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Supreme Court No. _____ Case #: 1043414
(COA No. 39762-9-III)

IN THE SUPREME COURT OF THE STATE OF
WASHINGTON

STATE OF WASHINGTON,

Respondent,

v.

ARTURO PINENDA-FELICIANO,

Petitioner.

ON APPEAL FROM THE SUPERIOR COURT OF THE
STATE OF WASHINGTON FOR ADAMS COUNTY

PETITION FOR REVIEW

NANCY P. COLLINS
Attorney for Petitioner

WASHINGTON APPELLATE PROJECT
1511 Third Avenue, Suite 610
Seattle, Washington 98101
(206) 587-2711

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A. IDENTITY OF PETITIONER AND DECISION BELOW

Arturo Pineda-Feliciano was 16 years old when he shot a 50 year old man who was chasing him, calling him names, and threatening him with a belt. The State immediately transferred Arturo's case to adult court, and after he pled guilty, the sentencing court said there was nothing youthful about Arturo's culpability. The Court of Appeals summarily rejected Arturo's claims that moving his case to adult court violated his due process and equal protection rights despite clear evidence that race and ethnicity dictate the State's unbridled authority over whether to pursue adult prosecutions and sentences for some juveniles. It also endorsed the sentencing court's reasons for refusing to mitigate the adult-based punishment Arturo received despite his youth and capacity for change.

Arturo asks this Court to accept review of the Court of Appeals decision terminating review dated May 29, 2025, pursuant to RAP 13.3(a)(1) and RAP 13.4(b). A copy is attached.

B. ISSUES PRESENTED FOR REVIEW

1. RCW 13.04.030(1)(e)(v) directs the automatic transfer of certain types of juvenile cases to adult court but simultaneously grants the prosecution unfettered discretion to return any case to juvenile court. The Court of Appeals rejected Arturo's challenge to the vast prosecutorial authority contained in RCW 13.04.030(1)(e)(v), despite statistics demonstrating that youths of color are tried as adults at rates greatly exceeding their white peers. This Court should grant review to determine the constitutionality of a statutory regime that produces racially discriminatory results and lacks the type of standards required by due process and equal protection. RAP 13.4(b)(3), (4).

2. This Court has never addressed the constitutionality of RCW 13.04.030(1)(e)(v)(III)'s unbridled veto power over a court's jurisdiction. The Court of Appeals ignored the arbitrary nature of the prosecution's authority over the court's jurisdiction in the statutory scheme. This Court should grant review due to the fundamental importance of properly

delegating and setting guidelines over judicial authority and the tremendous impact an unconstitutional exercise of jurisdiction has on a child.

3. Under this Court's precedent, Eighth Amendment proportionality concerns mandate that sentencing courts meaningfully adjust a youth's adult sentence based on the mitigating qualities of youth, such as maturity, impetuosity, and the lack of control over their environment. The sentencing court insisted Arturo's behavior was not connected to his "youth" even though it was wholly unplanned, and his failure to reform himself before he turned 16 proved he was not capable of change. By characterizing youthful behavior as evidence of adult culpability, the sentencing court misapplied this Court's sentencing laws. This Court should grant review because the sentence imposed is contrary to the principles underlying the Eighth Amendment and violates this Court's precedent. RAP 13.4(b)(1), (3).

C. STATEMENT OF THE CASE

Arturo Pineda-Feliciano and his younger brother were walking home when Apolinar Lopez began taunting and mocking them. CP 2, 132. Mr. Lopez followed Arturo and his little brother, saying, “Come on bitches. Don’t run you little bitches.” CP 132. Felipe Garza Sr. joined Mr. Lopez and also followed Arturo and his brother while carrying a belt in his hand. CP 3, 132-33. Arturo turned and fired several rounds from a gun, striking Mr. Garza and causing his death. CP 3, 133.

Mr. Garza was 50 years old and Mr. Lopez was also an adult. CP 2, 111. Arturo had recently turned 16 years old. CP 2.

The State charged Arturo with second degree felony murder based on second degree assault and he pled guilty. CP 84. The prosecutor praised Arturo for “tak[ing] responsibility at a pretty early stage in this process.” RP 24.

At the sentencing hearing, the court said it did not believe Arturo’s “youth had anything to do” with his behavior during

the incident. RP 43. It reasoned that even a 10 year-old knows not to shoot a gun at someone who, like Mr. Lopez, had apparently had turned around either right before or while he was shot. RP 43; CP 124.

The court agreed that Arturo had been “beat into” joining a gang when he was 12 years old, but it found he presented an ongoing risk because he had not left the gang or otherwise taken advantage of opportunities to reform himself before he turned 16. RP 44-45.

The court refused Arturo’s request to impose a sentence below the adult standard range of 118 months. RP 38; CP 116. It imposed a 200-month sentence, which was close to 244-month high end of the standard range. RP 45.

On appeal, Arturo challenged the statutory scheme that dictates a juvenile case must be transferred to adult court but also gives the prosecution unfettered discretion to agree that a case should remain in juvenile court. He complained the legislature failed to enact even the most basic constraints on the

State's discretion and ample evidence exposes the racially disparate impact of how the State exercises its discretion. The Court of Appeals agreed this was an important constitutional issue but cursorily ruled there were no due process or equal protection violations when the State pursues adult court jurisdiction for some juveniles. Slip op. at 10-11. It did not address the evident racial disparity.

The facts are further explained in Appellant's Opening Brief, in the relevant factual and argument sections, and are incorporated herein.

D. ARGUMENT

1. RCW 13.04.030 unfairly deprives youths of color of the opportunity to be rehabilitated in juvenile court, violating due process and making juvenile justice less equitable.

a. The statute governing juvenile jurisdiction invites arbitrary application.

RCW 13.04.030(1)(e)(v)(I) gives the juvenile court authority over all cases committed by people who are under 18 years old, but it mandates that certain offenses charged against

16 or 17 year olds must be transferred to adult court. In *State v. Watkins*, 191 Wn.2d 530, 541-42, 423 P.3d 830 (2018), this Court ruled that because this provision does not give the trial court any discretion over whether a youth's case must be tried in adult court, no due process protections are implicated.

But unlike the statutory provision addressed in *Watkins*, RCW 13.04.030(1)(e)(v)(III) gives vast discretion to the prosecution over whether adult or juvenile court will have jurisdiction over a case. RCW 13.04.030(1)(e)(v)(III) allows the prosecution to waive the automatic transfer set forth in subsection (1)(e)(v)(I). It grants the prosecution discretion to remove any juvenile's case back to juvenile court if the court and the accused person agree. RCW 13.04.030(1)(e)(v)(III). *Watkins* did not discuss this statutory provision.

Subsection (1)(e)(v)(III) essentially grants the prosecution unbridled authority to reverse what is otherwise an automatic transfer of a juvenile case to adult court. Yet the statute does not offer any standards or criteria governing the

prosecution's waiver of exclusive adult court jurisdiction or the court's approval of this removal. It does not provide for a hearing about returning to juvenile court or offer any guidelines for a court, or for the prosecution, to consider when deciding to waive automatic transfer and keep a case in juvenile court.

The absence of standards governing discretion over which youth face adult court jurisdiction exacerbates existing racial disparities and sets up an arbitrary process. Due process requires consideration of the private interests affected, the risk of erroneous deprivation through the procedures used, and the government's interest in avoiding additional procedural protections. *Mathews v. Eldridge*, 424 US. 319, 335, 96 S. Ct. 893, 47 L. Ed. 2d 18 (1976); U.S. amend. XIV; Const. art. I, § 3. No such protections are afforded under RCW 13.04.030(1)(e)(v)(III) despite the significant private interests at stake.

b. This Court has not addressed the lack of governing standards in RCW 13.04.030(1)(e)(v)(III), giving the State unfettered discretion to arbitrarily treat children differently for impermissible reasons.

Youth are developmentally different from adults and these differences warrant distinct treatment. *See, e.g., Roper v. Simmons*, 543 U.S. 551, 578, 125 S. Ct. 1183, 161 L. Ed. 2d 1 (2005); *J.D.B. v. North Carolina*, 564 U.S. 261, 271-72, 131 S. Ct. 2394, 180 L. Ed. 2d. 310 (2011); *Miller v. Alabama*, 567 U.S. 460, 465, 132 S. Ct. 2455, 183 L. Ed. 2d 407 (2012).

Because “‘children are different,’ . . . ‘criminal procedure laws’ must take the defendants’ youthfulness into account.” *State v. Houston-Sconiers*, 188 Wn.2d 1, 9, 391 P.3d 409 (2017). The decision to prosecute a youth in the adult justice system is one of the most “critically important” steps that youth face in the justice system. *Kent v. United States*, 383 U.S. 541, 556, 86 S. Ct. 1045, 16 L. Ed. 2d 84 (1966).

Significant procedural protections are required where a person would “suffer grievous loss” upon deprivation of the

individual interest or right at stake. *See Goldberg v. Kelly*, 397 U.S. 254, 263, 90 S. Ct. 1011, 25 L. Ed. 2d 287 (1970).

The benefits of juvenile court jurisdiction are tremendous and youth have a significant interest in litigating their cases in juvenile court. Adult courts are inherently punitive, while “juvenile courts remain[] rehabilitative.” *State v. Saenz*, 175 Wn.2d 167, 173, 283 P.3d 1094 (2012). The “important benefits” of juvenile court include “avoid[ing] the stigma of an adult criminal conviction and “less harsh penalties.” *State v. Maynard*, 183 Wn.2d 253, 259-60, 351 P.3d 159 (2015).

Youth transferred to the adult system “reoffend more quickly and are more likely to engage in violent crimes after release than youths processed in the juvenile justice system.” Jason J. Washburn *et al.*, *Psychiatric Disorders Among Detained Youths: A Comparison of Youths Processed in Juvenile Court and Adult Criminal Court*, 59 PSYCHIATRIC SERVS. 965, 972 (2008). Youth incarcerated in adult facilities are extraordinarily vulnerable to victimization. *See Marty*

Beyer, *Experts for Juveniles at Risk of Adult Sentences, More Than Meets The Eye: Rethinking Assessment, Competency And Sentencing For A Harsher Era Of Juvenile Justice* 18-20 (P. Puritz, A. Capozello & W. Shang eds., 2002).

Without standards governing the transfer of juvenile cases back to juvenile court, the data shows the State's discretion appears to turn on the accused child's individual attributes and circumstances appears to be their race or ethnicity. This is an untenable reason to deprive a person of the benefits of juvenile court jurisdiction and creates a significant risk a young person is denied access to juvenile court for impermissible reasons.

c. The evidence of racial disparity in how youth are treated demonstrates the prejudicial nature of this unfettered prosecutorial discretion.

Racial disparities have been rampant in auto-decline cases for many years. Wash. Coal. for the Just Treatment of Youth, *A Reexamination of Youth Involvement in the Adult Criminal Justice System in Washington: Implications of New*

Findings about Juvenile Recidivism and Adolescent Brain Development 9 (2009). In 2009, youths of color made up 40.05% of youth sentenced as adults despite constituting only 29.35% of the state’s youth population. *Id.* Such disparities were especially acute with regards to Black youth, who made up 24.28% of those tried as adults despite comprising only 5.54% of the state’s youth population. *Id.*

Racial disparities continue to plague auto-decline cases. Heather Evans & Emily Knaphus-Soran, *The Persistent of Racial Disparities in Juvenile Decline in Washington State, 2009-2022*, at 25 (2024) (“Evans Report”).

Relative to their similarly situated white peers, Latinx youth were 2.43 times more likely to be subjected to auto-decline, while Black youth were 2.3 times more likely. *Id.*

The legislature added subsection (III) to RCW 13.04.030(1)(e)(v) in 2009. Laws of 2009, ch. 454 §1. The intent may have been to militate against the harshness inherent in what was previously automatic decline. However, the

likelihood of being conferred the benefit of removal to juvenile court under this subsection depends, in some part, on the race of the recipient, violating the right to equal protection of the laws. U.S. Const. amend. XIV; Const. art. I, § 12.

“[T]he largest disparities occur at points in which court actors are afforded the most discretion.” Evans Report, at 25. Even when there are standards governing declines, they have not prevented discrimination. For example, RCW 13.40.110 sets out minimal standards for discretionary declines but in practice there is rampant race-based discrimination, with youths of color routinely being tried as adults even when all other variables are controlled. *Id.*

Black youths are 2.37 times more likely to be tried as adults compared to similarly situated white youths after a discretionary decline hearing. *Id.* Latinx youth fare worse, being 2.52 times more likely to be tried as adults compared to similarly situated white youths after a discretionary decline hearing. *Id.* These disparities are not the result of sheer coincidence; rather,

such “racial disproportionality . . . is a result of systemic bias, not random chance.” *Id.* at 14.

Such racial disparity exists *because* of discretionary authority. It exists in the discretionary decline scheme even where there are some standards governing judicial authority. By contrast, no standards govern the prosecutor’s authority to *remove* youth subject to automatic decline back to juvenile court under RCW 13.04.030(1)(e)(v).

The Court of Appeals agreed the constitutionality of this statutory scheme is a manifest error that should be addressed on appeal. Slip op. at 6-7. But it did not acknowledge the evident racial disparity, despite extensive briefing raising this issue. It cursorily ruled that there is no right to be tried in juvenile court, without addressing the right to have punitive and jurisdictional decisions rendered without racial discrimination and absent controlling, equally applied, guidelines. Slip op. at 10-11.

This Court’s decision in *Watkins* leaves this question open because it did not address this critical part of the statute

governing transfer of juvenile cases to adult court and this discrepancy was not raised by the parties. To scrutinize and resolve the inequities present in transferring and returning cases to juvenile court under RCW 13.04.030(1)(e)(v)(III), this Court should grant review. RAP 13.4(b)(3), (4).

2. RCW 13.04.030(1)(e)(v)(III) unconstitutionally delegates unbridled and unreviewable discretion over judicial authority to the prosecution

a. State judicial power is vested in the courts alone, and even partially judicial acts cannot be vetoed by prosecutors.

The legislature may not delegate judicial authority to the prosecution without standards for exercising this authority.

State ex rel. Schillberg v. Cascade Dist. Ct., 94 Wn.2d 772, 779-81, 621 P.2d 115 (1980). Under Article IV, section 1, state judicial power is vested exclusively in the courts. Const. art. IV, § 1. The legislature may not give the prosecution the authority to “arbitrarily ‘veto’ a discretionary decision of the courts” when exercising authority that is partially judicial. *Schillberg*, 94 Wn.2d at 781.

In *Schillberg*, this Court addressed a statute that essentially allowed the prosecution to veto a referral needed for a deferred prosecution. At that time, former RCW 10.05.030 required the consent of three parties before referrals could be made for a deferred prosecution evaluation: (1) the defendant, (2) the prosecutor, and (3) the court. *Id.* at 775. No referral could ever be issued over the objection of the prosecutor, so the statute authorized a prosecutorial “veto.” *Id.* at 781.

This Court ruled the deferred prosecution statute was unconstitutional because it did not permit the court to grant a deferred prosecution without the prosecution’s agreement and it did not contain any standards for the prosecution to follow. *Id.* If eligibility rests on the prosecution’s agreement, “standards for guiding decisionmaking are necessary” to govern the decision. *Id.*

The statute proscribed no standards whatsoever to govern the prosecution’s choice to agree or veto the deferral, and the decision to grant a deferral was at least a partially judicial

function, not merely a charging decision. *Id.* at 776, 779. This Court held that “[s]ince the current statute permits the prosecution to arbitrarily ‘veto’ a discretionary decision of the courts,” the part of the statute requiring the prosecutor’s discretionary approval was unconstitutional. *Id.* at 781.

b. The transfer statute lets the prosecution make unfair and arbitrary decisions over the court’s jurisdiction, contrary to Schillberg.

Like the unconstitutional statute in *Schillberg*, RCW 13.04.030(1)(e)(v)(III) grants the prosecution unfettered discretionary veto power over a decision that it at least partially judicial, permitting arbitrary exercise of this authority.

RCW 13.04.030(1)(e)(v)(III) contains essentially the same prosecutorial veto authority that this Court declared unconstitutional in *Schillberg*. Much like former RCW 10.05.030, that statute requires the consent of three parties—prosecution being one of them—before a case is removed to juvenile court. And just like *Schillberg*, this statute does not prescribe standards governing the prosecutor’s decision,

making this delegation of judicial power especially problematic.

Neither the juvenile nor the court can obtain this jurisdictional transfer without the prosecution's consent. Deciding whether to remove a case to juvenile court is "at least partially a judicial act" because it involves actions that fall squarely within the competency of trial court judges and significantly impacts the punitive consequences at stake. *Schillberg*, 94 Wn.2d 777. The court's declination decision should involve "an examination of the circumstances of the particular case: weighing of the allegations, hearing arguments contrary to the petition, and resolving disputes between the parties." *Id.* at 778. But RCW 13.04.030(1)(e)(v)(III) does not call for a hearing or set guidelines over which court will have jurisdiction.

RCW 13.04.030(1)(e)(v)(III) gives prosecutors unbridled discretion to agree to depart from the otherwise mandatory transfer of cases to adult court. If the prosecutor refuses—for

any reason—the court cannot transfer the case. This opens the door to arbitrary deprivations of the benefits conferred by juvenile court on the whim of the prosecutor. Such a veto amounts to an unconstitutional delegation of authority and is fundamentally unfair.

The Court of Appeals decision conflicts with holdings by this Court and is an important constitutional question. This Court should grant review. RAP 13.4(b)(1), (3).

3. The sentencing court disregarded its mandatory obligation to meaningfully weigh Arturo’s youth before imposing a sentence resting on an adult’s culpability

Instead of acknowledging that Arturo’s behavior involved a wholly impulsive and immature response by a 16 year old who was being taunted, mocked, and threatened by several adults, the court insisted that any child should know not to assault someone else in this manner and deemed Arturo’s behavior not “youthful.” The court’s reasoning rests on the adultification of Arturo, a young Latinx teenager, treating him like a full-grown adult and deprived him of the benefit of

established law dictating the transitory nature of youthful behavior. Phillip A. Goff, et al., *The Essence of Innocence*, 106(4) J. PERSONALITY & SOC. PSYCH. 526, 532 (2014).

a. Eighth Amendment proportionality concerns require the consideration of a juvenile's youth before sentencing.

Eighth Amendment principles of proportionality assume a heightened role when courts sentence juveniles. *Miller*, 567 U.S. at 479. “[C]hildren are different” in both culpability and potential for rehabilitation, thus diminishing the importance of traditional penological justifications for punishment. *Id.* at 472, 481. A court must consider the recognized mitigating qualities of youth when sentencing juveniles. *Houston-Sconiers*, 188 Wn.2d at 23.

The legislature set the governing standard ranges in adult court for adults. *State v. O'Dell*, 183 Wn.2d 680, 691, 358 P.3d 359 (2015). It assumed the people being sentenced were at least 18 years old. *Id.* And it set these ranges without “the benefit of psychological and neurological studies showing that the parts of

the brain involved in behavior control continue to develop well into a person's 20s." *Id.* at 691-92 (internal citations omitted). Even a young adult may receive a reduced sentence based on their youth. *Id.*

When sentencing a 16 year old like Arturo, "[t]he sentencing court must *thoroughly* explain its reasoning, specifically considering the differences between juveniles and adults identified by the *Miller* Court and how those differences apply to the case presented." *State v. Ramos*, 187 Wn.2d 420, 444, 387 P.3d 650 (2017). After such careful consideration, "appropriate occasions for sentencing juveniles to [the] harshest possible penalty will be uncommon." *Miller*, 567 U.S. at 479.

b. The court's sentencing decision rests on a fundamental misunderstanding of the attributes of youth that merit mitigated sentences.

The sentencing court, harkening back to the problematic narrative of "superpredators," turned the mitigating qualities of youth on their head. It insisted a child should know better than act like Arturo did and faulted Arturo for failing to turn his life

around. RP 43-45. It treated the distinctive attributes of youth that compel mitigated sentences for children as aggravating circumstances.

“[R]ecklessness, impulsivity, and heedless risk-taking” are quintessential attributes of youth that stem from a “lack of maturity and underdeveloped sense of responsibility.” *Miller*, 567 U.S. at 471 (internal citations omitted). Youth are impulsive because the “parts of the brain involved in behavior control” are undeveloped in 16 year olds. *Id.* This delay in neurological developmental causes “transient rashness, proclivity for risk, and inability to assess consequences” in children. *Id.* at 472. It lessens “a child’s moral culpability and enhance[s] the prospect that, as the years go by and neurological development occurs, his deficiencies will be reformed.” *Id.* at 472 (internal quotations omitted).

Disregarding the teachings of *Miller* and its progeny, the sentencing court insisted Arturo’s youth did not have “anything

to do” with his decision to shoot Mr. Garza as he turned around, reasoning that a 10 year-old knows not to act this way. RP 43.

Yet this incident was wholly unplanned and spontaneous. Arturo was being taunted and threatened by two adults after they thought he used a gang sign. Arturo kept walking home as the adults followed and berated him and brother, one wielding a belt. Arturo reacted in the moment. His brain had not yet developed the behavioral tools that adults possess. *Miller*, 567 U.S. at 471. The court did not even understand this critical attribute of youthfulness.

Another fundamental attribute of youth that reduces culpability is a child’s “limited control over their own environment and [that they] lack the ability to extricate themselves” from the “crime-producing settings” that occur where they live. *Miller*, 567 U.S. at 471 (internal citation omitted).

The sentencing court recognized Arturo was “beat into” joining a gang when he was 12 years old. RP 14. He was just 16

years old when this incident occurred and lived with his parents who worked in the fields. CP 131. He could not move away or extricate himself from the gang he was forced to join.

But the court ruled that because Arturo failed to rehabilitate himself before this incident occurred despite “previous chances” to do so, it could not find “any mitigating factors” applied to him. RP 45. Arturo’s inability to leave a violent gang as a teenager or otherwise change his environment is a sign of youthfulness, not a refusal to change. *Miller*, 567 U.S. at 471. The court disregarded the law by deeming Arturo’s failure to reform himself before he turned 16 years old as a reason to impose a harsh adult-based sentence.

Arturo alerted the court that adultification of Latinx youth like him detrimentally affects children of color at sentencing, leading to disproportionately harsh sentences, as the Court of Appeals cautioned in *In re Pers. Restraint of Miller*, 21 Wn. App. 2d 257, 265-66, 505 P.3d 585 (2022). CP 122.

“[I]t is imperative that trial courts conscientiously consider that adultification is real and can result in disproportionate outcomes for children of color in order to avoid biased outcomes.” *In re Pers. Restraint of Smith*, 30 Wn. App. 2d 1008, 2024 WL 940709, at *10 n.14 (2024) (unpublished, cited pursuant to GR 14.1).

But the court treated Arturo as an adult. It did not recognize his inability to control his environment. It blamed him for not reforming himself before this incident occurred. It insisted his violence could not be the product of youthfulness. It imposed an sentence in the upper end of the standard range, even though that range is intended for mature adults and in no way accounts for the reduced culpability attendant to youth. *O'Dell*, 183 Wn.2d at 691-92.

The reasons the court provided for Arturo’s sentence are contrary to this Court’s precedent and disregards cases warning against the disproportionate outcomes for youth of color that result from their adultification.

c. The trial court's misapplication of the mitigating qualities of youth pertaining to a 16 year-old Latinx boy demonstrate the imperative of adopting a stronger rule to deter this practice.

Although this Court has previously explained the mitigating qualities of youth demand trial courts meaningfully assess a child's youthful attributes and their impact on culpability, the sentencing court's treatment of Arturo demonstrates the adultification of youth of color continues. This adultification leads courts to deny the possibility that a 16 year old was behaving as a child and assumes they were exercising mature judgment.

This Court's recent case law has not ended this practice. This Court should grant review and address this issue of substantial public interest. A stronger incentive appears necessary, like the structural error approach this Court adopted in *State v. Zamora*, 199 Wn.2d 698, 722, 512 P.3d 512 (2022), after its "past efforts" to curb race-based misconduct had not sufficiently deterred the practice.

E. CONCLUSION

Arturo respectfully requests that review be granted pursuant to RAP 13.4(b).

Counsel certifies this document contains 4140 words and complies with RAP 18.17(b).

DATED this 30th day of June 2025.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Nancy P. Collins', written in a cursive style.

NANCY P. COLLINS (28806)
Washington Appellate Project (91052)
Attorneys for Petitioner
nancy@washapp.org

APPENDIX A

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IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON
DIVISION THREE

STATE OF WASHINGTON)	
)	No. 39762-9-III
Respondent,)	
)	
v.)	
)	
ARTURO PINEDA-FELICIANO)	UNPUBLISHED OPINION
)	
Appellant.)	

COONEY, J. — At 16 years old, Arturo Pineda-Feliciano shot and killed Felipe Garza, Sr. The adult criminal court retained jurisdiction over the case pursuant to RCW 13.04.030(1)(e)(v) because Mr. Pineda-Feliciano was 16 years old and charged with second degree murder. Mr. Pineda-Feliciano later pleaded guilty to second degree felony murder and was sentenced to 200 months of incarceration.

Mr. Pineda-Feliciano appeals arguing RCW 13.04.030(1)(e)(v) violates due process and equal protection because a portion of the statute allows juvenile defendants to waive mandatory adult court jurisdiction upon agreement by the parties and the court.

He also contends the court did not adequately consider his youthfulness when it imposed his sentence and improperly ordered the victim penalty assessment (VPA). Mr. Pineda-Feliciano raises an additional issue in a statement of additional grounds for review (SAG). We disagree with Mr. Pineda-Feliciano's first two arguments and the issue raised in his SAG but remand for the limited purpose of striking the VPA.

BACKGROUND

On June 26, 2022, Mr. Garza, Sr., was outside of a residence in Othello, Washington, with his son, Felipe Garza, Jr., and his nephew, Apolinar Garza-Lopez. Arturo Pineda-Feliciano, who was then 16 years old, and his brother walked by, flashing "gang signs" for their affiliated gang, the East Side Longos. Clerk's Papers (CP) at 2, 133. In response, Mr. Garza-Lopez began following Mr. Pineda-Feliciano and his brother, asking them, "Where the f[]k you guys going?" CP at 133. Mr. Lopez, Sr., followed behind Mr. Garza-Lopez and asked the youths, "Where are you going fool?" and "Hey, why you guys running, homie?" *Id.*

Surveillance video showed Mr. Lopez, Sr., apparently running after Mr. Pineda-Feliciano and his brother with a belt in his hands. Mr. Pineda-Feliciano then produced a firearm and shot Mr. Lopez, Sr., in the back as he was running away from Mr. Pineda-Feliciano. Mr. Lopez, Sr., later died from his injuries. Mr. Lopez, Jr., witnessed his father's murder and later identified Mr. Pineda-Feliciano as the shooter.

Mr. Pineda-Feliciano was charged with murder in the second degree by amended information. He later pleaded guilty to the charge. The standard range sentence for Mr. Pineda-Feliciano's conviction was 144-244 months. The State recommended that the court impose 244 months while Mr. Pineda-Feliciano argued for an exceptional sentence downward of 118 months. The State's and Mr. Pineda-Feliciano's sentencing memoranda recognized that the court had the discretion to impose a sentence below the standard range because Mr. Pineda-Feliciano was a juvenile. The State and defense counsel also stipulated that the facts contained in the memoranda were accurate.

The sentencing court recognized it had to "evaluate on the record those factors of a respondent's youthfulness, which may have impacted his criminality. And, thus, weigh those factors in fashioning the appropriate [sentence]." Rep. of Proc. (RP) at 29. The court took the fact that the victim was shot "in the back while he was running away" into consideration, noting, "[t]hat is deplorable." RP at 43. The court also noted Mr. Pineda-Feliciano recorded a music video after the shooting in which he "promoted his gang and flashed his firearm," and said, "ha ha ha, that n[]er should have never started running if he didn't want it in the back."¹ RP at 43-44. The court also stated Mr. Pineda-Feliciano had been before the court numerous times,² and "every time I have seen him, he has been

¹ It is unclear if this statement came from a music video or was authored for social media. The media containing the statement does not appear to be part of the record.

² Mr. Pineda-Feliciano had prior juvenile convictions for felony bail jumping,

completely and totally, seemingly, honest with the Court and stated his intention to reform his life, his circle of friends, and get his education. He has never done so.” RP at 44. The court further recognized Mr. Pineda-Feliciano was not abused or traumatized during his childhood and that he was of average intelligence.

Ultimately, the court recognized Mr. Pineda-Feliciano’s youth, but stated, “I can’t bring myself to see any mitigating factors, given all of the previous chances he’s had.” RP at 45. The court sentenced Mr. Pineda-Feliciano to 200 months and imposed “[m]andatory legal financial obligations” including the VPA. RP at 45; CP at 147.

Mr. Pineda-Feliciano timely appeals.

ANALYSIS

EQUAL PROTECTION AND DUE PROCESS

Mr. Pineda-Feliciano argues RCW 13.04.030 violates equal protection and due process. We disagree.

We review the constitutionality of a statute de novo. *State v. Jorgenson*, 179 Wn.2d 145, 150, 312 P.3d 960 (2013). “The party challenging the constitutionality of a statute bears the burden of proving the statute is unconstitutional beyond a reasonable

second degree attempted assault with a deadly weapon, unlawful imprisonment, and two convictions for second degree taking of a motor vehicle without permission.

doubt.” *State v. Watkins*, 191 Wn.2d 530, 535, 423 P.3d 830 (2018). Whenever possible, this court will construe a statute to render it constitutional. *Jorgenson*, 179 Wn.2d at 150.

RCW 13.04.030 states, in relevant part:

(1) Except as provided in this section, the juvenile courts in this state shall have exclusive original jurisdiction over all proceedings

....

(e) . . . unless:

....

(v) The juvenile is 16 or 17 years old on the date the alleged offense is committed and the alleged offense is:

(A) A serious violent offense as defined in RCW 9.94A.030;

....

(I) In such a case the adult criminal court shall have exclusive original jurisdiction, except as provided in (e)(v)(C)(II) and (III) of this subsection.

Murder in the second degree is a serious violent offense. RCW 9.94A.030(46)(a)(iii).

RCW 13.04.030(1)(e)(C)(III) further provides, “The prosecutor and respondent may agree to juvenile court jurisdiction and waive application of exclusive adult criminal jurisdiction in (e)(v)(A) through (C) of this subsection and remove the proceeding back to juvenile court with the court’s approval.”

Mr. Pineda-Feliciano argues RCW 13.04.030(1)(e)(v) violates equal protection because a subsection of the statute allows a juvenile to waive application of exclusive adult criminal court jurisdiction upon agreement by the court, prosecutor, and defendant. He also argues the statute violates due process because it does not require a hearing be

held on whether removal to juvenile court is warranted. The State responds the statute does not violate equal protection or due process and that we should decline to address the issue because our Supreme Court has already held it does not violate the constitution.

Thus, the State argues there is no constitutional issue warranting review.

As a preliminary matter, Mr. Pineda-Feliciano did not raise these issues before the trial court. Under RAP 2.5(a), this court may “refuse to review any claim of error which was not raised in the trial court.” However, a party may raise a manifest error affecting a constitutional right for the first time on appeal. RAP 2.5(a)(3).

For us to accept review under RAP 2.5(a)(3), Mr. Pineda-Feliciano must demonstrate that the error is manifest and that the error is truly of constitutional dimension. *State v. Kirkman*, 159 Wn.2d 918, 926, 155 P.3d 125 (2007). For an error to be manifest, it must have resulted in actual prejudice. *State v. O’Hara*, 167 Wn.2d 91, 99, 217 P.3d 756 (2009). Actual prejudice means the error must have had practical and identifiable consequences in the trial of the case. *Id.* “[T]o determine whether an error is practical and identifiable, the appellate court must place itself in the shoes of the trial court to ascertain whether, given what the trial court knew at that time, the court could have corrected the error.” *Id.* at 100. An error is not manifest if the trial court could not have foreseen the potential error. *Id.*

Mr. Pineda-Feliciano never sought to invoke the juvenile court’s jurisdiction under RCW 13.04.030(1)(e)(v)(C)(III). However, if we were to accept Mr. Pineda-Feliciano’s

claim that RCW 13.04.030(1)(e)(v) is unconstitutional and that the proper remedy is severance of subsections (1)(e)(v)(C)(I) and (1)(e)(v)(C)(III), adult court jurisdiction over his case would have been improper, and he would not have received an adult court sentence. Consequently, we conclude that Mr. Pineda-Feliciano's constitutional claims of error are manifest and proceed to a review of the merits.

Equal Protection

Mr. Pineda-Feliciano argues RCW 13.04.030(1)(e)(v) violates equal protection because it subjects some juveniles to adult court jurisdiction and others to juvenile court jurisdiction. He argues the statute allows "some prosecutors, some defendants, and some judges" to agree to waive adult court jurisdiction, thus violating his constitutional right to equal protection. Br. of Appellant at 19. We disagree.

Equal protection requires that all similarly situated persons "with respect to the legitimate purpose of the law receive like treatment." *State v. Simmons*, 152 Wn.2d 450, 458, 98 P.3d 789 (2004). Equal protection is not intended to provide complete equality among individuals but is instead intended to provide equal application of the laws. *Id.* "A party challenging the application of a law as violating equal protection principles has the burden of showing that the law is irrelevant to maintaining a state objective or that it creates an arbitrary classification." *Id.*

Courts have typically used three levels of scrutiny to determine whether equal protection has been violated: (1) the "rational relationship" test, the lowest level of

scrutiny; (2) the “‘intermediate scrutiny’” test; and (3) the “‘strict scrutiny’” test, the highest level of scrutiny. *In re Pers. Restraint of Hegney*, 138 Wn. App. 511, 529, 158 P.3d 1193 (2007) (quoting *State v. Schaat*, 109 Wn.2d 1, 17, 743 P.2d 240 (1987)).

Courts use the “strict scrutiny” test if the allegedly discriminatory classification affects a suspect class or a fundamental right. *State v. Osman*, 157 Wn.2d 474, 484, 139 P.3d 334 (2006). The “intermediate scrutiny” test is used if gender-based classifications are at issue or if the allegedly discriminatory classification affects a “semisuspect” class. *Id.*

Mr. Pineda-Feliciano argues RCW 13.04.030(1)(e)(v)(C)(III) creates an arbitrary classification between juveniles who are subject to adult court jurisdiction and those who are subject to juvenile court jurisdiction without reference to any sort of criteria or guidelines. He contends this arbitrary classification affects his liberty, a fundamental right. He thus argues that strict scrutiny should apply to this alleged arbitrary classification. We disagree that the statute creates an arbitrary classification. Further, our Supreme Court previously held “[j]uveniles are neither a suspect class nor semi-suspect class.” *In re Boot*, 130 Wn.2d 553, 572-73, 925 P.2d 964 (1996). Thus, the “rational relationship” test applies. *Id.* at 573.

The “rational basis” test has been described as:

[T]he most relaxed and tolerant form of judicial scrutiny under the equal protection clause. Under this test, the legislative classification will be upheld unless it rests on grounds wholly irrelevant to achievement of legitimate state objectives. The burden of proving the legislative classification unconstitutional is

upon the party challenging the legislation. That party has the heavy burden of overcoming a presumption that the statute is constitutional.

State v. Shawn P., 122 Wn.2d 553, 561, 859 P.2d 1220 (1993).

In *Boot*, our Supreme Court held that RCW 13.04.030 does not violate equal protection by automatically assigning juveniles who meet certain requirements to adult court. 130 Wn.2d at 572. There, the argument was that it was impermissible for the legislature to “draw a distinction between a young person who commits a crime one second before his sixteenth birthday, and one who commits a crime one second after his sixteenth birthday.” *Id.* at 573. However, our Supreme Court disagreed, noting that the legislature’s objective in enacting the statute was to ““increase the severity and certainty of punishment for youth and adults who commit violent acts,”” which was a “rational basis” for the statute. *Id.* (quoting LAWS OF 1994, 1st Sp. Sess., ch. 7, § 101).

Here, Mr. Pineda-Feliciano’s equal protection argument is slightly different than the argument in *Boot* because he contends the provision of the statute allowing the parties and the court to agree to waive adult jurisdiction violates his equal protection rights. This argument fails because application of RCW 13.04.030(1)(e)(v)(C)(III) applied equally to him as it would any other 16- or 17-year-old accused of second degree murder. Mr. Pineda-Feliciano, like any other 16- or 17-year-old charged with second degree murder, could have elected to use RCW 13.04.030(1)(e)(v)(C)(III) to seek removal of his case to juvenile court. He did not attempt to take advantage of the statute so he cannot now

claim on appeal that his equal protection rights were violated. Mr. Pineda-Feliciano directs us to statistics demonstrating that juveniles of color are more likely to be tried in adult court. However, he notes that “[t]here does not seem to be any information about how many juveniles were afforded the opportunity to waive application of the original exclusive adult criminal jurisdiction.” Br. of Appellant at 32. Mr. Pineda-Feliciano fails to demonstrate that the statute violated his right to equal protection under the law.

Mr. Pineda-Feliciano also argues RCW 13.04.030(1)(e)(v)(C)(III) violates equal protection because it affords the prosecutor unfettered discretion to decide when to remove a case to juvenile court. We disagree prosecutors wield such power. As the statute proscribes, agreement of both parties and the court is required to waive adult court jurisdiction. Consequently, the prosecutor lacks sole discretion to determine when and if a juvenile will be tried in adult court. Further, granting prosecutors discretion regarding whether to prosecute serious offenses in juvenile versus adult court is not arbitrary. Indeed, prosecutors are afforded wide latitude in their decisions to bring charges and whether to offer plea deals to defendants.

Due Process

Mr. Pineda-Feliciano argues due process requires a *Kent*³ hearing to determine whether the adult court should waive adult criminal court jurisdiction. The State

³ *Kent v. United States*, 383 U.S. 541, 557, 86 S. Ct. 1045, 16 L. Ed. 2d 84 (1966) (holding a juvenile defendant under juvenile court jurisdiction is entitled to a hearing

responds the Supreme Court has already determined that RCW 13.04.030 does not deprive a juvenile of due process because there is no constitutional right to be tried as a juvenile. We agree with the State.

“[T]he Due Process Clause provides that certain substantive rights—life, liberty, and property—cannot be deprived except pursuant to constitutionally adequate procedures.” *Cleveland Bd. of Educ. v. Loudermill*, 470 U.S. 532, 541, 105 S. Ct. 1487, 84 L. Ed. 2d 494 (1985). “Compliance with procedural due process requires the court to identify the private interest affected by the official action, the risk of erroneous deprivation, the probable value of additional safeguards, and the State’s interests.” *Watkins*, 191 Wn.2d at 537.

Our Supreme Court recently reaffirmed that “[t]here is no constitutional right to be tried in juvenile court.” *Id.* (quoting *Boot*, 130 Wn.2d at 571). Further, “the right [to a *Kent* hearing] attaches only if a court is given statutory *discretion* to assign juvenile or adult court jurisdiction.” *State v. Salavea*, 151 Wn.2d 133, 140, 86 P.3d 125 (2004) (emphasis added). Our Supreme Court has upheld the constitutionality of automatic adult criminal court jurisdiction for certain enumerated offenses in RCW 9.94A.030. *Boot*, 130 Wn.2d at 557-58.

prior to the court’s discretionary decision to transfer the juvenile to adult court).

In *Watkins*, our Supreme Court explained that “[t]he statute in *Kent* provided the juvenile court with jurisdiction over all juvenile proceedings and the discretion to waive jurisdiction over a particular class of juvenile defendants.” 191 Wn.2d at 540. In contrast, RCW 13.04.030(1)(e) “precludes our juvenile courts from presiding over a particular class of juveniles.” *Id.* at 541. The court reasoned, “*Kent*’s hearing requirement makes sense in the context of the . . . statute [at issue] because the juvenile court was vested with discretion to make a jurisdictional decision. But a hearing requirement would be absurd under Washington law because our juvenile court is statutorily precluded from presiding over this type of case.” *Id.* Prior to *Watkins*, the court in *Boot* came to a similar conclusion: “[RCW 13.04.030] does not contemplate declination hearings, and they would serve no purpose in light of the legislative decision to vest exclusive original jurisdiction in the adult criminal court.” 130 Wn.2d at 563.

Here, Mr. Pineda-Feliciano attempts to distinguish *Watkins* by arguing the court “was not asked to, nor did it consider that the same statute assigning exclusive original adult criminal jurisdiction allows for a discretionary decision to remove the matter to juvenile court jurisdiction under RCW 13.04.030(1)(e)(v)(III).” Br. of Appellant at 40. But the *court* is not afforded discretion in making the decision to assign juvenile or adult court jurisdiction. Indeed, the statute states the parties may agree to waive adult criminal jurisdiction with the court’s approval. RCW 13.04.030(1)(e)(v)(C)(III). Mr. Pineda-Feliciano does not explain how RCW 13.04.030(1)(e)(v)(C)(III) would confer him a right

to a *Kent* hearing. He simply argues one must be held because the court has jurisdictional discretion. However, the court does not have statutory discretion to decide when to decline adult court jurisdiction. Rather, the court may only decline adult court jurisdiction if both parties agree.

RCW 13.04.030(1)(e)(v) is not violative of due process nor equal protection.

MITIGATING QUALITIES OF YOUTH

Mr. Pineda-Feliciano argues the trial court did not properly consider the mitigating qualities of youthfulness at sentencing. Specifically, Mr. Pineda-Feliciano contends his background, age, and psychological immaturity warranted a mitigated sentence. We disagree.

“Generally, a criminal defendant is permitted to appeal a standard range sentence only if the sentencing court fails to follow an established procedure.” *State v. M.L.*, 114 Wn. App. 358, 361, 57 P.3d 644 (2002). When a defendant challenges a standard range sentence, this court reviews the challenge only to determine whether the trial court complied with statutory and constitutional requirements in imposing the sentence. *Osman*, 157 Wn.2d at 481-82.

The United States Supreme Court, as well as our Supreme Court, have held a court sentencing a juvenile must “consider the mitigating qualities of youth” and must have discretion to impose a sentence below the standard range. *State v. Houston-Sconiers*, 188 Wn.2d 1, 19, 391 P.3d 409 (2017); *Miller v. Alabama*, 567 U.S. 460, 481, 132 S. Ct.

2455, 183 L. Ed. 2d 407 (2012). In considering a juvenile defendant’s youth, the court “must do far more than simply recite the differences between juveniles and adults.” *State v. Ramos*, 187 Wn.2d 420, 443, 387 P.3d 650 (2017).

The sentencing court must consider factors like “the nature of the juvenile’s surrounding environment and family circumstances, the extent of the juvenile’s participation in the crime, and ‘the way familial and peer pressures may have affected him.’” *Houston-Sconiers*, 188 Wn.2d at 23 (quoting *Miller*, 567 U.S. at 477). The sentencing court must also consider those qualities of youth including “‘immaturity, impetuosity, and failure to appreciate risks and consequences.’” *Id.* Finally, the sentencing court “must consider how [the defendant’s] youth impacted any legal defense, along with any factors suggesting that the child might be successfully rehabilitated.” *Id.*

Here, the sentencing court properly considered Mr. Pineda-Feliciano’s youthfulness and the factors related to his youth. The court recognized it “must evaluate on the record those factors of a respondent’s youthfulness, which may have impacted his criminality. And, thus, weigh those factors in fashioning the appropriate [sentence].” RP at 29. In its decision, the court considered Mr. Pineda-Feliciano’s upbringing, intelligence, and entry into the gang lifestyle at a young age. However, the court concluded Mr. Pineda-Feliciano’s actions before and after the shooting, his apparent lack

of remorse, and his prior appearances before the court warranted a standard range sentence.⁴

The court, in making its sentencing decision stated that shooting the victim in the back was “deplorable” and that it did not think Mr. Pineda-Feliciano’s youth “had anything to do with that decision.” RP at 43. The court also noted that Mr. Pineda-Feliciano recorded a music video after the shooting in which he “flashed his firearm at the camera and said, ha ha ha, that n[]er should have never started running if he didn’t want it in the back.” RP at 43-44.

Further, the court considered Mr. Pineda-Feliciano’s potential for rehabilitation. The court noted for the record that it had “seen this young man numerous times and every time I have seen him, he has been completely and totally, seemingly, honest with the Court and stated his intention to reform his life, his circle of friends, and get his education. He has never done so.” RP at 44.

Finally, the court considered Mr. Pineda-Feliciano’s upbringing and intelligence. The court stated Mr. Pineda-Feliciano “does not have any abuse or trauma in his childhood, as many of my juvenile respondents do,” and that he is “average on the

⁴ Mr. Pineda-Feliciano points out that the court twice incorrectly stated the victim “flash[ed] gang signs” at him that began the confrontation and led to the shooting. RP at 43. However, the State corrected the court on the record and stated it was Mr. Pineda-Feliciano who flashed gang signs that caused the victim to then follow him.

Whistler Intelligence Scale.” RP at 44. The court found the fact that he was “beat into [becoming] a ga[ng] member at the age of 12” applied to his youthfulness but that his inability “to escape that gang style mindset” made the court “pessimistic” about his ability to change. RP at 44. The court ultimately ruled, “I recognize this respondent’s youth. But, I can’t bring myself to see any mitigating factors, given all of the previous chances he’s had.” RP at 45. The sentencing court meaningfully considered Mr. Pineda-Feliciano’s youth.

Further, Mr. Pineda-Feliciano argues the court did not consider “impetuosity and thrill seeking of a young teen without the psychological development necessary to appreciate the risks and consequences of his behavior,” the fact that he came from a seemingly “low-income family,” and that he was “low average in verbal comprehension.” Br. of Appellant at 56-57. Contrary to this argument, the sentencing court *did* consider Mr. Pineda-Feliciano’s upbringing and family situation as well as his intelligence. As for his alleged “impetuosity and thrill seeking behavior,” the court noted that Mr. Pineda-Feliciano had been before it multiple times, promised to change, yet did not do so. RP at 44. The court had also previously warned Mr. Pineda-Feliciano that he could not possess a gun yet “he has continued to carry firearms.” *Id.* Mr. Pineda-Feliciano’s contact with law enforcement and the juvenile justice system would have theoretically developed his ability to appreciate the risks and consequences of his behavior, but the court noted it had not.

The sentencing court meaningfully considered Mr. Pineda-Feliciano’s youth and the relevant factors prior to its imposition of a standard range sentence.

VPA

Mr. Pineda-Feliciano argues that we should remand to the trial court for it to strike the VPA due to a recent change in the law. The State contends that we should decline the request because a defendant can motion the lower court to strike the VPA. We agree with Mr. Pineda-Feliciano and remand for the limited purpose of striking the VPA.

Former RCW 7.68.035(1)(a) (2018) required a VPA be imposed on any individual found guilty of a crime in superior court. In April 2023, the legislature passed Engrossed Substitute H.B. 1169 (H.B. 1169), 68th Leg., Reg. Sess. (Wash. 2023), that amended RCW 7.68.035 to prohibit the imposition of the VPA on indigent defendants. RCW 7.68.035 (as amended); H.B. 1169, § 4. H.B. 1169 took effect on July 1, 2023.

Amendments to statutes that impose costs upon convictions apply prospectively to cases pending on appeal. *See State v. Ramirez*, 191 Wn.2d 732, 748-49, 426 P.3d 714 (2018).

Mr. Pineda-Feliciano’s case is pending on direct appeal, and he was found to be indigent by the trial court. Accordingly, remand to the trial court for it to strike the VPA is appropriate.

The State argues we should not remand because Mr. Pineda-Feliciano “can bring a motion to strike the [VPA] to the Sentencing Court directly . . . at any time.” Br. of Resp’t at 43; RCW 7.68.035(5)(b). The State’s argument is unpersuasive. Mr. Pineda-

Feliciano's case is pending on direct appeal, and we may therefore remand to have the trial court strike the VPA.

SAG

RAP 10.10 permits a defendant to file a pro se SAG if he believes his appellate counsel has not adequately addressed certain matters. Mr. Pineda-Feliciano filed a SAG raising one issue.

Mr. Pineda-Feliciano argues in his SAG that the music video in which he stated, "ha ha ha, that n[]er should have never started running if he didn't want it in the back," was recorded prior to the murder and had "nothing to do with the victim." RP at 44; SAG at 1. He contends if his phone was checked, law enforcement would have known it was recorded "days or weeks" before the murder. SAG at 1.

First, it is unclear what remedy Mr. Pineda-Feliciano seeks assuming the argument in his SAG is true. *See* RAP 10.10(c) ("[T]he appellate court will not consider a defendant's statement of additional grounds for review if it does not inform the court of the nature and occurrence of alleged errors."). Further, the State noted Mr. Pineda-Feliciano's statement was recorded the day after the murder, and both the State and defense counsel stipulated on the record that the facts contained in both sentencing memorandums were accurate. Finally, the music video was not designated as a part of the record on appeal so we are unable to ascertain when it was recorded. Mr. Pineda-

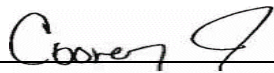
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Feliciano's recourse is to raise this issue in a personal restraint petition, not in a SAG.
State v. Alvarado, 164 Wn.2d 556, 569, 192 P.3d 345 (2008).

CONCLUSION

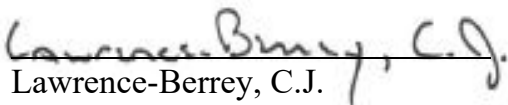
The provision in RCW 13.04.030 that allows a waiver of adult court jurisdiction upon agreement by the parties and the court does not violate a juvenile respondent's rights to due process or equal protection. The court adequately considered Mr. Pineda-Feliciano's youthfulness when it imposed a standard range sentence, and we remand for the limited purpose of striking the VPA from the judgment and sentence.

A majority of the panel has determined this opinion will not be printed in the Washington Appellate Reports, but it will be filed for public record pursuant to RCW 2.06.040.

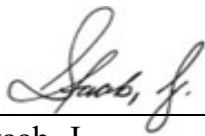


Cooney, J.

WE CONCUR:



Lawrence-Berrey, C.J.



Staab, J.

WASHINGTON APPELLATE PROJECT

June 30, 2025 - 4:20 PM

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