

DECEMBER 2017

Have a
JUVENILE
RECORD?

The background of the poster features a dark red field with silhouettes of students celebrating. Several students have their arms raised in the air, and a graduation cap is seen flying through the air in the upper right. The text 'PLAN FOR YOUR FUTURE!' is overlaid on this background.

PLAN FOR
YOUR
FUTURE!

MISSOURI



NATIONAL JUVENILE DEFENDER CENTER

HAVE A JUVENILE RECORD? PLAN FOR YOUR FUTURE!

*A Guide to Collateral Consequences
of Juvenile Court Involvement*

Your juvenile
record doesn't
disappear when
you turn 18.

Table of Contents

GLOSSARY	PAGE 2
MAKING THE MOST OF THIS GUIDE	PAGE 3
HOW SHOULD I TALK ABOUT MY JUVENILE RECORD?	PAGE 4
SUMMARY CHART	PAGE 6
COLLATERAL CONSEQUENCES IN MISSOURI	PAGE 11
RESOURCES	PAGE 28

Introduction

As you begin to move forward with your life after being involved in the juvenile court system, this guide provides information about what obstacles lay ahead and how to prepare yourself for them.

The court and police paperwork about your case are called your “juvenile record.” This record can affect your life for years to come. But you can still pursue your goals and build a bright future by understanding the challenges caused by a juvenile record and knowing what to do and where to get help.

The road forward might be met with challenges — but we hope this guide will show you that progress can be made and there is a community of advocates in Missouri who are here to help you succeed.

“A journey of a thousand miles
begins with a single step.” — Lao Tzu

Glossary

Adjudication: An adjudication is when you go to court and the juvenile court judge decides you broke the law.¹ It is not a conviction.²

Collateral Consequences: Collateral consequences are the ways that your juvenile record can create challenges for you as you move forward with your life, like getting a job, applying for college, finding a place to live, joining the military, or simply obtaining a driver's license.

Defense Lawyer: Your defense lawyer is the lawyer who defended you in your juvenile case, who may have been from the public defender's office or appointed by the judge. This person's job is to be sure the court hears your perspective in your juvenile case. Your lawyer may also be able to help you after your case is over.

Delinquent Act: If you are under 17 and you're accused of breaking the law, you are accused of a delinquent act, not a crime — as long as your case is in juvenile court.³

Deputy Juvenile Officer: The deputy juvenile officer's role is similar to a prosecutor or probation officer. The officer can make recommendations whether to charge you for an offense and what your disposition should be. The deputy juvenile officer works for the court, not for you.

Disposition: A disposition in juvenile court is similar to a sentence in adult court. The disposition in your case is what the judge requires you to do because the judge decided that you broke the law.⁴ Your disposition could include probation, attending a treatment program, paying money, or being sent to a juvenile facility.⁵

Juvenile Record: Your juvenile record includes the court and police paperwork related to your juvenile case.

Sealing: If your juvenile record is sealed, it means that the records will be closed and no one can look at them without a special court order.⁶

Taken into Custody: If you are under 17 and picked up by the police, it is called being *taken into custody* instead of being *arrested*.⁷

Making the Most of This Guide

Having a juvenile record can get in the way of future opportunities. The barriers created by your juvenile record are called “collateral consequences.” This guide provides basic information about the collateral consequences of a juvenile record in Missouri and what you can do to overcome them.

Every young person’s situation is different. Depending on the offense you faced in court, you may have a suspended driver’s license or trouble enrolling back into school. The Summary Chart on page 6 tells you which collateral consequences are addressed in this guide, and where in the guide to look for more details. You can read the entire guide or jump to the sections that matter most to you.

Following the discussion on collateral consequences, you will find a Resources section. There are many organizations in Missouri that are available to help you address the problems you are facing. The Resources section includes contact information for your local public defender office and organizations that can assist you with education, housing, immigration, and other collateral consequences.

This guide only talks about the consequences of juvenile court involvement — not adult criminal court involvement. Sometimes when youth are charged with serious crimes, they are charged as an adult even though they are under 17 years old. Here, we will only focus on juvenile records.

Because the law is always changing, some of the information in this guide might become outdated. Also, this guide does not discuss every collateral consequence or every detail of each consequence. You can contact the lawyer who represented you in juvenile court or someone at your local public defender office to make sure you have the most current information you need.

This guide is only intended to provide information, not legal advice.

How Should I Talk About My Juvenile Record?

It's important to pay attention to the specific words used when someone asks you a question in an interview or when you're filling out an application. If you are asked if you have a conviction or if you have ever been convicted of a crime, you can answer "No," as long as you do not have any adult court convictions. A juvenile adjudication is not a criminal conviction in Missouri.⁸ Also, if an application asks about arrests, you can answer "No," as long as you have not been arrested as an adult.⁹

A juvenile adjudication
is *not* a criminal conviction.

In Missouri juvenile records for misdemeanor offenses are not available to the public.¹⁰ However, felony juvenile records are available to the public unless they are sealed.¹¹ Getting your juvenile record sealed prevents it from showing up on most background checks. Go to Question 3 of this guide for information on sealing your juvenile record.

Even though a juvenile adjudication is not a conviction, your unsealed juvenile record could show up on a background check. So, it's important that you are prepared to answer questions about your juvenile record.

Tips on how to talk about your juvenile record:

- **Talk with the lawyer who represented you in your juvenile case or a lawyer from your local public defender office** about your juvenile record and how you should answer questions. A lawyer can provide you with specific advice.
- **Make sure the interviewer knows that under Missouri law a juvenile adjudication is not the same as a criminal conviction.**

- **Be brief and don't give too many details.**
 - For example, "I have a juvenile adjudication for a misdemeanor from 2015."
 - If you are asked for more information about your specific adjudication, a lawyer can help you figure out what exactly you should say.
- **Avoid blaming others.** It seems as if we do not take responsibility for our own actions when we blame others. If we do not take responsibility, then others may think we have not learned from our past mistakes.
- **Talk about how you have learned from your past.** "I made a youthful mistake, but I've changed. I'm more mature now, and I have stayed out of trouble since."
- **Focus on the positive things you are doing in your life.**
 - I have good grades.
 - I graduated from high school (or completed my GED).
 - I'm attending college.
 - I volunteer with_____.
 - I have a job at_____.
 - I help take care of my younger siblings.
 - I help with household responsibilities, like chores and running errands for my parents.
- **Practice!** Sometimes it is hard to talk about your juvenile court involvement. Practice with a lawyer, friend, or mentor to make sure you feel comfortable.
- **Ask for a letter from a mentor, teacher, or other trusted leader that talks about your skills and strengths.** The letter can help show the employer or school that you work hard, show up on time, follow the rules, have a positive attitude, and are able to do the job or complete the school program.

CAUTION! Felony juvenile records in Missouri are available to the public unless they are sealed.

Missouri Collateral Consequences Summary Chart



MY JUVENILE RECORD

Page 11

1. Who can look at my juvenile record?

Juvenile records for misdemeanors are generally confidential, which means that most people cannot see or find out about them. However, anyone is able to look at juvenile records for felony adjudications.

2. Can my juvenile record be used against me in later juvenile or adult criminal cases?

Maybe. In some circumstances, having a juvenile record can lead to a harsher disposition or a longer sentence in a later case.

3. How can I keep people from looking at my juvenile record?

You can apply to get your juvenile record sealed, which means only a few people can find out about it. In certain circumstances, you can get your arrest record sealed too.



SCHOOL

Page 14

4. Will my juvenile record affect my ability to go to my local public school?

Maybe. Your juvenile record can be shared with your school, which may affect whether you can continue to attend the same school.

5. Can I get accepted into a college, technical, or trade school if I have a juvenile record?

Yes, but you may need to say that you have a juvenile record on some applications or your felony juvenile record may show up on a background check, which could affect the school's decision to accept you.

6. Can I get a student loan to help pay for college, technical, or trade school?

Yes. Your juvenile record should not impact your ability to get federal college loans to help pay for school.



JOBS AND THE MILITARY

Page 17

7. Can I get a job if I have a juvenile record?

Yes, but you might need to say that you have a juvenile record on some job applications, and your felony juvenile record may show up on background checks unless it has been sealed.

8. Can I join the military if I have a juvenile record?

Maybe. Your juvenile record might make it harder for you to enlist in the military.

Missouri Collateral Consequences Summary Chart *(Continued)*



IMMIGRATION

Page 20

9. Will my juvenile record affect my immigration status?

It's complicated. Your juvenile record might affect your ability to remain in the United States.



PUBLIC BENEFITS AND HOUSING

Page 22

10. Can I get public benefits (like food stamps, Medicaid, SSI, and TANF) with a juvenile record? What happens to my benefits if I am locked up?

You should be able to get public benefits with a juvenile record. But, getting locked up might affect things like food stamps (SNAP), Medicaid, Supplemental Security Income (SSI), and Temporary Assistance for Needy Families (TANF).

11. Can I live in public housing or rent an apartment if I have a juvenile record?

Maybe. Depending on the type and location of offense, a juvenile record may limit your public housing options. Because unsealed felony juvenile records can appear on background checks, private landlords may find out about your juvenile record, which could affect the landlord's decision to rent to you.



OTHER CONSEQUENCES

Page 24

12. What happens if I don't pay court fees or restitution?

Unpaid court fees or restitution can make it harder to get loans, a car, and even a job because of bad credit. You have to pay off your restitution even after you turn 18.

13. If I had to give my fingerprints as part of my juvenile case, what happens to the fingerprint record after my case is closed?

If your fingerprints were taken, the police enter them into a computer database, and they are used for criminal investigations and background checks. You may be able to get your fingerprint record expunged (destroyed).

14. If I had to give my DNA as part of my juvenile case, what happens to the DNA record after my case is closed?

If your DNA was taken, the police enter the DNA record and sample into a computer database, which can be shared with state and federal law enforcement.

15. Do I have to register as a sex offender if I have a sex offense on my juvenile record?

If your sex offense was a felony, you will have to register. In some cases, you will be added to the confidential juvenile sex offender registry until you are 21. In more serious cases, you will be added to the public adult sex offender registry and will be required to register for your entire life.

Missouri Collateral Consequences Summary Chart *(Continued)*



OTHER CONSEQUENCES *(Cont.)*

Page 24

16. Can I get or keep my driver's license if I have a juvenile record? Can I get or keep my state ID if I have a juvenile record?

Maybe. Your driver's license may be suspended or even taken away if you have a juvenile record for something related to driving, underage drinking, or drug use. Your juvenile record should not impact your ability to get or keep a state ID.

17. Can I vote if I only have a juvenile record?

Yes. A juvenile adjudication will not impact your right to vote.

18. Can I serve on a jury if I only have a juvenile record?

Yes. A juvenile adjudication will not impact your ability to serve on a jury.

19. Can I own or carry a gun if I have a juvenile record?

Yes. A juvenile adjudication should not impact your ability to own or carry a gun.

Collateral Consequences in Missouri

Note to the reader: This section includes endnotes (small numbers at the end of a sentence or phrase that correspond to additional information at the end of the guide). The endnotes often tell you what laws or rules apply to the sentence containing the endnote number.



MY JUVENILE RECORD

1. Who can look at my juvenile record?

Juvenile court records related to misdemeanor crimes are confidential, which means that people cannot find information about your misdemeanor juvenile record the same way they easily can look up information about an adult record.¹² But, there are some people who can still see your misdemeanor record, like the police, prosecutors, juvenile officers, judges, and juvenile court employees.¹³ Your lawyer can also look at your juvenile record. A judge can share your juvenile record with someone else, but only if the judge decides there is a good reason to share it with that person.¹⁴

If you are adjudicated for a felony offense, anyone can find out about it unless it is sealed.¹⁵ Getting your felony juvenile record sealed means that very few people can look at it or find out about it. Go to Question 3 for information about how to seal your juvenile record. If you were charged but not adjudicated for a felony, your juvenile record will remain confidential.

Juvenile court records (even if you were only taken into custody) can be shared with your school in some situations, like if your case involves robbery.¹⁶ Go to Question 4 for more information about when your school may be told about your juvenile court involvement and what impact that could have on your ability to continue attending the same school.



In Missouri, juvenile records for misdemeanor offenses are not available to the public.

Police records are confidential, which means that most people cannot look at the police paperwork related to your being taken into custody.¹⁷

2. Can my juvenile record be used against me in later juvenile or adult criminal cases?

Yes. The judge may look at your juvenile record information when deciding what disposition or sentence to give you in a later juvenile or adult criminal case.¹⁸ The judge could also look at your record if deciding whether to transfer your case to adult court.¹⁹

If you had a juvenile adjudication for certain offenses within the last three years, the judge can look at your juvenile record to question whether you will tell the truth in court.²⁰

3. How can I keep people from looking at my juvenile record?

You may be able to get your juvenile court file sealed, which means that very few people will be allowed to look at it without a special court order.²¹

To get your juvenile record sealed, you can file a request with the juvenile court after you turn 17 or after your case is closed (you are no longer on probation or parole, or in a juvenile facility), whichever is later. Your request must explain why it is helpful to you to have your juvenile record sealed.²²

A good reason to ask the court to seal your juvenile record could be that you are applying to college or for a job, and getting your juvenile record sealed may keep you from having to report it on applications or keep your record from showing up in a background check. You may also tell the judge that you completed everything you were supposed to do for your juvenile case, and you would like to keep your record from blocking opportunities in the future.

Getting your juvenile record sealed prevents it from showing up on most background checks. However, your sealed felony juvenile record may still show up in a FBI background check or another background check that includes fingerprinting – which may be required for jobs related to working with children and vulnerable adults, law enforcement, the federal government, or the military.

For more information about filing a request to seal your juvenile record, contact the lawyer who represented you in juvenile court or your local public defender office. Contact information for the public defender offices is included in the Resources section at the end of this guide. You can also find more information about sealing your juvenile record on the Clean Slate Clearinghouse website: <https://cleanslateclearinghouse.org/states/missouri/juvenile-record-overview/>.



SCHOOL

4. Will my juvenile record affect my ability to go to my local public school?

Maybe. Police are required to tell your school if you were arrested for violent charges like murder, burglary, or sex abuse.²³ Your school can use this information to change your classes, limit the school-related activities you can attend, or suspend or expel you from school.²⁴ This information can also be shared with other schools you might want to attend.²⁵

If your school suspends or expels you, you can challenge the school's decision.²⁶ For suspensions that are 10 school days or less, the specific rules differ from county to county. However, you should still have an opportunity to explain your side.²⁷

For suspensions that are longer than 10 school days or for expulsions, you should get a meeting with officials from the board of education for your school district.²⁸ Check your local district's disciplinary rules for the exact process, but you can bring a lawyer to these meetings and get a chance to tell your side of the story by presenting evidence and witnesses. If the school board decides you should be suspended or expelled, you can ask a court to change that decision.²⁹

A lawyer, parent, or other caring adult can help you prepare for what to say when challenging the school's decision to suspend or expel you. Go to the Resources section at the end of this guide for resources and contact information for organizations that may be able to assist you.

5. Can I get accepted into a college, technical, or trade school if I have a juvenile record?

Yes. However, you may need to tell the college, technical, or trade school about your juvenile record.

Many college applications ask about *convictions*. If you do not have



REMINDER!

Talk to a lawyer or other knowledgeable adult about what to say in a school meeting because what you say can be used against you in a juvenile or criminal court case.

any adult criminal convictions, you can answer “No” because a juvenile adjudication is not a criminal conviction.³⁰ However, since unsealed felony juvenile records can show up on a background check, you should be prepared to briefly write on the application or explain in the interview that your juvenile adjudication is not the same as a criminal conviction and follow the tips on page 4 on how to talk about your juvenile record.

You can be accepted into college even with a juvenile record. *Don't let your juvenile record keep you from applying!*

Getting your juvenile record sealed prevents it from showing up on most background checks. However, your sealed juvenile record may still show up on a FBI background check or another background check that includes fingerprinting, which may be required for jobs related to working with children and vulnerable adults, law enforcement, the federal government, or the military. Go to Question 3 of this guide for information about sealing your juvenile record.

The Common Application (Common App) for college, which is used by more than 600 colleges and universities, asks:

Have you ever been adjudicated guilty or convicted of a misdemeanor or felony? Note that you are not required to answer “yes” to this question, or provide an explanation, if the criminal adjudication or conviction has been expunged, sealed, annulled, pardoned, destroyed, erased, impounded, or otherwise required by law or ordered by a court to be kept confidential.

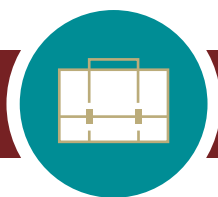
The guidelines for the Common App say that being “adjudicated guilty” is the same thing as being adjudicated delinquent.³¹ You can answer “No” if you only have a misdemeanor juvenile record in Missouri or a sealed felony juvenile record. You will need to answer “Yes” if you have an unsealed felony juvenile record, an adult record, or a juvenile record in another state where that record is not confidential. Go to Question 3 for information on how to seal your juvenile record.

The Common App also asks about school discipline violations. You are required to report your school discipline violations on the Common App even if they are related to your confidential or sealed juvenile record. Go to page 4 for tips on how to talk about your juvenile record.

You can be accepted into college even with a juvenile record. Don't let your juvenile record keep you from applying!

6. Can I get a student loan to help pay for college, technical, or trade school?

Yes. To apply for a federal student loan to help pay for college, you complete the Free Application for Federal Student Aid (FAFSA). The FAFSA asks whether you have been convicted of a drug charge while receiving federal student loans.³² If you only have juvenile adjudications, you can answer “No” to this question — even if your juvenile record includes a drug-related offense — because this question is asking about adult convictions, not juvenile adjudications. And if you have never received federal student aid before, you can also answer “No” because the question is asking if you were convicted while receiving federal financial aid.



JOBS AND THE MILITARY

7. Can I get a job if I have a juvenile record?

Yes. Employers should not be able to find out information about your misdemeanor juvenile record because those records are confidential.³³ However, if your felony juvenile record is not sealed, it may appear on a background check. But you can prevent almost all employers from finding out about your juvenile record if you get it sealed.

Many job applications ask about *convictions*. If you do not have any adult criminal convictions, you can answer “No” because a *juvenile adjudication* is

*not a criminal conviction.*³⁴ However, since unsealed felony juvenile records can show up on a background check, you should be prepared to talk about your juvenile record by following the tips on page 4.

Getting your juvenile record sealed would prevent it from showing up on most background checks. However, your sealed juvenile record may still show up on FBI background checks and other background checks that include fingerprinting — which may be required for jobs related to working with children and vulnerable adults, law enforcement, the federal government, or the military. Go to Question 3 of this guide for information about sealing your juvenile record.

Just like you need a driver's license to legally drive a car, some jobs require you to have an occupational license in order to do certain work. For example, barbers, electricians, and nurses must have occupational licenses. The application for an occupational license might ask about your juvenile record. Please remember to read the questions on the application carefully so that you answer only what is asked.

8. Can I join the military if I have a juvenile record?

Your juvenile record might make it harder for you to join the military. Generally, the United States military does not treat juvenile records differently than adult records. If your record involves selling drugs, sex offenses, domestic violence, or a felony, you may need to request special permission (a waiver) to enlist.³⁵ Each branch of the military has different rules about waivers. For more information, visit www.usa.gov/join-military or contact a recruiter.

You may need to give the military a copy of your juvenile court paperwork, even if your record has been sealed.³⁶ Before you request to have your juvenile record sealed, make sure to get a copy of your complete court record, because once the record is sealed, the court cannot give you copies without a court order. Go to Question 3 for more information about sealing your juvenile record.



REMINDER!

If an application asks whether you've been convicted of a crime, you can answer "No" as long as you only have a juvenile record.



IMMIGRATION

9. Will my juvenile record affect my immigration status?

Talk to an immigration lawyer to find out whether your juvenile record affects your ability to stay in the United States or become a legal U.S. resident. If you're adjudicated for certain types of offenses, it will be more difficult to get legal immigration status.³⁷

To help your lawyer figure out possible ways that you can get immigration status, tell your lawyer if you:

- Have been abused, neglected, or abandoned by a parent;
- Have been a victim of human trafficking or sex trafficking, or the victim of any crime; or,
- Are undocumented or have a green card or other type of legal status, such as a U visa.

Remember: Everything you tell your lawyer is confidential. This means your lawyer can't share anything you tell them with anyone else.

If you're undocumented or don't have legal status, even just being arrested can cause problems. If you're taken into custody or arrested by the police, Immigration and Customs Enforcement (ICE) may try to pick you up when you are released from the local jail or detention facility.

If anyone from the FBI or ICE asks you questions, especially about your immigration status or where you were born, you do not have to answer their questions without a lawyer.

For help with immigration issues, go to the Resources section at the end of this guide for contact information for organizations that may be able to provide you with legal representation in immigration matters. You can also find more information in the Immigrant Legal Resource Center's Guide for Immigrant Youth: www.ilrc.org/sites/default/files/documents/youth_handbook-2015-06_05-en.pdf.³⁸



“ If anyone from the FBI or ICE asks you questions, especially about your immigration status or where you were born, you do not have to answer their questions without a lawyer.”



PUBLIC BENEFITS AND HOUSING

10. Can I get public benefits (like food stamps, Medicaid, SSI, and TANF) with a juvenile record? What happens to my benefits if I'm locked up?

You should be able to get most public benefits with a juvenile record. If the application asks about *convictions* and you only have a juvenile record and no adult convictions, you can answer “No.”³⁹

Getting locked up in a juvenile facility might affect things like food stamps (Supplemental Nutrition Assistance Program—SNAP), Medicaid, Supplemental Security Income (SSI), and Temporary Assistance for Needy Families (TANF). Your parents may not be able to get SSI checks for you, and your family's SNAP and TANF assistance could be reduced while you are locked up in a juvenile facility. If you have health insurance through Medicaid and are sent to a secure juvenile facility, your benefits may be suspended or terminated. Your service coordinator (if you were in custody of the Division of Youth Services), the deputy juvenile officer, or your lawyer can help you get re-enrolled in Medicaid when you are released.

For help with public benefits, go to the Resources section at the end of this guide for contact information for the legal aid office in your area.

11. Can I live in public housing or rent an apartment if I have a juvenile record?

You and your family may not be allowed to live in public housing if you are involved with certain criminal activities — especially drugs or violence — even if you don't have to go to court.⁴⁰ In some situations, you may not be allowed to live in public housing at all; for example, if you have to register as a sex offender for life or if you are accused of making meth while on public housing property.⁴¹

Many housing applications ask about *convictions*. If you do not have any adult criminal convictions, you can answer “No” because *a juvenile*

*adjudication is not a criminal conviction.*⁴² However, since unsealed felony juvenile records can show up on a background check, you should be prepared to talk about your juvenile record by following the tips on page 4.

Getting your juvenile record sealed would prevent it from showing up on most background checks. Go to Question 3 of this guide for information about sealing your juvenile record.

You may be able to challenge a housing authority's decision to evict you or deny your housing application. Housing authorities are required to give you a hearing if you are denied housing or evicted for illegal activity.⁴³

For help with housing issues, go to the Resources section at the end of this guide for contact information for your local legal aid office.

A juvenile adjudication
is *not* a criminal conviction.





OTHER CONSEQUENCES

12. What happens if I can't pay the court costs or restitution?

The juvenile court judge may require you and your parents to pay court costs and restitution (money to repay someone for damage caused or property taken).⁴⁴ The amount of court costs and restitution owed in your case should be included in the paperwork you received from the court. The restitution order can total up to \$4,000,⁴⁵ and a \$25 fee can be added if you don't pay your costs or restitution within 30 days.⁴⁶ The judge could order you to do community service or find a job if you do not have the money or a job to pay restitution.⁴⁷

If you do not pay all of the court costs or restitution, you could be charged interest on the unpaid amount, which means that the amount you owe will go up the longer you do not pay. The judgment can also show up on your credit report,⁴⁸ which is like a report card that shows how good or bad you've been about paying your bills. Having a bad credit report can make it harder for you to rent an apartment, get a school loan, buy a house or car, or get a credit card. It can also show up if you apply for a job where the employer asks for a credit check or background check, like many government jobs.

13. If I had to give my fingerprints as part of my juvenile case, what happens to the fingerprint record after my case is closed?

Police may take your fingerprints when you are taken into custody for a felony-level offense.⁴⁹ They are only allowed to take your fingerprints for a misdemeanor if a judge gives them special permission.⁵⁰ After your fingerprints are taken, they are entered into a computer database and used for criminal investigations and background checks.⁵¹

If the police took your fingerprints when you were taken into custody but no charges were filed against you within 30 days, your fingerprint records will remain confidential.⁵² If you are not charged within one year of being taken into custody, your fingerprint records may be expunged

(destroyed).⁵³ But you cannot have any convictions on your record to be eligible to expunge your fingerprint records.⁵⁴

For more information about filing a request to expunge your fingerprint record, contact the lawyer who represented you in juvenile court or your local public defender office. Contact information for the public defender offices is included in the Resources section at the end of this guide.

14. If I had to give my DNA as part of my juvenile case, what happens to the DNA record after my case is closed?

Police may collect your DNA if you are under 17 and you have to register as an adult sex offender.⁵⁵ The police can then share your DNA sample and record with other state and federal law enforcement.⁵⁶ If you were taken into custody, but not charged, your DNA sample and record should be automatically expunged.⁵⁷

For help with finding out whether your DNA record has been expunged, contact the lawyer who represented you in juvenile court or your local public defender office, whose contact information is in the Resource section at the end of this guide.

15. Do I have to register as a sex offender if I have a sex offense on my juvenile record?

If you were adjudicated for a felony sex offense, you must register as a sex offender.⁵⁸ If you have to register as a juvenile sex offender, your registration information (your address and place of employment) is kept confidential.⁵⁹ You will need to register until you turn 21.⁶⁰ If you have to register as an adult sex offender, your registration information will be available to the public, and you will have to register as a sex offender for your entire life.⁶¹

If you have to register as a juvenile sex offender and you move to another county in Missouri, you have to register as a juvenile sex offender in your new county within 10 days.⁶² If you move to any new address, you have to tell your juvenile officer that you are moving and give them your new address.⁶³



If you have to register as an adult sex offender and you move to another county in Missouri, you have to register as a sex offender in your new county within three business days.⁶⁴ If you move to any new address, you have to tell the chief law enforcement officer that you are moving and give them your new address.⁶⁵ You also have to check in with the chief law enforcement officer in your county or city every year on your birthday and half-birthday.⁶⁶ In certain cases, you have to check in every 90 days.⁶⁷

Before you move to another state, you should find a lawyer in that state to find out your registration requirements. You also have to tell your juvenile officer you are moving and give them your new address.⁶⁸

If you are not sure whether you are required to register or for how long, contact the lawyer who represented you in your juvenile case or someone at your local public defender office. Contact information for the public defender offices is included in the Resources section at the end of this guide.

16. Can I get or keep my driver's license if I have a juvenile record? Can I get or keep my state ID if I have a juvenile record?

Maybe. The juvenile court judge can suspend or take away your driver's license as part of your disposition. Your driving privileges can be suspended for 90 days for your first alcohol- or drug-related offense and for one year

 If you have a sex offense on your record and you want to move or stay more than a few nights in another state, contact a lawyer first to make sure your plans will not negatively affect you. 



for your second alcohol- or drug-related offense.⁶⁹ The judge can also suspend or take away your learner's permit. And, if you are under 16 and are not old enough to have a driver's license or learner's permit, the judge can wait until you turn 16 to suspend or revoke your driving privileges.⁷⁰

Certain charges can lead to an automatic suspension of your driver's license, including driving under the influence (drunk driving), possessing or using alcohol while driving, possessing or using a controlled substance, multiple offenses involving possessing or using alcohol, and altering or modifying a driver's license.⁷¹

To get your license reinstated, you must pay \$20 and complete a substance abuse traffic offender program.⁷² For more information on getting your license reinstated, go to: <http://dor.mo.gov/drivers/reinstatement.php>.

▶ **17. Can I vote if I only have a juvenile record?**

Yes. Your juvenile record will not impact your eligibility to vote.⁷³

▶ **18. Can I be on a jury if I only have a juvenile record?**

Yes. Your juvenile record will not impact your ability to be on a jury.⁷⁴

▶ **19. Can I own or carry a gun if I have a juvenile record?**

Having a juvenile adjudication will not affect your right to lawfully own or carry a gun in Missouri, as long as you only have a juvenile record and no adult criminal convictions.⁷⁵

Resources

Missouri State Public Defender System

The Missouri State Public Defender System (MSPD) provides legal representation to all low-income individuals accused of or convicted of crimes in Missouri. MSPD has many offices throughout the state. To find your local public defender office, call (573) 777-9977 or visit www.publicdefender.mo.gov/about/offices_and_contacts.htm.

Missouri Legal Aid Offices

Missouri is served by four legal aid offices, each serving different counties within the state. Each office provides legal representation for certain types of cases.

Mid-Missouri Legal Services (www.mmls.org/)

Provides legal services for housing, public benefits, healthcare, consumer, domestic violence, and family law matters. To apply for representation, call (800) 568-4931 Monday through Friday between 9am and 3pm.

Legal Aid of Western Missouri (www.lawmo.org/)

Provides legal services for housing, public benefits, healthcare, immigration, consumer, domestic violence, and family law matters. To find the contact information for your local office, call (816) 474-6750 or visit www.lawmo.org/contact-locate.

Legal Services of Eastern Missouri (www.lsem.org/)

Provides legal services for education, housing, public benefits, immigration, consumer, domestic violence, and family law matters. For information about applying for legal representation, call (800) 444-0514 or visit www.lsem.org/about-lsem/get-help-now.

Legal Services of Southern Missouri (www.lsosm.org/)

Provides legal services for housing, public benefits, consumer, domestic violence, and family law matters. To find the contact information for your local office, call (800) 444-4863 or visit www.lsosm.org/contact.

National Juvenile Defender Center

Please contact NJDC if you're having trouble finding a public defender, legal aid attorney, or other help with the collateral consequences of your

juvenile court involvement. We will do our best to help find someone to assist you. You can call **202-452-0010**, or visit our website (www.njdc.info) for more information.

EDUCATION ADVOCACY/INFORMATION

Missouri Parents ACT

MPACT is Missouri's Parent Training and Information Center, funded in part by the U.S. Department of Education and the State of Missouri. Their mission is to empower families to advocate for themselves so that children with special educational needs can reach their full potential in education and life — through support, training, and education. For more information, visit www.missouriparentsact.org.

Missouri Protection & Advocacy Services

Missouri Protection & Advocacy Services provides advocacy, advice, and information for individuals with disabilities in Missouri. Young people with disabilities may be able to receive legal assistance in education matters related to the individual's disability. For more information, call (800) 392-8667 or visit www.moadvocacy.org/SpecialEducation.htm.

IMMIGRATION ASSISTANCE

Catholic Charities of Central and Northern Missouri, Diocese of Jefferson City — Refugee & Immigration Services

Catholic Charities of Central and Northern Missouri provides immigration legal services to reunite families and promote self-sufficiency for immigrants through low-fee legal assistance in immigration matters before the United States Citizenship and Immigration Service. Catholic Charities staff assist with adjustment of status, naturalization and citizenship, legal permanent residency, and Deferred Action for Childhood Arrivals. For more information, call (573) 635-7719 or visit www.cccnmo.org/programs/refugee-and-immigration-services.

Catholic Charities of St. Louis – Immigration Law Project

The Immigration Law Project at Catholic Charities of St. Louis provides legal aid to migrants facing challenges in immigration cases such as: family based petitions, asylum, relative petitions, naturalization, adjustment of status, employment authorization, violence against women, special immigrant juveniles, T and U visas for victims of crime and/or human trafficking, Deferred Action for Childhood Arrivals, temporary protected status, and relief while in removal proceedings. They also provide outreach and Know Your Rights programs throughout the St. Louis area to help educate the immigrant communities about current issues. To request help, call (314) 977-3993 on Tuesdays. For more information, visit www.sfcstl.org/services/immigration-law-project.

Legal Services of Eastern Missouri – Immigration Law Program

LSEM's Immigration Law Program provides holistic civil legal expertise free of charge to low-income immigrants, refugees, and their families residing in eastern Missouri. Their program has extensive experience helping clients navigate complex immigration laws to reunite with immediate family members, stabilize their households, and become naturalized U.S. citizens. They also assist survivors with various humanitarian visas, to help those survivors achieve equal access to justice and long-term safety. For help with an immigration matter, call the St. Louis office at (800) 444-0514, the Hannibal office at (800) 767-2018, or the Union office at (866) 583-7877. For more information, visit www.lsem.org/lsem-services/immigration-law-program.

Legal Aid of Western Missouri

Legal Aid of Western Missouri represents individuals and their families with immigration cases including applications for work permits, temporary and permanent resident status, and United States citizenship. With offices in Kansas City, Joplin, St. Joseph, and Warrensburg, Legal Aid serves a 40-county area in western Missouri. To get help, call the office that serves your county. The Legal Aid office locations, counties served, and phone numbers are listed at: www.lawmo.org/contact-locate.

The Clinic – Kansas City

Serving individuals in the Kansas City area, The Clinic assists individuals facing removal from the United States, including those currently in removal proceedings before the U.S. Immigration Court. The Clinic provides information about immigration law and removal process and represents

individuals before the U.S. Immigration Court. To see if you qualify for services, call (816) 994-2300. For more information, visit www.theclinicck.org.

HOUSING AND OTHER RESOURCES

Area Resources for Community and Human Services

ARCHS has a supportive youth mentoring program that provides job readiness preparation for youth under Division of Youth Services (DYS) supervision. It is a joint program between ARCHS, DHS, and Fathers' Support Center. For more information, call (314) 534-0022 or visit www.stlarchs.org.

Covenant House Missouri

Covenant House serves young people ages 16-21 who are living without homes and works to protect and safeguard all youth with absolute respect and unconditional love. They provide for youth's basic needs — food, clothing, a shower, and medical attention — immediately. They also offer mental health services, education and career development, and residential services. Covenant House Missouri is located at 2727 N Kingshighway Blvd, in St. Louis. For more information, call (314) 533-2241 or visit www.covenanthousemo.org. They also have a 24-hour emergency hotline: (800) 999-9999.

Doors to Success

Doors To Success was created to give young adults an opportunity to work toward earning a GED (now called HiSet) and succeed in employment. Any St. Louis County resident age 17-23 in need of a HiSet or improvement in job readiness skills to obtain a job and/or keep one is eligible for their services. For more information, call (314) 615-4429 or visit www.stlouisco.com/HealthandWellness/HumanServices/CountyYouthPrograms/DoorstoSuccess.

Epworth Children & Family Services

Epworth provides emergency shelter, residential and intensive treatment, family reunification therapy, transitional and independent living programs, foster family care, prevention services and a 24-hour help line — (800) 899-5437. Epworth's strength-based therapeutic philosophy builds on the individual strengths of youth and families, thus increasing the capacity of each to thrive in society. The drop-in center is located at 7520

Natural Bridge Rd, in St. Louis, and their phone number is (314) 222-4877. The main office is located at 110 N Elm Ave, in Webster Groves (St. Louis), and their phone number is (314) 961-5718.

Jefferson/Franklin County Employment Consortium Youth Services

The Jefferson/Franklin Consortium provides career preparation programs, vocational training, GED preparation, work readiness, life skills, job-specific training, work experience, and summer employment opportunities. They serve young people between 16 and 24 years old. For more information, call (800) 292-1314 for the Arnold Job Center and (636) 239-6703 for the Washington Job Center. You can also visit www.jeff-frankjobs.com/book/export/html/22.

Kansas City Steppingstone

Kansas City Steppingstone provides housing, employment services, education counseling, life skills training, and more for young people between 16 and 21 years old. They are located at 5100 Noland Road. For more information, call (816) 356-0187 x 310 or visit www.everychildshope.org/kansas-city-steppingstone.

MOlearns

MOlearns is Missouri's FREE online classroom for students looking for the flexibility of completing most of their high school equivalency test preparation at home. This program is sponsored by the Department of Elementary and Secondary Education. For more information, call (314) 415-4935 or visit www.molearns.com.

reStart Youth Emergency Shelter

reStart offers an emergency shelter for youth ages 12-18 in Kansas City, providing safe haven, a warm bed, and three meals a day. They also have youth and family counseling and therapy, life skills and financial literacy classes, housing assistance, substance abuse recovery services, health and nutritional education, and recreational activities. For help 24 hours a day, call their hotline at (816) 309-9048.

reStart Youth Transitional Housing

reStart offers transitional living services for youth ages 16-21 in Kansas City who have no safe home to return to. This longer-term program provides up to 18 months of housing, life skills, financial education, case management, and counseling to prepare youth to live independently

upon graduating from the program. To download the application and get contact information for their program, visit www.restartinc.org/wp-content/uploads/2013/03/standard-TLP-app-2017.pdf.

Supporting Positive Opportunities with Teens (The SPOT)

Youth between the ages of 13-24 can access free medical and social services in a safe, youth-friendly and comfortable environment. Using a Positive Youth Development framework, The SPOT works with young people to establish and work toward reaching goals. Goals may range from getting back in school or starting contraception, to addressing a mental illness or seeking care for HIV. The center is located at 4169 Laclede Ave in St. Louis. For more information, call (314) 535-0413 or visit <http://thespot.wustl.edu/>.

The Center for Youth on the Rise

The Center For Youth on the Rise offers youth ages 12-19 a variety of activities and services at no cost including drop-in hours, life skills workshops, counseling services, educational support, employment preparation, youth specialist case management, and legal assistance. County Youth Programs' Doors to Success is also offered at the site for youth ages 17-23. They are located at 12075 Bellefontaine Rd in Spanish Lake. To enroll in any of their programs, call (314) 355-2348. For more information, visit www.stlouisco.com/Portals/8/docs/document%20library/human%20services/youthprograms/YouthontheRiseBrochure_2015.pdf.

YouthBuild

YouthBuild is a program for City of St. Louis youth ages 16-24 who have a high school diploma, GED, or HSE. The primary target populations for YouthBuild are adjudicated youth, youth aging out of foster care, out-of-school youth, and other at-risk populations. The program focuses on leadership development, financial literacy, academic enhancement, technical-skills training in construction, community service, and support from staff and students committed to each other's success. For more information, call (314) 705-4182 or visit <https://www.stlouis-mo.gov/government/departments/slate/youth/youthbuild.cfm>.

Youth Career Training and Employment Programs — Kansas City Area

For information about job skills and employment programs for youth in the Kansas City area, visit www.feckc.org/Programs-and-Services/Young-Adult-Services.aspx.

Endnotes

- ¹ MO. SUP. CT. R. 128.02(b), (e) (2010).
- ² MO. ANN. STAT. § 211.271(1) (West 1969).
- ³ MO. ANN. STAT. § 211.271(2) (West 1969).
- ⁴ MO. ANN. STAT. § 211.181 (West 2005).
- ⁵ *Id.*
- ⁶ MO. ANN. STAT. § 211.321(5) (West 2004); MO. SUP. CT. R. 122.02(g) (2010); MO. SUP. CT. OPER. R. 4.25 (2004).
- ⁷ MO. ANN. STAT. § 211.131(1) (West 1957).
- ⁸ MO. ANN. STAT. § 211.271(1) (West 1969).
- ⁹ MO. ANN. STAT. § 211.131(1) (West 1957).
- ¹⁰ MO. ANN. STAT. § 211.321(1) (West 2004).
- ¹¹ MO. ANN. STAT. § 211.321(2)(2) (West 2004).
- ¹² MO. ANN. STAT. § 211.321(1) (West 2004).
- ¹³ MO. ANN. STAT. § 211.321(2) (West 2004).
- ¹⁴ MO. ANN. STAT. § 211.321(1) (West 2004).
- ¹⁵ MO. ANN. STAT. § 211.321(2)(2) (West 2004).
- ¹⁶ MO. ANN. STAT. § 167.115 (West 2017).
- ¹⁷ MO. ANN. STAT. § 211.321(3) (West 2004).
- ¹⁸ MO. ANN. STAT. §§ 211.321(1) (West 2004), 557.026 (West 2017).
- ¹⁹ MO. ANN. STAT. § 211.071(6)(5) (West 2013).
- ²⁰ MO. ANN. STAT. § 491.078(1)-(2) (West 1995).
- ²¹ MO. ANN. STAT. § 211.321(5) (West 2004); MO. SUP. CT. R. 122.02(g) (2010); MO. SUP. CT. OPER. R. 4.25 (2004).
- ²² MO. ANN. STAT. § 211.321(5) (West 2004).
- ²³ MO. ANN. STAT. § 167.115 (West 2017).
- ²⁴ MO. ANN. STAT. § 167.161(1) (West 2017).
- ²⁵ MO. ANN. STAT. § 160.261(9) (West 2017).
- ²⁶ MO. ANN. STAT. §§ 167.161 (West 1997), 167.171(2)(4) (West 2017).
- ²⁷ MO. ANN. STAT. § 167.171(2)(1)-(3) (West 2017).
- ²⁸ MO. ANN. STAT. § 167.171(2)(4) (West 2017).
- ²⁹ MO. ANN. STAT. § 167.161(3) (West 1997).
- ³⁰ MO. ANN. STAT. § 211.271(1) (West 1969).
- ³¹ *What is “Adjudicated Delinquent?”*, THE COMMON APPLICATION: APPLICANT SOLUTIONS CTR., <https://appsupport.commonapp.org/link/portal/33011/33013/Article/778/Adjudicated-delinquency> (last visited Dec. 1, 2017).
- ³² *See* 20 U.S.C. § 1091(r) (West 2015); *Students with Criminal Convictions*

Have Limited Eligibility for Federal Student Aid, FED. STUDENT AID, www.studentaid.ed.gov/node/55 (last visited Nov. 10, 2017).

- ³³ Mo. ANN. STAT. § 211.321(2)(1) (West 2014).
- ³⁴ Mo. ANN. STAT. § 211.271(1) (West 1969).
- ³⁵ See generally 32 C.F.R. § 66.6 (West 2016) (listing the military's basic enlistment rules).
- ³⁶ See 32 C.F.R. § 66.3 (West 2016); DEP'T OF THE ARMY, REG. 601-210, REGULAR ARMY & RESERVE COMPONENTS ENLISTMENT PROGRAM 14 (Aug. 31, 2016) (providing examples of how the military views sealed or expunged cases).
- ³⁷ 8 U.S.C. §§ 1227(a)(2) (West 2008), 1182(a)(2) (West 2013).
- ³⁸ IMMIGRANT LEGAL RES. CTR., LIVING IN THE UNITED STATES: A GUIDE FOR IMMIGRANT YOUTH (2015), www.ilrc.org/sites/default/files/documents/youth_handbook-2015-06_05-en.pdf.
- ³⁹ Mo. ANN. STAT. § 211.271(1) (West 1969).
- ⁴⁰ 24 C.F.R. § 966.4(l)(5)(i)(B), (l)(5)(iii) (West 2017).
- ⁴¹ 24 C.F.R. §§ 982.553(a)(1)(ii)(C)-(a)(2)(i) (West 2016), 960.204(a)(3)-(4) (West 2017).
- ⁴² Mo. ANN. STAT. § 211.271(1) (West 1969).
- ⁴³ 42 U.S.C. § 1437d(k) (West 2013).
- ⁴⁴ Mo. ANN. STAT. §§ 211.181(3)(7) (West 2005), 211.185 (West 1995).
- ⁴⁵ Mo. ANN. STAT. § 211.185(9) (West 1995).
- ⁴⁶ Mo. ANN. STAT. § 488.5025 (West 2003).
- ⁴⁷ Mo. ANN. STAT. §§ 211.083 (West 1995), 211.181(3)(8) (West 2008), 211.185(10) (West 1995), 211.085(1) (West 1996), 211.188(1) (West 1996).
- ⁴⁸ Mo. ANN. STAT. § 211.185(8) (West 1995) (enforced like a monetary judgement).
- ⁴⁹ Mo. ANN. STAT. § 211.151(3) (West 1995).
- ⁵⁰ *Id.*
- ⁵¹ Mo. ANN. STAT. § 43.503 (West 2009).
- ⁵² Mo. ANN. STAT. §§ 211.151(3) (West 1995), 610.100(2)(3) (West 2016).
- ⁵³ Mo. ANN. STAT. §§ 211.151(3) (West 1995), 610.122 (West 2014), 610.123 (West 2005), 610.124 (West 1993), 610.125 (West 2017), 610.126 (West 1995).
- ⁵⁴ Mo. ANN. STAT. §§ 610.122 (West 2014), 610.123 (West 2005), 610.124 (West 1993), 610.125 (West 2017), 610.126 (West 1995).
- ⁵⁵ Mo. ANN. STAT. §§ 650.055(1)(4) (West 2017), 589.400(1) (West 2017).
- ⁵⁶ Mo. ANN. STAT. § 650.055(7) (West 2017).
- ⁵⁷ Mo. ANN. STAT. § 650.055(10) (West 2017).

- ⁵⁸ Mo. ANN. STAT. § 211.425(1) (West 2008).
- ⁵⁹ Mo. ANN. STAT. § 211.425(3) (West 2008).
- ⁶⁰ Mo. ANN. STAT. § 211.425(1), (6) (West 2008).
- ⁶¹ Mo. ANN. STAT. §§ 211.425(1) (West 2008), 589.400(3) (West 2017), 589.402 (West 2008).
- ⁶² Mo. ANN. STAT. § 211.425(2) (West 2008).
- ⁶³ *Id.*
- ⁶⁴ Mo. ANN. STAT. § 589.414(1) (West 2008).
- ⁶⁵ Mo. ANN. STAT. § 589.414(2) (West 2008).
- ⁶⁶ Mo. ANN. STAT. § 589.414(4) (West 2008).
- ⁶⁷ Mo. ANN. STAT. § 589.414(3) (West 2008).
- ⁶⁸ Mo. ANN. STAT. § 211.425(2) (West 2008).
- ⁶⁹ Mo. ANN. STAT. §§ 211.181(3)(6) (West 2005), 302.400(6) (West 2017).
- ⁷⁰ Mo. ANN. STAT. § 302.400(5)(2) (West 2017).
- ⁷¹ Mo. ANN. STAT. § 302.400(1) (West 2017).
- ⁷² Mo. ANN. STAT. § 302.420(1) (West 2017).
- ⁷³ Mo. ANN. STAT. §§ 561.026 (West 2017), 211.271(1) (West 2017).
- ⁷⁴ Mo. ANN. STAT. §§ 494.425(4) (West 2004), 211.271(1) (West 2017).
- ⁷⁵ Mo. ANN. STAT. §§ 571.070(1)(1) (West 2017), 211.271(1) (West 2017).

Acknowledgements

This guide was created with the generous assistance of:

Sarah Johnson, Missouri State Public Defender

The Annie E. Casey Foundation, Youth Advisory Council

Immigration Legal Resource Center

NATIONAL JUVENILE DEFENDER CENTER

The National Juvenile Defender Center (NJDC) is a nonprofit, nonpartisan organization dedicated to promoting justice for all children by ensuring excellence in juvenile defense. Through community building, training, and policy reform, we provide national leadership on juvenile defense issues with a focus on curbing the deprivation of young people's rights in the court system. Our reach extends to urban, suburban, rural, and tribal areas, where we elevate the voices of youth, families, and defenders to create positive case outcomes and meaningful opportunities for children. We also work with broad coalitions to ensure that the reform of juvenile courts includes the protection of children's rights — particularly the right to counsel. To learn more about NJDC, please visit www.njdc.info.

This brochure was created by the National Juvenile Defender Center with support from Grant # 2015-MU-BX-K002 that was awarded by the Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this guide are those of the author(s) and do not necessarily reflect those of the Department of Justice.

1350 Connecticut Avenue NW, Suite 304
Washington, DC 20036
202.452.0010 **PHONE**
202.452.1205 **FAX**

facebook.com/njdc.info
twitter.com/natjuvdefend

www.njdc.info



NATIONAL JUVENILE DEFENDER CENTER