

**WHATCOM COUNTY SUPERIOR  
COURT ADMINISTRATION  
JUVENILE DIVISION**

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Director

Annual Report to the Council 7-23-19

# Juvenile Offender

- In 1998 there were 35,651 juvenile offender filings in Washington State. Whatcom County accounted for 1,504 of those filings.
- The 1999 Whatcom County Law and Justice Plan - 88 bed juvenile detention center by 2010 to meet the needs of the growing population and anticipated juvenile crime. Very common to have 50+juveniles in the overcrowded 32 bed facility.
- Between 1998-2014: Statewide juvenile offender filings dropped 68%. Nationwide reduction was 59%. Whatcom County was 80%.
- Between 1998 and 2018, national drop was 67.6% less, Whatcom was 82.5% . (Statewide data unavailable)
- Noteworthy is the juvenile 10-17 population (those who would fall under juvenile court jurisdiction) in Whatcom County in 1998 was 19,462. It has now increased to 20,194, however, arrests and filings continue to decrease.
- Over ½ of the arrest referrals from the prosecutors' office are diverted from the court system. Diversion is the least restrictive way of dealing with juveniles who are referred for misdemeanor, gross misdemeanors, and some Class C felonies. Diversion can include referral to a Community Accountability Board, or Teen Court. We have one Juvenile Probation Officer assigned to handle all the diversion cases. Statewide average for referrals to diversion is 44%. Whatcom diverts 56% of referrals.

# Outcome of Offender Adjudication

## • LOCAL SANCTIONS

### Community Supervision

- Juvenile Probation provides Supervision for youth adjudicated of criminal offenses, both misdemeanor and felony, and enforce conditions of probation which can include curfew, drug testing, mandatory school attendance, and counseling and/or treatment.
- In addition, our pretrial unit has around 47 youth (51 cases) actively monitored in the community, with a variety of offenses including misdemeanor and gross misdemeanor as serious felony and sex offenses. 15 of the current youth are facing commitments to Washington State Institution System.

### Juvenile Detention:

- The 1999 Whatcom County Law and Justice Plan identified the need for an 88 bed juvenile detention center by 2010. In 2015 our average daily population was 16<sup>th</sup> youth. In 2017 we reduced that number to an average of 8 (7 juvenile 1 other jurisdiction).
- Detention Admissions:  
2005= 785 ADP 17 ALOS 9.91  
2018= 435 ADP 8 ALOS 4.24 days
- 42% decrease in admissions, 57% decrease in average length of stay.

## • Commitment to Juvenile Rehabilitation

Youth is committed to the custody of the state of Washington Juvenile Rehabilitation through a standard range commitment or finding of Manifest Injustice.

**NOTEWORTHY:** Due to the reduction in juvenile crime, the state has shut down 3 of 6 juvenile institutions.

\*Between 1978 and 2017, Juvenile Court jurisdiction on all offenders ended at age 21. In 2018, legislation changed allowing for sentencing for youth on certain charges to be placed in Washington Juvenile Rehabilitation facilities to age 25. The number of charges impacted by this was expanded in 2019. Certain crimes that were automatically charged in the adult court now remain in the juvenile court and can be sentenced to the maximum age of 25.

\* Provision to remand certain cases to the adult court by judicial discretion remains.

# Community Supervision

- **Conditions of Supervision**

- Mandatory School Attendance,
- Community Service,
- Report requirements,
- Substance abuse testing
- Geographical restrictions
- Curfew
- Participation in Evidence Based Programs.
  - \*Evidence Based Programs Offered:
    - Coordination of Services
    - Functional Family Therapy
    - Aggression Replacement Training

- **Risk Assessment**

- Validated tool established in 1999 by Washington State Institute for Public Policy.
- Identifies risk and need.
- Determines risk to reoffend and, level of corresponding supervision.
- Identifies evidence based programs to reduce risk factors and increase protective factors.
- Administering the Risk Assessment is part of probation officer academy. Ongoing quality assurance is overseen by the State of Washington.
- Washington's Risk Assessment has been continually validated at predicting recidivism. Washington's assessment has been adopted in over 19 other states, including Florida, Wyoming, Illinois and the New York State.

# JDAI Site Since 2004

- Whatcom County has been part of the Juvenile Detention Alternative Initiative since 2004. This nationwide initiative isn't about being soft on crime or not holding kids accountable, but rather addressing core strategies to ensure we are detaining those youth who need to be detained, and keeping others in the community consistent with public safety. The strategies include:
  - collaboration among stakeholders;
  - use of data to drive decisions;
  - objective admission criteria;
  - providing alternatives to detention,
  - expedited case processes,
  - looking into special detention cases,
  - monitoring conditions of confinement, and
  - reducing racial and ethnic disparities among those detained.
  - State collaboration provides objective feedback and guidance regarding how we are doing as a county regarding these strategies.

# BECCA Bill

- In 1995 RCW 13.32A, commonly known as the BECCA Bill, came into effect. The purpose was to protect children who are at risk, run away from home, and truant from school.
- **Truancy laws** require a school to inform a student's parents of unexcused absences and to meet with the student and parents if unexcused absences continue to accumulate. If a student has seven unexcused absences in a month, or ten in an academic year, the school district must file a truancy petition in juvenile court.
- **At Risk Youth** petitions provide parents an option to obtain assistance from the court if the child: Is absent from home for at least 72 consecutive hours; Is beyond parental control such that his/her behavior endangers the health, safety, or welfare of the child or any other person; Has a substance abuse problem for which there are no pending criminal charges.
- **Child in Need of Services (CHINS)** petitions may be filed by the child, a parent, or the Department of Social and Health Services to provide court intervention to youth not otherwise under the jurisdiction of the court
- With the reduction in juvenile offender filings, were able to reallocate resources and now have two full time Juvenile Probation Officers assigned this caseload. Both Probation Officers not only process and provide case management in these areas but also assist the local school districts on their truancy boards which helps keep these cases out of court.
- Significant changes in this last legislative session have taken place effective July 1, 2019 and phased in through 2021, greatly limiting and eventually eliminating , detention for youth under the jurisdiction of these type of cases.

# Dependency

- Petitions allege abuse or neglect of minors.
- Petition increase of 35% over the past 12 years.
- Increase of 30% for dependency termination petitions (termination of parental rights) during the same period.
- 360 youth currently under dependencies in Whatcom County.

# Guardians Ad Litem

- Until 2008, all Guardians Ad Litem were paid on contract.
- Volunteer CASA ( Court Appointed Special Advocates) program began in Whatcom County.
- Currently we have 45 trained volunteers, and four staff GAL who have 360 youth. Volunteers represent 114 (31%) of these cases
- We will continue to recruit and train volunteers
- As of January 2019 all dependent youth are represented by CASA volunteers or staff GAL.

\*\*\*\* In April 2019 hired an additional CASA Coordinator through a grant with the Victims of Crime Act (VOCA) to increase and train additional CASA volunteers. Grant runs through June, 2020. Next training scheduled for October 2019.