

Juvenile Justice Bill Package

Delaware's legislators have introduced a bill package designed to draw a clear line between the juvenile justice and adult criminal justice systems.

The bills included in this package will create or restore juvenile justice practices that put the interest of children above the interest of conviction.

Children make mistakes; it's part of growing up. Even when those mistakes are big, *children deserve the chance to recognize and learn from their missteps and they certainly deserve the opportunity to make changes before punitive action that could define the rest of their lives.*



SB 146: Expedited Arrest Record Expungement

This bill will allow DE Family Court to immediately expunge a felony arrest record if a child is found not guilty or the charge is dismissed.



HB 7: Limited Public Release of Juvenile Information

This bill raises the age where a child's arrest information, such as their name and mug shot, may be released by the state and limits the posting of that information on social media.



HB 305: Eliminating Harsher Adult Sentences Based on Juvenile Adjudications

This bill eliminates language in the Delaware Code that allows a juvenile adjudication (finding of delinquency) to be used to make the potential prison sentence longer when an adult faces certain drug offenses.



HB 306: Family Court to Superior Court – Raising the Age and Making it Discretionary

If this bill is passed, Delaware will no longer mandate that a child must be prosecuted as an adult if they were in possession of a firearm while committing a felony.



HB 307: Eliminate or Reduce Mandatory Minimum Sentences for Juveniles

This bill will eliminate or reduce mandatory minimums in the Delaware Family Court, leaving the judge to decide on a case-by-case basis how children should be sentenced.



HB 308: Extend the Civil Citation Program

The civil citation program, which allows law enforcement to issue a civil citation to a child rather than making a criminal charge for certain minor offenses, will expire this year if not written into Delaware Law. This bill would make the program a permanent part of Delaware law.



HB 339: Delay Transfer from Juvenile Detention to Adult Corrections

This bill will prevent children under the age of 18 who are charged as adults from being transferred to the Department of Corrections unless and until the child pleads or is found guilty and sentenced to incarceration. The trend nationwide is to hold juveniles charged with adult offenses in juvenile facilities pretrial, as these facilities provide educational and rehabilitative programs.