

ESB 5429 – Including Referred Youth

Introduction

Engrossed Senate Bill (ESB) 5429 amended RCW 13.40.500, extending eligibility for participation in evidence-based programs (EBP) to include referred youth as well as diverted and adjudicated youth. Before the passing of this bill, eligibility was limited to youth on probation or a formal diversion. This legislative change now allows referred youth the ability to access EBPs funded by the state.

The Legislature defines referred youth as young people who:

- Are contacted by a law enforcement officer and the law enforcement officer has probable cause to believe that he or she had committed a crime;
- Are referred to a program that allows youth to enter before being diverted or charged with a juvenile offense; and
- Would have been diverted or charged with a juvenile offense, if not for the program to which the young person was referred.



Referred Youth – Eligibility Process

- All referred youth must receive a juvenile court risk assessment to determine what program they are eligible for. This is the same process for probation and diversion youth.
- Once assessed and determined eligible, these referred youth must be referred to a Community Juvenile Accountability Act (CJAA) Advisory Committee approved research- or evidence-based program. All CJAA-approved programs are present on the Washington State Institute for Public Policy (WSIPP) Juvenile Justice Program Inventory.
- Juvenile courts can serve these referred youth in other programs, however, their participation in those programs will not count in the funding formula.

Referred Youth Served (EBPs) – SFY 2020

Court	Aggression Replacement Training (ART)	Coordination of Services (COS)	Education Employment Training (EET)	Family Integration Transitions (FIT)	Functional Family Therapy (FFT)	Multi-Systemic Therapy (MST)	Totals
King	0	0	0	2	31	18	51
Pierce	0	9	0	0	1	0	10
Totals	0	9	0	2	32	18	61



Summary

While the law changes have been operational for one year, only two out of the 33 (6%) juvenile courts serve referred youth.

While only 61 youth were served in EBPs in State Fiscal Year (SFY) 2020, it is safe to assume that more courts will begin serving referred youth in the future. With time, the true impacts of referred youth will be better understood.

If the number of courts participating were to increase and the number of referred youth served were also to increase, then the impacts to the Block Grant Funding Formula could be larger.

The legislatively authorized Block Grant Oversight Committee, charged with the funding formula's oversight, will monitor the impacts of the inclusion of referred youth and implement, if necessary, a stop-loss policy that would limit juvenile courts' financial losses from one year to the next.



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