

Report on Select King County Diversion Programs 2023

May 7, 2024



King County

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II. Proviso Text

P3 PROVIDED FURTHER THAT:

Of this appropriation, \$50,000 shall not be expended or encumbered until the Executive transmits an annual report on King County diversion programs, a motion that should acknowledge receipt of the report, and the motion is passed by the council. The motion shall reference the subject matter, the proviso's ordinance number, ordinance section and proviso number in both the title and body of the motion.

A. The reports shall cover the period from January 1, 2023, through December 31, 2023.

B. The reports shall include, but not be limited to the following programs:

1. Community Diversion Program;
2. Community Center for Alternatives Program Enhanced;
3. Pretrial Assessment and Linkage Services;
4. Law Enforcement Assisted Diversion;
5. Therapeutic Alternative Diversion; and
6. Restorative Community Pathways.

C. The following information, at a minimum, shall be provided for each program included in the reports:

1. The desired policy outcomes of the program;
2. The eligibility criteria for the program;
3. Annual county budget for the program;
4. The number of annual participants;
5. A listing of participants, with personal identifiers removed, by charge, if applicable, and referring agency;
6. A definition of program completion;
7. The percentage of participants completing the program; and
8. A summary of program outcomes during the reporting period based on program-defined performance metrics.

D. For the period from January 1, 2024, to December 31, 2024, the Executive shall continue to gather the information outlined in subsection C of this proviso for the programs outlined in subsection B of this proviso.

The Executive should electronically file the report and motion required by this proviso no later than April 30, 2024, with the Clerk of the Council, who shall retain an electronic copy and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff for the law, justice, health and human services committee or its successor.

Ordinance 19546,¹ Section 17, Office of Performance, Strategy, and Budget, P3

¹ Ordinance 19546 [{Link}](#)

III. Executive Summary

The King County Office of Performance, Strategy and Budget (PSB) developed this report in response to a Proviso in the King County adopted budget, Ordinance 19546. This report includes programmatic and outcome information on five adult diversion programs and one juvenile diversion program, as required by the Ordinance.

- Community Center for Alternatives Program (CCAP) Enhanced²
- Community Diversion Program (CDP)
- Law Enforcement Assisted Diversion (LEAD)³
- Pretrial Assessment and Linkage Services (PALS)
- Therapeutic Alternative to Drugs (TAD)⁴
- Restorative Community Pathways (RCP) (Juvenile)

Background: Four legal system agencies and two executive departments are directly involved in the design, management, and administration of the programs included in this report. They are the Prosecuting Attorney’s Office (PAO), Department of Adult and Juvenile Detention (DAJD), Superior Court, and District Court; two divisions of the Department of Community and Human Services (DCHS): the Children, Youth, and Young Adults (CYYA) and Behavioral Health and Recovery Division; and the Department of Public Health – Seattle & King County: Jail Health Services (JHS) Division. The Department of Judicial Administration (DJA) and the Department of Public Defense (DPD) are also involved in programs serving people in the criminal legal system.

King County has been a pioneer in justice reform, especially in reducing juvenile detention and creating alternatives to traditional courts.⁵ Though there is no single accepted definition of “diversion,” this report defines diversion programs as those which generally direct individuals who commit legal offenses away from more formal legal system involvement and help address their specific needs.⁶ King County has run diversion programs for more than 30 years, though many programs, including four of the six programs included in this report, were added in the last 10 years.

The programs included in this report align with the Executive’s Safety for All priority area, which focuses on deploying options that keep residents safe immediately and on addressing root causes to rebuild lives.⁷ The priority includes key programs that aim to keep people out of the criminal legal system by connecting them with community-based alternatives and reducing systemic racial and ethnic disparities. The programs reflect a commitment to a robust and coordinated public safety system that creates

² MIDD strategy: RR-02 Behavior Modification Classes at CCAP and Behavioral Services at Community Center for Alternative Programs.

³ MIDD strategy: CD-01 LEAD (Law Enforcement Assisted Diversion). The current community contract organization, PDA, refers to this program as Let Everyone Advance with Dignity.

⁴ MIDD strategy: RR-15 South County Pretrial Services.

⁵ King County Executive Proposed Budget Book 2021-2022. [{Link}](#)

⁶ King County does not have a single agreed-upon definition of “diversion”. The King County Auditor used the definition: “Incarceration alternative and diversion programs aim to reduce the use of jail or prison facilities and may include services to address underlying causes of criminal behavior.” to scope the work of their 2022 audit. [{Link}](#) That definition is consistent with this report, though some programs are more directly reducing the use of court processes rather than incarceration.

⁷ King County Executive Priority Areas Website: Safety for All [{Link}](#)

genuine safety for all people in King County communities, while also reflecting King County Executive branch values.⁸ In addition to addressing root causes and meeting the needs of those involved in the legal system, some programs (RCP and CDP) also directly serve those harmed by providing loss recovery funds and other services.

The programs are consistent with Equity and Social Justice strategies, particularly investing upstream and in community partnerships. Diversion programs apply a theory of change that fundamentally shifts the county away from policies and practices that react to problems and crises toward investments that address root causes.⁹

For the purposes of this report, five types of programs are referred to as diversion. More specifically, the programs aim to address needs along a continuum, and are categorized into five types of programs:

1. **Prevention** programs support the development of factors that help protect and promote wellbeing, prevent problems before they happen, and stop (or protect) individuals from acute risk of harm and/or systems involvement and/or change knowledge, attitudes, and behavior after a problem has been identified.
2. **Intervention** programs minimize exposure to harm and/or systems involvement and provide connection to community supports.
3. **Pre-filing diversion** programs divert individuals who commit offenses away from more formal legal system involvement and help address specific needs. Pre-filing programs intervene before criminal charges are filed against them in court.
4. **Post-filing diversion** programs divert individuals after criminal charges are filed by the PAO.
5. **Alternatives to detention** programs provide services that keep individuals out of jail while awaiting case resolution or as an accountability option instead of sentencing to secure detention. Note that DAJD, who runs these programs, does not typically refer to them as “diversion.”

In addition to the programs discussed in this report, King County agencies operate a range of other programs intended to meet the needs of individuals consistent with the Executive’s Safety for All priority, with a goal of criminal legal system transformation.

King County’s diversion programs are managed by or have significant participation from Superior Court, DJA, DCHS, PAO, JHS, DAJD, District Court, as well as community-based organizations. Programs are funded by various sources, including General Fund, the Veterans, Seniors, and Human Services Levy (VSHSL), Mental Illness and Drug Dependency (MIDD), and Best Starts for Kids. Each program serves a particular population, has different intake and participation processes, and has different policy goals. Performance metrics and reporting depends on individual agency policies and practices, as well as funding sources requirements and funding available for monitoring and evaluation.

Report Methodology: PSB worked with PAO, DAJD, DCHS, and JHS to collect and report on existing program information for the period from January 1, 2023 through December 31, 2023.

Comprehensive and comparative reporting on diversion program outcomes is limited by the lack of a single data hub used by all of the County’s criminal legal system partners and by staff capacity limitations and other resources across agencies. Each program is unique in eligibility, goals, and

⁸ King County Website Executive Priorities Areas Website: Safety for All. [{Link}](#)

⁹ King County Website Executive Priority Areas Website: Equity and Social Justice [{Link}](#).

population served and it is generally not meaningful to compare programmatic data on completions or participation directly between programs.

Report requirements: The key elements of the report requirements are summarized below.

Figure 1: Summary of Report Requirements¹⁰

Report requirements	CCAP Enhanced	CDP	LEAD	PALS	TAD	RCP
1. The desired policy outcomes of the program¹¹	<ul style="list-style-type: none"> - Change behavior - Alternative to secure detention 	<ul style="list-style-type: none"> - Divert criminal cases, reduce new criminal activity - Reduced legal system costs - Contribute to public safety and healthy communities - Provide harmed community members resources¹² 	<ul style="list-style-type: none"> - Reduce recidivism and criminal legal costs and increase positive psychosocial, housing, and quality-of-life outcomes - Provide law enforcement with alternatives to jail¹³ 	<ul style="list-style-type: none"> - Foster reentry success to South King County defendants - Meet client needs - Refer clients to ongoing behavioral health and other services - Avoid detention - Reduce criminogenic behavior - Increased employment - Reduced recidivism¹⁴ 	<p>TAD aims to provide a connection to community-based services in lieu of continued involvement in the mainstream legal system.¹⁵ The goal is to mitigate collateral consequences of prolonged involvement in the mainstream legal system.¹⁶</p>	<ul style="list-style-type: none"> - Community-based diversion options become the primary response for most youth who have contact with the legal system. - Divert youth to restorative justice process - Provide support services and restitution funds for community members experiencing harm

¹⁰ All data is for 2023, unless noted.

¹¹ CCAP Enhanced, LEAD, and PALS all contribute to the MIDD overall objectives: Divert individuals with behavioral health needs from costly interventions, such as jail, emergency rooms, and hospitals; Reduce the number, length, and frequency of behavioral health crisis events; Increase culturally appropriate, trauma-informed behavioral health services; Improve health and wellness of individuals living with behavioral health conditions; Explicit linkage with and furthering the work of King County and community initiatives. Source: MIDD Website. [{Link}](#)

¹² King County 2022 Audit. Incarceration Alternative and Diversion Programs: Improved Strategy, Data, and Coordination Could Help County Meet Goals. [{Link}](#); King County Website. [{Link}](#)

¹³ DCHS Staff.

¹⁴ County 2022 Audit. Incarceration Alternative and Diversion Programs: Improved Strategy, Data, and Coordination Could Help County Meet Goals. [{Link}](#); King County 2022 Audit. Incarceration Alternative and Diversion Programs: Improved Strategy, Data, and Coordination Could Help County Meet Goals. [{Link}](#)

¹⁵ PAO Website [{Link}](#)

¹⁶ King County 2022 Audit. Incarceration Alternative and Diversion Programs: Improved Strategy, Data, and Coordination Could Help County Meet Goals. [{Link}](#)

Report requirements	CCAP Enhanced	CDP	LEAD	PALS	TAD	RCP
2. The eligibility criteria for the program	Individuals charged with a crime with specific eligibility determined by judicial officers. ¹⁷	First-time non-violent felony cases with specific eligibility determined by PAO.	Individuals who commit, or are at high risk of committing, law violations related to their behavioral health challenges and/or income instability. Law enforcement or community make referrals with specific eligibility determined by community provider	Individuals charged with a crime Address or community ties to South King County with specific participation determined by District Court or Superior Court judges. ¹⁸	Adults with expedited felony property offense, where there is restitution of \$2,000 or less with specific eligibility determined by PAO. ¹⁹ PAO also refers eligible individuals who were initially referred to CDP but did not enroll. ²⁰	Eligibility for PAO-referred youth: first time felony cases and most misdemeanor cases; specific eligibility determined by PAO. RCP also serves PAO-referred community members who experienced harm (CMEH) and community referred youth and CMEH.
3. Annual County budget for the program	\$1,751,000 (Includes CCAP – Basic Costs)	\$4,164,000 (Includes TAD program resources)	\$4,833,000	\$251,000	Included in CDP budget ²¹	\$3,660,000
4. The number of annual participants	126 ²²	Not provided due to data reporting constraints. 202 referrals from PAO to JHS ²³	841 participants in 2022 ²⁴ 1,207 PAO Clients in 2023 ²⁵	112 ²⁶	77 ²⁷	593 ²⁸

¹⁷ King County 2022 Audit. Incarceration Alternative and Diversion Programs: Improved Strategy, Data, and Coordination Could Help County Meet Goals. [{Link}](#)

¹⁸ King County 2022 Audit. Incarceration Alternative and Diversion Programs: Improved Strategy, Data, and Coordination Could Help County Meet Goals. [{Link}](#)
Federal Way has also referred participants. Source: DAJD Program Staff.

¹⁹ King County 2022 Audit. Incarceration Alternative and Diversion Programs: Improved Strategy, Data, and Coordination Could Help County Meet Goals. [{Link}](#)

²⁰ PAO Program Staff.

²¹ Discussion with JHS, PSB, and PAO staff.

²² Cases active in 2023. PSB analysis of DAJD February 2024 data.

²³ PAO Data Dashboard. [{Link}](#)

²⁴ MIDD Dashboard. 2023 data will be available in August 2024.

²⁵ PAO Staff.

²⁶ PSB Analysis of DAJD February 2024 data.

²⁷ PAO Data. An additional 35 cases were referred to TAD+. TAD+ was a limited time program resulting from a partnership between the King County PAO and Public Health – Seattle & King County to identify individuals with non-violent offenses and connect them with community-based services. This program aimed to test potential processes for some aspects of CDP. Source: PAO Dashboard [{Link}](#)

²⁸ DCHS Staff.

Report requirements	CCAP Enhanced	CDP	LEAD	PALS	TAD	RCP
5. A listing of participants, with personal identifiers removed, by charge, if applicable, and referring agency	This information is not provided for any programs due to privacy policies and regulations regarding individual-level data reporting. ²⁹					
6. A definition of program completion	Participant met the terms of the court order. ³⁰	A “warm handoff” between JHS and a community provider is completed.	Program completion is not a goal of LEAD. ³¹	Participant met the terms of the court order.	The individual is connected to community-based services. ³²	Participant has made substantial progress on, or completed, self-identified goals in their action plan and has a support system within their community. ³³
7. The percentage of participants completing the program	18% ³⁴	41% ³⁵	N/A	31% ³⁶	63% ³⁷	72% ³⁸
8. A summary of program outcomes during the reporting period based on program-defined performance metrics.	<ul style="list-style-type: none"> - Avoided jail time. - Fewer jail episodes after enrollment. 	<ul style="list-style-type: none"> - Avoided prosecution. - Victims receive loss recovery funds.³⁹ 	<ul style="list-style-type: none"> - Fewer jail episodes after enrollment. - Linkages to publicly funded behavioral health treatment. 	<ul style="list-style-type: none"> - Fewer jail episodes after enrollment. - Linkages to publicly funded behavioral health treatment. 	Cases dismissed or not charged.	<ul style="list-style-type: none"> - Avoided referrals to court (charges filed or referral to Juvenile Court managed diversion⁴⁰) - Restitution payments - Participant self-reported progress

²⁹ See State DOH Data Guidelines [{Link}](#); RCW 13.50.050 [{Link}](#) (on Juvenile data, see section 5); RCW 10.97.050 [{Link}](#) (on adult data generally).

³⁰ DAJD Staff.

³¹ DCHS Staff.

³² PAO Staff.

³³ DCHS Staff.

³⁴ Includes only exited cases. PSB analysis of DAJD February 2024 data.

³⁵ PSB analysis of PAO data.

³⁶ PSB analysis of DAJD February 2024 data.

³⁷ PSB analysis of Jail Health Staff data: 56 of 89 cases closed in 2023 completed services.

³⁸ DCHS Data. 298 individuals exited in 2023.

³⁹ PAO Data.

⁴⁰ Court diversion is diversion managed by Juvenile Court Services (Superior Court). Most Court Diversion cases are served by Partnership for Youth Justice volunteer-run Community Accountability Boards.[{Link}](#)

Conclusion: King County's diversion programs aim to reduce jail populations and legal system involvement while addressing core needs that lead to criminogenic behavior. While there is substantial information about individual programs, the lack of key information about effectiveness, absence of a shared strategy, and shortcomings in available data limit full analysis of whether specific programs are achieving goals and whether King County's diversion programs work effectively as a system. Bridging those gaps requires additional staffing and financial resources, as well as interagency coordination.

Most diversion programs are operated by agencies largely funded by the General Fund, which as of April 2024 is facing significant budget reductions in the 2025 budget. While some programs receive levy or other non-General Fund funding, agencies are unlikely to propose adding infrastructure and data resources required for systematic tracking and comparison of program outcomes in the near term.

As of April 1, 2024, PSB is developing a central dashboard that will provide information on these and several other County diversion programs. The Executive anticipates the dashboard to be publicly available in 2024.

IV. Background

Agency Overviews:

Four legal system agencies and two executive departments are directly involved in the design, management, and administration of the programs included in this report. They are the Prosecuting Attorney's Office (PAO), Department of Adult and Juvenile Detention (DAJD), Superior Court, and District Court; two divisions of the Department of Community and Human Services (DCHS): the Children, Youth, and Young Adults (CYYA) and Behavioral Health and Recovery Division; and the Department of Public Health – Seattle & King County: Jail Health Services (JHS) Division. The Department of Judicial Administration (DJA) and the Department of Public Defense (DPD) are also involved in programs serving people in the criminal legal system.

[The Office of Performance, Strategy and Budget \(PSB\) Overview](#)

The King County Office of Performance, Strategy and Budget (PSB) provides comprehensive planning, management, budgeting, and performance assessment for King County government. PSB's work is guided by best practices in financial stewardship and performance management, which includes enhancing accountability, transparency, and integrating strategic planning, business planning, resource allocation, and continuous improvement into a systematic approach throughout the County.

The PSB Budget Section provides analysis, support, and recommendations in the allocation of funds to programs. The PSB Legal System Strategy and Policy Section provides support for efforts to improve the criminal legal system, including a focus on exploring alternatives to filings and detention.

[Prosecuting Attorney's Office \(PAO\) Overview](#)

The King County Prosecuting Attorney's Office (PAO) employs more than 500 people, including more than 260 attorneys. The PAO is led by the King County Prosecutor, who is a separately elected official.

The Criminal Division represents the State and the County in criminal matters in the King County District and Superior Courts, the state and federal courts of appeal, and the Washington and U.S. Supreme Courts. The Criminal Division is responsible for prosecuting all felonies in King County and all misdemeanors in unincorporated areas of King County.

The PAO also includes the Civil Division, which is the County's law firm; the Family Support Division, which is an integral part of the federal and state child support system; and the Juvenile Division, which handles juvenile cases.

The PAO determines eligibility for Restorative Community Pathways (RCP), the Community Diversion Program (CDP), and Therapeutic Alternative Diversion (TAD). The agency also collaborates on Law Enforcement Assisted Diversion (LEAD).

[Department of Public Defense \(DPD\) Overview](#)

The Department of Public Defense (DPD) provides legal representation to adults and juveniles who have been charged with a crime and cannot afford an attorney, as well as people facing civil commitment, parents who could lose their children in a dependency action, and people seeking to vacate a past felony

or misdemeanor conviction. DPD works to address racial disproportionality in the criminal legal system, the collateral consequences of system involvement, and other structural and systemic issues that undermine the rights of clients.

DPD is a part of the Executive branch and operates as an independent voice that promotes justice and equity for its clients and advocates for their objectives and interests.

A DPD attorney is assigned when charges are filed. DPD is not directly involved in pre-filing diversion programs. DPD advocates for upstream investments in services and prevention and advocates for divestment from the criminal legal system.

King County Superior Court Overview

King County Superior Court is King County's general jurisdiction trial court. Under the Washington Constitution and state statutes, Superior Court has responsibility for:

- Felony criminal cases;
- Civil matters involving more than \$300, unlawful detainers, and injunctions;
- Family law, including dissolutions, child support, adoptions, parentage, and domestic-violence protection matters;
- Probate and guardianship matters;
- Juvenile offender cases;
- Juvenile dependencies, including abused and neglected children, children in need of services, at-risk youth, and truancies; and
- Mental illness and involuntary commitment matters.

Superior Court operates locations at the King County Courthouse, Maleng Regional Justice Center (MRJC), the Involuntary Treatment Act Court, and the Judge Patricia H. Clark Children and Family Justice Center. Superior Court is part of the judicial branch of government. Superior Court judges are elected, and the Court is led by the Superior Court Presiding Judge. Superior Court makes referrals to Community Center for Alternatives Program (CCAP) Enhanced and Pretrial Assessment and Linkage Services (PALS).

Department of Judicial Administration (DJA) Overview

The Department of Judicial Administration (DJA) is commonly known to the public and the bar as the Superior Court Clerk's Office or the County Clerk's Office. The department serves as the independent record keeper for the King County Superior Court and is responsible for:

- Maintaining the official records of superior court cases indefinitely and overseeing all record-keeping pertaining to those cases;
- Providing a clerk at every court proceeding to make the record and take minutes;
- Storing wills in the Will Repository;
- Facilitating the public's access to court records online and in person, and
- Managing funds deposited in the registry of the court; handling all fees, fines and other monies; and performing the accounting functions related to all funds related to superior court cases.
- DJA also manages the Superior Court Adult Drug Court Diversion Program, an evidenced-based program that provides structured case management, treatment, and housing.

DJA is a unique and purposefully placed department within the County's organizational structure (King County Charter 350.20.20). The department is administered by the Superior Court Clerk, a Superior Court appointed judicial branch employee, but the department is an executive branch department, and all DJA personnel are executive branch employees.

King County District Court Overview

King County District Court is the County's court of limited jurisdiction. The Court's legislatively mandated jurisdiction includes:

- Misdemeanor and gross misdemeanor criminal cases;
- Domestic violence, stalking, and anti-harassment protection orders;
- First appearance felony bookings;
- Civil cases (up to \$100,000 per claimant);
- Small claims cases (up to \$10,000);
- Name changes;
- Impound hearings;
- Traffic and other civil infractions;
- Parking cases and
- Search warrant authorizations.

King County District Court considers the above civil cases for all King County and addresses infractions and criminal misdemeanors for unincorporated King County. District Court is also contracts with 12 cities to provide infraction and misdemeanor services. They are Auburn, Beaux Arts, Bellevue, Burien, Carnation, Covington, Duvall, Kenmore, Redmond, Sammamish, Shoreline, and Skykomish. District Court operates courthouses in 10 facilities throughout King County in Auburn, Bellevue, Burien, Issaquah, King County Courthouse (Seattle), King County Jail (Seattle jail calendars only), Redmond, MRJC in Kent, Shoreline, and Vashon Island (one day per month).

District Court is part of the judicial branch of government. District Court judges are elected, and the Court is led by the District Court Presiding Judge. Individuals referred to TAD are diverted from District Court involvement, either prior to charging in District Court or post-charging.

Department of Public Health – Seattle & King County, Jail Health Services (JHS) Overview

Jail Health Services (JHS) is a division of the Department of Public Health – Seattle & King County. The duty of JHS is to provide health care services to individuals incarcerated in King County's adult correctional facilities, including medical, dental, psychiatric care, and related services in conjunction with the Department of Adult and Juvenile Detention. JHS-provided services are offered only at the King County Correctional Facility (KCCF) located in downtown Seattle or the MRJC in Kent and not at the juvenile detention facility.⁴¹ The mission of JHS is to assess and stabilize serious health problems for the detained population with a focus on the transition from jail. Jail Health staff conduct intakes and connect participants in TAD and CDP to community-based services.

⁴¹ Youth at the Judge Patricia H. Clark Children and Family Justice Center (CCFJC) secure detention facility receive medical and behavioral health services through a contract with the University of Washington. Source: PSB Staff.

Department of Adult and Juvenile Detention (DAJD) Overview

The Department of Adult and Juvenile Detention (DAJD) operates three secure detention facilities and various community supervision programs for pre- and post-trial defendants throughout King County. The two adult secure detention divisions are the Seattle Division, which operates the KCCF, and the Kent Division, which operates the secure detention portion of the MRJC. Juvenile secure detention is in the secure detention portion of the Judge Patricia H. Clark Children and Family Justice Center. DAJD's Community Corrections Division manages the CCAP Enhanced and Pretrial Assessment and Linkage Services (PALS).

Department of Community and Human Services (DCHS) Overview

King County's Department of Community and Human Services (DCHS) provides equitable opportunities for people to be healthy, happy, and connected to community. DCHS envisions a welcoming community that is racially just, where the field of human services exists to undo and mitigate unfair structures. The Department, along with a network of community providers and partners, plays a leading role in creating and coordinating the region's human services infrastructure. DCHS stewards the revenue from the Veterans, Seniors, and Human Services Levy (VSHSL),⁴² Best Starts for Kids (Best Starts) levy,⁴³ the Mental Illness and Drug Dependency (MIDD) behavioral health sales tax fund,⁴⁴ the Health Through Housing sales tax⁴⁵, the Puget Sound Taxpayer Accountability Account (PSTAA),⁴⁶ and the Crisis Care Centers (CCC) Levy,⁴⁷ along with other state and federally-directed revenues.

DCHS' Children, Youth, and Young Adults Division (CYAD) manages the County's investments in RCP. CYAD delivers re-engagement, education, and employment services for youth and young adults⁴⁸ and administers the Best Starts for Kids Sustain the Gain investments, serving young people ages five to 24, and the Puget Sound Taxpayer Accountability Act's K-12, community, and post-secondary investments.⁴⁹ DCHS' Behavioral Health and Recovery Division (BHRD) provides a wide variety of services including crisis services, mental health treatment, substance use disorder treatment, and diversion and reentry services. The division administers MIDD programs, including LEAD and components of CCAP Enhanced and PALS.

Historical Context

Over the last decades, King County has been a pioneer in justice reform, especially in reducing juvenile detention and creating alternatives to traditional courts.⁵⁰ Though there is no single definition of "diversion," diversion programs generally direct individuals who commit offenses away from more

⁴² Veterans, Seniors and Human Services Levy. [{Link}](#)

⁴³ Best Starts for Kids Levy [{Link}](#)

⁴⁴ The MIDD behavioral health sales tax fund is also referred to as the Mental Illness and Drug Dependency fund. [{Link}](#)

⁴⁵ Health Through Housing sales tax. [{Link}](#)

⁴⁶ Puget Sound Taxpayer Accountability Account. [{Link}](#)

⁴⁷ Crisis Care Centers Levy. [{Link}](#)

⁴⁸ Children, Youth and Young Adults Division - King County. [{Link}](#)

⁴⁹ Puget Sound Taxpayer Accountability Account. [{Link}](#)

⁵⁰ King County Executive Proposed Budget Book 2021-2022. [{Link}](#)

formal legal system involvement and help address their specific needs.⁵¹ King County has run diversion programs for more than 30 years, though many programs, including four of the six programs included in this report, were added in the last 10 years. Notably, some of the programs included in this report are not considered diversion by all entities.

Much of the work related to diversion and alternatives to detention was formalized and initiated after the adoption of the 2002 Adult Justice Operational Master Plan (AJOMP)⁵² and the 2000 Juvenile Justice Operational Master Plan (JJOMP).⁵³ Recommendations in AJOMP were driven by financial constraints to expanding jail capacity and the policy need to develop alternative sanctions that address public safety and reduce future criminal behavior. JJOMP framed the challenge as “rethink[ing] how we do business and find[ing] other ways to promote justice, protect the public, and help youth in trouble make responsible choices.”⁵⁴ Both plans called for alternatives to the mainstream legal system, including diversion programs and alternatives to detention, some of which are now established diversion programs.

Transforming the legal system is rooted in research showing negative and racially disproportionate outcomes of the historical systems of prosecution and incarceration.⁵⁵ Evidence of the negative effects of criminal legal system involvement for youth led to the Executive’s commitment to ending youth incarceration in its current form.⁵⁶

Developing and implementing innovative solutions and collaborating with community-led organizations requires a variety of roles within King County to take risks and address challenges to ensure real change and keep equity and social justice at the core of the work.⁵⁷ The most recently developed programs in this report, RCP and CDP, launched in 2021 and 2022 and represent the Executive’s ongoing commitment to diversion programs, which hold individuals accountable for their actions, while helping develop positive life skills, and reducing repeat offenses.⁵⁸

Table 1 below provides a timeline of selected adult and juvenile program start dates, however it is not a comprehensive list, as there are not clear criteria that designate diversion programs and completing a full inventory is outside the scope of this report. Each of the programs listed in the table below will be included in a diversion dashboard to be launched by the Executive Office in 2024. Programs in **bold** are included in this report.

⁵¹ King County does not have a single agreed-upon definition of “diversion”. The King County Auditor used the definition: “Incarceration alternative and diversion programs aim to reduce the use of jail or prison facilities and may include services to address underlying causes of criminal behavior.” to scope the work of their 2022 audit. [{Link}](#) That definition is consistent with this report, though some programs are more directly reducing the use of court processes rather than incarceration.

⁵² Adult Justice Operational Master Plan, 2002. [{Link}](#)

⁵³ Phase II Juvenile Justice Operational Master Plan [{Link}](#)

⁵⁴ Phase II Juvenile Justice Operational Master Plan [{Link}](#)

⁵⁵ Examples of research: Exposure to the US Criminal Legal System and Well-Being: A 2018 Cross-Sectional Study [{Link}](#); Mass incarceration, public health, and widening inequality in the USA. [{Link}](#); Racial and Ethnic Disparities in the Criminal Justice System [{Link}](#); Diversion in the Criminal Justice System [{Link}](#)

⁵⁶ Care and Closure: Final Strategic Planning Report for the Future of Secure Juvenile Detention. January, 2004. [{Link}](#)

⁵⁷ King County Executive State of the County, 2022. [{Link}](#)

⁵⁸ King County Executive State of the County, 2023. [{Link}](#)

Table 1.

	Program	Start Date
Adult	Adult Drug Diversion Court	1994
	Regional Mental Health Court	1999
	Community Center for Alternatives Program (CCAP) Enhanced	2003
	Community Center for Alternatives Program (CCAP) Basic	2005
	Law Enforcement Assisted Diversion (LEAD)	2011
	Regional Veteran's Court	2012
	Vital (Familiar Faces Initiative)	2016
	Legal Intervention and Network of Care (LINC)	2017
	Community Court	2018
	Pretrial Assessment and Linkage Services (PALS)	2020
	Therapeutic Assisted Diversion (TAD)	2020
	Community Diversion Program (CDP)	2022
Juvenile	Juvenile Court Diversion	1978
	Family Intervention Restorative Services (FIRS) and FIRS Center	2016
	Shoplifting (Theft 3)	2016
	Restorative Community Pathways	2021

Some of the programs listed above have had significant operational changes since inception, including program name changes. Other diversion programs have ended over this period, such as DAJD’s Community Corrections programs adult Work Education Release (WER) and the Community Work Program (CWP), which were closed due to pandemic-related challenges.⁵⁹ Electronic Home Monitoring now serves more individuals that were previously enrolled in those programs. Helping Hands (community services), and LELO (relicensing) were closed due to budgetary constraints and limited participation.⁶⁰ PAO-led juvenile programs: Choose 180 and Community Empowered Disposition Alternative and Resolution (CEDAR) ended in 2022 as other programs were launched, including RCP, to better meet the needs of the populations served.

Current Context

Safety for All, Equity, and Criminal Legal System Transformation: The programs included in this report align with the Executive’s Safety for All priority area, which focuses attention on key programs that aim to keep people out of the criminal legal system by connecting them with community-based alternatives and reducing systemic racial and ethnic disparities. This legal system transformation aligns with the Executive’s Equity and Social Justice priority⁶¹ to proactively address the harms of racism by co-creating and implementing anti-racist, pro-equity operational practices and policies with our communities and ultimately to the Executive’s True North of making King County a welcoming community where every

⁵⁹ DAJD Staff.

⁶⁰ DAJD Staff.

⁶¹ Also referred to as the Anti-Racist and Pro-Equity Priority.

person can thrive.⁶² Programs are consistent with the Equity and Social Justice strategies, particularly investing upstream and in community partnerships. Diversion programs apply a theory of change that fundamentally shifts the County away from policies and practices that react to problems and crises toward investments that address root causes.⁶³

King County agencies collaborate on various efforts to further the overall goals of the Safety for All priority. The PSB Legal System Strategy and Policy section convenes the Criminal Justice Coordinating Table of the Whole, which meets monthly to bring agencies working on legal system initiatives together to coordinate in achieving shared goals. All County agencies involved in diversion programs participate in the group, with the exceptions of Superior Court and the Department of Judicial Administration.

Specific efforts to enact changes within the juvenile legal system include the Executive's Care and Closure initiative, which aims to create a new system and set of practices to end the use of jail for children and youth. The RCP program included in this report, contributes to youth legal system transformation by offering services within the community, serving victims, and providing interventions that align with research and best practices, though it is not a direct alternative to detention.⁶⁴

Types of Diversion Programs: The Violence and Community Safety and Wellbeing Continuum below depicts how the Executive Department conceptualizes legal system transformation.⁶⁵ Interventions to provide support and alternatives along each phase in the continuum contributes to keeping people out of the criminal legal system. Each of the programs in this report falls along the continuum, as described below.

⁶² Overview of Executive's Priority Areas [{Link}](#), Safety for All Priority documentation, and King County Executive Branch True North and Values [{Link}](#).

⁶³ King County Executive Priorities Website: Equity and Social Justice [{Link}](#).

⁶⁴ Care and Closure: Final Strategic Planning Report for the Future of Secure Juvenile Detention. January, 2004. [{Link}](#) Specific relevant research includes: Alliance for Safety and Justice (2022). Crime Survivors Speak: National Survey of Victims' Views on Safety and Justice. [{Link}](#) Sentencing Project (2023). Effective Alternatives to Youth Incarceration. [{Link}](#)

⁶⁵ DCHS typically uses the sequential intercept model to organize services and programs. See BHRD Website. [{Link}](#)

Figure 2: Violence Prevention and Community Safety and Wellbeing Continuum



For the purposes of this report, five types of programs are referred to as “diversion:”

1. **Prevention** programs support the development of factors that help protect and promote wellbeing, prevent problems before they happen, and stop (or protect) individuals from acute risk of harm and/or systems involvement and/or change knowledge, attitudes, and behavior after a problem has been identified.
2. **Intervention** programs minimize exposure to harm and/or systems involvement and provide connection to community supports.
3. **Pre-filing diversion** programs divert individuals who commit offenses away from more formal legal system involvement and help address specific needs. Pre-filing programs intervene before criminal charges are filed against them in court.
4. **Post-filing diversion** programs divert individuals after criminal charges are filed by the PAO.
5. **Alternatives to detention** programs provide services that keep individuals out of jail while awaiting case resolution or as an accountability option instead of sentencing to secure detention. Note that DAJD, who runs these programs, does not typically refer to them as “diversion.”

Included programs: The report includes information called for by the Proviso for five adult diversion programs and one juvenile diversion program.

Population	Program	Program type
Adult	Community Center for Alternatives Program (CCAP) Enhanced	Alternative to detention and Intervention
	Law Enforcement Assisted Diversion (LEAD)	Intervention and Pre-filing Diversion
	Pretrial Assessment and Linkage Services (PALS)	Alternative to detention and Intervention
	Therapeutic Assisted Diversion (TAD)	Pre-filing and Post-filing Diversion
	Community Diversion Program (CDP)	Pre-Filing Diversion
Juvenile	Restorative Community Pathways	Prevention, Intervention, and Pre-filing diversion

Other relevant County programs: Several other diversion programs are funded and operated by King County agencies. These include those listed in the Historical Context section above. Additional programs that contribute to criminal legal system transformation include:

- DCHS’s Program for Assertive Community Treatment (PACT).
- Various reentry services programs for individuals exiting secure detention.
- Treatment and programing offered within secure detention to address root causes of criminal behavior and reduce future legal system involvement.
- DAJD-managed adult and juvenile Electronic Monitoring programs, which are alternatives to secure detention.
- Regional Peacekeepers Collective (RPKC) and Rainier Beach Action Coalition (RBAC) – Restorative Resolutions managed by the King County Office of Gun Violence Prevention, Department of Public Health – Seattle & King County.
- Numerous other programs operated by the Department of Public Health – Seattle & King County and DCHS, which may not be focused specifically on legal-system-involved individuals, but which address individual needs that contribute to legal system involvement.

Metrics and reporting: Diversion programs are managed by or have significant participation from Superior Court, DJA, DCHS, PAO, JHS, DAJD, District Court, as well as community-based organizations. Programs are funded by various sources, including General Fund, VSHSL, MIDD, and Best Starts for Kids. Each program serves a particular population, has different intake and participation processes, and has different policy goals. Performance metrics and reporting depends on individual agency policies and practices, as well as funding sources requirements and funding available for monitoring and evaluation.

Report Methodology

Collaboration: The King County PSB collaborated with data staff, program staff, and agency leadership from DCHS, Superior Court, DAJD, JHS, and PAO to complete this report.

Data sources: Most programs in this report include participation from multiple agencies. In these cases, multiple agencies may collect, track, and report on data elements. As a result of variations in timing, reporting requirements, definitions, and agency role, some data elements are not consistent between agencies. The Report Requirements section provides a summary overview discussing context, data sources, and limitations for each requirement, as well as footnotes with specific data sources. Where possible, this report uses public data sources.

Several other recent King County reports have included information and recommendations related to King County diversion programs, including those covered in this report. PSB incorporated information from these documents, which include:

- 2022 Audit: Incarceration Alternative and Diversion Programs: Improved Strategy, Data, and Coordination Could Help County Meet Goals, which includes information on 12 adult programs.⁶⁶
- September 30, 2023, letter to the Council on Restorative Community Pathways, which addresses the same questions as this report from the fourth quarter of 2022 through the first quarter of 2023.⁶⁷
- A report submitted in response to Motion 16361, which provides a summary evaluation of programs to reduce King County’s secure adult detention daily population and recommendations about priorities for County investment.⁶⁸

Public-facing reporting incorporated into the report includes:

- MIDD Summary Report and Data Dashboard, which provides data on all MIDD investments, participants, and outcomes.⁶⁹ As of April 1, 2024, 2022 annual information was available for MIDD-funded programs. 2023 annual information is expected to be available in August 2024.
- PAO Data Dashboard, which includes data on referrals from the PAO to felony adult diversion programs and juvenile diversion programs.⁷⁰
- Public websites.

PSB also incorporated information from datasets provided by DAJD and PAO.⁷¹

As noted in 2023- RPT 0106,⁷² in 2022 and 2023, the King County Information Technology Department (KCIT) worked with the PAO, DJA, King County District Court, DAJD, King County Superior Court, and DPD to document policy questions, business goals, and use cases for criminal justice enterprise data analysis and reporting. This work was a step to developing a Criminal Justice Enterprise Data Hub to consolidate, integrate, and standardize criminal and legal data, enabling program evaluation, longitudinal tracking, cross-agency data sharing, policy analysis and program evaluation of the effectiveness of the criminal legal system, and equity impacts for people involved with the criminal legal system.

The work on the data hub was not able to progress due to significant barriers identified by participants, including lack of data sharing agreements and lack of staffing resources.⁷³ The lack of a data hub required data collection from numerous sources to complete this report.

⁶⁶ King County 2022 Audit. Incarceration Alternative and Diversion Programs: Improved Strategy, Data, and Coordination Could Help County Meet Goals. [{Link}](#)

⁶⁷ 2023-RPT0102. Restorative Community Pathways Letter to Council Chair Upthegrove, September 29, 2023. [{Link}](#)

⁶⁸ 2023- RPT0109 Summary Evaluation of Programs to Reduce King County’s Secure Detention Daily Population and Recommendations about Priorities for County Investment, 2023. [{Link}](#)

⁶⁹ MIDD Reports Website [{Link}](#)

⁷⁰ PAO Data Dashboard Website [{Link}](#)

⁷¹ PAO data and analytics staff had minimal capacity to contribute to this report, due to other high priority issues. Data was generally accessed through PAO program staff or data available to PSB.

⁷² 0106 Report Criminal Justice Enterprise Data Hub, September 2023. [{Link}](#)

⁷³ 0106 Report Criminal Justice Enterprise Data Hub, September 2023. [{Link}](#)

Data limitations: Some requested data is not available due to collection or reporting constraints, timing issues, and applicability to specific programs. For example, 2023 data reported by MIDD will not be available until August 2024. Data for most MIDD-funded programs is provided from the agencies managing programs, though number of 2023 LEAD participants will not be available until August 2024. Individual level data is not provided due to state laws and data governance guidelines.⁷⁴ Completion is not a goal of LEAD, so completion rates are not provided for that program. Information is current as of March 2024 and annual information is for 2023, unless otherwise specified.

Program comparability: Each program is unique in its eligibility, goals, and population served. For example, juvenile programs, such as RCP, generally employ different approaches than adult programs and have different legal frameworks and programs that intervene at different points along the legal system continuum generally have different goals and outcomes.⁷⁵ Programs in the report and other County diversion programs aim to achieve complementary goals. For these reasons, PSB finds that it is generally not meaningful to compare programmatic data on completions or participation directly between programs.

⁷⁴ See State DOH Data Guidelines [{Link}](#); RCW 13.50.050 [{Link}](#) (on Juvenile data, see section 5); RCW 10.97.050 [{Link}](#) (on adult data generally).

⁷⁴ DAJD Staff.

⁷⁵ Program Staff.

V. Report Requirements

The six programs addressed in this report aim to achieve complementary outcomes for individuals served and help create a safer community. While comprehensive outcomes reporting is limited, each program diverts individuals away from the formal legal system or provides alternatives to secure detention. The programs align with the King County Executive branch values and contribute to the transformation of the criminal legal system. The programs reflect a commitment to a robust and coordinated public safety system that creates genuine safety for all people in King County communities.⁷⁶ In addition to addressing root causes and meeting the needs of those involved in the legal system, RCP and CDP also directly serve those harmed by providing loss recovery funds and other services.

This section is organized to follow the requirements of the Proviso. The following section provides key points to explain the approach used by PSB in responding to each requirement and notes general limitations. By way of context, the following list of key points are an introduction to the narrative provided in response to the requirements.

1. *The desired policy outcomes of the program:* PSB gathered information previously compiled in the 2022 King County Auditor's Office report, and from published program missions, agency documentation of desired policy outcomes, and discussions with agency staff. There is no central repository defining desired program outcomes. Three programs, CCAP Enhanced, LEAD, and PALS contribute to overall objectives of the MIDD fund.⁷⁷
2. *The eligibility criteria for the program:* Summary information on eligibility was provided by respective program staff. The report also identifies who determines eligibility.
3. *Annual County budget for the program:* Budgets are provided by agency and funding source. The ability to identify discrete budget for individual programs depends on funding source and restrictions, when the program was originally funded, and individual agency budgeting practices. The County adopted a two-year budget for 2023-2024, not an annual budget, so annual amounts are half the adopted biennial budget in some cases. In most cases, only direct, incremental program costs are included in budget amounts, not overhead costs such as infrastructure and agency leadership costs. This means reported budget amounts do not account for the full resource need of each program.
4. *The number of annual participants:* Definitions of participation vary by program. In some cases, there are other relevant metrics included instead of, or in addition to, annual participants.
5. *A listing of participants, with personal identifiers removed, by charge, if applicable, and referring agency:* Due to privacy policies and state regulations and guidelines regarding individual-level data reporting, this information is not provided for any programs.⁷⁸
6. *A definition of program completion:* Definitions of program completion are included for each program.

⁷⁶ King County Website. [{Link}](#)

⁷⁷ Divert individuals with behavioral health needs from costly interventions, such as jail, emergency rooms, and hospitals; Reduce the number, length, and frequency of behavioral health crisis events; Increase culturally appropriate, trauma-informed behavioral health services; Improve health and wellness of individuals living with behavioral health conditions; Explicit linkage with and furthering the work of King County and community initiatives. Source: MIDD Website. [{Link}](#)

⁷⁸ See State DOH Data Guidelines [{Link}](#); RCW 13.50.050 [{Link}](#) (on Juvenile data, see section 5); RCW 10.97.050 [{Link}](#) (on adult data generally).

7. *The percentage of participants completing the program:* As described below, completion is not a goal of every program. For example, LEAD is intended to offer ongoing support to participants. Even in programs where completion is the goal, participants may receive meaningful services without completing the programming. Note that completion rates are generally expressed as completions as a percentage of exits in 2023, rather than completions as a percentage of the number of annual participants.
8. *A summary of program outcomes during the reporting period based on program-defined performance metrics:* Not all programs formally define performance metrics, and some tracked metrics are dictated by funding source. Sections for each program below includes a list of available reports, some of which contain additional performance metrics and/or outcome measures.

In addition to the required components, each program section below also includes a brief program overview, a list of the County agencies involved, the continuum category, and identifies existing program reporting. Where appropriate, some content comes from the 2022 King County Auditor’s Office report, which included much of the same information requested in this report.

1. *The desired policy outcomes of the program;*
2. *The eligibility criteria for the program;*
3. *Annual county budget for the program;*
4. *The number of annual participants;*
5. *A listing of participants, with personal identifiers removed, by charge, if applicable, and referring agency;*
6. *A definition of program completion;*
7. *The percentage of participants completing the program, and*
8. *A summary of program outcomes during the reporting period based on program-defined performance metrics.*

A. Community Center for Alternatives Program (CCAP) Enhanced⁷⁹

CCAP Enhanced is a post-filing jail diversion program for individuals charged with a crime. CCAP is managed by DAJD. CCAP Enhanced began in 2003⁸⁰ and provides assessments and structured programs for participants. CCAP Enhanced provides coordination with case workers for service referrals, structured services based on needs assessment, and mental health services; assistance with public benefits, connection to general education development (GED) and life skills classes. The program also monitors daily phone check-ins and conducts random drug tests as required by the court. Without CCAP, participants may have remained in jail awaiting trial.⁸¹ In some cases, individuals are sentenced to CCAP after a conviction instead of jail. MIDD funds services for enrolled participants with a behavioral health disorder.

⁷⁹ MIDD strategy: RR-02 Behavior Modification Classes at CCAP and Behavioral Services at Community Center for Alternative Programs.

⁸⁰ In 2004 or 2005, DAJD began offering a different version referred to as CCAP Basic and the original program changed names from CCAP to CCAP Enhanced. The program has undergone several changes in program modalities and education components since it began. Source: DAJD staff.

⁸¹ King County 2022 Audit. Incarceration Alternative and Diversion Programs: Improved Strategy, Data, and Coordination Could Help County Meet Goals. [Link](#)

Report Requirement	Community Center for Alternative Programs (CCAP)
County agencies involved	DAJD, Superior Court, DCHS, District Court, PAO, DPD
Continuum category	Alternative to Detention and Intervention
1. The desired policy outcomes of the program	The goal of CCAP is to assist participants to change behaviors by assessing a participant's individual needs and then creating weekly schedules of structured programs. Individuals can be sentenced to CCAP as an accountability option or ordered to CCAP while awaiting case disposition. In both situations, CCAP is an alternative to secure detention. ⁸²
2. The eligibility criteria for the program	Individuals charged with a crime and conditionally released from jail. Superior or District Court judges determine participation. The courts refer both sentenced and pretrial individuals. Excludes violent and sex offenses. Other ineligibility based on criminal history. ⁸³ Participation in specific components, such as substance use disorder treatment, is based on individual need. ⁸⁴
3. Annual County budget for the program	<p><u>2023 Total</u>: \$1,751,000 (includes CCAP-Basic costs)⁸⁵</p> <ul style="list-style-type: none"> • \$140,000 DCHS MIDD⁸⁶ • \$525,000 DCHS Millage⁸⁷ • \$1,095,000 DAJD General Fund (includes CCAP-Basic costs)⁸⁸ <p><i>While Superior Court, District Court, and DPD resources are used for implementation of CCAP Enhanced, there is no dedicated funding in those agencies.</i></p>
4. The number of annual participants	<p><u>Participant definition</u>: Active cases in 2023 (case was referred, individual completed intake and started services).</p> <p>2023 participants: 126⁸⁹</p>
5. A listing of participants, with personal identifiers removed, by charge, if applicable, and referring agency	This information is not provided for any programs due to privacy policies and regulations regarding individual-level data reporting. ⁹⁰

⁸² DAJS website [{Link}](#); DAJD Program Staff.

⁸³ King County 2022 Audit. Incarceration Alternative and Diversion Programs: Improved Strategy, Data, and Coordination Could Help County Meet Goals. [{Link}](#)

⁸⁴ Program Staff.

⁸⁵ Staff support both CCAP-Enhanced and CCAP-Basic participants and budgeted costs cannot be disaggregated between the programs. *Source: DAJD Staff.*

⁸⁶ DCHS Finance Staff.

⁸⁷ DCHS Finance Staff.

⁸⁸ PBCS Budget System. Staff support both CCAP-Enhanced and CCAP-Basic participants and budgeted costs cannot be disaggregated between the programs.

⁸⁹ Cases active in 2023. PSB analysis of DAJD February 2024 data.

⁹⁰ See State DOH Data Guidelines [{Link}](#); RCW 13.50.050 [{Link}](#) (on Juvenile data, see section 5); RCW 10.97.050 [{Link}](#) (on adult data generally).

Report Requirement	Community Center for Alternative Programs (CCAP)
6. A definition of program completion	Participant met the terms of the court order. ⁹¹
7. The percentage of participants completing the program	18% of cases closed in 2023 met the terms of the court order. ⁹² Participants may receive meaningful services without successfully completing the terms of the Court order.
8. A summary of program outcomes during the reporting period based on program-defined performance metrics.	<ul style="list-style-type: none"> • Participants avoid jail time while enrolled in CCAP. • MIDD reports show that individuals enrolled in MIDD-funded programming in 2018 and 2019 had fewer jail episodes two and three years after enrollment compared to the year prior to enrollment. See appendix A.⁹³
Existing reporting	MIDD dashboard; DAJD Detention and Alternative Report (DAR)

B. Community Diversion Program (CDP)

CDP launched in 2022 and is a pre-filing diversion program intended to divert individuals referred to the PAO by law enforcement from court to community services. It is managed by the PAO and DPH, and services are provided by community organizations. Key components are providing harmed community members with financial support and providing referred individuals with behavioral health supports. The program budget and structure were adjusted in late 2023 in response to lower referral volume than expected. Individuals who do not engage with CDP may remain eligible for TAD services and the two programs coordinate closely and share resources.⁹⁴

Report Requirement	Community Diversion Program (CDP)
County agencies involved	PAO, JHS
Continuum category	Pre-filing diversion from Court
1. The desired policy outcomes of the program	<p>Mission: ⁹⁵</p> <ul style="list-style-type: none"> • Diverting low level, first time, felony property or drug offenses to community partners who provide individualized services that address root causes of behavior and disrupt the cyclical nature of criminal legal system involvement • Providing harmed community members resources to promptly address financial impacts they have experienced • Contributing to public safety and healthy communities <p>Intended Outcomes: ⁹⁶</p> <ul style="list-style-type: none"> • Reduced risk of program participants engaging in new criminal activity

⁹¹ DAJD Staff.

⁹² Includes only exited cases. PSB analysis of DAJD February 2024 data.

⁹³ 2022 MIDD Dashboard. [{Link}](#)

⁹⁴ Volume of CDP cases were lower than expected and the CDP-dedicated attorney had capacity to also take on TAD cases. If CDP cases increase, PAO will need dedicated resources for both programs. Source: PAO Staff.

⁹⁵ King County 2022 Audit. Incarceration Alternative and Diversion Programs: Improved Strategy, Data, and Coordination Could Help County Meet Goals. [{Link}](#); King County Website. [{Link}](#)

⁹⁶ Program Staff.

Report Requirement	Community Diversion Program (CDP)
	<ul style="list-style-type: none"> • Reduced legal system costs
2. The eligibility criteria for the program	Adult first-time felony offenses of lowest level property crimes and drug offenses. Prosecutors may exclude cases based on concerning misdemeanor history or law enforcement concerns. ⁹⁷ Prosecutor determines eligibility. ⁹⁸
3. Annual County budget for the program	<p>Resources for the CDP and TAD programs are shared based on operational needs.⁹⁹</p> <p>2023 Budgeted CDP and TAD Total: \$4,164,000¹⁰⁰</p> <ul style="list-style-type: none"> • PAO General Fund: \$843,000 • JHS General Fund: \$3,321,000 <p><i>Note:</i> The 2023-2024 budget was reduced in the second omnibus to align with current case volume and operations. The ongoing annual budgeted amount is: \$2,621,000</p>
4. The number of annual participants	<p><i>Count of 2023 active participants is not provided due to data reporting constraints.</i></p> <p><i>Referral definition:</i> case has been referred to PAO to JHS 2023: 202 referrals from PAO to JHS¹⁰¹</p>
5. A listing of participants, with personal identifiers removed, by charge, if applicable, and referring agency	This information is not available for any programs due to privacy policies and regulations regarding individual-level data reporting.
6. A definition of program completion	A CDP referral is completed "when an appropriate meeting takes place between the JHS Care Coordinator, the Participant, and a Community Service Provider. In this meeting, the Care Coordinator will introduce the participant to the Community Service Provider and discuss the benefits and options available." This is referred to as a "warm handoff." A Community Service Provider is a community-based organization qualified to provide services to individuals. ¹⁰²
7. The percentage of participants completing the program	2023: 41% of closed cases completed "warm handoff" ¹⁰³
8. A summary of program outcomes during the reporting	<ul style="list-style-type: none"> • Participants' criminal cases are not prosecuted if they successfully participate in a "warm handoff" to behavioral health services.

⁹⁷ King County Website. [{Link}](#)

⁹⁸ King County 2022 Audit. Incarceration Alternative and Diversion Programs: Improved Strategy, Data, and Coordination Could Help County Meet Goals. [{Link}](#)

⁹⁹ Discussion with program and finance staff in PAO and JHS.

¹⁰⁰ 2024 budget: PAO General Fund: \$758,010; JHS General Fund: \$1,862,935. Source: PSB

¹⁰¹ PAO Data Dashboard. [{Link} Dashboard counts each referral.](#)

¹⁰² PAO Staff.

¹⁰³ PSB analysis of PAO data provided by JHS. 84 of 207.

Report Requirement	Community Diversion Program (CDP)
period based on program-defined performance metrics.	<ul style="list-style-type: none"> 2023: \$160,853 loss recovery funds distributed by the PAO to victims¹⁰⁴
Existing reporting	PAO Dashboard

C. Law Enforcement Assisted Diversion (LEAD)¹⁰⁵

LEAD is a pre-filing diversion program managed by a community non-profit and originally launched in 2011 and funded by MIDD beginning in 2016.¹⁰⁶ LEAD serves individuals with unmanaged behavioral health issues and chronic poverty who are likely to contact law enforcement. Participants are referred by law enforcement officers or by community.

LEAD provides case management for people with acute and other needs, including substance use disorders, mental health conditions, and criminal-legal involvement. LEAD also ensures coordination with the PAO.¹⁰⁷

Report Requirement	Law Enforcement Assisted Diversion (LEAD)
County agencies involved	DCHS, PAO, Sheriff
Continuum categories	<i>Pre-filing Diversion From Court and Intervention</i>
1. The desired policy outcomes of the program	<ul style="list-style-type: none"> To reduce recidivism and criminal legal costs and increase positive psychosocial, housing, and quality-of-life outcomes for participants To support a community policing effort, addressing low-level drug crimes with socioeconomic and health impacts, and providing law enforcement with alternatives to booking individuals into jail¹⁰⁸
2. The eligibility criteria for the program	Individuals who commit, or are at high risk of committing, law violations related to their behavioral health challenges and/or income instability are eligible for LEAD. ¹⁰⁹ Law enforcement or community make referrals, and the community provider determines appropriateness for the program.
3. Annual County budget for the program	2023: \$4,833,000 ¹¹⁰ <ul style="list-style-type: none"> MIDD PAO: \$561,000 MIDD BHRD: \$4,272,000

¹⁰⁴ PAO Data.

¹⁰⁵ MIDD strategy: CD-01 LEAD (Law Enforcement Assisted Diversion). The current community contract organization, PDA, refers to this program as Let Everyone Advance with Dignity.

¹⁰⁶ King County 2022 Audit. Incarceration Alternative and Diversion Programs: Improved Strategy, Data, and Coordination Could Help County Meet Goals. [Link](#)

¹⁰⁷ King County 2022 Audit. Incarceration Alternative and Diversion Programs: Improved Strategy, Data, and Coordination Could Help County Meet Goals. [Link](#)

¹⁰⁸ DCHS Staff.

¹⁰⁹ LEAD King County Website [Link](#)

¹¹⁰ Half 2023-2024 MIDD Budget.

Report Requirement	Law Enforcement Assisted Diversion (LEAD)
	<i>While Sheriff resources are used for implementation of LEAD, there is no dedicated funding in that agency.</i>
4. The number of annual participants	<p>Both participant and client numbers are reported as both receive benefits from involvement with LEAD. 2023 participant data will be available on the MIDD dashboard in August 2024.</p> <p><i>Participant definition:</i> Individual receiving case management services from LEAD Providers. 2022 LEAD participants: 841¹¹¹</p> <p><i>Client definition:</i> A PAO-defined LEAD client who has been referred to the LEAD program and has signed a release of information with the community provider. This count includes individuals who may not have actively received services in 2023 but are tracked by PAO. 2023 LEAD clients: 1,207¹¹²</p>
5. A listing of participants, with personal identifiers removed, by charge, if applicable, and referring agency	This information is not provided for any programs due to privacy policies and regulations regarding individual-level data reporting. ¹¹³
6. A definition of program completion	Program completion is not a goal of LEAD, as the program is intended to offer ongoing support to participants. ¹¹⁴
7. The percentage of participants completing the program	Not applicable.
8. A summary of program outcomes during the reporting period based on program-defined performance metrics.	<p>MIDD reports show that individuals enrolled in LEAD in 2019, 2020, and 2021 had fewer jail episodes one, two, and three years after enrollment compared to the year prior to enrollment. See Appendix B.</p> <p>In 2022, 21% of participants were linked to publicly funded behavioral health treatment.¹¹⁵</p>
Existing reporting	MIDD annual reports and dashboard; the contracted organization website includes external evaluations and published research. ¹¹⁶

¹¹¹ MIDD Dashboard.

¹¹² PAO Staff.

¹¹³ See State DOH Data Guidelines [{Link}](#); RCW 13.50.050 [{Link}](#) (on Juvenile data, see section 5); RCW 10.97.050 [{Link}](#) (on adult data generally).

¹¹⁴ DCHS Staff.

¹¹⁵ Linkage to publicly funded behavioral health treatment only includes services billed to Medicaid via King County Integrated Care Network (ICN) providers or the State for the following programs and services: Mental health and substance use disorder outpatient services, mental health and substance use disorder residential services, opioid treatment programs, and the Program for Assertive Community Treatment. DCHS does not have information on patients linked to treatment through private insurance, Medicare, TRICARE, or other payers, nor services billed to Medicaid outside of the ICN. 2022 MIDD Dashboard. [{Link}](#)

¹¹⁶ Listed on the LEAD website [{Link}](#)

D. Pretrial Assessment and Linkage Services (PALS)¹¹⁷

PALS is a pre-trial jail diversion program launched in September 2020 to provide pre-trial services for individuals in South King County between charging and trial. It is managed by DAJD’s Community Corrections Division and behavioral health services are provided by a community organization. Prior to the implementation of PALS, all eligible defendants referred to pretrial services were required to report to the CCAP programs in Seattle, resulting in inequitable access for individuals in South King County. Participants have the opportunity to access medication for Opioid Use Disorder (MOUD) services, Naloxone, emergency shelter, supported housing and employment programs, free phones, and ID vouchers.¹¹⁸

Report Requirement	Pretrial Assessment and Linkage Services (PALS)
County agencies involved	DAJD, Superior Court, District Court, DCHS, PAO, DPD
Continuum Category	Alternative to detention and Intervention
1. The desired policy outcomes of the program	<p>Improve opportunities to foster reentry success to South King County defendants through the acceptance of court-referred individuals into a welcoming, behavioral health-oriented therapeutic environment that is culturally responsive and adequately staffed and resourced to meet client needs; link clients to off-site services; and refer clients to ongoing behavioral health and other services, as appropriate, upon discharge from the pretrial services pilot program.¹¹⁹</p> <p>Intended outcomes: provide community-based supervision rather than detention, reduced criminogenic behavior, increased employment, and reduced recidivism.¹²⁰</p>
2. The eligibility criteria for the program	Individuals charged with a crime and conditionally released from jail. Participants must also have an address or community ties to South King County. ¹²¹ District Court or Superior Court judges determine participation. ¹²²
3. Annual County budget for the program	2023 DCHS MIDD: \$251,000 ¹²³

¹¹⁷ MIDD strategy: RR-15 South County Pretrial Services.

¹¹⁸ MIDD 2022 Dashboard. [{Link}](#)

¹¹⁹ County 2022 Audit. Incarceration Alternative and Diversion Programs: Improved Strategy, Data, and Coordination Could Help County Meet Goals. [{Link}](#)

¹²⁰ PSB discussion with DAJD program staff.

¹²¹ King County 2022 Audit. Incarceration Alternative and Diversion Programs: Improved Strategy, Data, and Coordination Could Help County Meet Goals. [{Link}](#)

¹²² King County 2022 Audit. Incarceration Alternative and Diversion Programs: Improved Strategy, Data, and Coordination Could Help County Meet Goals. [{Link}](#) Federal Way has also referred participants. Source: DAJD Program Staff.

¹²³ DAJD charges costs to BHRD. In addition to MIDD funding there is a \$110k grant in DAJD for 2024. Source: DAJD Finance Staff.

Report Requirement	Pretrial Assessment and Linkage Services (PALS)
	<i>While District Court, Superior Court, and DPD resources are used for implementation of PALS, there is no dedicated funding in those agencies.</i>
4. The number of annual participants	<i>Participant definition: Enrolled in PALS and active based on DAJD records. 2023 participants: 112¹²⁴</i>
5. A listing of participants, with personal identifiers removed, by charge, if applicable, and referring agency	This information is not provided for any programs due to privacy policies and regulations regarding individual-level data reporting. ¹²⁵
6. A definition of program completion	Participant met the terms of the court order. ¹²⁶
7. The percentage of participants completing the program	31% of cases closed cases met the terms of the court order. ¹²⁷ Participants may receive meaningful services without successfully completing the terms of the court order.
8. A summary of program outcomes during the reporting period based on program-defined performance metrics.	<ul style="list-style-type: none"> • MIDD reports show that individuals enrolled in PALS in 2021 had 20% fewer jail episodes one year after enrollment compared to the year prior to enrollment. See Appendix C. • 29% of participants were linked to publicly funded behavioral health treatment.¹²⁸
Existing reporting	MIDD dashboard; Seattle University Process Evaluation. ^{129,130}

E. Therapeutic Alternative Diversion (TAD)

TAD is a program for individuals referred to the PAO with District Court offenses. The diversion program may be offered pre-filing or post-filing and was created through a partnership with the King County PAO and King County Department of Public Health, JHS. The PAO refers individuals to JHS. JHS conducts

¹²⁴ PSB Analysis of DAJD February 2024 data.

¹²⁵ See State DOH Data Guidelines [{Link}](#); RCW 13.50.050 [{Link}](#) (on Juvenile data, see section 5); RCW 10.97.050 [{Link}](#) (on adult data generally).

¹²⁶ DAJD Staff.

¹²⁷ PSB analysis of DAJD February 2024 data. 23 of 74 of closed cases.

¹²⁸ MIDD 2022 Dashboard. Note: Linkage to publicly-funded behavioral health treatment only includes services billed to Medicaid via King County Integrated Care Network (ICN) providers or the State for the following programs and services: Mental health and substance use disorder outpatient services, mental health and substance use disorder residential services, opioid treatment programs, and the Program for Assertive Community Treatment. DCHS does not have information on patients linked to treatment through private insurance, Medicare, TRICARE, or other payers, nor services billed to Medicaid outside of the ICN. [{Link}](#)

¹²⁹ Descriptive Evaluation of the South King County Pretrial Assessment and Linkages Services (PALS) Pilot Program. [{Link}](#)

¹³⁰ King County 2022 Audit. Incarceration Alternative and Diversion Programs: Improved Strategy, Data, and Coordination Could Help County Meet Goals. [{Link}](#)

intake and obtains consent for participation in the program and connects individuals to community services. Upon confirmation of connection to services, PAO either dismisses or does not file charges. TAD was launched in 2020. Individuals who do not enroll in the CDP program pre-filing are also eligible for referral to TAD and resources for the two programs are shared. A pilot program for Seattle City cases began in October 2023, funded by Seattle and not included in the below.

Report Requirement	Therapeutic Alternative Diversion (TAD)
County agencies involved	PAO, JHS, District Court
Continuum category	<i>Pre filing and post filing diversion from court</i>
1. The desired policy outcomes of the program	TAD aims to provide a connection to community-based services in lieu of continued involvement in the mainstream legal system. ¹³¹ The goal is to mitigate collateral consequences of prolonged involvement in the mainstream legal system. ¹³²
2. The eligibility criteria for the program	PAO determines eligibility. Adults with expedited felony property offense, where there is restitution of \$2,000 or less. Must not have disqualifying criminal history, open felony case with Superior Court, or two prior referrals to TAD within 18 months of the current offense. PAO reserves the right to refer individuals who may not fully meet the criteria. ¹³³ PAO also refers eligible individuals referred to TAD who were initially referred to CDP but did not enroll. ¹³⁴
3. Annual County budget for the program	Resources for CDP and TAD programs are shared based on operational needs in both JHS and PAO. The CDP budget (shown above in section B) also includes staffing and resources for the TAD program in PAO and JHS. ¹³⁵ <i>While District Court resources are used for implementation of TAD, there is no dedicated funding in that agency.</i>
4. The number of annual participants	<u>Participant definition</u> : an individual that was referred to TAD services and chose to engage in services through TAD ¹³⁶ 2023: 77 participants ¹³⁷
5. A listing of participants, with personal identifiers removed, by charge,	This information is not provided for any programs due to privacy policies and regulations regarding individual-level data reporting. ¹³⁸

¹³¹ PAO Website. [{Link}](#)

¹³² King County 2022 Audit. Incarceration Alternative and Diversion Programs: Improved Strategy, Data, and Coordination Could Help County Meet Goals. [{Link}](#)

¹³³ King County 2022 Audit. Incarceration Alternative and Diversion Programs: Improved Strategy, Data, and Coordination Could Help County Meet Goals. [{Link}](#)

¹³⁴ PAO program staff.

¹³⁵ Discussion with JHS, PSB, and PAO staff.

¹³⁶ PAO Program Staff.

¹³⁷ Internal PAO Dashboard. An additional 35 cases were referred to TAD+. TAD+ was a limited time program resulting from a partnership between the King County PAO and Public Health – Seattle & King County to identify individuals with non-violent offenses and connect them with community-based services. This program aimed to test potential processes for some aspects of CDP. Source: PAO Dashboard [{Link}](#)

¹³⁸ See State DOH Data Guidelines [{Link}](#); RCW 13.50.050 [{Link}](#) (on Juvenile data, see section 5); RCW 10.97.050 [{Link}](#) (on adult data generally).

Report Requirement	Therapeutic Alternative Diversion (TAD)
if applicable, and referring agency	
6. A definition of program completion	TAD is completed when the individual is connected to community-based services. ¹³⁹
7. The percentage of participants completing the program	63% of closed referrals were connected to services ¹⁴⁰
8. A summary of program outcomes during the reporting period based on program-defined performance metrics.	Those who engage with the service providers benefit by not having their criminal referral charged in District Court, or if it was charged in District Court or Superior Court, by having their pending criminal charge dismissed.
Existing reporting	N/A

F. Restorative Community Pathways (RCP)

Unless otherwise noted, information below comes from 2023-RPT0102, a letter to the Chair of the Council in response to Proviso 1 in Ordinance 19633, Section 32.¹⁴¹The letter addresses the same requirements as this report in more detail and covers the reporting period from the fourth quarter of 2022 through the first quarter of 2023.

RCP is a community-led accountability and restoration process, comprised of skilled community navigators and community-based supports working together to prevent future harm and criminal legal system involvement. RCP works to 1) create meaningful and immediate accountability for young people; 2) reduce young people’s interactions with the criminal legal system now and in the future; 3) move away from a decades-old punitive system toward and evidence-based community diversion program that aids in healing; 4) provide harmed parties with access to restitution funds and social services.¹⁴² The program serves both PAO-referred and community-referred youth and community members who experienced harm.

Report Requirement	Restorative Community Pathways (RCP)
County agencies involved	DCHS, PAO
Continuum category	Pre filing diversion from court, Prevention, and Intervention ¹⁴³

¹³⁹ PAO Staff.

¹⁴⁰ PSB analysis of Jail Health Staff data: 56 of 89 cases closed in 2023 completed services.

¹⁴¹2023-RPT0102. Restorative Community Pathways Letter to Councilmember Upthegrove, September 29, 2023. [{Link}](#)

¹⁴² Updated Implementation Plan on Restorative Community Pathways and Motion 16263. [{Link}](#)

¹⁴³ Community-referred youth do not participate in RCP based on a law enforcement referral, but they may have other past or current involvement in the criminal legal system. Source: DCHS Program Staff.

Report Requirement	Restorative Community Pathways (RCP)
<p>1. The desired policy outcomes of the program</p>	<p>The broad desired policy outcome reflected in the RCP program is that community-based diversion options such as RCP become the primary response for most youth who have contact with the legal system. RCP’s goals center on diverting youth away from the juvenile legal system to a restorative justice process and providing community members who experienced harm an opportunity for support services and restitution funds.</p>
<p>2. The eligibility criteria for the program</p>	<p>RCP serves 4 categories of individuals:</p> <p><i>PAO-referred youth:</i> Youth 17 years old and under with first-time felony cases and most misdemeanor cases who are not eligible for existing programs such as Family Intervention and Restorative Services (FIRS).^{144,145} While felony offenses such as Robbery 2 and Assault 2 may be eligible, any felonies that involve a weapon used to threaten or injure a person are ineligible. Additionally, offenses involving an allegation of domestic violence or sexual assault are not eligible for RCP. All referrals made to RCP are subject to PAO review and discretion. A full list of offenses eligible for RCP is provided in Appendix D.</p> <p><i>PAO-referred community members who experienced harm (CMEH):</i> Individuals identified by law enforcement as experiencing harm due to PAO-youth referred behavior.</p> <p><i>Community-referred youth:</i> Youth identified by RCP community navigators as associated with the individuals referred by PAO and in need of services.</p> <p><i>Community-referred community members who experienced harm (CMEH):</i> individuals identified by community navigators who were harmed in the incident leading to law enforcement referral to PAO, but not listed in the police report as victims.</p>
<p>3. Annual County budget for the program</p>	<p>2023: DCHS General Fund and Best Starts for Kids \$3.66 million. <i>Does not include \$1.2 annual ongoing funding added in the 2nd omnibus beginning in 2024 or a 3-year, \$1,000,000 federal grant.</i>¹⁴⁶</p> <p><i>While PAO resources are used for implementation of RCP, there is no dedicated funding in that agency.</i></p>
<p>4. The number of annual participants</p>	<p><u><i>Participant definition:</i></u> Individuals participating in RCP services in 2023. Total participants: 593¹⁴⁷</p> <ul style="list-style-type: none"> • PAO-referred youth: 380 • PAO-referred CMEH: 87 • Community-referred youth: 95 • Community-referred CMEH: 31

¹⁴⁴ Implementation Plan on Restorative Community Pathways, and Motion 16063. [{Link}](#)

¹⁴⁵ Updated Implementation Plan on Restorative Community Pathways and Motion 16263. [{Link}](#)

¹⁴⁶ OJJDP FY2023 Juvenile Justice System Reform and Reinvestment Initiative grant.

¹⁴⁷ DCHS Staff.

Report Requirement	Restorative Community Pathways (RCP)
5. A listing of participants, with personal identifiers removed, by charge, if applicable, and referring agency	This information is not provided for any programs due to privacy policies and regulations regarding individual-level data reporting. ¹⁴⁸
6. A definition of program completion	Participants complete the RCP program when they have made substantial progress on, or completed, self-identified goals in their action plan and have a support system within their community. For a participant, this includes supports to meet individual basic needs, access to relevant services, and other goals in the action plan developed with their RCP navigator. ¹⁴⁹
7. The percentage of participants completing the program	72% of individuals who exited services completed RCP programming. Participants may receive meaningful services without successfully completing the program. ¹⁵⁰ <ul style="list-style-type: none"> • PAO-referred youth: 73% • PAO-referred CMEH: 79% • Community-referred youth: 69% • Community-referred CMEH: 47%
8. A summary of program outcomes during the reporting period based on program-defined performance metrics.	<ul style="list-style-type: none"> • 56% of law enforcement referrals in 2023 were diverted from court. 30% of these cases were diverted to RCP.¹⁵¹ • PAO-referred youth who accept services in RCP avoid referrals to court (charges filed or referral to Juvenile Court managed diversion¹⁵²) In 2023, 162 youth cases were diverted to RCP pre-filing and 8 youth cases were diverted to RCP post filing.¹⁵³ • 46 restitution payments to CMEH totaling \$57,000 were paid in 2023. • For 2023, RCP providers report: <ul style="list-style-type: none"> – 82% of participants met a self-identified goal – 92% of participants were developing a positive identity – 88% of participants were building connection to peers and/or community – 88% of participants gained knowledge or skills
Existing reporting	PAO Dashboard; DCHS website public reports ¹⁵⁴

¹⁴⁸ See State DOH Data Guidelines [{Link}](#); RCW 13.50.050 [{Link}](#) (on Juvenile data, see section 5); RCW 10.97.050 [{Link}](#) (on adult data generally).

¹⁴⁹ DCHS Staff.

¹⁵⁰ 298 individuals exited in 2023: PAO-referred youth: 134 of 184 exits; PAO-referred CMEH: 31 of 39 exits; Community-referred youth: 40 of 58 exits; Community-referred CMEH: 8 of 17 exits. Source DCHS.

¹⁵¹ Includes Court Diversion, Family Intervention Restorative Services (FIRS), and other community diversion. Source: PAO Dashboard [{Link}](#). Totals on the PAO dashboard are calculated differently than RCP specific data.

¹⁵² Court diversion is diversion managed by Juvenile Court Services (Superior Court). Most Court Diversion cases are served by Partnership for Youth Justice volunteer-run Community Accountability Boards. [{Link}](#)

¹⁵³ A limited number of youth accept participation in RCP only after charges were filed. In these cases, charges are dismissed with participation in RCP. Source: PAO program staff.

¹⁵⁴ DCHS Data Briefs and Reports Website. [{Link}](#)

VI. Conclusion/Next Steps

King County's diversion programs aim to reduce jail populations and legal system involvement while addressing core needs that lead to unlawful behavior. These programs, which include the six described in this report, are a key component of the Executive's Safety for All Priority and contribute to making King County a welcoming people where all people can thrive.

The Safety for All Priority aims to keep people out of the criminal legal system by connecting them with community-based alternatives and reducing systemic racial and ethnic disparities. The Executive is committed to programs like Restorative Community Pathways that keep youth from engaging with the criminal legal system. The County works with community partners to help youth find stable footing and go on to lead happy and healthy lives.

As highlighted in the King County Auditor's report and in the letter submitted on September 29, 2023 (2023-RPT0109), a comprehensive analysis of whether specific programs are achieving goals and whether King County's diversion programs work effectively as a system is not currently possible given the lack of a shared strategy and absent key data and information about effectiveness, and opportunities for improvement. Bridging these gaps requires interagency coordination and collaboration along with additional staffing and financial resources.

Most diversion programs are operated by agencies largely funded by the General Fund, which as of April 2024, is facing significant budget reductions in the 2025 budget, though some diversion programs receive levy or other non-General Fund support.

Additional reporting on these programs and other County funded and managed diversion programs is currently available publicly. This includes:

- Public reporting on all MIDD programs on MIDD dashboard. The Executive expects 2023 annual data to be available in August 2024.¹⁵⁵
- PAO referrals to juvenile diversion programs and some adult diversion programs updated monthly on PAO data dashboard.¹⁵⁶
- Public data reporting on Restorative Community Pathways available on the DCHS website.¹⁵⁷

As of April 1, 2024, PSB is developing a central dashboard that will provide information on these and several other County diversion programs. The Executive expects the dashboard to be publicly available in 2024.

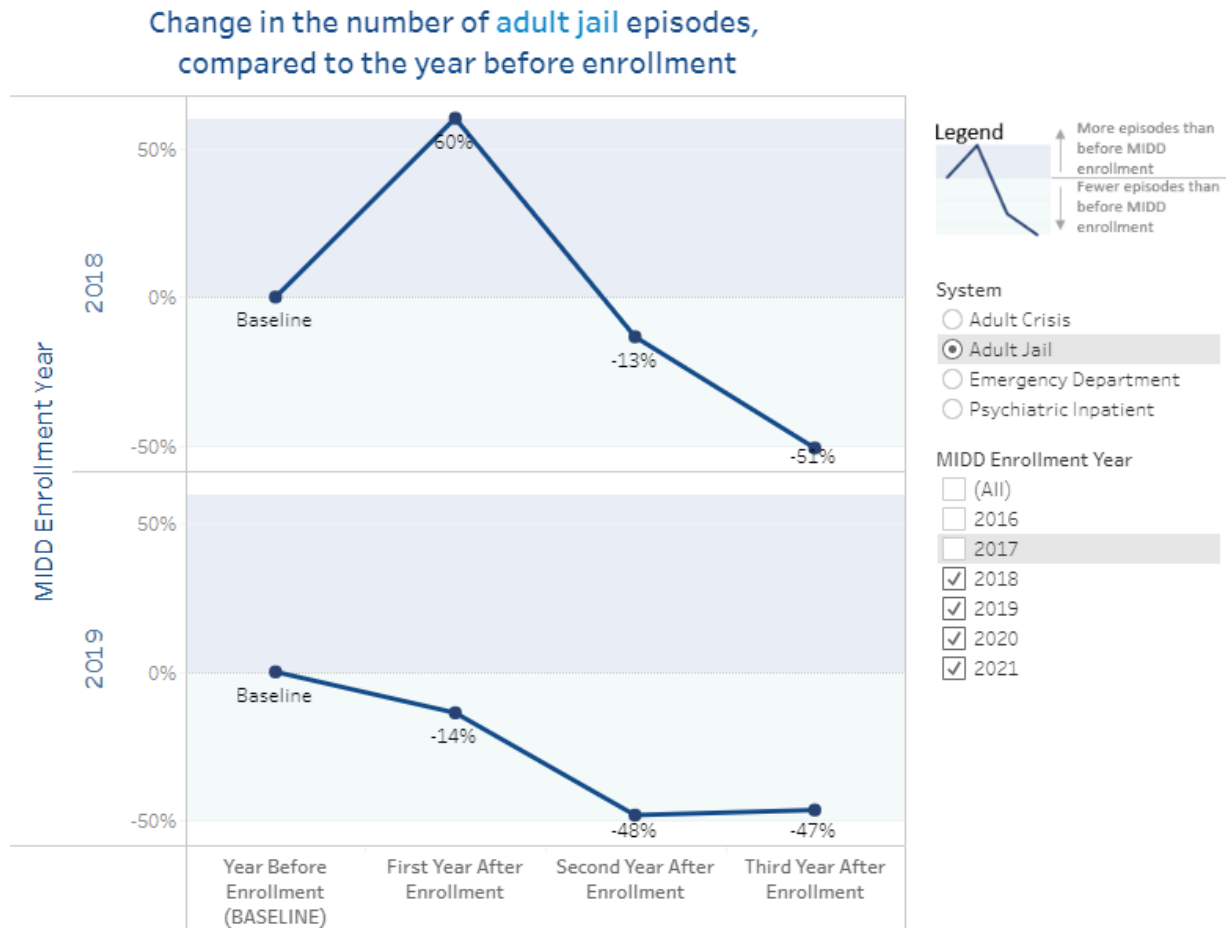
¹⁵⁵ MIDD Dashboard. [{Link}](#)

¹⁵⁶ PAO Data Dashboard. [{Link}](#)

¹⁵⁷ DCHS Data Briefs and Reports Website. [{Link}](#)

VII. Appendices

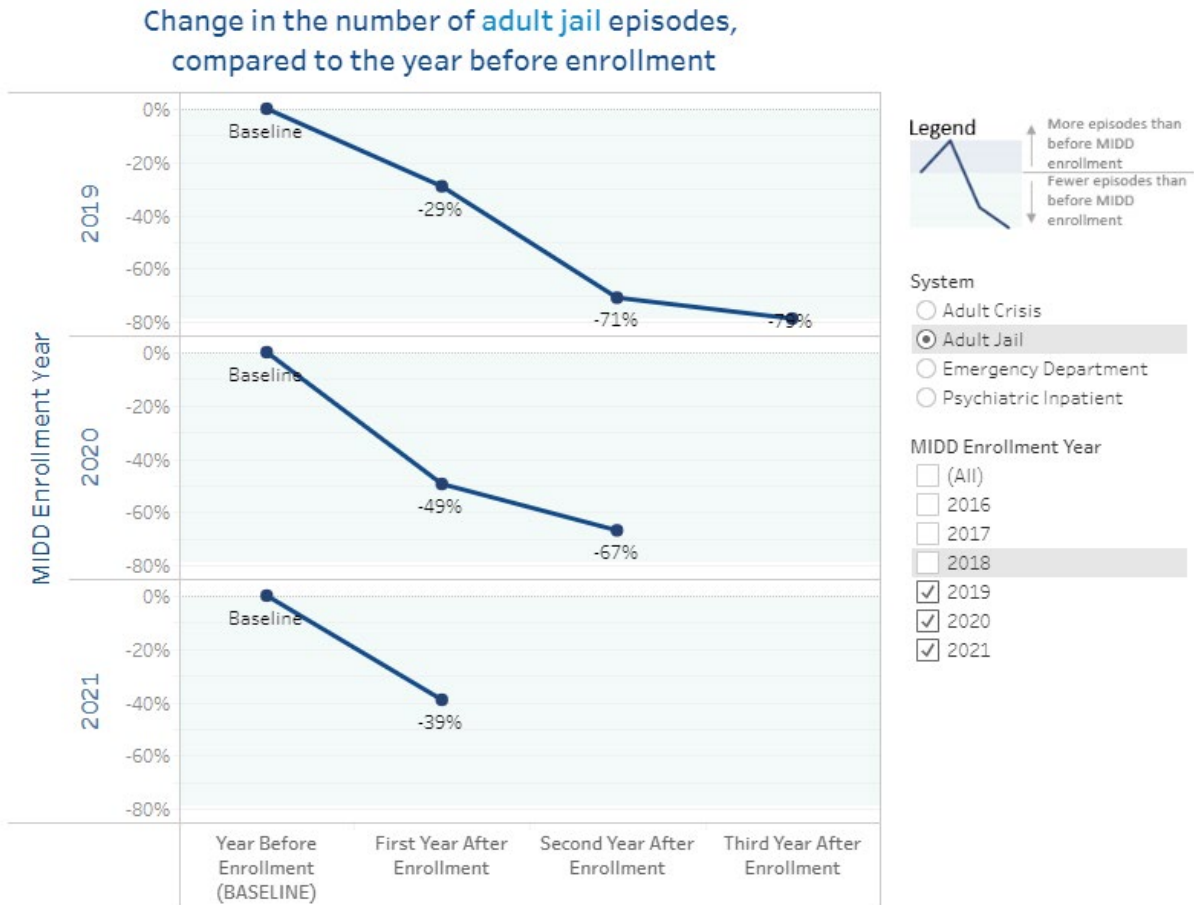
Appendix A. CCAP Enhanced Change in Adult Jail Episodes, Compared to the year before enrollment.



Source: MIDD Dashboard¹⁵⁸

¹⁵⁸ [Link](#) Note: It is common for service use to increase in the first year after enrollment, as many participants enroll in MIDD strategies in a period of acute need. See dashboard for additional caveats.

Appendix B: LEAD Change in Adult Jail Episodes, Compared to the year before enrollment.

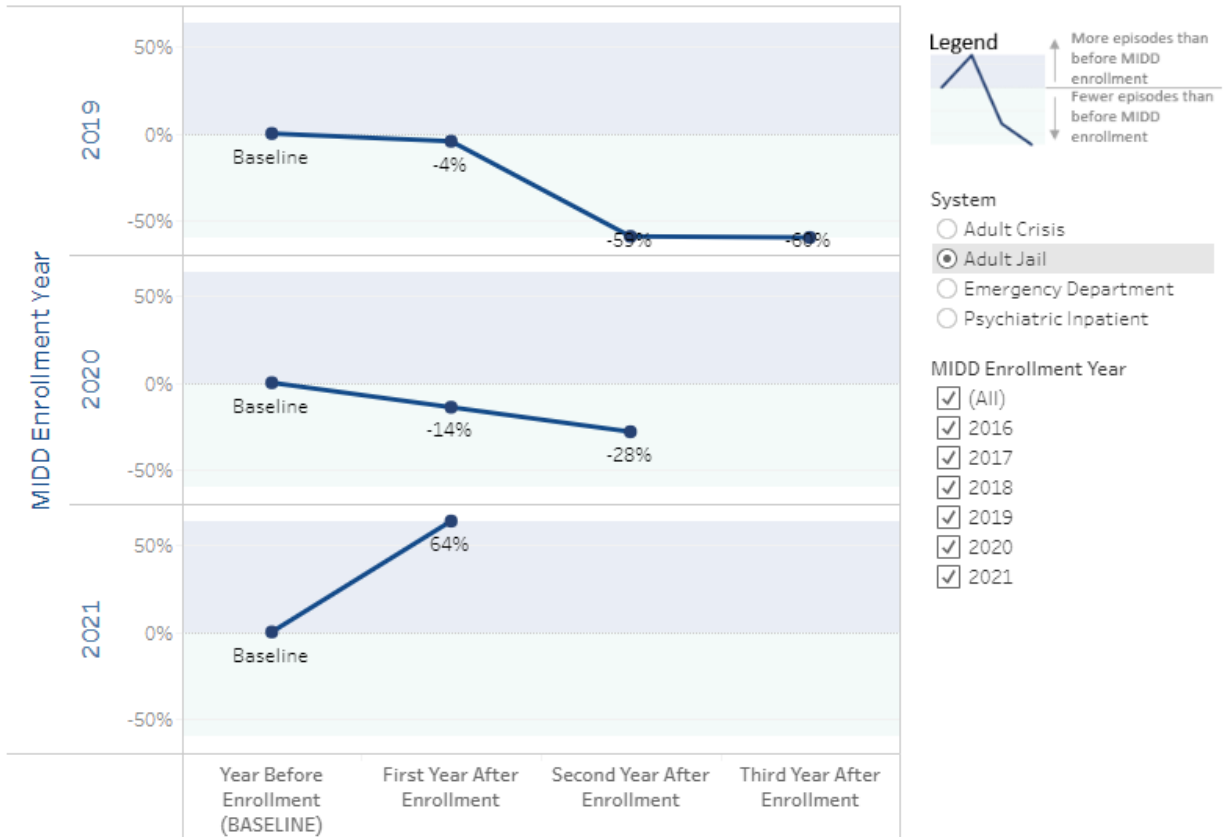


Source: MIDD Dashboard¹⁵⁹

¹⁵⁹ [Link](#) Note: It is common for service use to increase in the first year after enrollment, as many participants enroll in MIDD strategies in a period of acute need. See dashboard for additional caveats.

Appendix C. PALS Change in Adult Jail Episodes

Change in the number of adult jail episodes, compared to the year before enrollment



Source: MIDD Dashboard¹⁶⁰

¹⁶⁰ [Link](#) Note: It is common for service use to increase in the first year after enrollment, as many participants enroll in MIDD strategies in a period of acute need. See dashboard for additional caveats.

Appendix D: RCP Eligibility and PAO Commitments

Draft document last updated August 14, 2023

Source: PAO Staff

Restorative Community Pathways (RCP) Eligibility and PAO Commitments

The King County Prosecuting Attorney's Office (PAO) believes that justice is best achieved when we work in partnership with communities most impacted by the legal system. Meaningful partnership requires that the PAO be willing to share power with community. To this end, the PAO commits to exercising its prosecutorial discretion in a transparent way that directly refers youth to the RCP diversion program. The PAO believes that RCP will be an iterative process, where we learn and improve our delivery of service over time. In this spirit, the PAO commits to revisiting eligibility standards as needed.

I. Eligible Offenses:

- Assault 4
- Assault 3
- Burglary 2
- Criminal Trespass 1, 2
- Escape
- Felony Harassment
- Harassment
- Malicious Mischief 1, 2, 3
- Obstructing a Law Enforcement Officer
- Organized Retail Theft
- Possession of Stolen Vehicle
- Reckless Burning
- Residential Burglary
- Robbery 2*
- Taking Motor Vehicle Without Permission 1, 2
- Theft 1, 2, 3
- Theft of a Motor Vehicle
- Unlawful Display of a Weapon
- Vehicle Prowl
- Violation of the Uniform Controlled Substance Act**

II. Excluded Offenses:

- Class A Felonies, and Attempt, Conspiracy, or Solicitation to commit a Class A Felony
- Assault in the Second Degree
- Drive-By Shooting
- Sex Offenses or any offenses alleging Sexual Motivation
- Intimate Partner Domestic Violence.
- Intra-familial Domestic Violence (these offenses will continue to utilize the FIRS approach)
- Felony Traffic Offenses / DUI
- Unlawful Possession of a Firearm

*Robbery 2 - Cases involving the following factual circumstances are not eligible for RCP: 1) Use or threatened use of a deadly weapon/firearm; and/or 2) bodily injury requiring more than first aid at the scene.

** Fentanyl possession or dealing is not eligible for RCP

***Threats to bomb or threats to harm learning environments/staff are not automatically eligible for RCP. Cases shall be reviewed on a case-by-case basis, considering 1) whether there is any evidence of intent to carry out the threat; 2) any ability to carry out the threat; 3) disruption and impact on community resources; and 4) the respondent's prior history of discipline at the school. All decisions will be approved by the Division Chief.

III. History - All presenting misdemeanor offenses are eligible for RCP regardless of the respondent's offender history. Presenting felony offenses are only eligible for RCP if the respondent does not have a prior felony adjudication or pending deferred disposition.

IV. Pending Matters - Respondents who have pending charges in Juvenile Court are not eligible for direct referral to RCP on new matters.

V. Detention – Youth who are detained (in secure detention or EHM) *after* a first appearance hearing are not eligible for direct referral to RCP on that matter.

VI. Subsequent RCP Referral – Respondents that have previously been referred to RCP may be considered by the PAO for second or subsequent referrals on a case-by-case basis. Factors supporting a second or subsequent referral to RCP are:

- A. At least one year has passed since the first referral to RCP and the Respondent has not engaged in any other criminal activity in that time;
- B. The second or successive referral is being sent to RCP either contemporaneously with the first or very shortly thereafter; and
- C. The second referral to RCP has an offense date that precedes the initial referral's offense date.

VII. Prosecutorial Discretion - The PAO recognizes that there may be circumstances when prosecutorial discretion will be used as an exception to these standards and charge an RCP eligible case into Juvenile Court. In exercising this discretion, the PAO commits to the following process:

- A. All decisions to charge an RCP eligible case shall be staffed with and approved by the PAO Juvenile Division Chief.
- B. If deviation is sought, the PAO will endeavor to staff its decision with the RCP consortium, prior to charging the matter into Juvenile Court. The RCP advisory board will convene the staffing within three business days of notice being provided by the PAO.
- C. The PAO recognizes that there may be circumstances where notice to the RCP advisory board is not feasible. In such cases, the PAO may charge the matter into Juvenile Court and inform the RCP advisory board of this exception. The PAO will still staff the charging decision with the RCP advisory board. If after consultation the PAO determines that referral to RCP is advised, then the PAO will move to dismiss the matter in Juvenile Court and route the case to RCP.