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Community Facilities for Juvenile Offenders in Washington State

EXECUTIVE SUMMARY

In September 1997, a resident of a Juvenile Rehabilitation Administration (JRA) community facility walked away from his job in the community and raped and murdered a young girl. In response to this tragedy, the 1998 Legislature significantly revised state laws regarding these facilities (E2SSB 6445).

As a further step in preventing similar tragedies, the legislature directed the Washington State Institute for Public Policy to examine each facility's operation and security procedures. The direction also required a review of recidivism rates of certain juvenile offenders and a feasibility analysis of statewide standards for detention facilities.¹

Two types of community facilities house juvenile offenders that have been committed to the state: private facilities that contract with JRA and state-run group homes staffed by JRA employees. Collectively, they are referred to as *community facilities* in this report.

OVERALL ASSESSMENT

As a group, the 22 community facilities were found to be well-run organizations that pay strong attention to public safety. The *procedural* changes that have been enacted by state policymakers and JRA administrators have strengthened this emphasis on public safety.

COMMUNITY VIEWS TOWARD FACILITIES

The study included extensive consultation with stakeholders who regularly interact with a program, its staff, and residents. Law enforcement, courts, schools, and employers had very positive assessments of the facilities. Views by neighbors were more diverse, but the overall assessment was also positive. To investigate neighbors' views, mailed surveys were sent for the 12 of 22 facilities in populated areas, with a return rate slightly under 50 percent. Of the returned surveys, the average ranking was 4.0 on a scale of 1 to 5 (with 5 being the most favorable). No facility scored below a 3.

SIGNIFICANT POLICY CHANGES ASSOCIATED WITH PUBLIC SAFETY

Policy changes by the 1998 Legislature, coupled with management decisions by JRA, caused significant changes in the day-to-day operation of community facilities, changes that provide an increased focus on public safety. The study revealed the following:

- The rate of *escapes* from community facilities *declined by 50 percent* in the last fiscal year.

¹ A separate report on the topic of juvenile detention standards is available by request from the Institute (document number 98-12-1202).

- Juvenile offenders who are committed to the state *are no longer eligible for a direct placement* to a community facility and must spend at least ten percent of their sentence, but not less than 30 days, in a secure institution.
- Off-site activities by juveniles now require *prior approval* by JRA and are subject to increased documentation requirements.
- *Risk assessments* are performed by a team, rather than by individuals, reducing the chances of errors or omissions. Since the risk assessment determines eligibility for community residential facilities, as well as levels of freedom within the program, a group process provides more checks and balances.

CRIME RATES AND MANAGEMENT OF RESIDENTS

To investigate the statewide patterns of crimes committed by facility residents, facility staff were surveyed regarding the time period between July 1, 1996, and June 30, 1997. Of the 765 youth in residence, 19 percent committed a crime while in the program. More than half of these crimes were escapes. (As noted earlier, the escape rate has declined significantly in the last year.) The next most common crimes were misdemeanors and drug and alcohol offenses. Less than one percent of residents committed a felony crime against a person while in a community facility.

In terms of day-to-day operation of facilities, staff who work in programs with mixed populations of both JRA offenders and other juveniles (primarily dependent children) find without exception that the JRA population is considerably easier to manage. The offenders selected for community facilities have already demonstrated that they are willing to comply with rules, and any serious misconduct quickly results in a return to the institution.

RECOMMENDATIONS TO IMPROVE SECURITY AND OPERATIONS

The study identified four steps to reduce the public safety risks of community facilities.

Upgrade facility security. The degree of physical security in community facilities varies considerably. Most security is provided by early warning systems that immediately alert staff when an occupant is attempting to leave the building. The state building code severely restricts the use of locks on rooms or building exits as well as window security screens. Alarmed and time-delayed locks on exit doors, as well as window alarms that only allow partial opening, are approved by the fire marshal and are installed in some facilities. Alarms and other early warning systems could be added to facilities at a modest cost—approximately \$3,000 to \$5,000 per facility.

Add a night staff-person to state-run facilities. JRA requires its private vendors to have two staff on duty at night in community facilities, while the state-run facilities have only one person on duty. This staffing level is seriously inadequate and it is easy to imagine situations where public safety, and the safety of residents, could be compromised.

Revise the reporting form for violations and infractions. At present, the key information on this form is recorded in narrative. To be useful as a management tool, this portion of the form needs to be standardized for data entry.

Revamp the referral process. While not directly related to risk, the referral process for placements needs to be overhauled. The current process of placing eligible youth in specific facilities is chaotic. JRA community staff recruit for placements, and programs compete among themselves for referrals.

BENEFITS AND RISKS OF COMMUNITY FACILITIES

Community facilities are viewed as a valuable component of a state juvenile justice system by many experts in the field. Proponents for such facilities argue that the recidivism rate for facility residents is lower than the rate for juveniles who exit directly from an institution. We tested this argument with Washington State data, comparing two groups of juveniles matched on risk: those released directly from an institution and those who spent time in a community facility.

We found *no significant differences* in recidivism between the groups, with one exception. Juveniles who remained in a community facility for more than six months *did show* significantly lower rates of recidivism. Further research is needed to determine if this difference is due to the positive effects of the programs, or if the long-term residents represent the lowest-risk group, with the others returned to the institution for misconduct.

OVERSIGHT COMMITTEES

The 1998 Legislature established community oversight committees to assist in improving public safety and accountability. These committees are to be established by 1999. The study assessed alternative models for these committees, examining options that would improve the quality of the referral process without compromising treatment issues or the timeliness of decisions.

Two methods could accomplish this goal: the Advisory Model or the Quality Assurance Model. Under the Advisory Model, committees would review placement decisions made by the Secretary of DSHS. If a committee votes against a particular placement, the Secretary would either accept the recommendation or override it through a structured process prior to placement. Under the Quality Assurance Model, the committees would meet less frequently and review all aspects of the placement process, including conformance of past placement decisions to policy. Their actions could include periodic reports to the legislature about the quality of the process.

If committees can meet frequently and take action expeditiously, either model can be effective. If the committees cannot reasonably keep pace with the referral process, the Quality Assurance Model is recommended.