

HOUSE BILL REPORT

HB 1966

As Reported By House Committee On:
Human Services
Appropriations

Title: An act relating to implementation of the juvenile justice racial disproportionality study recommendations.

Brief Description: Implementing juvenile justice racial disproportionality study recommendations.

Sponsors: Representatives Wineberry, Leonard, Appelwick, Foreman, Riley, Cooke, H. Myers, Lemmon, Basich, Kessler, Holm, J. Kohl and Anderson.

Brief History:

Reported by House Committee on:
Human Services, March 3, 1993, DPS;
Appropriations, March 6, 1993, DPS(HS-A APP).

HOUSE COMMITTEE ON HUMAN SERVICES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Riley, Vice Chair; Cooke, Ranking Minority Member; Brown; Karahalios; Lisk; Patterson; Thibaudeau; and Wolfe.

Minority Report: Do not pass. Signed by 2 members: Representatives Talcott, Assistant Ranking Minority Member; and Padden.

Staff: David Knutson (786-7146).

Background: In the 1991 legislative session, the Legislature provided funding to study racial disproportionality in the juvenile justice system. The study was presented to the Legislature in January 1993. The study found that youth of color are less likely than white youth to be arrested but more likely to be: referred to juvenile court, detained, not be diverted, prosecuted, adjudicated, sentenced to confinement, and confined. Of all youth of color, African American youth are the most likely to be referred to court, detained, not be diverted, prosecuted, adjudicated guilty, sentenced to confinement, and confined.

Summary of Substitute Bill: The administrator for the courts will develop a plan to improve data collection on juvenile offenders and submit the plan to the Office of Financial Management by September 15, 1993. The administrator for the courts and the Criminal Justice Training Commission will prepare a curriculum related to ethnic and cultural diversity which will be available by October 1, 1993. The administrator for the courts will prepare information describing juvenile laws and court procedures and make it available in language understood by all citizens. Juvenile court administrators will obtain interpreters for all non-English speaking juveniles. Consolidated juvenile services funding to counties is conditioned on the county establishing detention standards. The administrator for the courts will convene a work group to develop standards and guidelines for the prosecution of juvenile offenders, review any racial disproportionality in diversion and review any racial disproportionality in the use of detention. The Juvenile Disposition Standards Commission will review current and proposed sentencing standards and guidelines for potential adverse impacts on racial and ethnic minority youth.

Substitute Bill Compared to Original Bill: The Human Rights Commission, rather than the Commission on African-American Affairs, will participate in the review of juvenile justice information systems. All state commissions related to racial or ethnic populations will participate in the creation of a curriculum on ethnic and cultural diversity. The work group created by the administrator for the courts will include two additional prosecutors. It will also study any racial disproportionality in the use of diversion and detention. The prohibition against detaining a youth in detention for factors related to family status, school attendance, or race or ethnicity was removed.

Fiscal Note: Requested March 1, 1993.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: Racial disproportionality in the juvenile justice system should be reduced. All juveniles, regardless of skin color, should be treated equitably.

Testimony Against: The study on racial disproportionality does not contain any specific examples of racial disproportionality. Additional study and research are needed to pinpoint the causes of racial disproportionality.

Witnesses: (Pro) Representative Wineberry, Prime Sponsor; Jerry Wasson, Department of Social and Health Services;

James Kelly, Commission on African American Affairs; Dr. Bridges, University of Washington; Mark Ezell and Margaret Martinez, Children's Alliance; Margaret Casey, Juvenile Court Administrators; Jerry Sheehan, American Civil Liberties Union of Washington; and (Con) Mike Redman, Washington Association of Prosecuting Attorneys.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The substitute bill by Committee on Human Services be substituted therefor and the substitute bill as amended by Committee on Appropriations do pass. Signed by 20 members: Representatives Locke, Chair; Valle, Vice Chair; Appelwick; Ballasiotes; Basich; Cooke; Dellwo; Dorn; Dunshee; G. Fisher; Jacobsen; Lemmon; Linville; Peery; Rust; Sehlin; Sommers; Wang; Wineberry; and Wolfe.

Minority Report: Do not pass. Signed by 5 members: Representatives Silver, Ranking Minority Member; Carlson, Assistant Ranking Minority Member; Sheahan; Stevens; and Talcott.

Staff: Wayne Kawakami (786-7384).

Summary of Recommendation of Committee on Appropriations Compared to Recommendation of Committee on Human Services: The amended bill changes the work group recommendation report due date from December 1, 1994, to July 1, 1994. It also provides that the implementation of the act is subject to the availability of funds.

Fiscal Note: Requested March 1, 1993.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The issues identified in the racial disproportionality study need to be addressed. Steps must be taken to ensure that the juvenile justice system treats all juveniles equally.

Testimony Against: None.

Witnesses: James Kelly, Commission on African Affairs; and George Bridges, University of Washington.