

The Federal Juvenile Justice and Delinquency Prevention Act (Reauthorized in 2002)

The OJJDP awards the appropriated funds to the 50 states, five territories, and the District of Columbia

Washington's **Governor's Juvenile Justice Advisory Committee** was created in 1982, to respond to the provisions of the federal Juvenile Justice and Delinquency Prevention (**JJDP**) Act.

The **JJDP Act** of 1974 established a single federal agency, the Office of Juvenile Justice and Delinquency Prevention (**OJJDP**), in the U.S. Department of Justice, to support local and state efforts to prevent delinquency and improve the juvenile justice system. In **2002**, the 21st Century Department of Justice Appropriations Authorization Act was passed. This act included the **Reauthorization of the JJDP Act** (the JJDP Act of 2002, Public Law 107-273, 42 U.S.C. § 5601 et seq.).

The **JJDP Act** provides a block grant program to the states, based on their juvenile population under age 18 (the Title II **Formula Grants Program**). The OJJDP awards the appropriated Formula grant funds to the 50 states, five territories, and the District of Columbia on the basis of their proportionate population under age 18. In order to be eligible to receive JJDP Act Title II Formula grant funds, and Title V (Community Prevention) grant funds, states are required to:

- Designate a state agency to prepare and administer the State's comprehensive 3-year juvenile justice and delinquency prevention plan (in Washington, this is the Department of Social and Health Services);
- Establish a "State Advisory Group," appointed by the Chief Executive, to provide policy direction and participate in the preparation and administration of the Formula Grants Program plan (in Washington, this is the Governor's Juvenile Justice Advisory Committee); and
- Commit to achieve and maintain compliance with the four core requirements of the JJDP Act, as follows.

The core requirements of the JJDP Act are:

- Eliminating or preventing the placement of non-offending youth (such as a dependent or neglected child) and status offenders (such as a runaway or truant) in secure facilities. (**Deinstitutionalization of Status Offenders, or DSO**)
- Eliminate the confinement of juveniles in adult jails and lockups. (**Jail Removal**)
- Ensure complete sight and sound separation of juveniles from adult offenders in secure facilities (such as adult jails and lockups), when they are held. (**Separation**)
- Address juvenile delinquency prevention and system improvement efforts designed to reduce the disproportionate number of juvenile members of minority groups who come into contact with the juvenile justice system. (**Disproportionate Minority Contact, or DMC**)

The Federal Juvenile Justice and Delinquency Prevention Act (Reauthorized in 2002) (continued)

What the GJJAC Does

The Governor's Juvenile Justice Advisory Committee (GJJAC) was established as a response to the JJDP Act in 1982, by Executive Order.

Washington State is in compliance with three of the four core requirements (Jail Removal, Separation, and DMC) of the JJDP Act.

State law (RCW 13.04.116) also prohibits holding juveniles in adult jails and lockups, and requires sight and sound separation in those instances when juveniles are held.

As a result of Washington's At-Risk and Runaway Youth Act of 1995 (RCW 13.32A, known as the "Becca Law") that allows runaway youth to be held in a secure facility for up to five days, OJJDP determined **Washington's state law and practice are out of compliance** with the deinstitutionalization of status offenders (DSO) core requirement of the federal JJDP Act.

As a consequence of being out of compliance, OJJDP reduced Washington's FFY 2000 through 2003 Formula Grant Program funds by 25 percent. The State was required to spend the remaining 75 percent of the federal block grant funds on policies and programs that would help to bring the state into full compliance with the requirement for DSO, and on maintaining compliance with the other three core requirements of the federal JJDP Act. **The FFY 2005 through 2007 federal Formula Grant allocations were reduced also, but by 20 percent.**¹

The Governor's Juvenile Justice Advisory Committee (GJJAC) was established as a response to the JJDP Act in 1982, by Executive Order.

The Governor appoints GJJAC members to serve a three-year term, and may re-appoint members for a second term. Members are juvenile justice professionals and knowledgeable private citizens, who represent all sectors of the juvenile justice system and all geographical areas of the state.

The **vision** of the GJJAC is a future in which all youth of Washington State are nurtured, healthy, safe, educated and contributing to their communities.

The **mission** of the GJJAC is to promote partnerships and innovations that improve outcomes for juvenile offenders and their victims, to build family and community capacity to prevent delinquency, and to provide analysis and expertise to state and local policymakers.

To carry out its mission, the GJJAC:

- **Creates and implements Washington State's annual juvenile justice plan**, which sets priorities for awarding federal and state funds.
- **Monitors facilities that detain juveniles for compliance with the JJDP Act** (including adult lockups, holding facilities and jails; juvenile detention

¹ The 2002 amendment of the JJDP Act allowed Washington State to receive the full award amount for FFY 2004. For FFY 05 through 07, Washington's Formula Grant allocation was reduced by 20 percent, as the state was again found out of compliance with the DSO requirement, and must spend 50 percent of its remaining funds on efforts to achieve compliance (per the JJDP Act of 2002).

What the GJJAC Does (continued)

centers; state training schools (JRA institutions); and secure crisis residential centers).

- **Identifies areas of DMC in the juvenile justice system**, and prevention and system improvement efforts designed to reduce the disproportionate number of minority youth who come into contact with the juvenile justice system.
- **Advises the Governor, the Legislature, and Washington's citizens about juvenile justice issues.** One way the GJJAC advises is through its annual report that presents current juvenile justice data and problems, and describes how funds are awarded. You are reading the GJJAC's 2007 Juvenile Justice Report, based on the juvenile justice plan that was submitted to the federal OJJDP (3-year comprehensive plans are submitted, with annual updates). The GJJAC also advises by taking positions on bills and budget issues, and through providing testimony or position statements to the Governor and the Legislature.
- **Awards federal juvenile justice funds** to demonstration projects that are selected by a competitive process (Title II Formula Grants Program and Title V Community Prevention Grants Program).
- **Requires an independent, objective evaluation** for each GJJAC-funded demonstration project (7 projects are being independently evaluated in SFY 2008). The GJJAC requires use of the Logic Model for project evaluations. The Logic Model provides an outcome-based evaluation approach.
- **Funds research, technical assistance, and training** projects to improve the juvenile justice system and respond to the individual needs of communities.
- **Funds local juvenile justice planning and coordination** through Community Juvenile Justice Coordination (CJJC) grants to communities to improve coordination of delinquency prevention efforts; develop and implement strategies to address GJJAC priority areas; and share information among community service providers, the CJJC and the GJJAC.
- **Administers the Juvenile Detention Alternatives Initiative (JDAI)** in Washington State. The Annie E. Casey Foundation awarded Washington State a grant to replicate the JDAI beginning in 2004, and the State Legislature allocated funds in SFY 2008 to expand and enhance JDAI in the state, including data analysis capability.

GJJAC staff members are located in the **Office of Juvenile Justice**, within the Department of Social and Health Services, and are responsible for planning and administering all functions and activities of the GJJAC.

GJJAC Funding Sources

In SFY 2008, GJJAC awarded funds from two federal programs, one private foundation and state funds to prevent and reduce juvenile delinquency and improve the juvenile justice system.

1. **JJDP Act Title II Formula Grants Program.** In 2007, the GJJAC received a block grant award of \$929,600, including funding for:
 - **Demonstration projects** that address the priority program area(s) (as described on pages 10 and 11 of this report) selected annually by the GJJAC.
 - **System Improvement**, to provide: Technical assistance, training, and research projects; and to fund Community Juvenile Justice Coordination grants.
 - **Compliance Monitoring** of facilities statewide for compliance with the federal JJDP Act (including adult lockups, holding facilities and jails; juvenile detention centers and juvenile institutions; Secure CRCs located in juvenile facilities; and a collocated facility).
 - **Disproportionate Minority Contact (DMC)**, to provide for coordination, training and technical assistance to communities in assessing and addressing the disparity in the representation of minority youth at all points in the juvenile justice system.
 - **American Indian Pass-Through** amount, as required by the JJDP Act per block grant requirements.
2. **JJDP Act Title V Community Prevention Program.** In 2007, Washington received an award of \$75,250, an increase from the FFY 2006 award of \$56,250, but a significant decrease (over 70 percent) from the 2004 and 2005 award amounts. Two counties and one Tribe are currently receiving their third year of Title V funding (July 2007 to June 2008). The purpose of the funds is to develop and implement local comprehensive and coordinated approaches to delinquency prevention that utilize research-based best practices.
3. **Annie E. Casey Foundation (AECF) Grant for the JDAI.** In 2007, the AECF committed two additional years of funding (\$200,000 each year) to continue implementation of the Juvenile Detention Alternatives Initiative (JDAI) in Washington State. The Annie E. Casey Foundation established the JDAI in 1992 to demonstrate that jurisdictions can establish more effective and efficient systems to accomplish the purposes of juvenile detention. The objectives of JDAI are to reduce the number of children unnecessarily or inappropriately detained; to minimize the number of youth who fail to appear in court or re-offend pending adjudication; to redirect public funds toward successful reform strategies; and to improve conditions of confinement.
4. **State Funding for the JDAI.** The Washington State Legislature allocated \$400,000 for the current biennium (July 1, 2007 – June 30, 2009) to expand and enhance JDAI in Washington State, including data analysis capability.

Summary of Data

This annual report presents statistics for juvenile risk factors that may affect juvenile delinquency, juvenile crime data, as well as demographic data for youth in Washington State.

Juvenile Population (2006 Estimates)

- Juveniles make up 24 percent of the total state population, or about 1.55 million. (This is a 2.5 percent increase from 1997.)
- Approximately one-half (49%) of the total juvenile population lives in just three counties in Western Washington—King, Pierce, and Snohomish counties.
- Eight counties, collectively, contain almost three-fourths (72%) of the state's youth population (Clark, Island, King, Kitsap, Pierce, Snohomish, Spokane and Thurston counties).
- Children age 0-9 years old make up the largest age cohort, over half (54%) of the total youth population. (This age cohort decreased slightly—by 2 percent—from 1997.)
- Youth age 10-17 is the cohort most likely to be involved in juvenile delinquency. (This age cohort increased by 8 percent from 1997.)
- Male youth continue to represent slightly over one-half (51.3%) of Washington's juvenile population, with females representing 48.7 percent of 0-17 year olds.

Minority Population (2006 Estimates)

- Non-white youth make up approximately 29 percent of the state's juvenile population. (This is a 35 percent increase from 1997.)
- Approximately 15 percent of Washington's juvenile population is of Hispanic or Latino origin. There has been a 61 percent increase in the percentage of Hispanic youth in our state from 1997 to 2006.
- Minority youth comprise over 60 percent of the juvenile population in three counties—Adams, Franklin and Yakima.
- Black and American Indian youth are over-represented in juvenile arrests, juvenile court offense referrals and incarceration (to juvenile detention facilities and JRA) when compared to their respective percentage of the juvenile population.

Juveniles Living in Poverty

- The U.S. Census Bureau estimates the poverty rate among Washington's children was 15.5 percent in 2005 (relatively unchanged from 2004).
- In 2006, 34 percent of Washington's children lived in low-income families, and 14 percent lived below the poverty level according to the National Center for Children in Poverty.

Summary of Data (continued)

- Another indicator of children living in poverty is the National School Lunch Program; in Washington State, from 2002 to 2007 the number of applications received for the National School Lunch and Breakfast Program increased by approximately 11.1 percent (Superintendent of Public Instruction).

School Enrollment and Dropouts

- There was a very slight decrease (less than one percent) in enrollment in Washington's public schools from the 2005 to 2006 school year – 1,019,295 students in grades K-12 in 2006. (This is approximately a four percent increase from 1997 to 2006.)
- SPI dropout statistics show the annual dropout rate during school year 2005-06 was 5.7%—a slight increase from the 2004-05 annual dropout rate (5.1%).
- Minority youth represented 32 percent of the public school enrollment in 2006, a slight increase from 30.6 percent in the 2005 school year.
- Asian/Pacific Islander students had the lowest annual dropout rate (4.3%), while American Indian students had the highest annual dropout rate (11.2 %) in school year 2005-06.

Child Abuse Referrals

- In 2007, 74,355 children were referred to Child Protective Services. (This is a slight (one percent) decrease in the number of children referred from 2006 to 2007.)

Adolescent Pregnancy and Childbearing

- Washington's teen pregnancy rate for females age 15-17 was 27.6 per 1,000 in 2006 -- no change from 2005. (This is approximately a 40 percent decrease from 1997 to 2006.)
- Nationally, in 2006 the teen birth rate (for females age 15-19) rose for the first time since 1991 (by 3 percent from 2005 to 2006) and it was reported unmarried childbearing also rose significantly (according to preliminary statistics released by the Centers for Disease Control and Prevention (CDC) in December 2007).

Mental Health

- Data from the Washington State Juvenile Court Pre-Screen Risk Assessment shows that from 2001 to 2003 approximately 23 percent of youth on probation² had been diagnosed with a mental health problem (diagnosis, medication, treatment, or medication and treatment). In 2004 and 2005, it was found that approximately 22 percent of youth on probation had been diagnosed with a

² A youth is counted once in each year, but the same youth may be counted in different years. An improved version of the assessment software was implemented in 2003 (Source: Washington State Institute for Public Policy, April 2006).

Summary of Data (continued)

mental health problem, and in 2007 the percentage decreased to approximately 21 percent (data from the Washington State Institute for Public Policy, June 2007).

- In 2008, the Juvenile Rehabilitation Administration (JRA) reports that 60+ percent of youth currently in JRA residential care have “significant mental health issues,” and 85 percent of the youth in residential care are substance abusers or chemically dependent.

Truancy, ARY and CHINS

- Due to the change in state law, Truancy petition filings have significantly increased—from 2,203 filings in 1995, when the Becca Law was passed, to a range of 12,500 to 16,600 over the past ten years (an annual average of approximately 14,900 filings per year from 1997 to 2006). (This is more than a 600 percent increase from 1995 to 2006.)
- Truancy petition filings increased by nine percent from 2005 to 2006.
- At-Risk Youth (ARY) petition filings have increased from 749 filings in 1995, to an average of approximately 2,100 annually from 1997 to 2006. (This is an almost 200 percent increase from 1995 to 2006.)
- Children in Need of Supervision (CHINS) petition filings have decreased in recent years, from 585 in 2000 to 354 in 2006. From 2002 to 2006, an average of 387 CHINS were filed annually, while an average of 529 were filed annually from 1997 to 2001.
- Female youth represented approximately 60% of the CHINS filings; over one-half (51%) of the ARY filings; and almost one-half (47%) of the Truancy filings in 2006.
- In 2006 there were over 7,600 total court hearings held for contempt of court related to an ARY, Truancy or CHINS order/proceeding—a slight (3 percent) increase in contempt hearings held from 2005 to 2006.
- There were approximately 3,700 admissions³ of status offenders to juvenile detention facilities in 2006 for violations of a court order/proceeding related to a status offense (contempt of court); approximately one-half were girls. Over the past five years, the annual average number of admissions to detention related to a status offense was about 3,900 annually. (This is over a 700 percent increase in admissions related to a status offense from 1995 to 2006.)

Juvenile Arrests in 2006

- There were 34,432 juvenile arrests, for an arrest rate of 48.0 per 1,000 youth age 10-17 in 2006. (This is a 39 percent decrease from 1997, and is the lowest reported rate in over 20 years.)
- There were 1,470 violent offense arrests, for a violent offense arrest rate of 2.0 per 1,000 youth age 10-17. (This is a 39 percent decrease from

³ Admissions with a detention stay of over 4 hours in duration.

Summary of Data (continued)

1997—the rate of 2.0 per 1,000 youth for violent crimes from 2004 to 2006 is the lowest rate reported since prior to 1982.)

- There were 13,476 property crime arrests, for an arrest rate of 18.8 per 1,000 youth age 10-17. (This is a 49 percent decrease from 1997, and is the lowest rate reported since prior to 1985 for juvenile property offenses.)
- There were 7,802 drug and alcohol arrests, for an arrest rate of 10.9 per 1,000 youth age 10-17. (This is a 13 percent decrease from 1997, and a 10 percent increase from 2005 to 2006.)
- Females accounted for approximately 29 percent of all 2006 juvenile arrests—a slight decrease (3 percent) from 2005. (This is an increase of 11 percent in the percent of total arrests for girls (proportion) from 1997.)
- The distribution of juvenile arrests by race in 2006 was 83 percent White, approximately 11 percent Black, 3 percent American Indian, and 3 percent Asian youth.⁴ The percentage of juvenile arrests by race shows no change in the overall percentage of total arrests for minority youth from 2005 to 2006 (17 percent of total arrests).
- From 2002 to 2006, the percentage of juvenile arrests by race shows the following changes—the percentage of arrests for Black youth increased by 19 percent, and increased by 10 percent for American Indian youth, while there was an 11 percent decrease for Asian youth and a 2 percent decrease in the percentage of arrests for White youth.

Juvenile Court Offense Referrals in 2004

- Females accounted for approximately 31 percent of all 2004 juvenile court offense referrals. (There has been a steady increase of eight percent from 2001.)
- Youth of color accounted for 32 percent of all 2004 juvenile court offense referrals. This is a 10 percent increase from 2003 (29% of referrals were for youth of color). Since 2000, there has been a steady increase (over 22 percent) in the percent of juvenile court offense referrals for youth of color. (26% youth of color in 2000).
- Offense referrals for Native American youth are two times their proportion of the juvenile population. Offense referrals for Black youth are 1.8 times their proportion of the juvenile population.

Juvenile Court Case Referrals and Results in 2004

- There were 42,284 cases referred to county prosecutors in 2004. (This is a 27.3 percent decrease from 1995.)

⁴ Race proportions include persons of Hispanic origin. Persons of Hispanic origin can be of any race; however, typically in UCR they are included in the White racial category.

Summary of Data (continued)

- 38 percent of the cases were referred to diversion and 38.6 percent of the cases had charges filed (Relatively unchanged from 1995-2004).
- No action was taken on 20 percent. (A decrease of almost 14 percent from 1995-2004)
- Males are referred to the prosecutor at a higher rate than females (70% involve males). Cases involving females are referred to diversion at a higher rate than males (50 percent for females and 33 percent for males).

Juvenile Admissions to Detention in 2006

- There were 28,796 admissions to local juvenile detention facilities in 2006. (This is a slight decrease from 2005. There has been a steady decrease of 14 percent from 2000 to 2006.
- Females held in detention facilities during 2006 represent over 29 percent of the detention population in county detention facilities. (Represents a steady increase of 24.7 percent of total admissions for females from 1997 to 2006.)
- Minority youth represented 38.5 percent of juveniles held in county detention facilities in 2006. (This is a 9.7 percent increase from the percent of minority youth in 2005, and an increase of 17.7 percent from 1997.)

Juveniles Sentenced to JRA

- The average daily population (ADP) of juveniles in all JRA residential programs was 809 in 2007—there has been a steady decline in the ADP over the past ten years. *(This was a 14 percent decrease in the last five years and a 36 percent decrease in the last ten years.)*
- The average daily population of juveniles in JRA institutions was 722 in 2007. *(This is a 7.5 percent decrease in the last five years and a 29 percent decrease in the last ten years.)*
- The average daily population of juveniles in JRA Community Residential Placements was 91 in 2007. *(This is a 44 percent decrease in the last five years, and a 65 percent decrease in the last ten years.)*
- The average daily population of juveniles on JRA Parole was 700 in 2007. *(This continues a steady decrease of 15 percent over the last five years and 22 percent over the last ten years.)*
- Youth of color represented approximately 49 percent of juveniles held in JRA (average per month) in 2007. *(Over the past five years, the percentage of minority youth of the total JRA client population has increased from 45 percent to 49 percent – an increase of 9 percent.)*
- Females represented 10.3 percent of juveniles held in JRA (average per month) in 2007. *(This is no change from the prior year, and an increase of 37 percent from 2003 when females represented 7.5 percent.)*

Summary of Priority Areas and Programs

Federal JJDP Act Title II Formula Grants Program

The 2006 statewide number and rate of juvenile arrests are the lowest since 1982. There were 34,432 arrests (48.0 arrests per 1,000) of juveniles age 10 – 17 during 2006. The arrest rate continues a trend compared to the statewide juvenile arrest rate in the early to mid 1990's when the rate reached as high as 94.9 arrests per 1,000 juveniles, in 1994.

The GJJAC encourages the implementation of prevention and intervention strategies that have a positive effect on reducing juvenile delinquency. Evaluation of GJJAC funded projects provide information about what works in the areas of effective prevention and intervention strategies with children, families, and at-risk and delinquent youth.

The GJJAC recommends to the Governor, Legislature and juvenile justice system, that Washington continue to apply proven, and promising, research-based prevention and intervention strategies in order to continue to prevent and reduce juvenile delinquency, and improve the juvenile justice system.

During 2007, the following priority areas were addressed by the GJJAC:

Runaway/Status Offender and Non-Offenders Priority Area

The GJJAC continues to be concerned that many youth who have not committed a delinquent act are held in secure facilities. As a result of Washington's state law (RCW 13.32A) that allows runaway youth to be held in a Secure Crisis Residential Center (S-CRC) for up to five days, **Washington is out of compliance with one of the core requirements of the federal JJDP Act (the deinstitutionalization of status offenders, or DSO).**

Since 2000, the federal Office of Juvenile Justice & Delinquency Prevention (OJJDP) has found Washington State to be out of compliance with this requirement. From 2000 to 2006, Washington State has forfeited over \$2 million as a result of the DSO non-compliance. In addition to the financial penalty, the State must use at least 50% of the remaining formula grant funds to assist the state in reaching compliance.

In 2007, GJJAC is contracting with four entities to address gaps in services for at-risk youth and status offenders, and provide alternatives to secure detention.

Disproportionate Minority Contact (DMC)

The GJJAC has selected Disproportionate Minority Contact (DMC) as a priority during 2007. DMC is a core requirement of the JJDP Act, which requires States to assess the representation of minority youth in the juvenile justice system and, where disparity exists, develop policies and strategies that address the problem.

**Federal JJDP Act
Title II Formula
Grants Program,
(continued)**

The GJJAC will continue to address the DSO and disproportionate minority contact (DMC) priority areas through Washington’s **Juvenile Detention Alternatives Initiative (JDAI)**.

Juvenile Detention Alternatives Initiative (JDAI)

In July 2007 the GJJAC received a fourth annual \$200,000 grant from the Annie E. Casey Foundation (AECF) for Juvenile Detention Alternatives Initiative (JDAI) replication. In addition to the AECF funding, the State Legislature allocated \$200,000 to enhance JDAI data analysis capacity, expand to additional JDAI sites, and support JDAI site participation in national and state JDAI conferences. Five counties participate as pilot sites to incorporate JDAI best practices in community-based detention alternatives and practice. The JDAI philosophy and approach will impact holding status offenders and non-offenders in secure confinement.

**Federal JJDP Act
Title V Delinquency
Prevention Grant
Program**

The JJDP Act Title V Delinquency Prevention Grant Program encourages local units of government (towns, cities, counties) or tribes to develop comprehensive, research-based delinquency prevention plans. To encourage collaboration, the program requires the formation of a Prevention Policy Board—a multidisciplinary community planning board.

The GJJAC recognizes the need to continue to support collaborative community efforts in order to prevent and reduce delinquency.

The GJJAC recommends that communities work collaboratively to assess their needs, and to develop and implement effective, research-based strategies to prevent juvenile delinquency.

In 2007, the GJJAC funded three Title V Community Delinquency Prevention Grants projects.
