

STATE REPRESENTATIVE
32nd LEGISLATIVE DISTRICT
RUTH KAGI

State of
Washington
House of
Representatives



EARLY LEARNING &
HUMAN SERVICES
CHAIR
APPROPRIATIONS
ENVIRONMENT

April 24, 2018

The Honorable Justice Charles W. Johnson
Supreme Court Rules Committee Chair
C/O Clerk of the Court
P.O. Box 40929
Olympia, WA 98504-0929
Via email to supreme@courts.wa.gov

Re: Proposed Amendment to RAP 3.4

Dear Justice Johnson and Members of the Rules Committee:

I am writing you to urge your support for the proposed amendment to RAP 3.4 (Title of Case and Designation of Parties). This amendment allows the use of a juvenile's initials instead of full name in the caption as well as in the briefing and the opinion of juvenile offender appeals.

In 2014, I sponsored the Juvenile Records Access bill which passed the legislature with strong bi-partisan support. In the bill, the Legislature declared that, "it is the policy of the state of Washington that the interest in juvenile rehabilitation and reintegration constitutes compelling circumstances that outweigh the public interest in continued availability of juvenile court records." Pursuant to that declaration it required that most juvenile records be sealed on a defendant's eighteenth birthday if they had completed the terms of their disposition and absent an objection. (RCW 13.50.260). The legislation is based on the belief that youth make mistakes and deserve the opportunity to become productive adults once they have served their sentence and paid for their crime. We heard testimony from many youth who paid for their crime, but were unable to get a job, housing or an education because of their record. This is a great injustice that the legislation was designed to rectify.

The intent of this legislation is undermined by the recent general order issued by Division 3 of the Court of Appeals requiring unsealed juvenile records to be captioned with a defendant's full name. Since these records are regularly published on the internet, this new rule would clearly undermine the intent of the law which was to promote rehabilitation and reintegration. Putting defendants' full names on the internet could harm their ability to compete for jobs, housing, and employment in the future. I urge the Rules Committee to return to Washington's long standing practice of captioning files of juvenile appeals with initials.

Sincerely,

Representative Ruth Kagi
32nd Legislative District

CC: Justice Mary Yu

Tracy, Mary

From: OFFICE RECEPTIONIST, CLERK
Sent: Tuesday, April 24, 2018 3:30 PM
To: Tracy, Mary
Subject: FW: Comments on RAP 3.4 - Title of Case and Designation of Parties
Attachments: Rep Kagi Letter reRAP 3.4.pdf

Forwarding.

From: Kitchen, Peter [mailto:Peter.Kitchen@leg.wa.gov]
Sent: Tuesday, April 24, 2018 3:13 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Cc: George.yeannakis@teamchild.org
Subject: Comments on RAP 3.4 - Title of Case and Designation of Parties

To Whom it May Concern:

Please find Representative Ruth Kagi's comments on RAP 3.4- Title of Case and Designation of Parties attached.

Best Regards,

Peter Kitchen
Legislative Assistant to Representative Ruth Kagi
32nd Legislative District
District Office: 206-466-5742
Olympia Office: 360-786-7910