



Report to the Washington State Legislature

BLOCK GRANT PROVISO REPORT

ESSB 5693, Sec. 228(16)



Washington State Department of
CHILDREN, YOUTH & FAMILIES

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In Collaboration With
Washington Association of Juvenile Court Administrators
Administrative Office of the Courts
Washington State Center for Court Research

Executive Summary

The state and juvenile courts have a long-standing partnership founded on the commitment to reduce the number of youth in the juvenile justice system and the overall reliance on state institution programs. The partnership includes funding for local juvenile court programs that are effective at reducing juvenile criminal behavior. This collaborative effort has moved through various iterations to include probation subsidies, grants for effective programs, disposition alternative programs for committable youth, and a statewide application of evidence-based programs.

In 1997, the Legislature passed the Community Juvenile Accountability Act (CJAA), codified as RCW 13.40.500. The CJAA brought state-funded, research-based programs to local county juvenile courts for the very first time.

In 2019, the Legislature, through Engrossed Senate Bill (ESB) 5429, amended RCW 13.40.500, extending eligibility for participation in evidence-based programs to include referred youth as well as diverted and adjudicated youth. This legislative change now allows referred youth the ability to access research and evidence-based programs funded by the state.

In 2022, the Legislature continued to pursue options to expand the delivery of research and evidence-based programs to youth in the juvenile justice system in ways that have not been explored before. In accordance with Section 228(16) of ESSB 5693, the Legislature required the Block Grant Oversight Committee, as defined in RCW 13.40.511, to work in collaboration with the Washington State Institute for Public Policy (WSIPP), the University of Washington's Evidence-Based Practice Institute (EBPI), and the Department of Children, Youth, and Families (DCYF) to develop recommendations for the expansion of community juvenile accountability programs funded through juvenile court block grant funding provided by the Juvenile Rehabilitation (JR) division of DCYF and juvenile courts. The Committee's recommendations shall include consideration of the expansion of:

1. Block grant funding to community juvenile programs that provide services to juveniles assessed as low-risk;
2. Block grant funding to community juvenile programs that provide services that are not solely focused on reducing recidivism;
3. Available block grant funding needed to complete evaluations of programs such that more programs may be evaluated to be classified as evidence-based; and
4. Classifications used by the Washington State Institute for Public Policy (WSIPP) to demonstrate the effectiveness of programs provided by juvenile court.

The Block Grant Oversight Committee must report its findings and recommendations to the appropriate committees of the Legislature by Nov. 1, 2022.

Introduction

The Block Grant Oversight Committee met in April 2022 to review the Legislature's request. It was decided that a workgroup would be formed to develop recommendations to bring back to the Committee for review and approval. The formed workgroup met over the next three months, and on July 19, 2022, the Block Grant Oversight Committee reviewed and approved the recommendations below.

The workgroup was comprised of members of the following agencies:

- DCYF, JR
- Washington State Juvenile Courts
- Administrative Office of the Courts (AOC), Washington State Center for Court Research
- WSIPP
- University of Washington (UW), Evidence-Based Practice Institute
- DCYF, Office of Innovation, Alignment, and Accountability

Impacting Health and Disparities

While working through the specific items for recommendation, the workgroup wanted to keep in mind the health of all Washington State families and communities, particularly youth of color. Racial disparities do exist in the justice system, and a better job can be done to ensure the services youth are getting are going to have better, more intentional outcomes.

Item 1: Expanding Services to Juveniles Assessed as Low-Risk

Background

As directed by the Legislature (ESSB 5092), the State of Washington (State) is only able to fund research and evidence-based programs in local juvenile courts that are aimed at reducing recidivism. While this is essential for moderate and high-risk youth, it limits the options for programs for low-risk youth.

The programs approved for funding are found on [WSIPP's Juvenile Justice Program Inventory](#). These programs have been reviewed and classified by WSIPP based on previous research. The last updated inventory was September 2020.

The juvenile courts are in the process of onboarding a new risk and needs assessment – Juvenile Court Assessment Tool (JCAT). This new tool will allow the juvenile courts to create service plans based on the actual needs of youth, and not just solely based on risk. Currently, low-risk youth do not receive full assessments; therefore, a true needs-based assessment isn't possible for this population.

Formal Recommendation

The recommendation is to expand the list and types of approved programs for low-risk youth to include general prevention programs, as identified on WSIPP's prevention program inventory.

These low-risk youth accessing prevention programs would still require, at a minimum, a pre-screen on the JCAT. The recommendation is for the development of a need-based screening/assessment tool that the probation counselors can use when deciding what type of prevention program would be best for each low-risk youth and family. The tool would include different areas of information that would be specific to different types of prevention programs (e.g., mentoring programs and family-based intervention programs).

Item 2: Expanding Services Not Solely Focused on Reducing Recidivism

Background

As previously stated, the programs currently eligible for State funding must have outcomes associated with reducing recidivism. It is vitally important that any program the State invests in has research showing improvements in their specific outcomes of interest – including programs preventing justice involvement.

Formal Recommendation

The recommendation is for the Legislature to allocate funding to WSIPP to update its effective juvenile justice and prevention program inventories. These inventories will include programs that impact criminogenic risk and needs with and without outcomes that are specific to a reduction in criminal recidivism.

Item 3: Expanding Block Grant Funding Needed to Complete Evaluations of Programs Such that More Programs May be Evaluated to Determine if they are Evidence-Based

Background

Since the Washington State juvenile court's very first implementation of research and evidence-based programs (1997), regular funding was not provided to research these programs. It wasn't until 2015 that program research was completed on one of the approved programs, and this was provided within existing resources. The Washington Association of Juvenile Court Administrators (WAJCA) has approached the Legislature for the last four years requesting additional funding to support ongoing program research and data analyses. Each time WAJCA's request was not fulfilled.

There is a need and desire to have ongoing research. The goal is to stay current with our menu of research and evidence-based and promising programs. There is a deep desire to evolve the way programs are researched and categorized as effective. A major focus should be on advancing equitable outcomes and reducing disparities in access to services and outcomes.

The long-term plan is to develop a research plan on when, how, and what programs will be researched. A plan for sustainable funding for research needs to be developed, adopted, and pursued.

Formal Recommendation

The recommendation is to establish standards for future outcome evaluations of research and evidence-based programs. As we acknowledge the changes in today's juvenile justice-involved youth, it is important to explore other indicators of program effectiveness, beyond recidivism. When the necessary data are available, the following is recommended:

- **Main Analysis** – Overall impact on recidivism
- **Secondary Analysis** – Impacts on domain change(s) in the Risk and Needs Assessment (JCAT)
- **Sub-Analyses** – Measure the effects of dosage, sequencing, completion, and provider adherence
- All will have sub-group analyses completed (gender, race, age, risk level, court size)

Existing programs will be evaluated on a rotating basis (this will include prevention programs). When a promising program meets the threshold for review, the promising program will be evaluated, and the rotating regular program reviews will pause for one year. If a promising program is positively evaluated and added to the menu of research and evidence-based programs, it shall be added to the end of the rotation of program evaluations.

Additionally, risk and needs assessment is the foundation for these programs; therefore, proactive research of the assessment will be a priority. It is recommended that risk and needs assessment research be included in the rotation at least every five years or earlier if the need arises. Risk assessment research questions will be driven by current needs but may include topics such as revalidation, updating program eligibility, or racial impact analyses.

It is recommended that the Legislature provide the needed ongoing funding to fulfill this program research plan.

Item 4: Classifications Used by WSIPP to Demonstrate the Effectiveness of Programs Provided by Juvenile Court

Background

There are currently five Washington State classifications, as determined by WSIPP, within the juvenile justice program framework – evidence-based, research-based, promising, null outcomes, and poor outcomes. These classifications are determined by existing research on specific programs that are then classified by WSIPP based on the strength of their research outcomes.

This structure does allow for a high return on the State's investment in these programs. However, for programs that do not have research to support them, it limits the ability of local courts to implement them due to State funding not being permitted to be used on programs without research.

Although the juvenile courts have a Promising Program Protocol to onboard new programs (see Attachment A), it was felt an essential element/core component checklist was necessary. This checklist would allow both the juvenile courts and DCYF, in its oversight role, the opportunity to know that a new program has the essential elements of programs that have been researched as effective. This will allow for the onboarding of

any program and enhance the existing Promising Program Protocol. Programs that meet the criteria of the checklist would be given a new classification of “Evidence-Informed.”

Lastly, it should be noted that although an essential element/core component checklist is an evidence-informed guide for programs, it will not replace the need for formal program evaluation.

Formal Recommendation

Currently, an essential element/core component checklist does not exist for juvenile justice programs, and one would need to be developed.

It is recommended that the Legislature task and fund WSIPP to develop the essential element/core component checklist in collaboration with UW/EBPI.

To begin with, it is recommended that the essential element/core component checklist focus on the following prevention areas with an acknowledgment that other areas may be brought on in the future:

1. Family-based interventions
2. Mentoring
3. Positive Youth Development

Conclusion

For nearly 25 years, the Washington State Legislature has been committed to the ongoing prioritization of research and evidence-based programming for the juvenile justice system. Because of the Legislature’s support to date and the work of juvenile justice agencies, Washington State is perceived as a national leader in juvenile justice. This specifically relates to the areas of providing research and evidence-based programs and to the quality assurance structures created to ensure the programs are implemented and maintained to create positive results for the youth served.

The continued success and expansion of this evidence-focused juvenile justice system depends on the ongoing support of those who govern directional and budgetary decisions. Washington State needs to continue to support implementation, maintenance, and quality assurance monitoring of our programs, but in order to evolve, we need to expand beyond that. The next phase of our commitment includes the ability to evaluate our current menu of research and evidence-based programs in detail and make data-driven decisions regarding possible new programs that could meet the needs of those youth with whom we have yet to succeed. Without a financial commitment to support the research necessary for research and evidence-based programs in juvenile justice, the current system of care will become outdated, unresponsive to important new information, and ultimately less successful.

While the current need for responsive research in juvenile justice is critical, it is only a part of a long-term strategy that can serve not only legislators and juvenile justice professionals but also other systems of care in earlier phases of providing research and evidence-based programs to their consumers. All systems should be able to take advantage of truths learned by the implementation of these programs in the juvenile justice system: these programs cannot thrive on their own; trained and competent professionals contribute to

positive outcomes with youth and families; sustained support for quality assurance is critical; and an ongoing commitment to research is essential to ensure the health and success of youth, families, and communities.

Through the Block Grant Oversight Committee, JR and the juvenile courts are poised to usher in change with how new and existing programs are implemented and researched. The processes identified in this report are unprecedented in the Washington State juvenile justice system, and in order for these recommendations to be fully realized, the Legislature would need to support, authorize, and fund these recommendations.

Promising Program Guidelines – For Use in Washington State’s Juvenile Courts Attachment A

Step-by-Step Process for Development of Approved Promising Programs

1. Identifying Promising Program
Courts identify program for proposal and contact the CJAA Advisory Committee Chair. The CJAA Advisory Committee will identify a project liaison and subcommittee to assist with this process and send an acknowledgment of receipt and electronic documentation regarding the promising program application. Applicants are asked to notify WAJCA membership of their intent to apply for promising programs status and ask if other courts are interested in joining their application.
2. Develop and Submit Promising Program Application
Applicants will submit a promising program application that includes the following elements: a program description outlining anticipated goals and objectives of the program, current program status, and the number of youth with “identified need.” It will also indicate if there are other evidence-based or promising programs in Washington State that address the same goals as the proposed program, the qualifications of program providers, elements of quality assurance, program costs, and any research or analysis that has been done on program outcomes.
3. CJAA Advisory Committee Review of Promising Program Application
CJAA Committee reviews the promising program application and determines if the program can proceed to the next step.
4. Design Program Proposal
The program proposal should articulate the program’s theory, include a program manual and implementation strategy, provide any available research, and include detailed elements of the quality assurance infrastructure with measures to maintain fidelity.
5. Design Data Collection and Program Evaluation Plan
The applicant and/or their sponsoring court should contact the CJAA liaison to work with WSIPP to consult on the evaluation design.
6. Present and Review of Promising Program Proposal
Applicant will attend CJAA Advisory Committee meeting to present their proposal and respond to any questions from the committee.
7. Implement Program
Courts implement promising program and track data necessary for evaluation purposes.
8. Evaluate Program
The program will be evaluated using a rigorous research design and provide all necessary information to WSIPP so they can conduct a cost-benefit analysis: study population counts (case and control), recidivism rates (case and control), and pooled standard deviation.

9. Final Program Classification

Once the final research is presented to the CJAA Advisory Committee, the committee will classify the program in one of four ways:

- a. Evidence-based; or
- b. Research-based; or
- c. Program absent supporting evidence (null); or
- d. Poor (indicating that the program likely worsens outcomes for youth)