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Resolution to Support Equality in Automatic Record Sealing Process for Youth

WHEREAS the platform of the Washington State Democrats states that “[t]he rule of law is a prerequisite for a democratic civil society. A good government provides for the safety, security and justice for all, with care, fairness, and respect for each individual”;

WHEREAS the platform of the Washington State Democrats states that we believe “[n]onviolent conflict resolution, education, youth programs, health care, social services, rehabilitation, and living wage jobs will reduce crime and violence”;

WHEREAS the platform of the Washington State Democrats states that we support “[r]esearch, legislation and enforcement measures to address the disproportionate imprisonment of persons of color, and eliminating all forms of racial profiling by law enforcement and in sentencing”;

WHEREAS legal financial obligations (LFOs) include court costs, fees and interest charged at 12% from the date of confinement;

WHEREAS open juvenile records may serve as an impediment for youth who seek employment, housing, and education by contributing to the intensification of collateral consequences such as the ability to work, vote, obtain scholarships, serve in the military, and engage in other political and social activities;

WHEREAS the stigmatizing effect experienced by youth with a minority racial status may be intensified, compared with the effect experienced by their white peers with open juvenile records;

WHEREAS both youth of color and children in special education experience sharp disparities in treatment when they come into contact with the juvenile justice system and as a result, communities of color continue to disproportionately suffer from collateral consequences associated with open juvenile records;

WHEREAS the 2014 Legislature passed SHB-1651, the Youth Opportunities Act (YOA), to create automatic record sealing in a vote of 145-1 to require courts to hold regular hearings to seal juvenile records once the youth turns eighteen and completes all community supervision, is released from confinement or parole, and pays all legal financial obligations;

WHEREAS allowing youth to move on from past mistakes and have a second chance through sealing juvenile records reflects our core values of fairness, equality, and opportunity;

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44 **WHEREAS** the only youth who can take advantage of the automatic record sealing
45 process are youth with the financial means to pay legal financial obligations by the time
46 of their eighteenth birthday;

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48 **WHEREAS** a system that enforces racial disproportionality and poverty hurts our
49 society and makes our community less safe;

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51 **WHEREAS** it is not enough just to open the gates of opportunity, but to ensure all of
52 our youth have the ability to walk through those gates;

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54 **WHEREAS** every youth – rich or poor – should have an equal opportunity to benefit
55 from the automatic record sealing process;

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57 **WHEREAS** the University of Washington School of Law Children and Youth
58 Legislative Advocacy Clinic is currently leading advocacy on a bill to make the
59 automatic record sealing process more equal by removing the legal financial obligation
60 barrier to juvenile record sealing; and

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62 **WHEREAS** our democratically elected judges, county prosecutors, county sheriffs and
63 county clerks play an important role in the record sealing process;

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65 **THEREFORE BE IT RESOLVED** that the Washington State Democratic Central
66 Committee calls upon our democratically elected public officials to support equality in
67 automatic record sealing process for youth in the legislature this session (H.B. 1481, S.B.
68 5564); and

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70 **THEREFORE BE IT FURTHER RESOLVED** that the Chair of the Washington State
71 Democratic Central Committee shall communicate approval of this resolution to every
72 Democratic elected as a county prosecutor, county sheriff and county clerk in
73 Washington state.

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76 Submitted by the African-American Caucus to the WSDCC. (Date Submitted
77 1/24/2015)

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79 Recommended Pass by the Resolutions Committee at their January 24, 2015 Meeting in
80 Olympia.

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82 Passed by the WSDCC at their January 24, 2015 Meeting in Olympia.