

PCJJ Record Sealing Workgroup

Co-Leads: Jimmy Hung and Heidi Sadri
January 16, 2024 | 3-4:30 PM | Microsoft Teams

This meeting will be recorded.

Agenda

- 3:00 PM Welcome & Opening Remarks
- 3:15 PM Juvenile Law Center Research Updates & Discussion
- 3:50 PM Issue Mapping, Discussion of Record Sealing & Confidentiality
- 4:15 PM Next Steps
- 4:30 PM Conclude

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Updated Evaluation of Record Keeping in Washington

Juvenile Law Center

Andrew Keats & Riya Saha Shah

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Issue Mapping, Discussion of Record Sealing & Confidentiality

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Impact of Juvenile Records

Area of impact	Related record-keeping systems & agencies
Employment/housing background checks	Private background check companies, WSP/WASIS, DOL, Lexis, court clerks
Federal background checks (military, security clearance, boarder crossing)	FBI/NICS via AOC or WSP/WASIS
Driving (license suspension, insurance, driving jobs)	DOL via court clerks
Firearms (purchases, licenses)	WSP/WASIS
Media, public	Court clerks, AOC, WSP, Lexis

AOC: Administrative Office of the Courts
DOL: Department of Licensing
FBI: Federal Bureau of Investigation
NICS: National Instant Criminal Background Check System
WASIS: Washington State Patrol Identification and Criminal History Section
WSP: Washington State Patrol

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Clarify and realize the intent of record sealing

RCW 13.50.260 (6)(a):

*If the court enters a written order sealing the juvenile court record... the proceedings in the case shall be treated **as if they never occurred**, and the subject of the records may reply accordingly to **any inquiry** about the events, records of which are sealed. Any agency shall reply to any inquiry concerning confidential or sealed records that **records are confidential, and no information can be given about the existence or nonexistence of records concerning an individual.***

Current barriers:

- Limited access, knowledge of record sealing process
- Sealed juvenile records continue to impact people
 - Because of sealed records being stored/shared/leaked/accessed (with or without knowledge that the record was sealed)
 - Because of language, varying interpretation/recognition for “sealed” vs. “vacated” vs. “expunged”
- **Sealing has limited impact absent confidentiality**



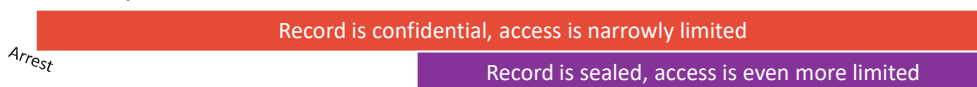
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Exploring Confidentiality

Assumption



Discussion

- Who gets access to confidential records?
- Who can share confidential records? With whom? For what purposes?
- What does confidentiality *not* address?
 - Federal background checks
 - Other entities that can access and act on records that they know to be sealed
 - Current/past juvenile court records that are already public
 - Driver licensing
 - What else?



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Next Meeting:
Tuesday, March 19, 2024 | 3 PM

Policy Studies website | Contact: heidi.sadri@dcyf.wa.gov
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