

Eliminate Juvenile Points to Modernize Sentencing

HB 1413

This bill brings Washington's sentencing system, as it relates to juvenile adjudications, in line with most other states. Passing the bill will reduce racial disparities, account for discoveries in developmental brain science and decrease incarceration costs.

Current Law Does Not Reflect Modern Brain Science

Current scientific research has demonstrated that young people's brains are different and that their decision-making and impulse control are still developing. Questions of fairness and constitutionality regarding sentencing laws that do not consider developments in brain science have been raised by the Washington State Supreme Court. Modernizing Washington's sentencing system to stop juvenile records from automatically increasing a person's sentence will bring it into better alignment with brain science research.

Juvenile adjudications are automatically included in adult sentencing calculations for at least 10 years for Class B felonies, and at least 5 years for Class C felonies. Those long windows mean that young adults who were impacted by the juvenile system are more likely to be punished in the adult legal system for a youthful offense which occurred while their brain was developing. Automatically increasing a person's punishment because of an offense committed as a youth neither serves that individual nor public safety and raises the overall cost of corrections by effectively punishing people twice for the same offense and keeping people locked up for longer periods, simply because of their juvenile court adjudications.

This Bill Advances Racial Justice

Due to the over-policing of schools and communities of color, youth who are Black,

Indigenous, or People of Color have a disproportionately greater number of juvenile adjudications. Those juvenile adjudications automatically impact the length of sentences imposed on adults, effectively punishing people twice which perpetuates racial disparities in our criminal legal system. Modernizing Washington's sentencing system would advance racial equity by eliminating this source of racial disproportionality from adult sentencing calculations.

Promotes Efficiency in Resentencing

There is significant overlap between people whose sentences have been increased due to juvenile adjudications and those who been convicted of simple possession (*Blake*) and/or with sentencing enhancements (HB 1169). This makes passing a retroactive solution now a matter of efficiency. As the courts reconsider previously imposed sentences due to *Blake* and potentially HB 1169, and since there are a significant number of people with juvenile adjudications included in this process, it is efficient to complete the resentencing at once. A piecemeal approach will be more costly and time-consuming.

Modernizing Sentencing in a Developmentally Appropriate and Efficient Way

Retroactively ensuring that juvenile adjudications do not automatically increase a person's sentence will not only bring Washington's sentencing system more in line with modern brain science, but it will advance racial justice and reduce corrections expenditures. HB 1413 modernizes our state's sentencing system as it relates to juvenile adjudications in a way that is developmentally appropriate and efficient.

