

Washington State Racial & Ethnic Disparities 2024-2026 Action Plan

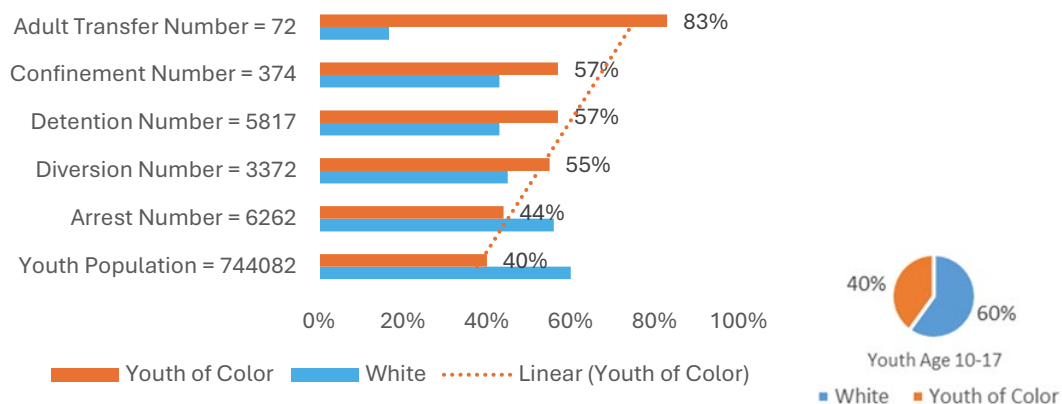
The Washington State Partnership Council on Juvenile Justice (PCJJ), Washington’s State Advisory Group, has an established Racial & Ethnic Disparities Committee (R/ED Comm.) composed of PCJJ members and other juvenile justice community and system partners, who hold the responsibility to advise and support efforts by states, units of local government, and Indian Tribes to reduce racial and ethnic disparities.

The R/ED Committee meets regularly throughout the year and participated in the development of the following Action Plan in response to the data analysis provided through PCJJ’s partnership with the Washington State Center for Court Research. The PCJJ and R/ED Committee commit to working over the next three years to implement the following activities.

What does disparity look like in Washington?

In Washington State, racial and ethnic disparities persist and grow with almost every step of the juvenile justice system, beginning with arrests. Black and Native American youth experience disparity across all five data points.

Figure 1: Key Juvenile Justice System Decision Points—YOC Compared to White Youth



- a. **Arrest:** From Federal Fiscal Year 2022 to FFY 23, the number of juvenile arrests has increased from 4634 to 6262. While this is a significant increase, current arrest rates remain lower than pre-pandemic rates. Disparities in the arrest of youth of color increased by 7%. Black youth make up 6% of the total youth population, yet account for 16% of juvenile arrests and are nearly 3 times more likely to face arrest than their white peers.
- b. **Diversion:** Youth of color are referred for diversion at slightly higher rates compared to their white peers, although Black and Native American youth are referred at lower rates overall. While the total number of diversions remains steady year to year, the ratio of

arrests to diversions fluctuates. This may be an indicator of capacity issues at the county level, warranting additional research.

- c. **Detention:** Detention rates have started to rise, though they remain lower than pre-pandemic levels, highlighting the importance of continuing to monitor and assess the landscape of the juvenile justice system post-pandemic. Black youth experienced a 5% increase in disparate rates of detention from the previous year.
- d. **Secure Confinement:** Secure confinement levels have increased from 286 to 374 youth in JR facilities. This is an approximate increase of 24% from FFY 22 to 23. This increase in population may be due in part to the broadened population in Juvenile Rehabilitation since the passing of JR to 25 legislation, as more youth are staying for longer sentences up to the age of 25.
- e. **Adult Transfer:** Youth of color experience the most severe disparities at adult transfer. Youth of color represent 40% of the state population and account for 83% of all juvenile cases transferred to the adult court system. While the total number of declines decreased from 85 to 72 youth from the previous year, disparity increased significantly for Hispanic/Latino youth. In FFY22 Hispanic and Latino youth represented 27% of all adult transfers and currently represent 43% of all adult transfers.

Figure 2: Key Juvenile Justice System Decision Points—by Race & Ethnicity

Washington State FY 2023		White	Black	American Indian	NHAAPI	Hispanics	Other	Total
Population Data	Number	443285	47336	12786	78026	162649	0	744082
	Percentage	60%	6%	2%	10%	22%	0	100%
Arrest	Number	3515	1035	155	215	880	462	6,262
	Percentage	56%	16%	2.5%	3.4%	14%	7.4%	100%
Diversion	Number	1534	481	82	136	816	247	3372
	Percentage	45%	14%	2.4%	7.7%	24%	7.3%	100%
Detention	Number	2495	1194	270	203	1437	218	5817
	Percentage	43%	20%	4.6%	3.5%	25%	3.7%	100%
Secure Confinement	Number	160	63	10	11	70	4	374
	Percentage	43%	17%	2.7%	3%	18.7%	1%	-
Adult Transfer	Number	12	21	3	3	31	2	72
	Percentage	16.7%	29.2%	4.2%	4.2%	43.1%	2.8%	100%

What would successful reduction in R/ED look like in Washington?

Our data analysis makes clear that youth of color are overrepresented at the point of arrest and that the overrepresentation of youth of color in the system becomes more severe as youth move through the juvenile justice system process. This points to a clear need to advocate, support, and fund early interventions. To reduce racial and ethnic disparities in Washington State it is vital that

we reduce the number of youth of color entering the juvenile justice system at the point of arrest and referral by diverting low risk youth to services with an emphasis on reaching Black, Native American, and Latino youth. With fewer youth of color entering the system, there will be fewer youth of color to progress through the system.

The PCJJ commits to reducing the impact of racial and ethnic disparities, especially at the front end of the system with prevention and early intervention as priority areas.

i. Reduce Disparities by promoting education, awareness, and advancing collective action through:

- a. Continued funding of the Data Dashboards: The WA Juvenile Justice Data Dashboard Initiative aims to fill an important gap in our knowledge of the juvenile justice system and help us with the larger work of comparing decision point data to understand where disparities increase and decrease. The Law Enforcement Data Analysis (LEDA) data dashboard serves as a useful tool for governmental and non-governmental agencies as well as local law enforcement agencies to analyze trends of youth arrest and identify specific areas where changes in policy and practice are necessary and possible. The next step includes distribution of the available data to community-based organizations and other community centered advocacy groups.
- b. Disseminating data assembled through the Data Dashboard Project to ensure equitable access by justice impacted communities. Provide education to the community through trainings on accessing and using the data dashboards and empower communities to use the data to raise awareness through data-informed narratives regarding the juvenile justice system as well as explore solutions.
- c. Hosting 1-2 events in the community per year to bolster relationships and partner effectively with communities most impacted by the juvenile justice system.
- d. Maintaining an updated online resource guide and convene monthly for presentations and educational webinars with an emphasis on identifying and learning more about prevention programs to move interventions further upstream.

ii. Reduce disparities by increasing culturally responsive community-based services for low-risk youth by:

- a. Supporting and funding community and school-based diversion programs specifically focused on servicing Black and Native American youth along with prevention programs specializing in intervention for youth at risk of contacting or entering the juvenile justice system.
- b. Partnering with local organization and advocate for incentivized diversion with a focus on rural counties in order to disrupt “justice by geography”.
- c. Conducting a diversion landscape analysis to understand and address gaps in the accessibility of diversion services, as well as understand the limitations of diversion in addressing increased acuity of first-time offenses.

PCJJ activities in support of R/ED reduction in Washington State.

- i. Engage communities to disseminate information made available by the Law Enforcement Data Analysis project and resulting data dash boards. The expectation is to

institutionalize an integrated approach to understand, address, and reduce disparities at local communities. The intended goal is to refer/divert low risk youth to services instead of detention with priority focus on African American and Latino youth.

- ii. We would like to see the restorative justice oriented, culturally responsive diversion programming replicated in multiple districts, making “keeping kids in school and out of the justice system” a sustained effort at local and state levels as well as the expansion of prevention programs aimed at intervening with youth before arrest or criminal legal involvement.
- iii. We will continue to expand and maintain the online racial and ethnic disparities resource guide, offer technical assistance to support local disparity reduction efforts, as well as facilitate webinars to educate and inform system and community members. This includes partnering and uplifting local organizations to host 1-2 community events per year to raise awareness and engage in discussions with the larger public.

Progress to Date

- i. Two data dashboards published thus far include the Law Enforcement Data Analysis and the Juvenile Court Data Dashboard available at <https://dcyf.wa.gov/practice/practice-improvement/ojj/data-dashboard>.

We began this initiative with Law Enforcement Data Analysis (LEDA) because arrest represents the entrance into the justice system for the majority of youth. We analyzed arrest data and contextualized it with population estimates. This process created a contextualized, universal unit of measure and eliminated one barrier to comparing arrest numbers across jurisdictions. Prior to this effort, there was no single, accessible source to examine disparities in Washington State juvenile arrest data.

Expansion of the dashboards include future publication of a Diversion Dashboard, which will be instrumental in understanding the landscape of services in Washington as well as dashboard for Transfer to Adult Court. Expansion efforts have been met with continued interest and support from community organizations, advocates, state agencies, and court administrations.

- ii. The PCJJ voted to fund several culturally centered, diversion and prevention programs for the funding cycle beginning FY 2024, all of which are successfully entering into Quarter Four of their Year One funding. These programs include a community-based diversion program running in South King County, School-Based Diversion program operating in Spokane County School District, and a vocationally centered program in Pierce County. Recently, the Spokane School-Based Diversion program graduated 72 students from their Social-Emotional learning group and engaged with 23 seniors who, through mentoring, were able to achieve academic qualification to graduate high school. Preliminary assessment of these programs to show increased student engagement (attendance, behavior, grades) and reduced recidivism (diversion requirements met.)

Additionally, funding has supported the creation of a culturally adapted mentoring program operating in Grays Harbor County in partnership with local Tribal Nations. This prevention program specifically serves Native youth with a parent or caregiver involved with the Tribal Wellness Courts.

- iii. A racial and ethnic disparities reduction plan is more than gathering data to demonstrate the problem. It is about changing policies and practices to ensure fair and equitable treatment across the juvenile justice system. An inclusive plan also considers public attitudes about crime and race. Racial and ethnic disparities reduction efforts rely on awareness and action that include:
- a good understanding about historical context and processes that serve as the foundation of an imperfect justice system today,
 - disaggregated data at each decision point to inform the analysis of the problem and exploration of possible solutions,
 - awareness and education to unpack discrimination and biases at system and personal levels,
 - best practices and strategies to understand, reduce, and prevent disparity,
 - a system and community partnership, because the juvenile justice system alone cannot correct a legacy of racial inequity and entrenched discriminatory practices.

Challenges to Achieving Identified Goals

We cannot determine how many Latino youth are arrested or have charges filed in courts. In a large percentage of arrests and court referrals individuals' ethnicity is marked unknown or is left blank. This leads to under-reporting of Latino youth in the juvenile justice system. Law enforcement's National Incident-Based Reporting System (NIBRS) and the courts' Judicial Information System (JIS) record race and ethnicity separately. The race category includes designations for: American Indian/Alaska Native, Asian, Black, Native Hawaiian or Other Pacific Islander, Other, and White. The ethnicity category has options for Latino, Non-Latino, and Unknown. Depending upon the system, there may also be options for Other race (NIBRS), or Multiracial (JIS). If the individual's ethnicity is left blank or marked as Unknown, we are left with only their racial category to classify the individual.

Because of these conditions, unless all those individuals with missing or Unknown ethnicities are actually Non-Latino, we under-count Latino youth and over-count non-Latino White youth. Additionally, recent efforts to expand upon the collection of race and ethnicity identifiers, have created inconsistencies with racial categories. This was observed mostly among data collection for Asian, Pacific Islander, and Native Hawaiian youth.

We will continue to collaborate with our state partners to communicate with those that collect and enter arrest data about this challenge in data collection and reporting. We will advocate for data collection policy and practice improvements as we are able.

Commitment to Upholding Safeguards & Accountability

Our racial and ethnic disparities reduction plan takes into consideration the impact and outcomes of positive youth development.

- i.** The PCJJ actively engages youth in its organizational structure and activities. We regard youth engagement as a central tenant to Juvenile Justice system improvement work. Youth engagement is a reciprocal youth-adult partnership because we contribute, teach and learn from each other. It is our commitment to uplift and integrate youth voice in the development of system improvement recommendations, where youth are engaged in discussions, planning, development, and implementation of activities/projects. When possible, youth and young people impacted by the justice system, including those currently facing incarceration, are centered in the decision-making process and provided compensation for their work.
- ii.** The PCJJ also continues to support the expansion of TRANSFORM through Technical Assistance funding. TRANSFORM, Trauma and Racism Addressed by Navigating Systemic Forms of Oppression using Resilience Methods is a holistic and culturally responsive approach that focuses on addressing trauma, racism, and the intersection of the two. The program is a learning tool designed to be implemented by both clinicians and non-clinicians in youth-serving institutions such as schools, foster care, and juvenile justice settings. The program curriculum centers at building racial/ethnic pride among youth of color and anti-racism advocacy among white youth, equipping our youth with skills to thrive by engaging in radical healing, self-empowerment, and belonging. TRANSFORM partnered with Seattle area schools to launch another pilot site and added two additional trained facilitators.
- iii.** The Office of Juvenile Justice, situated within Washington's Department of Children, Youth, and Families, has begun to take preliminary steps to explore the potential for a Youth Engagement Specialist as a permanent position within the office, dependent on funding availability. The creation of this position would continue to support WA-PCJJ's mission to uplift young people impacted by the justice system, by integrating people with lived experience into the State workforce. Identified tentative steps to support this role include:
 - a.** Use of a consultant to assess viability of the role, and determined supports needed for success and sustainability
 - b.** Engage young people (to be served by this position) to identify, and shape roles and responsibilities that would best meet their needs.

Three-Year Decision Point Data

		White			Black			American Indian			Asian			Hispanics			Total		
		YR 22-23	YR 21-22	YR20-21	YR 22-23	YR 21-22	YR20-21	YR 22-23	YR 21-22	YR20-21	YR 22-23	YR 21-22	YR20-21	YR 22-23	YR 21-22	YR20-21	YR 22-23	YR21-22	YR 20-21
Populations (10-17)	Number	443285	443285	443285	47336	47336	47336	12786	12786	12786	78026	78026	78026	162649	162649	162649	744082	744082	744082
	Percentage	60%	60%	60%	6%	6%	6%	2%	2%	2%	10%	10%	10%	22%	22%	22%	100%	100%	100%
Arrest	Number	3515	2912	4103	1035	650	1032	155	96	148	215	95	236	880	655	1094	6262	4634	6923
	Percentage	56%	63%	59%	16%	14%	15%	3%	2%	2%	3%	2%	3%	14%	14%	16%	100%	100%	100%
Diversion	Number	1534	1805	1503	481	530	320	82	77	94	136	137	80	816	862	626	3372	3691	2762
	Percentage	45%	49%	54%	14%	14%	12%	2%	2%	3%	8%	4%	3%	24%	23%	23%	100%	100%	100%
Detention	Number	2495	1818	1743	1194	577	455	270	185	175	203	120	92	1437	946	889	5817	3774	3411
	Percentage	43%	48%	51%	20%	15%	13%	5%	5%	5%	4%	3%	3%	25%	25%	26%	100%	100%	100%
Secure Confinement	Number	160	123	140	63	43	53	10	13	15	11	7	14	70	49	81	374	286	361
	Percentage	43%	43%	39%	17%	15%	15%	3%	5%	4%	3%	2%	4%	19%	17%	22%	100%	100%	100%
Transfer to Adult Court	Number	12	21	13	21	31	40	3	0	3	3	6	4	31	23	21	72	85	82
	Percentage	17%	25%	16%	29%	36%	49%	4%	0%	4%	4%	7%	5%	43%	27%	26%	100%	100%	100%