

# UW Medicine

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DEPARTMENT OF PSYCHIATRY AND BEHAVIORAL SCIENCES

## Working to Reduce the Use of Secure Confinement

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A Review of King County's Children and Family Justice Center

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## Vision

This report encompasses recommendations intended to provide a starting point for reducing reliance on the use of secure confinement in King County. Some recommendations are aimed at enhancing detention programs and the behavioral techniques of detention staff in managing youth. Recommendations related to architectural modifications of the King County Children and Family Justice Center's (CFJC) are targeted to best align the design with a rehabilitative and developmentally appropriate program, though it should be noted that contractual commitments and imminent construction of the facility presented serious impediments for the feasibility of proposing significant changes. Another set of recommendations relate to expanding and developing initiatives that improve community-based prevention, diversion and alternatives to detention. Both programmatic and architectural recommendations were developed by the University of Washington's Division of Public Behavioral Health and Justice Policy. Guiding recommendations, urging collaboration between public system stakeholders and the communities most impacted by the justice system, reflect the CFJC Review Committee's motivation to hold County leadership accountable to eliminating racial disparities and embarking on a road to zero youth detention. There was consensus among many Committee participants that trajectory will be most effective if defined by a collaborative decision making effort that places community priorities and expertise at the forefront (see Committee Make-Up and Perspectives). Due to time constraints and project timelines, the specifics of the structure of that reform process, as well as timelines and measurable outcomes for its implementation, are beyond the scope of this report. The complexity of accomplishing zero youth detention, or as close a version as we can come to without compromising shared societal values, will require continuous challenging solution-focused deliberations in shared partnership with community and government stakeholders.

## Executive Summary of UW Recommendations

*“We could put up a beautiful new facility, but if we didn’t make any programmatic changes, the kids would tear it apart. Conversely, you can run a good program in a poorly designed prison-like facility. However, the best scenario is to do both at the same time.”*

- Vincent Schiraldi, Harvard Kennedy School<sup>1</sup>

### **Guiding Recommendations**

1. Consistent with the King County Executive’s commitment to achieve a goal of zero youth detention<sup>2</sup>, develop a County strategic plan (“road map”) with specific funding sources, measurable outcomes and implementation timelines to reduce and ultimately eliminate detention of youth under age 18 in King County.
2. Given the disproportionate level of involvement of youth of color in the juvenile justice system, prioritize the expansion or development of initiatives that target the elimination of racial disparities in rates of arrest, referral, filing and incarceration.
3. The strategic plan should be developed and implemented in collaboration with the community, including engagement of existing groups such as the Juvenile Justice Equity Steering Committee as well as grassroots community-organized movements.
4. Architectural designs and programs related to the Children and Family Justice Center should be informed by Guiding Recommendations 1, 2 & 3 and developed over the next four months.

### **Architectural Recommendations**

1. Reduce the number of secure beds, design transitional units and design more residential units.
2. Design living spaces centered on fostering decision-making responsibility, self-management and relationship building in the detained youth population.
3. Design a facility that aligns with a vision of strengthening families and communities.

### **Program Recommendations**

1. Eliminate admission of status offenders to secure detention.
2. Continue to reduce the number of juvenile offenders admitted to secure detention.
3. Transfer youthful offender population from adult facilities to juvenile facilities.
4. Enhance workforce training and improve behavior management protocols.
5. Commit to maintaining continuity of advocacy at all stages of system involvement.
6. Improve academic/ educational achievement and vocational/ work readiness for both detained youth and youth on probation.
7. Expand and support opportunities for community participation and youth re-integration.

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<sup>1</sup> Just “Doing No Harm” is not quite good enough, Arthur Schurr

<sup>2</sup> The goal of Zero Youth Detention was announced by Executive Dow Constantine, [State of the County Address 2017](#)

## Introduction

The negative consequences of secure confinement of juveniles are for most youth pernicious. Rather than acting as a deterrent, it serves to ensnare youth into further justice system involvement. Youth who are removed from their families and communities and placed in secure facilities are up 80% more likely to engage in future criminal behavior both as juveniles and adults (Mendel, 2011; Aizer & Doyle, 2015, McGowan et al., 2007). Incarceration has also been found to aggravate existing behavioral health conditions, which is likely to have a far reaching impact; between 75 and 90% of youth entering the justice system have experienced trauma and 70% receive a mental health diagnosis in addition to one reflecting conduct disorders (Adams, 2010; Washburn et al., 2015). Youth held in adult facilities face particularly deleterious consequences because they are more likely to experience physical and psychological abuse, and programming to address the mental health, educational and social needs of juveniles in jails and prisons is minimal compared to that of juvenile detention centers (Carlson and Maike, 2013). All youth who come into contact with the juvenile justice system experience barriers in securing education, job and housing opportunities (Mendel, 2011).

About a quarter of youth nationwide are being detained for violent offenses<sup>3</sup> (Mendel, 2011). Unfortunately many youth incarcerated who do not pose a threat to society end up cultivating criminogenic behaviors instead of developing skills to change the pattern of behaviors for which they are being held accountable. Providing adolescents with support as they transition to adulthood is critical: behavioral and neuroscientific findings indicate that until the brain reaches adult maturity with time and experience, adolescents engage in risk-taking and undergo a continuous learning process to control their impulses, regulate their emotions and develop prosocial skills. This process of growth goes on until the mid-twenties, until which point youth have a heightened receptivity to behavioral reinforcements and peer influence (Steinberg, 2014). As a result, youth are more amenable, well into their twenties, to benefit from behavioral interventions.

Addressing the behavioral and emotional needs of juveniles who are detained or at-risk of involvement in justice system been shown to be a developmentally-appropriate and effective way to reduce recidivism, improve health outcomes, and facilitate community transitions (Trupin et al., 2004, 2013). Furthermore, implementing evidence-based family interventions that target the highest risk youth has the largest impact on reducing recidivism and has favorable outcomes on investments for both taxpayers and crime victims (Lipsey, 2009; Aos et al., 2004; Aos & Drake, 2013). Evidence-based interventions can be carried out in the home or in community as part of a continuum of services, and the community should be resourced to provide those services and programs among others. As accessibility grows, lack of access in the community can no longer be used as justification for sending youth to out-of-home placement when it would otherwise be unnecessary (Fleischer and Butts, 2016).

A recent study published by the Harvard Kennedy School and the National Institute of Justice documenting the detrimental impact of youth prisons on both community safety and positive outcomes for youth argues that secure confinement be limited to youth who pose a risk to public safety in small homelike facilities with rigorous rehabilitative evidence-based support (McCarthy et al, 2016). The Annie E. Casey Foundation echoes these recommendations and further advocates for investing in effective alternatives to incarceration, adopting best practices in detention reforms and expanding diversion programs as ways to improve outcomes for juveniles and ensure public safety

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<sup>3</sup> Mendel used the Violent Crime Index Offense (homicide, aggravated assault, robbery or sexual assault).

(Mendel, 2011). Youth who commit the most serious offenses should receive the highest quality treatment options available, while community strategies should be developed and supported to prevent and divert as many youth as possible from justice system involvement.

Using detention as a last resort, one reserved for youth who have committed serious crimes and who pose grave dangers to themselves or others, is an achievable goal in the timeline of accomplishing zero detention for all youth.<sup>4</sup> To that end, the recommendations herein developed by the University of Washington (UW) intend to better align the architectural designs of the Children and Family Justice Center (CFJC) – a courthouse and juvenile detention center - with the developmentally appropriate and rehabilitative needs of King County's youth, and aim to improve programmatic strategies that will enhance behavior management protocols in detention, continue to reduce secure detention admissions and prioritize the elimination of racial disparities at all levels of systems involvement through community-based strategies.

Some of the recommendations can be achieved by implementing different policies and practices at a local level, such as transferring the Juvenile Division of the Department of Adult and Juvenile Detention to either the Public Health-Seattle & King County (PHSK) or the Department of Community and Human Services (DCHS) given these agencies' focus on child development and community-rooted prevention and intervention. Other recommendations require legislative changes (e.g., 'eliminate legal financial obligations and facilitate record sealing'), but are included here because they contribute to a comprehensive strategy of ensuring community re-integration and successful civic re-engagement for all youth. All of the UW's recommendations are derived from the vision that it is essential to design a facility that can be converted for alternative uses as the County moves toward the goal of rare or as close to zero detention that is attainable.

## King County Juvenile Justice Statistics

It is evident that the treatment of juvenile offenders in the United States is moving towards de-incarceration. According to the most recent *Juvenile Court Statistics* report produced by the National Center for Juvenile Justice, juvenile delinquency cases surged in the decades leading up to the millennium, increasing 141% between 1960 and 2014. This trend took a turn in the past decade or so, during which the number of delinquency cases processed by juvenile court decreased 42% pertaining to all offenses categories: there was a 45% reduction in property cases, 40% decrease in public order cases, a 39% decrease in person offenses and 28% less drug-related law violations. The NCJJ study also found that between 2005 and 2014, nationwide courts with juvenile jurisdiction handled 41% fewer delinquency cases resulting in detention (Hockenberry and Puzzanchera, 2017).

King County has exceeded these national trends by filing 57% less cases to court (4,022 in 2005 to 1,746 in 2014) and by lowering detention admissions by 48% (from 4,097 in 2005 to 2,111 in 2014). Importantly, juvenile offender filings in King County dropped by 77% from 2000 (5,400 cases filed) to 2016 (1,242 cases filed). Between 2015 and 2016 alone, there has been a 7% decrease in the number of felonies filed (728 to 676) and a 33.5% decrease in the number of gross misdemeanor/ misdemeanors filed (844 to 561). Overall, there was a 20% reduction in admissions to secure detention between 2015 and 2016 (369 less admissions). If King County continues to have a leading role in nationwide efforts toward reducing rates of confinement, the relevance of a

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<sup>4</sup> The goal of Zero Youth Detention was announced by Executive Dow Constantine, [State of the County Address 2017](#)

detention facility needs to be assessed and potential avenues for flexible conversion to other purposes considered.

As reported by the King County Office of Performance, Budget and Strategy, the County continues to make strides in lowering detention population counts (see table below). In 2016, King County's Youth Services Center had 1,446 admissions accounting for 836 unique youth.<sup>5</sup> The average daily population (ADP) decreased by nearly 50% in the past decade (from 105 in 2006 to 51 in 2016), and as of July, has lowered to an ADP of 49 youth for 2017. It is also important to consider fluctuations in the average length of stay (LOS) post-adjudication: LOS was 10 days in 2006 and has risen in recent years as per the table below, although the year to date LOS for 2017 is back to 10 days.<sup>6</sup> There are youth who spend extended periods in secure confinement awaiting trial; the detention's Psychiatrist provided qualitative accounts at CFJC Review Committee meetings of youth who received mental health services for up to a year.

**King County Secure Juvenile Detention  
Comparison of 2015 and 2016**

	Admissions				Average Length of Stay				Average Daily Population			
	Year		Difference		Year		Difference		Year		Difference	
	2015	2016	#	%	2015	2016	#	%	2015	2016	#	%
Adult <sup>1,2</sup>												
Person Crimes - Felony <sup>1</sup>	300	299	-1	-0.3%	29.34	29.54	0.20	0.7%	22.4	21.2	-1.2	-5.5%
Person Crimes - Misdemeanor <sup>1,3</sup>	241	184	-57	-23.7%	4.38	5.53	1.15	26.4%	2.9	2.7	-0.2	-6.7%
Property Crimes - Felony <sup>1,4</sup>	210	165	-45	-21.4%	13.39	14.20	0.81	6.1%	7.4	5.8	-1.6	-22.2%
Property Crimes - Misdemeanor <sup>1,5</sup>	128	69	-59	-46.1%	6.48	10.24	3.76	58.0%	2.3	1.7	-0.5	-23.4%
Drugs/Alcohol Crimes - Felony <sup>1</sup>	15	13	-2	-13.3%	9.83	19.63	9.79	99.6%	0.4	0.6	0.2	39.0%
Drugs/Alcohol Crimes - Misdemeanor <sup>1,6</sup>	7	5	-2	-28.6%	3.02	5.91	2.89	95.6%	0.1	0.1	0.0	39.3%
BECCA Contempts/Dependency <sup>1</sup>	149	133	-16	-10.7%	2.09	3.09	1.00	47.6%	0.9	1.1	0.3	31.4%
Other (JRA, Contracts, Dist./Muni. Court) <sup>1</sup>	102	85	-17	-16.7%	4.29	5.87	1.59	37.0%	1.2	1.2	0.0	2.6%
Offender Warrants <sup>1</sup>	238	184	-54	-22.7%	17.19	16.09	-1.10	-6.4%	10.2	6.9	-3.3	-32.2%
Offender Probation Violations <sup>1,7,9</sup>	377	273	-104	-27.6%	10.93	11.79	0.86	7.9%	11.2	8.5	-2.7	-24.1%
Court Ordered Detention at Sentencing <sup>1</sup>	21	13	-8	-38.1%	14.32	25.10	10.78	75.3%	0.8	0.9	0.1	10.8%
Drug Court <sup>1,10</sup>	27	23	-4	-14.8%	12.38	9.14	-3.24	-26.1%	0.9	0.4	-0.5	-57.0%
<b>Total</b>	<b>1,815</b>	<b>1,446</b>	<b>-369</b>	<b>-20.3%</b>	<b>13.00</b>	<b>14.63</b>	<b>1.63</b>	<b>12.5%</b>	<b>60.6</b>	<b>51.1</b>	<b>-9.5</b>	<b>-15.7%</b>

Racial delinquency profiles nationwide have remained consistent in their disproportionate representation of youth of color<sup>7</sup>. The case rate for black youth continues to be about triple that of white youth, Hispanic youth, and American Indian youth. Furthermore, black youth are nearly five times more likely to be detained than white youth and American Indian youth are more likely to be adjudicated than youth of all other races (Hockenberry and Puzzanchera, 2017; Mendel, 2011). Racial disparities are also problematic in King County, though recent data indicates that the rates of disproportionality are improving for black youth. In 2015 in King County, African American youth made up about 10% of the general population aged 10-17 and about 59% of the secure juvenile detention population. In 2016, the African American youth in secure detention accounted for 50% of the population. However, between 2015 and 2016, Hispanic youth accounted for 14% and then

<sup>5</sup> This section is largely based on data provided by the King County Office of Performance, Budget and Strategy. The Table was prepared by Elizabeth Haumann.

<sup>6</sup> [King County Department of Adult and Juvenile Detention: Detention and Alternatives Report](#) and monthly [scorecard](#).

<sup>7</sup> White youth made up 48% of cases in 2005 and 43% in 2014, black youth accounted for 33% of cases in 2005 and 36% of cases in 2014, and Hispanic youth accounted for 16% of cases in 2005 and 18% in 2014. In 2014, white youth made up 56% of the U.S. population (under juvenile court jurisdiction, the specific age of which varies by state), whereas black youth and Hispanic youth made up 15% and 23% of the population respectively.



19% of those in secure detention.<sup>8</sup> Promoting culturally appropriate policies, programs and practices that address racial disproportionality need to be the highest priority for our community as King County aims to reduce reliance on youth confinement.

## Children and Family Justice Center: Background and Bed Count

International and national juvenile detention centers are increasingly moving away from architectural models of large institutionalized facilities in favor of smaller normalized environments; an approach consistent with restorative justice design principles, which emphasize that accountability, healing and transformation be addressed in small-scale homelike spaces that de-escalate stress by integrating elements of the natural world to create positive experiences.<sup>9</sup> From the onset, the mission and vision of the Children and Family Justice Center (CFJC) has centered on providing a welcoming and therapeutic environment for King County's communities. Through an acknowledgment that many court-involved young people have experienced significant trauma in their lives, the County has planned to incorporate family-friendly visitation areas, free child-care, restorative programs and community-accessible spaces in the new facility. However, while the detention portion of the facility plans to incorporate elements of the natural world and a spiritual center, the incorporation of mezzanines (pods) reminiscent of adult-correctional facilities totaling a large bed count (112) runs contrary to best practices (Mendel, 2011; McCarthy et al, 2016).

The Youth Services Center (e.g., what is to be replaced by the CFJC) includes a courthouse, administrative offices and a juvenile detention center with 212 beds used to house youth who are awaiting trial or who have been sentenced by the court to 30-days or less of incarceration. The Juvenile Division has been a Juvenile Detention Alternative Initiative (JDAI) replication site since 2004 and has been using a Detention Risk Assessment Instrument (DRAI) as a way to prevent inappropriate use of detention since 1998 - the Juvenile Division attributes declining admissions to these practices in combination with federal training and support. The Division has also taken steps to improve its hiring practices and behavior management protocols in line with JDAI's 2013 revision to Detention Facility Standards.<sup>10</sup> Recommended strategies in this report that seek to enhance programs and improve conditions for detained youth acknowledge these accomplishments.

Currently many programs are run in unused Living Halls, many of which have been empty for extended periods of time, and the building as a whole has been described as dilapidated because of aging roofs, rusty, leaky pipes feeding brown water out of faucets as well as electrical, plumbing and HVAC systems that are outdated and patched with short-term fixes. It was calculated that the Youth Services Center was in need of at least \$40 million worth of repairs. It was deemed as more cost-effective to instead build an entirely new site,<sup>11</sup> and a \$210 million capital levy to replace the facility in Seattle's Central District passed in 2012 with construction set to begin by mid-2017.<sup>12</sup> This review of the CFJC is conducted in summer of 2017 when bulldozers and construction crews are present at the site. The progress of the CFJC project places clear constraints on the structure of the review and on the degrees of freedom of many of the architectural recommendations, in particular as it relates to bed count and living unit configurations.

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<sup>8</sup> Based data provided by the King County Office of Performance, Budget and Strategy.

<sup>9</sup> See interview with UW professor Barbara Toews on [Cooper Hewitt](#) and *Designing Justice + Designing Spaces Toolkit*.

<sup>10</sup> DAJD *Juvenile Detention: Programs and Services*

<sup>11</sup> [King County website: Children and Family Justice Center FAQ](#)

<sup>12</sup> [2012 ballot measure](#)



In 2013, a Facility Program report informed by collaborative sessions with staff from the Department of Adult and Juvenile Detention (DAJD) was developed as basis for an initial building plan. The document states as part of the vision of the Juvenile Division that the new CFJC “provide a catalyst for change in the lives of offenders by providing cost-effective programs and community corrections alternatives to secure detention in the least restrictive setting without compromising public safety.” It further expresses the desire for the design of the new facility to consider “alternative design approaches” and appropriate use of materials to reflect varying levels of security as assessed by risk. Importantly, it was deemed that “the use of traditional adult correctional solutions to the arrangement of and within the Living Halls is unacceptable.”

The Program recommends use of “non-detention” furnishing in eleven Living Halls comprising of 14-rooms each, four of each are designated to be flexibly designed to allow for future use by community based programs (e.g. 98 typical secure rooms). The Program is in regards to a 154-bed detention center, though CGL architects were not asked to perform their own projections, which Steve Carter (internationally recognized juvenile facility planner hired by the County) indicated is outside of standard practice. Following the programming sessions, there was a competitive \$154 million design and construction contract process that was awarded to HOK, Integrus Architecture and Howard S. Wright. The other two teams (Hoffman Construction and KMD Architects; Mortenson Construction and NBBJ architects) dropped out. The County held open houses and approached some organizations (Ending the Prison Industrial Complex, No New Jim Crow, and others) as project plans based on the winning contract were developed, although the County stopped engaging these groups later on (and overall could have better involved affected families). In response to community resistance and protests, the secure bed count was eventually reduced to 112.

Consistent with nationally-recognized best practices, architects who were brought on as consultants during programmatic sessions and who contributed to the CFJC design plans suggested the use of single level living units for accommodating smaller groups of youth if the property lines could be expanded and the staffing levels of the county could allow it. Mr. Carter additionally questioned the large bed count proposed for the facility.<sup>13</sup> The final count of **112 secure beds**<sup>14</sup> on which the final CFJC design is based deviates from the estimated peak need of **84 secure beds** calculated in the *Juvenile Detention Secure Bed Forecast Report* prepared by Washington State University (WSU) for the King County DAJD (Gaffney et al., 2013). Moreover, data provided by the King County Office of Performance, Budget and Strategy showing the number of admissions and the average length of stay by offense category reflect that there was a need for **57 secure beds** to meet use in 2016.<sup>15</sup>

While the WSU forecast did not account for housing classifications, Living Hall configurations provided by DAJD reflecting current classification standards show that 122 secure beds (organized in seven 16-bed units or pods) can accommodate a population that exceeds trends in recent years. The ADP has remained at 70 youth or below since 2011, and four or five secure units (64-80 beds) can accommodate separations of 50 to 70 youth. Even a large influx of detainees – to 85 youth - would require the use of six secure units (96 beds), and is what most closely aligns with the 2013 Program Facility. The current design plans which propose a use of seven secure units (112 secure

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<sup>13</sup> This information is based on conversations with architects Steve Carter (CGL) and Gerry Guerrero (HOK).

<sup>14</sup> DAJD classifications scenarios accommodate 41-95 ADP and 16 auto-adult youth in 112 beds arranged in mezzanines.

<sup>15</sup> Based on the equation ((admissions X average length of stay) / 365) used in the WSU study and recommended by JDAI.

beds) to house up to 111 juveniles would more accurately reflect the state of King County's juvenile justice climate in the early 2000s.

Even with the recommended transfer of youthful offenders currently held at the Maleng Regional Justice Center and the projected growth of 21% of the population of 10-19 year olds in King County by 2040<sup>16</sup>, it is important to consider the impact that limiting use of secure placement to high-risk youth will have on the ADP and how new classifications can be developed to maximize space efficiency while still maintaining the safety of the detained population and detention staff.<sup>17</sup> Furthermore, expansion of prevention programs, alternatives to detention and diversion strategies and the use of non-secure beds in the facility (transitional and residential) are likely to impact the ADP. As noted above, King County reform efforts have already resulted in sizable changes; most recently between 2015 and 2016, there was an approximate 20% reduction in admissions to secure detention.

To mitigate concerns of overcrowding and the potential of double bunking (two residents in one cell), the University of Washington recommends that placement of youth in secure units be limited to the most serious offenders and that youth be placed in alternatives to secure detention or in residential units that lay outside of the secure perimeter whenever possible. Also, transfer to a lower detention-grade transitional unit for youth who pose less risk and who exhibit good behavior can be expedited in situations where the ADP is larger than the bed count. However, there were a number of threshold assumptions on which the WSU predictive model was based<sup>18</sup>, which when contrasted with current detention population census trends and the success of numerous reform efforts, indicate that a scarcity of beds is unlikely.

The eight threshold assumptions were:

- I.** There will be no changes to the existing parameters of juvenile offense levels
- II.** There will be no changes to the existing juvenile sentencing grid – except possibly with regard to firearm offenses
- III.** There will be no changes to the detention / JRA threshold
- IV.** There will be no changes to the juvenile detention intake criteria
- V.** There will be no changes in the auto-decline statutes
- VI.** There will be no changes to “Becca Bill” funding
- VII.** There will be no changes to human services funding
- VIII.** There will be no changes to treatment programs for juvenile offenders

Contrary to the assumptions above, a number of initiatives undertaken by King County in recent years have contributed to a decreasing reliance in the use of secure detention and are expected to contribute to further declines in detention admissions.

## Past and Current King County Efforts

King County has undertaken numerous policy goals in recent years related to action efforts intended to serve children and youth in King County. The Youth Action Plan and the Race and

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<sup>16</sup> Based on communication with Dave Chapman, Office of King County Executive Dow Constantine,

<sup>17</sup> DAJD housing classifications account for not blending the auto-adult population with the juvenile offender population, but this is neither mandated by state nor federal regulation. In Washington's state facilities, this population is not separated.

<sup>18</sup> The eight threshold assumptions are presented as a picture copy of how they were enumerated in the report by WSU.

Equity Action Plan are two prominent examples. The objective of the Youth Action Plan, submitted to the King County Council and the King County Executive in April 2015, is to “ensure that all infants reach adulthood healthy and safe, academically and vocationally succeeding and socially and civically engaged” through a point of accountability and an implementation timeline. One of the recommendations is to “stop the school to prison pipeline” by supporting prevention programs that reduce the likelihood of juvenile justice involvement by eliminating school suspension and detention for non-violent crimes for youth under 18, including expanding programs that provide treatment and redemption (restorative justice circles, peace circles, youth courts, FIRS, restorative mediation). Other recommendations include eliminating institutional racism and bias across county government, and revisiting the allocations of funding streams like the Mental Health and Drug Dependency (MIDD).<sup>19</sup>

The Race and Equity Action Plan is related to the shared commitment between King County and the City of Seattle to reduce racial disproportionality in the juvenile justice system. A March 2015 interim report signed by all the branches of government (both councils and the King County Superior Court) outlined commitments to numerous actions, including preventing the detention of youth of color and reducing disproportionality by increasing programming in culturally-specific, community-based outreach and activities to interrupt the School-to-Prison Pipeline. The report also identifies as a priority reducing the use of detention for status offenders and probation violations, with the specific goal of reducing the latter by 50 percent by April 2016 (a goal that has yet to be accomplished). Of particular interest to the current building of the CFJC is the promise to, “when we identify opportunities for making immediate policy or other changes that will address disproportionality, we will take them, regardless of where we are in the process.”<sup>20</sup> A Racial Equity Analysis of the CFJC developed by the Seattle Office of Civil Rights (SOCR) was also developed as part of this action plan and includes many recommendations that are reiterated in this report.

CFJC Review Recommendations build upon and are inspired by these policy frames, and further seek to re-instate the objectives outlined by each as way to identify, promote and expand effective strategies that will orient the County towards achieving zero youth detention and reducing racial disproportionality. These plans target the elimination of disparate outcomes, integration of public-private systems and expansion of community activities. Both the Youth Action Plan and the Race and Equity Action Plan provide numerous points of reference that may be useful in developing a collaborative strategy that includes a common agenda, accountability metrics and timelines for implementation of programs and policies that will continue to reduce confinement of King County’s youth. This report can serve as another resource, but the development of a reform strategy will require continued revision and dialogue between public system stakeholders and community members, and should evolve through the perspectives of those most affected by the justice system. Most recently, King County Executive Dow Constantine specifically appointed Deputy Executive Rhonda Berry to spearhead the County’s Zero Detention effort by coordinating a strategy to further reduce the number of youth in detention.<sup>21</sup>

While the programs and initiatives presented below are not intended to be exhaustive, they exemplify effective County prevention and diversion programs as well as behavioral health services administered by community based agencies, and elucidate reform approaches that have already contributed to detention admission reductions.

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<sup>19</sup> [King County Youth Action Plan](#)

<sup>20</sup> Seattle City County Race and Equity Action Plan [Interim Report](#).

<sup>21</sup> [King County Announcement, August 8, 2017](#)

- ***Intake Criteria Changes:*** The Detention Risk Assessment Instrument (DRAI) is used to assess a number of risk factors that inform placement recommendations. If a youth's risk to reoffend and failure to reappear is low, efforts are made to find alternatives to secure detention. In 2004, King County became a Juvenile Detention Alternatives Initiative (JDAI) replication site and received resources to support implementation. In recent years, Superior Court judges, in consultation with defense and prosecution, voted to make further changes to intake criteria for youth admission to secure detention, and as a result, youth are no longer admitted for crimes such as alcohol possession, riding in a stolen car, prostitution, or misdemeanor theft. Using a screen-and-release program, judges can remotely access court order forms and release youth on the spot.
- ***Two tier warrants:*** In the first tier, youth are arrested and brought to detention without discretion. In the second tier, law enforcement can issue a new court date onsite by calling the Court's screening unit. The program includes failure to appear (FTA) warrants for Arraignment, Case Setting, & Deferred Disposition Review hearings, misdemeanors, and Class C felonies (property and drug offenses). If the most recent expansion for eligibility had been in place in 2015, an estimated 250 admissions could have been avoided.<sup>22</sup>
- ***FIRS:*** Through participation in the FIRS program, youth circumvent the court process for domestic violence offenses. They sign informal agreements instead of formal diversion agreements and receive housing and services in an unlocked wing of detention. As a result, recidivism and length of stay in detention have decreased. The most common admission for a domestic violence offense is Assault 4, which accounted for 243 of 329 admissions on new DV offenses in 2013. In 2016, domestic violence admissions decreased by 62%.<sup>23</sup>
  - o *In 2015, 591 total domestic violence cases were referred, 162 cases were filed.*
  - o *In 2016, 500 total domestic violence cases were referred, 82 cases were filed.*<sup>24</sup>
- ***Evidence-Based Programs:*** There are now six Evidence-Based Programs offered through juvenile probation in the State of Washington: Washington State Aggression Replacement Training (WSART) Program, Functional Family Therapy (FFT) Program, Multi-Systemic Therapy (MST) Program, Family Integrated Transitions (FIT) Program, Coordination of Services (COS) Program, Education and Employment Training (EET) Program. Notably, recent Legislative attempts have been made to expand access of evidence based practices to youth at risk of getting involved in the juvenile justice system, youth in the child welfare system, and youth with behavioral health needs. Many cross-system involved youth can also benefit from Medicaid funding to receive wrap around services as result of the TR settlement.<sup>25</sup>

According to a meta-analysis carried out by Washington Institute for Public Policy, administering Family Integrated Transitions (FIT) presents a net savings of nearly \$15k per youth in state institutions and \$27k per youth on probation, and is associated with an overall 27% reduction in recidivism rates. 40.6% of youth who did not participate in the program were re-convicted of a felony within 18 months of release from a JRA institution (Aos, 2004; Aos & Drake, 2013).

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<sup>22</sup> [King County Youth Justice](#), March 14, 2016.

<sup>23</sup> Data was taken from a presentation by Jimmy Hung to the MJC on 5/18/2017.

<sup>24</sup> *King County Juvenile Justice Statistics Comparison of 2015 to 2016*, Office of Performance, Budget and Strategy.

<sup>25</sup> [T.R. v. Dreyfus](#)

- ***Best-Starts for Kids:*** An initiative geared to improve the health and well-being of King County children, families and communities by investing in prevention and early intervention through a levy that will generate about \$65 million per year. Representatives from the Youth Action Plan Task Force were involved in preparing the 2015 ballot measure passing BSK, which “echoes the Youth Action Plan’s vision.”
- ***Federal Way Youth Action Team:*** The FWYAT is a collaboration of community members and stakeholders who support youth and families through outreach, mentorship and case management, as well as through positive development programs including Helping Youth Perform Excellence (HYPE), Positive Outcomes Program (POP) and the Game of Life (GOL).

## Committee Make-Up and Perspectives

*“It’s an inside business. They are working against us to put us in there. They are making money to keep us in. We need solutions.”*

- *Youth Participant, CFJC Committee Meeting*

Dr. Eric Trupin, Vice Chair and Professor in the Department of Psychiatry and Behavioral Sciences at the University of Washington, received a letter from King County Executive Dow Constantine in May requesting him to study, review and report on the designs and programs of the proposed Children and Family Justice Center. The review also includes an evaluation of King County’s existing juvenile justice climate because of the indistinguishable relationship between prevention and diversion programs aimed at reducing the use of secure confinement and racial disproportionality with the needs and demographics of the detained population. A broad group of stakeholders were invited to participate in the review process because their differing and specialized perspectives were thought to be highly valuable to performing a sound evaluation and preparing useful recommendations. The group consisted of juvenile justice professionals, county employees, prosecutors, public defenders, public health specialists, law enforcement, youth, community advocates, mentors and physicians.

The CFJC Review Committee met on six occasions; the first three meetings covered the CFJC’s architectural designs and history, and included presentations by the Juvenile Detention’s Director and a contributing architect. The objective of the last three meetings was to evaluate County programs related to prevention/early intervention, detention, diversion and re-entry/transition, and included presentations by leadership from King County’s Juvenile Court Services and the Division of Behavioral Health and Recovery. One or two youth participated in a majority of the meetings and a focus group with 13 youth and three of their mentors also generated useful discussions. While the recommendations included in this report are not reflective of a collective decision making process nor of a consensus-built effort, guest presentations and committee discussions informed the content of this report.

Gaining commitments for participation from stakeholders presented varying degrees of receptivity; ranging from enthusiasm to contribute to the plans for a welcoming facility and effective programs for families and children to strong apprehension to participate given frustration about the investment of resources for building development rather than for expansion of community initiatives. Evident at the meetings was the expertise and compassion of detention staff, the drive and intense sense of dissatisfaction with the County commitment to build a new detention facility



by community voices, and a range of perspectives in between advocating systems integration, public safety and adequate service delivery.

The facilities team for example, in attempts to improve the system from within, referenced design elements that they had put forth as instrumental to improving the day to day experience of youth in detention but that had been factored out of the final design. Their ideas included carpeted floors, ceilings with painted clouds, wooden doors, extra sinks in section pods for arts projects, and a gate with Martin Luther King Jr.'s face. Their frustrations stemmed from working with a design team that had expertise in building adult correctional facilities before consultants with more progressive juvenile treatment backgrounds were brought on, and because of their perception that the courthouse portion of the facility was prioritized while many innovations to the detention section were identified as too costly. At one of the meetings, the Juvenile Division Director stated that she would "love to be out of a job" one day, but that in the meantime, detention should be restorative for the youth that end up there.

For participants seeking a justice system reform overhaul from the bottom up, involvement in the CFJC Review Committee presented personal and professional challenges. The paradoxical nature of the County's commitment to eliminate future detention for all youth and simultaneous construction of a detention facility created a conflict with how some participants perceived the missions of the Committee. Some denounced conversations related to design and instead decried the confinement of black and brown youth as they advocated that the building not be constructed. A number of committee meetings focused on attendees' contention with the process: the structure (committee make-up, location, facilitation) was identified as not conducive to moving a collective voice forward. There was a level of consensus that an additional review carried out by the community in partnership with the County would benefit advancing a more collaborative and transformative effort to eliminate youth incarceration.

Youth participation was identified as a priority for the review process, but time limitations and the controversial nature of the building created obstacles for a deeper level of youth engagement. Garfield High School's Black Student Union were invited to participate given that they and their peers are the most likely to be affected by the proximity of their school to the facility and its location in Seattle's Central District, a neighborhood historically characterized by a large African-American demographic. When first approached, they expressed willingness to attend the first Committee meeting and to make a decision about the extent of their participation thereafter. However, a day before the first committee meeting, these youth sent an email that they had collectively decided not to be a part of the review effort.

## Youth Focus Group

*"It's a trap. Why would you fix it up if you don't have a place to send more people?"*

*"They are lying about zero detention."*

- *Youth Participants, Community Passageways Focus Group*

A separate focus group with 13 youth from Community Passageways was conducted to better elicit youth perspectives. Of the youth present, three of them identified that they had been detained in the Youth Services Detention Center (note: this information was volunteered, we did not ask every

youth in attendance whether or not they have been in secure confinement in King County). When asked if zero youth detention is possible, youth participants responded that people need resources such as a place to stay and something to eat in order to stay out of jail. Other youth added that there needs to be money available for families to help them get out of poverty, that contributing to communities is important because people need skillsets in order to learn how to work in the system, that we need more money to create jobs so that people can stay occupied and out of the streets, that some of the money from the facility should go toward building homeless shelters, and that we need more mentorship so that kids have guidance (“someone to teach you the ropes, teach you to be yourself”). This last point – increased mentorship – was reiterated throughout the session and brought up numerous times during CFJC Review Committee meetings by youth.

When youth saw the current CFJC design renderings, they described it as luxury living. In the words of a couple of participants: “it looks popping – your friends are there, you’re sleeping good, eating good,” and “you’d be having fun all night.” Youth voiced concerns about investing so much in making look detention look nice instead of just fixing small problems: “if you are bettering it, you want more people in there.” Another youth reiterated this point by adding that “it’s a trap. Why would you fix it up if you don’t have a place to send more people?” A number of youth nodded when another said, “they are lying about zero detention.” When a youth commented that he’s been in detention, he said that “the way it looks now, you don’t want to go in there. New is comfortable.” He added that he remembers the smell of urine and doesn’t want to go back. Other youth who also reported being in detention described the current facility as “nasty” and “not somewhere you want to be,” as opposed to being in place that looks nice where they wouldn’t be scared. When viewing more pictures, one youth commented: “look at this place! I can come back when I want to!”

When a participant commented, “it’s not about respect, you’re not supposed to want to go back,” youth were asked to identify design aspects that would communicate respect. Their answers included being treated like a real person as opposed to someone who committed crimes, that it’s important to make the facility look like a jail but that it should be safe and “somewhere you can leave.” One youth added: “the system people didn’t help me. They should help us not come back.”

When the youth were being provided with information about juvenile justice models in other countries, they were told that no other country in the world tries youth as adults. A Community Passageways mentor provided some background on a 17-year old girl in detention who participates in peace circles and is being charged with serving 20-years for murder. He recounted the youth’s history of abuse – she had been beaten, raped – and had substance abuse problems. Upon hearing about this case, one youth brought up how her family feels: “what if it was your sister and she just needed support to help her condition?” However, when asked if there is ever a reason to lock someone up, youth listed the following crimes: **murder, armed robbery, rape, molestation, DV, burglary**. How disappointing that even these youth people are inculcated to the notion that punishment is an effective strategy to dealing with serious and violent crime.

Feedback provided at the youth focus group and during committee meetings by stakeholders was instrumental in drafting recommendations. Though it was difficult to integrate every perspective, particular consideration was given to the input provided by youth because their commentary reflects the need to expand community resources and access to services, as well as to strengthen families and opportunities for youth, as a way to prevent the heartbreaking reality that a detention center could ever be perceived as a pleasant place to be. The purpose of this review is to improve the detention environment (programs and design) with the ultimate goal of doing less harm while simultaneously providing means to facilitate increased reliance on community alternatives, which is fundamental to shifting away from use of secure confinement for youth.



## Outline of UW Recommendations

*“We could put up a beautiful new facility, but if we didn’t make any programmatic changes, the kids would tear it apart. Conversely, you can run a good program in a poorly designed prison-like facility. However, the best scenario is to do both at the same time.”*

- Vincent Schiraldi, Harvard Kennedy School<sup>26</sup>

### **Guiding Recommendations**

5. Consistent with the King County Executive’s commitment to achieve a goal of zero youth detention<sup>27</sup>, develop a County strategic plan (“road map”) with specific funding sources, measurable outcomes and implementation timelines to reduce and ultimately eliminate detention of youth under age 18 in King County.
6. Given the disproportionate level of involvement of youth of color in the juvenile justice system, prioritize the expansion or development of initiatives that target the elimination of racial disparities in rates of arrest, referral, filing and incarceration.
7. The strategic plan should be developed and implemented in collaboration with the community, including engagement of existing groups such as the Juvenile Justice Equity Steering Committee as well as grassroots community-organized movements.
8. Architectural designs and programs related to the Children and Family Justice Center should be informed by Guiding Recommendations 1, 2 & 3 and developed over the next four months.

### **Architectural Recommendations**

4. Reduce the number of secure beds, design transitional units and design more residential units.
5. Design living spaces centered on fostering decision-making responsibility, self-management and relationship building in the detained youth population.
6. Design a facility that aligns with a vision of strengthening families and communities.

### **Program Recommendations**

8. Eliminate admission of status offenders to secure detention.
9. Continue to reduce the number of juvenile offenders admitted to secure detention.
10. Transfer youthful offender population from adult facilities to juvenile facilities.
11. Enhance workforce training and improve behavior management protocols.
12. Commit to maintaining continuity of advocacy at all stages of system involvement.
13. Improve academic/ educational achievement and vocational/ work readiness for both detained youth and youth on probation.
14. Expand and support opportunities for community participation and youth re-integration.

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<sup>26</sup> Just “Doing No Harm” is not quite good enough, Arthur Schurr

<sup>27</sup> The goal of Zero Youth Detention was announced by Executive Dow Constantine, [State of the County Address 2017](#)

## Architectural Recommendations

Orientation beds (6)	BECCA beds (6)	Secure Unit (16)	Secure Unit (16)	Orientation beds (6)	BECCA beds (6)	Secure Unit (16)	Secure Unit (16)
<b>Current Design</b>		Secure Unit (16)	Secure Unit (16)	<b>Design Idea</b>		Secure Unit (16)	Secure Unit (16)
7 Secure 16-bed units = 112				4 Secure 16-bed units = 64			
2 BECCA/ OR 6-bed units = 12				1 Transition 16-bed unit = 16			
<b>Total Secure: 124 beds</b>				2 BECCA/OR 6-bed units = 12			
2 Residential 16-bed units = 32		Library	Secure Unit (16)	<b>Total Secure: 92 beds</b>		Library	Transition Unit (16)
<b>Total Beds: 156 beds</b>		Secure Unit (16)	Secure Unit (16)	4 Res. 16-bed units = 64			
				<b>Total Beds: 156 beds</b>			
				<i>Some residential or transition units could have 8 beds.</i>		Residential Unit (16)	Residential Unit (16)
		Residential Unit (16)	Residential Unit (16)			Residential Unit (16)	Residential Unit (16)

1. **Reduce the number of secure beds, design transitional units and design more residential units.**
  - a. Explore architectural designs of same-level units with 8 beds each; re-assess whether mezzanines/pods can be eliminated or reduced in the transition or residential units.
  - b. Explore architectural designs that allow for transitional beds and more residential (community-operated) beds (see the appendix for design suggestions by an HOK Architect). The current design includes 112 secure beds (including an option for future conversion of 32 beds), 32 residential beds, and 12 BECCA beds (156 total beds).
    - Design transitional beds (low detention-grade units) within the secure perimeter from the onset.
    - Build more residential beds at the onset of construction (4 units total), thereby reducing the number of beds within the secure perimeter.
    - Eliminate BECCA beds in compliance with the Legislature's recent Truancy Reduction initiative (2SHB 2449)<sup>28</sup> and the pending 2017 reauthorization of the Juvenile Justice Delinquency Act (JJDA).<sup>29</sup>
      - Consider alternative uses of BECCA bed space: program space, orientation space, secure or transition living units for girls or for youth with acute mental or behavioral problems.
  - c. Work with Juvenile Detention staff to re-evaluate secure placement housing classifications to maximize utilization of secure living units. Current classifications account for future scenarios of housing 16 youthful offenders and a range of between 41 and 95 juvenile offenders (57 to 111 youth total) in 112 secure beds arranged in mezzanines.
    - Consider the impact of same-level units (housing 8 youth) on classifications intended to separate contact of certain populations of youth.
    - Consider alternative classifications schemes that also adhere to JDAI and PREA standards.<sup>30</sup>

<sup>28</sup> See 2SHB 2449, which expresses that children detained for contempt of court with respect to truancy be detained in a Crisis Residential Center (CRC) when feasible and appropriate, and directs an increase in CRC and HOPE beds.

<sup>29</sup> JJDA re-authorization, [which has passed both chambers](#), includes as a requirement the deinstitutionalization of status offenders.

<sup>30</sup> See [115.342](#) of the PREA *Juvenile Facility Standard* and [JDAI's Detention Facility Assessment](#).

- Examine the current instrument used to determine youth placement and compare with the Structured Decision Making (SDM) tool to evaluate the security level that a youth needs and to guide their placement in transitional beds, residential beds or Alternatives to Secure Detention (ASD) beds when possible.<sup>31</sup>
  - Consider how expanded use of transitional beds and currently designated BECCA beds will impact the housing classification of secure living units.
2. **Design living spaces centered on fostering decision-making responsibility, self-management and relationship building in the detained youth population.**
- a. In order to effectively create a therapeutic environment for youth, consider the use of materials and interior design elements reminiscent of college dorms rather than adult jails.
  - b. Include varying degrees of detention grade (see the appendix for design suggestions by an HOK Architect):
    - Design some bed units as transitional.
    - Allow youth to phase out of secure detention into transitional housing for good behavior and/ or as their release date nears.
  - c. Review the potential of managing youth in open spaces during intake (reduce the use of holding cells).
  - d. Include centralized dining area.
  - e. Include a room for mothers and children in visitation.
  - f. Include on-suite bathrooms, kitchens and courtyards.
  - g. Include white-board paint in all living units and in shared spaces.
  - h. Review staffing levels.<sup>32</sup>
3. **Design a facility that aligns with a vision of strengthening families and communities.**
- a. Amend “trauma-informed” branding of the design; acknowledge it is in conflict with the concept of youth detention. Consider alternative language (“trauma-reducing”).
  - b. In the clinic, reinforce that the design of negative pressure infirmary beds meet therapeutic and medically appropriate standards.
  - c. Partner with local community-based organizations to run residential housing and community programs.
    - Allot space for expansion of programs modeled after FIRS in residential units.
    - Allot space for alternative to secure detention (ASD) beds in residential units.
    - Allot space for specialized alternative to secure detention (SASD) beds for youth with acute and serious behavioral (mental health, substance abuse) or emotional needs in residential units.
    - Allot space for beds for youth with acute and serious behavioral (mental health, substance abuse) or emotional needs in residential units.
    - Allot space for homeless youth in residential units (as TLP housing) until the young person finds a job to pay for stable housing.
    - Include more conference rooms available for community use.
    - Expand the program suite to increase community accessibility.
    - Engage arts organizations to work with detained and non-detained youth to develop murals and installations.

<sup>31</sup> See the [Structured Decision Making \(SDM\)](#) tool and its use in juvenile justice settings ([DYRS](#)).

<sup>32</sup> The minimum required by PREA standards is 1:8. During sleeping hours, a ratio of 1:16 is sufficient. See [Juvenile Facility Standards](#).

- d. Non-secure beds and spaces must be culturally appropriate to serve all racial and ethnic groups and be inclusive of religious differences, differences in sexual or gender identification and medical histories.

## Program Recommendations

### 1. Eliminate admission of status offenders to secure detention.

#### a. Policy

- Eliminate secure detention for At-Risk Youth (ARY), Child in Need of Services (CHINS), truancy and dependency custody offenses.
  - In 2016, BECCA contempt/ dependency cases accounted for 133 admissions to secure detention.<sup>33</sup>
- In Washington, status offenders found in contempt of a court order or failure to appear related to a status offense may be held in a juvenile detention center for up to 7 days pursuant RCW 13.34.165. Pursuant to the Legislature's recent Truancy Reduction Initiative (2SHB 2449) and the pending reauthorization of the JJDP, pass a County act prohibiting the placement of status offenders into secure detention and allocate funding opportunities for the placement of these youth in Crisis Residential Centers (CRCs).<sup>34</sup>
- Allow status offenders to sign informal agreements instead of diversion agreements.

#### b. Programs

- Expand funding of programs modeled after FIRS to include status offenses and active warrants issued for status offenses.
- Expand funding of Step-Up under the Best Starts for Kids strategy area "Help Youth Stay Connected to Families and Communities."<sup>35</sup>
- Expand community truancy boards.
- Offer wraparound evaluations and services: enhance the Children's Crisis Outreach Response System (CCORS) and if needed, provide crisis stabilization beds in Safe Spaces.

### 2. Continue to reduce the number of juvenile offenders admitted to secure detention.<sup>36</sup>

#### a. Policy

- Expand pre- and post-disposition alternative to secure detention (ASD) programs (Electronic Home Detention, Group Care, Work Crew, and Weekend Reporting).
  - Increase ASD admissions: in 2015, there were 455 ASD admissions and 429 ASD admissions in 2016.
  - ASD average monthly enrollment for 2016 (27 youth) was well below the annual forecast of 46 youth a month.
    - There were 321 admissions to Electronic Home Detention (EHD) in 2016 (ADP of 23 youth).
    - There were 21 admissions to Group Care in 2016 (ADP of one youth).
    - There were 69 admissions to Work Crew in 2016 (average daily enrollment of 5 youth).

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<sup>33</sup> King County Juvenile Justice Statistics Comparison of 2015 to 2016, Office of Performance, Budget and Strategy.

<sup>34</sup> See [DC Comprehensive Youth Justice Amendment Act of 2016](#)

<sup>35</sup> [Best Starts for Kids Implementation Plan](#).

<sup>36</sup> Unless otherwise noted, admissions data in this section is from King County Juvenile Justice Statistics Comparison of 2015 to 2016, Office of Performance, Budget and Strategy.

- There were 18 admissions to Weekend Reporting in 2016 (average daily enrollment of one youth).<sup>37</sup>
  - Limit commitment to secure placement to high risk youth.
    - In 2016, felony person crimes accounted for 299 admissions to secure detention.
  - Reduce detention admissions for:
    - Warrants and probation violations, which accounted for 184 and 273 admissions in 2016 (457 admissions).
    - Person/property misdemeanors, which accounted for 184 admissions (person crimes) and 69 admissions (property crimes) in 2016 (253 admissions).
    - Felony property crimes, which accounted for 165 admissions in 2016.
    - Drug crimes: In 2016, admissions included 5 for misdemeanor drug/alcohol crimes, 13 for felony drug/alcohol crimes and 23 for drug court related admissions (41 admissions).
  - Amend the practice of not permitting bookings of youth under 12 to detention without the specific authority of the Chief Juvenile Court Judge to apply to youth under 14.<sup>38</sup>
- b. Programs<sup>39</sup>
- Increase opportunities for judges, prosecutors and public defenders to expand electronic home monitoring and screen-and-release.
  - Identify funding to expand residential units modeled after FIRS.
    - Suggested eligible crime categories include:
      - Offender warrants, probation violation warrants and probation violation sentences.
      - Non-DV Assault 4 cases (against store security personnel, officers, transit/bus drivers, health care providers that are best described as resisting or mere unwanted touching).
      - Felony property crimes (Class C felonies such as car theft).
      - Drug/alcohol-related cases.
  - Clarify and standardize the role of the Juvenile Justice Assessment Team (JJAT) and the Children's Crisis Outreach Response System (CCORS).
  - Provide direct referrals to immediate housing options onsite (such as Safe Spaces) or at partnering community-run organizations. Train resource center staff in 24/7 crisis stabilization and intervention.
  - Allocate funds for evidence-based behavioral health interventions for youth in the home, secure/transitional units, residential units and specialized alternative to secure detention beds (SASD) to include a full continuum of therapeutic behavioral health supports for youth who present substance abuse, mental health or other behavioral health needs; recommended modalities include DBT, MST-FIT and motivational interviewing. Continue expanding rehabilitative orientation for all youth involved with King County Juvenile Court and assure access to empirically-supported treatments.
  - Partner with King County Behavioral Health and Recovery Division to increase the availability of evidence-based treatments for youth with disruptive behavior in the public behavioral health system.

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<sup>37</sup> [King County Department of Adult and Juvenile Detention and Alternatives Report 2016](#)

<sup>38</sup> [King County Superior Court Juvenile Department Offender Manual](#).

<sup>39</sup> Information about numerous programs was taken from *King County Superior Court Juvenile Department Offender Manual*.

- Expand access for eligible youth who meet TR v DSHS settlement criteria to allow access to Wraparound with Intensive Community Services (WiSe).
- Expand funding and staffing support for prevention and diversion programs under the Best Starts for Kids strategy area of “Stopping the School-to-Prison Pipeline.”<sup>40</sup>
  - A Warrant Prevention Program to better assist youth and their families in attending scheduled hearings; create video-opportunities for remote court appearance.
  - 180 Program, which is available to youth facing their first or second low-level misdemeanor offense.
  - The IF Project, an innovative partnership between law enforcement, community leaders and the previously incarcerated which engages inmates to share their experiences through writing and video diaries as a way to dispel misconceptions and prevent crime.
  - Continue to develop the Unlawful Possession of a Firearm (UPFA 2) Peace Keeping Circle Intervention Program
  - Property theft diversion programs (continue to support Theft 3 and Mall Safety Pilot Project and evaluate its effectiveness).
  - Federal Way Youth Action Team
  - The Youth Engagement Team, who takes referrals from multiple points including law enforcement and uses mediation/family reconciliation to return youth home or place youth into housing.
  - Community Passageways, which is a mentorship and leadership development program that employs formerly incarcerated individuals as ambassadors and mentors.
- Expand Two-Tier Warrants:
  - Suggested eligible crime categories include: all failure to appear warrants, prostitution, property felonies and probation violations.
  - Refer to residential unit youth who have more than two warrants in the past six months.
  - Refer to residential unit youth who would otherwise be detained because there is no adult available to meet them at release, they have been absent from home for at least 72 hours without parental consent, or they are “beyond the control of his/her parent.”
- Reduce the use of Violation of Court Order (VCO) Warrants issued at the request of Juvenile Probation Counselors.<sup>41</sup>
  - Develop compliance contingency plans around success based on treatment plans, educational participation and pro-social development.

### 3. **Transfer youthful offender population from adult facilities to juvenile facilities.**<sup>42</sup>

#### a. Policy

- Transfer youth currently detained in the Maleng Regional Justice Center to the Youth Services Center / CFJC.
  - 16 youth under age 18 were housed in MRJC adult facility in 2016; the ADP for 2017 is 26 youth as of June.<sup>43</sup>

<sup>40</sup> [Best Starts for Kids Implementation Plan](#).

<sup>41</sup> Eliminating the use of VCOs is supported by the National Council on Juvenile and Family Court Judges, who recently passed a [resolution](#) calling for reductions in criminalization of homeless youth.

<sup>42</sup> Recommendation reiterated in *Racial Equity Analysis of King County Children and Family Justice Center* (submitted to the Seattle City Council, June 2015).

<sup>43</sup> [King County Department of Adult and Juvenile Detention and Alternatives Report 2016](#) and [monthly breakdown](#)



- Support a County Ordinance prohibiting the placement of youth under 18 in adult facilities.<sup>44</sup>
  - Move the Juvenile Division of the Department of Adult and Juvenile Detention to another county department to better reflect the county's position on juvenile justice as age-appropriate and non-punitive. Consider the Public Health- Seattle and King County (PHSKC) or the Department of Community and Human Services (DCHS) as options.
  - Support state-wide juvenile justice reform initiatives to reduce adult adjudication of juveniles.
    - Consider amending the list of crimes for which youth can be tried as adults. For example, remove Robbery 1. Of 67 cases referred to the Prosecuting Attorney's office, 45 were for first-degree robbery charges. In total, 30 cases were filed as exclusive adult jurisdiction.<sup>45</sup>
    - Support housing youth tried as adults in juvenile facilities until age 25 in order to provide better rehabilitative programming and reduce recidivism.
4. **Enhance workforce training and improve behavior management protocols.** <sup>46 47</sup>
- a. Policy
- Provide mandatory trainings to current and incoming law enforcement, judges, detention staff, and probation counselors on cultural competence, implicit bias, institutional racism,<sup>48</sup> LGBTQ, diversity, youth homelessness, crisis intervention/de-escalation, trauma, family engagement, case planning, advocacy and adolescent brain development.
  - Allow detention staffing patterns and schedules to accommodate weekly multidisciplinary team meetings with detention supervisors, detention officers, mental health staff, teachers, restorative justice coordinator, probation counselors and mentors to develop detention case plan and transition plan (e.g., add teachers and mentors).
    - A component of this is to develop continuous strategies to help youth gain "good time" for early release (even if the youth came from ASD).
  - Expand Orientation and Assessment team.
    - Youth should be held in orientation for up to 12 hours and no longer than 24 hours. The Orientation and Assessment team used to be composed of two individuals and is now only handled by one person. This high workload has resulted in youth being held in orientation with no programming (not even school or gym time) for up to 72 hours.
  - Train restorative justice coordinator in restorative practices and evidence based behavioral interventions (the current coordinator used to be part of the Orientation and Assessment Team). Consider expanding individual position to a team structure.
  - Expand Visitation access.
    - Extend visitation to all include all siblings (currently only siblings under eight are allowed).
    - Allow visitation five times a week instead of three.
    - Allow youth to receive and send mail between correctional institutions (they can currently only exchange communication with a parent or legal guardian).

<sup>44</sup> [See DC Comprehensive Youth Justice Amendment Act of 2016](#)

<sup>45</sup> *Juvenile Justice Annual Report: Automatic Adult Jurisdiction 2016 decisions*, King County Prosecuting Attorney's Office.

<sup>46</sup> Some concepts in this section are inspired by [A Culture of Care for All: Envisioning the LA Model](#).

<sup>47</sup> Information about current practices derives from *King County Department of Adult and Juvenile Detention: System for Managing Youth Behavior* and *King County Juvenile Detention: Juvenile Detainee Information Handbook*.

<sup>48</sup> Recommendation reiterated in *Racial Equity Analysis of King County Children and Family Justice Center* (submitted to the Seattle City Council, June 2015).



- Allow youth to have regular and free access to phones to call caregivers, relatives, defense, probation, outside therapist, etc. (currently youth are only able to make phone calls if their families purchase a calling card).
- Review entire School Compliance Procedures.
  - Emphasize daily and consistent school attendance and participation.
  - If it's necessary for youth to receive instruction in their living units, consider expanded courtyard time and emphasize individual activities (writing, drawing, etc.).
  - Refer youth to mental health practitioner after 2 consecutive absences instead of 5.
- Allow youth to move into transitional beds for good behavior using the Level System; use level changes (demotions) as punishment only in extraordinary circumstances.
  - For all levels, if youth do not earn an Incentive Day (a day where positive behavior is displayed), the number of days they have accrued thus far should remain constant (not rolled back to zero). When a new Incentive Day is gained, it should be added to the total number of Incentive Days earned.
  - During the first 24-hours a youth is in detention for orientation, the multidisciplinary team may consider placing youth in Tier III or Honor Level.
    - If a youth resides in orientation for more than 24 hours (holidays, weekends), programming should be provided.
    - Include youth returning from a JRA facility in this consideration.
  - Allow low-risk youth to move from Base Level (basic rights) to Tier II (basic rights plus privileges) on second day in detention instead of after 3 consecutive days where youth display positive behavior (Incentive Days).
    - Allow youth to continue to work towards early release (do not forfeit eligibility if youth is demoted to Base Level).
  - Allow youth to move to Tier III (privileges and responsibilities) after earning 3 consecutive Incentive Days instead of 7.
    - Move current jobs designated for Honor Level to Tier III (food cart pick-up, rec. specialist assistant, library assistant).
    - Allow programming with Honor Level.
    - Develop an open door policy.
  - Allow youth move from Tier III to Honor Level after earning 5 consecutive Incentive Days or earlier by discretion instead of after 25 days.
    - Assign jobs to Honor Level youth based on interest and abilities (leadership roles in recreational or program activities, mentorship).
    - Allow youth to have personal items.
  - Allow youth who reach Honor Level to move into transitional housing.
- Behavior Management Tools
  - Problem Solving Model: Juvenile Detention Officer walks youth through the Behavior Chain Analysis (derived from techniques of Dialectic Behavior Therapy) so that youth can succeed at a social skill or task.
    - Implement problem solving (Behavior Chain Analysis) in place of sanctions.
    - If it becomes apparent near the end of a staff member's shift that the youth is not meeting expectations, allow youth the opportunity to have an intervention first thing the next morning and still gain an Incentive Day for the previous day.
  - Program Modification: a tool used to document rule infractions and associated behavior.
    - Instead of restricting participation, youth who exhibit problematic or negative behaviors should receive programming.

- Consider allowing all youth to participate in social events (special assemblies, Saturday night movie, tournaments, church)
  - More effectively use radios and books as incentives.
- Consequence Grid: a guide that describes infractions and consequences.
  - Amend consequences to include behavioral interventions by line staff or sessions with mental health staff for minor infractions.
- Behavior Contracts: a tool used to outline the specific behaviors that a youth needs to complete in order to be successful in the Level System (includes background behavior, specific target behavior, alternative behaviors)
- Behavior Incentive Programs (BIP): a program used for youth at risk of being demoted in the Level System.
  - Daily activities should be modified provide incentive only if youth are a safety threat to others. Continuous programming should be emphasized for these youth.
- Specific Intervention Programs (SIP): a program designed for youth who spend an unusually large amount of dorm time as a result of Program Modifications, the SIP lays out activities over 4 to 7 days.
  - Allow youth to earn Incentive Days and to progress in the Level System.
  - Emphasize motivational interventions and restorative justice techniques.
- Isolation: the removal of a youth from the general population.
  - Youth should not be placed in isolation and should instead be given time outs (two hours or less) to de-escalate a situation.
  - A problem solving session (Behavior Chain Analysis) should occur immediately or as soon as possible after an incident (currently this occurs after eight hours in isolation).
  - Review and amend *Key Milestones for Youth in Isolation* as outlined in Policy No. 16.9, which is initiated when a youth is isolated for more than 8 hours.
    - Develop strategies that reduce the likelihood of isolation (even as a rare occurrence).
- Critical Specific Intervention Program (CSIP): team of detention supervision, management, mental health, orientation and assessment, nurse and others as needed develop a plan to manage youth unresponsive to other methods of motivation.
- Ultra-Security: status assigned to youth who are involved in staff assaults starting with Level I (restrictive, with potential use of shackles and handcuffs) and through Level III (limited restrictions).
  - Engage multi-disciplinary team.
  - Include mental health team in debriefing sessions following serious incidents.
  - Maintain Level II for 4 days instead of 7.
  - Review Level III in 4 days instead of 7.
- Reduce the use of sanctions.
  - Program Modification: limit the restrictions of youth from recreational activities, library privileges, religious services and a loss of commissary.
    - When youth are disruptive and get removed from school or other activities for behavioral reasons, perform problem solving (Behavior Chain Analysis) and consult with restorative justice coordinator.
    - Allow youth out of base level eligibility for commissary after three Incentive Days instead of five; adjust commissary levels accordingly to increase privileges but do not withhold.

- Prosecution: evaluate the impact that the proposed adaptations to the Level System, and changes to behavioral, therapeutic and restorative interventions have on reducing negative behaviors which could lead to additional charges. Take measures to prevent prosecution of youth in detention.
  - Loss of Free Time (LOFT) should remain for youth who are difficult to manage; their schedules should include rigorous activities and programs.
  - Early bed: reconsider this practice.
  - Culture Change
    - Re-evaluate the use of color-coded security bracelets designating security level/ offense type; consider the psychological consequences of this exposure on youth.
    - Describe housing classifications when explaining the purpose of the Orientation and Assessment Specialist (instead of “it will help them determine how to best meet your needs”).
    - Encourage conversation between staff and youth and between youth peers.
    - Allow youth to go to the bathroom and get water during courtyard and gym time.
    - Allow and encourage youth to draw and write on the walls (coated with special paint), allow youth to put up pictures on the walls.
    - Reevaluate the facility’s dress code to better facilitate positive interactions.
      - Include school uniforms and recreational clothing for youth. Consider eliminating visual distinctions based on good behavior (white tops).
      - Change wording of “bring a youth under control” to “intervene to de-escalate behavioral problem” in the *System for Managing Youth Behavior* manual.
    - Improve Juvenile Detainee Information Handbook:
      - Consider replacing current manual from 2014 with more current version; preferably develop more interactive ways to communicate with youth (such as videos).
      - Include detainee rights as first section (before sexual abuse).
      - Change identification of Detention/ Probation “officer” to “counselor” or “staff”
      - Use sensitive and age-appropriate language.
        - For example, in the Court Procedures Section under “conditions courts may consider when addressing release,” change “parents wanting you back at home” to “caregiver/parent involvement.”
- b. Programs
- The new budget cycle accounts for implementing DBT training for detention staff; expand funding and contract to include community groups managing residential living units.
  - Develop key performance indicators for “organizational change for sustainability” and “trauma informed environment for youth.”<sup>49</sup>
    - Currently the Division Director evaluates revamped hiring practice informally using youth grievances and number of reported incidents (which have gone down).
  - Train clinic staff and resource center staff in 24/7 crisis stabilization and intervention.
  - Provide mental health and wellness support for detention staff.
    - Self-care room.
    - Identify ways to engage/ ensure staff participation in healing and talking circles.
    - Free access to community mental health support.

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<sup>49</sup> See example in NE London facility where youth spend 14 hours a day in committed activities; staff are accountable for implementing the program in an adherent manner and there are positive contingencies for fidelity and consequences for lack of compliance. The 2013 facilities program included the 14-hour provision of productive activities.

5. **Commit to maintaining continuity of advocacy at all stages of system involvement.**
- a. Policy
- Eliminate barriers preventing mentors with criminal backgrounds from entering juvenile and adult detention facilities and from applying for County employment.
  - Focus on transition and re-entry from day one: include probation counselors, families and mentors in case planning and program delivery plans.
  - Provide regular visits for families and non-relatives and include flexible times to ensure continuity of support and to facilitate relationship building.
  - Clarify rules of court to ensure responsibilities of counsel as advocating for family unification, treatment plans and modification hearings.<sup>50</sup>
- b. Programs
- Create more opportunities for mentors/advocates.
    - Provide trainings in DBT, trauma and crisis de-escalation.
    - Provide trainings about behavioral health, housing, educational and legal resources available to youth; collaborate to improve outreach materials and communications.
    - Create family engagement coordinator roles (family advocates).
  - Create opportunities (video chat) for detained youth to communicate with their families during and outside of visitation hours.
  - Expand incentives for court-appointed special advocates (CASA) volunteers to ensure that no child is without an adult advocate; fund required training for volunteers to work with abused/neglected children.
  - Expand Parents For Parents: provide financial incentives and/or transportation reimbursement for parents to attend Dependency 101 and Dependency 201 classes.
  - Fund the expansion of Juvenile Justice 101, a program which employs navigators who provide support to families undergoing the court process. Focus on reaching minority communities by contracting with community organizations.
    - Preliminary pilot data showed an 88% improvement in the diversion rate of youth identified as “Black” through engagement with the East African community (Horn of Africa services).
    - Follow up with progress in the Latino Community lead by Consejo and Centro de la Raza.
    - Identify engagement strategies for immigrant and refugee communities.
6. **Improve academic/ educational achievement and vocational/ work readiness for both detained youth and youth on probation.**
- a. Detention Programs
- Expand library accessibility: open 7 days a week instead of 6, extend daily time use (allow 2 hours on weekdays, 3 hours on weekends).
  - Provide increased funding and training for the Inter-Agency Academy.
  - Provide a single point of contact with King County school districts to promote timely access to education and alternative programs for youth transitioning back to school.
  - Partner with Learning Centers (Shoreline Community College, Seattle Vocational Institute) to provide orientation appointments to detained youth on GED preparation, post-GED studies, college applications, WorkSource services and other available resources. Consider creating an appointment as part of youth’s transition case plan.

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<sup>50</sup> See California [Rule of Court 1479](#).

- Partner with YouthSource (Renton Technical College) to provide information sessions about education, employment, leadership services to detained youth. Consider creating an appointment as part of youth's transition case plan.
  - Expand vocational programs that emphasize skill building.
  - Give youth short term job placements based on contracts with community-run vocational programs or other employment opportunities.
    - Engage members of the Rotary Club, Chamber of Commerce and other Service Organizations to a greater extent.
- b. Community programs
- Develop youth leadership training programs (with the intent of reducing youth incarceration) in media, public speaking, and legislative and budget advocacy.
  - Provide financial incentives and/or transportation reimbursement to motivate youth to enroll in Learning Centers and YouthSource services; include this information in the Resource Center.
7. **Expand and support opportunities for community participation and youth re-integration.**
- a. Policy
- Develop a County Legislative strategy to eliminate legal financial obligations (except for restitution owed to individual victims of crime) and facilitate record sealing.
  - Ensure that no youth exits to homelessness and is referred to a service provider specializing in homeless youth and youth adult services for housing and case management services.
  - Ensure that youth who are unable to return home are given access to community shelter (onsite or offsite), family reconciliation services and continued access to educational opportunities.
- b. Detention Programs
- Expand the Pongo Teen Writing Program
    - Enable all youth to participate on a continuous basis (currently, new youth admitted are given priority) and promote peer support.
    - Establish Pongo as a core program that collaborates to select new arts programs; provides guidance to new community groups on program development, youth engagement, detention protocols and procedures for permissions and reporting.
    - Develop advocacy campaign to showcase the talent of participating youth and the healing properties of arts therapy. Account for the role of families with the intention of creating a network of support.
    - Identify partners to conduct program evaluation and research outcomes.
  - Make “know your rights” (Miranda, police encounters) and “how to” (Juvenile Record Sealing Project) workshops mandatory for youth in diversion programs or undergoing court proceedings; make accessible to community youth.
  - Provide positive youth development programs for LGBTQ youth.
- c. Community Programs
- Provide youth with vouchers to use for classes (sports, music, arts) in the community based on self-selected programs in detention.
    - Identify partnering organizations such as Pongo, Creative Justice and Urban Artworks and the IF program.

- Expand restorative mediation training for detained youth and community peers.
- Enhance services and programming of Recovery High Schools.
- Enhance the role of the Partnership for Youth Justice's 17 Community Accountability Boards (CABs).
  - Create leadership opportunities for youth previously involved in the juvenile justice system.
  - Participation should require workshops on available community resources and developmentally appropriate behavioral reinforcement.
- Fund and expand King County Record Sealing Clinics.

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## Appendix

### **APPENDIX A: Design suggestions submitted by HOK Architect Gerry Guerrero in July 2017 intended to explore the feasibility of changes to detention-grade and material use depending on different security levels within CFJC detention living units.**

#### BECA (1 unit – 6 beds):

This particular unit could be treated a number of ways depending on what youth would be housed here. This unit could be designed similar to a secure unit all the way down to a residential treatment unit. We would defer these specific decisions to be made at the County/Facility level for this particular unit.

#### Orientation (1 unit – 6 beds):

Due to the fact this is an orientation unit, our recommendation would be to treat this space in the same regards as a secure detention unit. Youth of all classifications will be going through this unit so it needs to be treated at the highest security level. The recommendations for this space are similar to secure detention.

#### Dayroom:

- Floors to be vinyl.
- Doors to be steel with wood grain finish.
- Ceilings to be a combination of acoustical wood and acoustical tile.
- Furniture to be medium/maximum security institutional grade; molded plastic in the passive areas, laminate gaming surface tops active and eating areas.
- Artwork/graphics on the walls.
- Add additional exterior glazing if possible for additional natural light.

#### Sleeping Rooms:

- Steel detention grade doors with wood grain finish.
- Floors to be epoxy coating or vinyl flooring.
- Plumbing fixtures to be steel with enamel finish. Eliminate combo unit and replace with a toilet and a sink.
- Furniture to be molded plastic with wood grain finish.

#### Secure Detention (4 units – 64 beds):

The secure detention units will remain as tiers. Though these units are secure detention, we still can recommend the following design ideas:

#### Dayroom:

- Floors to be a combination of carpet and vinyl.
- Doors to be steel with wood grain finish.
- Ceilings to be a combination of acoustical wood and acoustical tile.
- Furniture to be medium/maximum security institutional grade; molded plastic in the passive areas, laminate gaming surface tops active and eating areas.

- Artwork/graphics on the walls.
- Add additional clerestory windows for natural light.

#### Sleeping Rooms:

- Steel detention grade doors with wood grain finish.
- Floors to be epoxy coating or vinyl flooring.
- Plumbing fixtures to be steel with enamel finish. Eliminate combo unit and replace with a toilet and a sink.
- Furniture to be molded plastic with wood grain finish.
- Provide chalkboard or chalk paint surfaces.

#### Honor Detention (1 unit – 16 beds):

The honor dorm should remain with the same layout as the Secure Detention Units; however, due to this unit being an honor dorm we can recommend the following:

#### Dayroom:

- Floors to be a combination of carpet and vinyl.
- Doors to be solid wood or steel with wood grain finish.
- Ceilings to be a combination of acoustical wood and acoustical tile.
- Furniture to be medium security institutional grade; wood and fabric for the passive areas, standard school dining tables for the active and eating areas.
- Artwork/graphics on the walls.
- Add additional clerestory windows for natural light.

#### Sleeping Rooms:

- Wood doors with 2" medium security profile locks in lieu of the 8" maximum security profile locks; or, steel detention grade doors with wood grain finish.
- Floors to be high abuse carpet or vinyl flooring.
- Plumbing fixtures to be either vitreous china or steel with enamel finish. Eliminate combo unit and replace with a toilet and a sink.
- Furniture to be either wood or molded plastic with wood grain finish.
- Provide shelves room for personal items.
- Provide chalkboard or chalk paint surfaces.

#### Residential Treatment (4 units – 64 beds):

If the intent/mission is to truly treat this space as residential treatment units, then are a number of design features that could be considered. The first design option that comes to mind would be the removal of the tier; however this would significantly impact cost and schedule but it could be achievable. This option would conversely reduce the bed count from 64 beds to 32 beds.

Due to this, the most desirable design option would be to eliminate the tier design and replace it with a floor separation. These residential units would become (2) single level units. The second level floor slabs will affect construction cost and require re-design of the structural system in this area to support the second floor slab. The following are also items to note without having looked at a design/floorplan solution/analysis:

- Elevators may need to be added in each unit.
- Daylight into the lower level may be challenging.

- Would need to have a better understanding of the observation of youth in these units to define the extent of the second floor slab.

The following would be design suggestions for the residential treatment units:

#### Dayrooms:

- Floors to be a combination of carpet and vinyl.
- Doors to be solid wood or steel with wood grain finish.
- Walls to be metal studs/insulation with abuse resistant gypsum board.
- Ceilings to be a combination of gypsum board and acoustical tile.
- Furniture to be minimum security institutional grade; wood and fabric for the passive areas, standard school dining tables for the active and eating areas.
- Artwork/graphics on the walls.
- Add larger exterior openings.

#### Sleeping Rooms:

- Wood doors or steel doors with wood grain finish and minimum security institutional locking devices.
- Walls to be metal studs/insulation with abuse resistant gypsum board.
- Floors to be high abuse carpet or vinyl flooring.
- Plumbing fixtures to be vitreous china.
- Furniture to be minimum security institutional grade.
- Provide shelves room for personal items.
- Provide chalkboard or chalk paint surfaces.