



# THE PERSISTENCE OF RACIAL DISPARITIES IN JUVENILE DECLINE IN WASHINGTON STATE, 2009-2022

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## BACKGROUND

- Nationwide, juvenile transfers to adult court increased in the 1990s
  - Legislation establishing automatic transfer in several states, including WA
- Youth of color are disproportionately affected by juvenile transfer to adult court
  - Nationwide, disparities in transfer to adult court have increased even as disparities in youth detention have declined

# JUVENILE DECLINES IN WASHINGTON STATE

- Decline hearings
  - Discretionary
    - Prior to 2018: no limitations
    - As of 2018: limited to youth 15+ charged with serious violent offense or younger if charged with Murder 1 or 2
  - Mandatory
    - Prior to 2018: any Class A felonies, other serious offenses
    - As of 2018: limited to escape, if serving a minimum sentence to age 21
- Automatic decline
  - Established 1994, restricted to youth 16+ in most cases
  - As of 2009, can be returned to juvenile court
  - As of 2018: limited to serious violent felonies, other violent felonies with certain history criteria

# RACIAL DISPARITIES IN JUVENILE DECLINE IN WA

## Data

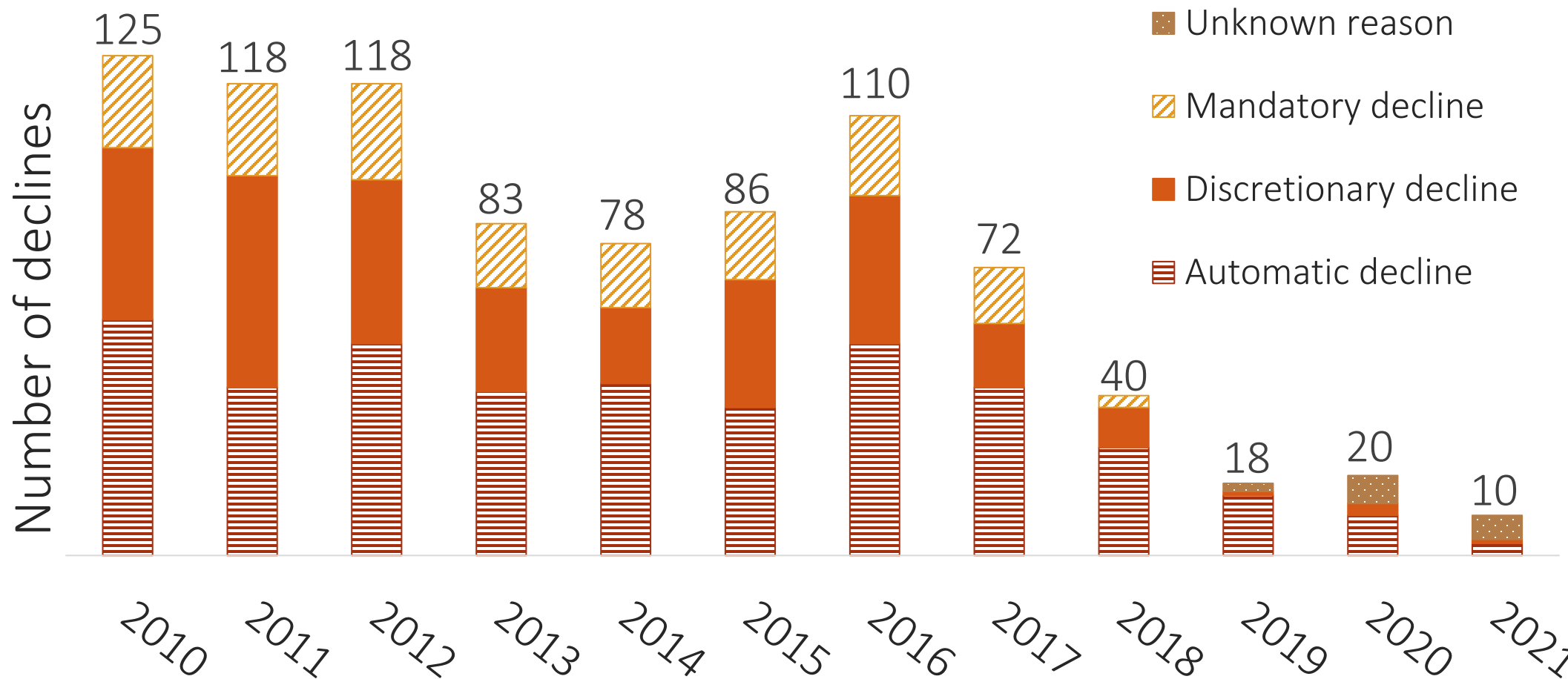
- 44,149 cases resulting in conviction/adjudication
  - Filed between July 2009 and June 2022
  - Age <18 at time of case filing
  - 25,235 unique youth
- 957 declined cases (2.2%)

## Analysis

- Descriptive summary
- Mixed effects logistic regression
  - Independent effect of race on decline
  - Simultaneously accounting for: offense, criminal history, time period, age, and gender

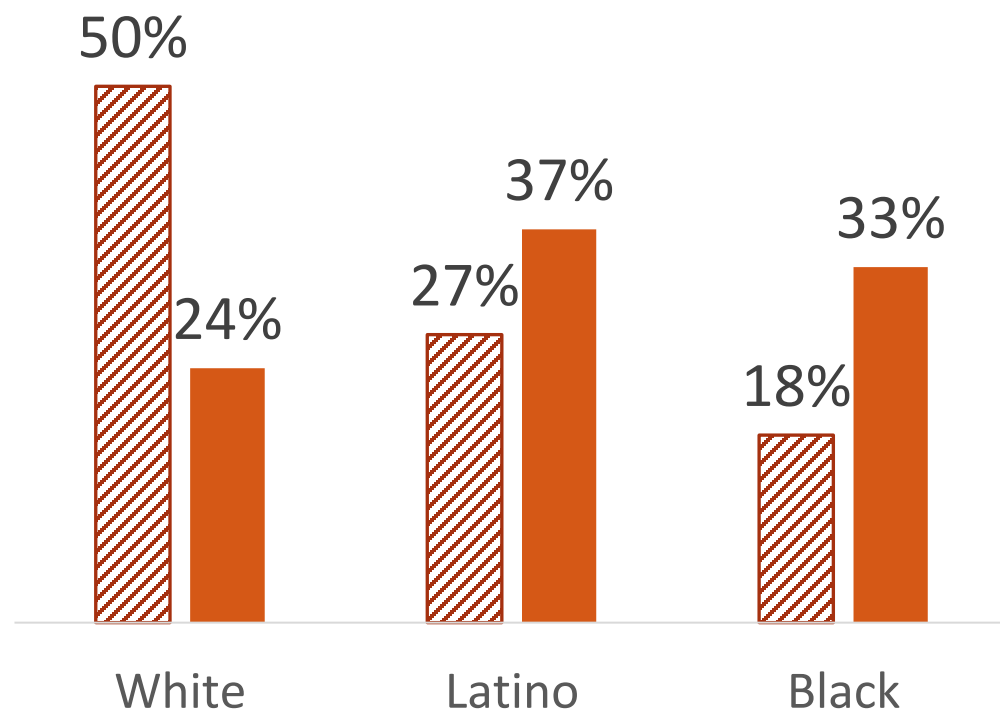
# DESCRIPTIVE PATTERNS

# THE NUMBER OF DECLINES HAS DECREASED OVERALL

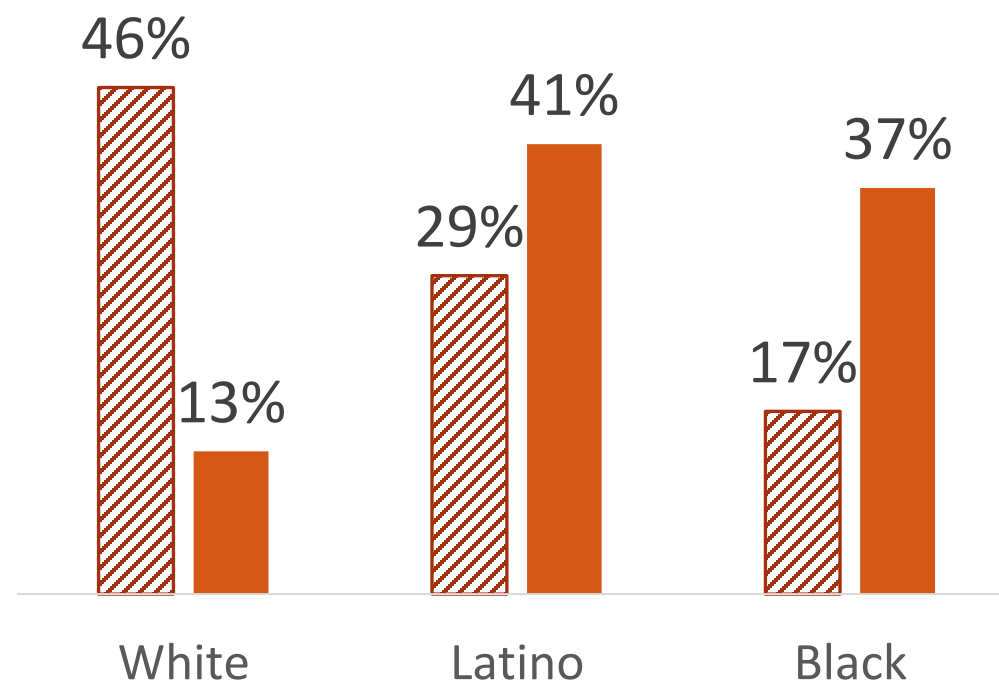


# RACIAL DISPROPORTIONALITY INCREASE POST-2018

Prior to 2018 legislation



Following 2018 legislation



▨ Percent of all youth adjudications/convictions

■ Percent of youth sentenced as adults

## DISPARITY RATIOS BY TIME PERIOD

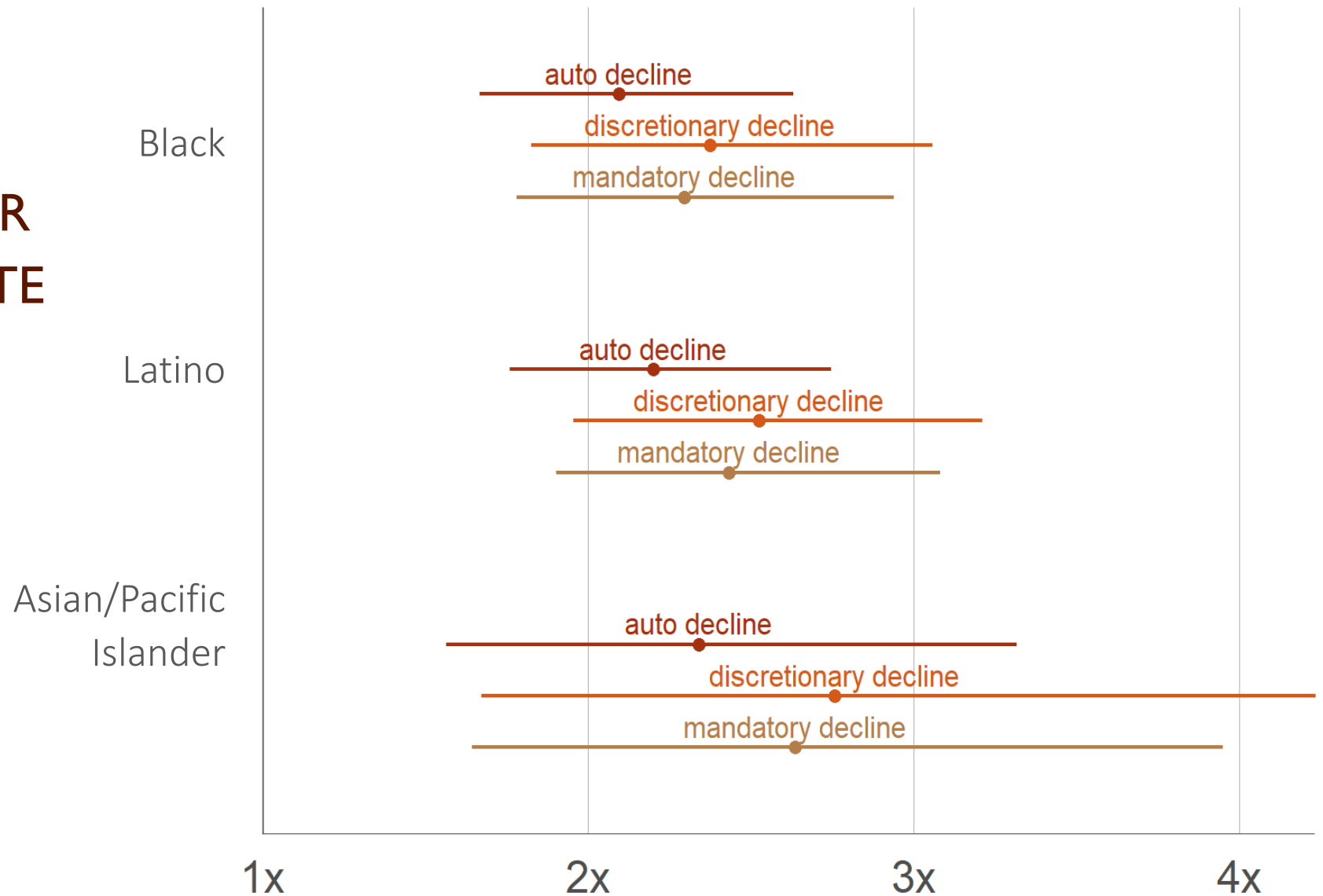
### Disparity Ratios

	Pre 2018	Post 2018
Black	3.82	7.70
Latino	2.85	5.00
Indigenous	1.39	2.65
Asian	4.17	8.26



# FINDINGS FROM REGRESSION ANALYSIS

# LIKELIHOOD OF DECLINE FOR YOUTH OF COLOR RELATIVE TO WHITE YOUTH



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## RELATIVE LIKELIHOOD OF DECLINE OVERALL

The odds of **DECLINE** overall are

- **127% higher** for Black than White youth
- **161% higher** for Latino than White youth

...when accounting for other case characteristics

# RELATIVE LIKELIHOOD OF DECLINE, BY TYPE

As compared to White Youth....

The odds of **DISCRETIONARY** decline are

- **137% higher** for Black youth and **152% higher** for Latino youth

The odds of **MANDATORY** decline are

- **130% higher** for Black youth and **143% higher** for Latino youth

The odds of **AUTOMATIC** decline are

- **110% higher** for Black youth and **120% higher** for Latino youth

## RELATIVE LIKELIHOOD OF DECLINE, BY LEGISLATIVE PERIOD

- Overall, odds of decline were 83% lower for cases following the 2018 legislation
- Increased disparity in decline for Black youth and persistent disparity for Latino youth following the 2018 legislation
  - **260%** greater odds of decline for Black than White youth
  - **126%** greater odds of decline for Latino than White youth
- Disparities remain more pronounced where there is more discretion

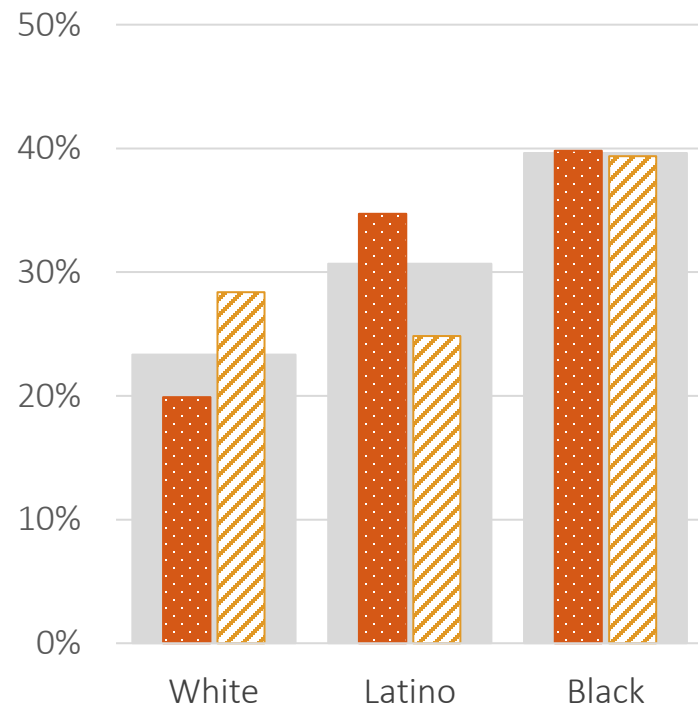
The background of the slide features a photograph of two hands gripping vertical metal bars, overlaid with a semi-transparent orange filter. The word "QUESTIONS?" is centered in white, bold, sans-serif font.

# QUESTIONS?

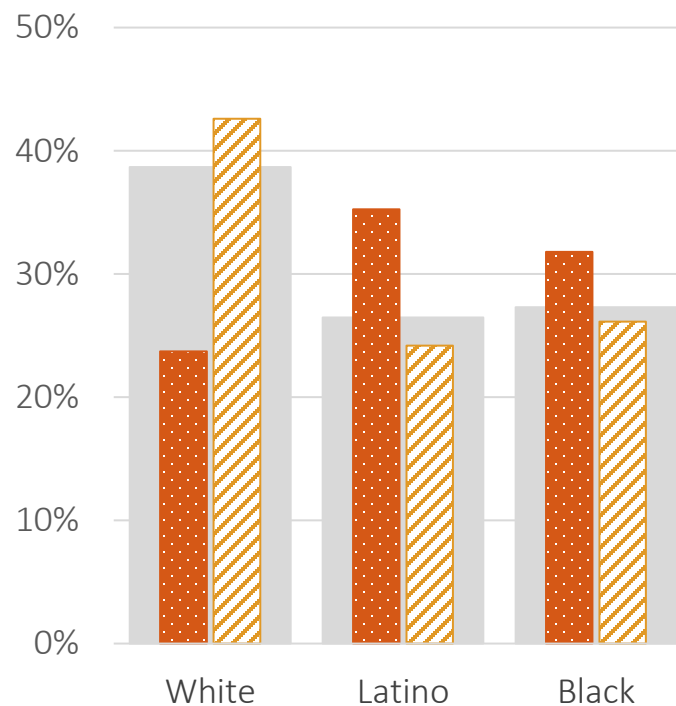
# APPENDIX

# DECLINE STATUS BY RACE AND ELIGIBILITY, PRE-2018

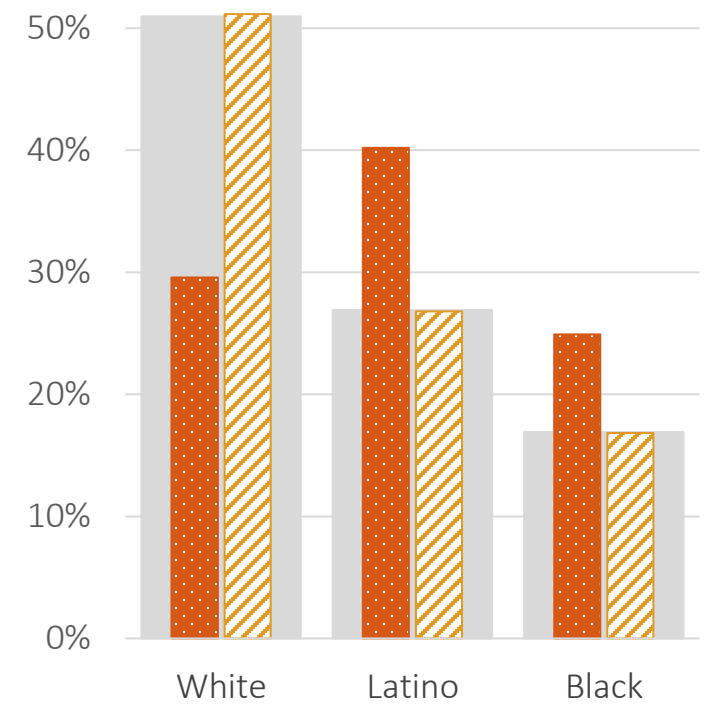
Eligible for auto decline  
(N=677)



Eligible for mandatory decline  
(N=1160)



Eligible for discretionary decline (N=36,350)



■ Total % of decline-eligible cases

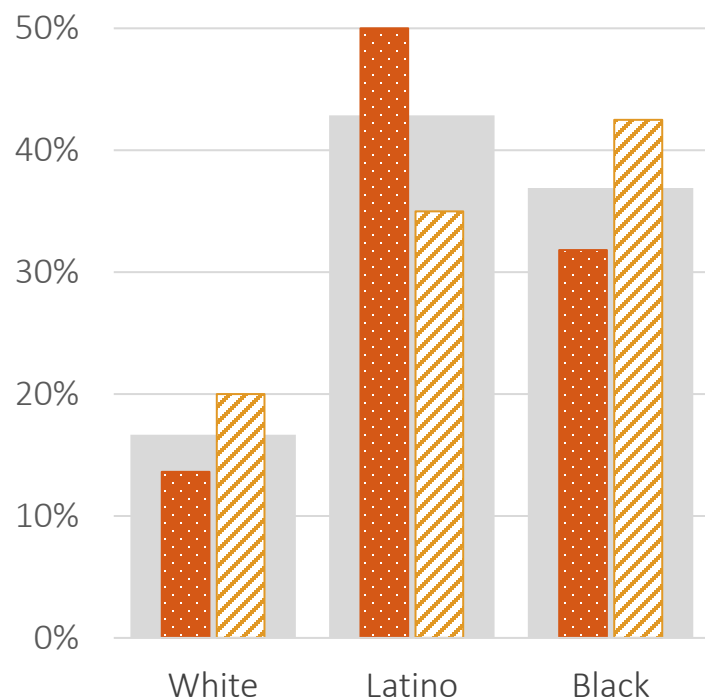
■ % of eligible cases sentenced as adults

■ % of eligible cases sentenced as juveniles

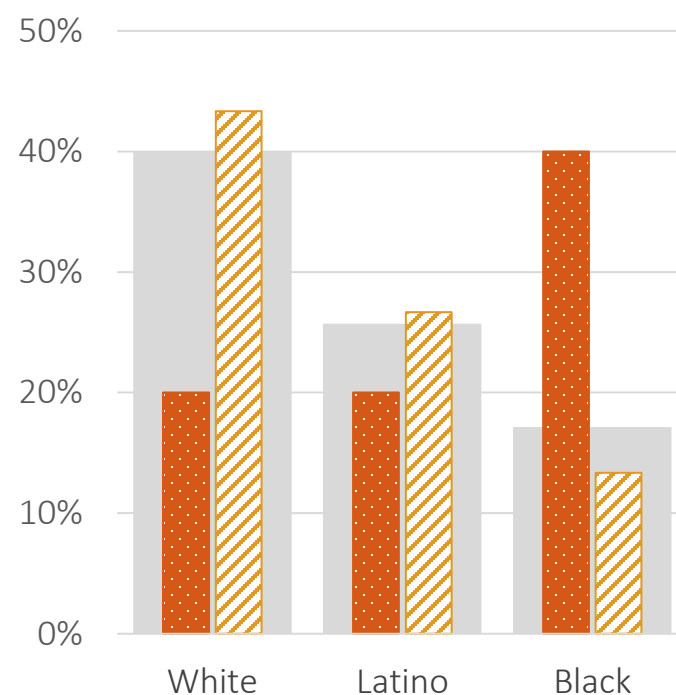


# DECLINE STATUS BY RACE AND ELIGIBILITY, POST-2018

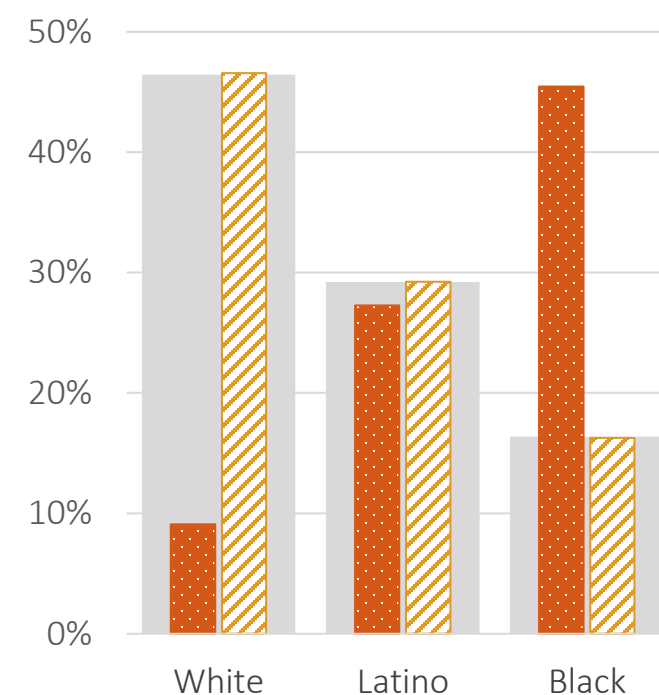
Eligible for auto decline  
(N=100)



Eligible for discretionary  
decline (N=82)



Not eligible for decline  
(N=5780)



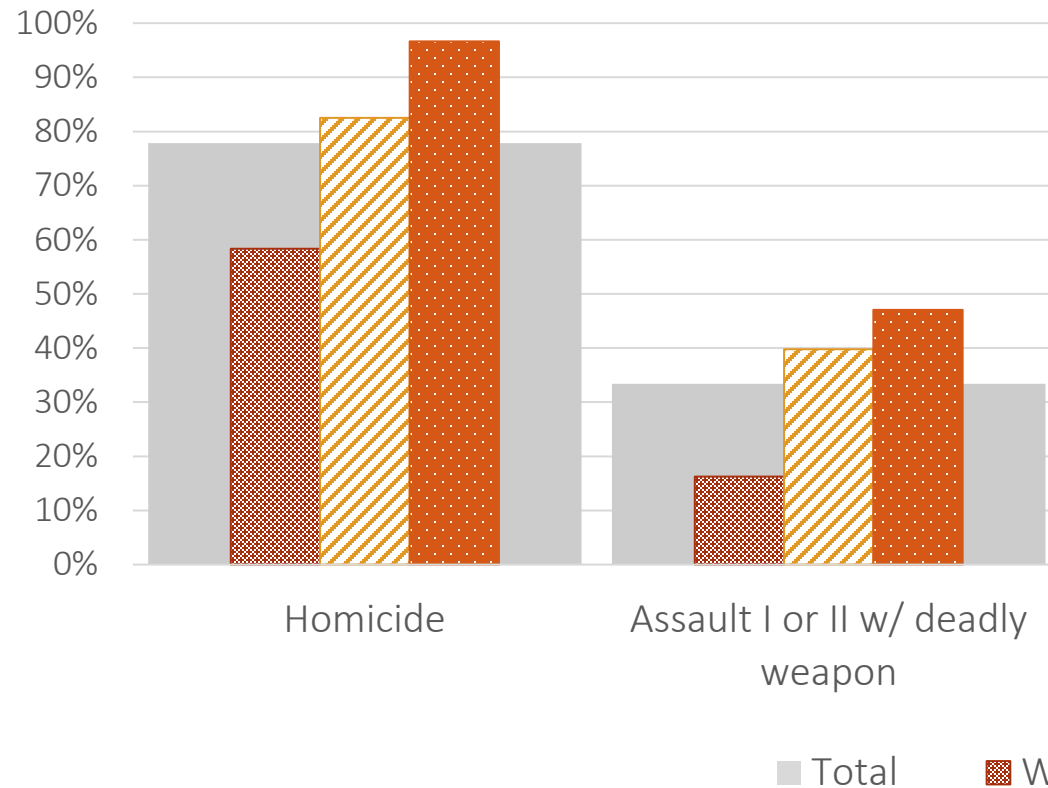
■ Total % of decline-eligible cases

■ % of eligible cases sentenced as adults

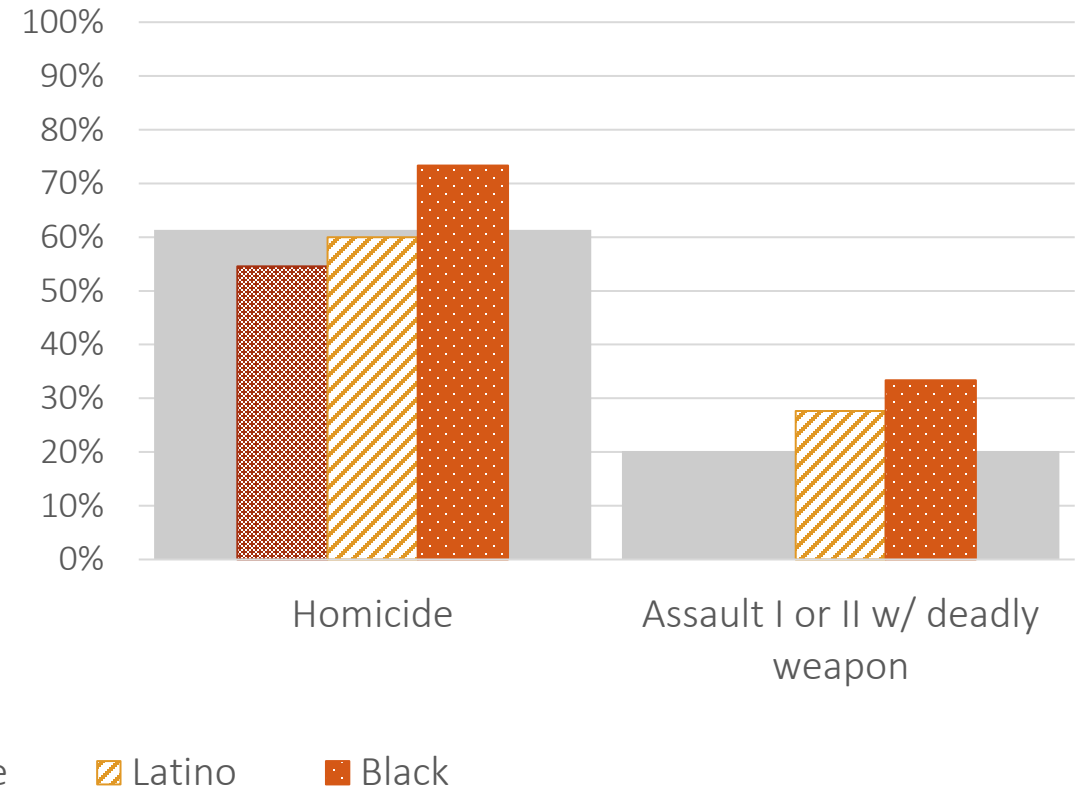
▨ % of eligible cases sentenced as juveniles

# RACIALIZED PATTERNS IN DECLINE BY OFFENSE TYPE

**% of homicide and serious assault cases declined prior to 2018 legislation**



**% of homicide and serious assault cases declined following 2018 legislation**



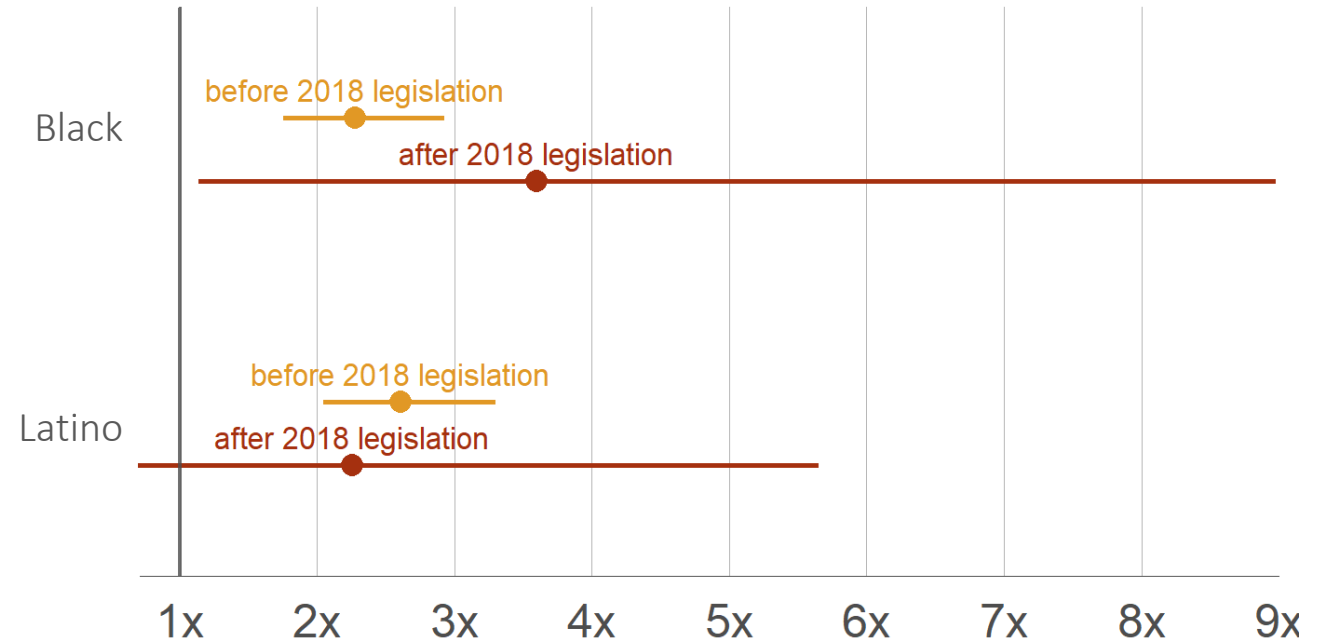
# RELATIVE LIKELIHOOD OF DECLINE, BY TIME PERIOD

Overall, odds of decline were 83% lower for cases following the 2018 legislation

Increased disparity in decline for Black youth following the 2018 legislation

- 260% greater odds of decline for Black than White youth
- 126% greater odds of decline for Latino than White youth

Disparities remain more pronounced where there is more discretion



Likelihood of decline as compared to cases with White youth, with 95% credible interval