

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

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"**). Members were appointed to the new Council in November 2010.

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**)
- 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 has historically been 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. Federal requirements for addressing DMC have also historically been met or exceeded.

From fiscal years 2000 through 2010, Washington State was found out of compliance with the DSO core requirement of the federal JJDP Act by the federal Office of Juvenile Justice & Delinquency Prevention -- as Washington State's At-Risk/Runaway Youth Act, also known as the "Becca Law," allows runaway youth to be held in a secure crisis residential center located within a secure juvenile detention center for up to five days.

As a consequence of being out of compliance, OJJDP reduced Washington's FFY 2000 through 2003 Formula Grants Program funds by 25 percent, and the FFY 2005 through 2010 federal Formula Grant allocations were reduced by 20 percent per the JJDP Act of 2002.* Hence, the state was penalized a cumulative total of over 2.7 million dollars in federal Formula Grants Program funding from 2000 through 2010.

In September 2010, Washington State received written notification from the federal OJJDP that the state was in compliance with the DSO core requirement -- due to the reduction in the number of operating secure CRCs in detention facilities, and reduction in beds, and the subsequent significant reduction (over an 80 percent decrease) in the number of DSO violations for the state.

Washington's New State Advisory Group Formed in 2010 (EO-03)

As part of Governor Gregoire's reform initiative for more efficient and effective government, the Governor requested that DSHS convene a new repositioned State Advisory Group. Hence, the Governor's Juvenile Justice Advisory Committee (GJJAC), which was established in 1982 by Executive Order, was sunset upon the formation of the Washington State Partnership Council on Juvenile Justice (WA-PCJJ) in September 2010 -- via Executive Order 10-03.

Members were appointed to the WA-PCJJ by the Governor in November 2010; Liz Mueller, vice chair of the Jamestown S'Klallam Tribal Council, was appointed Chair of the WA-PCJJ. The Office of Juvenile Justice, within DSHS, continues to staff the State Advisory Group. The first meeting of the 31-member Council was held in January 2011.

* The 2002 amendment of the JJDP Act allowed Washington State to receive the full award amount for FFY 2004. For FFY 2005 through 2010, Washington's Formula Grant allocation was reduced by 20 percent, as the state was again found out of compliance with the DSO requirement, and was required to expend 50 percent of its remaining funds on efforts to achieve compliance (per the JJDP Act of 2002).

Sources of Funding Administered by the Council: Federal, State and Private Foundation

In SFY 2011 (July 2010 to June 2011), 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. The SAG also administers dedicated state funds for TeamChild.

1. **JJDP Act Title II Formula Grants Program.** In 2010, the state received a block grant award of \$917,600; funding is provided for:
 - **Demonstration projects** that address the priority program area(s) selected by the state advisory group.
 - **Juvenile Justice System Improvement**, to provide: Technical assistance, training, and research projects, including Community Juvenile Justice Coordination grants in SFY 2011.
 - **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 over 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.
 - **Native American 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 former state advisory group 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.

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, and was reduced to \$417,000 for SFY 2011 only (due to additional state budget reductions). TeamChild addresses the underlying causes of juvenile delinquency by advocating for education, mental health & medical health services, safe living situations and other supports.

3. Annie E. Casey Foundation (AECF) Grant for the JDAI. Since 2004 the Office of Juvenile Justice, DSHS, has received AECF funding to implement the Juvenile Detention Alternatives Initiative in Washington State. In SFY 2010, the AECF reduced the annual award to the state from \$200,000 to \$100,000, which was reduced to \$50,000 for SFY 2011. The Foundation established the JDAI in 1992 to demonstrate that jurisdictions can establish more effective and efficient systems to accomplish the purposes of juvenile detention. There are currently (June 2011) eight JDAI sites in Washington State representing 9 counties.

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. From 2007 to 2010, the JDAI in Washington was expanded to four additional sites, representing 5 counties. Due to state budget reductions, the annual amount of state funding for the JDAI (via proviso) was reduced to \$178,000 for SFY 2010, and to \$167,000 in SFY 2011.

5. State Funding for TeamChild. Funding via proviso specifically for the TeamChild Program has been administered through the

Summary of Data

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 (2009 ESTIMATES)

- Juveniles make up 24 percent of the total state population, or about 1.58 million. (This is a 4.5 percent increase from 2000.)
- Approximately one-half (49.5%) of the total juvenile population lives in just three counties in Western Washington—King, Pierce, and Snohomish counties.
- Eight counties, collectively, contain three-fourths (75.8%) 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 (55%) of the total youth population. (In 2000, this age cohort was 54.2 percent of the total youth population.)
- The age 10-17 cohort is the age group 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 45.0 percent in 2009.)
- 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 (2009 ESTIMATES)

- Minority youth make up one-third (33.3 percent) of the state's juvenile population. (This is a 37.5 percent increase from Census 2000.)
- Approximately 17.6 percent of Washington's juvenile population is of Hispanic or Latino origin (of any race); 8 percent are Asian (non-Hispanic); 1.9 percent are American Indian (non-Hispanic); and 5.8 percent are Black (non-Hispanic).
- According to 2009 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 15 percent in 2009. (Approximately 249,866 children under the age of 18)
- In 2010, 37 percent of Washington's children lived in low-income families (compared to 42 percent nationally), and 16 percent lived below the poverty level (nationally, 21 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 2006 to 2010 the number of applications received for the National School Lunch and Breakfast Program increased by 18.9 percent (Superintendent of Public Instruction, February 2011).

School Enrollment and Dropouts

- There was a slight increase (less than one percent) in enrollment in Washington's public schools from 2009 to 2010; there were 1,029,222 students in grades K-12 according to the October 1, 2010 headcount. (From 2006 to 2010, there was a 1 percent increase in K-12 public school enrollment.)
- SPI dropout statistics show the annual dropout rate during school year 2009-10 was 4.6—a decrease from the 2008-09 annual dropout rate of 5.1.
- Minority youth represented 37.4 percent of the K-12 public school enrollment in 2010, an increase from 35.6 percent in the 2009 school year.

- As in past years, Asian/Pacific Islander students had the lowest annual dropout rate (3.1% in 2009-2010), while American Indian students had the highest annual dropout rate (9.5% in school year 2009-10).

Child Abuse Referrals

- During 2010, 77,774 children were referred to Child Protective Services. (This is **an increase** of approximately eight percent from 72,040 referrals to CPS in 2009.)

Adolescent Pregnancy and Childbearing

- Washington's teen pregnancy rate per 1,000 for females age 15-17 was 24.0 in 2009, a decrease (approximately 10 percent) from the rate of 26.7 in 2008. (This is approximately a 13 percent decrease from 2005, when the teen pregnancy rate was 27.5 per 1,000 females age 15-17.) In 2009 the pregnancy rate for teens age 15-19 in the state was the lowest since 1980 (46.6 per 1,000).
- Nationally, in 2009 the birth rate for teens was at the lowest level ever recorded -- 39.1 births per 1,000 females aged 15-19 years (according to information released by the Centers for Disease Control and Prevention).

Mental Health

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

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).

- In 2010, the Juvenile Rehabilitation Administration (JRA) continues to report 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

- Truancy petition filings decreased by 17.5 percent from 2008 to 2009 (from 15,578 to 12,856 filings). Over the past ten years, the number of truancy petitions filed annually has ranged from a low of 12,573 to a high of 16,238 petitions.
- At-Risk Youth (ARY) petition filings decreased by 11 percent from 2008 to 2009 (from 1,993 to 1,771 filings). Over the past ten years, the number of ARY petitions filed annually has ranged from the low of 1,771 in 2009, to a high of 2,232 in 2000.
- Child in Need of Services (CHINS) petition filings have continued to decline (from 244 in 2008 to 239 in 2009). Over the past ten years, the number of CHINS petitions filed annually has ranged from a high of 585 in 2000, to the low of 239 in 2009.
- Female youth represented approximately 64% of the CHINS filings; one-half (50%) of the ARY filings; and almost one-half (48%) of the Truancy filings in 2009.
- In 2009 there were 4,406 total court hearings held for contempt of court related to an ARY, Truancy or CHINS order/proceeding—a decrease (approximately 40%) in contempt hearings held from 2008 to 2009—the decrease was primarily related to a significant decline (55%) in the number of contempt hearings held related to a truancy order from 2008 to 2009.
- In 2009, there were just over 2,000 admissions³ of status offenders to juvenile detention facilities statewide for violations of a court order/proceeding related to a status

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

offense -- approximately 43 percent were girls, and 57 percent were boys. The number of admissions related to a status offense decreased by 45 percent from 2008 to 2009.

Juvenile Arrests in 2009

- There were 29,187 juvenile arrests, for an arrest rate of 41.0 per 1,000 youth age 10-17 in 2009 -- the lowest juvenile arrest rate reported since prior to 1982. (This is a 40.5 percent decrease from the 2000 rate, and approximately a 12.8 percent decrease from 2008 to 2009.)
- There were 1,491 violent offense arrests, for a violent offense arrest rate of 2.1 per 1,000 youth age 10-17. (This is a 25 percent decrease from the 2000 rate, and no change in the rate from 2008 to 2009.)
- There were 11,376 property crime arrests, for an arrest rate of 16.0 per 1,000 youth age 10-17 -- the lowest rate reported since prior to 1985 for juvenile property offenses. (This is a 46 percent decrease from the 2000 rate, and a 15.8 percent decrease in the rate from 2008 to 2009.)
- There were 6,505 drug and alcohol arrests, for an arrest rate of 9.1 per 1,000 youth age 10-17. (This is a 32 percent decrease from 2000, and a 12.5 percent decrease in the rate from 2008 to 2009.)
- Females accounted for 30.0 percent of all 2009 juvenile arrests. (This is an increase of 9 percent in the percentage of total arrests for girls (proportion) from 2000 to 2009, and a slight increase in the proportion of total arrests from 2008, when girls represented 29.8 percent of the total juvenile arrests.) *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 2009 was approximately: 83.1 percent White, 11.4 percent Black, 3.0 percent Native American, and 2.5 percent Asian youth.⁴ The percentage of juvenile arrests by race shows a slight increase (1.8 percent) in the overall percentage of total arrests for minority youth

from 2008 to 2009 (from 16.6 to 16.9 percent of total arrests).

- From 2000 to 2009, the percentage of juvenile arrests by race (includes youth of Hispanic origin) shows the following changes—while the percentage of total arrests for Black youth increased by 23.9 percent, there was a decrease for Asian youth (19.4 percent), for Native American youth (an 11.8 percent decrease), and a slight decrease (1.5 percent) for White youth from 2000 to 2009.

Juvenile Court Offense Referrals in 2009

(Juveniles referred to juvenile department)

- There were 41,725 juvenile offense referrals in 2009. (This is an 11% decrease from 2008 (46,962) and an 14% decrease from 2007 (48,624).)
- Juvenile offense referrals in 2009 by race/ethnicity showed the following: approximately 61 percent were White youth (non-hispanic); 12 percent were Black (non-hispanic); three percent were Asian (non-hispanic); 4 percent were Native American (non-hispanic); 17 percent were Hispanic; and approximately three percent were other/unknown.
- Females represent 30 percent of all 2009 juvenile court offense referrals. This is unchanged from 2008 and up slightly from 2007.
- 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. (31% for females, compared to 43% for males in 2009).

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.

Juvenile Admissions to Detention in 2009

- There were 23,997 admissions to local juvenile detention facilities in 2009. (A 15% decrease from 28,194 in 2008.)
- Females accounted for 27 percent of the detention population in 2009, a slight increase from 28 percent of the detention population in 2008. In the ten year period from 2000 to 2009 the percentage of females in detention population increased 2.6 percent. In the five year period from 2005 to 2009, the percentage of females in detention population decreased by 7.6 percent.
- Since 2001, the percentage of minority youth in detention has steadily increased annually, from 28.7 percent in 2001 to 42.2 percent in 2009 (a 47 percent increase from 2001 to 2009). In the five year period from 2005 to 2009 the percentage of minority youth in detention increased over 20 percent.
- *In 2009, 58 percent of the juvenile detention population was White, 14 percent was Black, five percent was Native American, three percent was Asian and Pacific Islander, 18 percent was Hispanic, and two percent was unknown/ not reported (percentages have been rounded).*

Juveniles Sentenced to JRA

- The average daily population (ADP) of juveniles in all **JRA residential programs** was 662 in 2010—there has been a steady decline in the ADP over the past ten years. *(This is a 19.7 percent decrease in the last five years and a 42.1 percent decrease in the last ten years.)*
- The average daily population of juveniles in **JRA institutions** was 575 in 2010 - there has been a steady decline in the ADP over the past ten years. *(This is a 21.3 percent decrease in the last five years and a 40 percent decrease in the last ten years.)*
- The average daily population of juveniles in **JRA Community Residential Placements**

was 86 in 2010. *(While this is a 22.8 percent increase over 2009, there has been a decrease of 21.3 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 427 in 2010. *(This continues a steady decrease of 40.9 percent over the last five years and 59.1 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 11 percent.)*
 - Females represented 7.9 percent of juveniles held in JRA (average per month) in 2010. *(This is relatively unchanged from the prior year, and a decrease of 23.4 percent over the last five years and a decrease of 2.6 percent over the last ten years.)*
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Summary of Priority Areas

For the first time in ten years, the state of Washington was eligible to apply for the full Title II Formula Grants Program award amount, as the state was found in compliance with the DSO core requirement in 2010. Hence, the new state advisory group (the WA-PCJJ) submitted a re-prioritized 2011 update to the 3-year (2009 to 2011) comprehensive juvenile justice plan.

Based on data analysis and findings, the state advisory group has determined that **Disproportionate Minority Contact (DMC) is the number one priority for the state**; other identified priorities include: evidence-based or promising practices targeting minority youth; aftercare/re-entry programs; alternatives to detention—specifically, the Juvenile Detention Alternatives Initiative (JDAI); services to prevent truancy and suspension/expulsion; and services and programs to reduce the use of detention for status offenders held pursuant to the VCO exception.

Other focus areas include: gang prevention and intervention, gender specific services (including services to children in the juvenile justice system victimized by the sex trade), mental health, and system improvement efforts, including a statewide system for youth advocacy.

Based on these priorities, the Washington State Partnership Council on Juvenile Justice has allocated Formula grant funds in the 2011 update to the 3-year comprehensive juvenile justice plan to the following program areas (in addition to the state advisory group and planning & administration allocations):

- **Aftercare/ReEntry**
- **Alternatives to Detention**
- **American Indian Pass-Through**
- **Compliance Monitoring**
- **Delinquency Prevention**
- **Disproportionate Minority Contact (DMC)**
- **Juvenile Justice System Improvement**

The Department of Social and Health Services submitted a letter to Acting OJJDP Administrator Jeff Slowikowski (dated February 8, 2011), to request a budget modification for both the FY 2009 and FY 2010 Formula Grants Program awards. This modification would allow the state to move funds that have not been obligated or expended in the DSO program area (a total of \$670,820) to other priority areas, as identified and prioritized by the new SAG. The state was notified on June 1, 2011, that the request for a waiver to redirect the funding to other identified priorities/program areas was approved by the OJJDP Acting Administrator.
