

Students Before and After Juvenile Court Dispositions

Student Characteristics, Education Progress, Juvenile Court Dispositions, and Education Outcomes in Washington State



**WASHINGTON STATE CENTER
FOR COURT RESEARCH**

Students Before and After Juvenile Court Dispositions: Student Characteristics, Education Progress, Juvenile Court Dispositions, and Education Outcomes in Washington State

Produced by the Washington State Center for Court Research, the Washington State Institute for Criminal Justice at Washington State University, and the Education and Research Data Center at the Washington State Office of Financial Management.

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Introduction: Students and Juvenile Court

This is an initial exploration of school-related characteristics, school performance before court contact, and school outcomes after court contact for youth who were referred to juvenile court for law-violating behavior and who also received dispositions from the court that indicated, based either on a statement from the youth or a ruling by the court, that an offense occurred. **The juvenile court dispositions included in this study are diversion, probation, deferred disposition, disposition alternative, and commitment to the state's Rehabilitation Administration, Juvenile Rehabilitation.** The study identifies demographic, academic, and juvenile justice factors related to students' likelihood to achieve positive education outcomes.

Juvenile justice involvement is linked to poor academic performance both prior to and following court contact (Christle et al., 2005; Crosnoe et al., 2002; Harris and Allen, 2003; Herrenkohl, 2001; Henry et al., 2012; Siennick and Staff, 2008; Shader, 2003). Recent advances in longitudinal cross-agency data systems in the State of Washington provide an opportunity to better understand the relationship between academic performance and juvenile court involvement over time at the local and state levels. By describing the relationship between juvenile justice and educational factors in Washington, this report helps to establish a baseline by which to evaluate the efficacy of interventions to improve school success. In addition, this report and planned subsequent reports are intended to establish models for sustained reporting on education for all court-involved youth so that policymakers, practitioners, and the public can have access to an empirically-based perspective on current systems' performance and opportunities for improvement.

This report presents analyses of the educational experiences before and educational outcomes after an offense that occurred during the 2009/ 2010 academic year for students who were in grades 8 or 9 in that year. Table 1 presents demographic information on the 3,396 students included in the study. The report describes the relationships between academic performance and juvenile court dispositions including diversion, local sanctions, and commitment to the Rehabilitation Administration, Juvenile Rehabilitation (JR). The report also explores connections between disposition type and risk factors such as special education status, homelessness, migrant status, and enrollment in free/reduced price lunch programs. Post-disposition outcomes such as grade point average, graduation, and involvement with postsecondary education are also examined.

Key Findings

- Black students were overrepresented for all dispositions, but especially for JR dispositions, making up 22% of students sentenced to JR in comparison to 10% of all cohort youth receiving disposition and only 4% of the 2010 15-year-old population.
- Twenty-four percent (24%) of the study cohort of students with juvenile court dispositions and 32% of cohort students sentenced to either probation or JR had a history of special education eligibility, compared to a general student population prevalence of 13%.
- The large majority (86%) of cohort students with juvenile court dispositions were eligible for Free or Reduced Price lunch, compared to less than one-half of students across the state.
- Court-involved students are likely to have a history of poor performance on standardized math and reading tests. For example, among youth sentenced to JR only 1 out of every 10 had successfully passed a standardized math test in grades 6-8, while 1 in 4 had met criteria in reading during the same time period.

- Only 18% of students in 8th or 9th grade during the year of their qualifying offense earned sufficient credits (6 or more) in 9th grade to graduate high school within 4 years.
- The Washington State class of 2015 4-year graduation rate was 78.1%, but just 23% of the court-involved cohort had graduated by the end of at least 5 years of follow-up. Results were worse for youth with more serious sanctions—13% of youth on probation and 16% of youth committed to JR had graduated.

Data and Partners

Data were gathered from multiple educational and criminal justice data systems to create an operational dataset for processing and integration. All education data came from records for students who also were sentenced in a Washington court for an offense committed while younger than age 18, i.e., sentenced for juvenile offending.

Washington State’s Education Research Data Center (ERDC, at the Office of Financial Management) filled a central role in the process of merging data. ERDC provided the education data needed for this project, all of which originated from ERDC’s P20 education data warehouse. First, K-12 educational and enrollment data were acquired from the Core Student Record System (CSRS), capturing student enrollment information up to the year 2009. Second, the K-12 data is a composite of data from both CSRS and Comprehensive Education Data and Research System (CEDARS), which replaced the CSRS in 2010. Third, higher education enrollment and graduation data in the P20 data warehouse capture 4-year college enrollment information from the Public Centralized Higher Education Enrollment System (PCHEES), with graduation details relating to postsecondary degrees (e.g., associates, bachelors). The operational dataset also contains Washington State Board for Community and Technical College (WBCTC) enrollments, capturing certification and other vocational training.

For the purposes of this project, researchers were provided access to CSRS and CEDARS records relating to students involved with the juvenile court system in the State of Washington. Additional information on non-offending and general student population data was gathered from the Office of Superintendent of Public Instruction (OSPI) K-12 data and reports Gateway, accessible via the following website: <http://www.k12.wa.us/DataAdmin/DataGateway.aspx>.

Juvenile justice data originated from the Administrative Office of the Courts (AOC) Court Contact and Recidivism Database (CCRD). This database contains both status and criminal (juvenile delinquency) offense charges as well as their court dispositions (sentences) relating to the youth sample.

The data were further integrated into a single tabular dataset for analysis and reporting, in order to address the questions proposed by this research. The construction of the dataset outlines the students as the unit of analysis, and includes all students who met the selection criteria below; not all students were enrolled across the entire study period. An academic year is operationalized as September 1, for one calendar year, and August 31, the next calendar year.

Study Cohort

For ease of analysis and interpretation, and to allow sufficient time for follow-up, the students selected for the study cohort were those enrolled in school and in grades 8 or 9 during a single academic year, 2009-2010 (AY 09-10), i.e., from September 2009 through August 2010. To create the data file needed for analysis, all juvenile court records for youth with misdemeanor or felony offense dates during AY 09-10 were matched with student data maintained by the Office of Financial Management’s Education

Research and Data Center. The resulting data file was limited to students who were in grades 8 or 9 in AY 09-10 and who had a juvenile court disposition of diversion, probation, deferred disposition, disposition alternative, or commitment to JR resulting from the offense that qualified a student for inclusion in the study.

School records were available pre-AY 09/10 for all students and through the end of academic year 2014/2015 (AY 14/15). Data prepared for this study also included court records from the age of first court contact related to an offender matter or truancy petition through December 31, 2015.

Juvenile Court Dispositions

In general, Washington statutes adjust the disposition according to the extent and seriousness of the youth's current offending and prior offending. As detailed below, diversion is the least restrictive disposition. Post-adjudication local sanctions that include community-level supervision—the combination of probation, deferred disposition, and disposition alternatives—are more serious and generally involve additional requirements for behavior and treatment. The most serious disposition is commitment to a secure state facility with the state Juvenile Rehabilitation. The dispositions are defined as follows:

- **Diversion:** RCW 13.40.080 establishes diversions as an informal handling of a minor juvenile offense without formal prosecution in juvenile court and without involvement of a juvenile court judge. Diversion is typically supervised by the juvenile court or the prosecutor's office, and results in a contract with the youth with features such as requirements for community service work, counseling and other interventions, and restitution (Dowell, 2015). A significant recent development is that the Legislature, law enforcement, prosecutors, and juvenile courts are increasingly turning to diversion programs for some types of juvenile law-violating behavior. In 2013, for example, changes to the Revised Code of Washington (RCW) 13.40 permit law enforcement officers to take youth to a mental health evaluation and treatment center if the officer believes that the youth suffers from a mental disorder and the offense was neither a felony nor designated as "serious."
- **Probation:** Probation is defined as post-adjudication community-based supervision of up to 12 months' duration, which may include detention, reporting requirements, community service, and treatment interventions.
- **Deferred Disposition:** This option delays final disposition after conviction, imposes community supervision and other conditions such as compliance with treatment interventions, and removes the option for the court to impose time in detention as an initial sanction. If the youth successfully completes the period of local supervision and meets the other requirements, the case is then dismissed and the conviction is "vacated" from the criminal history (Dowell, 2015).
- **Disposition Alternative** (also referred to as "Suspended Disposition"): Disposition alternatives are alternatives to commitment to JR, are associated with comparatively serious offenses and/or prior juvenile court dispositions, and offer a youth probation with specific conditions for behavior and treatment. If the conditions are met, then the youth avoids commitment to a state facility. Violations of the conditions can result in placement with JR (Dowell, 2015).
- **Juvenile Rehabilitation:** JR sentences are imposed only for felony offenses or when local sanctions would be "manifestly unjust" because of a youth's prior history or the crime. JR

facilities are long-term secure lock-up facilities for juveniles. Minimum commitment ranges begin at 15 to 36 weeks; the maximum is until age 21 (Dowell, 2015).

Study Cohort Characteristics

Table 1 shows demographic characteristics for the study cohort. Students who were in the 8th grade at the time of their offense were more likely than the 9th graders to receive diversions (55%, compared to 45% for 9th graders) and less likely to be sentenced to JR (43%, compared to 55% of 9th graders). About two-thirds of the cohort were males, but males comprised 59% of those receiving diversions in comparison to the more serious dispositions of probation (73%) and JR (96%). Black students are overrepresented for all dispositions, but especially for JR dispositions, making up 21% of students sentenced to JR in comparison to 10% of all disposed youth and 4% of the 2010 15-year-old population.

Table 1. Study cohort grade level, gender, race, and Juvenile Court dispositions (n = 3,396)

	All Dispositions	Diversion	Probation	Deferred	Disposition Alternative	JR
Grade--Academic Year 2009/2010						
8	55%	60%	46%	53%	55%	43%
9	45	40	54	47	45	57
Gender						
Male	64	59	73	69	61	96
Female	36	41	27	31	39	4
Race & Ethnicity						
Am. Indian/ Alaskan Native, non-Hispanic	5	5	6	0	10	6
Asian, non-Hispanic	2	3	2	0	0	1
Black, non-Hispanic	10	9	11	8	6	21
Hispanic or Latino, any race	22	23	22	16	12	10
White, non-Hispanic	56	56	54	75	65	55
Native Hawaiian/ Pacific Islander	1	1	1	0	0	4
Two or more races	3	3	4	1	6	2
Not provided	1	0	1	0	0	2

Cells contain column percentages. Rounding causes some columns to not sum to 100.

As seen in Figure 1, about two-thirds (66%) of the 3,396 members of the study cohort entered into diversion agreements as the result of the qualifying offense, and another large segment (31%) of the cohort received some sort of local sanction (probation, deferred disposition, or a disposition alternative) as the result of the qualifying offense. Probation sentences accounted for nearly 9 out of every 10 (88%) local sanctions. Only 3% of all dispositions for the study cohort’s qualifying offenses resulted in commitment to the Juvenile Rehabilitation.

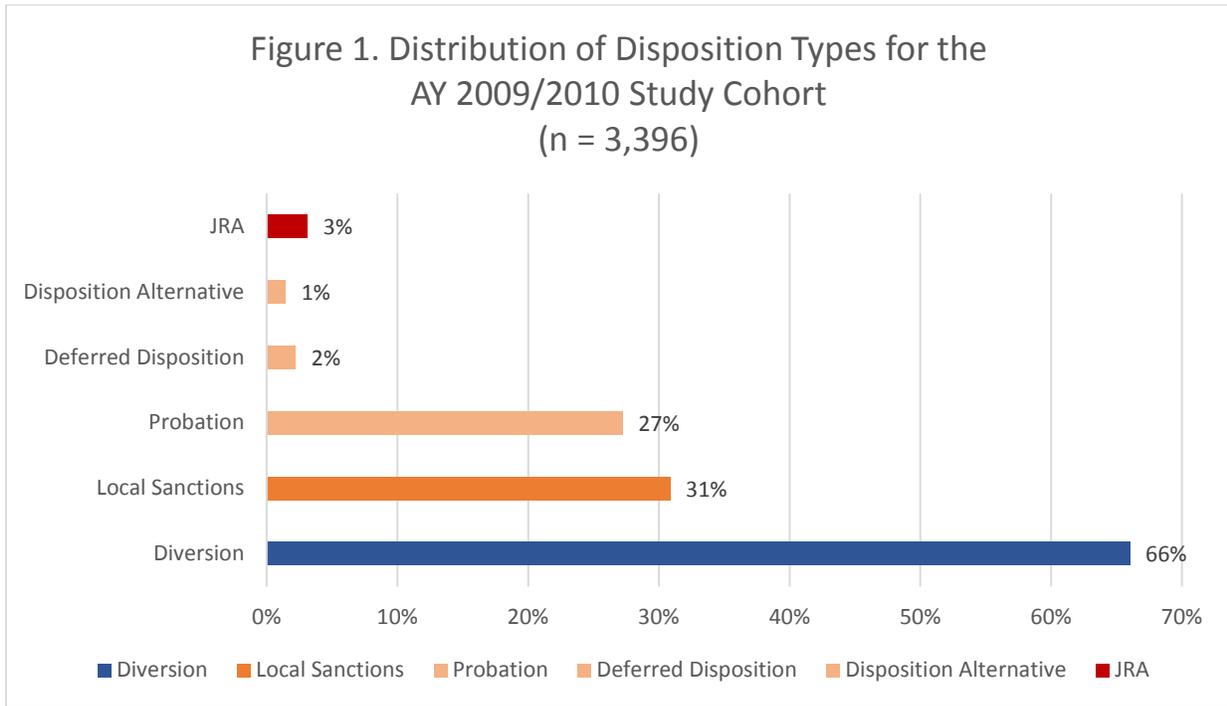
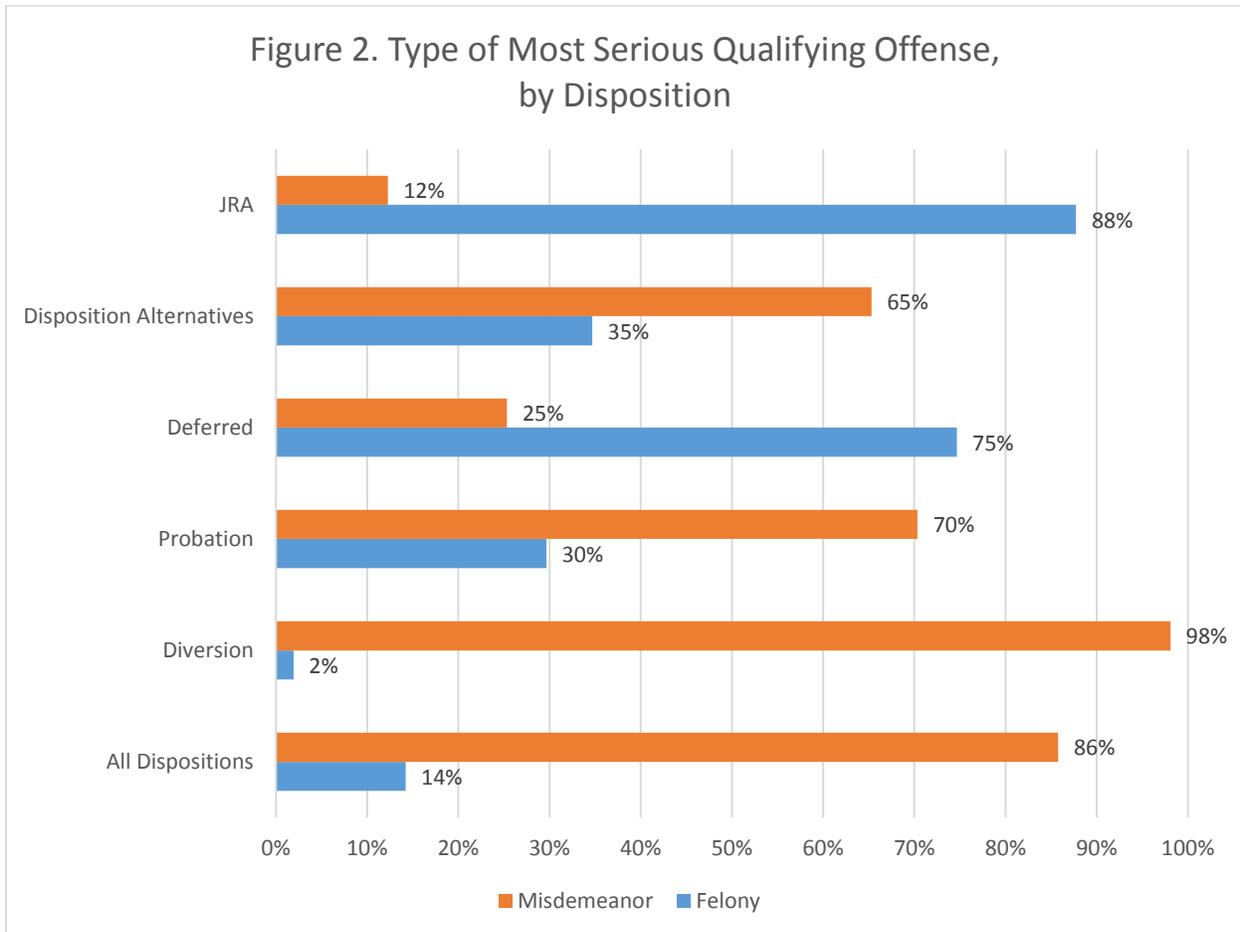


Figure 2 shows the relationship between most serious offense type for the qualifying offense and the related dispositions for the study cohort. A key distinction between the two classes of offenses is the severity of penalties. Misdemeanors are the less serious offenses, for example drug possession, and can be punished by up to 364 days in jail and a maximum fine of \$5,000. Felony offenses, such as armed robbery, carry more severe penalties possibly including sentencing to a state facility such as JR or prison. There is a clear relationship between qualifying offense severity and disposition. For example, only 2% of most serious qualifying offenses were felonies for youth receiving diversions, in contrast to 30% for youth sentenced for probation and 88% for youth committed to JR¹.



Figures 3 and 4 show previous delinquency cases and detention episodes for the study cohort. In general, youth receiving diversions had relatively lower levels of prior offending (82% of diversion youth had zero previous delinquency cases) and prior detention episodes (82% had zero prior detention episodes). Those receiving local sanctions (i.e., probation, deferred sentencing, or a disposition alternative) had much higher rates of prior offending and detention episodes. Youth sentenced to JR had the highest percentages of previous delinquency cases (with 58% having had three or more previous cases) and detention episodes (45% had one or more prior detention episodes).

¹ One hundred six (106) youth in the study cohort were sentenced to JR and 13 (12%) had a misdemeanor as the qualifying offense for inclusion in the study, but records show that such youth typically have either a prior felony offense or a sentence to JR or both.

Figure 3. Delinquency Cases prior to Qualifying Offense, by Disposition

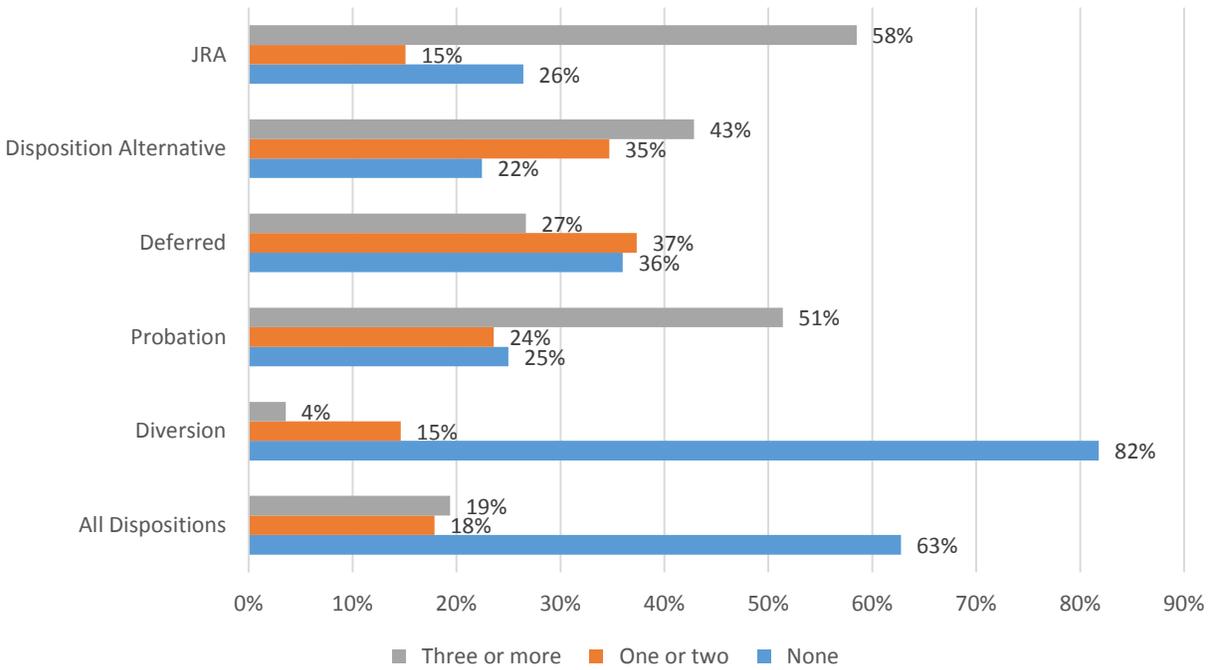


Figure 4. Detention Episodes prior to Qualifying Offense, by Disposition

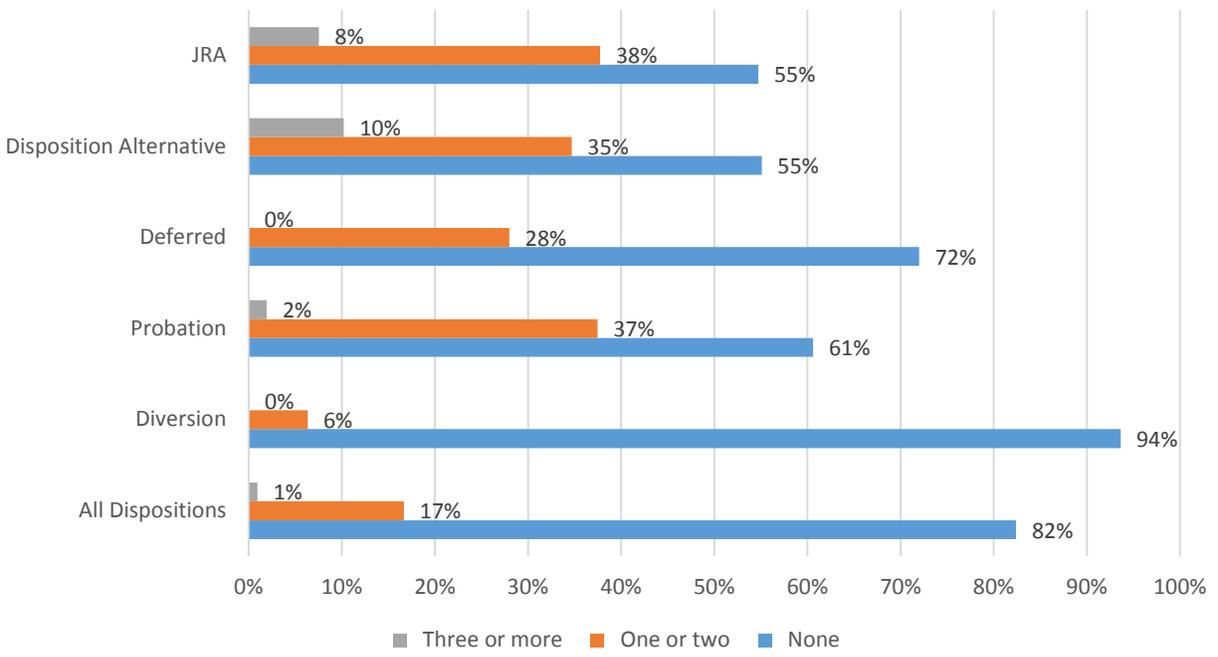
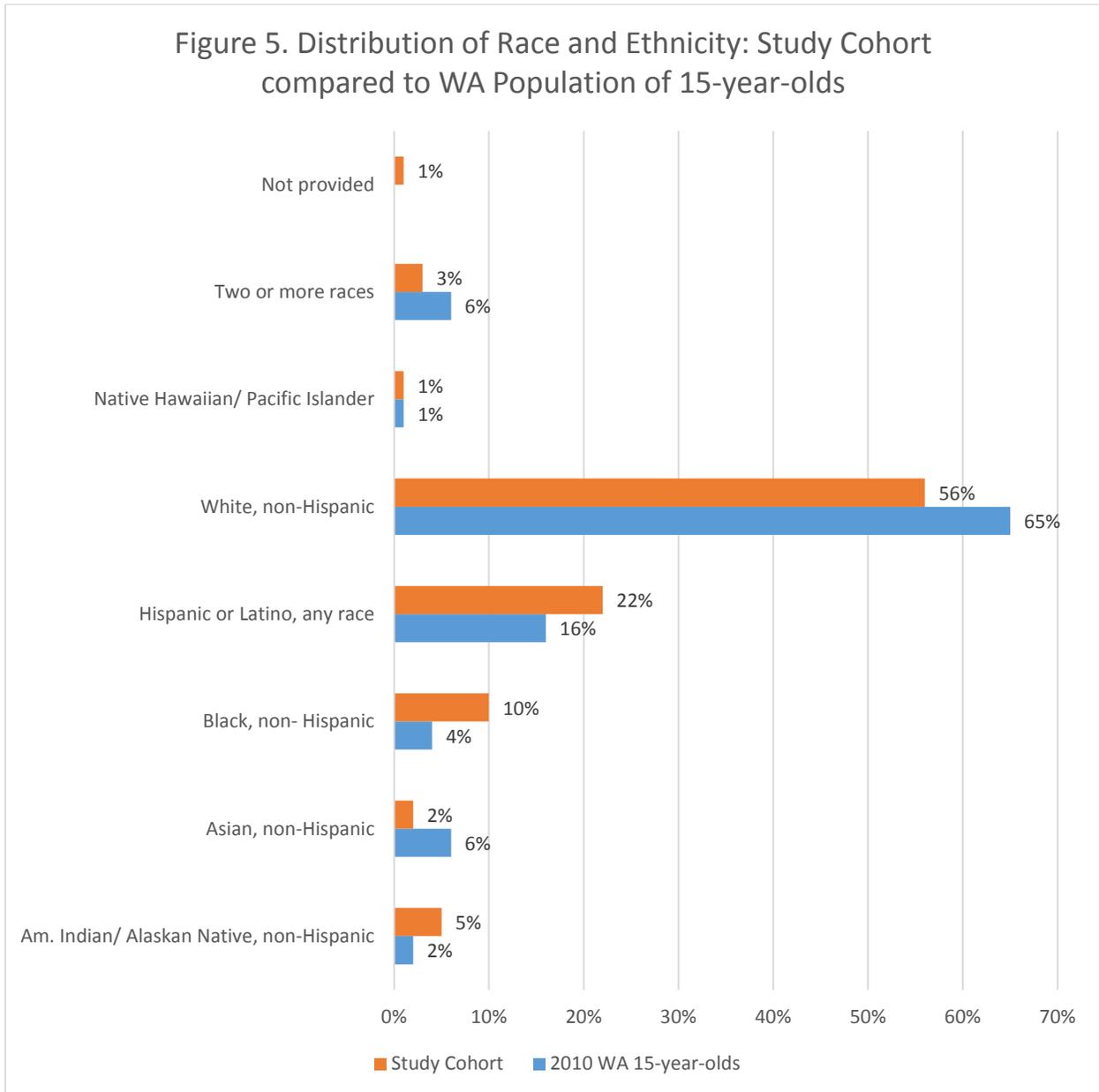
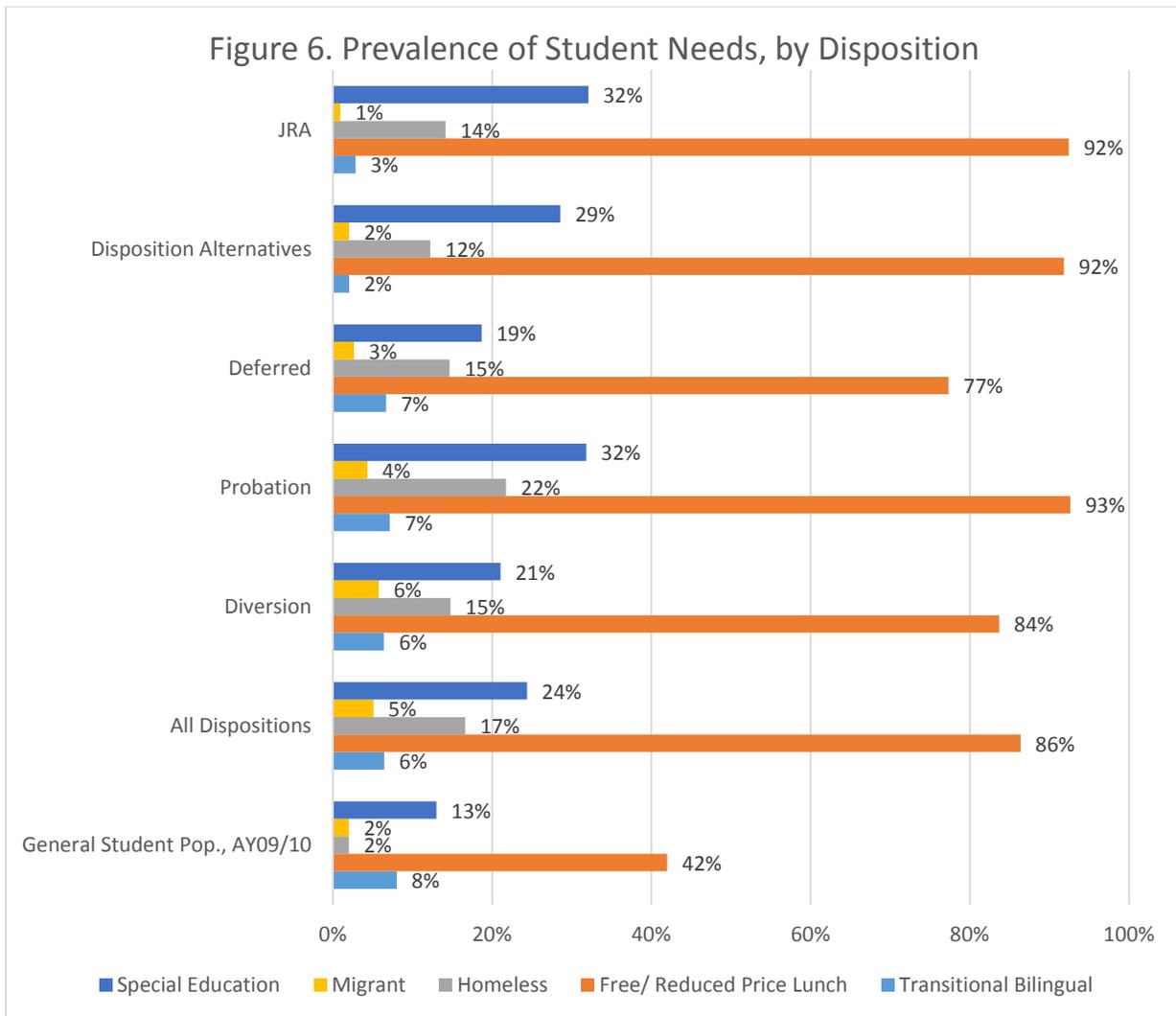


Figure 5 compares the study cohort’s race and ethnicity with that of the 2010 population of Washington 15-year-olds. Non-Hispanic American Indian/Alaska Native, non-Hispanic Black, and Hispanic or Latino students are overrepresented in the cohort of youth with juvenile court dispositions. For example, Black non-Hispanic youth made up 4% of the population of 15-year-olds in 2010 in comparison to 10% of the study cohort. In contrast, non-Hispanic White and non-Hispanic Asian students, and non-Hispanic students of two or more races were underrepresented in the study cohort.



Academic Performance prior to the Qualifying Offense

Figure 6 includes the percentage of the court-involved cohort who had ever been eligible for Special Education Services during the years they were enrolled in public school (2004/05 through 2013/14). The proportions of all eligible students statewide in 2009/10 are presented for purposes of comparison.² Of particular interest is the fact that 24% of all court-involved students have a history of special education eligibility, compared to a statewide prevalence of 13%. Further, the large majority (86%) of court-involved youth have been or are eligible for Free or Reduced Price lunch, compared to less than one-half (42%) of students across the state. For special education status the highest prevalence, 32%, are seen with youth sentenced to probation or JR. The prevalence of homeless youth was highest, at about one out of every 5, or 22%, for youth sentenced to probation.

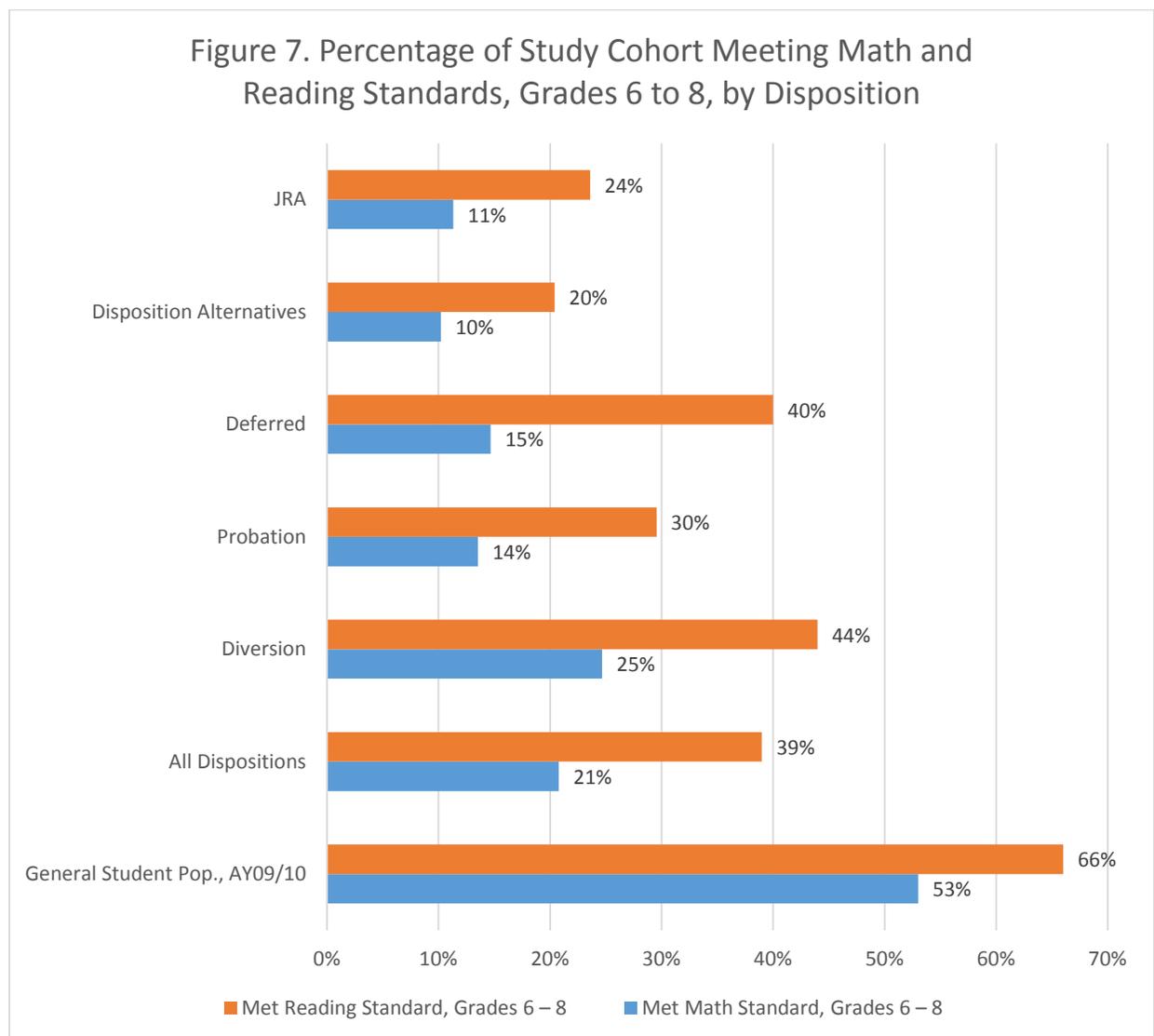


† General student population percentages are for only the AY 2009/ 2010 8th grade population.

² Comparing a one-year snapshot for the statewide population to a multi-year prevalence for the court-involved cohort obviously introduces some error. However, too many court-involved students who were eligible for these services in previous years had spotty or interrupted attendance during the 2009/10 school year (coinciding with their arrest and sentencing), meaning that in many cases their eligibility would not have been recorded for that year.

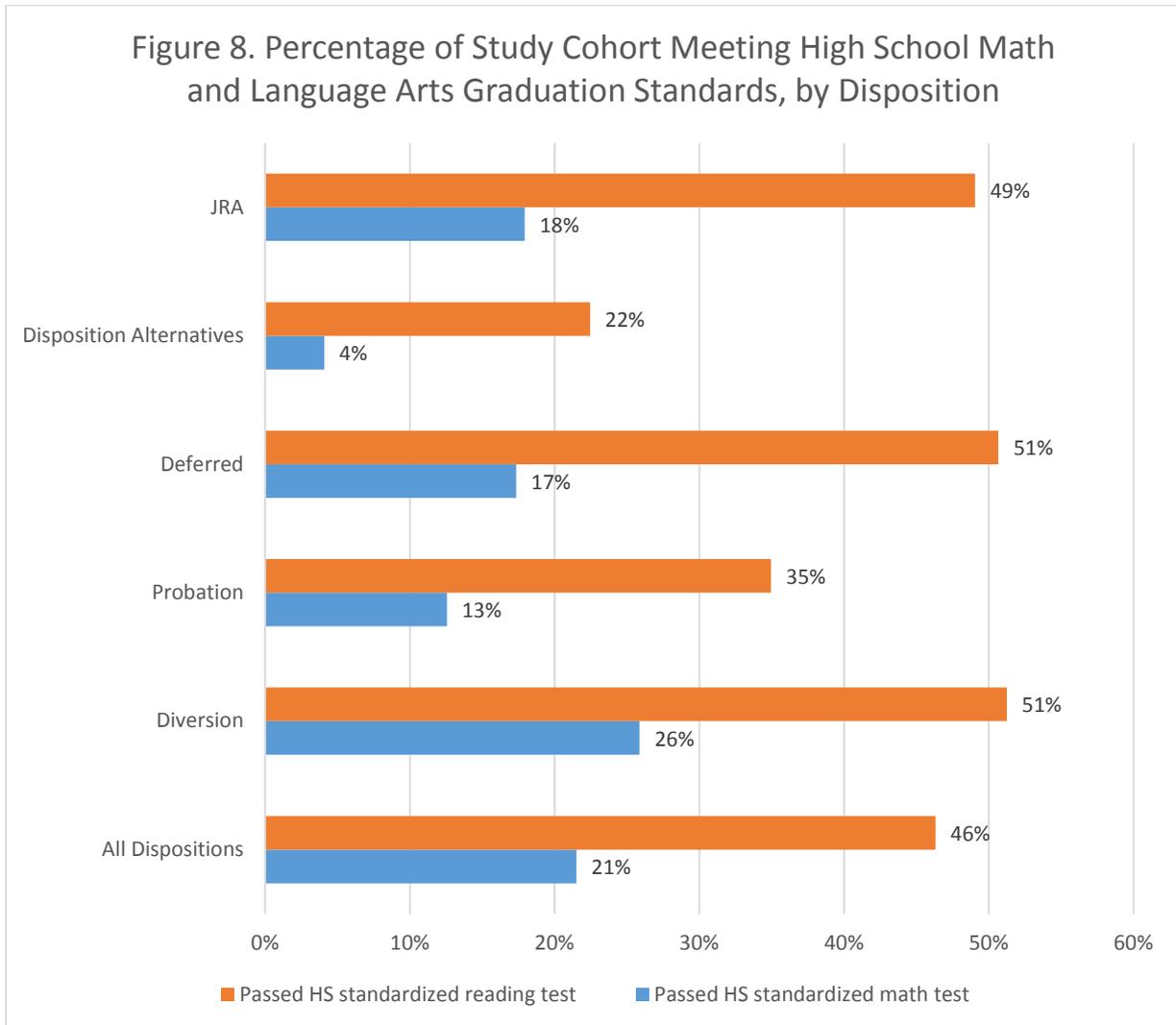
Figure 7 shows the performance of cohort students on standardized math and reading tests for grades 6 through 8. Overall, about 1 out of every 5 (21%) youth with juvenile court dispositions met the math standard and about 2 of every 5 (39%) met the reading standard in the grades preceding or during the year of the qualifying offense. For the general student population of all 6th, 7th, and 8th graders in academic year 2009/10, 53% met the math standard and 66% met the reading standard (OSPI Report Card Summary for AY 2009/10). This indicates that youth who go on to court contact for offending matters already have poor educational records.

As seen in Figure 7, there is also a strong correlation between seriousness of disposition and prior test performance, as diversion youth were more likely than youth sentenced to local sanctions or to JR to have previously met the math and reading standards. Youth sentenced to either disposition alternatives or JR had the lowest level of academic performance, with only 1 out of every 10 meeting the math standard and 1 out of every 4 meeting the reading standard.



Academic Performance after Sentencing

Poor academic performance followed juvenile court involvement for many members of the study cohort. Figure 8 shows the percentage of study cohort youth who went on to meet the state assessment graduation requirements for English language arts and math after their sentencing year. Between the two most common dispositions, youth receiving diversions rather than probation performed better with both math and language arts. Youth sentenced to JR also performed better than those sentenced to probation, a result perhaps related to mandatory education programs in JR.



On-time graduation at the end of four years of high school requires an average accumulation of 6 credits per year. Figure 9 shows credit accumulation in 9th grade for all students in the study cohort. This period corresponds to the year of the qualifying offense for AY 2009/2010 9th graders and to the year after the qualifying offense for AY 2009/2010 8th graders. In other words, it was during or within a year after students' period of court contact related to the qualifying offense.

Across all dispositions, only 18% of students earned 6 or more credits in 9th grade. Results were better for diverted youth (22%) than either those sentenced to probation (10%), a disposition alternative (8%) or JR (16%). Figure 9 also shows that earning no credits in 9th grade was most likely for youth sentenced to juvenile probation (44%) or local disposition alternatives (43%).

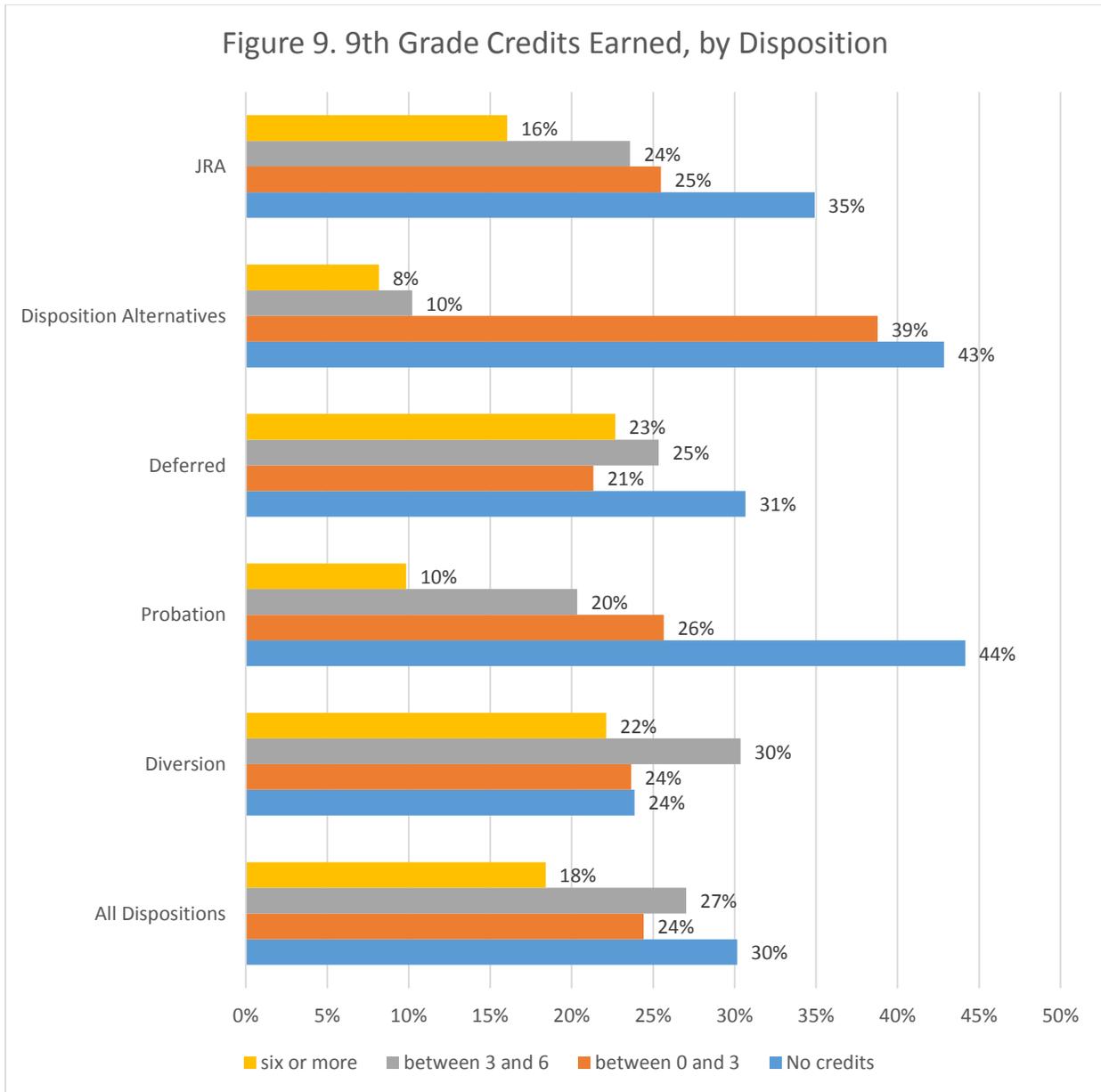
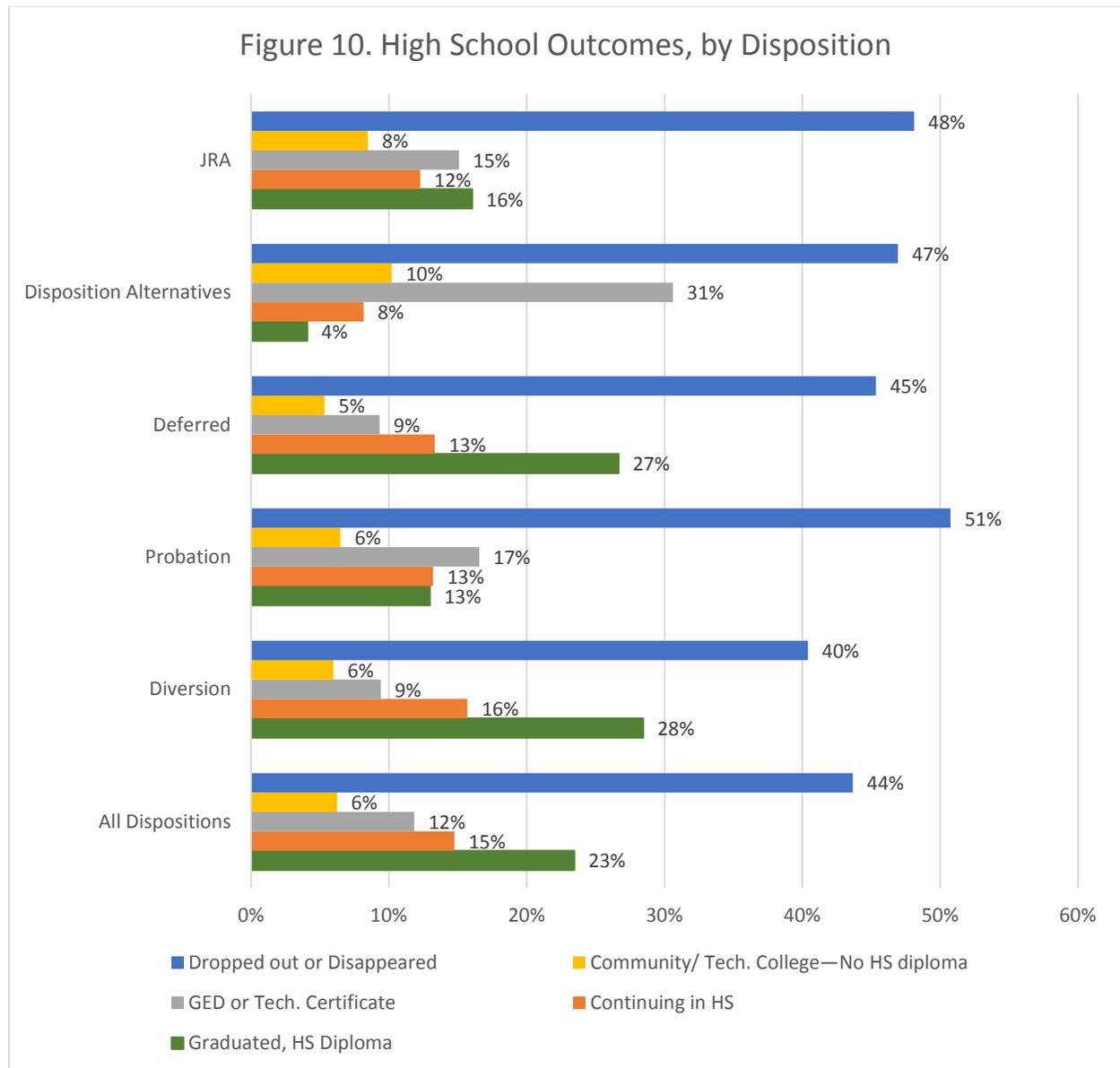


Figure 10 shows high school outcomes for the study cohort at the end of AY 2014/2015, one year past the 4-year graduation deadline for AY 09/10 8th graders, and two years past the deadline for AY 09/10 9th graders. Statewide, the 4-year graduation rate for the class of 2015 was 78.1% (81.1% for 5-year graduation). For the group of all youth with juvenile court dispositions the 4-year graduation rate could be no greater than 23%. A total of 38% of cohort students had either graduated (23%) or were continuing in high school (15%). Another 12% had earned a GED or technical certificate, and 6% had enrolled in community or technical college without first receiving a high school diploma. The remaining

44% had either dropped out or disappeared from tracking by withdrawing from a school but not resuming enrollment in another. Again, results were somewhat better for youth receiving diversions, with 44% either graduating or continuing and 40% dropping out or disappearing, in comparison to youth sentenced to probation (26% graduating or continuing, 51% dropping out or disappearing) or youth sentenced to JR (26% graduating or continuing, 48% dropping out or disappearing).



Summary

Results from this study show that students who receive juvenile justice dispositions have already experienced school failure well before court contact. After contact, many, if not most, continue to struggle academically and ultimately fail to graduate from high school. They perform poorly on standardized tests, fall behind in high school credit accumulation as early as the 9th grade, and have high rates of high school drop-out, comparable to those of students petitioned as truants (Coker and

McCurley, 2015). In general, academic performance and outcomes are consistently worse for students sentenced to local sanctions or to JR than for those, usually with less serious charges, who enter into diversion agreements. Black, Latino, and American Indian/Alaska Native students are at particular risk for poor school outcomes, and are more likely to receive more restrictive sentences. However, an important limitation of the present study was the lack of an adequate control group, effectively precluding any suggestion of a causative link between race/ethnicity and either school outcomes or disposition type.

There are broad implications for policy development related to intervention and prevention in the community as well as in the child welfare system, schools, and the juvenile courts. As the present study showed, court-involved youth frequently face multiple overlapping challenges known to negatively impact school achievement, including household poverty as indicated by eligibility for Free or Reduced Price school lunch, educational disabilities as indicated by special education eligibility, and a history of homelessness. Given the multiple economic, educational and social risks facing these youths, high levels of coordination to support students and families across the child welfare, juvenile justice, and education systems could be beneficial (Stone and Zibulsky, 2014). Given the low levels of credit accumulation for cohort students in the 9th grade, schools and courts could coordinate to provide opportunities to support school engagement and academic progress. And given the apparent early onset of educational challenges as indicated by test failure and special education status, current retention- and graduation-improvement efforts should be assessed against the Institute of Education Science's dropout prevention guide (Dynarski et al., 2008). The guide emphasizes accurate identification of students who are most at risk and deployment of both effective individual-level interventions and school-level reforms.

Recommendations for Further Research and Reporting

The two major goals for this stage of examining combined school and court data are 1) to give stakeholders a basis for understanding fundamental aspects of educational experiences before court contact and educational outcomes after disposition, and 2) to establish a model to improve upon for future routine performance reporting. This report demonstrates the attainment of both goals, yet there are several enhancements to make in future reporting:

1. Analysis must be further disaggregated by race, ethnicity, and gender so that we can, for example, better understand the relationship between student risk factors such as special education eligibility, race and ethnicity, school achievement, and outcomes.
2. We need to identify a comparison group of students with similar characteristics but who are not court-involved in order to control for factors such as prior school performance or poverty that may confound the relationship between race/ethnicity (for example), school achievement and juvenile court involvement
3. Results should, when possible, be reported at the court level and at the school district level, to help us identify and learn from jurisdictions and school districts that have better outcomes for court-involved students.
4. We should include analyses of disruptive school experiences, such as school moves, gaps in enrollment, excessive absences, suspensions, and expulsions.
5. We should analyze enrollment and attendance data after court dispositions for youth receiving either diversion or local sanctions to help schools and courts take steps to intervene with youth who do not return to school after the court disposition.

6. Finally, it would benefit stakeholders to have a broader view of the risks and needs borne by the students who become court-involved. Washington State's Juvenile Court Assessment, implemented as the Positive Achievement Change Tool (PACT) is the best available source of a range of indicators of need for the juvenile probation portion of the juvenile court-involved population (Washington State Institute for Public Policy, 2004.). Data collected using this validated instrument for youth on probation should be matched to school data to provide a detailed picture of the risks facing individual court-involved youths, including engaging in anti-social behavior, family dysfunction, substance abuse, mental illness, and housing instability.

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