

Summit on School Policing



Collateral Consequences for Students of Police Contact

Contact between students and police can have long-lasting negative consequences. Students enter the justice system in one of two ways: by being arrested and adjudicated delinquent or by receiving a summary citation in adult court without being arrested. Here's what educators should know about the collateral consequences associated with these scenarios.

Arrest and Juvenile Adjudication

Many people believe that juvenile records are automatically sealed or expunged at the child's 18th or 21st birthday. In Pennsylvania, this is not the case. Juvenile arrests and adjudications can have long-term consequences far beyond the actual "sentence." It is important that teachers and administrators are informed about the impact of the juvenile justice system on long-term opportunities for youth. This way they can make decisions about the most appropriate ways to discipline students at risk of entering the delinquency system that protect school safety, the well-being of students at large, and the interests of the student subject to discipline.

Here are some of the ways young people may be affected. It is adapted from the "[The Pennsylvania Juvenile Collateral Consequences Checklist](#)"¹.

- **Records are not private:** Juvenile records are open to the public if a child is 12 or 13 years old and adjudicated delinquent of a very serious offense or if a child is 14 years or older and adjudicated delinquent of *any* felony offense.
- **Lost employment opportunities:** A juvenile record can hinder future employment opportunities. Juvenile records may be disclosed in background checks and can also prevent the individual from entering certain professions as an adult because of licensing issues.
- **Homelessness:** Juvenile adjudications can affect access to public housing.
- **College:** Delinquency adjudications do not prevent access to federal financial aid but may need to be disclosed on college applications and could affect admissions decisions.
- **Military:** Delinquency adjudications can bar admission to the military (specific rules vary in different branches of the military).
- **Immigration Status:** A delinquency adjudication can affect a child's immigration status.
- **Fines, Court Costs and Restitution:** Children who are adjudicated delinquent are required to pay fines and court costs and may be ordered to pay restitution. These financial obligations can result in longer court supervision, residential placement, or civil judgments.
- **Driver's License:** Drivers' licenses may be suspended for drug, alcohol or driving adjudications. Licenses also may be suspended for juvenile adjudication of terroristic threats on school property.
- **DNA samples:** Children who are adjudicated delinquent of any felony are required to submit a DNA sample to the state. The DNA sample is never destroyed even if the child's record is expunged.
- **Expungement:** Adjudication of delinquency (except for certain sexual offenses) may be expunged five years after court supervision has ended under certain circumstances. Expungement does not occur automatically. In nearly every county in PA, the child must retain an attorney to file an expungement motion with the court.
- **Voting and Jury Duty:** Juvenile adjudications do not prevent the young person from voting or serving on a jury.

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Summary Citations

Low level offenses such as harassment, disorderly conduct, and possession of alcohol may result in a juvenile receiving a summary citation. In this scenario, the student is not arrested but receives a ticket from a police officer (sometimes in the mail) compelling an appearance before a judge in adult court to respond to charges. **These citations may be issued even when police are not involved** in the incident leading to the charge. While these citations may feel like a traffic ticket and no big deal, they can carry long-term consequences for young people.

- **Summary citations do not fall under the jurisdiction of juvenile court unless a young person doesn't meet the terms of the sentence.** If a minor is found guilty of a summary offense, the conviction will result in an adult record. The child would have to disclose this summary conviction if later asked about prior convictions on a school or job application.
- **Summary citations do not entitle a defendant to legal counsel.** It is common for children and families to make decisions about whether to plead guilty to the offense without any advice about the possible consequences. While summary convictions can be expunged after the child's 18th birthday, there is no provision in the PA rules of court procedure for this to happen automatically.

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