

Federal JJDP Act Title II Formula Grants Program

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allocated to addressing
the DSO core requirement.

Within the federal Title II Formula Grants Program, during 2009 the GJJAC awarded funds to projects in the DSO (Runaway, Status Offenders and Non-Offenders) priority area, and to projects in the DMC/JDAI priority areas.

Runaways/Status Offenders and Non-Offenders Priority Area

The Governor's Juvenile Justice Advisory Committee (GJJAC) continues to hold the issue of Deinstitutionalization of Status Offenders (DSO) as a very high priority. Status offenders are youth who are charged with or who have committed offenses that would not be a crime if committed by an adult; such as runaways, truants, and curfew violators. Washington State has struggled with issues related to juvenile non-offenders and status offenders. An OJJDP Bulletin (October 2002) described the characteristics of runaways and throwaways (youth who have been thrown out by their caretakers)—many of these youth were a victim of physical or sexual abuse, were substance dependent (drug and/or alcohol problems), had been in the company of someone known to be abusing drugs, had engaged in criminal activity or spent time in a place where criminal activity was known to occur, and had previously attempted suicide.

The At-Risk/Runaway Youth Act, also known as the "Becca Law," was enacted by the Washington State Legislature in 1995. This Act authorized the creation and use of Secure Crisis Residential Centers (S-CRCs) to hold runaway youth brought to the facility by law enforcement. Runaway youth may be held in the S-CRC for up to five days, so they can be assessed and stabilized, and reunified with parents or guardians. The intent of securely detaining the youth for this brief period is to provide for reunification of the youth with their family, along with assessment, referrals to treatment and services, and for multi-disciplinary team meetings, intended to protect and stabilize the youth, and to allow for the arrangement of appropriate placement options, as necessary.

This provision of the Becca Law is in conflict with federal law that was enacted to provide equal protections to status offenders and non-offenders—the deinstitutionalization of status offenders (DSO) requirement of the federal Juvenile Justice and Delinquency Prevention (JJDP) Act. While an exception to this federal requirement allows status offenders to be held in a secure juvenile detention facility for a brief period of time, under juvenile court authority, in order to arrange for returning the youth to parents or guardians, to arrange for appropriate shelter care placement, or for investigative or identification purposes, the time limit is less than the 1995 state law allows—for up to 24 hours, excluding weekends and holidays—not for five days, as state law allows. As a result of being out of compliance with the DSO requirement, OJJDP has reduced the federal funding available to Washington State by 25% each federal fiscal year, beginning in 2000. The 2002 amendment of the JJDP Act allowed Washington State full funding in FFY 04. Starting in Federal FY 05 Formula funding was reduced by 20%,

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requiring at least 50% of the remaining funds be allocated to addressing the DSO core requirement. In 2005, the number of Secure CRC beds was reduced from 66 beds to 60 beds total within the nine facilities (with four of these CRCs located within specific designated areas of secure juvenile detention facilities, and five privately operated facilities). In February 2009, the total number of secure CRC beds was reduced (from 60 beds to 44 beds within eight facilities) as a result of the state's budget shortfall and reductions to the 2009 operating budget. The number of beds located in Secure Crisis Residential Centers located in secure detention centers was further reduced from 26 to 8 since February 2009. The 8 beds are located across the state in 2 facilities. The GJJAC continues to attempt to bring Washington State back into compliance with federal regulations.

The program area of "Status Offenders/Non-Offenders" has again been selected by the Governor's Juvenile Justice Advisory Committee (GJJAC), Washington's State Advisory Group, as a priority program area for 2009. The GJJAC allocated formula grant funds to four projects to directly address the needs of status offenders.

Funded projects are located in Benton Franklin County, Community Youth Services, King County, La Connor School District, Tacoma-Pierce County Health Department, and Spokane County.

An average of 2,141 At-Risk Youth (ARY) petitions have been filed annually from 2003 to 2007, with a decrease (4.9 percent) in petitions filed from 2006 to 2007. There has been an annual increase in the number of Truancy petitions filed from 2003 through 2007, with a 2.9 percent increase in petitions filed from 2006 to 2007, and a 29 percent increase from 2003 to 2007 (from 12,573 truancy petitions to 16,236 truancy petitions filed in 2007.)

In 2007, there were 7,824 court hearings held for contempt of court related to an ARY, Truancy, or CHINS order, a slight (1.8%) increase from 2006.

The GJJAC continues to encourage the development of projects that provide appropriate prevention, intervention, and treatment services for runaways, youth in conflict with their families, truants, and young people who are experiencing mental health or substance abuse problems. The GJJAC seeks to bring the state back into compliance, and to address the many needs of runaway youth, including assisting local jurisdictions in providing support and follow-up services to this population and their families.

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

Federal JJDP Act Title V Delinquency Prevention Program

The Title V Delinquency Prevention Program (also known as the Title V Community Prevention Grants Program) was established in the 1992 reauthorization of the federal Juvenile Justice and Delinquency Prevention (JJDP) Act of 1974. The purpose of the Title V Delinquency Prevention

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Only units of general local government or federally recognized tribes may apply for Title V Delinquency Prevention funding.

Program is to help communities develop a collaborative, community-based delinquency prevention planning effort in order to reduce juvenile delinquency.

Washington State received the first Title V block grant allocation in FFY 1994, with annual block grants received from OJJDP through 2002. A total of \$5.1 million in Title V funding was awarded by the GJJAC to communities throughout the state during this time period. In FFY 2003, no allocations for the Title V Grant Program were available to the states; in FFY 2004 through 2007 states were eligible to apply for an additional year of block grant funding for the Title V program, at a significantly reduced amount (approximately \$48,500 per year).

Only units of general local government or federally recognized tribes may apply for Title V Delinquency Prevention funding. Also, in order to be eligible to apply for OJJDP Title V funds, a unit of local government must be certified as in compliance with the four core requirements of the federal JJDP Act.

The OJJDP Title V Program provides communities with funding and a guiding framework for developing and implementing their comprehensive juvenile delinquency prevention plans. These three-year delinquency prevention plans are designed to reduce risk factors associated with juvenile delinquency and to decrease the incidence of problem behaviors. The Title V Program requires a community Prevention Policy Board of 15-21 members to guide the community's prevention effort, with balanced representation of public agencies and private nonprofit organizations serving juveniles, their families, and business and industry. Also, the Program requires a 50 percent cash or in-kind match.

Projects funded under the OJJDP Title V Program must be research-based and designed to prevent a youth's entry into the juvenile justice system or reduce the likelihood that the youth will re-enter the system. The federal OJJDP recognizes risk-focused prevention as a promising approach to prevent and reduce juvenile crime; this approach is supported by years of research in the delinquency prevention field. The Title V program encourages applicants to develop data-driven prevention plans, employ evidence-based prevention strategies, and conduct program evaluations to determine impact and effectiveness. A Title V Model Programs Guide and Database was developed (by Developmental Services Group for OJJDP) to assist communities in identifying delinquency prevention strategies that will fit their specific needs and enhance their individual efforts. This Model Programs Guide and Database is available at www.dsgonline.com.

The most recently GJJAC funded Title V projects ended on June 30, 2008. The project provided the following services:

- Educational services for suspended and expelled students.
- Aggression Replacement Therapy (ART) for middle school students.

Federal JJDP Act Title V Delinquency Prevention Program (continued)

- Intervention and case management for youth detained for juvenile domestic violence using Function Family Therapy (FFT), a recognized Blueprint Model Program, and the Promising program Strengthening Families Program, a Blueprint Promising Program.
- Case management to coordinate the attendance and academic performance of Tribal and community middle and high school youth.

The GJJAC recognizes the need to support communities, particularly in rural areas of the state, in developing and implementing local comprehensive and coordinated approaches to delinquency prevention that utilize research-based best practices. The GJJAC's priority for awarding FFY 08 and FFY 09 Title V funding is to enhance and sustain already existing successful delinquency prevention programs.

Due to the reduction in the federal awards in recent years, no Request for Proposals (RFP) was issued in 2008. The GJJAC has submitted an application for FFY 09 program funding. The state allocation for FFY 09 has again been reduced to \$33,486.

Juvenile Detention Alternatives Initiative (JDAI)

Juvenile Detention Alternatives Initiative (JDAI)

The JDAI is a proven detention and system improvement model of eight core strategies that enable Juvenile Courts to strategically remove non-violent youth populations from secure detention while maintaining excellent public safety outcomes.

The Annie E. Casey Foundation (AECF) awards grants nationally to implement the Juvenile Detention Alternatives Initiative (JDAI). Washington State has been selected by the AECF to receive technical assistance and funding to replicate JDAI. The Washington State legislature has recognized the value and benefits of JDAI as a model to improve the juvenile justice system in Washington and is providing annual funding to support JDAI statewide. These funds are administered by the Governor's Juvenile Justice Advisory Committee (GJJAC) and Office of Juvenile Justice.

Nationally, JDAI is being replicated in over 100 sites, and like Washington, many states are using JDAI as a model to promote innovation, improvements, and cost-effectiveness of local juvenile justice systems. JDAI, initially established in 1992 in just a few juvenile courts, is rapidly growing as more jurisdictions recognize the necessity of improving their juvenile justice systems, by establishing more community-based alternatives and improved system efficiencies.

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**Juvenile Detention
Alternatives
Initiative(JDAI)**
(continued)

The GJJAC supports JDAI replication in Washington State because it has been proven to reduce disproportionate minority confinement/contact (DMC) and is successful in reducing the number of non-offenders and status offenders (DSO) held in secure detention.

safety: youth charged with minor offenses, runaways, truants, youth without a home or available placement, or youth needing mental health or substance abuse services.

Benton-Franklin, King, Mason, Pierce, Spokane, Skagit, and Whatcom County Juvenile Courts are the current Washington State JDAI replication sites. These seven Juvenile Courts process over half of all youth ages 10-17 referred to Juvenile Courts in Washington State. The majority of minority youth who are referred and detained in Juvenile Courts statewide are from these counties.

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In each of the Washington State JDAI Replication Sites, professional and community leaders including County Commissioners, Judges, Police Chiefs, Prosecutors, Public Defenders, Juvenile Court Administrators, School Officials, and community leaders come together to analyze the current effectiveness of their juvenile justice systems and plan system improvement efforts relying heavily on comprehensive outcome data.

JDAI Strategy	Goal
<i>Collaboration and Leadership</i>	<i>Joint planning & policy development between juvenile justice partners</i>
<i>Data Driven Decision Making</i>	<i>Use data analysis to continually improve juvenile justice system outcomes</i>
<i>Detention Admission Policy</i>	<i>Develop a risk assessment instrument to detain public safety risk youth</i>
<i>Alternatives to Detention</i>	<i>To hold youth accountable & appear/remain crime-free pending court</i>
<i>Expedite Case Processing</i>	<i>Reduce unnecessary delays to maximize accountability & services for youth</i>
<i>Warrants & Probation Violations</i>	<i>Reduce need for warrants & use of detention for probation violations</i>
<i>Reduce Racial Disparities</i>	<i>Objective, equal, and fair processing of all youth in the juvenile justice system</i>
<i>Conditions of Confinement</i>	<i>Regular inspections of Detention Facilities to maintain professional standards</i>

Detention Risk Assessments have been developed at each site by the collaborative leadership body to determine which youth require secure detention for public safety reasons, and which youth can be safely released to a variety of alternatives to detention or released without conditions. House arrest, day and evening reporting centers, electronic monitoring,

Juvenile Detention Alternatives Initiative(JDAI) (continued)

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and weekend alternative detention programs are being used effectively without an increase in pre-adjudication re-offense rates or failure to appear for court.

Through the collaborative process at work in these sites, leaders are finding methods to reduce case delays leading to swifter justice and case resolution. These changes of practice and local culture typically do not require additional funding and have led to improved outcomes for youth and the community.

JDAI sites are discovering new methods of motivating youth to comply with probation and Becca Court Orders. Where detention was once the only sanction for non-compliance, sites are now finding great success in using alternatives that promote compliance, prevent re-offenses, and maintain youth at home and in school.

JDAI sites examine racial disparities at every decision point including arrest, diversion, detention, adjudication, sentencing, state juvenile institution commitment, and transfer to adult court. JDAI teaches sites how to be intentional in ensuring each case is processed objectively and fairly, which has proven to be effective in reducing racial disparities.

For those youth requiring secure detention, JDAI has developed best practice standards for detention facilities. JDAI sites routinely conduct self inspections of their detention facilities by teams of professionals working in the facility, as well, as community experts and representatives. This process promotes adherence to the highest detention practices for the safety and well being of detained youth and liability avoidance for county government.

To ensure the advancement of JDAI in Washington State, the GJJAC has initiated a contract for State JDAI Coordination. The seven county replication sites meet regularly to monitor progress and assist each other in solving JDAI implementation challenges. Each site reports quarterly to carefully measure public safety, use of detention alternatives, effectiveness of detention risk assessment instruments, and monitoring disproportionate minority confinement. The annual Washington State JDAI Conference brings 300 juvenile justice professionals together to provide training on the JDAI process and offers specific ideas for sites to implement regarding alternatives to secure detention, swifter case process, programming for special populations, and methods to reduce racial disparities.

The AECF provides on-going technical assistance, professional consultation, and sponsors national JDAI Conferences for juvenile courts across the country committed to JDAI detention and juvenile justice system improvement.

**Juvenile Detention
Alternatives
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Demonstrated
Results of JDAI

Demonstrated Results of JDAI: Collectively, the Washington State JDAI sites significantly reduced secure detention admissions, average daily population and average length of stay for non-violent offenders while maintaining excellent public safety outcomes as measured by decreased juvenile arrest rates.

Years 2003 to 2007	Change
<i>Detention Admissions</i>	<i>12.3% decrease</i>
<i>Detention Average Daily Population</i>	<i>23.3% decrease</i>
<i>Detention Average Length of Stay</i>	<i>12.6% decrease</i>
<i>Minority Youth Detention Admissions per 1,000 arrests</i>	<i>11.6% decrease</i>
<i>Juvenile Arrest Rate per 1,000 youth</i>	<i>2.0 decrease per year</i>

Data provided by the Washington State Center for Court Research, Administrative Office of the Courts