

THE YOUTH EQUALITY AND REINTEGRATION ACT (THE YEAR ACT)

ESSB 5564

THIS IS THE YEAR FOR EQUALITY IN JUVENILE RECORDS REFORM



“Justice is about accountability, compassion and equality.”

— Rep. Ruth Kagi

“Not every sentence I give to a juvenile offender should be a life sentence.”

—Judge Steve Warning

“The YEAR Act will protect the public and ultimately benefit juveniles and victims.”

—Sheriff Ozzie Knezovich

Why the YEAR Act is vital reform for Washington’s youth:

- ◆ Current law provides that courts must hold routine hearings for record sealing once the youth completes all community supervision, is released from confinement or parole, and pays all LFOs, restitution and interest
- ◆ There are 22 court fines and fees in Washington state statute, courts may not consider a youth's financial situation when ordering restitution, and the interest rate on these LFOs is 12%
- ◆ High-income youth can pay these LFOs and seal while low-income youth cannot; the YEAR Act makes a second chance accessible to all youth

Key reforms in the YEAR Act:

- ◆ Eliminates **20 of 22 non-restitution LFOs** and reduces 12% interest rate to 0
- ◆ **Gives judges discretion to:**
 - ◆ Make youth independently liable for restitution rather than require joint and several liability
 - ◆ Modify restitution amounts **based on ability to pay**
 - ◆ Seal records when a youth has paid off restitution to individual victims even if money is still owed to an insurance company.
 - ◆ Convert restitution to community service
- ◆ **Prohibits DOL from distributing records** except to the extent necessary to comply with federal law and **prohibits employers from discriminating** due to sealed records
- ◆ Creates opportunity for youth with **existing LFOs** to petition the Court to reduce or forgive LFOs and interest
- ◆ Ensures law enforcement maintains access to sealed records
- ◆ Puts **victims first** by:
 - ◆ requiring victims receive **notice** of contested hearings
 - ◆ ensuring **victims must approve** conversion of restitution to community service,
 - ◆ ensuring victims get paid **before anyone else!**