

REPORT TO THE LEGISLATURE
Racial and Ethnic Disparities in Juvenile Court
Evidence-Based Programs

RCW 13.06.050(3)

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Rehabilitation Administration
Juvenile Rehabilitation
PO Box 45720
Olympia, WA 98504-5720
360-902-8100

<https://www.dshs.wa.gov/ra/juvenile-rehabilitation>

In Collaboration With:

Washington State Human Rights Commission
Washington Association of Juvenile Court Administrators

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Executive Summary

Pursuant to RCW 13.06.050(3), the Department of Social and Health Services (DSHS), Rehabilitation Administration's Juvenile Rehabilitation program (JR), in conjunction with the Washington State Human Rights Commission (HRC), is required to report annually to the Washington State Legislature on the effectiveness of juvenile court programs funded under RCW chapter 13.06 relating to Juvenile Offenders in reducing racial disproportionality. In particular, that RCW section states the following:

The secretary, in conjunction with the human rights commission, shall evaluate the effectiveness of programs funded under this chapter in reducing racial disproportionality. The secretary shall investigate whether implementation of such programs has reduced disproportionality in counties with initially high levels of disproportionality. The analysis shall indicate which programs are cost-effective in reducing disproportionality in such areas as alternatives to detention, intake and risk assessment standards pursuant to RCW 13.40.038, alternatives to incarceration, and in the prosecution and adjudication of juveniles. The secretary shall report his or her findings to the legislature by December 1, 1994, and December 1 of each year thereafter.

Four or five years after this was written into law (since the late 1990s), the focus of the state funding provided by JR to the juvenile courts, based on legislative direction, has been on disposition alternatives and evidence-based programs that reduce a youth's future involvement in the juvenile justice system. This is an important shift to make note of because the focus of these programs is not to specifically reduce disproportionality or target alternatives to detention, intake and risk assessment standards, or the prosecution and adjudication of juveniles.

As a result, the answers to the following questions spelled out specifically in the statute is NO.

1. Have county programs reduced disproportionality?
2. In counties with high levels of disproportionality, does the analysis indicate that the program is cost-effective in reducing disproportionality?
3. Specifically in areas of alternatives to detention, intake and risk assessment standards and other related initiatives, has there been a reduction in the disproportionate percentages of youth being sent to juvenile rehabilitation and the adult prison system?

Pursuant to RCW 49.60, the HRC exists to prevent and eliminate discrimination through the fair application of the law, the efficient use of resources, and the establishment of productive partnerships in the community. On March 15, 2018, JR and the HRC met and reviewed this report. Overall, the HRC was supportive of the content of the report, but also felt they lacked the resources and expertise to provide meaningful feedback or input. In the future, JR and the HRC will review the statutory requirement for HRC's involvement in this work, and move forward with recommendations for changes. In the meantime, the HRC and JR will continue to work together to best fulfill the statutory reporting requirements.

Disproportionate minority confinement (now racial and ethnic disparities - RED) has been used in the United States to describe the overrepresentation of youth of color in correctional facilities. The expression was introduced in 1992 when the Office of Juvenile Justice and Delinquency Prevention described disproportionate minority youth confinement in the US. Since then, it has been used to describe disproportionality issues in offender populations, including racial disparity and overrepresentation of youth of color.

The issue of racial and ethnic disparities has been a national, state, and local area of focus for over 25 years. What we have learned is that the further a youth goes into the system, the more disparities exist. Many efforts to combat RED have been funded and implemented at all levels of government with the assistance of multiple non-profit agencies and foundations.

The Washington State juvenile courts have long been challenged by the fact that they do not control which youth come into their care. The funding associated with this reporting requirement that each juvenile court receives from JR is in the form of a Block Grant and is mandated to be spent on youth under the supervision of the court who are on probation or diversion. The majority of funding (52%) allocated for the juvenile courts is targeted for evidence-based programs (EBPs). The benefit of investing in EBPs is twofold. The fundamental reason is these programs decrease recidivism. Additionally, the programs delivered in the juvenile courts have a strong cost benefit – meaning not only do they reduce recidivism, but they also do so cost effectively. It is important to note the EBPs implemented in the juvenile courts, however, are not cost-effective at reducing disproportionality. Currently, there is no practice in the juvenile courts that accomplishes this.

Over four years ago, JR and the juvenile courts collaborated on a new RED approach and strategy in order to meet the intent of this legislation to the best of their ability given the current framework. Because the juvenile courts themselves control who gets EBPs and not external stakeholders or entities, we determined that we wanted to find the answers to the following questions:

1. Do youth of color have proportionate access to EBPs?; and
2. Do youth of color complete EBPs at comparable rates to white youth?

This report provides answers to these questions. This is the third consecutive report in this series delving into youth of color who receive EBPs in Washington State juvenile courts.

Introduction

Various publications have detailed the progress made in recent years to address racial and ethnic disparity (RED) in the Washington State juvenile justice system. Many efforts are underway at the national, state, and local level, to reduce RED. Several of these programs are detailed in the 2013 report, [Washington State Disproportionate Minority Contact Assessment](#), produced for the [Washington State Partnership Council on Juvenile Justice](#) as well as the 2014 report to the Washington State Supreme Court, [Symposium on Reducing Racial and Ethnic Disparities in the Juvenile Justice System](#). The urgency to achieve measurable change has been championed at the highest levels with Governor Inslee adopting a Results Washington measure to reduce the percent of youth of color in detention (county and state) from 46% in June 2017 to 39% by June 2019.

Many of the initiatives described in these reports address RED at the macro level or focus on the root causes of disparities such as poverty and the relationships between police and the communities they serve. In order to develop short-term actionable and measurable outcomes, the Juvenile Rehabilitation (JR) and the Juvenile Courts chose to take a narrow focus on the issue of racial and ethnic disparity by focusing on access to evidence-based programs (EBP) in the juvenile courts. This report is initiated by RCW 13.06.050(3) which requires an annual report on the effectiveness of programs intended to reduce racial disparities in the juvenile justice system in the state of Washington for county juvenile justice programs receiving state funding through JR. While EBPs are not specifically designed to reduce RED, because evidence- and research-based programs have been shown to address criminogenic risks of youth and to reduce subsequent offending, equitable access to these programs is imperative both in terms of equity in access to services and as a means to reduce disparities in subsequent contact with the juvenile justice system.

This work is a collaboration between JR and the Washington Association of Juvenile Court Administrators (WAJCA) with a review by the Washington State Human Rights Commission (HRC). This report is the third step in a two year, three-step process to reduce RED in access to juvenile court EBPs and presents information on current racial and ethnic disparities in access to evidence-based programs in Washington juvenile courts, identified barriers to increasing equity, and innovative practices that courts have implemented to address disparities.

Background

Defining Racial and Ethnic Disparity

Racial and ethnic disparity, or RED, refers to the disparate outcomes of similarly situated youth in the juvenile justice system. This area of examination was previously referred to as

disproportionate minority contact (DMC) but in recent years there has been a shift away from this term in order to better reflect the communities we serve – people of color are no longer minorities in some parts of Washington State – and to highlight that while it is possible to have proportionate numbers of youth of color in the general and justice populations, disparities in decision making can still occur. For that same reason, while RED is occasionally used to refer to racial and ethnic “disproportionality”, “disparity” is a more accurate term. For additional information on RED please see [The W. Haywood Burns Institute](#).

Defining Evidence- and Research-Based Programs

Recent national trends have been towards offering evidence-based programs yet, surprisingly, the definition of what makes a program (or practice) evidence-based varies across locations and disciplines. The Office of Juvenile Justice and Delinquency Prevention - Office of Justice Programs (OJP) considers programs and practices to be evidence-based when “their effectiveness has been demonstrated by causal evidence, generally obtained through high quality outcome evaluations.” The MacArthur Foundation uses the [Drake et. al. \(2001\)](#) definition of evidence-based practices as “clinical or administrative interventions or practices for which there is consistent scientific evidence showing that they improve client outcomes.” As the MacArthur Foundation notes, “There is increasing convergence regarding the definitions of the terms ... [including evidence-based practices], although variation in definitions is still common.”

While these definitions share common traits, there are differences or limitations in the specificity of the definition that could allow a single program to meet the EBP definition at one agency and not be considered evidence-based by another. Within the Washington juvenile justice system the definition of evidence-based and research-based programs is developed by the Washington State Institute for Public Policy (WSIPP) and is legislatively defined. [WSIPP defines](#) a program as evidence-based if there have been “multiple site random controlled trials across heterogeneous populations demonstrating that the program or practice is effective for the population.” A program or practice is considered research-based if there is “some research demonstrating effectiveness, but that does not yet meet the standard of evidence-based practices.”

Current Utilization of Evidence- and Research-Based Programs in Washington Juvenile Courts

The utilization of evidence- and research-based programs increased dramatically after the Washington legislature passed the Community Juvenile Accountability Act (CJAA) in 1997. The Act incentivized local communities to implement interventions proven by behavioral science research to cost-effectively reduce recidivism among juvenile offenders. A thorough history of the implementation of EBPs in Washington juvenile courts can be found in Juvenile Rehabilitation’s annual [Juvenile Court Block Grant Report to the Legislature](#). Within the juvenile courts there are now six programs offered that have the WSIPP evidence-based or research-based designation (as of [June 2017](#)). They are:

- Washington State Aggression Replacement Training (WSART): Research-based
- Coordination of Services (COS): Research-based
- Education and Employment Training (EET): Researched-based

- Functional Family Therapy (FFT): Evidence-based
- Family Integrated Transitions (FIT): Research-based
- Multi-Systemic Therapy (MST): Evidence-based

While four of the programs are research-based by the WSIPP standards, all six programs will be referred to as evidence-based for the remainder of the report. This is done both for simplicity and because these programs are considered evidence-based by the criteria set forward by the CJAA Advisory Committee¹.

Appendix 1 lists the juvenile court EBPs offered by each county in 2016. As evidenced from this table, ART and FFT are the most prevalent programs, being offered in 22 and 26 out of 33 juvenile courts respectively. For a more up to date list of programs being offered by each county, please see the Rehabilitation Administration's 2017 Block Grant Report to the Legislature.

Collection and Review of EBP Data

Rationale for this Focus

In accordance with [RCW13.06.510](#), the juvenile courts are required to submit proposals to JR on how to implement and deliver EBPs in their local jurisdiction. As a result of a joint focus between JR and WAJCA on addressing RED in the juvenile justice system, in 2015 this process was expanded to include questions around racial and ethnic disparities in EBPs, barriers the courts perceived in addressing these disparities, innovative approaches they have taken, and proposals for future innovations to address RED. This 2017 report includes the findings from 2015 as well as court level program updates on progress to address RED in EBPs since the 2015 report.

In the summer of 2017, courts received updated data from JR and were asked to re-assess their RED efforts in providing equitable access to EBPs. Their responses are included in this report. Upon completion of these reports, the effectiveness of this undertaking will be evaluated.

Data Source and Notes

In 2015 and in 2017, court level data was extracted from the Positive Achievement Change Tool (PACT) and provided by the Administrative Office of the Courts ([AOC](#)) Washington State Center for Court Research ([WSCCR](#)) to JR. Each court administrator received a document with the count and proportion of youth in 2013 – 2016 who were eligible for each of the EBPs offered by that court as well as the proportion who started the EBP and the proportion who completed it. Youth could be counted for more than one program if they were eligible for multiple programs. While the focus of this work was the 2013 – 2016 data, courts were also provided bar charts showing four year trends (2010-2013) in EBP status for youth who became eligible in each year.

¹ The CJAA Advisory Committee's purpose is to provide oversight and structure to the juvenile courts in an effort to provide a continuum of evidenced-based, research-based, and promising programs consistent with state statutes.

Rosters of youth were also provided so that administrators could validate the numbers by comparing their internal rosters to the roster from which the RED counts were derived.

The initial year of 2013 was chosen at the time because it was the most recent year that would allow a youth to be determined eligible for an EBP and have sufficient time to start and complete an EBP. This information was disaggregated by race and ethnicity using the race codes provided by WSCCR.

The seven possible race categories were:

- White
- Black / African American
- Hispanic / Latino
- American Indian / Alaska Native
- Asian
- Native Hawaiian / Pacific Islander
- Other

It is important to note that due to database limitations youth can only be associated with a single race category regardless of whether they identify with two or more. Because the “other” category is so poorly defined it is excluded from discussion though it is included in all the reports.

Court Reporting Process

In 2015, juvenile court administrators, or their designee, were asked to review their 2013 EBP data and respond to nine open ended questions about how they administer EBPs in their jurisdiction and what the leading barriers are to offering EBPs. They were further asked to propose two strategies to enact over the next two years to reduce any disparities they saw in their data (see Appendix 2 for the original questions). For smaller jurisdictions where there were not enough youth served in EBPs to make any conclusions about disparities, in homogeneous communities where little racial and ethnic diversity exists, or in courts where racial disparities were not observed in the EBP data, respondents were asked to speak to ways they could improve access to EBPs for all the youth they serve.

In 2016, the juvenile courts were asked to provide an update on their progress addressing RED and to discuss any additional barriers that have arisen (see Appendix 3 for questions). Specifically, they were asked to report on the progress of their two proposed strategies to reduce any disparities they saw in their data.

In 2017, the juvenile courts were asked to review a new set of data (2014 – 2016) and respond to nine open-ended questions regarding their 2015 identified RED strategies and measureable improvements; and whether or not the strategy will continue or a new one needs to be identified. They were asked to identify successes and lessons learned (see Appendix 4 for the questions).

Through this process, juvenile courts with questions about their data and data interpretation were provided technical assistance from JR via phone and email. Juvenile court administrators were highly invested in the process and extremely responsive.

Results By Program – Data Comparison (2013 vs. 2016)

Overall – All Evidence-Based Programs²

Program	Eligible		Started				Completed			
	2013	2016	2013	%	2016	%	2013	%	2016	%
WSART	2,332	1,630	731	31	577	35	520	71	389	67
COS	1,078	1,037	390	36	426	41	371	95	405	95
FFT	1,762	1,258	441	25	371	29	308	70	261	70
FIT	85	40	11	13	8	20	10	91	6	75
MST	152	109	14	9	25	23	10	71	17	68
Total	5,409	4,074	1,587	29	1,407	35	1,219	80	1,078	75

Washington State Aggression Replacement Training (WSART)

Race	Eligible		Started				Completed			
	2013	2016	2013	%	2016	%	2013	%	2016	%
White	2,332	1,630	731	31	577	35	520	71	389	67
Black	563	438	178	32	144	33	119	67	81	56
Latino	641	428	179	28	159	37	121	68	109	69
American Indian	162	126	42	26	36	29	27	64	25	69
Asian	44	22	12	27	9	41	10	83	6	67
Native Hawaiian	41	57	13	32	24	42	9	69	14	58
Other	31	18	12	39	4	22	8	67	3	75
Total	3,814	2,719	1,167	31	953	35	814	70	627	66

Coordination of Services (COS)

Race	Eligible		Started				Completed			
	2013	2016	2013	%	2016	%	2013	%	2016	%
White	1,078	1,037	390	36	426	41	371	95	405	95
Black	201	227	58	29	78	34	53	91	75	96
Latino	231	201	48	21	53	26	46	96	46	87
American Indian	61	50	17	28	16	32	16	94	15	94
Asian	45	53	14	31	23	43	12	86	22	96
Native Hawaiian	37	39	16	43	16	41	15	94	15	94
Other	22	18	3	27	10	56	6	100	9	90
Total	1,675	1,625	549	33	622	38	519	95	587	94

Functional Family Therapy (FFT)

Race	Eligible		Started				Completed			
	2013	2016	2013	%	2016	%	2013	%	2016	%
White	1,762	1,258	441	25	371	30	308	70	261	70
Black	437	338	81	19	57	17	51	63	35	61
Latino	448	327	76	17	83	25	60	79	63	76

² This data includes duplicate counts. Youth maybe eligible and start more than one program.

American Indian	126	104	18	14	23	22	13	72	12	52
Asian	40	14	5	12	2	14	3	60	2	100
Native Hawaiian	28	47	3	11	7	15	2	67	6	86
Other	19	13	8	42	1	8	7	88	0	N/A
Total	2,860	2,101	632	22	544	26	444	70	379	70

Family Integrated Transitions (FIT)

Race	Eligible		Started				Completed			
	2013	2016	2013	%	2016	%	2013	%	2016	%
White	85	40	11	13	8	20	10	91	6	75
Black	69	61	14	20	16	26	10	71	11	69
Latino	30	20	1	3	1	5	1	100	1	100
American Indian	10	12	0	N/A	2	17	0	N/A	2	100
Asian	2	2	0	N/A	1	50	0	N/A	0	N/A
Native Hawaiian	4	5	0	N/A	1	20	0	N/A	1	100
Other	4	3	1	25	0	N/A	1	100	0	N/A
Total	204	143	27	13	29	20	22	81	21	72

Multi-Systemic Therapy (MST)

Race	Eligible		Started				Completed			
	2013	2016	2013	%	2016	%	2013	%	2016	%
White	152	109	14	9	25	23	10	71	17	68
Black	127	101	7	6	12	12	3	43	11	92
Latino	73	84	12	16	13	16	7	58	4	31
American Indian	17	23	0	N/A	2	9	0	N/A	1	50
Asian	8	1	0	N/A	0	N/A	0	N/A	0	N/A
Native Hawaiian	7	8	0	N/A	2	25	0	N/A	1	50
Other	4	5	0	N/A	1	20	0	N/A	1	100
Total	388	331	33	9	55	17	20	61	35	64

Data Analysis

After a thorough review of the data provided to the juvenile courts, some points can be highlighted, although with only a two-year comparison (2013 vs 2016) it is difficult to draw any definitive conclusions.

Success – Starters (Access)

Despite the number of youth in the juvenile justice system decreasing, the overall percentage of youth who are eligible and started a program has increased by 5% (27% to 32%). This increase is shared among all race categories except the category marked “Other”.

Challenge – Completion

Although it is a success that eligible youth are starting an EBP at a higher rate, the challenge the juvenile courts now face are lower completion rates. Overall, it is a minimal decrease of 2% (75% to 73%), but looking more closely it is a bigger challenge/issue with the “Black” race category. In looking at the juvenile courts’ largest EBPs – WSART and FFT, the “Black” race category is well below the state average. In 2013, black youth completed WSART 67% of the

time. In 2016, black youth completed WSART 56% of the time – an 11% drop. Compare that to the statewide average for all WSART youth – in 2013, the completion rate was 70% and in 2016, the completion rate was 66%. For FFT, the drop was not as significant, but is still worthy of mention. In 2013, black youth completed FFT 63% of the time. In 2016, black youth completed FFT 61% of the time – a 2% drop. It is important to note that the statewide completion rate for FFT is 70%. It is also noteworthy that Latino youth completion rates are above statewide averages for WSART (69%) and FFT (76%).

Overall Court Responses

Upon review of their counties EBP data from 2013 – 2016, the juvenile courts identified the following leading barriers to racial and ethnic equity in EBP participation. Included are examples of practices they have been implemented to reduce RED and strategies they have enacted that they anticipate will result in measurable improvements in racial and ethnic disparities in access to EBPs. Many of the barriers identified were universal barriers to all youth served by the courts, though some were specific to racial or ethnic subpopulations.

Barriers to Equity in EBPs

Transportation / Geography

Transportation to evidence-based programs was one of the most commonly identified barriers to equity in participation. Although few courts articulated how transportation was an issue unique to youth of color, it was clear that transportation was a common barrier that exacerbated existing disparities in access to EBPs. Transportation barriers are particularly common for rural jurisdictions but also affect the geographically isolated portions of more urban counties. Youth are expected to travel to a central location for the group programs (WSART and COS) while FFT, MST, and FIT therapists travel to families' homes. Each of these models present unique problems. FFT and MST therapists travel great distances to meet with families, sometimes to only find out at arrival that the session needs to be rescheduled. In some rural parts of the state it's not unheard of for a therapist to drive over 100 miles each way (for example, from Colfax to Kettle Falls which is 138 miles), twice a week, to meet with a family. While this is an extreme example, it is estimated that the average distance between a FFT therapist's home base and the family they are trying to meet is about 50 miles. This extensive travel means that the FFT therapist has less time to work with youth and families because of their commute.

Group programming is held at a central location determined by the organizing court staff. Examples of locations include the local court, schools, and community centers. Youth participating in WSART and COS are expected to attend in person sessions. Youth participating in WSART groups meet three times a week and facilitators try to schedule sessions around youths involvement in other pro-social activities such as clubs and sports. Scheduling must also accommodate staff availability, facility availability, and youth's transportation needs.

In rural areas, public transportation systems are designed to get commuters in and out of town for the workday and are opposite to the transportation needs of youth trying to participate in evening programming. Even in areas where public transportation is more readily available, accessing and

coordinating transportation can still be a barrier for youth and their families. In both rural and urban areas, parents (and youth) frequently do not have access to private transportation because there is not a vehicle in the household, there is not a licensed driver, or the vehicle or driver is not available for transportation during the required EBP time. All of these factors make scheduling and getting youth to group sessions difficult.

Time Commitment and Timing of Group Interventions

In order to adhere to the program model and expect reductions in risk comparable to those shown in the evaluations that indicated program efficacy, youth need to participate in a predefined number of sessions. Meeting EBP requirements of session frequency and length can be a challenge for youth with other pro-social commitments. For example, WSART is a time commitment of three sessions a week for ten weeks, which can be difficult for youth and family to schedule in to their existing commitments. The frequency and duration of an EBP can be challenging for youth and families to accommodate.

The timing of group interventions can also be a barrier to youth participating in them. As previously noted, the timing of a program can affect a youth's access to transportation whether it is the public transportation schedule or access to a family car. In addition, programming can conflict with other pro-social activities such as sports, clubs, and employment. Many group interventions are held immediately after school is dismissed, the same time that many pro-social after school activities occur. Coordinating schedules to let youth continue, or begin, pro-social activities in their community while also receiving the evidence-based interventions can be logistically complicated.

Timing within Probation Sentence

Over the past decade there has been a noticeable decrease in the length of probation sentences that youth in Washington are sentenced to. There is no single reason for this shift but many factors, including an effort to reduce the criminogenic risk caused by overserving a youth in the judicial system and financial pressures, have influenced this change. These shorter sentences do not always accommodate the length of sentences that youth need to complete an EBP.

An additional timing issue is the infrequency with which some counties offer group interventions, sometimes as rarely as annually. This makes it very difficult to coordinate probation services with the timing of when an EBP is offered. While most of these counties note that they would like to serve more youth in EBPs, frequently they are unable to run more than one group because they do not have a sufficient number of eligible youth to start a program.

Low Numbers of Eligible Youth

Group programs (WSART and COS) require a specific number of youth to participate in order for a group to run. In counties with a small population, or a small number of youth served in their court who meet the EBP eligibility requirements, it can be very difficult to have a large enough number of youth ready and able to participate in a group EBP at any given time.

Family Engagement

The definition of what constitutes a family is variable and driven by the youth. Getting families invested in programs has been shown to be key in youth's success in EBPs.³ For family based interventions (FFT, FIT, COS, and MST) family involvement is required for program success. Even when family involvement is not part of the program model, like in WSART, engagement and support from family encourages youth to succeed. Engaging families can be a challenge for many reasons including a lack of understanding of the benefits of EBPs, personal and professional commitments that require the parent's time, parental chemical dependency, parental unavailability due to conflicting priorities or confinement, and communication barriers between EBP providers and families.

Staff Engagement

Some counties noted that staff are not always invested in evidence-based programs and may not fully support youth to succeed in these programs. While this appears to be a limited problem, engaging staff to understand the importance of EBPs is key if they are expected to engage and support youth and their families through the EBP process.

Staff Turnover

Many courts have expressed the challenge of losing experienced staff who provide training and coordination and having to replace them. It is costly (hiring and training), and it can set a program back some by having an inexperienced staff provide treatment.

Engaging the Community

Local community engagement is critical to the success of EBPs. Without their buy in, they will not be effective. A community stakeholder group that meets regularly with local EBPs as a consistent agenda topic will be most effective.

Funds for Training

Racial and Ethnic Disparities training is important and needs to be made available. These trainings, however, usually have costs associated with them. Dedicated funds need to be prioritized and made available for specific RED training. Pursuing grants as a payment option is encouraged.

³ Burke J, Mulvey E, Schubert C, Garbin S. The Challenge and Opportunity of Parental Involvement in Juvenile Justice Services. Children and Youth Services Review. 2014; 39: 39-47.

Barriers Unique to Racial and Ethnic Subpopulations

Language / Access to Interpreters

Access to bilingual service providers or to interpreters was one of the leading barriers to racial and ethnic equity in access to evidence-based programs expressed by respondents. The limited availability of interpreters and the lack of additional resources to fund them or to subsidize staff who are bilingual, limits who is able to receive EBPs. Many courts noted that the issue is greatest in family based interventions because it is most frequently family members, not the justice involved youth, who are non-English speaking.

According to the Office of the Superintendent of Public Instruction, there are 203 different languages spoken by school age children in Washington. While approximately two thirds of these are Spanish speakers, this still leaves a significant number of other languages spoken in youth's homes. Spanish speaking families were most often noted by the juvenile courts as being underserved as the result of language and interpreter barriers but many courts mentioned other dialects or languages that they are not resourced to serve. While finding Spanish-speaking staff has proven very challenging, finding staff who speak less commonly used languages has been shown to be nearly impossible. Courts note that short-term interpreters can cover a wider range of languages but finding interpreters for some languages is difficult.

While improved availability to interpreter services would increase the number of youth and families who could be served in EBPs, it is important to note that there are challenges with providing therapeutic interventions through an interpreter. In addition to using therapeutic language that might not be familiar to an interpreter, relationship building is hampered when done through an interpreter. We are unaware of any research on the efficacy of EBPs when offered through an interpreter.

Engaging Tribes

Having tribes involved and having a voice is critically important to local court jurisdictions. Specific engagement efforts need to be put in place on a local and statewide level.

Family Engagement

While mentioned previously as a leading barrier for all youth, some courts mentioned specific examples of racial and ethnic groups they were struggling to engage. Native American, Black, and Hispanic/Latino families were all mentioned by one or more court as being groups that they struggled to engage. Many respondents identified this disconnect as a weakness of the courts resources and competencies.

Avoiding Unconscious Bias

A few courts have made the determination that there may be policies or decision making practices that unconsciously result in disparate outcomes for youth of color in EBPs. These courts have implemented unique data review processes to track the differences and use the findings to identify and address barriers.

Statewide Solutions

Many counties have continued to address barriers to racial equity that they have identified. While most have yet to be evaluated for their efficacy, these practices are unique and show an innovative approach to addressing a common barrier experienced across multiple counties. The list of possible solutions below are just a sample of all the work being done across the state and do not identify every court currently implementing this practice. Any questions about county level innovative practices should be directed to county staff.

Development and Translation of EBP Overview Documents

- For all EBPs and in multiple languages
- Counties would have regular access to the overview documents particularly when there are changes

Statewide Training on Equity, Diversity, and Inclusion

- Large enough for as many (all) counties to attend
- Ongoing partnership with state and local governments

Hiring Diverse Staff that Better Represent the Race and Cultures in Their Community

- Hire Spanish speaking probation staff to help engage families in EBP participation
- Hire Spanish speaking providers to work with youth and families more effectively

Statewide Training on Engaging Target Groups

- Community Leaders
- Tribal Members
- Families

Legislative Advocacy for Funding

- Transportation
- Translators
- Program Evaluation

Unique Practices

- Cowlitz County – Increase the number of Latino families that receive FFT services
Cowlitz will further implement the following practices:
 - Continue to focus on identifying and accurately recording the race/ethnicity of each youth coming to juvenile court;
 - At least one-time per year, review RED data as it pertains to EBPs;
 - Provide staff with cultural competency and implicit bias training; and
 - Require contracted FFT providers to maintain bilingual therapists on their staff.

- Douglas County – Random assignment of youth receiving WSART services
Douglas reported that “after examining our RED data, it appears we may not fully randomly assign youth to WSART. This may be leading to disproportionately higher white youth being placed into WSART, especially in the 2016 data. One strategy will be for staff to monitor the completion of the PACT (eligibility) assessments within the time frame of the Quality Assurance Plan. Also, staff will monitor placement in to WSART to make sure if we have more youth eligible than we have spots in WSART that they are assigned randomly.”

- Jefferson County – Increasing youth of color starters in EBPs
Jefferson identified three strategies to increasing their starters:
 - Data needs to be reviewed on a more consistent basis with regards to RED issues. Realistically this should be done quarterly;
 - JPC’s who have identified youth of color on their caseload should include specific reasons in their Case Management plan what the barriers are that would result in a youth NOT being referred to an EBP and/or successfully completing it;
 - Breaking down our “not started” data to further identify youth of color who have not been referred/started to an appropriate program.

- Pierce County – Increase completion rates of African American youth served in EBPs
Pierce has identified a goal of “70% of African American youth that participate in our EBPs will successfully complete the intervention. Our strategies will be:
 - Collaborate with our JPCs and hear their perspectives from the “front-line” so we can provide support to them;
 - Shift the focus from EBP “starts and completes” to “successful completes” as the primary indicator of success. “We believe this approach will have a positive impact on our efforts to reduce racial and ethnic disparities”;
 - Partner with members from our Family Council to work on strategies from their perspective that will increase youth and family engagement in our EBP and Positive Youth Development (PYD) programs.”

- Snohomish County – Increase staff and EBP provider awareness of RED
 - Increase staff and EBP provider awareness of RED and conduct additional cultural competency/humility trainings with staff, including sending court staff and judges to Undoing Institutional Racism (UIR) training. Facilitate monthly “mini trainings” with JPCs in the Supervision Unit (e.g. read implicit bias articles and discuss as a group). Continue to incorporate RED into JPC mandatory Case Management Assessment Process (CMAP) trainings.

- Continue to reach out to Tribal, Latino and African American communities to form a partnership in sustaining the Cultural Advisory Committee. The committee meets twice monthly to, "...identify systemic racial and ethnic disparities and to effect policy changes that meet each individual's needs in order to promote equity and fairness within Snohomish County Juvenile Court.
- Drill down on data to identify RED within JPC referrals. Work with JPCs to identify proven strategies to address barriers to youth of color participation in EBPs.
- Consider changing the names of the EBP programs to make them more desirable to youth and families.

Conclusions and Recommendations

The Juvenile Rehabilitation and the juvenile courts continue to collaborate on implementing best practice approaches to better serve youth and families. A large part of these efforts has been increasing access and outcomes of evidence-based and research based programs to all youth. However, the juvenile justice system does not currently have a full complement of programs designed to meet the needs of all youth based on race, ethnicity, gender, and cultural differences or on differences in the complexity of youth needs. One potential area of focus is to look at a broader array of well-designed and effective programs that can respond to the needs of those youth that the current menu of programs cannot. Specifically regarding reducing racial and ethnic disparities, much more work has to be done. The collaborative work over the past three years between JR and the juvenile courts has the juvenile justice system in a better place with intentional efforts and conversations being had across the juvenile courts regarding fair access and outcomes for youth of color engaging in EBPs. These efforts will continue over the next two years and will be reported out to the Legislature annually. The Legislature may also want to consider new language regarding evaluation of racial and ethnic disparities across the entire juvenile justice system from entry to exit.

Appendices:

Appendix 1

Evidence Based Programs Offered in Washington State Juvenile, by County 2016

Aggression Replacement Training (ART)

Adams, Asotin, Benton, Chelan, Clark, Columbia, Cowlitz, Douglas, Franklin, Garfield, Grant, Grays Harbor, Island, Jefferson, King, Kitsap, Lewis, Mason, Okanogan, Pierce, Snohomish, Spokane, Thurston, Walla Walla, Whatcom, Yakima

Coordination of Services (COS)

Clallam, Cowlitz, Jefferson, King, Kitsap, Pierce, Snohomish, Spokane, Whatcom, Whitman

Family Integrated Transitions (FIT)

King

Functional Family Therapy (FFT)

Benton, Chelan, Clark, Cowlitz, Franklin, Grant, Grays Harbor, Island, Jefferson, King, Kitsap, Klickitat, Lewis, Lincoln, Mason, Okanogan, Pacific, Pierce, Snohomish, Skagit, Skamania, Spokane, Thurston, Wahkiakum, Whatcom, Whitman, Yakima

Multi-Systemic Therapy (MST)

King, Yakima

Washington State County Juvenile Courts Evidence Based Program Starts — 2016

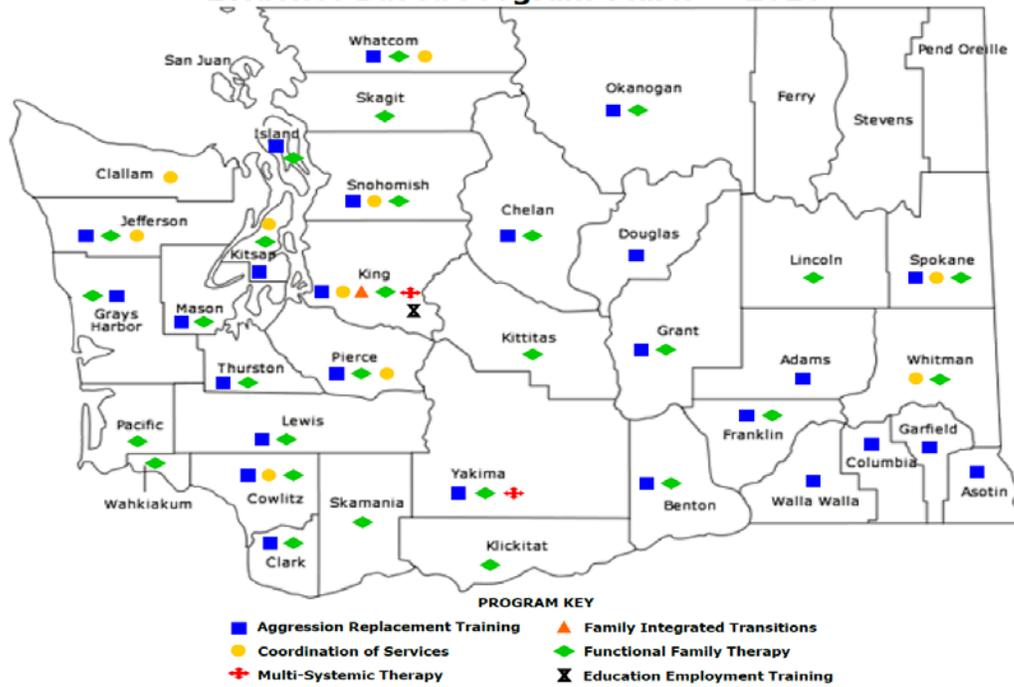


Image credit: Juvenile Rehabilitation, 2016 Juvenile Block Grant Report

Appendix 2



WASHINGTON STATE JUVENILE COURTS
RACIAL AND ETHNIC DISPARITY (RED)
 QUESTIONS FOR BLOCK GRANT APPLICATION
 LARGE COUNTY

Please review the data provided regarding the racial/ethnic composition of youth starting and completing Evidence Based Programs (EBP) in your court. After reviewing the data, please complete the questions below. It is recommended that you convene a meeting with key stakeholders in your system to review this data, your current efforts to address racial and ethnic disparity (RED) in EBP utilization, and brainstorm ways to address RED.

JUVENILE COURT	JUVENILE COURT CONTACT NAME
JUVENILE COURT CONTACT PHONE NUMBER () -	JUVENILE COURT CONTACT EMAIL
PLEASE TELL US ABOUT YOUR EVIDENCE BASED PROGRAM PROCESSES	
1. How do you identify which youth to refer to EBPs? 	
2. How do you engage youth to participate in EBPs? 	
3. How do you support youth to successfully complete EBPs? 	
4. What do you see as the leading barriers to equity in access to EBPs in your juvenile court? 	
5. Is there a specific racial/ethnic group you are struggling to engage in EBPs? Which? Why do you think that is? What efforts have you made to engage them? 	
6. What are your current efforts to address barriers in access to EBPs? 	
RED STRATEGIES AND MEASUREABLE IMPROVEMENTS	
Your attached EBP numbers highlight one or more groups where the data indicates room for improvement. Based on this data:	
7. Identify an issue and provide two strategies that will result in <u>measureable</u> improvements in the next two years. 	
8. What are the barriers for implementing these strategies? 	
9. What resources would be helpful to you to address disparity in access to EBPs in your court? 	

The data provided for this exercise was extracted from the PACT by the Washington State Center for Court Research (WSCCR). Do you have any questions or concerns with the data? If yes, please describe.

Appendix 3



WASHINGTON STATE JUVENILE COURTS
RACIAL AND ETHNIC DISPARITY (RED)
 FOLLOW UP QUESTIONS FOR BLOCK GRANT APPLICATION
 RED STRATEGIES FOR MEASURABLE IMPROVEMENTS

Last July each juvenile court was presented data on their evidence-based programs (EBP) and asked to review their internal EBP process (referral, engagement, and completion) for racial and ethnic disparities (RED). After reviewing their data, juvenile courts were asked to identify an issue and provide two strategies that will result in measurable improvements in the next two years. The juvenile courts were informed that a follow up would occur in one year. The following questions constitute that annual check in. Please respond to the questions below and submit them to the Dr. Sarah Veele and Cory Redman.

JUVENILE COURT	JUVENILE COURT CONTACT NAME
JUVENILE COURT CONTACT PHONE NUMBER () -	JUVENILE COURT CONTACT EMAIL
RED STRATEGIES AND MEASURABLE IMPROVEMENTS	
1. What RED issue did you identify in your 2015 Block Grant application as your focus over the following two years?	
2. What two strategies did you identify that will result in <u>measurable</u> improvements over the following two years?	
3. How are things going on the identified RED strategies and measureable improvements?	
4. What barriers did you encounter implementing these strategies?	
5. What lessons have you learned? Anything you would have done differently?	
6. What internal evidence do you have that your efforts are working? How are you measuring success?	
7. What will your strategy be for the next year? Will it result in a change that was not previously identified?	

For technical assistance, please contact Dr. Sarah Veele at (360) 902-8406 or sarah.veele@dshs.wa.gov

Appendix 4



WASHINGTON STATE JUVENILE COURTS
RACIAL AND ETHNIC DISPARITY (RED)
 QUESTIONS FOR BLOCK GRANT APPLICATION
 LARGE COUNTY

Please review the data provided regarding the racial/ethnic composition of youth starting and completing Evidence Based Programs (EBP) in your court. After reviewing the data, please complete the questions below. It is recommended that you convene a meeting with key stakeholders in your system to review this data, your current efforts to address racial and ethnic disparity (RED) in EBP utilization, and brainstorm ways to address RED.

JUVENILE COURT	JUVENILE COURT CONTACT NAME
JUVENILE COURT CONTACT PHONE NUMBER () -	JUVENILE COURT CONTACT EMAIL
REVIEW RED STRATEGIES AND MEASUREABLE IMPROVEMENTS	
1. What <u>measurable improvements</u> did the RED issue you identified in 2015, and the corresponding strategies, result in?	
2. What successes did you encounter during this process? Did those success lead to sustainable change?	
3. What barriers did you encounter implementing these strategies?	
4. What lessons have you learned? Anything you would have done differently?	
5. What internal evidence do you have that your efforts are working? How are you measuring success?	
CONTINUED RED STRATEGIES AND MEASUREABLE IMPROVEMENTS	
You county is being asked to continue with strategies to reduce RED in equity and access in your court's EBP practices. You may elect to continue your strategy from before, or elect to identify a new strategy entirely. Based on the new data: How will you build onto the RED strategies you implemented in 2015 – 2017? If you are electing to focus on a new issue, identify the issue and provide two strategies that will result in <u>measurable</u> improvements in the next two years.	
7. Have you identified a specific population or process that is experiencing RED, and what data source(s) is being used to support this decision?	
8. Have you identified a best practice approach to support your strategy? Has the strategy been tested for its effectiveness to reduce RED with the identified population or process?	
9. Have your staff received RED training, to include implicit bias training?	

The data provided for this exercise was extracted from the PACT by the Washington State Center for Court Research (WSCCR). Do you have any questions or concerns with the data? If yes, please describe.