

# HOUSE BILL REPORT

## HB 1412

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*As Reported By House Committee on:  
Human Services*

**Title:** An act relating to racial disproportionality in the juvenile justice system.

**Brief Description:** Studying racial disproportionality in the juvenile justice system.

**Sponsor(s):** Representatives Wineberry, Padden, Jacobsen, Tate, Prentice, Paris, Locke, Belcher, O'Brien, Leonard and Anderson.

**Brief History:**

Reported by House Committee on:  
Human Services, March 4, 1991, DPS.

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**HOUSE COMMITTEE ON  
HUMAN SERVICES**

**Majority Report:** *That Substitute House Bill No. 1412 be substituted therefor, and the substitute bill do pass.*  
Signed by 10 members: Representatives Leonard, Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Anderson; Beck; Brekke; Hargrove; Hochstatter; R. King; and H. Myers.

**Staff:** Dawn Jones (786-7077).

**Background:** The number of persons of color in the juvenile justice system is significantly higher than their proportion of the state's population. The number of these youth arrested, detained and incarcerated within the juvenile justice system, has significantly increased from 7 percent in 1978 to over 35 percent in 1989 and continues to rise.

**Summary of Substitute Bill:** The Legislature will provide for a study to identify the causes of minority disproportionality within the juvenile justice system and to recommend changes.

The study will identify key decision points in the juvenile justice system where race and/or ethnicity-based disproportionality exists in the treatment and incarceration of juvenile offenders. It will also identify the causes of such disproportionality and propose new policies and

procedures to address disproportionality. The Office of Management Services of the Children, Youth, and Family Services Administration of the Department of Social and Health Services will submit the study's findings and recommendations to the standing committees of the Legislature by December 1, 1992.

The sum of \$62,500 is appropriated for the biennium ending June 30, 1993 from the general fund to the Division for Children, Youth, and Family Services of the Department of Social and Health Services for the study.

**Substitute Bill Compared to Original Bill:** The office of Management Services of Children and Family Services Administration will be involved in contracting for an independent study. The study will not be required to test the impact of proposed policies. The Office of Management Services will report the study's findings, rather than its own findings, to the standing committees of the Legislature by December 1, 1992.

**Fiscal Note:** Available.

**Appropriation:** Yes.

**Effective Date:** The bill contains an emergency clause and takes effect July 1, 1991.

**Testimony For:** It is no secret that youths of color are arrested and detained in numbers greater than their proportions in the population. It is no secret that the number of institutionalized youths from communities of color have increased dramatically over the last 17 years. African Americans, Hispanics, Native Americans, and Pacific Islanders, comprise more than one half of the juveniles in detention and correctional facilities. In 1988, 30,128 or 56 percent of the 53,503 juveniles in custody across the country, were youths of color. Washington data reflects the national trend.

All of the major institutions of society are failing to respond appropriately to these youths. As a result, they are becoming society's rejects as evidenced by the large number in institutions. A thorough study of this problem can yield recommendations that will ensure that all troubled youth are treated fairly under the law.

**Testimony Against:** None.

**Witnesses:** Kathy Gerke, Division of Management Services (Department of Social and Health Services); Margaret Martinez, Children's Alliance; James Kelly, Commission on

African American Affairs; and Rosalie McHale, Governor's  
Juvenile Justice Advisory Committee.