







Your Life—Your Rights

Having a criminal record can seem like a life sentence.

You served your time, yet face obstacles every day. Some obstacles are real, but others can be overcome. Know Your Rights, Protections & Options!

Voting	While some states still bar people with felony convictions from voting, in Illinois, a person is prohibited from voting ONLY when incarcerated in the Illinois Department of Corrections. Once you leave prison, you are allowed to vote like any other member of the community.	
Financial Aid	Felony convictions do NOT bar a person from receiving federal financial aid. The only barrier to receiving federal financial aid is a conviction for a felony drug offense received WHILE receiving financial aid. And even then, the bar is not forever.	
Subsidized Housing	There are only two (2) lifetime barriers to receiving federal subsidized housing—manufacturing methamphetamine in public housing and registration on the sex offense registry. Certain other offenses can pose a three (3) year ban. Private landlords have no restrictions on the type of records they can use.	
Employment Applications	Employers in Illinois with 15 or more employees (and all employers in Chicago) cannot ask on employment applications, “have you ever been convicted?” Only exception is if they have a law saying background checks MUST be conducted (employers that take fingerprints for employment). Report violations to the Illinois Department of Labor.	
Employer Background Checks	Employers MUST (1) get permission to run a background check; and (2) must provide a copy if used in any part in the employment decision. You have the opportunity to correct or mitigate (explain) the information provided. Do not let this opportunity pass you by! Know your record, and be ready to explain.	
Use of Criminal Records	Criminal records never go away on their own—a person must file a petition to expunge or seal to remove a record from public view. But just because an employer SEES a record, doesn't mean they can use it. The Illinois Human Rights Act says employers cannot consider “arrest records,” expunged or sealed records. It's hard enough with convictions—do not let them use cases in which you weren't! Report violations to the Illinois Department of Human Rights.	

Cabrini Green Legal Aid

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Know Your Record—Clear Your Record

EXPUNGEMENT & SEALING

Expungement is available for non-convictions. Sealing is available for convictions.

Q. What convictions are eligible for sealing?

A. Before August 24, 2017, only nine felony convictions were eligible for sealing. Now, every felony is eligible for relief, with only four exceptions: (1) DUIs and reckless driving, (2) animal crimes, (3) sex offenses (exception prostitution and misdemeanor public indecency), and (4) domestic battery and violations of orders of protection. **ALL OTHER FELONY AND MISDEMEANOR CONVICTIONS ARE ELIGIBLE!**

Q. What does sealing do?

A. Sealing removes the information from public view, though it is still available to law enforcement. Sealed felony convictions can be accessed by employers who are required by law to run fingerprint-based background checks through the Illinois State Police. The sealed record will not show up on private background checks for employers or landlords.

Q. How long do I have to wait to seal my record?

A. You can file a petition to seal three years after you completed your last sentence (completion is when you finish probation or parole). If you received a degree, diploma or career certification during your last sentence, *you are eligible to petition immediately after your sentence ends*. If you have to register on the Murder or Violent Offender Against Youth Registry, that case is eligible once you no longer have to register.

Q. Will my sealing be automatically granted?

A. No. You have to petition the court where the conviction occurred. The prosecutor, arresting agency and Illinois State Police have 60 days to file an objection. If an objection is filed, you go to a hearing before a judge, who weighs your past record against what you are doing today and why you need the relief. It is up to the judge whether to seal your records.

VISIT ONE OF CGLA'S HELP DESKS FOR ADVICE & ASSISTANCE

Daley Center

50 W. Washington—Room 1006
Monday-Thursday 9 am-12pm
*Sign in starts at 8:30—
First 20 people assisted each day.

Markham Courthouse

16501 S. Kedzie Pkwy. —Room 138J
Wednesday 10 am-2 pm
*Drop off starts at 9:00

Criminal History Reports (RAP Sheets)

Chicago Police Department
3510 S. Michigan Avenue
Monday-Friday 8 am-12 pm
\$16 fee & pick up 1 week later

You will also receive a copy of your Illinois State Police report in the mail—do not forget to go back to CPD.

*The help desks are first-come, first-served, so please arrive early as we only have capacity to assist so many people in one day. **You must bring a copy of your rap sheet.***