**Mission of the Washington State Center for Court Research**

WSCCR’s mission is to work with the professional and public-spirited people who operate Washington’s courts to improve the courts. As a research organization, we provide information that enables courts to more accurately and completely perceive how they function (what comes in, what goes out, and what happens in the middle), how courts fit in with other justice system components, and the impact of changes to court operations. WSCCR provides expert perspective on the operation and performance of courts as public organizations.

**Responsiveness to direction from the Strategic Oversight Committee**

In the 2018 Strategic Oversight Committee Meeting, topics (racial and ethnic disparity, therapeutic courts, and pretrial) were proposed for consideration by the Committee as objects of development by WSCCR. Pretrial and legal financial obligations were selected by the Committee as priorities. What has WSCCR done since on the topics raised at the prior meeting?

* **Racial and ethnic disparity—monitoring and reporting:** WSCCR has continued or expanded disparity data development, analysis and reporting related to dependency cases and cases involving youth referred to court for law-violating behavior. WSCCR has received support from the Washington Office of Juvenile Justice for analysis of disparity in arrests for specific law enforcement agencies in Washington. **Analysis of disparity is included in the majority of WSCCR products.**
* **Therapeutic courts—best practices and performance improvement:** WSCCR took part in the AOC and courts joint-development of a behavioral health budget decision package, approved by the Board for Judicial Administration, that would fund training, technical assistance, and research support for both local and multi-court analysis of therapeutic court operations.
* **Pretrial—risk screening, money bail and jail time:** Aside from rules issued by the Supreme Court, we have no branch-wide pretrial improvement program. But there are several developments at the local level. WSCCR members helped author the data collection and risk assessment sections of the state pretrial taskforce’s recommendations. They also helped Thurston and Pierce Counties in their successful applications to the Arnold Foundation for five year grants for implementation, validation, and evaluation of the Public Safety Assessment (PSA).  Thurston and Pierce Counties were 2 of 5 jurisdictions awarded these grants nationwide.  WSCCR provided consultation to Whatcom County on its adoption of the PSA and is validating the PSA for Whatcom County’s pretrial population.
* **Legal financial obligations:** There have been few opportunities for WSCCR to be active with LFOs. We did submit a proposal for funding by the Arnold Foundation to assess the impact of the LFO calculator, but WSCCR was not awarded the grant.

**Summary listing of major work completed or started since April, 2018**

***Juvenile Detention***

* Juvenile detention black box (i.e., conditions of confinement) project
* Annual detention reports (2017, 2018, 2019)
* Annual Juvenile Detention Alternatives Initiative reports (2017, 2018, 2019)
* Juvenile Detention Alternatives Initiative data dictionary
* Girls of Color in Detention special report
* Rapid Evidence Review of peer-reviewed research on effects of detention
* Detention During COVID Snapshot report
* Youth mental health assessment in detention implementation

***Juvenile Probation***

* Trauma among First Time Juvenile Probationers study
* Redesign of the Environmental Assessment process that periodically looks at juvenile probation departments’ readiness to implement and sustain evidence-based treatment programs (completed) and currently implementing in courts across the state
* Step Up (Juvenile Court program aimed at reducing youth domestic violence) evaluation
* Washington State Aggression-Replacement Training (a juvenile court behavior change intervention) provider adherence (to program model) and competence tool evaluation
* 2018, 2019 Juvenile Probation reports: Utilization of Evidence-based Programs
* Utilization and Outcomes of Multisystemic Therapy (MST) among Probation-Involved Youth
* 2018 Juvenile Probation Report: Recidivism among Probation-Involved Youth
* 2020 Juvenile Probation Report: Intermediate Outcomes of Probation-Involved Youth
* Annual Juvenile Court Block Grant Report (2018, 2019, 2000)
* Revision of the Case Management and Assessment Process manual and training

***Girls and Juvenile Court***

* The Status and Needs of Girls in the Juvenile Justice System
* Gender Gap Trends in Juvenile Court Referrals, 2001-2016
* The One Girl Many Systems (OGMS) Project (Pierce County)
* Use of Participatory Action Research Framework to Improve Services for Girls who are at Risk of becoming Court-involved
* Building the Case for Girls: Why Should We Focus on Girls at Risk for Entering the Juvenile Justice System through Truancy?
* Evaluation of the Girls Court Pilot Program (Kitsap Juvenile Court)

***Racial and Ethnic Disparity in Juvenile Justice***

* 2019 Juvenile Justice Racial and Ethnic Disparity report (for DCYF)

***Education and Court-Involved Youth***

* Education Outcome Characteristics of Students Admitted to Juvenile Detention
* The Achievement Gap: Education Outcomes of Court-involved Students
* Changing Schools: How does it Affect Education of Court-involved Students?

***Other Juvenile Justice***

* Law Enforcement Data Analysis of Youth Arrests for Racial/Ethnic Disparity
* 2018 and 2020 Reports to Governor and Legislature on the Juvenile Justice System (with UW and the Washington Office of Juvenile Justice)
* Juvenile Recidivism Studies (2013/2014 and 2014/2015)

***Dependency and Child Custody***

* Dependent Child Legal Representation Study (in progress)
* Dependency Timeliness and Outcomes Annual Reports (2018, 2019)
* **Consulting:** Thurston County Family Dependency Transformation Initiative
* **Consulting:** Spokane County Dependency Transformation Initiative
* Safe Babies Team Court: design and implementation of state performance monitoring and feedback program
* 2016 Residential Time Summary Report

***Adult Domestic Violence***

* Domestic violence work group
	+ Comprehensive literature reviews
	+ Consultation on draft proposed change in court rule
* Domestic Violence Moral Reconation Therapy evaluation

***Other Trial Court***

* Mortality of Court Involved and Non-Court Involved Study
* Evaluation of Thurston County District Court Programs – pretrial, therapeutic courts, racial and ethnic disparity
* Study of Pretrial Process on Women of Color
* Judicial Needs Estimates

***Surveys***

* 2018 AOC Employee Satisfaction
* 2018 Court Security
* 2018 Funding Interpreters for Washington Courts
* 2019 JIS-Link
* 2019 Thurston County Family & Juvenile Court Access and Fairness
* 2020 Workplace Harassment
* 2020 Court Recovery Taskforce Lessons Learned Baseline
* 2020 Court Recovery Taskforce Therapeutic Courts

**Involvement with Committees, Task Forces, Work Groups**

* Board for Judicial Administration Policy and Planning Committee
* Court Recovery Taskforce
* Commission on Children in Foster Care
* Gender and Justice Commission
* Minority and Justice Commission
* Trial Court Sentencing and Supervision
* Community Juvenile Accountability Act Committee
* Juvenile Detention Quality Assurance Committee
* Caseload Forecast Council (Office of Financial Management)
* Performance-Based Contracting Work Group (Department of Children, Youth, and Families)

**Options for Future Direction**

* **Effects of juvenile detention:** The Washington Office of Juvenile Justice has expressed interest in funding analysis of changing use of juvenile detention during COVID and possibly being able to evaluate the effects of detention on youth as a result of this natural experiment. The opportunity to assess detention effects arises from then the condition that, during COVID, some youth are not entering detention who would likely have been screened into detention before COVID.
* **The mental health of youth in detention:** One gap that is going to be filled very soon is access to mental health data for kids in detention. The Juvenile Courts’ Detention Quality Assurance Committee is rolling out the recommendations for all detention centers to use a mental health screening tool and enter the data into the statewide juvenile court case management system (JCS). We should have a lot of data to work with.
* **Adult Criminal Court Databook:** This would be modeled on the Juvenile Justice Databook developed by WSCCR that is incorporated in the Office of Juvenile Justice’s biennial Report to the Governor and legislature. The Adult Databook would provide a flowchart with longitudinal and recent, single-year numbers for caseloads at key stages, with total numbers and break downs with available demographics and offense types.  The scope of the Adult Databook would include, at the minimum, arrest, court process, jail, the Department of Corrections, therapeutic courts, and recidivism (data sharing or data development would be needed for jail, DOC, and therapeutic court).
* **Expanded Youth and Adult Outcomes:** WSCCR has published two juvenile recidivism studies, but there are no current adult recidivism studies in Washington State.  For both youth and adults, in addition to recidivism, it would be helpful to incorporate other outcome measures such as employment and education achievement (prior for all ages, post for those 18-25), and use of government-funded programs.
* **Sentencing/Charging Disparities:** For adults or youth, WSCCR can examine who is being charged or adjudicated for certain offenses.  This would include likelihood of a youth receiving a diversion versus prosecution and conviction, controlling for past conviction history and current charges.  For adults charged with offenses, we can compare original charges to adjudicated charges in relation to plea bargaining.
* **Adult Pretrial Performance Reporting:** We have done a lot to sort out and clearly present descriptive information about juvenile detention, yet we have little idea how many adults are being held pretrial in Washington State, nor do we know their outcomes.  It would be helpful to the courts to know how people fare (new offenses, FTAs) and how many are not getting out because bail is imposed, versus being remanded.  We can also compare case outcomes for those who pay their bail and are released to those who are detained, matching on bail amounts.
* **Courts as Learning Organizations:**
	+ Performance monitoring and improvement programs can work. Inquiring persistently, discussing problems candidly, collecting and examining data, experimenting with alternatives and modifications, and drawing lessons from experience, peers, and research are associated with improved organizational focus, higher worker satisfaction, and better results across types of organizations (public, private, and nonprofit). In the private sector, the practices are also strongly correlated with larger returns on investments.
	+ Across Washington’s courts, examples can be seen of learning organization principles, such as the Environmental Assessment of juvenile probation departments’ capacity to implement treatment interventions, the routine analysis and reporting on dependency case handling that is taken up by family and juvenile court coordinators at the court level who then track performance and try innovations for improvement, and the several communities of practice embodied in permanent committees such as the trial courts’ Therapeutic Courts Committee and Sentencing and Supervision Committee.
	+ More recent and thorough manifestations appear within jurisdictions implementing the sequential intercept model intended to divert people with behavioral health problems away from the criminal justice system and, especially, courts implementing the Safe Babies Team Court model.
	+ Performance improvement programs are increasingly present across government organizations, but the uptake of learning organization principles by the judiciary branch lags behind that of the other branches.
	+ Research into the effectiveness of performance improvement approaches in government indicates that top-down approaches lead to avoidance and gaming. Building capacity at the operational level for mission clarity and alignment, inclusive review of performance measures, ongoing learning, and ability to test the impact of innovations—the approach taken by the Safe Babies Team Court model, for example—is associated with better outcomes, such as a dramatic reduction in returns-to-care for dependent children.
	+ Learning organization principles can be applied to complex court programs such as pretrial and community supervision. They can also be applied to the courts’ role in the larger justice system as with, for example, assessing the extent of equal application of justice.
	+ The justice system, as a whole and within each of its components, has an obligation sedulously to understand, communicate and improve the impacts of its operations.

*“The public deserves and should expect their judiciary to function at the highest possible level….”*

Respondent to the 2018 Interpreter Commission Survey of Judges, Court Staff and Clerk Staff

*“Generally stated, [the duties of the Court Administrator’s office require it], under the direction of the Chief Justice… to continuously study the operations of the courts of the state of Washington and make recommendations for their improvements….*

*“[A]s our society grows more complex, the judicial system must be flexible to meet increasing and changing public concerns. Court procedures must be adjusted to meet the demands of the public and those responsible for this adjustment must have information upon which to base their decisions. It is the function of the Court Administrator's office to furnish such information ….”*

Seventeenth Annual Report Relating to Judicial Administration in the Courts of Washington State, 1973, p. 23. The Office of the Administrator for the Courts of Washington State.