

Washington

Washington, the fourth state to participate in the Models for Change initiative, was selected because of its long record of high-level support for innovation and improvement in juvenile justice. It has been recognized as a pioneer in implementing research-based programs, building in quality-assurance mechanisms, evaluating outcomes to determine the most cost-effective ways to reduce delinquency and promote positive youth development, and educating policymakers and the public regarding the results. It is also the site of ongoing experiments that hold promise for reducing disproportionate minority contact, overcoming barriers to interagency information-sharing, and integrating juvenile justice, child welfare, and mental health services.

Models for Change-supported reform efforts in Washington will focus primarily on accelerating change in three areas: expanding alternatives to formal processing and secure confinement; reducing disproportionate minority contact with the juvenile justice system; and improving access to mental health services. In addition, the initiative will provide technical assistance and support to other state and local reform efforts, including efforts to enhance the quality of representation for juveniles accused of crimes, improve multi-system collaboration and coordination, and promote and spread practices incorporating balanced and restorative justice approaches to delinquency. Washington groups working in these areas will be assisted by a number of national organizations and experts that comprise the Models for Change “National Resource Bank.”

Alternatives to Formal Processing and Incarceration

In a model system, most responses to juvenile misconduct would be local and informal. Status offenders—truant, children in need of services, and “at-risk youth” who are considered to be ungovernable—would be referred to juvenile court only as a last resort, and after local community- and school-based alternatives to formal processing have been exhausted. Cases requiring formal court involvement would be overseen by judicial officers with knowledge and training in adolescent development and mental health issues. Opportunities for

diversion would be made available at all key decision points. Courts would have access to an array of timely and effective interventions and graduated sanctions for dealing with violations of its orders. Secure confinement would be used in the rarest of circumstances, and would never result in the mixing of status offenders with accused or adjudicated delinquents.

Washington’s enactment of the “Becca Bill” in 1995 was intended to give parents, schools, communities, and courts better tools with which to protect, stabilize, and treat children who are endangering themselves through their behavior. Among other things, the law created strict new enforcement mechanisms for school attendance, including secure short-term confinement for noncompliant truants. Meeting the responsibilities imposed by this law has been challenging for the juvenile justice system, however. Truancy caseloads are exceptionally high, and backlogs have developed. Filing and enforcement policies have varied widely from school district to school district. And funding streams that support implementation of the law may actually be discouraging alternative resolution of truancy cases, and effectively penalizing courts that have successfully reduced truancy through informal means.

Goals | Strategies The goals of the initiative in this area will be to develop, expand, and improve access to effective alternative interventions for truant youth. If efforts are successful, re-engaging truant students in Washington will be accomplished primarily through programs that operate in coordination with the courts, with the formal court process and secure confinement being reserved for cases in which they are really necessary. Strategies to achieve these goals will include:

- Partnering with the state task force overseeing implementation of the Becca Laws, to identify needed changes, craft guidelines to unify practice statewide, and address issues related to legal representation of youth in truancy cases
- Supporting the production of a truancy practice manual for public defenders representing truant youth
- Contracting for the development of a risk/needs assessment instrument for status offenders in general and truant youth in particular; and piloting it in a local site
- Evaluating promising local approaches to truancy reduction, looking for ways to improve their effectiveness and promote their widespread use
- Providing technical assistance and resources for developing and expanding culturally and linguistically competent resources for combating truancy in communities of color.

Disproportionate Minority Contact

A model juvenile justice system would provide fair treatment for all alleged offenders, regardless of their race or ethnicity, at every point of contact with the system. All hearings, decisions, and services would be handled in an unbiased manner, and the system would regularly monitor compliance with this ideal. With respect to any racial or ethnic group that is found to be experiencing “disproportionate minority contact” (DMC) with the juvenile justice system, resources would be available to examine whether these youth have been treated differently or have enjoyed equal access to services. Armed with this information, decision-makers would better be able to identify problems and address disparities. The system would provide or advocate for equal access to community-based services, and would seek wherever possible to prevent

a racial or ethnic group’s disparate entry or penetration into the formal juvenile justice system.

While Washington has been the site of promising local efforts to reduce DMC, racial and ethnic disparities in the state’s juvenile justice system persist, and much work remains to be done. Although minorities make up just 27% of the juvenile population, they comprise 45% of those in the correctional facilities of the Juvenile Rehabilitation Agency. The data suggest broadly that African-American and Native American youth are over-represented at key decision points in the system. But there is currently no consistent effort to compile and analyze DMC data at a level of detail that would enable state or local policymakers to devise appropriate solutions.

Goals | Strategies The goals of DMC work in Washington are to improve data collection where needed, to develop the capacity to collect and analyze detailed DMC data regularly at the state and county levels, and to use DMC data analyses and other research to identify, implement, and monitor appropriate interventions to reduce disparate treatment and limit the unnecessary penetration of youth of color in the juvenile justice system. Efforts in this area will include:

- Partnering with state agencies to develop a uniform DMC data collection system and a standardized model for quantitative DMC data collection and analysis throughout the state
- Analyzing available county and state data to identify over-representation and disparate treatment at various points of contact, from arrest through disposition and aftercare
- Conducting further research on the sources and consequences of over-representation and disparate treatment
- Working with selected counties to enhance DMC data collection and analysis that will drive effective interventions
- Monitoring the impact of DMC data collection, analysis, and interventions at the local level.

Mental Health

In a model system, state and local child serving agencies would work in collaboration to ensure that the mental health needs of youth who come in contact with the juvenile justice system are identified and referred to services and treatments that are evidence-based and culturally responsive. For many youth, this would mean diversion to appropriate and effective mental health services in the community. For youth who pose public safety risks requiring placement in residential facilities, appropriate and effective services would be provided within those facilities and would be continued upon re-entry into the community through referrals to community-based programs and services.

Currently in Washington, effective collaboration and communication between the mental health and juvenile justice systems is inconsistent at both the local and state levels. Too often, community-based services needed at the front end—to address the needs of youth before they penetrate deeply into the juvenile justice system—are not available. There is a shortage of services that are culturally and linguistically appropriate for a diverse juvenile population, as well as a shortage of evidence-based services, especially in the more rural areas of the state.

Goals | Strategies The goals of work in this area are to ensure that current mental health/juvenile justice initiatives—particularly efforts growing out of the federal Mental Health Transformation Grant awarded to the state in 2005 by the Substance Abuse Mental Health Services Administration—are implemented in a way that maximizes their potential benefit; to improve coordination and collaboration among child serving agencies, particularly mental health and juvenile justice agencies; to increase the availability of mental health services, including screening and assessment and evidence-based practices for court-involved youth; and to ensure that services and programs are culturally appropriate for Washington’s population. Strategies designed to meet these broad goals will include:

- Supporting state efforts to improve responses to juvenile court-involved youth with mental health needs, by reviewing recommendations made by the Mental Health Transformation Workgroup, helping to prioritize and plan the implementation of these recommendations, and providing technical assistance in support of implementation activities
- Working with state and local partners to review gaps and opportunities for expansion of evidence-based practices
- Helping selected counties to improve inter-system collaboration and information-sharing
- Assessing current policies and procedures for ensuring that competency issues are taken into account when youth come before the juvenile courts, assisting in the development of policies and procedures that are responsive to competency issues, and providing training, technical assistance, and support for the implementation of these policies and procedures.

Other Reform Opportunities

In addition to work that is focused on the three primary targeted areas described above, the Models for Change initiative in Washington will provide technical assistance in other areas that will add value to the initiative as a whole. In order to improve the quality of and access to juvenile indigent defense services in Washington, Models for Change will provide in-depth juvenile indigent defense training locally, and will partner with in-state legal and professional institutions to create a permanent capacity for juvenile indigent defense training and professional development. In several counties where Models for Change activities are occurring, the initiative will provide expert technical assistance in support of multi-system collaboration and coordination efforts. The initiative will also support the study and replication of local balanced and restorative justice practices that prove to be effective in incorporating community protection, accountability, competency development and individualized assessment as core elements of practice.

Documentation and Dissemination

A range of vehicles and strategies will be used to develop and disseminate to a national audience information about the work of the Models for Change initiative in Washington. A series of brief reports on the planning and implementation of change efforts will illuminate lessons learned and promising practices developed in targeted areas of improvement. Assessments will be conducted to create a firm evidence base upon which practitioners can rely in seeking to emulate initiative reforms in their jurisdictions, including assessments of the intermediate outcomes of work in targeted areas, and assessments of the extent to which targeted reform efforts leverage change throughout the system. A “roadmap” for juvenile justice systems change will give other jurisdictions the materials they need to plan, implement, measure, and assess reform.

State Leadership

The Center for Children & Youth Justice, a Seattle-based organization founded to promote juvenile justice, child welfare, and related systems reform, has been designated as the lead entity for Models for Change in Washington. The Center serves as the MacArthur Foundation’s in-state partner, helping to develop a reform agenda that makes sense for Washington as well as to manage and monitor implementation efforts at the state and local levels.

For more information about Models for Change in Washington, contact Washington program director Michael Curtis at 206 696 7505 or mlcurtis@ccyj.org.