



Inside the Legislature

- ★ Find Your Legislator
- ★ Visiting the Legislature
- ★ Agendas, Schedules and Calendars
- ★ Bill Information
- ★ Laws and Agency Rules
- ★ Legislative Committees
- ★ Legislative Agencies
- ★ Legislative Information Center
- ★ E-mail Notifications
- ★ Civic Education
- ★ History of the State Legislature

Outside the Legislature

- ★ Congress - the Other Washington
- ★ TVW
- ★ Washington Courts
- ★ OFM Fiscal Note Website



[RCWs](#) > [Title 13](#) > [Chapter 13.50](#) > [Section 13.50.050](#)

[13.50.010](#) << [13.50.050](#) >> [13.50.100](#)

RCW 13.50.050

Records relating to commission of juvenile offenses — Maintenance of, access to, and destruction.

(1) This section and RCW [13.50.260](#) and [13.50.270](#) govern records relating to the commission of juvenile offenses, including records relating to diversions.

(2) The official juvenile court file of any alleged or proven juvenile offender shall be open to public inspection, unless sealed pursuant to RCW [13.50.260](#).

(3) All records other than the official juvenile court file are confidential and may be released only as provided in this chapter, RCW [13.40.215](#) and [4.24.550](#).

(4) Except as otherwise provided in this chapter, records retained or produced by any juvenile justice or care agency may be released to other participants in the juvenile justice or care system only when an investigation or case involving the juvenile in question is being pursued by the other participant or when that other participant is assigned the responsibility for supervising the juvenile.

(5) Except as provided in RCW [4.24.550](#), information not in an official juvenile court file concerning a juvenile or a juvenile's family may be released to the public only when that information could not reasonably be expected to identify the juvenile or the juvenile's family.

(6) Notwithstanding any other provision of this chapter, the release, to the juvenile or his or her attorney, of law enforcement and prosecuting attorneys' records pertaining to investigation, diversion, and prosecution of juvenile offenses shall be governed by the rules of discovery and other rules of law applicable in adult criminal investigations and prosecutions.

(7) Upon the decision to arrest or the arrest, law enforcement and prosecuting attorneys may cooperate with schools in releasing information to a school pertaining to the investigation, diversion, and prosecution of a juvenile attending the school. Upon the decision to arrest or the arrest, incident reports may be released unless releasing the records would jeopardize the investigation or prosecution or endanger witnesses. If release of incident reports would jeopardize the investigation or prosecution or endanger witnesses, law enforcement and prosecuting attorneys may release information to the maximum extent possible to assist schools in protecting other students, staff, and school property.

(8) The juvenile court and the prosecutor may set up and maintain a central recordkeeping system which may receive information on all alleged juvenile offenders against whom a complaint has been filed pursuant to RCW [13.40.070](#)

whether or not their cases are currently pending before the court. The central recordkeeping system may be computerized. If a complaint has been referred to a diversion unit, the diversion unit shall promptly report to the juvenile court or the prosecuting attorney when the juvenile has agreed to diversion. An offense shall not be reported as criminal history in any central recordkeeping system without notification by the diversion unit of the date on which the offender agreed to diversion.

(9) Upon request of the victim of a crime or the victim's immediate family, the identity of an alleged or proven juvenile offender alleged or found to have committed a crime against the victim and the identity of the alleged or proven juvenile offender's parent, guardian, or custodian and the circumstance of the alleged or proven crime shall be released to the victim of the crime or the victim's immediate family.

(10) Subject to the rules of discovery applicable in adult criminal prosecutions, the juvenile offense records of an adult criminal defendant or witness in an adult criminal proceeding shall be released upon request to prosecution and defense counsel after a charge has actually been filed. The juvenile offense records of any adult convicted of a crime and placed under the supervision of the adult corrections system shall be released upon request to the adult corrections system.

(11) Any juvenile to whom the provisions of this section or RCW [13.50.260](#) or [13.50.270](#) may apply shall be given written notice of his or her rights under this section at the time of his or her disposition hearing or during the diversion process.

(12) Nothing in this section or RCW [13.50.260](#) or [13.50.270](#) may be construed to prevent a crime victim or a member of the victim's family from divulging the identity of the alleged or proven juvenile offender or his or her family when necessary in a civil proceeding.

(13) Except as provided in RCW [13.50.270](#)(2), no identifying information held by the Washington state patrol in accordance with chapter [43.43](#) RCW is subject to destruction or sealing under this section. For the purposes of this subsection, identifying information includes photographs, fingerprints, palmprints, soleprints, toeprints and any other data that identifies a person by physical characteristics, name, birthdate or address, but does not include information regarding criminal activity, arrest, charging, diversion, conviction or other information about a person's treatment by the criminal justice system or about the person's behavior.

(14) Information identifying child victims under age eighteen who are victims of sexual assaults by juvenile offenders is confidential and not subject to release to the press or public without the permission of the child victim or the child's legal guardian. Identifying information includes the child victim's name, addresses, location, photographs, and in cases in which the child victim is a relative of the alleged perpetrator, identification of the relationship between the child and the alleged perpetrator. Information identifying a child victim of sexual assault may be released to law enforcement, prosecutors, judges, defense attorneys, or private or governmental agencies that provide services to the child victim of sexual assault.

[2014 c 175 § 3; 2012 c 177 § 2. Prior: 2011 c 338 § 4; 2011 c 333 § 4; 2010 c 150 § 2; 2008 c 221 § 1; 2004 c 42 § 1; prior: 2001 c 175 § 1; 2001 c 174 § 1; 2001 c 49 § 2; 1999 c 198 § 4; 1997 c 338 § 40; 1992 c 188 § 7; 1990 c 3 § 125; 1987 c 450 § 8; 1986 c 257 § 33; 1984 c 43 § 1; 1983 c 191 § 19; 1981 c 299 §

19; 1979 c 155 § 9.]

Notes:

Rules of court: Superior Court Criminal Rules (CrR), generally. Discovery: CrR 4.7.

Findings -- Intent -- 2014 c 175: See note following RCW [13.50.010](#).

Application -- 2011 c 333: "RCW [13.50.050](#) (14)(b) and (17)(b) apply to all records of a full and unconditional pardon and should be applied retroactively as well as prospectively." [2011 c 333 § 5.]

Findings -- Intent -- 2011 c 333: See note following RCW [19.182.040](#).

Intent -- 2001 c 49: "The legislature intends to change the results of the holding of *State v. T. K.*, 139 Wn. 2d 320 (1999), and have any motion made after July 1, 1997, to seal juvenile records be determined by the provisions of RCW [13.50.050](#) in effect after July 1, 1997." [2001 c 49 § 1.]

Finding -- Evaluation -- Report -- 1997 c 338: See note following RCW [13.40.0357](#).

Severability -- Effective dates -- 1997 c 338: See notes following RCW [5.60.060](#).

Findings -- Intent -- Severability -- 1992 c 188: See notes following RCW [7.69A.020](#).

Index, part headings not law -- Severability -- Effective dates -- Application -- 1990 c 3: See RCW [18.155.900](#) through [18.155.902](#).

Severability -- 1986 c 257: See note following RCW [9A.56.010](#).

Effective date -- 1986 c 257 §§ 17-35: See note following RCW [9.94A.030](#).

Effective date -- Severability -- 1979 c 155: See notes following RCW [13.04.011](#).