

# **Racial and Ethnic Disparities in Juvenile Court Evidence-Based Programs**

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Department of Social and Health Services  
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## **Introduction**

Various publications have detailed the progress made in recent years to address racial and ethnic disparity (RED) in the Washington State juvenile justice system. Many efforts are underway at the national, state, and local level, to reduce RED. Several of these programs are detailed in the 2013 report, [Washington State Disproportionate Minority Contact Assessment](#), produced for the [Washington State Partnership Council on Juvenile Justice](#) as well as the 2014 report to the Washington State Supreme Court, [Symposium on Reducing Racial and Ethnic Disparities in the Juvenile Justice System](#). While some of these initiatives have successfully reduced the amount or the extent of contact that youth of color have with the juvenile justice system, the magnitude of disparities between white youth and youth of color has continued to increase. The urgency to achieve measurable change has been championed at the highest levels with Governor Inslee adopting a Results Washington measure to reduce the percent of youth of color in detention (county and state) from 47% to 42% by 2017.

Many of the initiatives described in these reports address RED at the macro level or focus on the root causes of disparities such as poverty and the relationships between police and the communities they serve. In order to develop short-term actionable and measurable outcomes, the Juvenile Rehabilitation ([JR](#)) and the Juvenile Courts have chosen to take a narrow focus on the issue of racial and ethnic disparity by focusing on access to evidence-based programs (EBP) in the juvenile courts. This report is initiated by RCW 13.06.050(3) which requires an annual report on the effectiveness of programs intended to reduce racial disparities in the juvenile justice system in the state of Washington for county juvenile justice programs receiving state pass through dollars. While EBPs are not specifically designed to reduce RED, because evidence- and research-based programs have been shown to address criminogenic risks of youth and to reduce subsequent offending, equitable access to these programs is imperative both in terms of equity in access to services and as a means to reduce disparities in subsequent contact with the juvenile justice system.

This work is a collaboration between JR and the Washington Association of Juvenile Court Administrators (WAJCA). The report presents data on current racial and ethnic disparities in access to evidence-based programs in Washington juvenile courts, identified barriers to increasing equity, and innovative practices that courts have implemented to address disparities. Policy and practice recommendations to reduce disparities in EBPs are presented as well as next steps.

## **Background**

### *Defining Racial and Ethnic Disparity*

Racial and ethnic disparity, or RED, refers to the disparate outcomes of similarly situated youth in the juvenile justice system. This area of examination was previously referred to as disproportionate minority contact (DMC) but in recent years there has been a shift away from this term in order to better reflect the communities we serve – people of color are no longer minorities in some parts of Washington State – and to highlight that while it is possible to have proportionate numbers of youth of color in the general and justice populations, disparities in decision making can still occur. For that same reason, while RED is occasionally used to refer to

racial and ethnic “disproportionality”, “disparity” is a more accurate term. For additional information on RED please see [The W. Haywood Burns Institute](#).

### *Defining Evidence- and Research-Based Programs*

Recent national trends have been towards offering evidence-based programs yet, surprisingly, the definition of what makes a program (or practice) evidence-based varies across locations and disciplines. The Office of Juvenile Justice and Delinquency Prevention - Office of Justice Programs ([OJP](#)) considers programs and practices to be evidence-based when “their effectiveness has been demonstrated by causal evidence, generally obtained through high quality outcome evaluations.” The MacArthur Foundation uses the [Drake et. al. \(2001\)](#) definition of evidence-based practices as “clinical or administrative interventions or practices for which there is consistent scientific evidence showing that they improve client outcomes.” As the MacArthur Foundation notes, “There is increasing convergence regarding the definitions of the terms ...[including evidence-based practices], although variation in definitions is still common.”

While these definitions share common traits, there are differences or limitations in the specificity of the definition that could allow a single program to meet the EBP definition at one agency and not be considered evidence-based by another. Within the Washington juvenile justice system the definition of evidence-based and research-based programs is developed by the Washington State Institute for Public Policy ([WSIPP](#)) and is legislatively defined. [WSIPP defines](#) a program as evidence-based if there have been “multiple site random controlled trials across heterogeneous populations demonstrating that the program or practice is effective for the population.” A program or practice is considered research-based if there is “some research demonstrating effectiveness, but that does not yet meet the standard of evidence-based practices.”

### *Utilization of Evidence- and Research-Based Programs in Washington Juvenile Courts*

The utilization of evidence- and research-based programs increased dramatically after the Washington legislature passed the Community Juvenile Accountability Act ([CJAA](#)) in 1997. The Act incentivized local communities to implement interventions proven by behavioral science research to cost-effectively reduce recidivism among juvenile offenders. A thorough history of the implementation of EBPs in Washington juvenile courts can be found in Juvenile Rehabilitations annual [report to the legislature](#). Within the juvenile courts there are now five programs being offered that have the WSIPP evidence-based or research-based designation (as of [July, 2015](#)). They are:

- Aggression Replacement Training (ART): Research-based
- Coordination of Services (COS): Research-based
- Functional Family Therapy (FFT): Evidence-based
- Family Integrated Transitions (FIT): Research-based
- Multisystemic Therapy (MST): Evidence-based

While three of the programs are research-based by the WSIPP standards, all five programs will be referred to as evidence-based for the remainder of the report. This is done both for simplicity

and because these programs are considered evidence-based by the criteria set forward by the CJAA Advisory Committee<sup>1</sup>.

Appendix 1 lists the juvenile court EBPs offered by each county in 2013. As evidenced from this table, ART and FFT are the most prevalent programs, being offered in 29 and 28 out of 33 juvenile courts respectively.

## **Collection and Review of EBP Data**

### *Rationale for this Focus*

In accordance with [RCW13.06.510](#) the juvenile courts are required to submit proposals to JR on how to implement and deliver EBPs in their local jurisdiction. As a result of a joint focus between JR and WAJCA on addressing RED in the juvenile justice system, in 2015 this process was expanded to include questions around racial and ethnic disparities in EBPs, barriers the courts perceived in addressing these disparities, innovative approaches they have taken, and proposals for future innovations to address RED.

### *Data Source and Notes*

Using court level data extracted from the Positive Achievement Change Tool (PACT) and provided by the Administrative Office of the Courts ([AOC](#)) Washington State Center for Court Research ([WSCCR](#)), each court administrator received a document with the count and proportion of youth in 2013 who were eligible for each of the EBPs offered by that court as well as the proportion who started the EBP and the proportion who completed it. Youth could be counted for more than one program if they were eligible for multiple programs. While the focus of this work was the 2013 data, courts were also provided bar charts showing four year trends (2010-2013) in EBP status for youth who became eligible in each year. Rosters of youth were also provided so that administrators could validate the numbers by comparing their internal rosters to the roster from which the RED counts were derived.

The year 2013 was chosen because it was the most recent years that would allow a youth to be determined eligible for an EBP and have sufficient time to start and complete an EBP. This information was disaggregated by race and ethnicity using the race codes provided by WSCCR.

The seven possible race categories were:

- White
- Black / African American
- Hispanic / Latino
- American Indian / Alaska Native
- Asian
- Native Hawaiian / Pacific Islander
- Other

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<sup>1</sup> The CJAA Advisory Committee's purpose is to provide oversight and structure to the juvenile courts in an effort to provide a continuum of evidenced-based, research-based, and promising programs consistent with state statutes.

It is important to note that due to database limitations youth can only be associated with a single race category regardless of whether they identify with two or more. Because the “other” category is so poorly defined it is excluded from discussion though it is included in all the reports.

### *Review Process*

Juvenile court administrators, or their designee, were asked to review their 2013 data and respond to nine open ended questions about how they administer EBPs in their jurisdiction and what the leading barriers are to offering EBPs. Respondents were requested to propose two strategies to enact over the next two years to reduce any disparities they saw in their data (see Appendix 2 for the questions). For smaller jurisdictions where there were not enough youth served in EBPs to make any conclusions about disparities, in homogeneous communities where little racial and ethnic diversity exists, or in courts where racial disparities were not observed in the EBP data, respondents were asked to speak to ways they could improve access to EBPs for all the youth they serve. Courts with questions about their data and data interpretation were provided technical assistance from JR via phone and email. Most of this assistance involved discussing current court practices and brainstorming potential strategies for county level improvements. For courts whose responses were incomplete or off subject, technical assistance was provided to expand and improve responses. Of the 33 juvenile courts, at least 22 received some form of technical assistance. Juvenile court administrators were highly invested in the process and extremely responsive.

### **Statewide RED in EBPs**

Following are program level reports of evidence-based program participation. Statewide data tables are presented for each of the five programs with a brief description of the data. It was not the intent of this exercise to identify a specific cutoff for what is and is not RED so there are no detailed indicators of whether a program shows racial disparity in starts or completion. Rather, the purpose of this work is to inform courts of their data and to begin a dialogue around RED in EBPs.

### *Overall Interpretation of Results*

Before presenting statewide results it’s important to point out the limitations of this data. For some programs and some racial subpopulations the numbers are so small that it is not appropriate to draw any conclusions based on them. If a subpopulation has less than twenty youth we have chosen to avoid discussing any conclusions.

When reviewing start rates it’s important to be aware that there are many reasons why an eligible youth may not start an EBP. While a non-start may appear to be a failure, it may actually be the result of a youth participating in another program (i.e. they did not start ART because they were involved in FFT). Other reasons, including not having enough time on probation to complete the program, also keep youth from starting programs.

The association between the location where a program is offered and the concentration of youth of color in that county is also an important consideration when looking at statewide data. If a

specific county houses the majority of a racial group within the state and they are struggling to engage all youth in an EBP it may look as though this population is not being adequately served by this EBP but, in fact, it is an issue around county engagement strategies rather than race. It is not the purpose of this report to make a determination on this.

The intent of this report is not to identify and address all of these limitations, but rather to begin an informed dialogue about how to address RED in EBPs at the local level. Readers should be confident in the data presented here but are cautioned to be careful in their interpretation of these results.

*RED in Evidence Based Programs*

Aggression Replacement Training (ART)

In 2013, across all racial groups 31% of all youth eligible for ART started the program (Table 1). Relative to White and Black youth who started ART at 31% and 32% respectively, the start rate was noticeably lower for American Indian (26%), Asian (27%), and Latino (28%) youth, though not statistically significant. Similarly, though the completion rate for White youth was higher (71%) than all other groups with large enough numbers, this difference was not statistically significant.

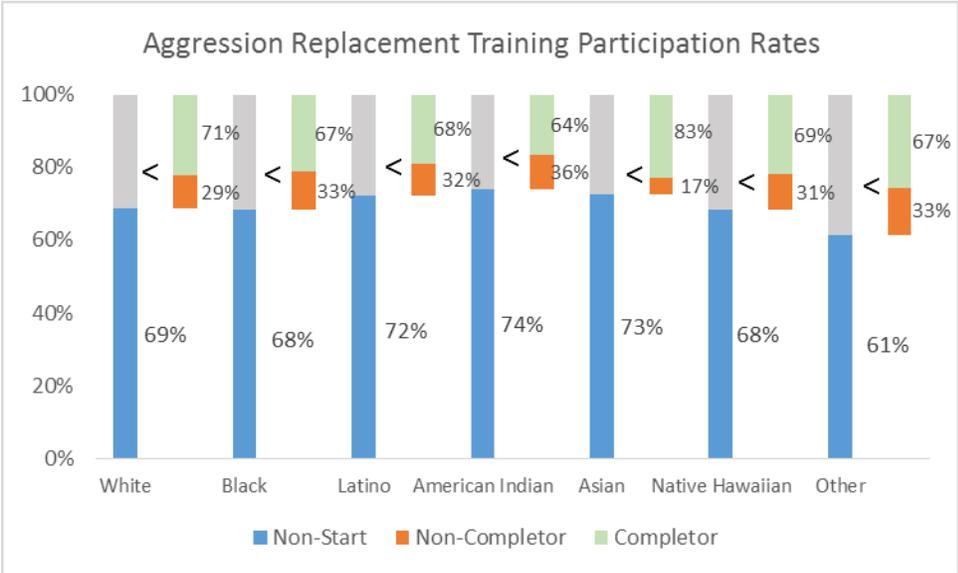
Table 1: Counts of Youth Eligible, Starting, and Completing ART

Washington State ART Eligible Youth, 2013							
Eligible		Started			Completed		
White	2332	Yes	731	31%	Yes	520	71%
		No	1601	69%	No	211	29%
Black	563	Yes	178	32%	Yes	119	67%
		No	385	68%	No	59	33%
Latino	641	Yes	179	28%	Yes	121	68%
		No	462	72%	No	58	32%
American Indian	162	Yes	42	26%	Yes	27	64%
		No	120	74%	No	15	36%
Asian	44	Yes	12	27%	Yes	10	83%
		No	32	73%	No	2	17%
Native Hawaiian	41	Yes	13	32%	Yes	9	69%
		No	28	68%	No	4	31%
Other	31	Yes	12	39%	Yes	8	67%
		No	19	61%	No	4	33%
Eligible		Started			Completed		
Total	3814	Yes	1167	31%	Yes	814	70%
		No	2647	69%	No	353	30%

There are no racial differences in start or completion rates of ART.

Figure 1 shows how each racial/ethnic group progressed through Aggression Replacement Training. For example, 68% of Black youth did not start ART. Of the remaining 32% who began ART, over two thirds (67%) completed it.

Figure 1: ART Participation Rates of Eligible Youth by Race



Coordination of Services (COS)

Similar to ART, about one third (33%) of youth who were eligible for COS in 2013 started the program. Although Native Hawaiian/Pacific Islander youth are only a small portion of the youth eligible for COS (N=37), they had the highest COS start rate (43%) followed by White youth at 36%. Latino (21%) and Black (29%) youth were statistically significantly less likely to start COS compared to White youth.

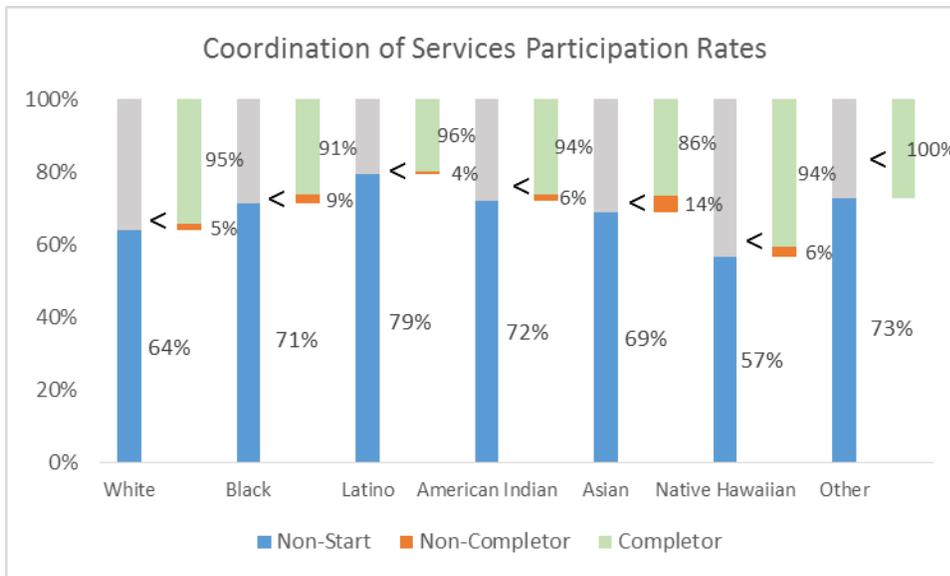
Table 2: Counts of Youth Eligible, Starting, and Completing COS

Washington State COS Eligible Youth, 2013							
Eligible		Started			Completed		
White	1078	Yes	390	36%	Yes	371	95%
		No	688	64%	No	19	5%
Black	201	Yes	58	29%	Yes	53	91%
		No	143	71%	No	5	9%
Latino	231	Yes	48	21%	Yes	46	96%
		No	183	79%	No	2	4%
American Indian	61	Yes	17	28%	Yes	16	94%
		No	44	72%	No	1	6%
Asian	45	Yes	14	31%	Yes	12	86%
		No	31	69%	No	2	14%
Native Hawaiian	37	Yes	16	43%	Yes	15	94%
		No	21	57%	No	1	6%
Other	22	Yes	6	27%	Yes	6	100%
		No	16	73%	No	0	0%
Eligible		Started			Completed		
Total	1675	Yes	549	33%	Yes	519	95%
		No	1126	67%	No	30	5%

Latino and Black youth are less likely to start COS but complete at comparable rates.

Because of the relatively short time commitment to complete the program, COS completion rates are much higher than the other EBPs. Statewide, 95% of all youth who started COS successfully completed. Unlike the variability in COS start rates, completion rates are relatively stable across all racial groups (86% to 96%) with no significant variation. This would indicate that once youth are in COS they complete at comparable rates, regardless of race.

Figure 2: COS Participation Rates of Eligible Youth by Race



### Functional Family Therapy (FFT)

In 2013, across all racial groups 22% of all youth eligible for FFT started the program. White youth started at the highest rate (25%), followed by Black youth at 19%. With the exception of Asian and American Indian youth, whose numbers are too small to reliably calculate statistical significance, White youth are significantly more likely to start FFT than all other racial groups. (Note: As mentioned previously, because of the unclear definition of the racial group “other”, this population is excluded from discussion. It is interesting to see that this group, though small, has a higher start rate).

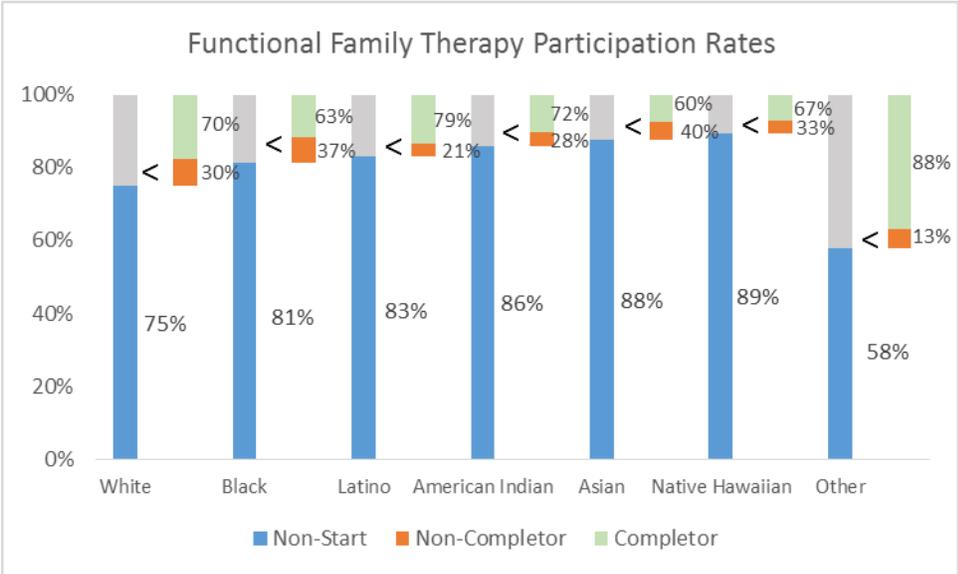
Table 3: Counts of Youth Eligible, Starting, and Completing FFT

Washington State FFT Eligible Youth, 2013							
Eligible		Started			Completed		
White	1762	Yes	441	25%	Yes	308	70%
		No	1321	75%	No	133	30%
Black	437	Yes	81	19%	Yes	51	63%
		No	356	81%	No	30	37%
Latino	448	Yes	76	17%	Yes	60	79%
		No	372	83%	No	16	21%
American Indian	126	Yes	18	14%	Yes	13	72%
		No	108	86%	No	5	28%
Asian	40	Yes	5	13%	Yes	3	60%
		No	35	88%	No	2	40%
Native Hawaiian	28	Yes	3	11%	Yes	2	67%
		No	25	89%	No	1	33%
Other	19	Yes	8	42%	Yes	7	88%
		No	11	58%	No	1	13%
Eligible		Started			Completed		
Total	2860	Yes	632	22%	Yes	444	70%
		No	2228	78%	No	188	30%

White youth are most likely to start FFT but Latino youth are more likely to complete FFT than White youth.

Once youth begin FFT they complete at a rate of 70% statewide. This ranges from 79% for Latino youth to 63% for Black youth. In fact, Latino youth are statistically significantly more likely to complete FFT than White youth. FFT is the one program where the completion rate is higher for a non-White population than for White youth. Further analysis to understand what makes FFT successful with Latino youth, and ways to increase completion rates among Black youth should be investigated.

Figure 3: FFT Participation Rates of Eligible Youth by Race



### Family Integrated Transitions (FIT)

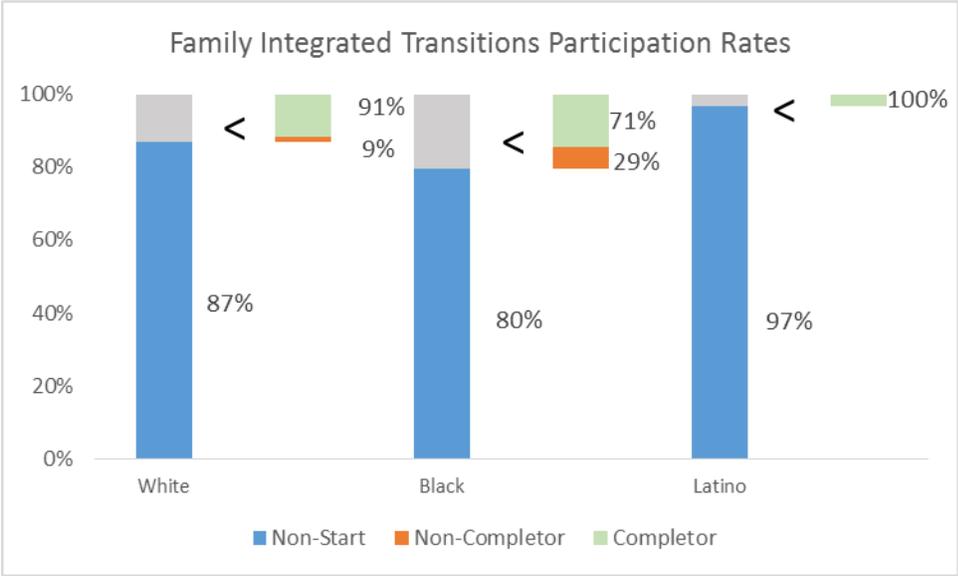
In 2013, 13% of all eligible youth began FIT and of those 81% completed. Because of the small number of FIT participants, only the results for White, Black, and Latino youth will be discussed. Black youth started FIT at the highest rate (20%) while hardly any Latino youth who were eligible for FIT began the program (3%, N=1). FIT is one of two programs where the start rate is higher for a non-White population than for White youth. Further analysis to understand what makes engagement of Black youth in FIT successful, and subsequently so unsuccessful for Latino youth, should be investigated.

Table 4: Counts of Youth Eligible, Starting, and Completing FIT

<b>Washington State FIT Eligible Youth, 2013</b>							
Eligible		Started			Completed		
White	85	Yes	11	13%	Yes	10	91%
		No	74	87%	No	1	9%
Black	69	Yes	14	20%	Yes	10	71%
		No	55	80%	No	4	29%
Latino	30	Yes	1	3%	Yes	1	100%
		No	29	97%	No	0	0%
American Indian	10	Yes	0	0%	Yes	0	
		No	10	100%	No	0	
Asian	2	Yes	0	0%	Yes	0	
		No	2	100%	No	0	
Native Hawaiian	4	Yes	0	0%	Yes	0	
		No	4	100%	No	0	
Other	4	Yes	1	25%	Yes	1	100%
		No	3	75%	No	0	0%
Eligible		Started			Completed		
Total	204	Yes	27	13%	Yes	22	81%
		No	177	87%	No	5	19%

Black youth are the most likely to start FIT though their completion rate is much lower than White youth.

Figure 4: FIT Participation Rates of Eligible Youth by Race



*Multisystemic Therapy (MST)*

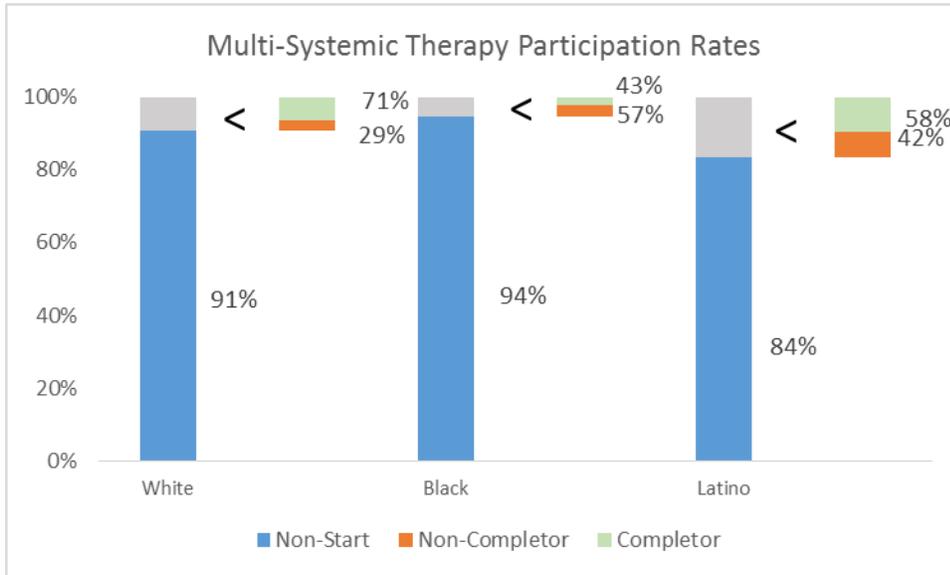
MST is the other program where a non-White population starts at a higher rate than White youth; 16% of eligible Latino youth began the program compared to 9% of White youth. While this difference is not statistically significant, Latino youth are significantly more likely to start MST compared to Black youth who only start at 6%. This is the inverse of FIT where Black youth were significantly more likely to start the program than Latino youth. Further analysis to understand what makes engagement of Latino youth in MST successful, and subsequently so unsuccessful for Black youth, should be investigated.

Table 5: Counts of Youth Eligible, Starting, and Completing MST

Washington State MST Eligible Youth, 2013							
Eligible		Started			Completed		
White	152	Yes	14	9%	Yes	10	71%
		No	138	91%	No	4	29%
Black	127	Yes	7	6%	Yes	3	43%
		No	120	94%	No	4	57%
Latino	73	Yes	12	16%	Yes	7	58%
		No	61	84%	No	5	42%
American Indian	17	Yes	0	0%	Yes	0	
		No	17	100%	No	0	
Asian	8	Yes	0	0%	Yes	0	
		No	8	100%	No	0	
Native Hawaiian	7	Yes	0	0%	Yes	0	
		No	7	100%	No	0	
Other	4	Yes	0	0%	Yes	0	
		No	4	100%	No	0	
Eligible		Started			Completed		
Total	388	Yes	33	9%	Yes	20	61%
		No	355	91%	No	13	39%

Latino youth are the most likely group to start MST though their completion rate is lower than White youth.

Figure 5: MST Participation Rates of Eligible Youth by Race



## **Court Responses**

Upon review of their counties EBP data, respondents were asked to identify the leading barriers to racial and ethnic equity in EBP participation. They were then asked to provide examples of practices they've implemented to reduce RED and two strategies they plan to enact that they anticipate will result in measurable improvements in racial and ethnic disparities in access to EBPs. Many of the barriers identified were universal barriers to all youth served by the courts, though some were specific to racial or ethnic subpopulations.

### *Barriers to Equity in EBPs*

#### Transportation / Geography

Transportation to evidence-based programs was one of the most commonly identified barriers to equity in participation. Although few courts articulated how transportation was an issue unique to youth of color, it was clear that transportation was a common barrier that exacerbated existing disparities in access to EBPs. Transportation barriers are particularly common for rural jurisdictions but also affect the geographically isolated portions of more urban counties. Youth are expected to travel to a central location for the group programs (ART and COS) while FFT, MST, and FIT therapists travel to families homes. Each of these models present unique problems. FFT and MST therapists travel great distances to meet with families, sometimes to only find out at arrival that the session needs to be rescheduled. In some rural parts of the state it's not unheard of for a therapist to drive over 100 miles each way (for example, from Colfax to Kettle Falls which is 138 miles), twice a week, to meet with a family. While this is an extreme example, it's estimated that the average distance between a FFT therapist's home base and the family they are trying to meet is about 50 miles. This extensive travel means that the FFT therapist has less time to work with youth and families because of their commute.

Group programming is held at a central location determined by the organizing court staff. Examples of locations include the local court, schools, and community centers. Youth participating in ART and COS are expected to attend in person sessions. Youth participating in ART groups meet three times a week and facilitators try to schedule sessions around youths involvement in other pro-social activities such as clubs and sports. Scheduling must also accommodate staff availability, facility availability, and youth's transportation needs.

In rural areas public transportation systems are designed to get commuters in and out of town for the work day and are opposite to the transportation needs of youth trying to participate in evening programming. Even in areas where public transportation is more readily available accessing and coordinating transportation can still be a barrier for youth and their families. In both rural and urban areas, parents (and youth) frequently do not have access to private transportation because there is not a vehicle in the household, there is not a licensed driver, or the vehicle or driver is not available for transportation during the required EBP time. All of these factors make scheduling and getting youth to group sessions difficult.

### Time Commitment and Timing of Group Interventions

In order to adhere to the program model and expect reductions in risk comparable to those shown in the evaluations that indicated program efficacy, youth need to participate in a predefined number of sessions. Meeting EBP requirements of session frequency and length can be a challenge for youth with other pro-social commitments. For example, ART is a time commitment of three sessions a week for ten weeks which can be difficult for youth and family to schedule in to their existing commitments. The frequency and duration of an EBP can be challenging for youth and families to accommodate.

The timing of group interventions can also be a barrier to youth participating in them. As previously noted, the timing of a program can impact a youth's access to transportation whether it's the public transportation schedule or access to a family car. In addition, programming can conflict with other pro-social activities such as sports, clubs, and employment. Many group interventions are held immediately after school is dismissed, the same time that many pro-social after school activities occur. Coordinating schedules to let youth continue, or begin, pro-social activities in their community while also receiving the evidence-based interventions can be logistically complicated.

### Timing within Probation Sentence

Over the past five years there has been a noticeable decrease in the length of probation sentences that youth in Washington are sentenced to. There is no single reason for this shift but many factors, including an effort to reduce the criminogenic risk caused by overserving a youth in the judicial system and financial pressures, have influenced this change. These shorter sentences do not always accommodate the length of sentences that youth need to complete an EBP.

An additional timing issue is the infrequency with which some counties offer group interventions, sometimes as rarely as annually. This makes it very difficult to coordinate probation services with the timing of when an EBP is offered. While most of these counties note that they would like to serve more youth in EBPs, frequently they are unable to run more than one group because they do not have a sufficient number of eligible youth to start a program.

### Low Numbers of Eligible Youth

Group programs (ART and COS) require a specific number of youth to participate in order for a group to run. In counties with a small population, or a small number of youth served in their court who meet the EBP eligibility requirements, it can be very difficult to have a large enough number of youth ready and able to participate in a group EBP at any given time.

### Family Engagement

The definition of what constitutes a family is variable and driven by the youth. Getting families invested in programs has been shown to be key in youth's success in EBPs.<sup>2</sup> For family based

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<sup>2</sup> Burke J, Mulvey E, Schubert C, Garbin S. The Challenge and Opportunity of Parental Involvement in Juvenile Justice Services. *Children and Youth Services Review*. 2014; 39: 39-47.

interventions (FFT, FIT, COS, and MST) family involvement is required for program success. Even when family involvement is not part of the program model, like in ART, engagement and support from family encourages youth to succeed. Engaging families can be a challenge for many reasons including a lack of understanding of the benefits of EBPs, personal and professional commitments that require the parent's time, parental chemical dependency, parental unavailability due to conflicting priorities or confinement, and communication barriers between EBP providers and families.

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*“There is a struggle to engage youth that have parents with alcohol and/or chemical dependency issues.”*

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### Staff Engagement

Some counties noted that staff are not always invested in evidence-based programs and may not fully support youth to succeed in these programs. While this appears to be a limited problem, engaging staff to understand the importance of EBPs is key if they are expected to engage and support youth and their families through the EBP process.

### **Barriers Unique to Racial and Ethnic Subpopulations**

#### Language / Access to Interpreters

Access to bilingual service providers or to interpreters was one of the leading barriers to racial and ethnic equity in access to evidence-based programs expressed by respondents. The limited availability of interpreters and the lack of additional resources to fund them or to subsidize staff who are bilingual, limits who is able to receive EBPs. Many courts noted that the issue is greatest in family based interventions because it is most frequently family members, not the justice involved youth, who are non-English speaking.

According to the Office of the Superintendent of Public Instruction, there are 203 different languages spoken by school age children in Washington. While approximately two thirds of these are Spanish speakers this still leaves a significant number of other languages spoken in youth's homes. Spanish speaking families were most often noted by the juvenile courts as being underserved as the result of language and interpreter barriers but many courts mentioned other dialects or languages that they are not resourced to serve. While finding Spanish speaking staff has proven very challenging, finding staff who speak less commonly used languages has been shown to be nearly impossible. Courts note that short-term interpreters can cover a wider range of languages but finding interpreters for some languages is difficult.

While improved availability to interpreter services would increase the number of youth and families who could be served in EBPs, it's important to note that there are challenges with providing therapeutic interventions through an interpreter. In addition to using therapeutic language that might not be familiar to an interpreter, relationship building is hampered when done through an interpreter. We are unaware of any research on the efficacy of EBPs when offered through an interpreter.

#### Family Engagement

While mentioned previously as a leading barrier for all youth, some courts mentioned specific examples of racial and ethnic groups they were struggling to engage. Native American, Black, and Hispanic/Latino families were all mentioned by one or more court as being groups that they struggled to engage. Many respondents identified this disconnect as a weakness of the courts resources and competencies.

#### Avoiding Unconscious Bias

A few courts have made the determination that there may be policies or decision making practices that unconsciously result in disparate outcomes for youth of color in EBPs. These courts have implemented unique data review processes to track the differences and use the findings to identify and address barriers.

### **Current Innovations**

Many counties have already been working to address the barriers to racial equity that they have identified. While most have yet to be evaluated for their efficacy, these practices are unique and show an innovative approach to addressing a common barrier experienced across multiple counties. The list of innovations below are just a sample of all the work being done across the state and do not identify every court currently implementing this practice. Any questions about county level innovative practices should be directed to county staff.

#### Transportation / Geography

- Provide youth bus passes or gas cards to support families getting youth to ART sessions (Clark, Cowlitz, Douglas, Kitsap, Lewis, Okangon, Pierce, & Whatcom Counties).
- Staff drive youth or coordinate a car pool (Adams, Grant, Lewis, Spokane, & Whitman Counties).
- Partner with local business owners to identify locations in populated areas far from the court to hold ART groups (Adams County).

#### Time Commitment and Timing of Group Interventions

- Partner with local chemical dependency (CD) treatment agency to train their staff as an ART facilitator which allows them to serve ART eligible youth who are currently engaged in CD treatment. This avoids the issue of drug/alcohol treatment interfering with EBP participation (Kittitas County).
- Identify external agencies and train their adolescent counselor as an ART facilitator allowing them to have a large enough group to run the program (Kittitas County).

### Timing within Probation Sentence

- Hold off on referrals to inpatient and/or outpatient treatment if safe to do so, until EBP is completed (Jefferson County).
- Partner with a local dispute resolution center to develop a shorter program, We're In This Together (WITT), as well as a mentoring program (Grays Harbor & Pacific County).

### Low Numbers of Eligible Youth

- Collaborate with local mental health service providers, social service agencies, and DCFS to serve youth from multiple agencies with similar needs (Lewis & Kittitas Counties).
- Partner with neighboring counties and with Juvenile Rehabilitation parole services to have sufficient numbers to run an ART group (Kittitas & Yakima Counties).

### Family Engagement

- Hold a family orientation for ART. This allows families to meet instructors and ask questions. Orientation may be translated and there may be small incentives to families for participation (Chelan, Kitsap, Pierce, & Spokane).
- Partner with local agencies to provide resources, such as meal and transportation services, to youth and families who successfully complete EBPs (Adams County).
- Develop and offer a culturally relevant COS to Latino youth and families (Snohomish County).
- Hire staff, particularly bilingual staff, to communicate to youth and families the importance of attendance and participation in EBPs (Lewis County).
- Provide school credit for EBP completion (Asotin, Garfield, & Spokane Counties).

### Staff Engagement

- Train juvenile probation counselors on EBP models and philosophies so that they are familiar with the programs and can reinforce EBP skills with the youth (Benton/Franklin & King Counties). In Chelan County all JPCs are ART co-facilitators.
- Ongoing communication between juvenile probation counselor (JPC) and EBP facilitator about youth's progress (Cowlitz, King, & Snohomish Counties).

### Language

- Contract with Spanish speaking interpreters and with the Language Line to provide EBP interpretive services (Mason & Yakima Counties).
- Provide translators at ART orientation and graduation (Clark County).
- Provide interpreters for EBPs (San Juan & Whatcom Counties).
- When unable to hire bilingual staff, partner with agencies like Children's Administration who have bilingual staff (Kittitas County).
- Actively recruit and retain multi-lingual JPCs and EBP providers (Chelan & Skagit Counties).
- Provide key documents in multiple languages (Chelan & San Juan Counties).

### Avoiding Unconscious Bias

- Formalize a process for leadership to seek input from staff and community stakeholders about RED and ways to address it (Chelan, Clark, Snohomish, & Thurston Counties).
- Conduct monthly meetings where the Court Administrator, JPCs and FFT providers review and prioritize FFT referrals (Jefferson County).
- Schedule time for the ART coordinator to meet with each JPC to review their caseload and identify any youth who are eligible for ART (Benton/Franklin Counties).
- Contract with multi-ethnic community based agencies to provide services (King County).
- Encourage all staff to complete the Intercultural Development Inventory and receive individualized feedback from consultants (Spokane County).

### **Court Proposals**

There are many creative solutions that are designed to meet the unique needs of the communities each court serves. A few examples from the court proposals include:

- Conduct a RED analysis of referral, engagement, and completion rates across all JPCs, including documenting reasons for unsuccessful attempts and recommendations to improve rates.
- Pilot racial/ethnic specific outreach and system navigation assistance.
- Recruit a bilingual FFT therapist who speaks Spanish.
- Reach out to Tribal, Latino and African American communities to form a partnership in establishing a Cultural Advisory Committee that will focus on RED data and develop strategies to improve services to youth and families.
- Offer staff opportunities to grow their cultural competence through training and community activities.
- Create a Spanish language FAQ document.
- Improve racial and ethnic identification of youth for more accurate reporting.
- Fund transportation for youth to EBPs.

### **Recommendations:**

Based on the responses provided by the juvenile courts, we propose the following recommendations as ways to reduce the racial and ethnic disparities in access to EBPs seen in some juvenile courts. Recommendations are specific to stakeholder groups. While there are many recommendations for the courts, there are also significant steps that can be taken at the state level.

Court Recommendations:

- Meet with internal and external stakeholders to discuss RED in EBPs and the proposed plans. Use this opportunity to develop and implement a work plan to address the issue.
- Review EBP referral process to identify any areas where unconscious bias could occur.
- Conduct ongoing review of EBP data.

- Train staff at all levels on the intent and value of EBPs.
- Modify staff work schedules to allow for provider travel.
- Adjust group EBP meeting location and time to better meet the needs of participants.
- Develop partnerships with other agencies in the community to expand the EBPs offered.
- Develop cross-county collaborations to share resources such as allowing youth to participate in EBPs in neighboring counties and coordinating therapists travel to reduce travel time.
- Encourage therapists to group cases together by geography when possible.

#### State Agency / Invested Stakeholder Recommendations:

- Develop a multi-lingual overview document for use by all courts that describe the evidence-based programs.
- Assist in translating EBP materials.
- Identify currently existing evidence-based programs that are appropriate for the juvenile offender population and do not require transportation. If such a program(s) does not exist, advocate for funds to develop and evaluate such a program.
- Identifying interventions that can be run with a smaller number of youth and/or for a shorter period of time while still remaining cost effective.
- Provide courts cross-cultural communication training specific to youth and family engagement.
- Develop parenting resources and education programs.
- Provide courts financial training resources on EBP selection and delivery.
- Revise the AOC hosted Positive Achievement Change Tool (PACT) to allow identification and tracking of youth who do not complete an EBP so that they remain in the pool of eligible youth.

#### Legislative / Key Stakeholders:

- Statewide discussion on the appropriate length of juvenile probation supervision and the pros and cons of extending probation sentences to make sure that youth have enough time to complete their programming.
- Funding specialty pay for multi-lingual providers and for interpreters.
- Funding transportation and/or transport staff.
- Supporting the identification and funding of EBPs that do not require transportation.
- Encourage collaboration and partnerships between the juvenile courts and other youth serving agencies.

#### **Future Tracking of RED**

This report is the first step in a two year process to reduce RED in access to juvenile court EBPs. In summer 2016 courts will be asked for a one year status report on their RED reduction initiatives and to note successes and challenges they've had. This check-in will be used as a time for technical assistance and peer collaboration so that courts can move forward to positively

impact their provision of evidence-based programs in the subsequent year. Updated data and a final report from courts on their innovative practices will be expected in the fiscal year 2018 Block Grant Report. Upon completion of these reports the effectiveness of this undertaking will be evaluated.

**Appendices:**

1: List of EBPs by County

2: Proviso Questions

## Evidence Based Programs Offered in Washington State Juvenile, by County 2013

### Aggression Replacement Training (ART)

Adams, Asotin, Benton, Chelan, Clark, Columbia, Cowlitz, Douglas, Ferry, Franklin, Garfield, Grant, Grays Harbor, Island, Jefferson, King, Kitsap, Lewis, Mason, Okanogan, Pend Oreille, Pierce, Snohomish, Spokane, Stevens, Thurston, Walla Walla, Whatcom, Yakima

### Coordination of Services (COS)

Clallam, Cowlitz, King, Kitsap, Snohomish, Spokane, Whatcom, Whitman

### Family Integrated Transitions (FIT)

King County

### Functional Family Therapy (FFT)

Benton, Chelan, Clark, , Cowlitz, , Ferry, Franklin, Grant, Grays Harbor, Island, Jefferson, King, Kitsap, Klickitat, Lewis, Lincoln, Mason, Okanogan, Pend Oreille, Pacific, Pierce, Snohomish, Skagit, Skamania, Spokane, Stevens, Thurston, Wahkiakum, Whatcom, Whitman, Yakima

### Multi-Systemic Therapy (MST)

King, Yakima

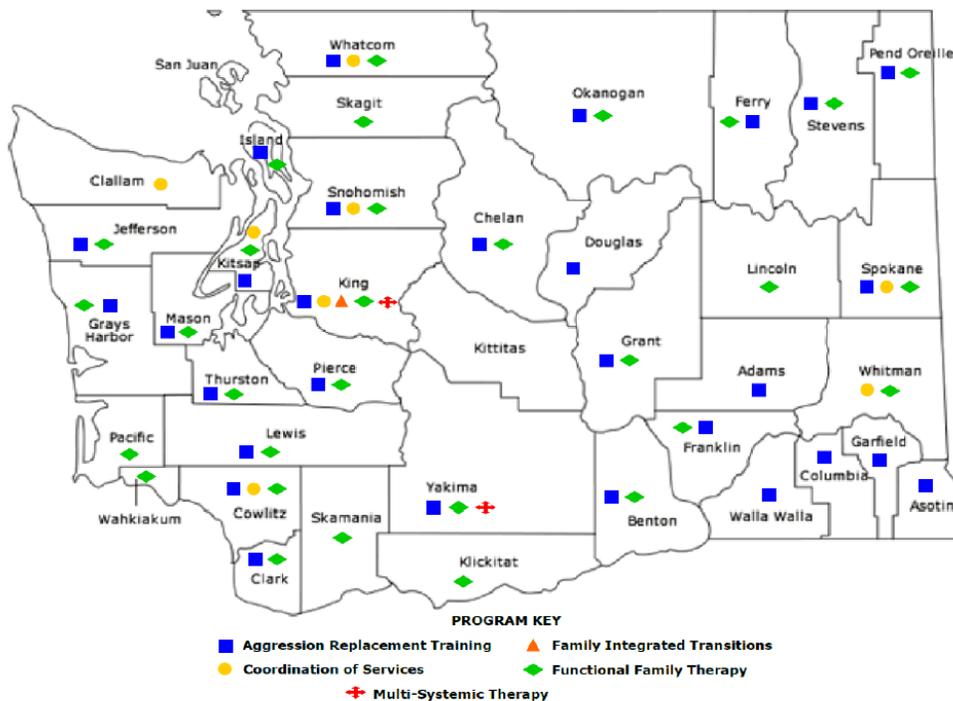


Image credit: WSCCR, 2014 Juvenile Block Grant Report



WASHINGTON STATE JUVENILE COURTS  
**RACIAL AND ETHNIC DISPARITY (RED)**  
 QUESTIONS FOR BLOCK GRANT APPLICATION  
 LARGE COUNTY

Please review the data provided regarding the racial/ethnic composition of youth starting and completing Evidence Based Programs (EBP) in your court. After reviewing the data, please complete the questions below. It is recommended that you convene a meeting with key stakeholders in your system to review this data, your current efforts to address racial and ethnic disparity (RED) in EBP utilization, and brainstorm ways to address RED.

JUVENILE COURT	JUVENILE COURT CONTACT NAME
JUVENILE COURT CONTACT PHONE NUMBER ( ) -	JUVENILE COURT CONTACT EMAIL

**PLEASE TELL US ABOUT YOUR EVIDENCE BASED PROGRAM PROCESSES**

- How do you identify which youth to refer to EBPs?**
- How do you engage youth to participate in EBPs?**
- How do support youth to successfully complete EBPs?**
- What do you see as the leading barriers to equity in access to EBPs in your juvenile court?**
- Is there a specific racial/ethnic group you are struggling to engage in EBPs? Which? Why do you think that is? What efforts have you made to engage them?**
- What are your current efforts to address barriers in access to EBPs?**

**RED STRATEGIES AND MEASUREABLE IMPROVEMENTS**

Your attached EBP numbers highlight one or more groups where the data indicates room for improvement. Based on this data:

- Identify an issue and provide two strategies that will result in measureable improvements in the next two years.**
- What are the barriers for implementing these strategies?**
- What resources would be helpful to you to address disparity in access to EBPs in your court?**

The data provided for this exercise was extracted from the PACT by the Washington State Center for Court Research (WSCCR). Do you have any questions or concerns with the data? If yes, please describe.