

# HOUSE BILL ANALYSIS

## HB 1577

---

---

**Title:** An act relating to juvenile records.

**Brief Description:** Changing when a court may seal juvenile records.

**Sponsors:** Representatives Bush, Sheahan, Constantine, Barlean, Quall, Talcott, Cairnes, Keiser, McIntire, Santos, Sullivan, Hatfield, DeBolt, Benson, Dunshee, Boldt, Haigh, Mielke, Veloria, Conway and Kenney.

### Brief Summary of Bill

- Allows a person to file a motion with the court to seal the person's juvenile records for gross misdemeanors, misdemeanors, and diversions if the juvenile has been in the community for two consecutive years without being convicted of a crime.

---

### HOUSE COMMITTEE ON JUDICIARY

**Staff:** Trudes Hutcheson (786-7384).

#### Background:

A juvenile adjudicated of an offense may petition the court to vacate its order and findings and seal the records when certain conditions are met.

Juvenile records related to class A or sex offenses may not be sealed. Juvenile records relating to class B offenses may be sealed if the offender has spent 10 years in the community without committing an offense. Juvenile records relating to class C offenses may be sealed after the offender has spent five years in the community without committing an offense.

A juvenile record for any offense may not be sealed until the offender has paid full restitution. Any subsequent adjudication of a juvenile offense or subsequent charging of an adult felony nullifies a sealing order on the offender's juvenile records.

In 1997, the Legislature made several changes to the juvenile justice laws, including the statutes regarding the sealing and destruction of juvenile court records. Prior to 1997, a person could file a motion in court to have his or her juvenile records sealed if: (a) two years had passed since the entry of the court order or discharge of the juvenile from supervision; and (b) there were no criminal proceedings pending against the person.

The law currently does not address the sealing of juvenile records for diversions, misdemeanors, or gross misdemeanors.

**Summary of Bill:**

A provision is added to the statute regarding the sealing of juvenile records. A person's juvenile records for gross misdemeanors, misdemeanors, and diversions may be sealed if the person has spent two consecutive years in the community without committing any offense or crime that subsequently results in conviction.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

Office of Program Research