

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 new state advisory group 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 2012 (July 2011 to June 2012), 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, and in SFY 2013 will administer the new state-funded Criminal Street Gang Prevention and Intervention Grant Program.

1. **JJDP Act Title II Formula Grants Program.** In 2011, the state received a block grant award of \$918,848; funding is provided for:
 - **Demonstration projects** that address the priority program areas selected by the state advisory group: DMC, Alternatives to Detention, Aftercare/ReEntry, and Delinquency Prevention.
 - **Juvenile Justice System Improvement**, to provide: Technical assistance, training, and research projects.
 - **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 December 2011, the Council released a Request for Proposals for Title V projects in order to award FFY 2009 through 2011 Title V grant funding (a total of approximately \$160,000). Two applicants (units of local government) were awarded funding: King County and Yakima County received grant awards beginning April 2012 through December 2013. The focus area of these Title V projects is DMC (through delinquency prevention and/or gang prevention programs). The purpose of Title V is to develop and implement local comprehensive and coordinated approaches to delinquency prevention that utilize research-based best practices. There were no federal OJJDP Title V allocations to the states in FFY 2012.
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 (approximately 1.2 million from 2004 through 2011 was received). For the July 2011 through June 2012 fiscal year, the annual award was reduced to \$25,000 for sustaining JDAI efforts. There are currently (July 2012) eight JDAI sites in Washington State representing 9 counties.
4. **State Funding for the JDAI.** The Washington State Legislature has allocated funding to expand and enhance JDAI in Washington State, including data analysis capability, since FY 2008. JDAI was expanded to five additional sites from 2007 through 2012. Due to state budget reductions, the annual amount of state funding for the JDAI (via proviso) was reduced from \$200,000 to \$178,000 in 2010 (a cumulative total of \$1.1 million in state funding over a six-year period).
5. **State Funding for the Criminal Street Gang Prevention and Intervention Grant Program.** The state legislature (via proviso) provided \$250,000 for one fiscal year (beginning July 2012) for a new criminal street gang prevention and intervention grant program to be administered by the SAG/Council. The Council released a RFP in May 2012. Two communities were awarded grants beginning in August 2012: The City of Tacoma and Yakima County. The University of Washington-Tacoma is conducting an evaluation of the projects.
6. **State Funding for TeamChild.** Funding via proviso specifically for the TeamChild Program has been administered through the State Advisory Group, and included in the Council's (via OJJ/DSHS) state funds allocation. Due to state budget reductions, the annual amount for TeamChild was reduced from \$500,000 to \$445,000 in 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. TeamChild is the only organization in Washington that exclusively provides free, specialized civil legal representation and advocacy to youth who are at high risk for juvenile justice involvement.

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

Summary of Data

data for youth in Washington State.

Juvenile Population (2010 CENSUS)

- Juveniles make up 23.5 percent of the total state population, or about 1.58 million. (This is a 4 percent increase from Census 2000.)
- Approximately one-half (49.6%) of the total juvenile population lives in just three counties in Western Washington—King, Pierce, and Snohomish counties.
- Eight counties, collectively, contain three-fourths (75.6%) of the state's youth population (King, Pierce, Snohomish, Clark, Spokane, Yakima, Thurston and Kitsap 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 2010.)
- Male youth 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 (2010 CENSUS)

- Minority youth make up over one-third (35.3 percent) of the state's juvenile population. (This is a 46 percent increase from Census 2000.)
- Approximately 18.9 percent of Washington's juvenile population is of Hispanic or Latino origin (of any race); 8.6 percent are Asian (non-Hispanic); 1.9 percent are American Indian (non-Hispanic); and 5.9 percent are Black (non-Hispanic).
- According to the 2010 Census, minority youth comprise over 50 percent of the juvenile population in four counties—Adams, Yakima, Franklin 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 age 10-17. As Hispanic ethnicity is not recorded at arrest, it is not possible to identify the over-representation of Hispanic youth at all decision points in the system.

Juveniles Living in Poverty

- The U.S. Census Bureau estimates the poverty rate among Washington's children age 0-17 was 18.2 percent in 2010. (Approximately 283,993 children under the age of 18.) There was a 22 percent increase in the number of children living in poverty from 2006 to 2010.
- Another indicator of children living in poverty is the National School Lunch Program; in Washington State, over the past 5 years (from 2007 to 2011) the number of applications received for the National School Lunch and Breakfast Program increased by 20.4 percent.

School Enrollment and Dropouts

- There was a slight increase (less than one percent) in enrollment in Washington's public schools from 2010 to 2011; there were 1,034,932 students in grades K-12 according to the October 1, 2011 headcount. (From 2007 to 2011, there was a 1.3 percent increase in K-12 public school enrollment.)
- SPI dropout statistics show the annual dropout rate during school year 2010-11 was 4.4—a decrease from the 2009-10 annual dropout rate of 4.6.
- Minority youth represented 39.7 percent of the K-12 public school enrollment in 2011, an increase from 38.7 percent in the 2010 school year.
- Asian students had the lowest annual dropout rate (2.5 in 2010-11), while American Indian students had the highest annual dropout rate of 10.75, followed by Pacific Islander students with an annual dropout rate of 7.3 -- in school year 2010-11.

Child Abuse Referrals

- During 2011, 75,412 children were referred to

Child Protective Services. (This is a decrease of approximately three percent from 77,774 referrals to CPS in 2010.)

Adolescent Pregnancy and Childbearing

- Washington's teen pregnancy rate per 1,000 for females age 15-17 was 21.9 in 2010, a decrease (8.6 percent) from the rate of 24.0 in 2009. (This is a 20.6 percent decrease from 2006, when the teen pregnancy rate was 27.6 per 1,000 females age 15-17.) Washington's pregnancy rate for females age 15-19 was 41.6 in 2010, the lowest rate since prior to 1997.
- Nationally, in 2010 the birth rate for teens was at a record low -- 34.3 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 2006 through 2009, approximately 21 percent of youth on probation had been diagnosed with a mental health problem; in 2010, the percentage rose to 23.5 percent of youth on probation (data from the Washington State Institute for Public Policy and Administrative Office of the Courts, updated December 2011).
- In 2012, the Juvenile Rehabilitation Administration (JRA) reports that up to 70 percent of youth in JRA residential care were identified as having mental health service needs.

Truancy, ARY and CHINS

- Truancy cases filed decreased by 3.7 percent from 2009 to 2010, with a 21.5 percent decrease from 2006 to 2010; an annual average of 14,563 petitions were filed per year from 2006 to 2010.
- At-Risk Youth (ARY) cases filed have decreased by 5 percent from 2009 to 2010, with a 16 percent decrease from 2006 to 2010; an annual average of 1,988 ARY petitions were filed per year from 2006 to 2010.
- Child in Need of Services (CHINS) petitions

filed increased by approximately 3 percent from 2009 to 2010, with a 30.5 percent decrease from 2006 to 2010. An average of 272 CHINS petitions were filed annually from 2006 to 2010.

- Female youth represented approximately 62% of the CHINS filings, and almost one-half of the ARY and Truancy filings in 2010 (48% and 46%, respectively).
- In 2010 there were 5,644 total court hearings held for contempt of court related to an ARY, Truancy or CHINS order/proceeding—a 28% increase from 2009 in contempt hearings held from 2009 to 2010--the increase was primarily related to a significant increase (over 50%) in the number of contempt hearings held related to a truancy order from 2009 to 2010.
- In 2010, there were over 2,700 total admissions³ statewide of status offenders to juvenile detention facilities for violations of a court order/proceeding related to a status offense -- approximately 44 percent were girls, and 56 percent were boys. The number of admissions related to a status offense increased by 35 percent from 2009 to 2010.

Juvenile Arrests in 2010

- There were 25,772 juvenile arrests, for an arrest rate of 36.2 per 1,000 youth age 10-17 in 2010 -- the lowest juvenile arrest rate reported since prior to 1982. (This is a 47 percent decrease from the 2000 rate, and approximately a 11.7 percent decrease from 2009 to 2010.)
- There were 1,287 **violent crime arrests**, for a violent crime arrest rate of 1.8 per 1,000 youth age 10-17. (This is a 35.7 percent decrease from the 2000 rate of 2.8, and a 14 percent decrease in the rate from 2009 to 2010.)
- There were 9,734 juvenile arrests for property offenses in 2010, for an arrest rate of 13.7 per 1,000 youth age 10-17 -- the lowest rate reported since prior to 1985 for juvenile property-related offenses. (This is a 54 percent decrease from the 2000 rate, and a

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

14.4 percent decrease in the rate from 2009 to 2010.)

- There were 5,776 **drug and alcohol arrests**, for an arrest rate of 8.1 per 1,000 youth age 10-17 in 2010. (This is a 39.5 percent decrease from 2000, and an 11 percent decrease in the rate from 2009 to 2010.)
- **Females** accounted for 30.5 percent of all 2010 juvenile arrests. (This is an increase of approximately 11 percent in the percentage of total arrests for girls (proportion) from 2000 to 2010, and a slight increase in the proportion of total arrests from 2009, when girls represented 30.0 percent of the total juvenile arrests.) In summary, the total arrests of girls has decreased less than the total arrests of boys.
- The distribution of **juvenile arrests by race** (includes youth of Hispanic origin) in 2010 was approximately: 83.9 percent White, 10.6 percent Black, 2.8 percent Native American, and 2.6 percent Asian youth.⁴ The percentage of juvenile arrests by race shows a slight decrease (5.3 percent) in the overall percentage of total arrests for minority youth from 2008 to 2009 (from 16.9 to 16.0 percent of total arrests).
- From 2000 to 2010, 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 15.2 percent, there was a decrease for Asian youth (16.1 percent), for Native American youth (a 17.6 percent decrease), and a slight decrease (less than one percent) for White youth from 2000 to 2010.

Juvenile Court Offense Referrals in 2010

(Juveniles referred to juvenile department)

- There were 38,154 juvenile offense referrals in 2010. (This is an 8.5% decrease from 2009 (41,725), an 18.8% decrease from 2008 (44,962), and a 21.5 percent decrease from 2007 (48,624).
- Juvenile offense referrals in 2010 by race/ethnicity showed the following: approximately 59 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); 18 percent were Hispanic; and approximately four percent were other/unknown.

- Females represent 30 percent of all 2010 juvenile court offense referrals. This is unchanged from 2009.
- 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. Approximately 75 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 (approximately 25%).

Juvenile Admissions to Detention in 2010

- There were 22,767 admissions to local juvenile detention facilities in 2010. (A 15% decrease from 23,997 in 2009, and approximately a 31% decrease over a ten year period.)
- Females accounted for 28 percent of the detention population in 2010, a slight increase from 27 percent of the detention population in 2009. In the five year period from 2006 to 2010 the percentage of females in detention population increased 4 percent.
- The percentage of minority youth held in detention decreased for the first time in over ten years. From 2001 to 2009 the percentage of minority youth in detention steadily increased annually, from 28.7 percent in 2001 to 42.2 percent in 2009 (a 47 percent increase from 2001 to 2009). In 2010 the rate dropped by just over three percent to 40.8
- In 2010, 57 percent of the juvenile detention population was White, 14 percent was Black, six percent was *Native American*, *two percent was Asian and Pacific Islander*, *19 percent was Hispanic*, and *two percent was unknown/not reported (percentages have been rounded)*.

Juveniles Sentenced to JRA

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.

- 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.)*

court jurisdiction in 2010, data by race/ethnicity show the largest percentage of cases were Black youth (31.6 percent); White youth accounted for 29.9 percent, Hispanic youth for 28.2 percent, Asian youth for 4.5 percent, and American Indian youth for 2.3 percent.

Juvenile Cases Transferred to Adult Criminal Court Jurisdiction

- From 2006 - 2010, the number of cases transferred to adult criminal court jurisdiction (both auto declines and discretionary) annually ranged from a high of 255 in 2009, to a low of 177 cases in 2010 (an annual average of 217 cases per year that were filed in adult court--youth were between the ages of 13 and 17 at the time the case was filed.)
- Of the 177 cases transferred to adult criminal

Summary of Priority Areas

Washington's state advisory group (SAG), the WA State Partnership Council on Juvenile Justice, undertook a comprehensive data-driven process for the development of the 3-year juvenile justice plan for 2012-2014, utilizing a priority assessment rating tool based on guiding principles and a strategic framework that were adopted by the new Council in the Fall of 2011. Based on findings from this assessment, the SAG selected its top priorities – which align with and guide the action/work plans of the Council's five standing committees (Behavioral Health, DMC, Youth, Legislative, and Grants & Technical Assistance/ Fiscal).

As in the 2011 update to the past 3-year comprehensive juvenile justice plan, **Disproportionate Minority Contact (DMC)** continues to be the number one priority for the state; other identified priorities include:

- *Aftercare/re-entry and transitions;*
- *Behavioral health;*
- *Limiting the dissemination of juvenile records;*
- *Systems integration and coordination;*
- *School engagement/truancy;*
- *Minimize system engagement/secure detention (the Juvenile Detention Alternatives Initiative--JDAI);*
- *Gang prevention and intervention;*
- *Stable and sufficient funding base;*
- *Collective impact/local partnerships;*
- *Best practices dissemination--federal JJDP core requirements.*

Other focus areas include: *gender specific services (including services to children in the juvenile justice system victimized by the sex trade); restorative justice; and system improvement efforts – including a statewide system for youth advocacy, and juveniles transferred or waived to the adult criminal court system.*

Based on these priorities, the Washington State Partnership Council on Juvenile Justice has allocated Formula Grant funds in the 2012 three-year plan to the following nine federal program areas:

- **Aftercare/ReEntry**
 - **Alternatives to Detention**
 - **American Indian Pass-Through Allocation**
 - **Compliance Monitoring**
 - **Delinquency Prevention**
 - **Disproportionate Minority Contact (DMC)**
 - **Juvenile Justice System Improvement**
 - **Planning & Admin Allocation**
 - **State Advisory Group Allocation**
-