

WASHINGTON STATE JUVENILE JUSTICE PROFILE (courtesy of the NCJJ web site)

Delinquency Services Summary

Decentralized State: Delinquency services are organized at both the state and local level in Washington. Local courts administer detention services, except in King County, and probation, except in Whatcom, Clallam, and Skagit counties. The Department of Social and Health Services, Division of Juvenile Rehabilitation, administers commitment programs and aftercare.

Court(s) with Delinquency Jurisdiction

Superior Courts exercise jurisdiction over delinquency proceedings. Superior Courts are general jurisdiction trial courts. For more information, visit the Washington Courts web site.

Highlights

Laws Amended to Include Rights of Victims of Juvenile Offenders

In March 2004, Governor Locke signed legislation, amending Washington's Juvenile Justice Act of 1977 and RCW Title 7, Chapter 7.69 to include language relating to victims of juvenile offenders, effective July 1, 2004. The laws specify the special needs and rights of crime victims, including their right to participate in juvenile court hearings.

Functional Family Therapy

Functional Family Therapy (FFT) is a family-based prevention and intervention program that treats high-risk youth and their families. FFT operates on the theory that family involvement is key to reducing recidivism. The U.S. Department of Justice found that FFT, a Blueprints for Violence Prevention model project, is effective in reducing recidivism and/or the onset of offending. In 1999, Washington became the first state in the nation to provide the program statewide and is now a recognized leader in efforts to use evidence-based programs. Both county probation departments and the Juvenile Rehabilitation Administration (parole) provide the state-funded program. According to Outcome Evaluation of Washington State's Research-Based Programs for Juvenile Offenders, a recent Washington State Institute for Public Policy evaluation on FFT found a 38% reduction in felony recidivism.

Detention

There are 21 detention facilities in Washington. With the exception of King County, the juvenile court administers secure juvenile detention. The Juvenile Detention Division of the King County Department of Adult and Juvenile Detention is responsible for secure juvenile detention in King County. Several of the juvenile detention programs have incorporated the use of alternatives to detention that may include day and evening reporting, electronic home monitoring, group care, and work crew programs.

Youth may be held after arrest for allegedly committing an offense or on a warrant, while awaiting adjudication, as a disposition, or as a sanction for probation or parole violation. By statute, a juvenile can be detained if: he/she is unlikely to appear for further proceedings; detention is required to protect the juvenile, the community, and/or witnesses; the juvenile commits another crime while another case is pending; the juvenile is a fugitive; the juvenile's parole has been suspended; or the juvenile is a material witness.

The court must make every reasonable effort to conduct a detention hearing by the end of the next judicial day after a juvenile is detained (Juvenile Court Rule - JuCR 7.3(c)). Also pursuant to Juvenile Court Rule (7.3), a juvenile must have a probable cause determination within 48 hours, an information (petition) must be filed within 72 hours (excluding weekends and holidays) after admission to detention, and a hearing to determine if continued detention is necessary must be held within 72 hours of the information being filed (excluding weekends and holidays).

Washington statute mandates that counties develop and implement detention intake standards to determine whether detention is warranted as well as the type of detention in which a juvenile should be placed. Detention screening criteria and practices vary from county to county and are guided by local priorities or

policies. There is no statewide risk assessment used at detention screening, but some counties do use their own screening instruments. King County (Seattle), for example, currently uses the King County's Juvenile Detention Intake Criteria, a detention intake screening tool based on current offense and criminal history, and a risk-based tool is under development.

King County has put in place a plan to reform its detention system instead of building a new detention center. The Juvenile Justice Operational Master Plan was adopted in 2000. It includes reforms such as using a risk assessment instrument to identify appropriate juveniles to detain, expands the use of detention alternatives, and limits juveniles' lengths of stay in detention by using sentencing guidelines and accelerating the transfer of adjudicated juveniles into placements.

The Annie E. Casey Foundation has selected Washington State as a replication site for the Juvenile Detention Alternatives Initiative (JDAI). Four counties will participate as pilot sites (King, Spokane, Whatcom, and Yakima). Pierce County is also a JDAI replication site.

Delinquency Intake Screening

Generally, the prosecuting attorney's office receives and reviews all juvenile delinquency referrals made by law enforcement. The prosecutor decides with what the juvenile will be charged (Washington statute section 13.40.077 contains recommended prosecuting standards for charging and plea dispositions). The prosecutor also decides whether the case will be handled formally or informally. If handled formally, the prosecutor files an 'information' (petition); if handled informally, the case goes to diversion.

Diversion

Statute RCW 13.40.080 regulates diversion. First-time offenders referred for misdemeanor offenses are eligible for diversion. Most diversion programs are operated within probation departments' diversion units. After a prosecutor refers a case to the juvenile court's diversion unit, the general procedure involves a diversion intake interview with the juvenile and his or her parents, during which the juvenile decides whether to go through diversion or go to court. Diversion units are usually made up of professional and citizen volunteers. The citizen volunteers act as Community Accountability Board members to determine the terms and conditions of the diversion agreement.

The Community Accountability Board is made up of volunteers from the community who hear juvenile cases and create a diversion agreement for the juvenile to complete. The diversion agreement uses many restorative justice options and may include community service, restitution, counseling/education programs, mediation, or victim/offender reconciliation programs. The diversion agreement may not extend beyond a six-month time period. In some counties (including King County), there are alternatives to the accountability boards, such as educational programs on alcohol use/abuse/dependency for juveniles referred for possession of alcohol and seminars for juveniles referred for shoplifting.

Predisposition Investigation

Not every juvenile court in Washington orders predisposition reports. Where they are completed, juvenile probation officers from the juvenile probation department are responsible for the investigation and report. In order to leverage state funding for Community Juvenile Accountability Act programs (see the Probation Supervision section for information on CJAA), all counties in Washington are required to use the same risk assessment tool, the Washington State Juvenile Court Risk Assessment. In addition, by statute, a determinate sentencing grid directs judges in ordering juvenile offenders' dispositions. The grid determines sanctions based on the seriousness of the offense and the juvenile's criminal history. Age is not a factor incorporated into the disposition grid.

Victim Rights and Services

The rights of victims in Washington (which now apply to any criminal court and/or juvenile court proceeding) reside in RCW Chapter 7.69 and include the right to be informed of the final disposition of the case; to be provided, whenever practical, a secure waiting area during court proceedings; to be informed by the prosecuting attorney of the date, time, and place of the trial and of the sentencing hearing for felony convictions; and to submit a pre-sentence victim impact statement or report to the court and to present a statement personally or by representation at the sentencing hearing for felony convictions. Section RCW

13.40.215 defines notification requirements for victims of juvenile violent crimes or sex offenses. The victims' "Bill of Rights" is found in the Washington State Constitution, Section 35. Legislation amending Washington's Juvenile Justice Act and RCW 7.69 (Crime Victims, Survivors and Witnesses) to reflect the needs and rights of victims of juvenile offenders was signed by the Governor in March 2004 and will become effective July 1, 2004; see the Highlights section for more information.

The Office of Crime Victims Advocacy provides statewide victim services, including advocating for victims; administering grant funds for victim-related community programs; and advising state and local government agencies of victim-related practices, policies, and priorities. Their Guide to Victims Services includes links to local, state, and national victim services, organizations, and coalitions. The Washington State Department of Labor and Industries administers the crime victim compensation fund.

The Department of Social and Health Services (DSHS) contracts with local and non-profit agencies to provide direct services to victims of crime. Each contracted agency provides a specific service to crime victims. The Victim/Witness Notification Program, administered by the Department of Social and Health Service, notifies victims when offenders are released or transferred or escape from any DSHS facility. DSHS facilities include state psychiatric hospitals, Juvenile Rehabilitation Administration facilities, or the Special Commitment Center for sexual predators.

Probation Supervision

Local courts administer juvenile probation in 36 of Washington's 39 counties. In the remaining counties (Whatcom, Clallam, and Skagit), the county executive administers probation. A state agency, the Department of Social and Health Services' Juvenile Rehabilitation Administration, provides funding to local probation departments for expenses related to certain programs and services.

Juvenile probation officers usually work out of a central office; however, some of the bigger counties may have satellite offices. In King County (Seattle), for example, moderate and high-risk youth are assigned to juvenile probation officers at five geographically located offices. For the most part, juvenile probation officers' caseloads consist only of juvenile offenders. Probation caseloads vary from county to county and can range from around 30 to over 100 cases per officer.

Specialized probation services include programs for sex offenders and substance-abusing juveniles. First-time sex offenders who are judged to be amenable to treatment may be sentenced under the Special Sex Offender Disposition Act (SSODA). SSODA juveniles must register as sex offenders and submit to DNA identification and HIV testing, and are usually under 24 months of community supervision, which includes sex offender counseling and, depending on the county, may also include electronic monitoring. Juveniles who are drug or alcohol dependent may be sentenced to the Chemical Dependency Disposition Alternative (CDDA), which entails an extended period of community supervision and community-based treatment. Both SSODA and CDDA involve the court's imposition and then suspension of a sanction from the standard sentencing range (sentence based on the presumptive sentencing grid) that may be reimposed if the youth fails to comply with the conditions of the SSODA or CDDA court order. New disposition options implemented in July 2003 include the Mental Health Disposition Option (similar to CDDA and SSODA except for juveniles with mental health related issues) and Option B, a suspended commitment option for youth not eligible for CDDA, SSODA, or MHDA.

The Community Juvenile Accountability Act (CJAA) provides funding for statewide research-based interventions proven to reduce recidivism among juvenile offenders. Such interventions include Multisystemic Therapy (MST), Functional Family Therapy (FFT) (see Highlights) and Aggression Replacement Training (ART). Juveniles who have been assessed as moderate to high risk to reoffend are eligible for these programs.

The Case Management Assessment Process (CMAP) determines levels of probation supervision in most counties. CMAP consists of a validated risk assessment instrument (the Washington State Juvenile Court Risk Assessment, which includes the Washington State Juvenile Court Pre-Screen Risk Assessment as a subset). Depending on the county, department policy may mandate the use of CMAP instruments. Counties that use CMAP instruments are eligible to receive state funding for implementation. Currently, each county

takes its own approach to developing case plans. For example, probation officers in King County develop case plans based on the dynamic risk factors identified in the risk assessment. They focus on at least two of the dynamic risk factors and develop a case plan around these.

The Washington State Institute for Public Policy conducts research on many juvenile justice issues in the state, including evaluations of the Community Juvenile Accountability Act, intensive parole, aggression replacement training, and the Washington State Juvenile Court Risk Assessment.

There are no statewide standards that govern probation practice in Washington; however, guidance is provided through the Revised Code of Washington, the Washington Administrative Code, and interagency agreements (agreements between juvenile courts). King County has adopted probation supervision standards, an "intervention and sanctions framework for moderate to high risk offenders on field supervision," and standards for report violations to the court and filing modifications.

Juvenile Probation Officer Qualifications, Certification, and Training

While each jurisdiction has its own hiring criteria, the minimum qualification for juvenile probation officers is a bachelor's degree in a behavioral science field. Juvenile probation officers are not professionally certified in Washington. Training requirements include an 80-hour basic academy within the first 6 months of employment (by statute). The Washington State Criminal Justice Training Commission (CJTC) is mandated to provide the initial training for juvenile probation officers. Currently, juvenile court administrators provide an additional 40 hours of training for the Juvenile Risk Assessment instrument (described in Probation Supervision). Each jurisdiction has different training requirements beyond the initial training academy. CJTC offers various professional development classes on a statewide basis and also coordinates a majority of the statewide in-service training opportunities. The state funds CJTC, while the courts fund the additional week of initial training provided by juvenile court administrators.

State Delinquency Institution(s)

The Juvenile Rehabilitation Administration (JRA), part of the Department of Social and Health Services, administers the state's delinquency institutions. JRA administers a range of secure confinement and treatment services, including five secure juvenile facilities and a juvenile basic training camp. All institutions for committed youth have locking units, and two facilities (Maple Lane School and Green Hill Training School) are completely secured by fencing.

JRA's Division of Community Programs is responsible for group homes, parole services, community-based placement contracts, and diagnostic services. All JRA facilities, both secure and non-secure, provide youth with cognitive behavioral treatment services as well as treatment programs to address specific service needs, including sex offender treatment, chemical dependency treatment, and a range of mental health treatment services.

Commitment to State

Commitments are presumptive, determinate, and set by statewide sentencing guidelines. A judge may find a manifest injustice and increase or decrease the sentence given certain factors. The seriousness of the offense and the juvenile's criminal history help determine the sanction received. The juvenile court sets a minimum and maximum amount of time that the juvenile will serve.

When a juvenile is committed to the Juvenile Rehabilitation Administration (JRA), legal custody transfers to JRA. JRA determines all of the placement specifics. Placement options include three campus-like institutions, a forestry camp, and a basic training camp. The Initial Security Classification Assessment (ISCA) is a validated, standardized risk assessment instrument used to determine a juvenile's initial security level and the residential placement he or she will receive. In addition to the ISCA, age, offense, treatment needs, and population level at the institutions help to determine placement. Juveniles are assigned a JRA parole counselor who works on transition plans for their eventual return to the community.

Direct Placement

Juvenile court judges cannot order juveniles into placement without committing them to the Juvenile Rehabilitation Administration.

Release

The Washington Administrative Code, Revised Code of Washington, and Juvenile Rehabilitation Administration (JRA) administrative guidelines address the release decision. The Assistant Secretary of JRA sets the release date using a prescribed range of commitment time from the sentencing guidelines. A community risk assessment is used if a juvenile is to be released before his or her maximum sentence expires. Every juvenile must be released by his or her maximum sentence. The court plays no role in the release decision.

Aftercare/Re-entry

Juvenile parole counselors from the Juvenile Rehabilitation Administration's (JRA) community staff administer aftercare (parole) services. There are four types of parole in Washington: Intensive, Enhanced, Thirty-Day Transition Parole, and Sex Offender parole. Juveniles who have the highest risk of re-offending receive a mandatory six months of supervision. Enhanced Parole is for medium to high-risk youth who are not eligible for intensive parole. They receive 20 weeks of supervision. Thirty-Day Transition Parole is for the lowest risk youth who are eligible for parole supervision. They receive a brief 30-day period of parole focused on establishing initial community service linkages. Juveniles who committed specific sex offenses receive a mandatory 24 to 36 months of sex offender parole. All youth on parole are served through JRA's aftercare treatment model, Functional Family Parole. Functional Family Parole focuses on serving the youth and his or her family through engagement and motivation strategies as well as linking youth to services that match to the entire family. This aftercare model is based on Functional Family Therapy principles and requires parole counselors to see the entire family as their clients.

JRA operates a mentoring program that matches adult mentors with committed youth who are preparing for release. The mentors start meeting with the youth while they are still in the correctional institutions and meet with them once a week after their release. The mentors help youth to set and fulfill their educational, vocational, and other life goals. The goal of the program is to help youth transition back to the community through the help of an adult role model.

Washington is participating in the Office of Justice Program's Serious and Violent Offender Reentry Initiative. For information about Washington's involvement, [click here](#). By visiting the State Activities & Resources page, users can read about how other states are using their grants. Descriptions of programs for juveniles follow the descriptions of programs for adults, where applicable.

Recent Changes to the Organization and Administration of Services

Legislation passed in 1994 shifted management and administration of the state's juvenile rehabilitation responsibilities (including all state institutions) to the Department of Social and Health Services.

State Laws

Washington's juvenile code is found in Sections 13.04 to 13.80 of Title 13 of the Revised Code of Washington (Juvenile Courts and Juvenile Offenders)

Juvenile Justice Leadership

Governor's Juvenile Justice Advisory Committee

The Governor's Juvenile Justice Advisory Committee (GJJAC) is the State Advisory Group charged with implementing the federal Juvenile Justice and Delinquency Prevention Act and administering federal and state funding. GJJAC is made up of juvenile justice professionals and private citizens who are appointed by the Governor.

Washington Association of Juvenile Court Administrators

The Washington Association of Juvenile Court Administrators is a membership association of juvenile court administrators from almost every county in Washington. The organization advocates for juvenile justice system issues and legislation that affects juvenile services in the state. WAJCA and the Washington State Institute for Public Policy jointly developed the Case Management Assessment Process, which consists of the Washington State Juvenile Court Pre-Screen Risk Assessment and Washington State Juvenile Court Risk Assessment.

Resources/Contacts

Governor's Juvenile Justice Advisory Committee
Juvenile Rehabilitation Administration
Office of Crime Victims Advocacy
Office of Financial Management, State of Washington (Statistical Analysis Center)
Sentencing Guidelines Commission
Washington Association of Juvenile Court Administrators
Washington Courts
Washington State Bar Association
Washington State Criminal Justice Training Commission
Washington State Institute for Public Policy
Washington Association of Juvenile Court Administrators
Washington Association of Probation/Detention Managers
Washington Association of Probation Officers
Washington Association of Diversion Units

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