

PROGRAM NARRATIVE – Three Year State Plan

Washington State Advisory Group, known as Washington State Partnership Council on Juvenile Justice (WA-PCJJ) plays a strong proactive role providing collaborative leadership and direction, and recommends innovative juvenile justice reforms and best practices for implementation. The WA-PCJJ and the Office of Juvenile Justice collaborate with the Washington State Center for Court Research for comprehensive juvenile justice data analysis and key findings, and produce a biennial Juvenile Justice Report to the Governor and the Legislature, as part of the JJRA requirements. This collaboration resulted in the analysis of youth risk, needs, detention use, racial and ethnic disparities, and service engagement that facilitate goals setting as well as policy and program recommendations. A recent analysis showed Race/ethnic disparity persists across the juvenile justice system and it starts with arrests, and overall recidivism rates appear to be high when compared to surrounding states.

Based on the analysis and recommendations, the WA-PCJJ structures its working committees and set priorities to focus on system improvement innovations with integration of racial and ethnic disparities reduction practices across the juvenile justice system. The WA-PCJJ directs federal Title II fund aims at increasing alternatives to incarceration, improving successful reentry, and safeguarding the well-being of our youth while in state custody.

Juvenile Justice Landscape and Data Points

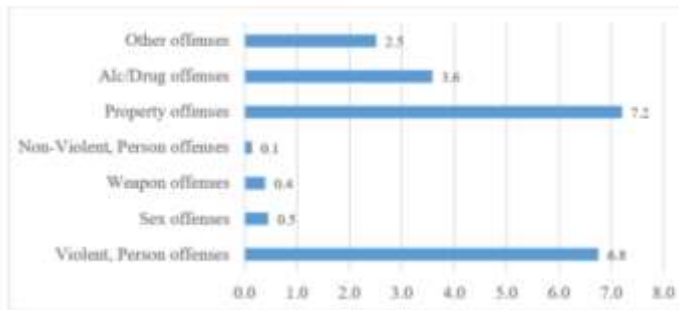
The juvenile justice system in Washington State is a continuum of prevention, early intervention, intervention and rehabilitative services operated by both the county and state governments. State statute, Title 13, governs the work of the juvenile justice system, charges both county and state agencies with the responsibility of holding youth accountable for their offenses and with necessary treatment and rehabilitation to youth. A fundamental attribute of the juvenile justice

system in Washington State is the division of responsibility between the county-run system of juvenile courts and the state-run system intended to serve higher-risk youth who have been found responsible for more serious offending behavior. Thirty-three juvenile courts serve as the administrative authority for youth who come into contact with the justice system. The juvenile courts are a division of the Superior Court with exclusive original jurisdiction of youth. Broadly, the juvenile courts process cases for youth who engage in non-delinquent or delinquent behaviors. State funding for county juvenile justice operations is intended to support risk and needs assessment of youth sentenced to community supervision (probation), and to support funding for community-based, state-approved, evidence-based interventions.

The WA-PCJJ commissioned the Washington State Center for Court Research, a data hub and research division, for juvenile justice data including categories. A data book is published and posted online.

Crime/Juvenile Problem Analysis

ARREST: Statewide Arrest Rates per 1,000 Age 12 to 17 Population by Offense Type (2018)

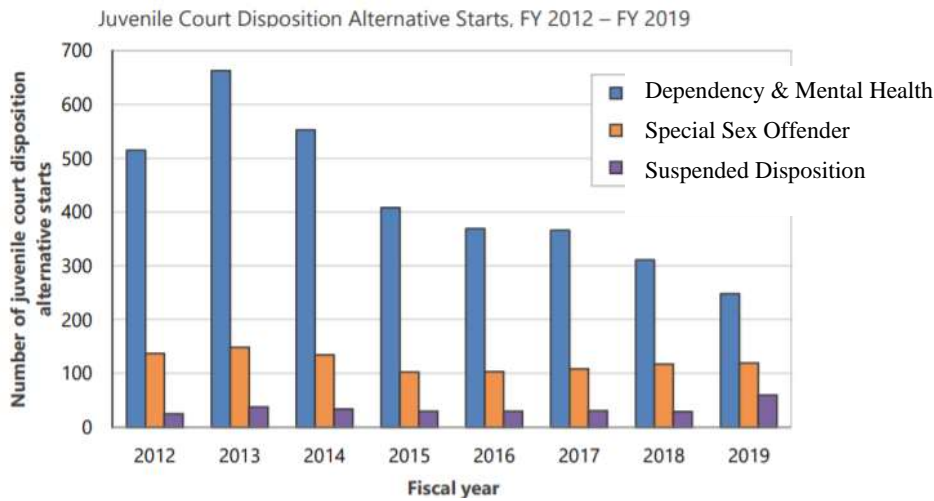


Statewide, the most common arrests are property crimes, followed closely by violent crimes, and then alcohol/drug crimes.

DETENTION: In 2019 there were 999 admissions to detention for non-offender matters, representing a 26.8% decrease from 2019. Detention admissions where the most serious admission reason was a non-offender matter (i.e., court contempt regarding a petition for At-Risk Youth (ARY), Child in Need of Services (CHINS), Truancy, or Dependency.) Of the non-

offender admissions, detention admissions as a result of an ARY petition were most common (4.5% of all admissions), followed by a truancy petition (4.0%). Admissions for dependency-related matters were less common (0.7%), and admissions for CHINS petitions or another non-offender matter were very rare (0.2% of all admissions).

DISPOSITION ALTERNATIVE: Overall the use of disposition alternatives has declined over time.



CASE PROGRESSION AND RELATIVE RATE INDEX (2018): Juvenile justice system involvement began at point of arrest, and racial/ethnic disparities worsen as youth progressed deeper into the system, disparities are worst for Black youth.

Racial / Ethnic Group	Referral	Petition	Adjudication	Diversion
American Indian/ Alaska Native	2.5	2.5	2.9	2.0
Black	3.8	3.8	4.0	2.2
Hispanic	1.4	1.4	1.5	1.3

RECIDIVISM: FY 2016 Juvenile Rehabilitation data showed an also 51% overall recidivism rate. Males were significantly more likely than females to recidivate, and more likely to be

convicted of a felony or violent felony. Youth of color were more likely than white youth to be convicted of a crime overall. The recidivism rate for youth release under age 18 was about 12% higher than youth who were older than 18. Youth who received parole services were more likely to recidivate for a conviction of any offense, a felony, or a violent felony. It is important to note that youth who are the highest risk to reoffend are selected for parole. Event history analysis showed 25% of youth committed a new offense within 4.4 months post-release. The offense rate slowed, until reaching the 51% recidivism rate at 18 months.

Statement of Work

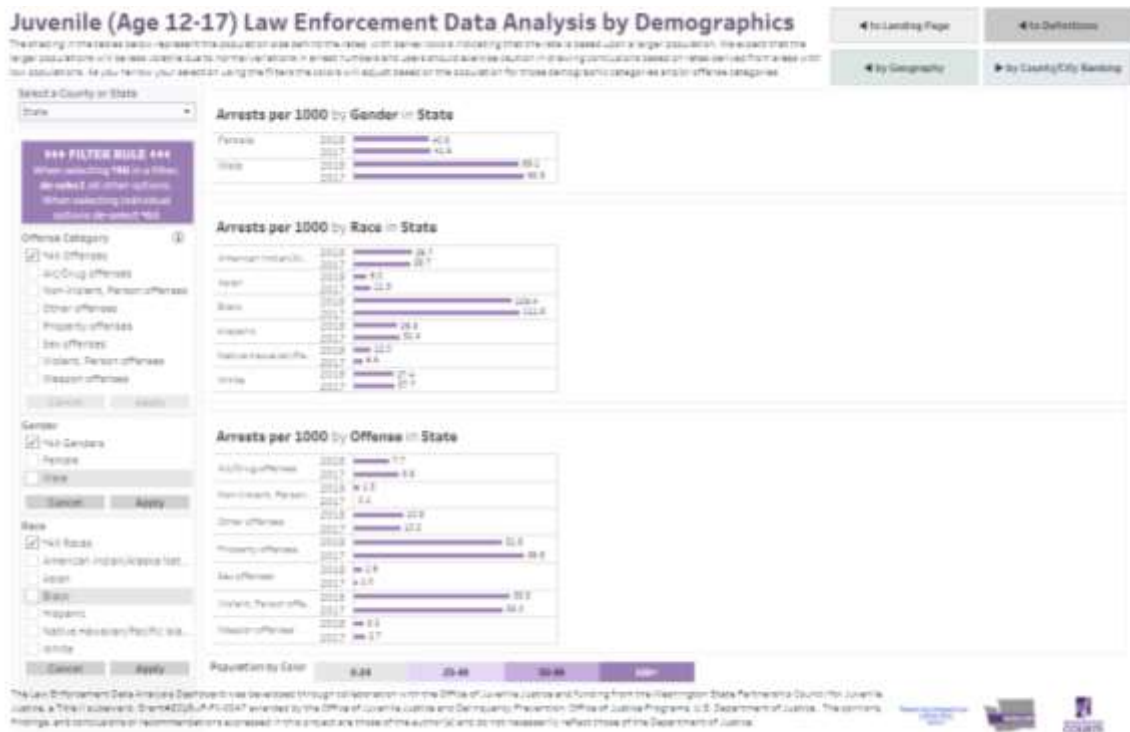
Analysis showed Race/ethnic disparity persists across the juvenile justice system and it starts with arrests, and overall recidivism rates appear to be high when compared to surrounding states. The WA-PCJJ structures its working committees to focus on three system improvement areas: Alternatives to Incarceration (Front end), Behavioral Health (across the system), and Reentry (Back end) and set priorities to focus on system improvement innovations with integration of racial and ethnic disparities reduction practices across the juvenile justice system. The WA-PCJJ directs federal Title II fund aims at increasing alternatives to incarceration, improving successful reentry, and safeguarding the well-being of our youth while in state custody.

A. Alternatives to Incarceration

Preventing youth from justice-involvement and/or from further penetrating into the system remain a priority of the WA-PCJJ. Washington State has implemented the Juvenile Detention Alternative Initiative (JDAI) in eight jurisdictions where 68% of adolescents between the ages of 10 and 17 reside, inclusive of urban and rural communities. Reducing the reliance on secure detention have been successful with

implementation of the JDAI model as well as components of alternatives to detention at many jurisdictions beyond the JDAI sites. WA-PCJJ invests even further upstream with funded projects such as Law Enforcement Data Analysis project, school-based diversion initiatives, and community-based diversion programs.

A.1: Support the Law Enforcement Data Analysis (LEDA) project moving the project from development to implementation. Funding allowed for development of an interactive data dashboard for queries of arrest data by race/ethnicity, gender, age, geography, and offense characteristics (see diagram sample below.) The goal is to identify similarities and differences within or across law enforcement jurisdictions as a place to begin the work of reducing disparities.



Year 1: Present data dashboard to the Washington Association of Sheriffs and Police Chiefs and promote dashboard utilization with technical assistance. Support at least three communities of practices to adopt effective quality improvement processes to reduce

arrest rates for low-risk youth where their needs should be met by support services.

Sustain annual data dashboard updates.

Year 2-3: Build on arrest data dashboard to include prosecutorial decisions and discretionary practices on referrals and cases filed. The goal is to increase alternatives to arrest as well as diversion alternatives.

A.2 Significant decrease in detention admissions was recorded due to COVID pandemic. In May 2021, the WA-PCJJ commissioned the Washington State Center for Court Research to conduct a study examining the impact of COVID pandemic on statewide and county levels juvenile detention admissions and juvenile court policies and practices. The study also measured the effects of juvenile detention on future offending behavior by comparing youth who were admitted to detention prior to the pandemic with very similar youth who did not go to detention as a result of COVID-related changes. Preliminary findings indicated an 87% decrease in referrals and 61% decrease in detention admissions.

Year 1: Conduct analyses looking at the likelihood of being admitted to detention pre- and post-COVID to determine if the reduction in detention admissions is due primarily to the decrease in new referrals to juvenile court, changes in admission policies at the courts, or a combination of both.

Year 2 & 3: Examine qualitatively how juvenile courts have changed their policies and practices during the pandemic and their perspectives/decisions about the long-term feasibility and effectiveness of these changes to drastically reduce detention admissions of low- and moderate-risk youth.

A.3 Build capacity for alternatives to arrest and detention by supporting continuum of culturally responsive evidence-based or other programs (including delinquency prevention, intervention, mental health, behavioral health and substance abuse treatment, family services, and services for children exposed to violence) that are trauma informed, reflect the science of adolescent development, and are designed to meet the needs of at-risk youth and youth who come into contact with the juvenile justice system.

Year 1: Conduct gap analysis on community-based programs/services while continue to support available programs/services. Implement simple screening and referral procedures for law enforcement and prosecutors to identify which community-based provider to refer a youth. Identify gender-specific needs at local levels.

YEAR 2-3: Increase availability and accessibility to resources and increase numbers of youth diverted from system involvement to community-based services. Building program capacity to ensure youth of all races, ethnicities, languages, family structure, gender, and resources receive the same access to diversion.

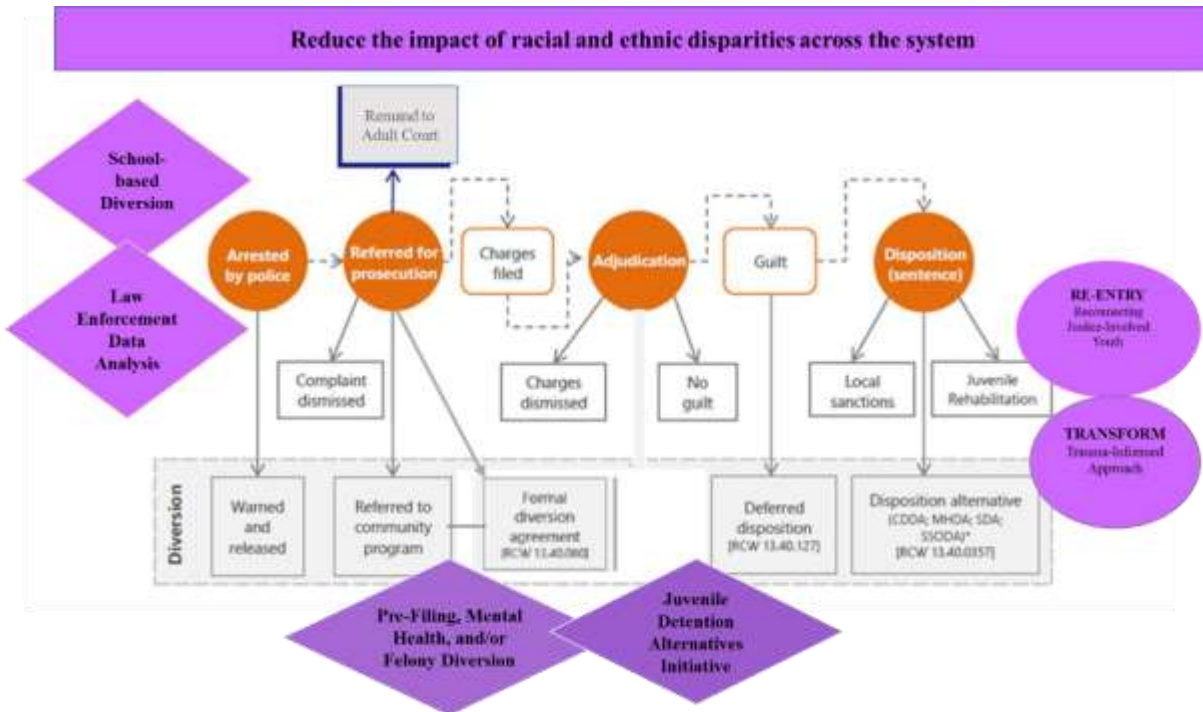
B. Reduce recidivism and support youth transitioning out of the juvenile justice system.

All youth exiting juvenile detention have spent crucial stages of development incarcerated and separated from their communities. A majority of juvenile justice-involved youth meet diagnostic criteria for a mental health disorder in addition to behavioral disorders, and the prevalence of learning disabilities is 3 to 5 times the rate in non-incarcerated populations of the same age. These youth can benefit a great deal from the systematic interventions supported by credible messengers on re-integrating with their communities and accessing effective behavioral health, educational and other needed services.

Year 1: Increase community-based connections and mentoring relationship for youth preparing to exit state secure confinement (Juvenile Rehabilitation) facility and returning to community life. Build the inter-organizational infrastructure necessary for collaborative tracking and planning of sustainable reentry.

Year 1-3: Support effective community-based intervention programs that address trauma, behavioral health and educational challenges and parental and caregiver support. Support a process where all youth transitioning from Juvenile Rehabilitation facilities will have access to effective services supported by mentors and credible messengers who reside in the youth's local community.

The overall plan is to reduce youth justice involvement and recidivism centered on disparities reduction across the juvenile justice system, and enhancement of access to culturally responsive, trauma-informed, evidence-based programs/services. The diagram below captures the priority focuses and impact areas across the juvenile justice system.

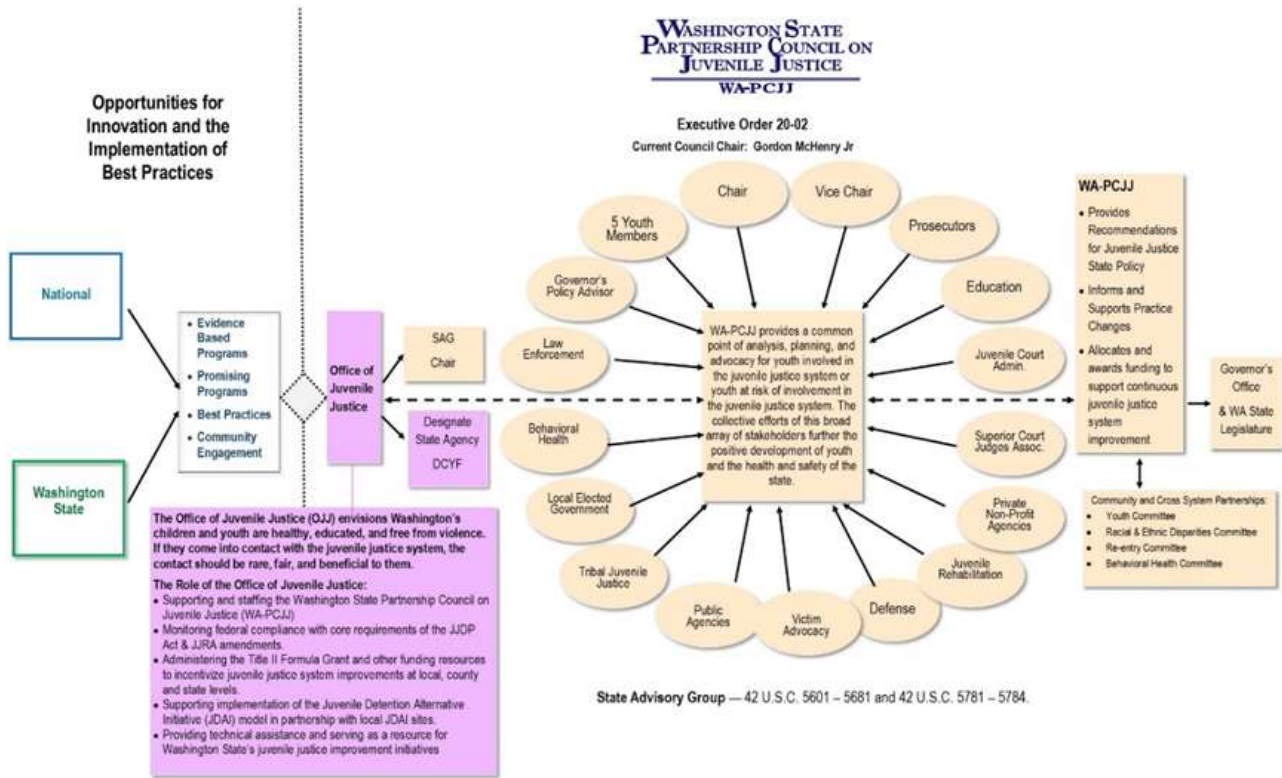


Progress and Planning on JJRA Requirements:

• **State Advisory Group (SAG)**

Executive Order 20-02, issued by Governor Jay Inslee, became August 20, 2020. It re-established the Washington State Partnership Council on Juvenile Justice (WA-PCJJ) as the State Advisory Group to comply with all federal requirements pursuant to 42 U.S.C. 5601 – 5681 and 42 U.S.C. 5781 – 5784 inclusive of requirements of the Juvenile Justice Reform Act of 2018 as amended. The snapshot shown below is an outline reflective of the SAG’s composition and functions that include:

- 26 members per JJRA requirements appointed by the Governor,
- Participate in development and review of state’s juvenile justice plan prior to submission to the supervisory board for final action/approval; review and comment no later than 30 days after submission on all juvenile justice and delinquency prevention grant applications submitted to the state agency designated,
- Advise the designated state agency and its supervisory board,
- Submit to the Governor (Chief Executive Office) and the legislature at least every 2 years a report and necessary recommendations regarding state compliance with the core requirements,
- Contact and seek regular input from juveniles currently under the jurisdiction of the juvenile justice system.



The Office of Juvenile Justice (OJJ) and the Partnership Council on Juvenile Justice (OJJ) collaborated with the Administrative Office of the Courts and its research department, Washington State Center for Court Research, to collect data, conduct analysis and key findings on Washington State’s juvenile justice systems. Our state plan takes into account research-informed and data-informed approaches on policy and programmatic recommendations.

The WA-PCJJ programs foster positive youth development opportunities by lifting up youth voice and active youth participation in council and committee activities and directs grant funding to community-service organizations aimed at delinquency prevention.

- **State Plan and Website**

The Washington State Office of Juvenile Justice (OJJ) serves as the administrative support of the WA-PCJJ and continues to manage an active WA-PCJJ website at <https://dcyf.wa.gov/practice/practice-improvement/ojj> and posting of the state plan and the functions of the WA-PCJJ. The web page also includes information on meeting notices, relevant resources and reports, funding opportunities, compliance monitoring tools, racial & ethnic disparities reduction resources, relevant reports and resources.

- **State Plan and Assurances**

State Advisory Group (SAG) also know as Washington State Partnership Council on Juvenile Justice and the designated state agency shall complies with core requirement including:

- provide for fiscal control and fund accounting procedures necessary to assure prudent use, proper disbursement, and accurate accounting of funds received under this subchapter;
- provide reasonable assurance that Federal funds made available under this part for any period will be so used as to supplement and increase (but not supplant) the level of the State, local, tribal, and other non-Federal funds that would in the absence of such Federal funds be made available for the programs described in this part, and will in no event replace such State, local, tribal, and other non-Federal funds;
- provide that the State agency designated will—

(A) to the extent practicable give priority in funding to programs and activities that are based on rigorous, systematic, and objective research that is scientifically based;

(B) from time to time, but not less than annually, review its plan and submit to the Administrator an analysis and evaluation of the effectiveness of the programs and activities carried out under the plan, and any modifications in the plan, including the survey of State and local needs, that it considers necessary; and

(C) not expend funds to carry out a program if the recipient of funds who carried out such program during the preceding 2-year period fails to demonstrate, before the expiration of such 2-year period, that such program achieved substantial success in achieving the goals specified in the application submitted by such recipient to the State agency;

- provide an assurance that if the State receives under section 11132 of this title for any fiscal year an amount that exceeds 105 percent of the amount the State received under such section for fiscal year 2000, all of such excess shall be expended through or for programs that are part of a comprehensive and coordinated community system of services;
- specify a percentage (if any), not to exceed 5 percent, of funds received by the State under section 11132 of this title (other than funds made available to the State advisory group under section 11132(d) of this title) that the State will reserve for expenditure by the State to provide incentive grants to units of general local government that reduce the caseload of probation officers within such units,

- provide assurances that juvenile offenders whose placement is funded through section 672 of title 42 (foster care maintenance payments) receive the protections specified in section 671 of title 42 (foster care and adoption assistance), including a case plan and case plan review as defined in section 675 of title 42.

- **Grants Management and Memorandum of Administration (MOA)**

Request for Proposals is publicized via Washington's Electronic Business Solution (WEBS) reaching public, private, and community entities across the state. Proposals review takes into account equitable distributions, needs assessment, and compelling statements of work. Completion of federal certifications and assurances are part of the proposal application requirements for all bidders. All successful bidders (grant recipients) are required to participate in a grantee orientation session to include contract requirements, reporting procedures, compliance with federal nondiscrimination statutes and regulations as well as complaint procedures for contractors and subcontractors as outlined in our Memorandum of Administration with the DOJ Office of Justice Program, Office of Civil Rights. MOA conditions are also posted online with grants funding materials. Grants Manager conducts annual site visits with contractors further verify compliance requirements are understood and met.

- **Compliance Monitoring**

(i) State statutes (RCW 13.04.116) are consistent with federal requirements regarding separation. For a juvenile who is subject to exclusive adult criminal court jurisdiction under RCW 13.04.030 or who has been transferred to adult criminal court under RCW 13.40.110, the juvenile may not be held in a jail or holding facility for a period exceeding twenty-four hours excluding weekends and holidays, unless a court

finds, after a hearing and in writing, that it is in the interest of justice. There is one court holding facility in Washington and it has always been classified as jails/lock-ups for purpose of compliance monitoring.

(ii) Washington State law is more restrictive than federal JJDPa regulations regarding sight and sound separation for juveniles who have been remanded or transferred to adult court jurisdiction. RCW 72.01.415 - An offender under the age of eighteen who is convicted in adult criminal court of a crime and who is committed for a term of confinement in a jail as defined in RCW 70.48.020, must be housed in a jail cell that does not contain adult offenders.

(iii) In Washington, status offense cases are classified as Children in Need of Services, Truants, or At-Risk Youth. Behaviors include being a runaway, truant, beyond the control of parents or guardian, and having a substance abuse problem for which there are no pending criminal charges. There are several Washington state statutes that support alternatives to detention and deinstitutionalization of status offenders.

SB 5290 was passed during the 2019 Legislative Session and it eliminates the use of secure detention for status offenders found in contempt of a Valid Court Order (VCO). The legislation will be implemented in phases. First, Children in Need of Services and Dependent Youth are no longer able to be detained through a VCO as of July 1, 2020. Second, truant youth are no longer able to be detained through a VCO as of July 1, 2021. Finally, At-Risk-Youth are not able to be detained through a VCO as of July 1, 2023.

(iv) In addition to site visits/inspections, Compliance Monitor Manager provides webinars and technical assistance to facilities on most updated requirements.

- **Alternatives to Detention**

For delinquency cases, Washington requires that all first misdemeanors are diverted from formal filing. Additionally, the limit on total number of diversions has been removed.

During the 2020 Legislative Session, HB 1775 was passed which eliminates prostitution as a crime for individuals under the age of 18. The legislation also establishes grant funding for two receiving centers for commercially sexually exploited children and directions to the Department of Children, Youth and Families regarding the types of services that must be provided to this vulnerable population.

Finally, there are two programs administered at the state level through local service providers and partnerships to serve youth with mental health and/or substance abuse needs. Family Reconciliation Services is provided and funded through the Department of Children, Youth & Families and Wrap-around with Intensive Services (WISe) is coordinated by the Division of Behavioral Health & Recovery and funded through Medicaid. Both of these services are voluntary and families and youth can self-refer.

- **Delinquency Prevention**

The Department of Children, Youth, and Families (DCYF) established a new Adolescent Division in 2019 to consolidate transition service availability and aids in meaningful navigation of aftercare supports, and lead creation of an integrated DCYF adolescent support system. This division builds the agency's capability to connect adolescents and young adults with education and employment opportunities, stable and affordable housing, life skills critical to a successful transition into adulthood and engagement and mentorship opportunities to foster wellbeing and good mental health.

- **Family Engagement**

The Washington State Health Care Authority's Family Youth System Partner Round Tables (FYSPRTs) embraces the idea that youth and families can and should have an active role in how systems serve them. FYSPRTs serve as a critical part of the Children's Behavioral Health Governance Structure which consists of inter-agency members at the community, state, and executive levels who inform and provide oversight for policy making and program planning for behavioral health services. The goal is to ensure family, youth and system partner involvement in policy development and decision-making, including the provision of Wraparound with Intensive Services (WISe). Washington has 10 regional FYSPRTs, one statewide FYSPRT, and multiple local FYSPRTs (where applicable).

- **Eliminating the Use of Restraints and Dangerous Practices**

WA Juvenile Rehabilitation Policy 4.30, 5.10, and 5.40 articulate policies health care, physical restraints, and transporting juveniles. Policy 5.10 provide guidelines that staff work with youth who exhibit physical or verbal aggressiveness, and that staff must use non-physical interventions and de-escalating techniques prior to physical restraints. It includes training requirements, addresses situations where restraint techniques may or may not be used, requires that medical attention be offered to staff and youth directly involved in a physical restraint, and prohibits excessive force. The policy integrates the relevant portions of the interim directive regarding restraints for pregnant youth (in alignment with RCW).

The Juvenile Rehabilitation (JR) Division within the Department of Children, Youth & Families (DCYF) is responsible for the care and treatment of youth committed to the state

from local jurisdictions for sentences longer than 30 days. At the beginning of 2020, JR implemented a revised policy regarding the use of solitary confinement in their secure facilities. The policy eliminates the use of solitary confinement and provides direction on the use of isolation and room confinement.

Additionally, the Washington State Legislature passed HB 2277 during the 2020 session, which eliminates the use of solitary confinement not only in state institutions but in all local detention centers, jails, and lock-ups. The bill also limits the use of isolation and room confinement and requires additional data collection around their use as well as parameters regarding reasons, timeframes, and frequency of use. There are also requirements of the DCYF to submit data to the legislature annually and conduct periodic reviews of detention centers for compliance beginning in 2023.

- **Mental Health Screening, Assessment, Referral, and Treatment**

Washington State Juvenile Court Administrators have achieved statewide implementation of the Positive Achievement Change Tool (PACT). This tool was designed and validated by Washington State University researchers and provides probation officers with a robust needs and risks assessment tool to identify youth's risks and needs and provides direction regarding what treatment and services youth may need. In conjunction with this tool, Washington State provides funding for the Juvenile Accountability Block Grant for courts to use towards the provision of evidence based services to youth on probation.

- **Re-entry Planning**

In 2016 Washington State Governor Inslee issued Executive Order 16-05, Building Safe and Strong Communities Through Successful Reentry. The Executive Order describes, "it is the state's responsibility, once an individual has been sentenced to an adult

correctional facility or juvenile residential facility, to ensure that those facilities are secure and humane while also providing treatment, programming, and opportunities that will ultimately reduce the likelihood that those individuals will harm future victims when they return to their communities....”

Department of Corrections (DOC) and Juvenile Rehabilitation (JR) are charged with building: a reentry focused orientation program for every individual as she or he enters and exits a correctional facility. This orientation shall provide individuals information regarding the certificate of restoration of opportunity, restoration of voting rights, resources for individuals currently in and leaving the system, and crisis services. All people leaving a state prison facility and juvenile residential facility shall receive electronic and/or hard copies of necessary documents to include certificates of completion, medical information, voter registration forms, and other documents (such as state ID) that assist in transition to the community.

Furthermore the 2018 Legislature enacted RCW 43.330.720 (SSB 6560), directing the Department of Children, Youth, and Families (DCYF) and the Department of Commerce's Office of Homeless Youth (OHY) to develop a plan to ensure that publicly funded systems of care discharge youth into safe and stable housing.

- **Victims of Domestic Human Trafficking**

The 2020 Legislature (HB 1775) requires the Department of Children, Youth, and Families (DCYF) to administer funding for two receiving center programs for commercially sexually exploited youth, one west and one east of the Cascade mountains. The Bill authorizes a law enforcement officer who takes a juvenile into custody and believes that the juvenile may be the victim of sexual exploitation, to transport the youth

to an evaluation and treatment facility, including the receiving centers, for an evaluation for behavioral health treatment, including minor-initiated treatment, parent-initiated treatment, or involuntary treatment. It also requires the commercially sexually exploited children statewide coordinating committee to compile data on the number of juveniles taken into custody under RCW 43.185C.260 (section 7 of this act).

The DCYF, the Department of Health, and the Division of Behavioral Health and Recovery must meet to coordinate the implementation of receiving centers and provide a report to the Governor and Legislature by December 1, 2020.

- **Gender Specific Programs and Services**

The One Girl Better Systems is a project developed by the Justice for Girls Coalition of Washington State. The project goal is to use the voice of girls to support community stakeholders to develop solutions that prevent girls with status offenses from falling deeper into the juvenile justice system. The project informs community led interventions and resource development to reduce the rate of unnecessary confinement and support girls' ongoing success. The Justice for Girls Coalition also offers girl-centered practices training for court and juvenile justice workers as well as the host of an annual summit and training for girl-serving advocates and professionals who work in and across systems including schools, youth development, child welfare, juvenile justice, health, mental health and housing. The WA-PCJJ is a proud sponsor of the annual summit.

- **Evidence-based and Trauma-informed Practices**

Washington State made a strong commitment to effective juvenile justice policy with the passage in 1997 of the Community Juvenile Accountability Act and the subsequent funding of evidence-based programs (EBPs)—programs that have undergone rigorous

evaluation with treatment and control groups and which have been found, in juvenile justice, to be associated with a statistically significant reduction in law-violating behavior—for use with youth supervised in the community by the juvenile courts. A menu of programs, from Coordination of Services (designed to introduce youth and families to locally-available support services) to Washington State Aggression Replacement Training (a group-based cognitive behavioral intervention intended to strengthen pro-social thinking and behavior and reduce reliance on aggression) have been approved by the state for local implementation, but some interventions have limited availability. In 2016, Functional Family Therapy and Washington State Aggression Replacement Training were each available to about 95% of the at-risk juvenile population. Washington State’s Health Care Authority (HCA) is a key partner on juvenile justice system improvement efforts. HCA works with community organizations and other state agencies to move Washington towards a statewide culture of trauma-informed approach with:

- grants to organizations across the state to build on the trauma-informed work already happening across the state,
- free trainings throughout Washington State on Trauma Informed Approach for direct care staff, supervisors, leaders, and community members, including Train the Trainer sessions,
- collaboration with other state agencies and people throughout the state, is creating a toolkit of trauma informed resources,
- workgroups to integrate racial equity and cultural competence,

- engagement with families, youth, and communities-most-impacted for development and implementation of its programs and services.