

WASHINGTON STATE MEDICAL ASSOCIATION  
HOUSE OF DELEGATES

Resolution: (---)  
(---)

Subject: Juvenile Justice

Introduced by: Julia Murray

Referred to:

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1 WHEREAS The goal of the juvenile justice system should be to protect public safety,  
2 connect youth with age-appropriate services that reduce the risk of recidivism, and  
3 provide meaningful rehabilitation so that all youth can have the opportunity for success in  
4 life, and

5  
6 WHEREAS policies of the juvenile justice system should be based on evidence where  
7 evidence is available, and

8  
9 WHEREAS the Washington State Board of Health has found very strong evidence of the  
10 association of arrest and incarceration with poor health outcomes, including poor mental  
11 health, and that a history of child incarceration (ages 7 through 13) was associated with  
12 the highest rates of subsequent poor adult health, and

13  
14 WHEREAS neurological research has found that the average human brain is not fully  
15 developed until age 26, and

16  
17 WHEREAS the National Juvenile Justice Network and the United Nations Committee on  
18 the Rights of the Child Find that young children are often arrested for behaviors that are  
19 developmentally appropriate and would more appropriately be handled outside of courts,  
20 and that children have neither the capacity nor competence needed to stand trial, and  
21 recommend raising the minimum age for trying children in juvenile court to not less than  
22 14 years, and

23  
24 WHEREAS recidivism is higher in youths who have been declined to adult court and the  
25 practice of declining youth to adult courts is usually done in response to public pressure  
26 and not based on understanding of child development, and

27  
28 WHEREAS Black and Brown youth are often perceived to be older than their  
29 chronological age, whereas White youth are perceived to be younger, and

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31 WHEREAS youth ages 18 and 19 are particularly susceptible to outside factors  
32 influencing their decision making, and

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34 WHEREAS a task force could take into consideration research and case law regarding  
35 adolescent brain development and make recommendations regarding expansion of  
36 juvenile court jurisdiction to include ages above age 19,  
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38 THEREFORE BE IT

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40 BE IT RESOLVED that WSMA advocates that the minimum age of jurisdiction in  
41 juvenile court in Washington state be increased from age eight to age 14 years, and  
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43 BE IT FURTHER RESOLVED that WSMA supports the creation of a task force to  
44 consider and provide recommendations regarding the implementation of juvenile  
45 jurisdiction to encompass persons ages 18 and 19 and expansion of juvenile court  
46 jurisdiction to include persons above age 19, and  
47

48 BE IT FURTHER RESOLVED that WSMA supports removing the exceptions for certain  
49 youth 8 to 12 years old to be declined to adult jurisdiction to certain charges.  
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51 Sources:

- 52 1. Engrossed Senate Bill 5122 (wa.gov.sb5122)
- 53 2. State of Washington Board of Health, Health Impact Review of S-6720.1,  
54 October 2020 (sboh.s-6720.1)
- 55 3. Barnert, Elizabeth S., et al., “Child Incarceration and long-term adult health  
56 outcomes: a longitudinal study” in Int J Prison Health, 2018 March 12; 14(1):26-  
57 33
- 58 4. Johnson, Stephen “Why is 18 the age of adulthood if the brain can take 30 years  
59 to mature?” in Big Think 20 March 2019 (bigthink.com/mind-brain/adult-  
60 brain?rebelltitem-1#rebelltitem1)
- 61 5. National Conference of State Legislatures “Juvenile Justice Guidebook for  
62 Legislators” published December 5, 2011 (<https://ncsl.org>)
- 63 6. National Juvenile Justice Network “Raise the Minimum Age for Trying Children  
64 in Juvenile Court” December 2020 (<https://njjn.org>)
- 65 7. United Nations Convention on the Rights of the Child, Committee on the Rights  
66 of the Child, General comment No. 24 (2019) on children’s rights in the child  
67 justice system
- 68 8. Drake, E. (2013). *The effectiveness of declining juvenile court jurisdiction of*  
69 *youthful offenders* (Doc. No. 13-12-1902). Olympia: Washington State Institute  
70 for Public Policy