

Report to the Legislature

**Racial Disproportionality
in the Juvenile Justice System**

**Chapter 415, Laws of 1993
RCW 13.06.050(3)**

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Executive Summary

The Juvenile Rehabilitation Administration is charged with the annual responsibility of reporting to the Legislature (Chapter 415, Laws of 1993) progress made toward reducing disproportionate minority confinement in the juvenile justice system.

The focus of this year's report is upon efforts in Washington State to reduce disproportionality through:

1. The implementation of evidence-based alternative detention programs and other promising practices outlined in the Juvenile Detention Alternative Initiative (JDAI) funded and administered by the Annie E. Casey Foundation; and
2. A new initiative introduced in Department of Social and Health Services, Juvenile Rehabilitation Administration (JRA) to reduce disproportionate minority contact through Community Mobilization.

Introduction

The Juvenile Rehabilitation Administration is charged with the annual responsibility of reporting to the Legislature (Chapter 415, Laws of 1993) progress made toward reducing disproportionate minority confinement in the juvenile justice system.

RCW 13.06.050(3) defines elements required from this report to include identification of efforts to reduce disproportionality, evaluating any progress made toward achieving that goal, and recognizing cost-effective programs that reduce disproportionality.

Disproportional Minority Contact is defined as the degree to which minority juveniles coming into contact with the law enforcement and juvenile justice systems differs from that of the general at risk juvenile population (youths 10 years old and older). Disproportional Minority Contact in Washington State is a reality faced daily by minority youth. African American, Native American, and Hispanic youth are most affected.

The most recent study on Disproportionality and Disparity in Juvenile Sentencing published by the Washington Sentencing Guidelines Commission (December 2005) reports that 13,127 young people were sentenced in Washington Juvenile Courts between June 30, 2004, and July 1, 2005. The percentage of African American youth sentenced was 3.38 times the percentage of African American youth in the state; Native American youth were sentenced at 2.5 times their percentage in the state; Hispanic youth at 1.28 times their percentage in the state.

The level of disproportionality is even greater among these young people sentenced to commitment in the Department of Social and Health Services, Juvenile Rehabilitation Administration (JRA). African American youth in JRA residential care are approximately 7 times the proportion of African American youth in the state; Native American youth are in JRA at almost 5 times and Hispanic youth at 2.25 times their proportion in the community. (JRA, October 2007)

Progress Made to Reduce Disproportionality

Juvenile Detention Alternatives Initiative

Disproportional Minority Contact is a social problem that is being tackled nationally and locally. Of particular note is the Juvenile Detention Alternatives Initiative (JDAI) sponsored and funded by The Annie E. Casey Foundation. JDAI is a grant initiative intended to reduce over-crowding in juvenile detention systems, improve conditions of confinement, and reduce the disproportionate representation of youth of color in these systems.

Washington established formal partnerships with the Casey Foundation in 2003. Since then, the Governor's Juvenile Justice Advisory Committee (GJACC), JRA, the Washington Association of Juvenile Court Administrators (WAJCA), and the Washington State Institute for Public Policy (WSIPP) have worked in conjunction with the Casey Foundation to launch five JDAI sites in Washington State. These sites were initially operational in Pierce County Juvenile Court, King County Juvenile Court, Yakima County Juvenile Court, Spokane County Juvenile Court, and Whatcom County Juvenile Court. During the last fiscal year, Yakima County Juvenile Court opted out of participating as a JDAI site. Each county continues to utilize the three-tiered model for reducing disproportionate minority confinement and detention overcrowding:

1. Utilization of a risked-based detention screening tool to ensure only youth who meet certain criteria are admitted to detention;
2. Youth who qualify for detention alternative programs continue to participate in evidence based programs funded through JRA, such as Aggression Replacement Training (ART), Functional Family Therapy (FFT), Multisystemic Therapy (MST), Consolidated Juvenile Services (CJS) At-Risk interventions for youth with minimal criminal history, and recent training on Dialectical Behavioral Treatment (DBT).
3. Expansion of the warrant reduction program to include at specific sites, reminder phone calls, mail reminders, eligible youth with warrants having their hearing rescheduled instead of being detained.

Outside of the three-tiered model, each site continues to address disproportionate minority confinement in a way that is unique to their location and community demographics without moving away from the basic goals of the JDAI program. All sites continue to meet at the JDAI statewide meetings, conduct ongoing JDAI site visits here in Washington as well as other JDAI sites across the nation. Additional accomplishments noteworthy to the success of our local programs during fiscal year 07 include:

- Involvement of Tribal Court Judges and Prosecutors participation on local JDAI Steering Committees.

- Local Court juvenile probation staff and tribal court probation staff attendance at each others local case staffing at the courts and at the tribe.
- Tribal Court staff received training in Aggression Replacement Training (ART) and co-facilitating ART groups with court staff.
- Communication planning to include detention alternatives and detention services for youth under tribal court jurisdiction.
- Creation of Minority Mentoring support services for youth involved in Detention Alternative Programs (DAP).
- Expansion of mental health and counseling services for DA involved youth for evening and weekend appointments.
- Marked increase in Probation Violation and Status Offenders to the weekend programs.
- Higher percentages of minority youth completing Evening Reporting Programs and utilization of DAP graduated sanction reducing detention bed days.
- Increased staff training on engaging and motivating clients and implementation of DBT for detention and court staff.
- Completion of Detention Self Inspections which identify areas of needed improvement.
- Partnerships with JRA to address community re-entry and school transition issues for parole youth and court youth through program support.

Continued collaborative efforts between GJACC, WAJCA, JRA, WSIPP, and the Casey Foundation will continue to address the needs of detention reform and strengthen the outcomes of JDAI. The combination of these efforts with additional evidence based practices and quality assurance will continue to benefit minority communities/youth and provide future savings to Washington with tax dollars being invested in interventions that work to reduce minority confinement and reduce recidivism.

Reducing Disproportional Minority Contact Through Community Mobilization

JRA values and supports *justice system based* initiatives and efforts to reduce Disproportional Minority Contact. Nevertheless, JRA also believes that communities most affected by Disproportional Minority Contact - those populated primarily by minority families - can and should play a central role in preventing their children from becoming entangled with the juvenile justice system.

JRA is in the process of supplementing the work that is already underway to reduce Disproportional Minority Contact by investing grant awards of \$50,000 in Community Mobilization initiatives. These grants will be used to bring together community stakeholders (e.g., parents, youth, law enforcement, educators, youth serving entities, faith-based organizations, medical and mental health professionals, employers) to develop comprehensive plans for service delivery and intervention to prevent

disproportionate contact and confinement of their children by the legal and justice systems.

The first grant award will be made to a project in the **City of Tacoma**. This community has been selected because of the dense pockets of minority families affected by Disproportional Minority Contact of their children. These neighborhoods also have the highest concentration of children committed to JRA.

JRA convened a Community Mobilization symposium - *Wearing the Shoes That Fit* - in Tacoma on October 11, 2006. Approximately 150 stakeholders including youth, families, educators, juvenile justice professionals, members of the judiciary, representatives from youth serving agencies, law enforcement professionals, and legislators attended. The goals for this symposium were:

- Add to prevention activities related to JRA's Mission by working directly with communities to engage and support members in stemming the feeder system of minority youth into the justice system
- Inspire, mobilize, and support grass roots efforts to reduce Disproportional Minority Contact
- Examine and discuss Community Mobilization efforts to address Disproportional Minority Contact currently underway in other states for replication in Washington. But just as importantly, apply the *wisdom of the community* to the problem
- Elicit feedback to develop the content of a Request for Proposals (RFP) and identify considerations for awarding JRA grants to communities for development of plans for reducing Disproportional Minority Contact

The vision is that a community's plan for reducing Disproportional Minority Contact would ultimately be used as the basis for seeking long term funding for the services and interventions identified as being critical to preventing Disproportional Minority Contact of youth. Potential long term funding sources for plan implementation would be identified in the planning process.

JRA issued a Request for Proposals in August 2007 for the City of Tacoma Community Mobilization project. The grant will be awarded to the successful bidder in December 2007.

Proposals were solicited from entities that can guarantee broad stakeholder representation in Disproportional Minority Contact planning activities. At a minimum planning group participants must include:

- Affected youth and families
- Educators serving the affected community
- Recognized community leaders

- Law enforcement
- Court personnel
- Employers
- Agencies delivering services to youth and families
- Mental health and medical services providers

Grant awards will be used to:

1. Convene a planning committee comprised of stakeholders connected with a neighborhood adversely impacted by Disproportional Minority Contact
2. Develop a service and intervention plan to reduce Disproportional Minority Contact in the affected neighborhood that identifies potential long term funding sources
3. Cover costs incurred for committee related activities and work; e.g.,
 - Contracting and consultation with Disproportional Minority Contact intervention experts
 - Purchase of information resources necessary to inform the planning process
 - Stakeholder planning meetings including:
 - a. Facilitation
 - b. Meeting space
 - c. Clerical assistance
 - d. Office equipment and supplies
 - e. Travel
 - f. Refreshments
 - g. Other incidentals

JRA will award three additional grants for Community Mobilization initiatives in Spokane, Yakima, and King Counties. Community Mobilization symposiums have been conducted in Spokane and Yakima to announce the initiatives. JRA will issue a Request for Proposals for a City of Spokane Community Mobilization project in December 2007 and a City of Yakima project in January 2008.