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In Our View/Automatic sealing of juvenile records

It feels good, but don't do it

There is a pathway lined with good intentions, and we all know where it leads. Compassionate state Senators continue to consider a bill that would automatically seal court records of all juveniles convicted of anything but a handful of heinous crimes.

The problem with [H.B. 1651](#) is not the good it attempts to achieve. Kids suffer from lapses in judgment, and many deserve a fresh start with a clean slate.

The problem is the short-sighted and disruptive approach the bill takes. It would strip the juvenile justice system of accountability, it would frustrate many victims of crime, and it would breach the clear intent of our state constitution.

Teens who commit garden-variety infractions already can get their records sealed or expunged if they demonstrate they have straightened out. This is done in some — but not all — reasonable cases (yet the Legislature is not considering a bill to streamline the process).

Unfortunately, we have arrived at one of those technology-fueled post-millennial moments that sends adult brains into a fugue state: Oh lord, it's the Internet.

Companies that perform background checks for employers and landlords now use the web to collect, compile and store a host of records. An unpaid 2002 speeding ticket from Ohio can cost you a job interview in Everett tomorrow.

Proponents of H.B. 1651 cite grim stories about adults being penalized for youthful transgressions, even if records were sealed or erased (yet the Legislature is not considering penalties against data collection agencies for harmful, out-of-date reports).

The proposed law would treat an offender's court appearance as if it never happened and court records as if they never existed. This would make it impossible for youth advocates, journalists or academics to examine how juvenile justice is administered. Is it fair or unfair? Is it effective or does it promote recidivism? No outsiders could answer these questions; courts would be accountable only to themselves.

Additionally, victims of juvenile crime could never know if their cars were stolen or businesses vandalized by first-time offenders or organized delinquents. And restitution could not be publicly monitored because the order itself would be inaccessible.

Finally, consider the law. Our state constitution declares: "Justice in all cases shall be administered

openly." Will the Legislature be faithful to this? Or will it pass a bill that makes it almost impossible to track juvenile court dockets?

H.B. 1651 is feel-good folly. The House did a disservice to our communities and constitution by passing it. The Senate now needs to derail it.

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