Juvenile Records

Presented by

JENNIFER CREIGHTON

**Washington State
Administrative Office of the Courts**

Jennifer Creighton

- **Ms. Creighton is the Manager of the Data and Development Section in the Information Services Division of AOC.**

- **Ms. Creighton has been working in information technology at AOC for 20 years.**

- **Ms. Creighton is very familiar with the operation of the Judicial Information System.**

Juvenile Offense Cases

- **How a record is created**

- **How a record is sealed**

- **Unsealing a case**

- **How a record is made available**

- **Automation**

- **Changes in the system**

HOW A RECORD IS CREATED

- **The record is created by the local court.**

- **Documents filed in the case are entered into SCOMIS by the court.**

- **When the case is resolved (trial, plea, dismissal, other) the resolution is entered into the record.**

- **Orders, such as sealing, are entered by the local court.**

HOW A RECORD IS SEALED

- **Sealing is done by the local court, based on an order to seal the file being issued by a judge or a determination of sealing based on RCW 13.40.127(10)(a).**

- **The court uses the "seal case" screen to indicate the appropriate level of access.**

- **JIS-Link would reflect the sealing as soon as it is entered by the court. The website is updated every two hours and would reflect the change at the next update after the court enters the sealing.**

UNSEALING A CASE

- **RCW 13.50.050(16) - An adjudication of a juvenile offense or crime subsequent to sealing has the effect of nullifying the sealing order. Any charging of an adult felony subsequent to the sealing has the effect of nullifying the sealing order for the purposes of chapter 9.94A RCW.**

- **A judge can issue an order unsealing a file.**

- **The local court uses the "seal case" screen to change the level of accessibility.**

- **JIS-Link would reflect the unsealing as soon as it is entered by the court. The website is updated every two hours and would reflect the change at the next update after the court enters the unsealing.**

HOW A RECORD IS MADE AVAILABLE

- A case is available on the public website once it is filed. The website is updated every two hours.
- AOC sends some cases to the WSP when they are resolved.
- Public information is used by some licensing agencies for background checks.
- Sealed juvenile case information, including the existence of the case, is not available to the public.
- The existence of a sealed juvenile case is made available to prosecutors via JIS-Link.

AUTOMATION

- **Sealing is most easily automated when it is based on unambiguous data found in the local court's file:**

  - Age of respondent
  - Charge on which convicted
  - Resolution
  - Date of resolution

AUTOMATION continued

WASHINGTON COURTS

- **It is more difficult, or impossible, to automate based on data subject to interpretation or data unavailable to SCOMIS**

  - Subject's criminal history
  - Subject's pending proceedings
  - Last date of release from confinement
  - Payment of all restitution

AUTOMATION continued

- **The extent of the sealing influences the difficulty of automating the process.**

  - All cases
  - All resolved cases
  - Misdemeanors and felonies
  - Only cases where all monies have been paid

CHANGES IN THE SYSTEM

- **The more criteria you have for sealing, the more difficult it is to automate.**

- **There is a fiscal cost to making juvenile offense cases nonpublic regardless of the method of doing so.**

- **Unsealing must also be addressed simultaneously.**

- **"Public" needs to be defined based on security levels.**

EXAMPLES OF POTENTIAL IMPACT

WASHINGTON COURTS

- **Automatically seal all records at the time the juvenile turns 21**

    - One time cost to write a program to read person records, find those turning 21, then find all related cases and enter the appropriate code
    - On going cost of running the program nightly to search 3,439,744 (as of 10/26/2011) defendant records
    - Need to identify if/how cases will be unsealed

WASHINGTON
COURTS

- **Make juvenile offender case type a confidential (non-public) case type; records accessible to law enforcement if juvenile charged with certain violent or sex crimes**
  - Create a new security level to differentiate law enforcement
  - Determine which crimes make a case accessible
  - Modify the SCOMIS law table to indicate what crimes make the record accessible
  - Changes to all JIS-Link screens to determine if the user has access to juvenile offender cases
  - Changes to all JIS-Link screens to determine if the case is accessible based on crimes
  - Modifications to the web programs to filter out juvenile offender cases
  - Modifications to quarterly indices to filter out juvenile offender cases

EXAMPLES continued

- **Restrict the distribution of non-conviction records**
  - Changes to all JIS-Link screens to determine if the user has access to non-conviction records
  - Changes to all JIS-Link screens to not display non-conviction records
  - Modifications to the web programs to filter out non-conviction records
  - Modifications to quarterly indices to filter out non-conviction records
  - Increase frequency of quarterly indices to monthly
  - Fiscal note created for 5019 SB in 2011 quoted a cost of $462,000 to implement

Summary

- **Local courts create cases.**

- **Local courts seal and unseal cases. The more criteria required for sealing, the more difficult it is to automate.**

- **Public case information is made available at the courthouse and on the web.**

- **There are fiscal costs to make changes to the system.**

Contact Information

Washington State

Administrative Office of the Courts

1206 Quince St SE

P O Box 41170

Olympia, WA 98504-1170

(360) 753-3365   FAX: (360) 586-8869