

ALTERNATIVES TO DETENTION PRIORITY AREA:

The state advisory group continues to support the Juvenile Detention Alternatives Initiative (JDAI) as a system improvement initiative working towards detention reform in the state, and selected “alternatives to detention” as a priority and program area for funding in the 2012-2014 three-year juvenile justice plan.

The Juvenile Detention Alternatives Initiative (JDAI):

The JDAI has provided a template to eliminate the inappropriate or unnecessary use of secure detention, particularly for status offenders, without any increase in juvenile crime. Youth who do not pose a threat to community safety are referred to other community resources, outside of a detention facility, while their charge is processed. These youth have not committed a serious crime, and are in fact youth who do not pose a risk to public safety: youth charged with minor offenses, runaways, truants, youth without a home or available placement, or youth needing mental health or substance abuse services.

The purpose of the initiative (founded by the Annie E. Casey Foundation and based on eight core strategies) is to review court procedures and to use a data-driven process to see if certain juveniles might be better served by the use of alternatives, rather than detention. The goal of JDAI is to provide the right service to the right juvenile at the right time, and to hold (in detention) only those juveniles that must be held in locked detention to protect the community.

In 2004, the former State Advisory Group (the GJJAC) chose JDAI to address detention reform in the state to: develop a more focused and outcome-driven agenda, and use a proven model and framework to improve the juvenile justice system (that addresses both DSO and DMC), and promotes alternatives to secure detention. Nationally, the JDAI has now been adopted by 140 jurisdictions within 36 states and D.C. (see map below; Source: Annie E. Casey Foundation).

Washington State--Participating Sites:

In July 2012, there are eight JDAI sites in Washington, representing nine counties; these participating counties collectively represent approximately 61 percent of Washington’s juvenile population and approximately 62 percent of Washington’s minority youth age 0-17 (see chart on page 18).

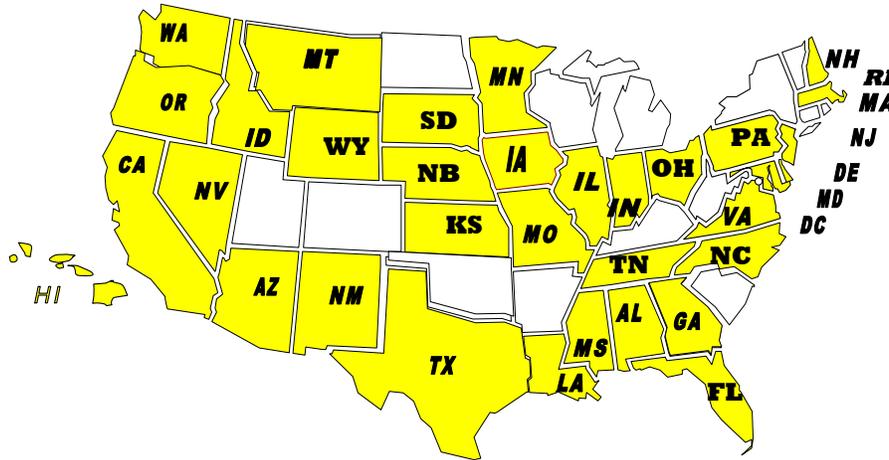
Sites are funded (through contracts awarded by the WA-PCJJ) at amounts needed to sustain JDAI implementation locally (with newer sites receiving higher amounts), along with one contract for JDAI statewide coordination (see JDAI projects listing for additional detail on funding). In SFY 2013, a small amount of funding has been allocated to provide for a workshop or training for sites statewide, and for convening a JDAI statewide leadership group -- the SAG, in partnership with the WAJCA and the AOC, will corroboratively develop and participate on this stakeholder group.

Funding for the JDAI sites/juvenile courts in Washington includes providing for: enhanced data collection and analysis; detention alternative coordinator positions or detention alternatives staff positions to implement programming (or expeditor-type positions); to implement or support alternative programs for youth; and also for travel to attend required instate quarterly meetings, as well as for one annual JDAI national and/or state conference. Projects must submit progress reports and meet all required reporting criteria for JDAI sites, as well as submit progress reports to the Office of Juvenile Justice, work corroboratively with the statewide coordinator, work corroboratively with the OJJ DMC Assessment contracted consultants, attend quarterly training meetings, submit quarterly and annual outcome data, and strive to conduct detention self-inspections every two years.

The types of JDAI alternative programs implemented at the sites include: Community service, house arrest, electronic monitoring, alternative schools and day reporting programs, evening reporting centers, work crew, weekend (including Friday school) accountability programs, community trackers, gender specific programs (e.g., Girls Circle), family programming (e.g., Strengthening Families), and restitution programs.

JDAI Nationally

140 jurisdictions - 36 states & District of Columbia



Map Source: *Annie E. Casey Foundation*

Washington State's JDAI Sites

WA's JDAI Sites (2010 Census Population)	Year Became JDAI Site	% of State's Youth (Age 0-17)	% of State's Minority Youth (Age 0-17)
King	1998	26.15%	31.46%
Pierce	2004	12.53%	12.85%
Spokane	2004	6.92%	3.30%
Whatcom	2004	2.67%	1.90%
Benton-Franklin	2007	4.70%	6.29%
Mason	2009	0.78%	0.55%
Adams	2010	0.41%	0.87%
Clark	2012	7.12%	4.58%
Total (9 Counties)		61.28%	61.80%

Funding and Sources for JDAI in Washington State:

State funding via legislative proviso (\$178,000 for SFY 2013) and a small annual Annie E. Casey Foundation grant (\$25,000) will be partnered with \$134,000 in federal Title II funds allocated by the Council to fund JDAI in SFY 2013, along with any available carry-forward dollars.

The state advisory group (through the Office of Juvenile Justice, DSHS), has received AECF funding annually beginning in 2004 to implement the JDAI in Washington State (a total of over \$1.2 million through June 2012). This JDAI grant award has been gradually decreased by the AECF over the past several years (from an initial annual award amount of \$200,000, to an award of \$25,000 for each of state fiscal years 2012 and 2013).

In addition to the AECF funding, in 2007 the state advisory group partnered with the Washington State Legislature to secure an additional \$200,000 in state funding for JDAI; from state fiscal year 2008 through state fiscal year 2013, the Legislature has provided (via proviso) between \$167,000 and \$200,000 annually for JDAI efforts and expansion. The current state legislative budget for SFY 2013 includes funding for the JDAI at \$178,000, and the state advisory group continues to recognize that JDAI is a priority for the state – and has hence allocated funding for the alternatives to detention program area both in the FY 2011 update, and in the 2012 to 2014 three-year plan. Since 2005, Washington's state advisory group has awarded federal funds to provide technical assistance, trainings, and for programming to further the JDAI in Washington.

Background--Detention Admissions in WA:

For a number of years, Washington State has held a high number of status offenders in secure juvenile detention facilities pursuant to a valid court order. From 1999 through 2008, the number of status offender admissions to juvenile detention facilities in Washington ranged from 3,500 to 4,200 annually (primarily related to an At-Risk Youth (ARY) or Truancy court order, pursuant to the valid court order exception). In 2009 and 2010, that number was decreased (in 2010, there were 2,760 admissions of youth related to a status offense that were held in juvenile detention facilities statewide).

Overall, total admissions to the 22 juvenile detention facilities in Washington State have ranged from a high of 34,378 total admissions in 2000, to the low of 22,767 admissions total in 2010. An admission is defined as a stay of more than four hours. Admissions pursuant to a status offense comprised from: 11 to 14 percent of the total admissions to detention facilities annually from 1999 through 2008; 9 percent of the total admissions in 2009; and 12 percent of total admissions in 2010.

The increase in the percentage of minority youth securely detained in juvenile detention facilities statewide is also a concern; over the past 10 years, from 2000 to 2010, there has been a significant increase (37%) in the percentage of minority youth admissions (from 30 percent of total admissions to detention facilities in year 2000, to 41 percent of total admissions in calendar year 2010).

Currently, many juvenile courts do not collect or analyze data to determine a youth's risk level to public safety when they are arrested. Consequently, many youth who are not risks to public safety are unnecessarily held in detention. (According to data received from the AOC, in 2010 the top five reasons juveniles were held in detention facilities statewide were for: Assault 4, Theft 3, probation violations, or for contempt findings related to a Truancy or At-Risk Youth Order). The absence of reliable data limits a jurisdiction's ability to identify opportunities to reduce reliance on detention.

How JDAI can augment Washington's use of Best Practice and EBPs:

The JDAI is a system improvement initiative that encourages system decision-makers (judges, prosecutors, defense and probation) to use alternative community-based programs and services for low and moderate youth, rather than past practice of secure detention. JDAI sites commitment is to on-going collaboration to reduce unnecessary detention in lieu of alternative programs, using data to make informed policy and practice revisions, develop and use of a detention risk assessment (DRAI) for detention admission decisions, expedite case processing, implement strategies to reduce the need for warrants and develop new options for probation technical violations rather than detention, and to prioritize reducing racial and gender disparities throughout the juvenile justice system.

The eight inter-related core strategies of JDAI (collaboration, use of accurate data, objective admissions criteria/instruments, new or enhanced non-secure alternatives, case processing reforms, re-examination of special detention cases, reducing racial disparities, and improving conditions of confinement) are depicted in the chart below.

Goals of the Initiative in Washington include to:

- Improve the juvenile justice system in Washington by increasing compliance with the core requirements;
- Increase the availability and types of alternative to secure confinement programming (including gender-specific and culturally competent programming);
- Reduce the number of status offenders held pursuant to the VCO, and the number of low-risk delinquent offenders, held in secure juvenile detention;
- Reduce DMC (a top priority), and participate in the DMC Assessment being conducted by the SAG/OJJ;
- Expand JDAI in Washington as a statewide detention reform strategy;

- Further statewide awareness and information on the JDAI, and adoption of JDAI as a strategy for the state for detention reform, in partnership with the WA Association of Juvenile Court Administrators (WAJCA) and the AOC.
- Partner with the juvenile courts (WA Assoc of Juvenile Court Administrators) and the Administrative Office of the Courts in developing a JDAI statewide leadership committee/stakeholder group in furthering the integration of JDAI strategies in Washington’s juvenile justice system.

Emphasis on DMC Reduction: The action plan for DMC developed by the state advisory group’s DMC Standing Committee includes to sustain and expand JDAI in Washington State, with an emphasis on DMC reduction. Goals include to: A. Sustain JDAI for the current 8 WA State jurisdictions with a particular emphasis on DMC reduction; B. Expand JDAI to new WA State jurisdictions; C. Increase JDAI Public Education; and D. Develop a Statewide JDAI Champion Group.

Since its inception, the detention admissions for youth of color have been reduced by over 38 percent (from 6,875 annually to 4,238). Additionally, the average daily population of youth of color has

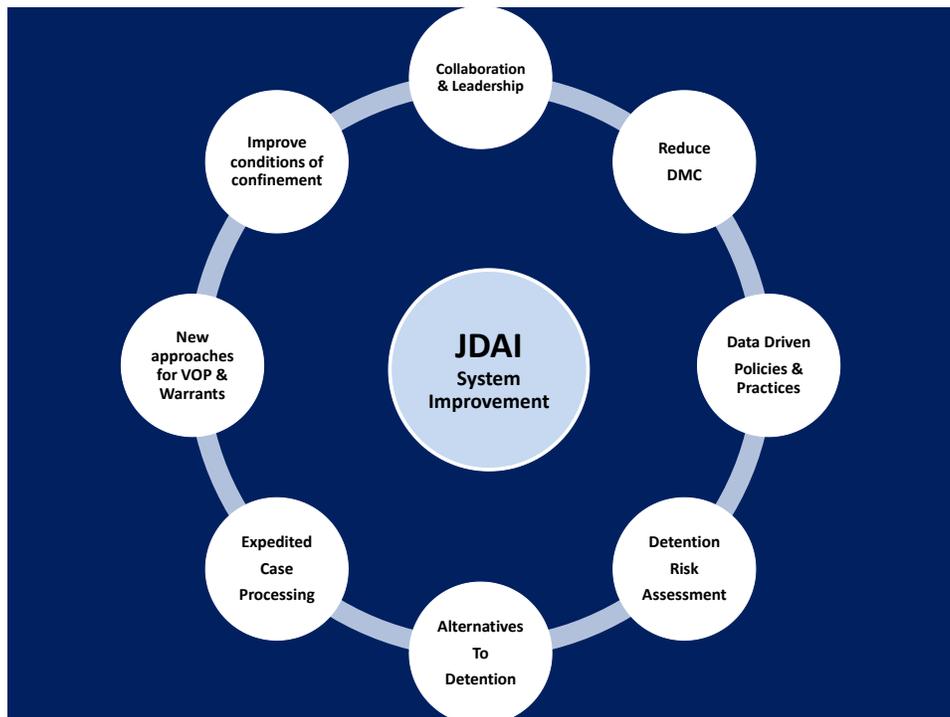


Chart Source: Rand Young, WA Statewide JDAI Coordinator, July 2012.

been reduced by approximately 52 percent (from 239 annually to 114).

While this is good news, the overall proportion of detention admissions for youth of color, compared to white youth, has increased (from 42% to 51%), and the ADP proportion of youth of color has also increased (from 48% to 55%).

JDAI Site Outcomes:

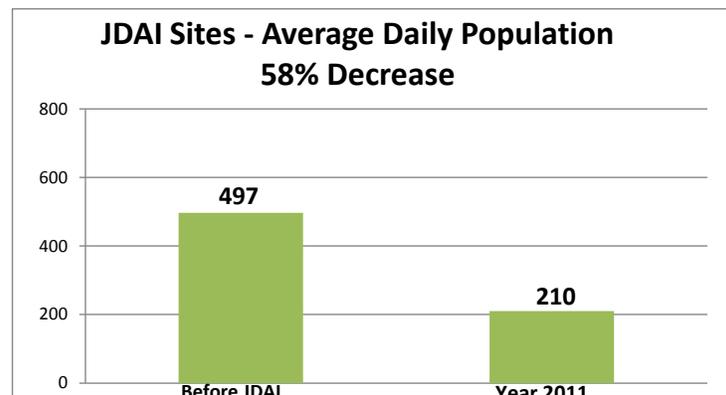
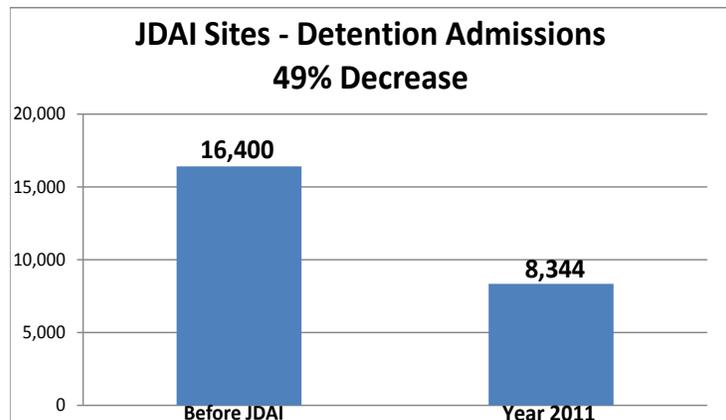
Each of the juvenile courts replicating JDAI in Washington State has safely reduced their detention populations by implementing alternatives to detention programs, expediting case processing timeframes, and developing a risk assessment instrument to determine which youth require incarceration.

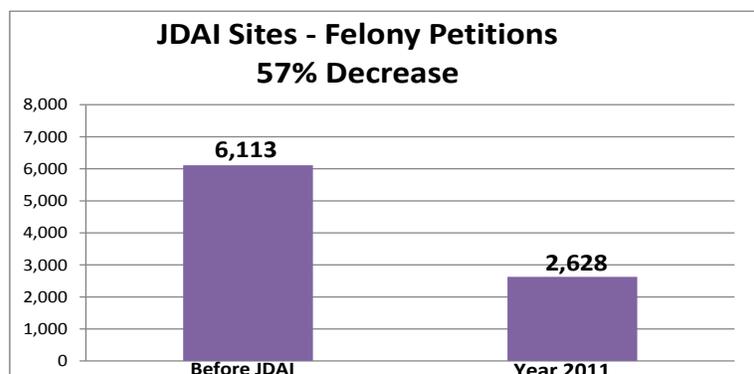
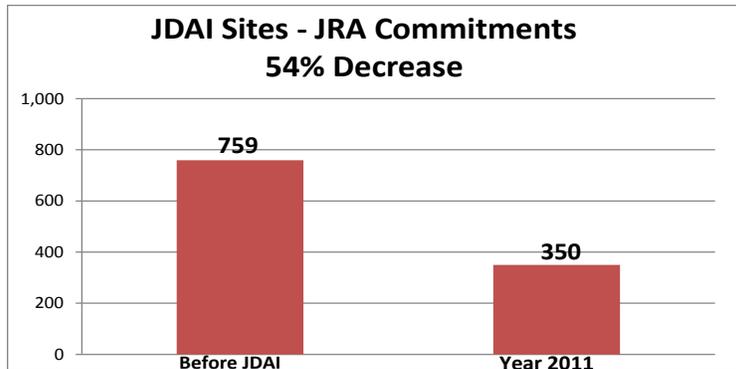
Sites are also participating in the DMC Assessment that is being conducted by the Office of Juvenile Justice/WA-PCJJ, as required by the federal OJJDP. The final DMC Assessment report is scheduled to be completed by October 31, 2012.

JDAI has reduced reliance on detention, freed resources for the development of more effective alternatives, and improved the overall efficiency of local juvenile justice systems. Instead of being drawn deeper into the system, many youth in JDAI sites have been provided with new opportunities to stay connected with their schools and families, solve the problems that brought them to court, and prepare for success in life.

The JDAI reforms have resulted in:

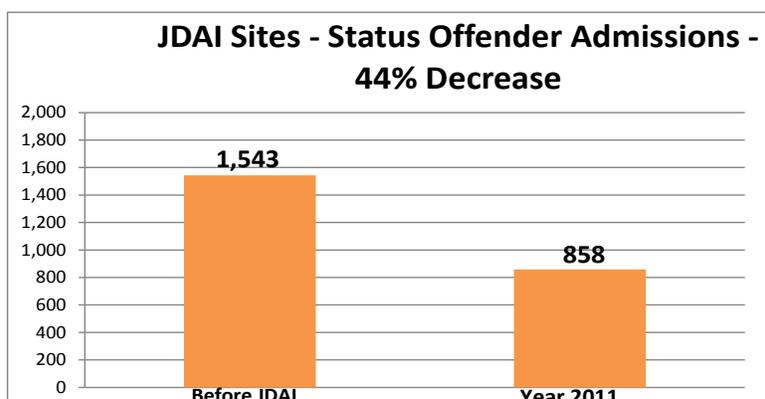
- Major reductions in use of secure detention
- Increased use of alternatives to detention
- Increased collaboration of local juvenile justice leaders
- DMC reduction is a top priority
- Established data systems to monitor detention and DMC
- DRAI to reduce unnecessary detention & DMC
- Decrease in detention for probation violations
- Expedited case processing, fewer delays and FTA warrants
- Detention facilities are inspected regularly.





Accordingly, it should also be noted that the number of youth securely detained in juvenile detention facilities pursuant to a contempt finding related to a status offense (per the valid court order process) has been significantly reduced. The former state advisory group chose JDAI as a model strategy in 2003 to address the core mandates of DSO (reducing the confinement of status offenders) and DMC.

The chart below shows the reduction in admissions (defined as a hold of over 4 hours) related to a status offense (Truancy, ARY, CHINS, or Dependency order/proceeding) for the following sites combined: King, Pierce, Spokane, Whatcom, Benton-Franklin, Mason and Skagit. It is anticipated JDAI will continue to impact/reduce the number of status offenders held in secure detention facilities in the state pursuant to the federal valid court order exclusion.



From the AECF JDAI News, Winter 2010 (online newsletter), “*Pierce County DMC Reduction Agenda Produces Results,*” by Rand Young:

Pierce County, Wash, is employing a unique and comprehensive strategy that relies on clearly defined goals, baseline data and measurable outcomes to reduce the disparity in treatment between African Americans and whites in its juvenile justice system.

The county’s “DMC Reduction Agenda” focuses on reducing failure-to-appear rates, probation violations and the number of risk assessment overrides based on parents’ refusal to accept custody as three of six strategies.

The county also set goals to increase the number of African American youth completing the county’s functional family therapy and aggression reduction training programs, and the number of African American youth placed in detention alternative programs.

From 2007 to 2009, Pierce County decreased the number of detention admissions by 30.5 percent and bed nights by 33.3 percent for African American youth.

“Pierce County has taken the initiative to decrease racial disparities by developing its innovative ‘DMC Reduction Agenda,’ which could be useful tool for other jurisdictions,” said Rand Young, JDAI technical assistance and team leader.

The county began using phone and in-person court hearing notifications, and a two-tier warrant process, to reduce the number of detentions for failure to appear. Admissions of African American youth detained for failure to appear dropped from 130 in 2007 to 74 in 2009.

To reduce the number of African American youth detained for probation violations, the county decided to standardize sanctions, use detention alternatives instead of detention and create new procedures for failure-to-appear violations. Those changes have reduced African American detention admissions from 95 in 2007 to 60 in 2009.

Pierce County has also sharply increased the number of African American youth participating in Functional Family Therapy, from 54 to 94, by creating a specialized caseload for African Americans and enhancing culturally competent instruction.

Efforts to increase African American youth participation in Aggression Replacement Training also proved successful. Pierce County addressed barriers to participation, such as transportation, and increased referral and retention rates. African American participation rose from 36 in 2007 to 76 in 2009.

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