

**AMENDMENT TO FILE TO FILE ID 15-4289 AS SUBSTITUTED**  
**Law Enforcement Committee 7/29/2015**  
**Distributed on 7/29/2015**

**Sponsored by:** STANLEY MOORE, County Commissioner

**PROPOSED ORDINANCE AMENDMENT**

**OFFENSES INVOLVING PROPERTY RIGHTS**

**BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 58, Offenses and Miscellaneous Provisions, Sec. 58-41 is hereby amended as follows:

**ARTICLE II. - OFFENSES INVOLVING PROPERTY RIGHTS**

Sec. 58-41. - Vandalism and related offenses.

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- (b) ~~Liability of p~~*Parents or legal guardians-held criminally responsible.* Acts of vandalism resulting in damage to real or personal property within the Enforcement Area ~~unincorporated areas of the County~~ have increased, posing a threat to the value of property and the welfare of residents. It is in the best interests of the County that such acts be prosecuted by the County as a local offense; that penalties therefor be imposed which are related to the nature of the act and the type of offender; and that parents or legal guardians of minors who allow such acts to be committed by such minors be held ~~criminally~~ responsible for the failure to prevent the commission of such acts. The diligent pursuit of such interests will tend to increase parental supervision of minors and reduce the incidence of juvenile vandalism, thus advancing the welfare of residents of the County.

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- (d) ~~Penalty for committing unlawful act~~*Unlawful act by parents and guardians.* It shall be unlawful for any parent or guardian of any minor living with its parents or guardian to neglect to restrain such minor from committing any act prohibited by Subsection (c) of this section. The commission of any act prohibited by Subsection (c) of this section by a minor who is living with its parents or guardian shall raise the presumption that the parent or guardian has neglected to restrain such minor from committing such act. It shall be an affirmative defense for the parent or guardian to prove that such parent or guardian exercised his duty to restrain the minor from committing the act prohibited by Subsection (c) of this section complained of in the pending action, but that such action on the part of the parent or guardian to attempt to restrain said minor, although exercised with due care, was unsuccessful.

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