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Washington State’s Juvenile Justice System: *Evolution of Policies, Populations, and Practical Research*

The Washington State Legislature has significantly invested in reforms of the juvenile justice system over the last two decades. Central to these reforms is the promotion of rigorous research and the use of policies and programs based on research and evidence.

At the same time, Washington has experienced significant shifts in the populations of court-involved youth. Overall, the number of court-involved youth has declined and the number of youth who recidivate has also declined.

The Washington State Institute for Public Policy (WSIPP) has published more than 80 reports on the juvenile justice system over the last 25 years, both at the direction of the legislature and through contracts with various state agencies. New policies and changes in court populations introduce unique challenges for conducting research in the current court environment. More recent evaluations have highlighted the need for continued investments in research

This report provides an overview of the evolution of legislative and administrative policies, justice-involved youth populations, and research methods over the last 20 years.

Section I introduces the purpose of this report. **Section II** provides an overview of major legislative changes in the juvenile justice system. **Section III** reviews what we know about how justice-involved youth populations have changed over time.

Summary

Over the last 20 years, the Washington State Legislature has taken a number of steps to develop an “evidence-based” juvenile justice system. Through collaboration between the research community and policymakers, reforms have facilitated a significant shift in court practices and characteristics of the populations of court-involved youth.

Recent findings suggest that a new era of juvenile justice research is needed to identify how changes in justice-involved populations and court practices may affect the long-term effectiveness of juvenile court reforms. This report provides an overview of the evolution of legislative and administrative policies, justice-involved populations, and juvenile justice research over the last two decades. The report concludes with a discussion about pathways forward for Washington State’s policymakers and research community.

Section IV provides details about WSIPP’s role in juvenile justice research over time. **Section V** highlights challenges with conducting research in the current court environment. The report concludes with a discussion about pathways forward for juvenile justice system research and evidence-based policymaking.

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I. Introduction

More than two decades ago, Washington became the first state to require juvenile courts to use evidence-based programs to address the needs of youth involved in the juvenile justice system. Since then, Washington State has been a national leader in the establishment of an evidence-based juvenile justice system.

Through early investments in research, reforms of local court practices, and increased coordination between state agencies and juvenile court administrators, Washington State's juvenile justice system has undergone significant changes over time. With these changes, the number of youth involved in the juvenile justice system has declined and courts have substantially reduced confinement sentences, opting to treat youth with evidence-based programs in the community instead.

While research played an integral role in supporting initial legislative reforms to the juvenile justice system, assignments to study, monitor, and assess the effectiveness of those reforms have decreased over time. Recent research has revealed that some of the changes implemented 20 years ago may not be effective for the current populations of court-involved youth. For example, while WSIPP found that the Washington State Aggression Replacement Training (WSART) program was effective at reducing recidivism for youth in the early 2000s, a more recent study by WSIPP found that WSART may actually increase recidivism rates for more current court-involved

youth.¹ Similarly, in WSIPP's systematic reviews of evidence for juvenile justice programs, several programs that were previously found to significantly reduce recidivism now appear to be ineffective on average.

As the juvenile justice system evolves over time, the characteristics of court-involved youth and subsequent effectiveness of programs or practices may also change. Often, individual policies or particular characteristics of court-involved youth are evaluated and discussed independently. Rarely has research assessed the system as a whole to understand how different policy changes or different changes in the populations affect each other over time.

The purpose of this report is to review the last 20 years of investments and change in Washington State's juvenile justice system. This report first provides an overview of major legislative changes to the juvenile justice system and a review of juvenile justice-involved practices and populations over time. Next, we discuss WSIPP's role in juvenile justice research during this time of significant change. Finally, we discuss some of the current challenges facing researchers and policymakers and discuss some potential pathways forward for juvenile justice research and reform in the future.

¹ Similarly, the Washington State Center for Court Research also found that WSART was not effective for reducing recidivism among court-involved youth.

II. Washington State’s Juvenile Justice System

In this section, we provide background on Washington’s juvenile justice system relevant to this report. The goals of this section are to define the basic structure, key players, and terms of the juvenile justice system and to summarize major legislation impacting the structure of the juvenile justice system and its services for youth.

The Juvenile Courts

In Washington State, 33 juvenile courts serve as the administrative authority for youth (under the age of 18) who come into contact with the justice system. The juvenile courts are a division of the Superior Court with **exclusive original jurisdiction** of youth.² Broadly, the juvenile courts process cases for youth who engage in non-delinquent or delinquent behaviors.

Non-delinquent offenses are non-criminal behaviors regulated for youth and not for adults. Delinquent behaviors are offenses defined by Washington’s criminal code. The code applies to all people accused of violating it irrespective of age.³ Statutes define juveniles as individuals under the age of 18.⁴ In this report, we narrow our scope to include youth in the juvenile justice system for delinquent offenses. [Exhibit 1](#) depicts the key stages in the juvenile justice process, beginning with an arrest.

² Bolded words are defined in the glossary of terms on page 5. Exclusive original jurisdiction is defined in [RCW 13.04.021](#) and [RCW 13.04.030](#) and does not include tribal courts with legally retained jurisdiction of Native American Indian youth (The Indian Child Welfare Act, [RCW 13.38.060](#)).

³ [Title 9A RCW](#).

⁴ [RCW 13.40.020](#).

When a crime is reported, police investigate to determine whether enough probable cause exists to arrest a suspect. After arrest, the case may be referred to the local prosecutor. Prosecutors are the chief law enforcement officer with the discretion and authority to determine whether to prosecute the accused for a crime.⁵

In the juvenile court, prosecutors can file a charging document called an **information**. The juvenile court may decline its jurisdiction and the youth may be remanded to the adult Superior Court in certain statutory and discretionary circumstances.⁶

Some youth may be diverted from the juvenile court before or after the prosecutor’s office files charges with the juvenile court.⁷ To be diverted after charges are filed, the prosecutor and probation officer determine whether enough probable cause that a crime occurred exists and that the accused committed the crime.⁸ These youth sign a formal diversion agreement with the court, and the diversion unit of the local probation department provides services for these youth.

⁵ Some statutory requirements affect prosecutorial discretion including [RCW 13.40.070](#) and [RCW 13.40.077](#).

⁶ [RCW 13.40.110](#).

⁷ Youth can be diverted after law enforcement contact and before juvenile court referral, colloquially referred to as pre-diversion because these youth are not formally diverted (adjudicated) by the courts.

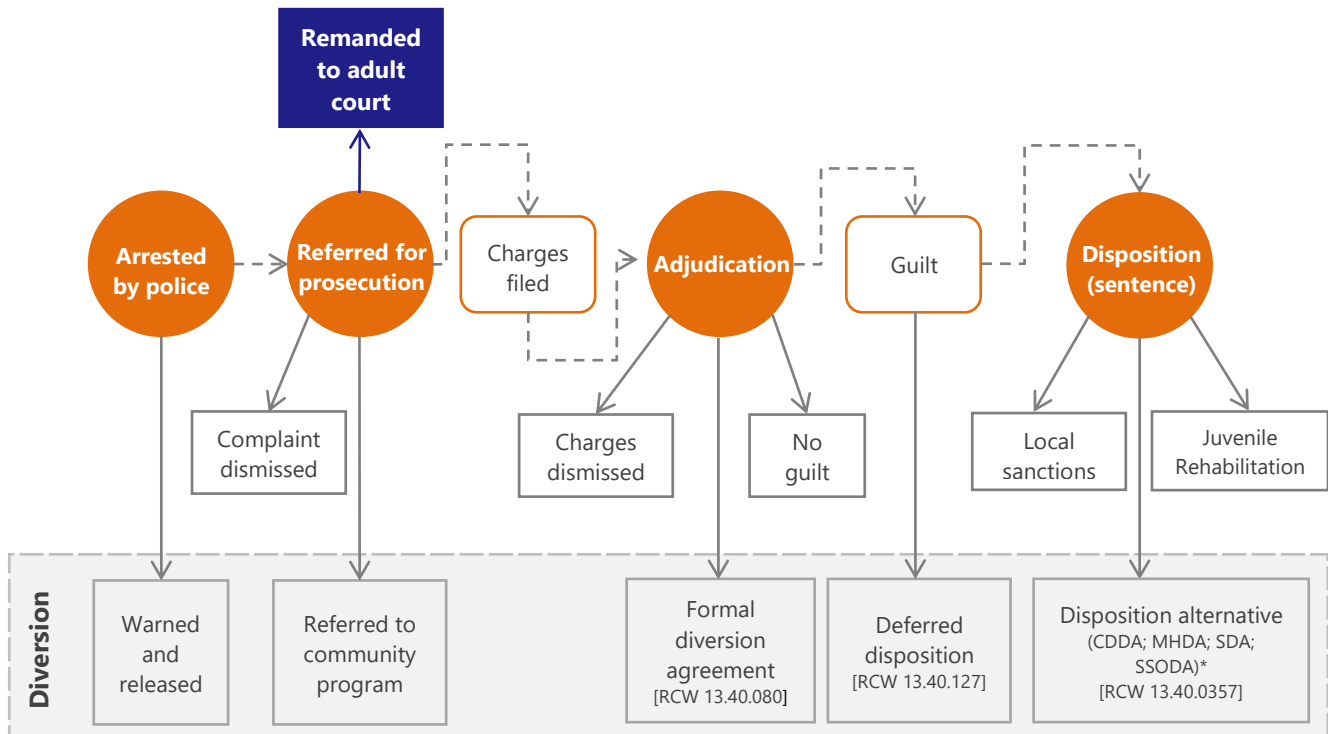
⁸ [RCW.13.40.080](#).

Youth **adjudicated** and found guilty by the juvenile court receive a disposition according to Washington’s juvenile sentencing standards.⁹ The seriousness of the youth’s current offense and the number of prior adjudications determine the sentencing range from which the judge can impose a disposition. Two broad dispositions from the juvenile sentencing standards are “local sanctions” or a term of confinement with the state’s Juvenile Rehabilitation (JR).¹⁰

Locally sanctioned youth can receive a variety of types of sanctions including confinement, probation, fines, community service or other sanctions carried out by the local probation department. Youth whose dispositions are more than 30 days of confinement are under the legal jurisdiction of JR. The vast majority of adjudicated youth are sanctioned locally.¹¹

Exhibit 1

Key Stages in Washington State’s Juvenile Justice System



Notes:

Orange indicates the major processing points in the juvenile justice system.

Blue indicates youth who are not processed in the juvenile justice system and are remanded to adult court.

Solid lines represent a potential final stage in case processing.

*Chemical Dependency Disposition Alternative (CDDA); Mental Health Disposition Alternative (MHDA); Suspended Disposition Alternative (SDA); and Special Sex Offender Disposition Alternative (SSODA).

⁹ RCW 13.40.0357.

¹⁰ RCW 13.40.020.

¹¹ Luu, D. (2018). *Juvenile disposition summary: Fiscal Year 2018*. Olympia: Caseload Forecast Council.

Glossary of Terms

Adjudication: A finding of guilt pursuant to RCW Title 13; may be reached through a verdict of guilty after a court hearing or a plea of guilty.

Court-involved youth: Youth formally processed and charged in juvenile court. This includes diverted youth, adjudicated youth, and youth on probation or formal supervision.

Disposition: The formal conclusion of a criminal proceeding that includes an order of sanctions

Disposition alternative: When the [juvenile] court may suspend the disposition on condition that the youth comply with one or more local sanctions and any educational or treatment requirements. [RCW 13.040.0357]

Exclusive original jurisdiction: A court's authority to adjudicate a case to the exclusion of all other courts. [RCW 13.04.033]

Information: A plain, concise, and definite written statement of the essential facts constituting the offense charged.

Justice-involved youth: Youth processed through any stage of the juvenile justice system. This includes arrested youth, diverted youth, charged youth, adjudicated youth, youth on probation or formal supervision, and confined youth.

Non-Delinquency: Also called status offenses, this includes non-criminal behaviors regulated for youth only. This includes petitions for At-Risk Youth (ARY), Children in Need of Services (CHINS), and truancy.

Presumptive guidelines: A defined or specified guideline for appropriate or "normal" sentences for each offense to be used as a baseline by a judge, pursuant to RCW 13.40.0357.

Juvenile courts may also issue a deferred disposition.¹² Under a deferred disposition, youth enter into a stipulated agreement with the court that includes supervision and may include mandatory participation in treatment. If the youth successfully complies with the terms of the deferred disposition, the conviction is vacated and removed from the youth's record. Failure to comply with the terms of a deferred disposition may result in the revocation of the deferred disposition and the filing of a disposition consistent with the sentencing guidelines.

Major Juvenile Justice Legislation

Each year, the legislature passes numerous bills that impact the juvenile justice system. These changes are typically minor modifications. However, the legislature has periodically undertaken major legislative reforms. This subsection describes two major historical juvenile justice reforms and four recent reforms that have impacted the juvenile justice system in Washington.

1) The Juvenile Justice Act of 1977

Consistent with national trends, juvenile arrest rates in Washington began climbing in the 1970s with growing concern about serious and violent juvenile crime.¹³ The 1977 Legislature passed bipartisan, statewide juvenile sentencing reform. The goals of the legislation included holding youth accountable for criminal offenses and responding to the treatment needs of

¹² RCW 13.40.127.

¹³ Aos, S. (2002). *The 1997 revisions to Washington's juvenile offender sentencing laws: An evaluation of the effect of local detention on crime rates* (Doc. No. 02-07-1201). Olympia: Washington State Institute for Public Policy and Lieb, R., & Brown, M. (1999). *Washington State's solo path: Juvenile sentencing guidelines*. *Federal Sentencing Reporter*, 11(5).

youth.¹⁴ Additionally, the legislation established sentencing standards aimed at increasing consistency in dispositions for youth with similar offenses and criminal history.

The 1977 Legislature adopted a determinate sentencing system; the same basic structure that is in effect today. A statewide sentencing grid established sentencing ranges (minimum and maximum sentence) based on the youth's age, the seriousness of the current offense, and prior adjudications.¹⁵ Washington was the first state to adopt sentencing guidelines for juveniles.¹⁶

Washington's juvenile sentencing structure is considered **presumptive**, which presumes that judges will sentence youth within the established range.¹⁷ In limited and explicit circumstances, judges have the discretion to depart from the guidelines and impose sentences outside the standard range (either above or below).¹⁸ The vast majority (95%) of all sentences in Fiscal Year (FY) 2018 fell within the standard range.¹⁹

Prior to the passage of the Juvenile Justice Act of 1977, the decision to intervene with youth was at the discretion of probation staff and the juvenile courts.²⁰ The 1977 act shifted discretion to file charges in the juvenile court to the local prosecuting attorney's office.

Sentencing reform in the late 1970s marked a historical turning point in the juvenile justice system across the nation. Although rehabilitation remained a goal, policy responses during this era focused on consistency, fairness, and individual due process rights.

2) The Community Juvenile Accountability Act of 1997

Twenty years after the Juvenile Justice Act of 1977, the 1997 Legislature passed the Community Juvenile Accountability Act (CJAA) with bipartisan agreement.²¹ Recognizing the importance that local entities (e.g., government, community groups) played in impacting statewide crime rates, the purpose of the CJAA was to "provide a continuum of community-based" care. The goal of the legislation was to improve youth's skills so they could function crime-free in the community.²²

¹⁴ Ibid and [RCW 13.40.010](#).

¹⁵ [RCW 13.40.0357](#). Age was subsequently removed from the sentencing grid in 1997. Although age remains a key factor in sentencing for certain offenses, age is no longer part of the sentencing grid. [Aos \(2002\)](#).

¹⁶ [Aos \(2002\)](#) and Lieb & Brown (1999).

¹⁷ Lieb & Brown (1999).

¹⁸ [RCW 13.40.160](#) and [RCW 13.40.0357](#).

¹⁹ Luu (2018).

²⁰ Boerner, D., & Lieb, R. (2001). Sentencing reform in the other Washington. *Crime and Justice*, 28(71) and Feld, B.C. (2017). *The evolution of the juvenile court*. New York, NY: New York University Press.

²¹ [RCW 13.40.500](#) through [13.40.540](#), which was integrated into the Juvenile Justice Act of 1977.

²² [RCW 13.40.500](#).

The CJAA modified the juvenile sentencing standards, giving judges more options at sentencing.²³ Specifically, the legislation established disposition alternatives that provided judges with more sentencing options for youth in need of treatment (e.g., substance abuse, mental health, or sexual offending). These alternatives, still used today, allow youth to participate in community treatment in lieu of commitment to a JR residential facility.

The CJAA also required that state-funded programs implemented by the local courts must be “cost-effective” while also reducing recidivism.²⁴ The legislation required the establishment of criteria to determine what programs could receive state funding. WSIPP was directed to develop standards for measuring the effectiveness of programs.²⁵ The CJAA legislation also required WSIPP to evaluate the costs and benefits of programs funded under the CJAA.²⁶

A statewide advisory committee was created to oversee the continuum of care between state and local governments. The CJAA Advisory Committee currently includes members of JR, the Washington Association of Juvenile Court Administrators (WAJCA), and the Administrative Office of the Courts (AOC). WSIPP serves as a consultant to the CJAA Advisory Committee as needed.

²³ [RCW 13.40.0357](#). The 1977 juvenile sentencing standards became known as Option A and the sentencing alternatives added by the CJAA (1997) law became Options B, C, and D.

²⁴ [RCW 13.40.530](#).

²⁵ [RCW 13.40.530](#) and Barnoski, R. (1997). *Standards for improving research effectiveness in adult and juvenile justice*. (Doc. No. 97-12-1201). Olympia: Washington State Institute for Public Policy.

²⁶ [RCW 13.40.500](#).

The passage of the CJAA marked a turning point in Washington’s juvenile justice system. Washington State became the first state to mandate the development of an evidence-based juvenile justice system and to fund collaborative efforts between researchers and practitioners to support efforts to identify what works to rehabilitate court-involved youth. The juvenile courts began implementing evidence-based programs (EBPs) shortly after the passage of the CJAA (hereafter referred to as “CJAA EBPs”) and have served a few thousand youth each year since.²⁷

3) Recent Legislative Changes

Twenty years after the passage of the CJAA, a new wave of policies have initiated reforms in the juvenile justice system. In recent years, the Washington State Legislature has passed new laws changing the structure of the juvenile justice system and expanding eligibility for state-funded EBPs.

Department of Children, Youth, and Families (DCYF). The 2017 Legislature passed a bill creating a new executive agency called the Department of Children, Youth, and Families (DCYF).²⁸ The primary goal of the legislation was to improve services for youth and families by combining several state agencies

²⁷ CJAA EBPs include programs classified as evidence-based or research-based on WSIPP’s Children’s Services Inventory. See also: Wanner, P., Westley, E., Knoth, L., & Drake, E. (2020). Updated evidence classifications for select juvenile justice state-funded programs in Washington State: A resource guide (Document Number 20-01-1902). Olympia: Washington State Institute for Public Policy; Drake, E. (2010). *Washington State juvenile court funding: Applying research in a public policy setting* (Doc. No. 10-12-1201). Olympia: Washington State Institute for Public Policy; and Washington State Department of Social and Health Services, (2018). *Report to the legislature: Juvenile court block grant report*.

²⁸ [Second Engrossed Second Substitute House Bill 1661, Chapter 6, Laws of 2017](#).

delivering services related to early learning, child welfare, and juvenile justice.²⁹ In FY 2020, Juvenile Rehabilitation moved from the Rehabilitation Administration in the Department of Social and Health Services to the newly-created DCYF.³⁰

Juvenile Court Jurisdiction. Neuroscientists have demonstrated that adolescent brains are not fully developed until the age of 25.³¹ Recognizing these scientific developments, the United States Supreme Court has issued several rulings since the early 2000s ruling that the use of capital punishment and life sentences without parole for crimes committed before the age of 18 are unconstitutional.³² In 2018, the Washington State Supreme Court echoed the U.S. Supreme Court by ruling that sentences of life without parole for crimes committed as a juvenile are unconstitutional under the Washington State Constitution.³³

Drawing on the same neuroscience research informing court decisions, the 2018 Legislature passed a bill which changed the jurisdiction for youth who commit certain serious offenses allowing these youth to be retained in the juvenile justice system rather than transferred to the adult court system.³⁴

²⁹ The consolidation included the Department of Early Learning and all programs delivered by the Children's Administration from the Department of Social and Health Services (DSHS). The Juvenile Rehabilitation (JR) and the Office of Juvenile Justice from DSHS were absorbed within DCYF in July 2019.

³⁰ [Engrossed Second Substitute House Bill 1646, Chapter 322, Laws of 2019.](#)

³¹ Feld (2017) and [MacArthur Foundation Research Network on Adolescent Development and Juvenile Justice \(n.d.\)](#).

³² *Roper v. Simmons*, 542 U.S. 551 (2005); *Graham v. Florida*, 560 U.S. 48 (2010); and *Miller v. Alabama*, 132 U.S. 2455 (2012).

³³ *State v. Bassett*, 192 Wn.2d 67 (2018).

³⁴ [Engrossed Second Substitute Senate Bill 6160, Chapter 162, Laws of 2018. Section 9.](#)

The main features of the 2018 law were twofold. First, the law reduced the number of offenses that are automatically declined juvenile court jurisdiction and remanded into adult superior court jurisdiction. Specifically, the law eliminated exclusive adult jurisdiction for the following:

- Robbery 1;
- Drive-by shooting;
- Burglary 1 for youth with a prior felony or misdemeanor; and
- Any violent offenses when the youth is alleged to have been armed with a firearm.

The law also increased sentences for certain serious offenses adjudicated in juvenile courts and expanded the use of disposition alternatives for some offenses.³⁵

The second main feature of the 2018 law was to extend the age limit for placement of youth in a JR facility from age 21 to age 25 for the aforementioned offenses. Extending jurisdiction authorizes the juvenile courts to issue sentences of confinement and/or parole up to a youth's 25th birthday.

³⁵ The law created a new A++ sentencing range for some offenses and increased the existing ranges for other sentences. The law also expanded the Option B suspended disposition alternative to include robbery 2; residential burglary; burglary 2; intimidation of a witness; and manufacturing, delivery, or possession with intent to deliver a controlled substance or amphetamine, except in circumstances involving the infliction of bodily harm or possession of a deadly weapon.

The following year, the 2019 Legislature passed a bill expanding the provisions of the 2018 law and retroactively applying the changes to individuals sentenced prior to the legal reforms.³⁶ Specifically, the 2019 legislation extended the provisions of the 2018 law to include all serious violent offenses, violent offenses, and rape of a child in the first degree. Additionally, the 2019 law required the Washington State Department of Corrections (DOC) to review cases for individuals under age 25 who were incarcerated in state prison serving a sentence for an offense committed as a juvenile. Qualifying individuals were given the option to transfer from DOC facilities to a residential JR facility to serve their confinement sentence until age 25.

Referred and Diverted Youth. The 2019 Legislature passed a bill expanding youth access to state-funded, CJAA EBPs.³⁷ Prior to the passage of this law, courts received state funds only for adjudicated or formally diverted youth participating in CJAA EBPs.³⁸ The new law allows courts to be reimbursed for youth *referred* to the prosecutor's office who participate in CJAA EBPs in lieu of being charged or formally diverted from the juvenile court. The bill defines "referred youth" as individuals who are 1) contacted by a law enforcement officer who has probable cause to believe a youth committed a crime, 2) referred to a program that treats youth who have not been formally diverted or charged with an offense, and 3) who would have been

formally diverted or charged with an offense in the absence of the program to which the youth was referred.³⁹

Section Summary

The Washington State juvenile justice system has changed significantly over the last forty years. Legislative reforms initially focused on consistency in sentencing and the prioritization of criminal justice resources for youth convicted of more serious offenses and who had longer criminal histories. Beginning with the passage of the CJAA 20 years ago, the legislature began to prioritize the use of evidence-based policies and to shift from a juvenile justice model based on punishment to a model focused on rehabilitation. In recent years, the legislature has continued its commitment to prioritize rehabilitative services for youth involved in the justice system.

Legislative reforms have significantly impacted Washington State's justice-involved youth populations. Over the last forty years, who becomes involved in the system, and at what point, has changed. To further understand these changes, we next examine trends in Washington's juvenile justice system over time.

³⁶ [E2SHB1646](#).

³⁷ [Engrossed Senate Bill 5429, Chapter 461, Laws of 2019](#) and [RCW 13.40.510](#).

³⁸ Adjudicated includes youth who sign a diversion agreement with the courts or youth who receive a deferred disposition.

³⁹ [ESB 5429](#).

III. Youth Involved in the Juvenile Justice System

The population of youth involved in the juvenile justice system in Washington has significantly declined since the mid-2000s. What is less known is how the characteristics of the population and case outcomes have changed during this time. To our knowledge, no comprehensive report has analyzed how characteristics of justice-involved youth in Washington have changed over the last 20 years.

Different state agencies have reported on characteristics of youth involved in the juvenile justice system at different time periods using varying methods. This section draws upon previously published information to present some trends in youth involvement with the juvenile justice system. In most instances, we compiled statistics from annual reports to construct a trend over time. Each of these trends was calculated using different sources of data and different methods. Details about the data sources and limitations of these statistics are discussed in [Appendix II](#).

Justice-Involved Youth

The number of youth arrested in Washington State has significantly declined over time. [Exhibit 2](#) depicts the rate of arrests for every 1,000 Washington youth from FY 1990 – FY 2013.⁴⁰

Consistent with the patterns identified for arrests, the number of juvenile court adjudications resulting in a guilty plea or finding of guilt following a juvenile court hearing has significantly declined since the early 2000s. [Exhibit 3](#) shows the total number of juvenile case dispositions in Washington State from FY 2003 – FY 2017.

Juvenile courts are required to submit information on juvenile case adjudications resulting in a guilty plea, a finding of guilt following a juvenile court hearing, revocation of a deferred disposition, or an Alford plea⁴¹ to the Washington State Caseload Forecast Council (CFC). The CFC does not collect information for juvenile cases adjudicated with a diversion or deferred disposition.⁴² With these data, we cannot know whether the decline in case dispositions observed in [Exhibit 3](#) represents a decline in youth being charged with a criminal offense or if it represents an increase in courts use of diversion dispositions instead of conviction dispositions.

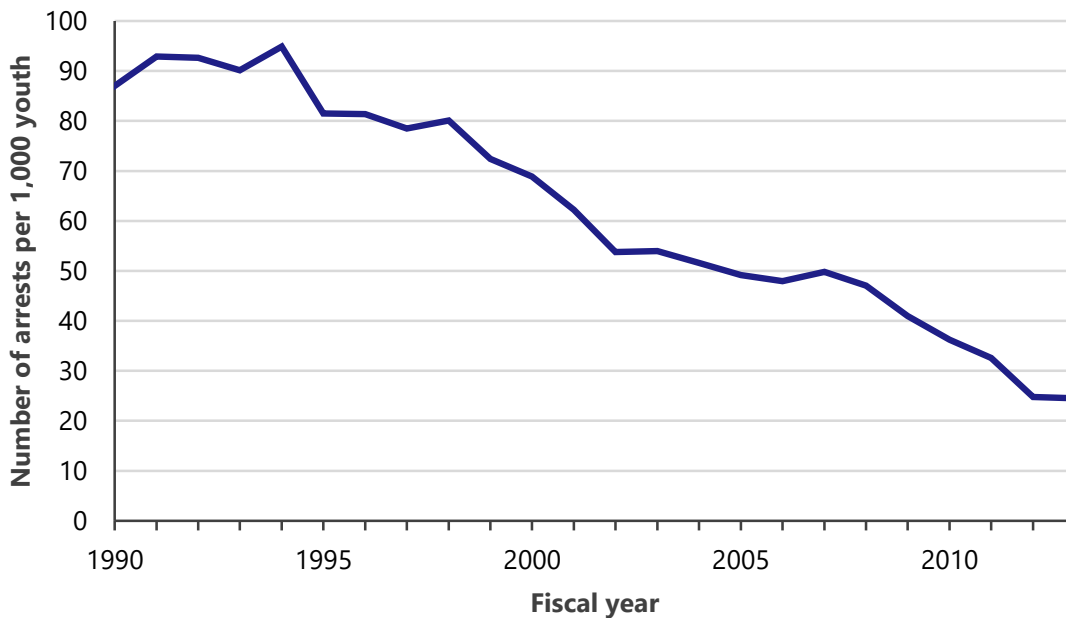
⁴⁰ The agency publishing rates of juvenile arrests changed the method used to calculate the arrest rate after 2013. [Appendix II](#) explains why we could not include the rate beyond 2013.

⁴¹ In an Alford plea, the youth does not have to acknowledge guilt but admits that there is sufficient evidence to support a conviction. Cases resulting in an Alford plea are eligible for the same sanctions as a case resulting in a finding of guilt.

⁴² [Luu \(2018\)](#).

Exhibit 2

Washington State Juvenile Arrest Rate, CY 1990 – CY 2013

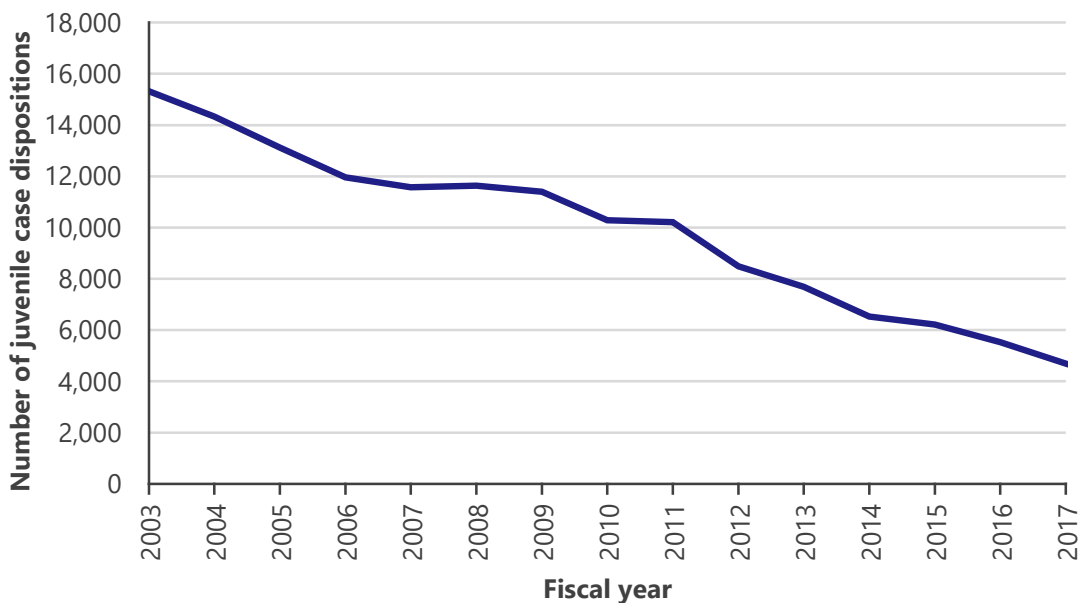


Note:

Source: Washington’s Governor’s Juvenile Justice Advisory Committee and Washington State Partnership Council on Juvenile Justice annual reports.

Exhibit 3

Washington State Juvenile Case Dispositions, FY 2003 – FY 2017



Note:

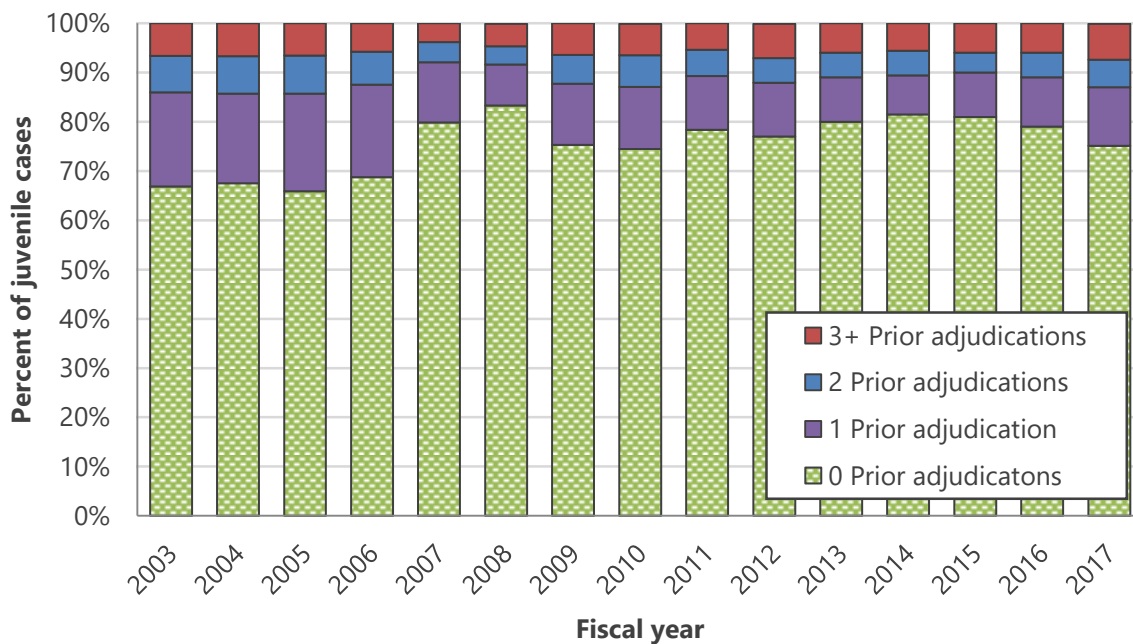
Source: Caseload Forecast Council annual juvenile disposition summaries.

The CFC also reports the number of dispositions associated with varying levels of prior adjudication scores.⁴³ Exhibit 4 shows the percentage of all reported conviction dispositions associated with youth who have different prior adjudication scores.

Over the last 14 years, the percentage of court-involved youth adjudicated for their first offense has increased by 8 percentage points. However, these changes do not necessarily mean that youth have fewer previous contacts with the justice system. For example, it is possible that youth have a prior adjudication score of zero because they previously received a diversion or deferred disposition that does not contribute to the prior adjudication score.

Exhibit 4

Amount of Prior Adjudication for Youth Convicted in Washington State Juvenile Courts, FY 2003 – FY 2017

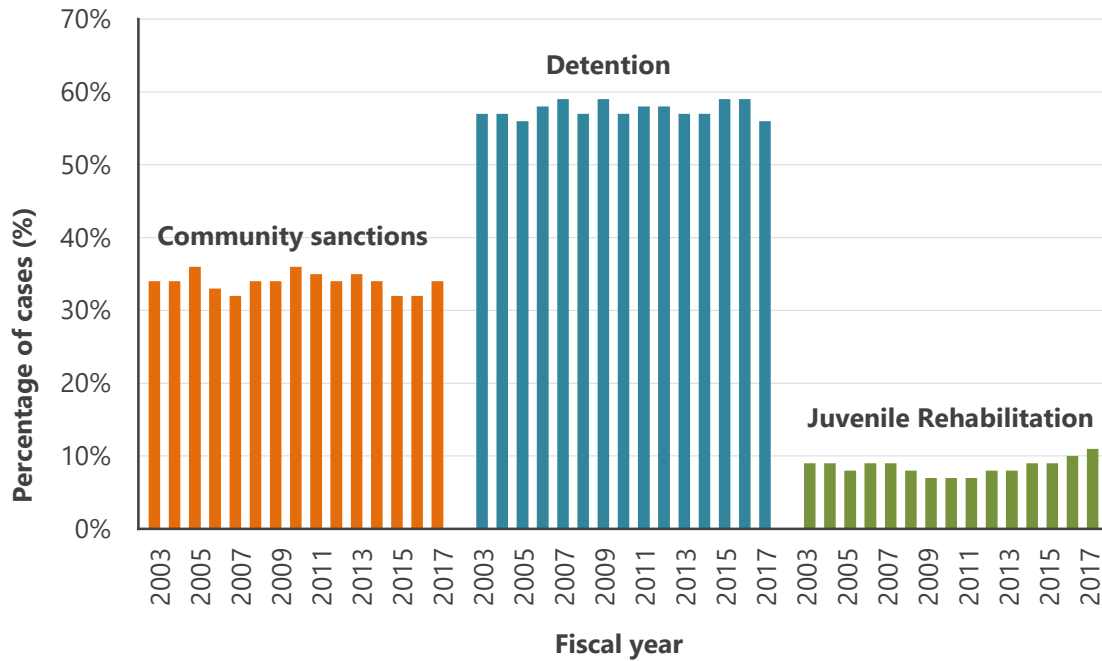


Note:
Source: Caseload Forecast Council annual juvenile disposition summaries.

⁴³ Prior adjudication scores are determined by the youth's number and type of prior adjudications. Prior felony adjudications count as one point each while prior misdemeanor and gross misdemeanor adjudications count as 0.25 points each. The prior adjudication score is the sum of points from all prior adjudications.

Exhibit 5

Washington State Juvenile Disposition Sentence Types, FY 2003 – FY 2017



Note:

Source: Caseload Forecast Council annual juvenile disposition summaries.

Local Sanctions

The majority of court-involved youth⁴⁴ receive local sanctions which are served while supervised by a juvenile probation counselor (JPC) in the community. These sanctions include, but are not limited to, general case management, participation in EBPs or other local court programs, and payment of legal financial obligations.

Of those youth who are adjudicated with a finding of guilt, a revoked deferred disposition, or an Alford plea, the majority receive some form of local sanctions.

Exhibit 5 shows the percentage of

dispositions reported to the CFC that were adjudicated with local sanctions and the percentage of dispositions reported to the CFC that were adjudicated with a stay of confinement in a JR facility. For local sanction dispositions, we present separate percentages for cases containing an order for confinement in a local detention facility and cases receiving community sanctions without detention.

Youth sanctioned with community supervision must complete a juvenile court risk assessment to determine the level of risk, need for treatment, and eligibility for CJAA-EBPs. Results from the juvenile court risk assessments are housed in a database maintained by AOC.

⁴⁴ Court-involved youth include youth adjudicated with a conviction disposition, deferred disposition, or diversion disposition.

Currently, there are no annual reports that track the risk level classifications of youth adjudicated in juvenile courts.⁴⁵ As such, we do not know whether there have been significant changes in the distribution of risk or needs as the population of court-involved youth has significantly declined. Understanding how risks and needs change over time is necessary to ensure the juvenile court's portfolio of evidence-based programs can adequately serve the needs of current populations of court-involved youth.

Juvenile Rehabilitation does provide some information regarding EBP eligibility and participation in their annual Juvenile Court Block Grant Report. However, due to inconsistencies in the availability of data across different years, we were unable to construct a trend in EBP participation rates over time.⁴⁶

Confinement

Juvenile sentences are determined by a sentencing grid that evaluates the seriousness of the offense and the youth's criminal history. Sanctions range from local sanctions (e.g., detention or probation) to 260 weeks in confinement.⁴⁷ Confinement sentences of 30 days or less are typically served in a detention facility operated by or pursuant to a contract with the county while confinement sentences exceeding 30 days are typically served in a juvenile rehabilitation facility.⁴⁸

The number of youth confined in local detention facilities and committed to JR residential facilities has declined over the last ten years. [Exhibit 6](#) shows the number of youth admitted to a detention facility and the WA state population aged 10-17 from 1986 to 2016.⁴⁹ These estimates include detention admissions for both delinquency and non-delinquency (e.g., truancy, at-risk youth, and child in need of services) cases.

Similarly, the number of youth detained in state juvenile rehabilitation facilities has steadily declined over the last 20 years. [Exhibit 7](#) shows the average daily population (ADP) in juvenile rehabilitation facilities from FY 1990 to FY 2018. The average daily population in JR facilities peaked in FY 1997. As of FY 2018, the JR ADP was only 32% of the ADP in 1997.

⁴⁵ WSIPP and AOC have a data-sharing agreement that authorizes WSIPP to maintain a copy of the juvenile assessment records. Neither WSIPP nor AOC have published on changes in risk profiles over time, but the data are available for these analyses.

⁴⁶ Specifically, the 2011 block grant report included only two-quarters of data from FY 2011 and the 2013 report did not include counts of youth who were eligible to participate in EBPs. See [Appendix I](#) for more details.

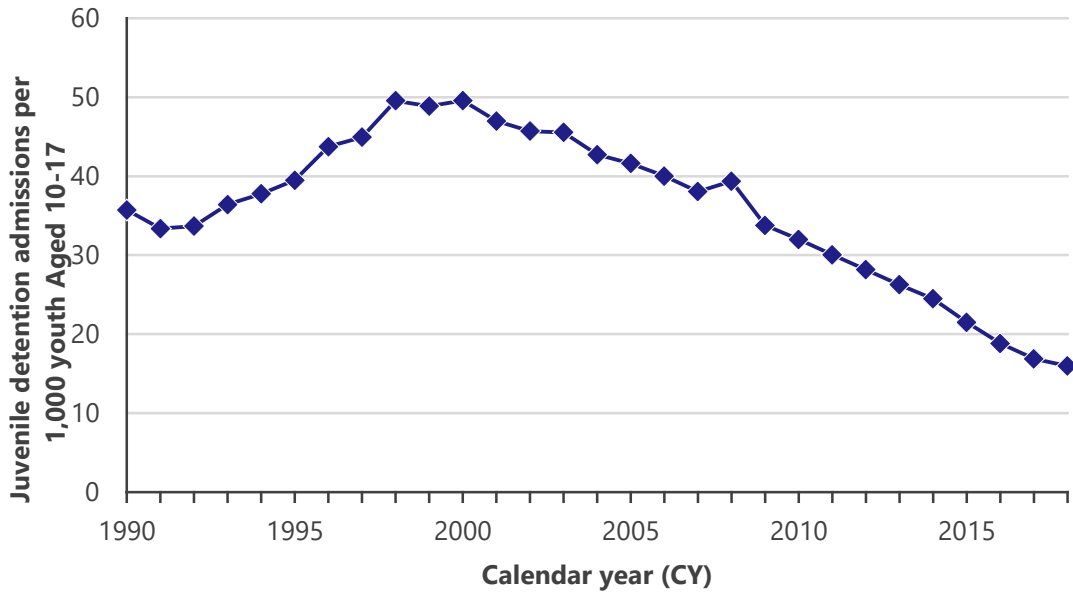
⁴⁷ [RCW 13.40.0357](#).

⁴⁸ [RCW 13.40.185](#).

⁴⁹ The number of youth admitted to a detention facility include admissions for offender and non-offender (e.g., truancy, at-risk youth, and child in need of services) cases. Data come from the Partnership Council on Juvenile Justice and AOC reports. See [Appendix I](#) for more details.

Exhibit 6

Washington State Juvenile Detention Admission Rate CY 1990 – CY 2018



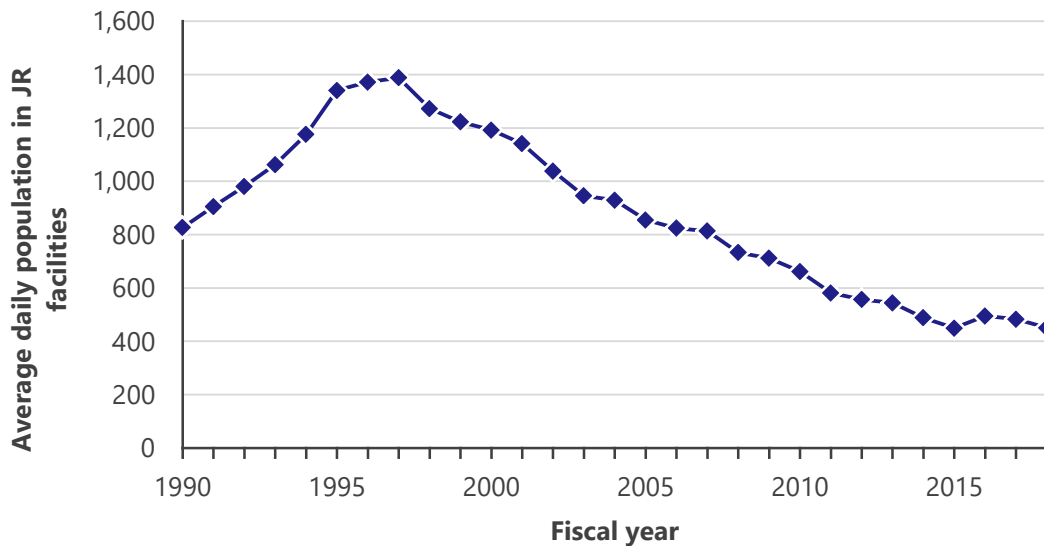
Notes:

Detention admissions include admissions for delinquency and non-delinquency cases.

Source: 1990 – 2014: Washington’s Governor’s Juvenile Justice Advisory Committee and Washington Partnership Council on Juvenile Justice Annual Reports to the Governor and State Legislature and 2016-2018 Washington State Center for Court Research Annual Detention Reports.

Exhibit 7

Washington State Juvenile Rehabilitation Facility Average Daily Population FY 1990 – FY 2018



Note:

Source: Juvenile Rehabilitation, Department of Children, Youth, and Families.

In some instances, youth eligible for local sanctions or confinement may receive a disposition alternative allowing youth to serve their sentence under community supervision while receiving services through the juvenile court. For youth, the disposition alternatives include the following:

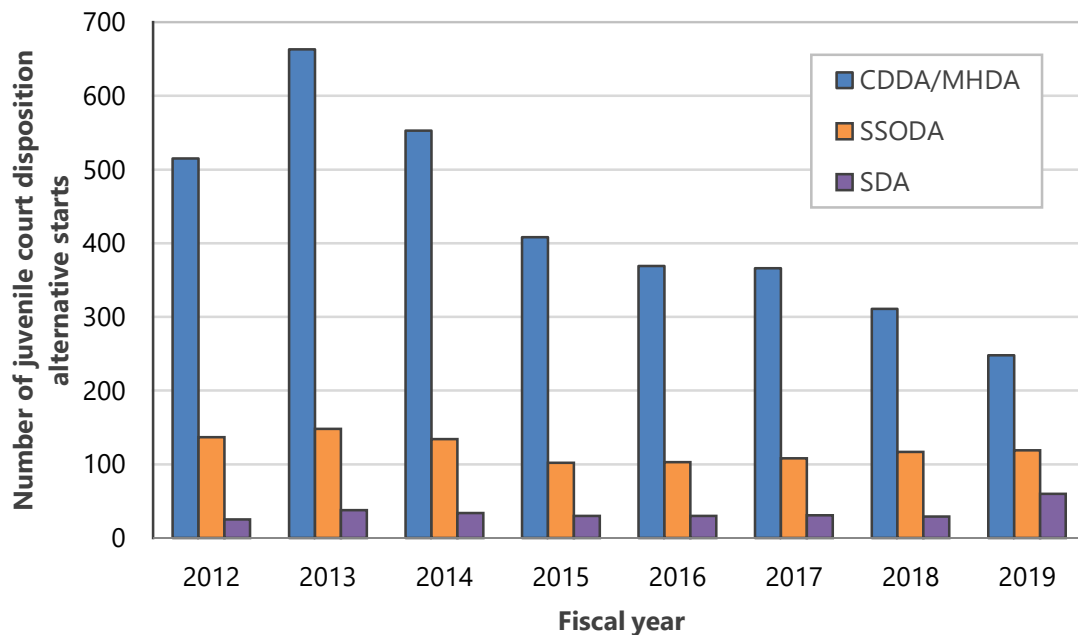
- Chemical Dependency Disposition Alternative (CDDA) – RCW 13.40.165;
- Mental Health Disposition Alternative (MHDA) – RCW 13.40.167;⁵⁰
- Special Sex Offender Disposition Alternative (SSODA) – RCW 13.40.160; and
- Suspended Disposition Alternative (SDA) – RCW 13.40.0357.

These disposition alternatives include additional standards for supervision such as participation in particular forms of mental health/co-occurring disorder/drug/alcohol treatment and submission of monthly reports to track the youth’s progress in treatment.

Exhibit 8 presents the number of disposition alternatives by the type of disposition alternative. Overall, the use of disposition alternatives has declined over time. However, the changes varied by type of alternative. Specifically, CDDA/MHDA has declined by over 50% between FY 2013 and FY 2019 while the use of SDA orders has increased slightly.

Exhibit 8

Juvenile Court Disposition Alternative Starts, FY 2012 – FY 2019



Notes:

In 2016, the Washington State Legislature combined the Chemical Dependency Disposition Alternative and the Mental Health Disposition Alternative.

Source: Department of Social and Health Services and Department of Children, Youth, and Families Reports to the legislature.

⁵⁰ The Mental Health Disposition Alternative is now subsumed by the Chemical Dependency Disposition Alternative in [RCW 13.40.165](#).

The decline in disposition alternatives may be driven by the overall decline in the amount of cases being processed through juvenile courts. Juvenile courts and state agencies do not report on the number of youth eligible for these alternatives. Absent this information, it is not clear whether these trends represent a change in court practices or a change in underlying population characteristics.

Recidivism

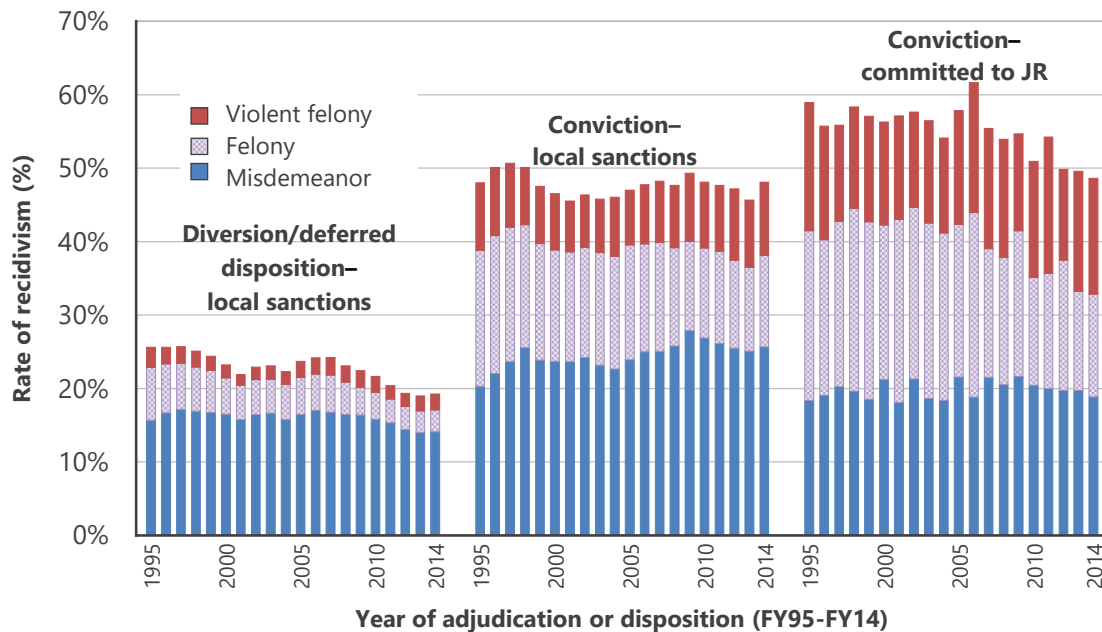
As the population of court-involved youth has declined, so too has the recidivism rate for court-involved youth. In 2019, WSIPP published a report examining changes in the recidivism rate for various court-involved populations from FY 1995 – FY 2014.⁵¹

Overall, the rate of recidivism for court-involved youth has significantly declined over time. These declines were evident across all demographic subpopulations and among youth who were adjudicated for all types of delinquent offenses.

Exhibit 9 shows the recidivism rates for youth adjudicated in juvenile courts from FY 1995 – FY 2014. Rates of recidivism are presented separately by type of sentence (e.g., diversion disposition with local sanctions, conviction disposition with local sanctions, and conviction disposition with a commitment to a JR facility) and by type of most serious recidivism (e.g., misdemeanor, felony, or violent felony).

Exhibit 9

Trends in Recidivism by Disposition and Sentence Type, FY 1995 – FY 2014



Note:
Source: Knoth et al. (2019).

⁵¹ Knoth, L., Wanner, P., & He, L. (2019). *Washington State recidivism trends: FY 1995– FY 2014*. (Doc. No. 19-03-1901). Olympia: Washington State Institute for Public Policy.

Section Summary

Information published by various state agencies suggests that the populations of justice-involved youth have changed significantly over the last two decades. Overall, far fewer youth are involved in the juvenile justice system now compared to the late 1990s. While fewer youth are being detained in local detention facilities or in residential JR facilities, the proportion of youth convicted of a criminal offense who were sentenced to confinement has remained relatively stable over time.⁵² Youth who are court-involved have fewer prior adjudications and are less likely to recidivate than youth who were court-involved in the early 2000s.

Data and methodological differences in reports published by different agencies over time make it impossible to establish a comprehensive understanding of how populations have changed over time.

In addition, there is a significant amount of information that is not currently available in agency reports. We do not know how the following characteristics have changed over time:

- The use of diversion dispositions;
- The percentage of youth eligible for an EBP who are placed in an EBP;
- The use of different dispositions (e.g., diversion dispositions, deferred dispositions, and disposition alternatives) by demographics (e.g., race, sex, and location) over time; and

⁵² The distribution of sanctions for conviction cases suggests that the decline in the ADP of detention and JR is related to the overall decline in youth involved in the justice system and/or the number of youth receiving a diversion agreement rather than a change in judicial decisions at sentencing for conviction cases.

- Changes in profiles of risk and needs in the court-involved youth population.

Many of the trends discussed in this section were compiled from annual reports published by state agencies. These annual reports provide critical information about various aspects of the juvenile justice system and many are used to inform resource allocations to juvenile courts. However, these independent annual reports do not allow for a holistic understanding of how the system has changed over time.⁵³

Additionally, most of the available reports discuss components of the juvenile justice system independently. It is likely that changes in policies or court practices in one aspect of the system will have effects on other aspects of the system. For example, decreases in the prior adjudication score of court-involved youth may be due to increases in the use of pre-filing and post-filing diversion programs. Consequently, it may be inappropriate to compare youth with no prior adjudication score in 2020 to youth with no prior adjudication score in 2000.

More comprehensive research is needed to understand how juvenile court practices and populations have changed over time and how these changes interact with each other to change the overall landscape of Washington State's juvenile justice system.

⁵³ One notable exception is WSIPP's report on recidivism trends in the Washington State criminal justice system (Knoth et al. 2019). This report reveals the type of rich information that cannot be gleaned from cross-sectional, annual reports.

IV. WSIPP's Role in Juvenile Justice Research

During the past two decades, the Washington State Legislature has taken a number of steps to develop an evidence-based juvenile justice system. The central concept has been to identify and implement strategies shown through rigorous research to reduce crime in a cost-effective manner. [Exhibit A5 of Appendix II](#) presents a timeline of selected key policy actions and WSIPP research contributing to the evidence-based evolution of Washington's juvenile justice system.

This section provides an overview of WSIPP's role in juvenile justice research in Washington. The sidebar summarizes how WSIPP receives its assignments and the types of studies we conduct. In this section, we first provide background on our juvenile justice assignments conducted over the past two decades. Then, we review the main findings of programs evaluated in Washington. Finally, we provide a summary of our recent systematic review of the national research literature.⁵⁴

⁵⁴ WSIPP, & EBPI. (2019). *Updated inventory of evidence-based, research-based, and promising practices: For prevention and intervention services for children and juveniles in the child welfare, juvenile justice, and mental health systems* (Doc. No. E2SHB2536-10). Olympia: Washington State Institute for Public Policy.

WSIPP Research

WSIPP conducts non-partisan research at the direction of the legislature or Board of Directors. WSIPP receives its assignments when the legislature passes a policy or budget bill or when its Board of Directors approves a study.

Broadly, WSIPP conducts two types of research to examine what works and what does not. First, outcome evaluations allow researchers to examine the effectiveness of specific programs and policies implemented in Washington. Second, meta-analysis allows us to systematically review the research literature to examine the effectiveness of programs and policies implemented elsewhere. Examining the national research literature informs policymakers what to expect, on average, if these programs are implemented in Washington. A follow-up outcome evaluation can reveal whether the state is achieving the expected results.

Whenever directed and possible, we conduct benefit-cost analysis to determine whether the monetary benefits of programs or policies outweigh the taxpayer costs to deliver the program. WSIPP's economic model provides a standardized, internally consistent monetary valuation of the benefits and costs of each program, per participant. The legislature has directed WSIPP to calculate the return on investment to taxpayers on a variety of education, prevention, and intervention programs and policies.

See: Lee, S., Aos, S., & Penucci, A. (2015). *What works and what does not? Benefit-cost findings from WSIPP*. (Doc. No. 15-02-4101). Olympia: Washington State Institute for Public Policy. See also [WSIPP's benefit cost results](#).

Overview

Since the 1997 CJAA through 2019, WSIPP has published 80 reports on the juvenile justice system.⁵⁵ More than three-quarters of these reports were legislatively mandated and most of those remaining were approved by WSIPP's Board of Directors. These studies include analyses of JR populations, court-involved populations, or both, in equal measure.

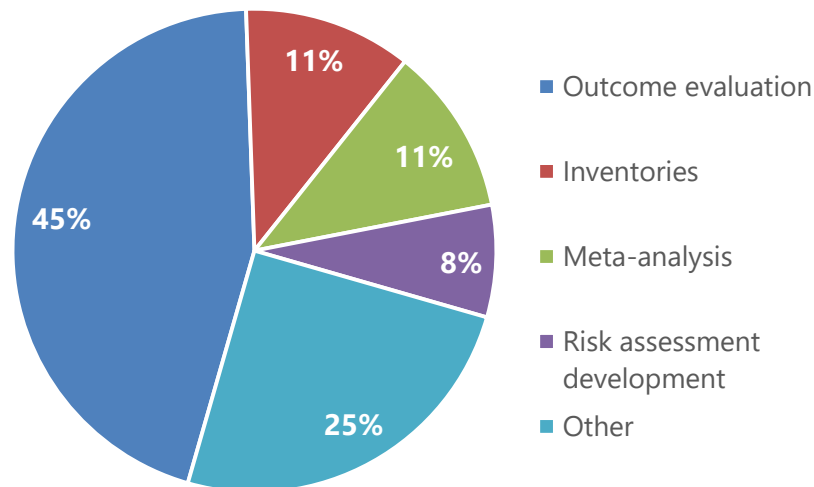
Most of WSIPP's juvenile justice reports were produced between 1997 and 2007 and were associated with one of four juvenile justice reform bills including the 1994 Violence Reduction Act, the 1997 CJAA, the 1999 Budget Bill, and the 2012 Act for Children and Juvenile Services.⁵⁶

Appendix II provides more details about the reports associated with different legislative acts and the distribution of reports over the 22 years.

WSIPP's reports on juvenile justice include outcome evaluations, meta-analyses of programs, program inventories, risk assessment developments, and other miscellaneous reports. Exhibit 10 shows a summary of the prevalence of different types of WSIPP publications since 1997.

Exhibit 10

Type of WSIPP Research Published
Over the 22-year Period



⁵⁵ This figure includes juvenile justice reports published from January 1, 1997, through December 31, 2019. Study directives (assignments) may result in more than one report.

⁵⁶ See Appendix II for more details.

Outcome Evaluations

WSIPP has conducted numerous evaluations on juvenile justice policies and programs in Washington since the passage of the CJAA in 1997.⁵⁷ Outcome evaluations allow researchers to examine the effectiveness of a program at improving certain outcomes (e.g., reducing recidivism). We carry out this research approach by comparing youth who begin the treatment program with similar youth who did not receive the program.⁵⁸

Our studies have examined a variety of programs delivered to JR and/or juvenile court populations. In this subsection, we present high-level, key findings that have emerged from our evaluations and broader experience researching juvenile justice programs and policies over the past two decades. [Exhibit A6](#) of [Appendix II](#) provides a table of each study and its main findings.

The following are key findings and conclusions:

1) Some Programs are Effective at Reducing Recidivism and Some Are Not.

In 1999, systematic reviews guided the selection of CJAA EBPs implemented in Washington. WSIPP evaluated many of the original CJAA EBPs in 2004 including Functional Family Therapy (FFT), Washington State Aggression Replacement Training (WSART), Coordination of Services (COS), and Multisystemic Therapy (MST). WSIPP later

⁵⁷ As noted in the previous subsection, 45% of WSIPP's juvenile justice reports are outcome evaluations (including interim reports or plans for outcome evaluations).

⁵⁸ See WSIPP's minimum standards of rigor in our [Technical Documentation](#). When conducting outcome evaluations, we attempt to carry-out research designs that meet these minimum standards of rigor in order to reach causal conclusions on program effectiveness.

evaluated additional programs as a part of the CJAA promising programs protocol including Education and Employment Training (EET) and Family Integrated Transitions (FIT). The overall findings concluded that, for the most part, these programs were effective at reducing recidivism.

Over the past two decades, WSIPP's outcome evaluations have also found that some programs are ineffective at reducing recidivism or that the programs have harmful or undesirable effects.⁵⁹

2) Many Programs and Outcomes Have Not Been Evaluated.

Broadly speaking, many programs delivered in Washington have not been evaluated.⁶⁰ In some instances, programs have not been evaluated because an appropriate comparison group is unavailable, not enough youth have started the program, or not enough time has passed to measure outcomes such as recidivism.⁶¹ The following section ([Section V](#)) discusses some of the barriers to conducting research in the current court environment in more depth.

After an initial evaluation, programs should be reevaluated if substantial components of the program change. For example, if a program previously found to be effective

⁵⁹ Importantly, programs that demonstrate no significant effect on outcomes of interest (null findings) are different from programs that demonstrate harmful or undesirable outcomes (statistically significant).

⁶⁰ [Aos \(2002\)](#) and Lipsey, M.W. (2018). Effective use of the large body of research on the effectiveness of programs for juvenile offenders and the failure of the model programs approach. *Criminology & Public Policy*, 17(1), 189-198. See also [WSIPP's juvenile justice benefit-cost results](#).

⁶¹ For evaluations of juvenile justice programs, recidivism must be tracked for at least 30 months following participation in the program.

dramatically reduces the amount of treatment a youth receives (e.g., moving from a 12-week to an 8-week program), new outcome evaluations should be conducted to determine whether the modified program is still effective.

3) Some Programs Are Only Effective When Delivered Competently.

In 2004, WSIPP's outcome evaluations demonstrated that WSART and FFT were only effective when delivered competently, highlighting the central importance of developing a quality assurance system.⁶²

In 2019, WSIPP conducted an updated evaluation of WSART participants from 2005 through 2015 and found that WSART participants were more likely to recidivate than similar youth who did not participate.⁶³ Effectiveness did not vary based on the competence of trainers. However, youth who completed the curriculum were significantly less likely to recidivate than youth who participated in but did not complete the WSART program. The report raised the question of whether trainer competence was accurately being measured by the WSART protocols. Quality assurance protocols should also be developed from empirical research to ensure that the measures of competence are valid and reliable.

In the late 1990s to early 2000s, "model programs" were adopted in states across the nation.⁶⁴ Since then, follow-up evaluations have demonstrated the ineffectiveness of some programs after broader implementation.⁶⁵

Similarly, Washington State initially implemented several programs that were found to be effective in pilot studies in Washington. However, more recent research on at least one program (WSART) illustrates that after the programs were scaled up statewide, the positive impacts may not have been maintained. Further analyses are necessary to identify whether quality assurance and trainer competence were related to the decline in program effectiveness over time.

4) Juvenile Justice Populations are Complex and Require Complex Research.

With the establishment of the Department of Children, Youth, and Families, Washington State recognized the interconnectedness of populations served by different state agencies. In addition to experiences with delinquency, youth involved in the juvenile justice system may have a history of trauma, family instability, homelessness, and multisystem involvement. By creating DCYF, the legislature acknowledged the need for a comprehensive approach to providing services to improve outcomes for youth in the juvenile justice system.

⁶² Laws of 2003, ch. 378 § 7, ESSB 5903. See also: Barnoski, R., Aos, S., & Lieb, R., (2003). *Recommended quality control standards: Washington State research-based juvenile offender program* (Doc. No 03-12-1203). Olympia: Washington State Institute for Public Policy.

⁶³ Knoth et al. (2019).

⁶⁴ Model programs are those which have been found to have positive impacts on outcomes in high quality, causal evaluations; Office of Juvenile Justice and Delinquency Prevention, *Model Programs Guide*.

⁶⁵ Lipsey (2018).

WSIPP published a report in November 2019 on dually involved youth— involvement in both the juvenile justice system and child welfare systems.⁶⁶ The study highlighted the unique challenges faced by youth who have multi-system involvement. Dually-involved youth had worse outcomes related to substance use, health, employment, homelessness, and subsequent criminal justice involvement than youth with only juvenile justice involvement.

Studies evaluating the effectiveness of CJAA EBPs have historically examined recidivism as the primary outcome. However, measurement of other outcomes may provide additional information about the pathways to reducing recidivism (e.g., changes in risk and needs, school outcomes, public welfare outcomes, earnings). Descriptive analyses such as those included in the dually involved study show the importance of evaluating a variety of outcomes beyond recidivism.

Early evaluations of court programs also focused on the *overall* effectiveness in terms of recidivism. After years of implementation, more data exist to examine not only what works but what works for whom. Although WSIPP’s 2019 evaluation of WSART found that youth participating in WSART had higher rates of recidivism on average, the study did find that results varied by subgroups. For example, the study found that female youth who participated in WSART actually had lower rates of recidivism than similar female youth who

did not participate in the program. Subpopulation analyses are possible but require additional data and complex methods of analysis.

Finally, as the types of treatment available for court-involved youth increases, there are additional questions about the most effective use of juvenile justice resources. For example, if youth are eligible for multiple evidence-based programs, how should local courts decide which treatment program a youth receives first? Empirical research could test different sequencing of treatment programs to identify which order produces the most long-term benefits. Independent program evaluations are necessary to know whether programs are effective, but comprehensive treatment research is necessary to know whether particular combinations of different treatment programs produce additional benefits.

Future Evaluation Research

WSIPP continues to conduct research assessing the effectiveness of the juvenile justice system. For example, WSIPP currently has an assignment to examine the impact of changes to exclusive adult jurisdiction for certain juvenile crime. The legislation directed WSIPP to evaluate whether the 2018 and 2019 changes to the law impact recidivism, racial disparities, or access to treatment. An initial report is due in 2023 and a final report is due in 2031.

⁶⁶ Miller, M., & Knoth, L. (2019). *Dually involved females in Washington State: Outcomes, needs, and survey of approaches to serve this population* (Doc. No. 13-06-3901). Olympia: Washington State Institute for Public Policy.

Systematic Reviews of the Research Literature

Beyond outcome evaluations, WSIPP has also conducted systematic reviews and meta-analyses to determine “what works and what does not.” Systematic reviews of research literature provide information to policymakers to identify programs that are likely to be effective at achieving particular outcomes in order to help guide future investments.

As a part of the 1997 CJAA, the legislature asked WSIPP to identify programs that could be used for youth involved in the juvenile justice system or youth who were at-risk for system involvement. Through systematic reviews of the literature, WSIPP found several programs that were later chosen for implementation in Washington’s juvenile courts. These systematic reviews continued and were expanded at the direction of the legislature. WSIPP continues to provide information from these systematic reviews and associated benefit-cost analyses on their website.

More recently, the 2012 Legislature required that prevention and intervention services delivered to children and youth in the mental health, child welfare, and juvenile justice systems should be increasingly “evidence-based” or “research-based” programs.⁶⁷ As a part of this act, the Legislature directed WSIPP to use their methods for systematic literature reviews to classify programs based on the available evidence of effectiveness and associated benefits and costs.

⁶⁷ [Engrossed Second Substitute House Bill 2536, Chapter 232, Laws of 2012.](#)

Benefit-Cost and Meta-Analyses: *WSIPP’s Standardized Approach*

WSIPP built its first benefit-cost (BC) model in 1997 to determine whether juvenile justice programs that have been shown to reduce crime are also cost-beneficial. WSIPP continues to develop and improve this model, and we have now applied this approach to more than 400 programs and policies across different policy areas.

WSIPP implements a rigorous three-step research approach to undertake meta/BC analyses. Through these three steps, we

- 1) Identify what works (and what does not) using meta-analysis;
- 2) Assess the return on investment using benefit-cost analysis (BC); and
- 3) Determine the risk of investment.

We follow a set of standardized procedures for each of these steps. These procedures support the rigor of our analyses and allow programs to be compared on an apples-to-apples basis. For full detail on WSIPP’s methods, see our [Technical Documentation](#).*

WSIPP classifies programs as evidence-based, research-based, or promising using the results from our meta/BC analyses. WSIPP produces these classifications in response to specific legislation in Washington.

* Washington State Institute for Public Policy. (December 2019). [Benefit-cost technical documentation](#). Olympia, WA: Author.

This section describes WSIPP’s approach to developing the Children’s Services Inventory, which includes classifications for juvenile justice programs. WSIPP’s standardized meta-analysis and benefit-cost analysis provide the foundation for these inventory classifications (see sidebar) In 2019, WSIPP conducted a full review of our juvenile justice analyses through a Board-approved project.⁶⁸ Rather than asking broadly “what works” to improve outcomes, the question for this inventory has become “what works, and for whom.”⁶⁹ This report, published in December 2019, is the ninth update to the initial inventory published in 2012.⁷⁰ We discuss the specific changes in our juvenile justice findings from our 2019 update.

Dynamic Meta-Analyses and Program Classifications

Our meta-analyses and benefit-cost analyses (meta/BC) and program classifications are snapshots that change as we incorporate new evidence and information. WSIPP periodically receives

assignments to update our meta-analyses.⁷¹ Programs may be classified differently with each update. A separate report details specific changes in classifications for key juvenile justice programs delivered in Washington.⁷²

This section broadly describes the reasons WSIPP’s analyses and program classifications change across iterations of the Inventory. Our analyses and program classifications are dynamic due to:

- 1) Changes in the existing research,
- 2) Continuous improvement in our research methods and economic models, and
- 3) Our response to the policy context in Washington State.

Our goal when implementing these changes is to report rigorous, up-to-date, relevant information that addresses the needs of stakeholders.

⁶⁸ In 2018, WSIPP’s Board of Directors authorized WSIPP to work on a two-year project with the Pew-MacArthur Results First Initiative, under contract with the Pew Charitable Trusts (Pew). This project supported the maintenance of WSIPP’s benefit-cost model and supported updates to meta-analyses relevant to Washington. In 2019, WSIPP’s Board of Directors also authorized a study to update our Children’s Services Inventory through a contract with the Division of Behavioral Health and Recovery (DBHR). This contract funded the review of seven new programs nominated to the inventory through the Evidence-based Practice Institute’s promising practice application process. It also allowed WSIPP to review seven new programs nominated by Washington State juvenile justice stakeholders.

⁶⁹ [WSIPP & EBPI \(2019\)](#).

⁷⁰ The bill directs WSIPP and the Evidence-Based Practice Institute to publish an inventory of evidence-based, research-based, and promising practices and services, and to periodically update this inventory as more practices are identified.

⁷¹ WSIPP has received 19 assignments to conduct meta-analyses on juvenile justice topics, which includes nine updates to the Children’s Services Inventory. Refer to [Section II](#) for additional detail on WSIPP’s juvenile justice-related assignments.

⁷² Wanner et al. (2020).

1) Changes in the Existing Research Literature

WSIPP's standard approach relies on meta-analysis, which combines findings from multiple studies into an average effect size—the expected magnitude of change caused by the program. We include all available studies that meet our criteria for rigor.

When we update our meta-analyses, we search for new research evaluating the effectiveness of a program on our inventory. We also review research previously included in the analysis to ensure it reflects current WSIPP standards and that the literature is still relevant to the scope of the analysis. Consequently, whenever we update a program analysis, we may include different research literature which may result in changes to our conclusions about a program's average effectiveness.

2) Continuous Improvement in Our Research Methods and Economic Models

To support the rigor of our analyses, we make continuous improvements in our statistical methods for meta-analysis and our BC model.

We make improvements to our meta-analytic methods to reflect current best practices in the field. For example, we may modify the statistical methods we use to calculate program effects.⁷³ In some cases, these changes allow us to include statistical information that was previously excluded. In other cases, these changes may result in the removal of information that no longer reflects best practices.

We also make changes to our BC model so that it provides an up-to-date representation of the economic and population characteristics in Washington State.⁷⁴ These changes may include updating economic parameters, such as inflation rates or discount rates. We may also change the parameters used to estimate the value of outcomes (e.g., the cost of crime), the expected base rates of outcomes in a given population (e.g., recidivism rates for court-involved youth), or the relationships between different outcomes in our model (e.g., the link between crime and high school graduation).

Changes in our BC model are applied to all programs currently reported on our website so that all of our analyses represent our most up-to-date valuation of programmatic benefits.

⁷⁴ WSIPP's [Technical Documentation](#) describes the structure and parameters in our benefit-cost model and is updated every time we make changes to the model. [WSIPP \(2019\)](#).

3) Our Response to the Policy Context in Washington State

WSIPP refines our meta/BC analyses to respond to the current needs of policymakers and other stakeholders. WSIPP's standard approach was first developed to answer the question "what works" to improve outcomes. Through this lens, WSIPP's meta/BC analyses aimed to describe the average effect of an average program implementation in the average population. As discussed in [Sections II and III](#) of this report, the landscape of evidence-based policy has changed in Washington since the 1990s—particularly in juvenile justice research. Now, rather than asking broadly "what works" to improve outcomes, the question has become "what works, for whom?"

To respond to these shifts, we may refine the scope of some of our meta/BC analyses. For example, we may "split" broad programs delivered to all justice system-involved youth and instead report separate findings for youth who are court-involved and youth who are confined in Juvenile Rehabilitation facilities.⁷⁵ Following this split, it is possible that our findings reveal that a program is highly effective for one population but less effective or ineffective for another population. By separating these analyses, our inventories can better inform the conditions in which stakeholders can expect a desirable return on investments.

⁷⁵ See [Wanner et al. \(2020\)](#) for details on how this affected juvenile justice programs in our 2019 update.

Section Summary

WSIPP has produced 80 reports on juvenile justice issues, some of which have been used to shape public policy. Almost half of all WSIPP's juvenile justice reports originated from four major pieces of legislation from 1994, 1997, 1999, and 2012. Prior to 2008, WSIPP conducted more outcome evaluations of programs operating in Washington, whereas today the vast majority of research studies WSIPP conducts in this area are systematic reviews of the external research literature. Irrespective of the type of research conducted by WSIPP, key conclusions can be drawn from our knowledge of the research evidence.

More than 40 years ago, it was declared that "nothing works" to reduce recidivism.⁷⁶ WSIPP has been at the forefront of the evidence-based era, contributing to a vast knowledge base. Our studies, both outcome evaluations and systematic reviews, have shown that some programs are effective at reducing recidivism, while others are not. While we have systematically reviewed 58 juvenile justice interventions and conducted outcome evaluations on several of the programs offered in Washington, many programs delivered in Washington's juvenile justice system have not been evaluated.

⁷⁶ Martinson, R. (1974). What works? Questions and answers about prison reform. *The public interest*, 35, 22.

Additional research could provide more useful information for evaluating the effectiveness of evidence-based programs. Potential areas for future research include the following:

What Makes Programs Effective?

- What types of program characteristics are associated with positive outcomes?
- Do quality assurance protocols increase the likelihood of success?
- Do programs accurately measure trainer competence?

What Outcomes Do We Expect to Change?

- Do programs affect outcomes other than crime, such as employment, risk/needs scores, school engagement?
- How do changes in risk or needs scores relate to changes in offending?

Who Are Programs Effective For?

- Do program effects vary for different demographic subgroups?
- Are there certain characteristics of youth that should be prioritized for treatment in order to maximize the effectiveness of treatment programs?

Ongoing Evaluations and Then More Ongoing Evaluations.

Of all the juvenile justice assignments WSIPP has received, we have not received ongoing assignments in juvenile justice with the exception of periodically updating the Children's Services Inventory. We have not received ongoing assignments to evaluate the effectiveness of the implementation of evidence-based programs.

The scientific method is a never-ending process; as questions are answered more questions arise. The knowledge that is produced helps to build a foundation from which more evidence is born. Effective evidence-based systems require ongoing evaluations to help to identify new and improved practices or gaps in treatment that could inform future decisions about the system. A better understanding of the circumstances in which previously effective programs are now deemed ineffective is essential to ensuring that the state's investments in programs are achieving outcomes as intended.

V. Conducting Research in the Current Court Setting

Following the initial implementation of CJAA EBPs in juvenile courts, WSIPP published recommended quality control standards for juvenile court programs.⁷⁷ The recommendations published in 2003 highlighted the importance of data and research to monitor changes in court practices and to ensure that legislative reforms maintained long-term effectiveness.

WSIPP's 2003 recommendations included the following:

- Rigorous outcome evaluations of programs in Washington;
- The establishment of benchmarks to monitor program effectiveness annually;
- The establishment of completion rate standards for juvenile court EBPs; and
- Evaluations of interim outcomes (such as changes in dynamic risk characteristics) in addition to recidivism.

WSIPP's recommendations acknowledge that, as the system changes over time, the effectiveness of programs or practices may also change. It is important to recognize that these changes also have implications for juvenile justice research. This section discusses two core challenges to research in the current court setting:

- increased availability and use of treatment and
- quality and availability of data.

Availability and Use of Treatment

Rigorous evaluations of evidence-based programs require the identification of a group of youth who participated in a particular program and a comparable group of youth who did not participate in the program in order to isolate the unique effect of participating in an EBP.

Ideally, studies analyzing the effectiveness of programs would randomly assign eligible youth to either participate in the program or to receive no treatment. Through randomization, studies can reasonably conclude that any differences in outcomes are attributed to participation in the program rather than systematic differences between youth in the treatment and comparison groups.

During initial evaluations of CJAA EBPs programs, WSIPP took advantage of the gradual implementation and approximated random assignment by using a waitlist approach. In these studies, eligible youth were placed into EBPs until the program was full. Additional eligible youth were placed on a waitlist and received no EBP treatment. Consequently, the selection into an EBP was essentially random. Any differences in outcomes for the youth receiving the program and the youth not receiving the program could be attributed to participation in the program.

As juvenile courts have expanded their use of EBPs, selection into different treatment

⁷⁷ Barnoski et al. (2003).

programs is no longer random.⁷⁸ With increased investments in treatment resources, most adjudicated youth now receive some sort of treatment programming in the juvenile courts. At a minimum, most youth work with a juvenile probation counselor who oversees the Case Management and Assessment Process (CMAP) which integrates components of the risk, needs, and responsivity principles with motivational interviewing and skills-based EBPs.

In the absence of randomization, research must rely on quasi-experimental designs which include statistical methods used to approximate random assignment. Many factors may influence whether or not a youth is placed in a particular type of EBP. Two important factors are the availability of alternative treatment programs and the perceived need for a particular treatment.

For example, many youth in juvenile courts are eligible for both Washington State's Aggression Replacement Training (WSART) and Functional Family Therapy (FFT). If a youth does not start WSART, it may be because the juvenile probation counselor (JPC) thought that the youth would benefit more from FFT or it may be because the court did not have an ART group available, so the JPC placed the youth into FFT instead.

When evaluating the impact of a program, quasi-experimental methods must account for these types of complex selection decisions that may lead to systematic

differences in the characteristics of youth in the treatment and comparison groups.

The expanded availability of treatment also complicates the ability to evaluate program effectiveness by fundamentally changing what "treatment as usual" is in juvenile courts. Ideally, studies would compare outcomes for youth who participate in a specific EBP to youth who receive no treatment. In today's court environment, it is not possible to identify a group of youth who receive no treatment.

If the treatment program of interest successfully reduces recidivism but alternative programs used for youth in the comparison group also reduce recidivism, research may not identify a difference in recidivism between the two groups. In this instance, the absence of a difference does not indicate that the treatment program is ineffective. Rather, the absence of a difference indicates that the treatment program of interest is no more effective than the alternative options available to youth in the comparison group. Statistical methods must account for alternative treatments received by youth in the comparison group.

Quasi-experimental methods may be sensitive to the researcher's decisions. Consequently, evaluations conducted in the context of widespread use of EBPs should test the assumptions of their research by implementing various sensitivity analyses. When research can show consistent findings with different statistical models, we can be more confident in the conclusions about program effectiveness.⁷⁹

⁷⁸ Aos, S., Miller, M., & Drake, E. (2006). *Evidence-based public policy options to reduce future prison construction, criminal justice costs, and crime rates* (Doc. No. 06-10-1201). Olympia: Washington State Institute for Public Policy; Drake (2010).

⁷⁹ For example, see [Knoth et al. \(2019\)](#) Appendices III-V.

Quality and Availability of Data

Quality research begins with quality data. The use of quasi-experimental methods requires consideration of characteristics that may influence the outcomes of recidivism.

The amount and quality of data have significantly improved since the passage of the CJAA. WSIPP worked with various state agencies to construct a unified database (the Criminal History Database; hereafter CHD) able to track individuals through the criminal justice system over time to be able to conduct high-quality research and to quickly respond to legislative requests.

The CHD links court records from the AOC, incarceration and community supervision records from the DOC, and residential facility information from JR. When needed, WSIPP can also connect records in the CHD to records from other justice-related agencies.⁸⁰ In addition, the CJAA advisory committee worked with local juvenile courts to develop databases to track the juvenile risk assessment data and information regarding participation in CJAA EBPs.

Despite these advancements in data, there are still significant limitations. Data limitations can be classified into two categories: limitations in the availability of data and limitations in the quality of data.

⁸⁰ For example, WSIPP can connect CHD records to arrest records from the Washington State Patrol and sentencing data from the CFC.

Availability of Data

The scope of the information reported to a unified, statewide database is still limited. Specifically, we lack data on youth arrested and referred to pre-charge diversion programs and information regarding participation in locally funded EBPs.

Juvenile courts are increasingly diverting youth from the justice system by using pre-charge diversion programs. These programs for referred youth motivated the recent passage of legislative reforms expanding the use of CJAA-funds to support EBPs for youth who are not formally charged with an.⁸¹ However, there is no consistent reporting on the number of youth referred to but not charged by the juvenile courts. As such, researchers cannot examine differences in the youth who are referred but sent to treatment without filing charges and youth who are formally charged.

For youth who are processed through the juvenile justice system, comprehensive data are collected only for participation in CJAA EBPs.⁸² Local juvenile courts may also rely on locally funded and operated treatment programs. Similarly, youth may be referred to mental health or substance use treatment. Currently, there is no statewide criminal justice database that tracks youths' participation in these programs. In the absence of these data, researchers cannot account for differences that may influence recidivism outcomes.

⁸¹ [ESB 5429](#) and [RCW 13.40.510](#).

⁸² In order to provide funding for EBPs through juvenile court block grants, DCYF collects information on EBP eligibility, participation, and completion through the juvenile risk assessment database (known as the Assessment Research Database, or ARD).

For example, an evaluation of a CJAA EBP requires a comparison group of youth who did not participate in the EBP. However, if the youth in the comparison group all participated in local programs that were unknown to the researchers, studies may find that CJAA EBPs do not have a significant effect on recidivism and inappropriately conclude that the programs are ineffective. The absence of significant findings may indicate that the CJAA EBP is no better at reducing recidivism than locally funded programs, not that the CJAA EBPs are actually ineffective.

Quality of Data

Data that are available for juvenile court-involved youth are housed in various independent databases. Juvenile referrals are housed in AOC's Juvenile and Corrections System (JCS) referral database. Court case records are housed in AOC's Superior Court Management Information System (SCOMIS) database. Information on sentences for youth who are convicted is maintained by the CFC. Risk assessment records for youth receiving local sanctions are housed in AOC's Assessment Research Database (ARD).

Most CJAA approved EBPs have developed their methods for collecting and maintaining specific records detailing participation in the EBP and quality assurance evaluations of program providers.⁸³ Records on periods of confinement

⁸³ Program-by-program methods for reporting vary. For example, WSART has an established database that tracks youths attendance in each WSART class as well as information about the trainer who provided the class and details about whether or not the youth completed the program. Assessments of trainers and fidelity are recorded separately with an independent excel spreadsheet for each trainer assessment. There is no central database that collects the information from the independent trainer assessments.

in local detention facilities are maintained in AOC's juvenile detention database, except for King County which maintains their detention database. Records for youth who are ordered to confinement in a JR facility are maintained by DCYF.

Research on the juvenile justice system in Washington often relies on a combination of data from multiple different sources. However, because each database is maintained independently, differences exist in the type of information that is available to accurately link records from different agencies. Over the last two decades, agencies have worked together to identify areas of improvement for data related to the juvenile justice system.⁸⁴ These data discussions are ongoing and important for maintaining quality research in the future.

Prior research has emphasized the importance of considering program fidelity and quality assurance in evaluations of juvenile program effectiveness.⁸⁵ While CJAA EBPs are required to implement quality assurance protocols that assess the competence of trainers administering the EBPs, there is variation in the methods used to collect quality assurance records. Few programs have a centralized database to store data from quality assurance evaluations. As such, these data are often incomplete, making it difficult to assess the impact of quality assurance on the effectiveness of the program.⁸⁶

⁸⁴ For example, see page 12 of Peterson, A. (2017). *Aggression Replacement Training in a probation setting: Outcomes for youths starting treatment January 2010 – September 2012*. Olympia, WA: Center for Court Research, Administrative Office of the Courts.

⁸⁵ Barnoski, R. (2004). *Outcome evaluation of Washington State's research-based programs for juvenile justice* (Doc. No. 04-01-1201). Olympia: Washington State Institute for Public Policy and Lipsey (2018).

⁸⁶ In WSIPP's recent evaluation of the WSART program, WSIPP attempted to collect quality assurance measures of WSART trainers. However, there is currently not a unified

Section Summary

Complex systems require complex research. Changes in the juvenile justice system practices and populations have introduced new complications to conducting research in Washington State's juvenile justice system.

Research methods must account for structural conditions in the current court environment which may influence outcomes. Often, these statistical research methods require more high-quality data and additional analyses to check for potential areas of bias.

More complicated research methods are often more time and resource-intensive. In 2004, WSIPP evaluated four juvenile court programs using rigorous methods and published a final report that was 20 pages long. In 2019, WSIPP published an updated evaluation of one of those four programs (WSART) that totaled 70 pages. Over half of the 2019 report (43 pages) consisted of detailed descriptions of the complex data processing and sensitivity analyses testing alternative specifications of the quasi-experimental methods used in the main report.

Continued research is necessary and valuable but it too must evolve. Public policy research must prioritize the best methods and rigor to ensure confidence in the findings used to inform decision-making in the system. Quality research requires not only investments in rigorous research, but also investments in partnerships between practitioners and researchers to ensure that high-quality data is collected and available for analysis.

database used to store these records and many of the trainer assessments were unavailable or unable to be located.

VI. Pathways Forward

Twenty years ago the Washington State Legislature began investing in significant changes to the juvenile justice system based on evidence that certain programs and strategies may effectively reduce recidivism for court-involved youth. Data presented in this report suggest that what followed was a significant shift in court practices and characteristics of the populations of court-involved youth. Today, there are far fewer youth involved in the juvenile justice system and youth who are involved have far more access to treatment and community-based care.

Findings from more recent research indicate that the policies and programs implemented two decades ago may no longer be effective in the current court environment. These changes in research are part of the broader landscape of changes in court practices and corresponding changes in court-involved populations.

Data and research were critical to guiding initial reforms to the juvenile justice system. Data and research are critical now to fully understand how the juvenile justice system has changed over time and to inform policymakers and practitioners about new pathways forward for the juvenile justice system.

Two types of research may be particularly useful for informing the legislature and state and local agencies about the current state of the evidence-based juvenile justice system in Washington. The research community in Washington has the ability to design and implement these research approaches.

First, outcome evaluations are a critical tool for understanding what works, what does not, and what may have previously worked but is no longer effective in the current court environment. WSIPP's initial recommendations following the CJAA included a need to engage in continuous monitoring of program effectiveness. To date, many programs have not been reevaluated since the initial implementation. In addition, research has focused on CJAA approved programs and there are significant gaps in knowledge about what other types of programs are being used by local courts or other state agencies and if those programs are effective.

Advances in data and methods allow researchers to now investigate what works for whom? New outcome evaluations would add valuable information about the specific use of evidence-based programs and can help move beyond the one-size-fits-all policies of the past.

Second, a comprehensive system-based research approach could help the state understand how changes in the juvenile justice system over time may be related to varying outcomes for youth. As detailed in this report, the juvenile justice system has changed in ways beyond simply implementing a specific set of evidence-

based programs and policies; the characteristics of youth involved in the system have changed, as well as the ways the system responds to criminal behavior.

Trends in juvenile justice policymaking in Washington State mirror similar trends across the country. Despite a nationwide push toward a more rehabilitative juvenile justice system and recognition of the changing needs of justice-involved youth, there is little research evaluating the effects of recent overarching reforms. Washington State is well-situated to respond to calls for continued research on juvenile justice populations and evidence-based treatments.⁸⁷ As the first state to implement an evidence-based juvenile justice system, Washington State has a wealth of data that could be used to evaluate short-term and long-term changes in justice-involved youth populations and program outcomes.

For example, this type of research could examine whether increases in the use of diversion dispositions in lieu of convictions led to decreases in the average risk levels of court-involved youth. This approach could examine whether the programs initially implemented to target low-risk youth are still appropriate for current populations of low-risk youth. Rather than focusing on one aspect of the system (e.g., increases in the use of diversion or effectiveness of programs for low-risk youth), a comprehensive system-based approach could also provide a more complete picture of different stages in

the criminal justice system and how they relate to outcomes for youth.

Systems based research is possible only if there is sufficient access to comprehensive data on different stages of the juvenile justice system. WSIPP's Criminal History Database was developed to allow for this type of research. By establishing methods to link data from different agencies, WSIPP is able to track individuals through various stages of the system using a consistent set of data and methods. This type of comprehensive system-based review can help identify how existing policies could be modified to better address current court populations and could isolate areas of the system that are underserved by existing policies.

The evolution of the juvenile justice system represents a complex interaction between decisions made by policymakers, practitioners, and researchers. Washington State's policymakers, practitioners, and researchers share the common goal of working with the juvenile justice system so that it can best serve the needs of the current justice-involved youth populations. The coordination of these groups helped make Washington State a leader in juvenile justice system reforms in 1997 and will continue to make Washington State a leader in evidence-based juvenile justice policies through the future.

⁸⁷ Benekos, P.J. & Merlo, A.V. (2019) A decade of change: Roper v. Simmons, Defending Childhood, and juvenile justice policy. *Criminal Justice Policy Review*, 30(1), 102-127.



Appendices

Washington State’s Juvenile Justice System: *Evolution of Policies, Populations, and Practical Research*

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I. Acronym Glossary

- ADP: Average daily population
- ARD: Assessment Research Database
- ARY: At-risk youth
- CDDA: Chemical Dependency Disposition Alternative
- CFC: Washington State Caseload Forecast Council
- CHINS: Child in Need of Services
- CJAA: Community Juvenile Accountability Act
- CMAP: Case Management and Assessment Process
- COS: Coordination of Services
- CY: Calendar year
- DCYF: Department of Children, Youth, and Families
- DOC: Washington State Department of Corrections
- DSHS: Department of Social and Health Services
- EBP: Evidence-based program
- EET: Education and Employment Training
- FFT: Functional Family Therapy
- FIT: Family Integrated transitions
- FY: Fiscal year
- GJJAC: Governor’s Juvenile Justice Advisory Council
- JPC: Juvenile probation counselor
- JR: Juvenile Rehabilitation
- MHDA: Mental Health Disposition Alternative
- MST: Multisystemic Therapy
- PCJJ: Partnership Council on Juvenile Justice
- SDA: Suspended Disposition Alternative
- SSODA: Special Sex Offender Disposition
- WAJCA: Washington Association of Juvenile Court Administrators
- WSART: Washington State Aggression Replacement Training
- WSCCR: Washington State Center for Court Research
- WSIPP: Washington State Institute for Public Policy

II. Characteristics of Youth Involved in the Juvenile Justice System

The data in this report were compiled from publications from different state agencies. These reports varied in the sources of data, the years available, and the methods used to calculate resulting statistics. In some cases, we had to combine data from multiple sources in order to create a long-term trend. This appendix reviews the data and methods included in the publications used for [Section III](#) of this report.

Juvenile Arrests

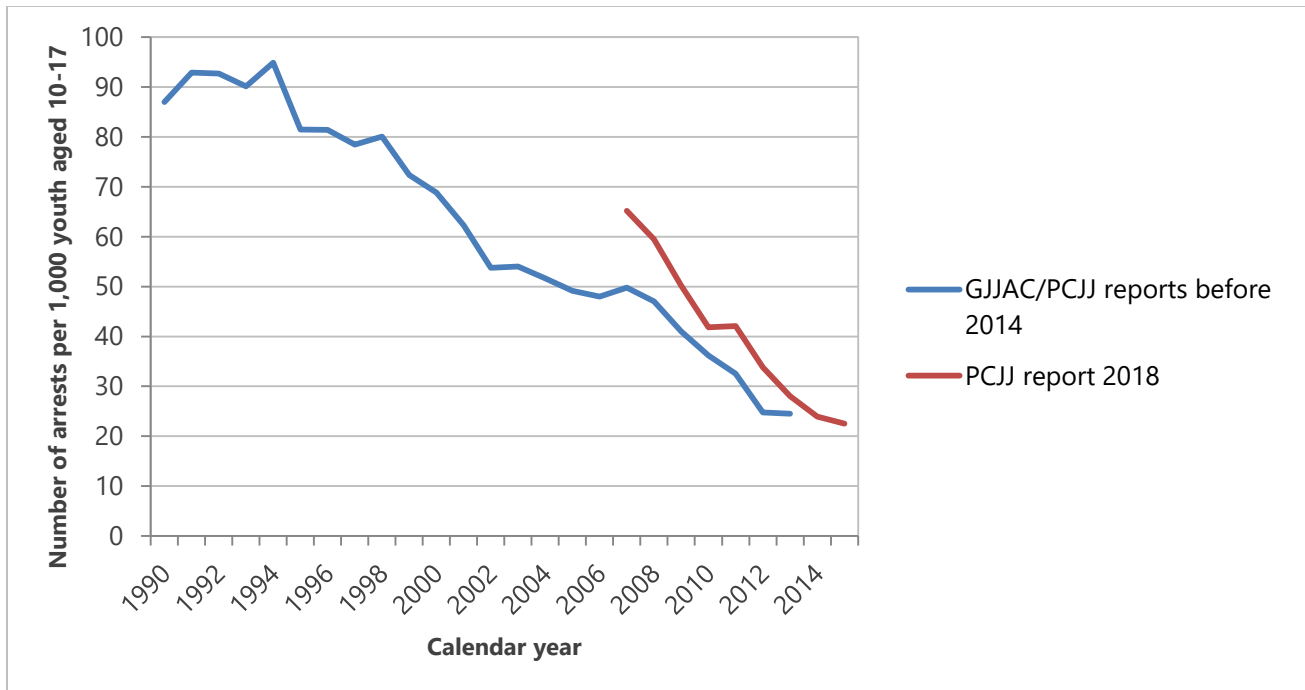
Juvenile arrest statistics were reported by the Governor's Juvenile Justice Advisory Council (GJJAC) in the annual juvenile justice report from 1986 to 2007. Similar statistics were provided in 2013 and 2014 by the Partnership Council on Juvenile Justice (PCJJ).⁸⁸ In 2017, the PCJJ published an updated report to the governor, but the analyses for the report were completed by external agencies. For arrests, the Washington State Center for Court Research (WSCCR) completed the analyses for the final report.

In the 2017 report, WSCCR made modifications to the way that the juvenile arrest rate was calculated, making it impossible to compare the published rates with rates published in previous iterations of the annual report to the governor. [Exhibit A1](#) shows the juvenile arrest rates as reported by the PCJJ through 2014 and by WSCCR in the 2017 publication.

⁸⁸ GJJAC was created in 1982 to serve as an advisory to the Governor ([Exec. Order No. 82-21](#)), which was subsequently replaced by the PCJJ in 2010 ([Exec. Order No. 10-03](#)).

Exhibit A1

Washington State Juvenile Arrest Rate CY 1990 – CY 2018



Prior to the 2017 report, GJJAC/PCJJ reported only on arrests reported to the Washington Association of Sheriffs & Police Chiefs (WASPC). GJJAC/PCJJ relied on data from WASPC to calculate the number of arrests. For the 2018 report, WSCCR used data from the Federal Bureau of Investigation's (FBI) Uniform Crime Reporting (UCR) tool rather than data from WASPC.

Prior to the 2017 report, GJJAC/PCJJ did not include arrests for runaway youth and arrests for curfew violations in the calculation of the juvenile arrest rate. WSCCR did include these arrests, which would result in a larger number of arrests.

The FBI UCR data is provided by the Washington State Patrol (WSP) using the Summary Reporting System (SRS) and the National Incident Based Reporting System (NIBRS). Not all law enforcement agencies in Washington reported to the SRS or NIBRS. As such, the FBI UCR tool reports the estimated population coverage for reporting agencies which is calculated by the FBI. Similarly, WASPC produces an annual report on the Washington State Uniform Crime Report data. Their report includes information about the proportion of the population covered for reporting and non-reporting agencies.

Prior to 2017, GJJAC/PCJJ did not make adjustments to account for arrests in non-reporting agencies. In 2018, WSCCR used a simple adjustment accounting for the percentage of the overall population covered by reporting jurisdictions and did not make agency-specific adjustments. However, some of the inflated rates of arrest may be driven by inaccurate information in the FBI UCR tool. For example, in 2007, the FBI UCR tool reported that the population covered by WA UCR data was 4,877,122, which accounts for 74.7% of the state's population in 2007. However, the WASPC report indicates that the population covered by WA UCR data was 6,132,104, which accounts for 94.0% of the state's population in 2007. Consequently, WSCCR's adjustment based on the FBI UCR report may have over-inflated the number of juvenile arrests in 2007.

Due to differences in these methods, we do not have a consistent measurement of the juvenile arrest rate in Washington from 1990 through 2018 and were limited to presenting the trend from 1990 – 2013 using the GJJAC and PCJJ reports prior to 2018. These reports allowed for an examination of a longer trend in arrests and relied on statistics derived from WA state agencies rather than the FBI.

Juvenile Dispositions

The data for the total number of juvenile case disposition were compiled from the Caseload Forecast Council's annual Juvenile Disposition Summaries. The CFC has published disposition summaries from FY 2003 – FY 2017.⁸⁹ These dispositions include only cases adjudicated with a guilty plea or finding of guilt following a trial.

CFC does not report on annual statistics for juvenile cases adjudicated with a diversion or deferred disposition.

Evidence-Based Programs

Juvenile Rehabilitation publishes annual statistics on EBP eligibility, participation, and completion as a part of the Juvenile Court Block Grant Report to the Legislature.⁹⁰ In FY 2011, the juvenile court assessment transitioned to a new system, disrupting the availability of data. As such, the 2011 report included only two-quarters of data (July – December). Additionally, the 2013 report did not report the number of EBP eligibilities. Given these inconsistencies, we could not construct a reliable rate of EBP participation (number of starters/number of eligibilities) prior to FY 2014.

We could have reported the number of EBP starters in each year from FY 2012 – FY 2018. However, the count of starts does not take into account changes in the juvenile court population. Without complete information on the number of EBP eligibilities, we cannot determine whether changes in trends over time reflect changes in court practices or changes in court populations. For example, an increase program starts may reflect an increase in youth who were eligible to start EBPs or it could reflect an increase in the use of EBPs by juvenile courts.

Juvenile Detention

Juvenile detention statistics were reported by the Governor's Juvenile Justice Advisory Council (GJJAC) in the annual juvenile justice report from 1986 to 2007. Similar statistics were provided in 2013 and 2014 by the Partnership Council on Juvenile Justice (PCJJ).⁹¹ The PCJJ changed the format of the annual report to the Governor in 2017 and no longer presents on the same statistics that were included in previous reports.

In 2016, the Washington State Legislature mandated that the Administrative Office of the Courts (AOC) provide an annual statewide detention report. We used AOC's reports on juvenile detention for 2016, 2017, and 2018. Unfortunately, neither the PCJJ nor AOC reported on statistics of juvenile detention for 2015.

⁸⁹ All juvenile disposition summary reports are available on the CFC's website.

⁹⁰ Reports are available through the Washington State Legislature's website.

⁹¹ WSIPP maintains paper copies of the Governor's Advisory Council on Juvenile Justice annual reports. Archived reports beginning in 2004 are available on the Partnership Council on Juvenile Justice's website.

The GJJAC/PCJJ reports used a different method than AOC to calculate detention admissions. The notable differences in methods include the following:

- 1) The GJJAC reports include estimates for youth detained in the Martin Hall Juvenile Detention Center located in Medical Lake, Washington. AOC’s reports did not include admissions for this facility. However, AOC did remove populations from these jurisdictions from the population total when calculating the rate of detention admissions.
- 2) The AOC reports excluded youth who were held in WA state facilities from out of state (e.g., dispositions in Oregon) and tribal youth. GJJAC and PCJJ included these admissions in their reports.

Juvenile Rehabilitation

Juvenile rehabilitation statistics were calculated using the monthly ADP estimates provided to the Caseload Forecast Council (CFC) for use in the juvenile residential forecasts. To estimate the ADP for each fiscal year, we took the average of each monthly ADP reported in the fiscal year. According to the CFC, these estimates include youths housed in JR facilities as well as those on leave or escape status for two weeks or less.⁹²

Juvenile Disposition Alternatives

Each year, Juvenile Rehabilitation (JR) provides an annual report to the Legislature outlining the use of state funds in juvenile courts through the juvenile court block grant.⁹³ This report includes estimates of the number of disposition alternatives issued in juvenile courts. We used the estimates in these reports to compile the estimate presented in this report.

The Caseload Forecast Council (CFC) also reports disposition alternatives in their annual juvenile sentencing summary.⁹⁴ However, the estimates provided in the CFC annual sentencing summaries are inconsistent with the estimates provided by Juvenile Rehabilitation. [Exhibit A2](#) compares the disposition alternatives reported by the CFC and JR from FY 2012 – FY 2017.

Exhibit A2

Washington State Juvenile Detention Admission Rate FY 1990 – FY 2018

FY	CDDA/MHDA		SSODA		SDA	
	CFC	JR	CFC	JR	CFC	JR
2012	181	517	170	137	24	25
2013	253	665	210	148	38	38
2014	180	553	158	134	23	34
2015	162	408	135	102	12	30
2016	147	370	126	103	30	30
2017	127	366	103	108	32	31

⁹² CFC’s most recent update to the JR residential facility forecast are available on their website.

⁹³ For example, see the [2018 Report to the Legislature: Juvenile Court Block Grant Report](#). Estimates for FY 2019 were provided through direct communication with the Department of Children, Youth, and Families.

⁹⁴ For example, see page 10 of the [FY 2017 Juvenile Disposition Summary](#).

CFC receives information on case dispositions from the Judgment and Sentencing forms provided by the juvenile courts for cases resulting in a guilty plea, a finding of guilt following a juvenile court hearing, revocation of a deferred disposition, or an Alford plea. JR receives information on disposition alternatives for all cases from the juvenile courts as a part of their mandatory reporting for funding under the juvenile court block grant. Juvenile courts may use disposition alternatives for youth adjudicated with a diversion or deferred disposition, which likely explains the discrepancy in disposition alternatives reported by the CFC and JR. Consequently, we chose to report the disposition alternative information provided by JR rather than the disposition alternative information provided by the CFC.

III. WSIPP’s Role in Juvenile Justice Research

Since the 1997 CJAA through 2019, WSIPP has published 80 reports on the juvenile justice system.⁹⁵ More than three-quarters of these reports were legislatively mandated and most of those remaining were approved by WSIPP’s Board of Directors.

Report Authorization

Almost half of WSIPP’s juvenile justice assignments originated from one of four juvenile justice reform bills as shown in [Exhibit A3](#). The remaining half were directed through other legislative actions or the WSIPP Board of Directors.⁹⁶

Exhibit A3

Most Frequent WSIPP Reports by Authorizing Legislation

Legislation	Number	Percent
CJAA, 1997	12	15%
1999 Budget Bill, JR [#]	11	14%
Children’s Services Inventory	9	11%
Violence Reduction Act, 1994	6	8%
Sum of top 4 legislation	38	48%
Other legislation/Board approval	42	53%
Total reports	80	100%

Note:

[#] This assignment was appropriated for studies related to the CJAA, 1997 legislation.

Nearly a third of WSIPP’s legislatively directed juvenile justice reports were associated with the 1997 CJAA. These assignments came directly from the CJAA legislation or from the 1999 Budget Bill, which appropriated funds to JR who contracted with WSIPP to carryout research associated with the 1997 law.

The 2012 Legislature assigned about one-tenth of our juvenile reports, which include Children’s Services Inventory classifications of juvenile justice evidence-based programs.⁹⁷ The Violence Reduction Act (VRA) of 1994 also contributed to a number of reports at WSIPP.⁹⁸

⁹⁵ This figure includes juvenile justice reports published from January 1, 1997, through December 31, 2019. Study directives (assignments) may result in more than one report.

⁹⁶ Five of these reports were published with WSIPP’s discretionary funds for ongoing and continuing studies.

⁹⁷ The legislation required WSIPP to periodically update the inventory with funds appropriated for the first inventory report and funding for the subsequent inventory reports were WSIPP Board-approved with funding from contracted sources. [WSIPP & EBPI \(2019\)](#).

⁹⁸ Because our timeframe for this report begins with WSIPP studies published in 1997, this figure is an underestimate of total WSIPP reports associated with the VRA, 1994.

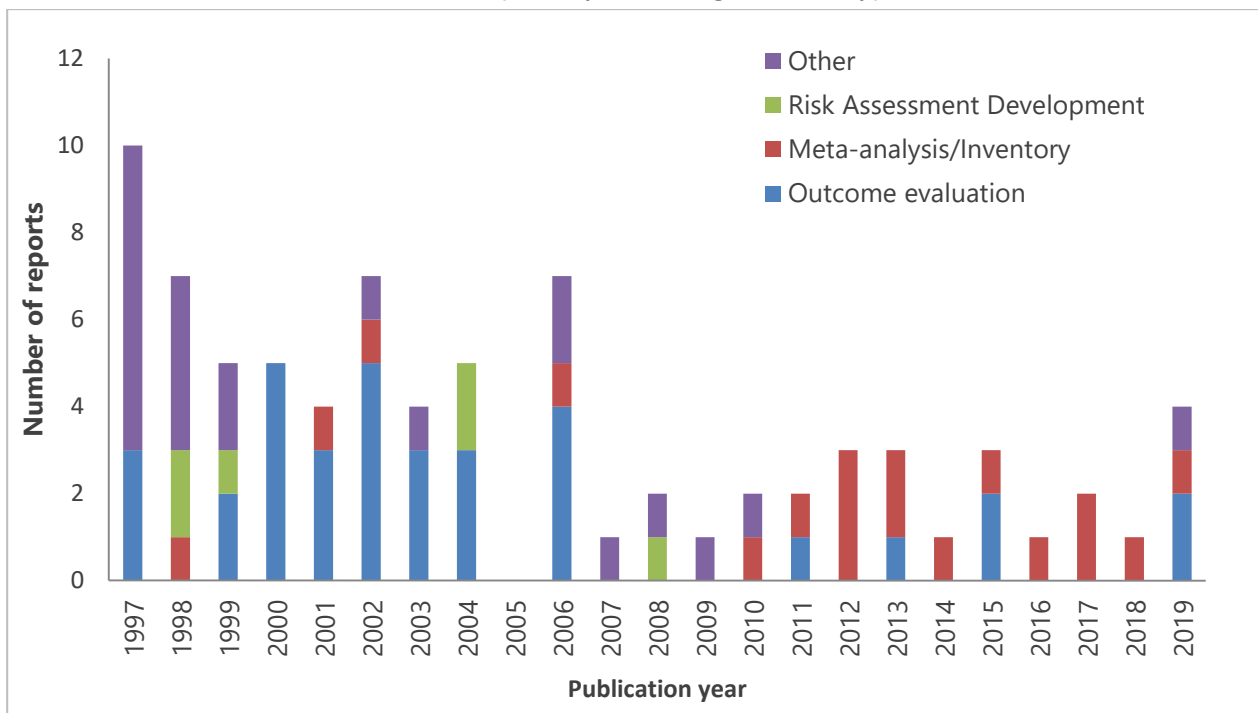
Research Type

Of the 80 reports published since 1997, the most common type (45%) were outcome evaluations designed to examine the effectiveness of a specific program or policy implemented in Washington. Approximately 22% of WSIPP reports published were meta-analysis, including Children’s Services Inventories.⁹⁹ Eight percent of WSIPP reports were related to the development of the juvenile court risk assessment tool required for determining eligibility into EBPs.¹⁰⁰

Publication Year

Over the 22 years, 69% of all WSIPP juvenile justice reports were published from 1997 to 2007. The remaining 31% were published from 2008 to 2019 (See Exhibit A4).

Exhibit A4
Number of WSIPP Reports by Publishing Year and Type of Research



Population

Approximately one-third of WSIPP’s juvenile justice reports were related to juvenile court populations, one-third were related to JR populations, and the remaining one-third were related to both populations.

⁹⁹ E2SHB 2536 directed WSIPP to create an inventory of evidence-based, research-based, and promising practices. WSIPP conducts a meta-analysis to classify practices as evidence- or research-based according to the above definitions.

¹⁰⁰ In 2004, WSIPP also developed and validated the Washington State Juvenile Court Assessment to guide referral into the appropriate program and to determine a youth’s risk for re-offense. This work was directed in two major laws including the CJAA, 1997 (RCW 13.40.510) and the Violence Reduction Act, 1994 (Engrossed Second Substitute House Bill 2319, Chapter 7, Laws of 1994). Both laws required the examination of risk factors empirically associated with criminal recidivism.

Exhibit A5

Evidence-based Evolution of Washington’s Juvenile Justice System: Timeline of Selected Key Policy Actions and WSIPP Research

Year	Major policy action or research finding	Legislative authority (if applicable)	WSIPP report (if applicable)
1994	1994 Youth Violence Reduction Act passes including implementation of Community Networks.	Youth Violence Reduction Act, 1994 (E2SHB 2319, Chapter 7, Laws of 1994); RCW 70.190.050	Aos & Lieb (1995). A Plan for Evaluating Washington State’s Violence Prevention Act. Knapp (1999). Community Networks: Progress Toward Measuring Results.
1997	Evaluate juvenile court's Early Intervention Program indicates that intensive probation does not reduce recidivism.	ESSB 6251, Chapter 283, Laws of 1996, Sec. 203 (budget bill)	Barnoski & Matson (1997). Evaluating Early Intervention in Washington State Juvenile Courts: A Six-Month Progress Report. Barnoski (2003). Evaluation of Washington's 1996 Juvenile Court Program (Early Intervention Program) for High-risk, First-time Offenders: Final Report.
1997	1997 Community Juvenile Accountability Act (CJAA) passes requiring research-based programs.	CJAA, 1997 (RCW 13.40.500 to 13.40.540)	15 WSIPP reports including many cited throughout this Exhibit.
1997	Develop research standards of effectiveness.	CJAA, 1997 (RCW 13.40.530)	Barnoski (1997). Standards for Improving Research Effectiveness in Adult and Juvenile Justice.
1998	The Washington State Association of Juvenile Court Administrators asks WSIPP to develop the risk assessment specified in CJAA, 1997. Risk assessment development and validation (pre-screen) to determine youth risk level and CJAA program eligibility.	Youth Violence Reduction Act, 1994 (E2SHB 2319, Chapter 7, Laws of 1994, Sec. 203); CJAA, 1997 (RCW 13.40.500)	Barnoski (1998). Validation of the Washington State Juvenile Court Assessment: Interim Report.
1998	Move funding from the Early Intervention Program (intensive probation) to cost-effective, research-based programs.	CJAA, 1997 (RCW 13.40.530)	Aos, Barnoski, & Lieb (1998). Watching the Bottom Line: Cost-Effective Interventions for Reducing Crime in Washington. WSIPP (2002). The Juvenile Justice System in Washington State: Recommendations to Improve Cost-Effectiveness.
1999	Statewide funding and implementation of research-based programs in juvenile courts. Programs include Functional Family Therapy (FFT), Aggression Replacement Training (ART), Multisystemic Therapy (MST), Mentoring, Coordination of Services (COS).	Youth Violence Reduction Act, 1994 (E2SHB 2319, Chapter 7, Laws of 1994, Sec. 203); CJAA, 1997 (RCW 13.40.500)	Barnoski (1999). The Community Juvenile Accountability Act: Research-Proven Interventions for the Juvenile Courts. Aos, Phipps, Barnoski, & Lieb (1999). The Comparative Costs and Benefits of Programs to Reduce Crime.

Year	Major policy action or research finding	Legislative authority (if applicable)	WSIPP report (if applicable)
1999	Risk assessment development and implementation.	CJAA, 1997 (RCW 13.40.500)	Barnoski (1999). Washington State Juvenile Court Assessment Manual Version 2.0.
2002	Examine cost-effective prevention and intervention strategies and expected changes from portfolio investment.	Operating budget, 2001 (ESSB 6153, Section 608 (9))	WSIPP (2002). The Juvenile Justice System in Washington State: Recommendations to Improve Cost-Effectiveness.
2002	Evaluate the effectiveness of CJAA program, ART. Preliminary findings indicate reduced recidivism, but emphasize the importance of competent delivery.	CJAA, 1997 (RCW 13.40.500)	Barnoski (2002). Washington State's Implementation of Aggression Replacement Training for Juvenile Offenders: Preliminary Findings.
2002	Evaluate the effectiveness of CJAA program, FFT. Preliminary findings indicate reduced recidivism, but emphasize the importance of competent delivery.	CJAA, 1997 (RCW 13.40.500)	Barnoski (2002). Washington State's Implementation of Functional Family Therapy for Juvenile Offenders: Preliminary Findings.
2002	Examine 1997 CJAA law on detention.	RCW 13.40.0357	Aos (2002). The 1997 Revisions to Washington's Juvenile Offender Sentencing Laws: An Evaluation of the Effect of Local Detention on Crime Rates.
2003	Recommend quality control standards for CJAA programs.	ESSB 5903, Section 7, Chapter 378, Laws of 2003.	Barnoski, Aos, & Lieb (2003). Recommended Quality Control Standards: Washington State Research-Based Juvenile Offender Programs.
2003	Evaluate the effectiveness of declining juvenile court jurisdiction.	RCW 13.40.0357	Barnoski (2003). Changes in Washington State's Jurisdiction of Juvenile Offenders: Examining the Impact.
2004	Evaluate the effectiveness of CJAA programs, ART, COS, FFT, MST. Findings indicate reduced recidivism and emphasize the importance of competent delivery for ART and FFT. MST could not be evaluated.	CJAA, 1997 (RCW 13.40.500)	Barnoski (2004). Outcome Evaluation of Washington State's Research-based Programs for Juvenile Offenders. Barnoski, Aos, & Lieb (2003). Recommended Quality Control Standards: Washington State Research-Based Juvenile Offender Programs.
2004	Risk assessment development and validation.	RCW 13.40.500	Barnoski (2004). Assessing Risk for Re-Offense: Validating the Washington State Juvenile Court Assessment Manual, Version 2.1.
2006	Reinvesting in Youth legislation: State reimburses counties for implementing research-based programs.	RCW 13.40.462	

Year	Major policy action or research finding	Legislative authority (if applicable)	WSIPP report (if applicable)
2006	Examine the portfolio of programs to reduce the need for future prison beds.	ESSB 6094, Section 708, Chapter 488, Laws of 2005.	Aos, Miller, & Drake (2006). Evidence-Based Public Policy Options to Reduce Future Prison Construction, Criminal Justice Costs, and Crime Rates.
2007	Expanded funding for research-based programs based on WSIPP, 2006 report.	SHB 1128, Chapter 522, Laws of 2007	Aos, Miller, & Drake (2006). Evidence-Based Public Policy Options to Reduce Future Prison Construction, Criminal Justice Costs, and Crime Rates.
2008	WSIPP begins providing an annual step adjustment for Caseload Forecast Council to reflect the 2007 Legislature's expanded investments in research-based programs.		Aos, Miller, & Drake (2006). Evidence-Based Public Policy Options to Reduce Future Prison Construction, Criminal Justice Costs, and Crime Rates. Drake (2010). Washington State Juvenile Court Funding: Applying Research in a Public Policy Setting.
2009	Examine cost per participant to deliver CJAA programs.	Laws of 2009, ch. 564 § 203, ESHB 1244	Barnoski, (2009). Providing Evidence-Based Programs With Fidelity in Washington State Juvenile Courts: Cost Analysis
2010	Develop block grant funding formula to incentivize the use of evidence-based programs. CJAA promising program process is established.	Laws of 2009, ch. 564 § 203, ESHB 1244	Drake (2010). Washington State Juvenile Court Funding: Applying Research in a Public Policy Setting.
2011	Children's services inventory created, which requires all mental health, child welfare, and juvenile justice programs to be evidence-based or research-based.	HB 2536	WSIPP & EBPI (2012). Inventory of Evidence-Based, Research-Based, and Promising Practices.
2013	Evaluate the effectiveness of declining juvenile court jurisdiction. Findings indicate that declining youth to the adult court increases recidivism.	RCW 13.40.0357 & WSIPP Board	Drake (2013). The Effectiveness of Declining Juvenile Court Jurisdiction of Youth.
2015	Evaluate the effectiveness of CJAA promising program, Education and Employment Training (EET). Findings indicate EET reduces recidivism, cost-effectively.	SHB 1128	Miller, Fumia, & He (2015). The King County Education and Employment Training (EET) Program: Outcome Evaluation and Benefit-Cost Analysis
2015	Evaluate the effectiveness of CJAA program, COS. Findings indicate COS reduces recidivism, cost-effectively.	SHB 1128	Fumia, Drake, & He (2015). Washington's Coordination of Services Program for Juvenile Offenders: Outcome Evaluation and Benefit-Cost Analysis.
2019	Evaluate the effectiveness of CJAA programs, ART. Findings indicate ART does not reduce recidivism.	SHB 1128	Knoth, Wanner, & He (2019). Washington State's Aggression Replacement Training for Juvenile Court Youth: Outcome Evaluation.

Exhibit A6

Timeline of Major Events Affecting Evidence-Based Policy in the Juvenile Justice System

Study	Main finding	Citation
Sanctions		
Decline of juvenile court jurisdiction	Youth who are declined juvenile court jurisdiction have higher recidivism rates than comparable youth retained in the juvenile justice system.	Drake, E. (2013). <i>The effectiveness of declining juvenile court jurisdiction of youth</i> (Doc. No. 13-12-1902). Olympia: Washington State Institute for Public Policy. Barnoski, R., (2003). <i>Changes in Washington State's jurisdiction of juvenile offenders: Examining the impact.</i> (Doc. No. 03-01-1203). Olympia: Washington State Institute for Public Policy.
Detention impacts on crime rates	Detention is effective at reducing arrests with limitations, including (1) limited cost-effectiveness and (3) diminishing returns.	Aos, S. (2002). <i>The 1997 revisions to Washington's juvenile offender sentencing laws: An evaluation of the effect of local detention on crime rates</i> (Doc. No. 02-07-1201). Olympia: Washington State Institute for Public Policy. WSIPP. (2002). <i>The juvenile justice system in Washington State: Recommendations to improve cost-effectiveness.</i> Olympia: Washington State Institute for Public Policy.
Chemical dependency disposition alternative	Unable to evaluate causally due to inability to locate an appropriate comparison group.	Drake, E., & Barnoski, R. (2006). <i>Chemical dependency disposition alternative for juvenile offenders: Statewide variation in implementation.</i> (Doc. No. 06-06-1207). Olympia: Washington State Institute for Public Policy.
Juvenile Rehabilitation (JR)		
Dialectical Behavior Therapy (DBT)	Non-significant reduction in recidivism for participants.	Drake, E., & Barnoski, R. (2006). <i>Recidivism findings for the Juvenile Rehabilitation Administration's Dialectical Behavior Therapy Program: Final report</i> (Doc. No. 06-07-1201). Olympia: Washington State Institute for Public Policy. Drake, E., & Barnoski, R. (2006). <i>Recidivism findings for the Juvenile Rehabilitation Administration's mentoring program: Final report</i> (Doc. No. 06-07-1202). Olympia: Washington State Institute for Public Policy.
Mentoring	Non-significant reduction in recidivism for participants.	Drake, E., & Barnoski, R. (2006). <i>Recidivism findings for the Juvenile Rehabilitation Administration's mentoring program: Final report</i> (Doc. No. 06-07-1202). Olympia: Washington State Institute for Public Policy.
Boot camp	Significant reduction in violent felony recidivism for participants.	Barnoski, R. (2004). <i>Washington's juvenile basic training camp: Outcome evaluation</i> (Doc. No. 04-08-1201.) Olympia: Washington State Institute for Public Policy.

Study	Main finding	Citation
Parole	Both studies found non-significant increases in recidivism for parole participants.	<p>Drake, E., & Barnoski, R. (2006). <i>The effects of parole on recidivism: Juvenile offenders released from Washington State institutions: Final report</i> (Doc. No. 06-07-1203). Olympia: Washington State Institute for Public Policy.</p> <p>Barnoski, R., & Aos, S. (2001). <i>The effects of parole on recidivism: Juvenile offenders released from Washington State institutions: Preliminary findings</i>. (Doc. No. 01-03-1201). Olympia: Washington State Institute for Public Policy.</p>
Juvenile court		
Coordination of Services (COS)	2015 study found a non-significant reduction in recidivism for participants. 2004 study found a significant reduction in felony recidivism.	<p>Fumia, D., Drake, E., & He, L. (2015). <i>Washington's Coordination of Services program for juvenile offenders: Outcome evaluation and benefit-cost analysis</i> (Doc. No. 15-09-1901). Olympia: Washington State Institute for Public Policy.</p> <p>Barnoski, R. (2004). <i>Outcome evaluation of Washington State's research-based programs for juvenile offenders</i> (Doc. No. 04-01-1201). Olympia: Washington State Institute for Public Policy.</p>
Education and Employment Training (EET)	Significant recidivism reduction for participants.	Miller, M., Fumia, D., & He, L. (2015). <i>The King County Education and Employment Training (EET) program: Outcome evaluation and benefit-cost analysis</i> (Doc. No. 15-12-3901). Olympia: Washington State Institute for Public Policy.
Family Integrated Transitions (FIT)	Significant reduction in felony recidivism for participants.	Aos, S. (2004). <i>Washington State's Family Integrated Transitions program for juvenile offenders: Outcome evaluation and benefit-cost analysis</i> (Doc. No. 04-12-1201). Olympia: Washington State Institute for Public Policy.
Functional Family Therapy (FFT)	Non-significant reduction in felony recidivism for participants. When delivered with quality/fidelity, FFT reduces felony and violent felony recidivism.	Barnoski, R. (2004). <i>Outcome evaluation of Washington State's research-based programs for juvenile offenders</i> . (Doc. No. 04-01-1201). Olympia: Washington State Institute for Public Policy.
Multisystemic Therapy (MST)	Unable to evaluate causally due to the inability to locate an appropriate comparison group.	Barnoski, R. (2004). <i>Outcome evaluation of Washington State's research-based programs for juvenile offenders</i> . (Doc. No. 04-01-1201). Olympia: Washington State Institute for Public Policy.
Washington State Aggression Replacement Training (WSART)	2004 findings show non-significant reductions in recidivism. When delivered with quality/fidelity, WSART reduces felony recidivism. 2019 findings show WSART participants were more likely to recidivate than similar youth who did not participate. Effectiveness did not vary based on the competence of trainers.	<p>Barnoski, R. (2004). <i>Outcome evaluation of Washington State's research-based programs for juvenile offenders</i>. (Doc. No. 04-01-1201). Olympia: Washington State Institute for Public Policy.</p> <p>Knath, L., Wanner P., & He, L., (2019). <i>Washington State's Aggression Replacement Training for juvenile court youth: Outcome evaluation</i>. (Doc. No. 19-06-1201). Olympia: Washington State Institute for Public Policy.</p>

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