

Racial and Ethnic Impact Analysis

HB 1815, 2025

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Executive Summary

Racial and Ethnic Impact Statements (REIS) provide information related to the potential impacts of a policy change on individuals from different racial and/or ethnic backgrounds. The purpose of these statements is to provide additional information to policymakers to aid in identifying potential unwanted disparities in the criminal justice system. This report provides information the potential impacts of House Bill (HB) 1815: Concerning prison riot offenses, introduced in the 2025 Washington State Legislature.

HB 1815 REIS

The PSPRC examined the potential for disproportionate impacts resulting from HB 1815: Concerning prison riot offenses. For the purposes of this REIS, we focused solely on the prospective application of changes. This report does not include an assessment of the retroactive application of changes. Using data from sentences imposed in fiscal year (FY) 2024, the PSPRC concludes the following:

- HB 1815 may reduce racial disproportionality in confinement populations as Black and Hispanic individuals are more likely than White individuals to be adjudicated or convicted of prison riot.
- HB 1815 will likely have the largest impact in Lewis County, where Green Hill School (GHS) is located. Ninety percent of adult prison riot convictions in FY 2024 were from Lewis County.
 - As both juveniles (less than 18 years of age) and adults (18 years of age and older) are housed at GHS, HB 1815 could reduce disproportionality both in Department of Children, Youth and Families (DCYF)/Juvenile Rehabilitation (JR) facilities and state Department of Corrections (DOC) facilities.
- The total impact of HB 1815 is unknown. Prosecutors may still choose to file criminal charges against individuals for the same behavior using alternative criminal statutes (e.g., Assault 4 (gross misdemeanor) or Custodial Assault (class C felony)).
 - Even if prosecutors still file charges, HB 1815 could still facilitate a reduction in disparity since the alternative criminal charges do not carry a mandatory minimum sentence of one year in a state correctional facility.

Bill Summary

House Bill 1815 would change the definition of a correctional institution as it applies to RCW 9.94.010, pertaining to prison riots. Specifically, HB 1815 excludes facilities operated by the Department of Children, Youth, and Families (DCYF) from consideration for prison riot offenses.

HB 1815 does not include a carve out for local juvenile detention facilities. As such, the changes to prison riot apply only to juveniles and adults housed at DCYF's Juvenile Rehabilitation facilities.

Additionally, it is possible that the conduct currently being charged under the prison riot statute (e.g., fights between residents in the facility) could still be subject to the facilities' internal disciplinary proceedings and criminal charges could still be filed under other statutes such as RCW 9A.36.041, Assault in the fourth degree or RCW 9A.36.120, Custodial assault.

Racial and Ethnic Impact Assessment

DCYF operates two residential facilities for youth convicted of certain criminal offenses: Echo Glen Children's Center (EGCC) in Snoqualmie, WA and Green Hill School (GHS) in Chehalis, WA. The changes in HB 1815 apply both to juveniles and adults as both EGCC and GHS may house individuals up to age 25. Most notably, GHS in Chehalis houses only males, primarily between the ages of 17 and 25, making most of the GHS population legal adults subject to adult felony sentencing.

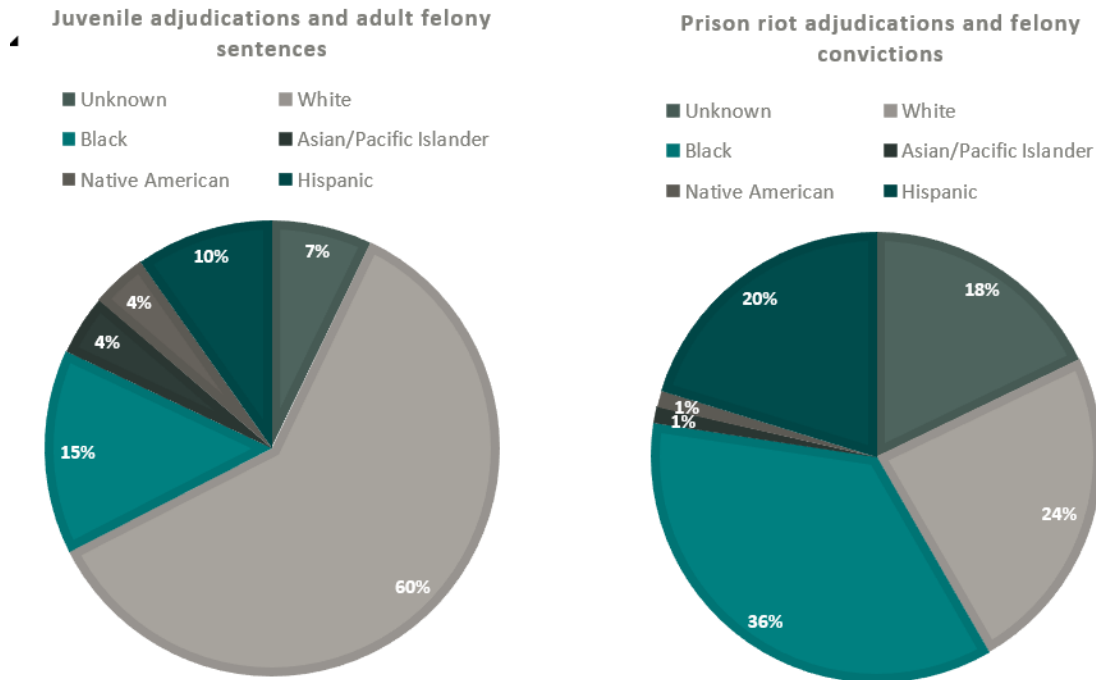
For purposes of this REIS, we obtained detailed adult felony sentencing for prison riot in FY 2024 and identifiable data for juvenile felony sentencing for prison riot in FY 2024. Due to the limited number of charges, we were only able to obtain county-level information for adult sentences but expect that the distribution of juvenile prison riot charges follows a similar pattern. For some analyses, we include all prison riot sentences (juvenile and adult) while other analyses are limited to only adult charges.

Our assessment is based only on the prospective application of changes in HB 1815. We are unable to estimate the effects of the retroactive provisions without additional data.

Prison Riot Convictions - Overall

In FY 2024, there were 28 juvenile adjudications and 58 adult convictions for prison riot where prison riot was the most serious offense.¹ Figure 1 shows the comparison of FY 2024 juvenile adjudications and adult felony convictions and FY 2024 juvenile adjudications and felony convictions for prison riot, by race.

Figure 1. Comparison of FY 2024 Juvenile Adjudications and Adult Felony Convictions and FY 2024 Juvenile Adjudications and Felony Convictions for Prison Riot, by Race



¹ We analyze sentencing data using the most serious offense. In most cases, the most serious offense determines the final sentence while sentences for less serious offenses run concurrently. Cases where prison riot was convicted along with one or more, more serious offenses were not included.

Importantly, individuals are only eligible to be charged with prison riot if they are confined in a correctional facility. Table 1 depicts the racial composition of JR residential facilities and DOC confinement populations in June 2024 as well as the racial distribution of juvenile and adult prison riot adjudications/convictions. Also, Table 1 depicts an initial look at the disproportionate application of prison riot laws in general. Given that prison riot charges apply only to those who are incarcerated, this offense has the potential to reinforce disproportionality in confinement populations.² Put simply, if there is disproportionality in the populations that end up confined in state institutions, those populations are disproportionately likely to face a prison riot conviction and subsequent, additional confinement time.

Table 1. Distribution of Race in JR and DOC Populations at the end of FY 2024 and Juvenile and Adult Prison Riot Adjudications/Convictions.

	JR Residential Facilities June 2024	DOC Confinement June 2024	Juvenile Prison Riot FY 24	Adult Prison Riot FY 24	All Prison Riot FY 24
White	31%	55%	25%	22%	24%
Black	32%	18%	54%	29%	36%
Hispanic	23%	16%	14%	22%	20%
Asian/Pacific Islander	5%	5%	4%		1%
American Indian	6%	6%	4%		1%
Unknown/Other	2%	1%		26%	18%

Prison Riot Convictions – Lewis County

Substantial concerns have been raised about changes to the prison riot laws in 2021 that explicitly included DCYF facilities in the definition of correctional institutions as it applies to prison riot. In particular, concerns were raised about the application of prison riot charges to individuals housed at GHS in Chehalis. GHS houses older males, primarily those aged 17 and older. At the end of FY 2024, 75% of the GHS residents were over the age of 18.

We were able to analyze the demographics of adult prison riot convictions in Lewis County, where GHS is located. **Ninety percent of the adult prison riot convictions in FY 2024 were in Lewis County** (52 of the 58 convictions). While it is possible that some of these charges resulted from behavior in the local jail, it is more likely that most, if not all, convictions were the result of charges against persons housed at GHS.

The rate of prison riot charges by race were similar to the overall representation in the GHS population for Black and Hispanic residents. However, the rate of convictions in FY 2024 for White residents was half of their representation in GHS at the end of the fiscal year. Of note, the Caseload Forecast Council (CFC) data was limited with regard to information on race, with 27% of the convictions associated with an unknown or unreported race. It is probable that some, if not most, of those convictions associated with an unknown race were for residents of color, further exacerbating the estimated disproportionality noted in Table 2. A

² For baseline disproportionality data, see Knoth-Peterson, L. (2024). Criminal Justice Racial and Ethnic Impact Statements. Office of Financial Management; Public Safety Policy and Research Center. Olympia, WA.

review of adult and juvenile charges for prison riot between calendar years 2003 and 2023 in Lewis County showed that 81% of all charges filed were filed against defendants of color.³

Table 2. Distribution of Race in GHS as of June 2024 and Lewis County Adult Prison Riot Convictions in FY 2024.

Race	GHS Population, June 2024		Lewis Co. Adult Prison Riot Convictions FY 24	
	N	%	N	%
Unknown	5	2%	14	27%
White	68	29%	8	15%
Black	87	37%	17	33%
Hispanic	51	22%	13	25%
API	16	7%		
AIAN	9	4%		

Notes:

GHS population data come from the [DCYF Facility Information Sheet](#) published monthly.

Conviction data come from the CFC adult felony sentencing database.

CFC reports race as recorded by the superior court on the judgment and sentence form. In this instance, over a quarter of the sentence forms from Lewis County did not include race.

Assuming all Lewis County adult prison riot convictions were related to GHS, the rate of adult prison riot convictions as a share of their population in GHS was greatest for Black and Hispanic individuals. The likelihood of black individuals being convicted of prison riot was approximately 1.7 times greater than the likelihood of White individuals. The likelihood of Hispanic individuals being convicted of prison riot was approximately 2.2 times greater than the likelihood of White individuals.⁴

While we cannot assess the geographic distribution of juvenile adjudications, data from the Administrative Office of the Courts (AOC) indicate that of all the juvenile prison riot charges filed in calendar year 2023, 60% were filed in Lewis County, 13% were filed in King County, and 15% were filed in Pierce County.⁵ It is likely that the majority of juvenile adjudications in FY 2024 also took place in Lewis County, specifically for youth at GHS.

³ Administrative Office of the Courts data reflect charges and not convictions. One individual may have multiple charges for prison riot and not all charges will result in convictions. Thus, these estimates may not reflect true estimates of disproportionality in convictions, but do give some indication that it is likely the CFC data associated with an unknown race are for persons of color.

⁴ These estimates are approximations and treat all GHS residents as if they were adults. We know that about 25% of the GHS residents are juveniles, but cannot distinguish between juveniles and adults in the JR demographic data.

⁵ Counts from the Administrative Office of the Courts include only charges filed, not final adjudications.

Prison Riot Convictions – Sentencing

Prison Riot is a class B felony carrying a penalty of one to ten years in a state correctional facility (DCYF/JR for juveniles; DOC for adults). Prison Riot is an unranked felony. Thus, the sanction is not dependent on criminal history as with other offenses on the Felony Sentencing Guideline Grid.⁶ Unranked felonies have a standard range of 0-365 days confinement in local facilities, however, the prison riot penalty statute dictates that the mandatory minimum is a sentence not less than one year, and requires that all sentences (even if one year) be served in a state correctional facility, not a local facility. The **average** adult sentence for prison riot in FY 2024 was **23 months**. Twenty-two out of the 58 sentences were for the minimum - a one-year sentence in state prison.

For juveniles, prison riot is not explicitly categorized on the Juvenile Offender Sentencing Grid and is thus treated as a category B offense.⁷ For juvenile cases, the mandatory minimum and requirement to serve the sentence in a state facility does not apply. Four of the 28 juvenile adjudications in FY 2024 were for attempted offenses. For the 24 completed prison riot adjudications, the **average minimum** sentence was **199 days confinement** and the **average maximum** sentence was **288 days confinement**. Twenty of the adjudications resulted in confinement in JR.

Despite applying the changes only to those confined in a DCYF/JR facility, HB 1815 has the potential to impact disproportionality in DCYF/JR facilities and state DOC facilities. Most individuals at GHS would be subject to an adult felony sentence for prison riot as they are over the age of 18 while confined with DCYF/JR. As such, even if they complete their original sentence of confinement in DCYF/JR, they would be transferred to DOC at the end of their sentence to begin serving their sentence for prison riot. While the package of bills known as JR to 25 intended to reduce the number of individuals who are confined at DOC, prison riot convictions at GHS have the unique impact of increasing the likelihood that individuals will still be required to serve some time at an adult DOC facility.

It is not possible to estimate the total impact on disproportionality in state facilities without additional data and without knowing whether prosecutors will elect to continue filing criminal charges for the same behavior using alternative offense statutes (e.g., Assault 4 or Custodial Assault). However, even if prosecutors continue to file charges for the same behavior using different offense statutes, there would likely be some reduction in the disproportionate outcomes as the alternative offenses do not carry the same mandatory minimum sentence (one year in state correctional facilities).

⁶ RCW 9.94a.510: [Table 1-Sentencing grid](#).

⁷ RCW 13.40.0357 clarifies that any “Other Offense Equivalent to an Adult Class B Felony” is treated as a category B offense if completed and a category C offense if an attempt.