

HOUSE BILL REPORT

ESHB 1966

As Amended by the Senate

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

Brief Description: Implementing juvenile justice racial disproportionality study recommendations.

Sponsors: By House Committee on Human Services (originally sponsored by 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);

Passed House, March 9, 1993, 87-8;

Amended by Senate.

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).

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).

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 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. The implementation of the legislation is subject to the availability of funds.

EFFECT OF SENATE AMENDMENT(S): The provision of legal interpreters to non-English speaking juveniles will be made consistent with the provisions of chapter 2.43 RCW. The bill is made contingent upon funding in the omnibus appropriations act.

Fiscal Note: Requested March 1, 1993.

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

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

(Appropriations) 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: (Human Services) 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.

(Appropriations) None.

Witnesses: (Human Services) (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 (Concern) Mike Redman, Washington Association of Prosecuting Attorneys (wanted to increase the number of prosecuting attorneys on the work group established by the administrator for the courts).

(Appropriations) James Kelly, Commission on African Affairs; and George Bridges, University of Washington.

VOTE ON FINAL PASSAGE:

Yeas 87; Nays 8; Excused 3

Nays: Representatives Morton, Padden, Schoesler, Sheahan, Silver, Stevens, Talcott, Thomas

Excused: Representatives Brown, Lisk, Mielke