

Washington State Disproportionate Minority Contact Assessment

January, 2013

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Executive Summary

Since 1992, the Federal Office of Juvenile Justice and Delinquency Prevention (OJJDP), acting on Congressional legislation, has required states to conduct regular assessments of the level of DMC at each major decision point in the juvenile justice system. DMC refers to unequal rates of white to non-white or Hispanic contact with the justice system, relative to the population of racial and ethnic groups in the community according to census data. The goal of the Washington State DMC assessment is to identify areas in need of attention so that youth in the juvenile justice system are provided with equal and fair treatment that is not based on race and ethnicity. In 2011, after a competitive process, the Washington State Partnership Council on Juvenile Justice (WA-PCJJ) contracted with the University of Washington's Division of Public Behavioral Health and Justice Policy (PBHJP) to conduct this assessment for Washington State. Our approach to DMC assessment followed precisely the guidelines of OJJDP¹.

This DMC assessment process sought to combine available data with the experiences, beliefs, and knowledge of local stakeholders in order to uncover those areas in which DMC is considered to be an issue of importance, to discover what communities may be doing to address DMC, and to provide suggestions on positive directions communities can take to address DMC. For those communities or interviewees with less experience in thinking about and acting on DMC, this process was also intended to provide a starting point for beginning that conversation.

Our analyses used data provided to the WA-PCJJ by the Administrative Office of the Courts' Center for Court Research (AOC-CCR). We supplemented this data with some additional data requests from detention centers and AOC-CCR. We calculated rates of disproportionality at several important decision points for the state of Washington and twelve jurisdictions: Adams, Benton/Franklin, King, Mason, Pierce, Spokane, Skagit, Whatcom, Clark, Kitsap, Thurston, and Yakima. This data was used to interview 3-8 stakeholders in each jurisdiction, usually composed of representatives of court administrations, judges, law enforcement, community advocates, and others. A total of sixty-three stakeholders were interviewed.

Overall findings

Our data analyses and interviews for each individual jurisdiction are presented in detail in separate chapters in this report. Common themes are detailed below.

1. There were several promising practices for DMC identification and reduction. Some of these include the following.

¹ Office of Juvenile Justice and Delinquency Prevention. (2009). *Disproportionate Minority Contact Technical Assistance Manual*. Washington DC: U.S. Department of Justice.

- a. Several jurisdictions have participated in DMC identification and reduction efforts as part of the Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative and MacArthur Foundation's Models for Change.
- b. The WA-PCJJ has submitted a letter to the FBI encouraging consistent data collection by law enforcement with regard to collecting data on Hispanic/Latino ethnicity.
- c. The Washington State Juvenile Rehabilitation Administration (JRA) has initiated several DMC reduction efforts.
 - i. In February 2012, as part of the Models for Change DMC initiative, JRA released a Diversity and Cultural Competency Assessment and SWOT (Strengths, Weaknesses, Opportunities, and Threats) Analysis. This report investigated disproportionality in salient decision points for JRA, staff knowledge about DMC, and policies and procedures that affect DMC.
 - ii. As part of these efforts, JRA reports that they have worked to integrate a DMC lens into all of their work. For instance, data presentation is regularly disaggregated by race and ethnicity. JRA has conducted diversity training for staff, including training staff to be diversity trainers. Additionally, all staff have been informed about DMC. JRA has investigated particular aspects of case flow, such as diagnostic and evaluation systems, to see if they contribute to DMC.
- d. The Task Force on Race and the Criminal Justice System has been engaged in numerous efforts to increase awareness of and action about DMC. In 2011 and 2012, the Task Force organized two symposiums with the Washington State Supreme Court about DMC, with a presentation in 2012 specifically about juvenile justice. This work has resulted in an increased emphasis on DMC at the judicial level. For instance, the Washington State Supreme Court's Minority and Justice Commission has made this a focus of their work, and the Supreme Court has scheduled a meeting to discuss updates on progress being made as a result of DMC reduction recommendations that had been provided by stakeholders.
- e. Benton/Franklin and Clark Counties have trained staff on the importance of collecting good quality data on racial and ethnic categories, and provided staff with reference cards indicating race and ethnicity categories that are permitted for each data system.
- f. Pierce County and King County have engaged in well-documented efforts to identify the areas in which DMC is most significant through detailed data analyses. They have responded to these areas by modifying practices and policies directly tied to DMC.
- g. King County, Benton/Franklin Counties, Kitsap County, and Pierce County have had multidisciplinary DMC reduction committees charged with DMC reduction efforts, and have engaged in extensive community engagement activities.
- h. Many counties have reminder systems to prevent warrants for failures to appear. One of the most elaborate was the King County Warrant Prevention Pilot Project. This WA-PCJJ grant-funded project works to address the barriers experienced by youth and families in making court appearances and participating in diversion. Four outreach workers from communities of color work directly with families in a culturally competent manner, speaking their language, making sure that letters and messages from the court

are understood, what the requirements for compliance entail, and how to complete them with goal of ensuring youth attend court hearings and avoid warrants and associated detention.

- i. Adams County has a high Latino population, and has a correspondingly large proportion of Latinos as court staff, government services staff, law enforcement, and other positions of authority.
 - j. Mason County has collaborated with tribal courts and tribal governments on joint truancy programs, cross-deputizing tribal officers, and sharing information on warrants.
 - k. Several counties permit second offenses to be eligible for diversion.
 - l. Spokane County and several other jurisdictions have worked to increase the number of innovative programs that provide alternatives to secure detention.
 - m. Thurston County has a committee on cross-system youth that identifies youth in juvenile justice and in the care of the child welfare system and who are also repeat offenders.
 - n. Yakima County has begun implementation of a program to provide law enforcement officers with alternatives to arrest by providing youth with culturally-relevant and community-based services.
 - o. Several counties have been implementing evidence-based behavioral health programs for youth in juvenile justice, most commonly Aggression Replacement Training, Functional Family Therapy, and Multi-Systemic Therapy. Some of these counties reported working to increase the racial and ethnic diversity of the staff who deliver the programs, the cultural relevance of the programs, and barriers to receiving the programs that are experienced by youth of color.
2. Data quality for variables on race/ethnicity, particularly for Latino ethnicity, appeared to be less than satisfactory in many jurisdictions. This is due to many reasons, including limitations in the data reporting systems used by law enforcement and confusion among court staff about varying definitions and data systems.
 3. Cumulative disproportionality increases throughout the stages of justice system involvement, with the highest levels of disproportionality concentrated in the most serious decision points such as cases resulting in delinquent findings and cases resulting in secure confinement. However, incremental disproportionality (disproportionality that occurs at specific decision points) was highest at the front end of the system—referral, diversion, and detention. Incremental disproportionality is also likely very high at arrest, though due to data limitations we do not describe RRI for arrest in this report. For most jurisdictions, later stages of the system—cases formally petitioned, cases resulting in delinquent findings, and cases resulting in secure confinement—were not incrementally disproportionate or had much smaller incremental disproportionality.
 4. Jurisdictions vary widely in their level of knowledge and sophistication about DMC, enthusiasm to reduce DMC, identified causes of DMC, existing approaches and strategies to reduce DMC, and community involvement and buy-in with DMC reduction strategies. It was clear that the Annie E. Casey Juvenile Detention Alternatives Initiative and the MacArthur Foundation Models

for Change Initiative had a significant impact in some jurisdictions in terms of building sophistication about DMC and organizing coalitions to address it.

5. Interviewees provided a wide variety of possible reasons for DMC, ranging from multi-systemic contextual factors like poverty and socioeconomic correlates, institutionalized racism and conscious or unconscious bias, policies and procedures, access to services and support, migration, gangs, cultural differences, racial/ethnic differences in offense history, adverse childhood experiences, and many other explanations. Most interviewees did not believe DMC had one single explanation but was the result of several factors that interacted and amplified effects.

Recommendations

Several common recommendations are listed below. However, specific recommendations will vary by the unique needs and strengths of individual jurisdictions. Identifying these needs and strengths will require individual assessments. The current report can provide information to assist jurisdictions in this process

1. *Increase the number of jurisdictions with a sophisticated understanding of DMC.* There are a variety of options for increasing jurisdictional knowledge and buy-in about DMC reduction efforts. These could include informational meetings and webinars, training and technical assistance on data entry, DMC identification and DMC reduction strategies, pilot funding for DMC reduction activities, and requirements for DMC reduction efforts. The Washington State Office of Juvenile Justice has available, or is prepared to offer, support and assistance with these efforts.
2. *Verify the validity and reliability of data collected on race/ethnicity.* The state would benefit from having jurisdictions use common definitions and consistent reporting requirements. Most jurisdictions would benefit from verifying that all staff who collect and enter this data understand the importance of collecting it, the need to verify information provided by law enforcement, the valid race and ethnic categories accepted in different data management systems, and systematic, consistent methods of collecting this data from youth. Jurisdictions should consistently categorize mixed-race youth. Some jurisdictions have had a brief training for all staff that collect this data, and included laminated cards describing racial and ethnic categories. *An example of this is located in the chapter for Clark County.*
 - a. In particular, jurisdictions should *review policies and procedures for collecting Latino ethnicity.* Current procedures should be examined and, if necessary, improved through the implementation of a standardized process for collecting race/ethnicity data.
 - b. *Work with law enforcement to collect this data.* The WA-PCJJ should continue to work with the Washington Association of Sheriffs and Police Chiefs to encourage consistent collection of data on Latino ethnicity at arrest. Individual courts may wish to communicate with law enforcement about the importance of collecting high-quality data. For those law enforcement agencies using NIBRS, courts should encourage law enforcement to use the option to collect data on Latino ethnicity.

- c. *Consider expanding race and ethnicity categories to capture country of origin.* Many jurisdictions reported the presence of specific subgroups that have unique and important relationships with the justice system yet are clustered with other groups. These include Somalian, Eritrean, and other East Africans, Iraqis and other middle easterners, Vietnamese and Cambodian and other people from Southeast Asia, and indigenous Mexicans.
3. *Work to increase buy-in and ownership across all stakeholder groups within jurisdictions.* It is important for all DMC stakeholder groups to believe that it is their responsibility to endeavor to address DMC, despite a belief that some DMC is caused by factors that are external to their control, such as poverty.
4. *Build cross-system coalitions within each jurisdiction to address DMC reduction efforts, or integrate DMC reduction efforts with an existing group.* This coalition should endeavor to learn about DMC, how to interpret data that define DMC, and pinpoint areas in which policies, practices, and procedures can be sharpened in order to address DMC.
 - a. *Increase collaboration with law enforcement.* Because the most extreme RRI are often located at the front end of the system, law enforcement agencies are necessary partners in any DMC reduction efforts.
 - b. *Consider collaborating with other jurisdictions who have engaged in DMC reduction efforts and related efforts, such as the Juvenile Detention Alternatives Initiative and the Models for Change initiative.*
 - c. *Build a multi-pronged strategy to reduce DMC.* Any effective strategy to reducing DMC will require changes to practice and policy, community engagement, program implementation, and trainings.
 - d. *Regularly engage in DMC data analysis and interpretation with this coalition.* Analyses should focus on the possible data analyses described above, and should monitor the progress of the new programs.
5. *Strengthen efforts to involve communities of color in the functioning of the justice system.* The quickly changing demographics of many counties demands increased involvement of communities of color in decision-making about justice system policies and practices.
6. *Collaborate with tribes in appropriate jurisdictions.* Collaboration with tribal authorities, including courts and law enforcement, will be needed to help identify the reasons for DMC and effective practices for DMC reduction.
7. *Implement and sustain changes to policies, practices, and procedures that may reduce disproportionality.* Several system- and practice- level reform efforts, including the Juvenile Detention Alternatives Initiative and Models for Change, have resulted in changes to policies, practices, and procedures that likely reduce disproportionality. Many of these efforts are described above. Jurisdictions not associated with these efforts may consider adopting these changes, and those who have implemented these changes should strive to find ways to sustain them.
8. *Implement and sustain evidence-based behavioral health programs while increasing the enrollment of youth of color in these programs.* For specific services to have an impact on disproportionality, youth of color need to be enrolled in and successfully complete effective

programs at rates equal to or exceeding their representation in the justice system. Jurisdictions should focus on three major aspects to increasing enrollment and completion rates:

- a. *Access.* Youth of color may be more likely to experience barriers that prevent access to evidence-based services, including transportation, exclusions due to type of charge or prior criminal history, fees for services, and geographic placement. Youth of color and their families may also be less trusting of the services offered by the juvenile court and more unwilling to enroll in services without the support of trusted cultural liaisons.
 - b. *Effectiveness.* Programs must be effective for youth from a variety of backgrounds, and youth, families, and court staff have to believe that the services are effective for youth of color. EBPs have been proven effective for youth from a variety of backgrounds, but enhancing the cultural relevance of the services can increase retention and effectiveness.
 - c. *Relevance.* As mentioned above, EBPs that are considered culturally relevant have been shown to have a greater impact on retention in the program and positive outcomes. Relevance is not necessarily tied to race and ethnicity. Instead, it encompasses a wide array of experiences within “youth culture” that likely vary dramatically among youth and jurisdictions, because the needs of youth vary widely.
9. *Strengthen and coordinate statewide leadership on DMC reduction.* Many of the recommendations above would be facilitated through strong, centralized, statewide leadership on DMC reduction efforts. This would help to coordinate and integrate the array of efforts currently being conducted by local jurisdictions, local and state committees, juvenile justice improvement initiatives, advocacy groups, and task forces. It would also provide a learning community for localities to learn from one another about successful DMC reduction approaches and help to avoid common pitfalls.

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Background

Goals

Since 1992, the Federal Office of Juvenile Justice and Delinquency Prevention (OJJDP), acting on Congressional legislation, has required states to conduct regular assessments of the level of disproportionate minority contact (DMC) at each major decision point in the juvenile justice system. DMC refers to unequal rates of white to non-white or Hispanic contact with the justice system, relative to the population of racial and ethnic groups in the community according to census data. The goal of this assessment is to identify areas in need of attention so that youth in the juvenile justice system are provided with equal and fair treatment that is not based on race and ethnicity. After a competitive process, the Washington State Partnership Council on Juvenile Justice (WA-PCJJ) contracted with the University of Washington's Division of Public Behavioral Health and Justice Policy (PBHJP) to conduct this assessment for Washington State. Our approach to DMC assessment followed precisely the guidelines of OJJDP² as part of the "DMC Reduction Cycle," in which communities engage in ongoing DMC reduction activities. This assessment is part of Phase I and Phase II of this cycle—to Identify DMC using existing data and tools provided by OJJDP (including the Relative Rate Index, described below), and Assessment/Diagnosis, which is a more in-depth examination of how DMC occurs. The remaining phases of the DMC Reduction Cycle are yet to be completed, but they include Intervention (Phase III), Evaluation of Intervention (Phase IV), and Ongoing Monitoring (Phase V).

Disproportionality is multi-determined and multi-expressed. In other words, many factors contribute to DMC, and DMC may appear at many different levels and decision points within the justice system. Data is essential to uncovering where DMC exists and how to address it, but numeric data alone are limited in the depth and context they can provide. Disproportionality data provide little information about the values of a community, the historical shifts it has gone through, the current issues it is tackling, and its goals for the future. This DMC assessment process sought to combine available data with the experiences, beliefs, and understandings of local stakeholders in order to more reliably uncover those areas in which DMC is considered to be an issue of importance, to discover what communities may be doing to address DMC, and to provide suggestions on positive directions communities can take to address DMC. For those communities or interviewees with less experience in thinking about and acting on DMC, this process was also intended to provide a starting point for beginning that conversation.

Methods and participants

We worked closely with the Washington State Office of Juvenile Justice and the Disproportionate Minority Contact Committee of the WA-PCJJ to develop an assessment plan, obtain data, and identify potential interviewees. Most DMC data was provided by WA-PCJJ staff after they received it from several locations including the Washington Administrative Office of the Courts' Center for Court

² Office of Juvenile Justice and Delinquency Prevention. (2009). *Disproportionate Minority Contact Technical Assistance Manual*. Washington DC: U.S. Department of Justice.

Research (AOC-CCR), local jurisdictions, and detention centers. We supplemented this data with some additional data requests from detention centers and AOC-CCR. Our research team at PBHJP has analyzed statewide data from twelve jurisdictions (Adams, Benton/Franklin, King, Mason, Pierce, Spokane, Skagit, Whatcom, Clark, Kitsap, Thurston, and Yakima). These jurisdictions were chosen for this assessment by the DMC subcommittee of the WA-PCJJ because they contain the majority of youth in the state and/or have a large non-white and/or Hispanic population.

We conducted in-depth interviews with 3-7 stakeholders in each jurisdiction. Sixty-three interviewees took part in this process statewide. From each jurisdiction we attempted to interview at least one representative of the court (a judge and/or member of court administration), one representative from law enforcement, and one representative of a community advocacy organization or other community group. Other stakeholders who participated included attorneys, school staff, court data managers, detention staff, business owners, members of advocacy and planning groups, and others. In some jurisdictions we were unable to identify a willing participant for certain groups, and in two jurisdictions, despite repeated attempts by our research team, law enforcement agencies declined any participation.

The general process for conducting these interviews occurred as follows. We solicited names of potential interviewees from members of the DMC subcommittee and later, we acquired additional names of potential interviewees from people we interviewed via a snowball sampling method. After a letter of introduction was sent from the WA-PCJJ to the initial list of potential interviewees, we initiated contact to describe the study and see if the person was interested in participating. Those who agreed to participate received an informed consent form that they responded to via email and later, verbal consent was confirmed over the phone. They were told that participation was voluntary and that we would do the best we could to keep their participation confidential, but we emphasized that confidentiality would be difficult to maintain for certain people in prominent roles in small counties (e.g. judges in rural areas), and to keep this in mind when responding to the questions. Prior to the interview, we provided interviewees with a summary of the disproportionality data in their county from 2007, 2008, and 2009 (and 2010, for some jurisdictions that provided this data). This summary included the raw numbers of youth and the Relative Rate Indexes for several decision points, as well as graphical displays of this information. When necessary, we explained to the interviewees how to read and interpret this information. We also provided interviewees with a detailed list of possible explanations for DMC (located in Appendix A). We then proceeded with our interview protocol, located in Appendix B. We asked interviewees to describe the DMC areas of most concern to them (decision points, particular racial or ethnic groups, or other areas of concern), explore the possible reasons for the disproportionality, provide information on the efforts that the county is making to address DMC, and the potential efforts that the county could make. We provided interviewees with a list of possible reasons for DMC (originally prepared by OJJDP and modified by our research team). This list is described below. Most interviews took approximately one hour, though interviews ranged from fifteen minutes to two hours. In some cases, we re-contacted participants at a later time to ask clarifying or additional questions. Interviews were coded and roughly transcribed. After a thorough review of the interviews, the research team developed qualitative codes and interview themes. Codes emerged from the data

and were developed via consensus among two members of the team. These codes were managed and analyzed using the NVivo qualitative analysis computer application.

This method has strengths and weaknesses. Because qualitative, in-depth interviews are much more labor intensive than surveys, we were able to solicit information from only a few people in each jurisdiction, so we cannot say that responses were representative of the whole community. However, the information we received was rich and varied and provided detailed knowledge about local issues. Admittedly, this skewed our sample toward more “professional” involvement (court administration, judges, law enforcement) with less representation from community advocates. This approach also allowed us to capture perceptions about DMC, but a caveat is that the perceptions are just that—perceptions—and they may be invalid or inconsistent with actual facts. This DMC assessment process is intended to provide “leads” that can be explored in more detail and confirmed or disproved.

The Relative Rate Index (RRI)

OJJDP recommends the use of a statistic termed the Relative Rate Index (RRI) in order to identify areas where disproportionality may exist within the juvenile justice system. The RRI is a number that indicates whether differences exist between white non-Hispanics and other groups. The calculation of the RRI is simple. It is the rate of minority contact at a particular decision point divided by the rate of white contact at that decision point. If the RRI is larger than 1, that means that the reference group experiences the decision point more often than white non-Hispanics, and if it is less than 1, it means the group experiences it less often. If, for instance, the RRI for Asian referrals is 1.2, that means that the rate of referred cases where a youth is Asian is 1.2 times higher than whites (or 20% higher). If the RRI for Asian referrals is 0.8, that means that the rate of referred cases where a youth is Asian is .8 times lower than whites (or 20% lower). In order to avoid misleading statistics, RRI’s are not calculated for a particular race or ethnic group if the group is less than 1% of the youth population. RRI’s are tested for statistical significance—that is, if the size of the RRI is larger or smaller than what is expected by chance.

$$\frac{\text{Number of minority contacts}}{\text{Number of minorities in population}} \div \frac{\text{Number of white contacts}}{\text{Number of whites in population}} = \text{RRI}$$

Lower rate of contact < 1.0 < Higher rate of contact

While the RRI is simple to calculate, due to a number of factors, the RRI can be deceptively complex to interpret and understand, especially for people who are new to the topic. Regardless of how it is interpreted, OJJDP and others strongly recommend that the RRI be used only as a starting point for local jurisdictions to have a conversation about where DMC may exist. RRIs are very molar and do not control for important factors such as the seriousness of offense or criminal history. *RRIs do not provide a reason for why disproportionality in the justice system may exist. RRIs do not, by themselves, indicate that people are biased in their decision-making or that certain groups offend more than others. The reasons for DMC can be found through a process of uncovering local stakeholders’ knowledge, more nuanced data collection, and a more thorough inspection of available data.*

In this report, we examine RRI across approximately six decision points—some jurisdictions have more, some less, depending on data availability—that equate to the major decision points of interest as a case moves through the system. These decision points are³:

Referral—Referral is when a potentially delinquent youth is sent for legal processing and received by a court. Currently, referral data may consistently underreport Latino ethnicity for reasons described below in the section on arrest.

Diversion—Diversion is when a youth is referred for legal processing but handled without filing formal charges. In the jurisdictions in which we conducted our interviews, all first time offenders who met certain low-level crime definitions were automatically eligible for diversion. In some jurisdictions, prosecutors used their discretion as to the eligibility of second-time offenders for diversion.

Secure detention—Detention refers to youth held in secure detention facilities at some point during court processing of delinquency cases, including awaiting placement following a court disposition. It does not include youth held in shelter, group homes, or other non-secure facilities.

Petition/Charge filed—Formally charged/petitioned cases are those that appear on a court calendar in response to the filing of a petition, complaint, or other legal instrument requesting the court to adjudicate a youth or transfer a youth to a criminal court. It represents the formal handling of a case.

Case resulted in Delinquent Findings—Youth are found delinquent during adjudicatory hearings in juvenile court.

Cases resulting in confinement in secure juvenile facilities—Confined cases are those in which, following a court disposition, youth are placed in secure residential or correctional facilities for delinquent offenders.

Additionally, OJJDP recommends three other decision points to examine for DMC, which were not included in our study for most jurisdictions for reasons specified below. These include:

Arrest— *Arrest data was not used in our study.* Arrest is when law enforcement apprehends a youth, suspecting them of having committed a delinquent act. We excluded arrest data because many law enforcement agencies in Washington State (and in the United States) do not collect data on Hispanic/Latino ethnicity, because the federal Uniform Crime Reporting Program does not allow it as an option. Some jurisdictions are moving to the National Incident-Based Reporting System, which does allow an option of reporting Hispanic/Latino ethnicity. Because Hispanic ethnicity is largely unavailable for arrest, these youth are categorized as White. Including arrest numbers in our data table would be inaccurate and would make other decision points inaccurate, too. Therefore, we excluded arrest data, though this is a decision point of high interest. For this same reason, referral data may underreport Latino ethnicity, particularly for cases that end at referral and do not proceed deeper into the system.

³ These definitions are modified versions of definitions from the Office of Juvenile Justice and Delinquency Prevention. (2009). *Disproportionate Minority Contact Technical Assistance Manual*. Washington DC: U.S. Department of Justice.

Deeper decision points allow more time and contact for court and detention staff to improve data on ethnicity.

Probation—*With one exception, probation was not used in our study because we were unable to acquire the data from jurisdictions.* Probation cases are those in which a youth is placed on formal or court-ordered supervision following a juvenile court disposition.

Transferred to adult court—*This report does not provide data on transfers to adult court.* Waived cases are either automatically transferred to adult court due to certain circumstances of the delinquent act (severity and type) and the youth’s age (i.e. “auto-declines”), or they are transferred as a result of a judicial hearing (i.e. “discretionary declines”). We were able to obtain data on auto- and discretionary-declines, but for a variety of reasons the research team never had complete confidence in the accuracy and validity of this data; hence, we chose not to provide this data.

RRIs can be *cumulative* or *incremental*. The difference between these lies in the denominator of choice, as depicted in the formula for the RRI shown above. A cumulative RRI would show all disproportionality as compared to the population in the jurisdiction for *every* decision point. The denominator for cumulative RRIs would always be the census estimates of the number of youth from various racial and ethnic groups who reside in the county. Incremental RRIs (what we display) represent disproportionality at that particular decision point. The denominator is adjusted based on the prior gateway decision point. Incremental RRIs have the added value of identifying if there are particular decision points that are of the most concern. Unfortunately, they may inadvertently mischaracterize the overall level of disproportionality as less than it is, especially at the most serious decision points.

Therefore, our RRIs are based on the following:

- Rates of *referrals* are based on the *county population* for each group
- Rates of *diversions, secure detentions, and petitions/charge filed* are based on the *number of referrals* for each group
- Rates of *cases resulting in delinquent findings* are based on the *numbers of petitions/charge filed* for each group
- Rates of *cases resulting in confinement in secure juvenile facilities* are based on the *number of cases resulting in delinquent findings* for each group

RRIs are based on *cases* not *individual youth*, so if a youth is referred to the court multiple times during the course of a single year, all of those referrals are included in the RRI. In the reports below, we try to keep clear in our wording that we are describing rates of *cases* and not rates of *people*.

RRIs are based on categories of race and ethnicity which are outlined by OJJDP. These categories do not perfectly match census data. In particular, these categories do not recognize the distinction between race and ethnicity. Census data identifies ethnicity (Hispanic/non-Hispanic) and race separately, so a person who is of Hispanic ethnicity is supposed to be listed as a race (Hispanic White, Hispanic Black, etc.) OJJDP categories include White, Black or African American, Hispanic or Latino, Asian, and American Indian or Alaska Native. There are no specific categories for certain groups that were identified as

groups of interest during our interviews. Therefore, East African immigrants are categorized as African American, Eastern Europeans are categorized as White, people from the Middle East do not have a set category but are likely categorized as White or African American (federal standards are to classify people from the Middle East as White), indigenous Mexicans are classified as Hispanic, and people from Laos, Burma, and other Southeast Asian countries are classified as Asian. These broad racial categories may mask or overstate disparity for specific subgroups within the category.

Some limitations of RRIs not already described include the following. First, groups that likely have very different experiences are aggregated with other groups (as described above). The two groups that came up the most often as likely requiring separate categories based on their qualitatively different experiences in the justice system were East Africans and indigenous Mexicans, though others were mentioned as well. Second, as pointed out by an interviewee, and to which we agree, the anchoring of all “minority” RRIs to White rates reifies the cultural position of White centrality that, ironically, may underlie one major reason DMC exists. In other words, it reflects the idea that, culturally speaking, Whites retain such levels of power that all other groups are compared against them. Third, RRIs for referral are based on the assumption that Census data is accurate. Several jurisdictions expressed the belief that that Census data for Latinos is inaccurate. In those jurisdictions, we confirmed Census breakdowns by retrieving public school data on race/ethnicity and comparing these figures. We found that the Census matched public school records almost perfectly. Fourth, the usefulness of the RRI depends on quality solicitation of information, record keeping, and data entry. Our recommendation for many jurisdictions is to review the process by which race/ethnicity information is obtained and recorded.

Statewide findings and recommendations

Relative Rate Indices. The statewide incremental and cumulative Relative Rate Indices for 2007-2009 are displayed in the appendix to this chapter, and the count data for 2009 are displayed in the bar graph below. The RRIs for diversions for 2008 are inconsistent with 2007 and 2009. They generally depict higher diversions for minority youth than in the other years. This discrepancy is due to greatly lower numbers of cases involving white youth being diverted during that year. Overall, we can see generally increasing cumulative RRIs, with high levels of disproportionality for African Americans and American Indians at the more elevated decision points. In the section below, we describe the incremental RRIs, which provide a better sense of which decision points have the largest impact on overall disproportionality.

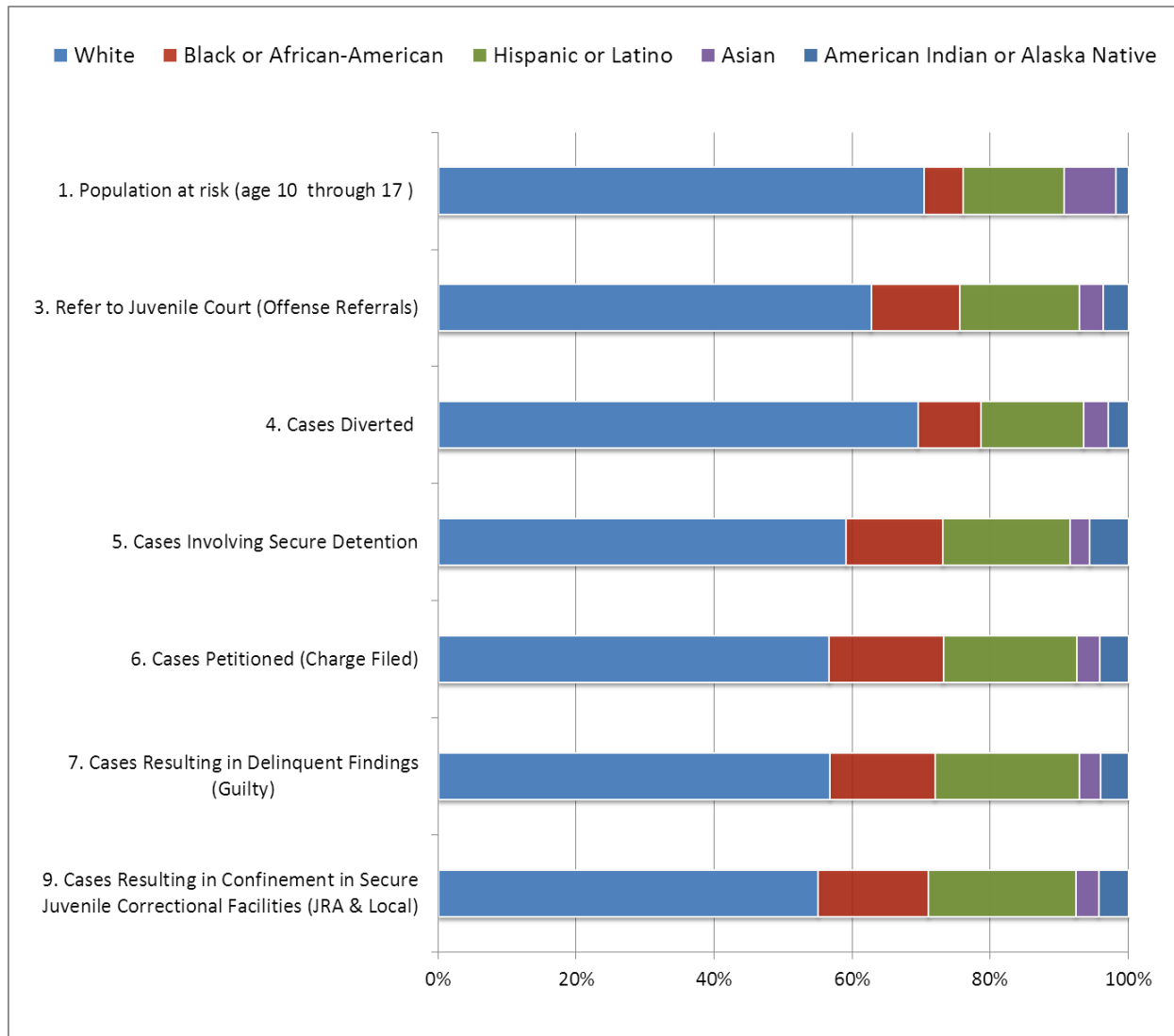
In 2007-2009, cases involving African American youth were referred to the juvenile court at rates 2.5 times greater than cases involving white youth, relative to the proportion in the population. Of those referred, cases involving African American youth were diverted at rates .64 to .70 times less (30% to 34% less) in 2007 and 2009 than cases involving white youth, and 2008 was not statistically significant. Of those referred, cases involving African Americans were securely detained at rates 1.2 times greater than cases involving white youth. Of those referred, cases involving African Americans were formally petitioned at rates 1.4 to 1.6 times greater than cases involving whites. Of those petitioned, cases involving African Americans resulted in delinquent findings at rates 1.1 times greater than cases involving whites in 2007, but at rates .85 to .92 times smaller (8% to 15% less) than cases involving white youth in 2008 and 2009. Cases involving African Americans resulted in secure confinement at rates .76 to .92 times smaller (8% to 24% smaller) than cases involving white youth in 2007 and 2008, but at rates 1.1 times greater in 2009. Cases involving African Americans were transferred to the adult court at rates 1.5 to 3.3 times greater than cases involving white youth.

Cases involving Latino youth were referred to the juvenile court at rates 1.3 times greater than cases involving white youth from 2007 to 2009, proportional to their representation in the population. Of those referred, cases involving Latino youth were diverted at rates .78 to .82 times smaller (18% to 22% smaller) than cases involving white youth in 2007 and 2009, and at a rate 1.2 times higher in 2008. Of those referred, cases involving Latino youth used secure detention 1.1 to 1.2 times more often than cases involving white youth in 2008 and 2009; the RRI for 2007 was not statistically significant. Of those referred, cases involving Latinos were formally petitioned at rates 1.2 to 1.3 times greater than cases involving whites in 2007-2009. Of those with cases petitioned, cases involving Latinos resulted in delinquent findings at a rate 1.1 times greater than cases involving white youth in 2008 and 2009; the RRI for 2007 was not statistically significant. Of those with delinquent findings, cases involving Latinos resulted in secure confinement at a rate .91 times smaller (9% smaller) than cases involving white youth in 2008, and at a rate 1.1 times greater in 2009. The RRI for 2007 was not statistically significant. Cases involving Latinos were transferred to the adult court at rates 1.7 to 2.7 times greater than cases involving whites.

Cases involving American Indian youth were referred to the court at rates 2.2 to 2.4 times higher than cases involving white youth in 2007-2009, proportional to their representation in the population. Of those referred, cases involving American Indian youth were diverted at rates .67 to .70 times less (30% to 33% less) than cases involving white youth in 2007 and 2009, and 1.2 times higher in 2008. Of those referred, cases involving Latinos were detained at rates 1.5 to 1.6 times higher than cases involving white youth. Of those referred, cases involving Latino youth were petitioned at rates 1.2 to 1.3 times higher than cases involving white youth. Of those with their cases petitioned, there were no statistically significant differences in the rates of cases resulting in delinquent findings between American Indian and white youth. Of those cases resulting in delinquent findings, cases involving American Indian youth resulted in secure confinement at rates .89 times lower (11% lower) than cases involving white youth in 2007; RRIs for 2008 and 2009 were not statistically significant. Cases involving American Indians were not transferred to the adult court at statistically significant different rates; however, this lack of significance is likely due to a small sample size, as the rates were consistently higher than those for white youth in all three years.

Cases involving Asian youth were referred to the court at rates .5 times lower (50% smaller) than cases involving white youth from 2007 to 2009, proportional to their representation in the population. Of those referred, cases involving Asian youth were diverted at rates not significantly different from white youth in 2007 and 2009, and at a rate 1.6 times higher than white youth in 2008. Of those referred, cases involving Asian youth were detained at rates .9 times smaller (10% smaller) than cases involving white youth in 2008 and 2009; the RRI for 2007 was not significant. Of those referred, cases involving Asian youth were petitioned at rates 1.1 to 1.2 times greater than cases involving white youth. Of those petitioned, cases involving Asian youth resulted in delinquent findings at rates .79 to .86 times smaller (14% to 21% smaller) than cases involving white youth. Of those cases resulting in delinquent findings, cases involving Asian youth resulted in secure confinement at rates not statistically significantly different from cases involving white youth. Cases involving Asian youth were transferred to the adult court at rates 2.9 times higher than white youth in 2007. Rates in 2008 and 2009 were not statistically significant.

2009 Disproportionality Data



Overall findings. Our data analyses and interviews for each individual jurisdiction are presented in detail in separate chapters in this report. However, there are some common themes in terms of findings and recommendations and these are detailed below.

1. There were several promising practices for DMC identification and reduction. Some (but not all) of these include the following practices. More information on these can be found in the individual chapters.
 - a. Several jurisdictions have participated in DMC identification and reduction efforts as part of the Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative and MacArthur Foundation's Models for Change.
 - b. The WA-PCJJ has submitted a letter to the FBI encouraging consistent data collection by law enforcement with regard to collecting data on Hispanic/Latino ethnicity.

- c. The Washington State Juvenile Rehabilitation Administration (JRA) has initiated several DMC reduction efforts.
 - i. In February 2012, as part of the Models for Change DMC initiative, JRA released a Diversity and Cultural Competency Assessment and SWOT (Strengths, Weaknesses, Opportunities, and Threats) Analysis. This report investigated disproportionality in salient decision points for JRA, staff knowledge about DMC, and policies and procedures that affect DMC.
 - ii. As part of these efforts, JRA reports that they have worked to integrate a DMC lens into all of their work. For instance, data presentation is regularly disaggregated by race and ethnicity. JRA has conducted diversity training for staff, including training staff to be diversity trainers. Additionally, all staff have been informed about DMC. JRA has investigated particular aspects of case flow, such as diagnostic and evaluation systems, to see if they contribute to DMC.
- d. The Task Force on Race and the Criminal Justice System has been engaged in numerous efforts to increase awareness of and action about DMC. In 2011 and 2012, the Task Force organized two symposiums with the Washington State Supreme Court about DMC, with a presentation in 2012 specifically about juvenile justice. This work has resulted in an increased emphasis on DMC at the judicial level. For instance, the Washington State Supreme Court's Minority and Justice Commission has made this a focus of their work, and the Supreme Court has scheduled a meeting to discuss updates on progress being made as a result of DMC reduction recommendations that had been provided by stakeholders.
- e. Benton/Franklin and Clark Counties have trained staff on the importance of collecting good quality data on racial and ethnic categories, and provided staff with reference cards indicating race and ethnicity categories that are permitted for each data system. Similarly, Kitsap County reported that a staff member from the Administrative Office of the Courts met with court staff to help clarify data collection protocols in order to improve data quality.
- f. Pierce County and King County have engaged in well-documented efforts to identify the areas in which DMC is most significant through detailed data analyses. They have responded to these areas by modifying practices and policies that are directly tied to DMC at specific decision points.
- g. King County, Benton/Franklin Counties, Kitsap County, and Pierce County have had multidisciplinary DMC reduction committees charged with DMC reduction efforts, and have also engaged in extensive community engagement activities.
- h. Adams County has a high Latino population, and has a correspondingly large proportion of Latinos as court staff, government services staff, law enforcement, and other positions of power.
- i. Many counties have reminder systems to prevent warrants for failures to appear. One of the most elaborate and well-studied was the King County Warrant Prevention Pilot Project. This project worked to address the barriers experienced by youth and families in making court appearances and participating in diversion. The program hired

laypersons who were members of communities of color to work with the families, which provided a culturally relevant and non-threatening liaison to the court.

- j. Mason County has collaborated with tribal courts and tribal governments on joint truancy programs, cross-deputizing tribal officers, and sharing information on warrants.
 - k. Several counties permit second offenses to be eligible for diversion.
 - l. Spokane County, as other jurisdictions, worked to increase the number of innovative programs to provide alternatives to secure detention.
 - m. Thurston County has a committee on cross-system youth that identifies youth in juvenile justice and in the care of the child welfare system and who are also repeat offenders.
 - n. Yakima County has begun implementation of a program to provide law enforcement officers with alternatives to arrest by providing youth with culturally-relevant and community-based services.
 - o. Several counties have been implementing evidence-based behavioral health programs for youth in juvenile justice, including programs such as Aggression Replacement Training, Functional Family Therapy, and Multisystemic Therapy. Some of these counties reported working to increase the racial and ethnic diversity of the staff who deliver the programs, the cultural relevance of the programs, and barriers to receiving the programs that are experienced by youth of color.
2. There was inconsistency among jurisdictions in terms of definitions and approaches to classifying mixed-race youth. Data quality for variables on race/ethnicity, particularly for Latino ethnicity, appeared to be less than satisfactory in many jurisdictions. This is due to many reasons, some of which include the following:
- a. Many courts obtain race/ethnicity data from paperwork provided by law enforcement. Many local law enforcement agencies do not collect data on Latino ethnicity because this is not an option in the Uniform Crime Reporting System. Many law enforcement agencies have been changing to the National Incident Based Reporting System (NIBRS), which has an option to include data on Latino ethnicity but does not require it.
 - b. We were told that many court staff were unaware of the importance of collecting good quality data on race/ethnicity, were uncomfortable asking for it, or were confused about the differences among the categories available. The difference between definitions of race and ethnicity are particularly confusing for staff because both should be completed (i.e. all youth should be classified as Hispanic/non-Hispanic and as a race group).
3. Cumulative disproportionality increases throughout the stages of justice system involvement, with the highest levels of disproportionality concentrated in the most serious decision points such as cases resulting in delinquent findings and cases resulting in secure confinement. However, incremental disproportionality (disproportionality that occurs at specific decision points) was highest at the front end of the system—referral, diversion, and detention. Incremental disproportionality is also likely very high at arrest, though due to data limitations we do not describe RRIs for arrest in this report. For most jurisdictions, later stages of the system—cases formally petitioned, cases resulting in delinquent findings, and cases resulting in

secure confinement—were not incrementally disproportionate or had much smaller incremental disproportionality.

4. Jurisdictions vary widely in their level of knowledge and sophistication about DMC, enthusiasm to reduce DMC, identified causes of DMC, existing approaches and strategies to reduce DMC, and community involvement and buy-in with DMC reduction strategies. It was clear that the Annie E. Casey Juvenile Detention Alternatives Initiative and the MacArthur Foundation Models for Change Initiative had a significant impact in some jurisdictions in terms of building sophistication about DMC and organizing coalitions to address it. Stakeholders in these jurisdictions spoke about DMC with much greater knowledge and careful consideration. They often indicated that their work in these initiatives was a driving force behind DMC awareness and reduction efforts.
5. Interviewees provided a wide variety of possible reasons for DMC, ranging from multi-systemic contextual factors like poverty and socioeconomic correlates, institutionalized racism and conscious or unconscious bias, policies and procedures, access to services and support, migration, gangs, cultural differences, racial/ethnic differences in offense history, adverse childhood experiences, and many other explanations. What was clear is that most interviewees did not believe DMC had one single explanation but was the result of several factors that interacted and amplified effects.

Recommendations.

Several common recommendations are listed below. However, specific recommendations will vary by the unique needs and strengths of individual jurisdictions. Identifying these needs and strengths will require individual assessments. The current report can provide information to assist jurisdictions in this process

1. *Increase the number of jurisdictions with a sophisticated understanding of DMC.* There are a variety of options for increasing jurisdictional knowledge and buy-in about DMC reduction efforts. These could include informational meetings and webinars, training and technical assistance on data entry, DMC identification and DMC reduction strategies, pilot funding for DMC reduction activities, and requirements for DMC reduction efforts. The Washington State Office of Juvenile Justice has available, or is prepared to offer, support and assistance with these efforts.
2. *Verify the validity and reliability of data collected on race/ethnicity.* The state would benefit from having jurisdictions use common definitions and consistent reporting requirements. Most jurisdictions would benefit from verifying that all staff who collect and enter this data understand the importance of collecting it, the need to verify information provided by law enforcement, the valid race and ethnic categories accepted in different data management systems, and systematic, consistent methods of collecting this data from youth. Jurisdictions should consistently categorize mixed-race youth. Some jurisdictions have had a brief training for all staff that collect this data, and included laminated cards describing racial and ethnic categories. *An example of this is located in the chapter for Clark County.*

- a. In particular, jurisdictions should *review policies and procedures for collecting Latino ethnicity*. Current procedures should be examined and, if necessary, improved through the implementation of a standardized process for collecting race/ethnicity data.
 - b. *Work with law enforcement to collect this data*. The WA-PCJJ should continue to work with the Washington Association of Sheriffs and Police Chiefs to encourage consistent collection of data on Latino ethnicity at arrest. Individual courts may wish to communicate with law enforcement about the importance of collecting high-quality data. For those law enforcement agencies using NIBRS, courts should encourage law enforcement to use the option to collect data on Latino ethnicity.
 - c. *Consider expanding race and ethnicity categories to capture country of origin*. Many jurisdictions reported the presence of specific subgroups that have unique and important relationships with the justice system yet are clustered with other groups. These include Somalian, Eritrean, and other East Africans, Iraqis and other middle easterners, Vietnamese and Cambodian and other people from Southeast Asia, and indigenous Mexicans. Jurisdictions may wish to consider incorporating a data field for “country of origin” for those youth and families that may identify within these.
3. *Work to increase buy-in and ownership across all stakeholder groups within jurisdictions*. It is important for all DMC stakeholder groups to believe that it is their responsibility to endeavor to address DMC, despite a belief that some DMC is caused by factors that are external to their control, such as poverty.
4. *Build a cross-system coalition to address DMC reduction efforts, or integrate DMC reduction efforts with an existing group within each jurisdiction*. This coalition should endeavor to learn about DMC, how to interpret data that define DMC, and pinpoint areas in which policies, practices, and procedures can be sharpened in order to address DMC.
 - a. *Increase collaboration with law enforcement*. Because the most extreme RRIs are often located at the front end of the system, law enforcement agencies are necessary partners in any DMC reduction efforts.
 - b. *Consider collaborating with other jurisdictions who have engaged in DMC reduction efforts and related efforts, such as the Juvenile Detention Alternatives Initiative and the Models for Change initiative*. Jurisdictions who were part of JDAI or MfC may be able to offer considerable support about DMC reduction to jurisdictions who have not focused on this issue.
 - c. *Build a multi-pronged strategy to reduce DMC*. As described above and in the individual jurisdiction chapters, interviewees felt that DMC was explained by multisystemic factors. Therefore, an effective strategy to reducing DMC will require changes to practice and policy, community engagement, program implementation, and trainings.
 - d. *Regularly engage in DMC data analysis and interpretation with this coalition*. Analyses should focus on the possible data analyses described above, and should monitor the progress of new programs.
5. *Strengthen efforts to involve communities of color in the functioning of the justice system*. The quickly changing demographics of many counties demands increased involvement of communities of color in decision-making about justice system policies and practices. This can

include expanding the justice system workforce to be more inclusive and diverse, and including community representatives on citizen advisory boards and program partnerships.

6. *Collaborate with tribes in appropriate jurisdictions.* Many jurisdictions had very high RRIs for American Indian youth. Collaboration with tribal authorities, including courts and law enforcement, will be needed to help identify the reasons for DMC and effective practices for DMC reduction.
7. *Implement and sustain changes to policies, practices, and procedures that may reduce disproportionality.* Several system- and practice- level reform efforts, including the Juvenile Detention Alternatives Initiative and Models for Change, have resulted in changes to policies, practices, and procedures that likely reduce disproportionality. Many of these efforts are described above. Jurisdictions not associated with these efforts may consider adopting these changes, and those who have implemented these changes should strive to find ways to sustain them.
8. *Implement and sustain evidence-based behavioral health programs while increasing the enrollment of youth of color in these programs.* Several jurisdictions have implemented an array of evidence based practices. These behavioral health services are well-established programs that reduce recidivism and impact youth's lives in a variety of positive ways. Details on proven juvenile justice services can be obtained from the Washington State Institute on Public Policy (WSIPP). For specific services to have an impact on disproportionality, youth of color need to be enrolled in and successfully complete effective programs at rates equal to or exceeding their representation in the justice system. Jurisdictions should focus on three major aspects to increasing enrollment and completion rates:
 - a. *Access.* Youth of color may be more likely to experience barriers that prevent access to evidence-based services, including transportation, exclusions due to type of charge or prior criminal history, fees for services, and geographic placement. Youth of color and their families may also be less trusting of the services offered by the juvenile court and more unwilling to enroll in services without the support of trusted cultural liaisons.
 - b. *Effectiveness.* Programs must be effective for youth from a variety of backgrounds, and youth, families, and court staff have to believe that the services are effective for youth of color. EBPs have been proven effective for youth from a variety of backgrounds, but enhancing the cultural relevance of the services can increase enrollment, retention, and effectiveness.
 - c. *Relevance.* As mentioned above, EBPs that are considered culturally relevant have been shown to have a greater impact on retention in the program and positive outcomes. Relevance is not necessarily tied to race and ethnicity. Instead, it encompasses a wide array of experiences within "youth culture" that likely vary dramatically among youth and jurisdictions, because the needs of youth vary widely.
9. *Strengthen and coordinate statewide leadership on DMC reduction.* Many of the recommendations above would be facilitated through strong, centralized, statewide leadership on DMC reduction efforts. This would help to coordinate and integrate the array of efforts currently being conducted by local jurisdictions, local and state committees, juvenile justice improvement initiatives, advocacy groups, and task forces. It would also provide a learning

community for localities to learn from one another about successful DMC reduction approaches and help to avoid common pitfalls.

Chapter Appendix—Statewide Relative Rate Indexes

State :Washington	Reporting Period January 2007					
County: Statewide	through December 2007					
	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	American Indian or Alaska Native
1. Population at risk (age 10 through 17)	750,502	508,284	37,706	92,515	49,248	13,846
2. Juvenile Arrests (UCR - age 10-17)						
3. Refer to Juvenile Court (Offense Referrals)	48,624	30,204	5,661	7,372	1,500	1,963
4. Cases Diverted	15,640	10,475	1,375	2,090	530	456
5. Cases Involving Secure Detention	27,408	16,487	3,797	4,129	767	1,611
6. Cases Petitioned (Charge Filed)	18,050	10,388	2,928	2,907	588	822
7. Cases Resulting in Delinquent Findings (Guilty)	11,515	6,790	2,153	1,960	318	558
8. Cases resulting in Probation Placement						
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities (JRA & Local)	10,010	5,967	1,445	1,714	284	434
10. Cases Transferred to Adult Court	226	104	45	48	17	12

State :Washington	Reporting Period January 2008					
County: Statewide	through December 2008					
	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	American Indian or Alaska Native
1. Population at risk (age 10 through 17)	692,830	496,519	37,818	95,458	49,590	13,445
2. Juvenile Arrests (UCR - age 10-17)						
3. Refer to Juvenile Court (Offense Referrals)	46,962	29,221	5,552	7,267	1,556	1,816
4. Cases Diverted	12,801	7,734	1,515	2,317	661	574
5. Cases Involving Secure Detention	28,286	16,716	3,862	4,779	788	1,601
6. Cases Petitioned (Charge Filed)	17,300	9,638	2,881	3,034	616	726
7. Cases Resulting in Delinquent Findings (Guilty)	11,169	6,288	1,605	2,213	306	483
8. Cases resulting in Probation Placement						
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities (JRA & Local)	9,592	5,600	1,318	1,792	276	395
10. Cases Transferred to Adult Court	201	95	43	40	10	12

State :Washington	Reporting Period January 2009					
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County: Statewide		through December 2009				
	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	American Indian or Alaska Native
1. Population at risk (age 10 through 17)	689,812	485,657	38,838	100,495	51,947	12,875
2. Juvenile Arrests (UCR - age 10-17)						
3. Refer to Juvenile Court (Offense Referrals)	41,725	25,284	5,171	6,988	1,366	1,504
4. Cases Diverted	16,026	10,765	1,405	2,306	562	451
5. Cases Involving Secure Detention	23,997	13,873	3,289	4,331	671	1,311
6. Cases Petitioned (Charge Filed)	16,269	8,989	2,622	3,065	530	668
7. Cases Resulting in Delinquent Findings (Guilty)	10,296	5,707	1,525	2,109	301	413
8. Cases resulting in Probation Placement						
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities (JRA & Local)	8,109	4,463	1,296	1,732	265	353
10. Cases Transferred to Adult Court	239	78	74	73	7	7

Key:	
Statistically significant results:	Bold font
Results that are not statistically significant	Regular font
Group is less than 1% of the youth population	*
Insufficient number of cases for analysis	**
Missing data for some element of calculation	---

Incremental RRIs

State :Washington	Reporting Period January 2007 Through December 2007				
County: Statewide	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
Incremental RRIs					
2. Juvenile Arrests	**	**	**	*	**
3. Refer to Juvenile Court	2.53	1.34	0.51	*	2.39
4. Cases Diverted	0.70	0.82	1.02	*	0.67
5. Cases Involving Secure Detention	1.23	1.03	0.94	*	1.50
6. Cases Petitioned	1.50	1.15	1.14	*	1.22
7. Cases Resulting in Delinquent Findings	1.12	1.03	0.83	*	1.04
8. Cases resulting in Probation Placement	**	**	**	*	**
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	0.76	1.00	1.02	*	0.89
10. Cases Transferred to Adult Court	1.54	1.65	2.89	*	1.46

State :Washington County: Statewide		Reporting Period January 2008 Through December 2008				
Incremental RRI	Black or African- American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	
2. Juvenile Arrests	**	**	**	*	**	
3. Refer to Juvenile Court	2.49	1.29	0.53	*	2.30	
4. Cases Diverted	1.03	1.20	1.61	*	1.19	
5. Cases Involving Secure Detention	1.22	1.15	0.89	*	1.54	
6. Cases Petitioned	1.57	1.27	1.20	*	1.21	
7. Cases Resulting in Delinquent Findings	0.85	1.12	0.76	*	1.02	
8. Cases resulting in Probation Placement	**	**	**	*	**	
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	0.92	0.91	1.01	*	0.92	
10. Cases Transferred to Adult Court	1.51	1.34	1.65	*	1.68	

State :Washington County: Statewide		Reporting Period January 2009 Through December 2009				
Incremental RRI	Black or African- American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	
2. Juvenile Arrests	**	**	**	*	**	
3. Refer to Juvenile Court	2.56	1.34	0.51	*	2.24	
4. Cases Diverted	0.64	0.78	0.97	*	0.70	
5. Cases Involving Secure Detention	1.16	1.13	0.90	*	1.59	
6. Cases Petitioned	1.43	1.23	1.09	*	1.25	
7. Cases Resulting in Delinquent Findings	0.92	1.08	0.89	*	0.97	
8. Cases resulting in Probation Placement	**	**	**	*	**	
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	1.09	1.05	1.13	*	1.09	
10. Cases Transferred to Adult Court	3.25	2.74	1.52	*	1.21	

Cumulative RRI

2007 Cumulative RRI	Black or African- American	Hispanic or Latino	Asian	American Indian or Alaska Native
3. Refer to Juvenile Court (Offense Referrals)	2.53	1.34	0.51	2.39
4. Cases Diverted	1.77	1.10	0.52	1.60
5. Cases Involving Secure Detention	3.10	1.38	0.48	3.59
6. Cases Petitioned (Charge Filed)	3.80	1.54	0.58	2.90
7. Cases Resulting in Delinquent Findings (Guilty)	4.27	1.59	0.48	3.02
8. Cases resulting in Probation Placement	**	**	**	**
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities (JRA & Local)	3.26	1.58	0.49	2.67
10. Cases Transferred to Adult Court	5.83	2.54	1.69	4.24

2008 Cumulative RRI	Black or African- American	Hispanic or Latino	Asian	American Indian or Alaska Native
3. Refer to Juvenile Court (Offense Referrals)	2.49	1.29	0.53	2.30
4. Cases Diverted	2.57	1.56	0.86	2.74
5. Cases Involving Secure Detention	3.03	1.49	0.47	3.54
6. Cases Petitioned (Charge Filed)	3.92	1.64	0.64	2.78
7. Cases Resulting in Delinquent Findings (Guilty)	3.35	1.83	0.49	2.84
8. Cases resulting in Probation Placement	**	**	**	**
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities (JRA & Local)	3.09	1.66	0.49	2.60
10. Cases Transferred to Adult Court	5.94	2.19	1.05	4.66

2009 Cumulative RRI	Black or African- American	Hispanic or Latino	Asian	American Indian or Alaska Native
3. Refer to Juvenile Court (Offense Referrals)	2.56	1.34	0.51	2.24
4. Cases Diverted	1.63	1.04	0.49	1.58
5. Cases Involving Secure Detention	2.96	1.51	0.45	3.56
6. Cases Petitioned (Charge Filed)	3.65	1.65	0.55	2.80
7. Cases Resulting in Delinquent Findings (Guilty)	3.34	1.79	0.49	2.73
8. Cases resulting in Probation Placement	**	**	**	**
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities (JRA & Local)	3.63	1.88	0.56	2.98
10. Cases Transferred to Adult Court	11.86	4.52	0.84	3.39

Adams County

Population Trends

Adams County was ranked 12th in the state for population growth between 2000 and 2010. In 2010, Latinos accounted for the majority of the county population, followed by non-Hispanic whites. The self-identified Latino population changed from 7,732 to 11,099, which was a 43.5% increase. African Americans, American Indians, Asians, and other groups made up a small proportion of the county. In 2010, youth aged 10-17 made up 14.410-17% of the population.

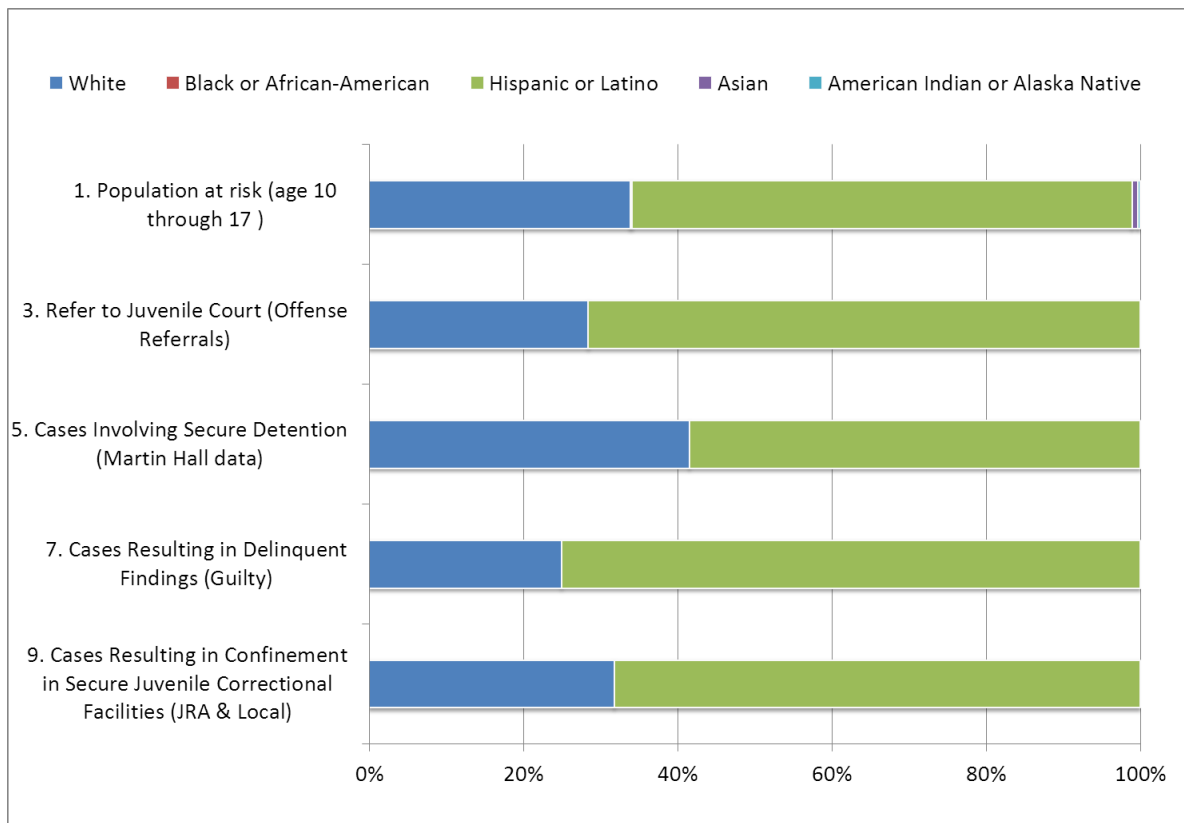
Adams County Census Data <i>Growth Rank:12</i>	Population		% Change
	2000	2010	
County Population	16,428	18,728	+14.0
Age (10-17 y.o.)	2,451	2,696	+9.9
Race alone or in combination with Hispanic			
<i>White</i>	11,080	12,158	+9.7
<i>Black or African American</i>	70	160	+129.0
<i>American Indian/Alaska Native</i>	207	460	+122.0
<i>Asian</i>	148	208	+40.5
<i>Native Hawaiian/Other Pacific Islander</i>	30	40	+33.3
<i>Two or More Races</i>	451	532	+18.0
Hispanic or Latino and race			
<i>Hispanic or Latino (of any race)</i>	7,732	11,099	+43.5
<i>Not Hispanic or Latino</i>	8,696	7,629	-12.3

Local Data Issues

Adams County presents unique data issues for a variety of reasons. Adams has the smallest population of any county in our study, and is one of the smallest counties in the state, with only 3,296 juveniles residing in the county in 2010. It is inappropriate to examine Relative Rate Indices and other statistical trends with numbers this small because estimates can be highly unstable due to small changes in the number of people for whom a justice-system event occurred. Therefore, based on the recommendation of Dr. William Feyerherm, a nationally-recognized expert in DMC, we have combined for our analyses three years of data (2007-2009). Additionally, Adams County population is majority Latino, which highlights the inadequacy of the term “minority” when discussing Latinos and non-whites. In some of these situations, data for counties will use the largest racial/ethnic category as the reference group for calculating RRIs. However, for this report we chose not to do this in order to preserve consistency with data presented for other counties. Additionally, there were very few African American, Asian, or American Indian youth in the county, so RRIs could not be calculated for these racial categories (census data placed the number of youth in these categories in 2009 as 7, 20, and 6, respectively). Data on “cases diverted” was missing for all three years. Similarly, data for “cases petitioned” is inaccurate—it

was missing in 2007 and 2008 for all categories, hence we subsequently removed this decision point for these years. However, during our interviews we were not yet aware of this data problem. As a result, interviewees saw inaccurate RRI data for “cases resulting in delinquent findings,” which is based on the number of cases petitioned. In addition to these issues, interviewees also expressed that their jurisdiction had gone through considerable changes in recent years, including the implementation of the Juvenile Detention Alternatives Initiative, the Detention Risk Assessment Tool, new program development, and a new juvenile court administrator and a shift in the culture of the court. Due to these changes, our RRI data may not reflect current practice. Finally, there is no data in the AOC database on diversions for any youth in Adams.

2009 Disproportionality Data



Interviews with Local Stakeholders

Interviewees

Court Administration	Judicial	Community representative	Law enforcement	Total
3	1	1	1	6

Summary of findings

RRIs for 2007-2009 are displayed in the Appendix for Adams County. Because of the small population size and the limitations in determining RRIs (described in the section in the introduction about

interpreting RRIs), we only have RRIs for three decision points, and only for Latinos. Cases involving Latinos were 1.55 times more likely to be referred to the juvenile court than cases involving non-Hispanic whites. Of cases referred, Latino cases were just as likely as cases involving non-Hispanic whites to have a detention. Finally, Latino cases were 2.14 times more likely than non-Hispanic whites to have their case result in a delinquent finding.

Data accuracy. There were some concerns from interviewees about the accuracy of the census data used to assess the population levels in this county. Census data indicates that the youth population is 64% Latino and 34% non-Hispanic whites. If the census data is inaccurate, and there are more Latinos in the county than are reflected by the census, the rates of Latino disproportionality at referral (but no other decision points) would be exaggerated because referral disproportionality is calculated on the basis of census data. In order to check the accuracy of the census data against local data sources, we examined the racial and ethnic makeup of students in public middle and high schools throughout Adams County for the 2009-2010 school year, using data available online through the Washington State Office of the Superintendent of Public Instruction (OSPI). What we found indicated that the student population in Adams County was 63% Latino and 34% non-Hispanic white, which is highly consistent with census data. Additionally, as described above, data on “cases petitioned” was inconsistent (missing in years 2007 and 2008 and incomplete in 2009) and data on “cases diverted” was missing for all three years. The interviewees were very clear that they have done a lot of work since 2010 in terms of data quality and programming, and that these changes were not reflected in the data available for this assessment, which only covers 2007-2009. One interviewee felt that it was unfair to group all Latinos together, as they felt that did not adequately capture a rich array of cultural diversity and upbringing.

Especially concerning decision points. The most frequent and consistent theme voiced by interviewees from Adams county was a belief that the county had low levels of disproportionality. One interviewee said, “It is hard to identify disproportionality in an area that is so highly Hispanic. There just isn’t a lot of diversity here.” The only complete RRI that revealed disproportionality that our interviewees saw was for referrals—Latinos had levels of referral 1.44 times higher than non-Hispanic whites (proportional to their census and public school enrollment population numbers). Secure detention revealed no disproportionality. Latino cases were more likely to be adjudicated delinquent, but this was not observed by Latinos. Therefore, referrals were the default “most concerning” decision point.

Possible explanations for DMC. Though respondents did not believe there were high levels of disproportionality, the data indicated higher rates of referral for Latino youth. Some participants talked about why they personally thought that might be true. The following were the most commonly described possible reasons for DMC in Adams County, according to our interviewees’ impressions and beliefs.

1. *Gang membership or perceived gang membership by Latino youth.* Several interviewees perceived a strong Latino gang presence in the county, and that focusing on gang involvement was one priority for both law enforcement and the juvenile court. These factors would combine to result in increased referrals to the court for Latino youth.

2. *Seasonal shifts due to farm-working--many youths who are referred are not believed to be reflected in the census data.* As the majority of farm-working families who reside in Adams County only for seasonal needs are Latino, the census data for Latinos will be an underestimate of actual Latino population levels at different points in the year. Consequently, disproportionality rates at the point of referral could be overestimated if there are actually more Latino families living in the area than are reflected in the census.
3. *Poverty and challenges of the working-poor.* Some interviewees felt that Latinos were more likely to be in poverty, and that factors associated with this were related to increased DMC. One interviewee said, "Some are probably socio-economic reasons, like broken families, or field workers where both mom and dad work and the kids have limited supervision...." Lack of supervision could result in increased involvement in illegal activities and increased referrals.
4. *Relatively less Latino parental involvement in the court process.* Interviewees stated that they believed Latino parents were somewhat less likely to attend court sessions. Some interviewees interpret this as parents not caring about their child's future, but other interviewees see it as due to increased fear of immigration enforcement in Latino families and the challenge of taking time off of work. Less involvement by parents could result in less chance of diversion, an increased likelihood of being held in secure detention, and an increased likelihood in being adjudicated as delinquent.

Current approaches to addressing DMC. Interviewees described a wide variety of approaches that they believed have had or would have a positive impact on DMC or the number of youth in juvenile justice, regardless of race and ethnicity. Many of these are described below.

1. *Juvenile Detention Alternatives Initiative.* The JDAI resulted in several concrete programs and policy changes that interviewees felt positively impacted the juvenile justice system and, correspondingly, disproportionality. As one interviewee described JDAI: "JDAI has been a godsend for us, it has assured us that we are locking up the right kids and filing on the right kids... we have some serious buy-in from law enforcement, and the programming that we're offering the kids has been amazing. If you look at the numbers back to 2000, they were a lot higher in terms of referrals and filing, and a lot of the credit has to go to JDAI."

Some of the changes credited to JDAI include:

 - a. The Detention Risk Assessment (DRA) tool, which applies a standard for determining whether detention is necessary. Interviewees believed this also changed the behavior of law enforcement when making decisions on whether to bring a youth in to detention.
 - b. Using data for decision making. As part of JDAI, Adams reviews data on the youth that get detained by age, race, average stay, gender, charge, and more. This information has the potential to influence policy.

- c. Several projects, programs, or approaches have been developed as alternatives to detention, including a “Girls’ Circle” for female offenders, truancy intervention, community gardening, graffiti cleaning and other community service programs.
2. *Development of positive attitudes towards youth and families.* Interviewees remarked that the juvenile court had gone through some cultural shifts in recent years that resulted in a philosophy of supportive relationships with youth, as reflected in this quote, “The juvenile court has developed a culture of love the kids, if you don’t love the kids you should work somewhere else. That’s been part of the success... All the kids get this; we reach out to everyone before they get in trouble.” Programs and approaches have been developed that reflect these attitudes, including probation officers working with Integrated Mental Health to learn and teach positive parenting skills as well as strengthening parenting classes.
3. *Racial/ethnic match between county demographics, court staff, and law enforcement.* Nearly all interviewees credited the high proportion of Latinos in governmental services and positions of power as contributing to low disproportionality. “Our staff matches our county numbers. Everyone understands the culture.” In addition to letters being sent to families in Spanish, law enforcement officers and court staff speak Spanish.
4. *School outreach by court staff and School Resource Officers.* Several interviewees stated that they believed there had been a brief increase in referrals after School Resource Officers began, but that Adams County addressed this by increasing positive outreach and communication among school staff, students and families, law enforcement, and the court staff. A school representative stated, “The juvenile court does a great job of communicating with the schools about which kids are on probation.... These guys [court staff] are so great, they come to school when they can, hang out with the youth with their IDs on... Most students know them by their first names.”

Immigration and Customs Enforcement (ICE). Interviewees were not aware of any policy in Adams to routinely ask youth about their immigration status or regularly contact ICE about detained youth.

Recommendations.

1. *Revisit approaches to data collection and data entry in order to verify and/or improve data quality.* This is particularly needed for the decision point of Cases Petitioned, which is highly inconsistent with the other decision points, and Cases Diverted, which was missing for all years. These issues present obvious challenges when determining if there is a problem with disproportionality in Adams County and, if so, at what decision points and for what reasons it might occur.
2. There is significant (though relatively small) disproportionality at the decision point of referral, which, as described above, may be due to data problems, but may also represent true differences. Based on interviewee responses, this may be addressed through gang

- prevention and intervention efforts, providing additional support to those in poverty, and increasing efforts for Latino parents to be involved in the court process.
3. There may be disproportionality at the decision point of Cases Adjudicated Delinquent. This may be related to the fact that interviewees expressed that Latino parents were less likely to be involved in court sessions and other legal aspects of the child's case. We recommend that court staff investigate this further to determine if and why it exists, and develop approaches to increasing the involvement of Latino parents in court related matters.

Chapter Appendix—Adams County Relative Rate Indices

State :Washington		Reporting Period January 2007				
County: Adams		Through December 2007				
	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	American Indian or Alaska Native
1. Population at risk (age 10 through 17)	2,362	888	8	1,442	18	6
3. Refer to Juvenile Court (Offense Referrals)	398	76	1	233	0	0
4. Cases Diverted	0	0	0	0	0	0
5. Cases Involving Secure Detention	137	27	1	109	0	0
7. Cases Resulting in Delinquent Findings (Guilty)	82	10	0	52	0	0
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities (JRA & Local)	70	10	0	40	0	0

State :Washington		Reporting Period January 2008				
County: Adams		through December 2008				
	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	American Indian or Alaska Native
1. Population at risk (age 10 through 17)	2,340	821	6	1,489	20	4
3. Refer to Juvenile Court (Offense Referrals)	283	72	0	159	0	0
4. Cases Diverted	0	0	0	0	0	0
5. Cases Involving Secure Detention	97	25	1	71	0	0
7. Cases Resulting in Delinquent Findings (Guilty)	34	0	0	20	0	0
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities (JRA & Local)	26	6	0	17	0	0

State :Washington		Reporting Period January 2009				
County: Adams		through December 2009				
	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	American Indian or Alaska Native
1. Population at risk (age 10 through 17)	2,443	827	7	1,583	20	6
3. Refer to Juvenile Court (Offense Referrals)	273	64	0	161	0	0
4. Cases Diverted	0	0	0	0	0	0
5. Cases Involving Secure Detention	77	32	0	45	0	0
7. Cases Resulting in Delinquent Findings (Guilty)	32	8	0	24	0	0
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities (JRA & Local)	22	7	0	15	0	0

Key:	
Statistically significant results:	Bold font
Results that are not statistically significant	Regular font
Group is less than 1% of the youth population	*
Insufficient number of cases for analysis	**
Missing data for some element of calculation	---

Adams County Relative Rate Index summary 2007-2009

Summary: Relative Rate Index Compared with White Juveniles					
	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
3. Refer to Juvenile Court	*	1.44	*	*	*
4. Cases Diverted	*	**	*	*	*
5. Cases Involving Secure Detention (Martin Hall data)	*	1.05	*	*	*
6. Cases Petitioned	*	**	*	*	*
7. Cases Resulting in Delinquent Findings	*	2.14	*	*	*

Benton/Franklin Counties

Population Trends

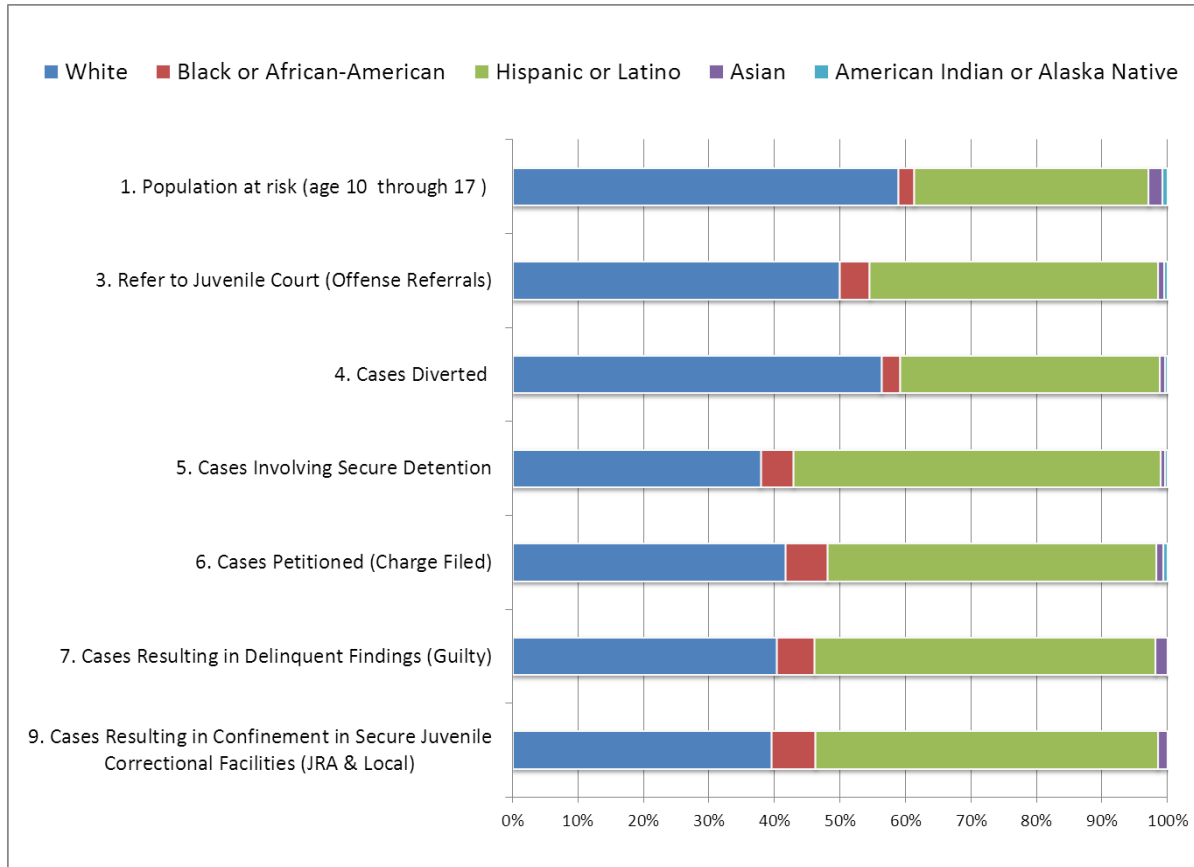
Benton ranked 3rd and Franklin ranked 1st in the state for population growth from 2000-2010. Benton and Franklin counties are often grouped together due to some shared regional work, including being a single judicial district and a shared operational budget for the juvenile justice center. For this reason, we combined Benton and Franklin in our assessments and interviews. In 2010, Non-Hispanic whites accounted for the majority of the population in Benton/Franklin, followed by Asians, African Americans, and American Indians, while Native Hawaiian and other Pacific Islanders made up the smallest group. However, Native Hawaiians and other Pacific Islanders had the largest percent increase (89.6%), with a change in population from 444 in 2000 to 842 in 2010. The self-identified Latino population grew from 40,838 to 72,700, which was a 78% increase. In 2010, youth aged 10-17 made up 12.8% of the population in these counties.

Benton/Franklin <i>Growth Rank:3/1</i>	Population		% Change
	2000	2010	
County Population	191,822	253,340	+32.1
Age (10-17 y.o.)	27,335	32,473	+18.8
Race alone or in combination with Hispanic			
<i>White</i>	158,814	199,705	+25.7
<i>Black or African American</i>	3,351	5,497	+64.0
<i>American Indian/Alaska Native</i>	2,910	4,230	+45.3
<i>Asian</i>	4,965	8,169	+64.5
<i>Native Hawaiian/Other Pacific Islander</i>	444	842	+89.6
<i>Two or More Races</i>	5,874	8,689	+48.0
Hispanic or Latino and race			
<i>Hispanic or Latino (of any race)</i>	40,838	72,700	+78.0
<i>Not Hispanic or Latino</i>	150,984	180,640	+19.6

Local Data Issues.

As previously stated, our data combines information from Benton and Franklin Counties. However, these counties have different demographics, with a much higher proportion of non-Hispanic white individuals in Benton County, and a higher proportion of Hispanic individuals in Franklin County. They also feature many different key players that impact decision points, such as different prosecutors. For instance, if (hypothetically) Franklin County had policies that resulted in increased referrals across the range of racial and ethnic groups, the data would reflect this as increased disproportionality because there are more Latinos in Franklin County. Therefore, issues in each jurisdiction may have a relationship with overall DMC rates due to unique characteristics of the county and behaviors by local key stakeholders. However, these counties work together in key ways that are directly related to DMC reduction efforts, therefore it is important to combine this data.

2009 Disproportionality Data



Interviews with Local Stakeholders

Interviewees

Court Administration	Judicial	Community representative	Law enforcement	Total
1	1	1	1	4

Summary of findings.

The chart above and the Relative Rate Indices depicted in the Appendix below reveals consistent disproportionality in referrals, diversions, detention, and petitions from 2007 through 2009 for cases involving African Americans and Latinos. Cases involving African Americans were 2.0 – 2.2 times more likely to be referred to the court over this time than white cases, while cases involving Latinos were 1.3-1.5 times more likely to be referred. Cases involving African Americans were 40% less likely to be diverted and cases involving Latinos were roughly 20% less likely to be diverted. Of those referred to court, cases involving African Americans were 1.5 times more likely to be securely detained, and cases involving Latinos were 1.4 – 1.7 times more likely to be detained. Of those referred, cases involving African Americans were 1.3-1.7 times more likely to have a formal petition filed, and cases involving Latinos were 1.2 – 1.4 more likely to have a formal petition filed. Of those with a formal petition filed,

there was no statistically significant disproportionality in cases resulting in delinquent findings for African Americans (though this trended towards being more likely in 2007, but not the other years). Of those with a formal petition, Latinos were 30% less likely to have their case result in a delinquent finding in 2007 but did not differ with statistical significance in either of the other years. Of those resulting in delinquent findings, there were no significant differences between African Americans and white cases in the proportion that were confined in secure juvenile facilities. Latino cases were 1.6 times more likely to be confined in 2007, but there were no significant differences in 2008 or 2009. Cases involving Asians were 40% to 60% less likely to be referred to the court. There was not enough data in 2007 or 2009 for Asians for the remaining decision points, but in 2008 Asian cases that were referred were 2.7 times more likely to be diverted, and there were no statistically significant differences for being securely detained or having a formal petition filed.

Data accuracy. For some interviewees, 2008 data was incorrect due to miscalculated census data, but this was identified and corrected. With this exception, most interviewees remarked that the data seemed accurate, based on their experience. One interviewee expressed some concern about the accuracy of data regarding race and ethnicity due to a lack of consistent practice in collecting race and ethnicity at arrest. This results in many youth being classified as having an unknown race or ethnicity, and in many Latino youth being classified as white only. As stated in the introduction describing overall limitations in the data throughout the state, this is the reason we excluded arrest data when calculating RRI's. However, there is likely some impact on further decision points, as it is the responsibility of court staff to correct race and ethnicity data collected by law enforcement.

The data on diversions is limited because, as described below, practice on referring youth to Diversion has changed in the years following the collection of this data.

Several said that the number of African Americans in these counties is relatively small, so it was difficult for them to really get a sense of whether the RRI's for this category were correct, but no interviewee said they had a reason to doubt these numbers.

Especially concerning decision points. The most concerning decision points for all interviewees were referral, diversion, and detention. Two interviewees were particularly concerned about African American youth across all decision points, as they exhibited the highest and most consistently disproportional rates.

Possible explanations for DMC.

1. *History of contact with justice system.*
 - a. *Repeat contact.* All four interviewees independently remarked that there may be disproportionality throughout the decision points because they believed there were a few minority youth who had very frequent contact with the justice system. Frequent contact by even few youth could skew these statistics.
 - b. *Criminal history.* Interviewees cited past work conducted by researchers at the University of California at Irvine in their community, which found that Latinos had

probation violations at earlier ages and were more likely to have previous criminal history than non-Hispanic whites. This was related to racial/ethnic disproportionality in diversion (due to the eligibility requirement of “first offense” that was enforced by one prosecutor during this time) and detention time served for probation violations and other offenses. The interviewees were quick to point out that the previous criminal history may be related to a variety of things such as institutional bias, racial bias, and pockets of criminal activity or heightened enforcement in certain neighborhoods.

2. *Gang involvement.* A recent needs assessment conducted by the University of Washington as part of the MacArthur Models for Change project found that gangs were one of the most pressing concerns⁴. Our interviews underscored this, particularly for Latino youth, which was indicated as directly contributing to DMC. Many interviewees raised this as a concern that impacted DMC and needed to be addressed. Gang-related cases, we were told, tend to be more likely to be Latino and more likely to be severe, including referrals for things such as assaults and drive-by shootings. These cases are more likely to be brought to the court and not handled without an arrest, less likely to be eligible for diversion, and more likely to have a formal charge filed. All of this may impact DMC for Latinos.
3. *Mistrust between communities of color and the justice system.*
 - a. One interviewee expressed the belief that youth of color, and particularly African American youth, were “less likely to be forthcoming with probation officers and school security, they can sound mean or confrontational. And police and others may approach minority students with more animosity, and students might act more aggressively or be [suspiciously] quiet.” African American parents, too, may have less trust in the system and “fear they are being misled or not told things correctly.” All interviewees expressed that there may be some overt or unconscious bias in law enforcement’s and the justice system’s treatment of youth of color.
 - b. One interviewee expressed that some parents do not participate in court proceedings, pick up the youth from detention, or pay bail, because they are undocumented and have a fear of immigration enforcement.
4. *Options and decision-making by law enforcement.* Three interviewees felt that decision-making by law enforcement likely contributed to DMC. This was felt to be due to two primary reasons. First was conscious or unconscious prejudice and bias against youth of color. Second was a general lack of alternatives for police aside from releasing youth with a warning, citing youth, or arresting them. Interviewees expressed a desire for law enforcement to have supportive alternatives to arrest.

⁴ Walker, S. C., Trupin, E., & Brulotte, E. (2009). *Models for Change: Benton and Franklin Counties Juvenile Justice Needs Assessment Results*. Seattle, WA: University of Washington.

5. *Single parents, poverty and challenges of the working-poor.* Some interviewees felt that Latinos and African American families were more likely to have a single parent, to be in poverty, or to have parents working multiple jobs or seasonal jobs with long hours, and that factors associated with this were related to increased DMC.
 - a. A relative lack of supervision was believed to be related to youth being more susceptible to gang influence and having more opportunity for misbehavior. Anecdotally, some interviewees said that they believed that the youth who have parents who are actively involved in their lives and the court process are unlikely to be repeat offenders.
 - b. Because youth in poverty have less access to money and transportation, they have less involvement in the types of positive and pro-social organized activities that keep youth supervised and out of trouble.
6. *Different policies in different counties.* One interviewee indicated that county prosecutor offices in Benton and Franklin counties had different approaches to diversion during this time, though this inconsistency changed nearly two years ago. (During our interviews here and in other jurisdictions, many interviewees say that diversion policy is interpreted differently by prosecutor offices throughout the state.) According to interviewees, the prosecutor's office in Franklin County, which is largely Latino, processed mandatory diversions, which apply to first time offenses, but did not process second offenses as discretionary diversions. The prosecutor's office in Benton County, which is largely non-Hispanic white, did process second offenses as discretionary diversions. Even if there is no disproportionality within each individual county for diversion, when combining data from these two counties these different policies would directly contribute to aggregate DMC. However, as with all of the possible explanations for DMC provided by interviewees, without further data analysis this explanation cannot be proven.
7. *Different charges in different counties.* Related to #2 and #5 above, one interviewee said that the data shows that over the last several years, Franklin County has not seen a dramatic increase in the number of charges filed, but has seen an increase in the severity level of the charges. We were told that Benton has not seen this increase. More severe charges are more likely to be related to increased involvement across decision points. If this change in severity is true for Franklin but not Benton, then this would lead to an increased probability of DMC in the aggregate data.

Current approaches to addressing DMC. Benton/Franklin has a strong history of programs, policies, and approaches to address DMC over recent years. This is credited in large part to two major initiatives: MacArthur Foundation's Models for Change, and the Juvenile Detention Alternatives Initiative, both of which feature DMC reduction as major components. Interviewees displayed an impressive amount of knowledge about the issues related to DMC reduction, and this jurisdiction was able to talk about a wide variety of community-engagement efforts. Interviewees credited, in part, Models for Change and JDAI

for helping build this knowledge and community involvement. The funding for Models for Change has ended, so some of this work is no longer happening. Sustainability of this work is a concern expressed by all interviewees. Below is a list of some of the activities and accomplishments that occurred to address DMC over the last several years.

1. *DMC Reduction Committee.* Benton/Franklin is one of only a handful of jurisdictions that had a committee of key stakeholders charged with DMC reduction efforts. Law enforcement was at the table, under the view that crime was an opportunity for problem-solving. Court leadership, administration, education, and community representatives were also present. The work of this committee likely contributed to the fact that Benton/Franklin interviewees expressed considerable knowledge of and were quite savvy about DMC issues, including how to read and understand data, the need to break data down into detail to understand possible causes, and how to use community mapping exercises to identify strengths to build on and needs to address. This committee was initiated due to Models for Change and is no longer active now that funding has ended.
2. *Improving data quality.* Benton/Franklin counties have set an expectation for staff to verify race and ethnicity rather than relying on the information contained in referrals from law enforcement. This has included staff trainings and laminated cards with race and ethnicity questions and categories. Staff obtain information about race and ethnicity directly from the youth, and family if available. The database contains a checkbox for staff to mark which certifies that they have verified race and ethnicity information from the youth.
3. *African American Leadership Council/African American Leaders Call to Action for Juvenile Justice & the Latino Community Council.* These councils also resulted from the Models for Change initiative, and are still active. These are citizen-led community groups that work to reduce DMC in a variety of ways. For instance, these councils have hosted community outreach events to provide families with information on how they can get assistance if they are going through the court. They have done a survey with parents and youth to better understand their information needs and experiences. They also reach out individually to families to offer assistance.
4. *The Juvenile Detention Alternatives Initiative.* The JDAI contributed to several programs and practices, but the most frequently mentioned was the implementation of a Detention Risk Assessment tool, used as an objective tool to determine whether a juvenile should be held in detention.
5. *Town Hall meetings.* Through the MacArthur Foundation Models for Change funding, a series of Town Hall meetings were conducted focusing on Latino parents. These were intended to build relationships, identify what some of their major needs were, and connect families to resources for services, wraparound support, addressing language barriers, using interpreters, and connecting to local immigration attorneys.

6. *Education on cultural competency and adolescent brain development.* One interviewee expressed the utility of judicial understanding of cultural issues and adolescent brain development issues that impact behavior. They believed that this allowed a better connection between the court and youth, and that making a connection was effective at reducing recidivism.
7. There are a variety of other programs and practices that were credited as DMC reduction activities:
 - a. A court-date call-reminder system (staffed by volunteers).
 - b. Focus groups were held with families about community need.
 - c. Community mapping exercises focusing on truancy, mental health, and juvenile offenders, with the participation of communities of color.
 - d. Training of court staff about DMC and JDAI with open invitations for other stakeholders such as prosecutors, defense, and law enforcement.
 - e. Parent support for parents with youth in the juvenile justice system (Juvenile Justice 101).
8. *Consistent prosecutorial practices in handling of diversions.* As described above, different practices in diversion may have contributed to DMC during the time this data was collected. An interviewee reported to us that, “Subsequent to a meeting between members of the Latino Community Council and the current Franklin County Prosecutor almost two years ago, the Franklin County Prosecutor’s Office does make referrals to diversion on second offenses, consistent with the policy of the Benton County Prosecutor.”

Challenges and possible future directions. All interviewees mentioned that, despite the progress that has been made in this county, a major challenge was to continue to build trust among systems as well as between systems and communities of color. It has been challenging to maintain the momentum to continue workgroups, councils, and system involvement, especially when presented with budget cuts. As in most jurisdictions that we interviewed, it has been challenging to engage and sustain the involvement of law enforcement (though the apparent level of involvement was higher than in most jurisdiction); this was attributed to the different circumstances, training, goals, history, and culture of law enforcement and the courts. Interviewees mentioned as possible future directions several areas, including engaging and supporting family involvement in the courts, increased outreach to build trust and collaboration with communities of color, increasing a focus on youth with developmental disabilities who are in detention, and working with families and communities of color on ways to identify mental health issues that might be related to juvenile justice contact. A couple of interviewees expressed the need to “address all of the social factors related to offending, such as poverty and securing access to legitimate means [to resources] by kids.”

Further data analysis. Interviewees, particularly court representatives, described a variety of analyses they have worked on, are currently working on, or are planning on examining in the future. Some of the analyses that they feel need to be done are to look more carefully at possible disproportionality in:

1. Offense type by race/ethnicity, because several interviewees believed that Latino youth were more likely to have a more serious charge, particularly due to Latino gang involvement.
2. Offense type by age.
3. Geographic (neighborhood) indicators, building on previous community mapping, in order to identify communities and community resources such as schools that can be leveraged to address pockets of activity.
4. Warrants and diversions, particularly the numbers of youth in racial/ethnic categories who would be eligible for second diversions, if these were regularly offered in Franklin County.
5. Deferred dispositions, as some interviewees felt that families in poverty had fewer resources to respond to the court requirements for a deferred disposition.

Recommendations. Our interviews provided considerable evidence that Benton/Franklin Counties have invested considerable time and resources in understanding and addressing DMC. They have addressed many of the steps necessary to address DMC: 1. Good data quality; 2. Good understanding of the data; 3. Good exploration of the data to identify areas to address; 4. Strong community engagement efforts (though this has been difficult to sustain); 5. Salient policy and practice changes to address DMC; 6. New program implementation (this has also been difficult to sustain). It is clear that Benton-Franklin has made great strides in developing the infrastructure, knowledge, and community partnership necessary to address DMC. However, in any jurisdiction change in disproportionality comes slowly.

We recommend that the counties remain focused on the following areas:

1. *Re-invest in new programs, practices, policies, and partnerships to address emerging areas of greatest need.* At-risk and minority youth may need greater access to alternatives to arrest and the justice system, including prevention, behavioral health interventions, community activities, and diversion programs. For instance, three interviewees felt that law enforcement needed alternatives to arrest, such as programs or places that they could bring youth to receive services instead of bringing them to the court. This type of approach may help solidify the involvement of law enforcement in DMC reduction efforts.
2. *Sustain the programs, policies, practices, partnerships, and community involvement that have been built and are believed to be working.* Unfortunately, budgets are tight and when grant funded programs end there is often little political will to sustain them. Securing the buy-in from people such as county commissioners is essential to sustain funded programs. Volunteer

programs such as the community boards may need considerable motivation, involvement, and support from system partners.

3. *Monitor the data through RRIs and other measures to examine progress, while drilling down deeper into the data to uncover underlying causes.* Interviewees expressed a wealth of information about how the data analyses that have been done helped enlighten their understanding of the causes of DMC. Monitoring change over time can identify areas that show little or no improvement and areas of success.
4. *Refine programs, practices, and policies to be more effective based on data and community need.* Existing programs, practices, and policies may need to be examined and modified to reduce DMC. Some interviewees felt that the lack of trust between communities of color and the justice system resulted in less parental involvement with the court and subsequent DMC. Community engagement efforts have reached out to African American and Latino families to help alleviate this, but interviewees were uncertain as to whether these efforts have been impactful.

Chapter Appendix—Benton/Franklin Relative Rate Indices

State Washington		Reporting Period Jan / 2007					
County: Benton/Franklin		through Dec / 2007					
	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
1. Population at risk (age 10 through 17)	28,814	17,665	598	9,764	596	0	191
2. Juvenile Arrests							
3. Refer to Juvenile Court	3,511	1,928	145	1,389	25	0	10
4. Cases Diverted	1,382	835	43	491	10	0	1
5. Cases Involving Secure Detention	1,651	776	91	767	15	0	2
6. Cases Petitioned (Charge Filed)	1,296	633	63	557	9	0	6
7. Cases Resulting in Delinquent Findings	872	376	47	221	6	0	7
8. Cases resulting in Probation Placement							
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	789	377	41	358	7	0	6

State Washington		Reporting Period Jan / 2008				
County: Benton/Franklin		through Dec / 2008				
	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	
1. Population at risk (age 10 through 17)	28,995	17,495	627	10,410	591	
2. Juvenile Arrests						
3. Refer to Juvenile Court	3,335	1,703	119	1,424	35	
4. Cases Diverted	1,287	771	44	435	17	
5. Cases Involving Secure Detention	1,692	646	87	934	12	
6. Cases Petitioned (Charge Filed)	1,105	467	41	579	10	
7. Cases Resulting in Delinquent Findings	853	323	32	493	3	
8. Cases resulting in Probation Placement						
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	629	233	23	369	2	

State :Washington		Reporting Period January 2009					
County: Benton/Franklin		through December 2009					
	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
1. Population at risk (age 10 through 17)	30,843	18,177	749	11,057	645	0	215
2. Juvenile Arrests (UCR - age 10-17)						0	
3. Refer to Juvenile Court (Offense Referrals)	3,051	1,502	137	1,323	28	0	13
4. Cases Diverted	1,179	650	33	457	9	0	4
5. Cases Involving Secure Detention	1,471	555	74	822	10	0	4
6. Cases Petitioned (Charge Filed)	1,159	479	74	578	13	0	6
7. Cases Resulting in Delinquent Findings (Guilty)	975	391	56	505	15	0	2
8. Cases resulting in Probation Placement						0	
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities (JRA & Local)	699	274	46	362	10	0	0

Key:	
Statistically significant results:	Bold font
Results that are not statistically significant	Regular font
Group is less than 1% of the youth population	*
Insufficient number of cases for analysis	**
Missing data for some element of calculation	---

Summary: Relative Rate Index Compared with White Juveniles					
State: Washington		Reporting Period 01/2007			
County: Benton/Franklin		through 12/2007			
	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
2. Juvenile Arrests	**	**	**	*	*
3. Refer to Juvenile Court	2.22	1.30	0.38	*	*
4. Cases Diverted	0.68	0.82	**	*	*
5. Cases Involving Secure Detention	1.56	1.37	**	*	*
6. Cases Petitioned	1.32	1.22	**	*	*
7. Cases Resulting in Delinquent Findings	1.26	0.67	**	*	*
8. Cases resulting in Probation Placement	**	**	**	*	*
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	0.87	1.62	**	*	*

Summary: Relative Rate Index Compared with White Juveniles					
State: Washington			Reporting Period 01/2008		
County: Benton/Franklin			through 12/2008		
	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
2. Juvenile Arrests	**	**	**	*	*
3. Refer to Juvenile Court	1.95	1.41	0.61	*	*
4. Cases Diverted	0.82	0.67	1.07	*	*
5. Cases Involving Secure Detention	1.93	1.73	0.90	*	*
6. Cases Petitioned	1.26	1.48	1.04	*	*
7. Cases Resulting in Delinquent Findings	1.13	1.23	**	*	*
8. Cases resulting in Probation Placement	**	**	**	*	*
9. Cases Resulting in Confinement in Secure	1.00	1.04	**	*	*

Summary: Relative Rate Index Compared with White Juveniles					
State: Washington			Reporting Period 01/2009		
County: Benton/Franklin			through 12/2009		
	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
2. Juvenile Arrests	**	**	**	*	*
3. Refer to Juvenile Court	2.21	1.45	0.53	*	*
4. Cases Diverted	0.56	0.80	**	*	*
5. Cases Involving Secure Detention	1.46	1.68	**	*	*
6. Cases Petitioned	1.69	1.37	**	*	*
7. Cases Resulting in Delinquent Findings	0.93	1.07	**	*	*
8. Cases resulting in Probation Placement	**	**	**	*	*
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	1.17	1.02	**	*	*

Clark County

Population Trends

Clark County ranked 2nd in the state in population growth from 2000 to 2010. According to the US Census, in 2010, self-identified non-Hispanic whites accounted for the majority of the county population, followed by Asians and African Americans. American Indian/Alaska Natives and Native Hawaiian/Other Pacific Islanders made up a small proportion of the county. The self-identified Latino population changed from 16,248 to 32,166, which was a 98% increase, the largest of any group in the county. Non-Hispanic whites were the slowest-growing of any racial or ethnic group. In 2010, youth aged 10-19 made up 12.2% of the population.

Clark Growth Rank:2	Population		% Change
	2000	2010	
County Population	345,238	425,363	+23.0
Age (10-17 y.o.)	44,179	52,060	+17.8
Race alone or in combination with Hispanic			
<i>White</i>	316,250	379,082	+20.0
<i>Black or African American</i>	7,787	12,986	+66.8
<i>American Indian/Alaska Native</i>	6,320	9,013	+42.6
<i>Asian</i>	14,296	23,535	+64.6
<i>Native Hawaiian/Other Pacific Islander</i>	2,381	4,611	+93.7
<i>Two or More Races</i>	10,641	17,219	+61.8
Hispanic or Latino and race			
<i>Hispanic or Latino (of any race)</i>	16,248	32,166	+98.0
<i>Not Hispanic or Latino</i>	328,990	393,197	+19.5

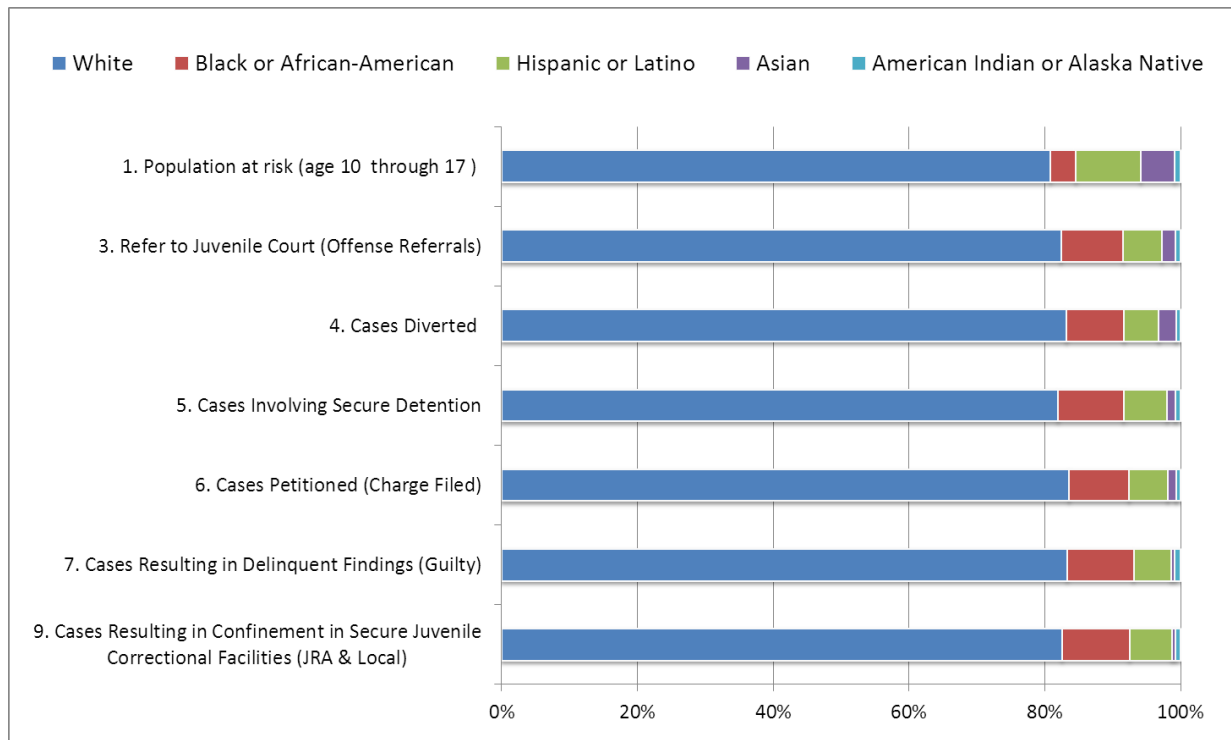
Summary of findings.

Data accuracy. Interviewees felt that there was one major issue with data accuracy, and a few minor issues with data relevance. Procedures during 2007-2009 were inconsistent for gathering data on race/ethnicity, particularly for Latino and Middle Eastern youth. Many of these youth were classified as “unknown,” “other,” or “white”. It is important to note that this strongly affects the RRI for the referral decision point, because the reference point for referral RRIs is the census population. However, its impact on the remaining decision point RRIs is smaller because the reference points for these RRIs are based on previous decision points (e.g. the RRI for diversion is based on the relative numbers of youth who had been referred, not on the population) If, in reality, Latinos referrals are similar to the trend throughout the rest of the state, but these Latinos are incorrectly classified as white in this data, then the RRIs for all other groups for referral would be deflated (because the rates for whites would be inflated). Clark County has made efforts to address this issue by training data collectors and creating reference cards for the racial and ethnic categories relevant to each major database. This training is described in more detail below and materials are in the Appendix to this chapter. Interviewees also expressed some concern that the large Russian and Eastern European population in the county, which

has unique relationships with the justice system, is generally classified as white, as is appropriate per the census. Similarly, people from the Middle East are also classified as white, which also obscures important relationships this group may have with the justice system.

Relative Rate Indices. The chart below and the tables and charts at the end of this chapter depict the raw numbers and Relative Rate Indices for youth in Clark County from 2007-2009. Over these years, cases involving people categorized as African Americans were 2 to 2.6 times more likely to be referred to the court than cases involving people categorized as whites. Of those referred, cases involving African Americans were 10-20% less likely to be diverted (though this was only statistically significant at 20% in 2007). Of those referred, cases involving African Americans were 1.2 to 1.3 times more likely to be detained in 2007 and 2008, but there were no statistically significant differences in 2009. There were no other statistically significant differences for African Americans. Data for Latinos was very different than the rest of the state, with rates of referral 40% less than for whites; however, as described earlier, most interviewees felt this was not an accurate portrayal of the RRI for Latino youth. Cases involving Asians were between 40 and 60% less likely to be referred to the juvenile court than whites. Of those referred, Asians were 1.4 times more likely to be securely detained in 2009 than whites. No other decision point in any other years was statistically significant. Numbers for American Indian and Pacific Islanders were too small to be calculated.

2009 Disproportionality Data



Interviews with Local Stakeholders

Interviewees

Court Administration	Judicial	Community representative	Law enforcement	Data management	Total
1	1	1	1	1	5

Especially concerning decision points. Most interviewees expressed that the most concerning decision point for them was the first point of contact. They emphasized a desire to reduce disproportionality at arrest and referral as a way to impact disproportionality throughout the rest of the judicial process.

Possible explanations for DMC.

1. *Conscious or unconscious racial bias and prejudice.* Several interviewees felt that there was an element of bias and prejudice that led to DMC. They believed this led to decreased positive opportunities and increased arrests and referral to the justice system. They felt that citizens were more likely to call the police regarding the behavior of persons of color: “I’ve been here for years and come face to face with some very racist attitudes... people will refer to someone by color or make a phone call to police faster if someone is a person of color.” Some interviewees also felt that police were more likely to question and detain persons of color: “It would be naïve to think that there wasn’t any form of bias or prejudice at the police level. I know they have trainings about DMC, but don’t know how often or culturally how much it is a part of the department.... Hopefully, year to year it is less of a factor, but racism and prejudice is learned generationally.” Two interviewees described how Clark County has quickly increased in population size (Clark County was the second fastest-growing county in the state from 2000 to 2010) and diversity (non-white and Latino groups grew at a faster rate than the white population). The Latino population, for instance, grew nearly 100% from 2000 to 2010. Some interviewees felt this contributed to disproportionality as the traditional power structure in schools, businesses, and the justice system has been slow to adapt to the new demography: “It is mere ignorance, not necessarily racism... they refer to an outdated training that causes them to label a kid as trouble or at-risk because of their economic condition. “ Schools may be more likely to label youth of color as gang members and expel them, leading to labeling, decreased supervision, decreases in opportunities to make positive community contributions, and increased likelihood of offending.
2. *Single parents, poverty and challenges of the working-poor.* Some interviewees felt that Latinos and African American families were more likely to have a single parent, to be in poverty, or to have parents working multiple jobs with long hours, and that factors associated with this were related to the presence of DMC. One quote summarizes this: “One of the [Latina] mothers I know is working two jobs because her husband got laid

off and he had to leave town to find work. All of that affects the kids, they are tempted to shoplift... they have less structure and supervision at home, they begin hustling for money.” Interviewees asserted that youth in poverty are “less likely to be in positive activities, sports, after-school activities, and more likely to experience school failure.”

3. *Gangs and the fear of gangs.* Many of the interviewees we spoke with described what they see as a growing gang presence in the county, largely comprised of African American and Latino youth. They felt that the type of crimes these youth were engaged created DMC because it made them ineligible for diversion and more likely to penetrate further into the system. Others agreed that there was a gang presence in the county, but felt that much of it was exaggerated. They argued that many youth are believed to be gang members because of their race/ethnicity, style of dress, and the neighborhood or apartment complex they lived in, rather than any actual affiliation. We were told that schools have a difficult time working with anyone perceived as gang affiliated and were more likely to suspend or expel youth when this was the perception.
4. *Outside influences?* One interviewee felt that the RRI for African American youth was due to youth visiting from Portland, which is not included in Clark County’s census numbers and has a higher proportion of youth of color. However, this was disagreed with by another interviewee, who felt that this explanation was the “Clark County default” reason, possibly used in order to avoid the uncomfortable implications about institutional or personal racism if youth were from Clark County. Analyzing the extent to which Portland-area youth offending in Clark County is related to DMC would be relatively straightforward, if this data were made available.

Current approaches to addressing DMC.

1. *Models for Change.* Clark County is a MacArthur foundation Models for Change site, and as part of this grant, initiated a number of activities focused on addressing DMC.
 - a. *Increased focus on data.* Several interviewees described additional data analyses they conducted to explore the relationships between race/ethnicity and justice system variables in more detail. One example was exploring the relationship between race/ethnicity and length of stay in detention.
 - b. Interviewers felt that there was generally *more discussion, awareness, and consideration of DMC by the court.* Interviewees believed that considering whether race is influencing their decision is at a much more conscious level than ever before.
2. *Juvenile Detention Alternatives Initiative.* Clark County has recently become a JDAI site.
3. *Data-based decision making*
 - a. Clark County regularly uses BOXI to examine trends in current data. BOXI is an online tool that generates reports extracted from the database maintained by the Washington Administrative Office of the Courts. One example report derived from BOXI is located at the end of this chapter, in the appendix. However, there was a criticism that these reports were helpful but could be more flexible and useful, particularly in terms of exploring trends related to DMC.

- b. Clark County has worked with outside companies to develop and use a local data management system. Interviewees felt this database provides more information and is more flexible for the kind of reporting Clark County is interested in. However, it does mean that court data is entered multiple times across multiple data platforms.
- 4. *Conducting trainings and quality assurance efforts to improving data collection efforts regarding race and ethnicity.* Clark County identified that their data quality for race and ethnicity was lower than desired. There are four reasons for this:
 - a. First, law enforcement does not regularly track Latino ethnicity because it is not a field in the Uniform Crime Reports. Therefore, when courts receive referrals from law enforcement they must ask about Latino ethnicity in order to obtain this information.
 - b. Second, many people are confused by the US Census Bureau’s classification of both “race” and “ethnicity” and frequently only provide information on one or the other (indeed, even federal agencies are inconsistent with each other, as is evident in the use of OJJDPs categories which combine race with ethnicity).
 - c. Third, participants told us that, until recently in Clark County, there was no centralized “best practice” way of obtaining information about someone’s race and ethnicity. Many people likely use visual indicators of race/ethnicity, either because it is easier or “people are uncomfortable asking the youth, or are afraid of how the youth might respond if they ask them.” This is not without merit; one of our interviewees described feeling uncomfortable and suspicious when asked to provide his race/ethnicity to a police officer during a routine traffic stop.
 - d. Fourth, there are several different datasets and each comes with slightly different response categories, which can also be confusing.

Because of these reasons, Clark County conducted trainings with data collectors to understand the importance of quality data on race and ethnicity, and to standardize the way in which race and ethnicity is asked about and collected. Anyone collecting this information was provided with a laminated card describing racial and ethnic categories for all major databases. A handout from the training and a copy of the race and ethnicity card are reprinted (with permission) at the end of this chapter. Interviewees we spoke to reported that this training has improved the quality of data collection.
- 5. *Providing more culturally-relevant services.* Participants reported that the court is working to translate all legal paperwork to Spanish and other common languages, and is focused on hiring Latino counselors to work on truancy and other issues.
- 6. *Programs and policies cited as intended to address disproportionality:*
 - a. *Safe Communities Task Force.* The Task Force was the most mentioned DMC amelioration program. The primary focus of the Task Force is working with gang-affiliated youth, particularly around school issues. These efforts have included training on Aggression Replacement Training with school officials, and building positive relationships between youth and law enforcement. This program also works directly with youth and families to provide mentorship, family empowerment, and

connections to networks of support. The program conducts monthly workshops, an annual conference with parents, and publications to help parents get connected to resources.

- b. *Balanced and Restorative Justice approach.* For years, Clark County has worked to integrate a Balanced and Restorative Justice philosophy in its approach to juvenile justice. This approach moves away from punishment and towards an effort to engage offenders in restoring the damage they created and their relationship with the community. This facilitates positive relationships among youth, officers, mentors, and community members. Clark County has over 450 community service sites for BRJ efforts.
- c. *Deferred prosecutions.* Some low-risk youth who plead guilty can have their record sealed if they complete a program that includes monitoring and compliance. It is not clear that this will have an impact on disproportionality per se, but is expected to reduce the overall involvement of youth with the justice system.
- d. *Shifting practice of truancy court.* Participants stated that truancy court is qualitatively different than it had been in years past. It now occurs as a process with judges (who do not wear their robe) who work with families and youth to emphasize the importance of school and identify the barriers to attending school. The focus was described as being more on positive encouragement for school attendance rather than punitive responses to school absenteeism.
- e. *Mental health assessments and trauma-focus.* The court is focused on identifying and addressing the mental health needs of youth in its care. This is reflected by several activities, including a longstanding wraparound program (“Connections”), which has evidence of effectiveness in connecting youth with mental health resources and reducing recidivism. Also, youth in truancy court are regularly administered the Massachusetts Youth Screening Instrument (MAYSI) to assess for mental health need. There is a heightened focus on trauma and vicarious trauma, which interviewees assert is particularly prevalent in families of color, and addressing other Adverse Childhood Experiences (ACEs).
- f. *Community prevention activities.* A variety of other community programs were cited as preventing involvement with the justice system. Some of these included: Big Brothers/Big Sisters and other mentoring programs, Dream Big Community Center, Boys and Girls Clubs, and the Police Activities League.

Challenges. As in all jurisdictions, there are challenges to addressing DMC. Clark County is making good efforts to improve its data on race and ethnicity, which will improve the usefulness of the data for a variety of reasons. However, as in most jurisdictions, these efforts do not address the quality of data on race/ethnicity at arrest, which is the most frequently cited decision point of concern. There may be challenges in improving the data provided by law enforcement. The law enforcement representative reported that the police felt pressure from national advocacy organizations to avoid categorizing individuals as Latino. This was attributed the belief that this may lead to targeting these individuals for immigration enforcement. A second major challenge described by our interviewees is the

need to adapt community services and supports to changing demographics. Clark County is a community becoming increasingly diverse. Our interviewees expressed that this creates challenges as public agencies strive to adapt in order to provide culturally relevant services.

Future directions. Interviewees provided a few suggestions for future policies or practices that could reduce DMC. First was a desire to improve data quality and conduct additional data analyses to identify areas to intervene (these are described below). Second was a desire for more mentorship programs for youth of color, both as an intervention and a prevention strategy. Third, a few participants were interested in more community outreach and community organizing with communities of color to better integrate diverse viewpoints into the justice and public service systems. Fourth, one interviewee felt that more well-trained and charismatic School Resource Officers (particularly officers of color) could reduce DMC. Fifth, one interviewee felt that implementing Gang Resistance Education and Training (GREAT) in more schools could help impact DMC by preventing gang membership. Sixth, some interviewees expressed a desire to get outreach workers and intervention teams working through the Safe Communities Task Force.

Further data analysis. Some interviewees expressed that they would appreciate if additional “canned” reports were integrated into BOXI to focus specifically on DMC issues and how they change over time. Interviewees also want to examine the rates of proportionality for youth referred to mental health and other interventions or approaches such as wraparound.

Recommendations

1. Continue the impressive efforts to improve data accuracy and obtain valid data by race and ethnicity. Continue to explore the data through additional analyses and examinations of trends and causes for disproportionality.
2. Build on and maintain efforts to authentically involve diverse communities in the design and structure of the various systems serving children and families: education, justice, mental health, and child welfare.
3. Focus on efforts to improve proportionality at the front end of the system—arrest and referral. Work with law enforcement to identify alternatives to arrest and alternatives to the justice system. Continue prevention and intervention efforts such as the Safe Communities Task Force
4. Continue to identify sources of funding through grants to build programs for intervention and support in behavioral health
5. If not already in place (no interviewee mentioned this), consider the implementation of a Detention Risk Assessment tool to reduce subjective bias in detention decisions.

Chapter Appendix—Clark County Relative Rate Indexes

State :Washington		Reporting Period January 2007					
County: Clark		through December 2007					
	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
1. Population at risk (age 10 through 17)	49,977	41,304	1,731	4,223	2,216		503
2. Juvenile Arrests (UCR - age 10-17)							
3. Refer to Juvenile Court (Offense Referrals)	3,722	2,961	333	172	85		30
4. Cases Diverted	1,395	1,132	102	54	35		7
5. Cases Involving Secure Detention	1,929	1,510	203	99	43		24
6. Cases Petitioned (Charge Filed)	506	404	42	28	9		2
7. Cases Resulting in Delinquent Findings (Guilty)	1,120	895	105	52	19		15
8. Cases resulting in Probation Placement							
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities (JRA & Local)	999	797	99	48	14		14

State :Washington		Reporting Period January 2008					
County: Clark		through December 2008					
	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
1. Population at risk (age 10 through 17)	49,775	40,759	1,783	4,458	2,292		483
2. Juvenile Arrests (UCR - age 10-17)							
3. Refer to Juvenile Court (Offense Referrals)	3,465	2,752	246	193	89		27
4. Cases Diverted	1,331	1,060	79	59	41		5
5. Cases Involving Secure Detention	2,106	1,654	196	134	55		17
6. Cases Petitioned (Charge Filed)	381	298	37	23	10		4
7. Cases Resulting in Delinquent Findings (Guilty)	1,103	870	93	76	30		13
8. Cases resulting in Probation Placement							
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities (JRA & Local)	1,016	802	80	70	31		13

State :Washington		Reporting Period January 2009					
County: Clark		through December 2009					
	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
1. Population at risk (age 10 through 17)	49,775	40,759	1,783	4,458	2,292		483
2. Juvenile Arrests (UCR - age 10-17)							
3. Refer to Juvenile Court (Offense Referrals)	3,255	2,573	286	179	62		24
4. Cases Diverted	1,359	1,080	110	66	33		9
5. Cases Involving Secure Detention	2,106	1,654	196	134	55		17
6. Cases Petitioned (Charge Filed)	589	473	50	32	7		4
7. Cases Resulting in Delinquent Findings (Guilty)	957	768	90	51	5		8
8. Cases resulting in Probation Placement							
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities (JRA & Local)	874	700	84	53	4		7

Key:	
Statistically significant results:	Bold font
Results that are not statistically significant	Regular font
Group is less than 1% of the youth population	*
Insufficient number of cases for analysis	**
Missing data for some element of calculation	---

Summary: Relative Rate Index Compared with White Juveniles						
State :Washington		Reporting Period January 2007				
County: Clark		through December 2007				
	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	
2. Juvenile Arrests	**	**	**	*	**	
3. Refer to Juvenile Court	2.68	0.57	0.54	*	0.83	
4. Cases Diverted	0.80	0.82	1.08	*	**	
5. Cases Involving Secure Detention	1.20	1.13	0.99	*	**	
6. Cases Petitioned	0.92	1.19	0.78	*	**	
7. Cases Resulting in Delinquent Findings	1.13	**	**	*	**	
8. Cases resulting in Probation Placement	**	**	**	*	**	
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	1.06	1.04	**	*	**	

Summary: Relative Rate Index Compared with White Juveniles

State :Washington

Reporting Period January 2008

County: Clark

through December 2008

	Black or African- American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
2. Juvenile Arrests	**	**	**	*	*
3. Refer to Juvenile Court	2.04	0.64	0.58	*	*
4. Cases Diverted	0.83	0.79	1.20	*	*
5. Cases Involving Secure Detention	1.33	1.16	1.03	*	*
6. Cases Petitioned	1.39	1.10	1.04	*	*
7. Cases Resulting in Delinquent Findings	0.86	**	**	*	*
8. Cases resulting in Probation Placement	**	**	**	*	*
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	0.93	1.00	**	*	*

Summary: Relative Rate Index Compared with White Juveniles

State :Washington

Reporting Period January 2009

County: Clark

through December 2009

	Black or African- American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
2. Juvenile Arrests	**	**	**	*	*
3. Refer to Juvenile Court	2.54	0.64	0.43	*	*
4. Cases Diverted	0.92	0.88	1.27	*	*
5. Cases Involving Secure Detention	1.07	1.16	1.38	*	*
6. Cases Petitioned	0.95	0.97	0.61	*	*
7. Cases Resulting in Delinquent Findings	1.11	0.98	**	*	*
8. Cases resulting in Probation Placement	**	**	**	*	*
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	1.02	1.14	**	*	*

Clark County Appendix—Training Materials

Race/Ethnicity Data Collection

CCJC Staff Training

Who enters race/ethnicity data?

- Detention Officers
- Records staff
- Legal Secretaries
- Probation Counselors

Why is it important to enter race/ethnicity data consistently and accurately?

- There are services and resources tied directly to the number of minority youth in a community
- CCJC budget/state funding formulas are tied directly to race/ethnicity data
- National and state focus on reducing DMC (disproportionate minority contact) in the juvenile justice system

Challenges for recording accurate race/ethnicity data

- CCJC enters data into three separate systems
 - JIS
 - C3MS
 - Assessments.com
- The three data systems do not offer consistent choices and formats for entering race/ethnicity information
- There is not universal agreement regarding what constitutes “race” or “ethnicity” (e.g. how to record “Hispanic/Latino”).
- For our data collection, Hispanic/Latino is **not** a race. It is an ethnicity.
- ***Every youth*** must be identified *ethnically* as either Hispanic/Latino or non-Hispanic/Latino. Each of the three data systems has a way to capture this ethnic designation.

CCJC Decision: *Our department shall have a consistent standard of practice for entering the race and ethnicity of all youth into the three required data systems.*

Key distinctions to know for accurately recording race/ethnicity of a youth

- “Hispanic/Latino” or “Non-Hispanic/Latino is an *ethnicity* designation; it is never to be recorded as a *race*.
- Filipinos (Philippine Islanders) should be asked to self-identify their race. Both *Asian* and *Pacific-Islander* are appropriate designations. If they see themselves as Hispanic as well, that is their *ethnicity* not their *race*.
- Puerto Ricans should be asked to self-identify. The island’s population is considered 75% white, and 25% non-white. If they see themselves as Hispanic as well, that is their *ethnicity* not their *race*.
- Middle Eastern people (Iraq, Iran, Syria, Lebanon, Jordan, Saudi Arabia, Yemen) are racially *White*.
- Indian, Pakistani, and Afghan are *Asian*.

Soliciting Information from an Individual

- **Over 90% of youth will present no problems when identifying their race and ethnicity**
- Asking youth to “self-identify” takes the pressure off of you/CCJC staff.
 - Use the following wording to assist in having this conversation.
 - *“I am required to enter a race classification for each youth. Which race do you most closely identify with?”* (Show youth the laminated card, if that is helpful.)
 - If the youth responds “I’m Hispanic”, acknowledge that choice, but pursue the race designation. *“OK. That’s helpful. In our computer system, I am recording that as your ethnic choice. You are Hispanic. Now we still have to select one of the race choices. Do you mostly see yourself as White/Hispanic, Black Hispanic, Asian/Hispanic...?”*
- Use the laminated card to help youth in self-selecting the race they most closely identify with.
- Respectfully persist (hang with) any youth who has difficulty with this question. Some youth may never have considered this question before.
- “Unknown” or “Undefined” is an undesired identification for any youth. Make every reasonable and respectful effort not to use this designation.
- Any time “Unknown” or “Undefined” is selected for a youth, the staff person making that selection shall staff that entry with their lead worker, supervisor or manager. In all but the rarest of cases, a race selection is to be made at this staffing. Failure to make a race selection has negative impacts on both funding and services for youth in our community.

Making Changes to Correct Race/Ethnicity Data

- Information listed in police reports as to race and ethnicity is not to be accepted as the official designation. The police report designation can and should be changed if we gather more accurate information.
- Information entered by CCJC staff that is in error may also be corrected, in the same manner that address and school information is updated.

Appendix—Clark County Race/Ethnicity Data Collection Card Categories

C3MS¹

Amer/Alaskan Native(I)

Asian/Pacific Islander

Black

White²

Unknown

Note 1: Hispanic/Latino – This is an ethnicity not a race. Check Hispanic/ Latino in the Yes/No box.

Note 2: White – A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

JIS¹

Amer/Alaskan Native(I)

Asian/Pacific Islander

Black

White²

Unknown

Note 1: Hispanic/Latino – an ethnicity not a race. Check Hispanic/ Latino in the Ethnicity category.

Note 2: White – A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

ASSESS.COM¹

American Indian or Alaska Native

Asian

Black or African American

Native Hawaiian or Pacific Islander

White²

Undefined

Note 1: Hispanic/Latino – an ethnicity not a race. Check in the Ethnicity category.

Note 2: White – origins in any of the original peoples of Europe, the Middle East, or North Africa.

King County

Population Trends

Below is a table of overall population change in King County from 2000 to 2010, with categories and age groups defined by the US Census Bureau. King County has the largest population of any county in Washington State and ranked 18th in the state in population growth from 2000-2010. In 2010, self-identified non-Hispanic whites accounted for the majority of the county population, followed by Asians, African Americans, American Indians, and Pacific Islanders. The self-identified Latino population changed from 95,242 to 172,378, which was an 81% increase and represented the largest growing racial/ethnic group. The Asian population experienced the second largest growth, changing from 217,351 to 330,038, which was a 51.8% increase. In 2010, youth aged 10-17 made up 9.3% of the population.

King <i>Growth Rank:18</i>	Population		% Change
	2000	2010	
County Population	1,737,034	1,931,249	+11.1
Age (10-17 y.o.)	174,683	179,999	+2.0
Race alone or in combination with Hispanic			
<i>White</i>	1,371,315	1,408,424	+2.7
<i>Black or African American</i>	113,077	147,950	+30.8
<i>American Indian/Alaska Native</i>	33,022	39,117	+18.4
<i>Asian</i>	217,351	330,038	+51.8
<i>Native Hawaiian/Other Pacific Islander</i>	15,604	23,664	+51.6
<i>Two or More Races</i>	70,499	96,799	+37.3
Hispanic or Latino and race			
<i>Hispanic or Latino (of any race)</i>	95,242	172,378	+81.0
<i>Not Hispanic or Latino</i>	1,641,792	1,758,871	+7.1

Local Data Issues. While all other jurisdictions in this statewide report only feature data from 2007-2009, King County provided us with 2010 data to include. King County staff have done a great deal of work analyzing their own data, and have made decisions that are slightly different than the decisions of the WA-PCJJ about the definitions for certain decision points and for race/ethnicity categories. For instance, King County's juvenile justice data system does not include a mixed race category so that youth who fall into the mixed/other category under the WA-PCJJ approach are identified under a single race category, most often under the minority category, in King County's system. Therefore, a youth who is both African American and white will be categorized as African American. King County staff follow a similar approach for population data so it matches the court/detention data categorization scheme. Another local data issue is that interviewees believed that reporting for Latino ethnicity was becoming more and more reliable because of improvement in data collection from law enforcement, detention,

and the court. Therefore, the increase in the RRI for Hispanic youth in King County may partially be the result of improved data collection over time.

As in several other jurisdictions, the interviewees stated that there were several racial, ethnic, or immigrant groups that were combined into other categories, but might benefit from being separated. This is particularly true for King County, which, as the state's most urban hub, features the broadest array of diverse racial and ethnic groups. Some groups which likely experience distinct relationships with the justice system include immigrants from a variety of East African nations (currently categorized as African American), Southeast Asian nations (currently categorized as Asian), and Middle Eastern countries (usually categorized as white, according to US Census Bureau guidelines, or as African American).

Summary of findings.

Relative Rate Indices. The raw numbers of cases occurring at each decision point for 2007-2010, and the respective RRI for these data, are depicted in the Appendix to this chapter. A bar graph of the proportion of youth at each decision point for 2010 is displayed below.

Cases involving African American youth were 4.2 to 5 times more likely to be referred to the juvenile court than cases involving white youth, relative to the demographics of the county. Of those referred, cases involving African American youth were .60 to .66 times less likely (or 34-40% less likely) to be diverted, 2.0 to 2.3 times more likely to be securely detained, and 1.5 to 1.6 times more likely to have their case petitioned than cases involving white youth. Of those with cases petitioned, cases involving African American youth were .90 times less likely (or 10% less likely) to have their case result in delinquent findings in 2007, with no statistically significant RRI in 2008 and 2009. Of those with cases resulting in delinquent findings, there were no statistically significant RRI for cases resulting in probation placement for African American youth. Cases involving African American youth were 1.4 to 1.5 times more likely to have their case result in secure confinement.

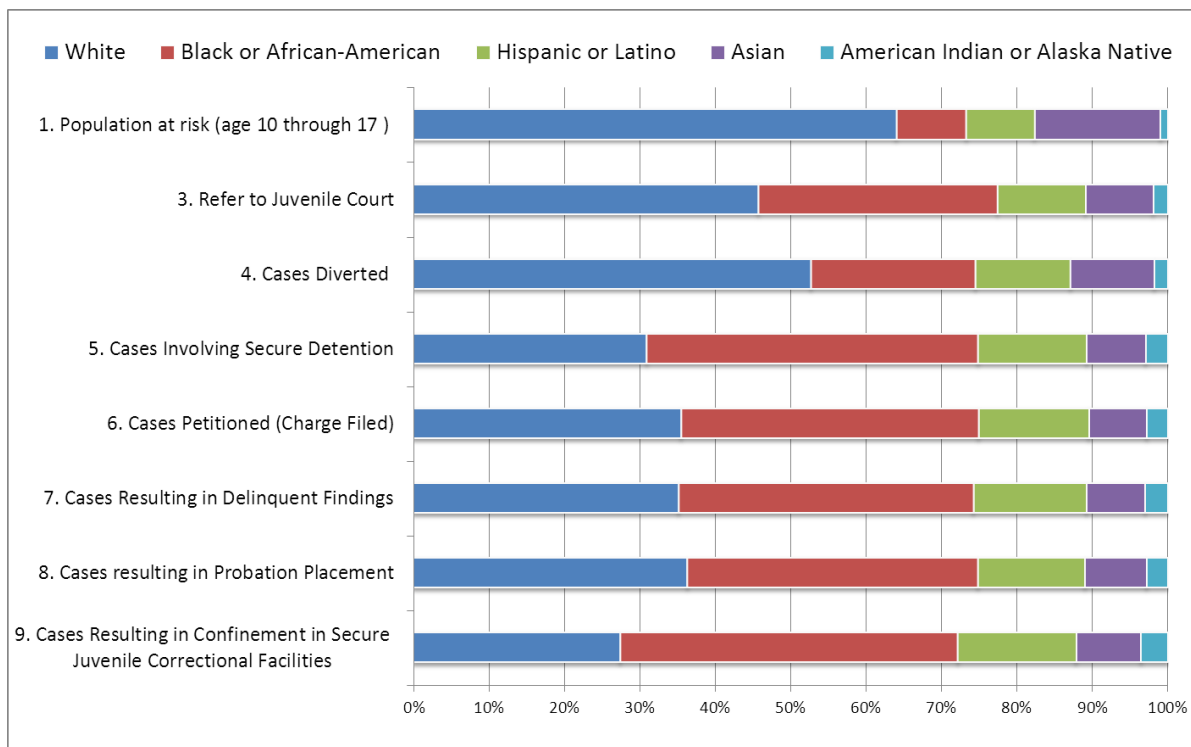
Cases involving Latino youth were 1.3 to 1.8 times more likely to be referred to the juvenile court than cases involving white youth, relative to the demographics in the county. Of those referred, cases involving Latino youth were .82 to .85 times less likely (15 to 18% less likely) to be diverted in 2007 through 2009 (the RRI for 2010 was not statistically significant), 1.7 to 1.9 times more likely to be securely detained, and 1.3 to 1.8 times more likely to have their case petitioned than cases involving white youth. Of those with cases petitioned, cases involving Latino youth were .81 to .87 times less likely (13 to 19% less likely) to have their case result in delinquent findings (the RRI for 2010 was not statistically significant). Of those with delinquent findings, cases involving Latinos were .86 times less likely (14% less likely) to result in probation placement in 2007, 1.2 times more likely to result in probation placement in 2009, and the RRI for 2008 and 2010 were not statistically significant. Cases involving Latinos were 1.3 to 1.5 times more likely to have their case result in secure confinement.

Cases involving Asian youth were .63 to .67 times less likely (33 to 37% less likely) to have their case referred to the court than cases involving white youth, relative to the demographics in the population. Of those referred, cases involving Asian youth were .88 times less likely (12% less likely) than cases

involving white youth to be diverted in 2009 (the RRs for diversion for Asian youth in 2007, 2008, and 2010 were not statistically significant). Cases involving Asian youth were 1.3 to 1.6 times more likely to be held in detention in 2008-2010 than cases involving white youth (2007 was not statistically significant). Cases involving Asian youth were 1.2 times more likely in 2007 and 1.3 times more likely in 2009 to be petitioned than cases involving white youth (RRs for 2008 and 2010 were not statistically significant). Of those with their case petitioned, cases involving Asian youth were .82 times less likely (18% less likely) to have their case result in delinquent findings in 2007, with no statistically significant RRs for 2008-2010. Of those with delinquent findings, cases involving Asian youth were 1.2 times more likely to receive probation placement in 2007 than cases involving white youth, with no statistically significant RRs in 2008 through 2010. Of those with delinquent findings, cases involving Asian youth were 1.4 times more likely to have their case result in secure confinement in 2009 and 2010, with no statistically significant RRs for 2007 and 2008.

No RRs are available for American Indian youth because they make up less than 1% of the population, so statistical estimates for this group would be highly unstable.

2010 Disproportionality Data



Interviews with Local Stakeholders

Interviewees

Court Administration	Judicial	Law enforcement	Detention	Community advocacy/behavioral health services	Total
3	1	2	1	1	8

Especially concerning decision points. Most interviewees agreed that the decision point of most concern was the “front end” of the justice system: arrest, referral, detention, and diversion.

Possible explanations for DMC. Interviewees provided a wide variety of multi-systemic explanations that they believed caused DMC.

1. *Poverty, single parents, the challenges of the working poor, and difficult home lives.* Interviewers believed that youth of color were more likely to be in poverty and have single parents or parents who are unavailable.
 - a. Poverty impacts decisions such as diversion and alternatives to detention, especially if alternatives for youth without these supports do not exist (such as court “reception centers” throughout the community).
 - b. Poverty is also related to the availability of services. As one interviewee remarked, “A Behavior Modification course is required for students, but the district doesn’t offer the course or they fill up quickly. So parents have to pay for a Behavior Modification course, but if they can’t afford it then they don’t receive it.”
 - c. High poverty neighborhoods are related an increased potential for delinquent behavior, and increased law enforcement supervision.
2. *Conscious or unconscious bias.* Interviewees felt that institutional and individual racial bias and prejudice contributed to DMC.
 - a. As one interviewee who is African American remarked, “There is a lot of hidden racism. Up here in Seattle, you have a lot of political correctness, but deep down inside, to avoid being called a racist they say whatever they need. I see people clutching their purses [around me]. We’re labeled.”
 - b. Institutional racism was also cited as an issue, “In a lot of situations it is not necessarily that the system doesn’t like minorities, it has little to do with what people like or dislike. It is systemic; the system has been set up to favor one group over others. Even when you imply that an RRI of 1.0 is ‘fair’ it implies institutional racism.”
3. *Cultural and language issues.* Differences in culture, and difficulties associated with communication, were cited as reasons for DMC.
 - a. Even with translators, the meaning of legal terms can be difficult to convey.
 - b. Culturally diverse communities may have distinct norms and expectations for behavior and supervision of youth. There may be less connection with and engagement in schools and other positive activities.

4. *Lack of opportunity and expectations for the future.* Interviewees believed that communities of color had less opportunity for employment and positive engagement, and that this was compounded by a poor economy and low personal expectations for the future. These low expectations are perpetuated by a need for visible role models, and a media presence that “constantly digs in on the things [the African American community] is doing wrong. They’re not telling the whole story.”
5. *Repeat contact with the justice system and type of charge.* Some interviewees believed that youth of color were more likely to have had earlier and/or repeated contact with the justice system, and were therefore more likely to be known by police and picked up by police, less likely to be eligible for diversion, more likely to be held in confinement, and more likely to suffer serious consequences. This repeated contact may result from the effects of compounding by all the possible reasons for DMC that are cited in this report. Interviewees also believed that youth of color may be more likely to receive a more serious charge that would result in secure confinement in JRA rather than local confinement and probation (RRIs indicated that African American and Latino cases were more likely to result in secure confinement, but there were no differences in the likelihood of being offered probation).
6. *Requirements for diversion.* As described above, diversion has some requirements that may make it less likely to be utilized by youth of color. Youth are more likely to be accepted into and complete diversion if they are first time low-level offenders, live in a structured environment, can provide an address to the court and have a working phone number, and do not have significant language barriers.
7. *Gangs.* Some of our interviewees told us that they believed law enforcement had a great deal of community pressure to crack down on gang activity. While gangs in King County include people of all races and ethnicities, there is a belief that Latino and African American youth are disproportionately involved in gangs.
8. *Accessing services.*
 - a. One interviewee believed that some disproportionality may exist because court filings may occur in order to provide needed services for youth who would not otherwise have access to the services or who would not attend services without judicial supervision.
 - b. Others argued that disproportionality existed because youth of color were less likely to access services because they may not be aware of the services, or because the services were not appealing or did not appear to be culturally relevant. One interviewee provided an example of a Latina mother who did not want her son to attend “mental health” treatment, but when it was explained to her that this program would help her son feel better and stay out of trouble with the law, she allowed her child to receive it.
 - c. Poverty may be related to a financial inability to access services
9. *Immigration status.* Some parents may be less likely to be involved in their child’s court process because of fears of Immigration and Customs Enforcement. As one interviewee said, “We tried to get some parents to the detention center, but when background checks came up, they didn’t want to come. The background check required them to give information that

would put them in jeopardy. Parents may also not show up for hearings, even though they are interested, they just don't want to be arrested."

10. *Overlap with child welfare.* King County completed a study of the overlap between youth who had contact with child welfare and youth who had contact with the justice system and found that over 2/3rds of child welfare cases have justice system contact. Youth who had been in or were currently in child welfare had earlier delinquent behavior and more serious problems with the law. Involvement with child welfare is also heavily disproportionate.
11. *Educational problems.* Youth of color experience school discipline, school expulsion, or drop out more often than white youth. School problems and dropout are highly related to increased problems with law enforcement.

Current approaches to addressing DMC. King County has made significant efforts to address DMC. Interviewees described a wide range of efforts and provided our research team with a list of the DMC reduction activities by the juvenile court.

1. *Disproportionate Minority Contact Reduction Committee.* King County was one of the only jurisdictions with a committee specifically charged with addressing and reducing DMC. In fact, reducing DMC is one of the elements on King County's Juvenile Justice Operational Master Plan. This committee has worked to analyze the data on DMC across multiple decision points, and develop policies, practices, and programs to address DMC based on this data. For instance, this group identified that eligible felony drug offenders, who are disproportionately youth of color, were less likely to be placed in Alternative to Secure Detention programs, so more focus was placed on ensuring this group was properly screened.
2. *Juvenile Detention Alternatives Initiative (JDAI).* King County is an Annie E. Casey JDAI site, which contributed to the development of several activities and programs related to reductions in DMC.
 - a. *Detention Intake Criteria and Detention Risk Assessment Instrument (DRAI).* Detention Intake Criteria is used to determine if youth in law enforcement custody can be brought to detention. The DRAI is a standardized, objective instrument which generates a placement recommendation (secure detention, eligible for alternative to secure detention programs or release) for the court at the first hearing.
 - b. *Alternative to Secure Detention Programs.* Some of the programs offering an alternative to detention include day and weekend reporting programs, group care beds, work crews, and electronic home monitoring
3. *Expedited Case Processing.* Several court process improvements have been implemented to reduce the time to resolution. Juvenile Court leaders believe that earlier resolution and earlier treatment will reduce recidivism. Approaches include reducing continuances, differentiated case management and a stipulated order of continuance program that enables eligible low level offenders to meet conditions and have their charges dismissed.
4. *Uniting for Youth.* Uniting for Youth is an initiative to build better integrated systems through collaborative community partnerships. UfY works to address juvenile delinquency

- by working with child welfare, behavioral health providers, and others. UfY has youth and caregiver advisory boards.
5. *Warrant Prevention Program*. This WA-PCJJ grant-funded project works to address the barriers experienced by youth and families in making court appearances and participating in diversion. Four outreach workers from communities of color work directly with families in a culturally competent manner, speaking their language, making sure that letters and messages from the court are understood, what the requirements for compliance entail, and how to complete them with goal of ensuring youth attend court hearings and avoid warrants and associated detention. This project focused on high-poverty, high-crime, high-minority areas.
 6. *Determinant sentencing guidelines*. Two interviewees cited determinant sentencing guidelines as the reason behind the relative rarity of DMC at decision points related to judicial decision making.
 7. *Juvenile Drug Court*. King County has a Juvenile Drug Court, which is an evidence-based approach to intervention and prevention of future offenses. The JDC identifies and serves a disproportionate number of youth of color, is staffed by a diverse group, and uses culturally-relevant programming in serving youth.
 8. *Community policing*. The interviewees from law enforcement believed that community policing contributed to reducing DMC. As one said, “Let’s have more positive contact. Seeing a police officer shouldn’t mean that someone has to go to jail. In some communities, where negativity has been taught to them, that’s a hard attitude to change.”
 9. *Seattle’s Race and Social Justice Initiative & King County’s Equity and Social Justice Initiative*. The city of Seattle funds the Race and Social Justice Initiative, which engages in a broad range of activities that are related to DMC reduction, generally through community partnerships. The RSJI conducts community workshops to address cross-system racial justice in areas such as education, housing, and healthcare. King County’s Equity and Social Justice Initiative is engaged in similar work, and in addition, provides the Equity Impact Review tool to assist efforts in determining how policies and practices may impact equity.
 10. *Juvenile Justice 101*. King County features a program called Juvenile Justice 101, where parents of youth who had been in the juvenile justice system present information and support to parents who are waiting in the juvenile court waiting room for their hearings. The goal is to help parents understand their rights, responsibilities, and role in supporting their youth through the court process. Materials have been translated into several languages. King County identified a high need in the Somalian community due to frequent requests for translator services. Therefore, in 2012, WA-PCJJ funded JJ101 efforts to engage the Somali community through a series of workshops and follow-up meetings to build connections and support for court involved Somali youth and families.
 11. *School Resource Officers*. As in some other jurisdictions, interviewees expressed diverse and conflicting beliefs about the role of SROs in contributing to or reducing DMC. One of the law enforcement officers we interviewed felt strongly that SROs are related to decreased DMC. He said, “Being inside the school building is why we don’t have to deal with these youth on the street. They see a different side of us. We build relationships where we respect and

- understand each other. I can talk with these youth about crimes on the street in ways that they won't be called a snitch. I can stop stuff before it even starts.”
12. *“Donut Dialogues.”* Donut Dialogues are opportunities for law enforcement and youth to meet one another, build relationships, discuss youth and community problems, and build solutions.
 13. *Evidence-Based Treatment programs.* These are supportive behavioral health interventions. Like many intervention programs, they do not necessarily have an impact on proportionality, but may have an impact on recidivism and incarceration rates. If youth of color are identified and engage in these programs at rates higher than whites, then these programs would logically be related to DMC reduction.
 - a. Aggression Replacement Training
 - b. Functional Family Therapy
 - c. Multi-Systemic Therapy
 - d. Family Integrated Transition
 - e. Juvenile Drug Court
 - f. Coordination of Services
 - g. Mentoring for youth in probation
 14. *Undoing Institutional Racism training.* At the time of the interviews, there were discussions with the King County police about broad cultural sensitivity training. Upper command staff were going through a training course entitled “Undoing Institutional Racism,” but this was not mandatory for line officers. All King County Superior Court Judges have also been trained, as have members of the diversity committee and other court leadership.
 15. *Training for law enforcement.* A video has been produced and distributed to law enforcement about various alternatives to arrest and alternatives to the justice system. This is particularly focused on youth that have issues such as being victims of trauma, domestic violence, or sexual exploitation, or youth who are on the run. One interviewee said this about the video, “It needs to be more than a video, it needs to be a shift in the culture of law enforcement. It is asking them to sometimes take more of a social worker role.” In addition, there is a 40-hour crisis intervention training with an 8 hour component focused on youth for law enforcement funded through the county’s Mental Illness and Drug Dependency Action Plan. Community programs exist for law enforcement and the court to make referrals to. Some of these include:
 - a. YouthCare Bridge Program for sexually exploited youth
 - b. Children’s Crisis Outreach Program
 - c. STEP-UP program
 - d. Family Reconciliation Services
 - e. Secure Crisis Residential Center
 16. *Training for youth.* Training and resources are available to help youth understand positive ways to behave around police. The Seattle Police Department and the National Association for the Advancement of Colored People (NAACP) collaborated on developing and distributing a booklet called “RESPECT: Youth Guide to Seattle Laws and Police Procedures.”

Challenges. King County, like several other jurisdictions, has experienced a significant drop in juvenile justice contacts by all youth over the past several years. However, disproportionality has remained stable or is increasing, despite serious and sustained DMC reduction efforts.

Future directions. Interviewees described some policies, practices, and programs that they think could help reduce DMC:

1. *Male mentorship programs.* Interviewees believed that positive male mentorship programs could help reduce gang involvement and criminal involvement, particularly for youth with single mothers.
2. *Increased diversity in law enforcement.*
3. *Partner law enforcement with social workers.* Social workers could work in partnership with police to intervene and provide an alternative to arrest.
4. *Law enforcement training.* Some interviewees felt that law enforcement needed more training on how to work with and communicate with diverse communities, cultures, families, and youth.

Recommendations. King County has engaged in impressive efforts to address DMC. The King County Juvenile Court has a DMC subgroup, staff understand DMC and monitor the data, several cross-system collaborative efforts are underway, and community engagement and mobilization is a major aspect of DMC reduction efforts. Despite this work, and despite a sharply decreasing number of youth in the juvenile justice system over the past decade, DMC remains high for some subgroups, particularly African Americans. It is difficult to provide additional recommendations that are not already known to the county. Below, we provide a few recommendations:

1. *Continue efforts to examine and monitor the data on DMC reduction in order to identify policies, practices, and programs that could impact DMC.*
2. *Specifically target the analysis of DMC reduction efforts on particular programs and policy efforts.*
3. *Continue to place emphasis on supporting the ongoing work of the DMC reduction committee.*
4. *Continue to support programs, policies, and approaches that have a direct link to reducing disproportionality.* While some programs may benefit youth of all cultural backgrounds, certain activities have a more direct link to reducing disproportionality. Programs such as the Warrant Reduction Pilot Project have a direct link to reducing DMC. This is because this program was specifically designed to meet the needs of youth of color in a culturally-relevant way and featuring diverse staff.

Chapter Appendix—King County Relative Rate Indices

State: Washington	Reporting Period 1/2007						
County: King	through 12/2007						
	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
1. Population at risk (age YY through XX)	176,047	110,725	15,938	15,303	28,441		1,722
2. Juvenile Arrests	0						
3. Refer to Juvenile Court	8,542	4,256	2,598	749	684		159
4. Cases Diverted	3,398	1,953	765	281	310		49
5. Cases Involving Secure Detention	2,972	1,064	1,304	324	177		97
6. Cases Petitioned (Charge Filed)	3,821	1,560	1,494	356	304		91
7. Cases Resulting in Delinquent Findings	2,246	986	849	195	158		42
8. Cases resulting in Probation Placement	1,534	670	595	114	125		26
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	1,043	375	462	103	68		26

State: Washington	Reporting Period 1/2008						
County: King	through 12/2008						
	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
1. Population at risk (age YY through XX)	175,298	109,608	15,949	15,448	28,615		1,701
2. Juvenile Arrests	0						
3. Refer to Juvenile Court	8,400	4,027	2,619	850	659		153
4. Cases Diverted	3,599	1,988	857	355	308		54
5. Cases Involving Secure Detention	2,340	730	1,068	290	189		55
6. Cases Petitioned (Charge Filed)	3,686	1,451	1,425	448	243		94
7. Cases Resulting in Delinquent Findings	2,225	913	856	229	159		58
8. Cases resulting in Probation Placement	1,382	577	510	156	102		28
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	977	342	434	117	50		32

State: Washington	Reporting Period 1/2009						
County: King	through 12/2009						
	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
1. Population at risk (age YY through XX)	175,298	109,608	15,949	15,448	28,615		1,701
2. Juvenile Arrests	0						
3. Refer to Juvenile Court	7,758	3,436	2,522	909	601		208
4. Cases Diverted	3,315	1,786	780	388	274		60
5. Cases Involving Secure Detention	2,266	662	1,021	313	179		85
6. Cases Petitioned (Charge Filed)	3,890	1,324	1,536	570	306		138
7. Cases Resulting in Delinquent Findings	1,931	675	800	241	156		48
8. Cases resulting in Probation Placement	1,254	425	505	179	109		28
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	870	230	409	123	75		32

State: Washington	Reporting Period 1/2010						
County: King	through 12/2010						
	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
1. Population at risk (age 10 through 17)	179,913	107,748	17,403	22,839	30,009		1,914
2. Juvenile Arrests	0						
3. Refer to Juvenile Court	6,897	3,093	2,143	789	608		134
4. Cases Diverted	2,814	1,455	602	348	307		50
5. Cases Involving Secure Detention	1,823	562	797	261	142		54
6. Cases Petitioned (Charge Filed)	3,283	1,155	1,284	476	250		92
7. Cases Resulting in Delinquent Findings	2,035	711	791	303	158		61
8. Cases resulting in Probation Placement	1,230	445	472	174	100		35
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	871	238	389	136	75		31

Key:	
Statistically significant results:	Bold font
Results that are not statistically significant	Regular font
Group is less than 1% of the youth population	*
Insufficient number of cases for analysis	**
Missing data for some element of calculation	---

Summary: Relative Rate Index Compared with White Juveniles					
				Reporting Period 1/2007 through 12/2007	
State: Washington					
County: King					
	Black or African- American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
2. Juvenile Arrests	--	--	--	*	*
3. Refer to Juvenile Court	4.24	1.27	0.63	*	*
4. Cases Diverted	0.64	0.82	0.99	*	*
5. Cases Involving Secure Detention	2.01	1.73	1.04	*	*
6. Cases Petitioned	1.57	1.30	1.21	*	*
7. Cases Resulting in Delinquent Findings	0.90	0.87	0.82	*	*
8. Cases resulting in Probation Placement	1.03	0.86	1.16	*	*
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	1.43	1.39	1.13	*	*

Summary: Relative Rate Index Compared with White Juveniles					
State: Washington			Reporting Period 01/2008 through 12/2008		
County: King					
	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
2. Juvenile Arrests	--	--	--	*	*
3. Refer to Juvenile Court	4.47	1.50	0.63	*	*
4. Cases Diverted	0.66	0.85	0.95	*	*
5. Cases Involving Secure Detention	2.25	1.88	1.58	*	*
6. Cases Petitioned	1.51	1.46	1.02	*	*
7. Cases Resulting in Delinquent Findings	0.95	0.81	1.04	*	*
8. Cases resulting in Probation Placement	0.94	1.08	1.02	*	*
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	1.35	1.36	0.84	*	*

Summary: Relative Rate Index Compared with White Juveniles					
State: Washington			Reporting Period 01/2009 through 12/2009		
County: King					
	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
2. Juvenile Arrests	--	--	--	*	*
3. Refer to Juvenile Court	5.04	1.88	0.67	*	*
4. Cases Diverted	0.60	0.82	0.88	*	*
5. Cases Involving Secure Detention	2.10	1.79	1.55	*	*
6. Cases Petitioned	1.58	1.63	1.32	*	*
7. Cases Resulting in Delinquent Findings	1.02	0.83	1.00	*	*
8. Cases resulting in Probation Placement	1.00	1.18	1.11	*	*
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	1.50	1.50	1.41	*	*

Summary: Relative Rate Index Compared with White Juveniles

Reporting Period 1/2010
through 12/2010

State: Washington

County: King

	Black or African- American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
2. Juvenile Arrests	--	--	--	*	--
3. Refer to Juvenile Court	4.29	1.20	0.71	*	2.44
4. Cases Diverted	0.60	0.94	1.07	*	0.79
5. Cases Involving Secure Detention	2.05	1.82	1.29	*	2.22
6. Cases Petitioned	1.60	1.62	1.10	*	1.84
7. Cases Resulting in Delinquent Findings	1.00	1.03	1.03	*	1.08
8. Cases resulting in Probation Placement	0.95	0.92	1.01	*	0.92
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	1.47	1.34	1.42	*	1.52

Kitsap County

Population Trends

Below is a table of overall population change in Kitsap County from 2000 to 2010, with categories and age groups defined by the US Census Bureau. Kitsap County ranked 29th in the state in population growth from 2000-2010. In 2010, self-identified non-Hispanic whites accounted for the majority of the county population, followed in much smaller percentages by Asians, African Americans, American Indians, and Native Hawaiians. The self-identified Latino population experienced the largest growth, changing from 9,609 to 15,686, which was a 63.2% increase. In 2010, youth aged 10-17 made up 10.5% of the population.

Kitsap <i>Growth Rank:29</i>	Population		% Change
	2000	2010	
County Population	231,969	251,133	+8.2
Age (10-17 y.o.)	29,165	26,511	-9.0
Race alone or in combination with Hispanic			
<i>White</i>	204,804	220,239	+7.5
<i>Black or African American</i>	8,722	10,086	+15.6
<i>American Indian/Alaska Native</i>	7,348	8,562	+16.5
<i>Asian</i>	14,585	18,799	+29.0
<i>Native Hawaiian/Other Pacific Islander</i>	3,100	4,265	+37.6
<i>Two or More Races</i>	10,774	14,449	+34.1
Hispanic or Latino and race			
<i>Hispanic or Latino (of any race)</i>	9,609	15,686	+63.2
<i>Not Hispanic or Latino</i>	222,360	235,447	+6.0

Local Data Issues. As shown below, despite repeated efforts, we were only able to identify and interview three individuals from Kitsap County. Law enforcement declined all participation. Therefore, we do not believe that we acquired an adequate spectrum of thoughts and ideas about DMC, the possible reasons for it, and how it is being addressed.

Summary of findings.

Data accuracy. The Kitsap County Juvenile Court identified that Latino ethnicity was not being consistently identified and entered by their court staff. This has been a frequent issue in many jurisdictions. It often results from the confusion between race and ethnicity, and categorizing Latino youth as “white” as a result of identifying race by using the paperwork provided by law enforcement, rather than identifying race/ethnicity by asking the youth to provide it. Some data systems used by law enforcement do not have a category for Latino ethnicity. As a result, a staff member from the Washington Administrative Office of the Courts has travelled to Kitsap County to help improve the reliability of the data collected and entered by court staff about race and ethnicity. The Juvenile Court Administration has tracked whether the data improved and has communicated with his staff on ways to

improve it. The group of Latino youth into the White category results in a number of interpretation issues for the data. One of the obvious implications concerns the RRIs for Latino youth, which will be deflated to the numbers of Latino youth counted as Whites; in addition, because the White group is inflated with youth from a minority population, the RRIs for the other minority groups (African American, Asian, American Indian-Alaskan Native) may be lower than they would be otherwise. Aside from this issue—the categorizing of Latinos as white—interviewees did not express concerns about the accuracy of the data.

Relative Rate Indices. The raw numbers of cases occurring at each decision point for 2007-2009, and the respective RRIs for these data, are depicted in the Appendix to this chapter. A bar graph of the proportion of youth at each decision point for 2009 is displayed below.

Cases involving African American youth were referred to the court at rates that were 2.1 to 2.6 times greater than cases involving white youth, relative to the demographics in the county. Of those referred, cases involving African American youth were .71 to .75 times less likely (or 25 to 29% less likely) to be diverted in 2007 and 2009; the RRI for 2008 was not statistically significant. RRIs for secure detention for African American youth were not statistically significant. Cases involving African American youth were 1.3 to 1.4 times more likely to be petitioned in 2008 and 2009 than cases involving white youth; the RRI for 2007 was not statistically significant. Of those who had their case petitioned, cases involving African Americans were .38 times less likely (62% less likely) to have their case result in delinquent findings in 2007 than cases involving whites—but this was likely an anomaly, as the RRIs for 2008 and 2009 were close to 1.0 and were not statistically significant. Cases involving African Americans were 1.7 times more likely to result in secure confinement in 2009 than cases involving white youth; the RRI for 2008 was not statistically significant, and the numbers of youth in 2007 was too small to calculate an RRI.

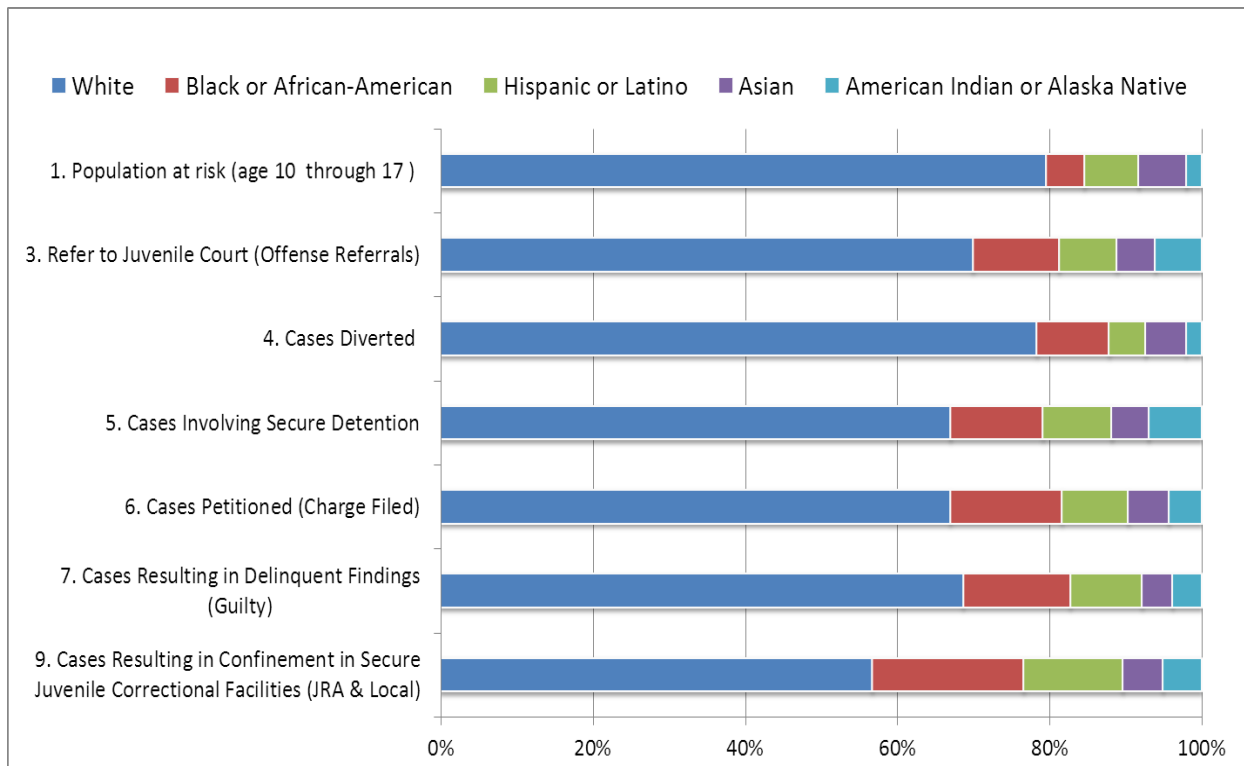
Cases involving Latino youth were referred to the court at rates 1.2 times greater than cases involving white youth in 2007-2009, relative to the demographics in the county. Of those referred, cases involving Latinos were .33 to .56 times less likely (or 44 to 77% less likely) to be diverted than cases involving whites. Cases involving Latino youth were 1.2 to 1.6 times more likely than cases involving whites to be securely detained. In 2008, cases involving Latino youth were 1.3 times more likely to be petitioned than cases involving white; the RRIs for 2007 and 2009 were not statistically significant. Of those who had their case petitioned, there were no statistically significant RRIs for having the case result in delinquent findings for Latino youth. Of those with delinquent findings, in 2009, cases involving Latino youth were 1.7 times more likely than cases involving white youth to have their case result in secure confinement; RRIs for 2007 and 2008 were not statistically significant.

Cases involving American Indian youth were referred to the court at rates 1.9 to 3.5 times higher than cases involving white youth, relative to their demographics in the county. Of those referred, cases involving American Indian youth were .30 to .38 times less likely (62 to 70% less likely) to be diverted in 2008 and 2009 than cases involving white youth; the RRI 2007 was not statistically significant though it was similar to the other years. Cases involving American Indian youth were 1.4 times more likely to involve secure detention in 2008 than cases involving white youth; RRIs for 2007 and 2009 were not

statistically significant. There were no other significant RRIs for other decision points for American Indian youth, however the number of youth was so small that many RRIs were not calculated.

There were no statistically significant RRIs for cases involving Asian youth, in other words, the rates at which Asian youth experienced all decision points were not significantly greater or less than the rates at which white youth experienced them, proportional to their representation in the county.

2009 Disproportionality Data



Interviews with Local Stakeholders

Interviewees

Court Administration	Judicial	Community advocacy/behavioral health services	Total
1	1	1	3

Especially concerning decision points. Interviewees expressed that they were most concerned about disproportionality at the front end of the system—arrest, referral, diversion, and detention.

Possible explanations for DMC. Interviewees provided an array of possible explanations for DMC.

1. *Socio-economic factors such as poverty, neighborhood, and single parents.* Some interviewees mentioned that poverty was related to offenses such as property crimes, and that poverty was correlated with race. They also believed that socio-economic factors were related to decisions about diversion and detention, “When you look at people of color you have more single families, so having a family coming to court makes a big difference for a judge, based on the socio-economic situation. People don’t understand policies and procedures of court and go to court and don’t say the right things. Especially if it is one parent vs. two parents.”
2. *Institutional racism and conscious or unconscious racial bias.* Some interviewees felt that disproportionality resulted in part from institutional racism and conscious or unconscious bias. One said, “These numbers are the result of an accumulation of little problems. I believe that, as a society, we are trying desperately not to be racially biased or prejudiced, but we are. There is still, I think, a small inclination, and when they are added together, they result in the whole disparate problem.”
3. *Type of charge/severity of offence.* Some interviewees believed that youth of color may be more likely to be charged with a serious offense that would disqualify them from diversion and make it more likely that they would experience the deeper-end decision points. One interviewee believed that white youth might receive a lesser charge for the same crime. This is due to how behavior by youth of color is interpreted by law enforcement, “If you don’t understand that culture, [the youth] may be interpreted as more severe. African Americans might be more boisterous, and this might be interpreted as aggression.”
4. *Contracts with tribal courts.* Kitsap County Juvenile Court has contracts with tribal courts to hold Native youth in detention after the youth has been processed by the tribal court. This may artificially inflate the RRI for American Indian cases in detention, because the county’s RRI is relative to the population of youth who had been referred to the Kitsap County Court but youth held for tribal courts would not be included in this population of referred youth. Additionally, the tribal courts decide how to use detention for the youth they are processing, not the Kitsap County Juvenile Court. Similarly, diversions may go through tribal court wellness programs rather than the Juvenile Court, and would therefore not be counted in the Juvenile Court statistics on diversions.
5. *Diversion qualifications.* Certain qualifications for diversion may contribute to increased disproportionality at this decision point.
 - a. Our interviewees told us that it was not generally the practice of the prosecutor to allow diversions after the first offense. However, youth of color may be more likely to offend at an earlier age and more likely to have repeated offenses, which would contribute to a decreased likelihood of qualification for diversion.
 - b. Additionally, diversion can be refused by the court because there is not an identified caregiver willing to participate, or youth can choose not to participate in diversion. Data provided in other jurisdictions show that youth of color may be more likely to decline participation in diversion, perhaps because of fear or mistrust of working with the justice system. Additional data provided by the Juvenile Court about diversions indicated that the majority of youth who were rejected for diversion were rejected because of failures to appear for their diversion appointments. The number of youth who were rejected were too small to identify whether this contributes to disproportionality.

- c. Youth may also not qualify for diversion because of type of charge. Other jurisdictions have analyzed the data in more detail and found that this was a reason for disproportionality.
6. *Transitory youth.*
 - a. We were told that many youth who appear before the Juvenile Court are children of parents who are in the Navy. These juveniles have relatively high mobility, and sometimes cannot be diverted because they will not be in the county for long enough to complete diversion requirements.
 - b. One interviewee said that Kitsap County is a strong resource for Child Welfare and has a disproportionate number of dependent youth in foster care. It is well established that youth with contact with Child Welfare are at a higher risk of contact with the justice system and are disproportionately youth of color. Therefore, these youth may impact the RRI for Kitsap County.
 7. *Gangs.* Interviewees said that there was not a serious gang problem in Kitsap, but that there was some carry-over of gang issues from neighboring counties. Gangs were believed to be disproportionately African American or Latino, therefore, this would inflate RRI for these categories.

Current approaches to addressing DMC.

1. *Improving data collection and data management.* While not directly related to reducing DMC, having accurate data on the extent and source of DMC is essential to identifying where and how to implement DMC reduction efforts. As described above, the Kitsap County Juvenile Court has worked to improve the quality of the data on youth race and ethnicity by clarifying racial and ethnic categories with staff, and monitoring the data to see if changes have been made.
2. *Juvenile Detention Risk Assessment Instrument (DRAI).* Kitsap County has implemented a DRAI tool in an attempt to take unconscious bias out of the decision making process by standardizing the detention assessment process. The DRAI was relatively new at the time of our interviews, so interviewees could not judge whether it had been successful.
3. *Flagging child welfare-involved youth as needing extra diversion support.* Youth who are involved with child welfare are flagged as needing extra support to engage in and complete diversion. An extra effort is made to include an Evidence-Based Practice within the diversion contract for these youth (see below).
4. *Citizens Advisory Board.* This group advises the Juvenile Court in various matters. They have discussed DMC and DMC reduction efforts, and debated how to explore the data to identify areas for intervention.
5. *Disproportionality committee.* We were told that Kitsap County Juvenile Court had a disproportionality committee that would examine the data on a semi-regular basis. The committee does not meet on a regular basis anymore, but is ad hoc and based on need. We were told that it has not met for over a year.
6. *Community liaison.* The disproportionality committee developed a reference resource list of people or organizations that could get involved if there was a belief that a decision was unfair or biased. These people act as a community liaison between the court and youth and families. We heard

several stories of the community liaison working with families, judges, and prosecutors to ensure fair and just treatment.

7. *Intervention programs.* The Kitsap County Juvenile Court offers specialized intervention programs for youth. These programs are evidence-based or promising approaches for reducing recidivism. They may not have an impact on disproportionality per se, unless youth of color are identified, referred, and engaged in these programs at rates equal to or higher than white youth. These programs include:
 - a. Aggression Replacement Therapy
 - b. Functional Family Therapy
 - c. Coordination of Services (COS)—This is a program for low-risk youth. It is described as “The goals of COS are to describe the consequences of continued delinquent behavior, stimulate goal setting, review the strengths of the youth and family, and explain what resources are available for helping to achieve a positive pro-social future for the youth.” It does this in approximately 12 hours of sessions over three nights with the youth and parent.
 - d. Juvenile drug court
 - e. Mentoring program
 - f. Truancy board
 - g. Alternative school

Further data analysis. Interviewees raised several areas for further data analysis that would assist in DMC reduction efforts.

1. Explore the reasons why cases involving youth of color are less likely to be successfully diverted. Are youth of color more likely to be repeat offenders? Are youth of color more likely to be charged with serious crimes? Are youth of color less likely to have a supportive caregiver who is willing to participate? Are youth of color more likely to decline diversion?
2. Explore the relationship between problems in school and referrals to court. Examine the relationship between disproportionality in truancy, dropouts, and expulsions, and referrals to court.
3. Explore the relationship between type of crime, particularly substance use treatment, weapons charges, assault charges, and race/ethnicity, in order to identify whether there are particularly types of behavioral health services (substance use treatment, ART) that would most benefit from enhancements for cultural relevancy.
4. Explore the racial proportionality of access to and completion of specialty programs such as FFT and ART.
5. If possible, explore proportionality while excluding cases who are processed by tribal courts at any point. This will help identify the extent to which disproportionality for American Indians is simply a statistical artifact resulting from collaborative efforts with tribal courts.

Recommendations.

1. *Maintain the cross-system coalition to address DMC reduction efforts, or integrate DMC reduction efforts with an existing group.* The current DMC report may provide a stimulus to reconvene the disproportionality committee and to integrate this committee with the efforts of the existing citizen advisory board
 - a. *Increase efforts to collaborate with law enforcement.* Because rates of DMC are highest at the front end of the system, law enforcement should be a part of any DMC reduction efforts. Law enforcement agencies may wish to review their practices for training officers about cultural competency and interpreting culturally appropriate youth behaviors. Law enforcement may wish to review their practices for recruiting and hiring a racially diverse workforce, if indicated.
 - b. *Consider collaborating with other jurisdictions who have engaged in DMC reduction efforts and related efforts, such as the Juvenile Detention Alternatives Initiative.*
2. *Regularly engage in DMC data analysis and interpretation with this coalition.* Analyses should focus on the possible data analyses described above, and should monitor the progress of the new work on alternatives to arrest.
3. *Regularly verify the validity and reliability of data collected on race/ethnicity.* The Kitsap County Juvenile Court should be commended for its efforts to verify that all staff who collect and enter race/ethnicity data understand the importance of collecting it, the need to verify information provided by law enforcement, the valid race and ethnic categories accepted in different data management systems, and systematic, consistent methods of collecting this data from youth. This process should be completed on a regular basis to ensure that data collection efforts are of high quality.
4. *Strengthen relationships with tribal courts.* Continued collaboration on efforts addressing juvenile delinquency could help reduce disproportionality and increase cultural awareness and relevancy of county programs. Other jurisdictions have identified truancy as a positive area for collaboration with tribes on early intervention and prevention, because Native youth who are truant from school have an increased likelihood of contact with the justice system both on and off tribal lands. Kitsap may wish to explore their data to see if truancy is also of particular concern for American Indian youth.

Chapter Appendix—Kitsap County Relative Rate Indexes

State :Washington		Reporting Period January 2007					
County: Kitsap		through December 2007					
	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
1. Population at risk (age 10 through 17)	26,977	21,692	1,272	1,768	1,672		573
2. Juvenile Arrests (UCR - age 10-17)							
3. Refer to Juvenile Court (Offense Referrals)	1,993	1,361	186	109	86		67
4. Cases Diverted	694	523	51	14	31		17
5. Cases Involving Secure Detention	1,577	1,097	171	125	76		67
6. Cases Petitioned (Charge Filed)	821	585	82	58	39		25
7. Cases Resulting in Delinquent Findings (Guilty)	586	410	22	49	36		20
8. Cases resulting in Probation Placement							
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities (JRA & Local)	553	388	70	40	28		13

State :Washington		Reporting Period January 2008					
County: Kitsap		through December 2008					
	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
1. Population at risk (age 10 through 17)	26,272	21,041	1,285	1,755	1,650		541
2. Juvenile Arrests (UCR - age 10-17)							
3. Refer to Juvenile Court (Offense Referrals)	2,009	1,348	174	107	110		69
4. Cases Diverted	661	459	53	20	48		9
5. Cases Involving Secure Detention	1,584	1,103	157	140	75		78
6. Cases Petitioned (Charge Filed)	857	595	100	62	45		29
7. Cases Resulting in Delinquent Findings (Guilty)	486	343	55	42	20		20
8. Cases resulting in Probation Placement							
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities (JRA & Local)	488	347	52	41	24		18

State :Washington		Reporting Period January 2009					
County: Kitsap		through December 2009					
	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
1. Population at risk (age 10 through 17)	25,482	20,298	1,263	1,822	1,597		502
2. Juvenile Arrests (UCR - age 10-17)							
3. Refer to Juvenile Court (Offense Referrals)	1,973	1,241	201	134	90		107
4. Cases Diverted	602	428	52	26	29		11
5. Cases Involving Secure Detention	1,504	976	177	132	70		101
6. Cases Petitioned (Charge Filed)	805	516	113	67	41		33
7. Cases Resulting in Delinquent Findings (Guilty)	498	327	67	45	19		18
8. Cases resulting in Probation Placement							
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities (JRA & Local)	497	214	75	49	20		19

Key:	
Statistically significant results:	Bold font
Results that are not statistically significant	Regular font
Group is less than 1% of the youth population	*
Insufficient number of cases for analysis	**
Missing data for some element of calculation	---

Summary: Relative Rate Index Compared with White Juveniles						
State :Washington		Reporting Period January 2007				
County: Kitsap		through December 2007				
	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	
2. Juvenile Arrests	**	**	**	*	**	
3. Refer to Juvenile Court	2.33	0.98	0.82	*	1.86	
4. Cases Diverted	0.71	0.33	0.94	*	0.66	
5. Cases Involving Secure Detention	1.14	1.42	1.10	*	1.24	
6. Cases Petitioned	1.03	1.24	1.06	*	0.87	
7. Cases Resulting in Delinquent Findings	0.38	1.21	1.32	*	**	
8. Cases resulting in Probation Placement	**	**	**	*	**	
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	**	0.86	0.82	*	**	

Summary: Relative Rate Index Compared with White Juveniles

State :Washington

County: Kitsap

Reporting Period January 2008
through December 2008

	Black or African- American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
2. Juvenile Arrests	**	**	**	*	**
3. Refer to Juvenile Court	2.11	0.95	1.04	*	1.99
4. Cases Diverted	0.89	0.55	1.28	*	0.38
5. Cases Involving Secure Detention	1.10	1.60	0.83	*	1.38
6. Cases Petitioned	1.30	1.31	0.93	*	0.95
7. Cases Resulting in Delinquent Findings	0.95	1.18	0.77	*	**
8. Cases resulting in Probation Placement	**	**	**	*	**
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	0.93	0.96	**	*	**

Summary: Relative Rate Index Compared with White Juveniles

State :Washington

County: Kitsap

Reporting Period January 2009
through December 2009

	Black or African- American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
2. Juvenile Arrests	**	**	**	*	**
3. Refer to Juvenile Court	2.60	1.20	0.92	*	3.49
4. Cases Diverted	0.75	0.56	0.93	*	0.30
5. Cases Involving Secure Detention	1.12	1.25	0.99	*	1.20
6. Cases Petitioned	1.35	1.20	1.10	*	0.74
7. Cases Resulting in Delinquent Findings	0.94	1.06	0.73	*	0.86
8. Cases resulting in Probation Placement	**	**	**	*	**
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	1.71	1.66	**	*	**

Mason County

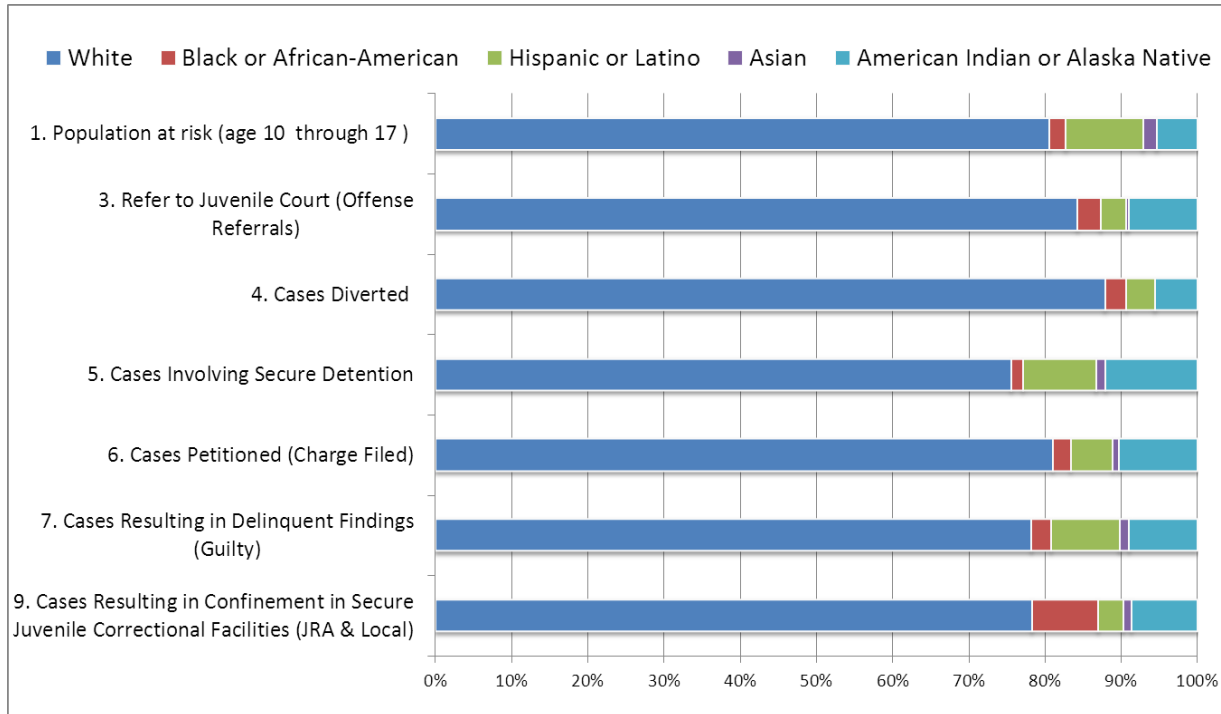
Population Trends

Below is a table of overall population change in Mason County from 2000 to 2010, with categories and age groups defined by the US Census Bureau. Mason County ranked 4th in the state in population growth from 2000-2010. In 2010, self-identified non-Hispanic whites accounted for the majority of the county population, followed in much smaller percentages by Latinos, American Indians, Asians, African Americans, and Hawaiian/Pacific Islanders. The self-identified Latino population was the fastest growing group, changing from 2,361 to 4,844, which was a 105.1% increase. In 2010, youth aged 10-17 made up 9.4% of the population.

Mason <i>Growth Rank:4</i>	Population		% Change
	2000	2010	
County Population	49,405	60,699	+23.0
Age (10-17 y.o.)	5,810	5,722	-1.5
Race alone or in combination with Hispanic			
<i>White</i>	45,071	54,588	+21.1
<i>Black or African American</i>	732	1,024	+40.0
<i>American Indian/Alaska Native</i>	2,675	3,571	+33.5
<i>Asian</i>	803	1,308	+63.0
<i>Native Hawaiian/Other Pacific Islander</i>	365	471	+29.0
<i>Two or More Races</i>	1,497	2,513	+67.8
Hispanic or Latino and race			
<i>Hispanic or Latino (of any race)</i>	2,361	4,844	+105.1
<i>Not Hispanic or Latino</i>	47,044	55,855	+18.7

Local Data Issues. Because Mason is a relatively small county and has relatively few youth of color, our Relative Rate Indexes combine data from 2007 through 2009. Due to these small numbers, RRI's could not be calculated for African Americans and Asians (except for referrals to court), for any decision point beyond "cases petitioned" for Latinos, or for any decision point beyond "cases resulting in delinquent findings" for American Indians. A second local data issue is that two tribal nations are located in Mason County: the Skokomish and Squaxin Tribes. While these are sovereign nations, tribal members are processed by Mason County courts for offenses occurring in Mason County. Finally, two interviewees felt that the data on race and ethnicity that was received by the court from law enforcement was frequently different from what the youth defined. Interviewees said that youth are asked what race and ethnicity they consider themselves to be, and it may be changed from what law enforcement assigned.

2009 Disproportionality Data



Interviews with Local Stakeholders

Interviewees. Interviewees are displayed below. Despite repeated attempts, no law enforcement agency representative was willing to participate in this study.

Court Administration	Judicial	Tribal court/ community member	Detention representative	Total
1	1	1	1	4

Summary of findings.

Data accuracy. Respondents generally agreed that the data seemed accurate. However, we noticed that cases with Latino ethnicity had lower RRI on referral than most counties throughout the state. We also notice that the raw data is inconsistent in that the numbers of referrals is often less than the number of cases involving secure detention. While this could occur hypothetically for a few reasons, in most counties it is rare. It may be useful for Mason Juvenile Court to meet with all personnel who collect and enter race and ethnicity data to verify that data collection procedures in the court for race and ethnicity are robust.

Relative Rate Indices

The small number of youth, especially minority youth, means that our data does not feature RRIs for certain groups and certain decision points, as mentioned earlier. This section concerns those RRIs that are available. Neglecting other decision points or groups does not necessarily mean that they are proportional.

Disproportionality as measured by RRIs was present but not extreme. American Indian cases were referred at rates 1.4 times greater than white cases. American Indian cases were diverted at rates 27% lower than white cases; although, this difference did not reach statistical significance. No other decision point RRI for American Indian youth was statistically significant or very large. Latino cases were referred at rates 29% less than white youth. Of those referred, Latino cases were 1.4 times more likely to involve secure detention. No other decision point was statistically significant. African American youth were referred to the juvenile court at rates 29% less than whites, though this was not statistically significant.

Especially concerning decision points.

The limitations in the data due to small numbers of youth and the relative proportionality at many decision points allow only a few areas to be explored. Most interviewees expressed concern about disproportionality in American Indian cases referred and Latino cases involving secure detention. Due to the county's efforts in the Juvenile Detention Alternatives Initiative (JDAI), most interviewees expressed an interest in ensuring that the use of detention was equitable.

Possible explanations for DMC.

1. *Higher truancy rates for youth of color.* Several interviewees remarked that there was a higher truancy rate for youth of color, and that this is related to contact with the court through truancy hearings and through warrants issued due to failure-to-appear to truancy hearings.
2. *Repeat offenders.* Three interviewees felt that a likely reason for DMC as measured by RRIs was due to a few juveniles who come back repeatedly. As an example, interviewees described an increase in RRIs for African American cases last year that was accounted for by one youth with repeat offenses. It should be pointed out that the population of African American youth in the county is very small and a repeat offender could easily skew the RRIs. For other populations with larger sizes, such as Latinos and American Indians, for repeat offending to have a measurable impact on RRIs, rates of repeat offending would have to be higher than for whites.
3. *Poverty, single parents, and challenges of the working-poor.* One interviewee felt that youth of color were more likely to be in poverty, to have single parents, and to have parents who were in the working poor. There was a belief that this was related to less parent involvement in legal proceedings, which could impact the numbers engaging in diversion, and decisions to detain. This interviewee also felt that these issues were related in parents' supervision of youth and their ability to consistently ensure their child attended school. Both of these factors were attributed to increased opportunities to offend.
 - a. Poverty is also related to the visibility of offending due to a lack of access to private homes for engaging in substance use and other illegal activities. This was believed to particularly be the case for Native American youth off of tribal lands.

- b. There was a belief that tribal youth attending court in Mason County were more likely to be alone, without parents or attorneys, when compared to white youth.
4. *Conscious or unconscious racial bias and prejudice.* An interviewee from one of the tribes in the region said that Native American youth felt singled out by law enforcement when compared to white youth, and provided some anecdotal evidence of this occurring. The interviewee also said, “I believe on our part there is still some hesitance and distrust of white culture.” Because law enforcement agencies and individuals were unwilling to participate in this study, we were unable to obtain their view of this issue.
 5. *Cultural differences in behavior.* One interviewee said that “On the reservation there is more of a sense of everyone looking out for each other, everyone has everyone else’s back in terms of juveniles. So when they leave the reservation, sometimes they don’t understand that won’t be the case.... They can be more naïve when interacting with peers off the reservation.”

Current approaches to addressing DMC.

1. *Juvenile Detention Alternatives Initiative.* Mason County has been involved in the JDAI, funded through the Annie E. Casey foundation. The court has adopted the JDAI belief that, in general, the use of detention is ineffective at preventing recidivism. Therefore, interviewees argue, the philosophy of serving youth in the court and the activities and efforts of the court are often focused on finding alternatives to detention. This has resulted in several efforts:
 - a. *Warrant reduction program.* The court provides telephone notifications to remind individuals of court dates to reduce warrants due failure to appear.
 - b. *Behavioral health interventions.* These interventions and alternatives for youth include counseling and Aggression Replacement Training
 - c. *Building relationships.* The probation department was credited with working hard to establish positive relationships with youth, families, and tribal representatives.
 - d. *Teamwork.* Team meetings are held to discuss youth who violate probation and determine strategies for addressing these violations.
 - e. *Data analyses.* Mason County does not currently have a DMC committee. However, the JDAI committee regularly examines data for a variety of topics, sometimes including the rates of DMC.
2. *Collaboration with tribes.* Several interviewees expressed that collaboration with the local tribal authorities is helping to address DMC, shift attitudes, and build better, more collaborative, and more trusting relationships. For instance, there are several areas of collaboration with the Squaxin tribe:
 - a. Collaborative efforts are underway to address American Indian Truant youth, as it is believed that this is related to increased disproportionality at referral.
 - b. A county probation officer works with tribal probation officers when a Native youth goes through Mason County Court
 - c. Tribal officers are cross-deputized with the county, which interviewees said was relatively rare for Washington State. The Squaxin tribe shares canine officers and SCUBA officers with the county.

- d. The tribal courts and Mason County court shares information on warrants for adults, youth, and teen runaways. Information may also be shared for individual cases.
3. *Diversion policies that permit second offenses.* The prosecutor in Mason County permits second offenses to be eligible for diversion. Making second offenses ineligible is often attributed to contributing to DMC.
4. *Sentencing guidelines.* RRI found no disproportionality for American Indians cases resulting in delinquent findings (of those cases that were formally petitioned). Three interviewees remarked that this may be due to sentencing guidelines, which require the application of standard sentencing ranges to every youth that comes to court.
5. *Tribal Drug Task Force Committee.* The Squaxin tribe has developed a drug task force committee and other programs to address substance use; this was credited with reducing offenses both on and off of tribal lands.

Challenges. Working with tribal court systems, which are autonomous, can be a little challenging. Tribal treatment agencies may have different expectations for youth. Tribal court cannot order youth into drug and alcohol treatment—after transferring a youth to tribal court, positive UAs or refusal to work with tribal court process will return youth to Mason County court.

An additional challenge is that interviewees said that juveniles who are arrested and who do not have proper identification are held for Immigration and Customs Enforcement officials. These officials go through a process of identifying the individual through fingerprint and other means.

Future directions. Participants offered several suggestions for future activities that Mason County could focus on that might reduce DMC. Some of these included the following:

1. Adopt more programs to intervene with high-risk youth and youth of color, especially for truant youth and youth who have difficulty reading.
2. Add more probation officers for more hands-on work with the youth that come through the office
3. One interviewee felt that there was a need for youth group homes for repeat offenders, rather than secure confinement. These could focus on independent living skills, drug and alcohol avoidance, and other positive youth development

Further data analysis. Most interviewees did not describe any further data analyses needs. There was some interest in exploring the relationships among truancy, warrants, and youth of color. There was also a desire to examine the rates of repeat offending for youth of color.

Recommendations.

1. *Data collection quality assurance.* There is a need to assure that the process for obtaining race/ethnicity from youth is of high quality, particularly for obtaining Latino ethnicity. Mason County court should track the process of youth through their system to identify points where race and ethnicity data is identified and entered into their database. They should ensure that staff understand the importance of securing good data on this topic, and that they know how to ask for and record race and ethnicity through using standardized categories. If they do not

understand this process, brief trainings and materials should be provided (such as laminated cards explaining how to ask about race and ethnicity, and listing the allowable categories).

2. *Continue to build upon and expand collaboration with tribal authorities.* The most significant levels of disproportionality were for Native cases. Based on our interviews, it is clear that Mason County Court representatives have begun a good process of collaborating with the tribes to provide more coordinated prevention and oversight of tribal youth. These efforts were viewed favorably, and there was much hope that despite past tensions, this current work would result in decreased disproportionality.
3. *Develop a DMC taskforce or subgroup.* Mason County could benefit from a cross-systems taskforce to address DMC. This taskforce could consist of representatives from the courts (tribal and Mason), behavioral health providers, community representatives, and law enforcement. Regular meetings can help keep DMC in the public view and facilitate collaborative and coordinated efforts to address it.
4. *Collaborate with law enforcement.* As mentioned above, law enforcement agencies chose not to participate in this study, hence we cannot comment from their perspective about their involvement in DMC reduction efforts. However, interviewees remarked that the data provided by law enforcement about youth race and ethnicity frequently contradicted the youth's endorsement of their race/ethnicity. While interviewees expressed that the court had a good relationship with law enforcement, the fact that most disproportionality occurred at the front end of the justice system (arrest and referral) indicates that law enforcement is a vital partner in DMC reduction efforts.

Chapter Appendix—Mason County Relative Rate Indices

State :Washington		Reporting Period January 2007				
County: Mason		through December 2007				
	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	American Indian or Alaska Native
1. Population at risk (age 10 through 17)	5,598	4,632	87	479	90	310
3. Refer to Juvenile Court (Offense Referrals)	545	418	3	19	13	40
4. Cases Diverted	146	110	3	5	3	8
5. Cases Involving Secure Detention	474	405	5	24	6	34
6. Cases Petitioned (Charge Filed)	202	157	2	5	4	17
7. Cases Resulting in Delinquent Findings (Guilty)	136	104	1	6	0	12
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities (JRA & Local)	143	108	5	6	6	12

State :Washington		Reporting Period January 2008				
County: Mason		through December 2008				
	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	American Indian or Alaska Native
1. Population at risk (age 10 through 17)	5,554	4,540	99	513	92	310
3. Refer to Juvenile Court (Offense Referrals)	456	346	4	29	10	30
4. Cases Diverted	136	95	2	11	2	7
5. Cases Involving Secure Detention	511	429	7	30	6	39
6. Cases Petitioned (Charge Filed)	145	112	1	11	3	9
7. Cases Resulting in Delinquent Findings (Guilty)	104	80	1	6	1	7
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities (JRA & Local)	110	85	0	10	2	7

State :Washington
 County: Mason

Reporting Period January 2009
 through December 2009

	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	American Indian or Alaska Native
1. Population at risk (age 10 through 17)	5,508	4,437	118	558	99	296
3. Refer to Juvenile Court (Offense Referrals)	330	251	9	10	1	27
4. Cases Diverted	127	94	3	4	0	6
5. Cases Involving Secure Detention	323	244	5	31	4	39
6. Cases Petitioned (Charge Filed)	135	102	3	7	1	13
7. Cases Resulting in Delinquent Findings (Guilty)	78	61	2	7	1	7
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities (JRA & Local)	92	72	8	3	1	8

Key:	
Statistically significant results:	Bold font
Results that are not statistically significant	Regular font
Group is less than 1% of the youth population	*
Insufficient number of cases for analysis	**
Missing data for some element of calculation	---

Summary: Relative Rate Index Compared with White Juveniles

State :Washington
 County: Mason

Reporting Period January 2007
 through December 2009

	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
2. Juvenile Arrests	**	**	**	*	**
3. Refer to Juvenile Court	0.71	0.71	1.15	*	1.42
4. Cases Diverted	**	1.17	**	*	0.73
5. Cases Involving Secure Detention	**	1.38	**	*	1.09
6. Cases Petitioned	**	1.08	**	*	1.10
7. Cases Resulting in Delinquent Findings	**	**	**	*	1.01
8. Cases resulting in Probation Placement	**	**	**	*	**
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	**	**	**	*	**

Pierce County

Population Trends

Below is a table of overall population change in Pierce County from 2000 to 2010, with categories and age groups defined by the US Census Bureau. Pierce County ranked 14th county in the state in terms of population growth from 2000-2010. In 2010, self-identified non-Hispanic whites accounted for the majority of the county population, followed by Latinos, African Americans, Asians, American Indians, and Hawaiian/Pacific Islanders. The self-identified Latino population increased 88.6% from 38,621 to 72,849, making this the fastest growing ethnicity in the county. The population of Hawaiian/Pacific Islanders grew by 75%, but remain a small percentage of the overall total of the county. In 2010, youth aged 10-17 made up 11.1% of the population.

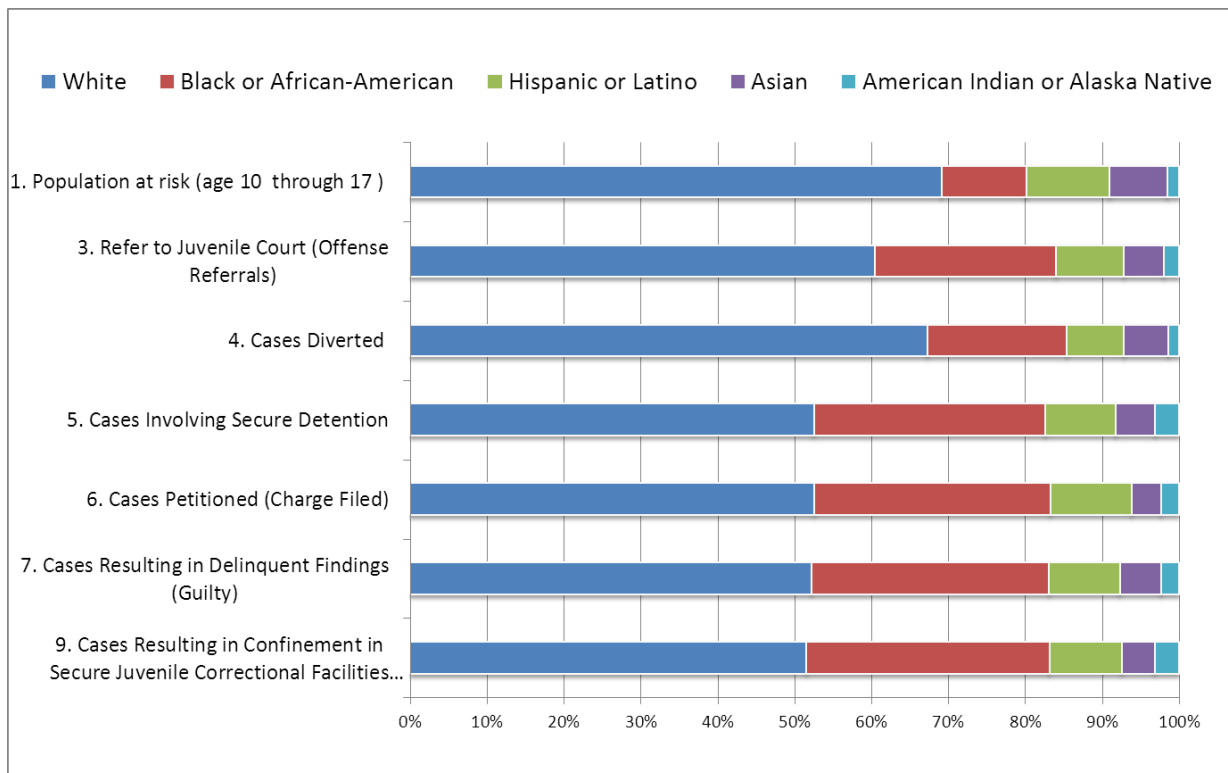
Pierce	Total Population		% Change
<i>Growth Rank:14</i>			
	<i>2000</i>	<i>2010</i>	
County Population	700,820	795,225	+13.5
Age (10-17 y.o.)	87,444	88,656	+1.4
Race alone or in combination with Hispanic			
<i>White</i>	579,234	636,575	+10.0
<i>Black or African American</i>	59,948	74,797	+24.7
<i>American Indian/Alaska Native</i>	19,919	25,408	+27.5
<i>Asian</i>	48,803	68,958	+41.3
<i>Native Hawaiian/Other Pacific Islander</i>	9,581	16,785	+75.2
<i>Two or More Races</i>	35,843	54,347	+51.6
Hispanic or Latino and race			
<i>Hispanic or Latino (of any race)</i>	38,621	72,849	+88.6
<i>Not Hispanic or Latino</i>	662,199	722,376	+9.0

Local Data Issues. As in several other jurisdictions, Pierce County has a local data management system (named the Legal Information Exchange Network or LINX). Data entry for juvenile cases is doubly entered into LINX and the statewide system for AOC. The local data is used extensively for data analyses and action planning. Pierce County court staff have explored disproportionality data extensively. As with all other jurisdictions in this report, we use data provided by the Washington Partnership Council via AOC. Hence, our numbers differ from Pierce County's in certain areas due to differing definitions for decision points, varying parameters around how cohorts were selected for analysis, and decisions about how to choose the reference population. In particular, some of the Pierce County reports we examined presented cumulative RRIs rather than incremental RRI's. Cumulative RRIs calculate rates of youth at each decision point using the total youth population in the county. Incremental RRIs reference the youth population from the previous decision point. For instance, the RRI for "cases petitioned" as analyzed by Pierce in some occasions is relative to the youth population in the county, not relative to the youth who

had been referred. Pierce’s approach to analyzing the data is perfectly acceptable, but it is different from our approach, which examines RRI as incremental changes as decision points progress. Therefore, our reports will look different from those produced by Pierce County, though the data is similar.

An additional local data issue concerns Asian immigrants. Pierce County has Japanese and Chinese populations who have been in the county for generations, and Cambodian and Vietnamese populations who are first or second generation. Circumstances for these two groups may be quite distinct but this level of detail is not included in the data collection system.

2009 Disproportionality Data



Interviews with Local Stakeholders

Interviewees

Court Administration	Judicial	Law Enforcement	Probation	Community member	Total
2	1	1	1	1	6

Summary of findings.

Data accuracy. When asked, interviewees did not express any concern about the accuracy of this data.

Relative Rate Indices. RRI indicate several points of disproportionality from 2007-2009, particularly for cases involving African Americans and American Indians. Cases involving African-American youth were referred to the courts at rates 2.5 to 2.8 times greater than cases involving white youth. Of those referred, cases involving African Americans were diverted at rates 20-30% less than white cases, securely detained at rates 1.4-1.5 greater than white cases, and petitioned at rates 1.5 times greater than white cases. Of those petitioned, African American cases resulted in delinquent findings 1.3 times greater than cases involving whites in 2008 (with no statistically significant differences in 2007 and 2009), and secure confinement at rates 1.2 times greater than cases involving whites in 2007, and slightly greater rates in 2009, with no statistically significant differences in 2008.

Cases involving American Indian youth were referred at rates 1.5 to 2.3 times greater than cases involving whites. Of those referred, cases involving American Indians were diverted at rates 28 to 50% less than cases involving whites, detained at rates 1.7 times greater than whites, and petitioned at a rate of 1.3 times greater than white cases in 2009 (and no statistically significant differences in 2007 and 2008). Of those petitioned, there were no statistically significant differences for American Indians in the rates of cases resulting in delinquent findings. Cases involving American Indians were 1.5 times more likely than cases involving whites to result in secure confinement in 2007, and there were not enough cases to justify estimating proportionality rates in 2008 and 2009.

Cases involving Latino youth were 20-24% less likely to be referred than cases involving whites in 2007 and 2008 (no statistically significant differences in 2009). Of those referred, cases involving Latinos were 19% and 25% less likely to be diverted in 2007 and 2009, respectively, but there were no statistically significant differences in 2008. Of those referred, cases involving Latinos were 1.2 – 1.4 times more likely than cases involving whites to be securely detained in 2008 and 2009, with no statistically significant difference in 2007. Of those referred, cases involving Latinos were 1.4 times more likely to be petitioned in 2007 and 2009 than cases involving whites, but there were no statistically significant differences in 2008. Of those petitioned, cases involving Latinos were 26% less likely to result in delinquent findings in 2007, with no statistically significant differences in 2008 and 2009. Of those with delinquent findings, cases involving Latinos were 1.4 times more likely to result in secure confinement in 2007, with no significant difference in 2008, and not enough data to calculate rates in 2009.

Cases involving Asian youth were 21% less likely than cases involving white youth to be referred in 2009, with no statistically significant differences in 2007 and 2008. Of those referred, there were no statistically significant differences between cases involving Asians and cases involving whites in rates of diversion in all years, and rates of detention in 2007 and 2009, but in 2008 they were 1.2 times more likely to be securely detained. Of those referred, cases involving Asians were 1.3 times more likely to have their case petitioned in 2007, with no statistically significant differences in 2008 and 2009. Of those cases petitioned, cases involving Asians were 1.4 times more likely to have their case result in delinquent findings in 2009, with no statistically significant differences in 2007 or 2008. Of those with delinquent findings, cases involving Asians were 1.3 times more likely than cases involving whites to have their case result in secure confinement in 2007, not statistically different in 2008, and 19% less likely to have their case result in secure confinement in 2009.

Especially concerning decision points. When asked about the decision points of most concern, interviewees were concerned about most decision points, including arrests, referrals, diversions, and secure confinement.

Possible explanations for DMC.

1. *Adverse Childhood Experiences (ACEs).* Interviewees cited ACEs as possibly more likely to be experienced by youth of color. Childhood brain development is negatively impacted by ACEs such that youth who experience ACEs are more likely to have behavioral health problems, and “this is related to how youths interact with police or react when they get into trouble at school.”
2. *Access to services.* One interviewee felt that families in poverty and minority families were less likely to know about services, and less likely to have behavioral health care to facilitate access: “... [after entering the juvenile justice system] many minority families have a difficult time knowing where to go next. [We could] reduce disproportionality by increasing access.”
3. *Historical racism and poverty.* Interviewees pointed out that minorities are disproportionately poor and have much less accumulated wealth than whites, and that this was related to access to power and justice: “After 247 years of slavery, Jim Crow, vagrancy laws, and more, wealth has not been accumulated or passed down with African American families.” It is also related to less stability, more mobility, more single parents, and this leads youth to be more likely to have contact with the justice system.
4. *Cultural and language differences.* Cultural differences were cited as a reason for DMC for several reasons, including language issues that make it more difficult for some families to identify and access services, different approaches to parenting that may not be a close fit with the dominant paradigm of parenting that is accepted by the court and public education, the need for cultural awareness within public services, and difficulties associated with diverse youth adjusting to the expectations of the dominant culture, especially in terms of behavior towards law enforcement and teachers.
5. *Schools*
 - a. *School Resource Officers.* One interviewee felt that the presence of law enforcement officers in schools could contribute to DMC by widening the net of youth who come into contact with the justice system.
 - b. *Academic Achievement Gap.* One interviewee described the well-documented correlations between low academic achievement, high dropout, and high rates of contact with the justice system, which are particularly true for youth of color.
6. *Geography.* Pierce County has urban and rural regions. We were told that the urban areas have higher concentrations of African American, Asian, and Latino youth. Urban areas tend to be more heavily policed due to practical limitations on law enforcement, and urban crime can be more exposed to witnesses. Therefore, youth of color may be more likely to be observed offending.
7. *Law enforcement campaigns.* We asked law enforcement to describe any enforcement practices that may possibly increase DMC. Several practices were mentioned. It should be emphasized that, though these practices may increase DMC in certain areas or for certain behaviors, we are not implying that these activities are misguided or misaligned with the goals of justice.

- a. *Curfew enforcement.* Law enforcement described an emphasis on curfew enforcement. They work closely with human service organizations to follow-up with young people on the street. This may actually increase DMC for curfew violations, but as described below, was thought to decrease DMC for other, more serious charges by preventing criminal activities through social services.
 - b. *Liquor compliance.* Liquor compliance missions focus on sales to and drinking by underage minors. There was a belief that this effort may disproportionately affect minority youth.
 - c. *Loud car stereo ordinance.* Citizen groups requested this ordinance due to quality of life issues. Citations disproportionately impact youth violators, and may disproportionately impact youth of color.
8. *Weapons and gang culture.* One interviewee felt that popular culture’s glamorization of weapons contributed to DMC: “There has been popular acceptance of gang culture to the point that it is perpetuated by music, culture, etc., and that particularly impacts African American kids in being involved in violent criminal activity, to have guns... we may have other youth [in the court] who are similar in terms of criminality, but since African American kids are more likely to have a weapon, they are more likely to be charged harshly.” Weapons impact a youth’s risk score, whether a youth is eligible for diversion, and how they are sentenced.

Current approaches to addressing DMC.

1. *Coordinated and monitored planning of DMC reduction efforts.* Pierce County Juvenile Court has engaged in very extensive DMC reduction efforts, and monitors these efforts for progress. They determined overall goals and developed specific action steps to address those goals. Major efforts were focused on decreasing detention admissions and decreasing the bed-nights in detention. The bullet points below outline some of these efforts, but the current report cannot be comprehensive.
2. *Juvenile Detention Alternatives Initiative (JDAI).* The JDAI, funded by the Annie E. Casey Foundation, was cited as the driving force behind many policies, programs, and activities:
 - a. *Detention Risk Assessment Instrument (DRAI).* The DRAI provides an objective assessment to determine whether youth should be held in detention prior to a hearing. This tool was credited for reducing the number of youth placed in detention and increasing the appropriateness of youth detention.
 - b. *Data-based decision making.* Pierce County staff have engaged in extensive analyses of juvenile court data, with several reports “digging deeper” into the data to identify where disproportionality exists and how to address it. They have examined detention decisions, particularly those who were detained due to probation violations, and examining how PVs could be related to race/ethnicity and DRAI scores. Using this information, staff considered strategies for issuing warrants with POs and found inconsistency in approaches. They worked with POs to increase consistency and enhance their policy and practice.
 - c. *Two-tier warrant system.* Based on the data analyses described above, Pierce County developed a bifurcated warrant system. For youth who failed to appear for a misdemeanor or Class C felony, but have no FTA history, the court may issue a non-

custodial warrant. Upon arrest, these youth are released from detention that day and scheduled for a court date within two weeks.

3. *Telephone contact system and home visitation.* In order to reduce failures to appear, Pierce County implemented a telephone contact system to remind youth of their court date. This included phone calls to both youth and parents. Home visits are conducted for youth who cannot be contacted via telephone. Data tracking by the court has indicated a reduction in secure detention episodes for youth that fail to appear for court proceedings.
4. *Graduated sanctions for probation violations.* Sanctioning guidelines that are standardized and responsive to the youth's probation violations were cited as helping to objectively administer sanctions regardless of race. Probation Officers receive regular data and feedback regarding their use of violations and secure detention episodes.
5. *Bench Warrant Quash Program.* This program is focused on providing an opportunity for those with outstanding warrants to have a warrant quashed by explaining the facts of the case to the court. This can help avoid unnecessary arrest.
6. *Parent detention refusal reduction efforts.* Pierce County staff indicated that parents sometimes refuse to accept custody of youth who score out as releasable on the DRAI. They conducted a survey of why parents refuse to accept custody, taught detention staff effective methods to engage parents, and identified resources in the community to provide families.
7. *Increase cultural competency of existing programs.* Data analyses had indicated that African American youth were less likely to successfully complete Functional Family Therapy and Aggression Replacement Training, two evidence-based programs for moderate to high-risk youth with behavioral health needs. Efforts were made to enhance the cultural competence of the methods of conducting these programs, to reduce the barriers to participation by providing transportation and increasing youth motivation to participate, and to hire culturally diverse staff.
8. *Community based policing.* One interviewee credited community-based policing efforts and having more police available at schools and within the community has had a positive impact on decreasing juvenile justice involvement and DMC
9. *Changes to the approach to the court, probation, and detention.* The court and related staff now focus more heavily on involving the youth, family, and schools in working with the youth to change their behaviors. The court is more likely to view problematic youth behaviors as an issue the family can address with support from the court.
 - a. *The Teen Council of Pierce County (TCPC).* Youth who complete probation and who are deemed to be making good choices are offered opportunities to work for the court to gather feedback about its services and to help educate new youth and families coming into the system. The TCPC assists the juvenile court by gathering feedback from youth who have discharged from probation. The TCPC has held "Always' Talkin' Loud," a youth summit about reducing DMC and improving programs for youth. They collaborate with schools in Pierce County through "The Pierce County Challenge," to increase knowledge of DMC in the schools, end discrimination and prejudice, and promote respect.

10. *Education about ACEs.* There have been trainings with teachers about Adverse Childhood Experiences (ACEs) and how they impact behavior in the classroom. This training has been used to help teachers understand how to help youth calm themselves during stressful situations.
11. *Curfew enforcement.* As described above, curfew enforcement was thought to decrease DMC for other, more serious charges by preventing criminal activities through social services, though it may increase DMC for curfew violations.
12. *Safe Streets and other gang intervention and prevention efforts.* Law enforcement has shifted gang-related funding from being primarily focused on suppression activities, which may increase DMC through arrests, to gang intervention and prevention programs, which may decrease DMC by providing a more holistic approach.
13. *Training for law enforcement.* Law enforcement training “emphasizes that contact with people has to be based on behavior, it has to be valid... more education is needed for police about how DMC might be part of someone’s social context, and they may need training on other social and cultural factors that contribute to youth contact.”
14. *Community involvement and Open Forums.* Interviewees described (with varying levels of success) several efforts that have been made to involve the community in detention reduction and DMC efforts. One of these is a series of open forums held to discuss race and disproportionality. Former youth on probation took a leadership role and were instrumental in facilitating these forums. Efforts have also been made to engage churches, business leaders, and community groups in DMC reduction efforts.

Challenges.

1. *Collaboration between the Juvenile Court and Law Enforcement.* Interviewees described relationships between law enforcement and the court as good. Interviewees from the courts and from law enforcement said that law enforcement has served on various committees with the juvenile court. However, some interviewees felt that collaboration could be stronger. We were told that Tacoma Police used to have a juvenile section and that this contributed to increased communication with the juvenile courts, but that “without it there is not a lot of coordinated or structured work with the courts” and that working closely has been less emphasized.
2. *Community engagement.* Pierce County has made strong efforts to engage the community in reform efforts; however, these efforts are difficult to maintain without appropriate resources.

Future directions. Interviewees were asked about what possible future activities they could do to address DMC.

1. *Build and increase alternatives to arrest.* Some interviewees expressed a desire for additional alternatives to arrest for law enforcement, especially safe locations to take youth with social service needs such as Crisis Residential Centers.
2. *Improve collaboration and partnership with Law Enforcement agencies.*
3. *Gun buybacks.* One interviewee felt that conducting gun buybacks, where firearms would be purchased and destroyed, would help to reduce firearm accessibility to juveniles.

4. *DSHS integrated management programs (Wraparound)*. These programs would help juveniles in dependencies obtain wraparound services so that multi-problem youth can have better coordinated care.

Recommendations. Pierce County has engaged in impressive efforts to address DMC. Despite this work and the improvements witnessed in the decreasing involvement of youth in juvenile justice, DMC remains high for some subgroups.

1. *Continue to engage law enforcement and other stakeholders in DMC efforts.*
2. *Continue to monitor the data and use data-based decision making to guide program planning.*
3. *Work to identify additional alternatives to arrest.*
4. *Build on and improve relationships with tribes and tribal courts.* Interviewees remarked on collaborations with tribal courts. Despite these collaborations, RRIs for American Indian youth are high. Additional lines of collaboration with tribes and tribal courts may help to address this.

Chapter Appendix—Pierce County Relative Rate Indexes

State :Washington		Reporting Period January 2007					
County: Pierce		through December 2007					
	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
1. Population at risk (age 10 through 17)	89,588	63,510	9,656	8,615	6,280		1,527
2. Juvenile Arrests (UCR - age 10-17)							
3. Refer to Juvenile Court (Offense Referrals)	5,678	3,353	1,438	366	316		184
4. Cases Diverted	2,127	1,354	464	120	145		38
5. Cases Involving Secure Detention	2,691	1,427	832	169	127		132
6. Cases Petitioned (Charge Filed)	1,721	879	550	130	105		54
7. Cases Resulting in Delinquent Findings (Guilty)	1,188	648	367	71	65		36
8. Cases resulting in Probation Placement	0						
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities (JRA & Local)	1,068	520	351	80	69		44

State :Washington		Reporting Period January 2008					
County: Pierce		through December 2008					
	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
1. Population at risk (age 10 through 17)	88,297	62,120	9,505	9,036	6,171		1,465
2. Juvenile Arrests (UCR - age 10-17)							
3. Refer to Juvenile Court (Offense Referrals)	5,976	3,595	1,480	398	350		153
4. Cases Diverted	2,394	1,571	464	151	160		48
5. Cases Involving Secure Detention	2,789	1,414	891	214	163		107
6. Cases Petitioned (Charge Filed)	2,020	1,085	648	133	120		34
7. Cases Resulting in Delinquent Findings (Guilty)	1,122	545	424	76	58		19
8. Cases resulting in Probation Placement							
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities (JRA & Local)	1,175	570	428	83	72		22

State :Washington	Reporting Period January 2009						
County: Pierce	through December 2009						
	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
1. Population at risk (age 10 through 17)	86,230	59,585	9,509	9,368	6,427		1,341
2. Juvenile Arrests (UCR - age 10-17)							
3. Refer to Juvenile Court (Offense Referrals)	5,194	3,126	1,222	457	265		105
4. Cases Diverted	2,167	1,450	391	160	124		30
5. Cases Involving Secure Detention	2,141	1,123	643	197	109		66
6. Cases Petitioned (Charge Filed)	1,878	986	577	197	72		44
7. Cases Resulting in Delinquent Findings (Guilty)	1,066	556	329	98	57		25
8. Cases resulting in Probation Placement							
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities (JRA & Local)	1,075	553	339	101	46		34

Key:	
Statistically significant results:	Bold font
Results that are not statistically significant	Regular font
Group is less than 1% of the youth population	*
Insufficient number of cases for analysis	**
Missing data for some element of calculation	---

Summary: Relative Rate Index Compared with White Juveniles							
State :Washington				Reporting Period January 2007			
County: Pierce				Through December 2007			
	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	
2. Juvenile Arrests	**	**	**	**	*	**	
3. Refer to Juvenile Court	1.00	2.82	0.80	0.95	*	2.28	
4. Cases Diverted	1.00	0.80	0.81	1.14	*	0.51	
5. Cases Involving Secure Detention	1.00	1.36	1.08	0.94	*	1.69	
6. Cases Petitioned	1.00	1.46	1.35	1.27	*	1.12	
7. Cases Resulting in Delinquent Findings	1.00	0.91	0.74	0.84	*	0.90	
8. Cases resulting in Probation Placement	**	**	**	**	*	**	
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	1.00	1.19	1.40	1.32	*	1.52	

Summary: Relative Rate Index Compared with White Juveniles

State :Washington
County: Pierce

Reporting Period January 2008
Through December 2008

	Black or African- American	Hispanic or Latino		Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
2. Juvenile Arrests	**	**	**	*	**
3. Refer to Juvenile Court	2.69	0.76	0.98	*	1.80
4. Cases Diverted	0.72	0.87	1.05	*	0.72
5. Cases Involving Secure Detention	1.53	1.37	1.18	*	1.78
6. Cases Petitioned	1.45	1.11	1.14	*	0.74
7. Cases Resulting in Delinquent Findings	1.30	1.14	0.96	*	1.11
8. Cases resulting in Probation Placement	**	**	**	*	**
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	0.97	1.04	1.19	*	**

Summary: Relative Rate Index Compared with White Juveniles

State :Washington
County: Pierce

Reporting Period January 2009
Through December 2009

	Black or African- American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
2. Juvenile Arrests	--	--	--	*	--
3. Refer to Juvenile Court	2.45	0.93	0.79	*	1.49
4. Cases Diverted	0.69	0.75	1.01	*	0.62
5. Cases Involving Secure Detention	1.46	1.20	1.14	*	1.75
6. Cases Petitioned	1.50	1.37	0.86	*	1.33
7. Cases Resulting in Delinquent Findings	1.01	0.88	1.40	*	1.01
8. Cases resulting in Probation Placement	--	--	--	*	--
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	1.04	--	0.81	*	**

Skagit County

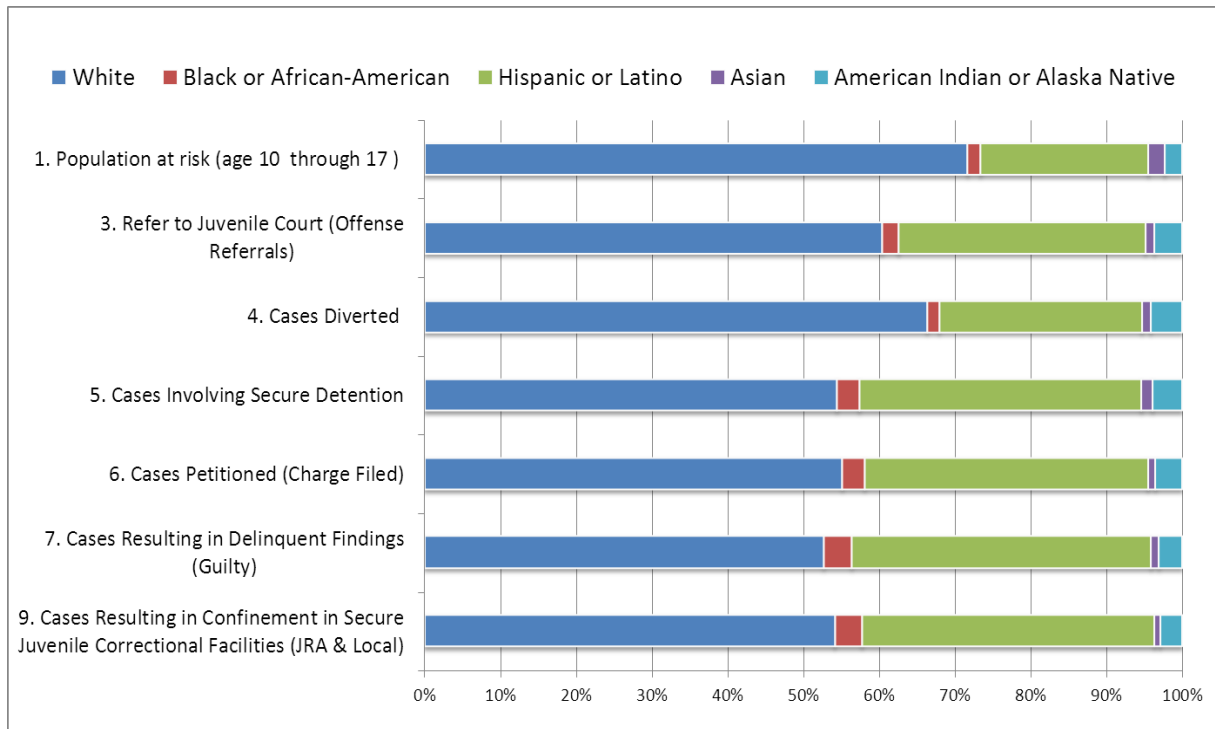
Population Trends

Below is a table of overall population change in Skagit County from 2000 to 2010, with categories and age groups defined by the US Census Bureau. Skagit County ranked 13th in the state in population growth from 2000-2010. In 2010, non-Hispanic whites accounted for the majority of the county population, followed by Latinos. There were much smaller numbers of American Indians, Asians, African Americans, and Hawaiian/Pacific Islanders. The African American population, while small, was the fastest growing group with a 87.1% increase 770 to 1,441. The self-identified Latino population also experienced rapid increases, growing from 11,536 to 19,709, which was a 70.8% increase. In 2010, youth aged 10-17 made up 10.8% of the population.

Skagit <i>Growth Rank:13</i>	Population		% Change
	2000	2010	
County Population	102,979	116,901	+13.5
Age (10-17 y.o.)	12,887	12,706	-1.4
Race alone or in combination with Hispanic			
<i>White</i>	91,314	100,806	+10.4
<i>Black or African American</i>	770	1,441	+87.1
<i>American Indian/Alaska Native</i>	2,826	4,037	+42.8
<i>Asian</i>	2,109	3,006	+42.5
<i>Native Hawaiian/Other Pacific Islander</i>	300	471	+57.0
<i>Two or More Races</i>	2,468	3,739	+51.4
Hispanic or Latino and race			
<i>Hispanic or Latino (of any race)</i>	11,536	19,709	+70.8
<i>Not Hispanic or Latino</i>	91,443	97,192	+6.2

Local Data Issues. Skagit County has a relatively small proportion of American Indian and African American youth. Therefore, a few repeat offenders can have a large impact on the estimates of disproportionality (RRIs) for these groups. Another local issue, as described in more detail below, is that Skagit County contracts with tribal courts to provide certain services such as detention for Native youth. Native youth may be processed by tribal courts (hence, not included in our data for some decision points) but held in detention by Skagit County Courts (hence, included in our data for detention). Skagit County Courts may provide other types of services to tribal youth as well. Therefore, Native youth RRIs may be artificially inflated in detention or deflated in processing due to the presence of Native youth in some decision points but not others. Additionally, as in other counties, there are racial and ethnic subgroups that are combined in broad ethnicity categories but have unique interactions with the justice system. Of note are indigenous Mexican families and families from Central America.

2009 Disproportionality Data



Interviews with Local Stakeholders

Interviewees

Court Administration	Judicial	Community representative	Law enforcement	Probation	Total
1	1	1	2	1	6

Summary of findings.

Data accuracy. Some interviewees expressed concern about the validity of the census population estimates for Hispanic youth. They believed the number of Hispanic youth in the county to be higher than those indicated in our census estimates. Interviewees expressed that many of the Hispanic families in Skagit are undocumented migrant workers. These workers are not reflected in the census data and this type of undercounting would artificially inflate Relative Rate Index estimates. To explore this possibility, we obtained enrollment data by race and ethnicity from the public schools in Skagit County. These numbers would not account for undocumented migrants who are not in school, but they do shed some light on the accuracy of the census data. We found school enrollment data to be highly similar to the census data. School district data indicated that the Hispanic youth population served in schools was approximately 3.5% lower than the 2009 Census estimate indicated.

Relative Rate Indices. The tables and charts in the appendix below depict the Relative Rate Indices (RRIs) for 2007 to 2009. Results indicate many decision points with disproportionality in these three years for cases involving Latinos and American Indians. The county youth population of African

Americans, Asians, and Pacific Islanders is small. Therefore, to ensure statistical integrity, these populations do not have estimated RRIs for every decision point.

Cases involving Latino youth were 1.8 to 2.6 times more likely to be referred to the juvenile court during these years than cases involving white youth. Of those referred, cases involving Latinos were 19 to 32% less likely to be diverted, 1.2 to 1.5 times more likely to be securely detained, and 1.2 to 1.5 times more likely to be petitioned than cases involving white youth. Of those with cases petitioned, cases involving Latinos were 18% less likely to have their case result in delinquent findings in 2007, with no statistically significant differences in 2008 and 2009.

Cases involving American Indian youth were 1.6 to 2.5 times more likely to be referred to the court than cases involving whites. Of those referred, cases involving American Indians were 38% less likely to be diverted in 2007 than cases involving whites, with no statistically significant differences in 2008 and 2009. They were 1.9 to 2.2 times more likely to be detained in 2007 and 2008, with no statistically significant difference in 2009. Cases involving American Indians were 59% less likely to have their case petitioned in 2007 than cases involving whites, with no statistically significant differences in 2008 or 2009. The numbers of American Indian cases at decision points beyond petitions was too small to calculate any other RRIs.

Cases involving African Americans were 1.5 to 1.7 times more likely to be referred to the court. RRIs for other decision points were not calculated due to small sample sizes. The rate of cases involving Asian youth that were referred to the court did not differ in statistically significant ways from the rate of white youth referred to the court.

Especially concerning decision points. Some interviewees expressed particular concern about the high levels of RRIs across decision points for Latino and American Indian youth.

Possible explanations for DMC.

1. *Undocumented migrant families.* As indicated above, the presence of seasonal or migrant workers who are not included in the census data may be artificially inflating estimates of disproportionality. Our analyses of school data did not find differences between school enrollment and census data; however, undocumented immigrants are probably less likely to be enrolled in school.
2. *Gangs.* Interviewees described an ongoing gang presence in the county. These gangs have individuals representing a variety of races and ethnicities, but we were told that individuals are disproportionately Latino when compared to the representation of Latinos in the population. Law enforcement offices have gang units that focus on gang activity and lists of admitted or suspected gang members.
3. *Contracts with tribal courts.* Skagit County Juvenile Court has contracts with tribal courts to hold Native youth in detention after the youth has been processed by the tribal court. This may artificially inflate the RRI for American Indian cases in detention, because this RRI is relative to the population of youth who had been referred to the Skagit County Court. Youth held for tribal courts would not be included in this population of referred youth. Additionally, the tribal courts decide how to use detention for the youth they are processing, not Skagit County Juvenile Court.

4. *Single parents, poverty and challenges of the working-poor.* Some interviewees felt that youth of color could be in poverty, have single parents, or be dependents of the state. This would be related to relatively less family availability and supervision, which in turn is related to disproportionality across all decision points, particularly arrest/referral, detention, and diversion. Youth are generally held in detention based on a threat to community safety and uncertainties about failure to appear. Less parental support and involvement is related to a decreased likelihood to appear, so youth of color may be more likely to be held. Some alternatives to detention require parental involvement. Without family support it is difficult to fulfill some alternatives to detention requirements.
5. *Geographically concentrated enforcement and arrests.*
 - a. Interviewees said that Latinos were more likely to live in Mt. Vernon, and that Mt. Vernon represented the majority of court referrals. Therefore, Latinos had a higher probability of court referrals. School district data confirmed that the Mt. Vernon school district had the highest population of Latinos, at 42%.
 - b. Interviewees believed that enforcement is concentrated in high-crime areas, which are disproportionately minority, and that this could lead to additional arrests.
6. *School disengagement and dropout.* We were told that the dropout rate for youth of color was much higher than for white youth. Youth who dropout are more likely to have less adult supervision and more contact with law enforcement.
7. *Demographic shifts.* Mt. Vernon and Skagit County have been through a large shift in demographics in the last 10 years, particularly with Latino families. Interviewees stated that what was once largely a migrant population has shifted to second-generation families living in Skagit County. This has resulted in shifting relationships, "...the community, in large part, still thinks of Mt. Vernon as primarily white and agrarian, and upper- to middle- class. So the acceptance among many in the mainstream community is lower than you might hope... I think there is clearly racial bias, but I don't see a lot of evidence of open racial tension.... We need more doctors, lawyers, teachers, other professional people who are Hispanic. When that happens, the level of acceptance, the power a group builds is significant."

Current approaches to addressing DMC.

1. *Skagit Gang Prevention and Intervention Team.* This team works on a multi-pronged strategy to prevent gang memberships, intervene with offenders, and disrupt gang activity. Some activities involve the Kulshan Kids Program to prevent gang membership, School Resource Officers who work with schools to target at-risk youth and intervene, collaborating with behavioral health service providers to develop intensive interventions and exit strategies, graffiti abatement programs, specialized prosecution, intelligence gathering, and community education. Bilingual officers work closely with families, try to help them navigate the juvenile justice system, and monitor their compliance.
2. *Juvenile Detention Alternatives Initiative (JDAI).* From 7/1/09 - 7/1/12, Skagit County was an Annie E. Casey Foundation JDAI site. They engaged in several efforts to address detention and disproportionality as a result of this work.
 - a. *Warrant Reduction Project.* Juveniles and their families receive phone calls from bilingual staff to remind them of their juvenile court hearings in an effort to reduce detention holds

due to failure to appear. Interviewees reported that there has historically been a high failure to appear rate for Latino youth, so their current efforts to address failures to appear are more highly focused on these at-risk youth. This project was sparked by data collected and analyzed through the JDAI.

- b. *Diversion.* Youth who meet certain criteria can be diverted out of the justice system through completing community service work, domestic violence counseling, a 10-session program called “Why Try?” that challenges youth to change their behavior, Functional Family Therapy, and other behavioral and community service programs.
3. *Community engagement and outreach.* The Skagit Juvenile Court has participated with a Latino Advisory committee to discuss the court and detention program, and has worked with Latino church leaders and members to provide mentorship to youth. Law enforcement representatives sit on the Skagit Immigrant Rights council. The Mt. Vernon police chief and other law enforcement have appeared on college radio programs. The Mt. Vernon Police Department also runs the “Preparatory Academy,” for high school students interested in learning more about law enforcement, including training and defensive tactics.
4. *Diversion policies.* Interviewees reported that the Juvenile Court and prosecutor’s reading of state statutes allows for diverting certain felonies, whereas some other jurisdictions have typically not allowed for this. There is a belief that diverting some of these types of charges may help reduce DMC.
5. *Increasing cultural competency and staff diversity.* The Skagit Juvenile Court stated that they have focused on engaging more Latino families in Functional Family Therapy; one activity was hiring a bilingual FFT therapist. Interviewees said that this has increased the connection with Hispanic families and the success of FFT in serving this population. We were told that there are Spanish speaking juvenile probation officers, detention staff, and public defenders, and that translators were also available.
6. *Schools and the court*
 - a. *Changes in approach to truancy court.* Staff in truancy court were described as “working as case managers rather than just monitoring court orders. They go out and collaborate with the schools. We have a large class to meet family’s information needs, and beyond that the staff do assessments with youth and parents to develop a case plan, which includes trying to be an advocate for the case process.”
 - b. *School Resource Officers.* The SROs were described as having a community-oriented philosophy to policing. Interviewees stated that officers have participated in afterschool reading programs and have provided a mentoring and helping approach. SROs also work on gang prevention in middle schools, which includes collaboration with parents and the school, and conducting informational community meetings about gang-related topics.
7. *Community-based behavioral health services, prevention, intervention, and support programs.* Interviewees mentioned several community-based programs that provide support to youth. Among others, these included Oasis teen center and the Friendship House. However, we were told that economic issues have decreased the funding for these programs and the amounts of services they can provide. Law enforcement has partnered with the forest service to conduct field trips, conservation projects, and other outdoor activities, primarily for Latino youth.

8. *Law enforcement training, policies, and practices.* As in all jurisdictions, law enforcement has a policy that states that racial profiling is not to occur and that enforcement decisions are to be made on objective criteria. Law enforcement staff are trained on criteria-based enforcement, cultural competency, and language barriers.

Challenges. Interviewees told us that there may be some philosophical differences among some of the key stakeholders in the justice and political systems in terms of the general approach to working with youth. These are related to varying levels of willingness to use alternatives to detention and other approaches. Skagit County faces the challenge of building consensus among key players in terms of prioritization of policies and activities that could address DMC. Interviewees also described a challenge of maintaining the efforts of the Juvenile Detention Alternatives Initiative. There were varying accounts about whether certain JDAI efforts or activities had been sustained or were sustainable.

Recommendations. Skagit County is engaged in a number of positive efforts that may have an impact on DMC. Through JDAI and the initiatives of various key stakeholders, Skagit County has taken many of the steps necessary to address DMC: 1. Good data quality; 2. Salient policy and practice changes to address DMC; 3. Community outreach and engagement; and 4. Collaboration among the court, law enforcement, and schools. We recommend that Skagit County focus on the following efforts:

1. *Create or reinvest in programs, practices, policies, and partnerships to address emerging areas of greatest need.* At-risk and minority youth may need greater access to alternatives to arrest and the justice system, including prevention, behavioral health interventions, community activities, and diversion programs. Many of these activities already exist in Skagit County, but others will need to be built in order to provide a full array of approaches to address the multi-systemic causes of DMC.
2. *Strengthen efforts to involve communities of color in the functioning of the justice system.* The quickly changing demographics of Skagit County calls for increased involvement of communities in decision-making about justice system policies and practices. This can include expanding the justice system workforce to be more inclusive and diverse, as Skagit County Juvenile Court is already doing, to including community representatives on citizen advisory boards and program partnerships.
3. *Conduct additional, nuanced analyses of case-level disproportionality for American Indian youth.* Native American disproportionality may be misrepresented because the Skagit Juvenile Court and detention contracts with tribal nations to deliver some services but not others. In order to address this issue, future data analyses should analyze cases involving Native youth separately for those cases under tribal jurisdiction from those cases under county jurisdiction.
4. *Monitor disproportionality over time and adjust practices to meet emerging needs.*

Chapter Appendix—Skagit County Relative Rate Indexes

State :Washington		Reporting Period January 2007					
County: Skagit		through December 2007					
	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
1. Population at risk (age 10 through 17)	12,895	9,598	190	2,570	243		294
2. Juvenile Arrests (UCR - age 10-17)							
3. Refer to Juvenile Court (Offense Referrals)	1,420	769	26	533	16		58
4. Cases Diverted	612	387	8	182	7		18
5. Cases Involving Secure Detention	549	259	17	219	8		37
6. Cases Petitioned (Charge Filed)	415	194	7	196	8		6
7. Cases Resulting in Delinquent Findings (Guilty)	258	131	4	109	6		5
8. Cases resulting in Probation Placement							
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities (JRA & Local)	273	113	3	149	5		2

State :Washington		Reporting Period January 2008					
County: Skagit		through December 2008					
	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
1. Population at risk (age 10 through 17)	12,725	9,287	198	2,685	253		302
2. Juvenile Arrests (UCR - age 10-17)							
3. Refer to Juvenile Court (Offense Referrals)	1,286	755	25	420	21		38
4. Cases Diverted	546	336	9	152	7		12
5. Cases Involving Secure Detention	642	305	17	254	14		33
6. Cases Petitioned (Charge Filed)	471	263	12	175	6		7
7. Cases Resulting in Delinquent Findings (Guilty)	341	191	6	131	6		4
8. Cases resulting in Probation Placement							
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities (JRA & Local)	287	166	6	108	4		0

State :Washington	Reporting Period January 2009							
County: Skagit	through December 2009							
	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	
1. Population at risk (age 10 through 17)	12,858	9,219	220	2,848	278		293	
2. Juvenile Arrests (UCR - age 10-17)								
3. Refer to Juvenile Court (Offense Referrals)	1,128	665	24	359	13		40	
4. Cases Diverted	439	288	7	116	5		18	
5. Cases Involving Secure Detention	562	294	16	201	8		21	
6. Cases Petitioned (Charge Filed)	518	283	15	192	5		18	
7. Cases Resulting in Delinquent Findings (Guilty)	301	156	11	117	3		9	
8. Cases resulting in Probation Placement								
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities (JRA & Local)	280	150	10	107	2		8	

Key:	
Statistically significant results:	Bold font
Results that are not statistically significant	Regular font
Group is less than 1% of the youth population	*
Insufficient number of cases for analysis	**
Missing data for some element of calculation	---

Summary: Relative Rate Index Compared with White Juveniles					
State :Washington	Reporting Period January 2007				
County: Skagit	through December 2007				
	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
2. Juvenile Arrests	**	**	**	*	**
3. Refer to Juvenile Court	1.71	2.59	0.82	*	2.46
4. Cases Diverted	**	0.68	**	*	0.62
5. Cases Involving Secure Detention	**	1.22	**	*	1.89
6. Cases Petitioned	**	1.46	**	*	0.41
7. Cases Resulting in Delinquent Findings	**	0.82	**	*	**
8. Cases resulting in Probation Placement	**	**	**	*	**
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	**	1.58	**	*	**

Summary: Relative Rate Index Compared with White Juveniles

State :Washington

Reporting Period January 2008

County: Skagit

through December 2008

	Black or African- American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
2. Juvenile Arrests	**	**	**	*	**
3. Refer to Juvenile Court	1.55	1.92	1.02	*	1.55
4. Cases Diverted	**	0.81	**	*	0.71
5. Cases Involving Secure Detention	**	1.50	**	*	2.15
6. Cases Petitioned	**	1.20	**	*	0.53
7. Cases Resulting in Delinquent Findings	**	1.03	**	*	**
8. Cases resulting in Probation Placement	**	**	**	*	**
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	**	0.95	**	*	**

Summary: Relative Rate Index Compared with White Juveniles

State :Washington

Reporting Period January 2009

County: Skagit

through December 2009

	Black or African- American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
2. Juvenile Arrests	--	--	--	*	--
3. Refer to Juvenile Court	1.51	1.75	0.65	*	1.89
4. Cases Diverted	**	0.75	**	*	1.04
5. Cases Involving Secure Detention	**	1.27	**	*	1.19
6. Cases Petitioned	**	1.26	**	*	1.06
7. Cases Resulting in Delinquent Findings	**	1.11	**	*	**
8. Cases resulting in Probation Placement	--	--	--	*	--
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	**	0.95	**	*	**

Spokane County

Population Trends

Below is a table of overall population change in Spokane County from 2000 to 2010, with categories and age groups defined by the US Census Bureau. Spokane County ranked 15th in the state in total (adults and children) population growth from 2000-2010. In 2010, self-identified non-Hispanic whites accounted for the majority of the county population, followed by Latinos, Asians, American Indians, African Americans, and Hawaiian/Pacific Islanders. Though Hawaiian/Pacific Islanders made up only a small proportion of the county, they were the fastest growing group, changing from 1,459 to 3,278, which was a 125% increase (the numbers of youth in this category are not large enough to be included in our analyses of Relative Rate Indices later in this chapter). The self-identified Latino population was the next fastest-growing group, changing from 11,561 to 21,260, which was an 84% increase. In 2010, youth aged 10-17 made up 10.5% of the population.

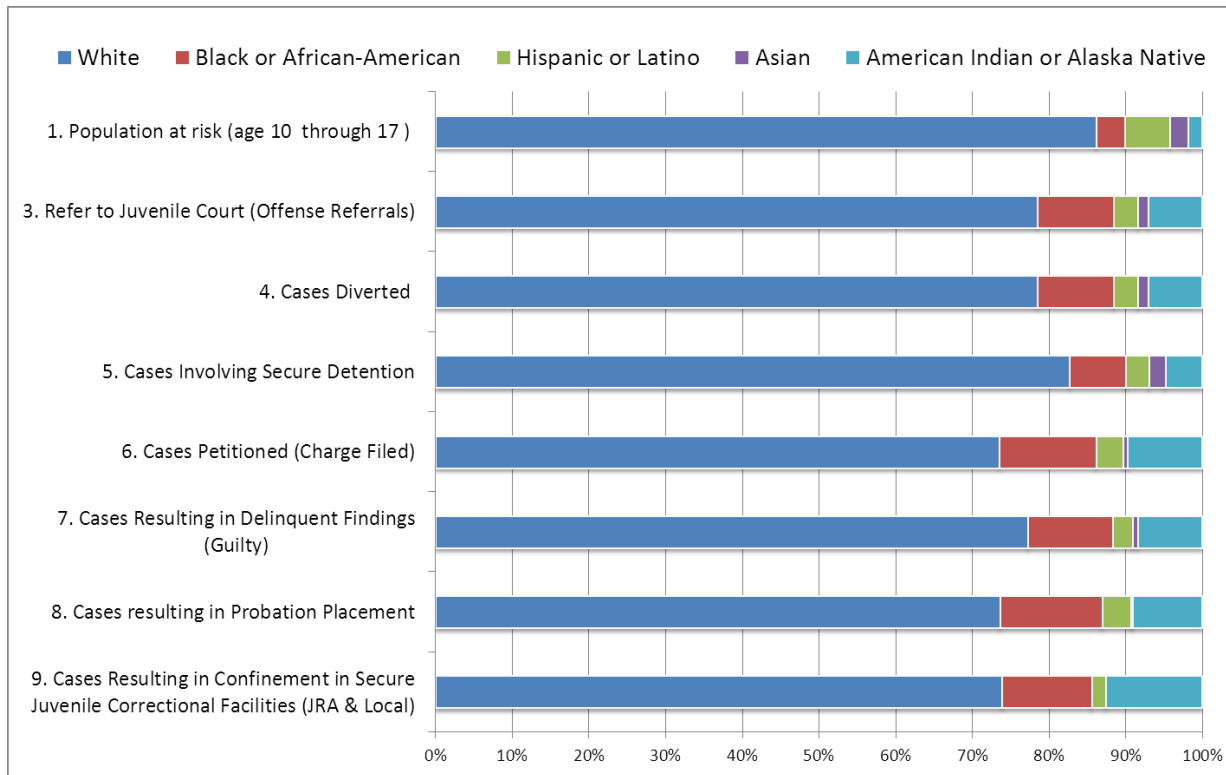
Spokane <i>Growth Rank:15</i>	Total Population (adults and children)		% Change
	2000	2010	
County Population	417,939	471,221	+12.7
Age (10-17 y.o.)	50,484	49,468	-2.0
Race alone or in combination with Hispanic			
<i>White</i>	392,527	436,663	+11.2
<i>Black or African American</i>	9,366	13,414	+43.2
<i>American Indian/Alaska Native</i>	10,212	14,286	+40.0
<i>Asian</i>	10,987	15,267	+40.0
<i>Native Hawaiian/Other Pacific Islander</i>	1,459	3,278	+124.6
<i>Two or More Races</i>	11,553	17,856	+54.5
Hispanic or Latino and race			
<i>Hispanic or Latino (of any race)</i>	11,561	21,260	+84.0
<i>Not Hispanic or Latino</i>	406,378	449,961	+10.7

Local Data Issues

There are two issues particular to Spokane County that impact the interpretation of the data on disproportionality. While local interviewees reported that the Russian community is large and has a unique issues and relationship with the justice system, we were not able to disaggregate Russian youth from the White category.

The graph below displays disproportionality data by percentages for 2009. RRIs and raw counts of cases at each decision point are displayed in the Appendices.

2009 Disproportionality Data



Interviews with Local Stakeholders

Interviewees

Court Administration	Judicial	Community representative	Law enforcement	Probation & Detention	Total
1	1	2	1	2	7

Summary of findings.

The chart above and the Relative Rate Indices depicted in the Appendix below reveal consistent disproportionality for African Americans and American Indians from 2007-2009. Over those years, cases involving African Americans were referred to the juvenile court at rates 2.9 to 3.4 times higher than White cases, relative to their county population, and cases involving American Indians were referred at rates 3.8 to 4.4 times higher. Of those referred, African American cases were 26-29% less likely to be diverted than white cases in 2007 and 2009 (there were no statistically significant differences in 2008), and American Indian cases were 35% less likely to be diverted. Of those referred, African American cases were 1.2 to 1.4 times more likely and American Indian cases were 1.3 to 1.5 times more likely to be held in secure detention. Of those referred, in 2007 and 2008 African American cases were 1.2 to 1.3 times more likely to have the case petitioned/charge filed (there were no statistically significant difference in 2009) and American Indian cases were 1.2 to 1.3 times more likely in all three years. Of those with filed cases, in 2007 and 2008 African American cases were 1.2 to 1.3 times more likely to

have their case adjudicated with delinquent findings (again there were no statistically significant differences in 2009), and American Indian cases were 1.4 times more likely to have their case adjudicated with delinquent findings in 2009 (no statistically significant differences in 2007 and 2008). Of those with cases adjudicated with delinquent findings, there were no statistically significant differences for African American cases or American Indian cases in the rate of confinement in secure facilities (JRA).

Cases involving Latino youth were 20-40% less likely to be referred to the juvenile court than cases involving White youth, in respect to their representation in the population, and cases involving Asians were 40-70% less likely to be referred. Of those referred, Latino cases were 30% less likely to be diverted in 2007. No other differences across decision points or years were statistically significant, though raw numbers of cases were relatively small so this limited our statistical power or ability to test for differences in some situations. Of those referred, Asian cases were 1.5 times more likely to be diverted in 2007 and 2009, 50% less likely to be detained in 2009, and 50% less likely to have their case petitioned in 2007. There were no other statistically significant differences in decision points or years for Asian cases, though raw numbers of cases were relatively small so this limited our statistical power or ability to test for differences in some situations.

Data accuracy. Most felt that the data seemed generally accurate with one exception. A few interviewees felt that the numbers for Latino youth were underrepresented and that Latino youth have a higher representation in the justice system. They felt that many Latino youth may be included with Whites.

Especially concerning decision points. All interviewees expressed special concern about African American and American Indian youth's high RRI across the board. In particular, there was a belief that arrest/referral, secure detention, and confinement in secure facilities were areas of particular concern.

Possible explanations for DMC. There were a wide range of possible explanations for DMC. Some of these, as we indicate below, were shared among all or most interviewees, while others were held by only a few interviewees. Differences in beliefs about explanations for DMC seemed to vary depending on if the interviewee had a role within the court, law enforcement, or community advocacy.

1. *Single parents, poverty and challenges of the working-poor.* Most interviewees felt that youth of color could be in poverty, have single parents, or be dependents of the state. This would be related to relatively less family availability and supervision, which in turn is related to disproportionality across all decision points, particularly arrest/referral, detention, and diversion. Youth are generally held in detention based on a threat to community safety and uncertainties about failure to appear. Less parental support and involvement is related to a decreased likelihood to appear, so youth of color may be more likely to be held. Some alternatives to detention, such as electronic monitoring, require parental involvement. Without family support it is difficult to fulfill some alternatives to detention requirements.

2. *Conscious or unconscious racial bias.* Many interviewees expressed a belief that law enforcement and other justice system decisions were affected by conscious or unconscious racial bias.
 - a. Several interviewees felt that youth of color were treated differently than White youth by law enforcement and other agencies
 - b. *Institutional racism* was cited as a major factor in DMC; White-developed justice systems were criticized as not culturally competent or relevant for people of color: “It’s the ultimate privilege. The system is set up so whites can navigate it, it’s their culture and they set it up. Even if you don’t have a language barrier, there is a ‘language barrier’ [due to cultural difference].”
3. *Need for more effective and engaging mental health services.* Several respondents believed that youth of color may not be appropriately and effectively served by community-based mental health treatments, so the justice system was a fallback for youth with mental health problems.
4. *Mistrust between communities and law enforcement.* Nearly all interviewees mentioned several highly publicized events of abuse and killings of unarmed citizens and other documented serious ethical lapses by law enforcement. These were cited as justification for a belief that the community has a mistrust of law enforcement and that there is particularly high tension between communities of color and law enforcement.
5. *Geographic enforcement and opportunities to offend.* The participant from law enforcement stated the following:
 - a. Enforcement is concentrated in high-crime areas, which are disproportionately minority, and that this could lead to additional arrests.
 - b. Certain crimes occur in areas with more opportunities to offend. Property crime on cars left on the street was provided as an example. These areas were said to have higher proportions of minorities.
6. *Gang activity.* Law enforcement has a gang unit that tracks people believed to be gang members, and gang activity is treated more seriously by law enforcement and the justice system. Many interviewees felt the gang presence was relatively small, given the size of the county. While one interviewee stated that there were significant numbers of white youth involved in gangs, s/he believed that youth of color were affiliated with gangs in disproportionate numbers, compared to the distribution of the population.
7. *Repeat offending.* Four interviewees said that DMC may be attributable to repeat offending by a few individuals, which leads to an increased likelihood of future contacts: “I think some of these kids become familiar to law enforcement or prosecutors. Once law enforcement recognizes the kids, they focus in on them a little more, try to hold them accountable. This happens more often in communities of color—I don’t know why but it does.” Another participant reinforced this notion, “We know the cars these guys drive, and we also know that we don’t catch them every time. When we do catch them we want to nail them.”
8. *Approach to crime and punishment.* The Law Enforcement interviewee varied from the other participants in stating a belief that DMC was due to a soft-handed court and detention center: “I joke that they are going to give them hugs. I feel like they should not be welcomed

when they come into the detention center, not treated with kid gloves.... When you make a place like juvenile detention a desirable place to be, it kind of defeats the purpose.... Having this different philosophy makes us the enemy to the juvenile court and we get frustrated.... If you scare the daylight out of them, they won't come back."

Current approaches to addressing DMC. Participants described several approaches to addressing DMC.

1. *Participation in Models for Change and JDAI.* Spokane County participated in the MacArthur Foundation Models for Change initiative and the Annie E. Casey Foundation Juvenile Detention Alternatives Initiative (JDAI). These initiatives and other activities of the Juvenile court have resulted in a number of policy, practice, and program innovations:
 - a. *Detention Risk Assessment Instrument (DRAI).* Spokane County, like many JDAI sites, has implemented a DRAI tool in an attempt to take unconscious bias out of the decision making process by standardizing the detention assessment process.
 - b. *Innovative programs.* There are several innovative programs to provide alternatives to secure detention. However, several of these programs have been reduced due to state and county budget cuts.
These programs include:
 - Day reporting center
 - Evening reporting center
 - Girl's group support
 - Electronic monitoring
 - Weekend reporting center for At-risk and truant youth and their parents
 - Community Service
2. *Collaboration with tribes.* Though participants stated this was nascent, the court administration is currently working with Tribal authorities to identify resources available 24 hours a day, 7 days a week who can provide support to tribal youth in the Spokane County juvenile justice system. This could provide an alternative to detention for youth without readily available support for a safe place to live and insured attendance at court hearings.
3. *Grassroots advocacy, organizing, and support for American Indian youth.* Several interviewees mentioned the NATIVE Project as a strong force for American Indians for justice involvement, physical and behavioral health, and other needs. The court mentioned contracting with this organization to provide support for mental health and drug and alcohol needs for youth.
4. *Workforce diversity.* The court participants described a deliberate attempt to identify and hire multicultural staff in an attempt to provide multiple viewpoints, reduce institutional racism, and increase the relevance of the court to diverse communities.
5. *Community forums.* Several community forums have been held to bring in diverse communities, address cultural sensitivity, and increase communication across diverse groups.
6. *Truancy prevention and intervention.*

- a. *Community Truancy Boards (CTB)*. A CTB was established in the West Valley School District in 1996 in response to the Becca Bill, with the goal of school re-engagement and renewed progress toward school completion and increased graduation rates. A study funded through Models for Change suggested there were positive outcomes in graduation and decreases in truancy. Four additional school districts in Spokane have adopted this model. Recent grant funding from the Roadmaps to Health Community Grant will focus on earlier intervention by establishing CTBs for Spokane Public Schools middle schools.
 - b. *Truancy Specialist Probation Counselor and Check and Connect*. In 2007, a Truancy Specialist Probation Counselor was placed in the West Valley School District, funded by a grant from the WA-PCJJ. This PC implemented Check and Connect, a best practice approach to truancy reduction.
 - c. *Behavioral Health Services*. Recently, through collaborative efforts with the Regional Support Network, the Spokane Juvenile Court began a pilot program offering Functional Family Therapy services to Becca youth (who are status offenders) who meet Medicaid and access to care requirements.
7. *Outreach by law enforcement to communities of color*. Two community outreach activities described below were thought to be an approach to addressing DMC; however, interviewees said that the recent high-profile abuses and shootings by law enforcement had made these activities less effective than hoped.
- a. Participants described neighborhood meetings between law enforcement and neighborhood groups.
 - b. Law enforcement has a neighborhood resource officer program that is designed to resolve neighborhood disputes. They also have a Public Information Officer program available 24/7 so law enforcement can speak to the media about emerging events.
8. *Partnership between Juvenile Courts and the Spokane Police Department*. Juvenile Court has begun a partnership with the Police Department. A Juvenile Probation Counselor is joining forces with the Bike Patrol to focus on the downtown Spokane business area. The Counselor will be between streets and alleys identifying youth to talk to and link to services or remind them to show to court.
9. *Mentorship program*. Recent efforts are focused on collaboration with Big Brothers/Big Sisters to identify mentors for youth in diversion, with a particular focus on services to address needs for youth of color.

Challenges.

1. *Lack of money for resources* was mentioned repeatedly as a major challenge to addressing DMC. Budget cuts were referred to as, “The largest they’ve ever been, the biggest budget crisis we can remember.” Money and resources (staff) for sustainability was cited as needed for alternative resources to support youth outside of detention, including family support, monitoring, and positive youth development opportunities. Resources were also sought to explore justice system data in additional ways and “drill down” possible reasons for DMC.

2. *Definitions of “success” and the difficulty of specifically reducing DMC.* As in many other counties, there was some frustration with the belief that decreases in the overall detention population (considered a success) was not necessarily related to decreases in DMC. There was a belief that disproportionality was harder to address: “If we had done this 10, 20, or 30 years ago, we might have the same DMC graphs we have today... Now, if we have developed alternatives to detention, most likely the white kids are in those alternatives because the kids in detention are the highest risk, highest needs kids. They probably have mental health issues, housing, poverty, school dropout, and you would expect it to disproportionately impact the poor, and the minority population is more likely poor.”
3. *The relationship between the law enforcement and courts and community representatives was clearly strained.* Interviewees described weak relationships and different philosophies among law enforcement and other stakeholders. An additional partnership, described above, could help strengthen these relationships.

Future directions. When asked what possible future directions Spokane County could take to address DMC reduction, interviewees provided a variety of responses.

1. *More alternatives to detention.* Most participants believed that they needed access to less restrictive programs and services: “I wish we had an alternative for placement—something that is not secure detention but is more than just a shelter. Some place where people are keeping tabs on the kids, setting expectations. We have a shelter, but we need something more structured, like a facility where people can go track kids down.” As described above, collaborative efforts between the Juvenile Court and the Police Department are underway.
2. *Empower communities of color to participate in designing the justice system.* In order to undue institutional racism, some participants argued for more diverse community involvement in restructuring the justice system: “We need to empower our communities so they have a say in how the justice system operates.... It can’t just be this bureaucratic experience.”
3. *Provide educational resources to avoid school detention and dropout.* Participants felt that a positive bond among schools, youth, and communities of color was essential to keep youth “on the right path.”
4. *More training in cultural competency, undoing institutional racism, across law enforcement, attorneys, courts, and detention.*
5. *More resources in the community* to “give these kids the same opportunities that white kids have.”
6. *Collecting data on tribal affiliation.* Interviewees remarked that they are currently focusing some efforts on identifying and entering into the data management system the tribal affiliation of Native youth.

Further data analysis.

1. Interviewees expressed a desire to drill down the data to see if there is disproportionality after controlling for referral reason and other variables likely correlated with justice system decisions.

2. One participant asked for an analysis of victimization, whether there was Disproportionate Minority Victimization, and what the racial and ethnic match is between perpetrators and victims of crimes.

Recommendations. Our data analyses and interviews revealed that Spokane County continues to struggle with relatively high rates of disproportionality, particularly for African American and American Indian youth. The Juvenile Court has faced large state and county budget cuts and could improve collaborative activities among the court, law enforcement, and community advocacy groups. However, they have addressed some of the steps necessary to address DMC: 1. Good data quality; 2. Good understanding of the data; 3. Salient policy and practice changes to address DMC; and 4. New program implementation. Many of these steps occurred as a result of their participation in Models for Change and JDAI, as described above.

While we understand the strong limitations facing Spokane and other jurisdictions—budget reductions, resource availability, lack of available staff, and higher caseloads—we recommend that Spokane County focus on the following areas:

1. *Review policies and procedures for collecting Latino ethnicity.* There is some belief that the court data does not accurately capture the number of Latino youth, and understates a true level of disproportionality. This could be related to the relatively low rate of Latino referrals in this data. Current procedures should be examined and, if necessary, improved through the implementation of a standardized process for collecting race/ethnicity data. Relying on law enforcement reports is insufficient because law enforcement in most jurisdictions is not required to collect data on Latino ethnicity.
2. *Obtain state or other funding to invest or re-invest in programs, practices, policies, and partnerships to address emerging areas of greatest need.* At-risk and minority youth may need greater access to alternatives to arrest and the justice system, including prevention, behavioral health interventions, community activities, and diversion programs. Partnerships may particularly be needed in the following areas:
 - a. *Build and maintain collaborative relationships between the court and law enforcement.* DMC in the justice system begins with arrest. To begin to address this issue, serious collaborative relationships need to be built and maintained. Stakeholders should continue creative approaches that incentivize collaboration while respecting the values of each system.
 - b. *Continue to collaborate with schools* to prevent the “school to prison pipeline” that results from disproportionate disciplinary actions and dropout. The Models for Change initiative has built a foundation for this work in Spokane.
 - c. Strengthen collaborative partnerships with community advocacy organizations, particularly those focused on African American and American Indian youth and families, in order to empower their participation in the

structure and process of the justice system, and supporting youth and communities.

3. *Monitor the data through RRI and other measures to examine progress, while drilling down deeper into the data to uncover underlying causes.* Monitoring change over time can identify areas that show little or no improvement and areas of success.
4. *Work to increase buy-in and ownership across all stakeholder groups.* It is important for all DMC stakeholder groups to believe that it is their responsibility to endeavor to address DMC, despite a belief that DMC is caused by factors that are external to their control, such as poverty.
5. *Conduct more cross-system training in cultural competency and undoing institutional racism for law enforcement, attorneys, courts, and Juvenile Court.*

Chapter Appendix—Spokane County Relative Rate Indices

State :Washington		Reporting Period January 2007 through December 2007					
County: Spokane							
	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
1. Population at risk (age 10 through 17)	49,227	43,135	1,594	2,500	1,058		940
3. Refer to Juvenile Court (Offense Referrals)	3,912	3,064	384	139	33		255
4. Cases Diverted	1,771	1,462	136	45	23		78
5. Cases Involving Secure Detention	2,010	1,505	248	70	11		176
6. Cases Petitioned (Charge Filed)	1,460	1,110	172	45	6		124
7. Cases Resulting in Delinquent Findings (Guilty)	538	391	75	16	2		54
8. Cases resulting in Probation Placement	494	378	66	10	4		36
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities (JRA & Local)	431	314	61	13	2		41

State :Washington		Reporting Period January 2008 through December 2008					
County: Spokane							
	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
1. Population at risk (age 10 through 17)	48,661	42,327	1,672	2,643	1,110		909
3. Refer to Juvenile Court (Offense Referrals)	3,513	2,740	342	130	20		260
4. Cases Diverted	1,519	872	114	43	14		71
5. Cases Involving Secure Detention	1,900	1,405	236	68	7		178
6. Cases Petitioned (Charge Filed)	1,058	786	131	38	3		100
7. Cases Resulting in Delinquent Findings (Guilty)	494	350	78	19	0		47
8. Cases resulting in Probation Placement	394	283	63	7	3		38
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities (JRA & Local)	400	274	66	15	0		43

State: Washington County: Spokane		Reporting Period January 2009 through December 2009					
	Total Youth	White	Black or African- American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
1. Population at risk (age 10 through 17)	48,871	42,118	1,811	2,880	1,150		912
3. Refer to Juvenile Court (Offense Referrals)	3,003	2,336	294	95	41		209
4. Cases Diverted	1,332	1,080	96	39	28		63
5. Cases Involving Secure Detention	1,609	1,177	202	56	10		156
6. Cases Petitioned (Charge Filed)	1,063	820	117	27	7		90
7. Cases Resulting in Delinquent Findings (Guilty)	436	308	54	26	1		46
8. Cases resulting in Probation Placement	318	235	37	6	0		40
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities (JRA & Local)	318	235	37	6	0		40

Key:	
Statistically significant results:	Bold font
Results that are not statistically significant	Regular font
Group is less than 1% of the youth population	*
Insufficient number of cases for analysis	**
Missing data for some element of calculation	---

Summary: Relative Rate Index Compared with White Juveniles					
Reporting Period January 2007 through December 2007					
State :Washington					
	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
2. Juvenile Arrests	--	--	--	*	--
3. Refer to Juvenile Court	3.39	0.78	0.44	*	3.82
4. Cases Diverted	0.74	0.68	1.46	*	0.64
5. Cases Involving Secure Detention	1.31	1.03	0.68	*	1.41
6. Cases Petitioned	1.24	0.89	0.50	*	1.34
7. Cases Resulting in Delinquent Findings	1.24	1.01	**	*	1.24
8. Cases resulting in Probation Placement	0.91	**	**	*	0.69
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities (JRA & Local)	1.01	**	**	*	0.95

Summary: Relative Rate Index Compared with White Juveniles					
Reporting Period January 2008 Through December 2008					
State :Washington					
County: Spokane					
	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
2. Juvenile Arrests	--	--	--	*	--
3. Refer to Juvenile Court	3.16	0.76	0.28	*	4.42
4. Cases Diverted	1.05	1.04	**	*	0.86
5. Cases Involving Secure Detention	1.35	1.02	**	*	1.34
6. Cases Petitioned	1.34	1.02	**	*	1.34
7. Cases Resulting in Delinquent Findings	1.34	1.12	**	*	1.06
8. Cases resulting in Probation Placement	1.00	**	**	*	1.00
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	1.08	**	**	*	1.17

Summary: Relative Rate Index Compared with White Juveniles

State :Washington

Reporting Period January 2009

County: Spokane

Through December 2009

	Black or African- American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
2. Juvenile Arrests	--	--	--	*	--
3. Refer to Juvenile Court	2.93	0.59	0.64	*	4.13
4. Cases Diverted	0.71	0.89	1.48	*	0.65
5. Cases Involving Secure Detention	1.36	1.17	0.48	*	1.48
6. Cases Petitioned	1.13	0.81	0.49	*	1.23
7. Cases Resulting in Delinquent Findings	1.23	**	**	*	1.36
8. Cases resulting in Probation Placement	0.90	**	**	*	1.14
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	0.90	**	**	*	1.14

Thurston County

Population Trends

Below is a table of overall population change in Thurston County from 2000 to 2010, with categories and age groups defined by the US Census Bureau. Thurston County ranked 6th in the state in population growth from 2000-2010. In 2010, self-identified non-Hispanic whites accounted for the majority of the county population, followed by Asians, Latinos, African Americans, American Indians, and Hawaiian/Pacific Islanders. The self-identified Latino population changed from 9,392 to 17,787, which was an 89.3% increase and represented the fastest growing group. Hawaiian/Pacific Islanders made up the next fastest growing group with an 87% increase from, 1,852 to 3,467. However, overall, this group still represented a small percentage of the overall county population. In 2010, youth aged 10-17 made up 10.7% of the population.

Thurston <i>Growth Rank:6</i>	Population		% Change
	2000	2010	
County Population	207,355	252,264	+21.7
Age (10-17 y.o.)	25,426	27,116	+6.6
Race alone or in combination with Hispanic			
<i>White</i>	184,578	219,952	+19.1
<i>Black or African American</i>	6,509	10,385	+59.5
<i>American Indian/Alaska Native</i>	5,817	7,781	+33.7
<i>Asian</i>	12,036	18,261	+51.7
<i>Native Hawaiian/Other Pacific Islander</i>	1,852	3,467	+87.2
<i>Two or More Races</i>	7,985	13,495	+69.0
Hispanic or Latino and race			
<i>Hispanic or Latino (of any race)</i>	9,392	17,787	+89.3
<i>Not Hispanic or Latino</i>	197,963	234,477	+18.4

Summary of findings.

Data accuracy. All interviewees were asked if they believe the disproportionality data (described below) was accurate, given their experiences of working in or with the justice system. Several interviewees said that it is difficult to tell if the data was accurate because of the small numbers of non-white youth in the county. One interviewee felt that the numbers may not be accurate because a relatively small increase in minority youth at certain decision points, such as secure detentions, could significantly skew the data. However, one participant also expressed the belief that misgivings about the accuracy of the data could stem from a lack of understanding about DMC. This interviewee felt there was a need for WA-PCJJ to assist Thurston County to understand the process of determining disproportionality, including understanding the state's definitions of decision points, how data is entered and retrieved, and how RRI's are generated. The Office of Juvenile Justice has offered their

assistance in the past and stated a willingness to continue to work with Thurston County to assist them in understanding and addressing DMC.

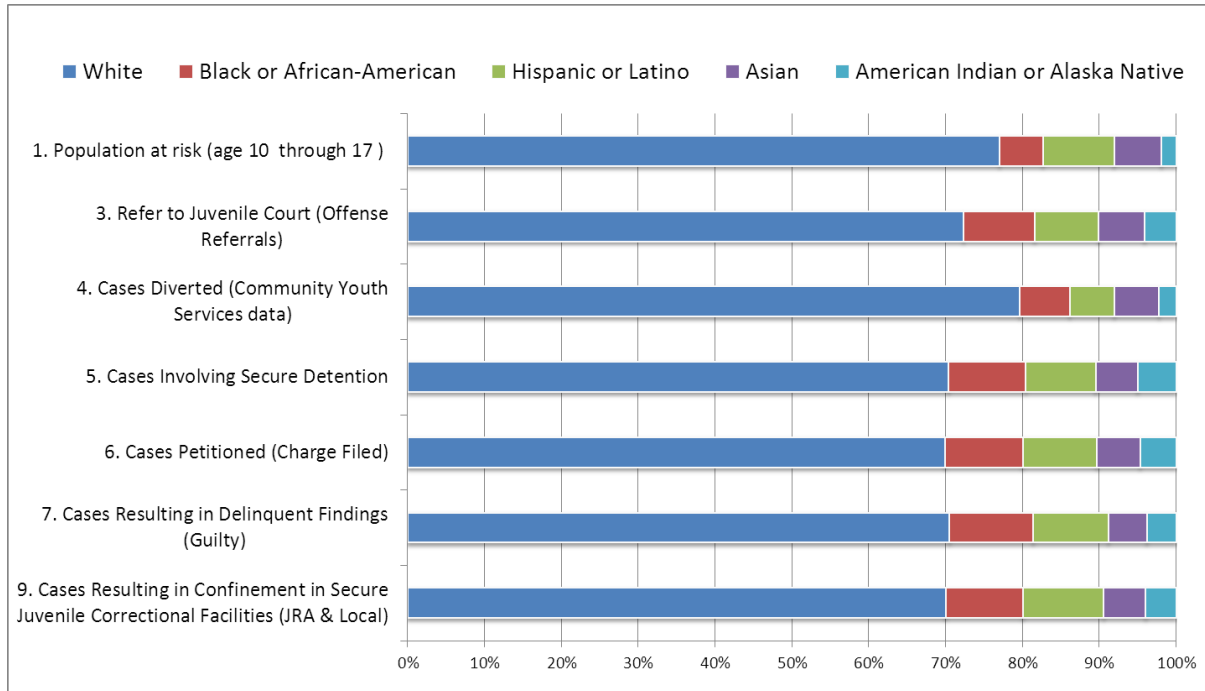
Relative Rate Indices. The raw numbers of youth and RRI for 2007-2009 are depicted in the tables and graphs appended to this chapter. The 2009 data is also displayed as bar graphs below. RRIs during these years indicate that juvenile cases involving African American youth were 1.7 to 1.9 times more likely to be referred to the juvenile court than cases involving white youth, proportional to their representation in the population. Of those referred, cases involving African American youth were 36% less likely in 2009 and 28% less likely in 2007 to have their case diverted (there were no significant differences in 2008). There were no other statistically significant differences between cases involving African American youth and cases involving whites at all other decision points—detention, formal petitioning, cases resulting in delinquent findings, and cases resulting in confinement in secure facilities.

The rate of cases involving American Indian youth referred to the juvenile court were 1.9 to 2.3 times higher than the rate of cases involving white youth, proportional to their representation in the population. Of those referred, cases involving American Indian youth were 51-59% less likely to be diverted than cases involving white youth. There were no other statistically significant or large differences for cases involving American Indian youth in regards to decisions involving secure detention, formally filing petitions, cases resulting in delinquent findings, or cases resulting in secure confinement.

Cases involving Latino youth were 54% less likely to be referred to the juvenile court than cases involving white youth in 2007, proportional to their representation in the population; there were no statistically significant differences in 2008 and 2009. Of those referred, cases involving Latino youth were 37% less likely to be diverted than cases involving whites in 2007; there were no statistically significant differences in 2008 and 2009 due to low sample sizes, though the raw differences were still quite large. Of those referred, cases involving Latinos were 1.3 times more likely to involve secure detention than cases involving white youth in 2007 and 2008; the difference at this decision point was not statistically significant in 2009. Of those referred, there were no other statistically significant RRIs for any other decision point for cases involving Latinos, including decisions to petition, cases resulting in delinquent findings, and cases resulting in secure confinement.

The rate of cases involving Asian youth referred to the court in 2007 and 2008 were 23-24% lower than the rate of cases involving white youth, proportional to their representation in the population. There were no other statistically significant RRIs for any year and any other decision point.

2009 Disproportionality Data



Interviews with Local Stakeholders

Interviewees

Court Administration	Judicial	Community-based behavioral health services provider	Law enforcement	Total
1	1	2	1	5

Possible explanations for DMC.

1. *Type and severity of charge.* One interviewee felt that expressing DMC as RRIs may provide an incomplete picture because RRIs do not differentiate type of charge. More severe charges and crimes are more likely to influence decision points later in the system. Severe charges are less likely to be diverted and more likely to result in secure confinement.
2. *Tribal Referrals to Thurston County Court.* Interviewees told us that, though it is infrequent, some of the tribes occasionally refer cases to the Thurston County Juvenile Court for processing. This would result in American Indian cases being processed for youth who are not counted in the census for Thurston County, which would artificially inflate RRIs at those decision points.
3. *Conscious or unconscious racial bias and prejudice.* As in all other jurisdictions, interviewees said that they believed some disproportionality was due to conscious or unconscious racial bias and prejudice. This may be due to individual decisions by law enforcement, the courts, and related

justice system staff, and it may be due to societal-level reasons such as fewer opportunities for persons of color, and increased suspicion of persons of color.

4. *Repeat offending.* Due to the relatively small population, a few repeat offenders can have a disproportionate impact on estimates of RRI. This is particularly true for American Indian youth as they comprise the smallest racial group in this data categorization scheme.
5. *Relationships among race and child-serving systems.* Interviewees told us that a disproportionate number of youth in the Juvenile Justice system in Thurston County are or were also in the Child Welfare system. This group of cross-system youth is also disproportionately African American. Interviewees said that these relationships may be due to two major reasons: subtle bias and the relationships among poverty, race, and public systems.
6. *Proximity to military base.* Thurston County abuts Joint Base Lewis-McChord, a joint US Army and Air Force base. A relatively transient population of military youth is associated with this base. These youth occasionally commit offenses in Thurston County. Interviewees believe that the racial demographics on the base are less white than in Thurston County. Therefore, Thurston County's RRIs could be inflated when those youth offend.
7. *Poverty and lack of parental support.* Some interviewees remarked that poverty was related to DMC across several decision points. For instance, one interviewee stated that "Poverty is the biggest factor for youth who are struggling to complete their diversion agreements, and poverty and race are linked... Other reasons for non-compliance would be a guess, but from our experience it is often youth who are struggling and lack parental support. I wouldn't say it is a one- vs. two-parent issue, there are just many who have parents who are struggling with mental health, drug, and alcohol issues. Also, there are many other things going on in their lives related to poverty, to have to deal with diversion may be the least priority for the families."
8. *Skepticism of the juvenile court and the justice process.* Two interviewees believed that skepticism about the court and diversion practices may negatively impact participation in diversion, "Skepticism of diversion in certain communities may keep them from being involved. If we're able to talk with them to confirm the diversion appointment, nearly all of them will show up. If we are not able to get them on the phone, most will not appear."
9. *Gang involvement from other jurisdictions.* The interviewee from law enforcement spoke of gangs from other counties who come to Thurston County, "We are an untapped resource. We don't have massive poverty issues here, there are a lot more folks with money to spend on whatever the gangs are peddling. This area hasn't yet been claimed by gangs. People commute down here to deal drugs."

Current approaches to addressing DMC.

1. *Collaboration with tribal social workers.* At least one of the tribes has a social worker who comes to the Thurston County Juvenile Court when a youth who is a dependent of the tribe is processed. He explains to them what will happen during the court proceedings and acts as a liaison and support for the youth.
2. *Committee on cross-system youth.* Thurston County has a committee focused on addressing the needs of cross-system youth—those youth who are in juvenile justice and in the care of state or tribal child welfare systems, and who are repeat offenders. This group of youth is small, only

about 16 or so, but are some of the most frequently referred youth to juvenile justice. The group working on this issue consists of judges, prosecutors, defense council, probation, school districts, detention staff, children's administration, and group home staff.

3. *Thurston County Juvenile Justice Coalition.* Thurston County has a Juvenile Justice Coalition that meets to talk about issues of interest to juvenile justice, such as gang prevention and intervention. Members include prosecutors, law enforcement, JRA, social service agencies, and occasionally schools. An interviewee told us that this coalition has occasionally discussed DMC .
4. *Approach to diversion.* Thurston County service providers collaborate with the court on a restorative justice approach to diversion, which has been demonstrated to reduce recidivism. Community Accountability Boards have some oversight over youth's progress, and restorative justice conferences provide an opportunity for members of the community who were impacted by an offence to share what happened to them and build consensus on appropriate consequences. Of course, as with all prevention and intervention programs, this would only have an impact on disproportionality if youth of color have access, if it is effective for youth of color, and if youth of color find the program relevant.
5. *Improving data collection and management quality.* Within the last two years, Thurston County has changed their data management system, with one objective being to more accurately capture data on race and ethnicity. Staff are currently working on ways to query race data in order to "drill down" in more detail on interesting questions.
6. *Objective detention admissions criteria.* Thurston County applies standardized criteria to decisions on whether to detain youth.

Challenges. Some interviewees remarked that there is generally little knowledge about DMC in the community, and that many stakeholders would believe that there is no evidence of disproportionality. The court reviews data that occasionally released. Based on our interviews, Thurston County is at a very early stage in DMC reduction efforts. The main challenge at this point is to increase the awareness and understanding of DMC among the key community stakeholders such as law enforcement, prosecutors, defense attorneys, detention, court staff, and general community advocates, in order to work toward building a coalition focused on DMC reduction efforts.

Further data analysis. Interviewees expressed several areas where they would like additional data analyses that could inform DMC reduction efforts:

1. *Explore disproportionality by type of crime.* Some interviewees were interested in exploring whether disproportionality existed after controlling for types and severity of crime. Categories of interest were misdemeanors compared to felonies, and less severe crimes such as theft, compared to more severe crimes such as violent crimes and arson.
2. *Examine the reasons behind why youths who are formally eligible for diversion do not complete it.*
 - a. *Examine the reasons for opting out, stratified by race/ethnicity.*
 - b. *Examine the reasons for being declined for diversion, stratified by race/ethnicity.*

- c. *Explore cases that do not comply with diversion—identify the reasons for non-compliance, the factors behind success (staff support, case management, poverty) in order to identify what Thurston County can do to help support compliance.*
- 3. *Examine the characteristics of those cases referred to the court that are related to whether a case is formally charged (as opposed to not charged) in order to identify the factors related to disproportionality of referral.*
- 4. *Analyze arrests by county of residence.* Law enforcement commented that some DMC may be due to out-of-county residents who come to Thurston County to deal drugs. To explore this possibility, the county could complete an analysis of arrests, referrals, and types of charges for in-county residents compared to out-of-county residents.

Recommendations. Thurston County was not an Annie E. Casey Juvenile Detentions Alternatives Initiative or a MacArthur Foundation Models for Change site. We believe that Thurston County would benefit from some of the foundational DMC-related work that has been done in other jurisdictions as a result of these initiatives. This begins with information gathering about DMC in the county (the current report provides a start), educating system stakeholders on understanding DMC and the possible reasons it exists, building or strengthening coalitions who are interested in addressing the problem, and identifying systematic approaches to addressing it

- 1. *Build a cross-system coalition to address DMC reduction efforts, or integrate DMC reduction efforts with an existing committee (such as the Juvenile Justice Coalition or the Committee on Cross-System Youth.* This coalition should endeavor to learn about DMC, how to interpret data that define DMC, and pinpoint areas in which policies, practices, and procedures can be sharpened in order to address DMC.
 - a. *Increase efforts to collaborate with law enforcement.*
 - b. *Consider collaborating with other jurisdictions who have engaged in DMC reduction efforts and related efforts, such as the Juvenile Detention Alternatives Initiative.*
 - c. *Regularly engage in DMC data analysis and interpretation with this coalition.*
- 2. *Verify the validity and reliability of data collected on race/ethnicity.* Interviewees felt that the data being collected about race and ethnicity were of good quality. Nonetheless, Thurston (as most jurisdictions in the state) would benefit from verifying that all staff who collect and enter this data understand the importance of collecting it, the need to verify information provided by law enforcement, the valid race and ethnic categories accepted in different data management systems, and systematic, consistent methods of collecting this data from youth. Some jurisdictions have had a brief training for all staff who collect this data, and included laminated cards describing racial and ethnic categories.
- 3. *Consider additional DMC reduction efforts at referral and diversion.* Referral and diversion constitute the decision points with the most severe disproportionality in Thurston County. Therefore, the most effective approaches to addressing disproportionality are likely to focus on these decision points.
 - a. *Identify why youth of color are less likely to be diverted.* Explore the types of charges, the willingness to participate, the reasons why otherwise-qualified diversions may be

declined, and the reasons for failed diversions. Explore if additional efforts are needed for youth of color and their families to engage them in the diversion process.

- b. Consider diverting second-time offenders.* Some jurisdictions believe that diverting second-time offenders will reduce disproportionality in diversion, without increasing recidivism or decreasing public safety.
- c. Build on collaborative efforts with tribes to explore the low rates of diversion for American Indian youth.*

Chapter Appendix—Thurston County Relative Rate Indexes

State :Washington	Reporting Period January 2007 through December 2007						
County: Thurston							
	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
1. Population at risk (age 10 through 17)	24,991	19,651	1,292	2,044	1,500		504
2. Juvenile Arrests (UCR - age 10-17)							
3. Refer to Juvenile Court (Offense Referrals)	1,670	1,285	150	88	76		44
4. Cases Diverted (Community Youth Services data)	618	479	40	22	33		7
5. Cases Involving Secure Detention	1,260	924	116	84	67		37
6. Cases Petitioned (Charge Filed)	1,050	798	102	65	45		24
7. Cases Resulting in Delinquent Findings (Guilty)	810	613	86	46	35		21
8. Cases resulting in Probation Placement							
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities (JRA & Local)	834	634	77	50	34		20

State :Washington	Reporting Period January 2008 through December 2008						
County: Thurston							
	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
1. Population at risk (age 10 through 17)	24,903	19,403	1,363	2,151	1,500		486
2. Juvenile Arrests (UCR - age 10-17)							
3. Refer to Juvenile Court (Offense Referrals)	1,637	1,192	164	116	70		57
4. Cases Diverted (Community Youth Services data)	567	412	61	32	30		8
5. Cases Involving Secure Detention	1,269	922	113	116	55		47
6. Cases Petitioned (Charge Filed)	1,070	775	112	78	41		40
7. Cases Resulting in Delinquent Findings (Guilty)	700	504	73	50	30		35
8. Cases resulting in Probation Placement							
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities (JRA & Local)	739	546	69	55	24		34

State :Washington		Reporting Period January 2009 through December 2009					
County: Thurston							
	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
1. Population at risk (age 10 through 17)	26,081	20,087	1,474	2,409	1,613		498
2. Juvenile Arrests (UCR - age 10-17)							
3. Refer to Juvenile Court (Offense Referrals)	1,567	1,106	141	128	91		63
4. Cases Diverted (Community Youth Services data)	619	466	38	34	34		13
5. Cases Involving Secure Detention	1,160	799	114	103	62		57
6. Cases Petitioned (Charge Filed)	964	658	95	91	53		44
7. Cases Resulting in Delinquent Findings (Guilty)	744	519	80	72	37		28
8. Cases resulting in Probation Placement							
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities (JRA & Local)	742	513	74	77	40		29

Key:	
Statistically significant results:	Bold font
Results that are not statistically significant	Regular font
Group is less than 1% of the youth population	*
Insufficient number of cases for analysis	**
Missing data for some element of calculation	---

Summary: Relative Rate Index Compared with White Juveniles					
State :Washington			Reporting Period January 2007 through December 2007		
County: Thurston					
	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
2. Juvenile Arrests	**	**	**	*	**
3. Refer to Juvenile Court	1.78	0.66	0.77	*	1.34
4. Cases Diverted	0.72	0.67	1.16	*	0.43
5. Cases Involving Secure Detention	1.08	1.33	1.23	*	1.17
6. Cases Petitioned	1.09	1.19	0.95	*	0.88
7. Cases Resulting in Delinquent Findings	1.10	0.92	1.01	*	**
8. Cases resulting in Probation Placement	**	**	**	*	**
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	0.87	1.05	0.94	*	**

Summary: Relative Rate Index Compared with White Juveniles					
State :Washington			Reporting Period January 2008 through December 2008		
County: Thurston					
	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
2. Juvenile Arrests	**	**	**	*	**
3. Refer to Juvenile Court	1.96	0.88	0.76	*	1.91
4. Cases Diverted	1.08	0.80	1.24	*	0.41
5. Cases Involving Secure Detention	0.89	1.29	1.02	*	1.07
6. Cases Petitioned	1.05	1.03	0.90	*	1.08
7. Cases Resulting in Delinquent Findings	1.00	0.99	1.13	*	1.35
8. Cases resulting in Probation Placement	**	**	**	*	**
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	0.87	1.02	**	*	0.90

Summary: Relative Rate Index Compared with White Juveniles

State :Washington

Reporting Period January 2009

County: Thurston

through December 2009

	Black or African- American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
2. Juvenile Arrests	**	**	**	*	**
3. Refer to Juvenile Court	1.74	0.97	1.02	*	2.30
4. Cases Diverted	0.64	0.63	0.89	*	0.49
5. Cases Involving Secure Detention	1.12	1.11	0.94	*	1.25
6. Cases Petitioned	1.13	1.19	0.98	*	1.17
7. Cases Resulting in Delinquent Findings	1.07	1.00	0.89	*	0.81
8. Cases resulting in Probation Placement	**	**	**	*	**
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	0.94	1.08	1.09	*	**

Whatcom County

Population Trends

Below is a table of overall population change in Whatcom County from 2000 to 2010, with categories and age groups defined by the US Census Bureau. Whatcom County ranked 7th in the state in population growth from 2000-2010. In 2010, self-identified non-Hispanic whites accounted for the majority of the county population, followed by Latinos, Asians, American Indians, African Americans, and Hawaiian/Pacific Islanders. Hawaiian/Pacific Islanders was the fastest growing population, though this group remained a small percentage of the overall total, growing from 549 to 1,084, a 97% increase. The self-identified Latino population changed from 8,687 to 15,759, which was an 81.4% increase. In 2010, youth aged 10-17 made up 9.7% of the population.

Whatcom <i>Growth Rank:7</i>	Population		% Change
	2000	2010	
County Population	166,814	201,140	+20.6
Age (10-17 y.o.)	18,831	19,441	+3.3
Race alone or in combination with Hispanic			
<i>White</i>	151,389	178,541	+18.0
<i>Black or African American</i>	1,887	3,512	+86.1
<i>American Indian/Alaska Native</i>	6,420	8,542	+33.0
<i>Asian</i>	6,101	10,030	+64.3
<i>Native Hawaiian/Other Pacific Islander</i>	549	1,084	+97.4
<i>Two or More Races</i>	4,439	7,553	+70.1
Hispanic or Latino and race			
<i>Hispanic or Latino (of any race)</i>	8,687	15,759	+81.4
<i>Not Hispanic or Latino</i>	158,127	185,384	+17.2

Local Data Issues. At the time of our interviews, Whatcom County had recently lost several staff. One individual was fulfilling the roles of county clerk administrator, juvenile court administrator, and superior court administrator. Workload was high across the juvenile court, and participating in this DMC assessment seemed to be low on the list of county priorities. Additionally, law enforcement never responded to our multiple requests for an interview. Therefore, we were unable to find many willing participants, and there were only three people who participated in this DMC assessment.

An additional local data issue is that the Nooksak and Lummi Indian Reservations are in Whatcom County. Data for the American Indian population includes youth who were arrested on tribal lands but sent to the Whatcom Juvenile Court for processing. This happens more often for more serious offenses. Therefore, this data may inaccurately represent American Indian youth who reside in Whatcom County.

Finally, there is a large Russian population in Whatcom County. Interviewees felt that this community may have a distinct experience with the justice system, but these individuals were generally clustered

with “whites” for analysis. It may be important to extract this group for future analyses; identifiers to extract Russian youth were not available for the present analyses.

Summary of findings.

Data accuracy. Interviewees felt that the data was accurate with the exception noted above regarding case overlap with tribal courts, which would over- or underestimate DMC at certain decision points. Two interviewees remarked that it is difficult to get a sense of how accurate the RRI's are for African American and American Indians because these groups represent small populations in the county.

Relative Rate Indices. The raw numbers of cases occurring at each decision point for 2007-2009, and the respective RRI's for these data, are depicted in the Appendix to this chapter. A bar graph of the proportion of youth at each decision point for 2009 is displayed below. Because there were few African American and Asian youth in Whatcom County, several decision points are missing RRI's for these youth.

RRI's indicated that cases involving Latino youth were referred to the court at rates 1.4 to 1.7 times greater than cases involving white youth, proportional to their representation in the population. Of those referred, cases involving Latino youth were .74 times less likely to be diverted (or 26% less) than cases involving white youth in 2008. The 2007 RRI for diversion was missing, and 2009 was not statistically significant. Cases involving Latino youth involved secure detention 1.2 to 1.7 times more often than cases involving whites. Cases involving Latino youth were petitioned 1.3 times more often than cases involving white youth in 2008, while 2007 and 2009 were not statistically significant. Of those cases petitioned in 2009, cases involving Latino youth resulted in delinquent findings 1.4 times more often than cases involving white youth, while RRI's for delinquent findings in 2007 and 2008 were not statistically significant. Of those with delinquent findings, there were no statistically significant differences between cases involving Latinos and cases involving whites in the rate of cases resulting in secure confinement.

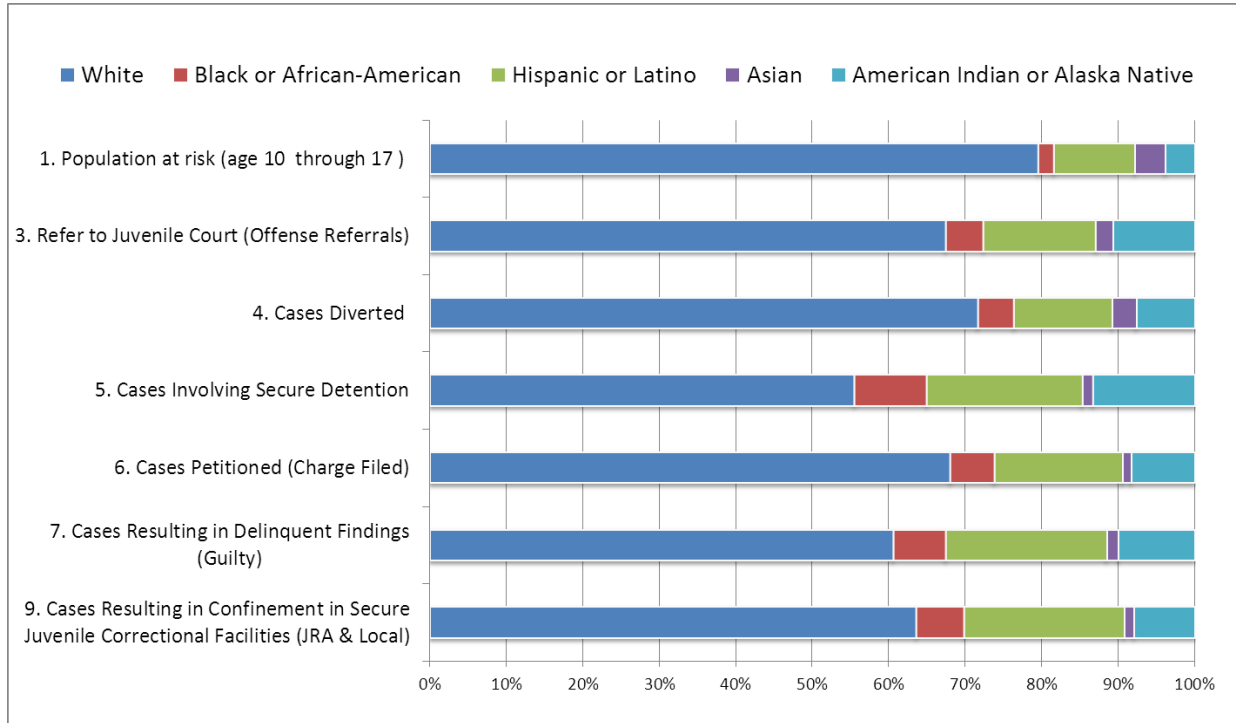
Cases involving American Indian youth were 3.3 to 4.0 times more likely to be referred to the juvenile court than cases involving white youth, proportional to their representation in the population. Of those referred, in 2008 and 2009 cases involving American Indian youth were .67-.68 times less likely (32-33% less likely) to be diverted. In 2009, cases involving American Indian youth were 1.5 times more likely to involve secure detention than cases involving white youth, with no differences in 2007 and 2008. Cases involving American Indian youth were .74-.75 times less likely (25-26% less likely) to have their case petitioned than white youth in 2007 and 2008; there was not a significant difference in 2009. Of those with a delinquent finding, there were no statistically significant differences between cases involving American Indian youth and cases involving white youth in all years.

Cases involving African Americans were 2.5 to 3.6 times more likely to have their case referred to the juvenile court than cases involving white youth, proportional to their representation in the population. Of those referred, cases involving African American youth did not significantly differ from cases involving white youth in the likelihood of diversion. Cases involving African American youth were 1.4 and 2.3 times more likely to involve secure detention in 2007 and 2009 than cases involving white

youth; in 2008 this was not statistically significant. All other decision points for African American youth were either non-significant or did not have a large enough sample to include.

Cases involving Asian youth were .65 times less likely (35% less likely) than cases involving white youth to be referred to the juvenile court in 2009, proportional to their representation in the population; there were no statistically significant differences in 2007 and 2008. No other decision point had a large enough sample size to calculate RRIs for Asian youth.

2009 Disproportionality Data



Interviews with Local Stakeholders

Interviewees

Court Administration	Judicial	Community-based behavioral health services provider	Total
1	1	1	3

Possible explanations for DMC. Interviewees presented several possible explanations for DMC. These are listed below in no particular order.

1. *Arrests, referrals, and detention of youth who do not reside in Whatcom County.*

- a. *Processing tribal cases.* As described above, the Whatcom County Juvenile Court occasionally processes cases referred to them by one of the tribal courts. This is often done when charges are serious, felony-level issues. This would inflate the RRIs for American Indian youth because it adds youth to the system who are not included in the county's census data.
 - b. *Detention for tribal youth.* Whatcom County contracts with the Lummi Nation to hold youth in detention who had been processed in tribal courts. Therefore, this would inflate the RRIs for detention for American Indian youth. Given this fact, it is surprising that the RRI for secure detention is only statistically significant in 2009; in 2007 and 2008, there are no differences between American Indian youth and white youth in the likelihood of being held in detention, proportional to those who were referred to the Whatcom County Juvenile Court.
 - c. *Dual jurisdiction.* Cases involving Native American youth were consistently less likely to have their case petitioned than cases involving white youth. Interviewees stated that this may be due to the fact that youth may be under dual jurisdiction. If they are arrested for a new offense in Whatcom County, but have a prior warrant from a tribal court, their cases would be transferred back to the tribal court for processing. Therefore, this case would count as a "referral" for Whatcom County, but a "case petitioned" for the tribal court, which would lower the RRIs for cases petitioned for American Indians.
 - d. *Border crossings.* Whatcom County borders Canada. Interviewees told us that many youth processed by the juvenile court were from out of state or out of county and were arrested at the border as runaways, as having outstanding warrants, or for other reasons. This would only impact DMC if these youth are made up of higher populations of minorities than the youth in Whatcom County. Unfortunately, these data are not available to us for examination.
2. *Discretionary diversion at second offense.* One possible explanation for DMC is that youth of color are more likely to have prior offenses and therefore be less likely to be eligible for mandatory diversion. We were told that Whatcom County permits diversion for second offenders but that it is on prosecutorial discretion, rather than being mandatory for certain situations.
 3. *Repeat offenders.* Because of the small number of African American and American Indian youth who reside in the county, a repeat offender could have a major impact on the estimates of disproportionality, which are based on the number of cases and not the number of people. However, Whatcom County would have to examine the data in more detail to see if the evidence suggests this is occurring.
 4. *Conscious or unconscious racial bias and prejudice.* One interviewee commented that, "... sometimes people's prejudices, they just don't have awareness of it. It's just that slant in somebody's mind. I think communities need to constantly address it through trainings on cultural awareness."

5. *Targeted Enforcement.* One interviewee stated that law enforcement focused their time on neighborhoods with the most crime, and that these neighborhoods tended to be high-poverty and disproportionately minority.
6. *Support at home.* Youth with caregivers who are active in their lives are more likely to be offered diversion and alternatives to detention. Poverty and single-parent households, cited as more common with youth of color, are less likely to have that active involvement.
7. *Gangs.* One interviewee stated that gang activity that was disproportionately engaged in by people of color was a reason for DMC. We were told that youth who are perceived to be in gangs spend a great deal of time downtown and “become obvious targets for police to be confronting.”
8. *Immigration and Customs Enforcement (ICE).* Two interviewees spoke about an increased presence of ICE since September 11, 2001, because Whatcom County shares a border with Canada. We were told that ICE currently does not have great community relations in the county, that ICE did not coordinate their efforts with the local justice system, and that they believed there was a lack of reporting of crimes by minority communities because they are afraid of being targeted by ICE.
9. *Disproportionate school expulsions.* One interviewee believed that youth of color were more likely to be expelled from school, and that this was related to problems with the justice system, “What do you think they are going to do when they are expelled? What are they going to do except get into mischief?”
10. *Complex social, cultural, and economic issues.* There was a belief that DMC was related to deep, complex social and economic issues that create more barriers to success for youth in poverty, youth of color, and youth who live in poor communities.
 - a. These can be related to added language and communication barriers, community drug and alcohol issues, lack of employment opportunities, and lack of community resources.
 - b. These are also related to a lack of cultural understanding by the dominant culture due to a lack of exposure, and this lack of understanding might impact decisions in the justice system.

Current approaches to addressing DMC.

1. *Juvenile Detention Alternatives Initiative.* Whatcom County participated in the Annie E. Casey Foundation’s Juvenile Detention Alternatives Initiative (JDAI). While there is no DMC committee in Whatcom, the JDAI does monitor the data on disproportionality.
 - a. *Detention guidelines.* Interviewees said that law enforcement has a good understanding of which youth are appropriate to bring in to detention. Law enforcement performs an assessment in the field, before bringing youth in to the court, to screen for whether detention is appropriate.
 - b. *Alternative(s) to detention.* Whatcom County uses Electronic Home Monitoring as an alternative to detention. We were told that Whatcom County use to have more alternatives to detention but that budget cuts have forced some of these to end
2. *Supportive services and programs.* Whatcom County Juvenile Court has a number of programs designed to help prevent recidivism and build youth and family strengths. These include:

- a. Aggression Replacement Training
 - b. Community Links—a program that informs youth and families about community services that are available to them
 - c. Day Reporting
 - d. Functional Family Therapy
 - e. Service Learning
 - f. Work Crew
 - g. Educational courses:
 - i. Dealing with Conflict,
 - ii. Changing stealing behavior, and
 - iii. VOICE (Victim Offender Impact Competency Education), a class designed to help offenders understand how their behavior impacted others.
 - h. Substance use treatment—The court contracts with behavioral health service providers to treat youth with substance use problems.
3. *Consistent work with tribal youth.* One probation officer works with all youth from the tribes.
 4. *Racial and ethnic diversity in staff.* Interviewees told us that court, detention, and probation staff were not fully representative of the population in the county, particularly staff who are American Indian. However, we were told that there is an effort to increase diversity, and that staff have multiple backgrounds.
 - a. *Bilingual staff and interpreters.* A support staff in probation is bilingual and assists with language barriers.
 5. *School Resource Officers.* Some interviewees felt that SROs made a positive impact on reducing delinquency and DMC. “I am a big fan of the SROs because they build trust of law enforcement with the kids.... It is information gathering and problem solving before a problem develops, and [teaches kids that] law enforcement is there not just when the trouble occurs. But you have to have the right SRO, you have to get ones that are good with kids. If it is part of a forward thinking community policing aspect to it, then it is positive.”

Challenges.

1. *Need for additional alternatives to detention and opportunities for diversion.* Budget cuts were cited as the reason that only Electronic Home Monitoring remained as an alternative to detention (at the time of our interviews). This challenge is similar for diversion, as one interviewee said, “There are additional juvenile programs that Whatcom used to have but budget cuts have impacted those. We have been going backwards and that is very frustrating because we know what was working, but budget realities prevent us from doing what works.” Another interviewee said, “When you’re giving someone a diversion, you’re sending them right back out into the environment. What are we diverting them to if there are not programs designed to help deal with the things that caused them to offend in the first place? They are diverted out of the justice system, but not diverted out of the context that leads to criminal behaviors.”
 - a. We were told of some programs that interviewees felt had contributed to reduced recidivism and problems with the justice system, but were no longer operational. This

included a gang task force that involved community members in identifying and addressing gang activity, and a justice center that featured a number of activities and functions including offering a place for youth to go who did not go to regular public education.

2. *Communication and collaboration with tribes.* Interviewees remarked on several ways they collaborated with tribal authorities, but maintaining constant communication and close relationships remains a challenge. Close collaboration with tribal courts is likely necessary to reduce DMC for American Indian youth.

Further data analysis. There were a few areas of further data analyses that interviewees described as possibly helpful, or that we recommend as ways to examine the validity of some of the explanations for DMC.

1. *Explore the demographics of youth arrested from out-of-county.* Border arrests were cited as a possible reason for DMC. These could be examined in more detail to explore the validity of this belief.
2. *Isolate data for youth who are members of and reside on tribal lands.* As described above, the dual processing of native youth with tribal courts may impact DMC. Additionally, the inclusion of tribal youth arrested and processed in Whatcom County, but who are not included in the county's census data, also may inflate RRIs. If possible, future analysis should stratify the data to examine disproportionality for American Indian youth who reside in Whatcom County and not on tribal lands.
3. *Explore the demographics of repeat offenders.*

Recommendations. Based on these findings, we have several recommendations for Whatcom County:

1. *Develop a Disproportionate Minority Contact reduction committee, or integrate DMC reduction efforts into an existing workgroup, consisting of a wide variety of system stakeholders and community representatives.*
 - a. *Regularly examine and explore the data on disproportionality.* Conduct additional, nuanced analyses of case-level disproportionality for all youth of color as described above.
 - b. *Identify programs and approaches that could address disproportionality.*
 - c. *Monitor disproportionality over time and adjust practices to meet emerging needs.*
2. *Find ways to sustain and expand programs that provide alternatives to detention and diversion from the justice system.* All interviewees spoke highly of programs that were cut due to budgetary problems.
3. *Sustain and increase collaboration with tribal courts in order to better serve American Indian youth.*
4. *Strengthen efforts to involve communities of color in the functioning of the justice system.* The quickly changing demographics of Whatcom County calls for increased involvement of

communities in decision-making about justice system policies and practices. This can include expanding the justice system workforce to be more inclusive and diverse, and including community representatives on citizen advisory boards and program partnerships.

Chapter Appendix—Whatcom County Relative Rate Indexes

State :Washington		Reporting Period January 2007					
County: Whatcom		through December 2007					
	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
1. Population at risk (age 10 through 17)	19,515	15,836	354	1,832	692		801
2. Juvenile Arrests (UCR - age 10-17)							
3. Refer to Juvenile Court (Offense Referrals)	1,321	795	44	134	24		148
4. Cases Diverted	2	0	1	0	0		1
5. Cases Involving Secure Detention	922	614	49	128	9		117
6. Cases Petitioned (Charge Filed)	554	385	30	77	6		53
7. Cases Resulting in Delinquent Findings (Guilty)	407	278	20	69	3		37
8. Cases resulting in Probation Placement							
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities (JRA & Local)	311	220	15	51	1		23

State :Washington		Reporting Period January 2008					
County: Whatcom		through December 2008					
	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
1. Population at risk (age 10 through 17)	19,475	15,644	385	1,943	730		773
2. Juvenile Arrests (UCR - age 10-17)							
3. Refer to Juvenile Court (Offense Referrals)	1,219	787	69	168	29		156
4. Cases Diverted	573	410	25	65	18		55
5. Cases Involving Secure Detention	959	607	51	163	14		118
6. Cases Petitioned (Charge Filed)	584	372	41	102	13		55
7. Cases Resulting in Delinquent Findings (Guilty)	454	287	27	87	6		46
8. Cases resulting in Probation Placement							
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities (JRA & Local)	361	226	20	70	7		37

State :Washington		Reporting Period January 2009					
County: Whatcom		through December 2009					
	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
1. Population at risk (age 10 through 17)	18,773	14,924	374	1,996	746		733
2. Juvenile Arrests (UCR - age 10-17)							
3. Refer to Juvenile Court (Offense Referrals)	1,075	711	52	155	23		114
4. Cases Diverted	570	408	27	73	18		44
5. Cases Involving Secure Detention	791	436	74	160	11		105
6. Cases Petitioned (Charge Filed)	454	308	26	76	5		38
7. Cases Resulting in Delinquent Findings (Guilty)	319	193	22	67	5		32
8. Cases resulting in Probation Placement							
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities (JRA & Local)	228	143	14	47	3		18

Key:	
Statistically significant results:	Bold font
Results that are not statistically significant	Regular font
Group is less than 1% of the youth population	*
Insufficient number of cases for analysis	**
Missing data for some element of calculation	---

Summary: Relative Rate Index Compared with White Juveniles						
State: Washington		Reporting Period 1/2007				
County: Whatcom		through 12/2007				
	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	
2. Juvenile Arrests	**	**	**	*	**	
3. Refer to Juvenile Court	2.48	1.46	0.69	*	3.68	
4. Cases Diverted	**	**	**	*	**	
5. Cases Involving Secure Detention	1.44	1.24	**	*	1.02	
6. Cases Petitioned	1.41	1.19	**	*	0.74	
7. Cases Resulting in Delinquent Findings	**	1.24	**	*	0.97	
8. Cases resulting in Probation Placement	**	**	**	*	**	
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	**	0.93	**	*	0.79	

Summary: Relative Rate Index Compared with White Juveniles

State: Washington

Reporting Period 1/2008

County: Whatcom

through 12/2008

	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
2. Juvenile Arrests	**	**	**	*	**
3. Refer to Juvenile Court	3.56	1.72	0.79	*	4.01
4. Cases Diverted	0.70	0.74	**	*	0.68
5. Cases Involving Secure Detention	0.96	1.26	**	*	0.98
6. Cases Petitioned	1.26	1.28	**	*	0.75
7. Cases Resulting in Delinquent Findings	0.85	1.11	**	*	1.08
8. Cases resulting in Probation Placement	**	**	**	*	**
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	**	1.02	**	*	1.02

Summary: Relative Rate Index Compared with White Juveniles

State: Washington

Reporting Period 1/2009

County: Whatcom

through 12/2009

	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
2. Juvenile Arrests	**	**	**	*	**
3. Refer to Juvenile Court	2.92	1.63	0.65	*	3.26
4. Cases Diverted	0.90	0.82	**	*	0.67
5. Cases Involving Secure Detention	2.32	1.68	**	*	1.50
6. Cases Petitioned	1.15	1.13	**	*	0.77
7. Cases Resulting in Delinquent Findings	**	1.41	**	*	1.34
8. Cases resulting in Probation Placement	**	**	**	*	**
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	**	0.95	**	*	0.76

Yakima County

Population Trends

Below is a table of overall population change in Yakima County from 2000 to 2010, with categories and age groups defined by the US Census Bureau. Below are the Yakima County ranked 25th in the state in population growth from 2000-2010. In 2010, self-identified non-Hispanic whites accounted for the majority of the county population, even though the population of non-Hispanics (of any race) decreased by 6.2% since 2000. The next largest group was Latinos, which changed from 79,905 to 104,470, a 37% increase, making this group the fastest growing population. There were smaller numbers of American Indians, Asians, African Americans, and Hawaiian/Pacific Islanders. In 2010, youth aged 10-17 made up 13.3% of the population.

Yakima	Population		%
<i>Growth Rank:25</i>			Change
	<i>2000</i>	<i>2010</i>	
County Population	222,581	243,231	+9.3
Age (10-17 y.o.)	31,114	32,277	+3.1
Race alone or in combination with Hispanic			
<i>White</i>	152,612	163,033	+6.8
<i>Black or African American</i>	3,064	3,666	+19.6
<i>American Indian/Alaska Native</i>	12,561	13,901	+10.6
<i>Asian</i>	3,237	4,157	+28.4
<i>Native Hawaiian/Other Pacific Islander</i>	480	620	+29.1
<i>Two or More Races</i>	7,751	9,109	+17.5
Hispanic or Latino and race			
<i>Hispanic or Latino (of any race)</i>	79,905	109,470	+37.0
<i>Not Hispanic or Latino</i>	142,676	133,761	-6.2

Data accuracy. Some interviewees questioned the accuracy of the data. There was a belief that there are more Latinos in the juvenile justice system than are depicted in our RRIs. This is believed to be because Latinos are often classified as white. Some interviewees also questioned the accuracy of RRIs for African American youth because there are very few African American youth who reside in the county.

Summary of findings.

Relative Rate Indices. The raw numbers of cases occurring at each decision point for 2007-2009, and the respective RRIs for these data, are depicted in the Appendix to this chapter. A bar graph of the proportion of youth at each decision point for 2009 is displayed below.

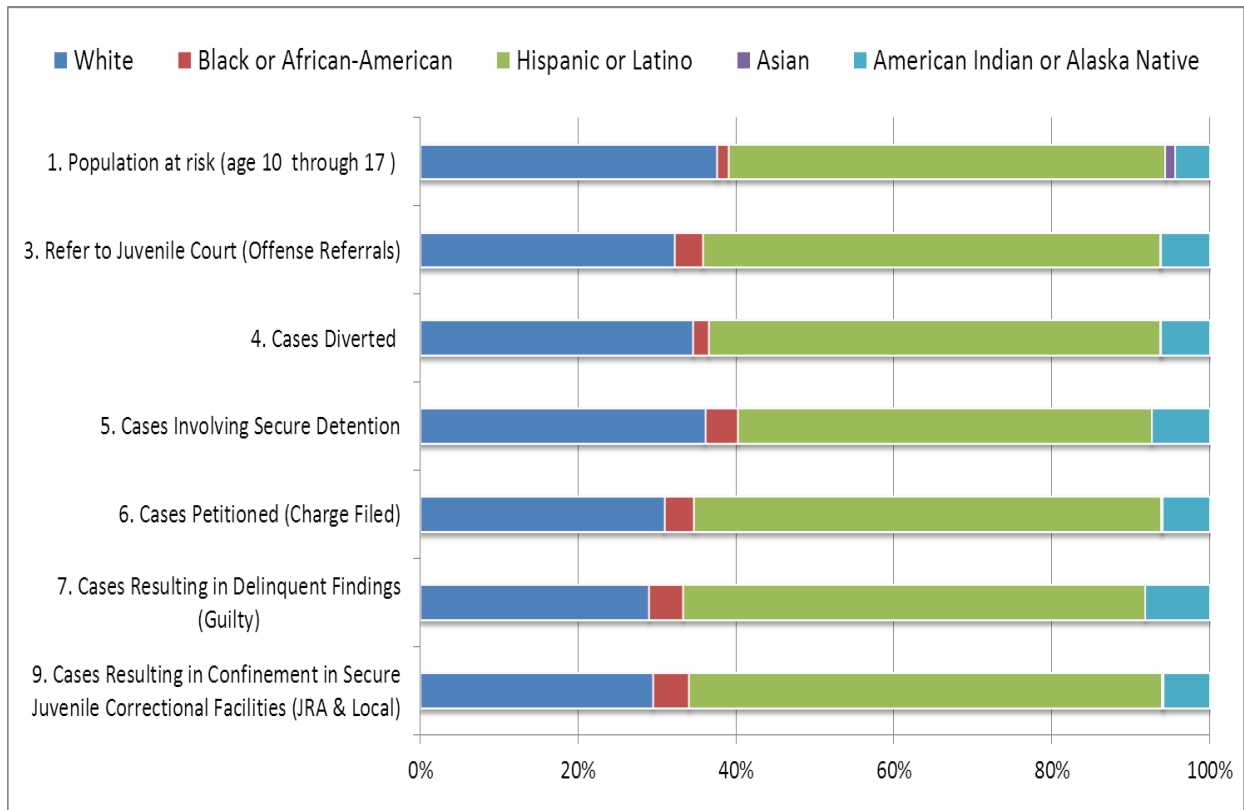
Cases involving African American youth were 2.8 to 3.6 times more likely to be referred to the juvenile court than cases involving white youth, relative to the demographics of Yakima County. Of those referred, cases involving African Americans were .50-.52 times less likely (or 48-50% less likely) to be diverted in 2007 and 2009 than cases involving white youth. There was not a statistically significant difference for this decision point in 2008. There were no other statistically significant differences at any decision point in any year between cases involving African Americans and cases involving whites, though the numbers of African American cases were small, which hinders the statistical ability to detect significant differences.

Cases involving American Indian youth were 1.6 to 2.2 times more likely to be referred to the court than cases involving white youth, relative to the demographics in the county. Of those referred, cases involving American Indian youth were .77 times less likely (or 23% less likely) to be diverted than cases involving whites in 2007, but there were no statistically significant RRIs for diversion in 2008 and 2009. Cases involving American Indians were 1.2 to 1.5 times more likely to be detained than cases involving whites in 2007 and 2008, but the RRI for 2009 was not statistically significant. Cases involving American Indians were 1.3 times more likely to be petitioned than cases involving whites in 2008, but the RRIs were not statistically significant in 2007 and 2009. Of those petitioned, cases involving American Indians were 1.5 times more likely than cases involving whites to result in delinquent findings in 2007 and 2009, but the RRI for 2008 was not statistically significant. Of those petitioned, cases involving American Indian youth were .70 times less likely (or 30% less likely) to result in confinement in secure juvenile correctional facilities in 2009, but the RRIs were not statistically significant in 2007 and 2008.

Cases involving Latinos were 1.1 to 1.4 times more likely to be referred to the court than cases involving whites, relative to the demographics of the county. Of those referred, cases involving Latinos were .77 to .78 times less likely (or 22 to 23% less likely) to be diverted than cases involving whites in 2007 and 2008; the RRI for diversion was not statistically significant in 2009. Of those referred, cases involving Latinos were .81 to .88 times less likely (11 to 19% less likely) to involve secure detention. Cases involving Latinos were 1.1 to 1.2 times more likely than cases involving whites to be petitioned in 2007 and 2008; the RRI for 2009 was not statistically significant. Of those cases that were petitioned, cases involving Latinos were 1.1 times more likely to result in delinquent findings in 2007; the RRIs for 2008 and 2009 were not statistically significant.

In 2007, cases involving Asian youth were .35 times less likely (or 65% less likely) to be referred to the court than cases involving white youth, relative to the demographics in the county. There were no other decision points in any year with a sample size large enough to calculate a reliable RRI for cases involving Asians.

2009 Disproportionality Data



Interviews with Local Stakeholders

Interviewees

Court Administration	Judicial	Law enforcement	Truancy	Behavioral Health Services/Gang intervention program	Total
1	1	1	1	2	6

Possible explanations for DMC. Interviewees provided a wide variety of possible reasons for DMC. These are listed below:

1. *Repeat offending.* Youth of color may be more likely to be repeat offenders, and therefore ineligible for diversion after two prior diversions.
2. *Poverty, mobility, and related challenges.* Families who are in poverty may be more likely to be non-white and may also be more likely to be homeless or have high mobility rates. This may be related to a decreased likelihood that they will receive the court letter offering diversion, and more difficulty in responding to those letters. This is also related to having fewer resources to work within the system. One interviewer said that DMC is the result of the interaction between poverty and bias, "People want to say that

people of color commit more crimes and that creates more disproportionality. I say look at poverty, poverty creates the crimes, poverty is the common denominator, and biases create further encroachment into the system. And that's where you get disproportionality."

3. *The structure of the justice system.* One interviewee expressed that the structure of the juvenile justice system itself (not particular to Yakima, but the justice system as a broader concept) helped to create and maintain DMC, "When we talk about youth rehabilitation, we do a good job in spite of the law. Our system is based on points that are identified by criminal history and offense. Nowhere does it talk about mental health problems, educational problems, poverty."
4. *School truancy, expulsions and dropout.* Interviewees said that youth of color were more likely to be truant, have dropped out of school, or been expelled. This increase in unsupervised time was considered to be related to an increased likelihood of having trouble with the law.
5. *Substance use.* Interviewees reported that a disproportionate number of referrals related to alcohol or controlled substances were cases involving American Indian youth.
6. *Gangs and related charges.* Several interviewees spoke to gang issues in Yakima County. Interviewees felt that gangs were a significant problem, "In Yakima County, gangs are part of the fabric of the community, and gang members affect everyday life." We were told that all races and ethnicities were involved in gangs, but that the identified gangs and gang members were disproportionately Latino.
 - a. One reason given for gangs is the relatively few Latinos in professional positions of power, and the prevalence of Latinos in low wage and low status work. Youth may have few models for success. As one interviewee stated, "They see the day to day life, how many parents work in a low salary job, tired all the time, and think, 'I guess that's my life, too.' So they become easy prey for someone who comes in to offer an easy dollar."
 - b. Because gangs are such a perceived issue, law enforcement targets gangs and suspected gang members. This could drive disproportionality at arrest and referral. For later decision points, many of the more serious offenses that were related to decision points throughout the system were also related to gang activities. These included weapons, assaults, and drug charges.
7. *Developmental and mental health issues.* We heard that there may be more undiagnosed or diagnosed mental health and developmental challenges in some youth of color, but that these issues were often not severe enough to escape prosecution. Interviewees said that Fetal Alcohol Syndrome, which is related to poor judgment and aggressive outbursts, was more common in American Indian youth. Conditions such as Fetal Alcohol Syndrome, are not highly treatable.
8. *Adverse Childhood Experiences.* Abuse, neglect, and contact with the Child Welfare system are risk factors for contact with the justice system. These were all cited as being more likely to occur in youth of color.

9. *Conscious or unconscious racial bias, prejudice, and racial tension.* Interviewees felt that institutional or individual prejudice may contribute to DMC, and that perceived prejudice had a negative impact on race relations in the county. One interviewee remarked, “I’m not the only one who feels this way... a lot of the Latino kids feel like they are picked on by the police.... As a result, they have hardened against law enforcement. It is common for them to display aggressive behavior against the police, and the police respond aggressively.”
10. *Cultural, language, and immigration issues.*
 - a. We were told that many Latino youth must live in very different cultural worlds, including a monolingual traditional culture at home and the dominant white culture at school and in the community. One explanation for gangs is that they offer a way to reject both of these options while forming cultural identity.
 - b. Language issues, literacy, and a fear of Immigration and Customs Enforcement are barriers to participation for some families. This may have an impact on the opportunity for their youth to be in diversion and prevention programs. Parent involvement greatly facilitates youth successfully completing diversion and probation requirements.
 - c. Many youth react to law enforcement in what was described as a “culturally appropriate way” based on mistrust. These reactions may be construed by law enforcement as belligerent.
 - d. One interviewee said that cultural factors were related to how a youth responded to the court process. This person believed that Latinos tend to be less verbal about defending themselves in court and would be more likely to accept a delinquent disposition without defending themselves.
 - e. Immigration and Customs Enforcement (ICE) has a presence in the community that is tied to how undocumented youth are served in the justice system. One interviewee remarked, “...we’ve seen that some students get arrested for tagging, they will end up serving their sentence and then be deported. We’ve seen that happen to a couple of students, a couple of families where dad is arrested and then deported during his sentence.”

Current approaches to addressing DMC.

1. *Gang Free Initiative and Gang Court.* Yakima has invested considerable resources to prevent and intervene with gang membership. The Gang Free Initiative developed gang assessments for the city of Yakima as well as smaller areas, and recommendations to address gang problems. The Gang Court is a problem-solving court for youth who are involved in the justice system due to gang issues and who want to exit gangs. Youth attend frequent court sessions, there is more supervision of youth progress, and youth access supportive behavioral health resources. A wide variety of system stakeholders participate, including prosecutors, police, a judge, gang intervention specialists, behavioral health service providers, and others. These efforts have largely served Latino youth.

2. *Alternatives to Arrest.* This project, funded by the Washington Partnership Council for Juvenile Justice, is intended to address DMC by providing law enforcement with alternatives to arrest. Specifically, this program will allow law enforcement to link youth with culturally-relevant resources through a resource center staffed by racially and ethnically diverse providers who reflect the demographics of the community.
 - a. *Engaging law enforcement.* One major aspect of this work is to engage law enforcement in these efforts by providing them with an alternative. Many law enforcement officers have expressed frustration at the limited opportunities they have when faced with a youth who needs additional resources. Officers will be required to collect valid data on the racial and ethnic makeup of the youth who use this option so the Juvenile Court administration can track proportionality.
3. *Efforts to keep youth in school*
 - a. *Community truancy board.* The community truancy board works to identify and address truancy early so that youth will be supported to remain in school. They work with schools and parents to understand the importance of addressing truancy.
 - b. *Suspension alternatives program.* A school can offer this program to parents so youth can continue to work on their educational goals while suspended.
 - c. *Yakima High School Online.* This program allows some students to work on their high school degree online.
4. *Washington State Risk Assessment instrument.* This tool is used to identify low, moderate, and high-risk offenders based on type of charge, previous types of charges, and extenuating factors, and provides an objective way to identify those youth who may have a particular need to services described below.
5. *System of Care.* Yakima was a SAMHSA-funded System of Care grantee site, which is focused on bringing together the partner agencies involved in serving families of youth with complex needs, particularly mental health, juvenile justice, child welfare, and special education. Along these lines, mental health assessments have been discussed as a valuable component that could be used to help facilitate identification and referral through resource centers.
6. *Multi-systemic intervention and prevention programs.* There are several prevention and intervention programs in the county for youth involved with the justice system, especially family-based programs. While it is not clear that these programs have an impact on proportionality, they have been demonstrated to reduce recidivism. Other programs are not specifically for justice-system involved youth, but are also believed to prevent or intervene with at-risk youth.
 - a. Functional Family Therapy
 - b. Multi-Systemic Therapy
 - c. Aggression Reduction Therapy
 - d. Wraparound planning
 - e. Community service and mentoring
 - f. Boxing program
 - g. Community centers

7. *Cultural Competence training.* Juvenile Court staff have engaged in a 2-day cultural competency training “to develop a baseline for people to understand what we are dealing with... We don’t believe that things will change until we understand the cultures we are working with.”
8. *Good relationships between the court and law enforcement.* Several interviewees remarked that, with some exceptions, there were generally positive, collaborative relationships between members of law enforcement and the juvenile court. Law enforcement communicates with the court and with specialty programs such as the gang court and the police gang unit.
9. *Citizens for Safe Yakima Valley Communities.* This is a community organizing approach to address gang issues and violent crimes. It was started by Yakima business leaders at the Chamber of Commerce. This group has secured funding for anti-methamphetamine programs and worked on graffiti abatement.

Challenges. There are several challenges Yakima County is facing in terms of reducing DMC. Despite the relatively high DMC for American Indian youth in terms of referral, and decreased likelihood of diversion, few interviewees discussed working with the Yakama Nation tribal court in a highly collaborative way or on a regular basis.

Future directions. Interviewees described a couple of areas they would like to see additional programs, policies, and services in order to address DMC.

1. Programs focused on keeping youth in school and returning youth to school who have left.
2. Programs which have a strong cultural grounding for youth of color, particularly Latino and American Indian youth.
3. Programs which provide opportunities for the parents of youth who are involved in the justice system. These programs could help with immigration, employment, school involvement, and mental health.

Further data analysis.

1. Explore the reasons why cases involving youth of color are less likely to be successfully diverted. Are youth of color more likely to be repeat offenders? Are youth of color more likely to be charged with serious crimes? Are youth of color less likely to have a supportive caregiver who is willing to participate? Are youth of color more likely to decline diversion?
2. Explore the relationship between problems in school and referrals to court. Examine the relationship between disproportionality in truancy, dropouts, and expulsions, and referrals to court.
3. Explore the relationship between type of crime, particularly substance use treatment, weapons charges, assault charges, and race/ethnicity, in order to identify whether there are particularly types of behavioral health services (substance use treatment, ART) that would most benefit from enhancements for cultural relevancy.
4. Explore the racial proportionality of access to and completion of specialty programs such as FFT and ART.

Recommendations.

1. *Build a cross-system coalition to address DMC reduction efforts, or integrate DMC reduction efforts with an existing group.* This coalition should endeavor to learn about DMC, how to interpret data that define DMC, and pinpoint areas in which policies, practices, and procedures can be sharpened in order to address DMC.
 - a. *Increase efforts to collaborate with law enforcement.*
 - b. *Consider collaborating with other jurisdictions who have engaged in DMC reduction efforts and related efforts, such as the Juvenile Detention Alternatives Initiative.*
2. *Regularly engage in DMC data analysis and interpretation with this coalition.* Analyses should focus on the possible data analyses described above, and should monitor the progress of the new work on alternatives to arrest.
3. *Verify the validity and reliability of data collected on race/ethnicity.* Yakima (as most jurisdictions in the state) would benefit from verifying that all staff who collect and enter this data understand the importance of collecting it, the need to verify information provided by law enforcement, the valid race and ethnic categories accepted in different data management systems, and systematic, consistent methods of collecting this data from youth. Some jurisdictions have had a brief training for all staff that collect this data, and included laminated cards describing racial and ethnic categories. This may be needed in Yakima.
4. *Strengthen relationships with the Yakama Nation juvenile court.* Disproportionality for American Indians is high, yet when asked, few interviewees could speak to regular collaborative efforts with the Yakama Nation. Collaboration on efforts addressing juvenile delinquency could help reduce disproportionality and increase cultural awareness and relevancy of county programs.

Chapter Appendix—Yakima County Relative Rate Indexes

State :Washington Yakima County		Reporting Period January 2007 through December 2007					
	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
1. Population at risk (age 10 through 17)	31,236	12,295	420	16,709	326		1,486
2. Juvenile Arrests (UCR - age 10-17)							
3. Refer to Juvenile Court (Offense Referrals)	3,259	961	118	1,762	9		259
4. Cases Diverted	1,143	391	25	560	5		81
5. Cases Involving Secure Detention	1,429	433	66	697	1		169
6. Cases Petitioned (Charge Filed)	1,371	380	58	769	2		110
7. Cases Resulting in Delinquent Findings (Guilty)	672	170	26	391	0		72
8. Cases resulting in Probation Placement							
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities (JRA & Local)	560	141	21	333	0		50

State :Washington Yakima County		Reporting Period January 2008 through December 2008					
	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
1. Population at risk (age 10 through 17)	30,703	11,778	414	16,723	337		1,451
2. Juvenile Arrests (UCR - age 10-17)							
3. Refer to Juvenile Court (Offense Referrals)	2,736	862	87	1,399	5		226
4. Cases Diverted	1,056	375	36	470	3		94
5. Cases Involving Secure Detention	1,637	551	66	764	3		169
6. Cases Petitioned (Charge Filed)	1,352	373	46	747	1		122
7. Cases Resulting in Delinquent Findings (Guilty)	891	244	28	517	0		71
8. Cases resulting in Probation Placement							
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities (JRA & Local)	628	178	15	361	0		51

State :Washington		Reporting Period January 2009					
Yakima County		through December 2009					
	Total Youth	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
1. Population at risk (age 10 through 17)	30,807	11,575	453	17,058	363		1,358
2. Juvenile Arrests (UCR - age 10-17)							
3. Refer to Juvenile Court (Offense Referrals)	2,295	689	75	1,237	3		131
4. Cases Diverted	817	255	14	422	1		45
5. Cases Involving Secure Detention	1,309	447	52	649	0		91
6. Cases Petitioned (Charge Filed)	1,102	321	39	614	2		62
7. Cases Resulting in Delinquent Findings (Guilty)	812	224	33	452	0		63
8. Cases resulting in Probation Placement							
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities (JRA & Local)	580	162	25	330	1		32

Key:	
Statistically significant results:	Bold font
Results that are not statistically significant	Regular font
Group is less than 1% of the youth population	*
Insufficient number of cases for analysis	**
Missing data for some element of calculation	---

Summary: Relative Rate Index Compared with White Juveniles						
State :Washington		Reporting Period January 2007				
County: Yakima		through December 2007				
	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	
2. Juvenile Arrests	**	**	**	*	**	
3. Refer to Juvenile Court	3.59	1.35	0.35	*	2.23	
4. Cases Diverted	0.52	0.78	**	*	0.77	
5. Cases Involving Secure Detention	1.24	0.88	**	*	1.45	
6. Cases Petitioned	1.24	1.10	**	*	1.07	
7. Cases Resulting in Delinquent Findings	1.00	1.14	**	*	1.46	
8. Cases resulting in Probation Placement	**	**	**	*	**	
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	**	1.03	**	*	0.84	

Summary: Relative Rate Index Compared with White Juveniles

State :Washington

Reporting Period January 2008

County: Yakima

through December 2008

	Black or African- American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
2. Juvenile Arrests	**	**	**	*	**
3. Refer to Juvenile Court	2.87	1.14	**	*	2.13
4. Cases Diverted	0.95	0.77	**	*	0.96
5. Cases Involving Secure Detention	1.19	0.85	**	*	1.17
6. Cases Petitioned	1.22	1.23	**	*	1.25
7. Cases Resulting in Delinquent Findings	0.93	1.06	**	*	0.89
8. Cases resulting in Probation Placement	**	**	**	*	**
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	**	0.96	**	*	0.98

Summary: Relative Rate Index Compared with White Juveniles

State :Washington

Reporting Period January 2009

County: Yakima

through December 2009

	Black or African- American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native
2. Juvenile Arrests	**	**	**	*	**
3. Refer to Juvenile Court	2.78	1.22	**	*	1.62
4. Cases Diverted	0.50	0.92	**	*	0.93
5. Cases Involving Secure Detention	1.07	0.81	**	*	1.07
6. Cases Petitioned	1.12	1.07	**	*	1.02
7. Cases Resulting in Delinquent Findings	1.21	1.05	**	*	1.46
8. Cases resulting in Probation Placement	**	**	**	*	**
9. Cases Resulting in Confinement in Secure Juvenile Correctional Facilities	1.05	1.01	**	*	0.70

Appendix A: Possible reasons for DMC provided to interviewees

1. Mobility effects—DMC statistics may be high because youth from other jurisdictions are being arrested and/or processed in your jurisdiction. This could be due to:
 - a. Seasonal mobility—This occurs during the holiday seasons such as spring and summer break when the youth are out of school. Traveling may change the demographics an area.
 - b. Immigration and Migration-Related Mobility—due to policy around U.S. citizenship Hispanics are often over represented in detention facilities.
2. Attractive Nuisance—When a commercial or entertainment setting is in an area where the number of minority youth is low, but there is a consistent number of minorities that are coming and going; increasing the proportion of minorities for that given area.
3. Institutional Effects—When a county operates as a regional facility, it appears that the number of activity is higher than the surrounding counties. If the county uses these non-resident(s) in their calculation of RRI than the numbers might suggest incorrect findings.
4. Unconscious or conscious bias
5. Indirect effects—A connection/correlation between social economic status, education, location, neighborhood and an array of other risk factors that are associated with delinquent behavior and linked to race and ethnicity.
6. Specific Risk Factors— Poverty driven communities and poor school performance are more likely occur with minority youth, thus having a higher chance of being involved in the juvenile justice system.
7. Differential Behavior—Racial and ethnic subgroups engage in different types of offense categories, different amounts, earlier involvement with delinquent activity, or have differential involvement with other justice-related systems such as child welfare.
8. Programming Access/Eligibility—Unequal access to programs and services.
 - a. Unequal access to prevention and intervention services such as public and private substance abuse or behavioral health treatment. The juvenile justice system has used secure placements to get minority youth access to services.
 - b. Unequal access to positive youth activities such as recreation and after-school programs.
 - c. Implementation of programs may not be culturally competent
 - d. Effectiveness—programs which do exist may be less effective for minority youth
9. Decision-making factors—Reasonable factors used in making decisions may be linked to race and ethnicity, turning a decision which is made in good faith into a contributor for DMC. For instance, youth from a two parent family may be less likely to be detained because of increased home supervision, when compared to a single parent family setting. Minority youth that encounter the juvenile justice system are most likely to come from a single parent home.
10. Differential Processing or Inappropriate Decision-making Criteria—The use of certain criteria for decision-making, such as whether and how a juvenile is determined to be “gang related.”
11. Legislation, Policies, and Legal Factors With Disproportionate Impact
 - a. Policies that target certain types of offenses which are correlated with race/ethnicity, such as differential treatment of crack and powdered cocaine.
 - b. Policies that target certain locations such as schools and public housing areas
 - c. Policies that mandate specific handling, such as automatic transfer to the adult court for specific charges

Appendix B: Semi-structured interview protocol

1. As you see on the document we sent you, the decision points in your county with the highest levels of DMC are _____. From your experience, do you agree that these decision points are likely the most extreme and important decisions points to focus on? Why or why not?
2. There are many possible reasons for DMC. Some of these are listed in the document we sent you. DMC could be caused by differential processing, such as when minorities are treated differently than whites by the system. It could be caused by differential rates of offending, such as when whites and minorities differ in the amount of crime they commit or the types of crimes they commit. DMC could also be caused by different opportunities for prevention or treatment, such as when high schools with higher white populations have more prosocial or prevention-oriented activities. It could also be caused by other types of things, like mobility, migration, and immigration patterns or even faulty census statistics. DMC is probably caused by a combination of these possible reasons. In your opinion and experience, what are the reasons for DMC at **[PRIORITY DECISION POINT #1]** **[Ask probing and follow up questions appropriate to their response, such as:]**
 - a. Why do you think this causes DMC at this point? What is your evidence for that? How do you think that is related to DMC?
 - b. Tell me more.
 - c. Is this a new phenomenon or has this been happening for a while?
 - d. Have there been any efforts in your county to address DMC at this decision points? Tell me about those efforts. How effective have they been?
 - e. Do you believe that the DMC at this decision point will continue? Why or why not?
3. **[REPEAT FOR PRIORITY DECISION POINTS #2 AND #3, AND MORE IF NECESSARY]**
4. Is your county currently addressing DMC in any other way that you haven't already told me about? How? Have these efforts been successful?
5. Does your county have any future plans for assessing and addressing DMC? What are these plans?
6. In addition to the plans you just described, do you have any other additional ideas for addressing DMC at these decision points?

Thank you for your participation, we greatly appreciate your comments. Would you like us to send you a copy of the report when it is finished? **[If yes]:** Where would you prefer this report be sent—email or postal address?

If you have any future comments or questions, please feel free to contact me [Provide phone number and email address]. If we have any additional clarifying questions, may we contact you again? **[CIRCLE: YES / NO]**