

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

Commit to achieve and
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with the four core
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Washington State received federal juvenile justice funds beginning in 1975. At that time, the State Advisory Group was a committee of the **Governor's Council on Criminal Justice**. In 1982 the **Governor's Juvenile Justice Advisory Committee** was created as the State Advisory Group via Executive Order, to respond to the provisions of the federal Juvenile Justice and Delinquency Prevention (**JJDP**) Act. As part of Governor Gregoire's reform initiative for more efficient and effective government in 2010, the Governor requested that DSHS convene a new repositioned committee (known as the **Washington State Partnership Council on Juvenile Justice** or "**WA-PCJJ**").

BACKGROUND:

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 Delinquency 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 (**the Department of Social and Health Services**);
- Establish a "**State Advisory Group**," appointed by the Chief Executive Officer of the state, to provide policy direction and participation in the preparation and administration of the Formula Grants Program plan (**the WA-PCJJ**); 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**)
- Eliminating the confinement of juveniles in adult jails and lockups. (**Jail Removal**)
- Ensuring complete sight and sound separation of juveniles from adult offenders in secure facilities (such as adult jails and lockups), when they are held. (**Separation**)

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- Addressing 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**)

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.

Washington State's At-Risk/Runaway Youth Act, also known as the "Becca Law," allows runaway youth to be held in a secure CRC located in a juvenile detention center for up to five days (RCW 13.32A.060 and RCW 13.32A.130). As a result, OJJDP has 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 has reduced Washington's FFY 2000 through 2003 Formula Grants Program funds by 25 percent. The FFY 2005 through 2009 federal Formula Grant allocations were reduced by 20 percent per the JJDP Act of 2002,¹ and the state is required to spend 50 percent of the remaining federal block grant funds on policies and programs that would help to bring the state into full compliance with the DSO requirement, and on maintaining compliance with the other three core requirements of the federal JJDP Act. **Hence, the state has been penalized a cumulative total of over 2.5 million dollars in federal Formula Grants Program funding from 2000 through 2009.**

About Washington's New State Advisory Group

As part of Governor Gregoire's reform initiative for more efficient and effective government, the Governor has requested that DSHS convene a new repositioned State Advisory Group in 2010. Hence, the Governor's Juvenile Justice Advisory Committee (GJJAC), which was established in 1982 by Executive Order, will sunset upon the formation of the Washington State Partnership Council on Juvenile Justice (WA-PCJJ)--expected to occur by August 31, 2010. The WA-PCJJ will also be established via Executive Order, with membership appointments beginning August 2010. The WA-PCJJ will be staffed by the DSHS Office of Juvenile Justice.

The Governor will continue to appoint members to Washington's new State Advisory Group (the WA-PCJJ), as required by the federal JJDP Act. The WA-PCJJ will be convened by the Secretary of DSHS and chaired by a gubernatorial appointee. The WA-PCJJ will be comprised of public and private sector juvenile justice system leaders from across the state, and will meet the mandated federal state advisory group membership requirements, including youth representation.

¹ The 2002 amendment of the JJDP Act allowed Washington State to receive the full award amount for FFY 2004. For FFY 2005 through 2009, 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).

About Washington's New State Advisory Group (continued)

The WA-PCJJ will assume a pro-active role, providing collaborative leadership and direction, recommending innovative juvenile justice reforms and best practices for implementation. Through the strength of shared responsibility and leadership, the WA-PCJJ will partner key decision-makers from state, local and tribal governments, and non-profit organizations to:

- Support its members in influencing the implementation of innovative reforms and best practices within their communities and organizations;
- Support and enhance multi-system collaboration and coordination among juvenile justice, child welfare, education, mental health and related systems in which Washington's children, youth and families are involved;
- Ensure that across Washington State, evidence-based and promising practices are replicated and administered in a culturally competent manner that adheres to program fidelity;
- Recommend and influence the adoption and implementation of system reforms and best practices to improve Washington's compliance with the core requirements of the Office of Juvenile Justice and Delinquency Prevention (OJJDP);
- Support the use of developmentally appropriate services for youth at risk of system involvement to help prevent youth crime;
- Support the use of developmentally appropriate services and sanctions for system-involved youth to help prevent subsequent delinquent behavior and deeper penetration into the juvenile justice system;
- Support the implementation of a continuum of programs, including delinquency prevention, intervention, mental health and substance abuse treatment and aftercare to address the needs of youth at-risk of system involvement, and system-involved youth; and
- Develop recommendations for innovative juvenile justice reform, best practices, quality improvement, and accountability -- and strategies for their implementation in the systems and communities from which the members come.

Sources of Funding: Federal, State and Private Foundation

In SFY 2010 (July 2009 to June 2010), the State Advisory Group awarded funds from the federal Title II Formula Grants Program, federal Title V Community Delinquency Prevention Grants Program, one private foundation (the Annie E. Casey Foundation), and dedicated state funding for the Juvenile Detention Alternatives Initiative (JDAI) to prevent and reduce juvenile delinquency and improve the juvenile justice system.

1. **JJDP Act Title II Formula Grants Program.** In 2009, the GJJAC received a block grant award of \$952,800, including funding for:
 - **Demonstration projects** that address the priority program area(s) (see page 10) selected annually by the state advisory group.
 - **Juvenile Justice System Improvement**, to provide: Technical assistance, training, and research projects, and to fund Community

**Sources of
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Federal, State
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Foundation
(continued)**

- 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 detention facilities; and one collocated facility-- collectively 240 secure facilities statewide).
 - **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.
 - **State Advisory Group and Planning & Administration** allocations.
2. **JJDP Act Title V Community Prevention Program.** In September 2009, the GJJAC released a Request for Proposals for Title V projects in order to award FFY 2007 through 2009 Title V grant funding (a total of approximately \$149,000). Four applicants/units of local government were awarded funding: King County, Skagit County, and the Confederated Tribes of the Chehalis Reservation received 17-month grant awards beginning February 2010. The City of Sultan was awarded a Title V grant beginning April 1, 2010 (also through June 30, 2011). The purpose of the Title V 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.** Since 2004 the GJJAC has received AECF funding to implement the Juvenile Detention Alternatives Initiative in Washington State (\$200,000 annually from SFY 2005 through SFY 2009). In SFY 2010, the AECF committed an additional year of funding at \$100,000 to continue implementation of JDAI. 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. Currently, there are seven JDAI sites in Washington State.
 4. **State Funding for the JDAI.** The Washington State Legislature allocated \$400,000 for the 2007 – 2009 biennium to expand and enhance JDAI in Washington State, including data analysis capability. Due to state budget reductions, this amount was reduced to \$178,000 for SFY 2010.
 5. **State Funding for TeamChild.** Funding via proviso specifically for the TeamChild Program has been administered through the State Advisory Group, and included in the SAG's state funds allocation. Due to state budget reductions, the annual amount for TeamChild was reduced from \$500,000 to \$445,000 for SFY 2010. TeamChild addresses the underlying causes of juvenile delinquency by advocating for education, mental health & medical health services, safe living situations and other supports.

Summary of Data

Approximately
17 percent of
Washington's
juvenile
population is
of Hispanic or
Latino origin
(of any race)

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

Juvenile Population (2008 ESTIMATES)

- Juveniles make up 24 percent of the total state population, or about 1.58 million. (This is a 4.2 percent increase from 2000.)
- Approximately one-half (49.4%) of the total juvenile population lives in just three counties in Western Washington—King, Pierce, and Snohomish counties.
- Eight counties, collectively, contain three-fourths (75%) of the state's youth population (King, Pierce, Snohomish, Clark, Spokane, Yakima, Kitsap and Thurston counties).
- Children age 0-9 years old make up the largest age cohort, over half (54.5%) of the total youth population. (In 2000, this age cohort was 54.2 percent of the total youth population.)
- Youth age 10-17 is the cohort most likely to be involved in juvenile delinquency. (In 2000, this age group made up 45.8 percent of the total youth population, compared to 45.5 percent in 2008.)
- Male youth continue to represent slightly over one-half (51.2%) of Washington's juvenile population, with females representing 48.8 percent of 0-17 year olds.

Minority Population (2008 ESTIMATES)

- Non-white youth make up approximately 32 percent of the state's juvenile population. (This is a 31 percent increase from Census 2000.)
- Approximately 17 percent of Washington's juvenile population is of Hispanic or Latino origin (of any race); 7 percent are Asian (non-Hispanic); 2 percent are American Indian (non-Hispanic); and approximately six percent are Black (non-Hispanic).
- According to 2008 Estimates, minority youth comprise over 50 percent of the juvenile population in four counties—Adams, Franklin, Yakima and Grant.
- 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 14 percent in 2008. (Approximately 227,241 children under the age of 18)
- In 2008, 32 percent of Washington's children lived in low-income families (compared to 41 percent nationally), and 12 percent lived

Summary of Data (continued)

below the poverty level (nationally, 19 percent) according to the National Center for Children in Poverty.

- Another indicator of children living in poverty is the National School Lunch Program; in Washington State, from 2005 to 2009 the number of applications received for the National School Lunch and Breakfast Program increased by 12.7 percent (Superintendent of Public Instruction, April 2010).

School Enrollment and Dropouts

- There was a slight decrease (less than one percent) in enrollment in Washington's public schools from the 2008 to 2009 school year – 1,019,442 students in grades K-12 in 2009. (There was approximately a two percent increase from 1999 to 2009.)
- SPI dropout statistics show the annual dropout rate during school year 2008-09 was 5.1—a decrease from the 2007-08 annual dropout rate (5.6).
- Minority youth represented 35.8 percent of the K-12 public school enrollment in 2009, an increase from 34.5 percent in the 2008 school year.
- Asian/Pacific Islander students had the lowest annual dropout rate (3.3%), while American Indian students had the highest annual dropout rate (10.1 %) in school year 2008-09.

Child Abuse Referrals

- In 2009, 72,040 children were referred to Child Protective Services. (Little change from 72,423 referrals to CPS in 2008.)

Adolescent Pregnancy and Childbearing

- Washington's teen pregnancy rate for females age 15-17 was 26.7 per 1,000 in 2008, a decrease (approximately 7 percent) from the rate of 28.7 in 2007. (This is approximately a 33 percent decrease from 1998 to 2007.)
- Nationally, in 2006 the teen birth rate (for females age 15-19) increased for the first time in 15 years (by 3.4 percent from 2005 to 2006) and it was reported the birth rate for unmarried women also increased notably (according to information released by the Center for Disease Control (CDC) National Center for Health Statistics, January 2009).

Mental Health

- Data from the Washington State Juvenile Court Pre-Screen Risk Assessment shows that from 2003 to 2005 approximately 22 percent

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)

of youth on probation² had been diagnosed with a mental health problem (diagnosis, medication, treatment, or medication and treatment). From 2006 through 2009, it was found that approximately 21 percent of youth on probation had been diagnosed with a mental health problem (data from the Washington State Institute for Public Policy and Administrative Office of the Courts, updated April 2010).

- In 2009, the Juvenile Rehabilitation Administration (JRA) reports that approximately 60 percent of youth currently in JRA residential care have “significant mental health issues,” an increase from 40 percent of the residential population in 2000.

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 12,573 to 16,607 annually from 1997 through 2008 (an annual average of 15,000 filings per year from 1997 to 2008). (This is more than a 600 percent increase from 1995 to 2008.)
- Truancy petition filings decreased by four percent from 2007 to 2008 (from 16,236 to 15,578 filings).
- At-Risk Youth (ARY) petition filings have increased from 749 filings in 1995, to an annual average of 2,102 from 1997 to 2008. (This is a 166 percent increase from 1995 to 2008.)
- Children in Need of Supervision (CHINS) petition filings have continued to decline -- from 585 in 2000, to 408 in 2004, and 244 filings in 2008 (a 58 percent decrease from 2000 to 2008). There was an average of 324 CHINS filed annually from 2004 to 2008.
- 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 2008.
- In 2008 there were over 7,800 total court hearings held for contempt of court related to an ARY, Truancy or CHINS order/proceeding—a slight (1.8 percent) increase in contempt hearings held from 2006 to 2007.
- There were over 3,700 admissions³ of status offenders to juvenile detention facilities in 2008 for violations of a court order/proceeding related to a status offense (contempt of court findings); almost one-half (46 percent) were girls. Over the past five years, the annual average number of admissions to detention facilities statewide related to a status offense was approximately 3,750 annually. (This is over a 240 percent increase in admissions related to a status offense from 1995 to 2008.)

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

Summary of Data (continued)

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Juvenile Arrests in 2008

- There were 33,736 juvenile arrests, for an arrest rate of 47.0 per 1,000 youth age 10-17 in 2008 -- the lowest juvenile arrest rate reported in the past 25 years. (This is a 41 percent decrease from the 1998 rate, and approximately a 2 percent decrease from 2007 to 2008.)
- There were 1,523 violent offense arrests, for a violent offense arrest rate of 2.1 per 1,000 youth age 10-17. (This is a 36 percent decrease from the 1998 rate, and approximately a 9 percent decrease from 2007 to 2008.)
- There were 13,608 property crime arrests, for an arrest rate of 19.0 per 1,000 youth age 10-17. (This is approximately a 48 percent decrease from 1998, and a 4.5 percent decrease in the rate from 2007 to 2008.)
- There were 7,441 drug and alcohol arrests, for an arrest rate of 10.4 per 1,000 youth age 10-17. (This is a 23 percent decrease from 1998, and approximately a 9 percent decrease in the rate from 2007 to 2008.)
- Females accounted for 29.8 percent of all 2008 juvenile arrests—an increase in the proportion of total arrests from 2007, when girls represented 28.9 percent of juvenile arrests. (This is an increase of 11.6 percent in the percent of total arrests for girls (proportion) from 1998 to 2008.) *In summary, the total arrests of girls has decreased less than arrests of boys.*
- The distribution of juvenile arrests by race (includes youth of Hispanic origin) in 2008 was approximately: 83.4 percent White, 11 percent Black, 3 percent American Indian, and 2.6 percent Asian youth.⁴ The percentage of juvenile arrests by race shows a slight decrease (5.5 percent) in the overall percentage of total arrests for minority youth from 2007 to 2008 (from 17.6 to 16.6 percent of total arrests).
- From 1998 to 2008, the percentage of juvenile arrests by race shows the following changes—while the percentage of arrests for Black youth increased by 8.6 percent, there was a 30 percent decrease for Asian youth, a 4.4 percent decrease for American Indian youth, and relatively no change (less than one percent increase) for White youth (includes youth of Hispanic origin).

Juvenile Court Offense Referrals in 2008 (Juveniles referred to juvenile department)

- There were 46,962 juvenile offense referrals in 2008. (This is a 3.4% decrease from 2007 - 48,624)
- Youth of color accounted for 38 percent of all 2007 juvenile court offense referrals.
- Females represent 30 percent of all 2008 juvenile court offense referrals. This is up slightly from 29 percent in 2007.

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)

- Offense referrals for Native American youth and Black youth are more than two times their proportion of the juvenile population.
- Males have legal cases filed at a higher rate than females. Seventy-six percent of the legal cases filed involved males. Cases referred to the prosecutor that involved females were much less likely to have legal cases filed. (29% for females, compared to 40% for males in 2008).

Juvenile Admissions to Detention in 2008

- There were 28,194 admissions to local juvenile detention facilities in 2008. (A slight increase from 27,408 in 2007.)
- Females held in detention facilities during 2008 represent 28 percent of the detention population in county detention facilities. This represents the a slight increase from 27.6 percent of the detention population in 2007. There was a steady increase in the percentage of female admission to to detention facilities from 1992 to 2006 - from 17.6 in 1992 to 29.2 in 2006.
- Minority youth represented 40.9 percent of juveniles held in county detention facilities in 2008. (This is an increase of 3.5 over the 2007 rate of 39.5 percent.)

Juveniles Sentenced to JRA

- The average daily population (ADP) of juveniles in all **JRA residential programs** was 712 in 2009—there has been a steady decline in the ADP over the past ten years. *(This was a 16.6 percent decrease in the last five years and a 40.27 percent decrease in the last ten years.)*
- The average daily population of juveniles in **JRA institutions** was 642 in 2009 - there has been a steady decline in the ADP over the past ten years. *(This was a 13.2 percent decrease in the last five years and a 35.2 percent decrease in the last ten years.)*
- The average daily population of juveniles in **JRA Community Residential Placements** was 70 in 2009. *(This continues a steady decrease of 38.6 percent over the last five years, and 64.8 percent over the last ten years.)*
- The average daily population of juveniles on **JRA Parole** was 535 in 2009. *(This continues a steady decrease of 28.8 percent over the last five years and 50.6 percent over the last ten years.)*
- **Youth of color** represented approximately 50.8 percent of juveniles held in JRA (average per month) in 2009. *(Over the past five years, the percentage of minority youth of the total JRA client population has increased from 45.7 percent to 50.8 percent – an increase of 10.5 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

DSO and DMC are core requirements of the federal JJDP Act and are priorities of the GJJAC.

The 2008 juvenile arrest rate is the lowest reported for Washington State in nearly three decades. There were 33,736 juvenile arrests reported in 2008, a rate of 47.0 per 1,000 juveniles age 10-17. The statewide juvenile arrest rate in the early to mid 1990's reached as high as 94.9 arrests per 1,000 juveniles in 1994.

Kari Grytdal, current GJJAC Chair and Director of Operations at Partners with Families & Children in Spokane states (October 2009 Press Release): "The sustained decline in juvenile arrest rates is indicative of the quality, evidence-based practices and programs local communities are implementing in dealing with court-involved youth. To continue the decline in arrest rates, communities must be supported in their efforts to implement and develop evidence-based practices and programs."

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 2009, the following priority areas were addressed by the GJJAC per the 3-Year Juvenile Justice comprehensive plan for 2009-2011:

DSO and DMC are two of the four core requirements of the federal JJDP Act and are priorities of the GJJAC. Other system improvement efforts and initiatives, including the Juvenile Detention Alternatives Initiative (JDAI - a strategy to address both DSO and DMC), restorative justice, and local community juvenile justice coordination, also continue to be priorities. Additional focus areas for the state include: gang prevention and intervention, mental health, gender specific services for girls, and strengthening the juvenile justice system in rural and underserved areas. The SAG has an ongoing commitment to evaluation, and research-based or promising programs.

Based on the priorities and focus areas, the following seven program areas were selected within the Title II Formula Grants Program:

- Deinstitutionalization of State Offenders (DSO)
- Disproportionate Minority Contact (DMC)
- Juvenile Justice System Improvement
- Compliance Monitoring
- American Indian Pass-Through
- State Advisory Group Allocation
- Planning and Administration Allocation