

Executive Summary: Health Impact Review of SB 5122

SB 5122, Concerning the jurisdiction of juvenile court (2021 Legislative Session)

Evidence indicates that [SB 5122](#) would likely decrease criminal legal system involvement for some youth aged 8 through 12 years and for some emerging adults aged 18 and 19 years, which would likely improve health outcomes, reduce recidivism, and decrease penalties and collateral consequences. It is unclear how the bill would impact equity.

BILL INFORMATION

Sponsors: Darneille, Das, Hasegawa, Nguyen, Pedersen, Robinson, Saldaña, Wilson C.

Summary of Bill:

Full details about the provisions of this bill can be found in the bill text linked above. Given the level of detail within provisions, the summary highlights sections most relevant to this review.

- Changes the procedural jurisdiction of Washington State juvenile courts from 8 through 17 years to 13 through 19 years such that:
 - Juveniles under 13 years of age are considered legally incapable of committing a crime. Except, juveniles 8 through 12 years of age (i.e., under 13 years of age) may be prosecuted in cases where the juvenile is alleged of Murder 1 or Murder 2 and the prosecution can present proof and evidence that a juvenile has sufficient capacity to understand that the act or neglect was wrong. Juveniles under 13 years of age may not be prosecuted for other crimes.
 - Juveniles aged 13 through 19 years (i.e., under 20 years of age) who are alleged of committing a crime are in the jurisdiction of juvenile court.
- Establishes a phased approach to change the definition of “juvenile”. Effective July 1, 2022, a “juvenile” includes any individual under 19 years of age who is not subject to adult court. Effective July 1, 2024, a “juvenile” includes any individual under 20 years of age who is not subject to adult court.
- Retains legislation extending juvenile court jurisdiction to age 25 years for the purposes of sentencing, and raises the maximum age of confinement in Juvenile Rehabilitation through age 21 years for juveniles adjudicated in juvenile court for crimes committed at age 18 and through age 22 years for juveniles adjudicated in juvenile court for crimes committed at age 19.

HEALTH IMPACT REVIEW

Summary of Findings:

This Health Impact Review found the following evidence for relevant provisions in SB 5122:

- **Informed assumptions** that changing the procedural jurisdiction of juvenile court to 13 through 19 years of age using a phased approach would likely decrease juvenile criminal

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legal system^a involvement for some youth aged 8 through 12 years and would likely decrease adult criminal legal system involvement for some emerging adults aged 18 and 19 years. These assumptions are based on proposed changes to state law and information from key informants.

- **Very strong evidence** that decreased involvement in the criminal legal system would improve health outcomes across the life course.
- **Very strong evidence** that changing the procedural jurisdiction of juvenile court to 13 through 19 years of age will decrease juvenile recidivism.
- **Informed assumption** that decreasing adult criminal legal system involvement for emerging adults aged 18 and 19 years will decrease penalties and collateral consequences for these individuals charged with a crime. This assumption is based on current differences between the adult criminal legal system and juvenile criminal legal system in Washington State.
- **Very strong evidence** that decreased penalties and collateral consequences of conviction would likely improve access to employment opportunities, housing, and economic stability.
- **Very strong evidence** that improved access to employment opportunities, housing, and economic stability would improve health outcomes.
- **Unclear impact** on equity due to the intersectionality of overlapping identities, current inequities due to racism in the juvenile and adult criminal legal systems, and continued opportunities for involvement with the criminal legal systems for 8 through 19 year olds.

FULL REVIEW

For review methods, logic model, strength-of-evidence analyses, and citations of empirical evidence refer to the full Health Impact Review at

<https://sboh.wa.gov/Portals/7/Doc/HealthImpactReviews/HIR-2021-04-SB5122..pdf>

^a To align with preferred language of the community, this analysis will use the phrases “juvenile criminal legal system” and “adult criminal legal system.” In addition, the term “juvenile” will be used in relation to specific laws or rules governing individuals alleged of crimes through the juvenile criminal legal system. The term “youth” refers to individuals younger than 18 years of age and “emerging adults” refers to individuals 18 and 19 years of age.

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