Washington State

Juvenile Detention Data Guidelines

2021

INTRODUCTION

This data dictionary serves as a resource for juvenile courts and detention centers in Washington State. These definitions were adapted from the Indiana JDAI Data Dictionary; the Washington State JDAI Data Work Group made additions and changes so the definitions accurately reflect practices in Washington State. The Work Group is thankful to the creators of the Indiana JDAI Data Dictionary for allowing Washington State's use of the document.

This document provides definitions we hope will be adopted by all juvenile court jurisdictions to ensure accurate and consistent data collection, reporting, and analysis. This document has been reviewed and approved by the Washington State JDAI Steering Committee (2021).

DRAFT

DEFINITIONS

ABSCOND

Describes the act of, while subject to the juvenile court jurisdiction, running away or making oneself unavailable for supervision.

ADJUDICATION

A judicial determination in which a youth has been found guilty of committing a criminal act.

ADJUDICATION STATUS

For reporting purposes, adjudication status (i.e., pre- vs. post-adjudication) is determined by the status of the case tied to the DETENTION ADMISSSION REASON (see definition).

> Pre-adjudication: the case status from the time a referral has been received until a youth has been found guilty of an offense (or the case has been resolved in some other manner).
>
> Post-adjudication: the case status after the youth has been adjudicated guilty.

NOTE: because a violation of a court order is not considered to be a new case, the adjudication status of a detention admission for a violation is determined by the status of the case linked to the violation (e.g., an admission for a probation violation would be considered a post-adjudication admission).

ALTERNATIVE TO DETENTION (ATD)

A program that increases supervision by the juvenile justice system in the community in an effort to reduce the likelihood of a new offense or a probation violation.

A program may qualify as an Alternative to Detention program (and part of the detention continuum) if the following conditions are met:
Some level of supervision by the juvenile justice system is provided
But for this program, the youth would likely have been securely detained

NOTE: The standard for successful completion of an ATD program is that a youth completes the program without committing a new offense or a probation violation.

ARRAIGNMENT HEARING

A hearing scheduled after the initial finding of probable cause where the juvenile is informed of the charges being filed and the right to be represented by an attorney.[1] A juvenile may enter a plea during

[1] RCW 13.40.140

this hearing. If a juvenile is detained or released with conditions, the arraignment hearing must occur within 14 days of the information being filed.[2]

ARREST

A youth is considered to be arrested when the youth is taken into custody by a law enforcement agency.

AUTOMATIC DETENTION

Circumstances/Offenses/Reasons that automatically result in a decision to detain a youth regardless of the score on the DETENTION RISK ASSESSMENT INSTRUMENT (see definition). This may also be referred to as a "Mandatory Override."

NOTE: reasons for overrides must be tracked as part of the data collection.

AVERAGE DAILY POPULATION (ADP)

The average number of youth within a secure detention facility or alternative to detention (ATD) program during any specified period of time.

Detention ADP = Total number of days in detention (rounded up to a full day for each admission) by all youth in detention during the specified time period divided by the number of days in the specified time period (this will provide the average number of youth per day who spent any part of the day in detention).

NOTE: alternatively, jurisdiction may calculate and report the detention ADP using only the actual time (down to minutes) that the youth spends in secure detention, rather than rounding up to a full day for each admission. In this case the ADP would be calculated by adding the total number of minutes in detention for all youth in detention during the specified time period, converting this figure to days, and then dividing by the number of days in the specified time period (this will provide the average number of youth in detention at any given time during the reporting period). Jurisdictions must include the method they used to calculate ADP when reporting ADP figures.

AVERAGE LENGTH OF STAY (ALOS)

The average length of time that youth spend in secure custody (either physically in the detention facility or in-person custody of a court or detention staff member) from the admission time to release time per detention episode for any specified period of time.

ALOS = Total lengths of stay for all youth released during the specified time period divided by the total number of youth released during the specified time period.

BECCA PETITION

A non-offender petition filed with the juvenile court for youth who are engaging in high risk behavior, but have not been charged with a criminal offense for that behavior. There are three types of petitions

[2] JuCR 7.6(a)

DRAFT

allowed under the Becca Bills:[3] truancy petitions (filed by the schools), at-risk youth (ARY) petitions (usually filed by parents when youth run away, or have substance abuse or mental health problems), and child in need of services (CHINS) petition (filed by the child when there is significant conflict at home). Youth subject to these petitions are considered non-offenders, as Washington State does not have a "status offender" category. Through June 2020 statute also allowed for youth in the dependency system to be brought to detention in certain circumstances, and these youth are recorded as non-offenders, along with youth who have an active Becca petition, for reporting purposes (see NON-OFFENDER YOUTH definition).

NOTE: A youth may have a concurrent, but non-related, Becca petition and referral/case for a criminal matter.

COMMITMENT

A dispositional order committing a youth to the Washington Department of Children, Youth and Families for housing in a Juvenile Rehabilitation Facility. Commitment is one of two disposition types allowed by statute (the other is LOCAL SANCTIONS – see definition). The length of commitment is determined by a sentencing grid[4] or otherwise allowed by statute.

DAY/EVENING REPORTING PROGRAM

A program providing supervision and structure for pre-adjudicated or adjudicated youth during day and/or evening hours.

DECLINATION OF JUVENILE JURISDICTION

A case brought against a person under eighteen (18) years of age at the time of case filing over which the Juvenile Court does not have jurisdiction either due to automatic declination[5] or as the result of a declination hearing.[6]

Note: For JDAI reports, declined youth are not counted in admission totals and thus, do not contribute to calculations of ADP or ALOS. Local reporting practices may vary.

DETENTION ADMISSION

A detention admission occurs when a youth undergoes the juvenile detention center's formal admission process and is assigned a bed in the facility, as a result of court order, risk screener results, or risk screener override.

DETENTION ADMISSION REASON

For reporting purposes, reasons for detention are classified into five categories based on the reason at the time of admission:

- new criminal offense (i.e., youth is held pre-adjudication)

[3] RCW 13.32A
[4] RCW 13.40.0357
[5] RCW 13.04.030
[6] RCW 13.40.110

- dispositional order to detention as a result of a criminal offense
- violation of a court order related to a criminal offense (including violation of release conditions, violation of probation, contempt of court, and failure to appear to a court hearing). These may also be called technical reasons.
- violation of a court order related to a non-offender matter
- hold for another in-state jurisdiction (e.g., hold for another juvenile court, Juvenile Rehabilitation, or a district/municipal court)
- hold for a non-Washington State jurisdiction (e.g., holds for out of state jurisdictions or tribes, where applicable)

NOTES: In instances where the reason changes (e.g., the youth is admitted pre-adjudication, is adjudicated during his/her stay, and is then ordered to remain in detention as part of a dispositional order) only the original admission reason is reported.

In instances where there are two or more reasons linked to a single admission, only one is reported as the primary reason. Admission reasons are ranked from most to least serious as indicated below (for information on the MOST SERIOUS OFFENSE, see definition).

- Criminal offense (pre-adjudication or dispositional order), including holds for other in-state jurisdictions that are not due to a violation of a court order or a non-offender matter
- Violation of a court order related to a criminal offense
- Violation of a court order related to a non-offender matter
- Hold for a non-Washington State jurisdiction

DETENTION EPISODE

For reporting purposes, a detention episode begins at secure detention admission and concludes upon the order of the court for release.

NOTE: If a youth is physically released and reenters under the same court action (e.g., youth is serving weekend detention, released for school, etc.) it is still considered a single detention episode, unless there is a new violation of a court order.

DETENTION HEARING

A hearing for detained youth to determine whether a youth should remain in detention or be released. Washington statute requires that a Detention Hearing be held within 72 hours (weekends and holidays excluded), though the hearing typically occurs on the next judicial day after a youth is detained.[7]

DETENTION ORDER

A court order requiring a youth to be placed or maintained in detention after a finding of probable cause that the youth committed a criminal act or after the adjudication of an offense.

DETENTION RISK ASSESSMENT INSTRUMENT (DRAI)

[7] RCW 13.40.050(1)(b)

DRAFT

The Detention Risk Assessment Instrument (DRAI) is a screening tool that guides the initial detention decision made either at intake following arrest/referral or at an initial court hearing. The tool weights criteria such as seriousness of the alleged offense and the youth's prior offense/supervision history. A score is produced that assigns the youth to one of two categories: Release or Secure Detention. Scores can be overridden (up or down). Best practice indicates that a reason for the override must be provided and reviewed by a supervisor before the override is executed.

DISMISSAL

An order of the court that removes the case from the court docket and releases a youth from the jurisdiction of the court.

DISPOSITION ORDER

The juvenile court equivalent of "sentence" in adult court. A dispositional order specifies requirements of a plan for the youth's care, treatment and rehabilitation.

DISPOSITION STATUS

For reporting purposes, disposition status (i.e., pre- vs. post-disposition) is determined by the status of the case tied to the detention admission reason (see DETENTION ADMISSION REASON definition).

> Pre-disposition: the case status prior to a dispositional order being entered by the court.
>
> Post-disposition: the case status after a dispositional order has been entered (or modified from the original disposition) by the court.

NOTE: because a violation of a court order is not considered to be a new case, the disposition status of a detention admission for a violation is determined by the status of the case linked to the violation (e.g., an admission for a probation violation would be considered a post-disposition admission).

DIVERSION

A diversion is the handling of a referral without a case filing to include formal diversion and informal diversion (Warn and Release, Counsel-Closed at Intake, etc.).

NOTE: A formal diversion results in a diversion agreement between the court and the youth.[8] An informal diversion can result in any of the following:

- No charges filed/no action taken
- Letter adjustment
- Counsel and release
- Recommendation or referral to an agency for programs and/or services

ELECTRONIC MONITORING

[8] RCW 13.40.080

DRAFT

A level of home detention or home confinement supervision, which uses technology to track the youth's whereabouts.

EMERGENCY SHELTER CARE

A non-secure, residential facility, such as a non-secure Crisis Residential Center or HOPE facility, that is utilized for the short-term, temporary placement of status offenders and/or youth in need of shelter on an emergency basis.

ETHNICITY

A social, not biological, category referring to social groups, often sharing a sense of common ancestry based on cultural attachments, past linguistic heritage, religious affiliations, claimed kinship and/or some physical traits. Ethnicity and race are considered distinct, as race focuses primarily on physical traits. Best practice indicates that a youth's ethnicity is documented by self-identification and is always paired with inquiry regarding race.

NOTE: For JDAI reporting purposes, Washington currently uses the only two US Census ethnicity categories available: Hispanic and Non-Hispanic.

FAILURE TO APPEAR (FTA)

The act of not successfully appearing for a court hearing, either pre- or post-adjudication.

NOTE: An FTA rate can be calculated by dividing the number of FTAs by total court hearings during a specified period (case-level FTA rate) or the total number of youth who fail to appear for at least one scheduled hearing divided by the total number of youth with a court hearing during the same period (youth-level FTA rate)

GENDER

A person's self-identified classification along the gender continuum, either conforming or not conforming with their biological sex assigned at birth.

NOTE: For reporting purposes, Washington equates an individual's biological sex with gender.

HOME DETENTION

A level of supervision by the court/probation department that requires a youth to remain in his/her home and does not include electronic monitoring. Generally, school attendance and court-related appearances are exceptions to remaining in the home. Home Detention is also referred to as House Arrest or Home Confinement.

INFORMATION FILED

DRAFT

A filing of a written charge(s) alleging the youth has committed an offense by the Prosecuting Attorney.[9]

ISOLATION

Confinement that occurs when a youth is separated from the youth population and placed in a room for longer than fifteen minutes for the purpose of discipline, behavior modification, or due to an imminent threat to the safety of the youth or others; and in a room other than the room assigned to the youth for sleeping. Juveniles are in isolation from the moment they are separated from others until they have rejoined the population. [10]

NOTE: Solitary Confinement, Isolation, and Room Confinement are not one in the same per Washington State Statute, please see definitions on Pages 11 and 12 for Room Confinement and Solitary Confinement.

JDAI ANNUAL DETENTION REPORTS

The JDAI Data Work Group produces an annual report that, at a minimum, includes the following elements for both JDAI sites (individually and collectively) and non-JDAI sites (collectively, for comparison): number of admissions, demographic characteristics of youth in detention, reason for detention, and average length of stay.

JUVENILE COURT REFERRAL

Any written report or document received by the juvenile court for an alleged criminal act.[11]

JUVENILE CRIME INDICATOR

A means of measuring whether juvenile crime is increasing or decreasing in a jurisdiction. The Annie E. Casey Foundation allows any of the following indicators: number of felony juvenile court referrals; number of felony juvenile court cases filed; number of juvenile offender court referrals; or number of juvenile offender court cases filed.

LOCAL SANCTIONS

Local sanctions are one of two disposition types allowed by statute (the other is COMMITMENT – see definition). Local sanctions can include any of the following: juvenile detention, community supervision (probation), community restitution, or a fine.[12]

MODIFICATION

A change in the dispositional decree ordered by the court. The change can be made upon the court's own motion, motion of the youth, the youth's parent/guardian/custodian, the probation counselor, the prosecuting attorney, or anyone providing services to the youth or parent under the dispositional decree.

---

[9] RCW 13.40.070(3); JuCR 7.1
[10] SSHB 2277
[11] RCW 13.40.040
[12] RCW 13.40.020

DRAFT

MOST SERIOUS OFFENSE

The most serious offense is the alleged criminal offense, violation of a court order, or non-offender matter tied to the primary DETENTION ADMISSION REASON (see definition).

NOTE: If the admission reason is a criminal offense and there are two or more charges, the more serious, as defined by the law severity code, is used as the most serious offense.

NON-OFFENDER YOUTH

Non-offender youth are youth whose involvement in the juvenile court stems solely from a Becca petition (Truancy, At-Risk Youth, or Child in Need of Services) or a violation of a court order related to a dependency matter.

NOTE: For reporting purposes, youth with a concurrent offender matter are considered offender youth.

OVERRIDE

A decision to detain, release with conditions or release a youth prior to their detention hearing contrary to the jurisdiction's booking criteria or outcome recommended by the Detention Risk Assessment Instrument (DRAI). Best practice indicates that a reason for override must be provided and that supervisor approval is required before the override is executed. Some jurisdictions have provision for "mandatory override" or "automatic detention" in the DRAI for identified offenses.

PROBABLE CAUSE HEARING

A hearing, which must take place within 48 hours of arrest, to determine if the judge finds probable cause that the youth committed a criminal act.[13] Following determination of probable cause, charges must be filed within 72 hours of the youth's arrest (excluding weekends and holidays), or the youth is to be released without conditions.[14]

PROBATION/COMMUNITY SUPERVISION

Court-ordered supervision following a juvenile court disposition.

POSITIVE ACHIEVEMENT CHANGE TOOL (PACT)

A validated risk assessment tool that was created in Washington State and is administered to all youth ordered to probation in every jurisdiction (and additionally to referred youth in some jurisdictions) to assess the youth's risk to reoffend. A pre-screen is administered to all youth and a full assessment is administered to all youth identified as moderate or high risk. The PACT is also used to identify appropriate referrals to block grant funded evidence-based programs.

RACE

[13] JuCR 7.3(a)
[14] JuCR 7.3(c) and RCW 13.40.050(1)(a)

DRAFT

A social construct created to categorize people into designated groups (e.g. Black, White) based primarily on appearance. Best practice indicates that a youth's race is documented by self-identification. For JDAI reporting purposes, Washington uses the following race categories.

- Asian
- American Indian or Alaska Native
- Black or African American
- Native Hawaiian or Other Pacific Islander
- White
- Multi-racial
- Other

Best practice is to first have youth self-identify where their identity belongs in one of the available race categories. The second part of the inquiry is to have the youth identify which of the two available options related to ethnicity (see ETHNICITY definition) are relevant:

- Hispanic
- Non/not Hispanic

RE-OFFENSE

A referral for an offense that occurs during the pre-adjudication stage of the case process.

Re-offense Rate Calculation = Total number of youth released pre-adjudication who were referred for a new offense during the reporting period divided by the total number of youth who were released pre-disposition during the reporting period.

REFERRING AGENCY

The agency that sends a juvenile referral to the juvenile court regarding an alleged criminal act.

RELEASE

The act or condition, documented by date and time, of being freed from a juvenile detention facility. Temporary absences from secure detention should not be documented as releases due to the impact this will have on the calculation of Average Length of Stay (ALOS) and the number of admissions in the reporting period.

ROOM CONFINEMENT

Occurs when a juvenile is separated from the youth population and placed in a room or cell that the juvenile is assigned to for sleeping, other than during normal sleeping hours or interim rest hours. "Room confinement" does not include time a youth requests to spend in his or her room or rest periods in between facility programming. Juveniles are in room confinement from the moment they are separated from others until they are permitted to rejoin the population.[15]

NOTE: Solitary Confinement, Isolation, and Room Confinement are not one in the same per Washington State Statute, please see definitions on Pages 8 and 12 for Isolation and Solitary Confinement.

[15] SSHB 2277

DRAFT

SCREEN AND RELEASE

A screen and release episode occurs when: 1. a youth undergoes a screening process to determine the appropriateness of detention; 2. the youth is determined not to have met criteria for admission; and 3. the youth is not admitted to detention (see definition for DETENTION ADMISSION).

NOTE: if a youth is screened out and held at the detention facility while staff wait for a responsible adult to pick him/her up, but is not admitted as defined in this document, the episode does not count as an admission.

SECURE CRISIS RESIDENTIAL CENTER

Physically secure, short-term residential facilities for runaway youth or youth found in "dangerous circumstances." The use of these facilities is authorized under the Becca Bills.[16]

SECURE DETENTION

A physically secure detention facility used to house juvenile justice-involved youth both pre- and post-adjudication.

NOTES: The secure detention facility may be public or private. Detention does not include youth held in shelters, group homes, Crisis Residential Centers (CRCs) or Secure Crisis Residential Centers (SCRCs), or other alternatives to detention which might include a liberty restriction. Detention also does not include time spent screening the youth to determine whether or not to detain. JDAI considers detention to be a continuum of limits on liberty, including secure detention as the most restrictive setting.

SOLITARY CONFINEMENT

Involuntary separation from the youth population and placement in a room or cell other than the room assigned to the youth for sleeping for longer than fifteen minutes for punitive purposes.[17]

NOTE: Solitary Confinement, Isolation, and Room Confinement are not one in the same per Washington State Statute, please see definitions on Pages 8 and 11 for Isolation and Room Confinement.

NOTE: SSHB 2277 passed the WA State Legislature in 2020 and became effective on June 11, 2020, and removes the ability for all detention centers and state juvenile institutions to utilize solitary confinement.

VIOLATION OF A COURT ORDER/TECHNICAL VIOLATION

An alleged failure to comply with a condition that has been ordered by the court that is not filed as a new criminal case. A technical violation may result from the youth's failure to comply with conditions of probation and/or conditions of release.

---

[16] RCW 13.32A
[17] SSHB 2277

DRAFT

WARRANT

An order issued by the court mandating that a youth be apprehended.

DRAFT