

“Raise the Age:” Treat children as children

Today, children as young as 8 years old can be disciplined in Washington state juvenile courts. However, this benchmark contradicts current scientific literature, social findings, and related health and economic outcomes which show vast benefits associated with delaying childrens’ involvement in carceral systems. The United Nations Committee on the Rights of the Child recommends a minimum age of 14 for juvenile court jurisdiction ([Juvenile Justice](#)) yet Washington state begins juvenile court jurisdiction at age 8. “Raise the Age” legislation would set Washington on the right track by raising the minimum juvenile jurisdiction age in our state from age 8 to over age 13 ([National Governors Association](#)).

Problem

Juvenile court jurisdiction of children under age 13 adversely impacts their health and opportunities, worsens existing racial disparities, and does not meaningfully increase public safety. Despite the numerous economic, health, and social benefits from delaying juvenile jurisdiction, most states “do not specify a minimum age of juvenile court jurisdiction” ([Health Impact Report 2021](#)). Worse yet, Washington is one of only four states to explicitly set a minimum age lower than age 10, at 8 years old.

Juvenile Court Jurisdiction: Adverse impacts youth health, opportunity, and outcomes

- **Involving children in the juvenile justice system exposes them to harm** ([Juvenile Justice](#)).
- Children involved with the juvenile and adult carceral systems are **likelier to have experienced adverse child experiences (ACEs)** than the general population (SB 5122, ACLU).
- “Children arrested during middle school are **far more likely than comparable peers to be held back in school, a powerful predictor of educational failure**” ([Hirschfield](#)).
- Detained youth are **4x likelier to die by** suicide than the general population ([HIR 2021](#)).

Washington state’s current system is not aligned with brain science

- Children lack brain development and skills to competently engage with the justice system.
- Development of social and emotional maturity do not happen until middle adolescence and later.
- The frontal lobe, where impulse control, resistance to peer pressure, and social and emotional decision making are governed, is one of the last parts of the brain to fully develop.

Juvenile Court Jurisdiction: Worsens racial disparities

- In Washington, children and youth of color “are **over-represented at every stage** of the juvenile justice system” and **far likelier than white peers** to be “arrested, referred to court, prosecuted, adjudicated guilty, incarcerated, and transferred to the adult system” ([HIR 2021](#)).
- Current data shows **Black children in our state are 2.6x likelier to be arrested** and **American Indian/Alaska Native children are over-represented** compared to white peers (Graham).

Juvenile Court Jurisdiction: Unnecessary and costly

- In Washington State, youth aged 8 to 12 years comprise **6% of referrals** to juvenile justice ([HIR 2021](#)).
- **Violent crime is rare among children.** One study attributed 0.3% of referrals for youth 8 to 12 to violent crime ([HIR 2021](#)).
- **Involving children in criminal justice systems is costly**, particularly compared to other ages (Graham). Funding is better spent supporting children who have demonstrated problems, not criminalizing them.

Solution – “Raise the Age”

Increasing the age of juvenile court jurisdiction from age 8 to over age 13 will improve outcomes for children, decrease unnecessary incarceration costs, address racial injustice, decrease juvenile recidivism, and decrease penalties and collateral consequences of conviction which will support increased access to employment opportunities, housing, and economic stability ([HIR 2021](#)). **SB 5434 (Trudeau)/HB 1440 (Thai)**

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