

[2017 Session] Improve the Juvenile Record Sealing Process and Limit Access to Juvenile Records

Policy Background:

Youth who have been through the juvenile court system must have their privacy protected; this is a critical component of their rehabilitation. Indeed, significant barriers to education, employment, housing, and other services can stem from a juvenile delinquency record or from the unauthorized use or disclosure of confidential records.

Texas policy-makers should require juvenile records to be automatically sealed unless the prosecutor moves to have it unsealed.

Key Facts:

- Most juvenile records are fully open to employers, landlords, and schools because they are not on “restricted access.” This can negatively impact a person’s ability to attend school or access jobs and housing.
- Low-level youthful offenses seldom lead to serious crimes. A tracking study by Texas’ Legislative Budget Board revealed that only 1.8% of youth who entered deferred prosecution in 2011 were incarcerated in the following three years.¹

Relevant Bills:

- **Bill Number:** [HB 2863](#) [White]
Bill Caption: Relating to confidentiality, sharing, sealing, and destruction of juvenile records.
House Hearing Notice: [Juvenile Justice & Family Issues, April 12, 2017](#)
- **Bill Number:** [SB 1304](#) [Perry; Sponsor: White]
Bill Caption: Relating to confidentiality, sharing, sealing, and destruction of juvenile records.
Senate Hearing Notice: [Criminal Justice, April 4, 2017](#)
House Hearing Minutes: [Juvenile Justice & Family Issues, May 11, 2017](#)
Outcome: *Signed by the Governor; effective on 9/1/17*

Other Bills Related to Juvenile Records:

- **Bill Number:** [HB 677](#) [Wu]
Bill Caption: Relating to the sealing of records of certain juveniles placed on determinate sentence probation.
House Hearing Notice: [Juvenile Justice & Family Issues, March 15, 2017](#)
- **Bill Number:** [HB 2059](#) [Phillips, Canales; Sponsor: Hughes]
Bill Caption: Relating to the expunction of certain convictions or arrests of a minor for certain alcohol-related offenses.
House Hearing Notice: [Licensing & Administrative Procedures, April 3, 2017](#)
Senate Hearing Notice: [Criminal Justice, May 18, 201](#)

Other Materials:

- Juvenile Records Advisory Committee: [Supplemental Report](#) [December 2016]
- Juvenile Records Advisory Committee: [Legislative Report](#) [November 1, 2016]

¹ Legislative Budget Board, *Statewide Criminal and Juvenile Justice Recidivism and Revocation Rates*, February 2015, p. 3.