postsecondary admissions practices in 12 states: California, Florida, Illinois, Iowa, New York, Ohio, Oregon, Pennsylvania, South Carolina, Texas, Vermont, and Washington.

The 12 states were selected with the goal of establishing a cross-section of states that reflect diversity in key metrics, including the following:

- Population size and region: three states of varying population sizes (two large, one small) were chosen from each of the four Council of State Governments Regional Conferences (East, West, South, and Midwest)
- Politics: the party affiliation of the governor and which political party controls the state legislature
- Juvenile justice system: structure (local vs. centralized) and reform progress
- Approach to collateral consequences: based on **previous analysis** conducted on all 50 states' approach to collateral consequences of adult convictions

## Statutory Analysis

CSG Justice Center staff conducted a comprehensive review of statutes related to the collateral consequences of juvenile adjudications in each of the 12 states. Staff identified relevant laws within a variety of categories by searching the text of specific sections of each state's statutory code using customized Lexis Advanced search terms. Additional resources, such as those prepared by the Juvenile Law Center, National Juvenile Defense Center, and Restoration of Rights Project,<sup>21</sup> were consulted to ensure that the results of state code searches were inclusive. The analysis examined statutes that do the following:

- Distinguish between the status of adult convictions and juvenile adjudications with respect to their usage in employment, licensing, and admissions decisions
- Authorize or allow for the use of juvenile adjudications as a basis for the denial of employment, licensure, or education admissions
- Limit consideration of criminal history in employment, licensure, or admissions (including "ban-the-box" and "fair chance licensing" laws)
- Limit the use of juvenile adjudications as a basis for denying employment, licensure, or education admissions
- Condition employment, licensure, or education admissions upon a determination that the applicant is "of good moral character" (or similar) and do not explicitly exclude juvenile adjudications from being factored into the determination
- Pertain to the general confidentiality and authorized use of juvenile records
- Allow for or restrict the sealing and/or expungement of juvenile adjudication records
- Authorize or require sex offender registration for juvenile adjudications and impose barriers to employment based upon a person's status as a registered sex offender and/or adjudication

## Application Analysis

For each of the 12 states, CSG Justice Center staff analyzed a sample of public and private employment and postsecondary applications to determine the extent and nature of inquiries into criminal history generally and juvenile adjudications specifically. The samples consisted of the following:

- The generic state government hiring application used by each state
- Hiring applications for the five largest private employers within each state as reported by CareerOneStop, a workforce development resource funded by the U.S. Department of Labor's Employment and Training Administration
- Admissions applications for every public four-year college/university in each state
- Admissions applications for the five largest private four-year colleges in each state as determined by total student population
- Admissions applications for the largest community college in each state

## Focus Groups

CSG Justice Center staff conducted 13 national virtual focus groups and interviews with a diverse set of stakeholders to examine policies and practices related to the imposition of collateral consequences of juvenile adjudications. The focus groups also captured participants' perspectives on the merits of distinguishing between criminal convictions and juvenile adjudications and restricting use of juvenile adjudications in making education and employment decisions. Focus group participants included the following categories of stakeholders:

- National organizations that had conducted previous research and analysis related to the collateral consequences of a juvenile adjudication, particularly the American Bar Association, Juvenile Law Center, and National Juvenile Defender Center
- Young adults in the workforce who have juvenile adjudication histories
- Postsecondary education admissions officers
- Employers, including human resource professionals
- State licensing agency officials
- State juvenile court public defenders and prosecutors
- Juvenile court judges

# Endnotes

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3. Jevay Grooms, Alberto Ortega, and Joaquin Alfredo-Angel Rubalcaba, "The COVID-19 public health and economic crises leave vulnerable populations exposed," Brookings, August 13, 2020, <https://www.brookings.edu/blog/up-front/2020/08/13/the-covid-19-public-health-and-economic-crises-leave-vulnerable-populations-exposed/>.
4. Richard J. Bonnie et al., eds., *Reforming Juvenile Justice: A Developmental Approach* (Washington, DC: National Academies Press, 2013).
5. Joy Radice, "The Juvenile Record Myth," *Georgetown Law Journal* 106, No. 2 (2018), <https://ssrn.com/abstract=3132173>.
6. Individuals who are adjudicated in juvenile court can experience a range of collateral consequences during their time under system supervision, such as the suspension of driving privileges and school suspension/expulsion, as well as consequences beyond those related to education and employment during and after their system involvement, such as those related to military eligibility, housing, and immigration. Many of these consequences are not detailed in state statute, and thus harder to uniformly assess, but are implemented in discretionary ways in practice.
7. Allen Rosenthal, et al., *Boxed Out: Criminal History Screening and College Application Attrition* (New York: Center for Community Alternatives, 2015) <http://www.communityalternatives.org/wp-content/uploads/2019/11/boxed-out.pdf>.
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10. J.J. Prescott and Sonja B. Starr, "Expungement of Criminal Convictions: An Empirical Study," *Harvard Law Review* 133, No. 8 (2020): 2460–2555.
11. For a more detailed examination of these issues, see the Juvenile Law Center's 50-state score card for juvenile record confidentiality and expungement at <https://juvenilerecords.jlc.org/juvenilerecords/#!/category/expungement/expungement-notification>.
12. The focus of this study and brief is on establishing a more developmentally appropriate approach to collateral consequences for people with juvenile adjudications. It's important to note, however, that developmental science does not align with most states' practices of establishing age 18 as the age at which young people who break the law are no longer tried in juvenile court, but instead, face potential criminal convictions. Science has shown that people's brains don't fully mature until their mid-20s, and in recognition, many jurisdictions are establishing more tailored approaches for supervising young adults in the justice system. To this end, states should also consider whether and how the statutory reforms recommended in this brief should extend to some or all people convicted of a crime during young adulthood.
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